



1 August 2024

Fortis  
C/- Forge Venture Management  
Level 2, 50 York Street  
Sydney NSW 2000

Attn: Mark Handley  
Email: [mark.handley@forgevm.com](mailto:mark.handley@forgevm.com)

**RE: 34-35 SOUTH STEYNE, MANLY, NSW  
BCA COMPLIANCE STATEMENT FOR SECTION 4.55 SUBMISSION**

Reference is made to BM+G's BCA Compliance Statement for DA dated 30 June 2022, and detailed BCA Report Rev. 1 dated 13 May 2024.

As instructed, we have undertaken a review of the proposed modifications to the development consent as detailed in architectural plans prepared by Durbach Block Jagers, '1728 – Fortis Manly – S.4.55 – 02 Package' Revision DA-J dated 11 July 2024.

Arising from our review, we note the following key BCA implications of the proposed amendments:

- + Changes to fire compartmentation at Ground Floor level including a proposed sliding fire door within the Through Site Link. The changes to the fire compartmentation does not result in any compliance issues with the BCA. Furthermore, we understand that the changes are consistent with the current fire safety engineering strategy (to be confirmed by Fire Safety Engineer). While egress is not permitted through a sliding fire door, compliant access to exits and exit travel distances can still be achieved subject to a single tenancy at this level.
- + The proposed new location of the sprinkler booster assembly is now DtS compliant and as such a Performance Solution will no longer be required.
- + The courtyard within commercial Levels 1 and 2 have been reduced, increasing the office floor area, however this has no adverse impact on BCA compliance, particularly exit travel distances.
- + The western planter on Level 3 has been removed which result the following:
  - An increase in the floor area of the commercial office space. This will result in extended travel distances on this level however they will be consistent with the two levels below which are current subject to Performance Solution. It is considered that the existing Performance Solution can be extended to Level 3.
  - Protection of openings to the western external wall will no longer be required as blade walls have been implemented (noting the blade walls will require a fire-rating as they are less than 1.5m from the allotment boundary).
- + Additional/Modified Performance Solutions will be required with respect to:
  - To allow the sprinkler control alarm valves to be located at Basement 1 Level and not accessed from open space.
  - The existing Performance Solution relating to travel distances for Level 1 and 2 will require to be updated to now include Level 3 (as per above).

The above matters are considered relatively minor in nature and do not change the overall BCA compliance strategy for the building. Furthermore, we are of the opinion that any design changes that are required for

**Liability limited by a scheme approved under Professional Standards Legislation.**

BCA compliance will be relatively minor in nature and can be undertaken during detailed design at Construction Certificate stage without giving rise to the need for a further s.4.55 Modification Application.

In considering the above, we are satisfied that the proposed development, as modified, can readily achieve compliance with the NCC Building Code of Australia (BCA) pursuant to section 19 of the Environmental Planning & Assessment (Development Certification & Fire Safety) Regulation 2021, subject to compliance with the abovementioned BCA Report, which will be revised upon receipt of detailed documentation and prior to issue of the Construction Certificate. In this regard, we note that compliance will be achieved by a combination of complying with the BCA Deemed-to-Satisfy and Fire Engineered Performance Solutions satisfying the relevant BCA Performance Requirements.

We trust that the above is of assistance however please do not hesitate to contact the undersigned on 02 9211 7777 should you have any queries or require any further information.

Yours faithfully,



Tony Heaslip  
Director

**BM+G**

*AIBS National Accreditation, Building Surveyor, Accreditation No. 6560*

*Associate, RICS*

*Unrestricted Building Surveying Grade A1*