

14 October 2021

DKO Architects  
42 Davies Road  
Surry Hills NSW 2010

Attention: Wendy Lam

Dear Wendy,

**RE: 30 Fairlight St, Fairlight  
BCA COMPLIANCE STATEMENT FOR DA SUBMISSION**

This statement has been prepared to verify that Blackett Maguire + Goldsmith Pty Ltd have undertaken a review of the architectural documentation that will accompany the Development Application submission to Council for the proposed development works comprising the Construction of a four storey residential building sitting atop a basement carpark at the subject site against the Building Code of Australia 2019 Amendment 1 (BCA 2019).

## **1.0 PROPOSED DEVELOPMENT**

The proposed development comprises:

Basement Level – Ten (10) carparking spaces, waste storage and plant and equipment spaces.

Ground Level & Level 1 – Two (2) Class 2 residential sole occupancy unit

Level Two – A single Class 2 residential sole occupancy unit

## **2.0 COMPLIANCE STATEMENT OBJECTIVES**

The objectives of this statement are to:

- a) Confirm that the DA architectural documentation has been reviewed by an appropriately qualified Building Surveyor and Registered Certifier.
- b) Confirm that the proposed new building works can readily achieve compliance with BCA 2019 Amendment 1 pursuant to clause 145 of the *Environmental Planning & Assessment Regulation 2000*.
- c) Accompany the Development Application submission to enable the Consent Authority to be satisfied that subsequent compliance with the fire & life safety and health & amenity requirements of the BCA, will not necessarily give rise to design changes to the building which may necessitate the submission of an application under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

It should be noted that it is not the intent of this statement to identify all BCA provisions that apply to the subject development. The development will be subject further assessment following receipt of more detailed documentation at Construction Certificate stage.

*Note: This statement has been prepared in accordance with Part 4 of the Building and Development Certifiers Regulation 2020*



### 3.0 REFERENCED DOCUMENTATION

This report has been prepared based on a review of the preliminary DA architectural plans prepared by DKO Architects:

DRAWING No.	REVISION	DATE	DRAWING No.	REVISION	DATE
DA200	A	12/10/21	DA203	A	12/10/21
DA201	A	12/10/21	DA204	A	12/10/21
DA202	A	12/10/21			

### 4.0 BUILDING CLASSIFICATION

The new building works have been classified as follows:

<b>BCA CLASSIFICATION:</b>	Class 7a (Carpark) Class 2 (Residential)
<b>RISE IN STOREYS:</b>	Four (4)
<b>STOREYS CONTAINED:</b>	Four (4)
<b>TYPE OF CONSTRUCTION:</b>	Type A Construction
<b>IMPORTANCE LEVEL (STRUCTURAL):</b>	Structural engineer to confirm
<b>SPRINKLER PROTECTED THROUGHOUT:</b>	Yes
<b>EFFECTIVE HEIGHT:</b>	<12m
<b>FLOOR AREA:</b>	TBA
<b>MAX. FIRE COMPARTMENT SIZE:</b>	8,000m <sup>2</sup> & 48,000m <sup>3</sup>
<b>CLIMATE ZONE:</b>	Zone 5

### 5.0 SUMMARY OF KEY COMPLIANCE ISSUES

The following comprises a summary of the key compliance items identified in this report that will need to be addressed prior to issue of the respective Construction Certificate

#### Matters Requiring Fire Engineering

BCA (DtS) Clause		Description
1.	C3.2	The openings located in the external wall of the Basement Level and Level 1 are to be protected to the degree necessary and included within a fire engineering report.
2.	D1.4	The distance to a point which access to alternative exits is available is up to approximately 32m in lieu of the maximum 20m permitted.

#### Matters Requiring Clarification or Redesign

BCA (DtS) Clause		Description
3.	D2.20	The door that discharges the building adjacent the vehicular entry and the doorway that discharges the egress stair both swing inwards against the direction of egress.
4.	E1.5	The standard of performance of the sprinkler system and location of the sprinkler stop valves is to be identified.



## 6.0 BCA ASSESSMENT

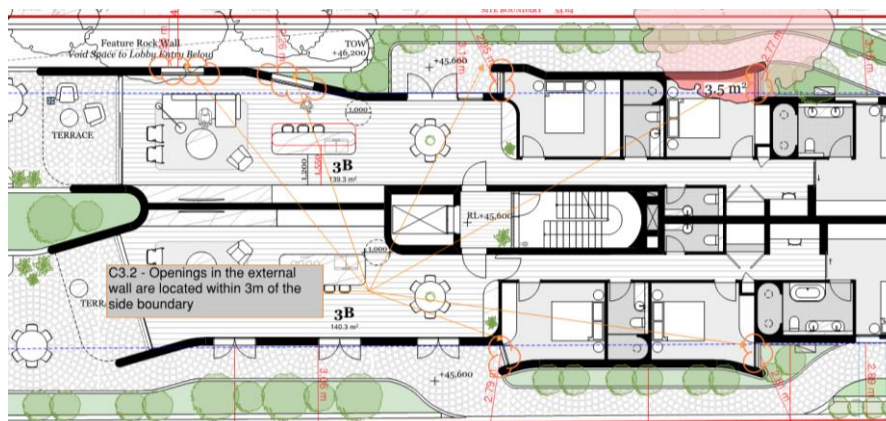
The following comprises a summary of the key compliance issues that will need to be addressed prior to issue of the Construction Certificate:

### 6.1 SECTION B

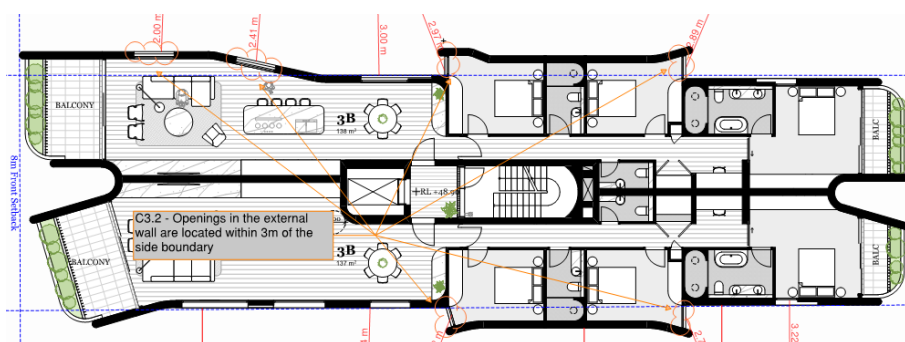
<b>B1</b>	<p>New building works are to comply with the structural provisions of the BCA 2019 and referenced standards including AS 1170.</p> <p>The Importance Level provisions of BCA (Section B) are to be acknowledged by the Structural Engineer and addressed to the degree necessary.</p>
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### 6.2 SECTION C - FIRE RESISTANCE

<b>C1.9</b>	<p><u>Non-Combustible Building Elements:</u> External walls in a building of Type A construction are required to comprise non-combustible, or deemed non-combustible elements throughout. This includes:</p> <ul style="list-style-type: none"><li>+ Any external wall claddings.</li><li>+ Any framing or integral formwork systems. I.e. timber framing, dintel formwork, etc.</li><li>+ Any external linings or trims. I.e. external UPVC window linings, timber window blades, etc.</li><li>+ Any sarking or insulation contained within the wall assembly.</li></ul> <p><i>Comments: This is not an exhaustive list, and any element incorporated within any external wall assembly must be identified and provided for review at the Construction Certificate stage.</i></p>
<b>C2.2</b>	<p><u>General Floor Area and Volume Limitations:</u> The building is to achieve fire compartment sizes not in excess of the DtS requirements of this clause.</p> <p><i>Comment: Complies.</i></p>
<b>C2.8 / C2.9</b>	<p><u>Separation of Classifications:</u> Separate classifications will either need to be separated by a fire wall achieving the higher FRL requirement between the two classes, or alternatively the higher FRL must apply to both areas subject to Spec C1.1.</p> <p><i>Comment: Compliance is readily achievable.</i></p>
<b>C2.14</b>	<p><u>Public Corridors in Class 2 Buildings:</u> Public corridors must not exceed 40m in length, or otherwise be divided at 40m intervals with smoke proof construction.</p> <p><i>Comment: Complies, the building does not incorporate any public corridors that exceed 40m in length.</i></p>
<b>C3.2</b>	<p><u>Protection of Openings in External Walls:</u> Openings that are less than 3m from the allotment boundary are required to be protected in accordance with BCA Clause C3.4.</p> <p><i>Comment: The following openings are exposed to the boundary and will need to be protected in accordance with BCA Clause C3.4 or otherwise addressed to the degree necessary by a fire Engineered Performance Solution.</i></p> <ul style="list-style-type: none"><li>+ <u>Basement Level</u> - The roller shutter which provides vehicular access into the carpark and the doorway providing access to the pump room are located within 3m of the side boundary.</li><li>+ <u>Ground Level &amp; Level 1</u> – There are a number openings located in the eastern and western façade which are located within 3m of the side boundary.</li></ul>



Ground Level



Level 1

**C3.11**

Bounding Construction: Class 2 / 3 Buildings: Fire-rated bounding construction is required to be provided between sole-occupancy units, between sole-occupancy units and public corridors, and between rooms other than sole-occupancy units and public corridors.

Comment: Compliance is readily achievable, details demonstrating compliance are to be provided at the Construction Certificate stage.

**Spec C1.1**

Fire-Resisting Construction: The building is required to comply with Table 3 as relevant to FRLs required for buildings of Type A Construction.

Comment: Compliance is readily achievable, details demonstrating compliance are to be provided at the Construction Certificate stage.

**Spec C3.4**

Fire Doors, Smoke Doors, Fire Windows and Shutters: Fire doors and smoke doors must comply with the requirements of this specification.



## 6.3 SECTION D1 & D2 – PROVISION FOR ESCAPE AND CONSTRUCTION OF EXITS

D1.2	<p><b>Number of Exits Required:</b> The building has one or more exits provided to all areas as required by this part.</p> <p><b>Comment:</b> Compliance is readily achievable.</p>
D1.4	<p><b>Exit Travel Distances:</b> Exit travel distances within the building are required to be not more than 20m to a point of choice between alternative exits and 40m to the nearest one from Class 7a area.</p> <p>For Class 2 floors, travel distances must be no more than 12m from a point of choice between two exits. On a storey at the level of egress, this may be increased to 20m to a single exit.</p> <p><b>Comment:</b> Compliance is generally achieved with the exception of the distance to a point of choice from the rear of the basement carparking level. It is understood that the departure will be included within a Fire Engineered Performance Solution.</p>
D1.5	<p><b>Distance Between Alternative Exits:</b> Distances between alternative exits must be not greater than 45m in a Class 2 part, and 60m in Class 7a parts.</p> <p><b>Comment:</b> Compliance is readily achievable.</p>
D1.6	<p><b>Dimensions of Paths of Travel to an Exit:</b> The minimum clear height through all egress paths is required to be no less than 2m, and a minimum of 1m wide (this width dimension is measured clear of any obstructions such as handrails and joinery). In a required exit or path of travel to an exit there is concession for the unobstructed width of a doorway to be reduced to 850mm min in lieu of 1m, and the unobstructed height for an exit doorway can be reduced to 1,980mm min.</p> <p>The minimum width of paths of travel must be not less than 1m wide generally (this width dimension is measured clear of any obstructions such as handrails and joinery),</p> <p><b>Comment:</b> Compliance is readily achievable.</p>
D1.7	<p><b>Travel via Fire-Isolated Exits:</b> Each fire isolated exit must discharge directly to open space. Any unprotected external walls within a perpendicular distance of 6m from the path of discharge will need to achieve FRL 60/60/60.</p> <p><b>Comment:</b> Not applicable, the subject building does not rely upon any fire isolated stairs.</p>
D1.9	<p><b>Travel by Non-Fire Isolated Stairways or Ramps:</b> In a Class 2 building:</p> <ul style="list-style-type: none"><li>+ The distance between the doorway of a room or SOU and the point of egress to a road or open space by way of a non-fire-isolated stairway or ramp must not exceed:<ul style="list-style-type: none"><li>▪ 30m in a building of Type C; or</li><li>▪ 60m in all other cases.</li></ul></li><li>+ If 2 or more exits are required and are provided by means of internal non-fire-isolated stairways or ramps, each exit must:<ul style="list-style-type: none"><li>▪ Provide separate egress to a road or open space; and</li><li>▪ Be suitable smoke separated from each other at the level of discharge.</li></ul></li></ul> <p><b>Comment:</b> Compliance is readily achievable, specific compliance is to be verified at the Construction Certificate stage.</p>
D1.10	<p><b>Discharge From Exits:</b> The path of travel to the road from a required exit leading to open space must have an unobstructed exit width of that of the required exit, or if larger, 1m.</p> <p>If the discharge point of the exit is at a different level from the road, a stairway or ramp achieving no more than 1:14 must be provided, except for a Class 9a where a ramp must be provided.</p> <p><b>Comment:</b> Compliance is readily achievable, specific compliance is to be verified at the Construction Certificate stage.</p> <p><b>Note:</b> The walkway used to access the residential lobby has been assessed as being open space.</p>
D2.13 / D2.14 / D2.16 / D2.17	<p><b>Stairways, Balustrades, and Handrails:</b> Stairways, balustrades and handrails to achieve the minimum requirements of the BCA.</p> <p>Floor finishes will be required to achieve the correct slip resistance in accordance with AS 4586-2013, and associated handbooks HB197 and HB198. This will need to be confirmed compliant at Occupation stage and as such, the selection of materials will need to be considered in relation to these requirements.</p>



Comment: Compliance is readily achievable, specific compliance is to be verified at the Construction Certificate stage.

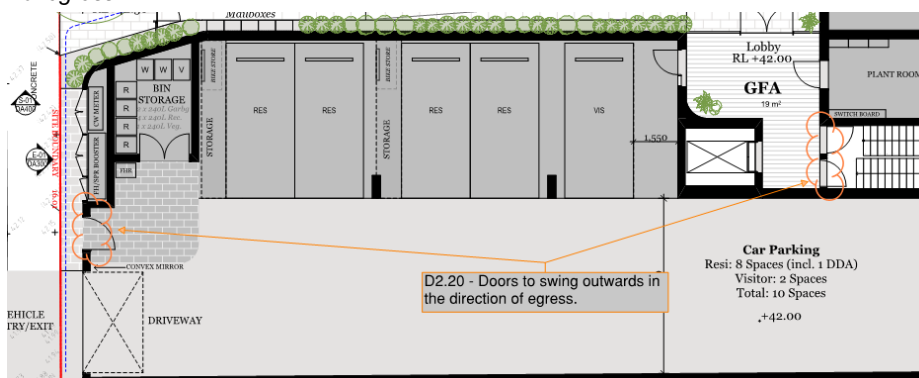
## D2.20

**Swinging Doors:** A swinging door forming part of a required exit must not encroach the required width of a required exit by way of the swing of the door, or the door itself including associated hardware whilst in the open position.

A swinging door must not swing against the direction of egress unless

- + it serves a building or part with a floor area not more than 200m<sup>2</sup>, it is the only required exit from the building or part and it is fitted with a device for holding it in the open position; or
- + it serves a sanitary compartment or airlock (in which case it may swing in either direction)

Comment: Compliance is generally achieved with the exception the doorway which discharges the building adjacent the vehicular entry to the basement and the doorway that discharges the egress stair which swing inwards against the direction of egress.



## D2.21

**Doors and Latching:** All egress doorways must swing in the direction of egress and must be readily openable without a key from the side that faces a person seeking egress, by a single handed downward or pushing action on a single device which is located between 900mm and 1100mm from the floor.

Comment: Compliance is readily achievable, specific compliance is to be verified at the Construction Certificate stage.

## 6.4 PART D3 – ACCESS FOR PEOPLE WITH A DISABILITY

### Part D3

**Access for People with a Disability:** The extent of access required depends on the classification of the building. Buildings and parts of buildings must be accessible as set out in Table D3.1 unless exempted by Clause D3.4. The building is required to comply with AS1428.1-2009

Comment: A separate assessment from the Access Consultant will be prepared to comment on the requirements of this part.

## 6.5 PART E – SERVICES AND EQUIPMENT

### E1.3

**Fire Hydrants:** Fire hydrant coverage is required to be provided to the all buildings in accordance with AS2419.1-2005.

Comment: Compliance is readily achievable, specific compliance is to be verified by the fire services designer at the Construction Certificate stage.

### E1.4

**Fire Hose Reels:** Fire hose reel coverage is required to be provided to Class 7a parts in accordance with AS2441-2005.

Comment: Compliance is readily achievable, specific compliance is to be verified by the fire services designer at the Construction Certificate stage.

### E1.5

**Sprinklers:** Due to the building containing 4 storeys it is required to be provided with a sprinkler system.

Comment: Compliance is readily achievable, specific compliance is to be verified by the fire services designer at the Construction Certificate stage.

Note 1: The sprinkler stop valves are required to be located with direct access to open space and shown on the Construction Certificate drawings.





	<p><u>Note 2:</u> It has been assumed that an FPAA101D or FPAA101H sprinkler system will not be used noting that a number of concessions available to a sprinklered building do not apply where an FPAA system has been relied upon.</p>
E1.6	<p><u>Fire Extinguishers:</u> To be provided and designed in accordance with AS 2444-2001. An ABE type fire extinguisher of minimum 2.5kg must be distributed outside of sole occupancy units so that the travel distance from the entrance doorway of any sole-occupancy unit to the nearest fire extinguisher is not more than 10m.</p> <p><u>Comment:</u> Compliance is readily achievable, specific compliance is to be verified by the fire services designer at the Construction Certificate stage.</p>
E2.2a	<p><u>Smoke Hazard Management:</u> The building is required to be provided with the following smoke hazard management systems as required by E2.2 A combined Smoke Alarm and Smoke Detection System complying with AS 1670.1 – 2015 Spec E2.2a Clause 5.</p> <p><u>Comment:</u> Compliance is readily achievable, specific compliance is to be verified by the fire services designer at the Construction Certificate stage.</p>
Part E3	<p><u>Lifts:</u> In an accessible building, every passenger lift must be one of the types identified in Table E3.6a, have accessible features in accordance with Table E3.6b and not rely on a constant pressure device for its operation if the lift car is fully enclosed.</p> <p><u>Comment:</u> Compliance is readily achievable, specific compliance is to be verified by the vertical transport designer at the Construction Certificate stage.</p>
E4.2-E4.8	<p><u>Emergency Lighting and Exits Signs:</u> Emergency lighting and exit signage to be provided in accordance with E4.2-E4.5 complying with AS 2293.1 - 2018.</p> <p><u>Comment:</u> Compliance is readily achievable.</p>

## 6.6 PART F – HEALTH AND AMENITY

F1	<p><u>Damp and Weatherproofing:</u> Damp and weatherproofing to comply with the prescriptive requirements of clauses F1.1-F1.13.</p> <p><u>Comment:</u> Compliance is readily achievable.</p>
F2.1	<p><u>Facilities in Residential Buildings:</u> Sanitary facilities, such as closet pans, showers and baths, kitchen facilities, and laundry facilities are required to be provided in accordance with Table F2.1.</p> <p><u>Comment:</u> Compliance is readily achievable.</p>
Part F3	<p><u>Ceiling Heights:</u> The following floor to ceiling heights are applicable to the building:</p> <p>The ceiling minimum heights for a Class 2 building are as follows:</p> <ul style="list-style-type: none"><li>+ Kitchen, laundry or the like – 2.1m</li><li>+ Corridor or passageway – 2.1m</li><li>+ A habitable room, excluding kitchen – 2.4m</li></ul> <p>The minimum ceiling heights in a Class 7a building are as follows:</p> <ul style="list-style-type: none"><li>+ Generally - 2.4m.</li><li>+ Corridor, passageways, or the like - 2.1m.</li></ul> <p>In any building:</p> <ul style="list-style-type: none"><li>+ Bathrooms, sanitary compartments, tea preparations rooms, pantries, store rooms or the like – 2.1m,</li><li>+ A commercial kitchen – 2.4m,</li><li>+ Above a stairway, ramp, landing or the like – 2m</li></ul> <p><u>Comment:</u> Compliance is readily achievable, specific compliance is to be verified at the Construction Certificate stage.</p>
Part F4	<p><u>Part F4 – Light and Ventilation:</u> Artificial lighting systems are required to comply with Clause F4.4 and AS 1680. All mechanical or air-conditioning installations must be undertaken in accordance with Clauses F4.5(b) and AS 1668.2.- 2012.</p> <p>Natural lighting must be provided to all habitable rooms, with required windows having a clear distance from the boundary or other obstruction of &gt;1m. Required windows must have a light transmitting area of a minimum of 10% of the floor area of the room served.</p> <p><u>Comment:</u> Compliance is readily achievable.</p>



**Part F5** Sound Transmission and Insulation: The walls within the Class 2 part of the building that are required to have an impact sound insulation rating must be identical with a prototype that is no less resistant to the transmission of sound when testing in accordance with Specification F5.5. The floors are also required to be provided with airborne and impact sound insulation.

*Comment: Compliance is readily achievable.*

**Part F6** Condensation Management: The risks associated with water vapour and condensation must be managed to minimise their impact on the health of occupants. Compliance with Clauses F6.1 – F6.4 is required.

*Comment: Compliance is readily achievable.*

## 6.7 PART G – ANCILLARY PROVISIONS

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**Part G6** Occupiable Outdoor Areas: Occupiable Outdoor Areas (such as the communal rooftop space) are required to comply with the fire hazard property, provision for escape, construction of exits, firefighting equipment, lift installations, visibility in an emergency, exit signs and warning systems, and light and ventilation provisions of the BCA (as specifically prescribed under this part) as if it were an internal building part.

## 6.8 PART J – ENERGY EFFICIENCY

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**Section J** Energy Efficiency: The building works are subject to compliance with the Energy Efficiency Provisions of BCA 2019 Section J relating to:

- + J1: Building Fabric
- + J3: Building Sealing
- + J5: Air-conditioning and ventilation systems
- + J6: Artificial lighting and power
- + J7: Hot water supply
- + J8: Access for maintenance

**BASIX** BASIX certification and details on plans to be provided with the Construction Certificate.





## 7.0 FIRE SAFETY SCHEDULE

The following table is a list of the required fire safety measures within the building. These measures may be subject to further change pending the outcomes of the final Fire Safety Engineering Review to confirm the works are permissible.

Statutory Fire Safety Measure	Design / Installation Standard	Proposed
Automatic Fire Detection & Alarm System	BCA Spec. E2.2a AS 1670.1 – 2018	✓
Automatic Fire Suppression Systems	BCA Spec. E1.5 & BCA Spec E1.5a AS 2118.1 – 2017	✓
Building Occupant Warning System activated by the Sprinkler System	BCA Spec. E1.5 Clause 8 and / or Clause 3.22 of AS 1670.1 – 2018	✓
Emergency Lighting	BCA Clause E4.2 & E4.4 AS 2293.1 – 2018	✓
Exit Signs	BCA Clauses E4.5, NSW E4.6 & E4.8 AS 2293.1 – 2018	✓
Fire Dampers	BCA Clause C3.15 AS 1668.1 – 2015 & AS 1682.1 & 2 – 2015 and Manufacturer's Specification.	✓
Fire Doors	BCA Clause C2.12, C2.13, C3.2, C3.4 & C3.11 AS 1905.1 – 2015 and Manufacturer's Specification	✓
Fire Hose Reels	BCA Clause E1.4 AS 2441 – 2005	✓
Fire Hydrant Systems	BCA Clause E1.3 AS 2419.1 – 2005	✓
Fire Seals	BCA Clause C3.15, AS 1530.4 – 2014 & AS 4072.1 – 2014 and Manufacturer's Specification	✓
Lightweight Construction	BCA Clause C1.8 AS 1530.4 – 2014 and Manufacturer's Specification	✓
Paths of Travel	EP&A Regulation Clause 186	✓
Portable Fire Extinguishers	BCA Clause E1.6 AS 2444 – 2001	✓
Smoke Alarms	BCA Spec E2.2a AS 3786 – 2014	✓
Warning & Operational Signs	BCA Clause C3.6, D2.23, E3. AS 1905.1 – 2015 & Section 183 of the EP&A Regulation 2000	✓
Fire Engineered Performance Solutions relating to:	BCA Performance Requirements ... Fire Safety Engineering Report prepared by ..... Report No. .... Revision .... dated .....	✓



## 8.0 CONCLUSION

This report contains an assessment of the referenced architectural documentation for the proposed development located at 30 Fairlight St, Fairlight against the Deemed-to-Satisfy provisions and Performance Requirements of the National Construction Code Series (Volume 1) Building Code of Australia 2019 Amendment 1.

In view of the above assessment we can confirm that subject to the above measures being appropriately addressed by the project design team, compliance with the provisions of the BCA is readily achievable.

In addition, it is considered that such matters can adequately be addressed in the preparation of the Construction Certificate documentation without giving rise to any inconsistencies with the Development Approval.

If you have any questions or require further information, please do not hesitate to contact me on 02 9211 7777.

Prepared by:

Josh Hagenson  
**Building Surveyor**  
**Blackett Maguire + Goldsmith**

Reviewed by:

Brian Maguire  
**Director**  
**Blackett Maguire + Goldsmith**