

## Building Assessment Referral Response

<b>Application Number:</b>	DA2020/0188
<b>Date:</b>	05/05/2020
<b>To:</b>	Georgia Quinn
<b>Land to be developed (Address):</b>	Lot 3 DP 10223 , 49 South Creek Road DEE WHY NSW 2099

### Reasons for referral

This application seeks consent for Class 2-9 Buildings (i.e. all buildings except a dwelling, garage, shed, gazebo or swimming pool/spa) which include:

- Alterations and Additions; or
- Change of Use

And as such, Councils Building Assessment officers are required to consider the likely impacts.

### Officer comments

The application has been investigated with respect to aspects relevant to the Building Certification and Fire Safety Department.

**There are objections to approval of the development.**

Note: The proposed development does not comply with some requirements of the BCA. Issues such as outlined below should be resolved prior to issue of Development Consent -

1. There are concerns that the use of the upper level loft / attic as a habitable room does not comply with the min. floor to ceiling height formula under Part 3.8.2.2 (e)(i) of the BCA. I cannot find any approval for this roof attic to be used for habitable purposes. Precise calculations will be required demonstrating compliance and if compliance is achieved the use of this area for habitable purposes should form part of this DA. Alternatively, it should be reverted back to a non habitable attic area.
2. The detached structure which was approved under DA2010/1193 as an "outbuilding" appears to be an unauthorised detached dwelling. I cannot determine if there are any kitchen facilities due to lack of detail but all other facilities are provided. The DA plans submitted with DA2020/0188 mention "Granny Flat" several times on plan A2002-EL(B). Has an internal inspection been conducted of both the main dwelling and granny flat?
3. If the "Out Building" is being used as a separate dwelling it will firstly be required to be approved as such via a DA for Change of Use and then a Building information Certificate Application will be required for any unauthorised building works.

Until such time as these matters are resolved Building Control can not offer comments for this referral.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

### Recommended Building Assessment Conditions

Nil.