

Building Assessment Referral Response

Application Number:	Mod2023/0474
Proposed Development:	Modification of Development Consent Land and Environment Court for DA2020/1351 granted by the Land and Environment Court for Demolition of all existing structures and the construction of a 3 storey shop top housing development.
Date:	14/12/2023
To:	Adam Croft
Land to be developed (Address):	Lot 5 DP 229309 , 1 Bilambee Lane BILGOLA PLATEAU NSW 2107

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 respects to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development subject to inclusion of the attached conditions of approval and consideration of the notes below.

Note: The proposed development may not comply with some requirements of the BCA and the Premises Standards. Issues such as this however may be determined at Construction Certificate Stage.

The proposal is therefore supported.

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

Recommended Building Assessment Conditions

DEFERRED COMMENCEMENT CONDITIONS

Building Code of Australia Fire Safety Report.

A revised Building Code of Australia Compliance Report being prepared by a suitably qualified Accredited Certifier commenting upon the revised plans. A copy of this report with recommendations being submitted to Council prior to determination of the Modification of Development.

Reason: To be referred to Building Assessment for comment.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Building Code of Australia Fire Safety/ Compliance Report

The Building Code of Australia works as detailed and recommended in the Building Code of Australia Audit Report prepared by Surescope Building Certifiers, dated 12/10/2023, are to be considered as part of the assessment of the Construction Certificate. Details demonstrating compliance are to be provided to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate provision is made for Health, Amenity, access and Fire safety for building occupant health and safety.

Access for People with Disabilities.

Access and facilities for persons with a disability are to be provided to and within the proposed building in accordance with the recommendations contained within the Access Report prepared by Accessible Building Solutions dated 13/6/2023, Ref: 220187.

Details demonstrating implementation and compliance are to be submitted to the Principal Certifier prior to issue of the Construction Certificate.

Reason: To ensure adequate provision is made for access and facilities to and within the building for persons with a disability.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Fire Safety Matters

At the completion of all works, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and Fire and Rescue NSW.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of a part Occupation Certificate or Occupation Certificate. Each year the Owners must send to the Council and Fire and Rescue NSW, an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

Reason: Statutory requirement under Parts 10, 11 & 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.