

## Building Assessment Referral Response

<b>Application Number:</b>	Mod2020/0488
<b>Date:</b>	13/11/2020
<b>To:</b>	Anne-Marie Young
<b>Land to be developed (Address):</b>	Lot 12 DP 8270 , 14 Patey Street DEE WHY NSW 2099 Lot 93 DP 8139 , 14 Patey Street DEE WHY NSW 2099 Lot 94 DP 8139 , 14 Patey Street DEE WHY NSW 2099 Lot 58 DP 1239854 , 58 Quirk Street 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 generally seeks to regularise a number of as built changes and other modifications that occurred during the construction process that the applicant states were required apparently to achieve compliance with the Building Code of Australia, the Ministry of Health, (design and construction requirements), provisions of the Private Health Facilities Act 2007, Private Health Facilities Regulations 2017, and the Australasian Health Facility Guidelines.

The works include a number of internal changes to the new portion of the Hospital building including various changed room layouts and associated fenestration placement. Additionally, there is the relocation of a hydrotherapy pool, a new lift overrun, and reconfiguration of on-site parking.

A plant room and associated acoustic screening being approximately 61.0 m<sup>2</sup> in area x 2.20 m in height has been constructed on the roof of the new east wing to house mechanical plant and associated equipment that was not included during the design and approval process for the hospital. Other mechanical exhaust structures are located on the roof and also form part of this application.

The application also proposes a modification to the stormwater detention system involving construction of a new below ground retention basin in the carpark area. These works are currently underway and will discharge stormwaters to Quirk Street.

The changes render the original Building Code of Australia compliance assumptions and the required Fire Engineering Alternate Solution design/s obsolete.

Accordingly, as the 'as built works' and the development as modified by this application appear to be substantially the same development as the development for which consent was originally granted, it is considered that the application is consistent with objectives of S4.55 of the EP and A Act. Therefore, subject to conditions being applied to any modified Consent appropriate to capture relevant Building Certification matters, no objections are raised to the Modification application.

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**

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

### **Building Certificate - Modified and unauthorised works on site**

An application for a Building Information Certificate is to be lodged with and determined by, the relevant Consent Authority for all unauthorised and varied works onsite for the new part of the Hospital Complex. The application is to include 'as built' plans with changes highlighted, and all documentation/certifications required by the Consent Authority and deemed relevant to the as built development (new portion) including, but not limited to: -

1. Certification that all facilities within the complex comply with Part F of the Building Code of Australia (BCA), including number of toilets provided and verification that other ancillary facilities and requirements are completed/installed appropriate to the use of the building and number of persons to be accommodated.
2. Certification that all plant and equipment, including Mechanical Ventilation services and Air conditioning services within the complex and on the roof of the complex comply with the BCA and AS1668. Certifications are to include relevant up to date test reports on the compliance or otherwise of the noise emanating from both the rooftop installations and any other internal or external equipment. Other required equipment certifications are to include the lift installation and other plant or equipment installed.
3. Certification in respect of all engineering and structural issues (adequacy of foundation material and geotechnical matters, piers, footings, slabs, beams, columns, retaining walls, driveway, mechanical services, onsite detention and Hydraulic Engineering).
4. Provision of an updated BCA and Fire Engineering Report with accompanying certification that the completed services and building works are satisfactory, comply with the BCA and design solution, and do meet the minimum requirements of the Fire Engineering design guidelines. The certification is to be accompanied by a Final Fire Safety Certificate where required.
5. Other documentation and certifications appropriate to the scope of work applied for in the BIC application.

Details demonstrating compliance (an approved Building Information Certificate) is to be submitted to the Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To regularise unauthorised development; To ensure that the building complies with relevant legislation and is fit for purpose for building occupant health and safety.

### **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 Certifying Authority prior to the issue of the

Occupation Certificate (or where applicable, relating to the part of the building, being the subject of this Consent).

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 Part 9 Division 4 & 5 of the Environmental Planning and Assessment Regulation 2000.