

28 August 2019

Aspiring Properties Pty Ltd
C/- PDS Group
Level 1, 63 York Street
SYDNEY NSW 2000
Attention: Harrison Tanke

Dear Harrison,

**RE: EMPORIUM - 6 THE CORSO/50 EAST ESPLANADE & 46-48 EAST ESPLANADE, MANLY NSW
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 to Manly Council for the proposed commercial development against the Building Code of Australia 2019 (BCA).

PROPOSED DEVELOPMENT

The proposed development comprises partial demolition involving retention of the heritage façade only, and construction of a five (5) storey mixed use development with ground floor retail, and commercial office space above.

COMPLIANCE STATEMENT OBJECTIVES

The objectives of this statement are to:

- confirm that the DA architectural documentation has been reviewed by an appropriately qualified Building Surveyor and Accredited Certifier.
- confirm that the proposed new building works can readily achieve compliance with the BCA pursuant to clause 145 of the *Environmental Planning & Assessment Regulation 2000*.
- 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.

This statement has been prepared pursuant to clause 18 of the *Building Professionals Regulation 2007*.

RELEVANT VERSION OF THE BCA

Pursuant to clause 145(1)(b) the proposed building is subject to compliance with the relevant requirements of the BCA as in force at the time the application for the Construction Certificate was made. The current version of the BCA is the BCA 2019, with the next version of the BCA coming into effect on the 1 May 2022. For the purpose of this compliance statement, it is assumed that the Construction Certificate Application will be lodged prior to the 1 May 2022, and as such the proposed development will be subject to compliance with the BCA 2019.

REFERENCED DOCUMENTATION

This report has been prepared based on a review of the DA submission architectural plans prepared by Wolski Coppin Architecture dated 27 August 2019.



BUILDING CLASSIFICATION

The new building works have been classified as follows:

+ BCA Classification:	Class 5 Commercial (Existing & Proposed) Class 6 Retail (Existing & Proposed) Class 9b Education Establishment (Existing)
+ Importance Level:	2 ⁽¹⁾
+ Storeys Contained:	Five (5)
+ Rise in Storeys:	Five (5)
+ Type of Construction:	Type A
+ Effective Height:	13m
+ Climate Zone:	Zone 5

(1) Subject to the capacity the college (existing and proposed) not exceeding 500 people (TBC).

BCA COMPLIANCE STRATEGY

The proposed new building a 6 The Corso will be connected to the existing building a 46-48 East Esplanade. The two buildings have been assessed as one building under the BCA.

As the buildings are situated on separate allotments, and they will form one building, it is noted that the DA will include a proposal to consolidate the allotment into one lot. The lot consolidation will be completed prior to issue of the Occupation Certificate.

The building will be required to achieve Type A Construction. In this regard, we note that a fire engineered Performance Solution is proposed to allow reduced FRL's from 3hrs to 2hrs to the retail parts (Ground Floor). The Performance Solution will require fire separation of the retail suites from the remainder of the building.

A fire engineered Performance Solution will also be required with respect to the construction of the proposed exit stair within 6 The Corso, where drencher protected glazing is proposed in lieu of 2hr fire resisting construction.

As the building will not be sprinkler protected throughout, vertical separation of openings in external walls is required by 1hr fire rated spandrels or horizontal slab projections. Details demonstrating compliance with BCA clause C2.6 are to be included in the Construction Certificate documentation.

The building (comprising existing and new parts) will be served by two exits on the upper levels (one existing and one proposed new exit). Each of the Ground Floor suites will be served by their own exit and most will have access to a second exit. The number of exits and the aggregate egress width serving each exit will comply with the BCA DtS provisions.

Exit travel distances will generally comply with the BCA DtS provisions with the exception of those nominated in the table below which will necessitate a fire engineered Performance Solution.

Construction of exits are to comply with the BCA DtS provisions with details being submitted with the Application for Construction Certificate.

A preliminary Fire Safety Schedule listing required fire services is provided below. The building is to be served by fire safety measures required under the BCA DtS provisions and extend throughout the existing and new parts.

It should be noted that the existing building and new building are not proposed to be sprinkler protected. The existing building is currently required to be sprinkler protected having regard to the roof over the void adjacent to the existing fire stair which creates an atrium, however this roof is proposed to be removed as part of the new works in which case the BCA atrium provisions do not apply.

An assessment of sanitary facilities has been undertaken on a floor-by-floor basis (incorporating both the new Corso part and the existing Esplanade part as one building. The building will be served by an adequate number of sanitary facilities based on the existing education and retail uses and the proposed Ground Floor retail use and commercial use to the proposed upper levels to the new Corso building. The number of occupants to be accommodated has been calculated in accordance with BCA Table D1.13.

Lighting and ventilation can be achieved in accordance with the BCA DtS provisions new the new development.



SUMMARY OF MATTERS REQUIRING FIRE ENGINEERED PERFORMANCE SOLUTIONS

Arising from our review, the following comprises a summary of matters that will require fire engineered Performance Solutions to be documented prior to issue of the Construction Certificate:

BCA CLAUSES		DESCRIPTION	PERFORMANCE REQUIREMENT
FIRE ENGINEERING			
1.	C1.1 & Spec. C1.1	To allow reduced FRL's from generally 3hrs to 2hrs to the retail parts at Ground Floor (including floor slab over). In this regard, we note that the retail suites will be required to be fire separated from the remainder of the building.	CP1 & CP2
2.	C1.1, C3.8 & D1.3	We note that it is proposed to enclose parts of the new exit stairway fronting The Corso with drencher protected glazing in lieu of fire resisting construction achieving a minimum FRL of 120/120/120.	CP2 & DP5
3.	D1.4	A performance solution is to be documented to allow for extended travel distances beyond the maximum permissible distances under the BCA DtS provisions in the following locations: + First, Second, Third and Fourth Floor suites: Maximum 29m to a point of choice to two alternative exits. + Third and Fourth Floor suites: Maximum 26m to a point of choice to two alternative exits.	DP4 & EP2.2
4.	D1.7 & D1.10	+ The discharge of the existing fire isolated exit stair necessitates passing within 6m of un-protected openings bounding the colonnade to the East Esplanade. + The path of travel to the road following discharge from the existing stairway will also necessitate passing below the proposed link over.	DP5
5.	E1.3	As the building is not proposed to be sprinkler protected, the booster assembly is required to be separated from the building by construction with a fire rating of not less than 90/90/90 for a distance of not less than 2m each side and 3m above the upper hose connection. Construction surrounding the proposed fire hydrant booster assembly does not comply with the above DtS provisions.	EP1.3

Please note that the above matters have been identified arising from a review of the DA architectural plans. A further detailed assessment of the Construction Certificate architectural plans will be undertaken prior to issue of the Construction Certificate.

PRELIMINARY FIRE SAFETY SCHEDULE

The following comprises a preliminary fire safety schedule containing statutory fire safety measures that will apply to the development (existing and new parts).

STATUTORY FIRE SAFETY MEASURE	DESIGN / INSTALLATION STANDARD
Access Panels, Doors & Hoppers	BCA Clause C3.13 & AS 1530.4 – 2014 and Manufacturer's specifications
Alarm Signalling Equipment	AS 1670.3 – 2004
Automatic Fail-Safe Devices	BCA Clause D2.21
Automatic Fire Detection & Alarm System	BCA Spec. E2.2a & AS 1670.1 – 2015
Emergency Lighting	BCA Clause E4.4 & AS 2293.1 – 2005
Exit Signs	BCA Clauses E4.5, E4.6 & E4.8; and AS 2293.1 – 2005
Fire Dampers	BCA Clause C3.15, AS 1668.1 – 2015 & AS 1682.1 & 2 – 1990 and manufacturer's specification



STATUTORY FIRE SAFETY MEASURE	DESIGN / INSTALLATION STANDARD
Fire Doors	BCA Clause C2.12, C2.13, C3.2, C3.4, C3.8; and AS 1905.1 – 2015 and manufacturer's specification
Fire Hose Reels	BCA Clause E1.4 & AS 2441 – 2005
Fire Hydrant Systems	Clause E1.3 & AS 2419.1 – 2005
Fire Seals	BCA Clause C3.15, AS 1530.4 – 2014 & AS 4072.1 – 2005 and manufacturer's specification
Fire Windows (TBC)	BCA Spec C3.4
Lightweight Construction	BCA Clause C1.8 & AS 1530.3 – 1999 and manufacturer's specification
Mechanical Air Handling Systems	BCA Clause E2.2, AS/NZS 1668.1 – 2015 & AS 1668.2 – 2012
Paths of Travel	EP&A Regulation Clause 186
Portable Fire Extinguishers	BCA Clause E1.6 & AS 2444 – 2001
Sound System & Intercom Systems for Emergency Purposes (SSISEP)	BCA E4.9, Clause 5 of BCA Spec G3.8 and AS1670.4 - 2015
Wall-Wetting Sprinklers	BCA Clause C3.4 & AS 2118.2 – 1995
Warning & Operational Signs	Section 183 of the EP&A Regulation 2000, AS 1905.1 – 2015, BCA Clause D2.23, D3.6, E3.3
Fire engineered Alternative Solutions	BCA Performance Requirements (TBC) Fire Safety Engineering Report

Please note that the above schedule will need to be revised prior to issue of the Construction Certificate to reference any proposed Fire Engineering Report and incorporate any additional measures required by the proposed Alternative Solutions.

DISABILITY (ACCESS TO PREMISES-BUILDINGS) STANDARDS 2010

The Disability (Access to Premises-Buildings) Standards 2010 (the Access to Premises Standards) requires the building to comply with the Access Code (BCA Part D3 & AS 1428.1-2009).

With respect to the proposed new building, compliance with the Access Code is achieved if the building complies with:

- + BCA clauses D3.1 to D3.12;
- + BCA clause E3.6;
- + BCA clauses F2.2 and F2.4.

Detailed documentation demonstrating compliance with the above BCA provisions and AS 1428.1-2009 will be required for assessment by the appointed Access Consultant at Construction Certificate stage. However, our review of the DA documentation indicates that compliance with the abovementioned provisions will be readily achievable. In the event that DTS compliance is not achieved, an Alternative Solution will need to be documented by an appropriately qualified Access Consultant.

CONCLUSION

This report confirms that BM+G have undertaken a review of the DA architectural plans for the proposed commercial and retail development against the deemed-to-satisfy provisions of the Building Code of Australia 2019.

It is our experience that such compliance matters raised in this report are not uncommon for a development of this nature and that they can be readily addressed at Construction Certificate stage. In this instance, we are of the opinion that any amendments required to the design documentation in order to comply with the BCA can be addressed in the preparation of the detailed documentation for Construction Certificate without giving rise to significant changes to the proposal as submitted for Development Application.



Arising from our review, it is considered that the proposed development can readily achieve compliance with the relevant provisions of the BCA.

Yours Sincerely,

Tony Heaslip
Director
Blackett Maguire + Goldsmith Pty Ltd