Attachment B

BCA Compliance Statement

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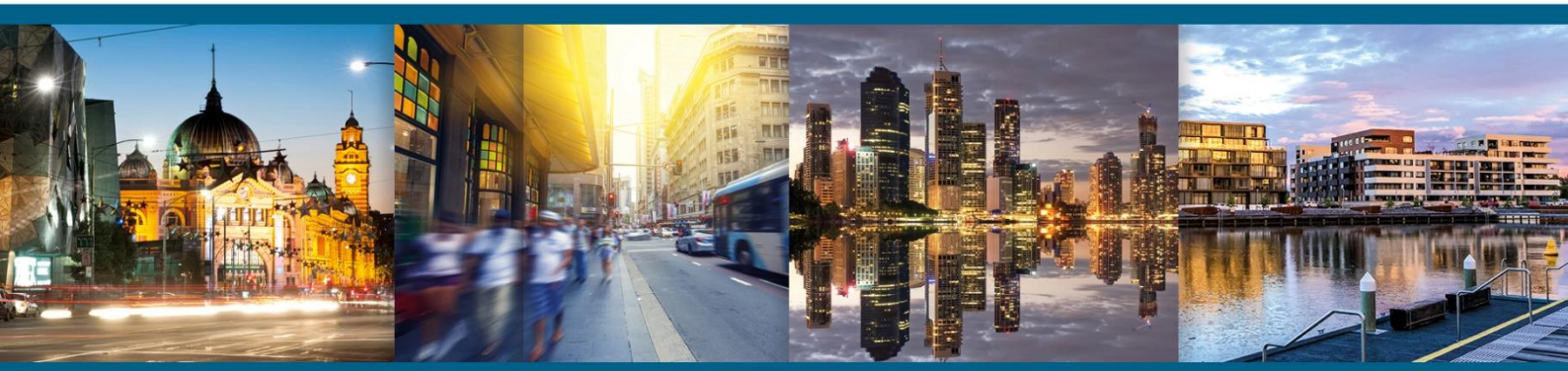
SYDNEY • MELBOURNE • BRISBANE • CANBERRA

DA Stage BCA Report

125A Kent Street, Millers Point



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Report Revision History

Revision History	
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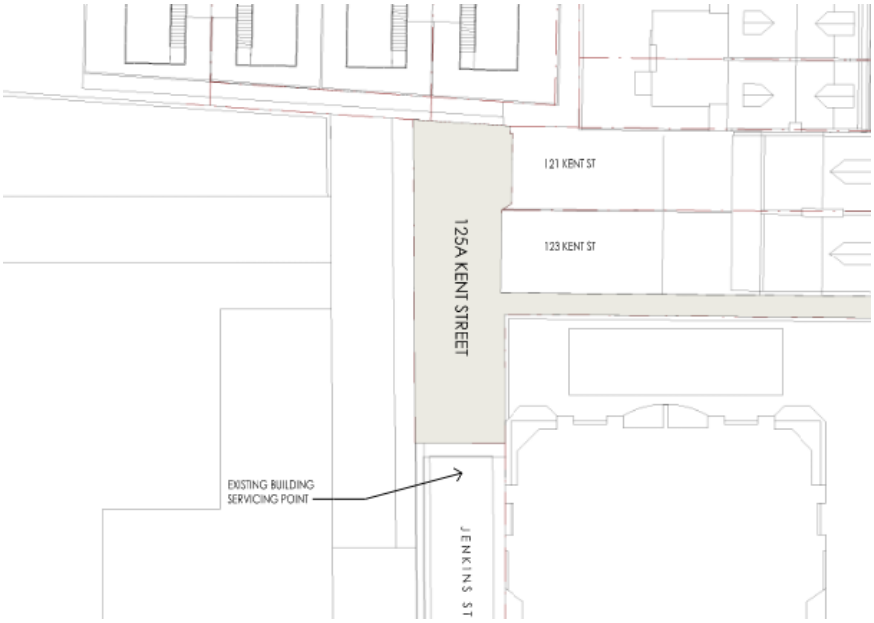
1. Introduction

This report presents the findings of a DA Stage BCA assessment for the proposed residential flat building at 125A Kent Street, Millers Point. The development has been assessed against the relevant Deemed-to-Satisfy (DtS) provisions of Building Code of Australia (BCA) 2022.

This report has been prepared by Steve Watson and Partners for Jeffrey International Investment Pty Ltd.



Locality image sourced from Cortese Architectals

1.1. Purpose

The purpose of this report is to assess the current design proposal against the Deemed-to-Satisfy Provisions of BCA 2022, and to clearly outline those areas (if any) where compliance is not achieved, where areas may warrant redesign to achieve strict BCA compliance or where areas may be able to be assessed against the relevant performance criteria of BCA 2022.

1.2. Scope

The scope of this assessment is limited to the design documentation referenced in Appendix A of this report.

1.3. Limitations

This report does not include nor imply any detailed assessment for design, compliance or upgrading for:

1. the structural adequacy or design of the building,
2. the inherent derived fire-resistance ratings of any proposed structural elements of the building (unless specifically referred to).

This report does not include, or imply compliance with:

1. The National Construction Code – Plumbing Code of Australia Volume 3;
2. The accessibility provisions of the BCA2022 and Access to Premises Standard

2. the Disability Discrimination Act 1992 including the Disability ((Access to Premises – Buildings) Standards 2010 – unless specifically referred to)
3. The accessibility and Energy Efficiency parts of BCA2022 (Part D4 and Section J).
4. Demolition Standards not referred to by the BCA;
5. Work Health and Safety Act 2011;
6. Requirements of Australian Standards unless specifically referred to;
7. Requirements of other Regulatory Authorities including, but not limited to, Telstra, Telecommunications Supply Authority, Water Supply Authority, Electricity Supply Authority, Work Cover, Roads and Maritime Services (RMS), Local Council, ARTC, Department of Planning and the like; and
8. Conditions of Development Consent issued by the Local Consent Authority.

Note: The BCA report and associated compliance advice is not intended or permitted to be relied on by any other party with respect to their obligations to ensure compliance including but not limited to the making of a compliance declaration under the NSW Design and Building Professionals Act.

2. Description of Proposed Development

The proposed development comprises an eight-storey residential flat building.

Summary of Construction Determination	
BCA Classification	Lower Ground to Roof – Class 2
Number of storeys contained	Eight (8)
Rise in storeys (RIS)	Eight (8)
Type of construction required	Type A
Effective height	23.47 metres (RL 41.15 – 17.68)

3. Assessment

The assessment undertaken is in relation to the plans prepared for the Development Consent Application. The technical details required for a Development Consent are far less than that required for a Construction Certificate and as such, this assessment is designed to address a higher-level assessment of the building against the provisions of the BCA.

The main purpose of this report is to address any major design changes required to the building, services required to be installed, and the fundamentals of design required by sections C, D, E, F and G of the BCA. This report does not address the design requirements for the structure of the building (Section B), or for the detailed design of services (Section E).

3.1. Section C: Fire Resistance

In line with the requirements of Clause C2D2, the proposed building will be subject to Type A Construction requirements. Compliance with the fire rating requirements of Type A Construction is readily achievable at CC stage. Note: Where the certifier at CC stage deems the bike store a Class 7b part, then a Performance solution may be required to reduce the FRL's.

The building will require all external walls and internal fire rated walls (non-load bearing) to be constructed of non-combustible construction in accordance with Clause C2D10. Compliance is readily achievable at CC stage.

It is unknown which type of Sprinkler system will be used, however this report will recommend the use of an AS 2118.1 sprinkler system which will provide a concession for no fire rated spandrels as per Clause C3D7.

The building will have multiple openings within all elevations that are within 3m of a fire source feature i.e the boundary line. To achieve compliance with C4D3 and C4D5, the following options are available:

- Fixed or automatic closing glass windows with external drenchers installed (noting that spatials must be allowed for to ensure the drenchers remain inside the property boundary lines);
- FRL -/60/- fire rated windows; or
- Operable windows with FRL -/60/- automatic closing fire shutters (noting that spatials must be allowed for to ensure the drenchers remain inside the property boundary lines).

The details of the protection methods will need to be coordinated at the CC stage.

The bounding construction of the Class 2 units and other rooms which open onto the public corridors will be required to meet the fire rating provisions of Clause C4D12. A Fire Engineered Solution will be required to permit the passenger lift to open directly into the SOU located on level 1, noting that lift landing doors do not achieve a 30-minute insulation rating.

The building design will incorporate a glass curtain wall design from level 2 to level 6. The curtain wall can be designed to meet the concession under S5C6(4), subject to all elements being non-combustible and the external surface is fully protected by automatic external wall wetting sprinklers. Spatials shall be provided to ensure all drenchers remain inside the property boundary lines. Details to be provided at the CC stage.

A Fire Engineered solution will be required to address the non-compliance with Clause S5C16, noting that the glazed roof above the Communal area is within 3m of a boundary.

3.2. Section D: Access and Egress

The building is under an effective height of 25 m, therefore a single exit must be provided from each storey. It is noted that each storey is served by the fire-isolated stairway, therefore compliance with Clause D2D3 is achieved.

The building is served by a single stair which has provisioning to become fire-isolated, therefore compliance with Clause D2D4 is readily achievable at CC stage.

Based off scaled measurements, all Class 2 unit entry doors will be no further than 6 m from the fire-isolated stair egress door. All parts that aren't within an SOU (i.e common areas) are located no further than 20 m to an exit. Compliance with Clause D2D5 is achieved.

The proposed fire-isolated stairway will be required to maintain a minimum clear width of 1 metre (measured clear of the handrails and hydrant/sprinkler services) to ensure compliance with Clause D2D8.

The lower ground floor has a common area room that opens directly into the fire-isolated passageway. The common area is not deemed an SOU, therefore egress into the Fire-isolated passageway must be from a public corridor. During design development at the CC stage, FRL -/60/60 construction shall be provided between the common area and the fire-isolated passageway to create a public corridor – see figure 1 below.

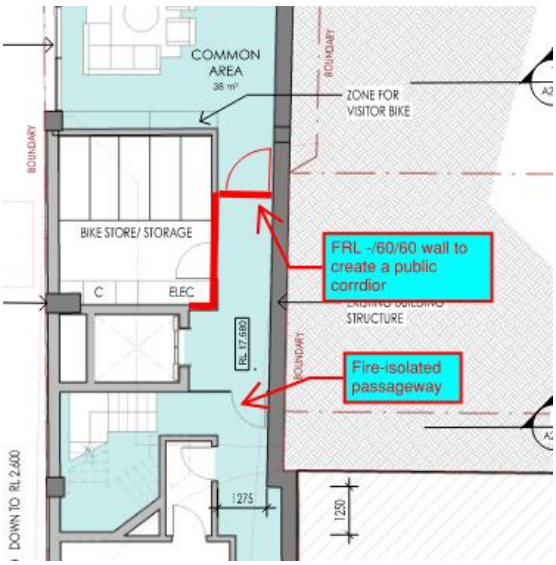


Figure 1 – Public corridor fire ratings

A Fire Engineered Solution will be required to address Clause D2D12 to allow the lower ground floor fire-isolated passageway/stair to discharge to a point which is not deemed open space.

At CC stage, details of the stairway and all subsequent barriers will be required to confirm compliance with Clause D3D14 – D3D22.

3.3. Section E: Services and Equipment

The building is required to be provided with the services and equipment set out in Appendix B of this report. The annexure also outlines the standard of performance to be achieved by the services and equipment.

3.4. Section F: Health and Amenity

The proposed external communal area terrace will be required to have external waterproofing membranes provided as well as grated drains across the doorway thresholds in accordance with Clause F1D5.

The proposed Class 2 sole occupancy units have bathrooms, kitchens and laundry facilities proposed in accordance with F4D2.

The ceiling heights throughout the Class 2 parts can readily achieve compliance with Clause F5D2, however a further assessment will be required at CC stage when RCP plans are provided.

The DtS provisions for Part F6 require all habitable rooms within a Class 2 building to achieve natural light in line with F6D2 and F6D3. The required natural light must have an aggregate opening size no less than 10% of the floor area of the habitable room being provided with natural light i.e if a bedroom is $10m^2$, the window must be no less than $1m^2$.

Whilst the window opening sizes may be compliant throughout the various levels, it is noted that Clause F6D3(2) requires windows to be setback at least 1m, or even further if the calculations under F6D3(2)(c) require a greater than 1m setback i.e. For the windows on level 1 the required setback would be 50% square root 21.9m = 2.33m setback.

If the proposed building envelop is pursued, a Performance Solution will be required at the CC stage to justify the reduced window setbacks. Please note that this Performance Solution will likely require input by a planning lawyer and/or the creation of light/air easements.

Note: SWP cannot prepare the above solution, therefore this would need to be prepared by a third party and agreed too by the PCA at the CC stage.

Clause F6D6 requires all the habitable rooms within a Class 2 building to either have natural or mechanical ventilation. Given that most of the windows will be fixed, this report assumes that mechanical ventilation in accordance with Clause F6D6(b) will be provided. Details to be provided at the CC stage.

Some of the units have sanitary compartments opening directly into a kitchen, therefore the sanitary compartment must be provided with mechanical exhaust ventilation as per F6D10. Details to be provided at the CC stage.

The Sound transmission/insulation and condensation management provisions of Part F7 and F8 will apply throughout the Class 2 parts. A further assessment will be required at CC stage.

3.5. Performance Solutions required at CC Stage

Item	Clause	Clause Number	Description
1	Bounding Construction: Class 2 and 3 buildings and Class 4 parts	C4D12	Permit the passenger lift to open directly into the SOU located on level 1, noting that lift landing doors do not achieve a 30-minute insulation rating.
2	Type A Fire-resisting construction – Roof lights	S5C16	Allow glazed roof lights within 3 m of the boundary (communal area on level 6)
3	Travel via fire-isolated exits	D2D12	Allow the lower ground floor fire-isolated passageway/stair to discharge to a point which is not deemed open space.
4	Natural light	F6D3	Allow natural light to be obtained from windows which have non-compliance setbacks. Note: SWP cannot prepared this Performance Solution.

Note: This table may need to be updated as the design develops.

3.6. Conclusion

The plans assessed were developed to a standard suitable for submission as a Development Application and do not contain all the details necessary to allow a CC to be issued. As such, this assessment was limited to the major items of the BCA with the view of identifying any items that may result in a modified Development Consent being required, or additional key items that need to be included in the design.

The architectural design documentation as referred to in this report have been assessed against the applicable provisions of the Building Code of Australia, (BCA) and it is considered that such documentation is capable of complying with that Code subject to the listed Performance Solutions being prepared at the CC stage.

Appendix A – Referenced Documentation

The following documentation was used in the preparation of this report:

Drawing No.	Title	Issue	Date	Drawn By
A0.10	Site Plan	B	25.06.25	Cortese
A1.10	Lower Ground Floor Plan	B	25.06.25	Cortese
A1.11	Ground Floor Plan	B	25.06.25	Cortese
A1.12	Level 1 Plan	B	25.06.25	Cortese
A1.13	Level 2 Plan	B	25.06.25	Cortese
A1.14	Level 3 Plan	B	25.06.25	Cortese
A1.15	Level 4 Plan	B	25.06.25	Cortese
A1.16	Level 5 Plan	B	25.06.25	Cortese
A1.17	Level 6 Plan	B	25.06.25	Cortese
A1.18	Roof Plan	B	25.06.25	Cortese
A2.10	Section 01	B	25.06.25	Cortese
A2.11	Section 02	B	25.06.25	Cortese
A2.12	Section 03	B	25.06.25	Cortese
A2.13	Section 04	B	25.06.25	Cortese
A2.14	Section 06	B	25.06.25	Cortese
A3.10	Elevations – North & South	B	25.06.25	Cortese
A3.11	Elevations East	B	25.06.25	Cortese
A3.12	Elevation West	B	25.06.25	Cortese
A6.01	Façade Study	B	25.06.25	Cortese

Appendix B – Schedule of proposed statutory Fire Safety Measures

Measure	Standard of Performance
Access Panels, Doors And Hoppers To Fire Resisting Shafts	BCA 2022 Clause C4D14 and tested prototypes (AS 1530.4 - 2014)
Automatic Fire Detection And Alarm System *(Smoke Detection System)*	BCA 2022 S20C4 and AS 1670.1 - 2018
Automatic Fire Detection And Alarm System *(Smoke Alarm System)*	BCA 2022 S20C3 and AS 3786 - 2014
Automatic Fire Suppression Systems *(Sprinklers)*	BCA 2022 Specification 17 and AS 2118.1 - 2017
Building Occupant Warning System	BCA 2022 S20C7 and AS 1670.1 - 2018
Emergency Lighting	BCA 2022 Clause E4D2, E4D4 and AS/NZS 2293.1 - 2018
Exit Signs	BCA 2022 Clause E4D5, NSW E4D6, E4D7, E4D8 and AS/NZS 2293.1 - 2018
Fire Alarm Monitoring System	BCA 2022 S20C8 and AS 1670.3 - 2018
Fire Dampers	BCA 2022 Clause C4D15 and AS 1668.1 - 2015 (AS 1682.1 - 2015 and AS 1682.2 - 2015)
Fire Doors	BCA 2022 Specification 12 and AS/NZS 1905.1 - 2015
Fire Hydrants Systems	BCA 2022 Clause E1D2 and AS2419.1-2021
Fire Seals Protecting Opening In Fire Resisting Components Of The Building	BCA 2022 Clause C4D15, Specification 13, AS 1530.4 - 2014, AS 4072.1 - 2005 and installed in accordance with the tested prototype.
Fire Shutters (if installed)	BCA 2022 Specification 12 and AS 1530.4 - 2014
Fire Windows (if installed)	BCA 2022 Specification 12 and AS 1530.4 - 2014
Hose Reel System	BCA 2022 Clause E1D3 and AS 2441 - 2005
Lightweight Construction	BCA 2022 Specification 6, Clause A2G3 and AS 1530.4 - 2014
Portable Fire Extinguishers	BCA 2022 Clause E1D14 and AS 2444 - 2001
Wall Wetting Sprinkler And Drencher Systems	BCA 2022 Clause S5C6
Warning And Operational Signs	BCA 2022 Clauses D3D28.

Appendix C – Fire-resistance levels

Type A Construction

Table 1 S5C11a: Type A construction: FRL of loadbearing parts of external walls

Distance from a *fire-source feature*	FRL (in minutes): *Structural adequacy/ Integrity / Insulation*			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Less than 1.5 m	90/90/90	120/120/120	180/180/180	240/240/240
1.5 to less than 3 m	90/60/60	120/90/90	180/180/120	240/240/180
3 m or more	90/60/30	120/60/30	180/120/90	240/180/90

Table 2 S5C11b: Type A construction: FRL of non-loadbearing parts of external walls

Distance from a *fire-source feature*	FRL (in minutes): *Structural adequacy / Integrity / Insulation*			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Less than 1.5 m	–/90/90	–/120/120	–/180/180	–/240/240
1.5 to less than 3 m	–/60/60	–/90/90	–/180/120	–/240/180
3 m or more	–/–/–	–/–/–	–/–/–	–/–/–

Table 3 S5C11c: Type A construction: FRL of external columns not incorporated in an external wall

Column type	FRL (in minutes): *Structural adequacy / Integrity / Insulation*			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Loadbearing	90/–/–	120/–/–	180/–/–	240/–/–
Non-loadbearing	–/–/–	–/–/–	–/–/–	–/–/–

Table 4 S5C11d: Type A construction: FRL of common walls and fire walls

Wall type	FRL (in minutes): *Structural adequacy / Integrity / Insulation*			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Loadbearing or non-loadbearing	90/90/90	120/120/120	180/180/180	240/240/240

Table 5 S5C11e: Type A construction: FRL of loadbearing internal walls

Location	FRL (in minutes): *Structural adequacy / Integrity / Insulation*			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Fire-resisting lift and stair shafts	90/90/90	120/120/120	180/120/120	240/120/120
Bounding public corridors, public lobbies and the like	90/90/90	120/–/–	180/–/–	240/–/–
Between or bounding sole-occupancy units	90/90/90	120/–/–	180/–/–	240/–/–
Ventilating, pipe, garbage, and like shafts not used for the discharge of hot products of combustion	90/90/90	120/90/90	180/120/120	240/120/120

Table 6 S5C11f: Type A construction: FRL of non-loadbearing internal walls

Location	FRL (in minutes): *Structural adequacy / Integrity / Insulation*			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Fire-resisting lift and stair shafts	–/90/90	–/120/120	–120/120	–/120/120
Bounding public corridors, public lobbies and the like	–/60/60	–/–/–	–/–/–	–/–/–
Between or bounding sole-occupancy units	–/60/60	–/–/–	–/–/–	–/–/–
Ventilating, pipe, garbage, and like shafts not used for the discharge of hot products of combustion	–/90/90	–/90/90	–/120/120	–/120/120

Table 7 S5C11g: Type A construction: FRL of other building elements not covered by Tables S5C11a to S5C11f

Building element	FRL (in minutes): *Structural adequacy / Integrity / Insulation*			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Other loadbearing internal walls, internal beams, trusses and columns	90/–/–	120/–/–	180/–/–	240/–/–
Floors	90/90/90	120/120/120	180/180/180	240/240/240
Roofs	90/60/30	120/60/30	180/60/30	240/90/60