



# BCA Capability Statement

5 Murray Rose Sydney Olympic Park NSW 2127

---

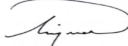

Prepared for: Cushman & Wakefield

Our Ref: 24000076 | Issue date: 26 February 2024

## Contents

1	Executive Summary .....	4
2	Introduction .....	5
2.1	Purpose.....	5
2.2	Methodology .....	5
2.3	Limitations .....	5
2.4	Conflict of Interest .....	6
3	Development Description .....	7
3.1	Proposed Development .....	7
3.2	Location.....	7
3.3	BCA Classification (Part A6) .....	7
3.4	Rise in Storeys (Clause C2D3) .....	7
3.5	Effective Heights (Part A1) .....	8
3.6	Type of Construction Required (Clause C2D2 / Table C2D2).....	8
3.7	Building Data Summary.....	8
4	Assessment.....	9
4.1	Relevant BCA Edition .....	9
4.2	Compliance with the BCA .....	9
4.2.1	A2GA Compliance with the Performance Requirements.....	9
5	Conclusion.....	10
6	Appendix A – Design Documentation .....	11

## Authorisation

Revision	Comment / Reason for Issue	Issue Date	Prepared by	Reviewed by
01	DA Lodgement	26 February 2024		
			Sujaad Al Rubaa	Seb Howe

## Revision History

Revision	Comment / Reason for Issue	Issue Date	Prepared by
01	DA Lodgement	26 February 2024	Sujaad Al Rubaa

## Commercial in Confidence

The report addressee may only reproduce this report in full for use with respect to the project specified in the report. No organizations or individuals are permitted to reproduce this report or any part thereof for any other purpose without the prior written consent of a Director of Modern Building Consultants Pty Ltd trading as MBC Group.

The copyright and intellectual property rights of Modern Building Consultants Pty Ltd trading as MBC Group extends to the data, methodologies and conclusions presented in this report.

© Copyright Modern Building Consultants Pty Ltd trading as MBC Group

# 1 Executive Summary

MBC Group have assessed architectural design documents prepared by Hames Sharley (refer appendix A) for compliance with the National Construction Code - Building Code of Australia Volume One 2022 (referred to as BCA).

The purpose of the assessment is to provide surety to the Consent Authority, City of Parramatta Council, that the proposed development has been assessed and is capable of complying with the BCA and that subsequent compliance with the provisions of Parts C, D and E of the BCA will not give rise to significant design amendments.

This statement does not consider Section 62 of the Environmental Planning and Assessment Regulation 2021, this clause is a consent authority consideration.

The application for Construction Certificate shall be assessed under the relevant provisions of the Environmental Planning & Assessment Act 1979 (As Amended) and the Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021.

## 2 Introduction

### 2.1 Purpose

The purpose of this statement is to assess the current design proposal against the Deemed-to-Satisfy (DtS) provisions of Sections C and D of the National Construction Code Series 2022 (Volume 1) – Building Code of Australia (referred to as BCA) and provide surety to the Consent Authority that the design is capable of compliance without significant design amendments.

The following MBC Group Team Members have contributed to this assessment:

- Sujaad Al Rubaa

This Capability Statement is not intended to identify all issues of compliance or non-compliance with the BCA with such other issues to be appropriately addressed prior to issue of the Construction Certificate.

### 2.2 Methodology

The methodology applied in undertaking this assessment has included: -

- A desktop review of architectural plans, as listed in Appendix A
- Assessment of the architectural plans against the following relevant codes:-
  - Sections C and D (as applicable / relevant) of the National Construction Code Series (Volume 1) Building Code of Australia 2022 (BCA)
  - Environmental Planning and Assessment Act 1979 (EPAA)
  - Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR)
- Discussions with the design development team to gain an understanding of the development proposed.

### 2.3 Limitations

This statement does not include or imply any detailed assessment for design, compliance or upgrading for:

- the structural adequacy or design of the building;
- the inherent derived fire-resistance ratings of any proposed structural elements of the building (unless specifically referred to); and
- the design basis and/or operating capabilities of any proposed
  - electrical
  - mechanical
  - hydraulic
  - fire protection services.
- Section 62 of the Environmental Planning and Assessment Regulation 2021

This statement does not include, or imply compliance with:

- the National Construction Code – Plumbing Code of Australia Volume 3
- the Disability Discrimination Act 1992 including the Disability ((Access to Premises – Buildings) Standards 2010 – unless specifically referred to)

- The deemed to satisfy provisions of Part D4 and F4D5 of BCA 2022
- The deemed to satisfy provisions of Sections B, F, G, H & J of BCA 2022
- Demolition Standards not referred to by the BCA;
- Work Healthy and Safety Act 2011;
- An out of cycle change to the Building Code of Australia.
- 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), Roads and Transport Authority, Local Council, ARTC, Department of Planning and the like; and
- Conditions of Development Consent issued by the Local Consent Authority.

## 2.4 Conflict of Interest

This statement prepared by MBC Group was provided as part of MBC Group's contracted scope for this project, which is "Certification Work", as defined in the Building and Development Certifiers Regulation 2020.

Due to the strict requirements and limits in terms of conflicts of interest imposed under that regulation, MBC Group has not and cannot undertake any services other than Certification Work services on this project. Hence, the contents of this statement, and any associated correspondence, were provided in the context of a certification assessment, and should not be construed to constitute involvement in building design, the preparation of plans and specifications, the provision of advice on how to amend a plan or specification to ensure that the aspect will comply with legislative or code requirements, or to breach any other restriction or limitation imposed under the conflict of interest provisions of that or any other legislation.



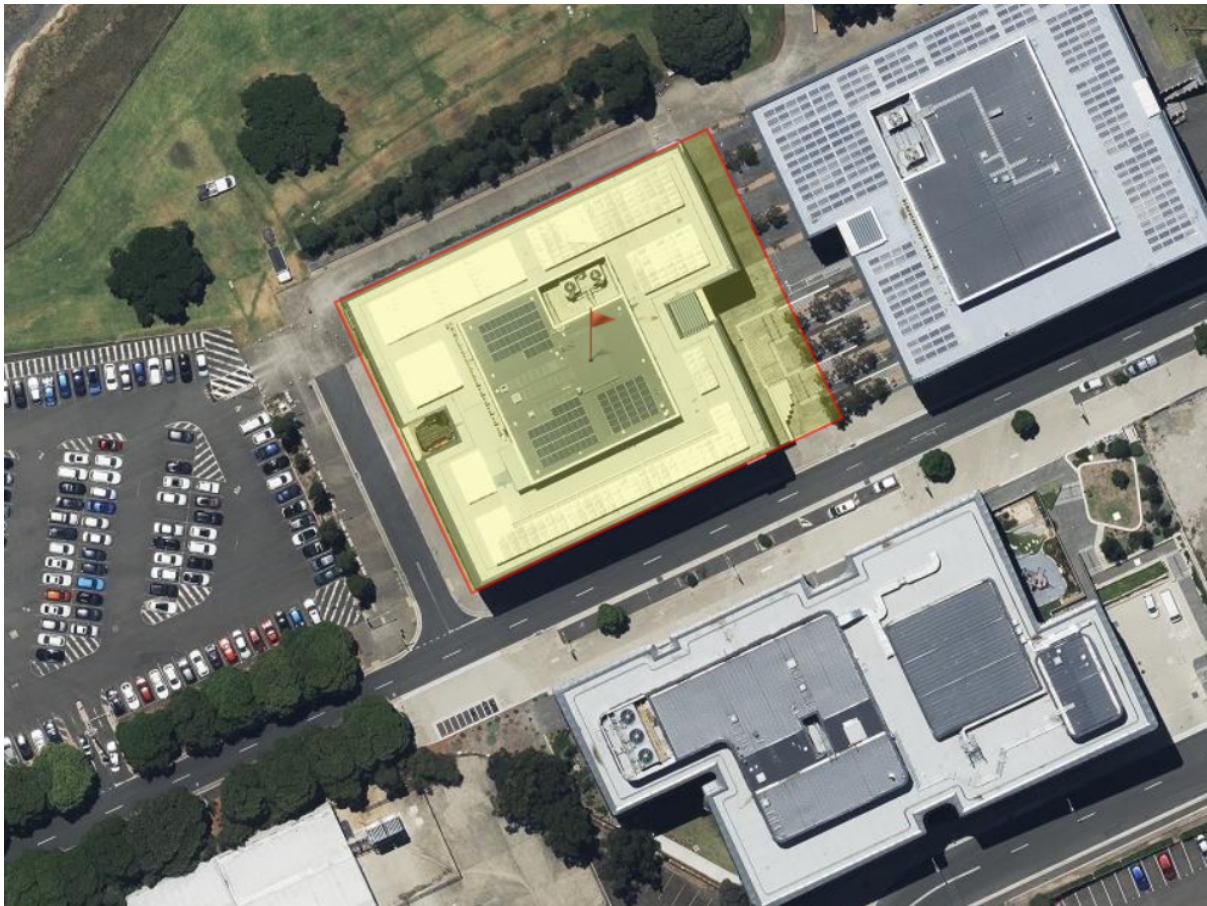
## 3 Development Description

### 3.1 Proposed Development

The proposed development comprises the infilling of the existing non-fire isolated stairs on Levels 1 to 4.

### 3.2 Location

The site is located on Lot 5, DP1185060, 5 Murray Rose Avenue Sydney Olympic Park 2127



### 3.3 BCA Classification (Part A6)

The proposed development being the infilling of existing stairs non-fire isolated stairs has been classified as:

- Class 5: being an office building or part

### 3.4 Rise in Storeys (Clause C2D3)

The proposed development is within a building that has been assessed to have a rise in storeys of 5 above ground commercial levels and 3 below ground car park levels.

### 3.5 Effective Heights (Part A1)

The proposed development has been assessed to have an effective height of less than 25m, assumed.

Please note the definition of effective height of a building was changed 1 May 2016. The BCA now defines effective height as: -

*“Effective height means the vertical distance between the floor of the lowest storey included in a determination of rise in storeys and the floor of the topmost storey (excluding the topmost storey if it contains only heating, ventilating, lift or other equipment, water tanks or similar service units).”*

### 3.6 Type of Construction Required (Clause C2D2 / Table C2D2)

The proposed development is required to be Type A Construction. Specification 5 outlines the fire resistance required by certain building elements.

### 3.7 Building Data Summary

Part of Development	Use	Class	Floor Area (approx.) m <sup>2</sup>	Population (using D2D18)
Level 1	Office	5	2792m <sup>2</sup>	279 persons
Level 2	Office	5	2792m <sup>2</sup>	279 persons
Level 3	Office	5	2794m <sup>2</sup>	279 persons
Level 4	Office	5	2793m <sup>2</sup>	279 persons

Summary of Construction and Building				
Use(s)	Carpark and Commercial Offices			
Classifications(s)	Class 7a and 5			
Number of Storeys contained	8			
Rise in Storeys	5			
Type of Construction	Type A			
Effective Height	Less than 25m			
Largest Fire Compartment	Area	2794m <sup>2</sup>	Volume	Unknown (Architect to confirm)
Climate Zone	6			



## 4 Assessment

### 4.1 Relevant BCA Edition

The proposed development will be subject to compliance with the relevant requirements of the BCA as in force at the time that the application for the Construction Certificate is made.

Should an out of cycle change occur to the BCA, then this statement is required to be updated to reflect any applicable changes made and now required by the BCA.

In this regard it is assumed the Construction Certificate application is proposed to be made after the 1st of May 2023. As such this statement is based upon the Deemed-to-Satisfy provisions of BCA 2022.

### 4.2 Compliance with the BCA

A desktop assessment was carried out against the technical provisions of the BCA and compliance matters will be addressed in the Construction Certificate documentation. It is noted that the proposed development must comply with the relevant requirements, and this can be achieved by complying with the Performance Requirements of the BCA:

#### 4.2.1 A2GA Compliance with the Performance Requirements

Performance requirements are satisfied by one of the following:

1. A Performance Solution
2. A Deemed-to-Satisfy Solution
3. A combination of (1) and (2)

Upon assessment of architectural plans, MBC Group can verify that the proposed design can readily achieve compliance with the DtS provisions of the BCA and as such meet the performance requirements.

DTS Clause	Description of Requirement	Performance Requirement
Part E	Fire services applicable to the building are to be implemented into the slab infill on all levels.	-
SC511g	In accordance with specification 5, the fire separating elements within the proposed development shall achieve an FRL of 120/120/120 where load bearing for the separation of floors.  Structural engineer is to confirm the FRL of the separation of floors.	C1P1

## 5 Conclusion

This statement outlines the findings of an assessment of the referenced architectural documentation for the proposed development against the Deemed-to-Satisfy provisions of the National Construction Code Series (Volume 1) Building Code of Australia 2022.

In view of this assessment, we can confirm that compliance with the National Construction Code Series (Volume 1) Building Code of Australia 2022 is readily achievable.

We trust that the above submission is of assistance to Council and should you wish to discuss any aspect of this advice, please do not hesitate to contact the undersigned.

Best regards,

A handwritten signature in dark ink, appearing to read "Sujaad", enclosed within a faint rectangular border.

Sujaad Al Rubaa  
**Building Surveyor**  
**MBC Group**

## 6 Appendix A – Design Documentation

The following documentation was used in the assessment and preparation of this statement:

Drawing No.	Title	Date	Drawn By	Revision
DA05	Floor plan – Level 01	14/02/2024	Hames Sharley	A
DA06	Floor plan – Level 02	14/02/2024	Hames Sharley	A
DA07	Floor plan – Level 03	14/02/2024	Hames Sharley	A
DA08	Floor plan – Level 04	14/02/2024	Hames Sharley	A



[www.mbc-group.com.au](http://www.mbc-group.com.au)