

17 October 2024

INCODE SOLUTIONS PTY LTD

A: 275 Ryedale Road

Eastwood NSW 2122

P: +61 415 508 019

E: assist@incodesolutions.com.au

Natalie Charles

natalie-charles@outlook.com

Our reference #: 2024069

Dear Natalie

Preliminary Building Code of Australia Advice

Location: 31 Telopea Street, Punchbowl

1. Introduction

Reference is made to your request that we provide preliminary Building Code of Australia advice.

2. Information

The advice set out in this letter is subject to the architectural plans prepared by Place Studio received on 30 September 2024, which has solely been relied on (being the **Information**).

3. Regulatory Framework

Volume One of the National Construction Code, Building Code of Australia 2022, Australian Building Codes Board, 2022 (the **BCA**) has been considered in the formulation of this letter.

4. Qualifications, Assumptions and Exclusions

- (a) This letter does not consider the accuracy of the Information relied upon and we assume all information provided to us is true and correct. If any Information relied upon, assumed, or supplied is incorrect in any way, this could fundamentally impact the advice provided.
- (b) This letter does not include or relate to, in any way, matters not expressly addressed in this letter, including any other letter, report or solution addressed by any third party consultant who is not an employee of InCode Solutions.
- (c) This letter does not consider any other documents or consents which may be required under any other regulatory or legislative requirement.
- (d) This letter does not consider what is required to amend the Information (if required).
- (e) This letter does not relate or contemplate any other parties legislative or contractual obligations which they are required to comply with.
- (f) This letter does not consider the accessibility and energy efficiency provisions of the BCA.

5. Facts

- (a) The approved development relates to the construction of an early childhood centre.
- (b) The modification application seeks, amongst other things, a change to the layout to incorporate building services etc.

6. Application of the BCA

6.1. Compliance

- (a) Compliance with the BCA is achieved by complying with:

- (i) The governing requirements of the BCA; and
- (ii) The performance requirements.
- (b) Performance requirements are satisfied by one of the following:
 - (i) Performance solution.
 - (ii) Deemed-to-Satisfy solution.
 - (iii) A combination of (i) and (ii).

6.2. Performance Solution

A performance solution is achieved by demonstrating:

- (a) Compliance with all relevant performance requirements; or
- (b) The solution is at least equivalent to the Deemed-to-Satisfy provisions.

6.3. Deemed-to-Satisfy Solution

A solution that complies with the Deemed-to-Satisfy provisions is deemed to have met the performance requirements.

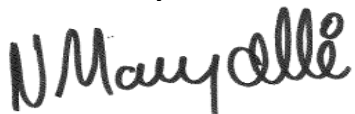
7. Advice

Based on the Information provided and our review of the Information, our advice is as follows:

- (a) The development can comply with the performance requirements of the BCA via a combination of performance solutions and Deemed-to-Satisfy solutions.
- (b) There are no problems that would significantly affect the layout and hence no impediments to the issuing of a modified development consent for the development from a BCA perspective.

If you require any further assistance or have any additional queries, please do not hesitate in contacting us directly.

Yours sincerely,



Nehme Moujalli
Director

InCode Solutions Pty Ltd