

RSPCA NSW 70A – 70B Harley Crescent, Condell Park

Prepared for: RSPCA NSW

Revision 0

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BCA Capability Statement

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This statement has been prepared to verify that BM+G Pty Ltd have undertaken a review of the architectural documentation that will accompany the Development Application (DA) to City of Canterbury Bankstown Council for the proposed change of use and renovation of existing factory unit against the Building Code of Australia 2022 (BCA).



1.0 Proposed Development

1.1 Description of Development

The proposed development comprises the change of use and renovation of existing factory unit at Condell Park for RSPCA NSW.

1.2 Capability 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 section 19 of the *Environmental Planning & Assessment (Development Certification & Fire Safety) Regulation 2021.*
- + 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.

1.3 Relevant Version of the BCA

Pursuant to Section 19 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* the proposed building is subject to compliance with the relevant requirements of the BCA as in force at the day on which the application for the Construction Certificate is made. The current version of the BCA is BCA 2022, with the next revision of the BCA coming into effect 1 May 2025. As it is understood the Construction Certificate application will be lodged after 1 May 2023 and before 1 May 2025, this report assesses the design against compliance with the requirements of BCA 2022.

Where the building is a multi-storey building and multiple Construction Certificates will be issued under the same development consent, the relevant version of the BCA may be 'locked in' based on the day in which the application is made for the Construction Certificate which involves the *entrance floor*.



1.4 Referenced Documentation

This report has been prepared based on a review of the following documentation:

- + DA architectural plans prepared by DW & SL Baxter Pty Ltd, Revision J dated 18 February 2025.
- + Statement of Environmental Effects for proposed Change of Use and Renovations Existing Factory Bay for RSPCA NSW to achieve a Veterinary Spey Clinic, prepared by DW & SL Baxter Pty Ltd

1.5 Building Classification

The new building works have been classified as follows:

	+ Existing	+ Proposed		
BCA Classification(s)	Class 7 (Factory)	Class 5 (Veterinary clinic)		
+ Rise in Storeys	2 (Two)	2 (Two)		
+ Storeys Contained	2 (Two)	2 (Two)		
+ Type of Construction	Type C Construction	Type C Construction		
 Sprinkler Protected Throughout 	No	No		
+ Effective Height	Less than 12m	Less than 12m		
+ Floor Area	540m ²	540m ²		
+ Climate Zone	Zone 5	Zone 5		

1.6 Distance to Fire Source Features

Based upon a review of the plans, it is noted that each elevation of the building is located within the following distances from fire source features on the site.

+ Elevation	+ Fire Source Feature	+ Distance
North	Rear boundary	<3m
East	Side boundary	<3m
West	Side boundary	<3m
South	Far side of the road	>6m

Note: Fire Source Feature (FSF) – The far boundary of a road adjoining the allotment; or a side or rear boundary of the allotment; or an external wall of another building on the allotment which is not a Class 10 building.





Figure 1: Fire Source features



2.0 BCA Assessment – Key Issues

We note the following BCA compliance matters with relation to proposed building works are capable of complying with the BCA. Please note that this is not a full list of BCA clauses, they are the key requirements that relate to the proposed work and the below should be read in conjunction with the BCA.

2.1 Section B – Structure

Part B1	+	New building works are to comply with the structural provisions of the BCA 2022 and referenced standards including AS 1170.
	+	The Importance Level provisions of BCA (Section B) are to be acknowledged by the Structural Engineer and addressed to the degree necessary.
	+	Consideration may be given to compliance with AS 3826-1998.
	+	As the works relate to alterations to an existing building, the Structural Engineer is to certify that the structural capacity of the existing building will not be reduced by the new works.
	+	Structural engineer to verify that the external walls within 3m of the northern and eastern allotment boundaries achieve a fire rating of no less than 90/90/90 FRL as per Table S5C24a within Specification 5. Note: Fire rating is only to be achieved when tested form the outside.

2.2 Section C – Fire Resistance

C2D11 & Spec. 7	Fire Hazard Properties: A schedule of all wall, floor, and ceiling linings along with associated test reports are to be provided for review to ensure compliance with the fire hazard property requirements of the BCA. Noting:
	+ Minimum Group Numbers apply to wall and ceiling linings. AS 5637 test reports must be provided to determine compliance.
	 Minimum Critical Radiant Flux values apply to floor linings. AS ISO 9239.1 test reports must be provided to determine compliance
	It is noted that the building is not sprinkler-protected. Therefore, these levels must also comply with the following as per Specification 7:
	+ A floor lining or floor covering must have a maximum smoke development rate of 750 percent- minutes.
	+ A wall or ceiling lining system must have –
	 A smoke growth rate index not more than 100; or
	 An average specific extinction area less than 250m2/kg



TABLE S7C3 OF SPECIFICATION 7– CRITICAL RADIANT FLUX OF FLOOR LININGS AND FLOOR COVERINGS									
+ Class of building + Building not fitted with a									
Class 5									
2.2 kW/m ²									
TAE	TABLE S7C4 OF SPECIFICATION 7 – WALL AND CEILING LINING MATERIALS (MATERIALS GROUPS PERMITTED)								
	+ Class of building	+ Public corridors	+ Specific areas	+ Other areas					
	Class 5, Unsprinklered	Walls: 1, 2 Ceilings: 1, 2	Walls: 1, 2, 3 Ceilings: 1, 2	Walls: 1, 2, 3 Ceilings: 1, 2, 3					
C3D3	General Floor Area and Volume Lim	itations: The buil	ding is to achieve	e fire compartment	sizes				
	not in excess of the DtS requirements The following maximum fire compartm	of this clause. The sizes apply to	the building:						
	+ Class 5: 3,000m ² & 18,000m ³		s and s and ng.						
C3D13	Separation of Equipment: Equipment as listed below must be separated from the remainder of the building with construction that achieves an FRL of 120/120/120 (or that required by Spec 5, whichever is greater) and doorways being self-closing -/120/30 fire doors:								
	 If a battery system installed that has of 200 kWh or more. 	s a total voltage c	of 12 volts or mor	e and a storage cap	bacity				
	Confirmation is required as to whether the above will be applicable to this development.								
C4D3 & C4D5	 Protection of Openings in External Walls: Openings that are less than 3m from the allotment boundary are required to be protected in accordance with BCA Clause C4D5. It is noted that the discharge door from the fire isolated exit is within 3m from the eastern allotment boundary. In this this case, the subject discharge door from the fire rated passageway must achieve a minimum - /60/30 FRL and must be self-closing or automatic closing. The proposed sliding door is noted as being located 3m from the side boundary and as such does not require protection. 								
C4D9 & C4D10	Openings in fire isolated exits: All openings and service penetrations within the fire isolated passageway are to comply with the requirements set out in this clause. Certification confirming this will be required prior the Construction Certificate stage.								
Spec. 5	Fire-Resisting Construction: The building is required to comply with Table 3 as relevant to FRLs required for buildings of Type C Construction. In this regard, only the external walls within 3m of the northern and eastern allotment boundaries are subject to the prescribed FRLs.								
	Structural engineer to verify that the external walls within 3m of the northern and eastern allotment boundaries achieve a fire rating of no less than 90/90/90 FRL as per Table S5C24a within Specification 5. Note: Fire rating is only to be achieved when tested form the outside.								
Spec. 12	Fire Doors: The proposed fire door mu	ist comply with th	ne requirements	of this specification					
	Compliance is to be applied to the fire	door to the entrai	nce and exit of th	e fire passageway.					



2.3 Section D – Access and Egress

D2D3	Number of exits required: The building comprises an effective height of <25m. Therefore, the exits shown on the referenced plans are sufficient.
D2D5	Exit Travel Distances: Exit travel distances within the building are required to be not more than 20m to a point of choice between alternative exits and 40m to the nearest one from Class 5 areas.
	Compliance with this provision is achieved.
D2D7/ D2D8/ D2D9/	Dimensions of Paths of Travel to an Exit: The minimum clear height through all egress paths is required to be no less than 2m, and a minimum of 1m wide (this width dimension is measured clear of any obstructions such as handrails and joinery).
D2D10/ D2D11	The existing stairway is currently less than 1m wide however the proposed new works include the re-construction of the stairway in which the new stairway will achieve a minimum 1m clear width as noted on the referenced plans.
D2D12	Travel via fire-isolated exits: A fire isolated stairway is required to provide independent egress from each storey that it serves and discharge directly –
	+ To a road open space; or
	 I o a point – In a storey or space, within the confines of the building, that is used only for pedestrian movement, car parking or the like and is open for at least 2/3 of its perimeter; and From which an unimpeded path of travel, not further than 20m, is available to a road or open space
	The fire exit indicates compliance in this regard.
D2D14	Travel by non-fire isolated stairways or ramps: A non-fire-isolated stairway or non-fire-isolated ramp serving as a required exit must provide a continuous means of travel by its own flights and landings from every storey served to the level at which egress to a road or open space is provided.
	The distance from any point on the floor to a point of road or open space must not exceed 80m. The stair must discharge at a point not more than 20m to a point of road or open space, or from a fire-isolated passage, or 40m from one of two such points.
	Compliance in this regard is achieved with respect to the main stairway.
D2D18	Number of persons accommodated: It is noted that a maximum 5 staff will occupy the premises at any given time as stated within the Statement of Environmental Effects (SEE).
D3D12	Fire-isolated passageways: The enclosing construction of the proposed fire-isolated passageway must have an FRL when tested for a fire outside the passageway in another part of the building of not less than 60/60/60 FRL. Details showing compliant fire ratings to the passageway are to be included in the Construction Certificate documentation.
D3D14/ D3D15/	Stairways, Balustrades, and Handrails: Stairways, balustrades and handrails are to be upgraded to achieve compliance with the current provisions of the BCA and AS 1428.1-2009.
D3D16/ D3D22	Floor finishes will be required to achieve the correct slip resistance in accordance with AS 4586, and associated handbooks HB197 and HB198. This will need to be confirmed compliant at Occupation stage and as such, the selection of materials will need to be considered in relation to these requirements.
	The proposed new works include re-construction of the existing non-compliant stairway with a new stairway that will achieve compliant width, riser and going dimensions, and handrails.
D3D25/ D3D26	Doors and Latching: All egress doorways must swing in the direction of egress and must be readily openable without a key from the side that faces a person seeking egress, by a single



handed downward or pushing action on a single device which is located between 900mm and 1100mm from the floor.

Part D4 Access for People with a Disability: The extent of access required depends on the classification of the building. Buildings and parts of buildings must be accessible as set out in Clause D4D2 unless exempted by Clause D4D5. The building is required to comply with AS1428.1-2009. Details demonstrating compliance are to be submitted to the Certifying Authority at Construction Certificate stage.

2.4 Section E – Services and Equipment

E1D2	Fire Hydrants: On site it was noted that there was no hydrant system installed, however the floor area exceeds 500m ² , therefore requires fire hydrant coverage. Hydraulic consultant to confirm whether the building can be protected via street hydrants. In this regard, a pressure and flow inquiry will be required together with fire hydrant coverage plans to verify that compliance with AS 2419.1-2021 can be achieved.
	will be required.
E1D17	Provisions for special hazards: Attention is drawn to the ventilated fireproof enclosure for the gases to the front of the development. Confirmation will be required that this meets the requirements of this clause, where applicable.
E4D2 - E4D8	Emergency Lighting and Exits Signs: Emergency lighting and exit signage to be provided in accordance with E4D2 E4D5 complying with AS 2293.1 – 2018.

2.5 Section F – Health and Amenity

Part F1	Damp and Weatherproofing: Damp and weatherproofing to comply with the prescriptive requirements of clauses F1D1-F1D8.
Part F4	Sanitary Facilities: Given that the maximum number of occupants at any given time is 5 staff, the sanitary facilities shown on the referenced plans are sufficient.
F5D2	 Ceiling Heights: The floor to ceiling heights must be as follows: <i>The minimum ceiling heights in a Class 5 building are as follows:</i> Generally – 2.4m. Corridor, passageways, or the like – 2.1m. <i>In any building:</i> Bathrooms, sanitary compartments, tea preparations rooms, pantries, store rooms or the like – 2.1m, A commercial kitchen – 2.4m, Above a stairway, ramp, landing or the like – 2m. Reflected ceiling plans are to be updated to reflect the minimum ceiling height proposed.
Part F6	Light and Ventilation: Artificial lighting systems are required to comply with Clause F6D5 and AS 1680. All mechanical or air-conditioning installations must be undertaken in accordance with AS 1668.22012.



2.6 Section J – Energy Efficiency



3.0 Statutory Upgrade Requirements

The following statutory BCA and fire & life safety upgrade triggers apply to the subject building works on the basis that a Development Application will be submitted to Council for the proposed change of use and new building works:

+ Clause 64 of the Environmental Planning and Assessment Regulation 2021

In determining a Development Application, Section 64 of the Environmental Planning & Assessment Regulation 2021 requires the Consent Authority is to take into consideration whether it would be appropriate to require the existing building to be brought into total or partial conformity with the Building Code of Australia where (in the case of the subject building):

- (a) the proposed building work and previous building work together represent more than half of the total volume of the building, or
- (b) the measures contained in the building are inadequate—
 - (i) to protect persons using the building, if there is a fire, or
 - (ii) to facilitate the safe egress of persons using the building from the building, if there is a fire, or
 - (iii) to restrict the spread of fire from the building to other buildings nearby.

Given the extent of the works proposed, it is considered that section 64 may apply to the subject development. However, it is considered that the measures contained in the proposed tenancy will be adequate with respect to (i), (ii) & (iii) above subject to the new works complying with the current provisions of the BCA as outlined in Section 2.0 of this report.



+ Section 14 of the Environmental Planning and Assessment (Development Certification & Fire Safety) Regulation 2021

In determining a Construction Certificate for a change of use, Section 14 of the Environmental Planning & Assessment (Development Certification & Fire Safety) Regulation 2021 states that the Certifying Authority must—

- (a) consider whether the fire protection and structural capacity of the building will be appropriate to the building's proposed use, and
- (b) not grant consent to the change of building use unless the certifying authority is satisfied that the building complies, or will, when the development is completed, comply, with the Category 1 fire safety provisions that are applicable to the building's proposed use.

Note: Category 1 fire safety measures mean the following:								
•	Fire Hydrants (E1P3)	•	Fire	Detection	and	Alarm	•	Safe Evacuation Routes (E2P2)
. •	Sprinklers Systems		Syste	ems (E2D3)			•	Emergency Lifts (E3P2)
	(E1P4)	•	Fire (Control Centre	es (E1P	6)		

The following commentary is provided with respect to the above requirements:

- a) Structural Capacity: A certificate is to be obtained from a Structural Engineer certifying that the structural capacity of the building is suitable for the new use.
- b) Fire Protection & Category 1 Fire Safety Provisions: The following Category 1 Fire Safety Measures are applicable to the new use:
 - + Fire hydrants (E1P3): The building is to be served by a fire hydrant system as part of the new works. Refer to commentary in the Executive Summary and Section 2 of this report.
 - + Sprinkler system (E1P4): The subject building is not required to be sprinkler protected under the BCA DtS provisions.
 - + Fire Detection & Alarm System (E2D3): The subject building is not required to be served by a smoke detection system under the BCA DtS provisions.
 - + Fire Control Centres (E1P6): The existing building is not required to be served by a Fire Control Centre (FCC) under the BCA DtS provisions.
 - + Safe Evacuation Routes (E2P2): Exit travel distances in the area of the new works will be compliant with the BCA DtS provisions.
 - + Emergency Lifts (E3P2): As the building does not exceed 25m Effective Height, Emergency Lift is not required to serve the building under the BCA DtS provisions.



4.0 Preliminary Fire Safety Schedule

The following table is a list of the required fire safety measures within the building. These measures may be subject to further change pending the outcomes of the final compliance review.

+ Statutory Fire Safety Measure	+ Design/Installation Standard	+ Existing	+ Proposed
Emergency Lighting	BCA 2022 Clauses E4D2 & E4D4 AS 2293.1 – 2018	√	✓
Exit Signs	BCA 2022 Clauses E4D5, NSWE4D6 & E4D8 AS 2293.1 – 2018	✓	✓
Fire Hydrant Systems	BCA 2022 Clause E1D2 AS 2419.1 – 2021		✓
Portable Fire Extinguishers	BCA 2022 Clause E1D14 AS 2444 – 2001	✓	✓
Fire Engineered Performance Solutions	BCA 2022 Performance Requirements		✓

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 Performance Solutions.



5.0 Conclusion

This report contains an assessment of the referenced architectural documentation for the proposed change of sue development located at Condell Park, against the Deemed-to-Satisfy provisions and Performance Requirements of the National Construction Code Series (Volume 1) Building Code of Australia 2022.

In view of the above assessment we can confirm that subject to the above measures being appropriately addressed by the project design team, compliance with the provisions of the BCA is readily achievable.

In addition, it is considered that such matters can adequately be addressed in the preparation of the Construction Certificate documentation without giving rise to any inconsistencies with the Development Approval.

Should you require further assistance or clarification please do not hesitate to contact the undersigned on 02 9211 7777.

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