BLACKETT MAGUIRE+ GOLDSMITH

26 May 2021

Silver Pond Investments Pty Ltd ATF
The Solver Pond Unit Trust C/PDS Group

Attention: Amanda Torville

Dear Amanda,

RE: 21-41 CANBERRA AVENUE & 18-32 HOLDSWORTH AVENUE, ST LEONARDS
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 City of Lane Cove Council for the proposed staged development against the Building Code of Australia 2019 (Amendment 1).

PROPOSED DEVELOPMENT

The proposed development has been assessed as one building from a BCA compliance perspective and comprises construction of 5 buildings with 329 apartments in total comprising 2 basement levels and 11 residential levels, landscaping, plantings, common area irrigation and drainage, demolition of the existing buildings, surrounding structures and hard paved areas.

The apartment locations are as follows:

+ **Lots 9, 10 and 11** – 212 apartments
+ **Lots 7 and 8** – 117 apartments

COMPLIANCE STATEMENT OBJECTIVES

The objectives of this statement are to:

a) confirm that the DA architectural documentation has been reviewed by an appropriately qualified Building Surveyor and Accredited Certifier.

b) 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*.

c) 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 during the development phase and at Construction Certificate stage.

Reference should be made to separate Accessibility Compliance Statement prepared by BM+G with respect to compliance with the Disability Access to Premises Standards and BCA Part D3.

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 BCA 2019 (incorporating Amendment 1), which came into effect on 1 July 2020. The next version of the BCA is schedule for adoption in 2022.

For the purpose of the DA submission, and in the absence of an Application for Construction Certificate, this assessment has been carried out against the current version of the BCA being BCA 2019 (Amendment 1).

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REFERENCED DOCUMENTATION

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

+ Architectural plans Revision 7 prepared by Bates Smart issued 24 May 2021.

BUILDING CLASSIFICATION

While the site comprises 5 lots/ apartment towers, the development is considered one building from a BCA compliance perspective.

+ **BCA Classification:**	Class 2 (Residential) Class 7a (Carpark) Class 7b (Storage)
+ **Importance Level (Structural):**	3
+ **Storeys Contained:**	16
+ **Rise in Storeys:**	16
+ **Type of Construction:**	Type A
+ **Effective Height:**	48.19m
+ **Sprinkler protection Required:**	Yes (Throughout the building)
+ **Climate Zone:**	Zone 5

BCA COMPLIANCE STRATEGY

Arising from our review, the following comprises a high-level summary of the key BCA compliance matters. Noting, this is a summary of key items only and not a detailed assessment, which will be undertaken at Construction Certificate Stage:

1. BCA Section B: Design documentation and certification from the Structural Engineer is to be provided at CC stage.

2. BCA Section C: The building is to comply with the fire rating, construction and combustibility requirements of Section C of the BCA. Particularly, the building is required to achieve the fire resistance requirements for Type A Construction and the requirements of Specification C1.1 as applicable to each classification within the building. This will generally necessitate 4hrs to Class 7b storage areas, 2hr to the Class 7a carparking areas and 90 minutes to the residential parts. 1hr fire rating is permitted to internal non-loadbearing walls separating apartments. Details to be provided at Construction Certificate stage.

   Fire walls are required between the carparking and the residential parts, and also between the storage areas and the residential parts in the following locations:

   + **Buildings 9, 10 & 11**: Level 01 to 04
   + **Buildings 7 & 8**: Levels 04 to 06

   External walls, common walls, flooring, floor framing of lift pits and non-loadbearing internal walls where required to be fire-resisting are required to be non-combustible in accordance with Cl. C1.9 other than where a Performance Solution is proposed.

   The Class 7b parts are within the fire compartmentation limitations for Type A Construction. Furthermore, it is noted that the carparking areas will be sprinkler protected throughout (by virtue of the buildings exceeding 25m Effective Height) and therefore the fire compartment limitations do not apply to the carparking compartments.

   All lifts and fire stairs must be separated from the remainder of the building by enclosure in shafts in which the walls must have the relevant FRL prescribed by specification C1.1.

   In general, compartmentation, separation of rooms and protection of openings are to generally comply with the BCA DtS provisions with details to be provided at Construction Certificate stage.

3. BCA Section D: The development is required to comply with the relevant clauses of Section D of the BCA relating to access and egress as applicable to Class 2, 7a and 7b building exceeding 25m Effective Height.

Fire Engineered Performance Solutions will be required to allow extended exit travel distances and reduced distance between alternative exits at scissor stairs (refer to summary of required Performance Solutions below).

Configuration of fire stairs generally complies with the BCA DtS provisions; however, fire engineered Performance Solutions will be required to address relatively minor non-compliances relating to fire stair discharge as outlined in the table below.

The referenced plans show several doorways that do not swing in the direction of egress, particularly doors serving as Horizontal Exits within fire walls. Minor amendments will be required at CC stage to comply with the BCA DtS provisions in this instance.

Construction of exits can readily comply with the BCA by way of compliance with the BCA DtS provisions or fire engineered Performance Solution. Detailed documentation to be reviewed at Construction Certificate stage.

4. BCA Section E: The building is to be served by fire services and equipment as listed in the Preliminary Fire Safety Schedules provided below.

Installation of all fire services will be required to comply with the current provisions of the BCA (as applicable to the development) and Performance Solutions will be documented where compliance with the BCA DtS provisions is not possible.

Emergency lifts are required to serve each storey as the building exceeds 25m Effective Height. Where two or more passenger lifts serve a storey then at least two lifts must be provided to serve those storeys. In this regard, given the configuration of the buildings and the number of lifts serving each storey, all passenger lifts shown on the referenced plans will need to comply as emergency lifts and be contained in separate shafts.

Details demonstrating compliance with the above and the standards of performance listed in the schedule below and Fire Engineering Report are to be provided at Construction Certificate stage.

5. BCA Section F: Damp and weatherproofing is required to comply with BCA Part F1. Details to be provided at Construction Certificate stage.

We note that the referenced plans show adequate amenities in accordance with the BCA DtS provisions.

Ceiling heights in accordance with Part F3 are readily achievable, however further details required to confirm compliance.

Light & ventilation can readily achieve compliance with the BCA DtS provisions. In this regard, it is noted that further information is needed to confirm that all habitable rooms will be served by natural light.

Sound transmission and insulation to the residential parts is to comply with BCA Part F5. An acoustic report and details are to be provided at Construction Certificate stage to verify that compliance is achieved.

6. BCA Section G: The external terraces within each building are deemed Outdoor Occupiable Areas and as such are required to comply with the provisions of BCA Part G6. While it is considered that compliance is readily achievable, details are to be provided at CC stage.

7. BCA Section J: The development is required to comply with Section J Energy Efficiency provisions, particularly sub-section J(A) which supplement BASIX requirements. Details demonstrating compliance to be provided at Construction Certificate Stage.

Please note that the above items are high-level at this stage 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 CC.

SUMMARY OF REQUIRED PERFORMANCE SOLUTIONS

Based on a review of the referenced documentation, and advice issued by the Fire Safety Engineer (Stantec Fire Engineering), the following comprises a summary of the matters that require Performance Solutions prior to issue of the Construction Certificate.

A. MATTERS REQUIRING FIRE SAFETY ENGINEERED PERFORMANCE SOLUTIONS:

	BCA (DtS) Clause	Description
1.	C1.1 & Spec. C1.1	To allow reduced FRL at slab set downs, particularly to the floor slabs separating residential apartment from the carpark and storage areas below where 120/120/120 and 240/240/240 FRL is required respectively.
2.	C1.1 & Spec. C1.1	To allow reduced FRL's to the storage areas at: + Level 04 of Building 9 + Level 05 of Building 7
3.	D1.4	To allow extended travel distances as follows: + Residential apartments (entry door): Maximum 15m to point of choice to one of two alternative exits in lieu of 6m. + Levels 1 & 2 Carparking: Maximum 30m to a point of choice in lieu of 20m. + Level 3 Carparking: Maximum 26m to a point of choice in lieu of 20m. + Building 7 Level 8: Maximum 23m to a point of choice from the Roof Terrace in lieu of 20m. + Building 8 Level 4: Maximum 26m to a point of choice in lieu of 20m. + Building 8 Level 6 Storage: 25m to a point of choice in lieu of 20m. + Building 9 Level 10 Communal Terrace: 22m to a point of choice in lieu of 20m. + Building 10 Level 13 Plant: 25m to a point of choice in lieu of 20m.
4.	D1.5	Distance between alternative exits: + Scissor fire stairs: Minimum of 4m between alternative exits in lieu of 9m + Level 1 Carparking: Maximum of 87m between alternative exits in lieu of 60m. + Level 2 Carparking: Maximum of 63m between alternative exits in lieu of 60m.
5.	D1.7	To allow unprotected openings in the external walls that are within 6m of the path of travel following discharge from fire stairs having regard to alternative exits being available following discharge at: + Level 5 of Building 10 + Level 6 of Building 8
6.	D1.3 & Spec. C1.1	To allow the top flights of the fire stair that serve the external terrace to not be enclosed in a fire rated shaft.
7.	E2.2	To allow the use of Jetfans within the carparking areas.

The above Performance Solutions will require referral to FRNSW pursuant to clause 144 of the Environmental Planning & Assessment Regulation 2000 at Construction Certificate stage. This will be preceded by submission of an FEBQ to FRNSW to obtain their input on the proposed Performance Solutions.

B. OTHER MATTERS REQUIRING PERFORMANCE SOLUTIONS:

	BCA (DtS) Clause	Description
1.	FP1.4	A Performance Solution is required for any new external walls to confirm the assembly prevents the penetration of water that could cause unhealthy or dangerous conditions, or loss of amenity for occupants; and undue dampness or deterioration of building elements. Note: Compliance with FP1.4 may be verified using BCA Verification Method FV1. *Further information can be found at:* https://www.abcb.gov.au/Resources/Publications/Education-Training/Weatherproofing

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 new development.

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 – 2018
Automatic Fail-Safe Devices	BCA Clause D2.21
Automatic Fire Detection & Alarm System	BCA Spec. E2.2a & AS 1670.1 – 2018
Automatic Fire Suppression Systems (Sprinklers)	BCA Spec. E1.5 & AS 2118.1 – 2017, AS 2118.6 –2012
Building Occupant Warning System activated by the Sprinkler System	BCA Spec. E1.5, Clause 8 and, Clause 3.22 of AS 1670.1 – 2018
Emergency Lifts	BCA Clause E3.4 & AS 1735.2 – 2001
Emergency Lighting	BCA Clause E4.4 & AS 2293.1 – 2018
Emergency Evacuation Plan	AS 3745-2010
Emergency Warning & Intercom System (EWIS)	BCA E4.9, Clause 5 of BCA Spec G3.8 and AS1670.4 - 2018
Exit Signs	BCA Clauses E4.5, E4.6 & E4.8; and AS 2293.1 – 2018
Fire Control Centre	BCA Spec E1.8
Fire Dampers	BCA Clause C3.15, AS 1668.1 – 2015 & AS 1682.1 & 2 – 2015 and manufacturer's specification
Fire Doors	BCA Clause C2.12, C2.13, C3.4, C3.5, C3.8 & C3.11; and AS 1905.1 – 2015 and manufacturer's specification
Fire Hydrant System	Clause E1.3 & AS 2419.1 – 2005
Fire seals protecting penetrations through fire rated building elements	BCA Clause C3.15, AS 1530.4 – 2014 & AS 4072.1 – 2005 and manufacturer's specification
Lightweight Construction	BCA Clause C1.8 & AS 1530.4 – 2014 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
Pressurising Systems *Fire isolated exits/fire stairs*	BCA Clause E2.2 & AS/NZS 1668.1 – 2015
Required Exit Doors (power operated)	BCA Clause D2.19(b)
Self-Closing Fire Hoppers	BCA Clause C3.13 & AS 1530.4 – 2014
Smoke Alarms *Residential apartments*	BCA Spec E2.2a and AS 3786-2014
Smoke Hazard Management Systems	BCA Part E2 & AS/NZS 1668.1 –2015
Smoke Dampers	AS/NZS 1668.1 – 2015
Smoke Doors	BCA Spec C3.4
Stand-by Power Systems	BCA Clause E1.3, E3.4, E4.2 & E4.5; and AS 3000 – 2018
Wall-Wetting Sprinklers	BCA Clause C3.4 & AS 2118.2 – 2010
Warning & Operational Signs	Clause 183 of the EP&A Regulation 2000, AS 1905.1 – 2015, BCA Clause C3.6, D2.23, D3.6 & E3.3
Fire Engineered Performance Solutions	BCA Performance Requirements Fire Safety Engineering Report (TBA)

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.

CONCLUSION

This report confirms that BM+G have undertaken a review of the DA architectural plans for the subject residential development against the deemed-to-satisfy provisions of the Building Code of Australia 2019 (Amendment 1).

It is our experience that 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
Member Australian Institute of Building Surveyors
AIBS National Accreditation, Building Surveyor, Accreditation No. 6560
Associate, RICS
Accredited Certifier/Principal Certifying Authority, Building Surveying Grade A1 - Accreditation No. BPB 0178