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## **BCA CAPABILITY STATEMENT**

### **BUILDING CODE OF AUSTRALIA 2016**

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Revision: B

**951 Broken Head Road, Broken Head**

**Prepared for: Harley Graham Architects**

18<sup>th</sup> June 2020

General Manager  
Byron Shire Council  
70 Station Street, Mullumbimby  
NSW 2482  
Australia

Dear Sir/Madam,

Re: Eco Tourism Hub mixed use development centre facilities at 951 Broken Head Rd, Broken Head. Class 3, 5, 9b & 10 buildings with associated alterations and additions.

East Coast Certifiers was appointed the PCA on 30<sup>th</sup> April 2019 and commissioned to carry out an assessment of the proposed alterations and additions to the existing commercial building located at the subject address, against the requirements of the National Construction Code Series (Volume 1) – Building Code of Australia (BCA) 2016.

The purpose of the assessment was to provide surety to the Consent Authority, Byron Shire Council, that the buildings design is capable of complying with the BCA and that subsequent compliance with the provisions of Parts C, D E, & F of the BCA will not give rise to further modifications to the building that may necessitate additional design changes.

Further to the above assessment an additional revised set of plans were provided for review by HGA Architects to further check compliance was still in accordance with the first assessment.

The following East Coast Certifier team member has contributed to this assessment:

- Mark Painter – Director & A1 Accredited Certifier

Our assessment of the concept design documentation was based on the following:

- National Construction Code Series (Volume 1) Building Code of Australia 2016 Amdt 1 (BCA)
- Architectural Drawings: DA 00 Rev 02, DA01 Rev 02, DA 02 Rev 02, DA 03 Rev 02, DA 04 Rev 02, DA 05 Rev 02, DA 06 Rev 02, DA 07 Rev 02, DA 08 Rev 02, DA 09 Rev 02, DA 10 Rev 02, DA 11 Rev 02, DA 12 Rev 02, DA 13 Rev 02, DA 14 Rev 02, DA 15 Rev 02, DA 16 Rev 02, DA 17 Rev 02 & DA 18 Rev 02 prepared by HGA Architects, dated 2<sup>nd</sup> June 2020.
- DDA Consult Accessibility Report
- Guide to the Building Code of Australia 2016 (BCA Guide)
- Access to Premises – Buildings Standards 2010 (Access Code)
- Environmental Planning and Assessment Act 1979 (EP&A)
- Environmental Planning and Assessment Regulation 2000 (EP&AR)

The objectives of this statement are to:

- Undertake an assessment of the proposed architectural design documentation against the Performance Requirements of National Construction Code Series 2016 (Volume 1) - Building Code of Australia (BCA).
- Accompany the submission of the Development Application to Byron council to enable the Consent Authority to be satisfied that the building design is capable of complying with the BCA and that subsequent compliance with Parts C, D, E, & F of the BCA will not give rise to further design changes to the building.

- Identify any BCA compliance issue that require resolution at the Construction Certificate stage. These matters are to be considered pursuant to Cls 53 of the EP&A Regulation 2000.
- Enable the certifying authority to satisfy its statutory obligations under Clause 143(1) (3) of the Environmental Planning and Assessment Regulation, 2000.
- Enable the certifying authority to satisfy its statutory obligations under Clause 145 of the Environmental Planning and Assessment Regulation, 2000.
- Enable the certifying authority to satisfy its statutory obligations under Clause 17 & 18 of the Building Professionals Regulation 2007.
- 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

#### **BUILDING DESCRIPTION SUMMARY**

##### Building Assessment Data

SUMMARY OF CONSTRUCTION DETERMINATION	
Use(s)	Tourist Accommodation and Wellness Centre
Classification(s)	3, 5, 7b, 9b & 10
No. of Storeys contained	1 & 2 storey
Rise in Storeys	Number (1) & (2)
Type of Construction	Type (C)
Effective height	< (8)m

#### **PROPOSED WORKS**

The proposed development involves alterations and additions to the existing site buildings, with some new proposed buildings for use as an eco-tourist wellness centre.

Category 1 fire safety measures have been considered as part of the assessment due to the works. A Fire Hydrant system compliant with the BCA will be provided as part of the development, this may rely on street hydrant coverage where applicable. All class of buildings will have emergency lighting, exit signage, fire extinguishers, fire blankets and stand-alone smoke alarms to any SOU's (class 3).

Proposed works consist of:

- Alterations to the existing community centre building and new deck addition.
- New wellness and pool facilities surrounding the existing pool and gym facilities.
- New Shed/Function space, refuge, depot, Bins and storage building and cabin buildings.

#### **RELEVANT BCA EDITION**

The proposed buildings 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. In this regard the Construction Certificate application has

been made prior to the 1st May 2019, and as such the BCA 2016 Amdt 1 version applies to the new works proposed at the subject development.

#### **COMPLIANCE WITH THE BCA**

The detailed 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 following:

- a) Complying with the Deemed-to-satisfy (DTS) Provisions; or
- b) Formulating an Alternative Solution which –
  - i) Complies with the performance requirements; or
  - ii) Is shown to be at least equivalent to the DTS provisions; or
- c) A combination of the above.

Pursuant to Clause 94 of the Environmental Planning and Assessment Regulation 2000, a building or development which involves the rebuilding, alteration, enlargement or extension (amongst other criteria) must not be carried out unless the Consent Authority (Council) is satisfied that the measures contained within a building are:

- i) adequate to protect persons using the building and facilitate their egress from the building in the event of a fire and
- ii) adequate to restrict the spread of fire between buildings.

In addition to the fire protection requirements identified above, the provisions of Clause 143 of the EP&A Reg 2000 require the PCA at the Construction Certificate assessment stage to consider and be satisfied that the structural capacity of the building and its new use will be acceptable. This will also be justified by the submission of appropriate certification furnished by the Structural Engineer with the Construction Certificate application stage.

#### **Conclusion:**

This report contains an assessment of the referenced architectural documentation for the proposed alterations and additions at Linneaus Eco - Tourist Facility against the Deemed-to-Satisfy provisions & Performance Requirements of the National Construction Code Series (Volume 1) Building Code of Australia 2016.

In view of the above assessment we can confirm that subject to the above measures being appropriately considered, that compliance with the Deemed-to-Satisfy Provisions and Performance Requirements of the BCA are readily achievable. Additionally, and consistent with reasonable approach, we also consider the proposed works required to be appropriate for the purposes of addressing the provisions of Clauses 94 and 143 of the EP&A Regulation 2000.

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 me.

Best regards,



Mark Painter  
Director