Building Code of Australia

Compliance Capability Statement – S4.55 Application

Project Address: 405 Pacific Highway, 5 Falcon Street, 8 Alexander Street Crows Nest 2065

Client: Deicorp Project Crows Nest Pty Ltd
Report Number: 230165
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23 APRIL 2026

REPORT REVISION HISTORY

Revision	Date Issued	Revision Description
01	05.11.2025	BCA Capability Statement – Amended SSDA (DRAFT)
02	22.04.2026	BCA Capability Statement – Amended SSDA

Prepared by	**Verified by**
	
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TABLE OF CONTENTS

1. INTRODUCTION

We have reviewed the proposed building works identified on the plans referred to below, for compliance capability with the Building Code of Australia (BCA) 2022 Amdt 2 and provide the following description and statements.[1]

This report serves as an assessment for compliance with the Building Code of Australia for the construction of a new 28 storey (with mezzanine and roof levels) mixed use development containing residential apartments, hotel suites, ground floor retail and 6 levels of basement carparking. ***This updated report includes the assessment of 4 additional units, the amalgamation of units 2108 & 2109 and the relocation of hotel bar / lobby from mezzanine level to ground floor.***

2. BCA DESCRIPTION

2.1. Classification (A6)

The proposed building consists of:

Basement 06 - Basement 02	Class 7a Carpark including ancillary storage and plant
Basement 01	Class 7a Carpark including ancillary storage and plant Class 7b loading dock
Ground floor	Class 2/3 Residential lobby Class 5/6 Commercial lobby Class 6 Retail Class 7a Carpark driveway Class 7b Storage
Mezzanine	Class 3 Hotel Class 6 Bar & associated multipurpose rooms
Level 01	Class 3 Hotel including gym amenity
Level 02 – Level 03	Class 2 Residential including communal outdoor occupiable area
Level 04 – Level 28	Class 2 Residential
Roof level	Class 2 Communal Open Space & Plant
Upper roof level	Class 2 Lift overrun and other plant

2.2. Type of Construction (C2D2)

Type A construction is applicable.

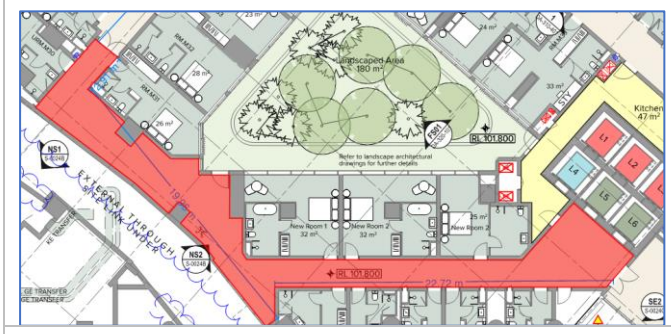
2.3. Effective Height (Schedule 3)

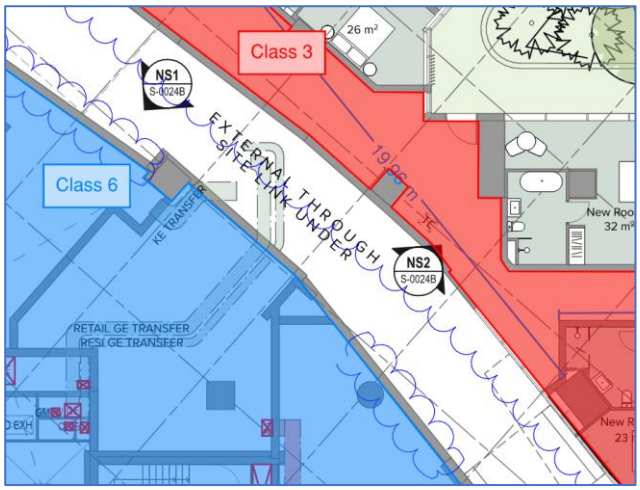
The building has an effective height of more than 50m

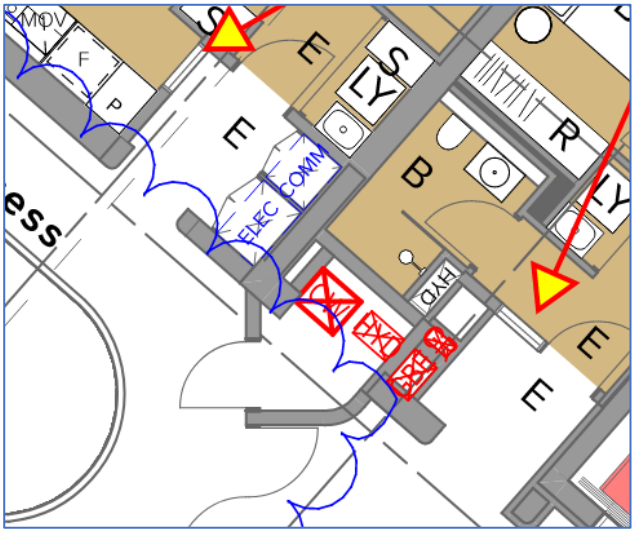
3. BCA COMPLIANCE CAPABILITY

It is our opinion that the proposed building works are capable of complying with the Building Code of Australia 2022 Amdt 2. Detailed construction drawings are to be provided at Construction Certificate Application phase demonstrating compliance.

The following table identifies areas of non-compliance with the deemed-to-satisfy provisions of the BCA, which are intended to be addressed by performance justification or via design modifications at the construction certificate stage.

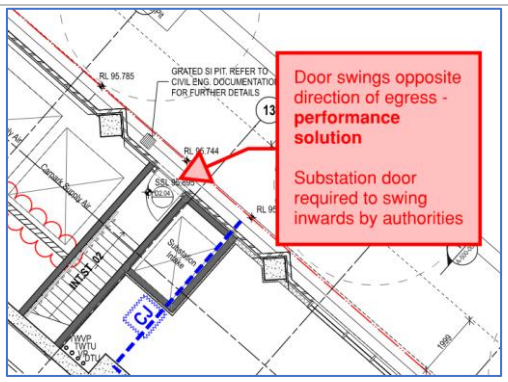
BCA Clause	Title	Assessment and Comment	Status
SECTION C – FIRE RESISTANCE			
C2D2, Specification 5	Enclosure of shafts	The garbage shafts are open at the base and is proposed to be performance justified.	Performance Solution
		The Class 6 retail fire compartment is proposed to achieve an FRL of 180/120/120 in lieu of 180/180/180.	Performance Solution
		The Class 7b loading dock fire-rating is proposed to be rationalised to achieve 240/-/- FRL (loadbearing) and -/120/120 (non-loadbearing) in lieu of FRL 240 minutes.	Performance Solution
		The floor slabs of select residential levels apartments will incorporate a fall in slab in the wet areas (laundries, bathrooms, balconies) resulting in a local reduction in the FRL down to a 60/60/60 FRL in lieu of 90/90/90.	Performance Solution
C3D15, S11C2, Specification 12	Public corridors in Class 2 and 3 buildings	The mezzanine level incorporates a public corridor that is more than 40m in length. The corridor is divided at intervals of not more than 40m via smoke-proof construction, except at the western corridor. Additional doors are required to further divide. 	Compliance readily achievable
		Performance solution is required to permit the smoke doors to swing in one direction in lieu of both ways to comply with S12C4(a)	Performance Solution
C4D4, C4D5	Separation of external walls and associated openings in	The distance between parts of external walls and any openings within them in different fire compartments separated by a fire wall must not be less than that set out in Table C4D4, unless – (a) Those parts of each wall have an FRL not less than 60/60/60; and	Note

	different fire compartments	(b) Any openings are protected in accordance with C4D5	
		<u>Ground floor</u> The Class 3 lobby at ground floor is proposed to be constructed with higher FRL without separation. *(Complying with C3D9 : different classifications located alongside one another in the same storey— each building element in that storey must have the higher FRL prescribed in Specification 5)*	Note
		<u>Mezzanine Level</u> The Class 6 part is required to be separated from the Class 3 compartment. Openings must be protected in accordance with C4D5. Where glazed elements are proposed to be protected, this is to be justified via fire engineered performance solution. 	Performance solution
C4D6, Specification 5	Doorways in fire walls	The firewall to the roller shutter will not achieve insulation rating as required.	Performance solution

C4D12, Specification 5	Bounding construction: Class 2 and 3 buildings and Class 4 parts	Windows from SOUs bound the public corridor at level 2 	Performance solution
C4D15	Openings for service installations	Services that penetrate a building element that is required to have an FRL must be protected utilising one of the options listed under this clause. Test certificates describing each individual service penetration and configuration will be required at the construction certificate stage **Basement levels & loading dock** It is identified that while the loading dock will retain this level of fire rated construction in the most part, there exists multiple penetrations which do not achieve the required --/240/240 FRL due to no such system being available on the marketplace. The Performance Solution permits an FRL reduction to --/120/120 FRL for penetrations where no commercially available --/240/240 FRL system is available. This includes removal of fire bolts from fire doors, where fire doors cannot be obtained without the bolts.	Performance solution
SECTION D – ACCESS AND EGRESS			
D2D3	Number of exits required	The building is required to be provided with not less than 2 exits. The substation at Basement 01 is provided with a single exit in lieu of 2. This is to be justified via fire engineered performance solution. *Note: The access ladder has been deemed as a non-compliant alternative exit as the substation is more than 100m2* 	Performance solution

D2D5	Exit travel distances	Class 2 and 3 buildings – No point on the floor of a room which is not in a sole-occupancy unit must be more than 20 m from an exit or from a point at which travel in different directions to 2 exits is available. The following areas exceed 6m to a point of choice: • Mezzanine-Level 01 – up to 12m in lieu of 6m The following areas exceed 20m to a point of choice: • Mezzanine void space – up to 24m in lieu of 20m • Level 02 plant area – up to 28m in lieu of 20m • Level 02 communal area – up to 25m in lieu of 20m	Performance solution
		Class 5, 6, 7, 8, 9 buildings – (a) no point on a floor must be more than 20 m from an exit, or a point from which travel in different directions to 2 exits is available, in which case the maximum distance to one of those exits must not exceed 40 m; and (b) in a Class 5 or 6 building, the distance to a single exit serving a storey at the level of access to a road or open space may be increased to 30 m. The following travel distances are required to be justified via fire engineering performance solution: • **Basement 1-5** Travel distance up to 30m to a point of choice in lieu of 20m • **Basement 1** Travel distance up to 30m to a point of choice in lieu of 20m from the loading dock • **Ground floor** Travel distance up to 30m to a point of choice in lieu of 20m from the commercial lobby & storage room	Performance solution
D2D6	Distance between alternative exits	Exits that are required as alternative means of egress must be— • distributed as uniformly as practicable within or around the storey served and in positions where unobstructed access to at least 2 exits is readily available from all points on the floor including lift lobby areas; and • not less than 9 m apart; and • not more than— in a Class 2 or 3 building — 45 m apart; or • in all other cases — 60 m apart; and	Performance solution

		• located so that alternative paths of travel do not converge such that they become less than 6 m apart. **Ground Floor** The two alternative exit doors, serving the fire control room, are less than 9m apart. The following areas exceed minimum permitted distances between alternative exits: • Mezzanine - up to 90m in lieu of 45m *(Note: where FRNSW does not support this solution, an additional stair will be required)* • Level 01 – up to 60m in lieu of 45m • Level 02 – up to 50m in lieu of 45m	
D3D5	Separation of rising and descending stair flights	If a stairway serving as an exit is required to be fire-isolated— (a) there must be no direct connection between— (i) a flight rising from a storey below the lowest level of access to a road or open space; and (ii) a flight descending from a storey above that level; and (b) any construction that separates or is common to the rising and descending flights must be— (i) non-combustible; and (ii) smoke proof in accordance with S11C2. Rising and descending stair FS_01 is proposed to be separated. Separating construction is to comply with this Clause and S11C2. Although the landing at ground floor level is shared in common between the rising and descending stair, only the ascending basement stair flight is smoke separated from this landing. This is proposed to be justified via fire engineered performance solution.	Performance solution
D3D25	Swinging doors	Multiple doors serving as a required exit or part of a required exit on the ground floor swing inwards in lieu of swinging in the direction of egress and is proposed to be performance justified via fire engineering.	Performance solution
		The substation exit door at ground floor serving as a required exit swings inwards in lieu of swinging in the direction of egress where not permitted.	Performance solution

			
E1D2	Fire hydrants	Performance solution is required Location of Booster assembly (technical departure – not within site of the main entrance)	Performance solution
E1D3	Fire hose reels	A fire hose reel system must be provided in accordance with this clause including AS 2441 The following areas are omitted: - Garbage chute room - Smoke lobbies (lift lobbies) - Substation (at Basement 1)	Performance solution
E1D4	Sprinklers	The main switch board room is located on Basement 1 and shall not be provided with sprinkler protection in lieu of DTS requirements.	Performance solution
E1D15, Specification 19	Fire control centres	The fire control room is not located at the front entry of the building due to the building having multiple front entrances. The fire control room does not have access via a door or fire-isolated passageway to the front entrance of the building due to multiple front entrances.	Performance solution
		The two alternative exit doors are less than 9m apart	Performance solution
E2D4	Fire-isolated exits	The proposed design may not fully satisfy the requirements of this clause as stair pressurisation systems for basement fire stairs require all doors from fire isolated exits to the fire-affected compartment to remain open.	Performance solution
E2D6	Buildings more than 25 m in effective height: Class 5, 6, 7b, 8 and 9b buildings- Zone pressurisation systems	Omission of zone pressurisation between different fire compartments.	Performance solution

E2D12, F6D11	Class 7a buildings	Carpark is provided with multiple impulse (Jet) fans. The installation of a series of impulse fans is not a deemed-to-satisfy solution in the current AS 1668.2-2012. This is to be performance justified via mechanical and fire engineered performance solution.	Performance solution
E4D5	Exit signs	Omission of Exit signs in Substation (run by authorities)	Performance solution
E4D9	Emergency warning and intercom systems	Omission of EWIS in Substation (run by authorities)	Performance solution

4. PLANS ASSESSED

Assessed plans prepared by Turner

Plan Title	Drawing No	Revision	Date
GA Plans Basement 05	DA-110-003	U	14.04.2026
GA Plans Ground Level	DA-110-008	Q	14.04.2026
GA Plans Mezzanine	DA-110-009	O	14.04.2026
GA Plans Level 01	DA-110-010	O	14.04.2026
GA Plans Level 02	DA-110-020	Q	14.04.2026
GA Plans Level 03	DA-110-030	S	14.04.2026
GA Plans Level 04	DA-110-040	M	14.04.2026
GA Plans Level 05	DA-110-050	M	14.04.2026
GA Plans Level 06	DA-110-060	M	14.04.2026
GA Plans Level 07	DA-110-070	M	14.04.2026
GA Plans Level 08	DA-110-080	M	14.04.2026
GA Plans Level 09	DA-110-090	M	14.04.2026
GA Plans Level 10	DA-110-100	M	14.04.2026
GA Plans Level 11	DA-110-110	M	14.04.2026
GA Plans Level 12	DA-110-120	M	14.04.2026
GA Plans Level 13	DA-110-130	M	14.04.2026
GA Plans Level 14	DA-110-140	P	14.04.2026
GA Plans Level 15	DA-110-150	M	14.04.2026

GA Plans Level 16	DA-110-160	M	14.04.2026
GA Plans Level 17	DA-110-170	M	14.04.2026
GA Plans Level 18	DA-110-180	M	14.04.2026
GA Plans Level 19	DA-110-190	M	14.04.2026
GA Plans Level 20	DA-110-200	M	14.04.2026
GA Plans Level 21	DA-110-210	P	14.04.2026
GA Plans Roof Level & Up	DA-110-220	P	14.04.2026

5. CONCLUSION

The plans provided generally comply with the Building Code of Australia and will be subject to further construction documentation including regulated designs that will provide appropriate details to demonstrate compliance. This report has identified areas of non-compliance with the deemed-to-satisfy provisions and indicates the design intent to modify the design or demonstrate compliance with the Performance Requirements of the BCA. Whilst the performance-based solutions are to be design developed, it is my view that the solutions will not impact on the current design.

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1 **Exclusions and Limitations**

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   - The Disability Discrimination Act 1992.
   - Disability (Access to Premises – Building) Standards 2010.
   - The existing level of Building Code of Australia compliance unless specifically identified within this report.
   - The operational capabilities or compliance of any existing services installed within the building.
   - Assessment of any existing Performance Solutions, including Fire Safety, addressing compliance with the Performance Requirements of the BCA.
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   - Prepare a holistic BCA, Access or Fire Safety strategy for the building or carry out a full assessment of all information and documentation relating to the project, or the potential BCA, Access, or Fire Safety aspect derivatives thereof.
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