BCA Capability Statement

195-213 Fitzgerald Avenue and 40-64 Yorktown Parade, Maroubra, 2035

Prepared for: TSA Riley

Our Ref: 25000470 | Issue date: 01 December 2025

Contents

Authorisation

Revision	Comment / Reason for Issue	Issue Date	Prepared by	Reviewed by
01	SSDA Modification Submission	01 December 2025		
			George Panagiotlaris	Joel Lewis

Revision History

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01	SSDA Modification Submission	01 December 2025	Joel Lewis

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1 Executive Summary

MBC Group have assessed architectural design documents prepared by Hayball (refer appendix A) for compliance with the National Construction Code - Building Code of Australia Volume One 2022 Amendment 2 (referred to as the BCA).

The purpose of the assessment is to provide surety to the Consent Authority, Department of Planning, Housing and Industry, that the proposed development has been assessed and is capable of complying with the BCA and that subsequent compliance with the provisions of Parts C, D and E of the BCA will not give rise to significant design amendments.

This statement does not consider Section 62 of the Environmental Planning and Assessment Regulation 2021, this clause is a consent authority consideration.

The application for Construction Certificate shall be assessed under the relevant provisions of the Environmental Planning & Assessment Act 1979 (As Amended) and the Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021.

2 Introduction

2.1 Purpose

The purpose of this statement is to assess the current design proposal against the Deemed-to-Satisfy (DtS) provisions of Sections C, D and E of the National Construction Code Series 2022 Amendment 2 (Volume 1) – Building Code of Australia (referred to as BCA), and provide surety to the Consent Authority that the design is capable of compliance without significant design amendments.

The following MBC Group Team Members have contributed to this assessment:
- Joel Lewis
- George Panagiotlaris

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.

2.2 Methodology

The methodology applied in undertaking this assessment has included: -
- A desktop review of architectural plans, as listed in Appendix A
- Assessment of the architectural plans against the following relevant codes:-
- Sections C, D & E (as applicable / relevant) of the National Construction Code Series (Volume 1) Building Code of Australia 2022 Amendment 2 (BCA)
- Environmental Planning and Assessment Act 1979 (EPAA)
- Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR)
- Discussions with the design development team to gain an understanding of the development proposed.

2.3 Limitations

This statement **does not include** or imply any detailed assessment for design, compliance or upgrading for:
- the structural adequacy or design of the building;
- the inherent derived fire-resistance ratings of any proposed structural elements of the building (unless specifically referred to); and
- the design basis and/or operating capabilities (including pressure & flows) of any proposed
- electrical
- mechanical
- hydraulic
- fire protection services.
- Section 62 of the Environmental Planning and Assessment Regulation 2021

This statement does not include, or imply compliance with:
- the National Construction Code – Plumbing Code of Australia Volume 3

- the Disability Discrimination Act 1992 including the Disability ((Access to Premises – Buildings) Standards 2010 – unless specifically referred to)
- The deemed to satisfy provisions of Part D4 and F4D5 of BCA 2022 Amendment 2
- The deemed to satisfy provisions of Sections B, F, G, H & J of BCA 2022 Amendment 2
- Demolition Standards not referred to by the BCA;
- Work Health and Safety Act 2011;
- An out of cycle change to the Building Code of Australia.
- Requirements of other Regulatory Authorities including, but not limited to, Telstra, Telecommunications Supply Authority, Water Supply Authority, Electricity Supply Authority, Work Cover, Roads and Maritime Services (RMS), Roads and Transport Authority, Local Council, ARTC, Department of Planning and the like; and
- Conditions of Development Consent issued by the Local Consent Authority.

2.4 Conflict of Interest

This statement prepared by MBC Group was provided as part of MBC Group's contracted scope for this project, which is "Certification Work", as defined in the Building and Development Certifiers Regulation 2020.

Due to the strict requirements and limits in terms of conflicts of interest imposed under that regulation, MBC Group has not and cannot undertake any services other than Certification Work services on this project. Hence, the contents of this statement, and any associated correspondence, were provided in the context of a certification assessment, and should not be construed to constitute involvement in building design, the preparation of plans and specifications, the provision of advice on how to amend a plan or specification to ensure that the aspect will comply with legislative or code requirements, or to breach any other restriction or limitation imposed under the conflict of interest provisions of that or any other legislation.

3 Development Description

3.1 Proposed Development

The proposed development comprises of the project comprises the demolition of existing buildings and the construction of six residential flat buildings ranging from three to four storeys, which will accommodate 144 social and affordable housing units, communal rooms, single level basements with 70 car spaces, associated landscaping and public domain works.

Upon completion of development works, Bridge Housing will be the long-term owners of the affordable housing assets and the long-term managers of the social housing assets, owned by Homes NSW.

3.2 Location

The site is located at 195-213 Fitzgerald Avenue and 40-64 Yorktown Parade, Maroubra.

3.3 BCA Classification (Part A6)

The proposed development being residential flat building has been classified as:

- Class 2: being an apartment building
- Class 7a: being a carpark building or part
- Class 7b: being a warehouse building or part

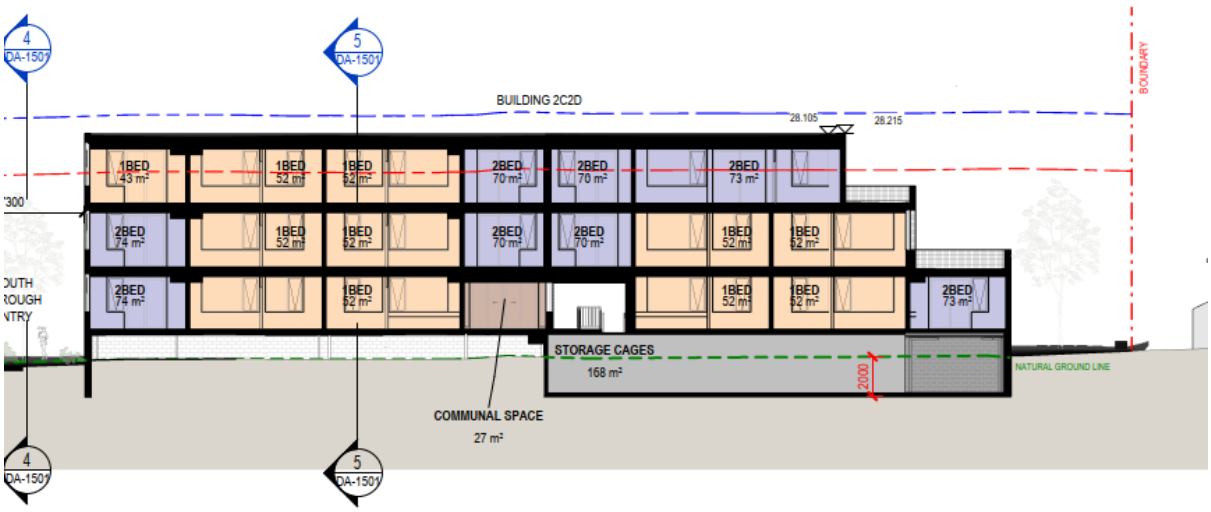
3.4 Rise in Storeys (Clause C2D3)

The proposed development has been assessed to have a rise in storeys as per the below:

Buildings 1A – 1D = five (5)

Buildings 2A – 2B = three (3)

Buildings 2C – 2D = four (4)



3.5 Effective Heights (Part A1)

The proposed development has been assessed to have an effective height as per the below:

- Buildings 1A – 1D = 10.21m *(28.850 - 18.640)*
- Buildings 2A – 2B = 6.4m *(23.700 – 17.300)*
- Buildings 2C – 2D = 9.6m *(24.705 – 15.105)*

The BCA now defines effective height as: -

"Effective height means the vertical distance between the floor of the lowest storey included in a determination of rise in storeys and the floor of the topmost storey (excluding the topmost storey if it contains only heating, ventilating, lift or other equipment, water tanks or similar service units)."

3.6 Type of Construction Required (Clause C2D2 / Table C2D2)

The proposed development is required to be Type A Construction. Specification 5 outlines the fire resistance required by certain building elements.

3.7 Building Data Summary

Building 1 (Building 1A – 1D)

Part of Development	Use	Class	Floor Area (approx.) m^2	Population (using D2D18)
Basement	Carpark	7a	2300 m^2	N/A
GF - Lvl 3	Apartment Building	2	TBC	N/A

Building 2 (Building 2A – 2B)

Part of Development	Use	Class	Floor Area (approx.) m^2	Population (using D2D18)
GF – Lvl 2	Apartment Building	2	TBC	N/A

Building 3 (Building 2C – 2D)

Part of Development	Use	Class	Floor Area (approx.) m^2	Population (using D2D18)
Ground Floor	Storage	7b	190m^2	N/A
Lower GF – Lvl 2	Apartment Building	2	TBC	N/A

Note:

- *The Carpark areas have been considered ancillary to the use for the purposes of population numbers*

Building 1 (Building 1A – 1D)

Summary of Construction and Building	
Use(s)	Residential Apartment Building & Carpark
Classifications(s)	2 & 7a
Number of Storeys contained	5
Rise in Storeys	5
Type of Construction	A
Effective Height	10.21m
Climate Zone	5
Importance Level	Structural Engineer is to determine importance level in accordance with BCA and AS1170 Part 0-2002, this must be specified in their design certificate

Building 2 (Building 2A – 2B)

Summary of Construction and Building	
Use(s)	Residential Apartment Building
Classifications(s)	2
Number of Storeys contained	3
Rise in Storeys	3
Type of Construction	A
Effective Height	6.4m
Climate Zone	5
Importance Level	Structural Engineer is to determine importance level in accordance with BCA and AS1170 Part 0-2002, this must be specified in their design certificate

Building 3 (Building 2C – 2D)

Summary of Construction and Building	
Use(s)	Residential Apartment Building & Storage
Classifications(s)	2 & 7b
Number of Storeys contained	4
Rise in Storeys	4
Type of Construction	A
Effective Height	9.6m
Climate Zone	5
Importance Level	Structural Engineer is to determine importance level in accordance with BCA and AS1170 Part 0-2002, this must be specified in their design certificate

4 Proposed Fire Safety Schedule – Building 1 (Building 1A -1D)

The following is a draft Fire Safety Schedule for the proposed building, listing the likely measures and standards of performance required, this schedule shall be subject of further development and review as part of the Performance Solutions assessment:

Fire Safety Schedule
Section 78 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

Address: 195-213 Fitzgerald Avenue and 40-64 Yorktown Parade, Maroubra, 2035.

The following essential fire safety measures shall be implemented in the whole of the building premises and each of the fire safety measures must satisfy the standard of performance listed in the schedule which, for the purposes of Section 78 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, is deemed to be the current fire safety schedule for the building.

SCHEDULE – Base Building BCA Year 2022 Amendment 2
Type of Construction A
Effective height = 10.21m

	Measure	**Status***	**Performance Standard**
1.	Access panels, doors and hoppers to fire-resisting shafts	New	BCA 2022 AMD 2 Section C4D14, AS 1905.1-2015, AS1905.2-2005 & Manufacturer's specifications
2.	Self-closing, automatic closing and latching mechanisms	New	BCA 2022 AMD 2 Section C4D5, C4D6, C4D8, C4D9, C4D12, Spec 12
3.	Automatic fail safe devices	New	BCA 2022 AMD 2 Section, D3D24, D3D26, D3D27, Spec 12, AS 2118.1-2017, AS 1670.1-2018

	Measure	Status*	Performance Standard
4.	Automatic fire detection and alarm system	New	BCA 2022 AMD 2 Section E2D3, E2D4, E2D5, E2D6, E2D12, E2D21 Spec 20 Section S20C2, S20C3, S20C4, S20C5, S20C6, S20C7 AS 3786-2014, AS 1670.1-2018,
5.	Automatic fire suppression system	New	BCA 2022 AMD 2 Section E1D4, Spec 17 AS 2118.1-2017, AS 2118.4-2012,
6.	Emergency lighting	New	BCA 2022 AMD 2 Section E4D2, E4D3 E4D4, AS 2293.1-2018
7.	Exit and directional signage	New	BCA 2022 AMD 2 Section E4D5, NSW E4D6 & E4D8, Spec 25. AS 2293.1-2018
8.	Fire alarm monitoring system	New	BCA 2022 AMD 2 Spec 20 Section S20C7, AS 1670.3-2018
9.	Fire & Smoke dampers	New	BCA 2022 AMD 2 Section E2D3, C4D13, C4D15, Spec 19 AS/NZS 1668.1-2015, AS 1682.1-2015, AS 1682.2-2015, Manufacturer's specifications
10.	Fire doors	New	BCA 2022 AMD 2 Section C3D13, C3D14, C4D5, C4D9, C4D12, Spec 12, AS 1905.1-2015
11.	Fire hose reel systems	New	BCA 2022 AMD 2 Section E1D3, AS 2441-2005
12.	Fire hydrant systems	New	BCA 2022 AMD 2 Section E1D3, AS 2419.1-2021,

	Measure	Status*	Performance Standard
13.	Fire seals (protecting openings and service penetrations in fire resisting components of the building)	New	BCA 2022 AMD 2 Section C4D15, Spec 13, AS 4072.1-2005, AS 1530.4-2014, Manufacturer's specifications
14.	Fire shutters	New	BCA 2022 AMD 2 Section C4D5, Spec 12, AS 1530.4-2014, AS 1905.2-2005 tested prototype
15.	Fire windows (including frame)	New	BCA 2022 AMD 2 Section C4D5, BCA Spec 12, AS 1288-2021
16.	Lightweight construction	New	BCA 2022 AMD 2 Section C2D9, Spec 6, Manufacturer's specifications
17.	Mechanical air handling systems	New	BCA 2022 AMD 2 Section C4D3, E2D3, Spec. 19, Spec 20, AS/NZS 1668.1-2015, AS 1668.2-2012
18.	Openings in fire-isolated lift shafts	New	BCA 2022 AMD 2 Section C4D11, AS 1735.11-1986
19.	Occupant warning system	New	BCA 2022 AMD 2 Section E2D3, Spec 20 Section S20C7 AS 1670.1-2018
20.	Path of travel for stairways, passageway and ramps	New	Part 15 (107-109) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
21.	Portable fire extinguishers	New	BCA 2022 AMD 2 Section E1D14, AS 2444-2001
22.	Pressurising Systems	New	BCA 2022 AMD 2 Amendment 2 Clause E2D4, AS 1668.1-2015
23.	Required automatic exit doors	New	BCA 2022 AMD 2 Section D3D24, D3D26
24.	Smoke detectors and heat detectors	New	BCA 2022 AMD 2 Section E2D3, Spec 20 S Section S20C3 AS 1670.1-2015, AS3786-2014
25.	Smoke exhaust system	New	BCA 2022 AMD 2 Section E2D3, Spec 21, AS/NZS 1668.1-2015 (Building 1 – Carpark)

	Measure	Status*	Performance Standard
26.	Smoke doors	New	BCA 2022 AMD 2 Section C3D6, C3D15, Spec 11
27.	Smoke-proof walls	New	BCA 2022 AMD 2 NSW Section C3D6, Spec 11
28.	Solid core doors	New	BCA 2022 AMD 2 Section C4D12, NSW C4D12(10)
29.	Standby power systems	New	BCA 2022 AMD 2 Spec 31
30.	Warning and operational signs	New	BCA 2022 AMD 2 Section C4D7, D3D28, E3D4, Spec 31, Part 15 (Section 108) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
31.	Add in performance solution requirement e.g. Storage of XXXX materials on storey XXXX must be less than XXXX above finished floor level	New	Performance Solution Report XXXXX, prepared by XXXX dated XXXX

Notes
* Indicate whether the measure is new (N), existing (E) or Modified (M)

5 Proposed Fire Safety Schedule – Building 2 (Building 2A -2B)

The following is a draft Fire Safety Schedule for the proposed building, listing the likely measures and standards of performance required, this schedule shall be subject of further development and review as part of the Performance Solutions assessment:

Fire Safety Schedule
Section 78 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

Address: 195-213 Fitzgerald Avenue and 40-64 Yorktown Parade, Maroubra, 2035.

The following essential fire safety measures shall be implemented in the whole of the building premises and each of the fire safety measures must satisfy the standard of performance listed in the schedule which, for the purposes of Section 78 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, is deemed to be the current fire safety schedule for the building.

SCHEDULE – Base Building BCA Year 2022 Amendment 2
Type of Construction A
Effective height = 6.4m

	Measure	**Status***	**Performance Standard**
32.	Access panels, doors and hoppers to fire-resisting shafts	New	BCA 2022 AMD 2 Section C4D14, AS 1905.1-2015, AS1905.2-2005 & Manufacturer's specifications
33.	Self-closing, automatic closing and latching mechanisms	New	BCA 2022 AMD 2 Section C4D5, C4D6, C4D8, C4D9, C4D12, Spec 12
34.	Automatic fail safe devices	New	BCA 2022 AMD 2 Section, D3D24, D3D26, D3D27, Spec 12, AS 2118.1-2017, AS 1670.1-2018

	Measure	Status*	Performance Standard
35.	Automatic fire detection and alarm system	New	BCA 2022 AMD 2 Section E2D3, E2D4, E2D5, E2D6, E2D12, E2D21 Spec 20 Section S20C2, S20C3, S20C4, S20C5, S20C6, S20C7 AS 3786-2014, AS 1670.1-2018,
36.	Automatic fire suppression system	New	BCA 2022 AMD 2 Section E1D4, Spec 17 AS 2118.1-2017, AS 2118.4-2012,
37.	Emergency lighting	New	BCA 2022 AMD 2 Section E4D2, E4D3 E4D4, AS 2293.1-2018
38.	Exit and directional signage	New	BCA 2022 AMD 2 Section E4D5, NSW E4D6 & E4D8, Spec 25. AS 2293.1-2018
39.	Fire alarm monitoring system	New	BCA 2022 AMD 2 Spec 20 Section S20C7, AS 1670.3-2018
40.	Fire & Smoke dampers	New	BCA 2022 AMD 2 Section E2D3, C4D13, C4D15, Spec 19 AS/NZS 1668.1-2015, AS 1682.1-2015, AS 1682.2-2015, Manufacturer's specifications
41.	Fire doors	New	BCA 2022 AMD 2 Section C3D13, C3D14, C4D5, C4D9, C4D12, Spec 12, AS 1905.1-2015
42.	Fire hose reel systems	New	BCA 2022 AMD 2 Section E1D3, AS 2441-2005
43.	Fire hydrant systems	New	BCA 2022 AMD 2 Section E1D3, AS 2419.1-2021,

	Measure	Status*	Performance Standard
44.	Fire seals (protecting openings and service penetrations in fire resisting components of the building)	New	BCA 2022 AMD 2 Section C4D15, Spec 13, AS 4072.1-2005, AS 1530.4-2014, Manufacturer's specifications
45.	Fire shutters	New	BCA 2022 AMD 2 Section C4D5, Spec 12, AS 1530.4-2014, AS 1905.2-2005 tested prototype
46.	Fire windows (including frame)	New	BCA 2022 AMD 2 Section C4D5, BCA Spec 12, AS 1288-2021
47.	Lightweight construction	New	BCA 2022 AMD 2 Section C2D9, Spec 6, Manufacturer's specifications
48.	Mechanical air handling systems	New	BCA 2022 AMD 2 Section C4D3, E2D3, Spec. 19, Spec 20, AS/NZS 1668.1-2015, AS 1668.2-2012
49.	Openings in fire-isolated lift shafts	New	BCA 2022 AMD 2 Section C4D11, AS 1735.11-1986
50.	Occupant warning system	New	BCA 2022 AMD 2 Section E2D3, Spec 20 Section S20C7 AS 1670.1-2018
51.	Path of travel for stairways, passageway and ramps	New	Part 15 (107-109) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
52.	Portable fire extinguishers	New	BCA 2022 AMD 2 Section E1D14, AS 2444-2001
53.	Required automatic exit doors	New	BCA 2022 AMD 2 Section D3D24, D3D26
54.	Smoke detectors and heat detectors	New	BCA 2022 AMD 2 Section E2D3, Spec 20 S Section S20C3 AS 1670.1-2015, AS3786-2014
55.	Smoke doors	New	BCA 2022 AMD 2 Section C3D6, C3D15, Spec 11
56.	Smoke-proof walls	New	BCA 2022 AMD 2 NSW Section C3D6, Spec 11

	Measure	Status*	Performance Standard
57.	Solid core doors	New	BCA 2022 AMD 2 Section C4D12, NSW C4D12(10)
58.	Standby power systems	New	BCA 2022 AMD 2 Spec 31
59.	Warning and operational signs	New	BCA 2022 AMD 2 Section C4D7, D3D28, E3D4, Spec 31, Part 15 (Section 108) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
60.	Add in performance solution requirement e.g. Storage of XXXX materials on storey XXXX must be less than XXXX above finished floor level	New	Performance Solution Report XXXXX, prepared by XXXX dated XXXX

Notes
* Indicate whether the measure is new (N), existing (E) or Modified (M)

6 Proposed Fire Safety Schedule – Building 3 (Building 2C -2D)

The following is a draft Fire Safety Schedule for the proposed building, listing the likely measures and standards of performance required, this schedule shall be subject of further development and review as part of the Performance Solutions assessment:

Fire Safety Schedule
Section 78 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

Address: 195-213 Fitzgerald Avenue and 40-64 Yorktown Parade, Maroubra, 2035.

The following essential fire safety measures shall be implemented in the whole of the building premises and each of the fire safety measures must satisfy the standard of performance listed in the schedule which, for the purposes of Section 78 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, is deemed to be the current fire safety schedule for the building.

SCHEDULE – Base Building BCA Year 2022 Amendment 2
Type of Construction A
Effective height = 9.6m

	Measure	**Status***	**Performance Standard**
61.	Access panels, doors and hoppers to fire-resisting shafts	New	BCA 2022 AMD 2 Section C4D14, AS 1905.1-2015, AS1905.2-2005 & Manufacturer's specifications
62.	Self-closing, automatic closing and latching mechanisms	New	BCA 2022 AMD 2 Section C4D5, C4D6, C4D8, C4D9, C4D12, Spec 12
63.	Automatic fail safe devices	New	BCA 2022 AMD 2 Section, D3D24, D3D26, D3D27, Spec 12, AS 2118.1-2017, AS 1670.1-2018

	Measure	Status*	Performance Standard
64.	Automatic fire detection and alarm system	New	BCA 2022 AMD 2 Section E2D3, E2D4, E2D5, E2D6, E2D12, E2D21 Spec 20 Section S20C2, S20C3, S20C4, S20C5, S20C6, S20C7 AS 3786-2014, AS 1670.1-2018,
65.	Automatic fire suppression system	New	BCA 2022 AMD 2 Section E1D4, Spec 17 AS 2118.1-2017, AS 2118.4-2012,
66.	Emergency lighting	New	BCA 2022 AMD 2 Section E4D2, E4D3 E4D4, AS 2293.1-2018
67.	Exit and directional signage	New	BCA 2022 AMD 2 Section E4D5, NSW E4D6 & E4D8, Spec 25. AS 2293.1-2018
68.	Fire alarm monitoring system	New	BCA 2022 AMD 2 Spec 20 Section S20C7, AS 1670.3-2018
69.	Fire & Smoke dampers	New	BCA 2022 AMD 2 Section E2D3, C4D13, C4D15, Spec 19 AS/NZS 1668.1-2015, AS 1682.1-2015, AS 1682.2-2015, Manufacturer's specifications
70.	Fire doors	New	BCA 2022 AMD 2 Section C3D13, C3D14, C4D5, C4D9, C4D12, Spec 12, AS 1905.1-2015
71.	Fire hose reel systems	New	BCA 2022 AMD 2 Section E1D3, AS 2441-2005
72.	Fire hydrant systems	New	BCA 2022 AMD 2 Section E1D3, AS 2419.1-2021,

	Measure	Status*	Performance Standard
73.	Fire seals (protecting openings and service penetrations in fire resisting components of the building)	New	BCA 2022 AMD 2 Section C4D15, Spec 13, AS 4072.1-2005, AS 1530.4-2014, Manufacturer's specifications
74.	Fire shutters	New	BCA 2022 AMD 2 Section C4D5, Spec 12, AS 1530.4-2014, AS 1905.2-2005 tested prototype
75.	Fire windows (including frame)	New	BCA 2022 AMD 2 Section C4D5, BCA Spec 12, AS 1288-2021
76.	Lightweight construction	New	BCA 2022 AMD 2 Section C2D9, Spec 6, Manufacturer's specifications
77.	Mechanical air handling systems	New	BCA 2022 AMD 2 Section C4D3, E2D3, Spec. 19, Spec 20, AS/NZS 1668.1-2015, AS 1668.2-2012
78.	Openings in fire-isolated lift shafts	New	BCA 2022 AMD 2 Section C4D11, AS 1735.11-1986
79.	Occupant warning system	New	BCA 2022 AMD 2 Section E2D3, Spec 20 Section S20C7 AS 1670.1-2018
80.	Path of travel for stairways, passageway and ramps	New	Part 15 (107-109) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
81.	Portable fire extinguishers	New	BCA 2022 AMD 2 Section E1D14, AS 2444-2001
82.	Required automatic exit doors	New	BCA 2022 AMD 2 Section D3D24, D3D26
83.	Smoke detectors and heat detectors	New	BCA 2022 AMD 2 Section E2D3, Spec 20 S Section S20C3 AS 1670.1-2015, AS3786-2014
84.	Smoke doors	New	BCA 2022 AMD 2 Section C3D6, C3D15, Spec 11
85.	Smoke-proof walls	New	BCA 2022 AMD 2 NSW Section C3D6, Spec 11

	Measure	Status*	Performance Standard
86.	Solid core doors	New	BCA 2022 AMD 2 Section C4D12, NSW C4D12(10)
87.	Standby power systems	New	BCA 2022 AMD 2 Spec 31
88.	Warning and operational signs	New	BCA 2022 AMD 2 Section C4D7, D3D28, E3D4, Spec 31, Part 15 (Section 108) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
89.	Add in performance solution requirement e.g. Storage of XXXX materials on storey XXXX must be less than XXXX above finished floor level	New	Performance Solution Report XXXXX, prepared by XXXX dated XXXX

Notes
* Indicate whether the measure is new (N), existing (E) or Modified (M)

7 Assessment

7.1 Relevant BCA Edition

The proposed development will be subject to compliance with the relevant provisions of the Building Code of Australia (BCA) as in force at the time the application for a Construction Certificate is made.

As the Construction Certificate is expected to be lodged after 1 May 2025, the applicable version of the BCA will be NCC 2022, incorporating Amendment 2, in accordance with the transitional provisions set by the Australian Building Codes Board (ABCB).

At the time of this report, the adoption date for NCC 2025 has not been confirmed. Should the CC application occur after the commencement of NCC 2025, this report will require review and potential amendment to address any updated or additional requirements that become applicable at that time.

It is the responsibility of the applicant and design team to monitor the timing of the CC submission and to ensure alignment with the applicable version of the NCC at the time of lodgement.

7.2 Compliance with the BCA

A 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 Performance Requirements of the BCA:

7.2.1 A2GA Compliance with the Performance Requirements

1. A Performance Solution
2. A Deemed-to-Satisfy Solution
3. A combination of (1) and (2)

Upon assessment of architectural plans, MBC Group can verify that the proposed design can readily achieve compliance with the performance requirements of the BCA.

Departures from the Deemed to Satisfy Provisions of the BCA are identified below and will need to be addressed during design development:

DTS Clause	Description of Non-Compliance	Performance Requirement
C3D9 Spec 5	**Fire-Resisting Construction – Reduced FRL to Storage / Separation of classifications in the same storey** It is proposed to reduce the FRLs of the structural building elements associated with the storage areas on the ground floor within Building 2D to achieve an FRL of 120/120/120 (if load bearing) or -/120/120 (if non-load bearing), in lieu of 4-hour fire rated construction. To be addressed through a performance solution by an accredited fire safety practitioner and in consultation with FRNSW.	
D2D4	**When fire-isolated stairways and ramps are required** It has been determined that non–fire-isolated stairways will be provided in place of fire-isolated stairways for Building 1A–1D, which are intended to service five storeys. To be addressed through a performance solution by an accredited fire safety practitioner and in consultation with FRNSW.	
D2D5	**Exit travel distances** The travel distances below exceed the Dts provisions: **Lower Ground Floor Storage (Building 2D):** • 32m in lieu of 20m to a single exit **Ground Floor (Building 2C):** • 31m in lieu of 30m to a single exit **Level 3 (ROOFTOP PLANT) (Building 1B & 1C):** • 42m in lieu of 20m to a single exit To be addressed through a performance solution by an accredited fire safety practitioner and in consultation with FRNSW.	
D2D14	**Travel by non-fire-isolated stairways or ramps** The travel distances below from the non-fire isolated stairways exceed the Dts provisions:	

DTS Clause	Description of Non-Compliance	Performance Requirement
	Lower Ground Floor (Building 2C): • 21m in lieu of 15m to open space **Ground Floor (Building 2A):** • 18m in lieu of 15m to open space **Ground Floor (Building 2B):** • 21m in lieu of 15m to open space **Ground Floor (Building 2C):** • 29m in lieu of 15m to open space **Ground Floor (Building 2D):** • 27m in lieu of 15m to open space To be addressed through a performance solution by an accredited fire safety practitioner and in consultation with FRNSW.	
E1D2	**Fire hydrants** It has been noted that the fire hydrant booster is not within main sight of the main entry. It is proposed that a single hydrant booster will be servicing three separate buildings, noting each building has been classified as a separate building. To be addressed through a performance solution by an accredited fire safety practitioner and in consultation with FRNSW	
E1D3	**Fire hose reels** To omit the requirements for a fire hose reel system from the following areas: • Within the basement main switch board/comms room • Within the Garbage Rooms within Ground Floor. To be addressed through a performance solution by an accredited fire safety practitioner and in consultation with FRNSW.	

8 Conclusion

This statement outlines the findings of an assessment of the referenced architectural documentation for the proposed development against the Deemed-to-Satisfy provisions of the National Construction Code Series (Volume 1) Building Code of Australia 2022 Amendment 2.

As outlined in section 2.3 of this report excludes the design basis and/or operating capabilities proposed hydraulic and fire protection services. Mains water pressure and flows must be obtained and assessed by hydraulic engineer fire services engineers immediately to ascertain if mains are adequate or onsite water storage is required which can often be substantial in size and require modification of the development consent.

In view of this assessment we can confirm that compliance with the National Construction Code Series (Volume 1) Building Code of Australia 2022 Amendment 2 is readily achievable.

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 the undersigned.

Best regards,

Joel Lewis
Director
MBC Group

9 Appendix A – Design Documentation

The following documentation was used in the assessment and preparation of this statement:

Drawing No.	Title	Date	Drawn By	Revision
AR.DA-1503	BUILDING 1 - 1A-B ENTRY	21-11-25	Hayball	A
AR.DA-1504	BUILDING 1 - 1C-D ENTRY	21-11-25	Hayball	A
AR.DA-1510	BUILDING 1 - CORE 1A	21-11-25	Hayball	A
AR.DA-1511	BUILDING 1 - CORE 1B	21-11-25	Hayball	A
AR.DA-1512	BUILDING 1 - CORE 1C	21-11-25	Hayball	A
AR.DA-1513	BUILDING 1 - CORE 1D	21-11-25	Hayball	A
AR.DA-1514	BUILDING 2 - CORE 2A	21-11-25	Hayball	A
AR.DA-1516	BUILDING 2 - CORE 2C	21-11-25	Hayball	A
A R.DA-4050	APARTMENT TYPES	21-11-25	Hayball	A
AR.DA-8101	AREA PLANS - GFA	21-11-25	Hayball	A
AR.DA-8106	AREA PLANS - DEEP SOIL	21-11-25	Hayball	A
AR.DA-0100	COVER SHEET	21-11-25	Hayball	A
AR.DA-0101	DESIGN CHANGES TRACKER	21-11-25	Hayball	A
AR.DA-0103	SITE PLAN	21-11-25	Hayball	A
AR.DA-0252	DEMOLITION PLAN	21-11-25	Hayball	A
AR.DA-0801	3D OVERALL AXONOMETRIC - SHEET 1	21-11-25	Hayball	A
AR.DA-0802	3D OVERALL AXONOMETRIC - SHEET 2	21-11-25	Hayball	A
AR.DA-1002	FLOOR PLAN - LOWER GROUND	21-11-25	Hayball	A
AR.DA-1003	FLOOR PLAN - GROUND	21-11-25	Hayball	A
AR.DA-1004	FLOOR PLAN - LEVEL 01	21-11-25	Hayball	A
AR.DA-1005	FLOOR PLAN - LEVEL 02	21-11-25	Hayball	A
AR.DA-1006	FLOOR PLAN - LEVEL 03	21-11-25	Hayball	A
AR.DA-1010	FLOOR PLAN - ROOF	21-11-25	Hayball	A
AR.DA-1401	ELEVATIONS - SHEET 1	21-11-25	Hayball	A
AR.DA-1402	ELEVATIONS - SHEET 2	21-11-25	Hayball	A
AR.DA-1501	OVERALL SECTIONS	21-11-25	Hayball	A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