

24/04/2026

Attn: Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

BCA Capability Statement

State Significant Development Application (SSDA)

RE: 64-66 Lavender St and 3-7 Middlemiss St, Lavender Bay

Dear Sir/Madam,

The purpose of this correspondence is to notify you that we have conducted an initial evaluation of the architectural drawings in relation to the National Construction Code, specifically the Building Code of Australia (BCA) 2022 Amendment 2, as required by Section 64 and 69 of the Environmental Planning and Assessment Regulation 2021, and Section 19 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

BCA Assessment

Building Use:	Residential SOU's, carpark, and assembly building
Building Classification:	Class 2, 7a and 9b
Type of Construction:	Type A
Rise in Storeys:	Thirty-Three (33)
Effective Height:	More than 50m

Compliance with the BCA for these particular works can be achieved through a combination of adherence to the deemed-to-satisfy (DTS) provisions and the documentation of Performance-Based Solutions, in accordance with Clause A2G1 of the BCA. These solutions will be appropriately prepared by an Accredited Fire Safety Engineer to ensure compliance with the performance provisions of the BCA, where necessary.

Furthermore, we have conducted a thorough examination and review regarding compliance with the Disability (Access to Premises - Buildings) Standards 2010, which will be included in the Construction Certificate documentation.

It should be noted that while specific detailed compliance with the BCA is not a mandated consideration under the Environmental Planning and Assessment Act 1979, we trust that the determination of the State Significant Development Application will not be subject to the assessment of any technical matters under the State's building regulations.

In accordance with Section 36 (2) of the Environmental Planning and Assessment Regulation 2021, we expect that the Department of Planning and Environment NSW Government will not require any additional

information pertaining to technical BCA matters for the decision-making process of the development application, as these will be assessed during the Construction Certificate (CC) stage.

Reviewed Documentation

Description	Drawing No.	Revision	Date
Site plan – proposed context	DA-0202	4	03/03/2026
3D Overall Axonometric – sheet 1	DA-0801	3	03/03/2026
Floor plan – basement 5	DA-1001	8	03/03/2026
Floor plan – basement 4	DA-1002	8	03/03/2026
Floor plan – basement 3	DA-1003	8	03/03/2026
Floor plan – basement 2	DA-1004	8	03/03/2026
Floor plan – basement 1	DA-1005	8	03/03/2026
Floor plan – level 00 – ground	DA-1006	9	03/03/2026
Floor plan – level 01	DA-1007	9	03/03/2026
Floor plan – level 02	DA-1008	9	03/03/2026
Floor plan – level 03	DA-1009	9	03/03/2026
Floor plan – level 04	DA-1010	9	03/03/2026
Floor plan – level 05	DA-1011	8	03/03/2026
Floor plan – level 06	DA-1012	9	03/03/2026
Floor plan – level 07	DA-1013	9	03/03/2026
Floor plan – level 08 to 14	DA-1014	5	03/03/2026
Floor plan – level 15	DA-1021	5	03/03/2026
Floor plan – level 16 to 20	DA-1022	5	03/03/2026
Floor plan – level 21 to 22	DA-1027	6	03/03/2026
Floor plan – level 23	DA-1029	6	03/03/2026
Floor plan – level 24 to 31	DA-1030	6	03/03/2026
Floor plan – level 32	DA-1038	7	03/03/2026
Elevations – north	DA-1401	4	03/03/2026
Elevations – south	DA-1402	4	03/03/2026
Elevations – east	DA-1403	4	03/03/2026
Elevations – west	DA-1404	4	03/03/2026
Elevations – south (building a)	DA-1405	4	03/03/2026
Elevations – east (building a)	DA-1406	4	03/03/2026
Elevations – west (building a)	DA-1407	4	03/03/2026
Building section a	DA-1501	3	03/03/2026
Building section b	DA-1502	3	03/03/2026
Building section c	DA-1503	3	03/03/2026
Wall sections – sheet 1	DA-1701	4	03/03/2026

Supplementary Documentation

Item	Prepared by	Date
BCA Assessment Report – Rev 3	New Crown Consulting	21/04/2026
Preliminary Feasibility Fire Engineering Review	Omnii	04/03/2026

Please be aware that matters concerning compliance with the BCA will be appropriately evaluated by the appointed Certifying Authority before the issuance of the Construction Certificate, as stipulated by Section 69 of the Environmental Planning and Assessment Regulations 2021.

We trust that this submission adequately addresses any concerns of the Consent Authority regarding compliance of the development with the relevant BCA requirements and provisions.

Should you require any further assistance or clarification, please feel free to contact the undersigned at your convenience.

Yours faithfully,



Mauricio Vera
Managing Director
Building Surveyor – unrestricted (BDC 2854)
New Crown Consulting