

9 March 2010

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Department of Planning
Part 3A Assessments Section
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam,

BUILDING CODE OF AUSTRALIA CAPABILITY STATEMENT

Property: 630-726 Princes Highway, Tempe

This proposed development includes the construction of an IKEA retail centre, carparking and associated works to the site

The purpose of this submission is to advise that we have undertaken a preliminary assessment of the architectural drawings submitted with the Part 3A application against the provisions of the Building Code of Australia 2009 as per our obligations under the requirements of Clause 145 of the Environmental Planning & Assessment Regulation 2000.

The changes proposed in the Amended application (Section 96 application) achieve BCA compliance, this will be achieved via a combination of Deemed to Satisfy and Performance compliance via alternative solutions that are to be prepared by a Grade C10 Accredited Fire Engineer from Defire.

I can therefore confirm as the Accredited Certifier and PCA for the development that the BCA compliance of the facility is satisfactory, and that following discussions with the NSW fire brigade on 17th December 2009 I can confirm that the NSW fire brigade prefer the amended location of the fire services equipment, water supply, pump rooms and fire control centre for the site in order to satisfy their operational requirements for the site.

Notwithstanding the above comments we note that specific detailed compliance with the Building Code of Australia 2009 is not a prescribed head of consideration under Section 79C of the Environmental Planning & Assessment Act 1979 and accordingly, we trust that the determination of the development application will not be subject to the assessment of any technical matters under the State's building regulations, as our assessment is continuing and will ensure full compliance with the BCA prior to issue of the Construction Certificate for that stage of the development.

In this regard and pursuant to Clause 54 (4) of the Environmental Planning & Assessment Regulation 2000, we trust that the Consent Authority will not require any additional information in the determination of the development application for technical BCA matters that will be assessed at the Construction Certificate stage.

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I wish to confirm that matters pertaining to compliance with the Building Code of Australia (BCA) 200?? will be suitably assessed by the appointed Certifying Authority prior to the issue of the construction certificate in accordance with Clause 98 of the Environmental Planning and Assessment Regulations 2000.

We trust this submission satisfies any concerns of the Consent Authority with compliance of the development with the relevant requirements and provisions of the BCA 2009.

Should you require further assistance or clarification please do not hesitate to contact the undersigned at your convenience.

Yours sincerely

Charles Slack-Smith

Principal

BPB Accredited Certifier - Grade A1 (BPB 0378)