



WESTERN SYDNEY
BUILDING CERTIFIERS

BCA 2019 INDICATIVE COMPLIANCE REPORT

59 Tindale Street, Muswellbrook

Report Number: 150522DS

Prepared for: Tindale Investments Pty Ltd

Rev: B

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Commercial & Residential

BCA Compliance Reports - Complying Development Certificates - Construction Certificates



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1. Introduction

a. LOCATION, DESCRIPTION AND PROPOSAL

This report is prepared as supporting documentation for a Development Application, for the proposed construction of thirty (30) Sole occupancy units (Town houses), with associated carparking at the subject address. The below site plan provides an overview of the proposed development.



Proposed Site Plan prepared by Steele Associates Architecture, dated 9/03/2023

b. REPORT PURPOSE

The purpose of this report is to provide an indicative compliance assessment for the proposed construction of a multi residential development, consisting of thirty (30) Sole occupancy units (Town houses), with associated carparking.

Demonstrating compliance with the BCA is not a prescribed head of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979. It is noted that Council or Certifier has an obligation to consider whether the application, as lodged, is indicatively capable of complying with the BCA, without significant modification to those plans for which approval is sought.

c. BASIS OF REPORT

This report is based upon and limited to:

- The Deemed to Satisfy provisions of the National Building Code of Australia 2019, Volume 2.
- The statutory requirements for BCA Compliance prescribed by the Environmental Planning & Assessment Act 1979 and the Environmental Planning & Assessment Regulations 2021.



d. REFERENCED DOCUMENTS

The following documentation was relied upon when preparing this report:

- Architectural plans prepared by Steele Associates Architecture, dated 9/03/2023.
- The Deemed to Satisfy provisions of the National Building Code of Australia 2019, Volume 2.
- Environmental Planning and Assessment Regulations 2021.
- Environmental Planning and Assessment Act 1979.
- Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

e. LIMITATIONS AND EXCLUSIONS OF THE AUDIT

This report does not include nor imply any detailed analysis or assessment for design, compliance or upgrading for unless specifically referred to: (The inspection was non-invasive and did not include the removal or destruction of any building fabric, component or item within the building;)

The limitations and exclusions of this report are as follows:

- The structural adequacy or design of the building;
- This report does not include, or imply compliance with:
 - (a) Occupational Health and Safety Act;
 - (b) Construction Safety Act;
 - (c) Requirements of other Regulatory Authorities including, but not limited to, Telstra, Sydney Water, Electricity Supply Authority, WorkCover, RTA, Council and the like; and
 - (d) Conditions of Development Consent.
 - (e) Assessment of plumbing and drainage installations, including stormwater
 - (f) Assessment of mechanical plant operations, electrical systems or security systems
 - (g) Heritage significance
 - (h) Consideration of energy or water authority requirements
 - (i) Consideration of Council's local planning policies
 - (j) Environmental or planning issues
 - (k) Requirements of statutory authorities
 - (l) BCA compliance for the whole building
 - (m) Pest inspection or assessment building damage caused by pests (General/visual pest invasion or damage will be reported, however invasive or intrusive inspections have not been carried out)
 - (n) This report is limited to the lodgment of a Development Application and does not extend to be used for the purposes of a Construction Certificate.
 - (o) BASIX REQUIREMENTS and Part 3.12 of Volume 2 of the BCA.

NOTE: The inspection was a 'visual' inspection, limited to those areas and sections of the property fully accessible and visible to the inspector on the date of inspection. The inspection DID NOT include breaking apart, dismantling, removing or moving objects including but not limited to, foliage, moldings, roof insulation / insulation, floor or wall coverings, sidings, ceilings, floors, furnishings, appliances or personal possessions. The inspector CANNOT see inside walls, between floors, inside skillion roofing, behind stored goods in cupboards, other areas that are concealed or obstructed. The inspector DID NOT dig, gouge, force or perform any other invasive procedures. Visible timbers cannot be destructively probed or hit without the written permission of the property owner.

This report does not and cannot make comment upon: defects that may have been concealed, the assessment or detection of defects (including rising damp and leaks) which may be subject to the prevailing weather conditions, the presence or absence of timber pests, gas fittings, common property areas, environmental concerns; the proximity of the property to flight paths, railways, or busy traffic; noise levels; health and safety issues; heritage concerns; security concerns; site drainage (apart from surface water drainage); swimming pools and spas (non-structural); detection and identification of illegal building work; detection and identification of illegal plumbing work; durability of exposed finishes; neighbourhood problems; document analysis; electrical installation; any matters that are solely regulated by statute; any area(s) or item(s) that could not be inspected by the consultant. Accordingly this Report is not a guarantee that defects and/or damage does not exist in any inaccessible or partly inaccessible areas or sections of the property. (NB: such matters may upon request be covered under the terms of a special purpose property report.)

2. BCA Assessment Summary

a. GENERAL

In the context of the Building Code of Australia (BCA), the subject development is described within items below.

b. BUILDING CLASSIFICATION (Part 1.3)

The proposal attracts a Building Classification of 1a Townhouses (Sole occupancy units).

c. SUMMARY OF COMPLIANCE & NON-COMPLIANCE INDICATORS

Status	Recommended Action	Explanation
(N/A)	-	Clause not applicable
(C) Complies	None	The building design complies with the relevant DTS clause of the BCA.
(DNC) Does not comply	To comply with the BCA	The building or design does not comply with the DTS requirements. Modification of the design is recommended in order to achieve compliance with the DTS requirements of the BCA or an alternative solution should be proposed.
(IDTA) Insufficient detail to assess	Compliance required	The information on the plans and specification is not detailed enough to allow determination of compliance or non-compliance.
(NTD) Noted	None	The information given by the BCA is noted.
(CA) Compliance achievable	None	Subject to relevant certificates of compliance.



d. SUMMARY

Section 3 Acceptable Construction / Construction issues			
	Requirements summary	Status	Comments
3.1 Site Preparation			
3.1.1.1 - 3.1.1.2	Earthworks, 3.1.1.1 Un-retained bulk earthworks- site cut, Un-retained bulk earthworks — fill	CA	Sufficient details prepared by a structural engineer shall form part of the Construction Certificate application.
3.1.3.2 - 3.1.3.5	Drainage, Drainage requirements, Surface water drainage, Subsoil drainage, Stormwater drainage	CA	A stormwater drainage concept plan shall be prepared by a hydraulic engineer, complying with AS3500 and the relevant Council's Drainage policy. Details shall form part of the application for a Construction Certificate.
3.1.4.2 - 3.1.3.4	Requirements for termite management systems, Termite management systems (AS3660.1), Durable notice	CA	Details of the method of termite protection shall form part of the application for Construction Certificate.
3.2 Footings & slabs			
3.2.1	Footings and slabs Application, (check compliance with BCA or check engineers plans are endorsed by practising structural engineer)	CA	Structural details shall be prepared by a suitably qualified and practicing structural engineer. The engineering construction design shall form part of the application for a Construction Certificate.
3.2.2.1 - 3.2.2.7	Excavation for footings, Filling under concrete slabs, Foundation for footings and slabs, Slab edge support on sloping sites, Stepped footings, Vapour barriers, Edge rebates	CA	Structural details shall be prepared by a suitably qualified and practicing structural engineer. The engineering construction design shall form part of the application for a Construction Certificate.
3.2.3.1 - 3.2.3.2	Concrete, Steel reinforcement, AS2870	CA	Structural details shall be prepared by a suitably qualified and practicing structural engineer. The engineering construction design shall form part of the application for a Construction Certificate.
3.2.4.1	Site classification (engineers details)	CA	Site shall be classified to the satisfaction of the structural engineer and will form part of the application for Construction Certificate.
3.2.5.1 - 3.2.5.6	Footing and slab construction (check compliance with BCA or check engineers plans are endorsed by practising structural engineer)	CA	Structural details shall be prepared by a suitably qualified and practicing structural engineer. The engineering construction design shall form part of the application for a Construction Certificate.
3.3 Masonry			



3.3.1.0	Unreinforced masonry	CA	All masonry works shall be carried out by a licensed bricklayer, to the satisfaction of the PC. Details of the masonry works shall form part of the building specification, submitted as part of the application for a Construction Certificate.
3.3.2.0	Reinforced masonry	CA	All masonry works shall be carried out by a licensed bricklayer, to the satisfaction of the PC. Details of the masonry works shall form part of the building specification, submitted as part of the application for a Construction Certificate.
3.3.3.0	Masonry accessories	CA	All masonry works shall be carried out by a licensed bricklayer, to the satisfaction of the PC. Details of the masonry works shall form part of the building specification, submitted as part of the application for a Construction Certificate.
3.3.4.0	Weatherproofing of masonry	CA	All masonry works shall be carried out by a licensed bricklayer, to the satisfaction of the PC. Details of the masonry works shall form part of the building specification, submitted as part of the application for a Construction Certificate.
3.3.5.0 - 3.5.14	Application, Height of wall limitation, Masonry units, Mortar mixes, Mortar joints, Cavities, Damp-proof courses and flashings — material, Damp-proof courses and flashings — installation, Weepholes, Wall ties, Openings in masonry veneer, Lintels, Vertical articulation joints, Engaged pier.	CA	All masonry works shall be carried out by a licensed bricklayer, to the satisfaction of the PC. Details of the masonry works shall form part of the building specification, submitted as part of the application for a Construction Certificate.
3.4 Framing			
3.4.0.1 - 3.4.0.2	AS1684 and AS1720 for design and construction	CA	Structural engineer to nominate member sizes, bracing requirements and nominal fixings as part of structural design. This is to form part of the structural engineering details that shall accompany the application for Construction Certificate.
3.4.1.1 - 3.4.1.2	Subfloor ventilation	NA	No subfloor area is proposed.
3.4.3.0	AS1684	CA	Structural engineer to nominate member sizes, bracing requirements and nominal fixings as part of structural design. This is to form part of the structural engineering details that shall accompany the application for Construction Certificate.
3.4.4.1 - 3.4.4.4	Application, Structural steel members, Columns, Corrosion protection	CA	Engineer shall determine whether any steel members are required.
3.5 Roof & Wall Cladding			



3.5.1.2 - 3.5.1.8	Corrosion protection and compatibility requirements for roofing, Minimum pitches for metal sheet roofing profiles, Maximum spans, Fixing of metal sheet roofing, Installation of roofing sheets, Flashings and cappings, Water discharge	CA	Roofing is capable of achieving compliance, subject to works being carried out by a licensed roofer, and in accordance with the building specification. Details to be provided to the Certifier as part of the application for Construction Certificate.
3.5.2.1 - 3.5.2.6	Application, Fixing of roof tiles and ancillaries, Flashing, Sarking, Anti-ponding device/board, Water discharge	CA	Roofing is capable of achieving compliance, subject to works being carried out by a licensed roofer, and in accordance with the building specification. Details to be provided to the Certifier as part of the application for Construction Certificate.
3.5.3.2 - 3.5.3.5	Material, Selection of guttering, Installation of gutters, Downpipes – size and installation	CA	Roofing is capable of achieving compliance, subject to works being carried out by a licensed roofer, and in accordance with the building specification. Details to be provided to the Certifier as part of the application for Construction Certificate. The downpipes and guttering shall also be consistent with the approved hydraulic design that complies with AS3500 and Council's drainage policy.
3.5.4.1 - 3.5.4.8	Application, Timber wall cladding, Wall cladding boards, Sheet wall cladding, Eaves and soffit linings, Flashings to wall openings, Clearance between cladding and ground, Parapet cappings	NA	No cladding appears to be proposed.
3.5.3.2 - 3.5.3.6	Must be designed and constructed in accordance with AS 1562.1.	NTD	All roof sheeting shall installed in accordance with manufacturers specifications.
3.6 Glazing			
3.6.2 - 3.6.4.6	Glazing sizes and installations Glazing (check compliance with BCA and AS2047 for glazing in external walls and AS1288 for all other glazed assemblies or make sure Spec's reference these standards)	CA	All glazing throughout shall be supplied and installed to the satisfaction of the PC. Sufficient details shall accompany the application for construction certificate.
3.7 Fire Safety			
3.7.1.1 - 3.7.1.2	General concession — non-combustible materials, Fire hazard properties	C	Adequate materials have been nominated.
3.7.2.1 - 3.7.2.8	Application, External walls of Class 1 buildings, Measurement of distances, Construction of external walls, Class 10a buildings, Open carports, Allowable encroachments, Roof lights	C	Sufficient setbacks have been achieved.
3.7.3.2 - 3.7.3.5	Separating walls, Services in separating walls, Roof lights, Horizontal projections	CA	Details of the nominated “separating walls” shall be provided to the PCA and noted on the construction drawings. The wall shall achieve a minimum fire resistance level of 60/60/60. The shall extend to the underside of the roof covering. If lightweight construction is



			proposed as a means of achieving the relevant fire rating, suitable details of the product are to be provided to the Certifier.
3.7.4.2 - 3.7.4.3	Walls requiring protection, Separating floors (garage top dwellings)	NA	Does not apply to this proposal.
3.7.5.2 - 3.7.5.6	Smoke alarm requirements, Location — Class 1a buildings, Location — Class 1b buildings, Installation of smoke alarms Lighting to assist evacuation — Class 1b buildings	CA	Smoke alarms shall be noted on the construction drawings which form part of the application for Construction Certificate.
3.8 Health & Amenity			
3..8.1.2 - 3.8.1.3	Wet Area, External above ground membranes (AS3740)	CA	Shall comply with the manufacturer's specification and be installed to the satisfaction of the PC.
3.8.2.2	Height of rooms and other spaces (check habitable rooms 2.4m, others 2.1m & stairways 2.0m min)	C	Sufficient heights proposed.
3.8.3.2	Required Facilities (check for kitchen sink, bath or shower, washtub & space for washing machine in same room, closet pan and washbasin)	C	Sufficient facilities proposed.
3.8.3.3	Construction of sanitary compartments (check min 1.2 m from pan to door or open out, slide or lift of type hinges)	CA	To be verified at time of construction.
3.8.4.2	Natural light (check natural light to all habitable rooms, min 10% of floor area)	C	Adequate natural light is provided.
3.8.4.3	Artificial lighting (Sanitary compartments only)	CA	To be verified at time of the construction.
3.8.5.2	Ventilation requirements (check min 5% of floor area)	C	Adequate ventilation has been provided.
3.8.5.3	Location of sanitary compartments (if it adjoins a kitchen an airlock or mechanical vent in compartment is required).	CA	To be verified at time of construction.
3.8.6.2	Sound insulation requirements (check compliance with BCA for common walls noting areas where bathrooms or kitchens adjoin habitable rooms)	CA	Plans are noted that separating wall achieves an RW value of 50. Details of the method of sound insulation shall form part of the application for Construction Certificate.
3.8.6.3	Determination of airborne sound insulation ratings	CA	Plans are noted that separating wall achieves an RW value of 50. Details of the method of sound insulation shall form part of the application for Construction Certificate.
3.8.6.4	Construction of sound insulated walls	CA	Plans are noted that separating wall achieves an RW value of 50. Details of the method of sound insulation shall form part of the application for Construction Certificate.



3.9 Safe Movement & Access			
3.9.1.2	Stairway construction (check number of risers in flight min 2 max 18, max 3 winders in ¼ landing & 6 in ½ landing, 125mm max gaps in risers, landing min 750mm long)	CA	Stairs shall be designed to take loading forces in accordance with AS1170. Sufficient details shall form part of the application for Construction Certificate.
3.9.1.3	Ramps Gradient 1:8, landings at 15m intervals	CA	Sufficient details of gradient shall be noted on the construction drawings, where any ramps are proposed.
3.9.1.4	Slip-resistance AS4586	CA	All nosings on stair treads shall have a slip resistance.
3.9.1.5	Landings 750mm long and where ground level greater than 3 risers or 570mm	CA	Compliance is achievable to the satisfaction of the PC.
3.9.1.6	Thresholds Max 230mm	CA	Compliance is achievable to the satisfaction of the PC.
3.9.2.2	Barriers to prevent falls required where trafficable surface is 1m above surface beneath	CA	Compliance is achievable to the satisfaction of the PC. Sufficient details shall accompany the application for Construction Certificate.
3.9.2.3	Construction of barriers to prevent falls 1m above floor, 865mm above stair nose, 125mm gaps, floors more than 4m barrier must not facilitate climbing, wire balustrade check tables 3.9.2.1, 3.9.2.2, & 3.9.2.3.	CA	Compliance is achievable were necessary to the satisfaction of the PC. Sufficient details shall accompany the application for Construction Certificate.
3.9.2.4	Handrails be located along one side of flight or ramp	CA	Compliance is achievable to the satisfaction of the PC. Sufficient details shall accompany the application for Construction Certificate.
3.9.2.5	Construction of wire barriers	CA	If proposed, sufficient detail to the satisfaction of the PC shall be provided.
3.9.2.6	Protection of openable windows - bedrooms required for bedroom windows where bedroom floor is 2m or more above the surface beneath	CA	All bedroom windows with an external finished floor level of 2m below the window sill height, shall be provided with a window restricting device. Details shall be noted on the Construction drawings, which form part of the application for Construction Certificate.



3. Recommendations

It is recommended that Muswellbrook Shire Council place a condition on the Development Consent requiring compliance with the BCA, in accordance with the provisions of Clause 98 of the Environmental Planning and Assessment Regulation, 2000.

4. Conclusion

It is in my opinion that subject to obtaining the certificates requested in the recommendation's component of this report (and verification that the certificates are suitable and are prepared to an acceptable standard), compliance with the deemed to satisfy provisions of the Building Code of Australia is achievable.

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