# LORD HOWE ISLAND BOARD

## Development Application

Section 4.12, Environmental Planning and Assessment Act 1979

| Date Received: |
|---|
| |

**Development Application No.: .....DA2025.4.1..... Date Lodged: 19/08/2025**

Use this form to apply for development consent to:

- Erect, alter or demolish a building or structure;
- Change the use of land or a building;
- Subdivide land;
- Display an advertisement;
- Any other development that requires consent from the Lord Howe Island Board.

To minimise delay in receiving a decision about your application, please ensure you submit all relevant information. To complete the form, please place a cross in the boxes ☐ and fill out the sections provided as appropriate. When your application has been assessed, you will receive a Notice of Determination. If you need help please phone or call the Board's office and discuss your queries with a development officer.

**APPLICANT DETAILS**

☐ Mr ☐ Mrs ☒ Ms Other: .....

Name: Danielle Rourke

Organisation: Pinetrees Lodge ABN: .....

Postal Address [redacted]

Telephone: [redacted] Fax: .....

Email: [redacted]

**OWNER CONSENT**

Has Owner Consent been issued? ☐ Yes ☒ No Owner Consent No.: .....

**IDENTIFY THE LAND YOU PROPOSE TO DEVELOP**

Portion/Lot No.: 236 Deposited Plan No.: 48213

Lease No.: 1954/33

Address: 221 Lagoon Road, Lord Howe Island NSW 2898

**PROPOSED DEVELOPMENT**

Describe the proposed development; give a detailed outline of what you are going to do. If it involves a building, indicated what it will be used for.

Change of use of an existing tourist accommodation unit to a day spa

Building Material: As existing Roofing Material: As existing

**PAST/PRESENT LAND USES**

State the past known uses of the site: Tourist accommodation

State the present known uses of the site: Tourist accommodation

**STAGED DEVELOPMENT**

You can apply for development consent for only part of your proposal now, and for the remaining part/s at a later time.

Are you applying for development consent in stages? ☐ Yes ☒ No

If yes please attach:

- Information which describes the stages of your development;
- A copy of any development consents you already have which relate to your development.

**PLANS OF THE LAND AND DEVELOPMENT**

You need to provide a number of different plans that show what you intend to do. Step 4 of the Development Application Guide sets out which plans to provide and the details to include. Please submit 1 copy of the plans with the application. Please attach:

- A site plan of the land, drawn to scale;
- Plans or drawings of the proposal, drawn to scale and, where relevant;
- An A4 size plan of the proposed building and other structures on the site;
- A plan of any existing buildings (and uses), drawn to scale.

**ENVIRONMENTAL EFFECTS OF YOUR DEVELOPMENT**

To assess your proposal, we need to understand the impacts it will have. Depending upon the nature and scale of your proposal, you need to provide one or more of the statements listed below to explain the environmental effects of your proposal.

Is your proposal likely to cause a major environmental impact (e.g. designated development)?

☐ Yes Please attach an environmental impact statement.

☒ No Please attach a statement of environmental effects (SEE).

Is your proposal likely to cause have significant effect on threatened species, populations, ecological communities or their habitats?

☐ Yes Please attach a species impact statement.

☒ No

**SUPPORTING INFORMATION**

You can support your application with additional material such as photographs (including aerial photographs), slides and models to illustrate your proposal.

Please list what you have attached.

Architectural plan set
BCA compliance report
Letter regarding accessibility
Category 1 Fire Safety Provisions
Statement of environmental effects.

*NOTE: It will be necessary for you to place pegs showing the location of all building extremities and height of buildings within seven days of lodging your development application. These pegs will allows inspection by Board staff at an early stage of your development assessment.*

**APPLICATION FEE**

For development that involves a building or other work, the fee for your application is based on the estimated cost of the development. If your development needs to be advertised to the public you may also need to include an advertising fee. Clauses 246 to 263 of the Environmental Planning and Assessment Regulation 2000 provide a schedule of fees.

*NOTE: Fees will be calculated in accordance with Cordell's Building estimates and will form the basis for the fee. To save time and any delays in processing your application, please contact us if you need help to calculate the fee for your application.*

Estimated cost of the development: $11,000

Total fees lodged: .....$244..... Date: .....19/08/2025..... Receipt No.: .....29562.....

**APPLICANT/S OR APPLICANT'S AGENT DECLARATION**

Have you or any associated persons with a financial interest in this application in the last two years made any political donations or given any gifts to any local Board Member or Board employee? ☐ Yes ☒ No

If you ticked yes please fill out a Political Donations and Gift Disclosure Statement.
IMPORTANT NOTICE: It is an offence under the EP&A Act 1979 if you fail to disclose reportable donations and gifts.

**LEASEHOLDER AUTHORISATION** – All leaseholder/s of the land must sign this application.

As the leaseholder/s of the above property, I/we consent to this application.

Signature: [redacted] Signature: [redacted]

Name: Edward Rourke Name: Danielle Rourke

Date: 23/6/2025 Date: 23/6/2025

**APPLICANT AUTHORISATION** – The applicant/s or the applicant's agent must sign the application.

I apply for consent to carry out the development described in this application. I declare that all the information given is true and correct. I also understand that, if incomplete, the application may be delayed or rejected and more information may be requested within 21 days of lodgement.

Signature: [redacted] Signature: .....

Name: Danielle Rourke Name: .....

Date: 23/6/2025 Date: .....

State the capacity in which you are signing if you are not the applicant: .....

.....

**PRIVACY POLICY**

The information you provide in this application will enable us, and any relevant state agency, to assess your application under the Environmental Planning and Assessment Act 1979 and other applicable state legislation. If the information is not provided, your application may not be accepted.

If your application is for designated development or advertised development, it will be available for public inspection and copying during a submission period. Your application, and any attached plans will be published on the Lord Howe Island Board website. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes.

Documentation provided with an application may also be accessed in accordance with the requirements of the Government Information Access (GIPA) Act 2009.

## LODGEMENT

Before submitting your application, please ensure you have attached all the information the consent authority needs to assess your proposal. You can use the following checklist. Please place a cross in the box ☐ next to any items you have attached:

**Plans**

- ☒ A site plan of the land — **all applications**
- ☒ Plans or drawings of the proposal showing all dimensions — **all applications**
- ☒ An A4 size plan of the proposed building and other structures on the site - **all applications**
- ☒ A plan which is drawn to scale of all existing buildings.

**Environmental effects**

- ☐ An environmental impact statement for a designated development proposal and an electronic version of the executive summary
- ☒ A statement of environmental effects — **required for all applications** that are not designated development
- ☐ An environmental report — **if required under clause 42 of the LHI LEP 2010.** Contact the Board to see if you need to prepare an environmental report.
- ☐ A species impact statement
- ☐ A Basix Certificate – The Building Sustainability Index (BASIX) applies to all residential dwelling types and is part of the development application process in NSW. A BASIX certificate **MUST** be obtained for **"BASIX affected development"**. For further information please refer to www.basix.nsw.gov.au
- ☒ Electrical supply form must be completed (for new / alteration / addition to existing supply).

**Staged development**

- ☐ Information which describes the stages of the development
- ☐ A copy of any consents already granted for part of the development

**Supporting information**

- ☐ Other material to support your application, such as photos, slides and models. *Please ensure any items listed as an Advisory Note as part of the Owner Consent approval have been addressed.*

**Application fee**

- ☐ Your application fee — **required for all applications.**

**Where to lodge your application**

You can lodge your completed application form, together with attachments and fees at the Lord Howe Island Board's office.

## CONTACT DETAILS FOR YOUR INFORMATION

**Lord Howe Island Board**
Bowker Avenue
(PO Box 5)
LORD HOWE ISLAND NSW 2898
Phone: 02 6563 2066
Fax: 02 6563 2127
Email: administration@lhib.nsw.gov.au
Website: www.lhib.nsw.gov.au

**Lord Howe Island Marine Park Authority**
Phone: 02 6563 2359
Fax: 02 6563 2367
Email: lordhowe.marinepark@npws.nsw.gov.au
Website: www.mpa.nsw.gov.au

**Department of Infrastructure, Planning and Natural Resources – General Enquiries**
Phone: 02 9228 6111
Email: infocentre@dipnr.nsw.gov.au
Website: www.dipnr.nsw.gov.au

**Department of Infrastructure, Planning and Natural Resources – North Coast Office**
49 Victoria Street
(PO Box 6)
GRAFTON NSW 2460
Phone: 02 6642 0622
Email: northcoast@dipnr.nsw.gov.au
Website: www.dipnr.nsw.gov.au

BASIX Certificate: www.basix.nsw.gov.au

Planning | Development | Management | Engineering

# Statement of Environmental Effects

Proposed change of use of tourist accommodation unit to a day spa

# Local Development

221 Lagoon Road Lord Howe Island

**FILE: P100459**
**July2025**

152 SAILORS BAY ROAD, NORTHBRIDGE, NSW, 2063
1300 438 232 | preciseplanning.com.au

PRECISE PLANNING

**Planning | Development | Management | Engineering**

This Statement of Environmental Effects has been prepared exclusively for submission to the Lord Howe Island Board as an accompaniment to a Local Development Application, which seeks approval to change the use of an existing tourist accommodation unit to a day spa at Pinetrees Lodge, 221 Lagoon Road Lord Howe Island.

The information contained in this Report has been compiled from both primary and secondary information sources. Precise Planning gives no warranty that these information sources are current and accepts no responsibility for any errors or damage or loss, however caused, suffered by any individual or corporation.

**Report Author:** Jeff Bulfin
**Report Compilation Date:** July 2025
**Report Reference** P100459_REV_00
**Contact:**
**A** 152 Sailors Bay Road Northbridge 2063
**P** PO Box 426 Northbridge NSW 1560
**T** 0415 225 732
**E** contact@preciseplanning.com.au
**W** www.preciseplanning.com.au

**Applicant:** Pinetrees Lodge Pty Ltd

| DOCUMENT ID | STATUS | DATE | AUTHOR | SIGNED | REVIEWER | SIGNED |
|---|---|---|---|---|---|---|
| P100459_REV_00 | FINAL | Jul 25 | Jeff Bulfin | | Jeff Bulfin | |

# Executive Summary

This Statement of Environmental Effects (**'SEE'**) accompanies a local development application (**'Application'**) made under 4.12 of the *Environmental Planning & Assessment Act 1979* (**'EPA Act'**), which seeks consent from the Lord Howe Island Board (**'LHIB'**), as the relevant consent authority, to change the use of an existing tourist accommodation unit to a day spa (**'Proposal'**) at Pinetrees Lodge, 221 Lagoon Road Lord Howe Island - Lot 236 DP 48213 (**'Subject Site'**).

This SEE has been prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (**'EPA Act'**) and the *Environmental Planning and Assessment Regulation 2021* (**'EPA Reg'**). The SEE meets the mandatory requirements set out on the Approved Form[1] and addresses all matters necessary to enable the LHIB to make a determination of the Application.

A day spa is typically characterised as a *recreation facility*. The *Lord Howe Island Local Environmental Plan 2010* (**'LHILEP 2010'**) does not specifically define a *recreation facility*. However, a note contained under the definition of *tourist accommodation* acknowledges that *recreation facilities* may be ancillary to *tourist accommodation*.

The Proposal changes the Building Code of Australia (**'BCA'**) classification, from Class 1b (tourist accommodation use) to Class 5 (day spa use). The particular tourist accommodation unit to which this Application relates is attached to one other tourist accommodation unit, which will be retained as currently used. This would ordinarily require the dividing wall between the two units to be a fire wall. However, an alternative solution is proposed by this Application, which is the installation of a fire detection and alarm system. Other than the fire detection and alarm system, no other physical works are required or proposed with this Application.

On balance, it is considered that the Application seeks consent to a satisfactory proposal. The use of the unit as a day spa is *ancillary* to the current tourist accommodation use. The Proposal is ancillary to does not seek to contravene any development standards and does not offend any objectives of the Zone 2 Settlement, as set out in cl 14 of the LHILEP 2010. The Proposal will enable Pinetrees Lodge to offer an additional service to its guests, which ultimately creates a positive economic benefit. As the day spa will operate within an existing unit, the Proposal will have a neutral impact on both the built and natural environment. No adverse social impacts are envisaged. The Proposal is in the public interest and it is requested that the LHIB approve the Application in due course.

[1] See cl 24(1)(b)(i) EPA Reg.

## 1. Application Details

| | |
|---|---|
| **Applicant** | Pinetrees Lodge Pty Ltd |
| **Proposal** | Change of use of an existing tourist accommodation unit to a day spa (recreation facility) |
| **Subject Site** | 221 Lagoon Road Lord Howe Island (Lot 236 DP 48213) |
| **Owners** | Crown (Leaseholders - Edward Rourke and Danielle Rourke) |
| **Development Cost** | $11,000 (incl GST) |
| **Consent Authority** | Lord Howe Island Board |
| **Type of Application** | Local Development |

## 2. Relevant Statutes

| | | |
|---|---|---|
| ***Environmental Planning and Assessment Act 1979*** | S 4.12(1) - (2) | This Application is made pursuant to these sections |
| | S 4.15(1) | The Proposal is satisfactory when considered in respect of mandatory matters (refer to Part 4 of this SEE) |
| ***Environmental Planning and Assessment Regulation 2021*** | Cl 62 | Documentation is provided with this Application to enable the Board to properly consider the matters specified in subclause (2)(a) and be satisfied in respect of matters specified in subclause (2)(b) |
| ***Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*** | Cl 115(1)(a) | The Part applies as this is a DA for a change of building use that does not involve the alteration of the building |
| | C 116(1)(a)(i) | The Application proposes a performance solution in relation to fire safety requirements and also proposes that the existing access provision is satisfactory in the circumstances |
| | Cl 117(1) | It is requested that the LHIB exempt the development from the relevant access requirements |

## 3. Lord Howe Island LEP 2010

| | |
|---|---|
| **Zone** | Zone 2 Settlement |
| **Use and Definition** | Day Spa (recreation facility) - not specifically defined by the LHILEP 2010. |
| **Permissibility** | *A recreation facility* may be ancillary to *tourist accommodation*, which is permitted with consent on the zone. |

| | | |
|---|---|---|
| **Development Standards** | None of relevance to this Application | N/A |
| **LEP variations requested** | No variations requested | N/A |

## 4. EPI Maps

| | | |
|---|---|---|
| **EPI Maps - LHILEP 2010** | Land Zoning Map | Zone 2 Settlement |
| | Significant Native Vegetation Map | Significant Native Vegetation |
| **EPI Maps - SEPPs** | SEPP (Sustainable Buildings) 2022 Climate Zones for BASIX Alterations Map | Class 2 |
| | SEPP (Sustainable Buildings) 2022 Water Use Map | 40% |
| | SEPP (Sustainable Buildings) 2022 Climate Zones for BASIX Buildings Map | Class 11 |
| **Non-EPI Maps** | State Heritage Register Curtilage Map | Lord Howe Island Group |

## 4. State Environmental Planning Policies

| | | |
|---|---|---|
| **SEPP (Sustainable Buildings) 2022** | N/A | N/A |

## 5. LHI DCP 2005

| | | |
|---|---|---|
| **Relevant Chapters** | No specific chapters or standards are relevant to the Proposal | Not relevant |

## 6. External Referral/Concurrence

| | |
|---|---|
| **Referral/Concurrence** | Referral to Fire and Rescue NSW recommended in relation to the proposed performance solution in relation to BCA/NCC fire safety requirements. |

## 7. Other Matters

The Application and/or Proposal does not raise any other statutory matters of relevance.

## 8. Summary

- The Proposal is ancillary to the dominant use, which is tourist accommodation. Tourist accommodation is permissible in Zone 2 Settlement;
- The Proposal generally achieves all relevant objectives and standards contained in LHILEP 2010;
- The Application has been prepared and uploaded to the Portal in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2021* (**'EPA Reg'**) and the Approved Form;
- The Application includes a performance solution in relation to fire safety requirements and also proposes that the existing access provision is satisfactory in the circumstances is integrated development and requires approval from RFS under *Rural Fires Act 1997*. The Application documentation is sufficient for EPA to make a determination;
- The likely impacts of the Proposal on the natural and built environment, including social and economic impacts, are acceptable;
- There are no existing or proposed Planning Agreements related to the Subject Site;
- The Subject Site is suitable for the Proposal, as evidenced by compliance with all development standards;
- The Proposal is in the public interest.
- The Application is worthy of approval, subject to conditions.

# Table of Contents

## Tables



## Figures

# 1 Introduction

## 1.1 General

This Statement of Environmental Effects (**'SEE'**) accompanies a local development application (**'Application'**) made under 4.12 of the *Environmental Planning & Assessment Act 1979* (**'EPA Act'**), which seeks consent from the Lord Howe Island Board (**'LHIB'**), as the relevant consent authority, to change the use of an existing tourist accommodation unit to a day spa (**'Proposal'**) at Pinetrees Lodge, 221 Lagoon Road Lord Howe Island - Lot 236 DP 48213 (**'Subject Site'**).

This SEE has been prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (**'EPA Act'**) and the *Environmental Planning and Assessment Regulation 2021* (**'EPA Reg'**). The SEE meets the mandatory requirements set out on the Approved Form[2] and addresses all matters necessary to enable the LHIB to make a determination of the Application.

The Proposal changes the Building Code of Australia/National Construction Code (**'BCA/NCC'**) classification, from Class 1b (tourist accommodation use) to Class 5 (day spa use). The particular tourist accommodation unit to which this Application relates is attached to one other tourist accommodation unit, which will be retained as currently used. This would ordinarily require the dividing wall between the two units to be a fire wall. However, an alternative fire safety performance solution is proposed by this Application, which involves the installation of an automatic fire detection and alarm system. The fire safety performance solution will require the issuing of a Construction Certificate (**'CC'**) following the issuing of development consent to the Application. Other than the installation of the fire safety performance solution, no other physical works are envisaged in order to achieve the proposed change of use.

The Application also seeks an exemption from the access requirements, showing similarities to the D4D5 exemption in the NCC.

On balance, it is considered that the Application seeks consent to a satisfactory proposal. The use of the unit as a day spa is *ancillary* to the current tourist accommodation use. The Proposal is ancillary to does not seek to contravene any development standards and does not offend any objectives of the Zone 2 Settlement, as set out in cl 14 of the LHILEP 2010. The Proposal will enable Pinetrees Lodge to offer an additional service to its guests, which ultimately creates a positive economic benefit. As the day spa will operate within an

[2] See cl 24(1)(b)(i) EPA Reg.

existing unit, the Proposal will have a neutral impact on both the built and natural environment. No adverse social impacts are envisaged. On these bases, the Proposal is in the public interest and it is requested that the LHIB approve the Application and issue development consent in due course.

## 1.2 Documents accompanying the Application

| Document | Author | Reference |
|---|---|---|
| Access report | Accessible Building Solutions | Dated 5 June 2025 |
| Architectural plans | Next Level Design Studio | Job No 1360, Rev B dated 28 July 2025 |
| BCA report | AllCert | Project No 240360 Rev R01 dated 1 July 2025 |
| Category 1 fire safety provisions | | |
| Fire Engineering Brief Questionnaire | Code Fire Safety | Ver 1 dated 24 June 2025 |
| Statement of environmental effects | Precise Planning | P100459_REV_00 dated June 2025 |

*Table 1 - Documents accompanying the Application*

# 2 The Subject Site

## 2.1 Identification and location of Subject Site

The Subject Site is known as Pinetrees Lodge, 221 Lagoon Road Lord Howe Island (Lot 236 DP 48213). The Subject Site occupies approximately 2ha is used as a tourist resort containing 32 guest units, having been operating in one form or another since around 1895. It is located on the western side of Lord Howe Island, adjacent to Lagoon Beach to the west. For present purposes, the Subject Site is relatively flat and roughly rectangular in shape.

In addition to the tourist accommodation, Pinetrees Lodge comprises a main lodge building, which contains a restaurant, BBQ deck, bar, pool room and lounge area and administration offices. The resort also has a number of outdoor recreation areas, tennis court and staff accommodation. Buildings are all single storey and are accessed by a combination of raised timber boardwalks and paved pathways. The tourist accommodation units consist of attached and detached options, with varying guest capacities.

The lodge is screened from Lagoon Road with a thick vegetated buffer. Only one dwelling is located in close proximity, being 219 Lagoon Road at the northeast corner. To the north is the Lord Howe Island Sports Oval and to the east is rural land.

The Subject Site is serviced with electricity, potable water and telecommunications. Wastewater is treated onsite. There are three (3) access points from Lagoon Road, although the central access point is the main entry to Pinetrees Lodge.

*Figure 1 - Lord Howe Island, location of Pinetrees circled*

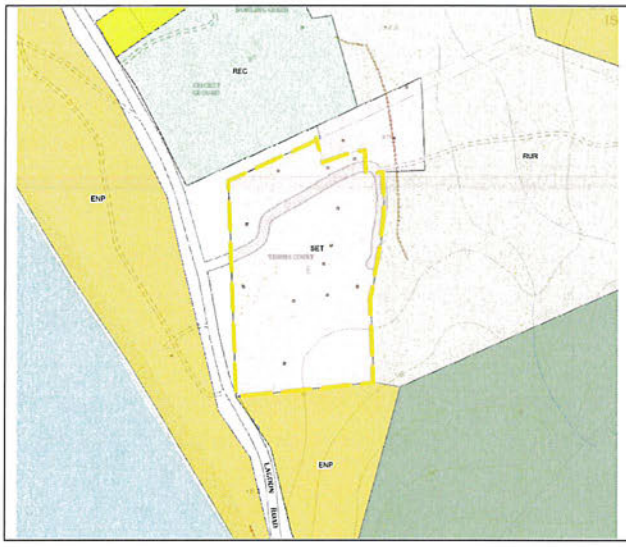
*Figure 2 - Pinetrees Lodge in context of the island*


*Figure 3 - Aerial view, Pinetrees Lodge*

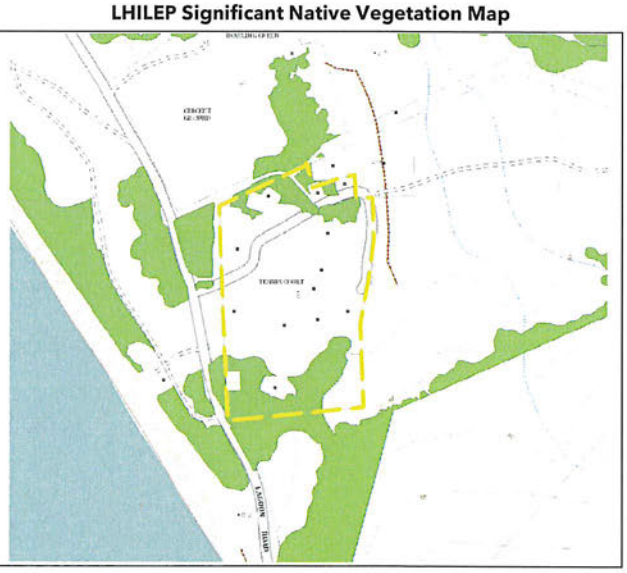
## 2.2 Mapping

### 2.2.1 LHILEP 2010 Maps

**LHILEP Zone Map (Zone 2 Settlement)**




**LHILEP Significant Native Vegetation Map**



# 3 The Proposal

## 3.1 General

The Application seeks consent to change the use of one of the existing tourist accommodation units on the northern side of the facility to a day spa. Other than the installation of the fire safety performance solution, no other physical works are envisaged in order to achieve the proposed change of use.

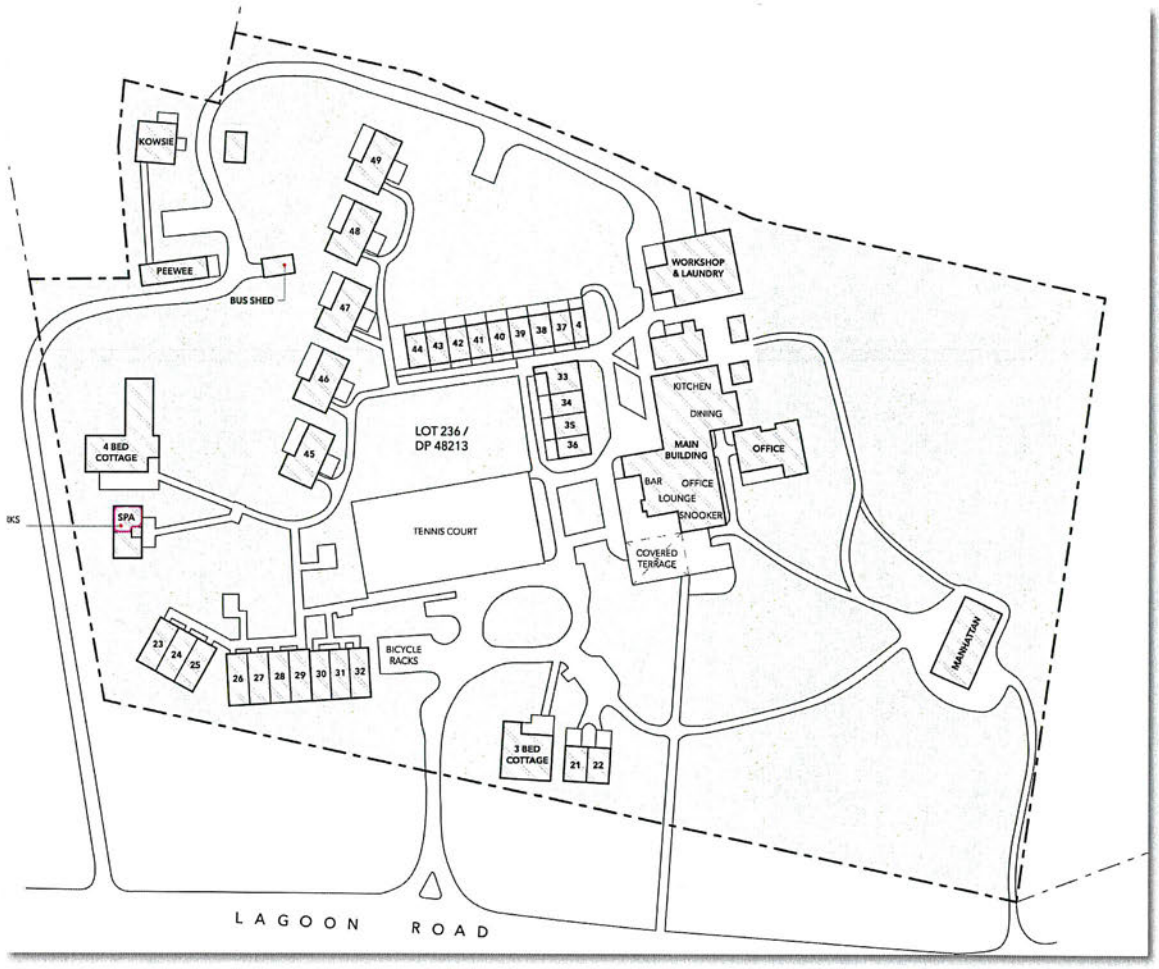



*Figure 4 - Site plan showing location of proposed day spa unit*

The subject unit under its existing use is a 15m$^2$ studio, including an ensuite, and can accommodate two (2) guests. It forms part of a pair of units with identical but mirror-reversed spatial arrangement. The pair of units is accessed via a central vestibule area, containing separate main entry doors to each unit. A raised timber boardwalk and timber deck present at the front elevation of the structure.

*Figure 5 - Existing building front elevation, doorway to common vestibule area*

*Figure 6 - Raised timber boardwalk access to existing building (left boardwalk)*

## 3.2 Proposed day spa use

The Application seeks to change the use of one of the tourist accommodation units to a day spa. The attached unit will continue its current accommodation use.

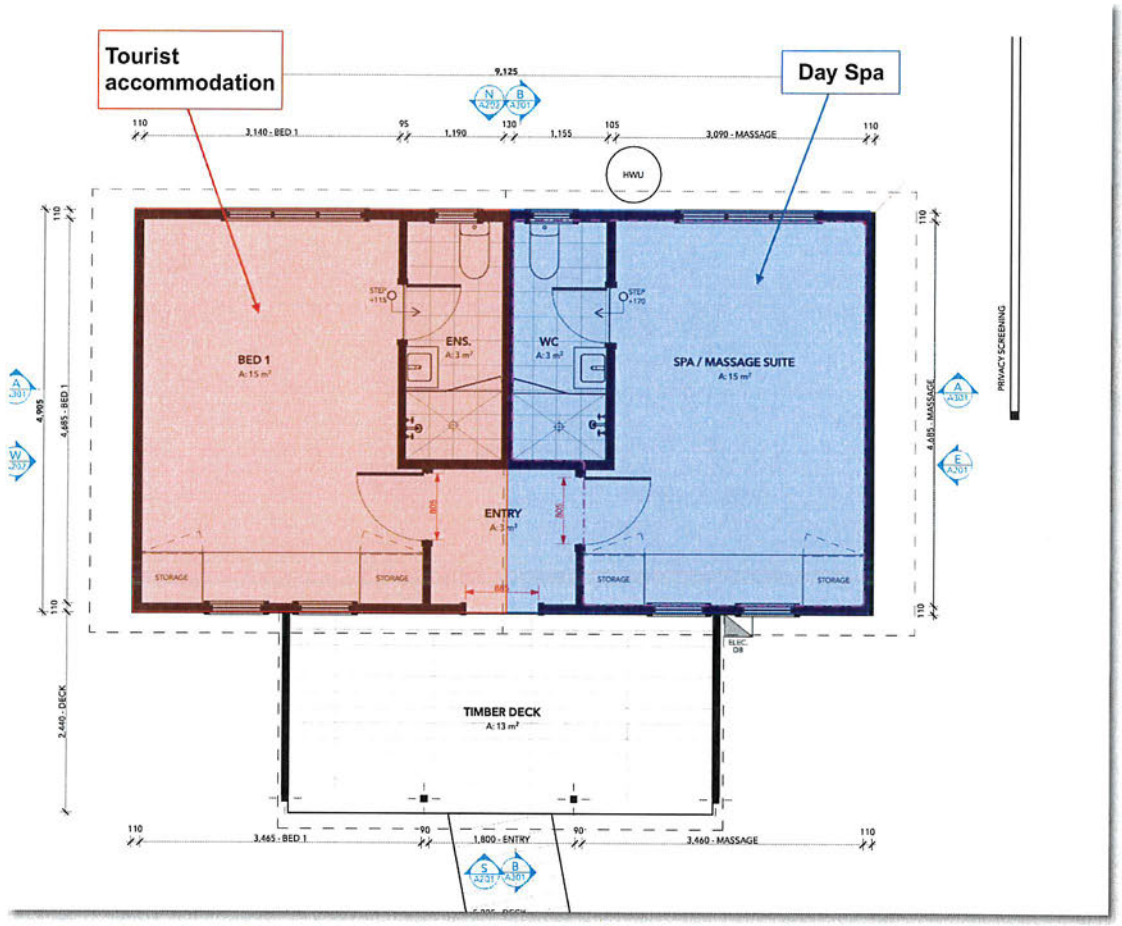



*Figure 7 - Delineation of existing and proposed uses*

Other than the installation of the fire safety performance solution, no works are required to convert the unit to a day spa, as the studio style and scale of the unit is well suited to the day spa use.

## 3.3 Operational details

| | |
|---|---|
| **Clientele** | Pinetrees Lodge guests only |
| **Hours of operation** | 10am to 6pm, Tuesday to Saturday |
| **Staff** | One (1) clinician |
| **Bathroom** | For use by clinician only |
| **Services offered** | Massage and facials |

*Table 2 - Proposed operational details*

## 3.4 Building Code of Australia compliance

The Application proposes a performance solution in response to BCA/NCC fire separation requirements and seeks an exemption regarding accessibility requirements.

### 3.4.1 Installation of fire safety performance solution

Clause C3D9 of the BCA specifies that fire walls separating buildings with different classifications on a single storey must meet the Fire Resistance Level (**'FRL'**) requirements set out in Table S5C24c for Type C construction. According to this Table, the fire wall between Class 1b use (tourist accommodation) and Class 5 use (day spa) must achieve an FRL of at least 90/90/90.

This Application proposes a performance-based solution in lieu of a fire wall between the two uses, in accordance with the *Fire Engineering Brief Questionnaire* (**'FEBQ'**) prepared by Code Fire Safety which proposes the following key fire safety measures -

| Key measure | Details |
|---|---|
| Emergency Lighting and Exit Signs | Emergency lighting and exit signs shall be installed within both the Class 1b area (retained for tourist accommodation use) and the Class 5 area (day spa use), in accordance with AS/NZS2293.1 - 2008.<br><br>This includes -<br><br>• Illuminated exit signs above each exit door serving the Class 1b and 5 areas, and above the common walkway to direct occupants to outside/open space;<br>• Emergency light fitting in the covered common walkway to provide a minimum 1 lux on the floor surface. |
| Fire Detection and Alarm System | An automatic fire detection and alarm system shall be installed throughout the building in accordance with AS1670.1 - 2018. |
| Portable Fire Extinguishers | Portable fire extinguishers within the Class 1b area and the Class 5 area near the exit doorway and comply with AS2444-2001. |
| Management in use Policy | A Management in use Policy will be prepared in accordance with the requirements set out in the FEBQ submitted with the Application documentation. |

*Table 3 - Proposed key fire safety measures*

An application for a CC will be made following the issuing of development consent, which will provide further details of the proposed works.

On completion of a quantitative/qualitative analysis, a Performance Solution Report (**'PSR'**) will be prepared with a solution that satisfies the Acceptance Criteria as agreed in the FEBQ. The PSR will be submitted for approval to the accredited certifier to satisfy

Section 18 of the EP&A (Development Certification and Fire Safety) Regulation 2021. The PSR will demonstrate compliance with the relevant Performance Requirements of the BCA.

Once all fire safety measures have been implemented and installed and an inspection undertaken, a final letter of consistency to satisfy the provisions of Section 40 of the EP&A (Development Certification and Fire Safety) Regulations 2021 will be issued.

All of the above is subject to acceptance and approval by FRNSW. It is recommended that the LHIB refer this Application to FRNSW during the assessment process.

### 3.4.2 Accessibility

The NCC outlines requirements for accessible building design, ensuring people with disabilities can access and use buildings safely and with dignity. The requirements generally align with the *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Whilst the NCC aims for broad accessibility, it contains some exemptions and hardship provisions for existing buildings (see D4D5 Exemptions). This Application proposes the submission of a performance solution to be provided with the CC documentation, in order to exempt the day spa use from access requirements showing similarities to the D4D5 exemption in the NCC.

A letter prepared by Accessible Building Solutions, which is submitted with this Application, states –

> *'The room will only be used by staff (massage therapists) who will be required to be able bodied to complete their tasks, and hotel guests. Due to the unique nature of the lodge, and Lord Howe Island in general, it is highly unlikely that guests with major disabilities would be able to stay on the island.*
>
> *The non compliances to be addressed under the performance solution are only that the doors do not provide 850mm clear width for wheelchairs, and the bathroom is not an accessible bathroom. As the bathroom is only for staff (who are required to be able bodied) and the therapists are not going to be trained OTs who can transfer someone from a wheelchair to the massage table, it will be shown that a wheelchair will never be required to go through the doorways.*
>
> *The rooms will be suitable for people with other minor disabilities and other access requirements can still be provided such as door hardware and contrast.'*

For the purposes of this Application, it is requested that the LHIB agree to provide an exemption to the NCC access requirements in this circumstance, in accordance with cl 116 and cl 117 of the EP&A (Development Certification and Fire Safety) Regulations 2021.

# 4 Statutory Assessment

## 4.1 Acts and Regulation

### 4.1.1 Acts

| Reference | Requirement | Response |
|---|---|---|
| ***Environmental Planning and Assessment Act 1979*** | | |
| **S 4.12(1) Application** | A person may, subject to the regulations, apply to a consent authority for consent to carry out development | This SEE accompanies an application to the LHIB, as the consent authority, for consent to carry out the proposed development as described in the SEE and accompanying documentation. |
| **S 4.15(1)** | (a)(i) Environmental planning instruments | Consistent - see Section 4.2, table 6 of this SEE |
| | (ii) draft instruments | N/A |
| | (iii) development control plans | LHI DCP provisions general not relevant to this Proposal |
| | (iiia) planning agreements | N/A |
| | (iv) the regulations | Consistent - see Section 4.1.2 table 5 of this SEE |
| | (b) Likely impacts | Satisfactory - see Section 4.5 of this SEE |
| | (c) Suitability of the site | The Proposal involves a use which is ancillary to tourist accommodation. It will not result in adverse impacts and requires no physical works. Based on the nature of the Proposal and its compliance with the relevant objectives, controls and standards contained in LHILEP 2010, as well as the consideration of likely impacts at s 4.5 of this SEE, the Subject Site is suitable for the Proposal |
| | (d) Submissions | A matter for consideration by the LHIB. The proponent will address any issues raised in public submissions if requested by LHIB |
| | (e) Public interest | A public interest benefit is derived from undertaking a development which generally complies with the relevant provisions of the applicable LEP and DCP. The Proposal is consistent with the various controls |

| Reference | Requirement | Response |
|---|---|---|
| | | and guidelines contained in LHILEP 2010, with no adverse impacts to the natural or built environment and placing no increased demands on public infrastructure. |

*Table 4 - Relevant Acts*

### 4.1.2 Regulations

| Reference | Requirement | | Response |
|---|---|---|---|
| ***Environmental Planning and Assessment Regulation 2021*** | | | |
| | Part 3 Development applications, cl 23 - cl 36 | Cl 23 | Crown landowner's consent requested in conjunction with the Application |
| | | Cl 24 | Information required by the approved form, EPA Act and regulation has been provided. The Application will be lodged via the Planning Portal |
| | | Cl 25 | N/A to this Proposal |
| | | Cl 26 | |
| | | Cl 27 | |
| | | Cl 28 | |
| | | Cl 29 | |
| | | Cl 30 | |
| | | Cl 30A | |
| | | Cl 30B | |
| | | Cl 31 | |
| | | Cl 32 | |
| | | Cl 33 | |

| Reference | Requirement | Response | |
|---|---|---|---|
| | | Cl 34 | |
| | | Cl 35 | |
| | | Cl 35A | |
| | | Cl 35B | No variation is sought by this Application |
| | | Cl 35BA | |
| | | Cl 35C | N/A to this Proposal |
| | | Cl 35D | |
| | | Cl 36 | Noted |
| | Part 4 Determination of development applications, cl 62 Consideration of fire safety | (1) This section applies to the determination of a development application for a change of building use for an existing building if the applicant does not seek the rebuilding or alteration of the building.<br>(2) The consent authority must–<br>(a) consider whether the fire protection and structural capacity of the building will be appropriate to the building's proposed use, and<br>(b) not grant consent to the change of building use unless the consent authority is satisfied that the building complies, or will, when the development is completed, comply, with the Category 1 fire safety provisions that are applicable to the building's proposed use.<br>(3) Subsection (2)(b) does not apply to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*. | Refer to FEBQ submitted with the Application.<br><br>Refer to the category 1 fire safety provisions submitted with the Application |
| ***Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*** | | | |
| | Cl 115 Application of Part | 115 Application of Part<br>(1) This Part applies to a person who makes one of the following applications–<br>(a) a development application or an application for a complying development certificate for a change of building use for an existing building that does not involve an alteration of the building, | The Part applies |
| | Cl 116 Objections to Building Code of Australia standards | (1) An applicant may lodge an objection with the consent authority or certifier that–<br>(a) the Building Code of Australia, as applied by a relevant provision, does not make appropriate provision for– | Refer to FEBQ submitted with the Application |

| Reference | Requirement | Response | |
|---|---|---|---|
| | | (i) the building in relation to which the change of building use is sought, or<br>(ii) the building to be used as an entertainment venue, or<br>(iii) the building work, or<br>(b) compliance with a specified provision of the Building Code of Australia, as applied by a relevant provision, is unreasonable or unnecessary in the circumstances. | |
| | | (2) The objection must–<br>(a) specify the grounds of the objection, and<br>(b) for proposed building work–include a copy of the building work plans and specifications. | |
| | Cl 117 Determination of objections | (1) If the consent authority or certifier is satisfied an objection lodged under section 116 is well-founded, it may–<br>(a) exempt the development, either conditionally or unconditionally, from a specified provision of the Building Code of Australia, as applied by a relevant provision, and<br>(b) direct that specified requirements apply to the building work. | Refer to FEBQ and access letter submitted with the Application |

*Table 5 - Relevant regulations*

## 4.2 Environmental Planning Instruments

### 4.2.1 Local environmental plan

| Reference | Requirement | Response |
|---|---|---|
| ***Lord Howe Island Local Environmental Plan 2010*** | | |
| **Cl 2 Aims** | (a) to conserve the World Heritage values of Lord Howe Island and to restore or enhance lost or disturbed natural resources of the Island,<br>(b) to conserve and facilitate the management of the marine environment of the Island and the resources of that environment,<br>(c) to protect threatened species, populations and ecological communities, and their habitats, | The Proposal is either consistent with, or else does not hinder the attainment of, the aims of the Plan. |

| Reference | Requirement | Response |
|---|---|---|
| | (d) to encourage the ecologically sustainable use of resources,<br>(e) to encourage community appreciation of the World Heritage values of the Island,<br>(f) to enhance the wellbeing and welfare of individuals and the Island's community by pursuing economic development that safeguards the welfare of future generations,<br>(g) to facilitate the proper management, development and conservation of the Island's World Heritage natural environment, the Island's cultural heritage and the Island lifestyle,<br>(h) to identify suitable land for the provision of housing and community services for the Island's population while acknowledging suitable land for these purposes is limited,<br>(i) to enable, on the limited land available for agriculture, sustainable agriculture (that is, agriculture that contributes to the Island's economy and also protects the biological and physical resource base on which it depends),<br>(j) to ensure that public utility undertakings are carried out on the Island in a manner that minimises any environmental impact on the Island of those undertakings,<br>(k) to acknowledge the importance of tourism to the Island economy and permit future development of tourism within limits,<br>(l) to ensure that tourism on the Island does not adversely affect the lifestyle of residents, or the World Heritage environmental qualities, of the Island, but enables visitors and residents to enjoy the Island,<br>(m) to ensure the conservation of relics, specified heritage items and the heritage significance of those relics and heritage items (including the settings of those heritage items),<br>(n) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts. | |
| | The strategies of this Plan that are directed at achieving these aims are as follows–<br>(a) to apply general land use controls to land within each zone and special provisions for particular kinds of development or for development on particular land,<br>(b) to identify suitable land for future housing opportunities and limit the total number of future dwellings,<br>(c) to identify significant native vegetation by a map and to ensure that development does not result in its removal,<br>(d) to require the advertising of any development application for development that, in the consent authority's opinion, is likely to have a significantly adverse impact on the environment,<br>(e) to require consideration of possible adverse environmental, economic or social impacts in advance of development. | The Proposal is either consistent with, or else does not hinder the attainment of, the strategies of the Plan. |
| **Cl 11 Matters to be satisfied** | (a) the proposed development is consistent with the aims of this Plan and the objectives of any zone, as set out in this Plan, within which the development is proposed to be carried out, | **COMPLIES**<br>Refer above |

| Reference | Requirement | Response |
|---|---|---|
| **before consent is granted** | (b) there is an adequate area available for the disposal or treatment of any effluent arising from the proposed development by an appropriate effluent treatment or disposal system and any such system will not have any adverse effect on groundwater quality, | **COMPLIES**<br>The Proposal will have no impact on the existing arrangements |
| | (c) no part of the proposed development–<br>(i) will result in any damage to, or the removal of, significant native vegetation, or<br>(ii) will have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island, | **COMPLIES**<br>The Proposal is wholly internal to the existing unit |
| | (d) access is, or will be, available to the site of the proposed development and the provision of any such access will not–<br>(i) result in any damage to, or the removal of, significant native vegetation, or<br>(ii) have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island, | **COMPLIES**<br>Satisfactory access is already available to the existing unit |
| | (e) any proposed landscaping will provide various species of plants that are native to the Island and common in the locality to enhance any significant native vegetation, | **N/A**<br>No additional landscaping is required or proposed |
| | (f) the proposed development will not be adversely affected by any landform limitations, including flooding, landslip, unstable soils and steep slopes, | **N/A**<br>The Proposal is wholly internal and within an existing unit |
| | (g) adequate services in respect of the proposed development can be provided without significant additional cost to the Board or the community of the Island, | **COMPLIES**<br>The existing unit is already connected to adequate services |
| | (h) the appearance of the proposed development (when considered by itself or in conjunction with existing buildings and works) will not have any significantly adverse impact on the locality, | **N/A**<br>The Proposal is wholly internal and within an existing unit |
| | (i) the proposed development will not cause any significant overshadowing of adjoining land, | **N/A**<br>The Proposal is wholly internal and within an existing unit |
| | (j) the proposed development will not cause any significant reduction in the privacy of occupiers of adjoining land. | **N/A**<br>The Proposal is wholly internal and within an existing unit |

| Reference | Requirement | Response |
|---|---|---|
| **Cl 14 Zone 2 Settlement** | (1) The objectives of Zone 2 Settlement are as follows–<br>(a) to provide opportunities for limited residential and commercial development that maintains the dispersed housing pattern of the settlement area and is in sympathy with existing development in relation to the following–<br>(i) setbacks,<br>(ii) building mass and style,<br>(iii) visual amenity,<br>(iv) landscaped character,<br>(b) to ensure that any development is only permitted in locations where, in the consent authority's opinion–<br>(i) the development will not involve unacceptable infrastructure costs for the Board or the community of the Island, and<br>(ii) there is an adequate area available for the treatment or disposal of any effluent arising from the proposed development by an appropriate effluent treatment or disposal system, and<br>(iii) the land is capable of supporting the proposed development and is suitable in terms of the land's physical constraints (such as vulnerability to erosion, slip or flooding), and<br>(iv) the development (including any effluent treatment or disposal system referred to in subparagraph (ii)) will not adversely affect groundwater quality,<br>(c) to avoid or minimise environmental damage and protect areas that–<br>(i) comprise significant habitat for species of animals that are native to the Island, or<br>(ii) have significant native vegetation. | **ACHIEVED**<br>(a) The Proposal is an ancillary use to existing tourist accommodation, which is an existing commercial development. As the Proposal is wholly internal and within an existing unit, it will have no adverse impact in terms of setbacks, building mass and style, visual amenity or landscaped character.<br>(b) For the reasons set out above, the location of the Proposal is considered to be satisfactory.<br>(c) No environmental areas will be impacted as a result of this Proposal |
| **Cl 22 Tourist accommodation** | (1) The consent authority must not consent to the erection, enlargement or extension of any building comprising, or ancillary to, tourist accommodation, staff accommodation or commercial premises on an allotment unless–<br>(a) the total area of the allotment occupied by any existing or proposed buildings comprising, or ancillary to, the accommodation or premises is no more than 15 percent of the balance of the area of the allotment remaining after the minimum dwelling area is deducted from the total area of the allotment, and<br>(b) it is proposed that at least 50 percent of the total area of the allotment be comprised of landscaped areas and that various species of plants that are native to the Island and common to the locality be retained or planted on at least 35 percent of the total area of the allotment, and<br>(c) the proposed development is carried out on a part of the allotment that does not have any significant native vegetation, and<br>(d) the consent authority is satisfied that there is a demonstrated business need for the development. | **N/A**<br>The Proposal is a change of use relating to an existing tourist accommodation unit. It does not involve the *'...erection, enlargement or extension of any building...'*. |

| Reference | Requirement | Response |
|---|---|---|
| | (4) The consent authority must not consent to development for the purposes of tourist accommodation unless it is satisfied that the total number of persons permitted to be accommodated in all forms of tourist accommodation on the Island will be no more than 400 persons (excluding those under the age of 5 years) at any time. | **N/A**<br>The Proposal is ancillary to tourist accommodation. However, it will not increase the potential number of persons accommodated on the island. |

*Table 6 - Relevant provisions of Lord Howe Island LEP 2010*

## 4.3 Applicable Draft Environmental Planning Instruments

There are no provisions within any draft EPI's which are relevant to the assessment of this Application.

## 4.4 Applicable Development Control Plan(s)

### *4.4.1 Lord Howe Island Development Control Plan 2005*

The Lord Howe Island DCP 2005 contains no provisions relevant to this Proposal.

## 4.5 Likely Impacts

### 4.5.1 General

Impacts were identified through a combination of:

- Site visit
- Feedback from consultants
- Discussions with proponent
- Consideration of statutory and local requirements
- Consideration of the nature of the existing use
- Consideration of the nature of the existing structure
- Consideration of the potential impacts on the natural and built environment, including potential social and economic impacts
- Consideration of waste management

See table following for consideration of impacts.

| Consideration | Element | Response |
|---|---|---|
| **Environmental impacts** | | |
| | Arboriculture | The nature of the Proposal is a change of use and is wholly internal. No trees will be removed by the Proposal |
| | Construction | No works are required for this Proposal, except the installation of the fire safety performance solution outlined in the FEBQ |
| | Contamination | The nature of the Proposal is a change of use and is wholly within an existing building. Contamination is therefore not a relevant impact. |
| | Demolition | No demolition work is proposed. |
| | Ecology | The nature of the Proposal is a change of use and is wholly within an existing building. The Proposal will not result in any encroachment of the SNV. |
| | Heritage | The Subject Site is within the Lord Howe Island Group, which is within the State Heritage Register Curtilage. However, the Proposal will have no impact on heritage values, items of heritage significance or cultural heritage. |
| | Noise | The Proposal will not generate noise impacts |
| | Air quality | The Proposal will not generate odour or dust impacts |
| | Servicing | The Proposal will not require any servicing upgrades or increase demand for services |
| | Stormwater | The Proposal will not affect the current stormwater management arrangements |
| | Surrounding development | The Proposal is not anticipated to result in unacceptable adverse impacts on existing surrounding development |
| | Traffic and parking | The Proposal will not result in any increased vehicle movements or require and parking spaces |
| | Visual and landscape character | The Proposal is wholly within an existing unit and the change of use will be imperceptible from outside the building |
| | Waste | The day spa will generate very little waste. Nevertheless, waste generated will be managed together with the existing waste management protocol for Pinetrees Lodge |
| | Wastewater | The Proposal will not increase flows into the existing approved onsite wastewater system |
| **Social impacts** | | |
| | | The Proposal is likely to result in a positive social impact, as the offering of a day spa allows Pinetrees to improve its offering of world-class |

| Consideration | Element | Response |
|---|---|---|
| | | amenities and facilities, thereby encouraging additional visitors to the island. This economic activity has a trickle-down benefit to local businesses and the local tourist industry in general, providing job security and economic stimulus, which in turn improves living standards and provides a social benefit. |
| Economic | | |
| | | The Proposal is likely to result in positive economic impacts insofar as the day spa will allow Pinetrees to improve its offering of world-class amenities and facilities expected by guests, which encourages additional visitors to the island, to the all-round benefit of the local economy. |

*Table 7 - Identification and consideration of impacts*

## 4.6 Suitability of the Site for the Proposed Development

The Proposal is compliant with the relevant controls in the LHILEP 2010. Potential environmental, economic and social impacts are considered to be satisfactory. On balance, it is considered that the Subject Site is suitable for the Proposal.

## 4.7 Community Consultation and Public Submissions

Community consultation will be undertaken by LHIB in accordance with its policy. Public submissions made during the consultation period are to be take into consideration by the LHIB as part of the evaluation process under s. 4.15 of the EPA Act. Should the LHIB require a response from the proponent to any public submission, one can be prepared and submitted as additional information at a later date.

## 4.8 Public Interest

- The Proposal satisfies the relevant planning controls and policies and is consistent with the objectives of the LHILEP 2010 and Zone 2 Settlement where relevant.
- The Proposal will not result in any adverse environmental impacts, nor will it result in adverse impacts on the amenity of adjoining uses.
- The Proposal will result in neutral or positive social and economic impacts.
- The Proposal is suitable for the Subject Site.

As such, the Proposal is considered to be in the public interest.

# 5 Conclusion

This Statement of Environmental Effects (**'SEE'**) accompanies a local development application (**'Application'**) made under 4.12 of the *Environmental Planning & Assessment Act 1979* (**'EPA Act'**), which seeks consent from the Lord Howe Island Board (**'LHIB'**), as the relevant consent authority, to change the use of an existing tourist accommodation unit to a day spa (**'Proposal'**) at Pinetrees Lodge, 221 Lagoon Road Lord Howe Island - Lot 236 DP 48213 (**'Subject Site'**).

This SEE has been prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (**'EPA Act'**) and the *Environmental Planning and Assessment Regulation 2021* (**'EPA Reg'**). The SEE meets the mandatory requirements set out on the Approved Form[3] and addresses all matters necessary to enable the LHIB to make a determination of the Application.

The Proposal changes the Building Code of Australia/National Construction Code (**'BCA/NCC'**) classification, from Class 1b (tourist accommodation use) to Class 5 (day spa use). The particular tourist accommodation unit to which this Application relates is attached to one other tourist accommodation unit, which will be retained for its current use. This would ordinarily require the dividing wall between the two units to be a fire wall. However, an alternative fire safety performance solution is proposed by this Application, which involves the installation of an automatic fire detection and alarm system. The fire safety performance solution will require the issuing of a Construction Certificate (**'CC'**) following the issuing of development consent to the Application. Other than the installation of the fire safety performance solution, no other physical works are envisaged in order to achieve the proposed change of use.

The Application also seeks an exemption from the access requirements, showing similarities to the D4D5 exemption in the NCC.

On balance, it is considered that the Application seeks consent to a satisfactory proposal. The use of the unit as a day spa is *ancillary* to the current tourist accommodation use. The Proposal is ancillary to does not seek to contravene any development standards and does not offend any objectives of the Zone 2 Settlement, as set out in cl 14 of the LHILEP 2010. The Proposal will enable Pinetrees Lodge to offer an additional service to its guests, which ultimately creates a positive economic benefit. As the day spa will operate within an existing unit, the Proposal will have a neutral impact on both the built and natural

[3] See cl 24(1)(b)(i) EPA Reg.

environment. No adverse social impacts are envisaged. On these bases, the Proposal is in the public interest and it is requested that the LHIB approve the Application and issue development consent in due course.

**PRECISE PLANNING**
July 2025

# ANNEXURE A - Approved form

| Reference / Requirement | Response |
|---|---|
| **1.1 Information required for development applications** | |
| a. the name and address of the applicant | Pinetrees Lodge Pty Ltd<br>c/- 221 Lagoon Road LHI |
| b. a description of the development to be carried out | See s 3 of this SEE |
| c. the address and formal particulars of title of the land on which the development is to be carried out | See s 2.1 of this SEE |
| d. an indication as to whether the land is, or is part of, critical habitat | The Subject Site is not critical habitat |
| e. an indication as to whether the development is likely to significantly affect threatened species, populations or ecological communities, or their habitats, unless the development is taken to be development that is not likely to have such an effect because it is biodiversity compliant development | The Proposal will not significantly affect threatened species, populations or ecological communities or their habitats |
| f. the estimated cost of the development | $11,000 (incl GST) |
| g. evidence that the owner of the land on which the development is to be carried out consents to the application, but only if the application is made by a person other than the owner and the owner's consent is required by the Regulation | Crown landowner's consent is sought in conjunction with the Application |
| h. a list of the documents accompanying the application | See s 1.2 Table 1 of this SEE |
| i. a statement of environmental effects | This document |
| j. a site plan of the land | See Application documentation |
| k. drawings of the development | See Application documentation |

| **Table 1 requirements (as relevant)** | | |
|---|---|---|
| **Circumstance** | **Requirements** | **Response** |

| Reference / Requirement | | Response |
|---|---|---|
| Arrangements before consent can be granted under an environmental planning instrument | a. Documentary evidence that such arrangements have been made | None |
| Building work to alter, expand or rebuild an existing building | b. A scaled plan of the existing building | N/A |
| Change of use of a building (other than a dwelling-house or a building or structure that is ancillary to a dwelling-house and other than a temporary structure) | c. A list of the Category 1 fire safety provisions that currently apply to the existing building.<br>d. A list of the Category 1 fire safety provisions that are to apply to the building following its change of use | Provided |
| Concurrence | e. A list of any authorities from which concurrence must be obtained before the development may lawfully be carried out or from which concurrence would have been required but for section 4.13(2A) or 4.41 of the Act<br>f. A statement by the applicant that the relevant matters in the Development referrals guide have been considered | None<br><br>The Applicant confirms that the relevant matters in the Development referrals guide have been considered |
| Development involving mining for coal (within the meaning of section 380AA of the *Mining Act 1992)* | g. Documentary evidence that the applicant holds an authority under the *Mining Act 1992* in respect of coal and the land concerned, or has the written consent of the holder of such an authority to make the development application | N/A |
| Development referred to in State Environmental Planning Policy (Housing) 2021, clause 45(1) | h. Evidence or information demonstrating whether the development is likely to result in the loss of low-rental dwellings on the land to which the application relates during the relevant period, within the meaning of State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 3 | |
| Development permitted under State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 2 | i. The name of the registered community housing provider who will be managing the boarding house | |
| Development for a boarding house or co-living house | j. A plan of management | |

| Reference / Requirement | | Response |
|---|---|---|
| Entertainment venues, function centres, pubs, registered clubs or restaurants | k. A statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies | |
| Erection of a building | l. An A4 plan of the building that indicates its height and external configuration, as erected, in relation to its site | N/A |
| Integrated development | m. A list of any approvals of the kind referred to in section 4.46(1) of the Act that must be obtained before the development may lawfully be carried out<br>n. A statement by the applicant that the relevant matters in the Development referrals guide have been considered | No<br><br>The relevant matters in the Development referrals guide have been considered by the Applicant |
| Land that is, or is part of, critical habitat or development that is likely to significantly affect threatened species, populations or ecological communities, or their habitats | o. A species impact statement | |
| Land that is in a wilderness area and is the subject of a wilderness protection agreement or conservation agreement within the meaning of the *Wilderness Act 1987* | p. A copy of the consent of the Minister for Energy and Environment to the carrying out of the development | N/A |
| Manor houses or multi-dwelling houses (terraces) to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies | q. A statement, in the form approved by the Planning Secretary, by a qualified designer or a person accredited as a building designer by the Building Designers Association of Australia that–<br>o verifies that the designer or person designed, or directed the design of, the development | |

| Reference / Requirement | Response |
|---|---|
| ○ addresses how the design is consistent with the relevant design criteria set out in the Low Rise Housing Diversity Design Guide | |
| Subdivision — r. Preliminary engineering drawings of the work to be carried out | |
| Temporary structure — s. Documentation that specifies the live and dead loads the temporary structure is designed to meet<br>t. A list of any proposed fire safety measures to be provided in connection with the use of the temporary structure<br>u. In the case of a temporary structure proposed to be used as an entertainment venue–a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the Building Code of Australia are to be complied with (if a performance solution, to meet the performance requirements, is to be used)<br>v. Documentation describing any accredited building product or system sought to be relied on for the purposes of section 4.15(4) of the Act<br>w. Copies of any compliance certificates to be relied on | N/A |

**1.2 Requirements for a statement of environmental effects**

| Reference/Requirement | Response |
|---|---|
| a. The environmental impacts of the development | See s 4.5 of this SEE |
| b. How the environmental impacts of the development have been identified | |
| c. The steps to be taken to protect the environment or to lessen the expected harm to the environment | |
| d. Any matters required to be indicated by any guidelines issued by the Planning Secretary | None, other than the Approved Form |
| e. Drawings of the proposed development in the context of surrounding development, including the streetscape | N/A |

| Reference / Requirement | Response |
|---|---|
| f. Development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations | |
| g. Drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context | |
| h. If the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts | |
| i. Photomontages of the proposed development in the context of surrounding development | |
| j. A sample board of the proposed materials and colours of the façade | |
| k. Detailed sections of the facades | |
| l. If appropriate, a model that includes the context | |
| **1.3 Requirements for a Site Plan** | |
| a. Location, boundary dimensions, site area and north point of the land | See site plan provided |
| b. Existing vegetation and trees on the land | |
| c. Location and uses of existing buildings on the land | |
| d. Existing levels of the land in relation to buildings and roads | |
| e. Location and uses of building on sites adjoining the land | |
| **1.4 Requirements for Drawings** | |
| Location of any proposed buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development | See plans provided |
| Floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building | |

| | |
|---|---|
| Elevations and sections showing proposed external finishes and heights of any proposed buildings (other than temporary structures) | |
| Elevations and sections showing heights of any proposed temporary structures and the materials of which any such structures are proposed to be made (using the abbreviations set out in s 5 of the Reg) | |
| Proposed finished levels of the land in relation to existing and proposed buildings and roads | |
| Proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate) | |
| Proposed landscaping and treatment of the land (indicating plant types and their height at maturity) | |
| Proposed methods of draining the land | |
| In the case of development that requires a BASIX certificate, such other matters as any BASIX certificate for the development requires to be included on the drawings | |
| In the case of BASIX optional development - if the application is accompanied by a BASIX certificate or BASIX certificates, such other matters as any BASIX certificate for the development requires to be included on the drawings | |
| **1.5 Other requirements** | |

*Table 8 - Approved form requirements*

# DEVELOPMENT APPLICATION

## PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE
## 221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213
## FOR **PINETREES**

### DRAWING SCHEDULE

| | | | |
|---|---|---|---|
| **COVER SHEET, SPECIFICATION & SITE PLANS** | | | |
| A001 | COVER SHEET, DRAWING SCHEDULE & LOCATION PLAN | B | 28/07/25 |
| A002 | W.H.S., PROJECT & CONSTRUCTION NOTES | B | 28/07/25 |
| A003 | SITE PLAN | B | 28/07/25 |
| **PLANS** | | | |
| A101 | FLOOR PLAN (EXISTING) | B | 28/07/25 |
| A102 | FLOOR PLAN (PROPOSED) | B | 28/07/25 |
| A103 | ROOF PLAN | B | 28/07/25 |
| **ELEVATIONS** | | | |
| A201 | ELEVATIONS | B | 28/07/25 |
| A202 | ELEVATIONS | B | 28/07/25 |
| **SECTIONS** | | | |
| A301 | SECTIONS | B | 28/07/25 |
| A302 | SECTIONS | B | 28/07/25 |

### PROJECT NOTES

DRAWINGS ARE TO BE READ IN CONJUNCTION WITH:
- BCA REPORT BY BY "ALLCERT PTY LTD"
- FIRE ENGINEERING BY "FIRE + RESCUE"
- ACCESSIBILITY REPORT BY "ACCESSIBLE BUILDING SOLUTIONS PTY LTD"

ABBREVIATIONS:
- SD - SMOKE DETECTOR / ALARM (INTERLINKED HARDWIRED)
- DP - DOWNPIPE
- V.O.S. - VERIFY ONSITE
- W x H - WIDTH x HEIGHT
- FFL - FINISHED FLOOR LEVEL
- FCL - FINISHED CEILING LEVEL
- NGL - NATURAL GROUND LEVEL
- FGL - FINISHED GROUND LEVEL
- WM - WASHING MACHINE
- DW - DISHWASHER
- SHWR - SHOWER
- REF - REFRIGERATOR
- LIN - LINEN CUPBOARD
- L'DRY - LAUNDRY
- WIP - WALK-IN PANTRY
- BIR - BUILT-IN ROBE
- VAC - VACUUM
- PROV. - PROVISION

ALL CONSTRUCTION MUST COMPLY WITH BCA - VOLUME 1, RELEVANT AUSTRALIAN STANDARDS & PROJECT SPECIFICATIONS.

**NOTE:** ANY DISCREPANCY WITH THE ABOVE SHALL BE REFERRED TO THE RELEVANT CONSULTANT/COUNCIL BEFORE PROCEEDING WITH ANY WORK.


LOCATION PLAN

NEXT LEVEL Design Studio
P: 1300 11 NLBD | E: admin@nlbd.com.au | W: www.nlbd.com.au

ABSA Australian Building Sustainability Association
bdaa BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA



| | |
|---|---|
| COUNCIL | UNINCORPORATED LORD HOWE ISLAND |
| CLIENT | PINETREES |
| PROJECT DESCRIPTION | PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE |
| SITE ADDRESS | 221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213 |
| SCALE A3 | |
| DRAWN | PA |
| DATE | 28/07/25 |
| JOB No. | 1360 |
| REV No. | B |
| DWG No. | A001 |

## THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT. THIS INCLUDES (but is not excluded to): OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS.

### 1. FALLS, SLIPS, TRIPS

**a) WORKING AT HEIGHTS**

**DURING CONSTRUCTION**

Wherever possible, components for this building should be prefabricated off-site or at ground level to minimise the risk of workers falling more than two metres. However, construction of this building will require workers to be working at heights where a fall in excess of two metres is possible and injury is likely to result from such a fall. The builder should provide a suitable barrier wherever a person is required to work in a situation where falling more than two metres is a possibility.

**DURING OPERATION OR MAINTENANCE**

For houses or other low-rise buildings where scaffolding is appropriate:
- Cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible. Where this type of activity is required, scaffolding, builders or trestles should be used in accordance with relevant codes of practice, regulations or legislation.

For buildings where scaffold, ladders, trestles are not appropriate:
- Cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible. Where this type of activity is required, scaffolding, fall barriers or Personal Protective Equipment (PPE) should be used in accordance with relevant codes of practice, regulations or legislation.

**b) SLIPPERY OR UNEVEN SURFACES**

**FLOOR FINISHES Specified**

If finishes have been specified by designer, these have been selected to minimise the risk of floors and paved areas becoming slippery when wet or when walked on with wet shoes/feet. Any changes to the specified finish should be made in consultation with the designer or, if this is not practical, surfaces with an equivalent or better slip resistance should be chosen.

**FLOOR FINISHES By Owner**

If designer has not not been involved in the selection of surface finishes, the owner is responsible for the selection of surface finishes in the pedestrian trafficable areas of this building. Surfaces should be selected in accordance with AS HB 197:1999 and AS/NZ 4586:2004.

**STEPS, LOOSE OBJECTS AND UNEVEN SURFACES**

Due to design restrictions for this building, steps and/or ramps are included in the building which may be a hazard to workers carrying objects or otherwise occupied. Steps should be clearly marked with both visual and tactile warning during construction, maintenance, demolition and at all times when the building operates as a workplace.
Building owners and occupiers should monitor the pedestrian access ways and in particular access to areas where maintenance is routinely carried out to ensure that surfaces have not moved or cracked so that they become uneven and present a trip hazard.
Spills, loose material, stray objects or any other matter that may cause a slip or trip hazard should be cleaned or removed from access ways.
Contractors should be required to maintain a tidy work site during construction, maintenance or demolition to reduce the risk of trips and falls in the workplace. Materials for construction or maintenance should be stored in designated areas away from access ways and work areas.

### 2. FALLING OBJECTS

**LOOSE MATERIALS OR SMALL OBJECTS**

Construction, maintenance or demolition work on or around this building is likely to involve persons working above ground level or above floor levels. Where this occurs one or more of the following measures should be taken to avoid objects falling from the area where the work is being carried out onto persons below.

1. Prevent or restrict access to areas below where the work is being carried out.
2. Provide toeboards to scaffolding or work platforms.
3. Provide protective structure below the work area.
4. Ensure that all persons below the work area have Personal Protective Equipment (PPE).

**BUILDING COMPONENTS**

During construction, renovation or demolition of this building, parts of the structure including fabricated steelwork, heavy panels and many other components will remain standing prior to or after supporting parts are in place. Contractors should ensure that temporary bracing or other required support is in place at all times when collapse which may injury persons in the area is a possibility.
Mechanical lifting of materials and components during construction, maintenance or demolition presents a risk of falling objects. Contractors should ensure that appropriate lifting devices are used, that loads are properly secured and that access to areas below the load is prevented or restricted.

### 3. TRAFFIC MANAGEMENT

For building on a major road: narrow road or steeply sloping road:
- Parking of vehicles or loading/unloading of vehicles on the roadway may cause a traffic hazard. During construction, maintenance or demolition of this building designated parking for workers and loading areas should be provided. Trained traffic management personnel should be responsible for the supervision of these areas.For building where on-site loading/ unloading is restricted:
- Construction of this building will require loading and unloading of congestion of loading areas and trained traffic management personnel should be used to supervise loading/ unloading areas.For all buildings:
- Busy construction and demolition sites present a risk of collision where deliveries and other traffic are moving within the site. A traffic management plan supervised by trained traffic management personnel should be adopted for the work site.

### 4. SERVICES

**GENERAL**

Rupture of services during excavation or other activity, creates a variety of risks including release of hazardous material. Existing services are located on or around this site. Where known, these are identified on the plans but the exact location and extent of services may vary from that indicated. Services should be located using an appropriate service (such as Dial Before You Dig), appropriate excavation practice should be used and, where necessary, specialist contractors should be used.
Locations with underground power:
Underground power lines MAY be located in or around this site. All underground power lines must be disconnected or carefully located and adequate warning signs used prior to any maintenance construction, maintenance or demolition commencing.
Locations with overhead power lines:
Overhead power lines MAY be near or on this site. These pose a risk of electrocution if struck or approached by lifting devices or other plant and persons working above ground level. Where there is a danger of this occurring, power lines should be, where practical, disconnected or relocated. Where this is not practical adequate warning in the form of bright coloured tape or signage should be used or a protective barrier provided.

### 5. MANUAL TASKS

Components within this design with a mass in excess of 25kg should be lifted by two or more workers or by mechanical lifting device. Where this is not practical, suppliers or fabricators should be required to limit the component mass.
All material packaging, building and maintenance components should clearly show the total mass of packages and where practical all items should be stored on site in a way which minimises bending before lifting. Advice should be provided on safe lifting methods in all areas where lifting may occur.
Construction, maintenance and demolition of this building will require the use of portable tools and equipment. These should be fully maintained in accordance with manufacturer's specifications and not used where faulty or (in the case of electrical equipment) not carrying a current electrical safety tag.
All safety guards or devices should be regularly checked and Personal Protective Equipment should be used in accordance with manufacturer's specification.

### 6. HAZARDOUS SUBSTANCES

**ASBESTOS**

For alterations to a building constructed prior to 1990:
If this existing building was constructed prior to:
1990 - it therefore may contain asbestos
1986 - it therefore is likely to contain asbestos either in cladding material or in fire retardant insulation material. In either case, the builder should check and, if necessary, take appropriate action before demolishing, cutting, sanding, drilling or otherwise disturbing the existing structure.

**POWDERED MATERIALS**

Many materials used in the construction of this building can cause harm if inhaled in powdered form. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear Personal Protective Equipment including protection against inhalation while using powdered material or when sanding, drilling, cutting or otherwise disturbing or creating powdered material.

**TREATED TIMBER**

The design of this building may include provision for the inclusion of treated timber within the structure. Dust or fumes from this material can be harmful. Persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear Personal Protective Equipment including protection against inhalation of harmful material when sanding, drilling, cutting or using treated timber in any way that may cause harmful material to be released. Do not burn treated timber.

**VOLATILE ORGANIC COMPOUNDS**

Many types of glue, solvents, spray packs, paints, varnishes and some cleaning materials and disinfectants have dangerous emissions. Areas where these are used should be kept well ventilated while the material is being used and for a period after installation. Personal Protective Equipment may also be required. The manufacturer's recommendations for use must be carefully considered at all times.

### 7. CONFINED SPACES

**EXCAVATION**

Construction of this building and some maintenance on the building will require excavation and installation of items within excavations. Where practical, installation should be carried out using methods which do not require workers to enter the excavation. Where this is not practical, adequate support for the excavated area should be provided to prevent collapse. Warning signs and barriers to prevent accidental or unauthorised access to all excavations should be provided.

**ENCLOSED SPACES**

For buildings with enclosed spaces where maintenance or other access may be required:
- Enclosed spaces within this building may present a risk to persons entering for construction, maintenance or any other purpose. The design documentation calls for warning signs and barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter enclosed spaces, air testing equipment and Personal Protective Equipment should be provided.

**SMALL SPACES**

For buildings with small spaces where maintenance or other access may be required:
- Some small spaces within this building will require access by construction or maintenance workers. The design documentation calls for warning signs and barriers to unauthorised access. These should be maintained throughout the life of the building. Where workers are required to enter small spaces they should be scheduled so that access is for short periods. Manual lifting and other manual activity should be restricted in small spaces.

### 8. PUBLIC ACCESS

Public access to construction and demolition sites and to areas under maintenance causes risk to workers and public. Warning signs and secure barriers to unauthorised access should be provided. Where electrical installations, excavations, plant or loose materials are present they should be secured when not fully supervised.

### 9. OPERATIONAL USE OF RESIDENTIAL BUILDING

This building has been designed as a residential building. If it, at a later date, it is used or intended to be used as a workplace, the provisions of the Work Health and Safety Act 2011 or subsequent replacement Act should be applied to the new use.

### 10.OTHER HIGH RISK ACTIVITY

- All electrical work should be carried out in accordance with Code of Practice: Managing Electrical Risks at the Workplace, AS/NZ 3012 and all licensing requirements.
- All work using Plant should be carried out in accordance with Code of Practice: Managing Risks of Plant at the Workplace.
- All work should be carried out in accordance with Code of Practice: Managing Noise and Preventing Hearing Loss at Work.
- Due to the history of serious incidents it is recommended that particular care be exercised when undertaking work involving steel construction and concrete placement. All the above applies.

## COMPLIANCE NOTES - NCC BCA 2022 VOL. 1 - AMENDMENT 1

- THE INTERNAL FITOUT IS TO BE FULLY ACCESSIBLE IN ACCORDANCE WITH BCA PART D4 AND AS 1428.1-2009 & AS 1428.4-2009
- ALL FLOOR, WALL AND CEILING LINING MATERIALS ARE TO BE WITH EXEMPT BY OR COMPLY WITH BCA CL C2D11 AND SPECIFICATION 7 - FIRE HAZARD PROPERTIES;
- ALL DOOR HANDLES AND LOCKS WILL COMPLY WITH BCA CL D3D26;
- ALL GLAZING WILL COMPLY WITH AS 1288-2021;
- ALL EXITS AND PATHS OF TRAVEL TO AN EXIT FROM ANY POINT ON THE FLOOR WILL COMPLY WITH BCA CL D2D7, D2D8, D2D9, D2D10 & D2D11;
- ALL FLOORING SLIP RESISTANCE MUST COMPLY WITH AS 4586-2013 AMD 1:2017 & AS 1428-2009
- THE BUILDING IS TO BE PROVIDED WITH PORTABLE FIRE EXTINGUISHERS COMPLYING WITH AS 2444-2001
- THE BUILDING IS TO BE PROVIDED WITH EMERGENCY LIGHTING AND EXIT SIGNAGE COMPLYING WITH AS 2293.1-2018 AND NOT LIMITED TO THE FOLLOWING:
  - AS 2293.1-2005 STANDARD FOR SYSTEM DESIGN, INSTALLATION, AND OPERATION
  - AS/NZS 2293.2:1995 STANDARD FOR INSPECTION AND MAINTENANCE
  - AS 2293.3-2005 STANDARD FOR EMERGENCY ESCAPE LUMINARIES AND EXIT SIGNS
- FIRE SAFETY SCHEDULE AND ANNUAL FIRE SAFETY STATEMENT
- HVAC SYSTEMS TO BE INSPECTED AND CERTIFIED BY A QUALIFIED TECHNICIAN/ENGINEER & WILL COMPLY WITH AS 1668.1,2,4
- ALL DEVOLUTION WORK MUST BE CARRIED OUT IN ACCORDANCE WITH AS2601-2001.
- ANY ASBESTOS PRESENT IN THE BUILDING SHALL BE REMOVED BY A REGISTERED ASBESTOS REMOVALIST.

ANY DISCREPANCIES WITH PLANS AND THE ABOVE STANDARDS MUST BE REFERRED TO THE RELEVANT CONSULTANT/TRADE PRIOR TO PROCEEDING WITH ANY WORKS

## GENERAL POWER NOTES

1. ALL OUTLETS SHALL BE FLUSH MOUNTED UNLESS NOTED OTHERWISE, OR DIRECTED ON SITE. OUTLETS SHALL BE MOUNTED 300 ABOVE FINISHED FLOOR LEVEL (AFFL) OR 100 ABOVE BENCH TOPS UNLESS NOTED OTHERWISE OR AS DIRECTED ON SITE. ALL SWITCH FLUSHPLATES SHALL BE MOUNTED AT 1000AFFL OR IN LINE WITH DOOR HANDLES.
2. COORDINATE WITH OTHER TRADE SERVICES FOR CORRECT TYPE OF CONNECTION AND LOCATIONS OF CONTROL PANELS EQUIPMENT, PUMPS, HWU, REFRIGERATION ETC.
3. LOCATIONS SHOWN ON THESE DRAWINGS ARE APPROXIMATE ONLY. FINAL LOCATION OF ALL EQUIPMENT, SWITCHBOARDS, CONTROL PANELS, POWER OUTLETS, SWITCH PANELS, LUMINAIRES, ETC, SHALL BE COORDINATED ON SITE. ALL POSITIONS AND MOUNTING HEIGHTS WHERE NOMINATED ON THE ELECTRICAL SERVICES DRAWINGS ARE APPROXIMATE ONLY AND MUST BE CONFIRMED ON SITE BEFORE INSTALLATION. UNDER NO CIRCUMSTANCES SHALL EXACT POSITIONS BE SCALED FROM THESE DRAWINGS.
4. WHERE SWITCHED, OUTLETS, ETC ARE RECESSED IN FIRE RATED WALLS, MAINTAIN INTEGRITY OF FIRE RATING AND ACOUSTIC SHIELDING / BOXING IN BY FIRE RATED MOUNTING BOXES
5. POWER - MAXIMUM NUMBER OF GENERAL PURPOSE OUTLETS PER FINAL SUB-CIRCUITS SHALL NOT EXCEED SIXTEEN (16). DOUBLE GPO'S SHALL COUNT AS TWO (2) OUTLETS. POWER SUB-CIRCUITS TO BE MINIMUM 2.5MM² OR AS INDICATED. ALL CIRCUITS TO BE RCD PROTECTED. PROVIDE TYPED CIRCUIT LEGEND ON ALL DISTRIBUTION BOARDS. PROVIDE CIRCUIT NUMBER TAG IDENTIFICATION ON ALL CIRCUITS AS REQUIRED.
6. BUILDING PENETRATIONS: SEAL ALL PENETRATIONS TO NCC VOL 1 SPEC. 13 AND AS 3000 REQUIREMENTS
7. ALL CABLING WITHIN CABLING SPACE SHALL BE NEATLY CLIPPED TO CABLE TRAY CATENARY AND FOLLOW THE ROUTES OF EXISTING CABLING
8. LOCATION OF ALL OUTLETS ARE INDICATIVE ONLY. REFER TO ARCHITECTS DRAWINGS AND CONFIRM ALL OUTLET LOCATIONS PRIOR TO INSTALLATION ON SITE
9. ALL WORKS SHALL BE UNDERTAKEN IN ACCORDANCE WITH THE REQUIREMENTS OF AS 3000, AS 2293, AS 3080 AND BCA VOL 1

## EMERGENCY LIGHTING NOTES

ALL REQUIRED EXIT SIGNS & EMERGENCY LIGHTS MUST COMPLY WITH AUSTRALIAN STANDARD AS2293.1 AND NOT LIMITED TO THE FOLLOWING:

- AS 2293.1-2005 STANDARD FOR SYSTEM DESIGN, INSTALLATION, AND OPERATION
- AS/NZS 2293.2:1995 STANDARD FOR INSPECTION AND MAINTENANCE
- AS 2293.3-2005 STANDARD FOR EMERGENCY ESCAPE LUMINARIES AND EXIT SIGNS
- FIRE SAFETY SCHEDULE AND ANNUAL FIRE SAFETY STATEMENT

ANY DISCREPANCIES WITH RCP AND THE ABOVE STANDARDS MUST BE REFERRED TO A LICENSED ELECTRICIAN PRIOR TO CUTTING OF CEILINGS AND INSTALLATION.

| REV | ISSUANCE | DATE |
|---|---|---|
| B | DA SUBMISSION ISSUE | 28/07/25 |



DO NOT scale off drawings and report any discrepancies to the designer before commencing work.

All works and materials are to comply with the relevant codes, specifications & local government regulations.

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NEXT LEVEL Design Studio
P: 1300 11 NLBD | E: admin@nlbd.com.au | W: www.nlbd.com.au

DRAWING NAME: W.H.S., PROJECT & CONSTRUCTION NOTES

PROJECT DESCRIPTION: PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE

CLIENT & SITE ADDRESS: PINETREES, 221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213

COUNCIL: UNINCORPORATED LORD HOWE ISLAND

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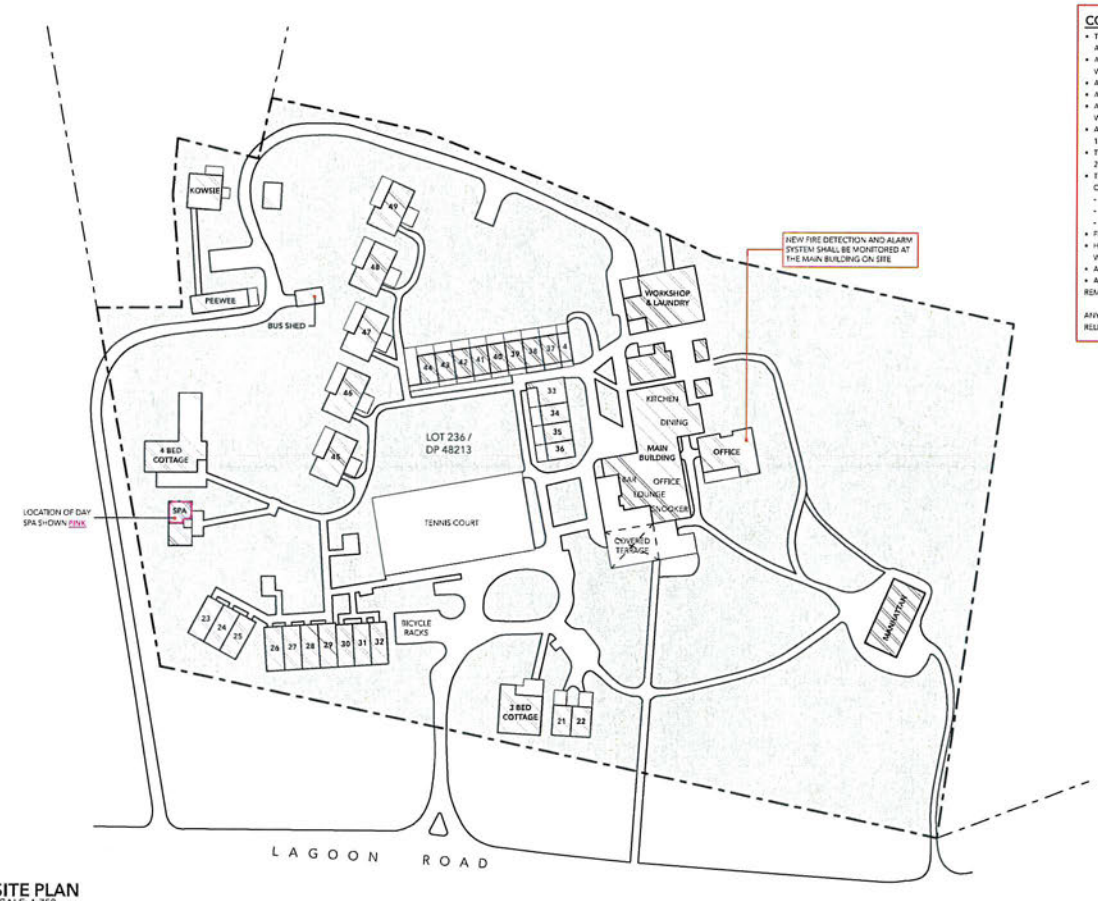
| SCALE A3 | |
| DRAWN | PA |
| DATE | 28/07/25 |
| JOB No. | 1360 |
| REV No. | B |
| DWG No. | A002 |




## SITE PLAN
SCALE: 1:750

**COMPLIANCE NOTES - NCC BCA 2022 VOL. 1 - AMENDMENT 1**

- THE INTERNAL FITOUT IS TO BE FULLY ACCESSIBLE IN ACCORDANCE WITH BCA PART D4 AND AS 1428.1-2009 & AS 1428.4-2009
- ALL FLOOR, WALL AND CEILING LINING MATERIALS ARE TO BE WITH EXEMPT BY OR COMPLY WITH BCA CL C2D11 AND SPECIFICATION 7 - FIRE HAZARD PROPERTIES;
- ALL DOOR HANDLES AND LOCKS WILL COMPLY WITH BCA CL D3D26;
- ALL GLAZING WILL COMPLY WITH AS 1288-2021;
- ALL EXITS AND PATHS OF TRAVEL TO AN EXIT FROM ANY POINT ON THE FLOOR WILL COMPLY WITH BCA CL D2D7, D2D8, D2D9, D2D10 & D2D11;
- ALL FLOORING SLIP RESISTANCE MUST COMPLY WITH AS 4586:2013 AMD 1:2017 & AS 1428-2009
- THE BUILDING IS TO BE PROVIDED WITH PORTABLE FIRE EXTINGUISHERS COMPLYING WITH AS 2444-2001
- THE BUILDING IS TO BE PROVIDED WITH EMERGENCY LIGHTING AND EXIT SIGNAGE COMPLYING WITH AS 2293.1-2018 AND NOT LIMITED TO THE FOLLOWING:
  - AS 2293.1-2005 STANDARD FOR SYSTEM DESIGN, INSTALLATION, AND OPERATION
  - AS/NZS 2293.2:1995 STANDARD FOR INSPECTION AND MAINTENANCE
  - AS 2293.3-2005 STANDARD FOR EMERGENCY ESCAPE LUMINAIRES AND EXIT SIGNS
- FIRE SAFETY SCHEDULE AND ANNUAL FIRE SAFETY STATEMENT
- HVAC SYSTEMS TO BE INSPECTED AND CERTIFIED BY A QUALIFIED TECHNICIAN/ENGINEER & WILL COMPLY WITH AS 1668.1,2,4
- ALL DEVOLITION WORK MUST BE CARRIED OUT IN ACCORDANCE WITH AS2601-2001
- ANY ASBESTOS PRESENT IN THE BUILDING SHALL BE REMOVED BY A REGISTERED ASBESTOS REMOVALIST.

ANY DISCREPANCIES WITH PLANS AND THE ABOVE STANDARDS MUST BE REFERRED TO THE RELEVANT CONSULTANT/TRADE PRIOR TO PROCEEDING WITH ANY WORKS

| REV | ISSUANCE | DATE |
|---|---|---|
| B | DA SUBMISSION ISSUE | 28/07/25 |
| A | PLANNER/CLIENT REVIEW ISSUE | 11/03/25 |

APPROX. NORTH



DO NOT scale off drawings and report any discrepancies to the designer before commencing work.

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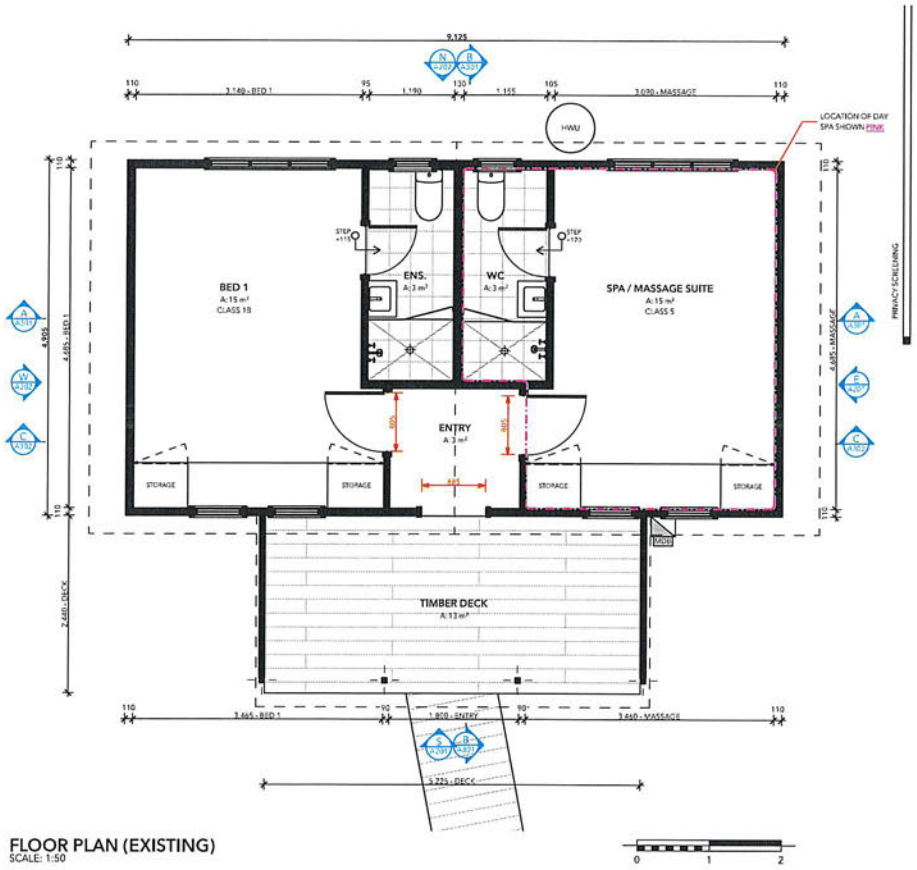
DRAWING NAME: SITE PLAN

PROJECT DESCRIPTION: PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE

CLIENT & SITE ADDRESS: PINETREES
221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213

COUNCIL: UNINCORPORATED LORD HOWE ISLAND

| | |
|---|---|
| SCALE A3 | 1:750 |
| DRAWN | PA |
| DATE | 28/07/25 |
| JOB No. | 1360 |
| REV No. | B |
| DWG No. | A003 |




## FLOOR PLAN (EXISTING)
SCALE: 1:50

**LEGEND**

EXISTING

TO BE DEVOLISHED

LOCATION OF DAY SPA

**LEGEND**

| | | | | | |
|---|---|---|---|---|---|
| MSB | ELECTRICAL DISTRIBUTION BOARD | FB | FIRE BLANKET | VAD | VISUAL ALARM DEVICE |
| FED | PORTABLE FIRE EXTINGUISHER | FHR | FIRE HOSE REEL | SD | SMOKE DETECTOR |
| FHD | FIRE HYDRANT | MCP | MANUAL CALL POINT | EXIT | EMERGENCY EXIT |

| REV | ISSUANCE | DATE |
|---|---|---|
| B | DA SUBMISSION ISSUE | 28/07/25 |
| A | PLANNER/CLIENT REVIEW ISSUE | 11/03/25 |

TRUE NORTH



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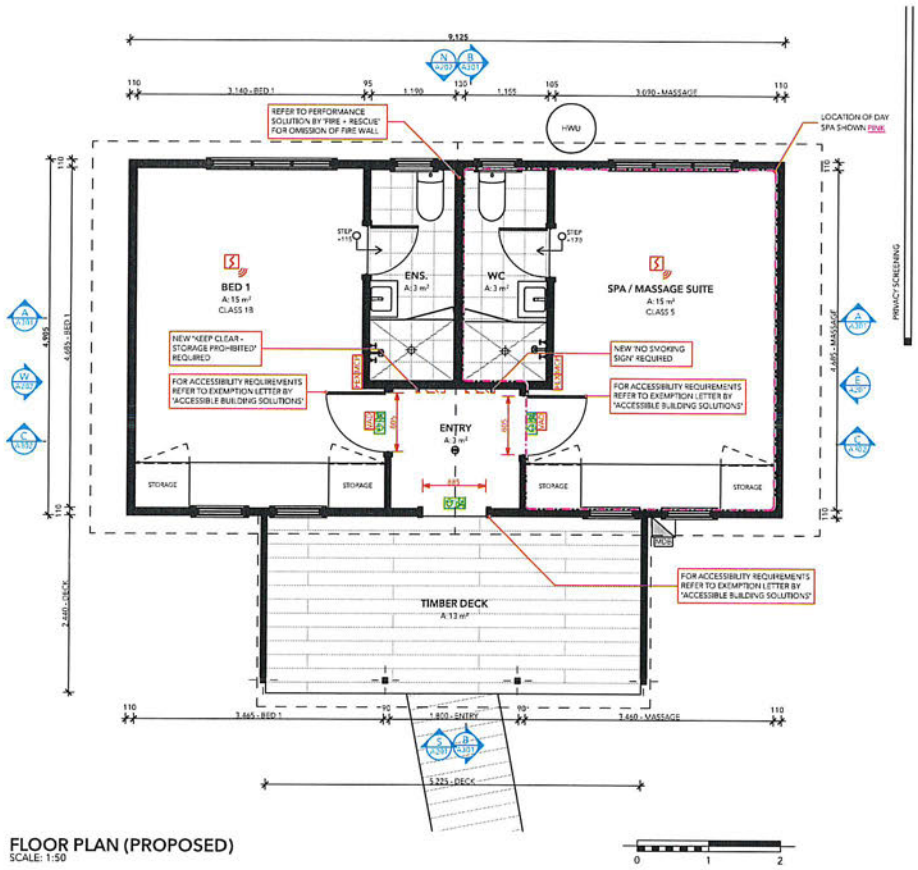
DRAWING NAME
FLOOR PLAN (EXISTING)

PROJECT DESCRIPTION
PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE

CLIENT & SITE ADDRESS
PINETREES
221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213

COUNCIL
UNINCORPORATED LORD HOWE ISLAND

| | |
|---|---|
| SCALE A3 | 1:50 |
| DRAWN | PA |
| DATE | 28/07/25 |
| JOB No. | 1360 |
| REV No. | B |
| DWG No. | A101 |




FLOOR PLAN (PROPOSED)
SCALE: 1:50

## FIRE ENGINEERING COMPLIANCE NOTES:

MITIGATION OF FIRE RISK AND HAZARDS:
- COOKING AND FOOD PREPARATION IS PROHIBITED FROM ALL PARTS OF THE BUILDING WHICH REMOVES A POTENTIAL FIRE IGNITION SOURCE AND HAZARD.
- THE HOT WATER UNIT SHALL BE LOCATED EXTERNALLY AND NOT WITHIN THE CONFINES OF THE BUILDING OR COVERED AREA PORTION, REDUCING ITS FIRE RISK AS AN IGNITION SOURCE AND HAZARD.
- THE STRICT ENFORCEMENT OF THE "NO-SMOKING" POLICY SHALL BE IMPLEMENTED THROUGHOUT THE BUILDING AND ENFORCED THROUGH PERMANENT SIGNAGE MOUNTED AT A HEIGHT OF 1.7m-2.1m INDICATING THE WORDS 'NO SMOKING' IN ACCORDANCE WITH THE SMOKE-FREE ENVIRONMENT REGULATION 2007. THIS PROVISION IS EXPECTED TO REDUCE THE RISK OF DISCARDED CIGARETTES (OR THE LIKE) BECOMING AN IGNITION SOURCE.
- THE CLASS 5 UNIT SHALL BE LIMITED TO UP TO 5 OCCUPANTS AT A TIME WHERE IT SHALL BE LOCKED OUTSIDE OF NORMAL BUSINESS HOURS. THIS SHALL BE ENFORCED AS PART OF THE MANAGEMENT IN USE POLICIES WITHIN THE BUILDING AND BE INCLUDED AS AN ESSENTIAL FIRE SAFETY MEASURE WITHIN THE BUILDING FIRE SAFETY SCHEDULE. THIS PROVISION IS INTENDED TO REDUCE THE RISK OF A FIRE OCCURRING WITHIN THE CLASS 5 PORTION OF THE BUILDING.

ENHANCED FIRE DETECTION:
- WHILST NOT BEING REQUIRED UNDER THE DTS PROVISIONS OF THE BCA, A FIRE DETECTION AND ALARM SYSTEM IS PROPOSED TO BE PROVIDED THROUGHOUT THE BUILDING IN ACCORDANCE WITH AS1670.1-2018. THE PROVISION OF A FIRE DETECTION AND ALARM SYSTEM IS EXPECTED TO PROVIDE EARLY WARNING AND TO NOTIFY OCCUPANTS WHO MAY BE SLEEPING WITHIN THE CLASS 1B PORTION TO BE ALERTED OF A FIRE AND PROMPTLY EVACUATE THE BUILDING.
- ADDITIONALLY, THE FIRE DETECTION AND ALARM SYSTEM SHALL BE MONITORED AT THE MAIN BUILDING ON SITE. THIS PROVISION PROVIDES AN ADDITIONAL MEANS OF REDUNDANCY AS 24/7 SECURITY STAFF ONSITE CAN BE NOTIFIED OF A FIRE AND ASSIST IN FACILITATING OCCUPANT EVACUATION FROM THE BUILDING.
- A VISUAL ALARM DEVICE IS TO BE INSTALLED WITHIN EACH CLASS 1B AND 5 PORTION TO PROVIDE AN ADDITIONAL METHOD OF ALERTING OCCUPANTS OF A FIRE EVENT.
- MANUAL CALL POINTS ARE TO BE INSTALLED WITHIN CLASS 1B AND 5 PORTION TO PROVIDE AN ADDITIONAL METHOD OF ACTIVATING THE BUILDING OCCUPANT WARNING SYSTEM

REDUCED FUEL LOADS:
- THE COVERED COMMON AREA PORTION IS PROPOSED TO BE VOID OF ANY COMBUSTIBLE STORAGE AND FURNISHINGS SUCH THAT A STERILE ENVIRONMENT IS MAINTAINED. THIS IS TO BE MAINTAINED WITH THE USE OF PERMANENT SIGNAGE INDICATING THE WORDS "KEEP CLEAR - STORAGE PROHIBITED" IN UPPER CASE LETTERS NOT LESS THAN 50mm HIGH ON A CONTRASTING BACKGROUND.
- THE BUILDING IS OF A SINGLE STOREY AND INCORPORATES A TOTAL FLOOR AREA OF ONLY 58m². WITH CONSIDERATION THAT THE COVERED COMMON AREA (TOTAL FLOOR AREA OF 8m²) IS PROPOSED TO BE VOID OF ANY COMBUSTIBLE STORAGE, THE POTENTIAL FIRE LOAD AND FIRE SIZE WITHIN THE BUILDING WOULD BE CONSIDERABLY LOW.

INITIAL FIREFIGHTING:
- PORTABLE FIRE EXTINGUISHERS TO BE PROVIDED TO ALLOW TRAINED STAFF MEMBERS WITHIN THE CLASS 5 PORTION TO CONDUCT INITIAL FIREFIGHTING AND PREVENT FIRE SPREAD TO THE CLASS 1B RESIDENTIAL SOU. WHILST UNTRAINED, OCCUPANTS WITHIN THE CLASS 1B PORTION MAY USE PORTABLE FIRE EXTINGUISHERS TO CONDUCT INITIAL FIREFIGHTING. ALTERNATIVELY, RESIDENTIAL OCCUPANTS ARE EXPECTED TO EVACUATE THE BUILDING.

ASSESSMENT OF FIRE SCENARIOS:
- WHERE THE FIRE ORIGINATES IN THE CLASS 1B PORTION, OCCUPANTS WITHIN THE CLASS 5 PORTION WHO ARE FULLY AWAKE WOULD BE ALERTED OF A FIRE VIA THE BUILDING OCCUPANT WARNING SYSTEM AND EVACUATE THE BUILDING. DUE TO THE SMALL BUILDING FOOTPRINT, OCCUPANTS WITHIN THE CLASS 1B PORTION WOULD BE ABLE TO IDENTIFY THE FIRE VIA OLFACTORY CUES. OTHERWISE, THE BUILDING OCCUPANT WARNING SYSTEM WOULD ALERT ANY SLEEPING OCCUPANTS TO EVACUATE.

- WHERE THE FIRE ORIGINATES IN THE CLASS 5 PORTION, THE BUILDING OCCUPANT WARNING SYSTEM WOULD ALERT OCCUPANTS WITHIN THE CLASS 1B PORTION TO EVACUATE THE BUILDING. WITH CONSIDERATION THAT THE CLASS 5 PORTION WOULD ONLY BE OCCUPIED DURING OPERATING HOURS, STAFF MEMBERS WOULD BE ABLE TO ASSIST IN ALERTING ALL OTHER OCCUPANTS, EVEN THOSE IN THE CLASS 1B PORTION TO EVACUATE PRIOR TO FIRE SPREAD. DUE TO THE SMALL FLOOR AREA OF THE BUILDING, THE EGRESS TIME FOR OCCUPANTS TO REACH AN EXIT WOULD BE SHORT WHERE COMPLEX WAYFINDING WOULD NOT OCCUR

ANY DISCREPANCIES WITH THE ABOVE MUST BE REFERRED TO THE REPORT BY 'FIRE + RESCUE'

**LEGEND**

EXISTING

TO BE DEMOLISHED

LOCATION OF DAY SPA

**LEGEND**

| | | | | | |
|---|---|---|---|---|---|
| EDB | ELECTRICAL DISTRIBUTION BOARD | FB | FIRE BLANKET | VAD | VISUAL ALARM DEVICE |
| FEX | PORTABLE FIRE EXTINGUISHER | FHR | FIRE HOSE REEL | SD | SMOKE DETECTOR |
| FH | FIRE HYDRANT | MCP | MANUAL CALL POINT | EXIT | EMERGENCY EXIT |

| REV | ISSUANCE | DATE |
|---|---|---|
| B | DA SUBMISSION ISSUE | 28/07/25 |

APPROX. NORTH



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NEXT LEVEL Design Studio
P: 1300 11 NLBD | E: admin@nlbd.com.au | W: www.nlbd.com.au

DRAWING NAME: FLOOR PLAN (PROPOSED)

PROJECT DESCRIPTION: PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE

CLIENT & SITE ADDRESS: PINETREES, 221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213

COUNCIL: UNINCORPORATED LORD HOWE ISLAND

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|---|---|
| SCALE A3 | 1:50 |
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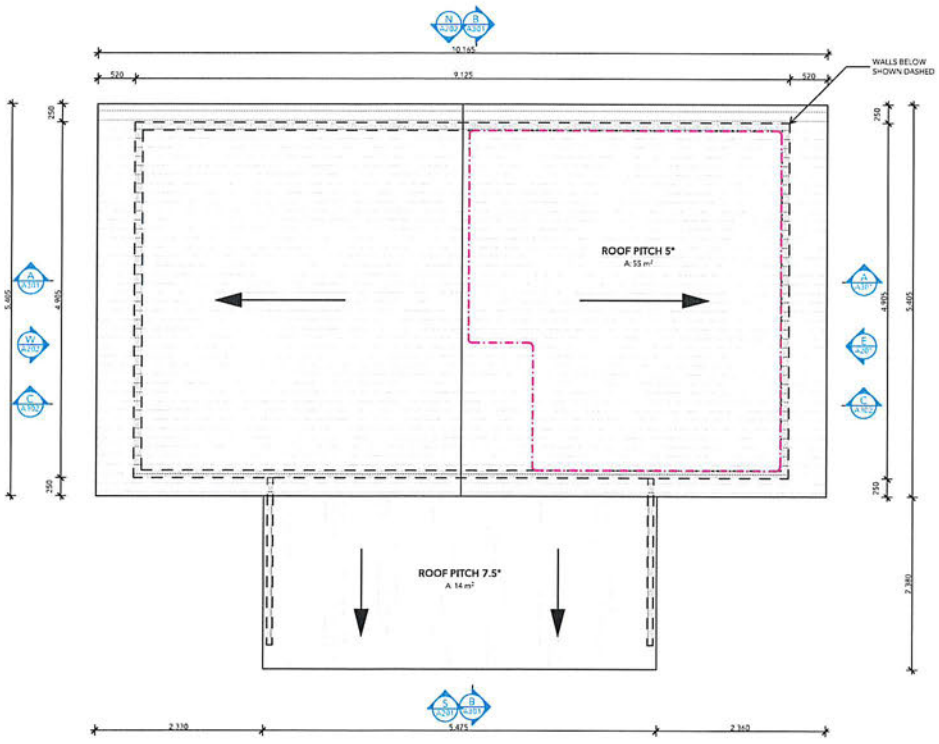
| DATE | 28/07/25 |
| JOB No. | 1360 |
| REV No. | B |
| DWG No. | A102 |




**LEGEND**

- EXISTING
- TO BE DEMOLISHED
- LOCATION OF DAY SPA

## ROOF PLAN
SCALE: 1:50

0 1 2

| REV | ISSUANCE | DATE |
|---|---|---|
| B | DA SUBMISSION ISSUE | 28/07/25 |

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NEXT LEVEL Design Studio

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DRAWING NAME
ROOF PLAN

PROJECT DESCRIPTION
PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE

CLIENT & SITE ADDRESS
PINETREES
221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213

COUNCIL
UNINCORPORATED LORD HOWE ISLAND

| | |
|---|---|
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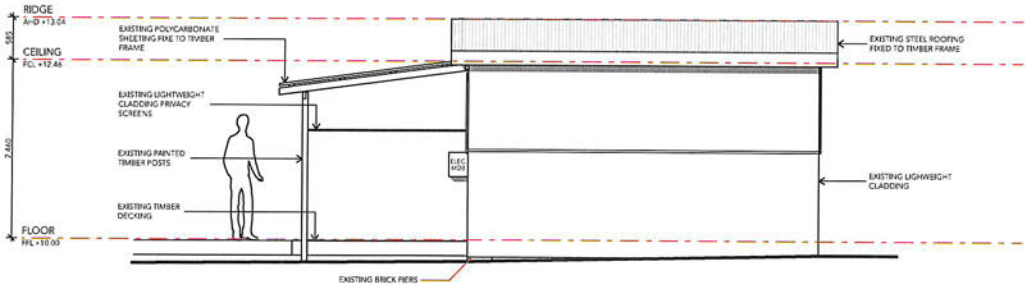
| REV No. | B |
| DWG No. | A103 |

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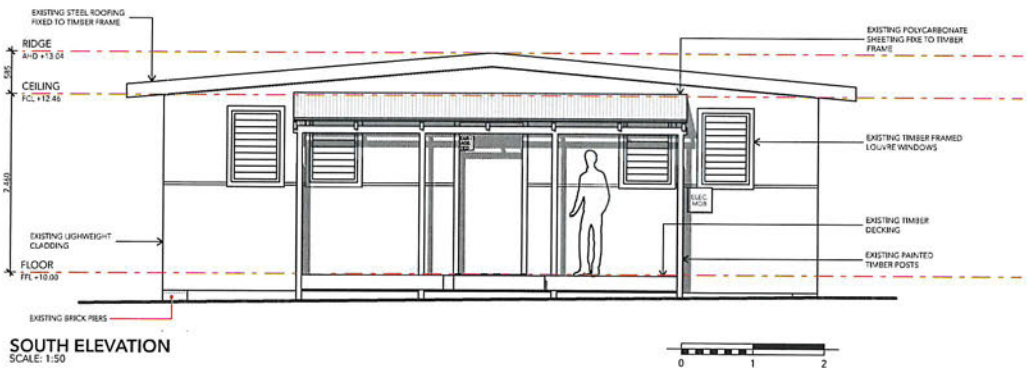
SCALE: 1:50




**SOUTH ELEVATION**
SCALE: 1:50

**FRONT ELEVATION**

| REV | ISSUANCE | DATE |
|---|---|---|
| B | DA SUBMISSION ISSUE | 28/07/25 |
| A | PLANNER/CLIENT REVIEW ISSUE | 11/03/25 |



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DRAWING NAME
ELEVATIONS

PROJECT DESCRIPTION
PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE

CLIENT & SITE ADDRESS
PINETREES
221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213

COUNCIL
UNINCORPORATED LORD HOWE ISLAND

| | |
|---|---|
| SCALE A3 | 1:50 |
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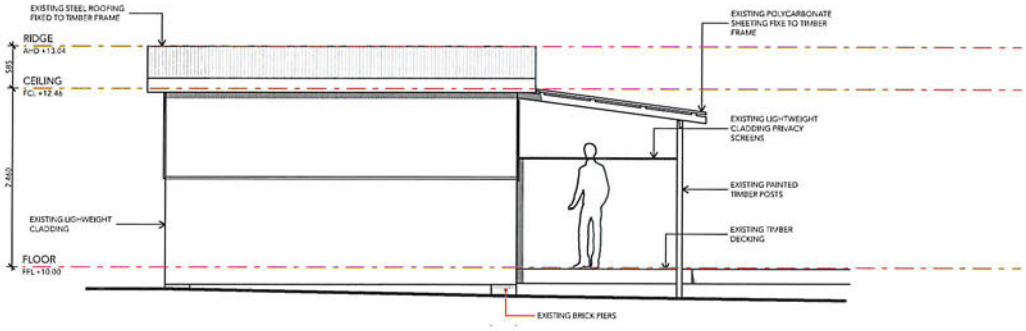
| DATE | 28/07/25 |
| JOB No. | 1360 |
| REV No. | B |
| DWG No. | A201 |

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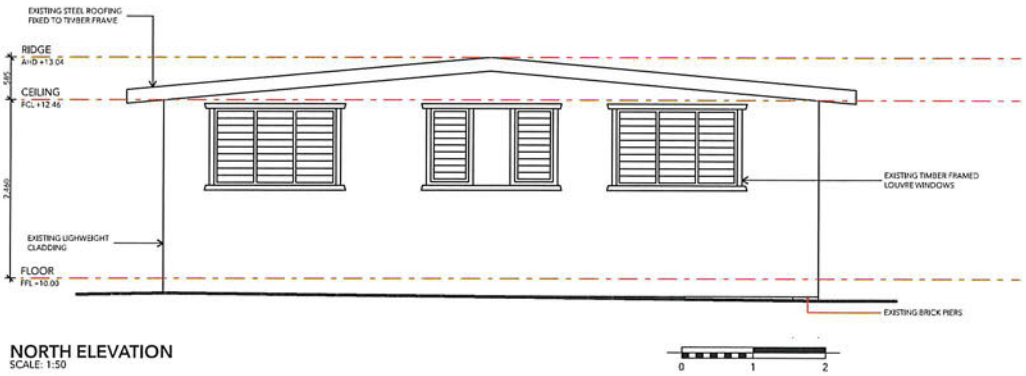


## NORTH ELEVATION
SCALE: 1:50

0 1 2

## REAR ELEVATION

| REV | ISSUANCE | DATE |
|---|---|---|
| B | DA SUBMISSION ISSUE | 28/07/25 |
| A | PLANNER/CLIENT REVIEW ISSUE | 11/03/25 |



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DRAWING NAME
ELEVATIONS

PROJECT DESCRIPTION
PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE

CLIENT & SITE ADDRESS
PINETREES
221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213

COUNCIL
UNINCORPORATED LORD HOWE ISLAND

| | |
|---|---|
| SCALE A3 | 1:50 |
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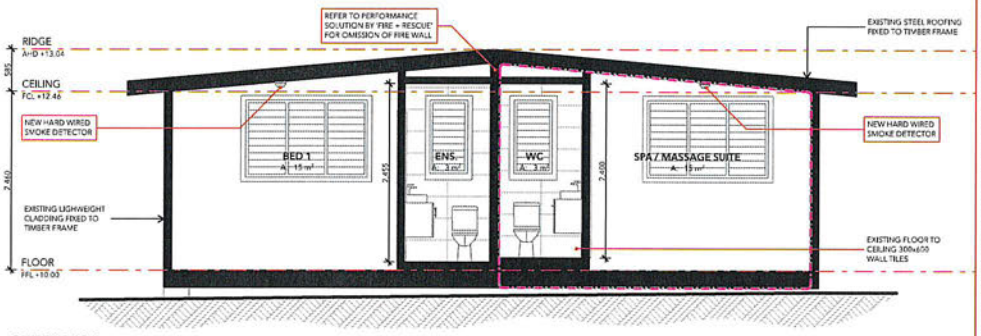
| DATE | 28/07/25 |
| JOB No. | 1360 |
| REV No. | B |
| DWG No. | A202 |




## SECTION A
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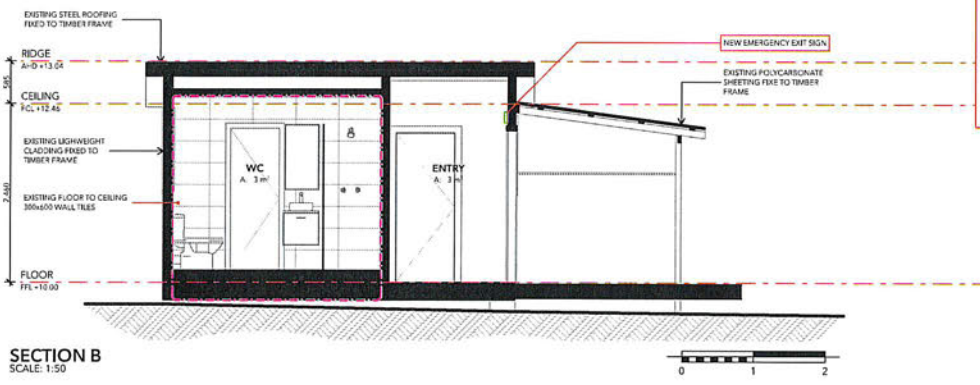


## SECTION B
SCALE: 1:50

## FIRE ENGINEERING COMPLIANCE NOTES:

MITIGATION OF FIRE RISK AND HAZARDS:
- COOKING AND FOOD PREPARATION IS PROHIBITED FROM ALL PARTS OF THE BUILDING WHICH REMOVES A POTENTIAL FIRE IGNITION SOURCE AND HAZARD.
- THE HOT WATER UNIT SHALL BE LOCATED EXTERNALLY AND NOT WITHIN THE CONFINES OF THE BUILDING OR COVERED AREA PORTION, REDUCING IT'S FIRE RISK AS AN IGNITION SOURCE AND HAZARD.
- THE STRICT ENFORCEMENT OF THE "NO-SMOKING" POLICY SHALL BE IMPLEMENTED THROUGHOUT THE BUILDING AND ENFORCED THROUGH PERMANENT SIGNAGE MOUNTED AT A HEIGHT OF 1.7m-2.1m INDICATING THE WORDS "NO SMOKING" IN ACCORDANCE WITH THE SMOKE-FREE ENVIRONMENT REGULATION 2007. THIS PROVISION IS EXPECTED TO REDUCE THE RISK OF DISCARDED CIGARETTES (OR THE LIKE) BECOMING AN IGNITION SOURCE.
- THE CLASS 5 UNIT SHALL BE LIMITED TO UP TO 5 OCCUPANTS AT A TIME WHERE IT SHALL BE LOCKED OUTSIDE OF NORMAL BUSINESS HOURS. THIS SHALL BE ENFORCED AS PART OF THE MANAGEMENT IN USE POLICIES WITHIN THE BUILDING AND BE INCLUDED AS AN ESSENTIAL FIRE SAFETY MEASURE WITHIN THE BUILDING FIRE SAFETY SCHEDULE. THIS PROVISION IS INTENDED TO REDUCE THE RISK OF A FIRE OCCURRING WITHIN THE CLASS 5 PORTION OF THE BUILDING.

ENHANCED FIRE DETECTION:
- WHILST NOT BEING REQUIRED UNDER THE DTS PROVISIONS OF THE BCA, A FIRE DETECTION AND ALARM SYSTEM IS PROPOSED TO BE PROVIDED THROUGHOUT THE BUILDING IN ACCORDANCE WITH AS1670.1-2018. THE PROVISION OF A FIRE DETECTION AND ALARM SYSTEM IS EXPECTED TO PROVIDE EARLY WARNING AND TO NOTIFY OCCUPANTS WHO MAY BE SLEEPING WITHIN THE CLASS 1B PORTION TO BE ALERTED OF A FIRE AND PROMPTLY EVACUATE THE BUILDING.
- ADDITIONALLY, THE FIRE DETECTION AND ALARM SYSTEM SHALL BE MONITORED AT THE MAIN BUILDING ON SITE. THIS PROVISION PROVIDES AN ADDITIONAL MEANS OF REDUNDANCY AS 24/7 SECURITY STAFF ONSITE CAN BE NOTIFIED OF A FIRE AND ASSIST IN FACILITATING OCCUPANT EVACUATION FROM THE BUILDING.
- A VISUAL ALARM DEVICE IS TO BE INSTALLED WITHIN EACH CLASS 1B AND 5 PORTION TO PROVIDE AN ADDITIONAL METHOD OF ALERTING OCCUPANTS OF A FIRE EVENT.
- MANUAL CALL POINTS ARE TO BE INSTALLED WITHIN CLASS 1B AND 5 PORTION TO PROVIDE AN ADDITIONAL METHOD OF ACTIVATING THE BUILDING OCCUPANT WARNING SYSTEM.

REDUCED FUEL LOADS:
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- THE BUILDING IS OF A SINGLE STOREY AND INCORPORATES A TOTAL FLOOR AREA OF ONLY 58m². WITH CONSIDERATION THAT THE COVERED COMMON AREA (TOTAL FLOOR AREA OF 8m²) IS PROPOSED TO BE VOID OF ANY COMBUSTIBLE STORAGE, THE POTENTIAL FIRE LOAD AND FIRE SIZE WITHIN THE BUILDING WOULD BE CONSIDERABLY LOW.

INITIAL FIREFIGHTING:
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## LEGEND

EXISTING

TO BE DEMOLISHED

LOCATION OF DAY SPA

## LEGEND

| | | | | | |
|---|---|---|---|---|---|
| MSB | ELECTRICAL DISTRIBUTION BOARD | FB | FIRE BLANKET | VAD | VISUAL ALARM DEVICE |
| FE | PORTABLE FIRE EXTINGUISHER | FHR | FIRE HOSE REEL | SD | SMOKE DETECTOR |
| FH | FIRE HYDRANT | MCP | MANUAL CALL POINT | | EMERGENCY EXIT |

| REV | ISSUANCE | DATE |
|---|---|---|
| B | DA SUBMISSION ISSUE | 28/07/25 |
| A | PLANNER/CLIENT REVIEW ISSUE | 11/03/25 |



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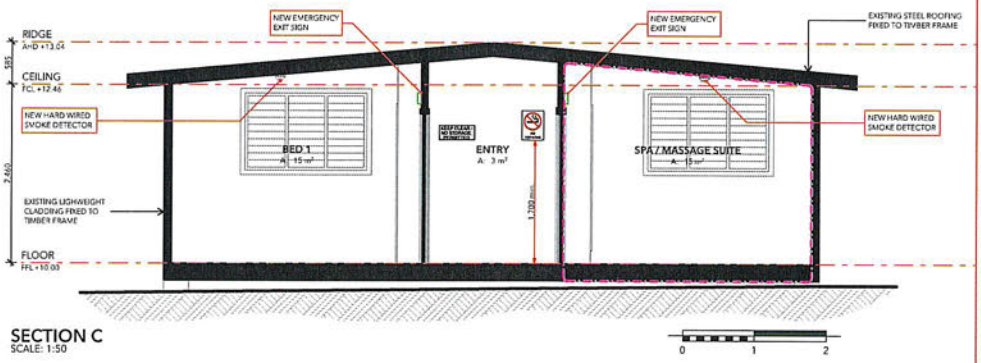
DRAWING NAME: SECTIONS

PROJECT DESCRIPTION: PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE

CLIENT & SITE ADDRESS: PINETREES, 221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213

COUNCIL: UNINCORPORATED LORD HOWE ISLAND

| | |
|---|---|
| SCALE A1 | 1:50 |
| DRAWN | PA |
| DATE | 28/07/25 |
| JOB No. | 1360 |
| REV No. | B |
| DWG No. | A301 |




## SECTION C
SCALE: 1:50

## FIRE ENGINEERING COMPLIANCE NOTES:

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### LEGEND
- EXISTING
- TO BE DEMOLISHED
- LOCATION OF DAY SPA

### LEGEND
- MCB — ELECTRICAL DISTRIBUTION BOARD
- FB — FIRE BLANKET
- VAD — VISUAL ALARM DEVICE
- PFE — PORTABLE FIRE EXTINGUISHER
- FHR — FIRE HOSE REEL
- SD — SMOKE DETECTOR
- FH — FIRE HYDRANT
- MCP — MANUAL CALL POINT
- EXIT — EMERGENCY EXIT

| REV | ISSUANCE | DATE |
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| B | DA SUBMISSION ISSUE | 28/07/25 |



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DRAWING NAME: SECTIONS

PROJECT DESCRIPTION: PROPOSED DAY SPA / MASSAGE SUITE - CHANGE OF USE

CLIENT & SITE ADDRESS: PINETREES
221 LAGOON ROAD, LORD HOWE ISLAND - LOT 236 / DP 48213

COUNCIL: UNINCORPORATED LORD HOWE ISLAND

| | |
|---|---|
| SCALE A1 | 1:50 |
| DRAWN | PA |
| DATE | 28/07/25 |
| JOB No. | 1360 |
| REV No. | B |
| DWG No. | A302 |

ALLCERT

BUILDING COMPLIANCE - ACCESS CONSULTING - BUILDING CERITIFICATION

# BUILDING CODE OF AUSTRALIA 2022 ASSESSMENT REPORT

**CLIENT:** PINETREES

**PROJECT NAME:** DAY SPA / MASSAGE SUITE

**PROJECT ADDRESS:** 221 LAGOON RD, LORD HOME ISLAND, NSW 2898

**DATE:** 1 JULY 2025

**PROJECT NO:** 240360

## CONTENTS



## DOCUMENT CONTROL

| REVISION NO. | ISSUE DATE | DESCRIPTION | PREPARED BY | VERIFIED BY |
|---|---|---|---|---|
| R01 | 1 July 2025 | BCA Report for DA Submission | Roland Allam Director | Roland Allam Director |

# 1.0 EXECUTIVE SUMMARY

AllCert Pty Ltd have been commissioned by **PINETREES** to provide a Building Code of Australia (BCA) 2022 assessment report of the proposed development at **221 LAGOON RD, LORD HOME ISLAND, NSW 2898 8**. The proposed development includes an internal refurbishment and change of use to incorporate a **class 5 Spa / Massage Suite and a Class 1b residential SOU**.

Following our detailed assessment of the documentation referenced in the Appendix section, a summarised list of non-compliances are listed in the table below. There are various compliance pathways to achieve compliance with the Performance Requirements of the BCA. Our suggested resolution approach is provided against each non-compliance for consideration.

*Table 1: BCA matters to be addressed*

**MATTERS UNDER "DNC" (DOES NOT COMPLY)**
*The proposal does not comply with this clause and redesign is required.*

| ITEM NO. | BCA CLAUSE | RELEVANT DEEMED-TO-SATISFY REQUIREMENTS | RECOMMENDATIONS |
|---|---|---|---|
| 1. | D2D7, D2D8, D2D9, D2D10, D2D11 Dimensions of egress paths to exits | The minimum clear height throughout all egress paths must be at least 2m, with a width of at least 1m (measured clear of any obstructions such as handrails and joinery). Aggregate exit widths must be sufficient to accommodate the occupancy of each floor. | The clear egress width of the entry lobby is measured 885mm. |

**MATTERS UNDER "PS" (PERFORMANCE SOLUTION)**
*A performance solution is proposed or recommended to achieve BCA compliance in lieu of adherence to the subject deemed-to-satisfy clause.*

| ITEM NO. | BCA CLAUSE | RELEVANT DEEMED-TO-SATISFY REQUIREMENTS | PROPOSED PATHS TO COMPLY |
|---|---|---|---|
| 1. | **C2D2** Mixed types of construction *(Referenced: Specification 5)* | The building must adhere to the requirements of Type C construction as outlined in Specification 5. The table below provides a summary of the necessary criteria for Type C construction. | **Performance Solution** The building is capable of achieving the required Fire Resistance Levels (FRLs) for Type C Construction in accordance with the NCC, with the exception of the fire wall separating the two parts of the building. Compliance of this fire wall is proposed to be addressed via a Performance Solution prepared by the Fire Safety Engineer. |
| 2. | **C3D8** Separation by fire walls | (1) Separation of Buildings: A part of a building may be considered separate from the remainder of the building if it is separated by a fire wall in accordance with the following:<br>(a) The fire wall must extend through all storeys and be carried through to the underside of the roof covering.<br>(i) If the roofs of separate buildings are at different heights, the fire wall must extend to the underside of:<br>(A) The higher roof, or at least 6m above the lower roof.<br>(B) The lower roof if it has a Fire Resistance Level (FRL) not | **Performance Solution** Clause C3D9 of the BCA requires that fire walls separating buildings with different classifications on a single storey achieve the Fire Resistance Level (FRL) specified in Table S5C24c for Type C construction.<br><br>Under this provision, the fire wall between the Class 1b residential accommodation and the Class 5 spa/massage facility must achieve an FRL of at least 90/90/90.<br><br>The current design omits this required fire wall, and as such, compliance will need to be addressed via a Performance Solution prepared by the Fire Safety |

| | | | |
|---|---|---|---|
| | | less than that of the fire wall and no openings closer than 3m to any wall above the lower roof.<br>(C) The lower roof if its covering is non-combustible and the lower part is sprinkler protected.<br>2) Separation of Fire Compartments: A part of a building, separated from the remainder by a fire wall, may be treated as a separate fire compartment if the fire wall extends to the underside of:<br>A) A floor having an FRL required for a fire wall; or<br>B) The roof covering. | Engineer to justify the proposed arrangement against the relevant Performance Requirements. |
| 3. | **C3D9**<br>Separation of classifications in the same storey | (1) If a building has parts of different classifications on the same storey:<br>(a) Each building element must have the higher FRL specified in Specification 5, or<br>(b) The parts must be separated by a fire wall.<br>(2) A required fire wall must have the FRL as per Specification 5 for the type of construction and classifications.<br>(3) The FRL must be:<br>(a) The higher FRL in Table S5C11d or S5C21d, or<br>(b) The FRL in Table S5C24c.<br>(4) If one part is a compliant carpark, separation can be by a fire wall as per S5C19(3)(c), S5C22(3)(c), or S5C25(3)(c). | **Performance Solution**<br>Refer to commentary in C3D8. |
| 4. | **Specification 5**<br>Fire-resisting construction | New building works must comply with Specification 5 requirements for Type A Construction. | **Performance Solution**<br>Refer to commentary in C3D8. |

| **MATTERS UNDER "FI" (FURTHER INFORMATION IS REQUIRED)**<br>*See BCA Clause-by-Clause Assessment for more information.* | |
|---|---|
| **ITEM NO.** | **BCA CLAUSE** |
| 1. | **Part D4**<br>Access for People with a Disability<br>1) Access provisions depend on the building's classification as outlined in D4D2, unless exempted by Clause D4D5.<br>2) Compliance with AS1428.1-2009 is mandatory.<br>3) A separate assessment under Part D4 – Access for people with a disability has been conducted, with advice provided by an engaged access consultant. |

**MATTERS UNDER "CRA" (COMPLIANCE IS READILY ACHIEVABLE)**

*The design meets relevant deemed-to-satisfy clauses. Yet, certification by the appropriate party or inclusion in plans or BCA specifications at a specific stage is essential for strict compliance. See BCA Clause-by-Clause Assessment for more information.*

<table>
<tr><th>ITEM NO.</th><th>BCA CLAUSE</th></tr>
<tr><td>1.</td><td>B1D2 – B1D6<br>1) New building works must adhere to the structural requirements stipulated in the BCA 2022 and referenced standards, including AS 1170.<br>2) The structural engineer is required to certify that any new works will not diminish the structural capacity of existing buildings and that they remain suitable for their intended use.<br>3) Additionally, existing balustrades (if retained) should undergo a review to assess their loadbearing capacity under AS 1170 loadings.<br>4) The Structural Engineer must acknowledge and address the Importance Level provisions outlined in Section B of the BCA as deemed necessary.<br>5) New building works within the existing structure must comply with the earthquake provisions detailed in AS 1170.4 – Earthquake Actions in Australia.<br>6) Consideration should be given to compliance with AS 3826-1998 - Strengthening existing buildings for earthquake, where appropriate, for any necessary remedial works to the existing building.</td></tr>
<tr><td>2.</td><td>C2D4<br>Buildings of multiple classification<br>In buildings with multiple classifications, the required type of construction is determined by the most fire-resistant classification as specified in Table below. This determination is based on the assumption that the classification applicable to the top storey applies to all storeys. Exceptions to this rule are provided for Class 4 parts.
<table>
<tr><th>Rise in Storeys</th><th>Class of Building 2, 3, 9</th><th>Class of Building 5, 6, 7, 8</th></tr>
<tr><td>4 or more</td><td>A</td><td>A</td></tr>
<tr><td>3</td><td>A</td><td>B</td></tr>
<tr><td>2</td><td>B</td><td>C</td></tr>
<tr><td>1</td><td>C</td><td>C</td></tr>
</table></td></tr>
<tr><td>3.</td><td>NSW C2D11<br>Fire hazard properties (Referenced: Specification 7)<br>1) A schedule of all wall, floor, and ceiling linings, accompanied by relevant test reports, must be provided for review to ensure compliance with the fire hazard property requirements of the BCA. Please note:<br>(a) Minimum Group Numbers apply to wall and ceiling linings. Compliance should be verified with AS 5637 test reports.<br>(b) Minimum Critical Radiant Flux values apply to floor linings. Compliance should be verified with AS ISO 9239.1 test reports.<br>Note: Refer to APPENDIX TABLE: SPECIFICATION 7 (TABLES S7C3, S7C4, AND NSW S7C7) for the required fire hazard properties.</td></tr>
<tr><td>4.</td><td>D2D15<br>Discharge from exits<br>1) From a required exit leading to open space, the path of travel to the road must have an unobstructed width equal to that of the required exit, or 1m wider if larger.</td></tr>
<tr><td>5.</td><td>D2D25, D2D26<br>Doors and Latching<br>1) Egress doorways must swing in the direction of egress.<br>2) Doors must be easily opened without a key from the side facing a person seeking egress.<br>3) Operation should require a single-handed downward or pushing action on a device positioned between 900mm and 1100mm from the floor.</td></tr>
<tr><td>6.</td><td>E1D14<br>Portable fire extinguishers<br>1) Provision and design must comply with AS 2444-2001.</td></tr>
</table>

| | |
|---|---|
| 7. | **E2D4, E2D9, E2D11, E2D12, E2D13**<br>Smoke Hazard Management<br>1) Installation of the following smoke hazard management systems throughout the building:<br>a) Automatic Fire Detection and Alarm System compliant with AS 1670.1 – 2018 and grid specifications (5m and 10m).<br>b) Stairway Pressurisation systems compliant with AS 1668.1 – 2015 for designated stairs.<br>c) Zone Smoke Control System meeting AS 1668.1 – 2015 standards.<br>d) Smoke and Heat Vents as per Specification 22 and AS 2665 – 2001.<br>e) Automatic shutdown of mechanical air handling systems on fire trip per AS 1668.1 Sections 5 and 6.<br>f) E2D20 compliance required for smoke detection and exhaust. |
| 8. | **E4D2 – E4D8**<br>Emergency Lighting and Exits Signs<br>1) Requirements for emergency lighting and exit signage must adhere to E4D2 - E4D5 specifications as per AS 2293.1 – 2018. |
| 9. | **PART F1**<br>Damp and weatherproofing<br>1) Compliance with the prescribed requirements of this section is required for damp and weatherproofing. |
| 10. | **PART F2**<br>Wet areas and overflow protection<br>1) Urinals must have impervious wall linings extending up to their tops.<br>2) All floor wastes, including those not mandated by the BCA, must be equipped with falls as per F2D3. |
| 11. | **PART F3**<br>Roof and wall cladding<br>1) This section outlines prescriptive requirements for weatherproofing external walls and roofs:<br>a. Roof coverings must adhere to F3D2 standards.<br>b. Sarking installations must meet F3D3 specifications.<br>c. Glazed assemblies must comply with F3D4 regulations.<br>d. Wall cladding systems must conform to F3D5 guidelines.<br>2) A Performance Solution is necessary for deviations from F3D5 concerning wall cladding systems. This involves the preparation of a Performance Based Design Brief (PBDB) and Performance Solution Report by a qualified Façade Engineer. |
| 12. | **PART F4**<br>Sanitary and other facilities<br>1) Sanitary facilities must adhere to the stipulated requirements. Each compartment must be clearly designated for the exclusive use of the specific students and staff it serves, ensuring they do not share facilities. |
| 13. | **PART F5**<br>Room heights<br>1) The following minimum ceiling heights apply across different building classifications:<br>a. For Class 5/6/7/8 buildings:<br>i. Generally: 2.4m<br>ii. Corridors, passageways, or similar areas: 2.1m<br>b. In any building:<br>i. Bathrooms, sanitary compartments, tea preparation rooms, pantries, storage rooms, etc.: 2.1m<br>ii. Commercial kitchens: 2.4m<br>2) Above stairways, ramps, landings, etc.: 2m |
| 14. | **PART F6**<br>Light and ventilation<br>1) Artificial lighting systems must comply with Clause F4.4 and AS 1680. Mechanical and air-conditioning installations must adhere to Clauses F6D6 and AS 1668.2-2012.<br>2) Natural lighting must be provided in accordance with the Housing Provisions for:<br>a) Class 1b buildings: All habitable rooms. |
| 15. | Sound transmission and insulation<br>1) Walls adjacent to the residential component must adhere to the prescriptive provisions outlined in the Housing Provisions concerning sound transmission and insulation. |

# 2.0 INTRODUCTION

## 2.1 BACKGROUND

AllCert Pty Ltd have been commissioned by **PINETREES** provide professional building code regulation advice relating to the design of the proposed development located at **221 LAGOON RD, LORD HOME ISLAND, NSW 2898 8.** The subject building consists of a single storey and is proposed to be used as a Class 1b Residential SOU and a Class 5 spa/massage suite.

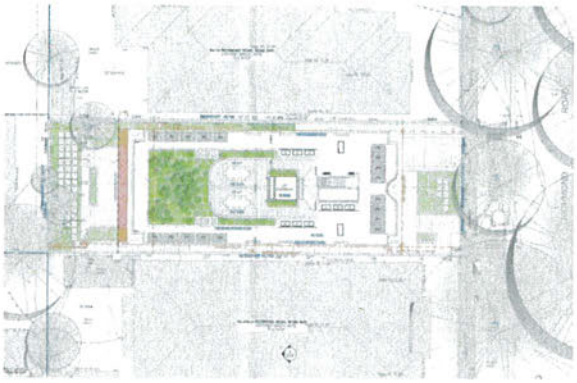


*Figure 1: Overall site plan*

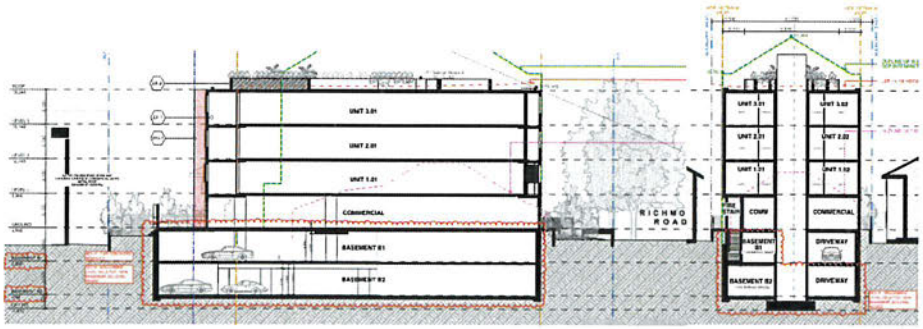



*Figure 2: Section showing diagrammatic separation of buildings*

## 2.2 PURPOSE OF THE REPORT

The purpose of this report is to assess the proposed design and present the findings of a detailed assessment undertaken by AllCert Pty Ltd in comparison to the Deemed-to-Satisfy Provisions of Building Code of Australia (BCA) 2022. This report identifies all non-compliances and provides recommendations to appropriately resolve the compliance departure.

## 2.3 PROJECT TEAM

The information and findings presented within this report was prepared by the following key personnel from AllCert:

- Roland Allam

## 2.4 BASIS OF THE REPORT

This report is based on:

a) The architectural plans provided, as listed in the Appendix section
b) Information provided by the client
    - *The information provided by the client is intended for their use only, and it is in the opinion of this office that the documentation provided sufficient information to allow a detailed BCA report to be produced*
c) The National Construction Code 2022, Volume 1, Building Code of Australia

It is important to note that for new building projects, the applicable version of the BCA is determined by the version in place at the time of lodging the Construction Certificate application with the Accredited Certifying Authority. Updates to the BCA typically occur on a three-year cycle, starting from May 1, 2016.

## 2.5 BUILDING CODE OF AUSTRALIA STRUCTURE

The Building Code of Australia is divided into two volumes.

BCA Volume One contains the requirements for:

a) All Class 2 to 9 buildings;
b) Access requirements for people with a disability in Class 1b and 10a buildings; and
c) Certain Class 10b structures including access requirements for people with a disability in Class 10b swimming pools

BCA Volume Two contains the requirements for:

a) Class 1 and 10a buildings (other than access requirements for people with a disability in Class 1b and 10a buildings);
b) Certain Class 10b structures (other than access requirements for people with a disability in Class 10b swimming pools); and
c) Class 10c private bushfire shelters

## 2.6 COMPLIANCE WITH THE NATIONAL CONSTRUCTION CODE

Compliance with the Building Code of Australia (BCA) is attained by adhering to its Performance Requirements. These requirements are outlined at the beginning of each section of the BCA and can be met through:

- a performance solution;
- a deemed-to-satisfy solution; or
- a combination of the two

as demonstrated in BCA Figure 3 below

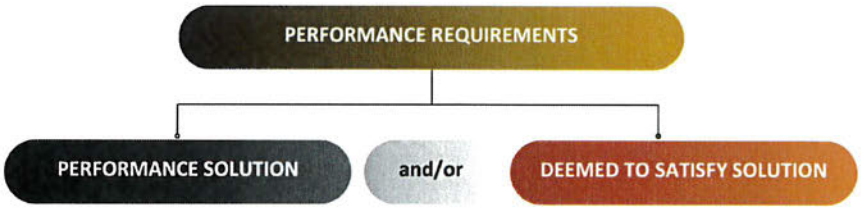



*Figure 3: NCC Compliance Structure*

This report provides an assessment of the design against the Deemed-to-Satisfy (DTS) Provisions of the BCA.

## 2.7 SCOPE AND LIMITATIONS

This report covers every relevant clause identified under:

a) Section B – Structure;
b) Section C – Fire resistance;
c) Section D – Access and egress;
d) Section E – Services and equipment;
e) Section F – Health and Amenity;
f) Section G – Ancillary provisions;
g) Section I – Special use buildings;

Where the BCA provides no deemed-to-satisfy provision, AllCert have suggested appropriate compliance pathways to meet the relevant performance requirements of the BCA.

This report does not include nor imply any detailed assessment for design, compliance or upgrading for:

a) The structural adequacy or design of the building;
b) The fire-resistance ratings of any structural elements of the building, unless specifically referred to;
c) The design basis and/or operating capabilities of electrical, mechanical, hydraulic, fire services and fire protection services

This report does not include, or imply compliance with:

a) The National Construction Code Volume 3 – Plumbing Code of Australia;
b) Australian Standards not referenced in the deemed-to-satisfy provisions or Schedule 4 of the BCA;
c) Disability Discrimination Act 1992 including the Disability (Access to Premises – Buildings) Standards 2010;
d) requirements of other regulatory authorities and utilities including, but not limited to, Telstra and the like communications authority, Gas Supply Authority, Water Supply Authority, Electricity Supply Authority, Work Cover, Roads and Maritime Services (RMS), Local Council, ARTC, Department of Planning and the like;
e) Any existing conditions of Development Consent issued by the Consent Authority;
f) Consideration of Councils local and development control plans;
g) Heritage significance;
h) Assessment of slip-resistance ratings for all accessible paths of travel, except where called upon in the deemed-to-satisfy provisions of the BCA;
i) The National Construction Code Volume 2

This report is for the exclusive use of the client and cannot be used for any other purpose without prior permission from AllCert Pty Ltd. The report is valid only in its entire form. 'AllCert accepts no responsibility for any loss suffered as a result of any reliance upon such assessment or report other than as being accurate at the date the report was issued'.

# 3.0 BCA ASSESSMENT DATA

The building project discussed in this report is situated at **221 LAGOON ROAD, LORD HOWE ISLAND NSW 2898**. The subject building consists of a single storey and is proposed to be used as a Class 1b Residential SOU and a Class 5 spa/massage suite. The existing building is subject to an internal refurbishment and change of use to incorporate a Class 5 spa/massage suite and a Class 1b residential SOU.

## 3.1 BUILDING CLASSIFICATION

For the purposes of the Building Code of Australia (BCA) the development may be described as follows.

| CLASS | DESCRIPTION |
|---|---|
| Class 1b | Residential Dwelling (Guest House) |
| Class 5 | Spa/Massage Suite |
| **OVERALL STOREYS CONTAINED** | 1 |
| **RISE IN STOREYS** | 1 |
| **TYPE OF CONSTRUCTION** | Type C Construction |
| **EFFECTIVE HEIGHT (M)** | N/A – RIS of 1 |
| **GENERAL FLOOR AREA AND VOLUME LIMITATIONS FOR TYPE A CONSTRUCTION** | The floor area and volume of the building remain within the prescribed limitations for Type C Construction. |
| **FIRE COMPARTMENTS** | Collectively one fire compartment |

*Table 2: Building Classification(s)*

## 3.2 LOCATION OF FIRE-SOURCE FEATURES

The potential fire source features along the perimeter of the building are:

| ELEVATION | DESCRIPTION / FIRE SOURCE FEATURE |
|---|---|
| Northern Boundary | 4-Bed Cottage |
| Eastern Boundary | N/A |
| Southern Boundary | N/A |
| Western Boundary | Allotment Boundary |

*Table 3: Location of Fire-Source Features*

Note: The BCA defines "fire source feature" as:

a) The far boundary of a road, river, lake or the like adjoining the allotment; or
b) A side or rear boundary of the allotment; or
c) An external wall of another building on the allotment which is not a Class 10 building

## 4.0 BCA CLAUSE-BY-CLAUSE ASSESSMENT

| LEGEND | |
|---|---|
| NA | Not applicable. The deemed-to-satisfy clause is not applicable to the design. |
| NOTE | For information only but to be incorporated into the scheme or detailed for compliance to be achieved. |
| COMPLIES | The design complies with the relevant parts of the deemed-to-satisfy clause. |
| CRA | Compliance is readily achievable. The design meets relevant deemed-to-satisfy clauses. Yet, certification by the appropriate party or inclusion in plans or BCA specifications at a specific stage is essential for strict compliance. |
| FI | Further information is required. |
| DNC | Does not comply. The proposal does not comply with this clause and redesign is required. |
| PS | Performance Solution. A performance solution is proposed or recommended to achieve BCA compliance in lieu of adherence to the subject deemed-to-satisfy clause. |

*Table 4: BCA Clause-By-Clause Assessment Legend*

<table>
<tr><th>BCA CLAUSE</th><th>RELEVANT DEEMED-TO-SATISFY REQUIREMENTS</th><th>COMMENT</th><th>STATUS</th></tr>
<tr><td colspan="4">SECTION B: STRUCTURE</td></tr>
<tr><td>B1D2 – B1D6</td><td>(1) New building works must adhere to the structural requirements stipulated in the BCA 2022 and referenced standards, including AS 1170.<br>(2) The structural engineer is required to certify that any new works will not diminish the structural capacity of existing buildings and that they remain suitable for their intended use.<br>(3) Additionally, existing balustrades (if retained) should undergo a review to assess their loadbearing capacity under AS 1170 loadings.<br>(4) The Structural Engineer must acknowledge and address the Importance Level provisions outlined in Section B of the BCA as deemed necessary.<br>(5) New building works within the existing structure must comply with the earthquake provisions detailed in AS 1170.4 – Earthquake Actions in Australia.<br>(6) Consideration should be given to compliance with AS 3826-1998 - Strengthening existing buildings for earthquake, where appropriate, for any necessary remedial works to the existing building.</td><td>COMPLIANCE READILY ACHIEVABLE<br>Any structural works would need to be reviewed and approved by the Structural Engineer at the Certification Stage.</td><td>CRA</td></tr>
<tr><td colspan="4">SECTION C: FIRE RESISTANCE</td></tr>
<tr><td>C2D2<br>Mixed types of construction<br><br>(Referenced: Specification 5)</td><td>(1) The building must adhere to the requirements of Type C construction as outlined in Specification 5. The table below provides a summary of the necessary criteria for Type C construction..</td><td>COMPLIANCE READILY ACHIEVABLE<br>The building is capable of achieving the required Fire Resistance Levels (FRLs) for Type C Construction in accordance with the NCC, with the exception of the fire wall separating the two parts of the building. Compliance of this fire wall is proposed to be addressed via a Performance Solution prepared by the Fire Safety Engineer.</td><td>PS</td></tr>
<tr><td>C2D4<br>Buildings of multiple classification</td><td>In buildings with multiple classifications, the required type of construction is determined by the most fire-resistant classification as specified in Table below. This determination is based on the assumption that the classification applicable to the top storey applies to all storeys. Exceptions to this rule are provided for Class 4 parts.
<table>
<tr><th>Rise in Storeys</th><th>Class of Building 2, 3, 9</th><th>Class of Building 5, 6, 7, 8</th></tr>
<tr><td>4 or more</td><td>A</td><td>A</td></tr>
<tr><td>3</td><td>A</td><td>B</td></tr>
<tr><td>2</td><td>B</td><td>C</td></tr>
<tr><td>1</td><td>C</td><td>C</td></tr>
</table></td><td>The building will adopt Type C Construction.</td><td>CRA</td></tr>
</table>

<table>
<tr><th>BCA CLAUSE</th><th>RELEVANT DEEMED-TO-SATISFY REQUIREMENTS</th><th>COMMENT</th><th>STATUS</th></tr>
<tr><td>C2D6<br>Two storey Class 2, 3 or 9c buildings</td><td>NOT APPLICABLE</td><td>NOT APPLICABLE</td><td>NA</td></tr>
<tr><td>C2D10<br>Non-combustible building elements</td><td>NOT APPLICABLE</td><td>NOT APPLICABLE</td><td>NA</td></tr>
<tr><td>NSW C2D11<br>Fire hazard properties<br><br>(Referenced: Specification 7)</td><td>(1) A schedule of all wall, floor, and ceiling linings, accompanied by relevant test reports, must be provided for review to ensure compliance with the fire hazard property requirements of the BCA. Please note:<br>(c) Minimum Group Numbers apply to wall and ceiling linings. Compliance should be verified with AS 5637 test reports.<br>(d) Minimum Critical Radiant Flux values apply to floor linings. Compliance should be verified with AS ISO 9239.1 test reports.<br>Note: Refer to APPENDIX TABLE: SPECIFICATION 7 (TABLES S7C3, S7C4, AND NSW S7C7) for the required fire hazard properties.</td><td>Wall and Ceiling Linings<br>Provide a schedule listing all wall and ceiling lining materials used in:<br>▪ Class 1b guest house<br>▪ Class 5 massage clinic<br>Include for each material:<br>▪ Product name and manufacturer<br>▪ Group Number classification (as tested to AS 5637)<br>▪ Supporting AS 5637 test report confirming Group Number<br><br>Floor Linings<br>• Provide a schedule of all floor finishes.<br>• Include for each floor material:<br>o Product name and manufacturer<br>o Critical Radiant Flux (CRF) value (tested to AS ISO 9239.1)<br>o Supporting AS ISO 9239.1 test report confirming CRF<br>Required CRF Values:<br>• Class 1b & Class 5: Minimum 2.2 kW/m² for all floor coverings in general areas.</td><td>CRA</td></tr>
<tr><td>C2D14<br>Ancillary elements</td><td>NOT APPLICABLE</td><td>NOT APPLICABLE</td><td>NA</td></tr>
<tr><td>C3D3<br>General floor area and volume limitations</td><td>The building must adhere to fire compartment sizes that do not exceed the deemed-to-satisfy (DtS) requirements of this clause. Refer to the table below for the general floor area and volume limitations.<br><table><tr><th>Classification</th><th>Type A Construction</th></tr><tr><td>5, 9b or 9c</td><td>Max floor area—8 000 m2</td></tr></table></td><td>COMPLIES</td><td>COMPLIES</td></tr>
</table>

| BCA CLAUSE | RELEVANT DEEMED-TO-SATISFY REQUIREMENTS | COMMENT | STATUS |
|---|---|---|---|
| | <table><tr><td></td><td>Max volume—48 000 m3</td></tr><tr><td>6, 7, 8 or 9a (except for patient care areas)</td><td>Max floor area—5 000 m2</td></tr><tr><td></td><td>Max volume—30 000 m3</td></tr></table> *Table 5: General floor area and volume limitations.* | | |
| **C3D4** Large isolated buildings | **NOT APPLICABLE** | **NOT APPLICABLE** | **NA** |
| **C3D5** Requirements for open spaces and vehicular access | **NOT APPLICABLE** | **NOT APPLICABLE** | **NA** |
| **C3D6** Class 9a and 9c buildings | **NOT APPLICABLE** | **NOT APPLICABLE** | **NA** |
| **C3D7** Vertical separation of openings in external walls | **NOT APPLICABLE** | **NOT APPLICABLE** | **NA** |
| **C3D8** Separation by fire walls | (3) Separation of Buildings: A part of a building may be considered separate from the remainder of the building if it is separated by a fire wall in accordance with the following:<br>(a) The fire wall must extend through all storeys and be carried through to the underside of the roof covering.<br>(i) If the roofs of separate buildings are at different heights, the fire wall must extend to the underside of:<br>(A) The higher roof, or at least 6m above the lower roof.<br>C) The lower roof if it has a Fire Resistance Level (FRL) not less than that of the fire wall and no openings closer than 3m to any wall above the lower roof.<br>D) The lower roof if its covering is non-combustible and the lower part is sprinkler protected. | **PERFORMANCE SOLUTION**<br>Clause C3D9 of the BCA requires that fire walls separating buildings with different classifications on a single storey achieve the Fire Resistance Level (FRL) specified in Table S5C24c for Type C construction.<br><br>Under this provision, the fire wall between the Class 1b residential accommodation and the Class 5 spa/massage facility must achieve an FRL of at least 90/90/90.<br><br>The current design omits this required fire wall, and as such, compliance will need to be addressed via a Performance Solution prepared by the Fire Safety Engineer to justify the proposed arrangement against the relevant Performance Requirements. | **PS** |

| BCA CLAUSE | RELEVANT DEEMED-TO-SATISFY REQUIREMENTS | COMMENT | STATUS |
|---|---|---|---|
| | (4) Separation of Fire Compartments: A part of a building, separated from the remainder by a fire wall, may be treated as a separate fire compartment if the fire wall extends to the underside of:<br>(a) A floor having an FRL required for a fire wall; or<br>(b) The roof covering. | | |
| **C3D9** Separation of classifications in the same storey | (5) If a building has parts of different classifications on the same storey:<br>(a) Each building element must have the higher FRL specified in Specification 5, or<br>(b) The parts must be separated by a fire wall.<br>(6) A required fire wall must have the FRL as per Specification 5 for the type of construction and classifications.<br>(7) The FRL must be:<br>(a) The higher FRL in Table S5C11d or S5C21d, or<br>(b) The FRL in Table S5C24c.<br>(8) If one part is a compliant carpark, separation can be by a fire wall as per S5C19(3)(c), S5C22(3)(c), or S5C25(3)(c). | **PERFORMANCE SOLUTION**<br>Refer to commentary in C3D8. | PS |
| **C3D10** Separation of classifications in different storeys | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |
| **C3D11** Separation of lift shafts | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |
| **C3D13** Separation of equipment and **C3D14** Electricity supply system | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |
| **C3D15** Public corridors in | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |

<table>
<tr><th>BCA CLAUSE</th><th>RELEVANT DEEMED-TO-SATISFY REQUIREMENTS</th><th>COMMENT</th><th>STATUS</th></tr>
<tr><td>Class 2 and 3 buildings</td><td></td><td></td><td></td></tr>
<tr><td>C4D3<br>Protection of openings in external walls</td><td>Protection of openings in external walls that are less than 3 meters from the allotment boundary must comply with BCA Clause C4D5.</td><td>COMPLIES</td><td>COMPLIES</td></tr>
<tr><td>C4D4<br>Separation of external walls and associated openings in different fire compartments</td><td>(1) The separation of external walls and their openings between different fire compartments, divided by a fire wall, must meet the distances specified in Table: Angle Between Walls unless:<br>(a) Both parts of the wall have a Fire Resistance Level (FRL) of at least 60/60/60, and<br>(b) All openings are protected as per the requirements of C4D5.<br><table><tr><th>Angle Between Walls</th><th>Min. Distance</th></tr><tr><td>0° (walls opposite)</td><td>6m</td></tr><tr><td>More than 0° to 45°</td><td>5m</td></tr><tr><td>More than 45° to 90°</td><td>4m</td></tr><tr><td>More than 90° to 135°</td><td>3m</td></tr><tr><td>More than 135° to 180°</td><td>2m</td></tr><tr><td>0° or more</td><td>Nil</td></tr></table>Table 6: Angle Between Walls</td><td>COMPLIES</td><td>COMPLIES</td></tr>
<tr><td>Specification 5<br>Fire-resisting construction</td><td>New building works must comply with Specification 5 requirements for Type A Construction.</td><td>COMPLIANCE READILY ACHIEVABLE<br>Refer to Comments in C3D8</td><td>PS</td></tr>
<tr><td colspan="4">SECTION D: ACCESS AND EGRESS</td></tr>
<tr><td>D2D3<br>Number of exits required</td><td>The building must have one exit on each storey.</td><td>COMPLIES</td><td>COMPLIES</td></tr>
<tr><td>D2D4<br>When fire-isolated stairways and ramps are required</td><td>NOT APPLICABLE</td><td>NOT APPLICABLE</td><td>NA</td></tr>
</table>

| BCA CLAUSE | RELEVANT DEEMED-TO-SATISFY REQUIREMENTS | COMMENT | STATUS |
|---|---|---|---|
| **D2D5** Exit travel distances | Exit travel distances within Class 5, 6, 7, 8, and 9 areas must not exceed 20m to a point of choice between alternative exits and 40m to the nearest exit. | **COMPLIES** | **COMPLIES** |
| **D2D6** Distance between alternative exits | **NOT APPLICABLE** | **NOT APPLICABLE** | **NA** |
| **D2D7, D2D8, D2D9, D2D10, D2D11** Dimensions of egress paths to exits | The minimum clear height throughout all egress paths must be at least 2m, with a width of at least 1m (measured clear of any obstructions such as handrails and joinery). Aggregate exit widths must be sufficient to accommodate the occupancy of each floor. | **COMPLIANCE READILY ACHIEVABLE**<br>The clear egress width of the entry lobby is measured 885mm. | **DNC** |
| **D2D12** Travel via fire-isolated exits | **NOT APPLICABLE** | **NOT APPLICABLE** | **NA** |
| **D2D13** External stairways or ramps in lieu of fire-isolated exits | **NOT APPLICABLE** | **NOT APPLICABLE** | **NA** |
| **D2D14** Travel by non-fire-isolated stairways or ramps | **NOT APPLICABLE** | **NOT APPLICABLE** | **NA** |
| **D2D15** Discharge from exits | (1) From a required exit leading to open space, the path of travel to the road must have an unobstructed width equal to that of the required exit, or 1m wider if larger. | **COMPLIANCE READILY ACHIEVABLE**<br>This is to be reviewed and confirmed by on-site. | **CRA** |
| **D2D23** Egress from primary schools | **NOT APPLICABLE** | **NOT APPLICABLE** | **NA** |

| BCA CLAUSE | RELEVANT DEEMED-TO-SATISFY REQUIREMENTS | COMMENT | STATUS |
|---|---|---|---|
| **D3D14, D3D15, NSW D3D16, D3D20, D3D22** Stairways, Balustrades, and Handrails | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |
| **D2D25, D2D26** Doors and Latching | (1) Egress doorways must swing in the direction of egress.<br>(2) Doors must be easily opened without a key from the side facing a person seeking egress.<br>(3) Operation should require a single-handed downward or pushing action on a device positioned between 900mm and 1100mm from the floor. | **COMPLIANCE READILY ACHIEVABLE**<br>Plans are to detail compliance at the Certification stage. | CRA |
| **Part D4** Access for People with a Disability | (1) Access provisions depend on the building's classification as outlined in Part D4, unless exempted by Clause D4D5.<br>(2) Compliance with AS1428.1-2009 is mandatory.<br>(3) A separate assessment under Part D4 – Access for people with a disability has been conducted, with advice provided by an engaged access consultant. | **COMPLIANCE READILY ACHIEVABLE**<br>An assessment of this part is not included in our scope of works. | FI |
| **SECTION E: SERVICES AND EQUIPMENT** | | | |
| **E1D2** Fire hydrants | (1) The building must have fire hydrant coverage as per AS2419.1-2021. | **NOT APPLICABLE** – A fire hydrant system is not required to be provided for the building due to the floor area being less than 500m². | NA |
| **E1D3** Fire hose reels | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |
| **E1D4 – E1D13** Sprinklers | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |
| **E1D14** Portable fire extinguishers | (1) Provision and design must comply with AS 2444-2001. | **COMPLIANCE READILY ACHIEVABLE**<br>Plans are to detail compliance at the Certification stage. | CRA |
| **E1D15** Fire control centres | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |

| BCA CLAUSE | RELEVANT DEEMED-TO-SATISFY REQUIREMENTS | COMMENT | STATUS |
|---|---|---|---|
| **E1D17** Provision for special hazards | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |
| **E2D4, E2D9, E2D11, E2D12, E2D13** Smoke Hazard Management | g) Installation of the following smoke hazard management systems throughout the building:<br>a. Automatic Fire Detection and Alarm System compliant with AS 1670.1 – 2018 and grid specifications (5m and 10m).<br>b. Stairway Pressurisation systems compliant with AS 1668.1 – 2015 for designated stairs.<br>c. Zone Smoke Control System meeting AS 1668.1 – 2015 standards.<br>d. Smoke and Heat Vents as per Specification 22 and AS 2665 – 2001.<br>e. Automatic shutdown of mechanical air handling systems on fire trip per AS 1668.1 Sections 5 and 6.<br>f. E2D20 compliance required for smoke detection and exhaust. | **COMPLIANCE READILY ACHIEVABLE**<br>As part of the Performance Solution by the fire safety engineer, an automatic fire detection and alarm system will be installed throughout the building in accordance with AS1670.1-2018. | CRA |
| **E2D21** Provision for special hazards | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |
| **PART E3** Lift Installations | **NOT APPLICABLE** | **NOT APPLICABLE** | NA |
| **E4D2 – E4D8** Emergency Lighting and Exits Signs | (1) Requirements for emergency lighting and exit signage must adhere to E4D2 - E4D5 specifications as per AS 2293.1 – 2018. | **COMPLIANCE READILY ACHIEVABLE**<br>As part of the Performance Solution by the fire safety engineer, exit and emergency lighting is to be provided throughout the building. | CRA |
| **SECTION F: HEALTH AND AMENITY** | | | |
| **PART F1** Damp and weatherproofing | (1) Compliance with the prescribed requirements of this section is required for damp and weatherproofing. | **COMPLIANCE READILY ACHIEVABLE**<br>Plans are to detail compliance at the Certification stage. | CRA |
| **PART F2** | (1) Urinals must have impervious wall linings extending up to their tops. | **COMPLIANCE READILY ACHIEVABLE**<br>Plans are to detail compliance at the Certification stage. | CRA |

| BCA CLAUSE | RELEVANT DEEMED-TO-SATISFY REQUIREMENTS | COMMENT | STATUS |
|---|---|---|---|
| Wet areas and overflow protection | (2) All floor wastes, including those not mandated by the BCA, must be equipped with falls as per F2D3. | | |
| **PART F3** Roof and wall cladding | (1) This section outlines prescriptive requirements for weatherproofing external walls and roofs:<br>(a) Roof coverings must adhere to F3D2 standards.<br>(b) Sarking installations must meet F3D3 specifications.<br>(c) Glazed assemblies must comply with F3D4 regulations.<br>(d) Wall cladding systems must conform to F3D5 guidelines.<br><br>(2) A Performance Solution is necessary for deviations from F3D5 concerning wall cladding systems. This involves the preparation of a Performance Based Design Brief (PBDB) and Performance Solution Report by a qualified Façade Engineer. | **COMPLIANCE READILY ACHIEVABLE**<br>Plans are to detail compliance at the Certification stage. | CRA |
| **PART F4** Sanitary and other facilities | (1) Sanitary facilities must adhere to the stipulated requirements. Each compartment must be clearly designated for the exclusive use of the specific students and staff it serves, ensuring they do not share facilities. | **COMPLIANCE READILY ACHIEVABLE**<br>Plans are to detail compliance at the Certification stage. | CRA |
| **PART F5** Room heights | (1) The following minimum ceiling heights apply across different building classifications:<br>(a) For Class 5/6/7/8 buildings:<br>(i) Generally: 2.4m<br>(ii) Corridors, passageways, or similar areas: 2.1m<br>(b) In any building:<br>(i) Bathrooms, sanitary compartments, tea preparation rooms, pantries, storage rooms, etc.: 2.1m<br>(ii) Commercial kitchens: 2.4m<br>(iii) Above stairways, ramps, landings, etc.: 2m | **COMPLIANCE READILY ACHIEVABLE**<br>Plans are to detail compliance at the Certification stage. | CRA |
| **PART F6** Light and ventilation | (1) Artificial lighting systems must comply with Clause F4.4 and AS 1680. Mechanical and air-conditioning installations must adhere to Clauses F6D6 and AS 1668.2-2012.<br>(2) Natural lighting must be provided in accordance with the Housing Provisions for:<br>(a) Class 1b buildings: All habitable rooms. | **COMPLIANCE READILY ACHIEVABLE**<br>Plans are to detail compliance at the Certification stage. | CRA |
| Sound transmission and insulation | (1) Walls adjacent to the residential component must adhere to the prescriptive provisions outlined in the Housing Provisions concerning sound transmission and insulation. | **COMPLIANCE READILY ACHIEVABLE**<br>Plans are to detail compliance at the Certification stage. | CRA |

# 5.0 APPENDIX – REFERENCED DOCUMENTATIONS

## 5.1 ARCHITECTURAL AND SERVICE PLANS

The findings published in the report is based on a desktop assessment of the architectural and service plans, prepared by **NEXT LEVEL DESIGN STUDIO**, Job No. **1360**, drawings:

| DRAWING TITLE | DRAWING NO. | REVISION | DATED |
|---|---|---|---|
| Architectural – **NEXT LEVEL DESIGN STUDIO**, Job No. – **1360** | | | |
| Site Plan | A005 | A | 11/03/2025 |
| Floor Plan (Existing) | A101 | A | 11/03/2025 |
| Elevations | A201 | A | 11/03/2025 |
| Elevations | A202 | A | 11/03/2025 |
| Sections | A301 | A | 11/03/2025 |
| External Finishes | DA 6000 | I | 23/06/2023 |
| Area Diagrams – GFA | DA 7000 | I | 23/06/2023 |
| Area Diagrams – SEPP 65 | DA 7001 | I | 23/06/2023 |
| Area Diagrams – Landscape | DA 7002 | I | 23/06/2023 |

## 5.2 SPECIFICATION 7 (TABLES S7C3, S7C4, AND NSW S7C7)

**Table S7C3 of Specification 7– Critical Radiant Flux of Floor Linings and Floor Coverings**

| Class of building | Building not fitted with a sprinkler system (other than a FPAA101D or FPAA101H system) | Building fitted with a sprinkler system (other than a FPAA101D or FPAA101H system) | Fire-isolated exits and fire control rooms |
|---|---|---|---|
| Class 2, 3, 5, 6, 7, 8 or 9b | 2.2 kW/m2 | 1.2 kW/m2 | 2.2 kW/m2 |

## Table S7C4 of Specification 7 – Wall and Ceiling Lining Materials (Materials Groups Permitted)

| Class of building | Fire-isolated exits and fire control rooms | Public corridors | Specific areas | Other areas |
|---|---|---|---|---|
| Class 2 or 3, unsprinklered[1], excluding accommodation for the aged, people with disabilities and children | Walls: 1; Ceilings: 1 | Walls: 1, 2; Ceilings: 1, 2 | Walls: 1, 2, 3; Ceilings: 1, 2, 3 | Walls: 1, 2, 3; Ceilings: 1, 2, 3 |
| Class 2 or 3, sprinklered, excluding accommodation for the aged, people with disabilities and children | Walls: 1; Ceilings: 1 | Walls: 1, 2, 3; Ceilings: 1, 2, 3 | Walls: 1, 2, 3; Ceilings: 1, 2, 3 | Walls: 1, 2, 3; Ceilings: 1, 2, 3 |
| Class 5, 6, 7, 8 or 9b schools, Unsprinklered | Walls: 1; Ceilings: 1 | Walls: 1, 2; Ceilings: 1, 2 | Walls: 1, 2, 3; Ceilings: 1, 2, 3 | Walls: 1, 2, 3; Ceilings: 1, 2, 3 |
| Class 5, 6, 7, 8 or 9b schools, Sprinklered | Walls: 1; Ceilings: 1 | Walls: 1, 2, 3; Ceilings: 1, 2, 3 | Walls: 1, 2, 3; Ceilings: 1, 2, 3 | Walls: 1, 2, 3; Ceilings: 1 ,2, 3 |
| "Specific areas" means within— for Class 2 and 3 buildings, a sole-occupancy unit; for Class 5 buildings, open plan offices with a minimum floor dimension/floor to ceiling height ratio > 5; and for Class 6 buildings, shops or other building with a minimum floor dimension/floor to ceiling height ratio > 5; | | | | |

## Table NSW Table S7C7 of Specification 7 – Other Materials

| Material or Assembly Location | Flammability Index | Spread-of-Flame Index (SoF) | Smoke-Developed Index |
|---|---|---|---|
| Fire control rooms subject to Specification 19 and fire-isolated exits, other than a sarking-type material used in a ceiling or used as an attachment or part of an attachment to a building element. | N/A | 0 | 2 |
| Class 9b buildings used as an entertainment venue, a material used to cover closed back upholstered seats in any part available to the public—where smoking is permitted; or flame is exposed in connection with the preparation of meals | N/A | 6 | 5 |
| Escalators, moving walkways or non-required non fire-isolated stairways or pedestrian ramps subject to Specification 14. | N/A | 0 | 5 |
| Other materials or locations and insulation materials other than Sarking-type materials. | N/A | 9 | 8 (if SoF > 5) |

[1] ***"Sprinklered"*** *means a building fitted with a sprinkler system (other than a FPAA101D or FPAA101H system) complying with Specification 17.*

accessible
building
solutions

5th June 2025

**Precise Planning**
152 Sailors Bay Rd
Northbridge NSW 1560

**Attn: Jeff Bulfin**

ABN 58 006 628 812

Michael Moutrie
ACAA Accredited Access Consultant
No 581

124 Upper Washington Drive
Bonnet Bay NSW 2226

**P** 0450 334 995
**E** michael@absaccess.com.au

**Re: Pinetrees Lodge – 221 Lagoon Rd Lord Howe Island**

To whom it may concern,

This letter is in support of the design for the above mentioned address. The design consists of a change of use of a room to be used as a massage suite. Due to the use of the building, it is proposed that a performance solution will be provided at CC stage to exempt the room from access requirements showing similarities to the D4D5 exemption in the NCC.

The room will only be used by staff (massage therapists) who will be required to be able bodied to complete their tasks, and hotel guests. Due to the unique nature of the lodge, and Lord Howe Island in general, it is highly unlikely that guests with major disabilities would be able to stay on the island.

The non compliances to be addressed under the performance solution are only that the doors do not provide 850mm clear width for wheelchairs, and the bathroom is not an accessible bathroom. As the bathroom is only for staff (who are required to be able bodied) and the therapists are not going to be trained OTs who can transfer someone from a wheelchair to the massage table, it will be shown that a wheelchair will never be required to go through the doorways.

The rooms will be suitable for people with other minor disabilities and other access requirements can still be provided such as door hardware and contrast.

Yours faithfully

**Michael Moutrie**
ACAA Accredited Access Consultant No 581

## List of Existing and Proposed Category 1 Fire Safety Provisions

**PROPERTY NAME:** Pinetrees Lodge (day spa unit and attached accommodation unit only) – 221 Lagoon Road Lord Howe Island **LOCAL AUTHORITY:** Lord Howe Island Board

**BUILDING CLASS:** 1b (accommodation unit); 5 (day spa) **DATE/REVISION:** 18 June 2025; Rev 0

| | Category 1 Fire Safety Provisions as per EP&A (Development Certification and Fire Safety) Regulation 2021 (EP1.3, EP1.4, EP!.6, EP2.1, EP2.2, EP3.2 Volume 1; P2.3.2 Volume 2) | CURRENTLY INSTALLED | CURRENT STANDARD OF PERFORMANCE | PROPOSED TO BE INSTALLED | PROPOSED STANDARD OF PERFORMANCE |
|---|---|---|---|---|---|
| 1 | Automatic Fire Detection & Alarm System | No | - | Yes | AS1670.1-2018* |
| 2 | Automatic sprinkler system | No | - | No | - |
| 3 | Automatic suppression system | No | - | No | - |
| 4 | Emergency Lifts | No | - | No | - |
| 6 | Emergency Warning Systems (EWIS) | No | - | Yes | AS/NZS2293.1-2018* |
| 8 | Fire Control Centres/Rooms | No | - | No | - |
| 9 | Fire Hydrant System | No | - | No | - |
| 10 | Stair Pressurisation System | No | - | No | - |
| 11 | Zone Smoke Control | No | - | No | - |
| 12 | Smoke exhaust/Smoke Clearance Fans | No | - | No | - |
| 13 | Mechanical Ventilation Fire Trip | No | - | No | - |
| 14 | Perimeter Vehicle Access for Emergency Vehicles | No | - | No | - |
| 15 | Wall-wetting Sprinkler/Drencher System | No | - | No | - |
| 16 | Performance Solution Reports | No | - | Yes | FEBQ |

* and the requirements of the performance solution (see FEBQ)

# Performance-based design brief (PBDB) consultation

## 1 Document control

**Applicant reference number** Enter ref. no. **FRNSW reference number** FRNSW use only

| Ver. | Author | Organisation | Status | Date |
|---|---|---|---|---|
| 01 | Christopher Delgado | Code Fire Safety | Stakeholder review only | 24/06/2025 |

## 2 Applicant

### 2.1 Agreement

As the applicant, I confirm the following:

- I agree to pay Fire and Rescue NSW (FRNSW) the charges set out in section 45 of the *Fire and Rescue NSW Regulation 2023* (see section 10).
- I agree to forward with this application the following documentation for FRNSW to review and provide initial fire brigade consultation into the PBDB process:

☑ Copy of proposed plans and specifications (see section 11 'Submission of this form')

☐ BCA report or letter from an accredited certifier that identifies all non-compliances (if available)

| | | | |
|---|---|---|---|
| Name of fire engineer | Tai Guen (Steven) Moon | BDC number | BDC 3322 |
| Company name | Code Fire Safety | | |
| Fire engineer's phone no. | 0431 043 131 | | |
| Fire engineer's email | *steven@codefiresafety.com.au* | | |

### 2.2 Remittance advice information

Invoices will be issued based on the information provided below:

| | | | |
|---|---|---|---|
| ASIC company name | Pinetrees Trust No 4 | | |
| Australian business number | [redacted] | Trading name | Pinetrees Trust No 4 |
| Remittance contact name | Dani Rourke | | |
| Remittance street address | [redacted] | | |
| Remittance email address | | | |
| Remittance phone number | [redacted] | Remittance fax number | Remitter's fax no. |
| Purchase order ref. no. | If applicable | Project code ref. no. | If applicable |
| Project leader contact name | Dani Rourke | | |
| Project leader contact email | [redacted] | | |

# 3 Consultation

## 3.1 Stakeholders

| Role | Name and BDC number | Organisation and Phone | Email address |
|---|---|---|---|
| BCA consultant | | | |
| Certifier | Roland Allam<br>BDC 3372 | AllCert Pty Ltd<br>0499 222 002 | *roland@allcertgroup.com.au* |
| FRNSW reviewers | FRNSW use only<br>FRNSW use only | Fire and Rescue NSW<br>02 9742 7434 | firesafety@fire.nsw.gov.au |

## 3.2 Meeting details

Record the details of any meetings undertaken with FRNSW on the project.

| Meetings undertaken | Type of meeting | Meeting date | Attendees |
|---|---|---|---|
| No meeting | | | |

# 4 Project details

## 4.1 Premises

| | |
|---|---|
| Premises name | Pinetrees |
| Primary street address | 221 Lagoon Road |
| Secondary street address | Secondary street address (if applicable) |
| Premises suburb | Lord Howe Island |
| Lot and DP numbers | Lot 236 of DP48213 |

## 4.2 Proposed works

| | | |
|---|---|---|
| ☐ New building | Applicable NCC* (year) | NCC 2022 A1 |
| ☐ Refurbishment of an existing building | Date of consent approval | Select TBC |
| ☐ Extension of an existing building | **For existing buildings:** | |
| ☑ Change in use of existing building (involving building work) | Year of construction | unknown |
| ☐ Other: (provide details) | Building code of existing | Unknown |
| What is the approval pathway for the proposed works? | Construction Certificate (CC) | |
| How many performance solution issues are proposed in this PBDB? | | 1 |
| How many Performance Requirements are being assessed? | | 2 |
| Do any of the proposed performance solutions pertain to works already constructed on site? | | Yes, the proposed change of use is within the confines of the existing building. |

***Note**: The applicable NCC must relate to the 'relevant date' as defined by *section 19* of the *EP&A(DCFS) Reg.*

| | |
|---|---|
| Are any of the performance solutions proposed because of: | |
| - an issue relating to a notice of intention to issue a fire safety order on the subject building | No |
| - an issue relating to a fire safety order that has been imposed on the subject building | No |
| - an audit of the existing building that has identified an existing non-compliance | No |
| - not being able to sign off an annual fire safety statement | No |

**Note**: FRNSW will not comment on existing buildings subject to a change of use prior to the issuing of any DA conditions of consent, or conditions of an existing consent have been modified (i.e. section 4.55 of *Environmental Planning and Assessment Act 1979*). Comment will also not be provided if a development control order has been issued. However, the relevant Council may seek FRNSW comment during the DA assessment process.

### 4.3 Additional questions

| | |
|---|---|
| Does the proposal include a reduction in water supply to the fire hydrant or sprinkler system? | No |
| Does the proposal relate to fire hydrant system flows and/or pressures? | No |
| Does the proposal include a performance solution to not provide an active fire safety system that would otherwise be required to comply with NCC Deemed-to-Satisfy (DtS) provisions? | No |
| Has there been any previous IFSR submission(s) made under *section 27* of the *EP&A(DCFS) Reg.* pertaining to this development? | No |

| | |
|---|---|
| Will the building likely be subject to a fire safety study, risk assessment or dangerous goods study? | No |
| **Note**: Any study/risk assessment must be completed prior to submitting this PBDB consultation. | |
| Have all departures from NCC DtS provisions been identified for this proposed design (i.e. a BCA report or letter from an accredited certifier)? | No |
| **Note**: Any advice given is subject to all non-compliances being identified. Any new DtS departures identified, including any from the certifier determining the application for construction certificate, may affect FRNSW advice given in respect to this performance solution. | |
| Does any previous or existing performance solution apply to the building? | No |

| | |
|---|---|
| Will the works be subject to an exemption under section 111 of the *EP&A(DCFS) Reg.*? | No |

| | |
|---|---|
| Is or will the premises be subject to any development application (DA) conditions or special regulatory approvals (e.g. BDC conditions, ministerial conditions, crown building works)? | No TBC |
| DA Consent yet to be obtained. | |

## 4.4 Description of building

| | | | | |
|---|---|---|---|---|
| Main occupancy class | 5 | Largest fire compartment (within the building) | Area ($m^2$) | 58 |
| Other occupancy classes | 1b | | Volume ($m^3$) | 248 |
| Type of construction | C | | Height (m) | 3.045 |
| Effective height (m) | N/A – RIS of 1 | Ground floor area ($m^2$) | | 58 |
| Rise in storeys (RIS) | 1 | Total floor area ($m^2$) | | 58 |
| Levels contained | 1 | Total volume ($m^3$) | | 248 |
| Is the building, or does the building contain, an early childhood centre? | | | | No |
| Is the building, or does the building contain, a Data Centre? | | | | No |
| Is the development a major hazard facility? | | | | No |
| Is the development a waste management facility? | | | | No |
| Is the development a united building (e.g. podium with towers)? | | | | No |

Outline any additional building characteristics:

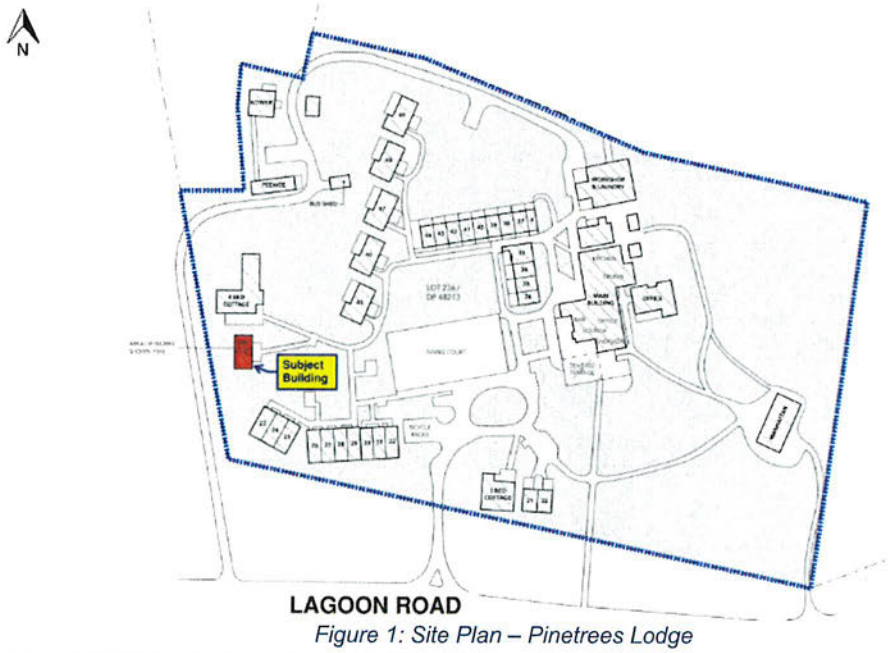
| BUILDING CHARACTERISTICS | |
|---|---|
| **Characteristic** | **Description** |
| **Building Shape** | The fire engineering assessment is limited to the building located on the western side of the Pinetrees Lodge site, located at 221 Lagoon Road, Lord Howe Island (Lot 236 of DP48213). The existing building is subject to an internal refurbishment and change of use to incorporate a Class 5 spa/massage suite and a Class 1b residential SOU.<br><br>Vehicular access to the site is located on the southern and south eastern side of the allotment via Lagoon Road. The extent of the site boundary as well as the location of the subject building is shown in the aerial plan below.<br><br>  <br>*Figure 1: Site Plan – Pinetrees Lodge* |
| **Building Shape** | The subject building consists of a single storey and is proposed to be used as a Class 1b Residential SOU and a Class 5 spa/massage suite. The floor layout of the subject building is shown in the figure below. |


*Figure 2: Floor Layout of Subject Building*

Outline the services provided for fire brigade / fire services intervention:

| Fire Services | Standard of Performance |
|---|---|
| Fire detection system and alarm system (including building occupant warning system) | AS1670.1-2018 and the requirements of the performance solution. |
| Emergency lights and exit signs | AS/NZS2293.1-2018 and the requirements of the performance solution. |
| *Note, the above list of fire services is not a comprehensive list of all required fire safety measures applicable to the subject building.* | |

List key occupant characteristics for the building:

| OCCUPANT CHARACTERISTICS | |
|---|---|
| **Characteristic** | **Description** |
| **Distribution** | The BCA does not provide a means to calculate the occupant population for Class 1b residential buildings. However, a population estimate can be established by assuming at least 2 occupants per bedroom within each residential SOU. Given that the Class 1b residential SOU incorporates a single bedroom, this equates to a total population of 2-4 occupants.<br><br>The number of occupants within the Class 5 spa/massage suite can be determined as per Clause D2D18 and NSW Table D2D18 of the BCA. The calculation is based on the expected occupant densities of various building uses, and on the floor area of each floor level, which excludes areas designated to lifts, stairways, ramps, escalators, corridors, hallways, lobbies, and the like. Refer to the table below. |
| **State** | Occupants within the residential SOU may not be alert or awake at the time of a fire. The building occupant warning system is intended to raise an alarm throughout the building in the event of a fire in an attempt to alert all occupants, whether awake or asleep to evacuate in an emergency. Occupants within this portion would consist of short-term residents.<br><br>Occupants within the Class 5 massage and spa suite is deemed to be awake and alert based on its function and use. Occupants within this portion would consist of staff members and visiting patrons. |

| Floor Level | Density ($m^2$/person) | Floor Area ($m^2$) | Population |
|---|---|---|---|
| Ground floor spa (Shop) | 3 | 15 | 5 |

*Table 1: Expected number of occupants*

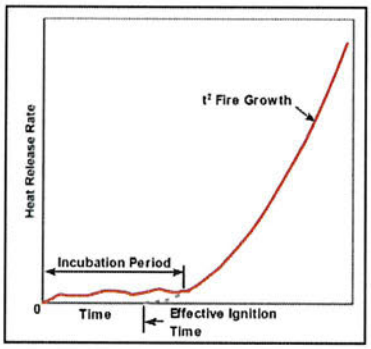
| | |
|---|---|
| **Physical and mental attributes** | It is assumed that all occupants have a level of understanding that would enable them to interpret emergency cues and enable them to find an exit. A minority of occupants may not be fully cognitive or may suffer from other impairments (hearing or seeing) which may inhibit them from evacuating safely. Occupants with these attributes are expected to be assisted by other occupants who are fully cognitive in the event of an emergency.<br><br>Occupants are expected to travel at a speed of approximately 1.2m/s based on the average speed of an able-bodied person (Buchanan, 2001). To be conservative, an occupant travel speed of 0.8m/s can be assumed to account for occupants who may suffer from physical/mental impairments. |
| **Level of Assistance Required** | It is assumed that most occupants do not require any assistance to exit the building. A few occupants could potentially be temporarily or permanently disabled or may experience mental or physical impairments. These occupants are expected to be assisted by other occupants in the event of an emergency. Notwithstanding, research by Proulx indicates that in fires, occupants are generally altruistic and will help others to evacuate (Proulx, 2002). All other occupants are assumed to be able-bodied and do not require any assistance to exit the building. |
| **Emergency Training** | The Work Health and Safety Act 2011 and Regulations 2017 indicates that an emergency plan must be prepared for a place of business, based on the provisions of Clause 19 and Clause 43, respectively. Given the legal requirements and obligations of the business owner under state law, an emergency management plan is expected to be prepared, where the provisions of AS3745-2010 has been included as a requirement within the trial design requirements.<br><br>Staff members are expected to undergo emergency training including evacuation training, allowing them to initiate fire-fighting activities using portable extinguishers. Staff members are also expected to be able to direct any visitors to the location of exits and would commence evacuation prior to the arrival of the emergency services. |
| **Occupant Group Roles** | Occupants within the building are expected to be short-term residents, along with trained staff members. Considering that staff members within the building would be familiar with the building layout and evacuation routes, they are expected to direct visitors to the nearest fire exit in an emergency. Notwithstanding, due to the small floor layout, any occupants within the building would be readily able to locate the nearest exit without any complex wayfinding. |
| **Activity at the Outbreak of a Fire** | The occupants within the residential portion may be asleep and/or incoherent at the time of a fire outbreak. Considering that a fire event will most likely occur within a residential SOU, the building occupant warning system is expected to notify sleeping occupants of a fire event.<br><br>Occupants within the Class 5-day spa and massage suite are generally expected to be awake and alert to any alarms, given the function and use. Occupants who may not be awake or fully coherent within this portion are expected to be fully supervised by staff members. |
| **Familiarity of the Building** | Staff members are expected to be highly familiar with the building layout and would be able to egress to an exit without complex wayfinding. Visitors/patrons of the massage/day spa suite are expected to be directed to the nearest exit by accompanying staff members within the building in the event of an emergency.<br><br>Due to the small area of the building, residential occupants and visitors who may not be familiar within the building would be able to readily locate an exit without complex wayfinding. |

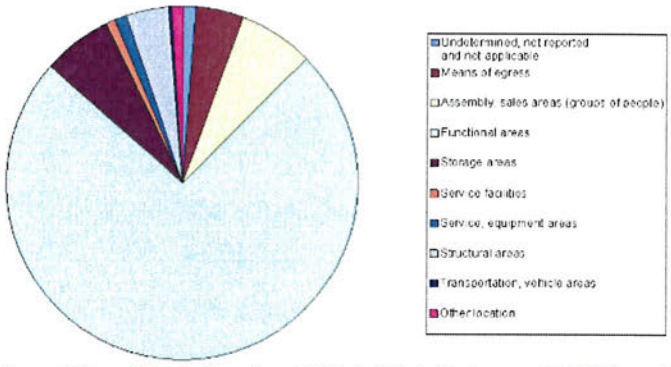
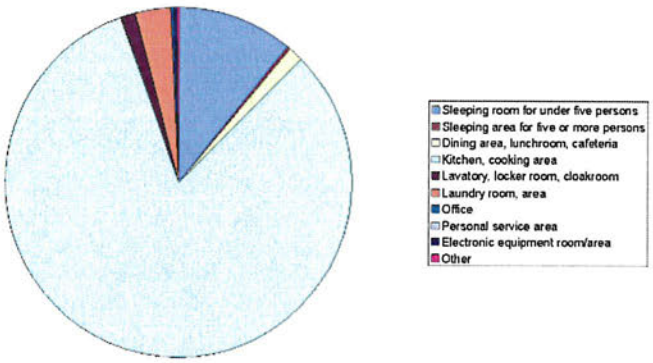
## 5 Hazards and risks

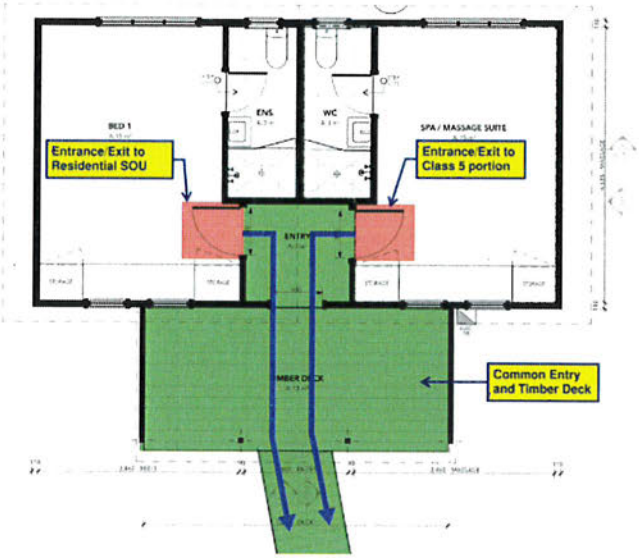
Indicate if the building has, or will have, any of the following (indicate all applicable):

- ☐ Combustible external cladding
- ☐ Combustible waste (i.e. waste facility)
- ☐ Electricity supply system (e.g. substations)
- ☐ Battery system (e.g. BSS, BESS, ESS)
- ☐ Alternative electrical generation (e.g. solar, tri-gen)
- ☐ Automatic vehicle parking system (e.g. car stacker)
- ☐ Automatic storage and retrieval system (ASRS)
- ☐ Hazardous chemicals / dangerous goods (provide details below)
- ☐ Insulated sandwich panels
- ☐ Podium type building
- ☐ A basement level
- ☐ An atrium (Part G3 of BCA)
- ☐ Electric vehicle charging
- ☐ Green wall
- ☐ Other (provide details below)

Additional information:

| FIRE HAZARD CHARACTERISTICS | |
|---|---|
| **Characteristic** | **Description** |
| **Expected Fire Behaviour** | Identification of hazards that are expected to affect life safety of building occupants is crucial to undertaking a fire safety engineering assessment. Special attention should be made to identify hazards that are not commonly associated with the type of occupancy.<br><br>The major hazard for occupants in most buildings is exposure to smoke. One of the main goals of the proposed fire safety strategy is to ensure occupants have adequate egress points such that they can move away from fire and smoke.<br><br>If a fire initiates, it is very likely to first go through an incubation period or incipient stage, as shown in Figure 3. This graph shows a typical time-based illustration of the heat release rate of a continuously growing fire known as a "$t^2$ fire". The incubation period may range from seconds to hours and is typically difficult to predict.<br><br>In the analysis of this report, it was conservatively assumed that the fire begins to grow immediately with the incubation period being ignored. It is noted that the incubation period is normally characterised by smouldering combustion which still produces smoke that may be sufficient to activate detection systems or alert occupants.<br><br>  <br>*Figure 3: Typical actual fire growth curve (NFPA 92B, 2005)*<br><br>Once the growth phase of the fire begins, the fire will develop at a rate dependent on its location and the fuel and ventilation available. |
| **Fuel Load** | Residential units can have a high fuel load as there is no restriction on the type and quantity of storage within units, such that a fire can grow quickly. However, the smoke alarm units should provide early warning to the occupants, and it is likely that the initial visual fire detection and fire extinguishing will be carried out by occupants.<br><br>Annual Statistical Reports from Fire and Rescue NSW (NSWFB, n.d.) indicated that the most frequent area of fire origin in residential buildings for the period between 2003/04 and 2006/07 is in the functional areas, which represent 75% of the recorded incidents as shown in Figure 4 below. Whilst the next likely area of fire origin is in assembly/sales areas which only represents 7% of the recorded fires and is followed by storage areas (6%) and along the means of egress (4%). |

| | |
|---|---|
| | Functional areas consist of different areas/rooms. A breakdown of the functional area is shown in Figure 5 below and indicates that kitchen fires contribute 83% of all recorded fires in the functional areas followed by sleeping rooms for under five persons (11%) and laundry rooms (3%).<br><br>Therefore, based on the NSW Fire Brigades statistics and from a general review of the fire hazards associated with residential buildings (Apartments/Units/Flats), it can be concluded that the areas associated with fires where extensive damage is caused and/or fires that threaten the life safety of occupants are as follows.<br><br>• Kitchens (cooking equipment).<br>• Bedrooms (heating appliances, air conditioning and smoking).<br>• Laundry room (dryer).<br><br>Provided that this report deals only with life safety of occupants within this building, hazards associated with the general layout and activities as well as the ignition and fuel sources in the building will be assessed.<br><br>  <br><br>*Figure 4: Area of fire origin in Apartments/Units/Flats (between 2003/04 and 2006/07)*<br><br>  <br><br>*Figure 5: Breakdown of the functional areas (between 2003/04 and 2006/07)*<br><br>The International Fire Engineering Guidelines (IFEG) provides a list of fuel load energy densities (FLED) based on the function and use of a building. Residential SOU's are said to contain approximately an average and 95% fractile FLED of 780 MJ/m$^2$ and 970 MJ/m$^2$ of fuel respectively (ABCB, 2005). This would constitute typical fuel loads such as clothing, furniture, bedding, and electrical goods.<br><br>The Class 5 massage/day spa is estimated to contain an average FLED value of 300MJ/m$^2$ of fuel, where a 90$^{th}$ percentile value can be calculated to be 495MJ/m$^2$ (ABCB, 2005) which is based on a "hairdressing shop" classification under Table 3.4.1b of the IFEG. This occupancy was used as it represents a similar personal or professional service similar to the massage/day spa. |
| **General Layout** | The subject building is located on the western side of the Pinetrees Lodge site located at 221 Lagoon Road, Lord Howe Island. The building consists of a single storey and is proposed to undergo an internal refurbishment for the proposed change of use fit-out of a Class 5 spa/massage suite and a Class 1b residential SOU. The Class 1b and Class 5 portions are each provided with a main entry/exit door which leads onto a common timber deck area. |

| | |
|---|---|
| | Occupants would egress south via the timber deck to reach an open space within the site. Refer to the figure below.<br>  <br>*Figure 6: Egress from Class 1b and 5 Portions of the Building* |
| **Activities** | The main activities within the subject building would include the following:<br>- Class 1b residential SOU: Overnight accommodation for short term residents.<br>- Class 5 suite: Massage and day spa for visiting occupants.<br>While occupancy in both spaces are temporary, the occupants within the Class 5 portion will be controlled during operational hours only. |
| **Ignition Sources** | The main ignition sources within the building would include energised electrical equipment including tv, heaters and lighting etc.<br>The strict enforcement of the "No-Smoking" policy throughout the building should reduce the likelihood of discarded smoking materials becoming an ignition source. |
| **Fuel Sources** | The main fuel sources within the building would include general combustible goods, furniture, carpets, tables, and chairs etc. |

**Note:** Clauses E1D17 and E2D21 of the NCC should be addressed when special hazards exist (e.g. car stacker, hazardous chemicals/dangerous goods).

## 6 Proposed preventative and protective measures

Identify the fire safety measures that are proposed to be provided in the building, including anything undecided, which should be mentioned as part of the PBDB. Additional information may be added to the comments section below to better describe any systems or indicate systems that may be subject to any performance solution.

| **Suppression system** | **Detection system** | **Facilities for emergency services** |
|---|---|---|
| ☐ CA16 (existing building) | ☐ AS 3786:2014 | ☐ Emergency lifts |
| ☐ AS 2118.1-2017 | ☐ AS 3786-1993 (existing building) | ☐ Fire control centre |
| ☐ AS 2118.1-2006 | ☑ AS 1670.1:2018 | ☐ Fire control room |
| ☐ AS 2118.1-1999 (existing building) | ☐ AS 1670.1:2015 (existing building) | ☐ Perimeter vehicular access |
| ☐ AS 2118.2-2021 (wall-wetting) | ☐ AS 1668.1:2015 | ☐ Standby power supply system |
| ☐ AS 2118.2-2010 (wall-wetting) | ☐ AS 1670.3-2018 (monitored) | **Occupant warning system** |
| ☐ AS 2118.3-2010 (deluge) | ☐ AS 1670.3-2004 (existing building) | ☑ Building occupant warning |
| ☐ AS 2118.4-2012 (residential) | ☐ Smoke alarms | ☐ EWIS |
| ☐ AS 2118.5-2006 (domestic) | ☐ Heat alarms | ☐ SSISEP |
| ☐ AS 2118.6-2012 (combined) | ☑ Smoke detectors | ☑ Break glass unit |

- ☐ FPAA101D
- ☐ FPAA101H
- ☐ Fast response heads
- ☐ ESFR
- ☐ Storage mode sprinklers
- ☐ Gaseous suppression system
- ☐ Water mist system

**Hydrant system**

- ☐ AS 2419.1:2021
- ☐ AS 2419.1-2017
- ☐ AS 2419.1-2005
- ☐ AS 2419.1-1994 (existing building)
- ☐ Ordinance 70 (existing building)
- ☐ Dry fire hydrant system
- ☐ External hydrants
- ☐ Internal hydrants
- ☐ Street hydrant coverage only
- ☐ Hydrant booster assembly
- ☐ Pumpset

**Firefighting hose connections**

- ☐ AS 2419.4:2021
- ☐ Fire brigade thread (FBT)
- ☐ Other (provide details below)

- ☑ Heat detectors
- ☐ Flame detectors
- ☐ CO detectors
- ☐ Multi-criteria fire detectors
- ☐ Aspirated smoke detection
- ☐ Beam detection

**Water supply**

- ☐ Reticulated town main
- ☐ Private water main
- ☐ Onsite storage tank
- ☐ Gravity tank/reservoir
- ☐ Dual supply (sprinklers)
- ☐ Dual supply (hydrants)

**Smoke hazard management**

- ☐ Zone smoke control
- ☐ Purge system (existing building)
- ☐ Smoke and heat vents
- ☐ Smoke exhaust
- ☐ Smoke baffles
- ☐ Ridge vents
- ☐ Stair pressurisation
- ☐ Impulse / jet fans (in carpark)

- ☑ Visual / tactile alarm devices

**Signage**

- ☑ Emergency lighting
- ☑ Exit and direction signs
- ☐ Warning and operational signs

**Protection of openings**

- ☐ Fire doors
- ☐ Smoke doors
- ☑ Solid core doors
- ☐ Fire windows
- ☐ Fire shutters
- ☐ Wall-wetting sprinklers
- ☐ Fire curtain
- ☐ Smoke curtain
- ☐ Safety curtain for openings
- ☐ Fire dampers
- ☐ Smoke dampers
- ☐ Fire seals (intumescent)
- ☐ Medium temp. smoke seals
- ☐ Fire collars
- ☐ Attenuation screens

**Firefighting equipment**

- ☑ Portable fire extinguishers
- ☐ Fire hose reels

Additional information:

## 7 Departures from the DtS provisions

**Issue number: 1** Omission of fire wall separating Class 1b and Class 5 building portions

Details of departures from DtS provisions:

Clause C3D9 of the BCA specifies that fire walls separating buildings with different classifications on a single storey must meet the Fire Resistance Level (FRL) requirements set out in Table S5C24c for Type C construction. According to this table, the fire wall between the Class 1b residential accommodation and the Class 5 spa and massage facilities must achieve an FRL of at least 90/90/90.

The proposed design omits this required fire wall between the Class 1b and Class 5 areas, which will need to be addressed through a performance-based solution.

Applicable DtS provisions (inc. clause excerpt):

**Clause C3D9(1)** – If a building has parts of 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 for that element for the classifications concerned; or
- The parts must be separated by a fire wall.

**Clause C3D9(2)** – A fire wall required by (1)(b) must have the FRL prescribed in accordance with Specification 5 as applicable for that element for the type of construction and the classifications concerned.

**Clause C3D9(3)** – For the purposes of (2), the FRL in Specification 5 must be either:

- The higher FRL prescribed in Table S5C11d or S5C21d; or
- The FRL prescribed in Table S5C24c.

**Table S5C24(c)** – FRL required for a fire wall in a Class 5 building is 90/90/90.

Applicable Performance Requirements:

C1P1 and C1P2

List key fire safety measures:

| | |
|---|---|
| **Emergency Lighting and Exit Signs** | Emergency lighting and exit signs shall be installed within both the Class 1b residential and Class 5 spa/massage suite in accordance with AS/NZS2293.1-2018.<br>This includes:<br>• Illuminated exit signs above each exit door serving the Class 1b and 5 portion, and above the common walkway to direct occupants to outside/open space.<br>• Emergency light fitting in the covered common walkway to provide a minimum 1 lux on the floor surface. |
| **Fire Detection and Alarm System** | • An automatic fire detection and alarm system shall be installed throughout the building in accordance with AS1670.1-2018.<br>• Where the use of smoke detectors pose a risk to trigger spurious alarms, thermal/heat detectors may be used as an alternative. Heat detectors shall be activated at a fixed temperature of not more than 63°C.<br>• The fire alarm sound pressure level shall be at least 10dB above ambient – where it shall be not less than 75dBA, and not greater than 105dBA.<br>• The fire detection and alarm system serving the subject building shall be able to be monitored at the main building on site.<br>• A visual alarm device shall be installed within Class 1b and 5 portion near the exit door way and comply with AS ISO 7240.23.<br>• A manual call point shall be installed near the exit door of each Class 1b and 5 portion to enable manual activation of the building occupant warning system. |

| | |
|---|---|
| **Portable Fire Extinguishers** | • Portable fire extinguishers shall be installed within each Class 1b and 5 portion near the exit door way and comply with AS2444-2001. |
| **Management in use policy** | • The covered common area portion is proposed to be void of any combustible storage and furnishings such that a sterile environment is maintained. This is to be maintained with the use of permanent signage indicating the words "KEEP CLEAR – STORAGE PROHIBITED" in upper case letters not less than 50mm high on a contrasting background. Refer to the figure below for the location of the proposed signage.<br>  <br>*Figure 7: Location of Proposed Signage*<br>• The strict enforcement of the "No-Smoking" policy shall be implemented throughout the building. Permanent signage shall be incorporated adjacent to the entry door of the Class 1b and 5 space. The subject signs shall be mounted at a height of 1.7m-2.1m indicating the words "NO SMOKING" in accordance with the Smoke-free Environment Regulation 2007.<br>• The subject building shall not incorporate any cooking equipment. This measure shall be enforced as part of the Management in Use policies for the building.<br>• The hot-water unit / equipment shall be installed external to the building.<br>• The Class 5 spa/massage tenancy shall be restricted to no greater than 5 occupants at a time and shall be enforced as part of the Management in Use policies for the building.<br>• All paths of travel within common areas shall be maintained and kept clear in accordance with Section 109 of the EP&A (Development Certification and Fire Safety) Regulations 2021.<br>• All essential fire safety measures (all items listed in the fire safety schedule) shall be designed and installed in accordance with the relevant Australian Standards and the requirements of the future Fire Engineering Report and are to be maintained based on the provisions of the applicable Standard of Performance and AS1851-2012. |

Proposed performance solution:

This fire engineering assessment evaluates the omission of a fire wall between the Class 1b short-stay residential accommodation and a Class 5 spa/massage suite within a single-storey Type C construction building. The building is a single-storey structure divided into the following portions:

- Class 1b (approx. 21m$^2$), accommodating up to 2-4 occupants.
- Class 5 Spa and Massage Suite (approx. 21m$^2$), accommodating up to 5 occupants.
- Common area and timber decking (approx. 16m$^2$), used for occupant thoroughfare.

The omission of the fire wall separating the Class 1b and Class 5 portions of the building is considered to be acceptable based on the following:

- **Mitigation of fire risk and hazards:**
    - Cooking and food preparation is prohibited from all parts of the building which removes a potential fire ignition source and hazard.

- The hot water unit shall be located externally and not within the confines of the building or covered area portion, reducing its fire risk as an ignition source and hazard.
- The strict enforcement of the "No-Smoking" policy shall be implemented throughout the building and enforced through permanent signage mounted at a height of 1.7m-2.1m indicating the words "NO SMOKING" in accordance with the Smoke-free Environment Regulation 2007. This provision is expected to reduce the risk of discarded cigarettes (or the like) becoming an ignition source.
- The Class 5 unit shall be limited to up to 5 occupants at a time where it shall be locked outside of normal business hours. This shall be enforced as part of the Management in Use Policies within the building and be included as an Essential Fire Safety Measure within the building Fire Safety Schedule. This provision is intended to reduce the risk of a fire occurring within the Class 5 portion of the building.

- **Enhanced Fire Detection:**
  - Whilst not being required under the DtS provisions of the BCA, a fire detection and alarm system is proposed to be provided throughout the building in accordance with AS1670.1-2018. The provision of a fire detection and alarm system is expected to provide early warning and to notify occupants who may be sleeping within the Class 1b portion to be alerted of a fire and promptly evacuate the building.
  - Additionally, the fire detection and alarm system shall be monitored at the main building on site. This provision provides an additional means of redundancy as 24/7 security staff onsite can be notified of a fire and assist in facilitating occupant evacuation from the building.
  - A visual alarm device is to be installed within each Class 1b and 5 portion to provide an additional method of alerting occupants of a fire event.
  - Manual call points are to be installed within Class 1b and 5 portion to provide an additional method of activating the building occupant warning system.
- **Reduced Fuel Loads:**
  - The covered common area portion is proposed to be void of any combustible storage and furnishings such that a sterile environment is maintained. This is to be maintained with the use of permanent signage indicating the words "KEEP CLEAR – STORAGE PROHIBITED" in upper case letters not less than 50mm high on a contrasting background.
  - The building is of a single storey and incorporates a total floor area of only 58m$^2$. With consideration that the covered common area (total floor area of 8m$^2$) is proposed to be void of any combustible storage, the potential fire load and fire size within the building would be considerably low.
- **Initial Firefighting:**
  - Portable fire extinguishers to be provided to allow trained staff members within the Class 5 portion to conduct initial firefighting and prevent fire spread to the Class 1b residential SOU. Whilst untrained, occupants within the Class 1b portion may use portable fire extinguishers to conduct initial firefighting. Alternatively, residential occupants are expected to evacuate the building.
- **Assessment of Fire Scenarios:**
  - Where the fire originates in the Class 1b portion, occupants within the Class 5 portion who are fully awake would be alerted of a fire via the building occupant warning system and evacuate the building. Due to the small building footprint, occupants within the Class 1b portion would be able to identify the fire via olfactory cues. Otherwise, the building occupant warning system would alert any sleeping occupants to evacuate.
  - Where the fire originates in the Class 5 portion, the building occupant warning system would alert occupants within the Class 1b portion to evacuate the building. With consideration that the Class 5 portion would only be occupied during operating hours, staff members would be able to assist in alerting all other occupants, even those in the Class 1b portion to evacuate prior to fire spread. Due to the small floor area of the building, the egress time for occupants to reach an exit would be short where complex wayfinding would not occur

Due to the provision of a fire detection and alarm system to provide early warning to occupants as well as additional provisions to limit potential fire loads and ignition sources, it has been demonstrated that the omission of a fire wall between the Class 1b and Class 5 portions is acceptable.

Performance solution:

**Note:** The equivalent reference for the applicable NCC version will apply when not NCC 2022.

☑ A2G2(1)(a) – the solution complies with all relevant performance requirements

☐ A2G2(1)(b) – the solution is at least equivalent to the DtS provisions

Assessment methods:

**Note:** The equivalent reference for the applicable NCC version will apply when not NCC 2022.

☐ A2G2(2)(a) – Evidence of suitability

☐ A2G2(2)(b)(i) – Verification methods provided in the NCC

☐ A2G2(2)(b)(ii) – Other verification methods accepted by the appropriate authority

☑ A2G2(2)(c) – Expert judgement

☐ A2G2(2)(d) – Comparison with DtS provisions

Assessment approach:

| | | |
|---|---|---|
| ☐ Comparative | ☑ Deterministic | ☑ Qualitative |
| ☑ Absolute | ☐ Probabilistic | ☐ Quantitative |

AFEG sub-systems used in the analysis:

| | |
|---|---|
| ☑ A – Fire initiation and development and control | ☑ D – Fire detection, warning and suppression |
| ☐ B – Smoke development and spread and control | ☑ E – Occupant evacuation and control |
| ☑ C – Fire spread and impact and control | ☐ F – Fire services intervention |

Acceptance criteria and factor of safety:

1. To provide such means as to enable automatic occupant warning in the event of a fire; and
2. To provide a means to implement the restriction of use within the Class 5 portion of the building with consideration of time of occupancy, the number of occupants and restricted fuel loads.

Fire scenarios and design fire parameters:

1. A fire within the Class 1b residential SOU and the risk of fire spread to the Class 5 tenancy. The Class 1b residential unit incorporates a medium $t^2$ fire growth rate fire (CIBSE, 1995).
2. A fire within the Class 5 portion of the building and the risk of fire spread to the Class 1b residential SOU. The Class 5 shop incorporates a fast $t^2$ fire growth rate fire (CIBSE, 1995).

Describe how fire brigade intervention will be addressed or considered:

A fire hydrant system is not required to be provided for the building due to the floor area being less than 500m$^2$.

As such, fire brigade intervention is not affected by the proposed performance solution.

Verification/validation analyses:

☐ Sensitivity studies ☐ Redundancy studies ☐ Uncertainty studies ☑ None

A fire detection and alarm system should provide early warning to all occupants, whether asleep or awake, enabling them to evacuate the building safely in the event of fire. Given the restricted fuel loads, limited occupant numbers, and the building's small footprint, occupants can evacuate safely even without a fire wall separating the Class 1b and Class 5 sections. Therefore, no additional verification or validation analyses are required.

Provide details on proposed modelling/assessment tools:

N/A – Qualitative assessment.

## 8 Construction, commissioning, management, use and maintenance

What considerations does the performance solution require during the construction phase?

Adherence to Clause E1D16 of the BCA.

How will the performance solution affect commissioning of the systems (e.g. listed on fire safety schedule as essential or critical measure, combined new and old installations)?

All essential fire safety measures (all items listed in the fire safety schedule) shall be designed and installed in accordance with the relevant Australian Standards and the requirements of the future Fire Engineering Report and are to be maintained based on the provisions of the applicable Standard of Performance and AS1851-2012.

The additional provisions denoted within the performance solution will need to be incorporated in the fire safety schedule.

How will the performance solution be addressed for ongoing building management and use (e.g. details to be provided in a 'fire safety management plan' for the building manager)?

The building shall incorporate a management in use policy maintained by the building manager to ensure the conditions of the trial fire safety design are maintained, specifically:

Paths of travel to exits within common areas are to be left clear as required in accordance with Section 109 of the EP&A (Development Certification and Fire Safety) Regulations 2021.

How will any restrictions on fuel load/use/populations within the performance solution be managed and enforced (e.g. details to be provided in 'fire safety management plan')?

The building must be provided with an emergency management and evacuation plan which enforces paths of travel to exits to be maintained.

How will the performance solution be addressed for maintenance (e.g. details included on fire safety schedule, location of fire engineering report on site, plain English summary adjacent to FIP)?

All essential fire safety measures including items included in the trial design requirements are to be listed as part of the fire safety schedule which is required to be checked, tested (where applicable) and certified as part of the annual fire safety statements / certificates.

The additional fire safety provisions as required as part of the fire engineering report shall be included as an essential fire safety measure within the fire safety schedule.

## 9 Additional comments

**Note**: Any in principle support extended for performance solution issues through consultation is contingent upon all assumptions, analyses and conclusions in the fire engineering report being fully justified, and referenced as appropriate, to demonstrate how the relevant performance requirements have been satisfied to the extent required by the agreed acceptance criteria.

## 10 Scheduled charges

FRNSW charge for the provision of services performed in connection with statutory fire safety, as per the schedule of charges identified in section 45 of the *Fire and Rescue NSW Regulation 2023*.

The charge applicable is $2,600 for each day (or part of a day) spent by the Commissioner or a fire brigade member providing advisory, assessment or consultancy services.

**Note**: For a full description of the charges applicable including terms, payment options, applying for a waiver or reduction of the charges, please refer to the FRNSW website at *www.fire.nsw.gov.au/firesafety*.

## 11 Submission of this form

This completed form is to be emailed to firesafety@fire.nsw.gov.au.

Copies of plans and specifications necessary for consultation by FRNSW are to be uploaded to an FRNSW SharePoint directory or attached to the email, including:

- ☑ Relevant site, floor and elevation plans for the building
- ☐ Relevant schematic diagrams of hydraulic fire safety systems (e.g. hydrant system, sprinkler system/s)
- ☐ Recent statement of available pressure and flow (or equivalent) from water network utility operator
- ☐ CFD/zone modelling inputs form (if applicable) (available on FRNSW website).

**Note:** Reference should be made to *Submitting plans and specifications to FRNSW* for further information.

## 12 Contact us

For further information contact the Fire Safety Branch on (02) 9742 7434 or email firesafety@fire.nsw.gov.au.

# LORD HOWE ISLAND BOARD

## ELECTRICAL SUPPLY

### NOTIFICATION OF PROPOSED ADDITIONS AND/OR ALTERATIONS TO EXISTING ELECTRICAL SUPPLY

To be submitted in duplicate and signed by the customer or the electrical contractor.

NAME OF APPLICANT: Danielle Rourke, Pinetrees Lodge

ADDRESS OF PREMISES: 221 Lagoon Rd
Lord Howe Island NSW 2898

PORTION NO. 236 SERVICE NO. _____

PARTICULARS OF PROPOSED ADDITIONS AND/OR ALTERATIONS:

| LIGHTING POINTS | | GPO'S | | OTHER APPARATUS (Motors, Solar Heaters etc.) | | |
|---|---|---|---|---|---|---|
| NO. | WATTS | SINGLE | DOUBLE | TYPE | NO. | WATTS |
| | | | | | | |
| | | | | | | |
| | no change to existing arrangements. | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Particulars of any work to be disconnected:

n/a

Name and Address of Electrical Contractor:

n/a

_____ Licence No. _____

Signature of Applicant: [redacted] Date: 23/6/25