

APPLICATION FOR SECTION 160A COMPLIANCE ASSESSMENT

DETERMINATION IN RESPECT OF BUILDING DESIGN/COMPLIANCE ASSESSMENT

1 SITE DETAILS

Address

Street Address:	
Suburb:	
State:	P/Code:

Municipality

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Is the copy of a recent title search (less than three months) and plan of subdivision/title plan (if applicable) for the allotment attached?



Yes		Note: If the applicant is a company, a Company Extract must also be provided and must be dated less than three months of the date of the application being lodged. Go to: ASIC Connect .
No		You are required to attach a recent (less than three months) title search plan of subdivision/title plan (if applicable) for the allotment. Go to: LANDATA® .

2 APPLICANT

Name

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Company name and ACN (if applicable)

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Address

Street Address:	
Suburb:	
State:	P/Code:
Phone Business hours:	Mobile:
Email:	

Who is the applicant in this application?

Tick relevant box below:



☒	The applicant is the owner of the building or land.
☐	The applicant is the purchaser of a lot under a contract of sale, which is of a kind referred to in s 9AA(1) of the <i>Sale of Land Act 1962</i> .
☐	The applicant is the Authority.
☐	The applicant is the relevant building surveyor.

If you are a representative of the applicant, please complete the Authority to Act form on page 21 of this document. Under section 248(1) of the *Building Act 1993* (the Act), it is an offence for a person to act on behalf of an owner of a building or land for the purpose of making an application unless the person is authorised in writing to do so.

The Act requires that a copy of this application document must be served on other parties, namely:

- any other 'party concerned' (this would generally include other people with a direct and immediate interest in the outcome of the application).

3 RELEVANT BUILDING SURVEYOR

It is a requirement that the Building Appeals Board (the Board) receive comment from the Relevant Building Surveyor (RBS) in relation to the request for determination.

Name

Company name and ACN (if applicable)

Address

Street Address:			
Suburb:		State:	P/Code:
Phone Business hours:			
Mobile			
Email:			

4 REGULATORY PROVISIONS

4A Regulatory provisions

Tick the relevant boxes below and list the regulatory provisions applicable to the application.

Building Code of Australia (BCA) Performance Requirement(s)	BCA Deemed to Satisfy provision(s) (if relevant)
Nature of application for determination in respect of building design sought: Example nature of an application made under s 160A: An application dated [INSERT DATE] made under s 160A of the <i>Building Act 1993</i> to determine that the proposed/ existing [INSERT PROPOSAL] on a Class [INSERT BUILDING CLASSES] building, complies with Performance Requirement(s) [INSERT PERFORMANCE REQUIREMENT CLAUSES] of the <i>Building Code of Australia</i> [INSERT YEAR], Volume [INSERT VOLUME]. 	

Note: An application may be made to the Board for a determination that a particular design of a building or element of a building complies with the Act or the *Building Regulations 2018*.

5 RELEVANT BUILDING/LAND DETAILS

Use of Building	
BCA Classification - (Go to: Building classes)	
No of storeys	
Floor area of existing building	
Floor area of new building	
Type of construction	(not relevant to class 1 & 10)
Effective height	(not relevant to class 1 & 10)
Volume of building	(not relevant to class 1 & 10)

6 INFORMATION APPLICABLE TO APPLICATION

Please answer the questions below and provide relevant documents where necessary.

	Yes	No
Has an application for a building permit been lodged?		
Has the building permit been issued?		
Has work that forms part of this application commenced?		
If yes, what percentage is completed?		%
Nominate the edition/year of the BCA for a compliance assessment.		
Nominate the edition/year of the BCA and/or the version of the building regulations that applied at the time the building permit was issued.		
Are there any Building Notices or Building Orders that may directly or indirectly relate to the matter raised in this application? If yes, provide a copy of the Building Notice or Building Order.		
Has any fire engineering or fire safety assessment or other expert reports, e.g. alternative building solution or dispensation, been undertaken that may in any way relate to the matters raised in the application? If yes, provide a copy of the documents.		
Have any inspections been carried out by the Building and Plumbing Commission (BPC)? If yes, please provide a copy of the inspection report.		
Is there a relevant planning permit?		
Is the building on a register under the <i>Heritage Act 2017</i> ?		

Aside from the matters outlined in this application, has any aspect of this matter been or being considered by the Board or the BPC?

✓

Yes		Provide details and attach to this application
No		

Does this application relate to Performance Requirements CP1 or CP2 of the BCA or any facade or cladding related matters?

✓

Yes		Please complete the following questions in the next section (Part 7) of this application form.
No		

7 FURTHER INFORMATION RELATING TO BCA PERFORMANCE REQUIREMENTS CP1, CP2, FACADE & CLADDING MATTERS

New Structures:

1. It is expected that the design will follow the required pathway pursuant to the BCA.

Existing Structures:

2. A risk-based approach may be adopted. In support of this approach the Board would be assisted by:
 - a) An accepted industry/international practice to be followed such as the Engineers Australia Society of Fire Safety – “Practice Guide Façade/External Wall Fire Safety Design” or AS/NZS ISO 31000;
 - b) A risk assessment that took a holistic approach to the review of the combustible wall/cladding and should include information on the wall build-up, fixing methods and penetrations;
 - c) An essential Safety Measures audit report.

Please provide the following information. If unknown or uncertain, please indicate this next to each relevant question (The details provided are for information purposes only in order to provide the Board with an overview of the building).

Building Information		
Building Classification - Primary use		
Number of Class 2 Sole Occupancy Units		
Building Classification - Secondary uses		
Number of Storeys		
Number of basement levels		
Number of stairs		
Number of exits		
Onsite Building Management or Security Personnel	☐ yes	☐ no
Does the building contain sprinklers?	☐ yes	☐ no
Elevations		
North elevation details below		
North elevation type of cladding present	☐ panel with polyethylene core ☐ other lamina bonded panel ☐ expanded polystyrene (rendered) ☐ other combustible material:	
	☐ non-combustible ☐ unknown	
North elevation description of all types of external cladding by colour		

North elevation configuration of cladding additional information	 ☐ additional information attached
North elevation cladding image(s)	☐ images attached to this form ☐ none provided
North elevation cladding drawing(s)	☐ drawings attached to this form ☐ none provided
East elevation details below	
East elevation type of cladding present	☐ panel with polyethylene core ☐ other lamina bonded panel ☐ expanded polystyrene (rendered) ☐ other combustible material: ☐ non-combustible ☐ unknown
East elevation description of all types of external cladding by colour	
East elevation configuration of cladding additional information	
East elevation cladding image(s)	☐ images attached to this form ☐ none provided
East elevation cladding drawing(s)	☐ drawings attached to this form ☐ none provided

South elevation details	
South elevation type of cladding present	☐ panel with polyethylene core ☐ other lamina bonded panel ☐ expanded polystyrene (rendered) ☐ other combustible material: ☐ non-combustible ☐ unknown
South elevation description of all types of external cladding by colour	
South elevation configuration of cladding additional information	☐ additional information attached
South elevation cladding image(s)	☐ images attached to this form ☐ none provided
South elevation cladding drawing(s)	☐ drawings attached to this form ☐ none provided
West elevation details below	
West elevation type of cladding present	☐ panel with polyethylene core ☐ other lamina bonded panel ☐ expanded polystyrene (rendered) ☐ other combustible material: ☐ non-combustible ☐ unknown
West elevation description of all types of external cladding by colour	

West elevation configuration of cladding additional information		
	☐ additional information attached	
West elevation cladding image(s)	☐ images attached to this form ☐ none provided	
West elevation drawing(s)	☐ drawings attached to this form ☐ none provided	
Exterior		
Approximate extent of combustible cladding on building	☐ 25% ☐ 50% ☐ 75% ☐ 100% or _____%	
Fixing method of combustible cladding		
Are there penetrations in the cladding such as wall mounted light fixtures or power points?	☐ yes	☐ no
Ignition source image(s)	☐ images attached to this form	
Distance from adjacent buildings	☐ < 1.5m ☐ 1.5m to < 3m ☐ 3m to < 6m ☐ > 6m	
Description of construction materials of wall of nearest existing building		
Construction wall other information		
	☐ additional information attached	
Construction of wall image(s)	☐ images attached to this form	

Combustible cladding around windows and service openings?	☐ yes	☐ no
Combustible cladding around windows and service openings further information		
Combustible cladding on balconies	☐ yes	☐ no
Combustible cladding on balconies further information		
Combustible cladding on balcony image(s)	☐ images attached to this form	
Combustible cladding within 3m of path of exit travel or near exit door	☐ yes	☐ no
Combustible cladding within 3m of path of exit travel further information		
Combustible cladding within 3m of path of exit travel image(s)	☐ images attached to this form	
What is the construction method and materials behind the cladding?		
Does the wall behind the cladding achieve a Required FRL?	☐ yes FRL / / ☐ no	

Sarking/wall wrap behind cladding?	☐ yes	☐ no
What is the type and thickness of sarking behind the cladding?	_____mm	
Insulation Behind Cladding?	☐ yes	☐ no
What is the type of insulation behind the cladding?		
Sole Occupancy Units (SOU)		
Are there sounders or speakers in the SOU's?	☐ yes	☐ no
Are there sounders or speakers in the bedrooms?	☐ yes	☐ no
Other information for sounders/speakers		
Are there smoke alarms or smoke detectors in the SOU's?	☐ yes	☐ no
Are there smoke alarms located in Bedrooms?	☐ yes	☐ no
What type of smoke alarms or smoke detectors are installed?	Smoke alarms _____ Smoke detectors _____	
Other smoke alarm/smoke detector information		
Are there thermal detectors in the SOU's? Where are they installed?	☐ yes ☐ no 	
Are there sprinklers in the SOU's?	☐ yes	☐ no

Are there sprinklers in the Bathroom and Laundry?	☐ yes	☐ no
Other sprinkler information		
Are the doors to the SOU's fire doors?	☐ yes	☐ no
Are the doors to the SOU's self closing?	☐ yes	☐ no
Are the doors to the SOU's fitted with smoke seals?	☐ yes	☐ no
SOU door additional information		
Is there combustible cladding on balconies?	☐ yes	☐ no
Are there penetrations in the cladding such as wall mounted light fixtures or power points?	☐ yes	☐ no
Combustible cladding ignition sources other information	☐ additional information attached	
Do the balconies have sprinklers?	☐ yes	☐ no
Other Occupancies		
Are there ancillary use areas in the building such as office or shops?	☐ yes	☐ no
Type of ancillary use		
Description of ancillary use or other occupancies		

Common Areas		
Are there smoke detectors?	☐ yes	☐ no
Are there thermal detectors?	☐ yes	☐ no
Thermal detector other information		
Are there sounders or speakers?	☐ yes	☐ no
Is there smoke compartmentalisation?	☐ yes	☐ no
Is there a smoke exhaust system?	☐ yes	☐ no
Are there sprinklers?	☐ yes	☐ no
Type of Sprinkler System		
Sprinkler System other information		
Basement		
Number of exits		
Number of basement levels		
Number of car spaces in each basement level		
Are there car stackers?	☐ yes	☐ no
Total number of cars in car stackers		
Basement level other information		
Are there smoke detectors?	☐ yes	☐ no

Are there thermal detectors?	☐ yes	☐ no
Are there sounders or speakers?	☐ yes	☐ no
Sounder other information		
Is there an emission exhaust system or fixed vents?	☐ emission exhaust system ☐ fixed vents	
Exhaust system other information		
Are there sprinklers?	☐ yes	☐ no
Type of sprinkler system		
Basement sprinkler other information		
Exit travel (from basement) required within 3m of combustible cladding?	☐ yes	☐ no
Egress from Building		
Information relating to stairs		
Number of stairs		
Location of the stairs in the building		
The stairs are internal/external	☐ internal ☒ external	
Stairs discharge to		
Are the stairs fire isolated?	☐ yes	☐ no
Are the stairs smoke sealed?	☐ yes	☐ no

Unobstructed stair width (measured from inside of handrail) is		
Are the stairs ascending and descending?	☐ yes	☐ no
Are the stairs provided with a pressurisation system?	☐ yes	☐ no
Further stair information		
Exits		
Number of exits from the building		
One exit leads directly outside?	☐ yes	☐ no
Distance between exits is		
The exits are free from obstructions?	☐ yes	☐ no
Appropriate exit and exit directional signage is provided?	☐ yes	☐ no
Exit and exit directional signs well maintained and functioning?	☐ yes	☐ no
Lobby		
Any combustible material in the lobby?	☐ yes	☐ no
Type of combustible material in lobby		
Combustible material in lobby additional Information		
Electrical or other equipment in lobby?	☐ yes	☐ no
Sprinklers in lobby?	☐ yes	☐ no
Additional information relating to sprinklers in lobby		

Exit Path		
External exit paths		
Exit travel required within 3m of combustible cladding?	☐ yes	☐ no
Length of exit travel to street on exiting building		
Length of exit travel additional Information		
Internal exit paths		
Exit travel required within 3m of combustible cladding?	☐ yes	☐ no
Type of combustible material		
Type of combustible material additional information		
Max. length of travel from SOU door to exit		
Length of travel from SOU additional information		
Fire Fighting Provisions		
Fire Indicator Panel (FIP) provided?	☐ yes	☐ no
FIP surrounded by combustible cladding?		
FIP additional information		
Alarm Signalling Equipment (ASE) provided?	☐ yes	☐ no

ASE additional information		
Hydrants		
Is an external hydrant provided?	☐ yes	☐ no
Combustible cladding above or within 3m horizontally of hydrant?	☐ yes	☐ no
External hydrant additional information		
Are there internal hydrants?	☐ yes	☐ no
Are they provided to each level?	☐ yes	☐ no
Are they in a fire isolated stair?	☐ yes	☐ no
Are they provided in all fire isolated stairs?	☐ yes	☐ no
Internal hydrants additional information		
Is there a Hydrant Booster?	☐ yes	☐ no
Street hydrants are located	_____ meters from the building	
Street hydrant additional information		
Sprinklers		
Does the building have sprinklers?	☐ yes	☐ no

Sprinklers are provided to		
Type of sprinkler system		
Can Sprinklers be isolated by floor?	☐ yes	☐ no
Sprinkler isolated by floor additional information		
Hose Reels		
Does the building have hose reels?	☐ yes	☐ no
Are hose reels at each level?	☐ yes	☐ no
Are hose reels provided in the basement?		
Hose reels additional information		
Extinguishers		
Does the building have water type extinguishers?	☐ yes	☐ no
Does the building have dry chemical type extinguishers?	☐ yes	☐ no
Are dry chemical type extinguishers provided to all levels?	☐ yes	☐ no
Fire Fighting Access		
Fire appliance access with a width of minimum 3.6m is available to	To _____ sides of the building	
Overhead wires are on same side of street(s)	☐ yes	☐ no

Block Plan		
Is a block plan is available?	☐ yes	☐ no
Block plan is displayed? Where?		
Evacuation Plan		
Has an evacuation plan been prepared for the Building?	☐ yes	☐ no
Is the evacuation plan displayed at each level?	☐ yes	☐ no
Fire Equipment Signage		
Appropriate signage provided to fire equipment?	☐ yes	☐ no
Essential Safety Measure (ESM)		
Is the Occupancy Permit (OP) displayed?	☐ yes	☐ no
Are there ESM books on site?	☐ yes	☐ no
ESM's are well maintained and functioning?	☐ yes	☐ no
ESM's are tagged?	☐ yes	☐ no
EMS tags are up to date?	☐ yes	☐ no
Most recent ESM inspection report provided	☐ yes	☐ no
ESM additional information		

General comments

8 MANDATORY INFORMATION

A written submission must be provided together with this application form to support the compliance assessment and should include the following:

- 1) The background of the proposal and the reasons why this compliance assessment is being sought
- 2) Provide comments from the RBS where applications relate to a Building Permit.
Alternatively, the Board will refer your application to the RBS.
- 3) Where the application relates to the BCA nominate:
 - the relevant primary Performance Requirement(s)
 - the applicable deemed to satisfy provision(s)
- 4) Where the application relates to a BCA Performance Requirements, the applicant must provide commentary on the implications for each of the individual clauses of the Performance Requirement.
- 5) Where the application relates to BCA Performance Requirements CP1, CP2 or any facade or cladding related matter:
 - Part 7 of this application form must be completed.
 - All technical components of submissions must be prepared by a competent and accredited Fire Engineer.
 - The Board expects that any reliance or reference to 'FR' type panels are sufficiently supported by either materials testing or paper trail evidence, which confirms what product is installed on the building and its location on the building.
- 6) Provide commentary on the issues relevant to the regulation to be determined, including but not limited to the following:
 - Class of building
 - Rise in storeys
 - Protection from spread of fire
 - Active fire detection and early warning systems
 - Occupant life safety
 - Special characteristics of fuel load
 - Safe movement and access to and within the building
 - Exposure to allotment boundary
 - Potential Ignition sources
 - Bushfire protection
 - Health and Amenity of occupants
- 7) Nominate the documentation accompanying this application, e.g. drawings numbers, photographs and any other supporting documentation. The drawings MUST be marked up clearly to highlight the determination(s) sought. Documentation, particularly drawings and photos are to be of a suitable quality to allow Board members to read and review details/annotations/dimensions etc. High resolution electronic versions are preferred.
- 8) Building Solutions
Nominate the BCA 1.09 assessment method(s) adopted for the application as listed below:
 - (a) Evidence as listed under 1.2.2 of the BCA
 - (b) Verification methods
 - (c) Comparison with Deemed to Satisfy Provisions of the BCA
 - (d) Expert judgement including details of the qualifications and experience of the person carrying out the assessment.
- 9) Nominate any reference materials, standards, codes of practice, specifications or any other research that has been relied upon in this application.

- 10) Provide conclusions and recommendations in the application satisfying Parts 1.0.5, 1.0.9 and 1.0.10 of the BCA or Parts A0.5, A0.9 and A0.10 of the BCA

9 FEES / PAYMENT

A separate fee is to be paid for each matter to be determined. The fees are outlined at [Forms, fees and templates | Building Appeals Board](#).

- Always refer to the current prescribed fee schedule for compliance assessment application costs prior to submitting your application.
- Complete the [Payment Details Form](#).

Please indicate your total fee amount payable for this application.

Total Amount

\$

10 SIGNATURE

I understand that, under section 248(1) of the *Building Act 1993* (the Act), it is an offence for a person to act on behalf of an owner of a building or land for the purpose of making an application unless the person is authorised in writing to do so.

I acknowledge that it is an offence to knowingly make any false or misleading statement or provide any false or misleading information to the Building Appeals Board in relation to an application (s 246 of the Act).

SIGNATURE: _____

DATE: _____

AUTHORITY TO ACT FORM

1 OWNER/SDetails

Name of owner/s

Company Name and ACN (if applicable)

Address

Street Address:	
Suburb:	
State:	P/Code:
Phone Business hours:	Mobile:
Email:	

2 SITE DETAILS

Address (please note a copy of title search/contract of sale is required to confirm ownership of the land/building)

Street Address:	
Suburb:	
State:	P/Code:

3 SIGNATURE OF OWNER/S

DECLARATION

I confirm I am the owner of the above site and consent to the following person acting on my behalf:

Name of person or representative: _____

I also acknowledge that it is an offence to knowingly make any false or misleading statement or provide any false or misleading information to the Building Appeals Board in relation to an application (section 246 of the *Building Act 1993*).

SIGNATURE OF FIRST OWNER: _____

PRINT NAME: _____

DATE: _____

SIGNATURE OF SECOND OWNER: _____

PRINT NAME: _____

DATE: _____

APPLICATION CHECKLIST

Use this checklist to ensure all your required documents are submitted. If all the required information is not provided at the time of submission your application may not proceed.

1 SITE DETAILS	☒
A copy of the current Title Search and Plan of Subdivision/Title Plan (if applicable) for the allotment is attached.	☐
2 APPLICANT	
If the applicant has appointed another person to act on their behalf, the 'Authority to Act' Form has been completed and signed by the applicant.	☐
3 MANDATORY REQUIREMENTS	
The background of the proposal and the reasons why this compliance assessment is being sought.	☐
Provide comments from the RBS where applications relate to a Building Permit. Alternatively, the Board will refer your application to the RBS.	☐
Where the application relates to the BCA nominate: · the relevant primary Performance Requirement(s) · the applicable deemed to satisfy provision(s)	☐
Where the application relates to a BCA Performance Requirements, the applicant must provide commentary on the implications for each of the individual clauses of the Performance Requirement.	☐
Where the application relates to BCA Performance Requirements CP1, CP2 or any facade or cladding related matters, Part 7 of this application form has been completed.	☐
Provide commentary on the issues relevant to the regulation to be determined, including but not limited to the following: · Class of building · Rise in storeys · Protection from spread of fire · Active fire detection and early warning systems · Occupant life safety · Special characteristics of fuel load · Safe movement and access to and within the building · Exposure to allotment boundary · Potential Ignition sources · Bushfire protection · Health and Amenity of occupants	☐
Documentation, such as drawings, photographs and plans, which is numbered or clearly described. The drawings MUST be marked up clearly to highlight the determination sought.	☐
4 FEES/PAYMENT	
Total fee amount payable for this application is identified.	☐
Payment Details Form has been completed and is attached.	☐
5 DECLARATION AND SIGNATURE	
You have acknowledged that it is an offence under section 246 of the Act to knowingly make any false or misleading statement or provide any false or misleading information to the Board in relation to this application.	☐