



**PRIVATE
CERTIFIERS
AUSTRALIA**

Certainty through precision

Building Code of Australia

Design Compliance Report

4 PINES BREWERY

Adam Dearing

Unit 4F +4G

Revision History & Quality Management

DATE	REVISION	STATUS	AUTHOR	SIGNATURE
04/03/2025	1	Final	Sean Coggiola	<i>Sean Coggiola</i>

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1 Introduction

1.1 Background / Proposal

Private Certifiers Australia Pty Ltd (PCA) has been commissioned by Adam Dearing to provide a BCA Compliance Report. The existing land use is approved for up to 100 patrons within the food and drink component of the land use. This modification seeks to increase the patron numbers from 100 to 200 during the evening period Friday to Sunday (and public holidays), increase hours of operation for lunch time trading Monday to Friday for up to 30 patrons and increase the patron area to include an outdoor space for patron usage.

The building is of masonry construction and is located in an industrial area in Brookvale. The tenancy consisted of 3 separate units that have now been amalgamated into 1 tenancy. Unit 4F&G are a licensed premise which serve alcohol and food to the public. Each tenancy has a mezzanine level which contains offices for the use of staff only.

1.2 Aim

The purpose of this report is to provide a BCA Compliance Report for the submission of the Development Application.

1.3 The Project Team

The following PCA team members have contributed to this report:

- Grant Harrington, Director, Grade A1 Unrestricted BPB 0170
- Sean Coggiola, Building Surveyor, A3 Restricted BPB 3269

1.4 Documentation

The following documentation has been reviewed, referenced and/or relied upon in the preparation of this report

- National Construction Code (NCC) / Building Code of Australia (BCA) 2022
- Guide to the BCA 2022
- Architectural [Drawings](#): Cradle – Proposed ground floor plan

1.5 Regulatory Framework

Pursuant to clause 145 of the Environmental Planning and Assessment (EPA) Regulation 2000 all new building work must comply with the current BCA however the existing features of an existing building need not comply with the BCA unless upgrade is required by other clauses of the legislation.

Clause 143(3) of the EPA Regulation 2000 prevents a certifying authority from issuing a construction certificate if the proposed new work will result in a reduction to the fire protection and structural capacity of the building.

1.6 Limitation & Exclusions

The limitations and exclusions of this report are as follows:

- The following assessment is based upon a review of the architectural documentation.
- No assessment has been undertaken with respect to the Disability Discrimination Act (DDA) 1992. The building owner should be satisfied that their obligations under the DDA have been addressed.
- Some consideration has been given to the requirements of the access to Premises Standards 2010 and the general requirements relating to Disabled Access as required by the BCA. The applicant must however ensure that all of their legislative requirements are satisfied in order to minimise any potential legal action brought under provisions of the DDA 1992

The report does not address matters in relation to the following:

1.6.1 Local Government Act and Regulations.

- a) NSW Public Health Act 1991 and Regulations
- b) Occupation Health and Safety (OH&S) Act and Regulations
- c) Work Cover Authority requirements.

d) Water, drainage, gas, telecommunications and electricity supply authority requirements.

- PCA do not guarantee acceptance of this report by Local Council, NSW Fire Brigades or other approval authorities.
- No part of this document may be reproduced in any form or by any means without written permission from PCA. This report is based solely on client instructions, and therefore, should not be used by any third party without prior knowledge of such instructions.

1.7 TERMINOLOGY

Alternative Solution

A building solution which complies with the Performance Requirements other than by reason of satisfying the DtS Provisions.

Building Code of Australia (BCA)

Document published on behalf of the Australian Building Codes Board. The BCA is a uniform set of technical provisions for the design and construction of buildings and other structures throughout Australia and is adopted in NSW (NSW) under the provisions of the EPA Act and Regulation. Building regulatory legislation stipulates that compliance with the BCA Performance Requirements must be attained and hence this reveals BCA's performance based format.

Deemed to Satisfy Provisions (DTS)

Provisions which are deemed to satisfy the Performance Requirements.

Effective Height

The height to the floor of the topmost storey (excluding the topmost storey if it contains only heating, ventilating, lift or other equipment, water tanks or similar service units) from the floor of the lowest storey providing direct egress to a road or open space.

Fire Resistance Level (FRL)

The grading periods in minutes for the following criteria:

- a) structural adequacy; and
 - b) Integrity; and
 - c) Insulation,
- and expressed in that order.

Fire Source Feature (FSF)

The far boundary of a road which adjoins the allotment; or a side or rear boundary of the allotment; or an external wall of another building on the allotment which is not a Class 10 building.

National Construction Code Series (NCC)

The NCC was introduced 1 May 2011 by the Council of Australian Governments. The BCA Volume One (Class 2 to 9 Buildings) is now referenced as the National Construction Code Series Volume One – BCA.

Performance Requirements of the BCA

A Building Solution will comply with the BCA if it satisfies the Performance Requirements. A Performance Requirement states the level of performance that a Building Solution must meet.

Compliance with the Performance Requirements can only be achieved by:

- a) Complying with the DtS Provisions; or
- b) Formulating and Alternative Solution which –
 - (i) Complies with the Performance Requirements; or
 - (ii) Is shown to be at least equivalent to the DtS Provisions; or
- c) A combination of a) and b).

2 Building Characteristics

2.1 BUILDING CLASSIFICATION

The following table presents a summary of relevant building classification items of the proposed building development:

• BCA Classification:	Class 8, class 5 offices
• Proposed Use:	Artisan food & drink industry
• Rise in Storeys:	Rise in storeys of two (2)
• Effective Height:	9m
• Type of Construction:	Type C Construction
• Climate Zone:	Zone 5
• Maximum Floor Area/Volume:	Relevant only to the. See below



2.2 FLOOR AREA / VOLUME

Maximum size of fire compartment is:

Classification		Type C
8	Max floor area	2,000m ²
	Max volume	12,000m ³

2.3 FIRE SOURCE FEATURE

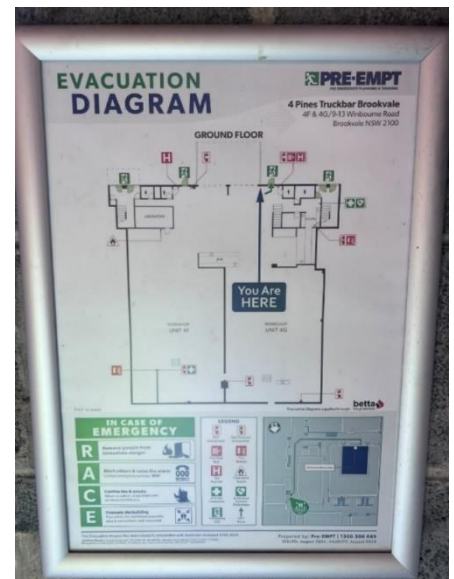
The building is of masonry construction and the fire source feature does not impact the proposed upgrade

3 BCA Assessment

PCA carried out a desktop review of the plan by Cradle Design & a site inspection on the 28/02/2025 to review the egress, toilet facilities and safe evacuation of the existing tenancy, due to the increase of occupant numbers, for a pre-DA submission.

Recommendations

- D2D5 – Exit Travel distances – The travel distance out of the tenancy does not comply, See Appendix A for mark up.
- A performance solution will be required from a fire engineer to address the non-compliance.
- Once complete the evacuation diagram must be updated to show the beer vats & the 3rd tenancy & the declared path of travel to the required exits.
- Its recommended that the path of travel be drawn in yellow paint so it is not obstructed.
- E1D3 – Fire hose reels – The existing hose reels do not provide sufficient coverage for the tenancy, additional fire hose reels must be installed., A competent fire safety practitioner shall provide a design prior to Construction certificate approval.
- E4D2 - E4D5 - E4D6 - Exit signs & Direction signs – The Emergency lighting and Exit Directional Signage system must be upgraded to show the new paths of travel to each required Exit.
- D2D15 – Discharge from exits. Bollards to be installed in the exterior to prevent blocking of exits, as there was none visible at time of inspection



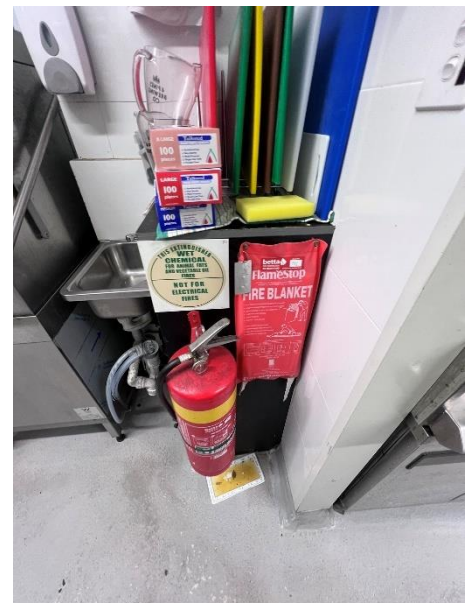
AS 1428.1 - 2021 – The building review primarily focused on the ground floor bar area of the tenancy; however, it was noted that the mezzanines contain private offices for the 4 Pines staff. While one flight of stairs has stair nosing's, it is recommended that all stairs be upgraded with nosing's compliant with AS 1428.1-2021 to maintain consistency throughout the tenancy.

- F4D5 – Accessible Sanitary Facilities – The existing accessible bathroom does not meet the requirements of AS 1428.1 – 2021. It contains removable furniture and an existing grab rail but lacks a backrest. Additionally, the circulation space is non-compliant. Although the bathroom does not meet current standards, it is an existing facility, and the certifier approving the Construction Certificate may exercise discretion regarding its required upgrades.



Ongoing Maintenance

- E1D14 – Portable fire extinguishers are provided in the kitchen and throughout the tenancy. Maintenance required as part of the annual fire safety statement to AS 1851 -2012
- E1D2 – Fire Hydrants – There are existing feed hydrants next to the exit of each tenancy. Maintenance required as part of the annual fire safety statement to AS 1851 -2012
- D3D5 – Swinging doors – The required exit doors were stiff & hard to open. Maintenance required as part of the annual fire safety statement to AS 1851 -2012



4 Conclusion

The assessment has identified several areas of non-compliance and necessary upgrades to ensure the tenancy meets relevant building codes and safety standards. Key issues include exit travel distances, fire hose reel coverage, emergency signage, accessible sanitary facilities, and stair nosings. Additionally, ongoing maintenance is required for fire extinguishers, fire hydrants, and exit doors to comply with AS 1851-2012.

To address these concerns, a performance solution from a fire engineer is required, along with the installation of additional fire safety measures and accessibility upgrades. The evacuation diagram must be updated accordingly, and clear path markings should be implemented to prevent obstructions. Ongoing maintenance will be crucial to ensuring continued compliance and occupant safety.

It is recommended that all required upgrades be completed before the Occupation Certificate approval, with regular inspections and maintenance carried out as part of the annual fire safety statement.

5 Appendix A

The following fire safety measures are required for the main building:

Essential Fire and Other Safety Measures	Standard of Performance
Emergency Lighting	BCA Clause E4D2 & AS 2293.1-2005
Exit Signs	BCA Clauses E4D5 , E4D6 & E4D8 and AS2293.1-2005
Fire Doors	BCA Clause C4D6, and AS1905.1-2005
Paths of Travel	EP&A Regulation Clause 186
Portable Fire Extinguishers	BC Clause E1D14 & AS2444-2001
Fire Hydrants	BCA Clause E1D2 & AS 2419.1
Fire Hose reels	BCA Clause E1D3 & AS 2441

D2D5 – Exit Travel distances

Below snip of the plan shows the path of travel to 2 exits over 40m

