



# BUILDING REPORTS PTY LTD

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21 September 2021

John Koutes  
577 / 579 Sydney Road  
Seaforth NSW 2093

Dear John,

**Re: BCA Review on Sanitary Facilities – 577 / 579 Sydney Road Seaforth**

Further to Council's letter dated 8 September 2021 requesting clarification on the number of sanitary facilities available for use at the above premises in support of the proposed café application as detailed in DA No. DA2021/1021. In particular Council's correspondence has requested clarification as follows;

**1. Internal Referral - Environmental Health (Industrial)**

*1. The number of proposed seated customers and staff is not provided in relation particularly to sanitary facilities adequacy and if outdoor seating front or rear is proposed. The new use will require access to toilets which will need to comply with BCA requirements. Toilets shown on plan appear to be shared by a number of occupancies all of which individually or on a shared basis require adequate accommodation. Where the sanitary facilities are to be shared the applicant is to show total site compliance with the BCA for the increase in occupancy impact on shares toilets or provide additional facilities for the café.*

**Extract 1 - Internal Referral - Environmental Health (Industrial)**

**2. Internal Referral - Environmental Health (Food)**

*1. Environmental Health is concerned about a number of issues which do not appear to be addressed in the submission and will require additional clarification information to properly assess:*

*The number of proposed seated customers and staff is not provided in relation particularly to sanitary facilities adequacy and if outdoor seating front or rear is proposed.*

*The new use will require access to toilets which will need to comply with BCA requirements. Toilets shown on plan appear to be shared by a number of occupancies all of which individually or on a shared basis require adequate accommodation.*

*Where the sanitary facilities are to be shared the applicant is to show total site compliance with the BCA for the increase in occupancy impact on shares toilets or provide additional facilities for the café.*

**Extract 2 - Internal Referral - Environmental Health (Food)**

### **3. Comments in Response**

It is understood the proposed café will operate as a take-away business only with a maximum of 2 or 3 staff. There is a detached building at the rear of the site that comprises four (4) individual sanitary facilities.

The following outlines a review on the entire premises and number of sanitary facilities available;

#### a) Ground Floor

There are four (4) tenancies, being;

- A travel agent with 2 employees and has its own toilet.
- A hairdresser with one employee has its own toilet
- A second hairdresser with one/two employees has its own toilet
- The storage area/ proposed coffee take away will have 2 employees and will also have its own toilet

#### b) First Floor

There are two (2) separate areas, being;

- A residential Unit which is self-contained and has its own bathroom and toilet facilities.
- A commercial office conducting educational tuition to students. This has its own toilet facilities. There are usually 2 or 3 employees at any one time

For the purposes of Clause F2.3 of the Building Code of Australia 2019, Amendment 1 (BCA), the following comments are made:

- (i) If not more than 10 people are employed, a unisex facility may be provided instead of separate facilities for each sex
- (ii) Employees and the public may share the same facilities in a Class 6 and 9b building (other than a school or early childhood centre) provided the number of facilities provided is not less than the total number of facilities required for employees plus those required for the public

The proposed café being a Class 6 use for the purposes of the BCA may have a single unisex facility to cater for the number of occupants, based on a maximum of 3 staff proposed with no seating for use by the public proposed.

### **4. Conclusion**

The proposed café is to be a takeaway use only and is to be occupied by a maximum of three (3) staff. The proposed café and other Ground Floor tenancies each comprise Class 6 occupancies with a total of four (4) occupancies each having a maximum 2 to 3 staff. The BCA permits a Class 6 tenancy to utilise a single WC for up to 10 staff.

As the proposal will result in a total of 4 tenancies on the Ground Floor, the existing detached building containing four (4) individual sanitary facilities for use by the various Ground Floor tenancies are considered to provide a sufficient number of sanitary facilities for the purposes of BCA Clause F2.3 (Facilities in Class 3 to 9 Buildings).

## 5. Limitations and Exclusions

The limitations of this report are as follows:

- The Report is based on providing a response to the number of sanitary facilities for the premises based on the proposed use a take-away café only.


The Report does not address issues in relation to the following:

1. Acceptance or approval of any proposed works. Any proposed works must be undertaken in accordance with the approval requirements of Environmental Planning and Assessment Act, Regulations thereunder.
2. The provisions of the BCA relating to Section B (structural adequacy) including the fire resistance levels of any building elements.
3. Part D3 (access and facilities for people with disabilities), Clause E3.6 (facilities for people with disabilities), Premises Standard and Disability Discrimination Act.
4. The provisions of the BCA relating to Section F (health and amenity), unless specifically referred to.
5. The design, maintenance or operation of any existing electrical, mechanical, hydraulic or fire protection services.
6. Development Consent conditions of approval issued by the Consent Authority.
7. Environmental Planning and Assessment Act and Regulations.
8. Local Government Act and Regulations.
9. Work Health and Safety Act and Regulations.
10. Work Cover Authority requirements.
11. Water, drainage, gas, telecommunications and electricity supply authority requirements.

Should you require any further details or clarification, please do not hesitate to contact the undersigned.

Yours faithfully,

**GRS Building Reports Pty Ltd.**

  
Graham Scheffers  
Registered Certifier - Grade A1 (unrestricted)  
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