



USE OF CURRENT BUILDING FACILITIES FOR PROPOSED USE AS A RESTAURANT

NO. 89-151 OLD CASTLEREAGH ROAD, CASTLEREAGH

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EXECUTIVE SUMMARY

Development approval is being sought for the change of use of a building located on the subject premises, known as Long House, for use as a restaurant.

In support of the application, representations have been sought to review if the existing facilities (one unisex facility for use by persons requiring wheel chair access and a unisex facility for use by persons with an ambulant disability**) are adequate for use of the building as a restaurant.

In accordance with the provisions of the *Environmental Planning and Assessment Act 1979* consideration of the facilities must be undertaken to ensure they are appropriate for the proposed use of the building.

Whilst full compliance with the provisions of the Building Code of Australia is not required, It is used as a guide to provide assurance that the facilities will be appropriate for the proposed new use and the building can be used in accordance with its classification.

This report outlines a prescribed number of facilities required by the BCA, and compares by qualitative analysis, the number of current facilities provided; demonstrating that the current configuration satisfies patron and staff needs for the subject proposed use.

Analysis has revealed that the occupancy rate of 56 people (full capacity) will have an average waiting time of 0.1 of a second to use the facilities available.

Therefore, the current facilities are adequate to support the proposed change of use.

Once upgraded to comply with the recommendations made by the Access Consultant, the facilities will support people with ambulant disabilities as well as users requiring wheel chair accessibility.

Although complete compliance with the provisions of the Building Code of Australia is not required, the proposed facilities satisfy the relevant performance provision in regard to the building's facilities.

1.0 INTRODUCTION

In accordance with the provisions of the *Environmental Planning and Assessment Act 1979*, a change of building use can be undertaken subject to approval from a consent authority (local government / council or a state planning authority).

Representation has been sought to support a development application made to *New South Wales Department of Planning* to 'change the use' of the building on the subject premises known as Long House.

The proposed change is from a dwelling house (original use) to a restaurant. However, it should be noted that the subject building has been previously used as a café which carries the same Building Code of Australia classification as a restaurant.

To support the application, the subject building / site must have sufficient facilities to operate effectively as a restaurant, in particular toilet / bathroom facilities for both patrons and staff.

Restroom facilities are an integral part of any restaurant, directly impacting customer satisfaction and overall experience. The average time taken by patrons to use the restroom can vary depending on multiple factors, including the number of people present in the restaurant at any given time.

Under the provisions of the *Environmental Planning and Assessment Act 1979*, and *Environmental Planning and Assessment Regulation 2021*, consideration must be given to fire safety and also to upgrading the building where building work is undertaken to more than fifty percent of the volume of the existing building.

A change of use, without any proposed building works, does not require complete compliance to the provisions of the Building Code of Australia (National Construction Code). However, it is used as a guiding document to provide confidence in determining an application for a proposed use.

Located within the subject building (constructed of masonry walls, timber floors and metal sheet clad roof) are two (2) separate facilities.

One unisex facility is currently wheel chair accessible and will have minor modifications to comply with AS1428.1 as per the recommendations of the Access Consultant.

The remaining unisex facility will have minor upgrades to cater for persons with an ambulant disability.

In essence it is proposed to maintain the two unisex facilities for both staff and patron usage, which will ultimately result in two (2) toilet bowls and two (2) hand basins.

1.1 BASIS OF REPORT

This report is based on the following:-

1. Site inspection undertaken 08 February 2024
2. Building Code of Australia 2022 volume 1
3. *Environmental Planning and Assessment Act 1979*

2.0 BCA ASSESSMENT DATA

Assessment data regarding the current Building Code of Australia.

BCA Building Classification/s:	6 (proposed use as a restaurant)
Rise in Stories:	1
Type of Construction:	C
Floor area:	Less than 2000m ²
Effective Height: Less than	Unknown (less than 12m)
Maximum Occupancy Rate	25 Female patrons 25 Male patrons 3 Female staff 3 Male staff

2.1 DEEMED TO SATISFY PROVISION

In accordance with the provisions of the Building Code of Australia the following is required to be provided in a class 6 building to be used as a restaurant (also refer to Appendix A Calculation sheet).

Table F4D4a (see below)

User group	Facility type	Design occupancy	Number
Male employees	Closet pans	1 - 20	1
		>20	Add 1 per 20
	Urinals	1 - 10	0
		11 - 25	1
		26 - 50	2
		>50	Add 1 per 50
	Washbasins	1 - 30	1
		>30	Add 1 per 30
Female employees	Closet pans	1 - 15	1
		>15	Add 1 per 15
	Washbasins	1 - 30	1
		>30	Add 1 per 30

In accordance with the above table one (1) closet pan and one (1) wash basin is required for the three (3) female employees. The subject building contains two unisex facilities which provide access to two toilet pans and two wash basins for female employees.

For male employees a total of one (1) closet pan, one (1) urinal and (1) washbasin is required for the three male employees. It should be noted that in accordance with clause F4D9 of the Building Code of Australia 2021, volume 1 a closet pan can be used instead of a urinal. Two (2) unisex facilities are provided, which allow male employees access to two (2) toilet pans (where one can substituted for a urinal and two (2) washbasins).

Table F4D4d (see below)

User group	Facility type	Design occupancy	Number
Male patrons	Closet pans	1 - 100	1
		101 - 300	2
		>300	Add 1 per 200
	Urinals	1 - 50	1
		51 - 100	2
		101 - 150	3
		151 - 200	4
		201 - 250	5
		>250	Add 1 per 100
	Washbasins	1 - 50	1
		51 - 200	2
		>200	Add 1 per 200
Female patrons	Closet pans	1 - 25	1
		26 - 50	2
		51 - 100	3
		101 - 150	4
		151 - 200	5
		201 - 250	6
		>250	Add 1 per 100
	Washbasins	1 - 50	1
		51 - 150	2
		>150	Add 1 per 200

Table Notes

Sanitary facilities need not be provided for patrons if the total number of persons accommodated in the building is not more than 20.

In accordance with the above table a minimum of one (1) closet pan and one (1) wash basin is required for 1-25 female patrons for 26-50 female patrons two (2) closet pans and one (1) washbasin is required. The determined number of the average maximum female patrons has been determined to be twenty-five (25) which would require only one (1) closet pan and only one (1) washbasin. The subject proposal provides access to two (2) toilet pans and two (2) washbasins, double the minimum requirement.

For male patrons a minimum of one (1) closet pan (for up to 100 patrons), one (1) urinal (for up to 50 patrons) and one (1) wash basin is required for 1-25 male patrons. The determined number of the average maximum male patrons has been determined to be twenty-five (25) which would require only one (1) closet pan, one (1) urinal and only one (1) washbasin. The subject proposal provides access to two (2) toilet pans (one of which replaces the need to have a dedicated urinal) and two (2) washbasins.

Both female and male occupants will have access to more facilities than the minimum requirement.

In accordance with clause F4D5 the subject building would require at least one (1) unisex facility for use by persons requiring wheel chair access; one ambulant facility for female use and one (1) male ambulant facility. The existing facilities to be utilised provide access for female occupants (staff and patrons) to a facility for use by persons requiring wheel chair access; and access to an ambulant facility for use by persons with an ambulant disability. In addition, male occupants (staff and patrons) have access to a facility for use by persons requiring wheel chair access and an ambulant facility for use by persons with an ambulant disability.

It should be noted that clause F4D4 of the BCA allows facilities to be shared between the staff and patrons provided the number of facilities is not less than the total number of facilities required for employees and the public.

Total number of female and male occupants (staff and patrons) is determined to be 28 for each sex. The following table summarizes the number of closet pans required for each sex.

Gender	Facility	Minimum No required	Number Provided
Female	Closet Pan	2 (for 26 – 50 occupants)	2
Female	Washbasins	1 (for 1-50 occupants)	2
Male	Closet Pans	1 (for 1 – 100 occupants)	1
Male	Urinals	1 (for 1 – 50 occupants)	1 (substituted closet pan)
Male	Washbasins	1 (for 1 – 50 occupants)	2

The occupants have access to more facilities than the minimum required amount.

2.1 PERFORMANCE REQUIREMENT

The specified number of required facilities is one way of achieving the relevant performance provision of the Building Code of Australia. Given the age of the building and renovation works it would be anticipated that the current building would not comply with the provisions of the current Building Code however would satisfy the performance requirement (see extract below).

Clause - F4P1 Personal hygiene facilities

Suitable sanitary facilities for personal hygiene must be provided in a convenient location within or associated with a building, to the degree necessary, appropriate to—

- (a) the function or use of the building; and*
- (b) the number and gender of the occupants; and the disability or other particular needs of the occupants.*

It has been determined that access to facilities for female and male occupants (both patrons and staff) exceed the minimum number of facilities. One facility has been made available for use by persons requiring wheel chair accessibility, therefore this performance provision has been satisfied. Notwithstanding, further analysis has been completed given the specified parameters when at full capacity.

2.2 VERIFICATION

Clause - F4V1 Sanitary facilities

(1) Compliance with F4P1, for the number of sanitary facilities, is verified when queuing modelling predicts that occupant waiting time for sanitary facilities is at least equivalent to the waiting time predicted using the respective *Deemed-to-Satisfy Provisions*.

(2) For calculations performed under (1), the occupant waiting time is determined as the 90th percentile wait time at maximum population.

(3) Queuing modelling in (1) must reflect the following:

- (a) Function or use of the building.
- (b) Number and gender of occupants.
- (c) The disability or other particular needs of the occupants. Occupant usage patterns.

3.0 JUSTIFICATION

In order to confirm that the available facilities (1 unisex facility for use by persons requiring wheel chair accessibility and 1 x ambulant facility) satisfy the performance provision (F4P1) of the Building Code of Australia the following has been formulated.

Expected Usage Times

Usage times for female and male closet pans has been based on research undertaken at Ghent University in 2017 (Belgium) [Erlang-C queueing model as part of their research for facilitating effective facilities for large-venue based events based on gender neutral facilities]

Use	Usage Time (s)
Female Closet Pan	90*
Male Closet Pan	60*
Male Urinal	40
Washbasin	40

* time in seconds.

On average a person uses the toilet 6-7 times per day, in accordance with article from the Bladder and Bowel Community, If we assume that every person, occupying the establishment, will use the facilities 1.5 times per hour, on average, each facility will then have an average usage of 38 persons per hour. In order to provide a margin of error the time, which is the longest average time, for females (90 + 40 = 130 seconds) will be used for all occupants.

$38 \times 130 \text{ seconds} = 4940\text{s} = 82.3 \text{ minutes}$ (1 hour, 2 minutes and 18 seconds).

Whilst the building is at total capacity (56 people) the average waiting time to use the facilities, based on the above scenario, is calculated to be 2.5 seconds (approximately).

4.0 CONCLUSION

Under the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*, a change of use of this building is not required to be upgraded to fully comply with the provisions of the Building Code of Australia in force at time of application.

Facilities for the change of use are to be considered in order to ensure the building can function in accordance with the proposed new use (restaurant) and in accordance with its proposed classification.

Facilities provided in the subject building are one unisex facility for use by persons requiring wheel chair access and one unisex facility to be upgraded for ambulant usage.

Using data based on one person using one of the facilities in the subject building every 40 minutes (based on the maximum occupancy rate) this yields an average of 2.5 seconds waiting time

Even though the current facilities do not meet the Deemed-to-Satisfy provision of the current Building Code of Australia (volume 1) the facilities (with minor access upgrades) are more than adequate to service the occupants, both patrons and staff for the proposed 'change of use' development.

** The use of the term ambulant disability has been applied in correlation to the wording used in the Building Code of Australia. For the purpose of this report, this term refers to persons of whom are experiencing limited mobility or limitation of functions requiring the use of rails and a large cubicle.

