



Boyce Bell Pty Ltd
ABN 35 154 852 936 Trading as
Boyce Built Environment Consulting

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National Construction Code Compliance Report Eco-tourism Facility (Communal amenities building)



881 Wang Wauk Road Wang Wauk
June 2024

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1 Introduction

Boyce Built Environment Consulting (BBEC) has received instructions from Mr Adam Eckersley, one of the owners of a property legally described as Lot 43 DP 263785 851 Wang Wauk Road Wang Wauk NSW 2423 to prepare a National Construction Code 2022 compliance report which will assist the consent authority, MidCoast Council (MCC) in its assessment of a development application which will seek consent for an eco-tourist facility, which includes a community amenities building.

This report will consider the conversion works which have already been undertaken and involve the completed alterations to an existing machinery shed which have resulted in the use of this structure as a community amenities building.

1.1 Basis of the Report

We are instructed that MCC have accepted the proposition from Blue Sky Planning and Environment (BSP) that the proposed development has been accurately characterised as an eco-tourism facility and the community amenities building (CAB) is ancillary to this land use. We are further instructed that CAB is not considered by MCC an entertainment venue as defined under Clause 3 of the Regulation.

On the basis of the above information the CAB has been classified as a Class 9b assembly building however the provisions of NSW Part I4 of NCC2022 have not been applied.

This report is based on a site inspection on 30 April 2024 and a desktop assessment of the plans with specific reference to the following:

- ◇ Neil Ryan design plans, 2023-023, Sheets 1-7, dated April 2024
- ◇ Statement of Environmental Effects – Blue Sky Planning and Environment, dated June 2024
- ◇ Bushfire Assessment – Australian Bushfire Assessment Consultants, dated April 2024
- ◇ NCC/Building Code of Australia 2022 (NCC2022)
- ◇ Guide to Volume 1 of BCA (the Guide) - ABCB
- ◇ Environmental Planning and Assessment Regulation 2021 (the Regulation)



1.2 Purpose of the Report

The purpose of this report is to:

- ◇ Provide a BCA assessment of the development against the Deemed-to-Satisfy (DTS) Provisions of the BCA
- ◇ To identify the DTS non-compliances with the BCA that affect the development
- ◇ Make recommendations to address the identified DTS non-compliances with the BCA, by either recommending building changes to accommodate DTS compliance or suggesting Performance Solutions to demonstrate compliance with the relevant Performance Requirements of the BCA.

1.3 Limitations of the Report

This report excludes the following:

- ◇ Reporting on hazardous materials, WH&S matters or site contamination;
- ◇ Assessment of any structural elements or geotechnical matters relating to the building, including any structural or other assessment of the existing fire resistance levels of the building
- ◇ Consideration of any fire services operations (including hydraulic, electrical or other systems);
- ◇ Assessment of plumbing and drainage installations, including storm water;
- ◇ Assessment of mechanical plant operations, electrical systems or security systems;
- ◇ Consideration of energy or water authority requirements;
- ◇ Consideration of Council's local planning policies;
- ◇ Environmental or planning issues;
- ◇ Requirements of statutory authorities;
- ◇ Pest inspection or assessment building damage caused by pests;
- ◇ Provision of any construction approvals or certification under the Environmental Planning & Assessment Act 1979; and
- ◇ Glazing, shading, lighting calculations and the like required by Section J of the BCA not been carried out.
- ◇ Provision of any performance solutions in respect to Deemed To Satisfy non-compliance issues.




2 BCA Assessment Data

Proposed BCA Building Classification	Class 9b – assembly building
Rise in storeys	1
Number of storeys contained	1
Type of Construction	Type C
Effective Height	Less than 3 metres

3 NCC Assessment

The following table details the NCC2022 compliance of the proposed design:

BCA DEEMED-TO- SATISFY PROVISION	Complies	Does Not Comply	N / A	Compliance Required	COMMENTS
 <p>Boyce Bell Pty Ltd ABN 35 154 852 936 Trading as Boyce Built Environment Consulting</p> <p>BUILT ENVIRONMENT CONSULTING</p>					
Section B: Structure					
Part B1: Structural Provisions				X	Consulting structural engineer to provide structural design documentation to demonstrate all elements of structure comply with Section B of NCC2022. In addition to nominate the importance level of the building as it is noted in the bushfire assessment that the subject building is to be used as a place of refuge in a bushfire emergency.
Section C: Fire Resistance					
Part C2: Fire Resistance & Stability					
C2D2 Type of construction required	X				Type C construction required, existing construction complies.
C2D3 Calculation of rise in storeys	X				Rise in storey of 1.
C2D4 Buildings of multiple classifications			X		Not applicable as building has a single classification (Class 9b).
C2D5 Mixed types of construction			X		No mixed types of construction proposed. Building complies with Type C construction.
C2D6 Two storey Class 2, 3 or 9c buildings			X		This provision is not applicable as no Class 2, 3 or 9c parts.
C2D7 Class 4 parts of buildings			X		Not applicable as no Class 4 portion proposed.
C2D8 Open spectator stands and indoor sports stadiums			X		Not applicable as no open spectator stand or indoor sport stadium as part of proposed development.
C2D9 Lightweight construction			X		Not applicable as no lightweight construction is proposed.

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COMMENTS



C2D10 Non Combustible Building Elements			X		Not applicable as building is of Type C construction.
C2D11 Fire Hazard Properties				X	All new linings, materials and assemblies are to be certified to comply with Specification 7.
C2D11 NSW Fire Hazard Properties			X		Not applicable as no entertainment parts are proposed.
C2D12 Performance of external walls in fire			X		Not applicable as no concrete walls proposed as part of this project.
C2D13 Fire protected timber: concession			X		Not applicable as no proposed fire protected timber.
C2D14 Ancillary Elements			X		Not applicable as Type C Construction is applicable.
C2D15 Fixing of bonded laminated cladding panels			X		Not applicable as no bonded laminated cladding panels proposed.
Specification 5 Fire resisting construction	X				Existing building complies with this specification.
S4C24 Type C construction-fire resistance of building elements	X				Existing external walls comply with the requirements of this specification.

Part C3: Compartmentation & Separation

C3D3 General floor area and volume limitations	X				Complies with floor area and volume limitations for Type C construction
C3D4 Large isolated buildings			X		Not applicable as the floor and volume areas comply with the requirements for Type C construction.
C3D5 Requirements for open spaces and vehicular access			X		Not applicable as the floor and volume areas comply with the requirements for Type C construction.
C3D6 Class 9a & 9c buildings			X		Not applicable as no Class 9a and 9c parts of the development proposed.
C3D7 Vertical separation of openings in external walls			X		Not applicable as existing building not of Type A construction.
C3D8 Separation by fire walls			X		Not applicable as no fire walls proposed in the development.
C3D9 Separation of classifications in the same storey			X		Not applicable as the whole building is class 9b.
C3D10 Separation of classifications in different storeys			X		Not applicable as the building is single storey.
C3D11 Separation of lifts shafts			X		Not applicable as the building does not contain a lift.
C3D12 Stairways and lifts in one shaft			X		Not applicable as the building does not contain a lift.

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C3D13 Separation of equipment			X	Not applicable as the building does not contain a lift.
C3D14 Electricity supply system			X	Not applicable as no relevant electricity supply system equipment is to be installed.
C3D15 Public corridors in Class 2 & 3 buildings			X	Not applicable as no Class 2 and 3 parts of the development are proposed.

Part C4: Protection of Openings

C4D3 Protection of openings in external walls			X	Not applicable as there are no openings in the external walls that require protection.
C4D4 Separation of external walls and associated openings in different fire compartments			X	Not applicable as no separate fire compartments required.
C4D5 Acceptable methods of protection			X	Not applicable as there are no openings in the external wall that require protection.
C4D6 Doorways in fire walls			X	Not applicable as no proposed doorways in fire walls.
C4D7 Sliding fire doors			X	Not applicable as there is no fire compartmentation required.
C4D8 Protection of doorways in horizontal exits			X	Not applicable as there are no horizontal exits required.
C4D9 Openings in fire isolated exits			X	Not applicable as there are no fire isolated exits required.
C4D10 Service penetrations in fire-isolated exits			X	Not applicable as there are no fire isolated exits required.
C4D11 Openings in fire-isolated lift shafts			X	Not applicable as there are no fire isolated lift shafts required.
C4D12 Bounding construction: Class 2, 3 and 4 buildings			X	Not applicable as there are no Class 2, 3 or 4 parts to the building.
C4D13 Openings in floors and ceilings for services			X	Not applicable as there are no floors and ceilings with a required FRL.
C4D14 Openings in shafts			X	Not applicable as the building is not of Type A construction.
C4D15 Openings for service installations			X	Not applicable as there are no internal building elements that require a FRL.
C4D16 Construction joints			X	Not applicable as there are no proposed construction joints.
C4D17 Columns protected in lightweight construction to achieve an FRL			X	Not applicable as there are no proposed columns protected in lightweight construction.

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Complies	Does Not	Comply	N / A	Compliance Required
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COMMENTS



Section D: Access and Egress

Part D2: Provision for Escape

NSW D2D3 Number of exits required	X				The proposed development satisfies the minimum number of exits required under NSW D2D3.
D2D4 Fire isolated stairways and ramps			X		Not applicable as no fire isolated stairways or ramps are required.
D2D5 Exit travel distances	X				The proposed development generally satisfies the maximum exit travel distances of D2D5.
D2D6 Distance between alternative exits			X		Not applicable as no alternative exits required.
D2D7 Height of exits, paths of travel to exits and doorways	X				The project plans satisfy the numerical standards of D2D7.
D2D8 Width of exits and paths of travel to exits	X				Widths of exits and paths of travel to exits comply with this Clause.
D2D9 NSW Width of doorways to exits or paths of travel to exits	X				The project plans satisfy the numerical standards of NSW D2D9.
D2D10 Exit width not to diminish in direction of travel	X				The project plans satisfy the numerical standards of D2D10.
D2D11 Determination of measurement of exits and paths of travel to exits	X				Noted - Informational Clause.
D2D12 Travel via fire isolated exits			X		Not applicable as no fire isolated exits are required.
D2D13 External stairways or ramps in lieu of fire-isolated exits			X		Not applicable as no fire isolated exits are required.
D2D14 Travel by non-fire- isolated stairways or ramps			X		Not applicable as the building is single storey.
D2D15 NSW Discharge from exits				X	Suitable barriers to be provided outside required exit doors.
D2D16 Horizontal exits			X		Not applicable as there are no horizontal exits proposed or required.
D2D17 Non-required stairways and ramps			X		Not applicable as no non required stairways or ramps are proposed.
D2D18 Number of persons accommodated	X				Information from the consultant planner indicates a maximum of 40 occupants.

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D2D19 Measurement of distances					Noted – informational clause only.
D2D20 Method of measurement					Noted – informational clause only.
D2D21 Plant rooms and lift machine rooms: Concession	X				Not applicable as no lift proposed.
D2D22 Access to lift pits			X		Not applicable as no lift proposed.
D2D23 Egress from primary schools			X		Not applicable as building is not a primary school.

Part D3: Construction of Exits

D3D2 Application of Part				X	This Part applies to the proposed development.
D3D3 Fire-isolated stairways and ramps			X		Not applicable as fire isolated stairways and ramps are not required.
D3D4 Non-fire-isolated stairways and ramps			X		Not applicable as the building does not have a rise in storeys of more than two.
D3D5 Separation of rising and descending stair flights			X		Not applicable as there are no stairways in the building.
D3D6 Open access ramps and balconies			X		Not applicable as neither an open access ramp or balcony is required to meet the smoke hazard management provisions.
D3D7 Smoke lobbies			X		Not applicable as no smoke lobbies required.
D3D8 Installations in exits and paths of travel				X	Any electrical meters, distribution boards or equipment in the paths of travel are to be enclosed with non-combustible construction.
D3D9 Enclosure of space under stairs and ramps			X		Not applicable as there are no stairways in the building.
D3D10 Width of stairways			X		Not applicable as there are no stairways in the building.
D3D11 Pedestrian ramps			X		Not applicable as there are no pedestrian ramps serving as a required exit.
D3D12 Fire-isolated passageways			X		Not applicable as there are no fire isolated passageways required.
D3D13 Roof as open space			X		Not applicable as no part of the roof serves as a required exit.
D3D14 Goings & risers			X		Not applicable as no stairway to the building.
D3D15 Landings			X		Not applicable as no stairway to the building.

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D3D16 Thresholds	X				Door thresholds appear to comply with this Clause. All door thresholds must not incorporate a step or ramp at any point closer to the doorways than the width of the door leaves unless the door sill is to the external space and is not more than 190mm above the finished surface of the ground to which the doorway opens.
D3D17 Barriers to prevent falls			X		Not applicable as no barriers required.
D3D18 NSW Height of barriers			X		Not applicable as no barriers required.
D3D19 Openings of barriers			X		Not applicable as no barriers required.
D3D20 Barrier climability			X		Not applicable as no barriers required.
D3D21 Wire barriers			X		Not applicable as no wire barriers required.
D3D22 Handrails			X		Not applicable as no handrails required.
D3D23 Fixed platforms, walkways and ladders			X		Not applicable as there are no proposed fixed platforms, walkways or ladders.
D3D24 Doorways & doors	X				Swinging doors are generally provided as required. Any auto-opening doors must comply with sub-clause (b)(ii).
D3D25 Swinging doors	X				All other doors in a required exit or forming part of a required exit (exit doors including final exit doors) generally swing in the direction of egress as required.
D3D26 NSW Operation of latch				X	All doors in a required exit or forming part of a required exit and doors in a path of travel to a required exit must be readily openable without a key from the side that faces a person seeking egress, by single hand downward action or pushing action on a single device which is located between 900-mm and 1.1 m above the floor.
D3D27 Re-entry from fire- isolated exits			X		Not applicable as there are no fire isolated exits required.
D3D28 Signs on doors			X		Not applicable as there are no fire or smoke doors required.
D3D29 Protection of openable windows			X		Not applicable as the building does not contain Class 2, 3 or 4 parts.
D3D30 Timber stairways concession			X		Not applicable as no timber stairways proposed.

Part D4: Access for People with Disabilities

D4D2 General building access requirements				X	This Part applies to this assembly building.
D4D3 Access to buildings				X	Accessways shall be provided through, the principal pedestrian entrance.
				X	All doors for access for people with a disability must be 850mm clear width, including one leaf of any double doors.

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D4D4 Parts of buildings to be accessible				X	All parts of the building are to be accessible.
D4D5 Exemptions			X		No exemptions sought.
D4D6 Accessible Car parking				X	Accessible car parking is required to this building.
D4D7 Signage				X	Braille and tactile signage required to be provided to accessible sanitary facility and required exits doors
D4D8 Hearing augmentation			X		Not applicable as no inbuilt amplification system proposed.
D4D9 Tactile indicators			X		Not applicable as tactile ground surface indicators are not required.
D4D10 Wheelchair seating spaces in Class 9b assembly buildings	X				Wheelchair seating spaces are not required as no fixed seating is provided.
D4D11 Swimming pools			X		Not applicable as there is no swimming pool in the building.
D4D12 Ramps			X		Not applicable as no additional ramps are proposed.
D Glazing on an access way				X	On an accessway, where there is no chair rail, handrail or transom, all frameless or fully glazed doors, sidelights and any glazing capable of being mistaken for a doorway or opening, must be clearly marked in accordance with AS 1428.1 – 2009.

Section E: Services and Equipment

Part E1: Fire Fighting Equipment

E1D2 Fire hydrants			X		Not applicable as floor area is under 500m ² .
E1D3 Fire hose reels			X		Not applicable as floor area is under 500m ² .
E1D4 Sprinklers			X		Not applicable as the building is not required to have fire sprinklers.
E1D5 Where sprinklers are required: all classifications			X		Not applicable as sprinklers are not required in a Class 9b building with a rise in storeys of 1.
E1D6 Class 2 and 3 buildings other than residential care homes			X		Not applicable as building is not Class 2 or 3.
E1D7 Class 3 building used as residential care building			X		Not applicable as building is not Class 3 residential care building.
E1D8 Class 6 building			X		Not applicable as building is not Class 6.
E1D9 Class 7a building other than open deck car park			X		Not applicable as building is not Class 7a
E1D10 Class 9a residential care building, 9c buildings			X		Not applicable as building is not Class 9a or 9c.

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E1D11 Class 9b buildings				X	See comments under Part I1.
E1D12 Additional requirements			X		Not applicable as building is not an atrium or large isolated building.
E1D13 Occupancies of excessive hazard			X		Not applicable as building is not an occupancy of excessive hazard.
E1D14 Portable fire extinguishers				X	Portable fire extinguishers are to be provided in accordance with this Clause.
E1D15 Fire control centres			X		Not applicable as the building has a floor area less than 18,000m ² and an effective height of less than 25m.
E1D16 Fire precautions during construction	X				Existing portable fire extinguishers comply with this requirement
E1D17 Provision for special hazards			X		Not applicable as the subject building contains no special hazards.

Part E2: Smoke Hazard Management

E2D3 General requirements			X		Not applicable as the building contains no separate fire compartments.
E2D9 Class 5, 6, 7b, 8 and 9b buildings less than 25m effective height			X		Not applicable as the building has a rise in storey of less than 3.
E2D4 Provision for special hazards			X		Not applicable as subject building contains no special hazards.

Part E3: Lift Installations

E3D2 Lift Installations			X		Not applicable as building is single storey.
E3D3 stretcher facilities in lifts			X		Not applicable as building is single storey.
E3D4 Warning against use of lifts in fire.			X		Not applicable as building is single storey.
E3D5 Emergency lifts			X		Not applicable as building is single storey..
E3D6 Landings			X		Not applicable as building is single storey.
D3D7 Passenger lift types and their limitations			X		Not applicable as building is single storey.
E3D8 Accessible features required for passenger lifts			X		Not applicable as building is single storey.
E3D9 Fire service controls			X		Not applicable as building is single storey.
E3D10 Residential care buildings			X		Not applicable as building is single storey.
E3D11 Fire service recall control switch			X		Not applicable as building is single storey.
E3D12 Lift car fire service drive control switch.			X		Not applicable as building is single storey.

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Complies	Does Not	Comply	N / A	Compliance Required
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Part E4: Emergency Lighting, Exit Signs and Warning Systems

E4D2 Emergency lighting requirements				X	An emergency lighting system must be installed throughout the building in accordance with E4D2 and Part II of the NCC2022 and AS 2293.1-2018.
E4D3 Measurement of distance			X		Noted. Informational clause only.
E4D4 Design and operation of emergency lighting				X	The emergency lighting system must comply with AS 2293.1-2018.
E4D5 Exit signs				X	Exit signs must be installed throughout the building in accordance with E4D5 of the BCA and AS 2293.1-2018.
E4D6 Direction signs				X	If an exit is not readily apparent to persons occupying or visiting the building then exit direction signs must be installed in appropriate positions in corridors, hallways, lobbies etc indicating the direction to a required exit. Direction signs must be installed throughout the building in accordance with E4D6 of the BCA and AS 2293.1-2018.
E4D7 Class 2 & 3 buildings & Class 4 parts: Exemptions			X		Noted. Informational clause only.
E4D8 Design & operation of exit signs				X	The exit sign system must comply with AS 2293.1-2018.
E4D9 Emergency warning and intercom systems			X		Not applicable as the building is not Class 3 and has an effective height of less than 25m.

Section F: Health and Amenity

Part F1, 2 and 3: Damp & Weatherproofing

F1D3 Stormwater drainage				X	Stormwater drainage system is being designed as part of S68 approval.
F1D4 Exposed joints			X		No exposed joints proposed in this project.
F1D5 External waterproofing membranes			X		Not applicable as no external waterproofing membranes proposed.
F1D6 Damp-proofing			X		Not applicable as no new damp-proofing proposed.
F1D7 Damp-proofing of floors on the ground			X		Not applicable as no new damp-proofing of floors on the ground is proposed.
F1D8 Sub floor ventilation			X		Not applicable as no new sub-floor ventilation is proposed.
F2D2 Wet area construction				X	Waterproofing of all new wet area construction is to comply with this Clause.
F2D3 Rooms containing urinals			X		Not applicable as no rooms containing urinals.
F2D4 Provision of floor wastes			X		Not applicable as the building is not Class 2, 3 or 4.

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Does Not
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F3D2 Roof coverings	X				Roof covering complies with this Clause.
F3D3 Sarking	X				Sarking complies with this Clause.
F3D4 Glazed assemblies				X	All new glazed assemblies in an external wall must comply with AS 2047 requirements for resistance to water penetration.
F3D5 Wall cladding	X				External wall cladding complies with this Clause.

Part F4: Sanitary and Other Facilities

F4D2 Facilities in residential buildings			X		Not applicable as the project does not include a residential component.
F4D3 Calculation of number of occupants and facilities	X				Maximum number of 40 occupants as advised by the consultant planner.
F4D4 Facilities for Class 3 to 9 buildings	X				Proposed sanitary facilities are satisfactory for the number of occupants.
F4D5 Facilities for people with disabilities				X	Accessible sanitary facilities are proposed as a new component to the building. Full fit-out details are to be provided with the CC documents for the new work.
F4D8 Construction of sanitary compartments				X	Construction of sanitary compartments to comply with this clause.
F4D9 Interpretation: Urinals and washbasins	X				Noted. Informational clause only.
F4D10 Microbial (legionella) control			X		Not applicable Clause Deleted in NSW.
F4D11 Waste management			X		Not applicable as the building is not Class 9b health care building.
F4D12 Accessible adult change facilities			X		Not applicable to Class 9b buildings.

Part F5: Room Sizes

F5D2 Height of Rooms	X				Existing room heights comply with this provision
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Part F6: Light and Ventilation

F6D2 Provision of natural light			X		Not applicable as the provision of natural light is not required to Class 9b assembly building.
F6D3 Methods of natural lighting			X		Not applicable as the provision of natural light is not required to Class 9b assembly building.
F6D4 Natural light borrowed from adjoining room			X		Not applicable as the provision of natural light is not required to Class 9b assembly building.
F6D5 Artificial lighting				X	Artificial lighting (complying with AS/NZS 1680.0 - 2009) must be provided throughout the building in accordance with this clause.

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F6D6 Ventilation of rooms	X				All areas of the building are provided with adequate natural ventilation.
F6D7 Natural Ventilation			X		Noted. Informational clause. Natural ventilation must come through permanent openings or openable windows which have an openable size of not less than 5% of the floor area of the room which they serve.
F6D8 Ventilation borrowed from adjoining rooms			X		Noted. Informational clause. Natural ventilation is allowed to be borrowed from other rooms.
F6D9 Restriction on position water closets and urinals	X				Location of proposed sanitary facilities comply with this provision
F6D10 Airlocks			X		Not applicable as no airlock is required.
F6D11 Car parks			X		Not applicable as no car parks proposed.
F6D12 Kitchen local exhaust ventilation			X		Not applicable as there are no proposed commercial kitchen as part of this development.

Part F7 Sound Transmission and Insulation

F7D1 Application of Part			X		Not applicable as Class 9b building.
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Part F8 Condensation Management

F8D2 Application of Part			X		Not applicable to Class 9b building.
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Section G: Ancillary Provisions

G1D2 Swimming pools			X		Not applicable as no swimming pool proposed.
G1D3 Refrigerated chambers, strong-rooms and vaults			X		Not applicable as no refrigerated chambers, strong rooms or vaults proposed.
G1D4 Outdoor play spaces			X		Not applicable as no outdoor play spaces proposed.
G2 Boilers, pressure vessels, heating appliances, fire places, chimneys and flues			X		Not applicable as no boilers, pressure vessels, heating appliances, fire places, chimneys or flues proposed.
G3 Atrium construction			X		Not applicable as no atrium proposed.
G4 Construction in Alpine areas			X		Not applicable building below 1200m altitude.
G5 Bush fire prone areas				X	The existing building is to be upgraded in accordance with the Bush Fire Assessment from ABAC (project number 24040) dated April 2024, full details are to be provided with the CC documentation.

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SATISFY
PROVISION**

**Complies
Does Not
Comply
N / A
Compliance
Required**

COMMENTS



G6 Occupiable outdoor areas			X		Not applicable as no outdoor occupiable area proposed.
G7 Livable housing design			X		This provision is not applicable in NSW.

Section I – Special Use Buildings

NSW I1D1 Application of Part			X		As the Class 9b assembly building is not an entertainment venue the provisions of NSW I4 do not apply. The subject building does not contain a stage.
I1D4 Seating area	X				The layout of the subject building complies with the numerical requirements of this Clause.
I1D7 Aisle lights			X		Not applicable as the general lighting is not dimmed, and floor is not stepped or has a gradient greater than 1:12.
I2 Public transport buildings			X		Not applicable as the subject building is a Class 9b assembly building.
I3 Farm buildings			X		Not applicable as the subject building is a Class 9b assembly building.

Section J: Energy Efficiency

J3D1 NSW energy efficiency – class 2 buildings, class 4 parts			X		Not applicable as no Class 2 or 4 parts to this development.
J4D2 NSW Energy efficiency - class 3 and class 5-9 buildings			X		Given the type of facility and land use the building is not to be a conditioned space.

Section J (National Provisions)

Part J1 Building Fabric

J1.1 Application of Part			X		Not applicable to this development.
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Part J5 Air-conditioning and Ventilation Systems

J5.1 Application of Part			X		Not applicable for this development.
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Part J7 Artificial Lighting and Power

J7D2 NSW Application of Part				X	These provisions apply to Class 9b buildings.
J7D3 Interior artificial lighting				X	The buildings must comply with J7D3. The designer of the lighting systems must confirm compliance with this Clause.
J7D4 Interior artificial lighting and power control				X	The buildings must comply with J7D4. The designer of the lighting systems must confirm compliance with this Clause.
J7D6 Exterior artificial lighting				X	Where provided, must be controlled by a lighting timer or time switch in accordance with Specification 40.
J6.6 Boiling water and chilled water storage units				X	Compliance required where water storage units provided.

Part J8: Heated water supply and swimming pool and spa pool plant

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Complies	Does Not Comply	N / A	Compliance Required
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COMMENTS



J8D2 Heated water supply				X	A hot water supply for sanitary purposes must be designed and installed in accordance with Part B2 of NCC Volume 3.
J8D3 Swimming pool heating and pumping			X		Not applicable as no swimming pool proposed as part of the development.
J8D4 NSW Spa pool heating and pumping			X		Not applicable as no spa pool proposed as part of the development.

Part J9: Energy monitoring and on-site distributed energy resources

J9D2 Application of Part				X	This Part applies to subject building.
J9D3 Facilities for energy monitoring				X	Energy meter is to be configured to record the line of use gas and electricity.

4 Statutory Fire Safety Measures

The statutory fire safety measures listed below are required to be certified upon completion of the project and prior to occupation of the building by the owner. This is done by issuing a final fire safety certificate under Clause 83 of the Environmental Planning and Assessment Regulation (Development Certification and Fire Safety) Regulation 2021.

The owner is also required to certify each of the fire safety measures on a continuous basis by issuing an Annual Fire Safety Statement.

Fire Safety Measures	NCC2022 Standard of Performance
Emergency lighting	E4D2, E4D4 & AS/NZS2293.1-2018
Exit signs	E4D5, E4D6, E4D8 & AS/NZS2293.1-2018
Portable fire extinguishers	E1D14 & AS2444

5 Summary of Findings

The purpose of this report is predominantly aimed at establishing compliance or otherwise of the existing CAB with the provisions of NCC2022 and in so doing; to assist MCC in its assessment of a development application for the proposed eco-tourist facility. In undertaking this capability assessment we have had regard to the specific purpose of the proposed use of the subject building.

We are satisfied that the new building work for the most part, will comply with the Deemed to Satisfy (DTS) provisions of NCC2022, subject to additional detailing that is required to be incorporated into the construction certificate application.

6 Conclusion

We are satisfied that the CAB can be effectively used as a Class 9b assembly building subject to the following matters being resolved:

1. A structural engineers report is provided confirming that the existing building is structurally adequate to function as both a CAB and a place of refuge in a bush fire situation.
2. That the existing building is upgraded in order to achieve bushfire attack level (BAL) 12.5 in accordance with Section 5 of AS3959-2018 along with the additional requirements of Section 7.5 of the NSW Planning for Bush



3. Fire Protection Guidelines 2019 (PBP2019). Full details are to be provided with the CC documentation.
4. Resolution of all other non-compliance matters outlined in Section 3 of this report.

It is noted the following works are yet to be commenced and should form part of a separate Construction Certificate application:

1. Renovations to existing building to create the accessible sanitary facility and shower.
2. Upgrade the existing building to achieve construction that complies with Section 5 of AS3959-2018 and Section 7.5 of PBP2019.
3. The construction of covered area outside the CAB.

There is a small Class 10a toilet/shower building adjacent to the proposed covered area of the CAB which has a floor area of approximately 11.5m² and has been provided for the guests of the facility.

Clause F4D4(1) of NCC2022 requires separate sanitary facilities for males and females. In addition, Clause F4D5(c) requires that a suitable sanitary compartment for the use of a person with an ambulant disability in accordance with AS1428.1 for both male and females is provided.

The numerical tolerances in Clause F4D8 (Construction of sanitary compartments) of NCC2022 will also apply to this building. These upgrading works are to be undertaken with the other remedial matters discussed in this report.

Once the above remedial works have been completed along with these new items that will be subject to a new Construction Certificate, a Final Occupation Certificate is to be issued prior to the lawful use of the subject building as a Class 9b assembly building.

Jim Boyce 12 June 2024

BDC2032, FPAA52004, MRICS, MAIBS, MAAC

For Boyce Bell Pty Ltd ABN 35 154 852 936 Trading as Boyce Built Environment