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BUILDING CODE CONSULTANTS
BUILDING SURVEYORS AND CERTIFIERS
SYDNEY • MELBOURNE • BRISBANE • CANBERRA

17 Eildon Road, St Kilda VIC 3182

BCA Audit Report No 2021/3375 R1.0

Prepared for City of Port Phillip
27 January 2022

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Report Revision History

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Revision History

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1	27 January 2022	Initial Report	Aaron Mackie	Aaron Mackie

Disclaimer:

This report has been prepared in accordance with the scope of services as agreed between the client and Steve Watson and Partners. The report relies upon data, surveys, measurements and results taken at or under the particular times and conditions specified herein. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the client. This report has been prepared solely for use by the client and we accept no responsibility for its use by other parties.

This report has been prepared on the basis of a walk through inspection in order to present a broad overview of compliance with the current building code requirements. No other legislation has been considered to a detailed degree. Details contained in the report address issues of significance to broad BCA compliance based on the information available at the time of inspection.

EXECUTIVE SUMMARY

The report is for the assessment of Childcare Centre, located at 17 Eildon Road, St Kilda VIC 3182 for the purposes of identifying the building's broad level of compliance with the current building standards, being the Building Code of Australia 2019 [BCA] and the disability access requirements of the Disability (Access to Premises – Buildings) Standards 2010 [Premises Standards or PS].

Furthermore, it is to identify matters that do not comply and provide recommendations to meet the BCA especially those requiring immediate attention and those that would require attention if the building was to undergo a major refurbishment [usually triggered by alterations in excess of 50% of the original volume of the building].

BCA and Premises Standards non-compliances identified are allocated a priority rating based on perceived hazard level, statutory obligations to rectify the non-compliance in the circumstances, and risk mitigation considerations. Rectification works are recommended where applicable.

Summary of BCA Parameters:-

Building Use:	Childcare
Class of Occupancy:	Class 9b
Type of Construction required:	Type B
Rise in Storeys:	2
Number of Storeys:	2
Effective Height:	3m approx.
Size of Fire Compartment:	380m^2 approx.
Year of Completion	Unknowm
Likely BCA Version of Building	Unkown*

* The Disability (Access to Premises – Buildings) Standards came into force via BCA2011 throughout Australia on 01 May 2011, and with it introduced a higher standard of access to that required by previous versions of the BCA.

Summary of General Building Compliance:-

Overall, the building is rated **fair** in terms of general building regulations compliance.

Access and facilities for people with disabilities are rated **poor**.

Maintenance of essential safety measures appears to be to a **good** standard.

An annual essential services declaration **was** sighted. Prepared by AESG Dated April 2021

The following is a summary of the key issues:

BCA Essential Rectification Items:-

1. A consolidated essential services manual should be maintained and should include compliance with legislative requirements for annual statements of compliance.
2. Provide an updated Annual Essential Safety Measures Report (AESMR) based on either the original Occupancy Permit and/or Maintenance Determination prepared by a Registered Building Surveyor in accordance with "new" Building Regulations 2018.
3. Detailed review of the external cladding should be undertaken to ensure that there are no combustible materials and non-complaint claddings have not been used that could increase the risk of fire spread via the external façade. Following areas were observed as potential risks.
    - Timber infills around windows;
    - Timber framing is assumed to occur to external walls;
    - Timber framed floors occur where providing lateral support to elements which require an FRL;
    - Timber canopy attachments to the façade;
    - Unknown lightweight linings to external walls on level 1;
4. External walls <3m from allotment boundaries are a masonry base structure, it is unclear if external wall systems achieve an FRL in both directions. It is unclear if all external walls are loadbearing. Internal loadbearing walls and floors appear to be timber framed and non-fire rated.
5. Multiple unprotected openings occur <3m from the allotment boundary on the north and south elevations without fire protection.
6. Various pinch points occur throughout the building path of travel to exist which are <1000mmin width, in particular the rear exit stair is approx. 800mm wide in lieu of a minimum of 1000mm.
7. It is assumed the rear exit is to discharge via the rear outdoor play area and egress along the south side of the building to the roadway. Note the gate at the end of this walkway providing access to the roadway is pad lock shut.
8. Non-fire rated storage enclosures occur to the underside of both level 1 egress stairs.
9. Stairs (internal and external) were not reviewed in detail but minor inconsistent risers heights were observed to the main stair and all external stairs typically to either the top and/ or bottom raiser to each stair flight i.e. >190mm in height and >+/-5mm b/w treads
10. Balustrades heights are less than 1.0m high at landings and balconies and are less than 865mm above stair nosing lines at some locations. Balustrade openings also exceed 125mm.
11. A number of snib locks, breakable bolt locks and padlocks were noted. Compliance not generally apparent in that non lever type handles, old-style mechanisms, snibs, etc. variously occur.
12. Gates to the south egress path from the rear outdoor play area and into the kitchen area contain footholds (i.e. hinges) <900mm apart. Also above noted gates have openings >100mm at base. Corridor door between the nursery and laundry and kitchen does not appear to have functioning door closers. Various classrooms doors opening onto entry foyer do not have door hardware located 1500mm above FFL. Gate between the Classroom and Lobby area is <1200mm in height.
13. Exit signage is lacking at the discharge point of the rear exit at gnd level directing egress towards the nearest exit from the rear of the building.

BCA Discretionary Rectification Items:-

1. As per the new requirements of Building Regulations 2018, which came into force on 1 July 2018, ensure a current Maintenance Schedule has to be prepared by a registered building surveyor consolidating all Essential Safety Measures and requirements of previous occupancy permits, certificates of final inspection, fire engineering report etc. Annual ESM Statement Prepared by AESG Dated April 2021 references nil determination available.
2. Undertake an audit of the building history and public records to establish the existence of any fire engineering reports, performance solutions, fire brigade consents, council or authority waivers. Maintain any conditions or requirements as management in use obligations for the building.
3. Undertake an audit of the building history and council records to establish if the building is located within a flood or termite prone area.
4. Service penetrations to the level 1 floor are not fire sealed, note the floor does not appear to be fire rated.
5. Children proof gate has been provided at the base of the main stairway without the provision of a landing
6. Handrails to stairs do not achieve AS1428.1 profiles.
7. Most of the east facing rooms observed have window sill heights >500mm.
8. Aggregate floor area of all childcare rooms must be not less than 3.25m2 per per child using the room. Current populations to classrooms is unknown.
9. Children bathrooms are not directly accessible from outdoor play areas and are no directly visible to staff from outdoor play areas. No children's shower or shower-bath provided within the building. Nappy change bench also does not appear to comply with current BCA requirements.
10. It is unclear if all habitable rooms are serviced via openable windows achieving a minimum 5% of the floor area served.
11. Install non-combustible linings to cupboards for switch and telecom boards in egress paths and install smoke seals to the doors, including the centre stiles of doors.
12. Surfaces could not be reviewed in detail for slip resistance but all stair and ramp surfaces observed warrant further investigation.
13. Implement an Action Plan for progressive upgrade to the principles of disability legislation for various non-compliances such as:-
    a. Steps and level changes occur to all buildings preventing wheelchair users from accessing the buildings
    b. ambulant toilets are not provided.
    c. accessible toilets are not provided.
    d. TGSIs to stairs and ramps are not provided.
    e. lack of solid decals to glazing.
    f. Braille and tactile signage not provided to toilets and exits
    g. All switches and controls are not 900-1100mm above floor level.
    h. Doors requiring exit signage are not provided with Braille and tactile signs identifying the exit and floor level number.
    i. Lift is not provided to first floor / office area.

j. Latch and hinge side clearances to doorways are not as per current circulation requirements and doorways do not all achieve the required 850mm clear width.

14. Compliance to current energy efficiency provisions of the BCA was not able to be assessed by a visual inspection but may not occur given the original building predates the introduction of these measures into the BCA. Many aspects in regards energy efficiency compliance are unable to be inspected such as insulation in walls, glazing types, insulation of ductwork, maximum illumination power density of artificial lighting, and the like. It is noted that typical construction methods appear to have been used for a building of this age, and new services and equipment would have been required to comply with the relevant energy efficiency provisions when building approvals have been obtained for subsequent building works.

Mandatory Premises Standard Issues Which May Require Rectification if Works Were to Occur Within the Building (i.e. Non-Compliances Observed in "Affected Paths'): -

1. The accessible path to the building (via outdoor play area) is not in accordance with AS1428.1 and BCA requirements i.e. steps and ramps in paths of travel.
2. Access and circulation spaces around majority of doors and passageways do not meet full compliance with current standards door circulations, turning and passing spaces.
3. Doors are not always to requirements for hardware, and contrasting trims.
4. Stairs and ramps have not been constructed in accordance with AS1428.1.
5. Tactile indicators, handrails, non-slip nosing's etc. are not provided to stairs/ramp.
6. Path of travel widths do not comply with the requirements of AS1428.1
7. Nil lift access to level 1.

The following further information is requested: -

1. In-situ test reports of the external cladding materials installed to each façade confirming combustibility of each cladding material
2. Copies of Building Permit / Occupancy Permits and the like
3. Provide an updated Annual Essential Safety Measures Report (AESMR) determination based on either the original Occupancy Permit and/or Maintenance Determination prepared by a Registered Building Surveyor in accordance with "new" Building Regulations 2018.
4. Fire Engineering Report/s, and/or Performance Solutions
5. Council or Regulatory Authority waivers, dispensations, BAB modifications, High Rise Awards etc
6. Fire Brigade Consents and Reports
7. DDA Report/s
8. Fire Safety Audit Reports
9. Section J / Energy Efficiency Audit Report
10. Title/Title Plan/Plan of Subdivision

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1. INTRODUCTION

This report presents an assessment of the Childcare centre located at 17 Eildon Road, St Kilda VIC 3182 against the Deemed-to-Satisfy (DTS) requirements of the Building Code of Australia (BCA) and the Disability (Access to Premises – Buildings) Standards 2010.

It has been prepared by Steve Watson and Partners for City of Port Phillip.

2. PURPOSE

The purpose of this audit report is to identify the building's level of compliance against the current requirements of the BCA.

The assessments are against the deemed-to-satisfy provisions of Building Code of Australia 2019 (BCA) and the Access Code provisions of the Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards or PS) current as at the date of inspection of the building.

Furthermore, it is to identify matters that do not comply and provide recommendations to meet the BCA especially those requiring immediate attention and those that would require attention if the building was to undergo a major refurbishment [usually triggered by alterations in excess of 50% of the original volume of the building].

Commentary is also provided on requirements for ongoing maintenance and certification of essential fire safety measures.

3. PROPERTY DESCRIPTION

3.1. GENERAL BUILDING DESCRIPTION

The building comprises a x2 storey childcare centre, ground level contains childcare rooms with staff amenities located on level 1.

Summary of BCA Parameters:-	
Building Use:	Childcare
Class of Occupancy:	Class 9b
Type of Construction required:	Type B
Rise in Storeys:	2
Number of Storeys:	2
Effective Height:	3m approx.
Year of Completion	Unknown
Likely BCA Version of Building	Unknown*

* The Disability (Access to Premises – Buildings) Standards came into force via BCA2011 throughout Australia on 01 May 2011, and with it introduced a higher standard of access to that required by previous versions of the BCA.

4. COMMENT ON OVERALL LEVEL OF COMPLIANCE

4.1. GENERAL BCA PROVISIONS

Overall, the building is rated **fair** in terms of the current day BCA compliance. The building does not comply with a number of BCA requirements. Some non-compliances observed are reflective of changed regulatory requirements over time. Alternatively, it is possible that the building may have received dispensation from the approval authority at the time of construction.

4.2. ACCESS PROVISIONS

Access and facilities for persons with disabilities are rated **poor** against the provisions of the BCA and the Premises Standards.

The building does not comply with the access requirements of the BCA and PS and does not therefore meet obligations under the Commonwealth Disability Discrimination Act 1992 and similar State and Territory legislation. Much of this legislation is complaints based and there are procedures whereby upgrade works may be required and enforced. Building owners need to make themselves aware of their obligations and risks in this regard and it is recommended that an action plan for progressive upgrade works be developed for the building in accordance with procedures under the Disability Discrimination Act 1992.

In addition, the lack of access and features for persons with a disability may need to be addressed if building work is proposed, even if the proposed work is relatively minor. Refer below for further discussion in this regard.

4.3. MAINTENANCE OF ESSENTIAL SERVICES

Based on a random review of maintenance tags fixed to fire services in the building, the level of maintenance of these essential services appears to be **good**.

An annual essential services declaration **was** sighted. Prepared by AESG Dated April 2021

Refer Section 8 of this report for further information in this regard.

4.4. PERFORMANCE SOLUTIONS / MODIFICATIONS / FIRE ENGINEERING

Performance Solutions (previously known as Alternative Solution) were introduced into the BCA in 1996 and means a method of complying with the Performance Requirements other than by a Deemed-to-Satisfy Solution. Prior to that the BCA 1990 and preceding Victorian Building Regulations generally required Modification applications where an element varied from the prescriptive deemed to satisfy requirements.

It is possible that dispensations or Municipal Council/Fire Brigade requirements may have been issued in the past, although no details in this regard were able to be established.

It is recommended to undertake an audit of the building history and public records to establish the existence of any requirements in this regard to be able to maintain any conditions or requirements as management in use obligations for the building.

5. REPORTING TEAM

The information contained within this report was prepared by Aaron Mackie, a Victorian Registered Building Surveyor BSU43788, and Principal of Steve Watson & Partners Pty Ltd.

6. BASIS OF REPORT

The following limitations apply to the assessment:

- A brief walk-through inspection of the building undertaken on 22 January 2022.
- Access to representative common areas.
- Basic line diagrams and plans of the building provided for use during the inspection.

Documents received and advice provided on site was generally accepted as accurate unless evidence to the contrary became apparent during the course of the inspection.

Unless noted otherwise, the report assumes that the existing use of the building will continue.

7. LEGISLATION

7.1. CURRENT LEGISLATION

The applicable legislation governing the design of buildings in the State of Victoria is the Building Act 1993, inter alia with the Building Regulations 2018. The legislation requires new building work to be undertaken in accordance with the relevant requirements of the Building Code of Australia and referenced Australian Standards in force at the time that the building was constructed.

7.2. RETROSPECTIVE UPGRADING TO CURRENT BCA STANDARDS

Building legislation generally obliges that buildings be maintained to the standards in force at the time that the building was constructed.

There is no general legislative requirement for buildings to be continually upgraded to achieve compliance with the current BCA or PS standards. Broadly speaking, retrospective application of BCA or the PS is not required under building legislation unless one of the following circumstances occurs:-

- The local authority and fire brigades perceive that a significant safety hazard exists and building authorities make orders to reduce the hazard.
- Major alterations or additions are proposed.
- The premises become subject to a “change of use” under the legislation.
- Subdivision of the property is proposed.
- A successful action is brought following lodgement of a complaint under disability discrimination legislation.
- Specific provisions under the Disability (Access to Premises – Buildings) Standards 2010 apply to public transport buildings such that upgrade works with respect to those provisions must be completed by a prescribed date.
- Provisions under the Disability (Access to Premises – Buildings) Standards 2010 apply as set out below, such that upgrade of access paths from the main building to all new work areas is prescribed.
- Specific legislation occurs which requires retrospective upgrade in particular circumstances. E.g. Sprinkler protection and smoke detection to certain residential buildings.

Where legislation requires retrospective application or upgrade to current day BCA requirements, discretionary provisions often apply to enable dispensations to be granted where upgrade cannot be achieved or cannot be determined. Exercise of discretionary provisions usually requires the authority having jurisdiction to take appropriate account of factors such as health, safety, amenity and risk of fire spread. Additional factors apply to matters relating to access and facilities for persons with disabilities including dignity, equality, equity and factors relating to unjustifiable hardship.

Exemptions and concessions with respect to retrospective upgrades associated with the Premises Standards and the Commonwealth Disability Discrimination Act are more restricted, although application for unjustifiable hardship can be made in certain circumstances.

The trigger for upgrading the building to reflect current legislation throughout may be generated through the submission of an application for a building permit for proposed new building works to the building surveyor or by the local authority undertaking a site visit and issuing an order to upgrade the building. It is common for such upgrade requirements only to relate to fire safety items rather than environmental, health and amenity where discretionary provisions often apply to enable dispensations to be granted where upgrade cannot be achieved or cannot be determined.

An additional trigger relating to fire safety upgrades can be activated by the Fire Rescue Victoria (FRV) as mentioned in the executive summary. As with the Council upgrade requirements, such provision usually only relates to fire safety areas of concern. With regards to the above mentioned upgrade requirements, the amount of work carried out to the building within the previous 3 year period has not been able to be determined by this inspection/audit process.

7.3. ACCESS REQUIREMENTS FOR PEOPLE WITH A DISABILITY

The Disability (Access to Premises – Buildings) Standards came into force throughout Australia on 01 May 2011. In prescribed circumstances, the legislation requires upgrade of access and facilities for persons with disabilities when building work is proposed. In particular, unless works are undertaken by a lessee who does not lease the entire building, proposed building work anywhere in the building could trigger a need for enhanced access at the main building pedestrian entry and from that entry to all areas of the building that are subject to the building work.

Building owners need to be aware that the provisions can result in the need to undertake significant enhancement of a building in terms of access for disabled persons, even if only minor general building work is proposed.

Please note that even with compliance with the provisions of the BCA applicable at the original time of construction; the building may not comply with the provisions of the Disabilities Discrimination Act 1992.

Any building owner should make themselves aware of their obligations in this regard and it is recommended that an action plan be developed in accordance with the principles of the Disability Discrimination Act 1992 (DDA).

7.4. OCCUPANCY PERMITS/CERTIFICATES OF CLASSIFICATION, OCCUPATION AND WORKS COMPLETION

Occupancy Permits or Signoff certificates for occupation or certificates for completion of buildings work were not available for review. For the purpose of this report, it has been assumed that appropriate certificates have been issued, that the basis of the certificates was valid in each case, and that the building works covered by the certificates were carried out in accordance with the approvals granted. It is recommended that these documents be sourced as they may include conditions or requirements to be maintained as part of ongoing management and occupation of the building.

7.5. PERFORMANCE SOLUTIONS

The BCA and the Premises Standards are performance based building codes. Compliance may be achieved by satisfying prescriptive deemed-to-satisfy provisions or by formulation of a Performance Solution. A valid Performance Solution enables deemed-to-satisfy provisions to be varied. Whilst an Performance Solution can relate to any matter, those with the greatest impact on a building generally relate to fire safety.

It is possible that the building may have been subject to a Performance Solution although details in this regard were not sourced. Performance Solutions can be subject to conditions and obligations affecting the ongoing building use. Hence, it is recommended that details of any Performance Solution

applied to the building be sourced.

It is also, possible that waivers from BCA or PS requirements may have been issued by an Appeals Board (Building Referees) or similar body relevant to State or Territory concerned. Details of any dispensations in this regard should also be sourced.

In addition, the building may have been subject to past municipal authority or fire brigade dispensations and/or requirements. No attempt has been made to source such documents. It is again recommended that details of any dispensations, building works orders, or the like be procured. Any conditions or requirements of these processes may need to be maintained as part of ongoing management and use of the building.

8. ESSENTIAL FIRE & OTHER SAFETY MEASURES

Maintenance requirements for the building's essential safety measures are as set out in State and Territory Building Regulations. These provisions require building owners to have fire safety services and other essential safety measures maintained and checked as specified.

An annual compliance certificate is required in most jurisdictions and it is a building owner's duty to ensure that essential fire safety services and other measures are maintained to ensure the ongoing safety of the building. Local councils or fire brigades can randomly audit buildings to ensure that maintenance is occurring.

Annual statement was Prepared by AESG Dated April 2021. Note ESM determination was available.

Refer Section 15 for further information and explanation in this regard.

9. GENERAL LIMITATION STATEMENT

The findings in this report were derived from visual inspection of representative areas of the building, review of limited documents available, and advice received from individuals with information about the site. No warranty or guarantee, whether expressed or implied, is made with respect to the matters reported.

10. USE OF REPORT

This report is prepared for the sole benefit of the Client as noted on the facing page of this report. The report is prepared on the basis of instructions and briefing by the Client. Steve Watson and Partners Pty Ltd accepts no liability for the use of or reliance upon this report by any third party.

11. INSPECTION DATE AND VALIDITY

The inspection was undertaken on 22 January 2022, and is based on circumstances existing on that date.

12. SCHEDULE OF COMPLIANCE WITH BCA & PREMISES STANDARD

The following "Compliance Schedule" provides a summary of observed areas of non-compliance with deemed-to-satisfy provisions of the BCA and the PS.

It should be noted that, with the exception of the energy efficiency provisions, all matters contained with the BCA relate to issues of health and safety.

12.1. PRIORITY RATINGS

The priority ratings adopted are as follows:-

1. Immediate rectification recommended as a safety hazard is perceived to exist, a liability for mandatory upgrade may occur, or level of non-conformance is considered significant.

2. Rectification is not considered mandatory or in need of immediate attention but is desirable from a risk management perspective.

3. Non-compliance is considered to present a lower order risk and would only be recommended as part of a major refurbishment or long-term strategic upgrade.

12.2. BCA CLAUSE BY CLAUSE ASSESSMENT

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
BCA2019	**BCA Version** The BCA is updated on at least an annual basis and these amendments influence health, safety and amenity features required within the building. State legislation typically allows future BCA changes to be ignored provided substantial progress on the design of the development has previously occurred.	This report is based on BCA 2019, (which came into force on 1 May 2019). In addition, requirements of the Premises Standards (PS) are covered as relevant.	Note	
General	**Construction History** The age and construction works history of the building will influence the fire, safety and amenity features expected within the building.	The Building was constructed in the early 1900s, and converted into a childcare centre in 1986.		
Occupancy Permit	**Permitted Use** The Occupancy Permit describes the permitted use, population limits and allowable floor loadings for buildings.	Copy of the current occupancy permit was not available for the building.	Obtain a copy of the occupancy permit.	3
Flooding	**Land Liable to Flooding** Authority consent is required for construction on land liable to flooding or designated for overland stormwater flows.	If flood prone, floor level and entry point level RL requirements will apply to be to be a minimum of 300mm above the flood level unless otherwise approved by Council and Water Authority.	Client should confirm if the building is located on land designated as flood prone.	3
Termites	**Termite Zone** Primary Building Elements are required to be protected from termites to AS3660.1 for sites that are located with designated termite zones.	If located within a termite zone, Primary Building Elements are required to be protected from termites to AS3660.1 unless structure is of:- • Steel, aluminium or other metals. • Concrete. • Masonry. • Fibre-reinforced cement. • Timber — naturally termite resistant in accordance with AS3660.1. • Timber — preservative treated in accordance with AS3660.1	Client should confirm if the building is located on land designated as termite zone. Provision of termite protection should be considered as part of a general risk assessment of the site. Consider retrospective measures for timber elements.	3

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
Section A: General Provisions				
Part A6	**Classification and Usage** The nature of the building's usage influences BCA provisions applicable to the building.	Usage and BCA usage class on each level is as follows:- **Level** / **Use** / **BCA Class** Ground / Childcare / 9b Level 1 / Staff Offices / 9b		
A1.1, C1.2	**Effective Height and Rise in Storeys** Rise in storeys is a defined BCA term addressing the number of main building levels excluding basements. Effective height is defined under the BCA as the vertical distance between the floor of the lowest storey of the building that contributes to the rise in storeys, and the floor of the highest occupied floor / topmost storey (excluding the topmost storey if it contains only heating, ventilating, lift or other equipment, water tanks or similar service units). These parameters influence the BCA provisions applicable to the building.	The following parameters apply:- Rise in storeys 2 storeys Effective Height: 3m approx..		
Section B: Structure				
Part B1	**Structural Provisions** Various Australian Standards are referenced to establish the structural adequacy of a building.	Compliance could not be established. However, no significant structural distress was observed during the inspection. Australian Standards are upgraded periodically. Hence, it is possible that the building no longer conforms to current day standards which may have increased from those applicable at the time of construction. In particular, requirements for earthquake resistance, Structural Reliability, Structural Robustness and glazing have been significantly increased and/or changed in recent years.	If major alterations, a change of use, or other trigger for retrospective upgrade to BCA compliance could apply, structural engineering advice should be sought in terms of the extent of work needed to upgrade the building to compliance with current day standards.	3

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
B1.2	**Non-Structural Building Elements – Earthquake Forces** During an earthquake, the performance of non-structural building elements may significantly impact the level of risk posed to building occupants, both directly and indirectly. Section 8 of AS1170.4 requires non-structural building parts and components to be designed to resist horizontal and vertical earthquake forces.	Compliance could not be established from a visual inspection, noting that requirements in this regard have been significantly increased and/or changed in recent years.	If major alterations, a change of use, or other trigger for retrospective upgrade to BCA compliance could apply, structural engineering advice should be sought in terms of the extent of work needed to upgrade the building to compliance with current day standards.	3
B1.4	**Glazing** All glass, glazing and mirrors must comply with current requirements of AS1288 and AS2047. Glass installations that are at risk of being subjected to human impact must have glazing that:- • if broken on impact, will break in a way that is not likely to cause injury to people; and • resists a reasonably foreseeable human impact without breaking; and • is protected or marked in a way that will reduce the likelihood of human impact. Ensure people know where glass is located by making it as visible as possible. For example, use stiles, bars or by making the glass opaque. If the presence of glass in a door or side panel is not apparent, mark the glass to make it visible as per the requirements of AS1288.	Ensure Grade A safety glass is installed in accordance with the current requirements of AS1288, clearly marked as such and a letter of compliance confirming compliant installation provided upon completion. The requirements for Grade A safety glass include, but are not limited to:- • all glass in doors and side panels next to doors • low level glazing within 1m of floor level • glass for stairwells • up to 1 metre above height of seating located beside windows • other areas where high likelihood of human impact, including any existing glazing up to 1 metre from ground level	If major alterations, a change of use, or other trigger for retrospective upgrade to BCA compliance could apply.	3

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
Section C: Fire Resistance				
C1.1	**Type B Construction** The BCA applies "Type of Construction" requirements to a building to define the extent and level of fire resisting construction required. Basic requirements for Type B Construction are non-combustible construction with fire ratings as follows:- **Building Member** — **Requirement** External walls (loadbearing) and internal loadbearing structures supporting floors — 2 hr FRL External walls (non-loadbearing) within 3m of Other buildings — 2 hr FRL Internal Load Bearing Walls (generally) — 2 hr FRL Floors — 2 hr FRL Roofs/ceilings and internal columns and walls supporting roofs (under 25m) Lift, stair and services shafts (non-loadbearing) — 2 hr FRL Fire walls — 2 hr FRL	External walls <3m from allotment boundaries are a masonry base structure, it is unclear if external wall systems achieve an FRL in both directions. It is unclear if all external walls are loadbearing. Internal loadbearing walls and floors appear to be timber framed and non-fire rated.	If not already occurring, seek a fire engineered performance solution to justify the omission/ reduction of FRLs to external walls , internal loadbearing walls and floors. To assist with above it is also recommended a structural engineer be engaged to verify which external walls are loadbearing.	1

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
C1.9	**Non-Combustible Construction** In a building required to be of Type B construction the following building elements are required to be non-combustible, concrete, masonry or fire-protected timber:- **Building Element** / **Requirement** External Wall — Non-combustible Common Wall — Non-combustible Floor and floor framing of lift pit — Non-combustible All loadbearing internal walls (including those of shafts) — Concrete, masonry or fire-protected timber Loadbearing fire walls — Concrete, masonry or fire-protected timber Non-loadbearing internal walls required to be fire-resistant — Non-combustible Non-loadbearing lift, ventilating, pipe, garbage and like shafts which do not discharge hot products of combustion — Non-combustible (subject to conditions outlined in C1.9(b)) The following materials may be used where non-combustible materials are required:- • Plasterboard. • Perforated gypsum. • Fibrous-plaster sheeting to AS 2185. • Fibre-reinforced cement sheeting. • Pre-finished metal sheeting (conditions apply). • Bonded laminated materials (conditions apply). • As determined by testing to AS 1530.1 • An appropriately BCA accredited product or system	Following areas were observed as potential risks. • Timber infills around windows; • Timber framing is assumed to occur to external walls; • Timber framed floors occur where providing lateral support to elements which require an FRL; • Timber canopy attachments to the façade; • Unknown lightweight linings to external walls on level 1;	Detailed review of the external cladding framing should be undertaken to ensure that there are no combustible materials and non-complaint claddings have not been installed that could increase the risk of fire spread via the external façade. If determined to occur either replace with a non-combustible materials or seek a fire engineered performance solution to justify the as built arrangement including acceptance by the Fire Brigade.	1

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
C1.10	**Fire Hazard Properties** Requirements for early fire hazard properties apply to wall, ceiling and floor coverings and for construction materials generally. Carpark soffit insulation, if provided to meet thermal energy efficiency requirements between the unconditioned space of the carpark and conditioned spaces or residential apartments, are required to be tested to ensure that the product is acceptable to the fire brigade.	The fire hazard properties of floor & wall linings and other elements were unable to be fully determined. However, materials installed appear to be typical for a building of this type and age. Considered acceptable.		
C1.14, **Spec C1.1 Clause 2.4**	**Ancillary Elements and Attachments** Ancillary elements should not be attached to external walls that are required to be non-combustible, either internally or externally unless they are themselves non-combustible, otherwise exempted or permitted. In addition, the method of attaching or installing a finish, lining, ancillary element or service installation to a building element must not reduce the fire-resistance of that element to below that required. The reason for controlling this is due to the potential for changes to the fire performance of a building element via attaching or installing another element.	Attachments/finishes/linings occur that could compromise the fire resistance of that is required to be non-combustible.	Refer to comments under C1.9 above	1
C2.2, **C2.3,** **E2.2**	**Floor Area Limitations (Type B Construction)** A fire compartment size limit of 3,500m2/21,000m3 applies for process or storage usage assuming Type B Construction.	Compliance Occurs		
C2.13	**Electricity Supply System** Substations, electrical conductors, and main switchboards that sustain emergency equipment operating in emergency mode must be contained within two hour fire rated construction.	No services on this nature were apparent on site.	Note	

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
C3.2	**External Openings Near Fire Sources** External wall openings must be fire protected where they occur within 3m of the allotment boundaries, within 6m of boundaries on the opposing side of public roadways, or within 6m of other buildings on the same allotment. Openings that require fire protection should not occupy greater than 1/3 of the external wall area of the storey concerned. Where required to be fire protected, windows must be self-closing, automatic closing or fixed and provided with external drenchers or one hour fire rated shutters, windows or the like. Other openings required to be fire protected require protection to an equivalent fire rating.	Multiple unprotected openings occur <3m from the allotment boundary on the north and south elevations without fire protection.	Either install sprinkler or drenchers to openings as per BCA requirements or seek a fire engineered performance solution assessment to justify existing conditions.	1
C3.12 to C3.15	**Services Penetrations and Openings** Services penetrations of fire rated structure generally need to be fire-stopped and/or located in fire rated riser shafts. Openings in fire rated elements need to be fire resisting to maintain the function of the elements.	Service penetrations to the level 1 floor are not fire sealed, note the floor does not appear to be fire rated.	Refer to comments under Clause C1.1 above	3
Section D: Access and Egress				
D1.2	**Number of Exits Required** At least two exits need to serve all areas of every storey or occupiable outdoor area as follows:- • Early Childhood Centres • Class 9 storeys accommodating more than 50 persons	Compliance occurs.		

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
D1.4, D1.5	**Exit Travel Distances** The following requirements apply:- **General Areas** • Travel distance limits of 40m from any point on a floor to an exit. • Maximum dead end travel to a point of choice to alternative exits must not exceed 20m. • Travel distance from one exit to the other should not exceed 60m and separation of exits should not be separated less than 9m. • A travel distance of 30m to a single exit is permitted for retail tenancies which discharge direct to a street. • Alternative travel paths should not converge at any point to be within 6m of each other. **Within Early Childhood Centres (in Victoria)** • Maximum 30m to an exit from any point on the floor. • Maximum 12m to a point of choice to alternative exits. • Maximum 45m between exits.	Compliance generally occurs.		
D1.6, D1.13	**Populations and Exit Widths** Minimum aggregate exit widths are required based on building populations served. Exit pathway and doorway widths and heights must achieve minimum requirements.	Various pinch points occur throughout the building path of travel to exist which are <1000mmin width, in particular the rear exit stair is approx. 800mm wide in lieu of a minimum of 1000mm.	Seek a fire engineering performance solution to justify existing reduced exit widths throughout the building.	2
D1.9	**Non-Fire Isolated Exit Stairs** Non-fire isolated stairs must discharge at the level of a road or open space. The total egress travel distance permitted via non-fire rated stairs is limited to 80m from any point within the building. The location of stair discharge points at ground level should be in proximity to doors to the exterior.	Compliance occurs.		

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
D1.10	**Discharge from Exits** An exit must not be blocked nor be capable of being blocked at its point of discharge. Exits must discharge to a street or road or to open space leading to a street or road and should not pass through a tenancy space. Access paths to streets should comprise safe and suitable paths, steps and ramps from exit discharge doors to the public roadways. Where relevant, exit discharge points must have bollards to protect exit doors from being blocked by vehicles.	It is assumed the rear exit is to discharge via the rear outdoor play area and egress along the south side of the building to the roadway. Note the gate at the end of this walkway providing access to the roadway is pad lock shut.	Remove pad lock to gate and ensure it is free to release at all times on the egress side.	1
D2.3	**Non Fire Isolated Stairways and Ramps** Non fire isolated stairs must be constructed of concrete, minimum 6mm steel or minimum 44mm hardwood timber.	Construction details were not able to verified for egress stairs.	Undertake a further audit to verify compliance.	2
D2.7	**Services in Exits and Paths of Travel** Electrical meters and motors, distribution boards and telecommunication boards must not be accessed from fire isolated exits and, if located in corridors leading to exits, should occur in non-combustible or fire protective smoke sealed enclosures. Electric or services equipment in paths of travel to exits must be within a non-combustible and smoke sealed enclosure.	Smoke isolating fire protective construction does not occur at switch and telecom boards in egress paths.	Install non-combustible linings to the internal walls, ceiling and doors of relevant cupboards and install smoke seals to the doors.	3
D2.8	**Enclosure of Space Beneath Stairs** The space under stair flights in fire isolated exits must not be enclosed to form a store room or the like. Spaces or cupboards created by the enclosure of the space under non-fire isolated stairs must be enclosed with one hour fire rated construction.	Storage enclosures occur to the underside of both level 1 egress stairs	Remove storage enclosures occurring to the underside of stairs or enclose in 60min fire rated construction with a self-closing fire rated doorset.	1
D2.10	**Pedestrian Ramps** Exit ramps must be graded not steeper than 1 in 8 and must have a non-slip finish.	Generally appears to comply.		

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
D2.10, D2.13, D2.14	**Slip Resistance of Ramps, Steps and Landings** Ramp surfaces, stair tread surfaces or nosing strips, and stair landing surfaces, or landing nosing strips to a flight below, must achieve slip-resistance classifications to AS4586-2013.	Surfaces could not be reviewed in detail but all stair and ramp surfaces observed warrant further investigation.	Review slip resistance of main feature stair and upgrade as required.	3
D2.13	**Stair Dimensions – Going and Risers** To provide safe passage, stairways must comply with the following:- • minimum 2 risers / maximum 18 in each flight • risers 115mm min 190 mm max - going 250mm min 355mm max - 2R+G 550mm min 700mm max. • Risers and goings that are consistent in a flight and within a prescribed range of dimensions. • Riser gaps and step openings that do not exceed 125mm. • Non-slip treads and non-skid tread nosings. • Solid treads if the stair height exceeds 10m or three storeys. • If used for egress, contain no winders or triangular treads. • In a Class 9b / public assembly building, not more than 36 risers in consecutive flights without a change in direction of at least 30° • If not used for egress, have limited winders at landings with even goings.	Stairs (internal and external) were not reviewed in detail but minor inconsistent risers heights were observed to the main stair and all external stairs typically to either the top and/ or bottom raiser to each stair flight i.e. >190mm in height and >+/-5mm b/w treads	Rectify external stair treads as upgrading or maintenance dictates.	2
D2.14	**Stair Landings** Stair landings must comply with the following:- • Maximum 1 in 50 falls. • Minimum 750mm length. • Non-slip finish with non-skid nosings. • In a health-care building, sized to allow passage of a stretcher	Generally appears to comply. Note children proof gate has been provided at the base of the main stairway without the provision of a landing	Provide alternate childproof barriers at the base of the stair that achieve a sufficient landing b/w the gate and the stairway.	2

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
D2.15	**Thresholds** Steps should not occur at doorways without a threshold landing except as follows:- • 25mm level changes are permitted in health-care buildings. • 25mm level changes with a 1 in 8 ramped gradient are permitted in aged care buildings. • A single 190mm step is permitted (other than in health or aged care buildings) at doors leading to the exterior.	Compliance was generally apparent.		
D2.15 (c)	**Door Thresholds in Buildings Required to be Accessible** All doors from the exterior into a building required to be accessible under Part D3 must have a threshold ramp or step ramp to AS1428.1	Compliance assumed, although a Performance Solution to limit this requirement to only those *doorways* that need to be accessible under Part D3 (rather than all doorways) is considered acceptable.	Implement an Action Plan for progressive upgrade to the principles of disability legislation.	3
D2.16	**Balustrades and Barriers to Prevent Falls** Requirements apply to the provision and design of barriers at locations where a person could fall 1m or more. Generally 125mm maximum gap size limits apply between balusters or rails and a 1m minimum height applies, with alternate dimensions permitted in fire isolated stairs and industrial areas. Climbable balustrade elements are prohibited where a person could fall 4m or more. Minimum sill heights apply at openable windows where people could fall more than 4m.	Random assessment of balustrades indicated a number of non-compliances:- • Balustrades heights are less than 1.0m high at landings and balconies and are less than 865mm above stair nosing lines at some locations. • Balustrade openings exceed 125mm.	Rectify external balustrades as upgrading or maintenance dictates.	1

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
D2.17(a)	**Exit Stair Handrails in Accessible Areas** Handrails to exits, including parts of fire isolated exit serving an area required to be accessible to people with disabilities, must comply with Clause 12 of AS1428.1, viz:- • Handrails not to obstruct circulation space • 30-50mm diameter • 865-1000mm above nosing line of stairs • 865-1000mm above ramps and landings • Consistent height throughout • 50mm grip clearance and no obstructions to handhold • Continuous at internal (return) landings • Provided with handrail extensions and 180 degree curled ends • Secondary lower height handrail required for Primary Schools at 665-750mm	Handrails to stairs do not achieve AS1428.1 profiles.	Rectify handrails as upgrading or maintenance dictates.	3
D2.19	**Exit Doors** The type of exit doors permitted in given circumstances is controlled including:- • Revolving doors cannot serve as exits. • Roller shutter or tilt doors at exits or egress paths are not permitted except for small spaces. • Auto-sliding power operated exit doors must be fail safe to open on power failure or fire alarm.	Compliance generally occurs.	Note	
D2.20	**Exit Door Swings** Except where serving small areas, exit doors and discharge doors from the building should swing outward in the direction of exit travel. Must not encroach more than 500mm into the required width of the stair or 100mm when fully open and swing in the direction of travel.	Compliance generally occurs.	Note	

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
D2.21	**Exit Door and Stair Door Locking** Exit doors should be provided with "free handle" egress via a downward or pushing action and, if serving an area accessible to people with disabilities, must have non-slip "D" pull handles with 35-45mm hand clearances. Electronic locking security devices must be fail safe (i.e. Release to the open position) on activation of general fire alarm, or power failure.	A number of snib locks, breakable bolt locks and padlocks were noted. Compliance not generally apparent in that non lever type handles, old-style mechanisms, snibs, etc. variously occur.	Remove padlocks from exits and gates. Confirm electric strikes on security doors are fail safe and release on activation of the fire detection system or power failure.	1
D2.21	**Exit Discharges to Streets** Exits must discharge to lanes or courts which provide unobstructed access to public streets.	Compliance generally occurs.	Note	
Vic D2.21	**Exit Doors – Children's Services (Victoria)** An exit door from a children's services which does not open to an outdoor space enclosed with an AS1926.1 compliant barrier, must have the device located between 1.5m and 1.65m above the floor and door must be self-closing.	Following non-compliances were observed; a. Gates to the south egress path from the rear outdoor play area and into the kitchen area contain footholds (i.e. hinges) <900mm apart; b. Also above noted gates have openings >100mm at base; c. Corridor door between the nursery and laundry and kitchen does not appear to have functioning door closers; d. Various classrooms doors opening onto entry foyer do not have door hardware located 1500mm above FFL; e. Gate between the Classroom and Lobby area is <1200mm in height;	Rectify gates and doors as per AS1926.1 requirements.	1

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
D2.24	**Protection of Openable Windows to Prevent Children Falling** Windows serving a residential bedroom or serving an early childhood centre must be protected where the floor is 2m or more above the external surface below. Where the window sill is below 1.7m above floor level, window restrictors or secure screens limiting openings and gaps to 125mm are required. Release devices must be child resistant. Where the fall distance from the floor to the surface below is 4m or more or where a release device occurs to a required screen, an additional barrier at 865mm above floor level is required and must be non-climbable with gaps no greater than 125mm between elements.	Compliance generally occurs.	Note	
OHS	**Blocked, Locked Off or Inaccessible Exits** Stored goods should not occur within, or obstruct access to exits. Required exits should not be locked off, dead bolted or otherwise made inaccessible.	Pad locks, bins, stored goods, and obstructions were observed to be located so as to block external egress routes and create fire hazards in fire egress passages to the south external egress oath.	Remove obstructions to exits and remove storage from fire passages, and ensure that travel and access to exit doors and stairs is adequate.	1

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
Part D3: Access for People with Disabilities				
	The Disability (Access to Premises – Buildings) Standards came into force via BCA2011 throughout Australia on 01 May 2011, and with it introduced a higher standard of access to that required by previous versions of the BCA. In prescribed circumstances, the legislation requires upgrade of access and facilities for persons with disabilities when building work is proposed. In particular, unless works are undertaken by a lessee who does not lease the entire building, proposed building work anywhere in the building could trigger a need for enhanced access at the main building pedestrian entry and from that entry to all areas of the building that are subject to the building work.			
D3.1	**General Access Requirements** **Early Childhood Centres** The building is required to be generally accessible to persons with a disability throughout all areas unless specifically exempted.	Access is limited as outlined in the comments below.	Implement an Action Plan for progressive upgrade to the principles of disability legislation.	3
D3.2	**External Access to Building** External access to the building for people with a disability must be provided:- • From main pedestrian entry points at the allotment boundary. • Through the principle pedestrian entrance. • Through at least 50% of all pedestrian entries. • From accessible car parking spaces. • For buildings over 500m², so that an accessible entry occurs within 50m of any non-accessible entry. • From any another accessible building on the site.	External access is not provided to current standards in that: • Gradients and other details of pathways providing access from the public roads and external carpark areas are not AS1428.1 complaint. • Although general access is available into the building from bounding streets, steps occur at some entry locations.	Implement an Action Plan for progressive upgrade to the principles of disability legislation.	3

Part D3	**Disabled Persons Access Details** Buildings required to be accessible must have travel paths, facilities and details which comply with AS1428.1. – 2009. Principle requirements are:- • Continuous accessible paths of travel throughout • Minimum 1m wide travel paths with maximum 3-5mm joints, lips, level changes etc. • No deep pile carpets or grates with large slots. • Walls or 75-150mm kerbs at travel path sides or if level change occurs to cause a wheelchair hazard. • 1.8m wide x 2m long wheelchair passing spaces at 20m intervals in passageways. • Turning spaces at 20m intervals and within 2m of dead end access ways. • 1.5m x 1.5m 90 deg turning spaces and 1.54m x 2.07m long 180 deg turning spaces including at dead ends in passageways. • Step ramps, kerb ramps and threshold ramps as prescribed. • 1:14 maximum ramps with 9m between landings. • 1.9m x 1 in 10 (maximum 190mm rise) step ramps. • 1.52m x 1 in 8 (maximum 190mm rise) kerb ramps. • 30-50mm handrails with 300mm extensions and curls and 50mm clearances on both sides of steps, ramps, etc. • 850mm clear doorways with 340 - 900mm latchside clearances and 1220-1670mm approach clearances depending on arrangements. • Stairs and ramps set back from building lines and corridors to allow space for handrail extensions and TGSIs. • Decals to glazing – 75mm solid and contrasting band across glazing • 900-1100mm door hardware height. • Lever handle hardware with low opening forces. • Landings at doorways, direction changes and at intervals on ramps and inclined walkways.	The following non-compliances were observed (not limited to):- • Access and circulation spaces around doors and passageways do not meet full compliance with current standards, this also includes access to outdoor play space areas;. • Warning motifs on full height glass does not always occur (75mm solid and contrasting band across glazing is required). • Doors are not always to requirements for hardware, clearances, and contrasting trims. • Steps and level changes occur to all buildings preventing wheelchair users from accessing the buildings • lack of solid decals to glazing. • All switches and controls are not 900-1100mm above floor level. • Lift is not provided to first floor / office area.	Implement an Action Plan for progressive upgrade to the principles of disability legislation.	3

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
	• Walkways with colour contrast borders. • Flat even surfaces. • Colour contrasted handrails and door frames. • 850mm clear door widths. • Non-slip "D" pull handles to doors with 35-45mm hand clearance. • Continuous protected paths from disabled carspaces to lifts, access points, etc. • Ambulant disabled person's toilets with grabrails and outward swinging doors or longer cubicles. • Prescribed types of water entry arrangements for swimming pools depending on pool size. • Stairs (other than fire stairs) with opaque risers. • All stairs with colour contrasting nosing strips. • All switches and controls 900-1100mm above floor level.			
D3.6	**Signage – Identification of Facilities, Services and Features** Braille and tactile signage is required to identify sanitary facilities, areas with hearing augmentation systems and to identify accessible entries and lifts and the location of accessible and ambulatory sanitary facility locations and details. Doors requiring exit signage must be provided with Braille and tactile signs identifying the exit and floor level number. Signage details must be in accordance with AS1428.1 - 2009 and Specification D3.6 of the BCA.	Braille and tactile signage does not occur.	Implement an Action Plan to the principles of disability legislation for progressive upgrade.	3

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
D3.8	**Tactile Indicators (TGSIs)** AS1428.4.1 compliant Type B tactile ground surface indicators are required to publicly accessible stairs, ramps, escalators, travelators, low height projections and where pedestrian paths meet vehicular ways without an intervening kerb. TGSIs are not required in fire isolated stairs. General requirements Include: • 600-800mm deep TGSIs at top and bottom of stairs and ramps and where landings exceed 3m in depth. • 300-400mm deep TGSIs at enclosed landings that are accessible. • 600-800mm deep TGSIs at other hazards.	Tactile ground surface indicators do not occur.	Implement an Action Plan to the principles of disability legislation for progressive upgrade.	3
Section E: Services and Equipment				
E1.3	**Fire Hydrants** An AS2419.1-2005 compliant fire hydrant system is required to provide hydrant cover throughout.	Not required as the building is <500m2.	Note	
E1.4	**Fire Hose Reels** Fire hose reel cover to AS2441-2005 is required throughout via hose reels located adjacent to stairs and exits. Hoses are not permitted to pass through fire or smoke doors to achieve hose reel cover.	Fire hose reels are not required but have been provided throughout, hose reels appear to be maintained to AS1857.1 requirements.,	Note	
E1.6	**Portable Fire Extinguishers** Portable Fire Extinguishers are required be installed to Table E1.6 and AS 2444 requirements.	Due to the provision of fire hose reels fire extinguishers have been deemed not required for the building.	**Note**	
E2.2	**Smoke Hazard Management** A smoke hazard management system such as zone smoke control, or stair pressurisation, or smoke detection and alarm system, or sprinkler protection is required in the building.	No applicable, noting smoke detection has been provided throughout the building and is being maintained to AS1670.1 requirements.	Note	

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
E4.2, E4.5	**Emergency Lighting and Exit Signs** Emergency lighting and exit signage is required throughout to AS2293.1.	Emergency lighting and illuminated exit signage generally occurs. Coverage is not fully compliant:- • Exit signage is not to the current AS2293.1-2005 "running man" standard. • Exit signage is lacking at the discharge point of the rear exit at gnd level directing egress towards the nearest exit from the rear of the building.	Upgrade emergency lighting and exit signage to current standards when maintenance or upgrading works occur. Install additional emergency lights to areas not provided with exit and emergency lighting.	2
Section F: Health and Amenity				
Part F1	**Damp and Weatherproofing** Construction performance standards apply for stormwater systems, roof coverings, sarking, waterproofing to wet areas, damp proofing, location of floor wastes, sub floor ventilation and weatherproofing of glazed assemblies	Compliance unable to be verified. However, no significant damp or waterproofing defects were apparent. Considered acceptable. Grated drains were not provided across ramps or entrances to intercept any water which could flow into the building.	Note	
F1.4	**External Waterproofing Membranes** External waterproofing membrane systems for roofs, decks, balconies and the like must comply with AS4654 Parts 1 and 2.	The standard membrane detailing for waterproofing including minimum upturn termination lengths, requirements for stepped balcony details at doorways and windows and provision of continuous grates where stepping does not occur.	Note	
F1.7	**Water Proofing of Wet Areas in Buildings** Water proofing of wet areas within a building to comply with AS 3740.	Compliance unable to be verified. However, no significant damp or waterproofing defects were apparent. Considered acceptable. Grated drains were not provided across ramps or entrances to intercept any water which could flow into the building.	Note	

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
F2.3	**Sanitary Facilities** Toilet and bathing facilities are required in appropriate numbers based on the number of persons accommodated. Junior pans must be provided for children and must be accessible from both indoor and outdoor play areas, and must be able to be observed by staff from both indoor and outdoor play areas.	A detailed assessment of the number of toilet and other sanitary facilities has not been undertaken. However, based on the provision of a single sanitary facility a maximum of 10 staff members can be accommodated. Based on x5 junior pans and x4 basins maximum of x60 children can be accommodated. Children bathrooms are not directly accessible from outdoor play areas and are no directly visible to staff from outdoor play areas. No children's shower or shower-bath provided within the building. Nappy change bench also does not appear to comply with current BCA requirements.	Upgrade facilities and viability as upgrading works occur.	2

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
F2.4	**Facilities for Persons with Disabilities** Accessible unisex toilets for people with a disability are required on each storey and at 50% of toilet banks on any storey. Facilities should be constructed to AS1428.1 – 2009 although an existing WC facility that fully complies with AS1428.1 – 2001 may substitute as a concession. The following general requirements apply:- • Unisex facility. • ~1.9 x 2.63m or 2.3 x 2.3m minimum room dimensions depending on arrangements. (~2.2m x 1.6m if AS1428.1-2001 concession applies). • 30-40mm grabrails with 50-60mm clearances. • Doors with appropriate clearances and circulation spaces and able to be operated externally in emergencies • Washbasins with clearances as required. • Shielded hot water pipes. • Mirror, shelf, dispensers and coat hooks. • Mirrored layout for alternative facilities. A toilet cubicle for people with ambulant disabilities is also required for males and females at each bank of conventional toilets. (900 – 920mm wide with 900mm clear in front of WC and no door swing encroachment. Grab rails are required within the cubicle.)	Disabled ambulant persons toilets do not occur.	Implement an action plan for progressive upgrade to the principles of disability legislation.	3
F2.5	**Construction of Sanitary Compartments** Sanitary facilities should be adequately screened for privacy and for separation of the sexes. Where clear space between closet pan and doorway is less than 1.2m, doors must open outwards, slide or be readily removable from outside to allow safe removal of an unconscious occupant from within a sanitary compartment.	Compliance is apparent. Lift off doors were not apparent at fully enclosed WC enclosure observed.	Fit compliant door hinges to fully enclosed WCs to allow safe removal of an unconscious occupant from within a sanitary compartment.	2

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
F3.1	**Room Heights** Minimum ceiling heights apply throughout buildings, including:- • Classrooms, Offices: 2.4m • Corridors, sanitary facilities: 2.1m	Compliance was generally apparent where observed. Noting reduced heights observed were to the perimeter of rooms on level 1 due to sloping ceilings, these reduced sections of ceiling do not impact on the functionality or amenity of the room.	Note .	
Vic F3.101	**Size of Rooms** The aggregate floor area of all childcare rooms must be not less than 3.25m2 per per child using the room.	Current populations to classrooms is unknown.	Confirm populations to determine requirements.	2
F4.1, Vic H101.3	**Natural Light to Childcare Rooms** Natural lighting aggregating 10% of room floor area is required as follows:- • To rooms used for child services • 50% of required windows must have a sill height of not more than 500mm above floor level.	Most of the east facing rooms observed have sill heights >500mm.	Upgrade window sill heights as upgrading works occur.	3
F4.2	**Minimum Light and Ventilation Well Depths** Required natural lighting and ventilation openings must face light/air easements or streets, or must be setback from title boundaries sufficient to allow appropriate light and air penetration into the apartments. Buildings require light wells with depth equal to 50% of the square root of the wall height measured from the level of the lowest apartment window. (Minimum 1m generally or 3m in the case of patient care areas of health care or aged care buildings.)	Compliance apparent.		
F4.4	**Artificial Lighting** Artificial lighting within buildings should comply with AS1680.0.	Compliance could not be verified. However, adequate lighting levels appear to occur throughout areas inspected. Considered acceptable.		
F4.5	**Ventilation** Buildings must be naturally ventilated via fixed or openable vents, windows, at the rate of 5% of room floor area or mechanical ventilation to AS1668.2.	Natural ventilation is provided to all areas of the building. It is unclear if all habitable rooms are serviced via openable windows achieving a minimum 5% of the floor area served.	Further assessment recommended to verify compliance.	3

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
F4.5	**Restriction of Position of Water Closets and Urinals & Airlocks** Naturally ventilated rooms containing water closets and urinals cannot open directly into particular areas of the building (e.g. kitchens, work spaces, etc) without airlocks, exhaust, screens, etc.	Compliance apparent.		
Section G: Ancillary Provisions				
G1.3	**Outdoor Play Spaces** Any outdoor play space in an early childhood centre must be enclosed on all sides with a barrier which complies with AS1926.1, applied as if there is a swimming pool located outside the outdoor play space, so that the barrier restricts children from exiting the premises without the knowledge of staff in the centre. The requirements do not apply to a wall, including doors and windows, which form part of the early childhood centre.	Compliance generally occurs. Refer to comments above under Vic D2.21 for gate non-compliances observed.		

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
Section J: Energy Efficiency				
Section J	**Energy Efficiency Measures** Buildings must be designed and constructed to include energy efficiency measures. Applicable requirements include:- - The extent and method of insulation of external building envelope elements - Thermal performance of external glazing - Sealing of openings in external building elements - Energy efficient performance of air-handling systems - Energy efficient performance of power and lighting systems - Energy efficient performance of hot water systems - The need for access to equipment relating to the energy efficient performance of the building - Energy monitoring	Compliance was not able to be assessed but may not occur given the building predates the introduction of these measures into the BCA. Many aspects in regards energy efficiency compliance are unable to be inspected such as insulation in walls and maximum illumination power density of artificial lighting and the like. J5 and J6 dts requirements are unlikely to be achieved.	Upgrade building fabric and services as upgrading works occur.	3
Victorian Appendix				
Vic H104.2 (Vic Appendix)	**Doorways to a Children's Room** A children's room must have a doorway, or in the case of every such room accommodating more than 21 children at least two doorways as widely separated as possible, providing direct access to or from – • An outdoor play area; or • A passage leading to the outside;	Confirm populations to determine requirements. Compliance generally occurs, noting the path of travel to the south side of the building was obstructed by a pad locked gate	Remove pad lock to gate, ensure it is free to release on the egress side.	1
Additional Information and Requirements				
Essential Safety Measures (ESMs)	**Maintenance** Essential fire and other safety measures within buildings must be appropriately maintained. Requirements with respect to the maintenance of safety installations and essential services apply including the need to display occupancy permits and maintenance certificates.	Current annual statement was sighted, Prepared by AESG Dated April 2021. No ESM determination as available.	A consolidated essential services manual & determination should be maintained and should include compliance with legislative requirements for annual statements of compliance. Refer Section 8 of this report.	1

BCA Clause (PS Clause)	BCA Requirement	Observations	Recommendations	Priority Rating
General	**Performance Solutions, Authority Dispensations, Fire Engineering, Fire Brigade Consents** Buildings may be subject to modifications and dispensations from the building regulations requirements in a variety of ways. Dispensations can be granted by Statutory Appeals Boards or, in particular circumstances, by a Council or Private Building Surveyor. In addition, since the introduction of the 1996 version of the BCA, standard building regulations requirements are able to be varied using a performance based or fire engineered approach. It is also possible for unique building regulations requirements to be applied by a municipal council or fire brigade where it has been determined that fire safety upgrade works should be implemented due to the particular circumstances existing in a building.	Past concessions and requirements for the building in this regard have not been established. Existing building configuration and available documentation indicates past fire engineering studies and works may have occurred. It needs to be confirmed whether past fire engineering is superseded or remains valid. It is possible that dispensations or municipal council/fire brigade requirements may have been issued in the past, although no details in this regard were able to be established.	Undertake an audit of the building history and public records to establish the existence of any requirements in this regard. Maintain any conditions or requirements as management in use obligations for the building.	1

13. MAINTENANCE OF ESSENTIAL SAFETY MEASURES

13.1. OVERVIEW FOR VICTORIA

Legislative requirements governing maintenance of essential safety measures of buildings are found in Part 15 of the Building 2018 made under the Building Act 1993.

Essential safety measures are fire and other safety features installed in or constructed as part of a building to ensure adequate levels of safety for the building. Essential safety measures include building services such as fire sprinklers and mechanical services, passive fire safety items such as fire doors and fire rated structures and building infrastructure items such as paths of travel to exits.

Maintenance provisions for essential safety measures are incorporated into legislation because it is a community expectation that a reasonable level of fire and general safety should be provided over the life of the building. Increasing onus is being placed on building owners and managers to ensure the continued integrity of essential safety measures in order to meet their obligations under building regulations and under occupational health and safety requirements.

Building regulations require relevant building surveyors to schedule essential safety measures installed as part of the building approval and occupancy permit process.

Councils and fire officers are empowered to enforce maintenance requirements for essential safety measures.

13.2. DISPLAY OF OCCUPANCY PERMIT

The Building Regulations 2018 require that occupancy permits and certificates final inspection for building works be displayed in a prominent location accessible to the public and occupants.

13.3. MAINTENANCE OF ESSENTIAL SAFETY MEASURES

Buildings constructed post 1 July 1994 are subject to maintenance requirements as set out in Division 1 of Part 15 of the Building Regulations 2018 and summarised as follows.

“Essential Safety Measures” comprise all equipment, materials and components affecting safety, and includes items listed in Schedule 8 of the Regulations.

The occupancy permit must list every relevant essential safety measure for the building and specify the level of performance and the maintenance regime for each such measure. Works other than those which involve an occupancy permit are similarly covered.

Owners must comply with maintenance determinations associated with occupancy permits or other works permits noted above. Where maintenance schedules have been created from occupancy or similar permits, these must also be complied with.

Owners must maintain records of maintenance determinations and schedules and of maintenance checks, service and repair work. In addition, owners must complete an essential safety measures report every 12 months. All details must be kept on the premises for inspection by the council or fire brigade at any time. It is permissible for multiple reports due to multiple works packages or permits to be consolidated to a single annual report.

The annual essential safety measures report must be in a prescribed form and must include:-

- the building address;
- details of any inspection reports undertaken by council or the fire brigade;
- certain statements of compliance; and
- the signature of the owner or the agent of the owner.

The current essential safety measures annual report must be displayed in a prominent location within the building and be available for viewing by the public and by council or fire brigade inspectors. (This location must coincide

with the location of the occupancy permit.). Current statement Prepared by AESG Dated April 2021

Exits and travel paths must be maintained in an efficient condition and kept readily accessible, functional and clear of obstruction. (This obligation rests with the occupiers of the building.)

13.4. LEGISLATION – BUILDINGS CONSTRUCTED PRIOR TO INTRODUCTION OF MAINTENANCE

Due to "catch-up" provisions now introduced into legislation, all buildings must now be brought into compliance with the maintenance and reporting requirements described above.

13.5. METHODOLOGY FOR COMPLIANCE

The methodology for implementing a system of essential safety measures maintenance should include the following fundamental tasks and systems: -

- Review the building and occupancy permit history for the building and identify the minimum maintenance regime required by the legislation.
- Establish a system to incorporate ongoing and future building and occupancy permits events and provide for suitable adjustment of the maintenance regime.
- Record all maintenance activities undertaken.
- Include systems to ensure that all essential safety measures have been subjected to their individual prescribed maintenance checks.
- Record and report annually to confirm that the regime has been satisfactorily completed over the year.

13.6. MAINTENANCE REQUIREMENTS

Outlined below is a schedule of requirements for essential safety measures which may typically occur within a building. The installation standard and frequency and nature of maintenance required relate to requirements listed under Australian Standards or Building Regulations. The list is not necessarily comprehensive as other safety systems may have been specified in the design and construction of the building.

Essential Safety Measures (required to be provided in the building or place of public entertainment)	**BCA Provisions** (Provision of the Building Regulations 2018 applicable to installation and operation of ESM)	**Performance Level** (The level of performance that each ESM must achieve to fulfil its purpose)	**Frequency** (The frequency and type of maintenance required for each ESM)	**Testing Type** (The frequency and type of testing and inspections required for each ESM)
Building Fire Integrity				
Building elements required to satisfy prescribed fire resistance levels, (including walls, columns, beams, floors, ceilings and shafts, etc.)	Section C, D1.12	CP1 to CP8	Annually	Yearly As per AS 1851-2012 (Amendment 1)
Materials and assemblies required to satisfy prescribed fire hazard properties for linings and surface finishes	C1.10	CP4	Annually	Inspection for damage, deterioration, or unauthorised alteration

Elements required to be non-combustible, provide fire protection, compartmentation or separation (including fire walls, smoke walls, fire resistant exits, and fire resistant elements such as walls, floors, ceilings, protective coverings, access panels and control joints)	C2.5 to C2.14, C3.3, C3.11, D1.7 - D1.8, E1.3, G3.4, Spec. E2.2b, C1.9 and C1.14	CP1, CP2, CP3, CP4, CP6, CP7, DP5, DP7, EP2.2	Annually	Inspection for damage, deterioration, or unauthorised alteration
Wall-wetting sprinklers (including doors and windows required in conjunction with wall-wetting sprinklers)	C3.4, C3.8, C3.11, D1.7, D1.8, G3.8	CP2, CP8, EP1.4, EP2.2	Monthly	As per AS 1851-2012 (Amendment 1)
Fire doors (including sliding fire doors and their associated warning systems) and associated self-closing, automatic closing and latching mechanisms	C2.12 to C2.13, C3.4 to C3.8, C3.10 to C3.11, D1.7 to D1.8, D1.12	CP2, CP7, CP8	Three-monthly	As per AS 1851-2012 (Amendment 1)
Fire windows (including windows that are automatic or permanently fixed in the closed position)	C3.4, C3.8, C3.11, D1.7 to D1.8	CP2, CP8, EP2.2	Annually	As per AS 1851-2012 (Amendment 1)
Fire shutters	C3.4, C3.5, D1.7 to D1.8	CP2, CP7, CP8	Annually	As per AS 1851-2012 (Amendment 1)
Hinged and pivoted fire-resistant doorsets serving as entry doors to private residential apartments.	C3.11	CP2, CP3, CP4, DP2, EP2.2	Six-monthly	As per to AS1851-2012 (Amendment 1)
Solid core doors and associated self-closing, automatic closing and latching mechanisms	C3.11	CP2, CP3, CP4, DP2, EP2.2	Six-monthly	Inspection for damage, deterioration, and check operation of closers, handles and electronic strikes.
Fire-protection at service penetrations through elements required to be fire-resisting with respect to integrity or insulation, or to have a resistance to the incipient spread of fire	C3.12, C3.13, C3.15	CP2, CP8	Annually	As per AS 1851-2012 (Amendment 1)
Fire protection associated with construction joints, spaces and the like in and between building elements required to be fire-resisting with respect to integrity and insulation	C3.16	CP2, CP8	Annually	As per AS 1851-2012 (Amendment 1)

Smoke doors and associated self-closing, automatic closing and latching mechanisms	Specification C2.5, D2.6	CP2, CP3, CP4, DP2, EP2.2	Six-monthly	As per AS 1851-2012 (Amendment 1)
Proscenium walls (Fire Curtains)	H1.3	CP2, CP4, EP1.4 EP2.2	Annually	Inspection for damage, deterioration or unauthorised alteration
Means of Egress				
Paths of travel to exits	D1.6	DP2, DP4, DP6	Three-monthly	Inspection to ensure there are no obstructions and no alteration
Discharge from exits (including paths of travel from open spaces to the public roads to which they are connected)	D1.7, D1.9 to D1.11, D2.12, G4.3, G4.6, G4.7	DP2, DP4, DP6, GP4.1, GP4.3	Three-monthly	Inspection to ensure there are no obstructions and no alteration
Exits (including fire-isolated stairways and ramps, non-fire-isolated stairways and ramps, stair treads, balustrades and handrails associated with exits, and fire-isolated passageways)	D2.2, D2.3, D2.8 to D2.11, D2.13, D2.16, D2.17	DP2, DP4, DP5, DP6	Three-monthly	Inspection to ensure there are no obstructions and no alteration
Smoke lobbies to fire-isolated exits	D1.7, D2.6	CP2, CP4, DP4, EP2.2	Annually	Inspection for damage, deterioration, or unauthorised alteration
Open access ramps or balconies for fire-isolated exits	D2.5	DP4, DP5, EP2.2	Annually	Inspection for damage, deterioration, or unauthorised alteration
Doors (other than fire or smoke doors) in a required exit, forming part of a required exit or in a path of travel to a required exit, and associated self-closing, automatic closing and latching mechanisms	D1.6, D2.19 to D2.21, D2.23	DP2, DP4, DP5, DP6	Three-monthly	Inspection to ensure there are no obstructions and no alteration
Signs				
Exit signs (including direction signs)	D1.12, Specification D1.12, E4.5, E4.6, E4.8	DP4, EP4.1, EP4.2	Six-monthly	As per AS 2293.2-1995
Signs warning against the use of lifts in the event of fire	E3.3	EP3.3	Annually	Inspection to ensure the warning sign is in place and legible

Warning signs on sliding fire doors and doors to non-required stairways, ramps and escalators	C3.6, Specification D1.12	DP2	Annually	Inspection to ensure the warning sign is in place and legible
Signs, intercommunication systems, or alarm systems on doors of fire-isolated exits stating that re-entry to a storey is available	D2.22	DP4	Annually	Inspection to ensure the warning sign is in place and legible
Signs alerting persons that the operation of doors must not be impaired	D2.23	DP4	Annually	Inspection to ensure the warning sign is in place and legible
Signs required on doors, in alpine areas, alerting people that they open inwards	G4.3	GP4.1	Annually	Inspection to ensure the warning sign is in place and legible
Fire order notices required in alpine areas	G4.9	GP4.4	Annually	Inspection to ensure the warning sign is in place and legible
Lighting				
Artificial lighting	F4.4, H1.7	FP4.2	Annually	Annual inspection to verify no damage, deterioration or unauthorised changes
Emergency lighting	E4.2, E4.4	EP4.1	Six-monthly	As per AS 2293.2-1995
Fire Fighting Services and Equipment				
Fire main, booster, static water supply and associated equipment (as relevant)	Part E1, AS 2118-1995, AS 2419.1-2005	EP1.5	Monthly	As per AS 1851-2012 (Amendment 1)
Fire hydrant system (including on-site pump set and fire-service booster connection)	E1.3	EP1.3	Monthly or Six-monthly (no pumps)	As per AS 1851-2012 (Amendment 1)
Street Fire Hydrants	BCA E1.3, AS2419.1-2005	FRV Guideline GL29	Six-monthly	Inspection to verify and document, the presence of the street fire hydrant to FRV GL29
Fire hose reel system	E1.4	EP1.1	Six-monthly	As per AS 1851-2012 (Amendment 1)
Sprinkler system (including alarm monitors connected to approved authority)	E1.5, G3.8, H1.2	EP1.4	Monthly	As per AS 1851-2012 (Amendment 1)
Portable fire extinguishers	E1.6	EP1.2	Six-monthly	As per AS 1851-2012 (Amendment 1)
Fire control centres (or rooms)	E1.8	EP1.6	Monthly	As per AS 1851-2012 (Amendment 1)

Sprinkler protection of openings	C3.4 and as approved by relevant authority	E1.4,	Annually	As per AS 1851-2012 (Amendment 1) to ensure protection of openings is maintained
Provisions for special hazards	E1.10 Note: This may include various fire extinguishing media or gaseous/foam systems in accordance with relevant Australian Standards such as AS4214, AS4215, AS/NZS 4487, AS4077, or other Australian or International Standards	EP1.2		As per AS 1851-2012 (Amendment 1)
Air Handling Systems				
Smoke hazard management systems • automatic air pressurisation systems for fire-isolated exits • zone smoke control system • automatic smoke exhaust system • automatic smoke and heat vents (including automatic vents for atriums) • air-handling systems that do not form part of smoke hazard management system and which may unduly contribute to the spread of smoke • miscellaneous air-handling systems covered by Sections 5 and 11 of AS/NZS 1668.1 serving more than one fire compartment • other air-handling systems	E2.2	EP2.2	Three-Monthly or Monthly for Kitchen Exhausts + Outdoor air intakes only	As per AS 1851-2012 (Amendment 1)
Car park mechanical ventilation system	F4.11	FP4.4	Monthly	As per AS 1851-2012 (Amendment 1)
Atrium smoke control system	Specification G3.8	EP2.2	Monthly	As per AS 1851-2012 (Amendment 1)
Automatic Fire Detection and Alarm Systems				

Smoke and heat alarm system	Clause 3 of Specification E2.2a	EP2.1	Monthly	As per AS 1851-2012 (Amendment 1)
Smoke and heat detection system	Clause 4 of Specification E2.2a	EP2.1, EP2.2	Monthly	As per AS 1851-2012 (Amendment 1)
Atrium fire detection and alarm system	Clause 4 of Specification G3.8 (AS1670.1)	EP2.1, EP2.2	Monthly	As per AS 1851-2012 (Amendment 1)
Interconnected smoke alarms for occupant warning systems	Specification E2.2a, AS12239	EP2.1,EP2.2	Monthly	As per AS1851-2012 (Amendment 1)
Occupant Warning Systems				
Occupant warning systems including audible alarms, recorded and visual messages	Specifications E1.5; E2.2a and Specification E2.2a	EP2.1, EP2.2, EP4.3	Six-monthly	As per AS1851-2012 (Amendment 1)
Sound system and intercom system for emergency purposes	E4.9 Clause 5 of Specification G3.8	EP4.3	Monthly	As per AS 1851-2012 (Amendment 1)
Building occupant warning system	Clause 8 of Specification E1.5, Clause 6 of Specification E2.2a	EP2.1, EP2.2	Monthly	As per AS 1851-2012 (Amendment 1)
Fire brigade phones and phone jacks	Fire Brigade Guidelines	EP4.3	Monthly	As prescribed by Fire Brigade guidelines for testing of system operation
Lifts				
Stretcher facilities in lifts	E3.2	EP3.1	Annually	Inspection to ensure compliance of facilities with BCA
Emergency lifts	E3.4	EP3.2	Annually or as per manufacturers specification	As per requirements of AS1735 periodic inspection as per manufacturers specification, however no less than annual inspection
Passenger lift fire service controls	E3.7	EP3.2	Annually or as per manufacturers specification	As Per requirements of AS 1735 however no less than annual inspection
Standby Power Supply Systems				
Standby power supply system	E3.4, Clause 6 of Specification G3.8	DP4, EP1.3, EP1.4, EP2.1, EP2.2, EP4.1, EP4.2, EP4.3	Six-monthly or as per manufacturers recommendations	Ensure auxiliary power is operable. Test as prescribed in AS 1851 – 2012 (Amendment 1) based on proving electrical load in lieu of

				flow/pressure for pump sets
Building Clearance and Fire Appliances				
Open space around large isolated buildings	C2.3 to C2.4	CP9	Annually	Inspection to ensure that unobstructed access to buildings and firefighting facilities are maintained
Vehicular access around large isolated buildings	C2.3 to C2.4	CP9	Annually	Inspection to ensure clearance is maintained
Mechanical Ventilation and Hot, Warm and Colling Water Systems				
Air conditioning systems	E2.2	CP2, CP6, FP4.3, FP4.4, FP4.5	Monthly to AS3666-2011 or quarterly to AS1851-2012 (Amendment 1).	AS1851-2012 (Amendment 1). Monthly to AS3666 - 2011
Kitchen Hood Exhaust systems	F4.12	CP2, CP6, FP4.4, FP4.5,	Monthly	As per AS 1851-2012 (Amendment 1)
Mechanical ventilation systems incorporating cooling tower systems (other than a system only serving a single sole occupancy unit in a Class 2 or 3 building or Class 4 part of a building)	E2.2 F4.5 F4.11 PN-45-2018	FP2.6, FP4.4, FP4.5	Monthly	AS 3666.2 -2011 Public Health and Wellbeing Regulations 2009. Risk management plan in accordance with the Public Health and Wellbeing Act 2008 and the Public Health and Wellbeing Regulations 2009
Mechanical ventilation systems incorporating hot and warm water systems (other than a system serving only a single sole-occupancy unit in a Class 2 or 3 building or a Class 4 part of a building)	F2.7	FP2.6, FP4.4, FP4.5	Monthly	AS 3666.2 -2011 Risk management plan in accordance with the Public Health and Wellbeing Act 2008 and the Public Health and Wellbeing Regulations 2009
Excessive Hazard (Through Process or storage)				
Occupancy hazard in relation to requirements for sprinklers, where fire compartments occur with - Floor area >2,000m^2, or - Volume >12,000m^3	Note 3, Table E1.5 of the BCA	CP1, CP2, CP4, DP2, EP1.4, EP2.2	Annually	As per AS 1851-2012 (Amendment 1) Inspection to verify no process of excessive hazard or combustible storage greater than 4m high and greater than 2,000m^3 in volume

Emergency Response Procedures				
Emergency control organization and procedures	AS3745; AS4083 for Class 9a buildings	EP1.6	Annually	As per AS 1851-2012 (Amendment 1) Inspection of emergency management plan
***Other Safety Measures**				
Staff Emergency Communication System (public address, staff pagers, annunciation panel)	Practise Notes 7 & 8 (Building Control Commission)	EP1.6	3 monthly	As per AS 1851-2012 (Amendment 1) Inspection and full testing of all components
All fire and safety systems	As approved by the relevant authority; (May include hot smoke tests, tests to ensure fire safety systems interface and interact appropriately, etc.)	Fire safety engineering report by: REF	Annually	As per AS 1851-2012 (Amendment 1)
*Glazed assemblies	B1.4 and F1.13	BP1.2, FP1.4, FP1.7	Annually	Annual inspection to verify no damage, deterioration or unauthorised changes
*Balconies	Part B1	BP1.1, BP1.2, BP1.3, DP3,	Annually	Annual inspection to verify no damage, deterioration or unauthorised changes As per AS 1851-2012 (Amendment 1)
*Balustrades & Barriers	Part B1 and D2.16	BP1.1, BP1.2, BP1.3, DP3,	Annually	Annual inspection to verify no damage, deterioration or unauthorised changes As per AS 1851-2012 (Amendment 1)
*Swimming pool safety fencing	G1.1	BP1.3, GP1.2	Annually	Annual inspection to verify no damage, deterioration or unauthorised changes As per AS 1851-2012 (Amendment 1)
*Childcare centres barriers and fencing	G1.1	BP1.3, GP1.2	Annually	Annual inspection to verify no damage, deterioration or unauthorised changes As per AS 1851-2012 (Amendment 1)
*Refrigerated chambers, strong rooms and vaults	G1.2	GP1.3, GP1.4	Annually	Annual inspection to verify no damage, deterioration or

				unauthorised changes As per AS 1851-2012 (Amendment 1)
*Bushfire protection measures	G5.2	GP5.1	Annually	Annual inspection to verify no damage, deterioration or unauthorised changes As per AS 1851-2012 (Amendment 1)
*Signs – FRV addition XXX requires to achieve coverage	Reg. 129		Annually	Annual inspection to verify no damage, deterioration or unauthorised changes
*Signage Fire Safety Live load report	Reg. 129		Annually	Annual inspection to verify no damage, deterioration or unauthorised changes
*Signage Fire Engineer	Reg. 129		Annually	Annual inspection to verify no damage, deterioration or unauthorised changes
*Signage Hose Reel Length	Reg. 129		Annually	Annual inspection to verify no damage, deterioration or unauthorised changes
*Termite Barriers	B1.4	BP1.1	Annually	As Per AS 3660-2014
*Interface testing	E1.10 BCA Vol 3: B4.1, B4.2	EP1.1, EP 1.2, EP1.3, EP1.4, EP1.5, EP1.6, BCA Vol 3: BP4.1	Annually	As Per AS 3500.1-2018 As per AS 1851-2012 (Amendment 1)
***Building Use and Application**				
*Classification and use of building	A3.2 to A3.4	A3.2 to A3.4	Annually	Annual inspection to ensure use does not vary from approval
*Occupancy hazard	E1.5, E1.6, E1.10	EP1.4	Annually	Annual inspection to ensure use does not vary from approval
*Fire Brigade signage	Reg 129		Annually	
Fire Brigade Requirements Additional to BCA Provisions				
Fire Engineering Requirements Additional to BCA Provisions				

ESM = Essential Safety Measures as defined by the Building Act 1993

* Essential Safety Measures marked with an " * " are not currently included within the schedule of measures requiring maintenance under the Victorian Building Regulations 2018. However, these measures are considered by the Relevant Building Surveyor as being required to be maintained.

[1]Does not apply to air conditioning, mechanical ventilation or natural ventilation systems that are not required to operate in

fire and smoke control mode except that systems required to shut down in fire mode shall be proven to shut down in accordance with AS1851-2012 (Amendment 1) Clause 13.2.

14. ASSESSMENT CRITERIA

14.1. GENERAL BUILDING COMPLIANCE

Buildings are assessed against a three-point criteria for compliance as follows:

Good – the building generally complies and does not have any major non-compliances that could significantly affect the life safety, health and amenity of occupants. The building is considered to be constructed to an adequate standard from a Building Regulations perspective notwithstanding the minor non-compliances identified.

Fair – the building does not comply with a number of BCA requirements and some non-compliances may need to be rectified so as to not significantly affect the life safety, health and amenity of occupants. Subject to completion of the Priority "1" items identified, the building would be considered to be constructed to an adequate standard from a Building Regulations perspective.

Poor – the building does not comply with a significant number of BCA requirements and is not considered to be constructed to an acceptable standard from a Building Regulations perspective. Some of these items could put at risk the life safety, health and amenity of occupants of the building.

14.2. BCA RECTIFICATION ITEMS – ESSENTIAL OR DISCRETIONARY

The criteria used for assessment of BCA Rectification Items as either Essential or Discretionary is determined as follows:

Essential relates to BCA matters where immediate rectification is recommended as a safety hazard is perceived to exist, a liability for mandatory upgrade may occur, or the level of non-conformance is considered significant.

Discretionary relates to BCA matters where rectification is not considered mandatory or in need of immediate attention, but is desirable from a risk management perspective, or the non-compliance is considered to present a lower order risk and would only be recommended as part of a major refurbishment or long term strategic upgrade.

14.3. PRIORITY RATINGS FOR BCA NON-COMPLIANCES

The priority ratings adopted for BCA non-compliances are as follows:-

1. Immediate rectification recommended as a safety hazard is perceived to exist, a liability for mandatory upgrade may occur, or level of non-conformance is considered significant.

2. Rectification is not considered mandatory or in need of immediate attention, but is desirable from a risk management perspective.

3. Non-compliance is considered to present a lower order risk and would only be recommended as part of a major refurbishment or long term strategic upgrade.

15. GLOSSARY OF TERMS AND ACRONYMS USED WITHIN THIS REPORT

Act – Building Act 1993

AESMR – Annual Essential Safety Measures Report

BCA – NCC 2019, Amndt 1 Building Code of Australia - Volume One (which came into force on 1 July 2020)

BOH – back-of-house, means the areas of the building that are not accessible to the public

DDA – Disability Discrimination Act 1992

DSAPT – Disability Standards for Accessible Public Transport 2002, under section 31(1) of the Disability Discrimination Act 1992

ESM – Essential Safety Measures as defined by the Building Act 1993

ESO – Emergency Service Organisations, means any one or more of Victoria Police, FRV, Ambulance Victoria or the State Emergency Service as the context requires

FCR – Fire Control Room

FH – Fire Hydrant

FHR – Fire Hose Reel

FIP – Fire Indicator Panel

FOH – front-of-house, means the areas of the building that are publicly accessible

FRV – Fire Rescue Victoria

IFEG – International Fire Engineering Guidelines, means the International Fire Engineering Guidelines 2005 published by the Australian Building Codes Board

MFB – Metropolitan Fire Brigade

Premises Standards – Disability (Access to Premises — Buildings) Standards 2010

PWNs – Protection Works Notices

Regs/BR – Building Regulations 2018

SOUs – Sole-occupancy units, such as an apartment, hotel room, serviced apartment or the like.

16. LIMITATIONS AND EXCLUSIONS

This report has been prepared on the basis of a short site assessment and "walk through" in order to present a broad overview of compliance with the current provisions of the BCA and the PS. No other legislation has been considered to a detailed degree.

The report considers matters of a significant nature only and should not be considered exhaustive. Non-compliant items of a minor nature have not been addressed within this report as it is considered to be outside the required scope.

No testing of services or other related systems were conducted. This report is not a detailed review of the relevant services standards applicable to this building.

The site inspection did not include a detailed review of the Essential Safety Measures. Such Safety Measures have been commented on only where an obvious/visual defect had been noted during the time of the inspection. No records from separate services contractors have been reviewed as part of this assessment.

The report excludes matters relating to areas or components that were not accessed or were unsighted at the time of inspection. Areas and components not accessed or not sighted are outside the scope of this report.

The passage of time, manifestation of latent conditions, or impacts of future events, may require further exploration, analysis and re-evaluation of the findings, observations and recommendations expressed in this report.

Steve Watson and Partners Pty Ltd are not qualified Quantity Surveyors and costs provided in any Capital Expenditure Forecasts allow for general order of cost reporting only. Their accuracy should not be relied upon and must be independently verified.

No analysis or testing of building services systems was performed to confirm compliance with current day performance requirements, codes and specifications.

No documentation searches were undertaken, either with public authorities or with the building owners, and no attempts were made to determine whether notices, orders or other outstanding requirements of relevant authorities apply.

Many aspects of BCA compliance relate to the inherent fire resisting performance of building elements. These cannot be determined by way of visual inspection and no detailed analysis has been undertaken. Comments are provided to indicate as to whether the construction appears typical to that generally expected, such statements are made for the purpose of the report and must not to be construed as to confirmation of compliance.

Appraisals are limited to the provisions of the BCA and the PS. Except where specifically stated, other legislative requirements have not been considered.

Compliance with the BCA does not conclude compliance with the Disability Discrimination Act 1992 and therefore it is recommended that an Access Consultant be employed to comment on compliance with this Act. Comment has been offered throughout the report in relation to significant requirements of Part D3 of the BCA and AS 1428.1 only.

The report does not consider structural compliance issues and does not include review of the structural sufficiency of the building.

The report does not include a detailed review of compliance with applicable Australian Standards. Rather, the report is limited to commentary on the existence and general appearance of building systems and services.

Compliance with Australian Standards for glass and glazing systems is not covered.

Titles and title particulars have not been reviewed.

Pest or vermin infestation matters are not addressed.

Although comments are offered on matters relating to the Premises Standards made under the Commonwealth Disability Discrimination Act (DDA), this report does not constitute a DDA audit and cannot be read as such.

The report does not constitute or include a review of compliance with legislation, codes of practice or workmanship related to plumbing or electrical installations.

Requirements under Occupational Health and Safety Legislation are not addressed.

Dangerous Goods Legislation is not addressed.

17. VBA TEMPLATE - ANNUAL ESSENTIAL SAFETY MEASURES REPORT

Building Act 1993

Building Regulations 2018

ANNUAL ESSENTIAL SAFETY MEASURES REPORT[1]

Regulations 223 and 224

Building/s or part of building or place *[list name and address of buildings/parts/place below]*	**Description of use of the building, part of building or place**	**Classification under the National Construction Code** *(Note: the classification is set out in the occupancy permit for the building)]*	**Details of occupancy permit or maintenance determination issued for building/part/place to which the report relates**. *(Insert date and/or number*)

PART A – Details of inspections of essential safety measures

Compliance with AS 1851-2012 in lieu of the Specified Maintenance Standard (optional)[2]

Where the relevant occupancy permit or maintenance determination requires maintenance of an essential safety measure in accordance with *'AS 1851—2005 Maintenance of Fire Protection Systems and Equipment'* or an equivalent standard published before 5 September 2005, regulations 196 and 217 provide that the owner may maintain that essential safety measure in accordance with AS 1851—2012. Where the owner has chosen to maintain an essential safety measure in accordance with AS1851—2012, this is indicated in the table below.

Note*: An owner is advised to seek advice before deciding to maintain in accordance with AS 1851–2012 (as allowed under regulations 196 and 217) if an earlier maintenance standard or unique methodology specified, forms part of a performance solution (or alternative solution) relating to a fire performance requirement as defined in regulation 5 of the Building Regulations 2018.*

Essential Safety Measure required to be maintained in accordance with AS1851—2005 or equivalent standard published before 5 September 2005	**Relevant Occupancy Permit or Maintenance Determination where reference in column 1 is made**	**Where relevant, the owner has decided to substitute AS1851-2012 and has and will continue to maintain the essential safety measure in accordance with AS1851—2012 -** *(insert Yes in relevant rows)*

Maintenance personnel details

The following personnel carried out maintenance on the essential safety measures in this building during the preceding 12 months:

Name of person who performed maintenance	Company who performed maintenance	ESMs inspected/tested/ maintained

PART B – Inspection report made under section 227E of the Building Act 1993[3]

Note: If there have been no inspections under s227E insert N/A into table

Date of inspection	Details of inspection *(Note: insert who conducted inspection, any safety issues or non-compliances raised by the report and any actions required and/or taken by the owner in response to the report, including dates on which actions were taken)*

PART C – Statement by owner

I understand that as an owner of a building in respect of which an essential safety measure is required, regulation 223 requires me to ensure that this annual essential safety measures report is prepared within 28 days before each anniversary of the date of issue of the first occupancy permit or maintenance determination issued for the building, or if there is no occupancy permit or maintenance determination, within 28 days before 13 June each year.

I understand that it is a condition of an occupancy permit and maintenance determination that the essential safety measure listed in the occupancy permit must be maintained as specified in the permit or determination and that the owner of a building must comply with a condition of an occupancy permit or maintenance determination.

I understand that as an owner of a building in respect of which an essential safety measure has been required, regulation 226 requires me to ensure that all essential safety measures are maintained in a state which enables the essential safety measure to fulfil its purpose.

I understand that as an owner of a building in respect of which an essential safety measure has been required, regulation 227 requires me to ensure that essential safety measures are not removed from an approved location except for the purpose of inspection, testing of, or the carrying out of maintenance on, that essential safety measure.

I confirm that as the owner of the building to which this report applies, I have taken all reasonable steps to ensure that each essential safety measure—

(i) is operating and has been maintained in a state that enables the essential safety measure to fulfil its purpose; and

(ii) has been inspected, tested and maintained in accordance with the *Building Act 1993* and the *Building Regulations 2018*.

Signature of owner/agent of owner[4]

Signed: …… Date: ……

Print Name: ……

Owners name: ……

(If completing this report as agent of an owner, state full name of owner)

NOTES

1. The owner must ensure that this annual essential safety measures report and the following documents relating to the building or place are available for inspection within 24 hours after request by the municipal building surveyor or chief officer to inspect the documents—
   (a) all annual essential safety measures reports prepared under these regulations or any previous corresponding regulations within 10 years before the request; and
   (b) all maintenance schedules in relation to the essential safety measures in the building or place; and
   (c) all maintenance determinations requiring an essential safety measure to be provided in the building or place; and
   (d) the records of all inspections, testing and maintenance (including repairs) of any essential safety measure in the building or place.

   The penalty for non-compliance is a maximum of 20 penalty units.

2. Where the owner has decided to substitute AS 1851—2012 under regulation 196 or 217, the owner must continue to maintain that essential safety measure in accordance with AS 1851—-2012.

3. Section 227E of the *Building Act 1993* provides the power for the chief officer and municipal building surveyor to inspect essential safety measures.

4. Under section 240 and 248(1) of the *Building Act 1993* an agent of the owner must have written authority from the owner to act as their agent. Also note the general rules of 'agency' apply. Where an agent has completed this report on behalf of an owner, the agent should clearly state their full name, the owners full name and that they are acting as an agent of the owner.