

Proposed Extension to Existing Peppertree Hill Estate Cellar and New Building Works on Site Including the Construction of 1 & 2 Bedroom Villas and a New Bath House and Gym

85 Rocky Waterhole Road, Mount Frome, Mudgee NSW 2850

Building Code of Australia (BCA) 2022 Amdt 1 Review

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Revision History

Revision No.	Prepared by	Description	Date
R1	Michael Cuschieri / Rhoebee Clemente	Draft BCA Capability Statement	13/6/2025
R2	Rhoebee Clemente / Michael Cuschieri	Final BCA Capability Statement	17/6/2025

☐ BUILDING CODE ☐ ACCESS CONSULTING ☐ ESSENTIAL SERVICES



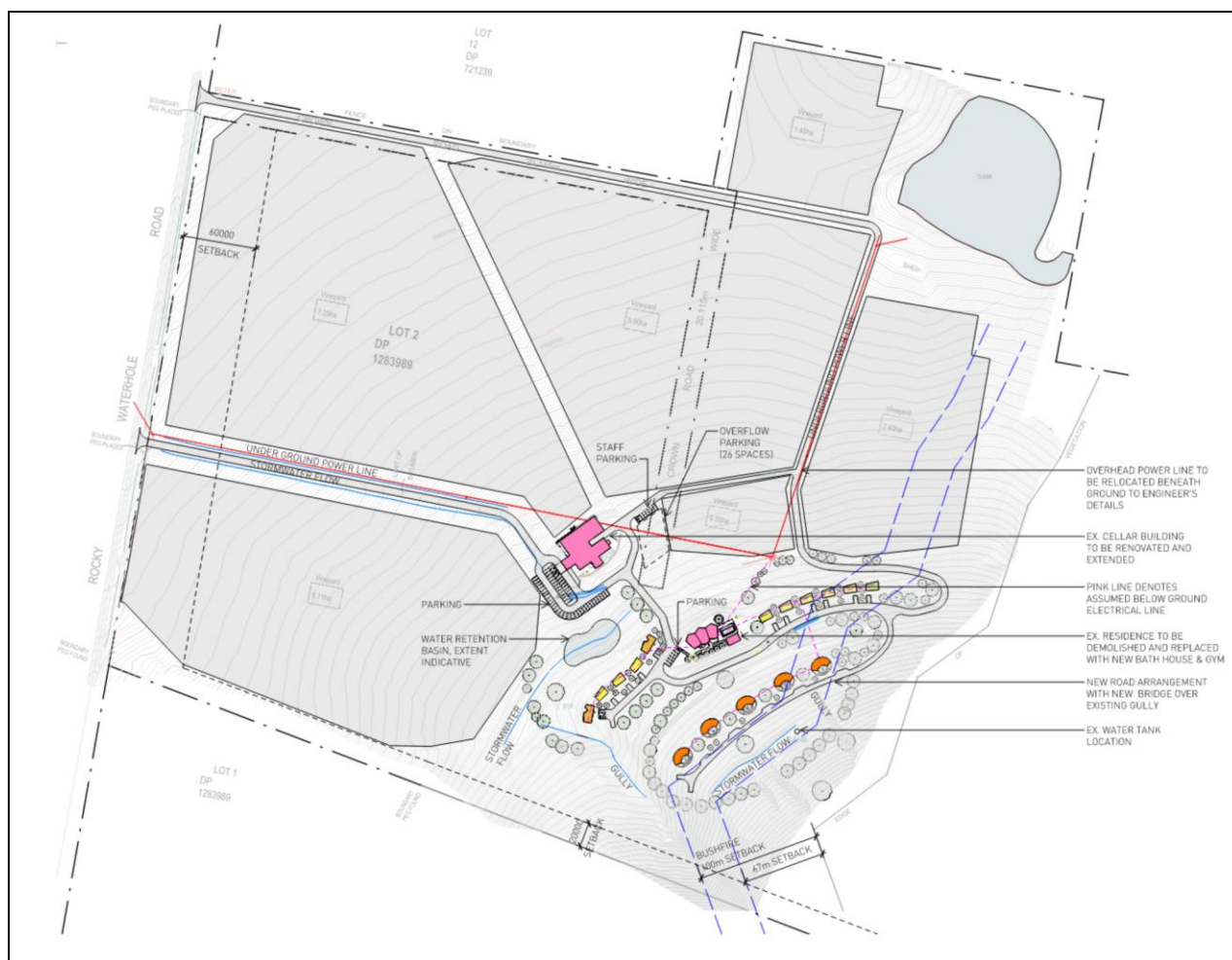
1.0 Introduction and Documentation

At the request of Wild Modular Architects, we offer assessment comments in respect to Building Code of Australia (BCA) 2022 Amdt 1 compliance for the proposed Peppertree Hill Estate Wine Cellar extension and new building works including the construction of 1 & 2 bedroom Villa's, a new Bath House and Gym.

The proposal includes the following description of works:

- Extension of the existing wine cellar into a 320m² restaurant with a new ancillary paved terrace.
- Change of use and minor building alterations to the existing foyer / reception area into a new 100m² retail space.
- Construction of nine (9) one-bedroom villas with attached terraces, two (2) two-bedroom accessible villas and five (5) two-bedroom luxury villas.
- Demolition of the existing residence and construction of a new 262m² Bath House comprising of four (4) new therapy rooms, two (2) vino therapy rooms, heated spa, dry sauna and steam room, bathroom amenities including laundry and multipurpose room.
- Construction of 42m² Gym adjacent existing pool area.

Site Plan



This report has been prepared to confirm whether the proposal is capable of complying with the Building Code of Australia (BCA) 2022 Amdt 1 Volume 1, as required by Clause 19(1)(c) of the Environmental Planning and Assessment (DCFS) Regulation 2021.



We have made every attempt to assess the DTS requirements under Parts A, B, C, D, E, F, G and J of the Building Code of Australia Volume 1 and can confirm the proposed work is capable of complying with the Building Code of Australia (BCA). Areas of the design are still being refined so that compliance will be further assessed prior to the issue of a Construction Certificate for the works, as is required by the certifier as part of the legislative requirements related to 'certification work'.

This report does not assess the impact of the Disability Discrimination Act (DDA) which is outside the scope of the BCA. This report is for the exclusive use of the client and cannot be used for any other purpose without prior permission from Philip Chun BC NSW Pty Ltd. The report is valid only in its entire form. 'Philip Chun accepts no responsibility for any loss suffered as a result of any reliance upon such assessment or report other than as being accurate at the date the report was issued.

Documentation available and assessed

The architectural drawings assessed are those prepared by Wild Modular as follows:

Discipline	Drawing No / Revision	Dated
Architectural	DA000/A, DA001/B, DA002/A, DA200/B, DA201/B, DA202/B, DA203/B, DA204/B, DA205/B, DA300/B, DA301/B, DA302/B, DA303/B, DA400/B, DA401/B, DA402/B, DA403/B, DA500/B, DA501/B, DA502/B, DA503/B, DA600/B, DA601/A, DA602/B, DA603/B, DA604/A, DA605/B, DA700/A, DA701/A, DA702/A, DA703/A, EX001/B, EX002/B, EX003/B, EX004/B, EX005/B, EX006/B	Various

Building Code of Australia 2022 Amdt 1 Comments

Building Classification(s)	<ul style="list-style-type: none">Class 3 guest house / accommodation building comprising nine (9) one-bedroom villas at 42m² each, two (2) two-bedroom accessible villas at 64m² each and five (5) two-bedroom luxury villas at 58m² eachClass 6 Restaurant extension approx. 320m² and Retail area approx. 100m²Class 3 Staff accommodation building with office ancillary (existing, no works proposed)Class 9b Bath House building approx. 262m²Class 9b Gym approx. 42m²
Rise in Storeys	One (1) – all buildings
Type of Construction	Type C – all buildings
Effective Height (m)	N/A

2.0 Structural Provisions

All structural works are to comply with the BCA. Structural engineer will need to confirm and provide structural drawings and design certification prior to issue of CC. **Compliance readily achievable.**

3.0 Construction and fire resistance ratings

- Type of Construction (C2D2)** – All new works shall be carried out in accordance with the requirements of Specification 5 (S5C24) for Type C Construction. The construction of each villa, including the Bath House and Gym, will not require fire-resisting construction, as they are standalone buildings not proposed to be attached to any adjacent buildings and are all situated more than 3m from any fire source feature. However, the Class 3 staff accommodation will need to be separated from the Class 6 café / restaurant with a 90/90/90 FRL. **Compliance achievable. Wall construction details with minimum 90/90/90 FRLs are to be notated on plans, and sections to be provided prior to CC issue.**



2. **Lightweight Construction (C2D9)** – The installation of lightweight construction must comply with the requirements of Specification 6 if used in a wall system that is required to have an FRL or for a service shaft or an external wall bounding a public corridor. **Compliance achievable. Details demonstration compliances to be provided prior to the issue of CC.**
3. **Fire Hazard Properties (NSW C2D11)** – All new surface finishes, assemblies and linings within the Class 3, 6 and 9b components of the subject scope of work must comply with BCA Specification 7 with respect to Fire Hazard Properties. **Compliance achievable. Test reports confirming compliance with the requirements of this clause and Specification 7 are to be provided prior to the issue of OC.**
4. **Fire compartment areas and volumes (C3D3)** – The floor area and volume compartments cannot exceed the limitations under Table C3D3 for Type C Construction. **The proposed development does not contain a floor area greater than 2,000m² or a volume greater than 12,000m³, therefore complies.**
5. **Separation of Classifications in the Same Storey (C3D9)** – If a building has parts of different classifications located alongside one another in the same storey –
 - a. Each building element in that storey must have the higher FRL prescribed in Specification 5 for that element for the classifications concerned; or
 - b. The parts must be separated in that storey by a fire wall.

A fire wall required by (b) above must have the FRL prescribed in accordance with Specification 5 as applicable for that element for the Type of Construction and the classifications concerned. The FRL in Specification 5 must be the higher FRL prescribed in Table S5C11d or S5C21d; or the FRL prescribed in Table S5C24c

Compliance achievable. Per above comment, the Class 3 staff accommodation will need to be separated from the Class 6 café / restaurant with a 90/90/90 FRL.

6. **Separation of Equipment (C3D13)** – A main switchboard located, boiler or battery system within the building which sustains emergency equipment operating in the emergency mode must be separated from any other part of the building by construction having an FRL not less than 120/120/120. All switchboards in an electrical distribution system, which sustain electricity supply to emergency equipment, must provide full segregation by way of enclosed metal partitions designed to prevent the spread of any fault from non-emergency equipment switchgear to the emergency equipment switchgear. **Appears none proposed – architect to confirm.**
7. **Electricity supply system (C3D14)** – A main switchboard located within the building which sustains emergency equipment operating in the emergency mode must be separated from any other part of the building by construction having an FRL not less than 120/120/120. All switchboards in the electrical distribution system, which sustain electricity supply to emergency equipment, must provide full segregation by way of enclosed metal partitions designed to prevent the spread of any fault from non-emergency equipment switchgear to the emergency equipment switchgear. **Appears none proposed – architect to confirm.**
8. **Separation of External Walls and Associated Openings in Different Fire Compartments (C4D4)** – The distance between parts of external walls and any openings within them in different fire compartments separated by a fire wall must not be less than that set out in Table C4D4, unless those parts of each wall have an FRL not less than 60/60/60 and any openings are protected in accordance with C4D5. **Protection required to the storeroom and kitchen openings of the cellar (refer mark-ups). Architect to note and provide door and window schedules along with notation on the plans and sections to demonstrate compliance with protection of openings in different fire compartments, prior to issue of the CC.**
9. **Openings for service installations (C4D15)** – Electrical and electronic, plumbing, mechanical ventilation, air condition or other service that penetrates a building element (other than an external wall or roof) that is required to have an FRL with respect to integrity or insulation or a resistance to the



incipient spread of fire must comply with a tested system in accordance with the requirements of this Clause. **Compliance Achievable. Details demonstrating compliance to be provided prior to the issue of CC.**

4.0 Access and Egress

The buildings' egress system has been assessed and designed to ensure compliance with the following principles:

1. **BCA Clause D2D3** – Requires 1 exit per storey – **Complies.**
2. **BCA Clause D2D5** – Class 6 and 9 building, requires no point on a floor to be more than 20m from an exit, or a point from which travel in different directions to 2 exits is available, in which case the maximum distance to one of those exits must not exceed 40m. Additionally, in a Class 6 building, the distance to a single exit serving a storey at the level of access to a road or open space may be increased to 30m – **Complies.**
3. **BCA Clause D2D6** – Exits that are required as an alternative means of egress must be distributed as uniformly as practicable within or around the storey served and in positions where unobstructed access to at least 2 exits is readily available from all points on the floor including lift lobby areas. Alternative exits must not be less than 9m apart and not more than 60m apart and located so that alternative paths of travel do not converge such that they become less than 6m apart – **Complies.**
4. **BCA Clauses D2D7 & NSW D2D8** – In a required exit or path of travel to an exit, the unobstructed height throughout must be not less than 2 m, except the unobstructed height of any doorway may be reduced to not less than 1980mm. The required exit width or path of travel to an exit is to comply with 1m clearances minimum.

The Class 6 retail and restaurant areas can accommodate of up to 200 patrons based on the existing sanitary facilities and will require a minimum aggregate exit width of 2 metres – current plans appear to comply. The Bath House and Gym are not expected to accommodate more than 100 occupants; therefore, the provision of minimum 1m clear exit width is considered appropriate and has been incorporated into the design.

Ensure a minimum egress width clearance of 1m is maintained throughout the proposed new works, i.e. egress paths and corridors.

5. **BCA Clause NSW D2D9** – In a required exit or path of travel to an exit, the unobstructed width of a doorway must be not less than 750mm wide.

Architect to amend design to ensure the doorways (except where it opens to a sanitary compartment or bathroom) are minimum 750mm wide. Door schedule to be provided to confirm compliance prior to CC issue. In addition, any accessible doors will need a minimum 850mm clear width – refer to access consultant's report.

6. **BCA Clause D2D15** – An exit must not be blocked at the point of discharge and where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit, or access to it –

Compliance readily achievable. Architect to include bollards/suitable barriers at the point of discharge within the construction documentation at CC stage.

7. **BCA Clause NSW D3D14** – Stairways must have not more than 18 and not less than 2 risers in each flight; and the going (G), riser (R) and quantity (2R + G) in accordance with Table D3D14, and constant goings and risers throughout each flight, and the dimensions of goings (G) and risers (R) are considered constant if the variation between adjacent risers, or between adjacent goings, is no greater than 5 mm; and the largest and smallest riser within a flight, or the largest and smallest going within a flight, does not exceed 10 mm. In addition, Risers must not have any openings that would allow a 125mm sphere to pass through between the treads, and treads must have a surface with a slip-



resistance classification not less than that listed in Table D3D15 when tested in accordance with AS 4586; or a nosing strip with a slip-resistance classification not less than that listed in Table D3D15 when tested in accordance with AS 4586.

Compliance readily achievable. Architect and access consultant to ensure new stairways to the luxury two-bedroom villas and restaurant entry comply with the stair geometry requirements addressed in this Clause. Detailed plans, sections and elevations of stairway geometry, including reference to slip resistance classification and compliance with nosing strip requirements must be addressed in the construction documentation at CC Stage. Slip resistance test reports must be provided prior to OC issuance to confirm compliance.

8. **BCA Clause D3D16** – The threshold of a doorway must not incorporate a step or ramp at any point closer to the doorway than the width of the door leaf unless in a building required to be accessible, the doorway opens to a road or open space; and is provided with a threshold ramp or step ramp in accordance with AS 1428.1; or in other cases the doorway opens to a road or open space, external stair landing or external balcony; and the door sill is not more than 190 mm above the finished surface of the ground, balcony, or the like, to which the doorway opens.

Compliance achievable.

9. **BCA Clause D3D17** – A continuous barrier must be provided along the side of a stairway or ramp and a floor, corridor, hallway, balcony, deck, verandah, mezzanine, access bridge or the like; and any delineated path of access to a building if the trafficable surface is 1 m or more above the surface beneath. The barrier must be constructed in accordance with the requirements of Clauses D3D18, D3D19 and D3D20.

The Class 6 areas to the Cellar building have been provided with a barrier. Detailed drawings demonstrating compliance to be provided prior to the issue of CC.

10. **BCA Clause D3D18** – The height of a barrier required by D3D17 must be not less than 865mm for stairways or ramps with a gradient 1:20 or steeper, and for landings to a stair or ramp where the barrier is provided along the inside edge of the landing and does not exceed 500mm in length, 865mm. For all other locations, the height of a barrier must be no less than 1m.

Compliance achievable. Detailed drawings demonstrating compliance to be provided prior to the issue of CC.

11. **BCA Clause D3D19** – Openings in a required barrier must not allow a 125 mm sphere to pass through. Where a required barrier is fixed to the vertical face forming an edge of a landing, balcony, deck, stairway or the like, the opening formed between the barrier and the face must not exceed 40 mm.

Compliance achievable. Detailed drawings demonstrating compliance to be provided prior to the issue of CC.

12. **BCA Clause D3D20** – A barrier required by D3D17, located on a floor more than 4 m above the surface beneath, must not incorporate horizontal or near horizontal elements that could facilitate climbing between 150 mm and 760 mm above the floor.

The Architectural documents provided do not indicate any areas where there is a floor more than 4m above the surface beneath. To be confirmed by the Architect prior to issue of CC.

13. **BCA Clause D3D22** – Handrails must be provided on at least one side of a ramp or stair, and on both sides if the width is 2m or more. They must be fixed at a minimum height of 865mm, be continuous between landings and have no obstruction on or above them that will tend to break a handhold. Handrails in a required exit serving an area to be accessible must comply with Clause 12 of AS 1428.1, and where required to assist people with a disability, must be provided in accordance with Clause D4D4.



Compliance achievable. Detailed drawings demonstrating compliance to be provided prior to the issue of CC.

14. **BCA Clause NSW D3D24** – A doorway serving as a required exit or forming part of a required exit must not be fitted with a sliding door unless it leads directly to a road or open space and the door is able to be opened manually under a force not more than 110N. In addition, a power-operated door in a path of travel to a required exit must be able to be opened manually under a force of not more than 110 N if there is a malfunction or failure of the power source.

Compliance achievable, door schedule to be provided to confirm compliance prior to CC issue.

15. **BCA Clause D3D25** – A swinging door in a required exit or forming part of a required exit must not encroach at any part of its swing by more than 500mm on the required width (including any landings) of a required stairway, ramp or passageway if it is likely to impede the path of travel of the people already using the exit; and when fully open, by more than 100mm on the required width of the required exit. In addition, the door must swing in the direction of egress unless it serves a building or part with a floor area not more than 200m², it is the only required exit from the building or part and is fitted with a device for holding it in the open position.

Architect to note and detailed door schedule to be provided confirming compliance prior CC issue.

16. **BCA Clause D3D26** – A door in a required exit, forming part of a required exit or in the path of travel to a required exit must be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action on a single device which is located between 900 mm and 1100mm from the floor and if serving an area required to be accessible by Part D4.

Compliance achievable, door schedule to be provided prior to CC issue.

17. **Part D4 – refer to access consultant's report.**

5.0 Fire Services & Equipment

The following is a status of the services to be provided in the building.

Fire services

Fire Hydrants (Cellar Building Only)	A Fire Hydrant system must be provided to serve the Cellar Building as the floor area is greater than 500m ² . Fire Hydrant system so be installed in accordance with AS2419.1. Architect to note, details to be provided and accompanied with service drawings confirming locations and compliance with hydrant coverage requirements prior to CC issue. If required, the booster location is to be shown on plans.
Fire Hose Reels (Cellar Building only)	A Fire Hose Reel system must be provided to serve the Cellar Building as the floor area is greater than 500m ² . Hose Reels to be installed in accordance with AS2444 and located within 4m of an exit. Architect to note, details to be provided and accompanied with service drawings confirming locations of Hose Reels and compliance with the Hose Reel coverage requirements prior to CC issue.
Portable Fire Extinguishers (Cellar Building, Class 3 Accommodation Buildings, Bath House and Gym)	Extinguishers are required throughout in accordance with Clause E1D14 of the BCA and AS 2444-2005. Details of fire extinguisher locations and types to be provided prior to CC issue
Automatic Smoke Detection & Alarm System (Class 3 Accommodation Buildings only)	The Class 3 accommodation buildings are required to be provided with an Automatic Smoke Detection and Alarm System complying with Specification 20. Details of the automatic smoke detection and alarm system to be provided and shown in the dry fire services drawings prior to CC issue
Automatic Shutdown (Class 9b Bath House and Gym Only)	The Class 9b Bath House and Gym must be provided with automatic shutdown of any air-handling system which does not form part of the smoke hazard management system, on activation of smoke detectors installed complying with S20C6, and any



	other installed fire detection and alarm system, including a sprinkler system complying with Specification 17. <i>Details of the automatic shutdown system to be provided and shown in the services drawings prior to CC issue.</i>
Emergency Lighting (Cellar Building, and Bath House)	Emergency lighting complying with the requirements of AS2293.1 is required. <i>Details of the emergency lighting system and locations of emergency lighting are to be provided and shown in the electrical services drawings prior to CC issue.</i>
Exit and Directional signs (Cellar Building, and Bath House)	The location of exit and directional exit signs must be installed to suit the proposed layout and the requirements of BCA Clauses E4D5, E4D6, E4D8 and AS2293.1. <i>Exit signage to be provided, and details of the exit signage and directional exit signage locations to be provided on service drawings prior to CC issue.</i>

Part G5 Construction in bushfire prone areas

Specialist advice has been provided by a Bushfire Consultant in report no. 24SBC_1156 Version 3, dated 16/5/2025 in regard to the requirements for the Class 9b Bath House and Gym.



Figure 1: Bush fire prone land mapping showing subject lot captured.

Specification 43

Specialist advice is required to address the requirements of Specification 43



6.0 Health and Amenity Issues

1. **Weatherproofing** - Performance requirement F3P1 is to be satisfied by complying with Clauses F3D2 to F3D5. If the deemed-to-satisfy solution cannot be met, a Weatherproofing Performance Solution is to be provided in regard to the new works – ***Details demonstrating compliance to be provided prior to the issue of CC.***

2. **Facilities**

In accordance with BCA F4D4, sanitary facilities are to be provided to accommodate for the maximum expected design occupancy in the building. This is for both staff and visitors (patrons).

Cellar sanitary provision includes

Accessible: 1 basin + 1 closet plan

Female: 2 basins + 2 closet pans

Male: 2 basins + 1 closet pan + 1 urinal

The existing sanitary facilities can cater for 100 male and 100 female patrons.

It is noted that no more than 10 staff will be accommodated in the cellar building – a unisex toilet can be provided for 10 staff, client to confirm location.

Bath house sanitary provision includes

Accessible: 1 basin + 1 closet plan

Female: 1 basins + 1 closet pan

Male: 1 basins + 1 closet pan

The proposed sanitary facilities can cater for 50 male and 50 female patrons. It is assumed that no more than 100 patrons will occupy the bath house, and the gym patrons can also utilise the bath house facilities – client to confirm.

Villas

Each building is provided with a bath / shower, closet pan and washbasin – complies.

3. **Room Sizes** –The minimum ceiling heights for habitable areas of Class 3, 6 and 9b buildings is 2.4m. ***Architect to provide further information including detailed sections to confirm compliance with minimum 2.4m ceiling heights.***
4. **Ventilation** - Where natural ventilation in accordance with F6D7 is not provided, a mechanical ventilation or air-conditioning system complying with AS1668.2 must be provided to serve all rooms/spaces within each building. ***Mechanical plans and details to be provided by Mechanical Consultant for review and assessment prior to CC issue.***
5. **Artificial lighting** - Where compliant natural lighting is not provided, artificial lighting must be provided in accordance with AS/NZS1680.0— to serve all rooms that are frequently occupied, all spaces required to be accessible including all corridors, lobbies, and other circulation spaces and paths of egress. ***Electrical plans and details to be provided by Electrical Consultant for review and assessment prior to CC issue.***

7.0 Energy Efficiency

The proposed works must be designed in accordance with the requirements of Part J of the BCA 2022 (Amdt 1) in terms of Energy Efficiency.

Mount Frome is within Climate Zone 6.

A Section J consultant is to be engaged to assess compliance with Part J of the BCA.



8.0 Conclusion

We have assessed the drawings with respect to the Building Code of Australia 2022 (Amdt 1). In our opinion, Development Consent should not be withheld for concern that the works cannot meet a combination of the Deemed-to-Satisfy and Performance Requirements of the Building Code of Australia 2022 (Amdt 1). Areas of the design are still being developed and will be addressed prior to issue of a construction certificate following the requirements of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulations 2021.



Appendix A – Specification 5

TYPE C CONSTRUCTION

Table S5C24a: Type C Construction: FRL of parts of external walls				
Distance from a fire-source feature	FRL (in minutes): <i>Structural adequacy/ integrity / insulation</i>			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Less than 1.5m	90/90/90	90/90/90	90/90/90	90/90/90
1.5m to less than 3m	-/-/-	60/60/60	60/60/60	60/60/60
3m or more	-/-/-	-/-/-	-/-/-	-/-/-
Table S5C24b: Type C Construction: FRL of external columns not incorporated into an external wall				
Distance from a fire-source feature	FRL (in minutes): <i>Structural adequacy/ integrity / insulation</i>			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Less than 1.5m	90/-/-	90/-/-	90/-/-	90/-/-
1.5m to less than 3m	-/-/-	60/-/-	60/-/-	60/-/-
3m or more	-/-/-	-/-/-	-/-/-	-/-/-
Table S5C24c: Type C Construction: FRL of common walls and fire walls				
Wall Type	FRL (in minutes): <i>Structural adequacy/ integrity / insulation</i>			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Loadbearing or Non-loadbearing	90/90/90	90/90/90	90/90/90	90/90/90
Table S5C24d: Type C Construction: FRL of internal walls				
Location	FRL (in minutes): <i>Structural adequacy/ integrity / insulation</i>			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Bounding public corridors, public lobbies and the like	60/60/60	-/-/-	-/-/-	-/-/-
Between or bounding sole-occupancy units	60/60/60	-/-/-	-/-/-	-/-/-
Bounding a stair if required to be rated	60/60/60	60/60/60	60/60/60	60/60/60
Table S5C24e: Type C Construction: FRL of roof				
Location	FRL (in minutes): <i>Structural adequacy/ integrity / insulation</i>			
	Class 2, 3 or 4 part	Class 5, 7a or 9	Class 6	Class 7b or 8
Roofs	-/-/-	-/-/-	-/-/-	-/-/-