



Mainbrace Constructions

The Hills Marketplace

**DA Access Review
– FINAL v3**

26 May 2023



REPORT REVISIONS		
Date	Version	Drawing No / Revision
20.10.22	Draft	A02.01[DA-2]-PROPOSED OVERALL SITE PLAN; A02.20[DA-2]-PROPOSED GROUND FLOOR PLAN; A02.21[DA-2]-PROPOSED MEZZANINE PLAN Prepared by BN Group
06.12.22	Final	A02.01[2] - PROPOSED OVERALL SITE PLAN; A02.20[2] - PROPOSED GROUND FLOOR PLAN; A02.21[2] - PROPOSED MEZZANINE PLAN; A100.20[2] - GREEN RATIO & PARKING ANALYSIS Prepared by BN Group
06.12.22	Final v2	As above
26.05.23	Final v3	A02-01 [6]; A02-20 [5] Prepared by BN Group

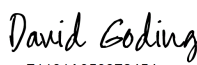
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1. Executive Summary

The Access Review Report is a key element in the design development of the additions to the shopping centre known as Hills Marketplace, located at 287 Mona Vale Road, Terrey Hills NSW 2084, and an appropriate response to the AS 1428 series, Building Code of Australia (BCA), DDA Access to Premises Standards (including DDA Access Code) and ultimately the Commonwealth Disability Discrimination Act (DDA).

Morris Goding Access Consulting has prepared the Access Report to provide advice and strategies to maximise reasonable provisions of access for people with disabilities.

The review will ensure that ingress and egress, paths of travel, circulation areas, parking and sanitary facilities comply with relevant statutory guidelines, and in addition, compliance with a higher level of accessibility and inclusiveness benchmarks set by the project.



2. General

2.1 Background

Mainbrace Constructions has engaged Morris Goding Access Consulting to provide a design review of the additions to the shopping centre known as Hills Marketplace, located at 287 Mona Vale Road, Terrey Hills NSW 2084.

The development consists of the following:

- Demolition
- New restaurant, garden centre and rural supplies premises at the entrance level
- New and altered parking

The proposed development falls under a number of BCA classifications:

- Class 6 (retail)
- Class 7a (carpark)

The requirements of the investigation are to:

- Review supplied drawings of the proposed development;
- Provide a report that will analyse the provisions of disability design of the development, and
- Recommend solutions that will ensure the design complies with the Disability Discrimination Act (DDA), Building Code of Australia (BCA), relevant Australian Standards, and enhanced benchmark requirements set by the project.

2.2 Investigation and Objectives

The requirements of the investigation are to:

- Review supplied drawings of the proposed development;
- Provide a report that will analyse the provisions of disability design of the development, and
- Recommend solutions that will ensure the design complies with the Disability Discrimination Act (DDA), Building Code of Australia (BCA), relevant Australian Standards, and enhanced benchmark requirements set by the project.

The Report seeks to ensure compliance with statutory requirements and enhanced benchmark requirements set by the project. The Report considers user groups, who include staff, and members of the public. The Report attempts to deliver equality, independence and functionality to people with a disability inclusive of:

- People with a mobility impairment (ambulant and wheelchair);
- People with a sensory impairment (hearing and vision); and
- People with a dexterity impairment



The Report seeks to provide compliance the Disability Discrimination Act 1992. In doing so, the report attempts to eliminate, as far as possible, discrimination against persons on the ground of disability.

2.3 Limitations

This report is limited to the accessibility provisions of the building in general. It does not provide comment on detailed design issues, such as: internals of accessible/ambulant toilet, fit-out, lift specification, slip resistant floor finishes, door schedules, hardware and controls, glazing, luminance contrast, stair nosing, TGSIs, handrail design, signage etc. that will be included in construction documentation.

2.4 Accessibility of Design

The proposed design will utilise the Federal Disability Discrimination Act (DDA), Disability (Access to Premises – Buildings) Standards 2010, BCA/DDA Access Code, Universal Design principles, the AS 1428 Series, and other design guidelines, to develop appropriate design documentation, to provide reasonable access provisions for people with disabilities.

The design will be developed to ensure the principles of the DDA are upheld. Under the DDA, it is unlawful to discriminate against people with disabilities in the provision of appropriate access, where the approach or access to and within a premise, makes it impossible or unreasonably difficult for people with disabilities to make use of a particular service or amenity.

2.5 Statutory Requirements

The statutory and regulatory guidelines to be encompassed in the developed design to ensure effective, appropriate and safe use by all people including those with disabilities will be in accordance with:

- Federal Disability Discrimination Act (DDA);
- Disability (Access to Premises – Buildings) Standards 2010;
- Building Code of Australia (BCA) 2022 - Parts D4, E3D7, E3D8, F4D5, F4D6, F4D7;
- AS 1428.1:2009 - (General Requirement for Access);
- AS 1428.4.1:2009 - (Tactile Ground Surface Indicators);
- AS 2890.6:2009 - (Parking for People with Disabilities);
- AS 1735.12:1999 - (Lift Facilities for Persons with Disabilities);
- Warringah DCP 2011

Please note that there are also additional advisory standards (not currently referenced by BCA or DDA Premises Standards) as well as other relevant guidelines that will be considered, as



relevant to promote equity and dignity in line with over-arching DDA principles and aspirational objectives. These include:

- Universal Design Principles;
- Human Rights Commission (HEREOC) Advisory Note February 2013 on streetscape, public, outdoor areas, fixtures, fittings and furniture;
- AS1428.2:1992 Enhanced and Additional requirements;
- AS1428.4.1 Draft Way-finding Standard;
- AS3745:2010 – Planning for Emergencies in Facilities (to assist with design strategies for provision for escape for people with disability that may require assistance).



3. General Access Planning Considerations

The Disability Discrimination Act 1992 (DDA) is a legislative law that protects the rights of all people. The Act makes disability discrimination unlawful and promotes equal rights, equal opportunity and equal access for people with disabilities. The Australian Human Right Commission is the governing body who control and enforce DDA compliance.

Nevertheless, building elements that provide insufficient accessible provisions for people with disabilities remain subject to the DDA. The improvement of non-compliant building elements and areas to meet current access requirements will mitigate the risk of a DDA complaint be made against the building owner.

Since the 1st May 2011, the Commonwealth's Disability (Access to Premises – Buildings) Standards 2010 (DDA Premises Standards) apply to all new building works and to affected parts of existing buildings.

The DDA Premises Standards' requirements (DDA Access Code) are mirrored in the access provisions of the BCA. New building work and affected parts must comply with the DDA Premises Standards and AS1428.1-2009 in the same manner as they would comply with the BCA by meeting deemed-to-satisfy provisions or by adopting an alternative solution that achieves the relevant performance requirements.

By utilizing AS 1428 suite of Standards, the overall aim is to provide continuous accessible paths of travel to connect the proposed development to and through public domain areas and between associated accessible buildings in accordance with the DDA Access Code.

MGAC supports the use and consideration of universal design (UD) principles into the design to maximize access for all people. We will assist the design team to incorporate UD principles where possible within the project, while still meeting mandatory compliance requirements.

Universal design principles consider the needs of a broad range of people including older people, families with children and pushing prams, people from other cultures and language groups, visitors in transit and people with disability. By considering the diversity of users, the design will embed access into and within it, so that benefits can be maximized, without adding on specialized 'accessible' features that can be costly, visually unappealing and may perpetuate exclusion and potential stigma.

The seven key Universal design principles to consider in the on-going design include:

- Principle 1: Equitable Use
- Principle 2: Flexibility in Use
- Principle 3: Simple and Intuitive Use
- Principle 4: Perceptible Information
- Principle 5: Tolerance for Error
- Principle 6: Low Physical Effort
- Principle 7: Size and Space for Approach and use



4 Proposed Scheme and Regulatory Background

4.1 General

The project objectives, BCA building classifications, and applicable development controls, bring into relevance the Building Code of Australia 2022 and the Disability (Access to Premises – Buildings) Standards 2010.

4.2 DDA Premises Standards

The Disability (Access to Premises – Buildings) Standards 2010 ('Premises Standards 2010') are a federal legislative instrument that was made under the Disability Discrimination Act 1992 (DDA). The Premises Standards 2010 prescribe minimum design and performance standards of accessibility in relation to built premises in general.

The site is subject to the requirements of the Premises Standards due to proposals for buildings, or spaces, within the development, that are categorised by a particular building classification in the Building Code of Australia.

The BCA building classifications of relevance to the development will include at a minimum;

- Class 6 (retail)
- Class 7a (carpark)

Areas of the development classified under the above BCA building classifications will need to consider the following key issues;

- Access to and within principal entrances to the premises from the allotment boundary
- Access up to entrance doorways of residential sole occupancy units
- Access to and within common use areas
- Access to and within all areas normally used by the occupants
- Accessible car parking spaces
- Signage for persons with disabilities
- Sanitary facilities for persons with disabilities



5. Ingress & Egress

5.1 External Linkages

The BCA and DDA Premises Standards contain requirements for site approaches for the use of persons with disabilities. These requirements can be summarised as follows:

- An accessible path of travel from main pedestrian entry points at the site allotment boundary to all building entrances compliant with AS1428.1:2009.
- An accessible path of travel between buildings (or parts of buildings) that are connected by a pedestrian linkage, within the site allotment boundary, compliant with AS1428.1:2009 is also required.
- An accessible path of travel to building entrances (required to be accessible) from associated accessible car-parking bays, compliant with AS1428.1:2009 is required.

Assessment

MGAC has reviewed the drawings and documentation in relation to the aforementioned requirements. On the basis of the current level of detail all access requirements appear capable of achieving compliance.

On the basis of a review of the existing topography there would appear to be paths of travel, from both Mona Vale Road and Myoora Road, capable of compliance.

Normal detailed design development will be required to ensure appropriate outcomes are achieved, through confirmation of levels. The required details will be provided during the design development stage of the project and confirmed prior to CC.

5.2 Entrances

The BCA and DDA Premises Standards contain requirements for building entry for the use of persons with disabilities. These requirements can be summarised as follows:

- Access through at least 50% of entrances, including the principal pedestrian entrance/s to all buildings or parts of buildings (i.e. when they have a separate function and/or use e.g. external retail tenancy). Note it is preferred that all entrances are accessible. A non-accessible entry located no more than 50m distance from an accessible entry (for buildings greater than 500m²). All accessible doors with 850mm min. clear width opening and suitable door circulation area, compliant with AS1428.1:2009.
- An accessible path of travel e.g. ramp or lift provided adjacent (or in reasonable proximity) to any stair access. Note: providing choice of access route directly adjacent so that people can start and finish in the same location/travel similar route promotes inclusion and UD principles.

Assessment



MGAC has reviewed the drawings and documentation in relation to the aforementioned requirements. On the basis of the current level of detail all access requirements appear capable of achieving compliance.

There are numerous entrances to the various new components throughout the scheme. At this stage of detail there are no obstacles to full compliance.

Normal detailed design development will be required to ensure appropriate outcomes are achieved. The required details will be provided during the design development stage of the project and confirmed prior to CC.

5.3 Emergency Egress

BCA 2022 Part D3D22 has requirements for all fire-isolated egress stairs from areas required to be accessible (not communication stairs) to include at least one continuous handrail designed to be compliant with AS1428.1 Clause 12. Provision of an off-set tread at the base of stair flights or an extended mid-landing that will allow a 300mm extension clear of egress route is considered appropriate for achieving a consistent height handrail (without vertical or raked sections).

Where fire-isolated egress stairs will also be used for communication stair purposes between levels, they should be designed to meet AS1428.1:2009. Confirmation is required on the likely use of certain stairs for this purpose.

There is currently no mandatory requirement within BCA or DDA Premises Standards for provision of independent accessible egress for people with a disability in accordance AS1428.1 and this remains an important DDA issue. Consideration of an accessible egress strategy with emergency evacuation plan will be needed as a minimum starting point.

Consideration of management systems and fire wardens for emergency egress for people with disabilities.



6. Paths of Travel

6.1 Circulation Areas

The BCA and DDA Premises Standards contain requirements for circulation areas for the use of persons with disabilities. These requirements can be summarised as follows:

- Wheelchair passing bays (1800mm width x 2000 length) when a direct line of sight is not available and are to be provided at 20m max. intervals along access-ways.
- Turning spaces (at least 1540mm W x 2070mm L) within 2m of every corridor end and at 20m.max intervals along all access-ways. This is needed for wheelchairs to make a 180 degree turn, compliant with AS1428.1:2009.
- All common-use doors (i.e. not excluded under Part D4D5) with 850mm min. clear width opening (each active door leaf) and suitable door circulation area, compliant with AS1428.1:2009.
- All common-use corridors and accessible paths of travel with at least 1000mm min. width when travelling in linear direction Note: Increased clear width paths of travel required for doorway circulation, turning areas etc.

Assessment

MGAC has reviewed the drawings and documentation in relation to the aforementioned requirements. On the basis of the current level of detail all access requirements appear capable of achieving compliance.

There is generous spatial provision in place to all parts of the proposal where access is required.

Normal detailed design development will be required to ensure appropriate outcomes are achieved. The required details will be provided during the design development stage of the project and confirmed prior to CC.

6.2 Walkways

The BCA and DDA Premises Standards contain requirements for walkways for the use of persons with disabilities. These requirements can be summarised as follows:

- Walkways maximum 1:20 with landings at no more than 15 metre intervals.
- Walkways with edge protection or contrasting surfacing

Assessment

MGAC has reviewed the drawings and documentation in relation to the aforementioned requirements. On the basis of the current level of detail all access requirements appear capable of achieving compliance.



All of the pedestrian pathways to and between facilities can be defined as walkways. At this stage of detail there are no obstacles to full compliance. There are no new stairs or ramps as part of the proposal.

Normal detailed design development will be required to ensure appropriate outcomes are achieved. The required details will be provided during the design development stage of the project and confirmed prior to CC.



7. Facilities & Amenities

7.1 Sanitary Facilities

The BCA and DDA Premises Standards contain requirements for sanitary facilities suitable for the use of persons with disabilities. These requirements can be summarised as follows:

- For Class 5, 6, 7a: At least 1 unisex accessible toilet, adjacent to every bank of toilets (where provided) on each storey, compliant with AS1428.1 under BCA/DDA Access Code part F4D6. If more than 1 toilet bank provided on each level, accessible toilet is required at 50% min. of toilet banks at each level.
- An even number of left hand (LH) and right hand (RH) transfer WC pans (accessible toilets) within the building. Alternating LH/RH layouts on each subsequent level is the most appropriate and inclusive approach.
- Accessible WC with 2300mm x 1900mm around the pan with the basin to sit outside this area in accordance with AS1428.1.
- An ambulant cubicle within every standard toilet bank adjacent to an accessible toilet under BCA/DDA Access Code Part F4D5 compliant with AS1428.1:2009.
- An accessible adult change facility under BCA F4D12, compliant with BCA Specification 27, as triggered by BCA F4D12(1)(a).

Assessment

MGAC has reviewed the drawings and documentation in relation to the aforementioned requirements. On the basis of the current level of detail all access requirements appear capable of achieving compliance.

There are both new and refurbished amenities proposed. The layouts describe a compliant configuration.

Normal detailed design development will be required to ensure appropriate outcomes are achieved. The required details will be provided during the design development stage of the project and confirmed prior to CC.

7.2 Car Parking

The BCA and DDA Premises Standards contain requirements for accessible parking which are applicable to this project. These requirements can be summarised as follows:

- Class 5 commercial development: 1 accessible car bay for every 100 car bays or part thereof, compliant with AS 2890.6.
- Class 6 retail development: 1 accessible car bay for every 50 car bays or part thereof, compliant with AS 2890.6.
- Accessible car bays 2.4 metre with 2.4 metre shared area.



- All accessible car bays located near relevant lifts and/or associated building entry points to minimise distance to relevant lift and ensure accessible path of travel between these areas.
- 2.5m min. height clearance, compliant with AS2890.6 fig 2.7 over accessible car bays with 2.2 m min. vertical clearance leading to the accessible car bays (Note: consideration for 2.3 or 2.4m min. height preferred for higher vans/adapted vehicles is recommended as good practice).

Assessment

MGAC has reviewed the drawings and documentation in relation to the aforementioned requirements. On the basis of the current level of detail all access requirements appear capable of achieving compliance.

A total of 190 parking spaces are proposed. From this total 6 parking spaces are shown as accessible. This allocation easily meets the requirements under the BCA and also meets Council DCP rate of 3%.

Normal detailed design development will be required to ensure appropriate outcomes are achieved. The required details will be provided during the design development stage of the project and confirmed prior to CC.



8. Conclusion

MGAC has assessed the proposed scheme for the additions to Hills Marketplace. The drawings of the proposal indicate that accessibility requirements, pertaining to external site linkages, building access, common area access, sanitary facilities and parking can be readily achieved. It is advised that MGAC will work with the project team as the scheme progresses to ensure appropriate outcomes are achieved in building design and external domain design.

Accordingly, the proposal is supportable from an access perspective.