

Access Report

Project Name: Erection of a mixed-use development

Project Address: 882a Pittwater Road, Dee Why NSW

Ref: 21/0084 **Rev:** 3 **Date** 28th July 2021

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Report

Report Type: Review for Development Approval; - BCA Access Provisions
Development: 882a Pittwater Road, Dee Why

Introduction:

This report has been prepared to accompany a Construction Certificate and has been based on the following drawings prepared by Crawford Architects; Project No.: 20036; Plans: A100/M, A101/M to 106/M, 107/L, 108/J & 109/J

Limitations and Copyright information:

This report is not to be used for any other purpose than its original intention. The assessment is based on the provided drawings and compliance relies upon the implementation of all the recommendations listed in this report and the works constructed in accordance with AS1428.1-2009 and other latest, relevant standards and regulations applicable at the time of construction.

Assessment is based on the classification/use of the building. If the Class of the building changes to any other building Class, this access report will have to be updated accordingly.

All dimensions mentioned in the report are CLEAR dimensions and are not to be reduced by projecting skirting, kerbs, handrails, lights, fire safety equipment, door handles less than 900mm above FFL (finished floor level) or any other fixtures/fit out elements. Only some numerical requirements from relevant AS (Australian Standards) have been noted in the report, however for further details and for construction purposes refer to the relevant AS, a copy of which can be purchased from SAI Global.

This report does not assess compliance matters related to WHS, Structural design, Services design, Parts of DDA other than those related to APS or Parts of BCA or Parts of Australian Standards other than those directly referenced in this report.

We have no ability to check for slip resistance of surfaces. All wet areas, parking areas, pavement markings shall have the appropriate slip resistance for the location. We also have no ability to check for wall reinforcements once the walls have already been constructed. The builder is to take full responsibility that these requirements are met as a part of construction being as per requirements of AS1428.1/ AS4299 / AS2890.6/ AS3661/ AS4586

A report issued for CC (construction certificate application).

1. Introduction

1.1 This report considers the implications of Disability Discrimination legislation and associated technical guidance with regard to erection of mixed-use development located at 882A Pittwater Road, Dee Why NSW 2099

1.2 The proposal provides for the development of a mixed-use development comprising of:

- 1x ground floor retail
- 3x commercial suites
- 1x communal living room
- 1x managers room/office
- 20x boarding rooms – including three accessible rooms

1.3 This report has focused on the technical issues affecting the scheme proposal provided with the aim of optimising access to the facilities offered. General advice on broader matters under the DDA will also be highlighted.

1.4 Layout plans have been assessed and comments pertaining to those plans are included in this report. The list of drawings assessed are noted in Appendix A.

2. Executive Summary/Non-compliances

2.1 Our review of the documents made available for assessment has revealed the design of the proposed development has achieved or, with further information to be provided during the detailed design phase of the project, will achieve compliance with the Building Code of Australia 2019 and relevant Australian Standards, however, the following comments can be made:

D3.1	<p>Commercial on ground floor is not accessible for person in wheelchair as has stairs and requires 110mm hinge side clearance to entry. Outdoor area is also required to be accessible.</p> <p>Performance solution to be provided prior to CC</p>
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D3.3	<p>1540mm x 2070mm turning space required at both ends of accessways on 2nd, 3rd, 4th, 5th, 6th, 7th and 8th floor</p> <p>Performance Solution prior to CC</p> <p>All ramps to have handrails to each side and tactiles to the top and bottom</p> <p>Incorporate prior to CC</p>
D3.8	<p>Tactiles required to the top and bottom of ramps</p> <p>Incorporate where required</p>
F2.4	<p>Bathrooms in commercial tenancies are required to be accessible and in accordance with AS 1428.1</p> <p>Performance solution prior to CC</p>
Accessible units	<p>Accessible units overall layout complies with regards to circulation.</p> <p>Kitchen and bathroom details to be assessed prior to CC</p> <p>For your info</p>

3. Part D3: Access for People with Disabilities

Note: All items listed in the below assessment that require attention/redesign, are mentioned in the Executive Summary above.

Clause D3.1: General building access requirements

Buildings and parts of buildings must be accessible (unless exempt by Clause D3.4) as required by Table D3.1 and as summarised below:

Class 2

Common Areas

From a pedestrian entrance required to be accessible to at least 1 floor containing sole-occupancy units and to the entrance doorway of each sole-occupancy unit located on that level.

To and within not less than 1 of each type of room or space for use in common by the residents, including cooking facilities, sauna, gymnasium, swimming pool, common laundry, games room, individual shop, eating area, or the like.

Where a ramp complying with AS 1428.1 or a passenger lift is installed-

- a) To the entrance doorway of each sole-occupancy unit; and
- b) To and within rooms or spaces for use in common by the residents.

Located on the levels served by the lift or ramp.

Class 5 & 6

All areas normally used by occupants

Compliance Status	
Does not comply/Performance solution to be provided prior to CC	Commercial on ground floor is not accessible for person in wheelchair as has stairs and requires 110mm hinge side clearance to entry. Outdoor area is also required to be accessible. Performance solution to be provided prior to CC

Clause D3.2: Access to building

An accessway must be provided to a building required to be accessible:

- a. From the main points of pedestrian entry at the allotment boundary; and
- b. From another accessible building connected by a pedestrian link; and
- c. From any required accessible carparking space on the allotment.

An accessway must be provided through the principal pedestrian entrance, and:

- a. through not less than 50% of all pedestrian entrances including the principal pedestrian entrance; and
- b. in a building with a floor area more than 500m², a pedestrian entrance which is not accessible must not be located more than 50m from an accessible pedestrian entrance.

Doors on an accessway having multiple leaves must have a clear opening width of not less than 850mm for a single leaf.

Compliance Status

Complies

Clause D3.3: Parts of building to be accessible

In a building required to be accessible:

- a. every ramp & walkway (*except if fire-isolated*) must comply with Clause 10 of AS1428.1-2009;
- b. every stairway (*except if fire-isolated*) must comply with Clause 11 of AS1428.1-2009;
- c. all fire-isolated stairways are required to comply with Clause 11.1(f) and (g) of AS 1428.1-2009;
- d. passing spaces must be provided as per Clause 6.4 of AS 1428.1-2009 at maximum 20m intervals on those parts of an accessway where a direct line of sight is not available;
- e. turning spaces must be provided as per Clause 6.5 of AS 1428.1-2009 as follows:
 - Within 2m of the end of accessways; and
 - At maximum 20m intervals along the accessway.
- f. carpet installed in an accessway must comply with clause D3.3(g) and (h)

Compliance Status

Does not comply/Performance solution prior to CC

1540mm x 2070mm turning space required at both ends of accessways on 2nd, 3rd, 4th, 5th, 6th, 7th and 8th floor

Performance Solution prior to CC

All ramps to have handrails to each side and tactiles to the top and bottom

Incorporate prior to CC

Clause D3.4: Exemptions

An area where access would be inappropriate because of the particular purpose for which the area is used or would pose a health or safety risk for people with a disability; such area is not required to be accessible

Compliance Status	
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For Info	<p>BCA and Premises Standards recognise that accessways (for people with disabilities) are not required to certain areas within buildings where providing access would be 'inappropriate' because of the nature & use of the area or the tasks undertaken in that area.</p> <p>In accordance with Cl. D3.4, it is our opinion that due to the nature and tasks to be undertaken it is expected that staff will be required to be able-bodied, therefore, the following areas or rooms, access should be exempt –</p> <ul style="list-style-type: none"> ▪ Plant & equipment rooms / cupboard; ▪ Services room
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Clause D3.5: Accessible Carparking

Accessible carparking spaces complying with AS 2890.6-2009 must be provided in accordance with Table D3.5 in a Class 7a building required to be accessible and/or a carparking area on the same allotment as a building required to be accessible.

Concession – The following exemptions occur under this clause:

- No accessible car spaces are required where a carparking service is provided and direct access to any of the carparking spaces is not available to the public
- Accessible carparking spaces need not be designated where there is a total of not more than 5m carparking spaces, so as to restrict the use of the carparking space only for people with a disability.

Compliance Status	
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N/A	
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Clause D3.6: Signage

In a building required to be accessible, braille and tactile signage complying with BCA Spec D3.6 and AS 1428.1-2009 must be provided as follows –

- a. signage incorporating the international symbol of access must identify each sanitary facility (except those located within a Sole Occupancy Unit of a Class 1b or 3 building);
- b. identify each door required by BCA Clause E4.5 to be provided with an exit sign to state "Exit" and "Level" followed by the floor number;
- c. signage incorporating the international symbol of deafness, must be provided within a room containing a hearing augmentation system identifying the hearing augmentation type, area covered and location of receivers (if being provided);
- d. signage in accordance with AS 1428.1-2009 must be provided for accessible unisex sanitary facilities to identify left or right-handed use;
- e. signage to ambulant accessible facilities;
- f. directional signage where a pedestrian entrance is not accessible.
- g. directional signage at bank of toilets not incorporating an accessible unisex sanitary facility.

Compliance Status	
Capable of compliance	Braille and tactile signage shall be installed in this project as necessary, but shall include as a minimum: <ul style="list-style-type: none"> ▪ identify each door required by BCA Clause E4.5 to be provided with an exit sign which states the word “Exit” followed by “Level” followed by the floor number, as includes braille and tactile signing. Compliance is readily achievable during the Construction phase.

Clause D3.7: Hearing augmentation

If an inbuilt amplification system (other than one used only for emergency warning) is installed, a hearing augmentation system is to be provided.

Compliance Status	
N/A	

Clause D3.8: Tactile indicators

For a building required to be accessible, Tactile Ground Surface Indicators (TGSI's) complying with Sections 1 & 2 of AS/NZS1428.4.1-2009 shall be required to warn blind or vision impaired people of approaching stairways (other than fire-isolated), escalators, ramps (other than fire-isolated, step or kerb ramp), any overhead obstruction less than 2m above floor level and an accessway meeting a vehicular way adjacent to any pedestrian entrance to a building.

Compliance Status	
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For your info Tactiles to be in accordance with AS 1428.4

Clause D3.9: Wheelchair seating spaces in Class 9b buildings

Compliance Status	
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Not applicable Not an assembly building.

Clause D3.10: Swimming pools

Compliance Status	
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Not applicable No swimming pools proposed.

Clause D3.11: Ramps

On an accessway-

- a series of connected ramps must not have a combined vertical rise of more than 3.6m; and
- a landing for a step ramp must not overlap a landing for another step ramp or ramp

Compliance Status	
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N/A

Clause D3.12: Glazing on accessway

On an accessway, where there is no chair rail, handrail or transom, all frameless or fully glazed doors, sidelights and any glazing capable of being mistaken for a doorway or opening, must be clearly marked in accordance with AS 1428.1-2009.

Compliance Status

Capable of compliance All common area full height glazed doors, walls and sidelights shall be clearly marked in accordance with Clause 6.6 of AS 1428.1-2009.
Compliance is readily achievable during the Construction phase.

4. Part E3: Lift Installations

Clause E3.6: Passenger lifts

Every passenger lift must:

- a. be one of the types identified in Table E3.6a, subject to the limitations on use specified in the Table; and
- b. have accessible features in accordance with Table E3.6b; and
- c. not rely on a constant pressure device for its operation if the lift car is fully enclosed.

Compliance Status

Capable of compliance/Further details required

The passenger lift shall either be electric or electrohydraulic and shall incorporate the following features –

- Handrail complying with the mandatory handrail provisions of AS 1735.12,
- Minimum internal lift car floor dimensions must be:
 - If lift travels less than 12m: 1,100mm (wide) x 1,400mm (deep); or
 - If lift travels more than 12m: 1,400mm (wide) x 1,600 (deep).
- Minimum 900mm clear door opening complying with AS 1735.12,
- Passenger protection system complying with AS 1735.12,
- Lift landing doors at the upper landing,
- Lift car and landing control buttons complying with AS 1735.12,
- Lighting in accordance with AS 1735.12,
- Lifts serving more than 2 levels –
 - Automatic audible information within the lift car to identify the level each time the car stops;
 - audible and visual indication at each lift landing to indicate the arrival of the lift car;
 - audible information and audible indication required above is to be provided in a range of between 20-80 dB(A) at a maximum frequency of 1500 Hz.
- Emergency hands-free communication, including a button that alerts a call centre of a problem and a light to signal that the call has been received.
- Lift call buttons on the landings shall not be less than 500mm from an internal corner.

A design compliance certificate must be obtained from the lift designer / supplier to confirm compliance with the above requirements and AS 1735.12- 1999.

5. Part F2: Sanitary & Other Facilities

Clause F2.4: Accessible Sanitary Facilities

In a building required to be accessible:

- Accessible unisex sanitary compartments must be provided as per Table F2.4(a),
- At each bank of toilets where there are one or more toilets in addition to an accessible unisex sanitary compartment at that bank of toilets, a sanitary compartment suitable for a person with an ambulant disability in accordance with AS 1428.1-2009 must be provided for use by males and females.
- An accessible unisex sanitary compartment must contain a closet pan, washbasin, shelf or bench top and adequate disposal of sanitary towels.
- Circulation spaces, fixtures and fittings of all accessible sanitary facilities must comply with AS1428.1- 2009.
- Where two or more of each type of accessible unisex sanitary facility are provided, the number of left and right-handed mirror image facilities must be provided as evenly as possible.
- An accessible unisex facility must be located so that it can be entered without crossing an area reserved for one sex.

Compliance Status

Does not comply

Bathrooms in commercial tenancies are required to be accessible and in accordance with AS 1428.1

Performance solution prior to CC

Clause F2.9: Accessible adult change facilities

Compliance

Not applicable

Not applicable to this building.

4. Works to be undertaken

4.1 This is a new development with ample opportunity for access.

4.2 The location and proposal provide scope for good access, being located close to public transport links and the potential for drop off and pick up points for people with disabilities. There do not appear to be any physical constraints to the site so as to pose any substantial barriers to achieving full compliance for access for people with disabilities

4.3 Careful consideration is to be given to the surface levels, transitions, signage etc to provide complying, fair and equitable access to the development for PWD to ensure works included in this development do not disadvantage PWD access. Detailed consideration should be given to the wayfinding and signage strategy.

4.4 Under the Building Code of Australia (BCA), any works requiring building approval/consent would need to comply with the relevant requirements of the Code or associated Australian Standard. In this respect the new work controlled by the BCA should be designed and constructed to current accessible standards.

- 4.5 However as will be explained below, the broader requirements of the Disability Discrimination Act (DDA) will require the owner and end-user to consider holistically the equitable access to **all** the areas provided within the facility, with exception of the areas excluded under D3.4 of BCA 2019. The areas to which access is excluded by BCA Part D3.4 include those areas to which the provision of access for PWD would not be reasonable due to the risk or would be deemed inappropriate such access would pose. For example, maintenance platforms, electrical switchboards, maintenance installations and in this case, staff areas.
- 4.6 The requirements of the Building Code of Australia Volume 1 (BCA 2019) and related AS1428.1-2009 are to be adopted in the construction. In this respect, the assessment of the scheme has been considered against these provisions, which predominantly correlate with the new Access to Premises Standards.

5. Technical Compliance with BCA and Australian Standards

- 5.1 An assessment of the proposal has been undertaken with a view to meeting the Access to Premises Standards and AS1428.1 (2009), AS1428.4.1 (2009) and AS4299 (1995) standards, which in turn will enable the scheme to technically comply with current statutory requirements. The BCA2019 correlates with the Access to Premises Standards.
- 5.2 The BCA seeks that access for people with a disability is provided to all areas normally used by the occupants. Therefore, compliance with AS1428.1 (2009) will generally meet the full BCA requirements.
- 5.3 As identified in Section 2, 3 & 4 (and explained in detail in Section 4), the DDA extends the minimum technical requirements of the BCA to consider the broader obligation of the building and services delivered from the building accessible to all occupants. In this respect the DDA will seek more detailed scrutiny of the building and its fixtures and fittings as well and management-in-use practices.

6. Broader Obligations under the DDA

6.1	Both the State and Federal Disability Discrimination Acts (DDA) have the same broad objectives, which is to remove the discrimination faced by people with disabilities.
6.2	The DDA seeks that anyone offering a service ensures that the service is available on an equitable basis.
6.3	When considering the service all aspects of service provision should be considered, including: <ul style="list-style-type: none"> a. Physical accessibility b. Management of facilities c. Access to services d. Equitable treatment of employees
6.4	The term disability is very broad indeed and as such will cover many in the community. It includes: <ul style="list-style-type: none"> • Physical disability • Physical illness or disease that makes, or has made, any part of the body or brain work differently • Mental or psychiatric disability (including behavioural disorder) • Intellectual disability • Learning difficulty • Disfigurement or different formation of any part of the body • Any organism in the body that could cause disease or illness (e.g. hepatitis or HIV)

6.5	Therefore, whilst compliance with relevant technical standards such as the BCA and AS1428 is important, the need to consider holistic issues that affect <u>all</u> potential occupants is extremely important.
6.6	Whilst this report does focus on the proposed works it is imperative the developer consider its broader obligations, as discrimination is likely to be faced by members of the public and employees attempting to access other parts of the site.
6.7	Examples that should be considered holistically include: <ul style="list-style-type: none"> • Suitable access routes in and around the building, considering both horizontal and vertical circulation • Strategic location of car parking and drop off points • Signage and wayfinding strategies • Considering key safety features relating to accessibility • Access to the various retail and services offered, and not just physical access • Safe evacuation of all people (including persons with disabilities) from key buildings in an emergency
6.8	Implications of the DDA to the Proposals: The DDA therefore would require greater onus to consider access to the proposed works, but also how this will integrate with the existing infrastructure networks and the facility as a whole.
6.9	The development should be technically compliant based on the information provided for this assessment. The DDA would seek that the integration of this facility with other adjoining facilities and services is carefully considered. Additionally, access to the development via all transport links is important.
6.10	Appendix B provides some additional generic design guidelines that may provide assistance in the assessment of the scheme.
6.11	Several matters are raised for careful consideration, with regard to the broader obligations noted in the previous paragraphs in addition to the items identified in Sections 3.4 and 3.5 of this report: <ol style="list-style-type: none"> a. A drop off bay for the facility, along with an associated kerb ramp, would be beneficial, for those who may arrive in a car or Taxi. b. Where specialist facilities are provided, all facilities available for use should be accessible. These should meet the broader design criteria in AS1428.2 and allow for people to use in both the standing and seated positions. c. The effective use of luminance contrast between key elements (wall to floor and doors/gates to their background, columns in the main circulation areas) will assist people with vision impairments. d. Avoiding too many hard surfaces – which can create reverberation – this can present significant problems for people with hearing impairments. e. The effective use of lighting will assist users with both vision and hearing impairments. Avoiding pools of light and shadow is also important. Hearing impaired people often lip-read to supplement what they can hear, so being able to see a person's face is important.

7. Key Conclusions

7.1	Achieving full compliance with the requirements of the BCA and Australian Standards with respect to the provision of equitable access and facilities for people with a disability has been achieved or can be achieved through further detailed design development. Addressing the technical issues noted in section 2, 3 & 4 of this report should result in a “technically compliant” scheme meeting current BCA requirements. Integrating the elements noted under paragraph 6.11 will also assist in meeting the principles of the DDA when considering this proposal.
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Appendix A – Reference Material

- Disability Discrimination Act 1992 (DDA)
- Building Code of Australia Volume One, Building Code of Australia 2016 (BCA) – *Particularly Parts D3, Access for people with disabilities; Part E3, Lift installations; and Part F2, Sanitary and other facilities*
- Advisory Notes on Access to Premises 1996 (Human Rights and Equal Opportunities Commission)
- Australian Standard AS1428.1 – 2009 – *Design for access and mobility. Part 1: General requirement for access – New building work*
- Australian Standard AS1428.2 – 1992 – *Design for access and mobility. Part 2: Enhanced and additional requirements – Buildings and facilities*
- Australian Standard AS1428.4 - 2009 – *Design for access and mobility. Part 4: Tactile Indicators*
- Australian Standard AS1735.12 - 1999 – *Lifts, escalators and moving walks. Part 12: Facilities for persons with disabilities*
- Australian Standard AS2890.6 - 2009 – *Parking facilities – Off-street car parking*
- Australian Standard AS4299-1995 – *Adaptable Housing*
- Disability (Access to Premises – Buildings) Standard 2010

Organisations:

- Australian Human Rights Commission – www.hreoc.gov.au (click on Links to identify numerous other organisations)

Appendix B – Revisions to Report

Ref.	Revision	Date
21/0084	V1 – Draft	24/02/21
21/0084	V2 – Updated plans/final report	29/03/21
21/0084	V3 – Updated description	28/07/21