

Access Design Compliance Statement: SEPP (Housing) 2021- Seniors Housing



Pymont Access Consulting

Project: The Alba
Location: 52-54 Brighton Street, Freshwater, NSW
Part of building to be certified: whole-building
Description of work: 8 apartments- Senior Housing
Client Name: Laxland 3 Pty Ltd

Revision History:

Our Reference:	Revision	Remarks	Date
PAC-0039	V1.1	Final	6/07/2023
	V1.2	Updated Final & section 93(4) after reviewing the Bee & Lethbridge surveyor's report "Plan showing route of travel from No. 52 & 54 Brighton Street to Bus Stop on Oliver Street, Freshwater" Ref: No. 22858, date 6/10/2023	16/10/2023
	V1.3	Redesigned units , 8x 3-bedroom apartments all with double garage with a shared area in between , new laundry and Walk in Pantry (WIP) design	4/12/2023
	V1.4	Final	7/12/2023

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1.0 Executive Summary

Notwithstanding the items listed in [1.1](#) and [1.2](#) where the client is seeking council approval for a design variation that departs from the standards, I hereby certify that the architectural design documentation provided for the development application shows the proposed building at **52-54 Brighton Street, Freshwater, NSW** complies or is capable of complying with the relevant provisions of **SEPP (Housing) 2021-Seniors Housing**.

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Where a clause has been noted as 'capable' of complying, further details demonstrating compliance is to be provided at the Construction Certificate stage.

The reasons and justification for seeking council variation that departs from the standards is stated in the comments section of the relevant clause in [section 6.2](#).

1.1 Non-Compliant items seeking council variation

Section 85 (1) Schedule 4

No.	Clause	Room/Item
Interior General		
1	7(1)	Internal doorways must have a minimum clear opening that complies with AS 1428.1.
2	7(3)	Circulation space at approaches to internal doorways must comply with AS 1428.1.
Kitchen		
3	16(d)	"D" pull cupboard handles that are located towards the top of below-bench cupboards and towards bottom of overhead cupboards
Laundry		
4	19(a)	a circulation space at door approaches that complies with AS 1428.1, and

1.2 Capable of compliance items seeking council variation

Section 85 (1) Schedule 4

No.	Clause	Room/Item
Private Car Accommodation		
1	5(a)	car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890.6, and

Prepared by Access Consultant:



Geoffrey Ollis

2.0 Assessment Basis: SEPP (Housing) 2021

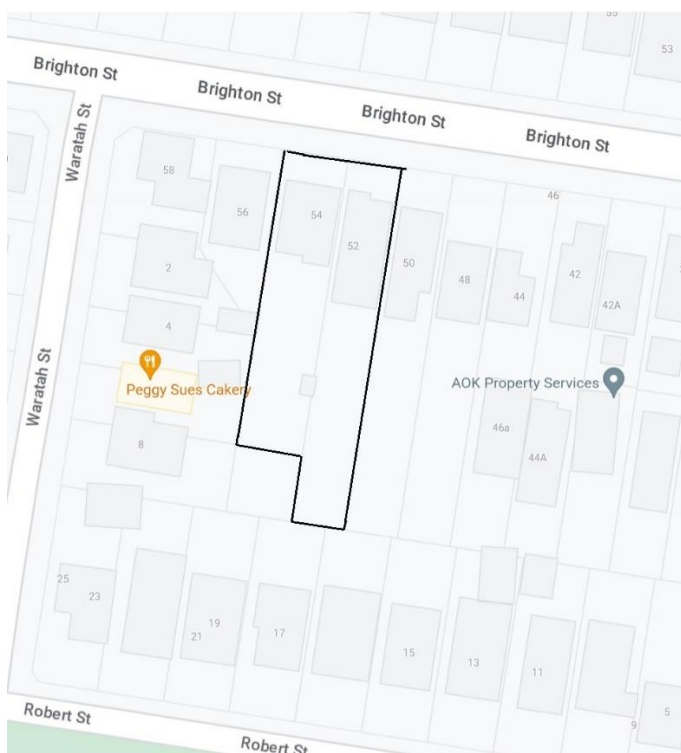
This report is a design stage assessment of the compliance of the proposed building with the relevant provisions of SEPP (Housing) 2021- Senior Housing. One of the principles of SEPP (Housing) is to provide housing that meets the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability.

Applicable Standards

- ❖ **Part 5 Housing for seniors and people with a disability**
 - **Division 3 Development Standards**
 - **Section 85 Development Standards for hostels and independent living units**
 - (1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4
 - ◆ **Schedule 4 Standards concerning accessibility and useability for hostels and independent living standards**
 - **Part 1 Standards applying to hostels and independent living units**
 - (1)-(13)
 - **Part 2 Additional standards for independent living units**
 - ◆ (14)-(21)
- ❖ **Part 5 Housing for seniors and people with a disability**
 - **Division 4 Site-related requirements**
 - **Section 93 Location and access to facilities and services— independent living units**
 - (1)-(5)

3.0 Location

52-54 Brighton Street, Freshwater, NSW



4.0 Building Description

Building	Class 2 Buildings (1) A Class 2 building is a building containing two or more <i>sole-occupancy units</i> . (2) Each <i>sole-occupancy unit</i> in a Class 2 building must be a separate dwelling To be built under SEPP (Housing) 2021 Standards														
Building Works	New development- a 8-unit residential building with 3 bedrooms all with double garage,														
Use/Classifications (Part A6)	<table border="1"> <thead> <tr> <th>Storey</th> <th>Description</th> <th>Classification(s)</th> </tr> </thead> <tbody> <tr> <td>Basement</td> <td>Carpark</td> <td>7a</td> </tr> <tr> <td>Ground</td> <td>Two or more SOU</td> <td>2</td> </tr> <tr> <td>Level 1</td> <td>Two or more SOU</td> <td>2</td> </tr> </tbody> </table>			Storey	Description	Classification(s)	Basement	Carpark	7a	Ground	Two or more SOU	2	Level 1	Two or more SOU	2
Storey	Description	Classification(s)													
Basement	Carpark	7a													
Ground	Two or more SOU	2													
Level 1	Two or more SOU	2													
BCA Applicable	BCA 2022														

5.0 Drawings Reviewed

Architect	Drawings File	Date	
Walsh Architects	52-54 Brighton Street Freshwater.pdf	29/11/2023	
Drawing Number	Title	Revision	Date
DA101	BASEMENT PLAN	B	8/12/2023
DA102	GROUND FLOOR PLAN	B	8/12/2023
DA103	LEVEL 1 PLAN	B	8/12/2023
DA104	ROOF PLAN	B	8/12/2023
DA200	LONG SECTIONS	B	8/12/2023
DA201	CROSS SECTIONS	B	8/12/2023
DA300	ELEVATIONS - SHEET 1	B	8/12/2023
DA301	ELEVATIONS - SHEET 2	B	8/12/2023
DA400	AREA CALCULATIONS	B	8/12/2023

6.0 Assessment

6.1 Compliance Notes Legend

Remarks	
Complies	Compliance is achieved
Capable	Capable of complying but specific details are to be provided at the construction certificate stage
NC	Non-Compliant
RFI	Requires further information to determine compliance
Confirm	Confirm dimensions are compliant
n/a	Shaded boxes mean 'not applicable'

6.2 Section 85 (1) Schedule 4

Schedule 4 Standards concerning accessibility and useability for hostels and independent living standards			
Part 1 Standards applying to hostels and independent living units			
Clause	Room/Item	Comment	Compliance
1	Application		
	The standards set out in this Part apply to any seniors housing that consists of hostels or independent living units.	The building includes self-contained SOU's (independent living units).	Complies
2	Siting Standards		
(1)	Wheelchair access If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road.	Access to the site is provided from the Principal Pedestrian entrance via a series of four connected 1:14 gradient ramp	Complies
(2)	If the whole of the site does not have a gradient of less than 1:10—		n/a
(a)	the percentage of dwellings that must have wheelchair access must equal the proportion of the site that has a gradient of less than 1:10, or 50%, whichever is the greater, and		
(b)	the wheelchair access provided must be by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road or an internal road or a driveway that is accessible to all residents.		
	Note. For example, if 70% of the site has a gradient of less than 1:10, then 70% of the dwellings must have wheelchair access as required by this subsection. If more than 50% of the site has a gradient greater than 1:10, development for the purposes of seniors housing is likely to be unable to meet these requirement		
(3)	Common areas Access must be provided in accordance with AS 1428.1 so that a person using a wheelchair can use common areas and common facilities associated with the development.	Access to the common areas between the buildings and grass areas at front of building	Complies
3	Security		
	Pathway lighting—		
(a)	must be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and	Provisioning to be provided at the CC stage	Capable
(b)	must provide at least 20 lux at ground level.	Provisioning to be provided at the CC stage	Capable
4	Letterboxes		
(a)	must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1)		Complies
(b)	must be lockable, and	Details not provided	Capable

(c)	must be located together in a central location adjacent to the street entry or, in the case of independent living units, must be located together in one or more central locations adjacent to the street entry	Located next to the Principle Pedestrian Entrance	Complies
5	Private Car Accommodation		
	If car parking (not being car parking for employees) is provided—		
(a)	car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890.6, and	AS2890.6 requires a 'shared area' on one side of the angled parking space of 2400mm x 5400mm with a bollard in the centre line of the shared area with a minimum access path of 1000mm to/from the shared area. It is proposed the bollard will not be installed as the shared area is within the occupants private parking space, and hence the bollard is not necessary to ensure the shared area space is available if required.	Capable; seeking council variation
(b)	10% of the total number of car parking spaces (or at least one space if there are fewer than 10 spaces) must be designed to enable the width of the spaces to be increased to 3.8 metres, and	Each unit has a double garage with angled parking that is 240mm wide with a 1600mm wide "shared area" in between the two parking bay which means all parking bays are designed to have the width of the spaces increased to 3.8m	Complies
(c)	any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.	Details not provided	Capable
6	Accessible Entry		
	Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with clauses 4.3.1 (entrance clearance) and 4.3.2 landing of AS 4299. Note: AS 4299-1995 requires provision of entrances and thresholds to comply with AS1428.2-1992 which in turn requires them to comply with AS 1428.1 (latest version is AS 1428.1-2021)	-Threshold information not provided	Complies Threshold-Capable
7	Interior General		
(1)	Internal doorways must have a minimum clear opening that complies with AS 1428.1.	Doors must be a minimum of 850mm clear opening- the doors to bedroom 2 & 3 in each unit do not comply	NC- Seeking variation from Council
(2)	Internal corridors must have a minimum unobstructed width of 1,000 millimetres.		Complies

(3)	Circulation space at approaches to internal doorways must comply with AS 1428.1.	Bedroom 2 & 3 in each unit do not have compliant circulation space at the doors on the inside and outside. The laundry and WIP (walk in pantry) are only accessible from the outside and have insufficient circulation from on the inside. This allows a wheelchair user to be able to enter and use the space and roll out backwards when exiting	NC- Seeking variation from Council
8	Bedroom		
	At least one bedroom within each dwelling must have—		
(a)	an area sufficient to accommodate a wardrobe and a bed sized as follows—		
(i)	in the case of a dwelling in a hostel—a single-size bed, and		n/a
(ii)	in the case of an independent living unit—a queen-size bed, and		Complies
(b)	a clear area for the bed of at least—		
(i)	1,200 millimetres wide at the foot of the bed, and		Complies
(ii)	1,000 millimetres wide beside the bed between it and the wall, wardrobe or any other obstruction, and		Complies
(c)	2 double general power outlets on the wall where the head of the bed is likely to be, and	No details	Capable
(d)	at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be, and	No details	Capable
(e)	a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and	No details	Capable
(f)	wiring to allow a potential illumination level of at least 300 lux.	No details	Capable
9	Bathroom		
(1)	At least one bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS 1428.1—(1900mm x 2300 clearance)	Circulation spaces for combined sanitary facilities are allowed to overlap	Complies
(a)	a slip-resistant floor surface,	No details	Capable
(b)	a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1,	No details See AS1428.1-2021 Figure 45 & 46	Capable
(c)	a shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future—	See Figure 50(A) & 51(A)	

(i)	a grab rail,		Complies
(ii)	portable shower head,	No details	Capable
(iii)	folding seat,		Complies
(d)	a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,	No details	Capable
(e)	a double general power outlet beside the mirror.	No details	Capable
(2)	Subsection (1)(c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.		
10	Toilet		
	A dwelling must have at least one toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299- a toilet with a space of a minimum of 1250mm in front of the toilet x 900mm wide clear of door swings and fixtures as shown in Figure 1.1		Complies
11	Surface Finishes		
	Balconies and external paved areas must have slip-resistant surfaces.	No details	Capable
	Note. Advise regarding finishes may be obtained from AS 1428.1.- AS4586 Slip resistance classification of new pedestrian surface materials Tread or landing surface: Wet surface conditions P4 or R11	No details.	Capable
12	Door Hardware		
	Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299 Cl.4.3.4 and AS1428.1-2021	Should be 900-1100mm off the ground, with D lever type. Kitchen cupboards will have finger pulls or push catch mechanisms to open them and converted to D Pull type with grip if buyers wish	Capable
	Note:		
13	Ancillary Items		
	Switches and power points must be provided in accordance with AS 4299. Cl. 4.11.1	Switches: Should be not less than 900mm and no more than 1100mm above FFL Power outlets: GPO's shall be located at a height of not less than 600mm, not less than 500mm from corners	Capable
Part 2 Additional standards for independent living units			
14	Application Standards Additional		
	The standards set out in this Part apply in addition to the standards set out in Part 1 to any seniors housing consisting of independent living units.		
15	Living and Dining Room		
(1)	A living room in an independent living unit must have—		
(a)	a circulation space in accordance with clause 4.7.1 of AS 4299, (2250mm diameter) and		Complies

(b)	a telephone adjacent to a general power outlet.	No details	Capable
(2)	A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux.	No details	Capable
16	Kitchen		
	A kitchen in an independent living unit must have—		
(a)	a circulation space in accordance with clause AS 4299 Cl. 4.5.2 Circulation space prior to adaptation of 1500mm x 820mm for a forward or parallel approach by a person in a wheelchair at the sink & all appliances. All appliances in the kitchen must have a minimum clearance 1550mm between all opposing based cabinets, appliances & walls to allow a 180-degree turn in a wheelchair Note A 2.7m width between walls will enable 1550mm clearance between cupboards to both walls		Complies
(b)	a circulation space at door approaches that complies with AS 1428.1, and	There are no doors provided to any of the kitchens	n/a
(c)	the following fittings in accordance with the relevant subclauses of clause 4.5 of AS 4299—		
(i)	benches that include at least one work surface at least 800 millimetres in length that comply with clause 4.5.5(a),	No details	Capable
(ii)	a tap set (see clause 4.5.6),	No details	Capable
(iii)	cooktops (see clause 4.5.7), except that an isolating switch must be included,	No details	Capable
(iv)	an oven (see clause 4.5.8), and	No details	Capable
(d)	“D” pull cupboard handles that are located towards the top of below-bench cupboards and towards bottom of overhead cupboards	All cupboards will still have finger pulls or push catch mechanisms. These are not suitable for people with hand impairments. “D’ pull cupboard handles can be installed for very low cost if buyers wish for this. Instruction on this is to be provided.	NC; Seeking variation from Council
(e)	general power outlets—		
(i)	at least one of which is a double general power outlet within 300 millimetres of the front of a work surface, and	No details	Capable
(ii)	one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed.	No details	Capable
17	Access to Kitchen, Main Bedroom, Bathroom and Toilet		
	In a multi-storey independent living unit, the kitchen, main bedroom, bathroom and toilet must be located on the entry level.		n/a

18	Lifts in Multi-Storey Buildings		
	In a multi-storey building containing separate independent living units on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the Building Code of Australia.		Complies
19	Laundry		
	An independent living unit must have a laundry that has—		
(a)	a circulation space at door approaches that complies with AS 1428.1, and	A sliding door with a front approach requires a latchside width of 530mm which is provided and compliant from the outside of the laundry. The inside latchside clearance is not maintained; however, wheelchair users can enter and use the space and roll out backwards when existing as it is a temporary space.	NC- Seeking variation from Council
(b)	provision for the installation of an automatic washing machine and a clothes dryer, and		Complies
(c)	a clear space in front of appliances of at least 1,300 millimetres, and		Complies
(d)	a slip-resistant floor surface, and Tread or landing surface: Wet surface conditions P4 or R11	No details	Capable
(e)	an accessible path of travel to any clothes line provided in relation to the dwelling.	No details	Capable
20	Storage for Linen		
	An independent living unit must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299.	Min 600mm wide in each unit	Complies
21	Garbage		
	A garbage storage area must be provided in an accessible location.	Accessible by lift and on the basement floor	Complies

6.3 Section 93

Division 4 Site-related requirements			
Section 93 Location and access to facilities and services— independent living units			
Clause	Room/Item	Comment	Compliance
(1)	Development consent must not be granted for development for the purposes of an independent living unit unless the consent authority has considered whether residents will have adequate access to facilities and services —	Warringah Mall has all these facilities and in addition nearby are parks, beaches, bowling clubs, as does the shopping precinct between Harbord Rd and Pittwater Road	Complies
(a)	by a transport service that complies with subsection (2), or		Complies
(b)	on-site.		n/a
(2)	The transport service must—		

(a)	take the residents to a place that has adequate access to facilities and services, and		Complies
(b)	for development on land within the Greater Sydney region—		
(i)	not be an on-demand booking service for the transport of passengers for a fare, and		Complies
(ii)	be available both to and from the site at least once between 8am and 12pm each day and at least once between 12pm and 6pm each day, and		Complies
(c)	for development on land that is not within the Greater Sydney region—be available both to and from the site during daylight hours at least once each weekday.		n/a
(3)	For the purposes of subsections (1) and (2), access is adequate if— (a)the facilities and services are, or the transport service is, located at a distance of not more than 400m from the site, and	The bus stop on Oliver Road is located 280m from the property and goes to Warringah Mall. The bus stop on Brighton Street is located 100m from the property	Complies
(b)	the distance is accessible by means of a suitable access pathway, and	There is a footpath from the property to the bus stop	Complies
(c)	the gradient along the pathway complies with subsection (4)(c).	Survey report by Bee & Lethbridge reviewed	Complies
(4)	In subsection (3)—		
(a)	a suitable access pathway is a path of travel by means of a sealed footpath or other similar and safe means that is suitable for access by means of an electric wheelchair, motorised cart or the like, and	Pathway along the street is provided	Complies
(b)	the distance is to be measured by reference to the length of the pathway, and	280m to the bus stop	Complies
(c)	the overall average gradient must be not more than 1:14 and the gradients along the pathway must be not more than—	The overall average gradient is a an approximate rise of 3m over 240m, 1:80 gradient	Complies
(i)	1:12 for a maximum length of 15m at a time, or	There is a small section with a 7.92% slope (1:12.6) near the bus stop	Complies
(ii)	1:10 for a maximum length of 5m at a time, or		Complies
(iii)	1:8 for a maximum length of 1.5m at a time.		Complies
(5)	in this section— facilities and services means—		
(a)	shops and other retail and commercial services that residents may reasonably require, and		Complies
(b)	community services and recreation facilities, and		Complies
(c)	the practice of a general medical practitioner.		Complies
	provide a booking service has the same meaning as in the Point-to-Point Transport (Taxis and Hire Vehicles) Act 2016, section 7. Note —Provide a booking service is defined as carrying on a business taking bookings for taxis or hire vehicles to provide passenger services, whether immediately or		

	at a later time, and communicating the bookings to drivers for passenger services or providers of passenger services.		
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7.0 Appendix 1: Access Consulting Introduction

7.1 BCA 2022 Part D1 Access & Egress

The objective of the Access & Egress section of the Building Code of Australia 2022, Volume 1 is to provide as far as is reasonable, people with *Safe, Equitable & Dignified Access to a building, and the services and facilities, & Safe evacuation in an emergency*

7.2 Disability Discrimination Act 1992 (DDA)

Building owners, managers, and leaseholders have a responsibility to comply with the Disability Discrimination Act 1992 (DDA) in providing safe, equitable and dignified access to premises.

This has largely been incorporated into the BCA 2022 through D101, D1F1 and D1F2, although older buildings that have not had to comply with the latest standards may still be in breach. The DDA is a complaint-based law that makes it unlawful to discriminate against a person on the grounds of disability. Best practice options are not mandatory but will minimise the risk of a complaint under the DDA. Recipients of these reports therefore must satisfy themselves that the SEPP (Housing) 2021 assessments for this report do not represent compliance with the DDA.

7.3 Disability (Access to Premises- Building) Standards 2010 (Premises Standards 2)

The aim of the Premises Standards was to provide the building and design industry with detailed information regarding the required access provisions associated with the design and construction of new buildings and upgrade to existing buildings. This has largely been incorporated in the access and egress standards of the BCA 2022.

One area of difference with the BCA 2023 is that if an “Affected Part” “New Part” of the building is being modified it now needs to be connected with an accessible path of travel to the Principal Pedestrian Entrance.

7.4 Report Limitations

The assessment in this report is based on the latest construction designs and documents available at the time of writing the report. Any further changes to the design or future construction that differs from the designs used in this report nullifies the validity of the report. The report only applies to the relevant sections of SEPP (Housing) 2021 and does not imply compliance with the BCA 2022, DDA, Disability (Access to Premises- Buildings) Standards 2010.

7.5 Access Consultant Bio

I have a Diploma in Access Consulting from the Access Institute & completed the Advanced Building Regulation (Short Course) at the University of Technology Sydney (UTS). My area of expertise includes:

- i. Disability Discrimination Act (DDA), Disability (Access to Premises-Buildings) Standards 2010; BCA 2019-A1, BCA 2022, Disability Standards for Accessible Public Transport 2002; Performance Solutions
- ii. Disability Action Plans, Accessibility Management Plans, Adaptable Housing AS 4299-1995,
- iii. Access in a Residential Aged Care Facility (RACF) and Outdoor Recreational Areas;
- iv. AS 1428.1- 2021 Design for access and mobility;
- v. AS 1428.4:1- 2009 Tactile Ground Surface Indicators for the Orientation of people with Vision Impairment;
- vi. AS 2890.6-2009 Parking for people with disabilities.
- vii. Ergonomic and anthropometric principles.

I have been semi-paralysed since 2004, can stand on a frame and use a manual wheelchair for mobility. Since being paralysed I have travelled Australia & 26 countries in a wheelchair. I have represented Australia in Para-Bobsleigh at World Cup events in Norway and Germany & regularly participates in mobility research trials at Neuro Research Australia (NeuRA).

My formal qualifications, expertise and practical experiences in a wheelchair provide strong credentials to make appraisals to determine the suitability of access related provisions on premises, to design Performance Solutions and provide BCA Expert Judgement as an appropriate qualified person.

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