



# Accessibility Assessment and Recommendation Report

**Pilu Restaurant, 80 Undercliff Road, Freshwater NSW**




Client: Marilyn Anzecchini

Report Number: RE220643 Access

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## REPORT REVISION HISTORY

Revision	Date Issued	Revision Description				
01	30/05/2023	Assessment & Recommendation Report for DA (Final)				
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## 1. EXECUTIVE SUMMARY

This report assesses the level of accessibility compliance capable of being achieved based on the recommendations within the existing Pilu Restaurant site, which consists of Heritage Listed buildings.

The documentation provided for assessment has been reviewed with the photographic survey conducted by City Plan Services to determine the level of access provided within site in accordance with the Premises Standards 2010, Building Code of Australia and associated Australian Standards pertaining to the accessibility requirements for people with a disability.

The key findings within this report are as follows:

- D3.2 Accessibility path of travel to the Pilu Restaurant and Pavillion is not provided either from the main points of the pedestrian entry or from any other accessible building ( coffeeshop) connected by a pedestrian link.

To address the above, it is recommended that the following modifications be carried out.

- D3.2 Accessible path of travel to be provided to the pavilion in addition to the path provided via steps. ( Refer to the recommendations provided under Section 4.2.2 of tis report.

## 2. INTRODUCTION

The property, the subject of this report, is located at 80 Undercliff Road, Freshwater. Development on the site consists of an existing three storey building (primary building), listed as a local heritage item and has been used as Pilu licensed restaurant for many decades. The site contains three (3) main buildings, as described below, with open terraces. Though the address of the property is 80 Undercliff Road, the entry to the building is provided from the Moore Roadcarpark via Lot 20, Lot 21, and Lot 22 of Moors Road.

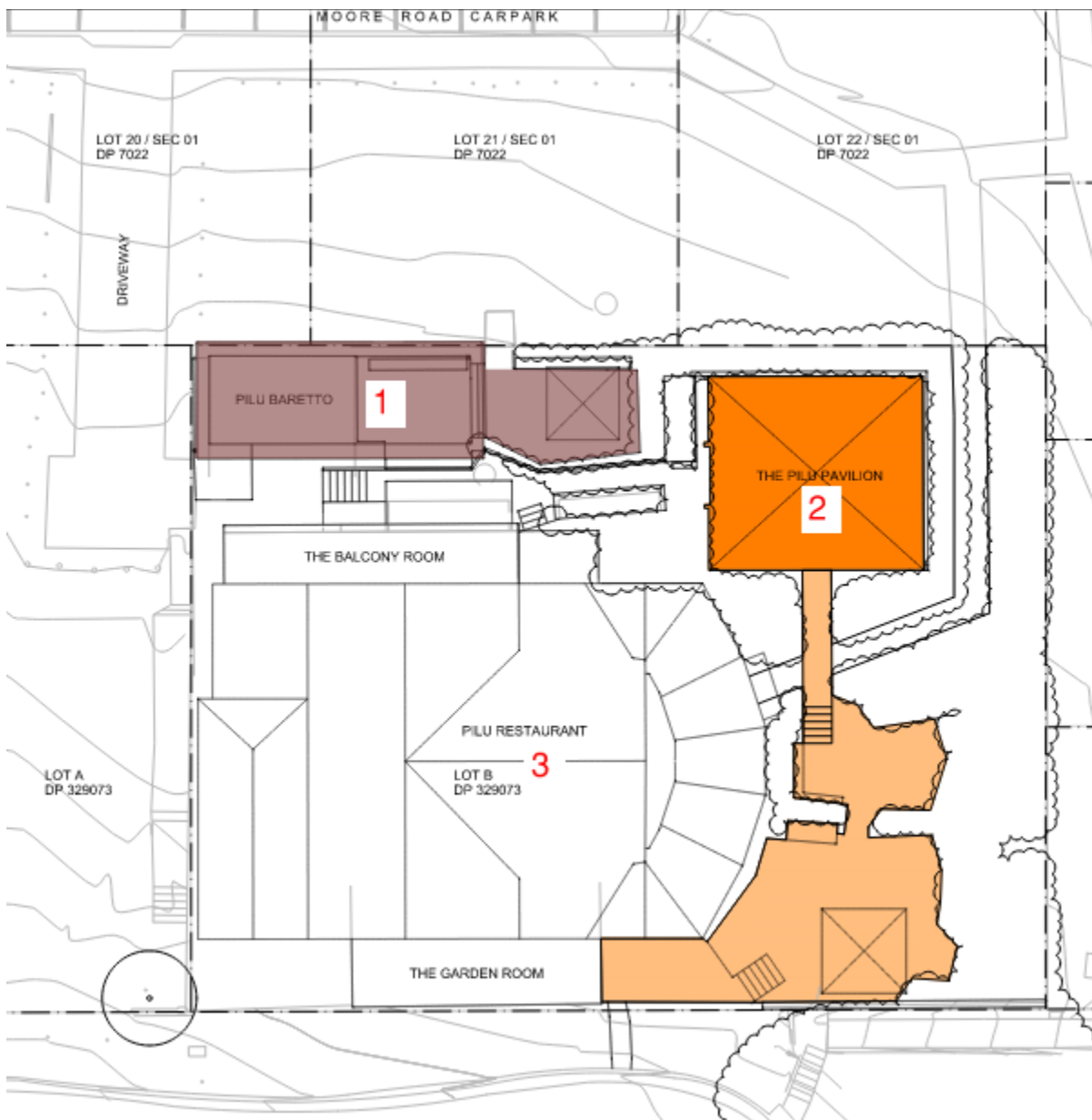


Figure 1- The Site plan of Pilu-Freshwater

## 1. The Coffee Shop and Kiosk (Area 1 in Figure 1)

The coffee shop named Pilu Baretto consists of two main parts.

- (i) The deck of the kiosk can be accessed via the external walkway or from the arcade connected with Moore Road parking via the stairs.



*Figure 2- The kiosk*

- (ii) The open seating area of the coffee shop can also be accessed via the external walkway or the stairs from the arcade.



*Figure 3- The Cafeteria*



## 2. The Pilu Pavilion (Area 2 in Figure 1)

This area is proposed to be used for wedding ceremonies on an as-booked basis. The pavilion building is proposed to host up to 100 patrons during a ceremony.

Access to the pavilion is provided via the path leading from the Moore Road car park. The only existing access to the pavilion is a stepped entrance from the pathway.



*Figure 4- The entry to the pavilion building via steps*

## 3. The Pilu Restaurant ( Area 3 in Figure 1)

The Pilu Restaurant is the main area within the complex, consisting of a reception lobby at the lower level, an indoor restaurant, a garden room, a bar, a kitchen and sanitary facilities at the mid-level and the offices at the upper level.

Two entry points are provided as entry to the Pilu Restaurant.

- (i) The main access is provided via the pathway from the Moore Road car park; however, the restaurant level is to be reached via an internal stair via the entry lobby.



*Figure 5- Entry door to the restaurant lobby via the path*

- (ii) The second entry is only used as emergency/service access from the cul-de-sac of Undercliff Road via a secured gate. However, this entry/exit point is not in use due to safety concerns and the carparking and the main entrance are provided from Moors Road.



*Figure 6- The entry with a steep ramp*

This report has been prepared concerning a proposed development application (DA) intended to formalise the accessibility aspects of the longstanding operation. External access to the buildings and between buildings is analysed in the report with recommendations to achieve minimum accessibility requirements for people with disabilities.

The property is situated within the local government area of Northern Beaches Council Manly, NSW.

## **2.1. Purpose of Report**

It is considered that the DA seeks approval for the use of buildings that the general public will access, and such access is not apparent.

This report has been prepared on behalf of Marllyn Anecchini of Pilu at Freshwater to analyse the existing access provisions and recommend the minimum requirement to make the building user-friendly for people with disabilities.

## **2.2. Report Basis**

This report is based on:

1. *Disability (Access to Premises – Buildings) Standards 2010.*
2. *The Building Code of Australia 2019, Amendment 1 (BCA)* includes NSW variations (See Note 1).
3. Australian Standards, as referenced within the BCA:



### 2.3. Building Description

The existing buildings of the site consist of the following BCA building classifications:

Primary Building	Class 6 – Restaurant (the upper-level office is secondary to the primary use)
Pavilion Building	Class 9b Function
Kiosk Building	Class 6- Café

## 3. DISABILITY (ACCESS TO PREMISES – BUILDING) STANDARDS 2010

The *Premises Standards 2010* applies to all new 'buildings and building parts, including existing buildings undergoing upgrade works.' The *Premises Standards 2010* aims to provide certainty for the building industry in relation to meeting the DDA requirements for access to buildings. The *Premises Standards 2010* generally aligns with the BCA and provides specific prescriptive requirements for compliance with a range of Australian Standards relating to access and associated matters. If a building is designed and constructed under the current BCA and the *Premises Standards 2010* there is a greater level of assurance that the design complies with the DDA.

The BCA, in conjunction with the DDA applies to all new buildings, new building works to existing buildings and buildings undergoing significant refurbishment or alteration.

## 4. BUILDING CODE OF AUSTRALIA ASSESSMENT

This assessment considers the accessibility requirements of the BCA, specifically Part D3.1 and D3.2.

### 4.1. BCA Interpretation

The following assessment methodology has been applied to the subject development:

- The buildings within the site exist without any proposal for new development and the main building is listed as a local heritage item and has been used as a Pilu-licensed restaurant for many decades; hence the access requirements as described in BCA Clause D3.1 (accessibility provisions within all areas of the Class 9b function centre, Class 6 restaurant areas) are not considered under this report.

### 4.2. Access for People with a Disability

Based on Clause D3.2 of BCA, access to the Buildings shall be provided to a building required to be accessible.

An accessway (continuous accessible path as defined by AS1428.1-2009) must be provided to a building required to be accessible:

- from the main points of a pedestrian entry at the allotment boundary; and
- from another accessible building connected by a pedestrian link; and

- from the required accessible carparking spaces on the allotment.

#### 4.2.1. Accessible path of travel to the Coffee shop /Kiosk

##### Observations:

Based on the photographic survey conducted within site, the coffee shop and the external kiosk counter are provided with a 1500mm wide path of travel via a walkway from the property boundary. Though accessible parking lots are not provided within the site, an accessible path of travel is available from the Moore Road car park. The existing accessible path of travel does not comply with all the features of the current Australian standards, this path has been used by customers, including people with disabilities, for decades to access the kiosk.



Figure 7- Ramp and walkway access to the coffee shop

##### Recommendations:

It is not required to upgrade the accessible path of travel to the kiosk immediately as the reasonably accessible path of travel is provided. If any major building works are proposed within the complex, it is recommended to analyse the path of travel and provide the features based on AS1428 standards to comply with the Clause D3.3 of BCA.

#### 4.2.2. Accessible path of travel to the Pavillion

##### Observations:

Though the pavilion is proposed to be used for special occasions such as wedding ceremonies, an accessible path of travel is not available for a wheelchair user to enter and exit the pavilion building ( Refer to Figure of this report).

The Finished Floor Level (FFL) of the pavilion is 500mm below the pathway at the entry point and access to and from the pavilion is provided via steps limiting wheelchair users' entry to the pavilion. Therefore the accessible path of travel to the building is not provided in accordance with Clause D3.2 (i), (ii) and (iii) of BCA for the use of people with disabilities, especially wheelchair users.

##### Recommendations

Being a significant space used by the public, an accessible path of travel must be established between the walkway and the pavilion. There are two recommendations to achieve access to the pavilion as below.

**i) Providing a ramp as an accessible path of travel between the two spaces.**

As the level difference is approximately 500mm, no recommended mobile ramps are available to provide safer access for wheelchair users. A 1: 14 ramp is impractical, requiring 7.0m as a ramp length.

**ii) Providing access to the pavilion via a second door**

Access via a new entrance to the pavilion with an extension to the walkway can be considered a reasonable solution ( Refer to Figure 8 below). The position of the door can be at a location where the FFL of the existing access path is equivalent to the FFL of the pavilion.

**Note:** The new sliding or swing door width, door clearances and the width of the extension of the accessible path shall be designed in accordance with the requirements of AS1428.1.2009.

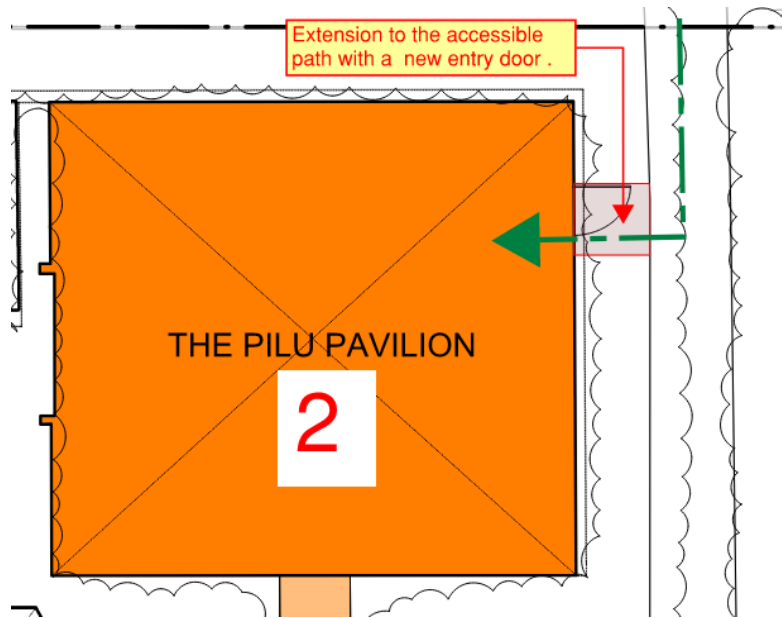


Figure 8- Proposed accessible entry to the pavilion

The existing stepped entry can be used as an entry for everyone except for people using wheelchairs.

**4.2.3. Accessible path of travel to the Pilu Restaurant**

**Observations:**

The main entrance to the restaurant is provided via an accessible path of travel up to the ground-level restaurant lobby and reception area. The main restaurant, which is at the upper level of the building, is accessed via the timber stair, limiting access to the restaurant for wheelchair users.

Therefore the *Deemed to Satisfy* provisions of BCA Clause D3.2 is not satisfied.

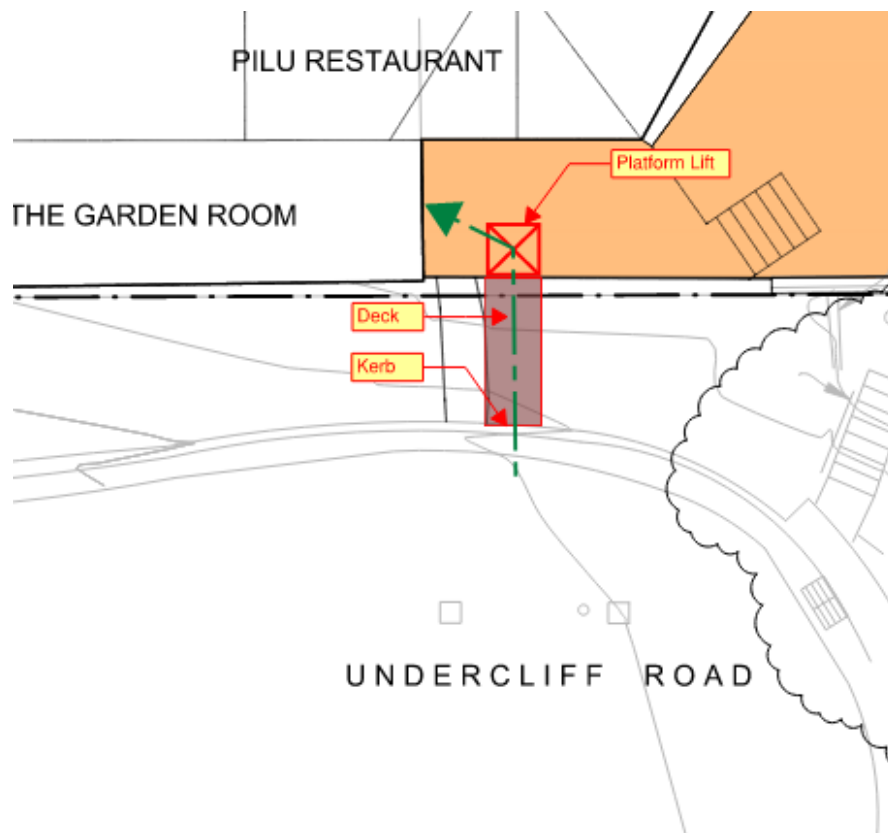
**Recommendations –**

**(a) Proposal 1-Develop access via the stair**

The only way to access the restaurant is via the stairs. One way to gain access to the upper floor is via a stair platform lift to gain access between the two levels.

Consequently, the building is heritage listed, and due to the structural changes required to upgrade, the accessibility within the existing building is not practical and viable.

**(b) Proposal 2- Upgrade the access via the Garden room door at the restaurant level.**



*Figure 9- Access to the Restaurant from Undercliff Road.*

An accessible path of travel could be obtained via a platform lift installed within site with a path of travel (deck) beyond the boundary of the premises. As the level difference between the road and the deck in front of the 'Garden Room' is less than 1000mm (approximately 750mm at the steep ramp area), a platform lift can be considered an option.

Constructing a path of travel beyond the property boundary may need permission from the council.

As the main entrance to the buildings is from the carpark over Moors Road, and accessible parking is not provided within the cul-de-sac of Undercliff Road, it may not gain any customer advantage unless it is used as a drop-off area for people with disabilities.

This option can be considered a secondary option to access Pilu Restaurant when major refurbishment occurs within the complex.

## 5. CONCLUSION

The restaurant has operated for decades with the existing facilities without a properly accessible path of travel to and from the buildings except for the kiosk.

Upgrading accessibility to and from the Pilu Restaurant is desirable; however, the options to upgrade the accessible path to the Pilu Restaurant are minimal and less advantageous due to the site terrains and the heritage value of the building. Therefore, providing an accessible path of travel 'to and into' the Pilu Restaurant is impractical under current circumstances. For that reason, upgrades are not proposed to and into the restaurant itself because the building cannot be reasonably adapted to make it accessible.

According to the *Compliance Capability Statement* prepared by *City Plan Services* dated 20<sup>th</sup> November 2022, the accessibility provisions within the buildings are described as follows.

*The buildings are not generally compliant with access for persons with disabilities. An existing path is provided to the restaurant building that would facilitate accessibility. The pavilion building would not be accessible due to its landscape settings.'*

Based on the above statement, providing a compliant accessible path of travel to the Pavillion is essential. Accessibility to the pavilion can be provided with minor modifications to the pavilion building with a path of travel to comply with AS1428.1.2009 requirements as described in Section 4.2.2 of this report until a major renovation takes place to rectify the other external accessibility issues within site.

Upgrading the accessible path of travel to the **Pavillion** will enhance the usability and services for people with disabilities in many ways, as follows.

- (i) PWDs will get the opportunity to participate in any event in the Pavilion.
- (ii) Pavillion can be used as a part of Pilu restaurant if a requirement occurs to offer restaurant facilities offered in the Pilu restaurant, which is not user-friendly for PWDs at the moment.
- (iii) An accessible path of travel is available to reach the existing accessible sanitary facilities at ground level from the Pavilion, as the accessible sanitary facilities are not available within the Pilu Restaurant. Providing accessible sanitary facilities within the Pilu restaurant or providing an accessible path from the Pilu restaurant to the accessible sanitary facilities at the site is not possible as the building is heritage-listed.

This report has identified the areas of non-compliance in relation to accessibility and recommends design modifications to demonstrate required access within the complex.

The coffee shop and Kiosk among the three (3) main buildings are accessible, and the Pavilion will be accessible via the proposed entrance, which could be used as a part of the restaurant area instead of using the Pilu restaurant.

Therefore considering the existing situation, *City Plan Access* believes that providing an accessible path to the Pavilion will eliminate the discrimination issues for people with disabilities, as there aren't many options to develop the site comprehensively.

## APPENDIX 1

Table 1 - Plan prepared by McIntosh & Phelps Architecture used for the report:

Plan Title	Drawing No	Revision	Date
Site Plan	L01	B	11.10.22