



C O N S U L T A N T S

bca + fire + access + defects

**Project**

94 & 96 Park Street & 4 Kunari Place, Mona Vale

**Report**

Access Assessment

**Client**

Scott Walsh

C/- Walsh Architects

scott@walsharchitects.com.au

**Date**

16 May 2025

**Reference**

19696-BCA-1

**Contact**

Ben Long

ben@ebs.sydney

1300 300 327

## TABLE OF CONTENTS

1.0	EXECUTIVE SUMMARY .....	3
1.1	MATTERS FOR CONSIDERATION .....	3
2.0	BASIS OF ASSESSMENT .....	4
2.1	LOCATION AND DESCRIPTION .....	4
2.2	BCA VERSION .....	4
2.3	PURPOSE .....	4
2.4	FEDERAL DISABILITY DISCRIMINATION ACT (DDA) .....	4
2.5	DISABILITY ACCESS TO PREMISES STANDARDS (PREMISES STANDARDS).....	5
2.6	LIMITATIONS OF THE REPORT .....	5
2.7	TERMS AND ACRONYMS .....	6
2.8	DOCUMENT CONTROL .....	6
2.9	DOCUMENTATION .....	7
3.0	BUILDING DESCRIPTION .....	8
3.1	RISE IN STOREYS (CLAUSE C2D3).....	8
3.2	CLASSIFICATION (PART A6).....	8
3.3	PART OF THE BUILDING REQUIRED TO BE ACCESSIBLE .....	8
4.0	ACCESS ASSESSMENT .....	9
4.1	INTRODUCTION.....	9
4.2	PART D4: ACCESS FOR PEOPLE WITH A DISABILITY.....	9
4.3	PART F: SANITARY AND OTHER FACILITIES .....	10
4.4	LIVABLE HOUSING .....	10
5.0	DESIGN CERTIFICATION .....	12
6.0	ARCHITECTURAL DESIGN CERTIFICATION .....	13

## 1.0 EXECUTIVE SUMMARY

EBS Consultants Pty Ltd have been engaged to undertake an assessment of the building against the relevant Deemed-to-Satisfy Provisions of the National Construction Code (NCC) – Volume 1: Building Code of Australia (BCA) 2022 for accessibility and against other require documents as they pertain to accessibility applicable to this development.

The primary purpose of this report is to assess the proposed design against the Deemed-to-Satisfy (DTS) Provisions of the BCA and relevant documents to outline any non-compliances in the design that may require redesign or be assessed against the performance requirements of the BCA to achieve compliance.

### 1.1 Matters for Consideration

The following matters have been identified and require further considerations:

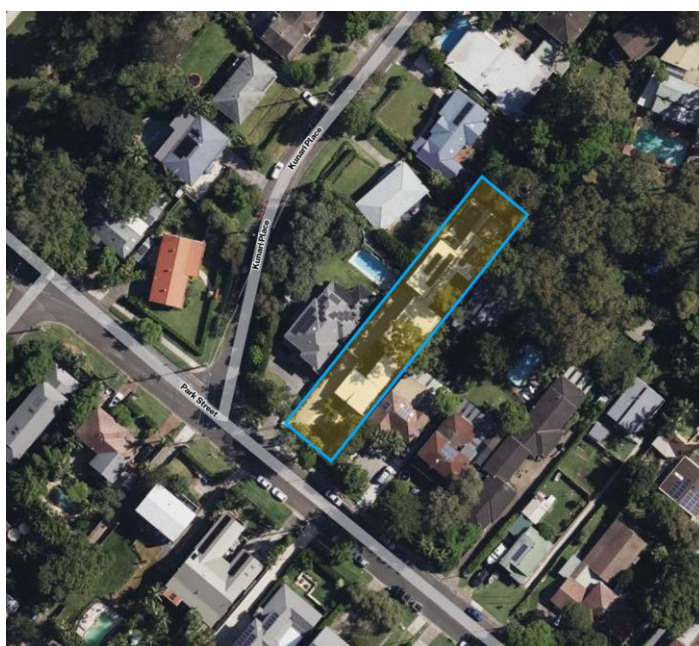
BCA Clause	Summary
D4D4	During detailed design, consideration will need to be given to the accessway from the pedestrian entry to ensure suitable widths and clearances are maintained throughout the entirety of the accessway to comply with the requirements of AS1428.1-2009
D4D4	Proposed to seek a Performance Solution to rationalise the accessible provisions required to be provided within the residential non-fire isolated exits.

## 2.0 BASIS OF ASSESSMENT

### 2.1 Location and Description

The building development, the subject of this report, is located at 94 & 96 Park Street & 4 Kunari Place, Mona Vale. The building development consists of six (6) storeys. The proposal contains two storeys of carparking with associated storage, with five (5) storeys of residential use and a gym on Level 2 for the use of the residents adjacent to the pool.

The building will be accessed through Park Street and from Kunari Place.



*Snippet of Six Maps*

### 2.2 BCA Version

This report is based on the Deemed-to-Satisfy Provisions of the National Construction Code Series Volume 1 – Building Code of Australia, 2022 Edition (BCA) incorporating the State variations where applicable.

The version of the BCA applicable to new building works is the version applicable at the time of the application for a Construction Certificate.

### 2.3 Purpose

The purpose of this report is to assess the proposed building against the following Deemed-to-Satisfy provisions of the Building Code of Australia 2022 (BCA2022) to clearly outline those areas where compliance is not achieved and provide recommendations to upgrade such areas to achieve relevant compliance:

- > Disability Discrimination Act 1992 (DDA);
- > Disability Access to Premises Standards 2010 (Premises Standards);
- > Design Quality of Residential Apartment Development 2015 (SEPP65)
- > Pittwater Council's Development Control Plan (DCP);
- > Building Code of Australia 2022 (BCA2022) – Part D4 and Clauses E3D7 and F4D5;
- > Applicable Australian Standards AS1428.1:2009, AS1428.4.1:2009 and AS2890.6:2009.

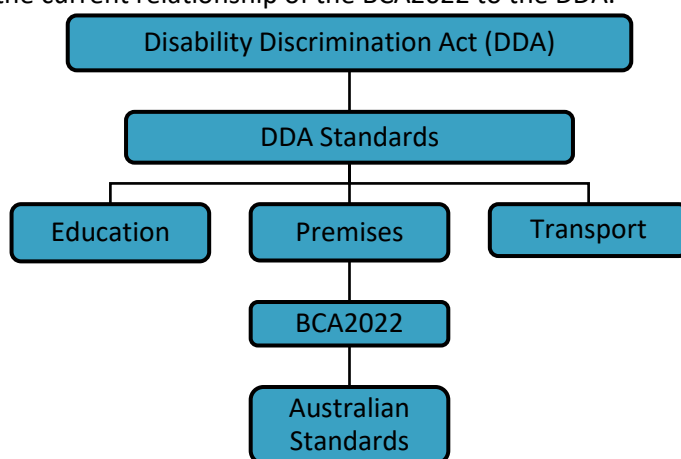
### 2.4 Federal Disability Discrimination Act (DDA)

Disability is broadly defined and includes disabilities which are physical, intellectual, psychiatric, neurological, cognitive or sensory (a hearing or vision impairment), learning difficulties, physical disfigurement and the presence in the body of disease causing organisms.

All organisations have a responsibility, under the DDA, to provide equitable, dignified access to goods and services and to premises used by the public. Premises are broadly defined and would include all areas included within the subject development.

The DDA applies nationally and is complaint based. While the BCA2022 is recognised as a design standard to satisfy certain aspects of the DDA, compliance with the BCA2022 and the referenced standards does not guarantee that a complaint will not be lodged.

The graph below indicates the current relationship of the BCA2022 to the DDA.



## 2.5 Disability Access to Premises Standards (Premises Standards)

The aim of the Premises Standards is 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. They do not apply to existing buildings that are not undergoing upgrade. They will only apply to elements addressed within the Standards. All other elements related to premises will still be subject to the existing provisions of the DDA.

The Premises Standards generally align with the BCA2022 and reference a range of Australian Standards relating to access and other associated matters. The Premises Standards aim to provide certainty for the building industry in relation to meeting the requirements for access in new and upgraded buildings.

The “affected part” is the accessway from the principal pedestrian entrance to the area of the new works including the entry door at principal pedestrian entrance. The relevant provisions of the Premises Standards will apply to a new part of a building, and any “affected part” of a building, if the building is Class 1b, Class 2 and Classes 3, 5, 6, 7, 8, 9 or 10 buildings.

## 2.6 Limitations of the Report

This report does not include nor imply any detailed analysis or assessment for design, compliance or upgrading for:

- the structural adequacy or design of the building.
- the inherent derived fire-resistance ratings of any existing structural elements of the building (unless specifically referred to).
- any existing fire safety measures are assumed to be compliant and maintained under the Annual Fire Safety Statement provisions required by the building owner.
- the design basis and/or operating capabilities of any existing or proposed electrical, mechanical or hydraulic fire protection services.
- The BCA contains the minimum standards for building construction and safety, and therefore generally stipulates minimum dimensions which must be met. The assessment of the plans and specifications has been undertaken to ensure the minimum dimensions have been met. The designer and builder should ensure that



the minimum dimensions are met onsite, and consideration needs to be given to construction tolerances for wall set outs, applied finishes and skirtings to corridors and bathrooms for example, tiling bed thicknesses and the like which can adversely impact on critical matters such as access for people with disabilities, stair and corridor widths and balustrade heights.

This report does not include, or imply compliance with:

- a) The Disability Discrimination Act (it cannot be guaranteed that that a complaint under the DDA will not be made, however should the building comply with BCA2022 and the Premises Standard then those responsible for the building cannot be subject to a successful complaint);
- b) Design Quality of Residential Apartment Development 2015 (SEPP65)
- c) Sections B, C, D, E, F, G, H, I or J of the BCA.
- d) the Disability Discrimination Act 1992.
- e) The Design and Building Practitioners Act 2020.
- f) Work Health and Safety Act 2011.
- g) Requirements of other Regulatory Authorities including, but not limited to, Telstra, NBN Co, Telecommunications Supply Authority, Water Supply Authority, Electricity Supply Authority, Work Cover, Roads and Maritime Services (RMS), Roads and Transport Authority, Local Council, ARTC, Department of Planning and the like.
- h) Demolition Standards not referred to by the BCA.
- i) Heritage significance
- j) Requirements of Australian Standards unless specifically referred to.
- k) Conditions of Development Application approval issued by Council.
- l) The National Construction Code – Plumbing Code of Australia Volume Three.

## 2.7 Terms and Acronyms

- i. AS - Australian Standard
- ii. AVG - Average
- iii. BCA - Building Code of Australia
- iv. BOWS - Building Occupant Warning System
- v. BTM - Bottom
- vi. Comms - Communications Cupboard
- vii. DtS - Deemed To Satisfy
- viii. EDB - Electrical Distribution Board
- ix. FER - Fire Engineering Report
- x. FHR - Fire Hose Reel
- xi. FIS - Fire Isolated Stairway
- xii. FRL - Fire Resistance Level
- xiii. HBA - Home Building Act 1989
- xiv. LHS - Left Hand Side
- xv. MID - Middle
- xvi. MSB - Main Switchboard Room
- xvii. PEX - Cross-linked polyethylene
- xviii. PFE - Portable Fire Extinguisher
- xix. RHS - Right Hand Side
- xx. SOU - Sole Occupancy Unit

## 2.8 Document Control

Date	Revision	Comments/Description	Prepared By:
16-05-2025	1	Access Assessment	Ben Long

2.9 Documentation

This report has been prepared based on the following documentation:

Architectural Drawings prepared by: Walsh Architects			
Drawing Number	Revision	Date	Title
DA100	1	16-05-2025	Basement 2 Plan
DA101	1	16-05-2025	Level 1 Plan
DA102	1	16-05-2025	Level 2 Plan
DA103	1	16-05-2025	Level 3 Plan
DA104	1	16-05-2025	Level 4 Plan
DA105	1	16-05-2025	Level 5 Plan
DA106	1	16-05-2025	Roof Plan

3.0 BUILDING DESCRIPTION

For the purposes of the Building Code of Australia (BCA) the building may be described as follows:

3.1 Rise in Storeys (Clause C2D3)

The building has a rise in storeys of six (6).

3.2 Classification (Part A6)

The building has been classified as follows.

Class	Level	Description
2	Level 1 – Level 5	Residential Units and Communal Areas
9b	Level 2	Gymnasium
7a	Basement 2 - Level 1	Carpark
7b	Basement 2 - Level 1	Storage and Waste Rooms

3.3 Part of the building required to be accessible

The following parts of the building are required to be accessible:

Class	Level	Areas to be Accessible
2	Level 1 – Level 5	To and within common areas of the residential levels
9b	Level 2	To and within all areas normally used by the occupants.
7a	Basement 2 - Level 1	To and within any level containing accessible carparking spaces.
7b	Basement 2 - Level 1	To and within all areas normally used by the occupants.



## **4.0 ACCESS ASSESSMENT**

### **4.1 Introduction**

Assessment of the architectural design documentation against the Deemed-to-Satisfy Provisions of the BCA2022 has revealed the following areas where compliance with the BCA2022 may require further consideration. The following assessments and tables below are a summary of all the individual elements that relate directly to the ability of a person with a disability to access all the portions of the building required to be accessible.

The following assessment will provide an overview of compliance with the BCA and identify issues that require attention. All Deemed-to-Satisfy clauses that are applicable to the subject building have been referred to below, including a comment adjacent to each clause of the proposal's ability to satisfy each respective clause:

### **4.2 Part D4: Access for People with a Disability**

#### **4.2.1 General building access requirements – Clause D4D2**

Access is required to be provided to and within all areas normally used by the occupants. Each of the doors are required to have the 850mm clear opening in accordance with AS1428.1-2009.

Access will be maintained throughout the building due to the provision of the lift to each of the storeys as required. The Class 9b portion is served via the swimming pool fence and consideration will need to be addressed for compliance with the swimming pool standard and access standard. Details shall be provided at CC stage.

#### **4.2.2 Access to buildings – Clause D4D3**

An accessway must be provided to a building required to be accessible from another accessible building connected by a pedestrian link; and from any required accessible carparking space on the allotment.

The building is provided with three (3) entrances into the building with two (2) of them being accessible to maintain more than 50% accessible. The non-accessible entry is located more than 50m from the internal entry points from the building but less than 50m from the entrance points at the boundary. This is generally considered to be acceptable, but this may readily be addressed by a Performance Solution at the CC stage to ensure compliance where required by the project Certifier.

#### **4.2.3 Parts of Buildings to be Accessible – Clause D4D4**

In a building required to be accessible – accessways must have – turning spaces and passing bays complying with AS1428.1-2009. Throughout the internals of the building it is noted that there is sufficient space provided to allow for compliance. The external entry will need to be updated during the detailed design to ensure suitable widths and clearances are maintained throughout the entirety of the accessway to comply with the requirements of this Clause.

The stairway serving the residential portions of the building are noted to be non-fire stairs and as such will need to have two handrails in accordance with this Clause. These stairways although deemed non-fire isolated are to be constructed similar in nature to fire stairs and will be proposed to have a Performance Solution to rationalise the accessible provisions required within the stairways.

#### **4.2.4 Exemptions – Clause D4D5**

The service areas and bulky wastes are exempt from the requirement to be accessible. It is intended for use by professionals undertaking maintenance on the building and for the storage of large items not capable of being carried. As the area is not designed for general public use or regular occupancy, accessibility provisions do not apply.

#### **4.2.5 Accessible carparking – Clause D4D6**

The building is for a residential use and as such the BCA does not detail accessible parking requirements as this will be determined by the Council DCP. The Class 9b gym and Class 7b storage is not considered to be provided

with associated parking as these uses are ancillary to the residential use and therefore they do not have their own parking spaces which are required to be accessible in accordance with this Clause.

#### **4.2.6 Signage – Clause D4D7**

Signage must be provided to clearly identify each door that is required to be provided with an exit sign under BCA Clause E4D5. Additionally, signage must be installed to identify each sanitary facility in accordance with the requirements of AS 1428.1. This includes ensuring that the signage meets the necessary accessibility standards, such as appropriate Braille and tactile elements, suitable mounting heights, and sufficient luminance contrast, to support ease of access for all building occupants, including people with disabilities.

#### **4.2.7 Hearing augmentation – Clause D4D8**

A hearing augmentation system must be provided where an inbuilt amplification system, other than one used only for emergency warning, is installed. This is only considered to be applicable to the gym where such systems are being provided.

#### **4.2.8 Tactile indicators – Clause D4D9**

For a building required to be accessible, tactile ground surface indicators must be provided to warn people who are blind or have a vision impairment that they are approaching a stairway, a ramp and in the absence of a suitable barrier an overhead obstruction less than 2 m above floor level.

Tactile ground surface indicators are required to be provided throughout the building to each of the stairways and ramps in accordance with AS1428.4.1-2009 and shall be suitable detailed at the Construction Certificate Stage. Compliance is readily available.

#### **4.2.9 Swimming Pool – Clause D4D11**

The communal swimming pool is required to be accessible in accordance with Specification 16 with a method of entering the water. Compliance is readily available with details being capable of being provided during detailed design and Construction Certificate.

#### **4.2.10 Ramps – Clause D4D12**

There are no pedestrian ramps proposed and therefore compliance with this Clause is not applicable.

#### **4.2.11 Glazing on an accessway – Clause D4D13**

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. Compliance is readily available.

### **4.3 Part F: Sanitary and other facilities**

#### **4.3.1 Accessible sanitary facilities – Clause F4D6**

Where required, the minimum number of accessible unisex sanitary compartments for each class of building is as follows – for class 5 to 9 building - 1 on every storey containing sanitary compartments; and where a storey has more than 1 bank of sanitary compartments containing male and female sanitary compartments, at not less than 50% of those banks.

As such, Level 2 is provided with a unisex accessible sanitary compartment. Details of the proposed facility may be assessed as the detailed design continues to ensure compliance is maintained in accordance with the requirements of AS1428.1-2009 for the fixture and fittings. Compliance is readily achievable.

### **4.4 Livable Housing**

The SEPP 65 Apartment Design Code requires that residential developments achieve a benchmark that at least 20% of the total apartments incorporate the Livable Housing Guideline's silver level universal design features.

Furthermore, Pittwater Council DCP Clause C1.9 details the requirement for Residential Flat Building which is for 20% of the total apartments incorporate the Livable Housing Guideline's silver level universal design features.

The proposed development contains 27 SOUs which will require 6 units to be livable design in accordance with the Silver Level Requirements. Upon review of the plans, it is noted that the 6 applicable units have not been specified on the plans. However the main consideration with Livable units is the location of the WC in the corner of the room and the available clear space in front to maintain compliance.

There are more than 6 units which will have the WC located in a suitable possible to allow for compliance with the required 20% Livable units. Compliance will be readily available as the design continues to ensure suitable door clearances and circulation is maintained throughout these applicable units.

## 5.0 DESIGN CERTIFICATION

The architectural design documentation as referred to in report has been assessed against the applicable provision of the Building Code of Australia, (BCA) and it is considered that such documentation complies or is capable of complying (as outlined in Annexure A) with that Code, subject to all matters for further consideration identified in this report being addressed in the design, and subject to compliance with all Specifications included with this report.

It is trusted this report is clear and addresses the requirements of the Client. Should you require any further information or clarification, please do not hesitate to contact the undersigned.

Signed,



Ben Long  
Manager Building Regulations  
**EBS Consultants**  
Building Surveyor – Unrestricted #BDC03380  
Cert IV in Access Consulting

## 6.0 ARCHITECTURAL DESIGN CERTIFICATION

### General

1. On an accessway where there is no chair rail, handrail or transom, all frameless or fully glazed doors, sidelights or glazing capable of being mistaken for a doorway or opening will be clearly marked and comply with Clause 6.6 of AS1428.1-2009. A solid non-transparent contrasting line not less than 75mm wide is to extend across the full width of the glazing panel. The lower edge of the contrasting line is to be located between 900-1000mm above the plane of the finished floor level. The contrasting line is to provide a minimum of 30% luminance contrast when viewed against the floor surface or surfaces within 2 metres of the glazing on the opposite side.
2. All doorways will have a minimum luminance contrast of 30% in accordance with Clause 13.1 of AS1428.1-2009.
3. Fixtures and fittings in accessible sanitary facilities will be provided and installed in accordance Clause 15 of AS1428.1-2009.
4. Walkways will comply with Clause 10 of AS1428.1-2009.
5. For the walkways, the floor or ground surface abutting the sides of the walkway will be firm and level of a different material to that of the walkway at the same level and follow the grade of the walkway and extend horizontally for a minimum of 600mm, or be provided with a kerb or kerb rail in accordance with Clause 10.2 of AS1428.1-2009.
6. Handrails will comply with Clause 12 of AS1428.1-2009.
7. Grabrails will comply with Clause 17 of AS1428.1-2009.
8. Switches and power points will comply with Clause 14 of AS1428.1-2009.
9. Floor and ground floor surfaces on accessible paths and circulation spaces including the external areas will comply with Clause 7 of AS1428.1-2009. Any level difference over 3mm must be ramped according AS1428.1 Clause 10.5.
10. Braille and tactile signage will comply with BCA2022 Clause D4D7.
11. Signage is to comply with Clause 8 of AS1428.1-2009.
12. The unobstructed height of a continuous accessible path of travel will be a minimum of 2000mm and 1980mm at doorways.
13. Door handles and the like, will be in accordance with Clause 13.5 of AS1428.1-2009.

### Livable Housing Design Guidelines (LHDG)

14. Entrance door to have 820mm min. clear door width opening, level transition (5mm max. vertical tolerance) and reasonable shelter from the weather.
15. Entrance door to have 1200x1200mm level landings.
16. "Ramped threshold" (Fig 1b) allowed between 5-56mm height change.
17. Level & "step-free" entrance connected to the "safe and continuous pathway".
18. Waterproofing and termite management at entry door (as per NCC).
19. Garages to have minimum 3200x5400mm, an even, firm and slip resistant surface with 1:40 max. level surface (1:33 max. asphalt).
20. All internal doors to have 820mm min. clear door opening at entry level rooms, 5mm max. vertical tolerance surface, and 1000mm min. internal corridors at entry level rooms.
21. Toilet to be on entry level (ground floor).
22. If WC is located in a separate room. WC pan circulation space to be 900x1200mm front if WC (door not to encroach) (Fig 3a).
23. If WC is located within a bathroom. WC pan circulation space to be in the corner of the room to enable installation of grabrails (door not to encroach) (Fig 3b).
24. Bathroom to have slip resistant and hobless shower recess (portable shower screens allowed)
25. Shower recess located in a room corner to enable the installation of grabrails.
26. Walls to be constructed of solid masonry or concrete, otherwise to be reinforced (1100N min. withstand in all directions).
27. For WC, the reinforcement to be 25mm thick noggings (Fig 6a), or 12mm thick sheeting (Fig 6b)

28. For baths, reinforcement to be 25mm thick noggings (Fig 7a), or 12mm thick sheeting (Fig 7b)
29. For showers, reinforcement to be 25mm thick noggings (Fig 8a), or 12mm thick sheeting (Fig 8b)
30. A continuous stairway handrail where there is a rise of more than 1m.