

PSE ACCESS CONSULTING

Access/Built Environment
Architectural Advice/Training
Adaptation/Certification/B.C.A
ACAA Accredited.

ACCESS/COMPLIANCE REPORT

ACCESS/ SECURITY/ACCESSIBILITY SEPARATION

DISABILITY DISCRIMINATION ACT 1992 (DDA)

BUILDING CODES AUSTRALIA (BCA),

NATIONAL CONSTRUCTION CODE (NCC)-2019.

Disability (Access to Premises-Buildings) Standard-2010.

SUBJECT; BOARDING HOUSE.

SITE ADDRESS; 76 Willandra Road Narraween.

REPORT BY; PETER SIMPSON.

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Accreditation No. 185

11th June 2019.

14 Mashman Ave
Wentworthville 2145

SUBJECT; BOARDING HOUSE.
COMPOSITION OF DEVELOPMENT;

This proposed boarding house (BCA/NCC-2019 Class 3 Building) development at this address will consist of;

1. Seventeen **sole-occupancy units** including two (unit 11 & 12) **accessible sole-occupancy units** and a manager's room.
2. Ground floor, access from **Willandra Road**, allows access under building for at level parking for cars and motor bikes with two spaces under building one being parking for an accessible (disabled) car space of 2400mm wide (AS2890.6-2009, *Parking facilities-Off street parking for people with disability*) + 2400mm shared space providing access for pushbike storage area.
3. Upper level has street level footpath access.
4. Access requirements for people with disability to the, relevant to this development, surround built environment is proposed to be catered for with implementation of technical specification of AS1428.1-2009 *Design for access and mobility* in finish detail of such items as footpaths/accessible paths of travel and points of entry.

ACCESS COMPLIANCE FOR PEOPLE WITH DISABILITY.

REFERANCING;

➤ **Disability Discrimination Act 1992.**

Part 3 Objects

The objects of this Act are:

- (a) to **eliminate**, as far as possible, **discrimination** against persons on the ground of disability in the areas of:
 - (i) work, **accommodation**, education, **access to premises**, clubs and sport; and
 - (ii) the provision of goods, facilities, services and land; and
 - (iii) existing laws; and
 - (iv) the administration of Commonwealth laws and programs; and
- (b) to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community; and
- (c) to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.

Part 23 Access to premises

Part 4 Interpretation

premises includes:

- (a) a structure, building, aircraft, vehicle or vessel; and
 - (b) a place (whether enclosed or built on or not); and
 - (c) a part of premises (including premises of a kind referred to in paragraph (a) or (b)).
- (1) It is unlawful for a person to discriminate against another person on the ground of the other person's disability or a disability of any of that other person's associates:
 - (a) by refusing to allow the other person access to, or the use of, any premises that the public or a section of the public is entitled or allowed to enter or use (whether or payment or not); or

- (b) in the terms or conditions on which the first-mentioned person is prepared to allow the other person access to, or the use of, any such premises; or
 - (c) in relation to the provision of means of access to such premises; or
 - (d) by refusing to allow the other person the use of any facilities in such premises that the public or a section of the public is entitled or allowed to use (whether for payment or not); or
 - (e) in the terms or conditions on which the first-mentioned person is prepared to allow the other person the use of any such facilities; or
 - (f) by requiring the other person to leave such premises or cease to use such facilities.
- (2) This section does not render it unlawful to discriminate against a person on the ground of the person's disability in relation to the provision of access to premises if:
- (a) the premises are so designed or constructed as to be inaccessible to a person with a disability; and
 - (b) any alteration to the premises to provide such access would impose unjustifiable hardship on the person who would have to provide that access.

Part 25 Accommodation

- (1) It is unlawful for a person, whether as principal or agent, to discriminate against another person on the ground of the other person's disability or a disability of any of that other person's associates:
- (a) by refusing the other person's application for accommodation; or
 - (b) in the terms or conditions on which the accommodation is offered to the other person; or
 - (c) by deferring the other person's application for accommodation or according the other person a lower order of precedence in any list of applicants for that accommodation.
- (2) It is unlawful for a person, whether as principal or agent, to discriminate against another person on the ground of the other person's disability or a disability of any of the other person's associates:

Section 25

- (a) by denying the other person access, or limiting the other person's access, to any benefit associated with accommodation occupied by the other person; or
- (b) by evicting the other person from accommodation occupied by the other person; or
- (c) by subjecting the other person to any other detriment in relation to accommodation occupied by the other person; or
- (d) by refusing to permit the other person to make reasonable alterations to accommodation occupied by that person if:
 - (i) that person has undertaken to restore the accommodation to its condition before alteration on leaving the accommodation; and
 - (ii) in all the circumstances it is likely that the person will perform the undertaking; and
 - (iii) in all the circumstances, the action required to restore the accommodation to its condition before alteration is reasonably practicable; and
 - (iv) the alteration does not involve alteration of the premises of any other occupier; and
 - (v) the alteration is at that other person's own expense.

Standards/Legislation called into effect by the DDA;

- Building Codes Australia (BCA/NCC-2019)
- AS1428.1-2009 Design for access and mobility
- AS2890.6-2009 *Parking facilities-Off street parking for PWD.*

➤ **Building Codes Australia (BCA/NCC-2019);**

The Building Codes Australia (BCA) calls for compliance with **BCA Part D3 Access for people with disability** for general building access for people with disability

- a) Buildings must be accessible as required by **Table D3.1**
- b) Parts of buildings *required* to be *accessible* must comply with this Part and AS1428.1.

The Building Codes Australia (BCA) (BCA- National Construction Code (NCC) 2019 & specifically Part D3), calls for compliance with **BCA Part D3 Access for people with disability** for general building access for people with disability for accommodation requirements. These parts bring into effect the technical specifications of Australian Standards (AS1428.1-2009) to support their own requirements and provisions. Called for by **BCA Part D3.2 General building access requirements** are

A6.3 Class 3 buildings

A Class 3 building is a residential building providing long-term or transient accommodation for a number of unrelated persons, including the following:

- (1) A boarding house, guest house, hostel, lodging house or backpacker accommodation.
- (2) A residential part of a hotel or motel.
- (3) A residential part of a *school*.
- (4) Accommodation for the aged, children, or people with disability.
- (5) A residential part of a *health-care building* which accommodates members of staff.
- (6) A residential part of a *detention centre*.
- (7) A *residential care building*.

D3.1 General building access requirements

SA D3.1

Buildings and parts of buildings must be *accessible* as *required* by *Table D3.1*, unless exempted by *D3.4*.

Table D3.1 Requirements for access for people with a disability

Class of building	Access requirements
Class 3 Common areas	From a pedestrian entrance <i>required</i> to be <i>accessible</i> to at least 1 floor containing <i>sole-occupancy units</i> and to the entrance doorway of each <i>sole-occupancy unit</i> 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 a cooking facility, sauna, gymnasium, <i>swimming pool</i> , common laundry, games room, TV room, individual shop, dining room, public viewing area, ticket purchasing service, lunch room, lounge room, or the like. Where a ramp complying with AS 1428.1 or a passenger lift is installed— (a) to the entrance doorway of each <i>sole-occupancy unit</i> ; 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.
<i>Sole-occupancy units</i> If the building or group of buildings contain— 1 to 10 <i>sole-occupancy units</i> 11 to 40 <i>sole-occupancy units</i>	To and within— 1 <i>accessible sole-occupancy unit</i> . 2 <i>accessible sole-occupancy units</i> .

D3.5 Accessible carparking

Accessible carparking spaces—

- (a) subject to (b), must be provided in accordance with Table D3.5 in—
- (i) a Class 7a building *required* to be *accessible*; and
 - (ii) a carparking area on the same allotment as a building *required* to be *accessible*;

Table D3.5 Carparking spaces for people with a disability

Class of building to which the <i>carpark</i> or carparking area is associated	Number of <i>accessible</i> carparking spaces <i>re-quired</i>
Class 1b and 3 (a) Boarding house, guest house, hostel, lodging house, backpackers accommodation, or the residential part of a hotel or motel.	To be calculated by multiplying the total number of carparking spaces by the percentage of— (i) <i>accessible sole-occupancy units</i> to the total number of <i>sole-occupancy units</i> ; or

The BCA is referred to as a 'performance based' code, describing acceptable Performance Requirements that buildings and other structures throughout Australia must meet.

There are two ways to meet the Performance Requirements. Referred to as Building Solutions:

- The *Deemed-to-Satisfy* provisions are detailed prescriptive technical requirements within the BCA of how the building is to be constructed and equipped. They include reference to technical details found in the Australian Standards such as AS1428.1, which is currently the main Australian Standard covering access related issues for people with disabilities.
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- A *Performance Solution* is one that can be demonstrated to meet the Performance Requirements of the BCA by other means. An Alternative Solution is to allow for new ways of achieving the required levels of performance. The onus is on the building applicant to show that the Alternative Solution complies with the Performance Requirement.

Assessment of “Performance Solution” criteria

BCA Part A05;

Compliance with the Performance Requirements can only be achieved by-

- (a) Complying with the *Deemed-to-Satisfy Provisions*; or
- (b) Formulate an *Alternative Solution* which-
 - (i) Complies with the *Performance Requirements*; or
 - (ii) Is shown to be at least equivalent to the *Deemed-to-Satisfy Provisions*; or
- (c) A combination of (a) and (b).

BCA/NCC-2019; Part D3 Access for People with disability

SECTION D ACCESS AND EGRESS

Performance Requirements

ACT Appendix

DP1 Access for people with a disability

Access must be provided, to the degree necessary, to enable—

- (a) people to—
 - (i) approach the building from the road boundary and from any *accessible* carparking spaces associated with the building; and
 - (ii) approach the building from any *accessible* associated building; and
 - (iii) access work and public spaces, accommodation and facilities for personal hygiene; and
- (b) identification of *accessways* at appropriate locations which are easy to find.

DP2 Safe movement to and within a building

So that people can move safely to and within a building, it must have—

- (a) walking surfaces with safe gradients; and
- (b) any doors installed to avoid the risk of occupants—
 - (i) having their egress impeded; or
 - (ii) being trapped in the building; and
- (c) any stairways and ramps with—
 - (i) slip-resistant walking surfaces on—
 - (A) ramps; and
 - (B) stairway treads or near the edge of the nosing; and
 - (ii) suitable handrails where necessary to assist and provide stability to people using the stairway or ramp; and
 - (iii) suitable landings to avoid undue fatigue; and
 - (iv) landings where a door opens from or onto the stairway or ramp so that the door does not create an obstruction; and
 - (v) in the case of a stairway, suitable safe passage in relation to the nature, volume and frequency of likely usage.

D3.0 Deemed-to-Satisfy Provisions

- (b) Where a *Building Solution* is proposed as an *Alternative Solution* to the *Deemed-to-Satisfy Provisions* of—
 - (i) **D1.1 to D1.16, D2.1 to D2.23 and D3.1 to D3.12;** and
 - (ii) in a building containing an *atrium*, **Part G3;** and
 - (iii) for theatres, *stages* and public halls, **Part H1;** and
 - (iv) for public transport buildings, **Part H2,**the relevant *Performance Requirements* must be determined in accordance with **A0.10.**

A2.2 Performance Solution

- (1) A *Performance Solution* is achieved by demonstrating—
 - (a) compliance with all relevant *Performance Requirements*; or
 - (b) the solution is at least *equivalent* to the *Deemed-to-Satisfy Provisions*.
- (2) A *Performance Solution* must be shown to comply with the relevant *Performance Requirements* through one or a combination of the following *Assessment Methods*:
 - (a) Evidence of suitability in accordance with *Part A5* that shows the use of a material, product, *plumbing* and *drainage product*, form of construction or design meets the relevant *Performance Requirements*.
 - (b) A *Verification Method* including the following:
 - (i) The *Verification Methods* provided in the NCC.
 - (ii) Other *Verification Methods*, accepted by the *appropriate authority* that show compliance with the relevant *Performance Requirements*.
 - (c) *Expert Judgement*.

A proportion percentage of the **sole-occupancy units** will have implement the technical specifications/requirements of AS1428.1-2009 *Design for access and mobility* in catering for accommodation for people with disability and addressing Part 25 of DDA.

Standards called into effect by, and in addition to, BCA Part D3;

- **AS1428.1-2009 Design for access and mobility**
- **AS2890.6-2009 *Parking facilities-Off street parking for PWD.***

➤ **Disability (Access to Premises-Buildings) Standard-2010.**

Purpose of the Premises Standards

4. The purpose of the Premises Standards is to provide:
 - a nationally applicable set of provisions that detail what must be done to provide for non-discriminatory access to public buildings for people with disability
 - the first and perhaps the most significant step in the development of consistent and uniform requirements for non-discriminatory building access — bringing together the access requirements under the DDA and building law, and

Premises Standards would harmonise the requirements of the Building Code and the Disability Discrimination Act in relation to access to buildings through incorporation of the Access Code into the Building Code. The Access Code forms Schedule 1 of the Premises Standards and contains its technical requirements.

Part 1 Preliminary

1.3 Objects

The objects of these Standards are:

- (a) to ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings, is provided for people with a disability; and
- (b) to give certainty to building certifiers, building developers and building managers that, if access to buildings is provided in accordance with these Standards, the provision of that access, to the extent covered by these Standards, will not be unlawful under the Act.

Part 2 Scope of Standards

2.1 Buildings to which Standards apply

(1) Subject to subsection (2), these Standards apply to the following:

(a) a new building to the extent that the building is:

(iii) a Class 3, 5, 6, 7, 8, 9 or 10 building;

Part D3 Access for people with a disability

Table D3.1: Requirements for access for people with a disability

Class of building	Access requirements
Class 3	
Common areas	<p>From a pedestrian entrance <i>required to be accessible</i> to at least one floor containing <i>sole-occupancy units</i> and to the entrance doorway of each <i>sole-occupancy unit</i> located on that level</p> <p>To and within not less than one of each type of room or space for use in common by the residents, including a cooking facility, sauna, gymnasium, <i>swimming pool</i>, common laundry, games room, TV room, individual shop, dining room, public viewing area, ticket purchasing service, lunchroom, lounge room, or the like</p> <p>Where a ramp complying with AS 1428.1 or a passenger lift is installed:</p> <ul style="list-style-type: none"> (a) to the entrance doorway of each <i>sole-occupancy unit</i>, and (b) to and within rooms or spaces for use in common by the residents, <p>located on the levels served by the lift or ramp</p>
Sole-occupancy units	<p>Not more than 2 <i>required accessible sole-occupancy units</i> may be located adjacent to each other</p> <p>Where more than 2 <i>accessible sole-occupancy units</i> are <i>required</i>, they must be representative of the range of rooms available</p>
If the building or group of buildings contain:	To and within:
1 to 10 <i>sole-occupancy units</i>	1 <i>accessible sole-occupancy unit</i>
11 to 40 <i>sole-occupancy units</i>	2 <i>accessible sole-occupancy units</i>

D3.2 Access to buildings

(1) An *accessway* must be provided:

(a) to a building *required to be accessible*;

(b) from the main points of a pedestrian entry at the allotment boundary; and

(i) from another *accessible* building connected by a pedestrian link; and

(ii) from any *required accessible* carparking space on the allotment.

(2) In a building *required to be accessible*, an *accessway* must be provided through the principal pedestrian entrance, and:

ACCESS and COMPLIANCE ASSESSMENT;

- The “**accessible sole-occupancy units**” units 11 & 12 have access to them (and all **sole-occupancy units** entrance doorway on that level) by an uninterrupted accessible path of travel from the street frontages and dedicated resident’s car parking space compliant with the AS1428.1-2009 Clause 6 *Continuous accessible paths of travel*.

At all times the BCA calls for access requirements to be compliant with AS1428.1-2009 *Design for access and mobility*.

PERFORMANCE REQUIREMENTS

DP1

Access must be provided, to the degree necessary, to enable—

- (a) people to—
 - (i) approach the building from the road boundary and from any **accessible** carparking spaces associated with the building; and
 - (ii) approach the building from any **accessible** associated building; and
 - (iii) access work and public spaces, accommodation and facilities for personal hygiene; and
- (b) identification of **accessways** at appropriate locations which are easy to find.

The requirements of BCA/NCC-2019 Part D3 *Access for people with disabilities*, Disability (Access to Premises-Buildings) Standard-2010, DAtPS and AS1428.1-4, as well as associated standards/legislation, are met with these proposed development and in their relation to the requirements to satisfy relevant State and Federal legislation.

- Access is provided (NCC-2019 Part D3.2 (a) (i) & (ii) & Table D3.1) for all residents/ visitors “*to at least one floor containing sole occupancy units*” and “*from the main points of a pedestrian entry (Willandra Road) at the allotment boundary*” by continuous accessible paths of travel, pedestrian links (lift from ground/partial basement parking level) which are compliant with AS1428.1-2009 Clause 6 *Continuous accessible paths of travel*.
- Access is provided (NCC-2019 Part D3 Table 3.1 for all residents “*to and within not less than 1 of each type of room or space for use in common by the residents*” including the common room/outdoor terraces by continuous accessible paths of travel, pedestrian links which are compliant with AS1428.1-2009 Clause 6 *Continuous accessible paths of travel*.
- Clause D3.1 General building access requirements – Access Code for Buildings Schedule 1 Part D3.
 - Dignified, equitable, cost effective and **reasonable achievable** access is provided to and within the building (To the degree necessary [BCA/NCC-2019 *Performance requirements* DP1 & DP2] to unit No. 11 & 12).

- All pedestrian walkways on the accessible paths of travel to and within the development (to each of the sole-occupancy units) are compliant with the requirements of AS1428.1-2009 (called upon by BCA/NCC-2019 Table D3.1) in their technical specifications.
- The stairway/access path of travel for access to the common open area/communal area is compliant in design and construction with **AS1428.1-2009 Clause 9.1** *Stair construction* and **Clause 9.2** *Stairway handrails* and Figure 17.
- All pedestrian walkways/ramp for entry and/or exit are proposed to have, if applicable, the required Tactile Ground Surface Indicators (TGSI's) at the top and bottom landing compliant with AS1428.4.1-2009 Clause 2.2.3 and Figure A1.
- All pedestrian walkways/ramp/paths of travel are proposed to be compliant with the design and technical specifications of AS1428.1-2009 Clause 6 *Continuous accessible paths of travel* for their gradients, surface finish and other relevant features.
- The entrance door, to the “**accessible sole-occupancy units**”, and its circulation area are of a dimension mandated by AS1428.1-2009 Clause 13.2 & 13.3. The doors have a clear opening dimension of 850mm which is compliant with AS1428.1 Clause 13.1 & Figure 30 and door circulation space dimensions are compliant with AS1428.1 Clause 13.3 & Figure 31.
- The entrance door hardware and locking mechanism as fitted are technically compliant with the requirements of AS1428.1-2009 Clause 13.5 *Door Controls*.

Bathroom/Ensuite;

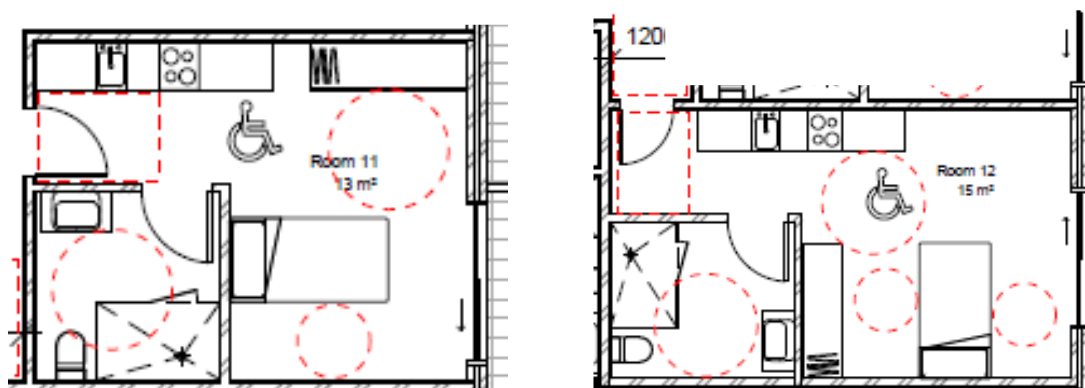
- The bathroom/ensuite in the “**accessible sole-occupancy units**” is designed, and built, to the relevant specifications of AS1428.1-2009 Clause 15.2 *Accessible unisex sanitary facility* to Clause 15.6 *Circulation space in accessible sanitary facility* with reference dimensions from Figure 50 *Sanitary compartment showing overlap of washbasin fixture into shower circulation space*.

The technical specifications for the bathroom are as follows,

- i. The entry door, and clearances, will be compliant with **AS1428.1-2009 Clause 15.2.9 WC doors** and Figure 50-52 with a minimum 850mm clear opening.
- ii. The grab rails will be fitted correctly for position and design compliant with AS1428.1-2009 Clause 15.2.7 *Grab rails* & Figure 42 *Position of grab rails in water closets* along with all other fittings and fixtures such as the basin/vanity and mirror etc adapted for adaptors requirements.
- iii. The clear turning circle requirement of 1540mm is present to comply with **AS1428.2 Clause 6.2**
- iv. It is proposed to be built with a hobbles shower area of the dimensions required and walls having grab rails/shower seat mounted in a manner to satisfy AS1428.1-2009 Clause 15.2.7 & Figure 42 and Clause 15.5.9 *Shower seat* & Figure 48.

Accessible sole-occupancy unit.

Typical “Accessible” showing 1540mm & 1000mm clear circulation spaces.



Bedroom;

- The bedroom **as built** meets the requirements of AS1428.2 Clause 6.2 in having the bed and wardrobe (Capable of easily being repositioned when/if required by person with disability) with the circulation space required of AS1428.2-1992 Clause 6.2 and Figure 29 *Circulation space around beds*. The clear turning circulation requirement, clear of wardrobe fixtures, of 1540mm is as built to comply with **AS1428.2 Clause 6.2**

AS 1428.2—1992

6

6.2 Circulation space for 180° wheelchair turn The space required for a wheelchair to make a 180° turn shall be not less than 2070 mm in the direction of travel and not less than 1540 mm wide.

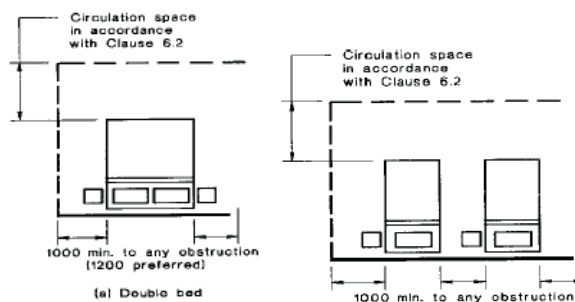


FIGURE 29 CIRCULATION SPACE AROUND BEDS

- The GPOs/light switches/phone outlets/TV outlets and other fittings/fixtures are installed in accordance with the specifications of AS1428.1-2009 Clause 14 *Switches and general purpose outlets* (power points).
- Ground level car parking is proposed with capable of one accessible (Disabled) space (capable of as with less than 6 spaces the accessible does not require allocation/signing) allocated complying with NCC-2019 Part D3.5 *Accessible carparking* (d).
 - Allocated accessible car parking space for visitor/residential which is technically and feature designed to comply with the AS2890.6-2009 *Parking facilities-Off street parking for people with disability* with “Shared area” having an “Other suitable use” as the walkway to the disabled access ramp/motorcycle/bike space.

