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APPROVALS GROUP PTY LTD

Access Report

Project Description: Erection of a Childcare Centre

Project Address: 170 Derby Street, Penrith

Ref: 20/0429

Rev: 3

Date: 22nd December 2020

Prepared for: Montessori Academy Pty Ltd

Prepared by: Jazmyn Stol



Report

Report Type: Review for Development Approval; - BCA Access Provisions
Development: 170 Derby Street, Penrith NSW

Introduction:

This report has been prepared to accompany a Development Approval and has been based on the following drawings prepared by Cullen Feng Architects; Dated: 15/10/2020

- SK31B
- SK38
- SK40
- SK41

Limitations and Copyright information:

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

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

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

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

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

A report issued for CC (construction certificate application).

1. Introduction

- 1.1 This report considers the implications of Disability Discrimination legislation and associated technical guidance with regard to the childcare centre to be located at 170 Derby Street, Penrith
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- 1.2 The proposal provides for the development of a Childcare Centre, with basement parking.
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- 1.3 This report has focused on the technical issues affecting the scheme proposal provided with the aim of optimising access to the facilities offered. General advice on broader matters under the DDA will also be highlighted.
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- 1.4 Layout plans have been assessed and comments pertaining to those plans are included in this report. The list of drawings assessed are noted in Appendix

2. Executive Summary/Non-compliances

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

D3.3	<p>Entry ramps required 1500mm x 1500mm landing for a wheelchair user to make 90 degree turns</p> <p>Complies</p> <p>Door at lobby area leading to corridor near class rooms on GF requires 530mm latch side clearance when entering from lobby</p> <p>Complies</p>
D3.4	<p>Staff only areas and facilities will be exempt from complying with AS 1428.1, as staff will be required to be able-bodied to care for children within the facility.</p> <p>Note</p>
D3.5	<p>Basement height above accessible parking space and shared zones to be a minimum of 2.5m.</p> <p>Confirmation provided, complies</p>

3. Works to be undertaken

- 3.1 This is a new development with ample opportunity for the provision of a fully compliant and accessible development.
- 3.2 The location and proposal provide scope for good access, being located close to public transport links and the potential for drop off and pick up points for people with disabilities. There do not appear to be any physical constraints to the site so as to pose any substantial barriers to achieving full compliance for access for people with disabilities
- 3.3 Careful consideration is to be given to the surface levels, transitions, signage etc to provide complying, fair and equitable access to the development for PWD to ensure works included in this development do not disadvantage PWD access. Detailed consideration should be given to the wayfinding and signage strategy.
- 3.4 Under the Building Code of Australia (BCA), any works requiring building approval/consent would need to comply with the relevant requirements of the Code or associated Australian Standard. In this respect the new work controlled by the BCA should be designed and constructed to current accessible standards.
- 3.5 However as will be explained below, the broader requirements of the Disability Discrimination Act (DDA) will require the owner and end-user to consider holistically the equitable access to **all** the areas provided within the facility, with exception of the areas excluded under D3.4 of BCA 2019. The areas to which access is excluded by BCA Part D3.4 include those areas to which the provision of access for PWD would not be reasonable due to the risk or would be deemed inappropriate such access would pose. For example, maintenance platforms, electrical switchboards, maintenance installations and in this case, staff areas.
- 3.6 The requirements of the Building Code of Australia Volume 1 (BCA 2019) and related AS1428.1-2009 are to be adopted in the construction. In this respect, the assessment of the scheme has been considered against these provisions, which predominantly correlate with the new Access to Premises Standards.
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4. Technical Compliance with BCA and Australian Standards

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

6.1	Both the State and Federal Disability Discrimination Acts (DDA) have the same broad objectives, which is to remove the discrimination faced by people with disabilities.
6.2	The DDA seeks that anyone offering a service ensures that the service is available on an equitable basis.
6.3	When considering the service all aspects of service provision should be considered, including: <ul style="list-style-type: none"> a. Physical accessibility b. Management of facilities c. Access to services d. Equitable treatment of employees
6.4	The term disability is very broad indeed and as such will cover many in the community. It includes: <ul style="list-style-type: none"> • Physical disability • Physical illness or disease that makes, or has made, any part of the body or brain work differently • Mental or psychiatric disability (including behavioural disorder) • Intellectual disability • Learning difficulty • Disfigurement or different formation of any part of the body • Any organism in the body that could cause disease or illness (e.g. hepatitis or HIV)
6.5	Therefore, whilst compliance with relevant technical standards such as the BCA and AS1428 is important, the need to consider holistic issues that affect <u>all</u> potential occupants is extremely important.
6.6	Whilst this report does focus on the proposed works it is imperative the developer consider its broader obligations, as discrimination is likely to be faced by members of the public and employees attempting to access other parts of the site.
6.7	Examples that should be considered holistically include: <ul style="list-style-type: none"> • Suitable access routes in and around the building, considering both horizontal and vertical circulation • Strategic location of car parking and drop off points • Signage and wayfinding strategies • Considering key safety features relating to accessibility • Access to the various retail and services offered, and not just physical access • Safe evacuation of all people (including persons with disabilities) from key buildings in an emergency
6.8	Implications of the DDA to the Proposals: The DDA therefore would require greater onus to consider access to the proposed works, but also how this will integrate with the existing infrastructure networks and the facility as a whole.
6.9	The development should be technically compliant based on the information provided for this assessment. The DDA would seek that the integration of this facility with other adjoining facilities and services is carefully considered. Additionally, access to the development via all transport links is important.
6.10	Appendix B provides some additional generic design guidelines that may provide assistance in the assessment of the scheme.

6.11	<p>Several matters are raised for careful consideration, with regard to the broader obligations noted in the previous paragraphs in addition to the items identified in Sections 3.4 and 3.5 of this report:</p> <ul style="list-style-type: none"> a. A drop off bay for the facility, along with an associated kerb ramp, would be beneficial, for those who may arrive in a car or Taxi. b. Where specialist facilities are provided, all facilities available for use should be accessible. These should meet the broader design criteria in AS1428.2 and allow for people to use in both the standing and seated positions. c. The effective use of luminance contrast between key elements (wall to floor and doors/gates to their background, columns in the main circulation areas) will assist people with vision impairments. d. Avoiding too many hard surfaces – which can create reverberation – this can present significant problems for people with hearing impairments. e. The effective use of lighting will assist users with both vision and hearing impairments. Avoiding pools of light and shadow is also important. Hearing impaired people often lip-read to supplement what they can hear, so being able to see a person's face is important.
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7. Key Conclusions

7.1	<p>Achieving full compliance with the requirements of the BCA and Australian Standards with respect to the provision of equitable access and facilities for people with a disability has been achieved or can be achieved through further detailed design development.</p> <p>Addressing the technical issues noted in section 2.4 of this report should result in a “technically compliant” scheme meeting current BCA requirements. Integrating the elements noted under paragraph 6.11 will also assist in meeting the principles of the DDA when considering this proposal.</p>
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Appendix A – Reference Material

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

Organisations:

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

Appendix B – Revisions to Report

Ref.	Revision	Date
20/0429	V1 – Draft	07/09/20
20/0429	V2 – Final	22/10/20
20/0429	V3 – Updated Plans	22/10/20