



Access Capability Statement

BCA 2019 (Amendment 1)

**Project Address: 67 Pioneer Rd and 28 Bramsen St
Bellambi**

Client: McIntosh & Phelps

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REPORT REVISION HISTORY

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		Prepared by	Verified by
		Daniel Wong	Daniel Wong
		<i>Snr Access Consultant</i>	<i>Snr Access Consultant</i>
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		Prepared by	Verified by
		Daniel Wong	Daniel Wong
		<i>Snr Access Consultant</i>	<i>Snr Access Consultant</i>

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1. INTRODUCTION

1.1. General

This report has been prepared, on behalf of McIntosh & Phelps Pty Ltd, to establish the capability of the proposed development to comply with the access requirements of the Building Code of Australia 2019 Amendment 1 (hereafter referred to as the BCA), the Disability (Access to Premises - Buildings) Standards 2010 (hereafter referred to as the Premises Standards 2010), the Adaptable Housing requirements of Australian Standard AS4299-1995 Adaptable Housing, and relevant Australian Acts and Regulations and Standards.

We have reviewed the proposed building works identified on the plans referred to below and provide the following description and statements.¹

1.2. Report Basis

This report is based on:

1. Environmental Planning and Assessment Act 1979.
2. Environmental Planning and Assessment Regulation 2000.
3. Disability (Access to Premises – Buildings) Standards 2010.
4. The Building Code of Australia 2019, amendment 1, inclusive of NSW variations (See Note 1).
5. Australian Standards, as referenced within the BCA:
 - Australian Standard AS1428.1-2009 - Design for access and mobility Part 1: General requirements for access - New building work.
 - Australian Standard AS/NZS 2890.6-2009 Parking Facilities Part 6: Off-street parking for people with disabilities.
 - Australian Standard AS/NZS 1428.4.1:2009 Design for access and mobility Part 4.1: Means to assist the orientation of people with vision impairment – Tactile ground surface indicators.
 - Australian Standard AS1735.12-1999 Lifts, escalators and moving walks Part 12: Facilities for persons with disabilities.
6. Australian Standard AS4299-1995 Adaptable Housing.
7. Architectural plans prepared by McIntosh & Phelps, as listed in Appendix 1.

1.3. Building Description

The development, the subject of this report, is for a proposed residential flat building with a minimum yield of 18 dwellings.

The property is situated within the local government area of Wollongong City Council.

Classification (A6)

The proposed building consists of:

Class	Use	Levels
2	Residential units	Ground to Level 2

2. 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.

3. LIVABLE UNIT REQUIREMENTS

The proposed development is 2 storeys and contains more than four (4) dwellings, and it is our understanding that this development does not fall under the requirements within the SEPP65 written instrument (Clause 4) and is not required to comply with the ADG for Livable Housing.

4. ADAPTABLE UNIT REQUIREMENTS

Clause 6.15.2.1 of the Wollongong DCP requires at least 10% of proposed dwellings to be adaptable as defined by AS4299-1995.

Adaptable units are to incorporate all essential features specified for Class C types as outlined in Table 6.1. The Design Development documentation does not include pre- and post-adaptable layouts, these will be required to obtain compliance with Performance Requirement 2.3 of AS4299-1995.

5. ACCESSIBLE AND ADAPTABLE CARPARKING

One (1) adaptable car space is required for each adaptable unit to satisfy Clause 3.7.2 of AS4299-1995, being the only essential carparking feature required for Class C adaptable housing developments. The designated accessible car space should have minimum dimensions of 6.0m x 3.8m. Compliance with AS2890.6:2009 is also considered acceptable.

The proposed development provides 2 accessible car spaces to AS2890.6 dimensions with a shared area, in-lieu of AS4299 requirements. There are no accessible visitor spaces, as this is not required by either AS4299 nor the BCA within a Class 2 development.

6. ACCESS COMPLIANCE CAPABILITY

This assessment considers the accessibility requirements of the BCA, specifically Clauses E3.6, F2.4 and Parts D3.

6.1. BCA Interpretation

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

- Movable furniture has not been considered as part of this assessment, except in the Adaptable units.

6.2. Access for People with a Disability

The following provides an assessment of the documentation listed within Appendix 1 against the requirements of the BCA and relevant standards, the status of each clause is based upon the definitions below:

Status	Definition
Not applicable	<i>The Deemed-to-Satisfy clause is not applicable to the proposed design</i>
Complies	<i>The work, if completed in accordance with the plans and specifications identified in Schedule 1, complies with the Deemed-to-Satisfy requirements of the BCA</i>
Capable of complying	<i>It is considered that there was not enough information included within the documentation to accurately determine strict compliance with the individual clause requirements. However, subject to noting the requirements of each clause, compliance can be readily achieved</i>
Further information required	<i>Further Information is necessary to determine the compliance potential of the building design</i>
Performance solution	<i>A performance-based approach is proposed, for which a separate Performance Solution Report will be required to demonstrate compliance with the relevant Performance Requirements</i>
Does not comply	<i>Design modification or a performance solution will be required to comply with the requirements of this clause</i>
Note	<i>The BCA clause has no action and simply provides a statement.</i>

BCA Clause	Title	Assessment and Comment	Status
Disability (Access to Premises – Buildings) Standard 2010	Continuous accessible path of travel	Access is provided from the pedestrian entry at the street boundary to the building's entrance and from the accessible parking bays, to the doorways of all SOU's on the ground floor and areas used in common by all occupants. Access is not required to the SOU's on the first floor as this building is not served by a lift.	Capable of Complying
D3.1 DP1	General building access requirements	In accordance with Table D3.1, access is to be available in the following areas; Class 2 Apartments To and within not less than one (1) type of room or space for use in common by residents or guests and to the entrance doorway of each apartment on the ground floor, in accordance with table D3.1 of the BCA.	Capable of Complying
D3.2 DP1	Access to buildings	An accessway has been provided from the main points of a pedestrian entry at the allotment boundary and from the required accessible carparking spaces on the allotment. Ensure construction documentation details a level transition or kerb ramp between accessible car spaces and pedestrian accessway (walkway).	Capable of Complying
D3.3 DP1/DP2	Parts of building to be accessible	The development provides access paths connecting ground floor units to the street boundary, bin area and letter boxes, an external walkway connecting units, car parking and lobbies, internal common staircases to the first floor units. One internal ramp is provided to connect two landings within an internal lobby. At some lobbies, a performance solution is sought to provide a domed button to AS1428.2 in-lieu of the horizontal bottom handrail extension to staircases, as these extensions encroach into the wheelchair turnaround space. Ensure at construction certificate that all ramps and stairs are documented to demonstrate compliance to AS1428.1:2009.	Capable of complying Performance solution
D3.4 DP1/DP2	Exemptions	Areas deemed inappropriate because of the particular purpose of its intended use or posing health or safety risks for people with a disability,	Note

BCA Clause	Title	Assessment and Comment	Status
		<p>and any path of travel only to these areas, are not required to be accessible.</p> <ul style="list-style-type: none"> The development does not currently include any exempt areas. 	
D3.5 DP1/DP8	Car parking	<p>A total of 2 adaptable car spaces are required, and 2 car spaces have been provided to comply with the dimensions stipulated by AS2890.6. Ensure at construction certificate that a minimum overhead clearance of 2.5m is provided over the accessible car spaces and shared area. It is noted that in private car parking areas, the universal logo of accessibility floor marking is not required.</p>	Capable of complying
D3.8	Tactile ground surface indicators	<p>Tactile ground surface indicators (TGSIs) are required at all stairs, ramps.</p> <p>TGSIs are required at the principle entrance where the accessway meets the vehicular way.</p> <p>TGSIs have been shown to step ramps, TGSIs are not required for step/kerb ramps.</p> <p>TGSIs are to be documented to the applicable stairs and ramps and are required to comply with sections 1 and 2 of AS/NZS 1428.4.1-2009.</p> <p>Construction documentation should demonstrate compliance.</p>	Capable of complying
D3.12	Glazing on an accessway	<p>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 1428.1-2009.</p> <p>Full height glazed panels and doors throughout the building will require compliant visual indicators, specified in accordance with the requirements of Clause 6.6 of AS1428.1-2009. Construction documentation should demonstrate compliance.</p>	Capable of complying
E3.6 DP1	Passenger lifts	No passenger lifts were provided in this proposed development.	N/A

BCA Clause	Title	Assessment and Comment	Status
F2.4 FP2.1 FV2.1	Accessible sanitary facilities	There are no sanitary facilities in the common areas, thus accessible unisex sanitary facilities are not required to be provided.	N/A

7. ADAPTABLE HOUSING

A total of 2 adaptable units have been provided and incorporate the features as outlined below. The current DA documentation does not include pre- and post-adaptation plans.

The development proposes a design for the adaptable units to be built with the post-adaptation layout and was provided with the circulation requirements of a Class C Adaptable Unit in compliance with AS4299-1995.

7.1. Table 7.1 – Schedule 3 of AS4299 : essential features for adaptable housing Class C

Clause	Requirement	Assessment and Comment	Status
Drawings			
1	As built drawings showing the pre-adaptation and post adaptation layouts.	Only post adaptation layout plans have been provided. Ensure at construction certificate that pre- and post-adaptation plans are provided.	Capable of complying
Siting Standards			
3	A continuous accessible path of travel in accordance with AS1428.1 is required from the street frontage and vehicle parking to the entrance doorways of adaptable units.	An accessway from the primary principal entrance from the street frontage has been provided. An accessway from the accessible parking spaces to the building has been provided. Details shall be included in the construction certificate documentation.	Capable of Complying
Private Car Accommodation			
3.7	Car spaces shall have a minimum area of 6.0m x 3.8m.	Accessible car spaces are provided in accordance with AS/NZS2980.6-2009 in-lieu of AS4299.	Capable of complying

Clause	Requirement	Assessment and Comment	Status
SECTION 4 – DESIGN OF THE HOUSING UNIT			
4.1 - 4.11	Pre and post adaptation plans shall demonstrate compliance with the circulation spaces and amenities within the housing unit complies with the requirements of CI4.1 - 4.11.	The layout plan depicts the intended built layout which will comply with post adaptation circulation spaces. Ensure at construction certificate to provide both pre- and post-adaptation plans with details to demonstrate compliance with post adaptation requirements.	Capable of compliance
4.4	Provision shall be made for the bathroom to comply with AS1428.1.	<p>The provided layout is capable of achieving the required circulation spaces.</p> <p>Note: The WC circulation space shall be clear of the folded shower seat.</p> <p>(Details should be included within the post-adaptation plans during construction documentation to demonstrate full compliance with AS1428.1)</p>	Capable of compliance
4.5	Kitchen layout details	<p>The provided layout is capable of achieving the required circulation spaces. A worktop is required next to the sink, cooktop and oven.</p> <p>Note: Details of joinery and appliances should be included within the pre- and post-adaptation construction certificate documentation, to demonstrate the adaptation of base cabinets to achieve wheelchair space under the sink, cooktop and worktops..</p>	Capable of compliance
4.6	At least one bedroom within each dwelling must have an area sufficient to accommodate a wardrobe and a queen-size bed and circulation space requirements of AS1428.2.	The provided layout is capable of achieving the required circulation spaces.	Capable of Complying

8. CONCLUSION

The design as proposed is capable of complying with the BCA, Class C accessibility requirements within AS4299-1995 which will satisfy Council's DCP for adaptable housing. The design will be subject construction documentation and provision of pre- and post-adaption plans, which will provide appropriate details to demonstrate compliance.

1 Exclusions and Limitations

1. This report has been prepared by City Plan for McIntosh & Phelps and may only be used and relied on by McIntosh & Phelps for the purpose agreed between City Plan and McIntosh & Phelps, as set out in this report.
2. City Plan otherwise disclaims responsibility to any person other than McIntosh & Phelps arising in connection with this report. City Plan also excludes implied warranties and conditions, to the extent legally permissible.
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4. The services undertaken by City Plan in connection with preparing this report are limited to those specifically detailed within the report and subject to scope limitations as set out in the report but specifically exclude:
 - | •Structural design in any form or content.
 - | •The Disability Discrimination Act 1992.
 - | •Disability (Access to Premises – Building) Standards 2010.
 - | •The existing level of Building Code of Australia compliance unless specifically identified within this report.
 - | •The operational capabilities or compliance of any existing services installed within the building.
 - | •Assessment of any existing Performance Solutions, including Fire Safety, addressing compliance with the Performance Requirements of the BCA.
5. This report is not a Part 4A compliance certificate under the Environmental Planning & Assessment Act 1979 or Regulation 2000.
6. The opinions, conclusions and any recommendations within this report are based on conditions encountered and information reviewed at the date of preparation of the report. City Plan has no responsibility or obligation to update this report to account for events or changes occurring after the date that the report was prepared.
7. The methodologies adopted within this report specifically relate to the subject building and must not be used for any other purpose.
8. City Plan has prepared this report based on information provided by others, including but not limited to Architectural Plans and Annual Fire Safety Statements. City Plan was directed by McIntosh & Phelps to list a specified set of Final Plan, Revisions No's and date for the final report and DA submission, as outlined in Appendix 1 of this report. City Plan has not reviewed, sighted, verified or checked the final plan set of referenced plans and accepts no liability in connection with such unverified information, including errors and omissions or changes to the plans which impact the outcome of the report.

APPENDIX 1

Assessed plans prepared by McIntosh & Phelps:

Table 1

Plan Title	Drawing No	Revision	Date
SITE PLAN	A005	1	24/01/22
FLOOR PLAN –GROUND FLOOR	A101	1	09/02/22
FLOOR PLAN – LEVEL 1	A102	1	06/12/21
ROOF PLAN	A103	1	06/12/21
ELEVATIONS – BRAMSEN ST AND PIONEER RD	A201	1	06/12/21
ELEVATIONS AND SECTIONS	A202	1	06/12/21
ELEVATIONS AND SECTIONS	A203	1	06/12/21
STREETSCAPE ELEVATIONS	A204	1	09/02/22