

03 April 2025

Our Ref: SYD224_109-5 (ACCESS) RT

NSW Department of Education
C/- RP Infrastructure
Sent via Email

ACCESSIBILITY CAPABILITY STATEMENT FOR REF LODGEMENT PROJECT NAME: MILTON PUBLIC SCHOOL UPGRADE 9 THOMAS STREET, MILTON NSW 2538

1. INTRODUCTION

This Accessibility Capability Statement has been prepared to support a Review of Environmental Factors (REF) for the NSW Department of Education (DoE) for Milton Public School upgrade (the activity).

The purpose of the REF is to assess the potential environmental impacts of the activity prescribed by State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP) as “development permitted without consent” on land carried out by or on behalf of a public authority under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The activity is to be undertaken pursuant to Chapter 3, Part 3.4, Section 3.37 of the T&I SEPP.

This document has been prepared in accordance with the Guidelines for Division 5.1 assessments (the Guidelines) by the Department of Planning, Housing and Infrastructure (DPHI) as well as the Addendum Division 5.1 guidelines for schools.

The site is located at 9 Thomas Street, Milton, NSW, 2538 (the site), and has an approximate site area of 4ha. The site is legally referred to as Lot 1 in Deposited Plan 861814 and is within the Shoalhaven Local Government Area (LGA). An aerial photograph of the site is provided at Figure 1.

The site is zoned SP2 Educational Establishment and existing development comprises various buildings, sports facilities and play space associated with Milton Public School. Milton Public School currently comprises 24 permanent teaching spaces (PTS) and 12 demountable teaching spaces (DTS). The site contains two local heritage listed buildings (Building A and Q). The site is predominantly cleared of vegetation; however, there is existing vegetation interspersed throughout the site and significant trees are present along the northern and western boundary of the site. There is a gradual slope downwards from the south-east to the north-east. of the site.

The site is an irregularly shaped lot with a narrow frontage along Thomas Street. Pedestrian and vehicular access is provided to Thomas Street. Milton Public School is surrounded by low density residential properties to the south, west and east whilst Milton Rainforest Reserve is located to the north.



Figure 1 Aerial Photograph [Source: Urbis, January, 2024]

2. BACKGROUND

DC Partnership has been engaged to provide building regulatory advice regarding the compliance status of the proposed development when assessed against the relevant prescriptive requirements as contained within the Building Code of Australia (BCA) 2022 – Volume 1, including the Part D4 Access for People with a Disability, Parts E3D7 and E3D8 Passenger Lifts, Parts F4D5, F4D6, F4D7 Accessible Sanitary Facilities and Part F4D12 Accessible adult change facilities as applicable to this development.

The proposed activity relates to upgrades to Milton Public School. Specifically, the proposed activity comprises the following:

- Construction of a new two-storey home base building.
- Installation of solar panels.
- Relocation of existing cricket nets to eastern boundary of site.
- Construction of new stairs and covered walkways linking new building to existing school.
- Construction of new fencing.
- Construction of new hardstand area.
- Minor alterations to the existing staff car park.
- Tree removal.
- External landscape works.

Any works relating to demountables will proceed via a separate planning pathway.

The proposed activity will not increase student numbers at the school. Figure 2 provides an extract of the proposed site plan.

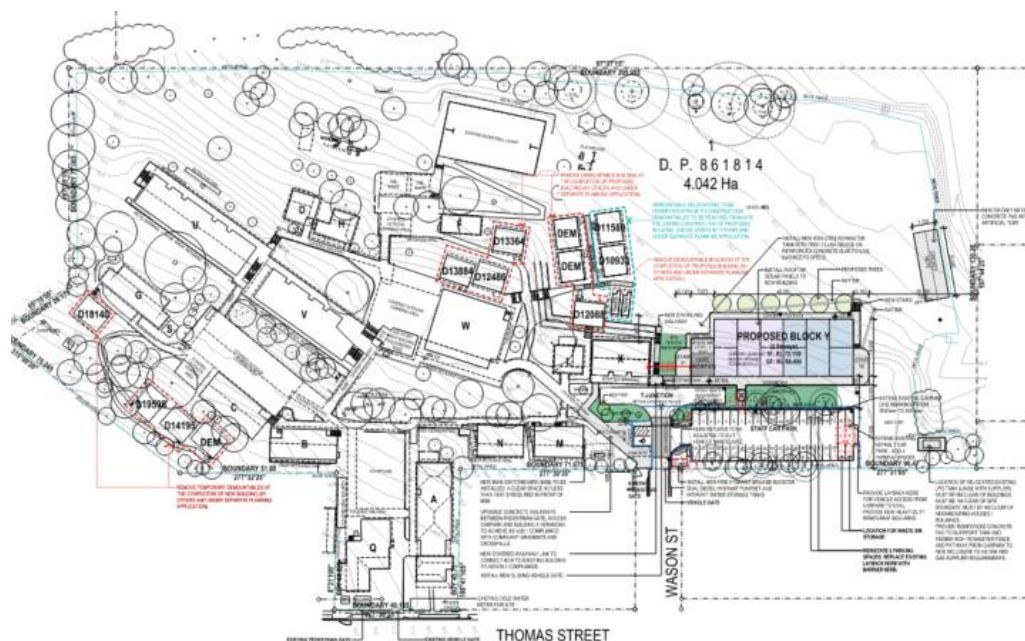


Figure 2 Site Plan [Source: Fulton Trotter, 2025]

This correspondence has been provided to assist with development of the REF submission along with schematic design documentation. A broad assessment has been undertaken of the proposed design as detailed within the documentation listed in **Appendix 1**.

The advice being provided to date has been in the context of the following—

- Building Code of Australia (BCA) 2022 – Volume 1;

- AS1428.1-2009 Design for access and mobility Part 1: General requirements for access – New building work;
- AS1428.4.1-2009 Means to assist the orientation of people with a vision impairment – Tactile Ground Surface Indicators;
- AS1735.12-1999 Lifts, escalators and moving walks: Part 12 Facilities for persons with disabilities;
- AA2890.6:2009 Accessible parking.

3. ASSESSMENT

In the context of this report and the BCA the proposed building use can be described as follows—

Table 1 – Building Classification

STOREY	CLASSIFICATION	DESCRIPTION
Ground, Level 1	Class 9b	Assembly buildings / School

In addition to undertaking a detailed assessment of the design against the prescriptive requirements of the BCA a preliminary performance-based assessment has also been undertaken.

The implementation of a performance-based approach in lieu of compliance with the deemed-to-satisfy (DtS) provisions of the BCA shall be disclosed to the relevant stakeholders and is subject to the approval of the certifying authority.

The **Table 2** below lists scenarios where we believe the adoption of a performance design may add value to development in-lieu of complying with the prescriptive (DtS) provisions—

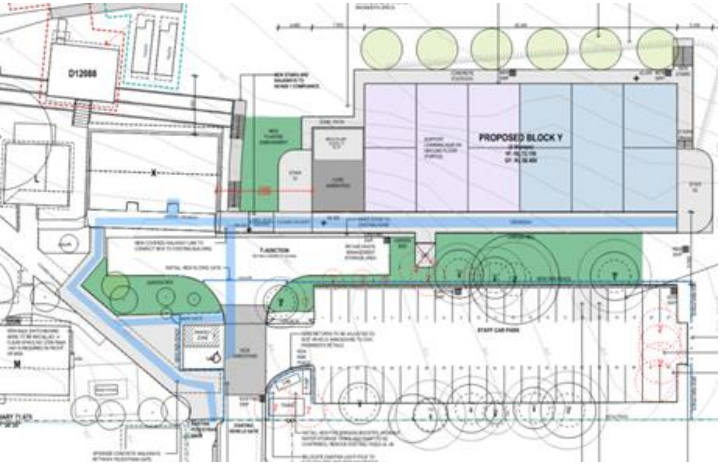
Table 2 – Performance Solutions

ITEM	PROPOSED PERFORMANCE SOLUTION	BCA DtS CLAUSE	PERFORMANCE REQUIREMENT
1.	Accessway from pedestrian entrance at Thomas Street along the allotment boundary to the new building entrance with existing AS1428.1 shortfalls will not be an accessible entrance. Directional signage will be required to direct pedestrians to the upgraded accessible entrance.	D4D3	D4P1 & D4P2
2.	Staff only accessible and ambulant facilities not available within the new Block Y.	F4D5, F4D6	F4P1

Table 3 below outlines the relevant accessibility measures that will be provided as part of the development such that compliance with the BCA is achieved, specifically with Part D4 Access for People with a Disability, Parts E3D7 and E3D8 Passenger Lifts, Parts F4D5, F4D6, F4D7 Accessible Sanitary Facilities and Part F4D12 Accessible adult change facilities.

Table 3 – Accessibility Measures

BCA CLAUSE	STATUTORY REQUIREMENT	ASSESSMENT
General building access requirements Clause D4D2	Buildings and parts of buildings must be accessible as required by this clause, unless exempted by D4D5. Class 9b Access is required to and within all areas normally used by the occupants.	Capable of compliance, Subject to design detail being developed (door schedule, internal finishes, ramp and stairway details and etc.).
Access to buildings Clause D4D3 (1)	An accessway must be provided to a building required to be accessible— a) from the main points of a pedestrian entry at the allotment boundary; and b) from another accessible building connected by a pedestrian link; and c) from any required accessible carparking space on the allotment.	This is a BCA requirement for the proposed new 2 storey building only. There have been two pedestrian entrances along the allotment boundary identified. The principle student entrance approached along Thomas Street and the alternate school entrance via Wason Street that is close to the vehicle entry to the accessible carparking spaces. The existing accessible path of travel from the principle student entrance to the new building is known to have non-compliances with AS1428.1. These will be addressed by a Performance Solution given the schools system currently in place has vehicle drops off located within the boundary and the accessway from

BCA CLAUSE	STATUTORY REQUIREMENT	ASSESSMENT
		the accessible carspace to the new building will be compliant with AS1428.1. In addition the path from Wason Street pedestrian entrance may require modifications to bring up to current AS1428.1 standards. Further details will be required to support the Performance Solution Report including transport options both school services and external services. An accessway is to be provided between the new Building and the nearest accessible building being Building X by a compliant AS1428.1 accessway. The existing slope that does not appear to comply should be upgraded within the scope of works. An accessway is required from the upgraded existing accessible carspace located near the new building, to the entrance doors of the new building compliant with AS1428.1. Details to be confirmed in detailed design documentation. Where any barriers/gates are provided along the accessible path of travel, these should be compliant with AS1428.1 door circulation clearances and be accessible at all times. The accessible carparking space shall comply with AS2890.6:2009 and all gradients to be confirmed to ensure compliance.
Access to buildings Clause D4D3 (2)	In a building required to be accessible, an accessway must be provided through the principal pedestrian entrance, and— - through not less than 50% of all pedestrian entrances including the principal pedestrian entrance; and - in a building with a total floor area more than 500 m², a pedestrian entrance which is not accessible must not be located more than 50 m from an accessible pedestrian entrance, except for pedestrian entrances serving only areas exempted by D4D5.	Each entrance into the GLA's are to be accessible at Ground Floor for the proposed Building. A lift is provided to Level 1 entrance doors. Further details to be provided with detailed design documentation.
Access to buildings Clause D4D3 (3)	Where a pedestrian entrance required to be accessible has multiple doorways— - if the pedestrian entrance consists of not more than 3 doorways — not less than 1 of those doorways must be accessible; and - if a pedestrian entrance consists of more than 3 doorways — not less than 50% of those doorways must be accessible.	Not Applicable
Access to buildings Clause D4D3 (4)	For the purposes of Clause D4D3 (3), an accessible pedestrian entrance with multiple	Not Applicable

BCA CLAUSE	STATUTORY REQUIREMENT	ASSESSMENT
	doorways is considered to be one pedestrian entrance where— a) all doorways serve the same part or parts of the building; and b) the distance between each doorway is not more than the width of the widest doorway at that pedestrian entrance (see Figure D4D3); and For the purposes of Clause D4D3 (3), a doorway is considered to be the clear, unobstructed opening created by the opening of one or more door leaves (see Figure D4D3).	
Access to buildings Clause D4D3 (5)	Where a doorway on an accessway has multiple leaves, (except an automatic opening door) one of those leaves must have a clear opening width of not less than 850 mm in accordance with AS 1428.1.	Typically doors shown as single leaf and are to have a minimum 850mm clear width door opening however where double doors provided, the active leaf is capable of achieving a minimum 850mm effective width clearance.
Parts of building to be accessible Clause D4D4 (a)	In a building required to be accessible, every ramp and stairway, except for ramps and stairways in areas exempted by D4D5, must comply with— a) for a ramp, except a fire-isolated ramp, clause 10 of AS 1428.1; and b) for a stairway, except a fire-isolated stairway, clause 11 of AS 1428.1; and c) for a fire-isolated stairway, clause 11.1(f) and (g) of AS 1428.1.	Walkways, stairs and ramps along the required accessways to the new Building are to comply with AS1428.1. Detailed design documentation to shown gradients to meet AS1428.1.
Parts of building to be accessible Clause D4D4 (b)	In a building required to be accessible, every passenger lift must comply with E3D7 and E3D8.	(refer to Passenger Lifts section below)
Parts of building to be accessible Clause D4D4 (c)	In a building required to be accessible, accessways must have— a) passing spaces complying with AS 1428.1 at maximum 20 m intervals on those parts of an accessway where a direct line of sight is not available; and b) turning spaces complying with AS 1428.1— i. within 2 m of the end of accessways where it is not possible to continue travelling along the accessway; and ii. at maximum 20 m intervals along the accessway.	Network of required accessways to satisfy Clause D4D3 above are to be confirmed with detailed site documentation and pathways to be checked for compliance with this clause and AS1428.1. Edges of walkways to comply with Clause 10.2 of AS1428.1.
Parts of building to be accessible Clause D4D4 (f)	In a building required to be accessible, a ramp complying with AS 1428.1 or a passenger lift need not be provided to serve a storey or level other than the entrance storey in a Class 5, 6, 7b or 8 building— a) containing not more than 3 storeys; and	Not Applicable

BCA CLAUSE	STATUTORY REQUIREMENT	ASSESSMENT
	b) with a floor area for each storey, excluding the entrance storey, of not more than 200 m ²	
Exemptions Clause D4D5	The following areas are not required to be accessible: a) An area where access would be inappropriate because of the particular purpose for which the area is used. b) An area that would pose a health or safety risk for people with a disability. c) Any path of travel providing access only to an area exempted by (a) or (b). The following rooms / areas and associated accessways have been afforded the concession under D4D5 based on the health or safety risk and therefore access for people with disabilities need not be provided to these areas – a) Plant and equipment rooms; b) Servers meters; c) Cleaners rooms; d) Storage rooms etc.	Written confirmation at CC stage required from client confirming areas to be considered under D4D5 exemptions.
Accessible carparking Clause D4D6 (1)	Accessible carparking spaces— a) subject to (b), must be provided in accordance with Clause D4D6 (2) 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; and b) need not be provided in a Class 7a building or a carparking area where a parking service is provided and direct access to any of the carparking spaces is not available to the public; and c) subject to (d), must comply with AS/NZS 2890.6; and d) need not be identified with signage where there is a total of not more than 5 carparking spaces, so as to restrict the use of the carparking space only for people with a disability. For each Class of building to which the carpark or carparking area is associated, the number of accessible carparking spaces required is as follows: Class 9b For a school — 1 accessible space for every 100 carparking spaces or part thereof.	Originally there were two (2) existing accessible carspaces identified within the carpark however one of those spaces will become a shared space in order to provide one compliant accessible carspace. The accessible carspace is to meet AS2890.6:2009. A bollard is required within the shared space. As alterations are proposed to the accessible carspace area, upgrade works are required to ensure the accessway from the accessible carspace to the new building satisfies Clause D4D3 of the BCA. Gates are to be compliant with AS1428.1.
Signage	Signage in accordance with this clause and details within AS1428.1 are to be provided to identify sanitary facilities, hearing	The building is capable of achieving compliance with this clause.

BCA CLAUSE	STATUTORY REQUIREMENT	ASSESSMENT
Clause D4D7 and Specification 15	augmentation, non-accessible pedestrian entrances, directional signage and exit levels, where applicable.	Signage package to be submitted with detailed design documentation in accordance with this clause, Specification 15 and AS1428.1.
Hearing Augmentation Clause D4D8	As design progresses, consideration shall be given to the hearing augmentation provisions. A hearing augmentation system must be provided where an inbuilt amplification system, other than one used only for emergency warning, is installed— - in a room in a Class 9b building; or - in an auditorium, conference room, meeting room or room for judicatory purposes; or - at any ticket office, teller's booth, reception area or the like, where the public is screened from the service provider.	Where any AV is installed, compliance to be achieved with this clause. Confirmation of any inbuilt amplification system proposed to the new building to be confirmed in due course.
Tactile indicators Clause D4D9 (1)	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, other than a fire-isolated stairway; and - a ramp other than a fire-isolated ramp, step ramp, kerb ramp or swimming pool ramp; and - in the absence of a suitable barrier— - an overhead obstruction less than 2 m above floor level, other than a doorway; and - an accessway meeting a vehicular way adjacent to any pedestrian entrance to a building, excluding a pedestrian entrance serving an area referred to in D4D5, if there is no kerb or kerb ramp at that point, except for areas exempted by D4D5.	Further details of tactile indicators to be submitted with detailed design documentation in accordance with this clause.
Tactile indicators Clause D4D9 (2)	Tactile ground surface indicators required by (1) must comply with sections 1 and 2 of AS/NZS 1428.4.1.	The building is capable of achieving compliance with this clause.
Ramps Clause D4D12	On an accessway— - a series of connected ramps must not have a combined vertical rise of more than 3.6 m; and - a landing for a step ramp must not overlap a landing for another step ramp or ramp.	The building is capable of achieving compliance with this clause.
Glazing on accessways 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	Further details of glazing decals to be submitted with detailed design documentation in accordance with this clause.

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	being mistaken for a doorway or opening, must be clearly marked in accordance with AS 1428.1.	
Passenger lifts Clause E3D7 & E3D8	Lifts to be designed and installed in accordance with E3D7 and E3D8 of the BCA and AS1735.12.	The building is capable of achieving compliance with this clause. Lift car details and specifications to be submitted with detailed design documentation in accordance with this clause.
Accessible sanitary facilities Clause F4D5	In a building required to be accessible— a) accessible unisex sanitary compartments must be provided in accessible parts of the building in accordance with F4D6; and b) accessible unisex showers must be provided in accordance with F4D7; and c) an accessible unisex sanitary compartment must contain a closet pan, washbasin, shelf or bench top and adequate means of disposal of sanitary products; and d) the circulation spaces, fixtures and fittings of all accessible sanitary facilities provided in accordance with F4D6 and F4D7 must comply with the requirements of AS 1428.1; and e) an accessible unisex sanitary facility must be located so that it can be entered without crossing an area reserved for one sex only; and f) where two or more of each type of accessible unisex sanitary facility are provided, the number of left and right-handed mirror image facilities must be provided as evenly as possible; and g) where male sanitary facilities are provided at a separate location to female sanitary facilities, accessible unisex sanitary facilities are only required at one of those locations; and h) an accessible unisex sanitary compartment or an accessible unisex shower need not be provided on a storey or level that is not required by D4D4(f) to be provided with a passenger lift or ramp complying with AS 1428.1.	Staff and Student sanitary amenities must be separate. An accessible staff facility has not been provided and will be justified within a Performance Solution. Equal number of LH & RH facilities are to be provided on each level/ throughout the building and shown on detailed design documentation.
Accessible unisex sanitary compartments Clause F4D6	Where required by F4D5(a), the minimum number of accessible unisex sanitary compartments for each class of building is as follows: Class 9 a) 1 on every storey containing sanitary compartments; and b) where a storey has more than 1 bank of sanitary compartments containing male	Students and staff can not share the same sanitary facilities. Detailed design drawings to show sanitary amenities for our review.

BCA CLAUSE	STATUTORY REQUIREMENT	ASSESSMENT
	and female sanitary compartments, at not less than 50% of those banks.	
Accessible unisex showers Clause F4D7	Where required by F4D5(b), the minimum number of accessible unisex showers for each class of building is as follows: Class 9 Where F4D4 requires 1 or more showers, not less than 1 for every 10 showers or part thereof.	Not Applicable Where facilities provided within detailed documents, these above minimum facilities will be reviewed from a DDA perspective.
Ambulant sanitary facilities Clause F4D5 (c)	At each bank of toilets where there is one or more toilets in addition to an accessible unisex sanitary compartment at that bank of toilets, not less than one sanitary compartment suitable for a person with an ambulant disability for use by males and one sanitary compartment suitable for a person with an ambulant disability for use by females, must be provided. Ambulant sanitary facilities shall be designed in accordance with Clause 16 of AS1428.1.	Two ambulant facilities are provided at the bank of student sanitary facilities. These will be identified as Male and Female student facilities and are capable of complying. Hand basin within door circulation clearances – refer to markups. A staff ambulant facility has not been provided and will form a part of the Performance Solution for sanitary facilities provided for staff in another accessible building.
Accessible adult change facilities Clause F4D12 (1)	One unisex accessible adult change facility must be provided in an accessible part of a— a) Class 6 building that is a shopping centre having a design occupancy of not less than 3,500 people, calculated on the basis of the floor area and containing a minimum of 2 sole-occupancy units; and b) Class 9b sports venue or the like that— i. has a design occupancy of not less than 35,000 spectators; or ii. contains a swimming pool that has a perimeter of not less than 70 m and that is required by D4D2 to be accessible; and c) museum, art gallery or the like having a design occupancy of not less than 1,500 patrons; and d) theatre or the like having a design occupancy of not less than 1,500 patrons; and e) passenger use area of an airport terminal building within an airport that accepts domestic and/or international flights that are public transport services as defined in the Disability Standards for Accessible Public Transport 2002.	Accessible adult change facilities are not required under the BCA however a facility has been provided on Ground Floor. Detailed design documentation to show compliance with this clause and Spec 27.
Accessible adult change facilities Clause F4D12 (2)	Accessible adult change facilities required by Clause F4D12 (1)— a) must be constructed in accordance with Specification 27; and b) cannot be combined with another sanitary compartment.	Accessible adult change facilities are not required under the BCA however a facility has been provided on Ground Floor. Detailed design documentation to show compliance with this clause and Spec 27.

4. SUMMARY

Based upon the information contained in the above tables, it can determine that the proposed new building is capable of achieving compliance with the relevant accessibility provisions of the BCA, subject to the comments provided above being incorporated into the design.

Compliance can be achieved either by meeting the deemed-to-satisfy requirements of the BCA, as are principally contained within Part D4 Access for People with a Disability, Parts E3D7 and E3D8 Passenger Lifts, Parts F4D5, F4D6, F4D7 Accessible Sanitary Facilities and Part F4D12 Accessible adult change facilities, or via a performance-based approach. The potential Performance Solution items may be seen as Mitigation Measures within the subject REF Submission and therefore have been summarised in Table 4 below.

Table 4 – Mitigation Measures

PROJECT STAGE DESIGN (D) CONSTRUCTION (C) OPERATION (O)	MITIGATION MEASURES	RELEVANT SECTION OF REPORT
D / C / O	A Performance Solution will be provided for the accessway from the pedestrian entrance at Thomas Street along the allotment boundary to the new building entrance that contains existing AS1428.1 shortfalls. The Wason Street pedestrian entrance will be required to be upgraded where any shortfalls with AS1428.1 occur.	D4D3
D	No accessible or ambulant sanitary facilities for staff within this building provided. To be addressed by clarifying existing staff facility operations within other parts of the school.	F4D5, F4D6
D / C	As alterations are proposed to the accessible carspace area, upgrade works are required to ensure the accessway from the accessible carspace to the new building satisfies Clause D4D3 of the BCA and AS1428.1.	D4D6 (1)
D	Prior to commencement of works, compliance with the applicable accessibility requirements is to be demonstrated in accordance with this Accessibility Statement.	NOTE

We trust that the above information is sufficient for the consent authority in assessing the merit of the architectural design from a planning perspective.

This statement should not be construed as relieving any other parties of their legislative or contractual obligations.

Kind regards,

Report by



Rachael Telling
Accessibility Consultant
For DC Partnership Pty Ltd

Verified By



John La Scala
Principal | Accessibility
For DC Partnership Pty Ltd

APPENDIX 2 - DOCUMENTATION PROVIDED FOR ASSESSMENT

This accessibility assessment was based upon the Consultants Coordination architectural documentation prepared by Fulton Trotter namely—

DRAWING NUMBER	REV	DRAWING TITLE	DATE
MPS-FTA-00-00-DR-A-1001	11	EXISTING & DEMOLITION SITE PLAN	03/04/2025
MPS-FTA-00-00-DR-A-1101	11	PROPOSED SITE PLAN	03/04/2025
MPS-FTA-00-00-DR-A-1201	09	SITE SECTIONS	03/04/2025
MPS-FTA-00-00-DR-A-1401	03	EXTERNAL WORKS PLAN	03/04/2025
MPS-FTA-B00Y-GF-DR-A-2101	12	PROPOSED GROUND FLOOR PLAN	03/04/2025
MPS-FTA-B00Y-L1-DR-A-2102	12	PROPOSED LEVEL 1 FLOOR PLAN	03/04/2025
MPS-FTA-B00Y-LR-DR-A-2103	11	PROPOSED ROOF PLAN	03/04/2025
MPS-FTA-B00Y-ZZ-DR-A-3201	06	PROPOSED ELEVATIONS	03/04/2025
MPS-FTA-B00Y-ZZ-DR-A-3202	06	PROPOSED ELEVATIONS	03/04/2025
MPS-FTA-B00Y-ZZ-DR-A-3301	06	PROPOSED SECTIONS	03/04/2025

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