

DEVELOPMENT APPLICATION ACCESSIBILITY REPORT

Project Name	River Street Community Precinct – Proposed Civic Hall	
Project Address	48 River Street, Maclean NSW 2463	
Reference	10430DA	
Revision	02	
Date	24/04/2023	
Attention	Nimbus Architecture & Heritage	



REVISION HISTORY

Revision	Date	Version	Prepared By	Reviewed By
01	21/02/2023	Initial Issue	Nikki Jackson	Riana Ingram
02	24/04/2023	Updated	Nikki Jackson	Riana Ingram
Document Disclaimer	•		•	•

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1.0 INTRODUCTION

Purely Access Pty Ltd has been engaged by Nimbus Architecture & Heritage to provide access consultancy services for the Civic Hall at the River Street Community Precinct, 48 River Street, Maclean NSW 2463.

1.1 Purpose of the Report

This report forms part of the Development Application submission documents. The aim of this report is to provide feedback and confirmation that the proposals meet the principles of good accessible design and in turn demonstrate that it meets the key legislative and policy guidelines including.

- Disability (Access to Premises-Buildings) Standards 2010
- National Construction Code Building Code of Australia Volume One 2019 Amendment 1 (BCA)
- AS 1428.1 2009 General requirements for access
- AS 1428.4.1 2009 Tactile Ground Surface Indicators
- AS1428.2 1992 Design for access and mobility. Part 2: Enhanced and additional requirements Buildings and facilities
- AS 2890.6 2009 Parking Facilities for people with disabilities
- AS 1735.12 1999 Lifts, escalators and moving walks. Part 12: Facilities for persons with disabilities

This document does not constitute a report for the purposes of obtaining a Building Approval. The compliance comments in this report are for the purpose of the Development Approval lodgement. The level of detail provided for Development Approval is consistent with the design intent for this stage. Further assessment will be required at the Building Approval stage.

1.2 Project Details

The proposed development includes a new Civic Hall which will comprise of the following accommodation:

- Basement level car parking (42 spaces including 2 accessible car park spaces)
- Ground Floor level Auditorium, function room, eeting rooms, kitchen/bar an associated amenities
- Second floor level auditoruim anf AV room.

The building is considered to be Class 9b (assembly building) and class 7a (Car Park) under the National Construction Code Building Code of Australia.

The building falls within the Maclean Heritage Conservation Area as defined by the Clarence Valley LEP.



2.0 LEGISLATIVE REQUIREMENTS

2.1 Disability Discrimination Act 1992

The Disability Discrimination Act (DDA) is federal legislation which seeks to ensure all new building infrastructure, refurbishments, services and transport projects provide functional and equitable access for people with disabilities. The DDA is a complaints based legislation, which is administered by the Australian Human Rights Commission (AHRC). Section 23 of the DDA relates to access to premises and facilities which the public may enter or use, and states it is unlawful to:

- Refuse access to, or the use of, any premises, or the facilities within them.
- Impose terms or conditions specific to persons with disability and their associates on the access and use of any premises or facilities;
- Exclude access based on the provision of an appropriate means of access;
- Request persons with disability or their associates to leave premises or cease use of facilities

The DDA has enacted statutory instruments known as Disability Standards to provide a degree of clarity with respect to access to premises and facilities.

2.2 Disability (Access to Premises – Buildings) Standards 2010 & Building Code of Australia

The purpose of these Standards is to provide for equitable and dignified access to new buildings and those areas of existing buildings that undergo renovation or upgrade that require a building approval.

If a building complies with the Disability (Access to Premises-Buildings) Standards (Premises Standards) those responsible for the building cannot be subject to a successful complaint of unlawful discrimination under the Disability Discrimination Act (DDA) in relation to matters covered by the Premises Standards.

Building Certifiers, Building Developers and Building Managers all have obligations under the Standards and must ensure a building complies with the Standards, with each party being responsible for the area they have control over. It is unlawful to fail to comply with the requirements of the Premises Standards.

The Building Code of Australia aligns with the requirements of the Premises Standards and therefore new building work that complies with the BCA will also comply with the Premises Standards.

2.3. Clarence Valley Council Development Control Plan 2011

The project will be subject to the Clarence Valley Council Development Control Plan 2011 (DCP). The building is located within a B2 – Local Centre zone and as such the Business Zones DCP is applicable. With respect to access for people with disability part C4 of the DCP sets out the following requirements:

C4.1 New Buildings

NSW Building legislation requires new buildings to be fully compliant with the Building Code of Australia (BCA) and Australian Standard 1428.1. This includes the provision of disabled access via the principal public access, accessible toilet facilities, tactile ground surface indicators, hearing augmentation and Braille and tactile signage where appropriate.

C4.2 Existing Buildings

New building work to an existing building must comply with the BCA and AS 1428.1. When assessing development proposals for alterations, additions or a change of use to an existing building Council has a legal obligation under the Disability Discrimination Act (DDA) to assess the current standard of disabled access and facilities. Where practical, disabled access and facilities will need to be upgraded to meet current standards. This may involve the construction of ramped disabled access to the main entrance, upgrading of toilet facilities etc. These improvements not only allow wheelchair users to access the premises but also provide easier access for the elderly and parents with prams.

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In situations where upgrading will result in unjustifiable hardship the DDA enables a lesser standard of upgrading to be allowed.

Plans submitted with development applications must detail proposed means of disabled access and location of disabled toilet/facilities. When disabled access/facilities to existing buildings are not proposed, applicants need to demonstrate in writing that the provision of disabled access/facilities will result in unjustifiable hardship.

The building is also located in the Maclean Heritage Conservation Area which has local significance.



3.0 BCA TECHNICAL ASSESSMENT

The following review is an assessment against National Construction Code Building Code of Australia Volume One 2019 Amendment 1 (BCA) and referenced Australian Standards.

3.1 General Building Access Requirements

In accordance with Clause D3.1 of the BCA buildings and parts of buildings must be accessible in accordance with Table 3.1.

Part of Building	Accessibility Requirements	Comments / Actions
Class 7a Car parking	 To and within any level containing accessible car parking spaces 	Compliance indicated.
Class 9b Assembly building	 To wheelchair seating spaces To and within all other areas normally used by the occupants, except that access need not be provided to tiers or platforms of seating areas that do not contain wheelchair seating spaces 	Compliance indicated. Lift access is provided between the basement and ground floor levels providing an accessible path of travel to the accessible car parking spaces. The second floor level is not provided with an accessible path of travel; however this area only contains non-accessible fixed seating and the AV room and can be considered exempt under D3.4.

A continuous accessible path of travel is to be provided as follows:

3.2 Exemptions & Departures

Clause D3.4 of the BCA allows exemptions from the requirements of providing access for people with disabilities where an area is inappropriate because of the purpose for which it is used or where there the area may pose a health and safety risk. For this development the following areas have been considered as being exempt from access for people with disabilities.

- Mechanical services room
- Hydraulic services room
- Cool room & commercial kitchen (unless for use by community groups)
- Storerooms
- Bar store
- AV room
- Cleaners room
- Second floor level

It is recommended that clarification is sought from Clarence Valley Council as to whether the kitchen and storerooms will be used by community members.

In some cases, it may be necessary to provide a Performance Solution to meet the Performance Requirements of the BCA as opposed to following the Deemed to Satisfy Solutions set out in the National Construction Code. For this project no areas have currently been identified as requiring a performance solution.

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3.3 Accessible Car Parking

BCA Requirement	Comments	Action Required
Accessible Car Parking BCA Clause D3.5		
 In accordance with Table D3.5 of the BCA, accessible carparking is required to be provided as follows. Class 9b 1 space for every 50 car parking spaces or part thereof (Up to 1000 car parking spaces) 1 space for each additional 100 car parking spaces (>1000). Car parking spaces are to be in accordance with AS2890.6. 	The car parking is located at basement level and contains 40 car parking spaces which includes 2 accessible car parking spaces. The accessible spaces appear to be in accordance with AS2890.6. A minimum 2500mm clear headroom is required.	-

3.4 External Access to Entrances

BCA Requirement	Comments	Action Required
Access to buildings BCA Clause D3.2		
 An accessway must be provided- From the main points of a pedestrian entry at the allotment boundary From another accessible building connected by a pedestrian link From any required accessible car parking space 	The building is provided with 2 main access points as well as linking to the existing building. The main entrance is located off Wharf Street with stair and lift access. A back of house entry point is provided from River Street via stairs and ramps.	Compliance Indicated
Walkways, ramps and landings AS1428.1 2009 Clause 10		
 Walkways Walkways to be a minimum of 1000mm wide and be provided with passing bays (1800mm wide x 2000mm in direction of travel) every 20m where a direct line of sight is not available. Walkway gradient to be 1:20 (max) with landings every 15m. Landings in direction of travel to 1200mm long; landings at 90° directional change 1500mm x 1500mm. Landings at 180° directional change 1540mm length. 	Walkways and ramps are indicated in various locations. Limited details have been provided at this stage of the design.	CapableofcomplianceDetailedlandscapeplansandrampdesignswillrequireassessmentattheConstructionCertificatestage.



BCA Requirement	Comments	Action Required
 If gradient of walkway is less than 1:33 no landings are required. TGSI's required to warn of hazard along pedestrian and vehicular routes on grade. Kerb Ramps - gradient no steeper than 1:8, length no greater than 1520mm and maximum rise of 190mm. Threshold ramps – max rise 35mm; max gradient 1:8; maximum length 280mm positioned within 20mm of door leaf. 	Comments	
 Step ramps – max rise 190mm; 1:10 max gradient; max length 1900mm, suitable edge detail. Ramps Maximum gradient of a ramp exceeding 1900mm is 1:14. Gradient to be consistent throughout ramp. Ramp required to have unobstructed width of 1000mm. Ramps to be provided with landings at bottom and top of ramp. Landings required every 9m where grade 1:14, Landings required every 15m where grade 1:20. Landings in direction of travel 1200mm long; landings at 90° directional change 1500mm x 1500mm. Landings at 180° directional change 1540mm x 2070mm length. Ramps to be provided with handrails and kerb rails. TGSI's in accordance with AS1428.4.1 2009 to be provided. Ramps to be set back 900mm at property boundaries or 400mm at internal corridors. Vertical rise not to exceed 3.6m 		

3.5 Entry and Doorways

BCA Requirement	Comments	Action Required
Entry and Doorways BCA Clauses D3.2 and D3.3		
 Access must be provided via the main principal entrance and: Not less than 50% of all pedestrian entrances including the principal entrance, and In buildings with a floor area >500m², a non-accessible entrance must not be located more than 50m from an accessible entrance. 	The principal entrance is off Wharf Street. In addition a back of house entry is indicated off River Street. A lift provides the accessible path of	Compliance Indicated

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	travel from the basement level.	
Door Design AS 1428.1 2009 Clause 13		
 All doors to have min 850mm clearance width where double doors are provided min 850mm to active leaf. Door circulations in accordance with Clause 13.3. Doors to achieve appropriate luminance contrast. Doors to have compliant hardware and opening forces. All glazed doors must be marked with contrast marking no less than 75mm wide for full width of doors at 910-1000mm height. 	Auto doors are indicated to doorways where the latch side clearance is not achieved. A door, door hardware and finishes schedule will be required at the Construction Certificate stage.	Capable of compliance

3.6 Circulation

3.6.1 Internal Circulation

BCA Requirement	Comments	Action Required
Internal Accessways BCA Clause D3.3 AS 1428.1 2009 Clause 6		
 A continuous accessible path of travel minimum 1000mm wide is required. Passing places for 2 wheelchairs minimum 1800mm wide and 2000mm long must be provided at maximum 20m intervals. Turning spaces are also required within 2m of the end of accessways where it is not possible to continue on. These are as follows: 60°- 90° turn 1500mm wide by 1500mm long. 90°- 180° turn 1540mm wide by 2070mm in direction of travel 	The foyer area adjacent to the auditorium does not appear to be provided with a 1540mm wide by 2070mm long turnaround.	Capable of compliance
Surface finishes AS 1428.1 2009 Clause 7.4		
Finishes must be slip resistant. The pile height of any carpet shall not exceed 11mm and the carpet backing thickness shall not exceed 4mm. Recessed matting must not be more than 3mm vertically or 5mm if rounded or bevelled above or below the surrounding surface.	A finishes schedule will be required at the Construction Certificate stage.	Capable of compliance
Glazing on access ways BCA Clause D3.12 AS 1428.1 2009 Clause 6.6		



BCA Requirement	Comments	Action Required
Any glazing on an accessway that that is capable of being mistaken for a doorway must be clearly marked with a solid non-transparent contrasting line min 75mm positioned between 900- 1000mm above finished floor level. The line shall provide a minimum of 30% luminance contrast against the floor surface.	A window and finishes schedule will be required at the Construction Certificate stage.	Capable of compliance

3.6.2 Lifts

BCA Requirement	Comments	Action Required
Lifts BCA Clause E3.6 & AS1735.12		
 Lift travelling <12m to have a minimum compartment size of 1100mm wide x 1400mm depth. Lift travelling > 12m to have a minimum compartment size of 1400mm wide x 1600mm depth. Door width to be min 900mm clear opening. Handrail in accordance with clause 5.3 Have a passenger protection system. E.g. be fitted with a series of door opening sensory devices which will detect a 75mm diameter rod across the door opening between 50mm and 1550mm above floor level. Have car control buttons complying with clause 7 including: Lift control buttons on each landing sited between 900-1200mm from floor level and a minimum of 500mm away from any internal corner of obstruction. Control buttons within lift car between 700-1250mm above floor level and located where it is able to be tangentially touched by a horizontal disc with a radius of 300mm, where it is located adjacent to a door entrance and 400mm for all other locations. Have appropriate tactile and Braille symbols. Have automatic audible information within the lift car to identify the level each time the car stops. Have audible and visual indication at each landing to indicate the arrival of the lift car. Note: Low rise, low speed constant pressure lifts cannot be used in high traffic public use areas. 	A goods lift is indicated adjacent to the main entry. This lift is required to form part of the accessible path of travel through the building. A platform lift is indicated to provide access at the front of the stage.	Further Information Required Confirm the goods lift will be suitable for passengers and will meet AS1735.12. Provide details of platform lift for review.



3.6.3 Stairs		
BCA Requirement	Comments	Action Required
Stairs BCA Clause D3.3 AS1428.1 2009 Clause 11		
 General Access Stairs Stairs at intersections with property boundaries shall be set back by a minimum of 900mm. Stairs at intersections with internal corridors shall be set back (see fig 26(B)). Stair to have opaque risers. Stair nosing's shall not project beyond the face of the riser. Stair nosing's shall have sharp intersections, be rounded up to 5mm radius or be chamfered up to 5mm x 5mm. Nosing's require minimum 30% luminance contrast between 50-75mm wide across the full width of the path of travel. It may be set back a max of 15mm. Where the luminance contrasting strip is not set back then any area of luminance contrast shall not extend more than 10mm down the riser. Handrails shall be: Circular or elliptical, not less than 30mm or greater than 50mm in height or width for not less than 270° around the upper most surface. Be positioned between 865-1000mm. Have the ends turned through 180° or to the ground, or fully to a wall Have a minimum 50mm clearance between any walls or adjacent surfaces. 		Compliance Indicated Detailed stair designs will be required for review at the Construction Certificate stage.



3.6.4 Ramps			
BCA Requirement	Comments	Action Required	
Ramps (excluding fire-isolated ramps) BCA Clause D3.3 AS1428.1 2009 Clause 10			
 Maximum gradient of a ramp exceeding 1900mm not to exceed 1:14. Gradient to be consistent throughout ramp. Ramp required to have unobstructed width of 1000mm. Ramps to be provided with landings at bottom and top of ramp. Landings required every 9m where grade 1:14, Landings required every 15m where grade 1:20. Landings in direction of travel 1200mm long; landings at 90° directional change 1500mm x 1500mm. Landings at 180° directional change 1540mm x 2070mm length. Landing or circulation space shall be provided at every doorway, gate or similar opening Ramps to be provided with handrails and kerb rails. TGSI's in accordance with AS1428.4.1 2009 to be provided. Ramps to be set back 900mm at property boundaries or 400mm at internal corridors. Vertical rise not to exceed 3.6m 	Ramps are indicated at various locations. Handrail extensions and kerb rail details are not detailed at this stage of the design. The 1:14 ramp leading from the stage door area to the outdoor plaza and from MacNaughton Place do not appear to have a 1500mm by 1500mm landing where it turns 90°.	Does not comply Ensure landing to the 1:14 ramp leading from the stage door area to the outdoor plaza is provided with a 1500mm by 1500mm landing where it turns 90°. Detailed ramp designs will be required for review at the Construction Certificate stage.	

3.7 Sanitary Facilities

BCA Requirement	Comments	Action Required
Unisex accessible sanitary facilities BCA Clause F2.4 AS1428.1 Clause 15		
 Class 5, 6, 7, 9 – Where F2.3 requires closet pans - 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. Unisex sanitary facilities are to be in accordance with Clause 15 of AS1428.1 2009. 	Two unisex accessible sanitary facilities are currently indicated at ground floor level. A choice of left and right hand transfer is required. Currently both facilities are shown as left hand transfer. The rooms are suitably sized for compliance to be achieved. A sanitary facility is indicated at second floor level; however it is located in an area	Capable of Compliance Subject to design amendment to provide a choice of left and right hand transfers. Detailed room layouts will be required for review at Construction Certificate stage.



BCA Requirement	Comments	Action Required
	which is not required to be accessible and therefore no accessible facility is required (as per BCA F2.4a).	
Ambulant sanitary facilities AS1428.1 Clause 16		
To be in accordance with Clause 16 of AS1428.1 to male and female cubicles (in common areas)	Male and female ambulant sanitary facilities are indicated at the banks of toilets adjacent to the accessible facilities at ground floor level.	Compliance Indicated Detailed room layouts will be required for review at Construction Certificate stage.
Accessible shower facilities AS 1428.1 2009 Clause 15.5		
Class 5, 6, 7, 9 – Where F2.3 requires 1 or more showers, not less than 1 for every 10 showers or part thereof. Design to be in accordance with Clause 15.5 of AS1428.1 2009.	A unisex accessible shower is indicated within the accessible sanitary facility adjacent to the dressing rooms.	Compliance Indicated Detailed room layouts will be required for review at Construction Certificate stage.



BCA Requirement	Comments	Action Required
Accessible adult change facilities BCA Clause F2.9 (b)		
 BCA Clause F2.9 (b) requires one unisex accessible adult change facility in an accessible part of; Class 6 building that is a shopping centre having a design occupancy of not less than 3500 people, calculated on the basis of the floor area and containing minimum of 2 sole occupancy units Class 9b sports venue - has a design occupancy of not less than 35000 spectators or contains a swimming pool that has a perimeter of not less than 70m and that is required by Table D3.1 to be accessible. Museum, art gallery or the like having a design occupancy of not less than 1500 patrons Theatre or the like having a design occupancy of not less than 1500 patrons Passenger use area of an airport terminal building within an airport that accepts domestic and/or international flights that are public transport services defined in Disability Standards for Accessible Public Transport 2002. Where an accessible adult change facility is required (refer to BCA Clause F2.9 (b)), they must be constructed in accordance with Specification F2.9. Accessible adult change facilities cannot be combined with another sanitary compartment. 	The building does not have an expected population of more than 1500 people therefore an accessible adult change facility is not a requirement.	Not applicable

3.8 Accessible Adult Change Facilities

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3.9 Signage

BCA Requirement	Comments	Action Required
Signage BCA Clause & Specification D3.6	-	
 Signage in accordance with specification D3.6 of the BCA is required in the following locations: To identify unisex and ambulant sanitary Facilities (excludes sanitary facility associated with a bedroom in a Class 1b building or sole occupancy unit in a Class 3 or Class 9c building). Identify each door required by BCA Clause E4.5 to be provided with an exit sign, stating 'EXIT' and 'Level" number. To identify location of accessible entrances at non accessible entrances Areas containing hearing augmentation. Buildings subject to F2.9, directional signage to be provided at each bank of sanitary facilities and at accessible unisex sanitary facility to direct a person to the nearest accessible adult change facility 	Braille & tactile signage will be required to identify exits, sanitary facilities, the location of accessible entrances and areas containing hearing augmentation.	Capable of compliance A signage schedule will be required at the Construction Certificate stage.

3.10 Hearing Augmentation

BCA Requirement	Comments	Action Required
Hearing Augmentation BCA Clause D3.7		
 Hearing Augmentation systems must be provided where an inbuilt amplification system is provided (other than for emergency warning) as follows: Rooms in Class 9b building. Auditorium, conference room, meeting room or room for judicatory purposes Ticket office, teller's booth, reception area or the like where the public is screened. If hearing augmentation is required, it must be either: An induction loop covering a minimum of 80% of the floor area of the room or space; or Cover 95% of the floor area if a system which requires receivers, or the like is provided. Any screen or scoreboard associated with Class 9b and capable of displaying announcements must be capable of supplementing any public-address system (other than for emergency warning). 	Hearing augmentation will be required to serve the auditorium, function room and box office (if screened) and may be necessary to other areas if in built amplification systems are provided.	Capable of compliance Details of hearing augmentation systems to be provided for assessment at Construction Certificate stage.



BCA Requirement	Comments	Action Required
Location BCA Clause D3.8 AS 1428.4.1 Section 1 & 2		
 Stairways (other than fire isolated stairways) Ramps (other than a fire isolated, step or kerb or swimming pool ramp), An escalator A passenger conveyor or moving walkway. Where an overhead obstruction is less than 2m (except doorways) if no suitable barrier is provided Where an accessway adjacent to a pedestrian entrance meets a vehicular way if there is no kerb or kerb ramp at that point. TGSI's are to be in accordance with AS1428.4.1. TGSI's need not be provided within aged care facilities if handrails incorporating raised dome buttons are provided. 	TGSI's will be required to non-fire isolated stairs and ramps and areas where the headroom is less than 2m where a suitable barrier is not provided such as the stair adjacent to the lift. Currently TGSI's are indicated on the drawings, however limited information has been provided at this stage of the design.	selection of TGSI's is to be reviewed at

3.11 Tactile Ground Surface Indicators

3.12 Wheelchair Seating Spaces in Class 9b Assembly Buildings

BCA Requirement	Comments	Action Required
Wheelchair seating spaces in Class 9b assembly BCA Clause D3.9	y buildings	
 Where fixed seating is provided in a Class 9b assembly building, wheelchair seating spaces complying with AS1428.1 must be provided in accordance with the following; The number and grouping of wheelchair seating spaces must be in accordance with Table D3.9 In a cinema – With not more than 300 seats – wheelchair seating spaces must not be located in the front row of seats; and With more than 300 seats – not less than 75% of required wheelchair seating spaces must be located in rows other than the front row of seats 	A total of 297 seats are currently indicated to the auditorium, in addition 6 wheelchair spaces are indicated. The spaces appear to meet AS1428.1 2009 in terms of size and are distributed across the auditorium. An external outdoor piazza space is provided which includes fixed seating tiers. At this stage the accessibility provisions are unclear.	Compliance Indicated to the internal auditorium. Further assessment will be required to the outdoor piazza space and fixed seating area to ensure suitable wheelchair seating spaces are provided.



4.0 DRAWINGS REVIEWED

The following drawings/ documents have been considered in the formulation of this report:

Drawing No.	Revision	Title
DA-110	С	Site Plan
DA-120	С	Basement Plan
DA-121	С	Ground Floor Plan
DA-122	В	Second Floor Plan
DA-200	В	Elevations
DA-201	В	Elevations



5.0 CONCLUSION

In the professional opinion of Purely Access Pty Ltd the proposals are capable of meeting the requirements of the Clarence Valley Council Development Control Plan 2011 and the Performance Requirements set out in the National Construction Code Building Code of Australia Volume One 2019 Amendment 1 (BCA) and referenced Australian Standards with respect to access for people with a disability. Further design information focusing on the detailed elements will be developed as the scheme progresses through to the construction phase to ensure compliance is achieved.

If you have any further queries in relation to the report please contact the undersigned.

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