

# DDA Capability Statement

38 Pacific Hwy, St Leonards NSW 2065

**Prepared for:**  
Edsgear Pty Ltd

**Revision 0**  
27 March 2025  
Reference: 240391



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## 1.0 Introduction

### 1.1 Background

This report has been prepared to verify that **BM+G** Pty Ltd have undertaken a review of the architectural documentation that will accompany the Development Application (DA) to the Lane Cove Council proposed hotel development at 38 Pacific Hwy, St Leonards NSW 2065 against Part D4, E3D8 and F4D5 to D4D7 of the Building Code of Australia 2022 (BCA), Access to Premises Standard and relevant parts of the Lane Cove Development Control Plan 2010 (Amendment 2023).

### 1.2 Capability Statement Objectives

The objectives of this statement are to:

- + Confirm that the DA architectural documentation has been reviewed by appropriately qualified Access Consultant from Association of Consultants in Access Australia.
- + Confirm that the proposed new building works can readily achieve compliance with Part D4, E3D8 and F4D5 to D4D7 of the BCA 2022 and Access to Premises Standard.
- + Accompany the Development Application submission to enable the Consent Authority to be satisfied that the accessibility provisions required under the BCA, Access to Premises Standard, and Council DCP have been met in the design, with full compliance being readily achievable.

It should be noted that it is not the intent of this statement to identify all DDA provisions that apply to the subject development. The development will be subject further assessment following receipt of more detailed documentation at Construction Certificate stage.

### 1.3 Referenced Documentation

This report has been prepared based on a review of the preliminary DA architectural plans prepared by TonkinZulaikhaGreer Architects dated 19 March 2025.

### 1.4 Overview of Access Requirements

The new building works have been classified as follows:

REQUIREMENTS FOR ACCESSIBILITY	
Class 3 – Hotel	<ul style="list-style-type: none"> <li>– Common areas: <ul style="list-style-type: none"> <li>+ From a pedestrian entrance required to be accessible to at least 1 floor containing sole-occupancy units and to the entrance doorway of each sole-occupancy unit located on that level.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>+ 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, swimming pool, common laundry, games room, TV room, individual shop, dining room, public viewing area, ticket purchasing service, lunch room, lounge room, or the like.</li> <li>+ Where a ramp complying with AS 1428.1 or a passenger lift is installed— <ul style="list-style-type: none"> <li>(A) to the entrance doorway of each sole-occupancy unit; and</li> <li>(B) to and within rooms or spaces for use in common by the residents.</li> </ul> </li> <li>+ The requirements of (iii) only apply where the space referred to in (A) and (B) are located on the levels served by the lift or ramp.</li> <li>– Sole-occupancy units — in accordance with Table D4D2b.</li> </ul>
Class 5 – Office	To and within all areas normally used by the occupants.
Class 6 – Retail	To and within all areas normally used by the occupants.
Class 7a - Carpark	To and within any level containing accessible carparking spaces
Class 7b – Storage	To and within all areas normally used by the occupants

## 1.5 Accessibility Exemptions

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The use of certain parts of the building are not required to be accessible in the following instances:

- + An area where access would be inappropriate because of the particular purpose for which the area is used.
- + An area that would pose a health or safety risk for people with a disability.
- + Any path of travel providing access only to an area exempted by the above two items.

Some examples of the above include:

- + Cleaner's rooms used by cleaning staff only
- + Plantrooms and specialty equipment rooms (e.g., Main Comms Room and Main Distribution Board Room)
- + Fire Storage Tank

## 1.6 Performance Solutions

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Where there are any departures from achieving compliance with the BCA, there is an opportunity to address the compliance issue by the development of a Performance Solution. This report currently identifies Performance Solutions, which are to be developed during the Detailed Design and Construction Documentation Phase.

## 2.0 DDA Assessment – Key Issues

We note the following BCA compliance matters with relation to proposed building works are capable of complying with the relevant provisions of the BCA. Please note that this is not a full list of BCA clauses, they are the key requirements that relate to the proposed work and the below should be read in conjunction with the BCA.

### 2.1 Access to Premises Standard

#### DDA

The Disability (Access to Premises-Buildings) Standards 2010 (the Access to Premises Standards) requires the building to comply with the Access Code (BCA Part D4 & AS 1428.1-2009).

With respect to the proposed new building, compliance with the Access Code is achieved if the building complies with:

- + BCA clauses D4D2 to D4D13;
- + BCA clause E3D8;
- + BCA clauses F4D5 to F4D7.

Detailed documentation demonstrating compliance with the above BCA provisions and AS 1428.1-2009 will be required for assessment at Construction Certificate stage. However, our review of the DA documentation indicates that compliance with the abovementioned provisions will be readily achievable. In the event that DTS compliance is not achieved, an Alternative Solution will need to be documented by an appropriately qualified Access Consultant.

### 2.2 Part D4, Clauses E3D8, F4D5 – F4D7

#### D4D2

#### General Building Access Requirements

- + Access is required to be provided to:

Class 3 – Hotel

– Common areas:

- + From a pedestrian entrance required to be accessible to at least 1 floor containing sole-occupancy units and to the entrance doorway of each sole-occupancy unit 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, swimming pool, 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 sole-occupancy unit; and
  - (B) to and within rooms or spaces for use in common by the residents.



	<p>The requirements of above only apply where the space referred to in (A) and (B) are located on the levels served by the lift or ramp.</p> <p>As a passenger lift has been provided to all levels, accessible access is required to be provided at the entrance doorway of all SOUs on all levels. There are a number of rooms on levels 1-6 where access to the entrance doorways cannot be achieved. This is to be addressed as an access performance solution where it will be reliant on a door bell system, this will be further developed during the Construction Documentation Phase.</p> <ul style="list-style-type: none"> <li>– Sole-occupancy units — in accordance with Table D4D2b.</li> </ul> <p>A total of 99 sole occupancy units (SOU's) have been provided therefore, 5 SOUs are to be accessible, the current design includes 6 accessible studio rooms located on level 1, 2 and 3. Note, in accordance with BCA Table D4D2b Note2, it requires accessible SOUs to be representative of the range of rooms available. The current design includes one (1) bedroom and two (2) bedroom style SOUs where these style SOUs are not accessible. This could potentially be addressed as an access performance solution where it rationalises the type of accessible rooms provided based on additional SOUs provided with specific accessible needs including but not limited to wheelchair mobility, ambulant mobility, visual impairment and hearing impairment.</p>								
	<table> <tr> <td>Class 5 – Office</td><td>To and within all areas normally used by the occupants.</td></tr> <tr> <td>Class 6 – Retail</td><td>To and within all areas normally used by the occupants.</td></tr> <tr> <td>Class 7a - Carpark</td><td>To and within any level containing accessible carparking spaces</td></tr> <tr> <td>Class 7b – Storage</td><td>To and within all areas normally used by the occupants</td></tr> </table>	Class 5 – Office	To and within all areas normally used by the occupants.	Class 6 – Retail	To and within all areas normally used by the occupants.	Class 7a - Carpark	To and within any level containing accessible carparking spaces	Class 7b – Storage	To and within all areas normally used by the occupants
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<b>D4D3</b>	<p><b>General Building Access Requirements</b></p> <ul style="list-style-type: none"> <li>+ Access is required to be provided to from the main points of pedestrian entry</li> <li>+ Access is to be provided to and within all areas as relevant to the BCA classifications nominated above unless exempted under D4D5. Plan amendments are required and will be reviewed at the Construction Certificate Stage.</li> </ul> <p>With regards to the stairway entry/exit via Marshall Lane, this could potentially be addressed as an access performance solution as it is not readily accessible, this will be developed during the Construction Documentation Phase. This performance solution subject to certain parameters being met and where the following is to be considered:</p> <ol style="list-style-type: none"> <li>1. The Marshall Lane entry is only a secondary entry to the tenancies for use by staff, this will be subject to an operational functional brief which is to be provided at Construction Documentation Phase.</li> <li>2. The Marshall Lane terrace is proposed to provide amenity for the ground floor tenant, this will be subject to an operational functional brief which is to be provided at Construction Documentation Phase.</li> </ol> <p>BM+G acknowledge, the entry on Pacific Hwy is the closest to public transport (both train station and bus stop). Note, no shopfronts are to be provided facing the Marshall Lane terrace on the ground floor and the path of entry to any retail tenancies must be via Pacific Hwy. To support the proposed performance solution, BM+G are to be provided with design criteria which doesn't consider the Marshall Lane entry as a key way of accessing the building.</p>								
<b>D4D4</b>	<p><b>Parts of Buildings to be Accessible:</b></p> <ul style="list-style-type: none"> <li>+ Every ramp and stairway (except for fire-isolated stairways) are required to comply with AS 1428.1 – 2009.</li> <li>+ Accessways must have turning and passing space complying with AS 1428.1 – 2009.</li> </ul> <p>Compliance is readily achievable with the requirements of AS 1428.1 – 2009 as required by this part.</p>								

<b>D4D5</b>	<p><b>Exemptions:</b> The use of certain parts of the building are not required to be accessible in the following instances:</p> <ul style="list-style-type: none"> <li>+ An area where access would be inappropriate because of the particular purpose for which the area is used.</li> <li>+ An area that would pose a health or safety risk for people with a disability.</li> <li>+ Any path of travel providing access only to an area exempted by the above two items</li> </ul> <p>Some examples of the above include:</p> <ul style="list-style-type: none"> <li>+ Cleaner's rooms used by cleaning staff only</li> <li>+ Plantrooms and specialty equipment rooms (e.g., Main Comms Room and Main Distribution Board Room)</li> <li>+ Fire Storage Tank</li> </ul>
<b>D4D6</b>	<p><b>Accessible Parking:</b> Is required to comply with the requirements of AS 2890.6 – 2009.</p> <p>With regards to the total number of accessible car spaces BM+G note, two (2) accessible car spaces have been provided for the hotel and one (1) accessible car space allocated for retail/commercial.</p> <p>Compliance in accordance with this standard is readily achievable.</p>
<b>D4D7</b>	<p><b>Signage:</b> In a building required to be accessible, braille and tactile signage must be provided to all:</p> <ul style="list-style-type: none"> <li>+ Required accessible sanitary facilities</li> <li>+ Spaces with hearing augmentation</li> <li>+ Ambulant sanitary facilities</li> <li>+ Non-accessible pedestrian entrances</li> <li>+ Each door required to be provided with an exit sign</li> </ul> <p>Braille and tactile signage are to comply with sub-clause (a) and Specification 15</p> <p>Details to be reviewed at the Construction Certificate stage.</p>
<b>D4D9</b>	<p><b>Tactile Indicators:</b> Tactile Ground Surface Indicators (TGSIs) must be provided to:</p> <ul style="list-style-type: none"> <li>+ A stairway, other than a fire-isolated stairway; and</li> <li>+ An escalator or passenger conveyor; and</li> <li>+ A ramp other than a fire-isolated ramp; and</li> <li>+ In the absence of a suitable barrier-             <ol style="list-style-type: none"> <li>An overhead obstruction &lt;2m above floor level; and</li> <li>An accessway meeting a vehicular way adjacent to any pedestrian entrance to a building including a pedestrian entrance serving an area referred to in D3.4, if there is no kerb or kerb ramp at that point.</li> </ol> </li> </ul> <p>Tactile indicators are required to be designed in accordance with AS 1428.4.1-2009</p> <p>Details to be reviewed at the Construction Certificate stage.</p>
<b>D4D12</b>	<p><b>Ramps:</b> Ramps may be used as part of an accessway where there is a change of level and must comply with the requirements set out in AS1428.1.</p> <p><b>AS1428.1 Cl 10.1 - Walkways, Ramps, and Landings – Generally</b></p> <p>Walkways, ramps and landings that are provided on a continuous accessible path of travel shall be as follows:</p> <ul style="list-style-type: none"> <li>+ Sharp transitions shall be provided between the planes of landings and ramps.</li> <li>+ Landings shall be provided at all changes in direction in accordance with Clause 10.8.</li> <li>+ Landing or circulation space shall be provided at every doorway, gate, or similar opening.</li> </ul>

	<ul style="list-style-type: none"> <li>+ For walkways and landings having gradients in the direction of travel shallower than 1 in 33, a camber or crossfall shall be provided for shedding of water and shall be no steeper than 1 in 40, except that bitumen surfaces shall have a camber or crossfall no steeper than 1 in 33.</li> </ul> <p><i>NOTE: For requirements for ground surfaces, see Clause 7.</i></p> <p><b>AS1428.1 Cl. 10.2 – Walkways</b></p> <p>The requirements for walkways are as follows:</p> <ul style="list-style-type: none"> <li>+ Walkways can have a gradient up to 1:20. Anything steeper is a ramp and requires kerbs or kerb rails plus handrails to both sides.</li> <li>+ A walkway with a gradient less than 1 in 33 does not require landings but does require a crossfall of maximum 1 in 40 (maximum cross fall of 1 in 33 if the surface is bitumen).</li> </ul> <p>Walkways steeper than 1 in 33 do not require a crossfall to the main walkway but do require a crossfall of 1 in 40 to landings</p>
<b>E3D8</b>	<p><b>Passenger Lifts:</b> All passenger lifts provided exceed the minimum dimensions required to comply as accessible lifts. In this regard, access to every floor in the development is achieved in the design. Where shopfronts are to be included in the design that face the Marshall Lane terrace on the ground floor, a platform lift is to be provided at the stairway entrance.</p>
<b>F4D5 – F4D7</b>	<p><b>Accessible Sanitary Facilities:</b> The provision of Unisex Accessible Sanitary Facilities and facilities suitable for use for persons with an ambulant disability satisfy the requirements of this clause. The accessible WC's provided are readily able to meet compliance with the requirements of these BCA clauses and relevant requirements from AS 1428.1 – 2009.</p> <p>The nominated ambulant WC on Level 7 could be potentially supported by an access performance solution to justify the facility as unisex and where there is no separate male and female ambulant WC at this bank of toilets.</p>

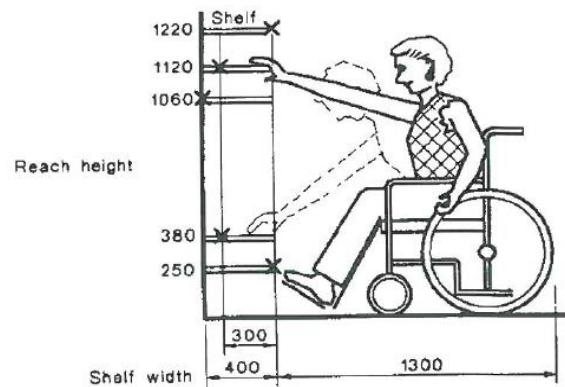
## 2.3 Lane Cove Development Control Plan 2010 (Amendment 2023)

<b>Part F – Section 3.8</b>	<p><b>Access to, and within, building:</b> Clause 3.8 of Part F of the DCP requires the access provisions to be designed in compliance with the BCA and the Disability (Access to Premises – Buildings) Standards 2010, there is no additional requirements for the relevant BCA classification as required by table 1 of Part F of the DCP for this proposed development.</p>
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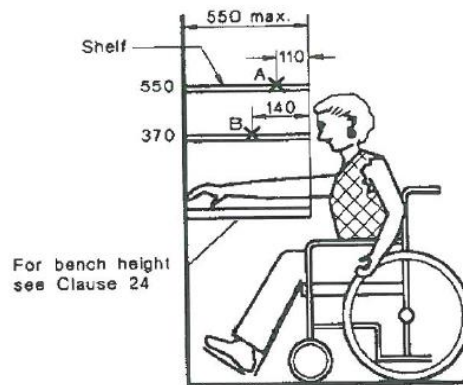
## 2.4 AS 1428.2 (Recommended for Compliance)

<b>AS 1428.2 – Clauses 22 &amp; 24</b>	<p><b>AS1428.2 Cl. 22.1/22.2 Reach Ranges</b> - For this Class of building AS1428.2-1992 is not mandatory. Notwithstanding, it is recommended that this standard be used as a guide for functionality when specifying joinery/benches/fixtures within the accessible SOU:</p> <ul style="list-style-type: none"> <li>– Forward reach ranges recommended for occupants bound by a wheelchair are identified under Figure 20 under AS1428.2-1992; note that not areas must be accessible within this reach zone however it needs to be understood that a person within a wheel chair may only access a portion of the kitchen or other areas hence all essential areas must be within these designated reach zones:</li> </ul>
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(a) Forward reach limit



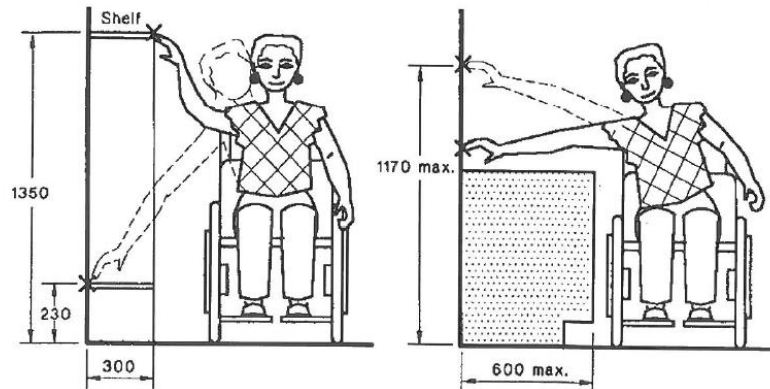
(b) Maximum forward reach over an obstruction

LEGEND:

X = points reached

DIMENSIONS IN MILLIMETRES

- Side reach ranges recommended for occupants bound by a wheelchair are identified under Figure 21 under AS1428.2-1992:



(a) High and low side reach limits

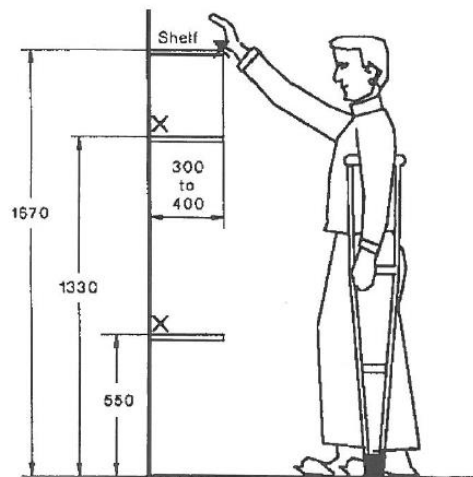
(b) Maximum side reach over obstruction

LEGEND:

X = points reached

DIMENSIONS IN MILLIMETRES

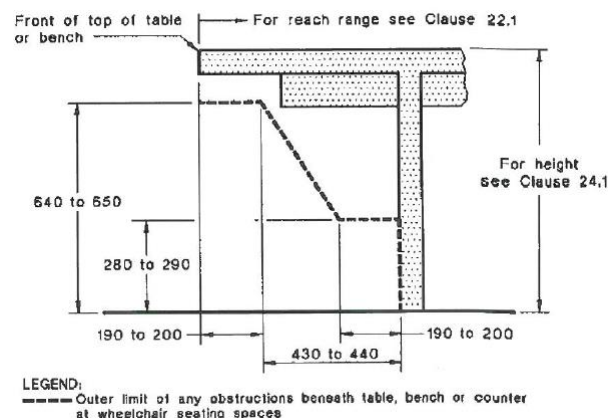
- Rach ranges recommended for occupants with an ambulant disability under Figure 22 under AS1428.2-1992:



LEGEND:  
X = points reached

DIMENSIONS IN MILLIMETRES

- + **AS1428.2 Cl. 24.1.4 Counter/Bench Clearances** - For this Class of building AS1428.2-1992 is not mandatory. Notwithstanding, it is recommended that this standard be used as a guide for functionality when specifying joinery/benches/fixtures within the accessible SOU:
  - The knee and foot clearances recommended below the counter or bench are required to be provided in accordance with Figure 25 under AS1428.2-1992.



- + Note: No individual table, counter, workshop height and clearance beneath will suit all users with a disability hence the table, counter or bench with an adjustable height within the range of 700mm-850 from the FFL is preferred under AS1428.2-1992.
- + **AS1428.2 Cl. 24.2 Storage Clearances** - For this Class of building AS1428.2-1992 is not mandatory. Notwithstanding, it is recommended that this standard be used as a guide for functionality when specifying storage within the accessible SOU:
  - The storage location clearances recommended in accordance with Figure 28 under AS1428.2-1992. Clothes hanging rods or hooks are to be located at a maximum height of 1,350mm from the FFL.
  - Sliding doors on cupboards are preferred; these allow manoeuvring space for wheelchair users and reduce risk of injury for visually impaired occupants.
  - Lightweight gliders should be installed for drawers.

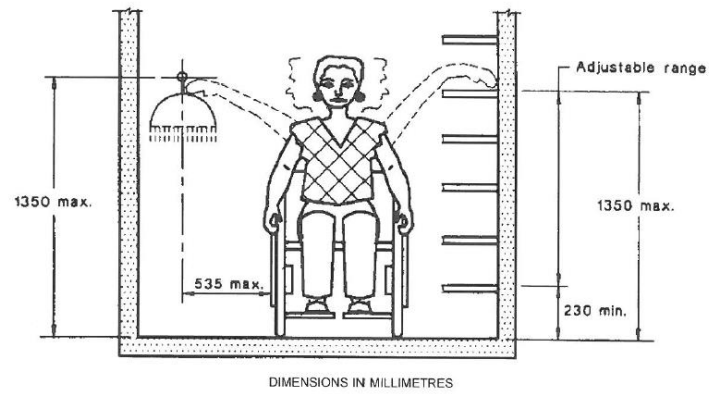


FIGURE 28 STORAGE SHELVES AND WARDROBES

## 3.0 Conclusion

This report contains an assessment of the referenced architectural documentation for the proposed hotel development at 38 Pacific Hwy, St Leonards NSW 2065 against the Part D4, E3D8 and F4D5 to F4D7 of the of the Building Code of Australia 2022 (BCA), Access to Premises Standard and relevant parts of the Lane Cove Development Control Plan 2010 (Amendment 2023).

In view of the above assessment, we can confirm that subject to the above measures being appropriately addressed by the project design team, compliance with the relevant provisions of the BCA is readily achievable.

Furthermore, it is concluded that the development satisfies the accessibility provisions of the BCA pertaining to access to proposed hotel development at 38 Pacific Hwy, St Leonards NSW 2065. Noting the design will be subject to refinement in preparation of the construction documentation to capture detailed compliance matters.

In addition, it is considered that such matters can adequately be addressed in the preparation of the Construction Certificate documentation without giving rise to any inconsistencies with the Development Approval.

Should you require further assistance or clarification please do not hesitate to contact the undersigned on 02 9211 7777.

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