



# FORWARD ACCESS

Our Project Reference No: 202401.1  
Site Address: 73 BULWER STREET MAITLAND NSW  
Site Use: DISABILITY DAY CARE FACILITY  
Client: HOOVER GROUP PTY LTD  
Client Contact: ELLIE TILSE  
Report Date: 16/09/2024  
Report Revision: REV. 1  
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*Making Australia Accessible*

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## 1.0 Document History

Rev.	Date	Description	Prepared By	Reviewed By
0	07/08/2024	Access Report	Jeremy Soden	Olivia Thompson
1	16/09/2024	Access Report	Jeremy Soden	Olivia Thompson

## 2.0 Executive Summary

Forward Access has been engaged by Hoover Group to review 73 Bulwer Street Maitland NSW and provide advice regarding compliance with the access requirements of the National Construction Code Building Code of Australia (BCA) Volume 1 2022 and the Disability (Access to Premises — Buildings) Standards 2010 (DAPS).

The building which this project relates to is a disability day care centre located at 73 Bulwer Street Maitland NSW. An assessment of the drawings and relevant documentation has been carried out on 16/09/2024.

This Report has identified some non-compliances and items that require further information to ensure compliance with providing access and facilities for people with a disability. Some assumptions were required regarding the building classification. To provide further assessment Forward Access will require a copy of the detailed BCA assessment completed by the Principal Certifying Authority.

The following tables 1.1 to 1.4 summarise the compliance status of The Development against relevant access related requirements. This report will also highlight opportunities for potential performance-based solutions subject to concurrence with relevant stakeholders including the Principal Certifying Authority, which can be undertaken during detailed design development.

## 2.1 NCC Part D4 & DAPS Part D3 - Access for People with a Disability

Table 1.1

Clause	Clause Summary	Compliance Status
BCA D4D2 DAPS D3.1	General building access requirements	Capable of Compliance
BCA D4D3 DAPS D3.2	Access to buildings	Further information required
BCA D4D4 DAPS D3.3	Parts of buildings to be accessible	Further information required
BCA D4D5 DAPS D3.4	Exemptions	Capable of Compliance
BCA D4D6 DAPS D3.5	Accessible carparking	Capable of Compliance
BCA D4D7 DAPS D3.6	Signage	Capable of Compliance
BCA D4D8 DAPS D3.7	Hearing augmentation	Capable of Compliance
BCA D4D9 DAPS D3.8	Tactile indicators	Performance Solution
BCA D4D10 DAPS D3.9	Wheelchair seating spaces in Class 9b assembly buildings	Not applicable
BCA D4D11 DAPS D3.10	Swimming pools	Not applicable
BCA D4D12 DAPS D3.11	Ramps	Not applicable
BCA D4D13 DAPS D3.12	Glazing on an accessway	Capable of Compliance

## 2.2 NCC Part E3 & DAPS Part E3 - Lift Installations

Table 1.2

Clause	Clause Summary	Compliance Status
BCA E3D8 DAPS E3	Accessible features required for passenger lifts	Not applicable

## 2.3 NCC Part F4 & DAPS Part F2 - Sanitary and Other Facilities

Table 1.3

Clause	Clause Summary	Compliance Status
BCA F4D5 DAPS F2.4	Accessible sanitary facilities	Capable of Compliance
BCA F4D6 DAPS F2.4a	Accessible unisex sanitary compartments	Capable of Compliance
BCA F4D7 DAPS F2.4b	Accessible unisex showers	Capable of Compliance
BCA F4D12 DAPS D2.9	Accessible adult change facilities	Not applicable

Should you have any further queries relating to this report do not hesitate to contact Forward Access on 1300 966 633.



Jeremy Soden

Director

Access Consultant

Access Consultants Association (ACA) Inc Membership Number: 706

## 3.0 Abbreviations

**AS:** Australian Standard

**BCA:** Building Code of Australia

**DAPS:** Disability (Access to Premises – Buildings) Standards

**CAPT:** Continuous Accessible Path of Travel

**DDA:** Disability Discrimination Act

**DTS:** Deemed to Satisfy

**NCC:** National Construction Code

**PPE:** Principal Pedestrian Entrance

**TGSI:** Tactile Ground Surface Indicators

## 4.0 Definitions

**Accessible** means having features to enable use by people with a disability.

**Accessway** means a continuous accessible path of travel (as defined in AS 1428.1) to, into or within a building.

**Affected part** means:

(a) the principal pedestrian entrance of an existing building that contains a new part; and

(b) any part of an existing building, that contains a new part, that is necessary to provide a continuous accessible path of travel from the entrance to the new part.

Having features to enable use by people with a disability.

**Circulation space** means a clear unobstructed area, to enable persons using mobility aids to manoeuvre.

**Continuous accessible path of travel** means an uninterrupted path of travel to, into or within a building providing access to all accessible facilities.

**Luminance contrast** means the light reflected from one surface or component, compared to the light reflected from another surface or component.

**People with ambulant disabilities** means people who have a mobility disability but are able to walk.

**Performance requirement** means a requirement which states the level of performance which a Performance Solution or Deemed-to-Satisfy Solution must meet.

**Ramp** means an inclined surface on a continuous accessible path of travel between two landings with a gradient steeper than 1 in 20 but not steeper than 1 in 14.

**Required** means required to satisfy a Performance Requirement or a Deemed to Satisfy Provision of the Access Code as appropriate

**Sanitary compartment** means a room or space containing a closet pan or urinal.

**Tactile Ground Surface Indicators** means truncated cones and/or bars installed on the ground or floor surface, designed to provide pedestrians who are blind or vision-impaired with warning or directional orientation information.

**Walkway** means any surface on a continuous accessible path of travel with a gradient not steeper than 1 in 20.

## 5.0 Organisational Responsibility

### 5.1 Disability Discrimination Act 1992 (DDA)

All organisations have a responsibility under the Federal DDA, to provide equitable, dignified access to goods and services, and to premises. Premises are broadly defined and would include all areas included within the building inspected.

The DDA provides uniform protection against unfair and unfavourable treatment for people with a disability in Australia. It also makes it unlawful to discriminate against a person who is an 'associate' (such as a friend, carer or family member).

Disability is broadly defined and includes disabilities which are:

- physical;
- intellectual;
- psychiatric;
- neurological;
- cognitive or sensory (low vision, deaf or hard of hearing);
- learning difficulties;
- physical disfigurement; and
- the presence in the body of disease causing organisms.

This broad definition means that everyone with a disability is protected. The Act supports the principle that people with a disability have the same fundamental rights as the rest of the community.

Provisions apply to a wide range of life activities including:

- access to premises;
- education;
- provision of goods and services;
- employment; and
- administration of Commonwealth laws and programs

When a person with a disability wants to utilise premises including all buildings, outdoor spaces, car parking areas, pathways and facilities, then equitable, dignified access must be provided. The DDA requires that appropriate changes be made to provide access. A complaint can be made under the DDA if appropriate access is not provided.



## **5.2 Disability (Access to Premises – Buildings) Standards (DAPS) 2010**

The DAPS 2010, were introduced alongside the Building Code of Australia (BCA) on 1<sup>st</sup> May 2011. These Standards are now legislated as the minimum requirements for new buildings and buildings undergoing significant upgrade in Australia.

The aim of these Standards is to provide the building and design industry with detailed information regarding the required access provisions associated with the design and construction of new buildings and upgrade to existing buildings.

These Standards generally align with the BCA and reference a range of Australian Standards relating to access and other associated matters. The DAPS 2010 aim to provide certainty for the building industry in relation to meeting the requirements for access in new and upgraded buildings – (regarding the elements covered by the Premises Standards. Other elements in buildings are still subject to the provisions of the DDA.)

## **5.3 Building Code of Australia**

The BCA, in conjunction with the DDA, applies to new buildings and buildings undergoing significant refurbishment or alteration. Sections of the BCA require compliance with a range of access provisions. The BCA outlines a variety of building classifications and the requirements for access to buildings within each classification.

## **5.4 Australian Standards (AS)**

Several Australian Standards form referenced documentation within the BCA and the DAPS. Any Australian Standards that are adopted by the BCA or and the Disability (Access to Premises – Buildings) Standards are triggered for assessment when carrying out building work. There are various Australian Standards relating to accessibility including the AS1428 suite, AS2890.6 and AS1735.12.

## 6.0 Assessment Method

### 6.1 Purpose

Forward Access (FA) has been commissioned by Ellie Tilse of Hoover Group to undertake a high-level clause-by-clause spatial accessibility assessment report (referred herein as 'This Report') to accompany the building works addressed 73 Bulwer Street Maitland NSW.

The design assessment has been prepared after a desktop audit has been carried out on the proposed project. The design assessment will focus on the accessibility within the built environment. The assessment will utilise the access requirements located within the National Construction Code (Building Code of Australia) Volume One 2022 and Disability (Access to Premises — Buildings) Standards 2010. The assessment will be carried out in a chronological order, starting with Part D4 of the NCC.

### 6.2 Legislation

The purpose of This Report is to provide a high level review the spatial compliance capability of The Development in accordance with relevant legislative requirements relating to accessibility. The relevant legislation, codes and standards which form the basis of This Report have been summarised below:

- National Construction Code (Building Code of Australia) Volume One 2022 (BCA)
- Disability (Access to Premises — Buildings) Standards 2010 Compilation No.2 (BCA)
- Australian Standard 1428.1-2009 Design for access and mobility, General requirements for access, New building work
- Australian Standard 1428.4.1:2009 Design for access and mobility - Means to assist the orientation of people with vision impairment
- Australian Standard 2890.6-2009 (Parking facilities - off street parking for people with disabilities)

### 6.3 Measurements

Australian Standards that are referenced in BCA and DAPS generally contain minimum and maximum measurements (i.e. dimensions and tolerances in meters and/or millimetres and/or gradients), which must be met for technical compliance.

To demonstrate any technical compliance with minimum and maximum measurements the relevant building and design practitioners must document dimensions and annotations on relevant design and construction documentation for assessment by Forward Access (FA).

If dimensions and annotations are not documented on design and construction documentation, FA can only take approximate measurements using a scale unless specifically instructed otherwise to verify any compliance capability. It is incumbent upon the designer/architect and the builder to ensure on-site adherence to these minimum and maximum dimensions.

### 6.4 Exclusion and Limitations

This Report is subject to the following exclusions and limitations:

- This Report applies with the relevant engaged project scope of works (Project Scope) for the building development only and does not cover any parts/areas of the building development that are outside the engaged project scope of works; and
- This Report does not guarantee that a complaint against the Project Scope will not be raised under the Federal Disability Discrimination Act 1992 (DDA), as DDA operates on a complaints-based mechanism. Anyone can raise a complaint under the DDA if they believe they have experienced discrimination due to their disability; and
- This Report addresses issues only related to providing access and facilities for people with a disability for the Project Scope and does not address issues relating to structural adequacy, fire safety, energy efficiency or general amenity; and
- This Report is limited to addressing the DtS provisions of the NCC, the relevant parts of the Disability (Access to Premises – Buildings) Standards, and referenced technical specifications; and
- This Report does not provide specific design advice; and
- This Report does not address the Sustainable Planning Act, Work Health and Safety Act, Construction Safety Act or Building Act; and
- This Report is only valid for the subject building within this report and is not transferable to another location.

The following outcomes will make this report invalid for use:

- A change in the use of the building; or
- A change in the design of the building; or
- Non-compliant building products or building defects; or
- Changes to the legislation upon which this report was founded; or
- Management and staff policies, procedures, and practices inconsistent with DDA.

## 6.5 Disclaimer

In preparation of This Report, the access consultant has taken reasonable care and due diligence in performing their duty and has exercised their skill and expertise. The advice provided within this report is based on professional judgement and an assessment of the information, which was available at the time of assessment. Constant change is occurring in relation to Australian Standards, Building Codes and anti-discrimination law.

It is important to note that any recommendations within this report will not provide an exemption from action under the DDA. The access consultant cannot accept any responsibility for loss resulting from any non-compliance with the BCA, DDA or associated legislation. This report does not prevent a person with a disability from having the ability to make a complaint with the Human Rights Commission or other bodies. Forward Access does not accept responsibility or liability for the results of specific action taken on the basis of this information nor for any errors or omissions.

All actions taken by a public authority, organisation or individual in reliance on an access audit remain the responsibility of that public authority, organisation or individual. This Report is copyright © and must not be reproduced or forwarded to any other organisation other than the client for which it was prepared.

## 7.0 Building Information

### 7.1 General

*Table 7.1: General Planning Information*

<b>Building Description</b>	Disability Day Care Centre
<b>Number of Storey(s)</b>	1
<b>Site Legal Description</b>	LOT 1 DP 1038953

### 7.2 Building Classification (BCA)

The following table summarises the building classifications applicable to the building.

*Table 7.2*

<b>Building Class</b>	<b>Location</b>
9b (As advised by applicant)	Ground Storey

## 8.0 BCA/DAPS Design Assessment

The following sub-sections are high level spatial planning assessment of the relevant design documentation in accordance with the requirements of Deemed-to-Satisfy provisions of the BCA and DAPS and referenced Australian Standards.

### 8.1 BCA Part D4 & DAPS Part D3 - Access for People with a Disability

#### 8.1.1 BCA D4D2 & DAPS D3.1 - General Building Access Requirements

Assessment Comments:

For a Class 9b building, access requirements are as follows:

- (a) Schools and early childhood centres — to and within all areas normally used by the occupants.
- (b) An assembly building, not being a school or early childhood centre — to and within
  - i. wheelchair seating spaces provided in accordance with D4D10; and
  - ii. 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.

#### Doorways, doors and circulation space at doorways

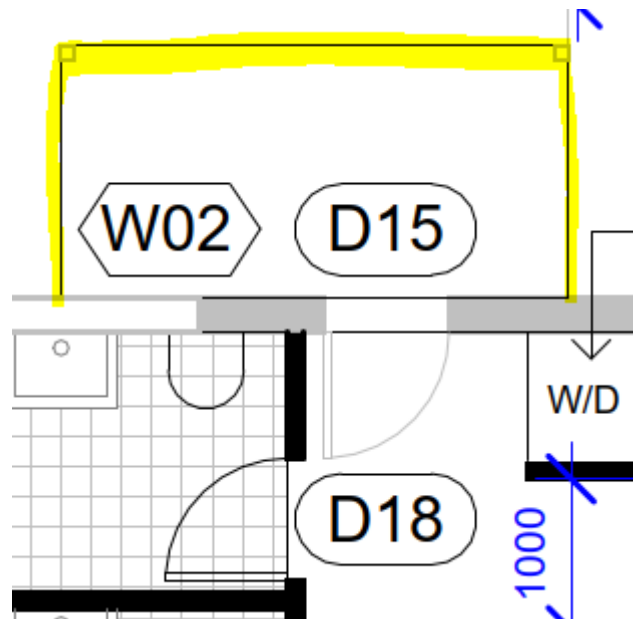
Doorway D14 and D15 are not provided with latch side circulation space in accordance with AS1428.1-2009. Doorway D14 must be provided with a minimum of 510mm latch side circulation space on approach from the corridor towards the doorway. Doorway D15 must be provided with a minimum of 530mm latch side circulation on approach from the corridor towards the doorway. Alternatively, the certifiers must deem these areas as exempt or a performance solution from an access consultant will be required. The applicant has advised the certifier will deem these doorways exempt under BCA Vol 1 2022 Part D4D5.

Doors D13, D14, D18 and D21 will not provide a minimum 850mm clear opening width through the doorways. These doorways could be exempt from the certifier or an access consultant could provide a performance solution for these doorways.

Floor or ground surfaces on continuous accessible paths of travel

The flooring transition details have not been provided on the plans and cannot be effectively assessed on design documentation. The flooring transitions between flooring transitions must not exceed a 3mm vertical edge or 5mm bevelled/rounded edge.

It appears there may be a step or threshold up to D15. The applicant has advised the certifier will deem this area exempt under BCA Vol 1 2022 Part D4D5.



## 8.1.2 BCA D4D3 & DAPS D3.2 - Access to Buildings

### From the allotment boundary

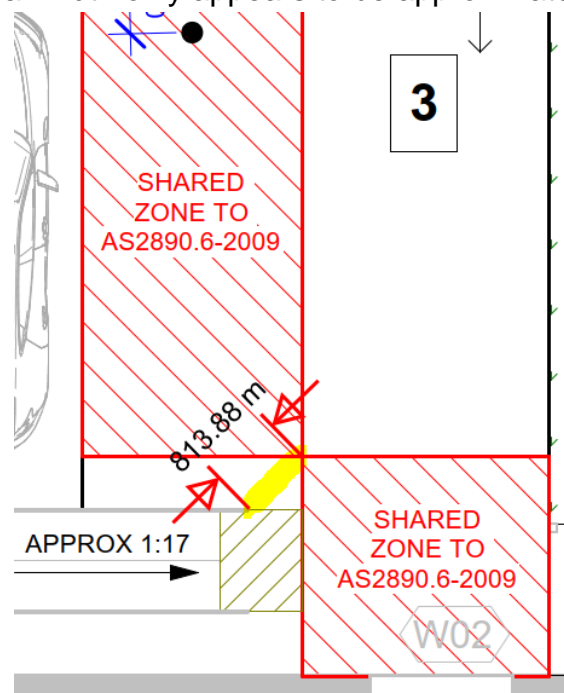
A continuous accessible path of travel complying with AS1428.1-2009 must be provided from the main points of a pedestrian entry allotment boundary to the principal pedestrian entrance of the building required to be accessible.

A plan has not been provided showing the gradients of the continuous accessible path of travel from the main points of a pedestrian entry allotment boundary to the principal pedestrian entrance of the building required to be accessible. Provide a plan showing compliant gradients in accordance with AS1428.1-2009.

### From the accessible carpark

A continuous accessible path of travel complying with AS1428.1-2009 must be provided from the accessible car parking areas on the same allotment to an entrance of the building required to be accessible.

Please illustrate a minimum 1000mm clear accessway provided from the side shared zone of the accessible car parking space to the ramp, clear of the dedicated car parking space. The clear width only appears to be approximately 813mm wide.





## 8.2.3 BCA D4D4 & DAPS D3.3 - Parts of Buildings to be Accessible

### Ramps

The ramp from the accessible car parking space must comply with clause 10 of AS 1428.1-2009. The plans illustrate compliant dimensions.

### Threshold ramps

Threshold ramps have not been illustrated on the plans. The threshold ramps can readily be addressed during subsequent stages of development. Alternatively, provide a threshold ramp detail for assessment.

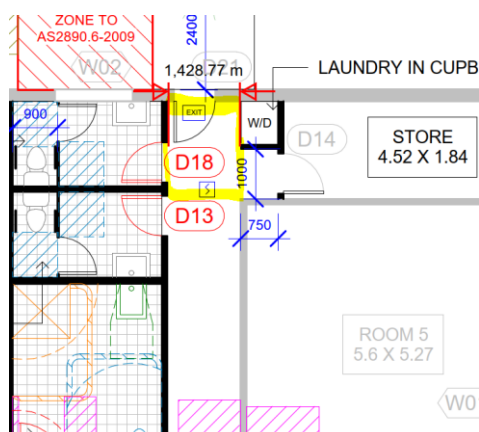
### Stairways

The stairway nosings cannot be effectively assessed on design documentation The stairway nosing's:

- Shall have a strip not less than 50 mm and not more than 75 mm deep across the full width of the path of travel. The strip may be set back a maximum of 15 mm from the front of the nosing. The strip shall have a minimum luminance contrast of 30% to the background. Where the luminous contrasting strip is affixed to the surface of the tread, any change in level shall comply with Clause 7.2 and Clause.
- Where the luminance contrasting strip is not set back from the front of the nosing then any area of luminance contrast shall not extend down the riser more than 10 mm.

### Accessways

Turning spaces complying with AS 1428.1 must be provided within 2 m of the end of accessways where it is not possible to continue travelling along the accessway. Within the corridor to the toilets and the corridor to the store room, a 1540mm wide x 2070mm deep space in the direction of travel has not been provided within 2m of the end of the corridor. Alternatively, a performance solution will be required by a qualified access consultant.

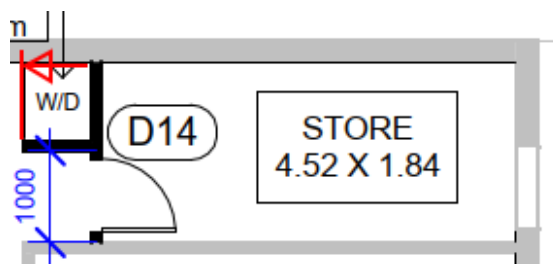


### 8.1.4 BCA D4D5 & DAPS D3.4 - Exemptions

Assessment Comments:

The following areas within this development have been identified as potential exempt areas, subject to certifier's concurrence:

- The 'store' room



### 8.1.5 BCA D4D6 & DAPS D3.5 - Accessible Carparking

Assessment Comments:

For this building a minimum of 1 accessible car parking space is required due to the building class and number of spaces.

The accessible car parking spaces are required to comply with AS2890.6-2009. The plans illustrate compliance with AS2890.6-2009.

### 8.1.6 BCA D4D7 & DAPS D3.6 - Signage

Assessment Comments:

Braille and tactile signage complying with Specification 15 will be required to identify each sanitary facility, space with a hearing augmentation system; and identify each door required by E4D5 to be provided with an exit. The signage specification has not been provided, cannot be effectively assessed on the provided design documentation, and can readily be addressed during subsequent stages of development.

### 8.1.7 BCA D4D8 & DAPS D3.7 - Hearing Augmentation

Assessment Comments:

A hearing augmentation system must be provided where an inbuilt amplification system, other than one used only for emergency warning, is installed. Therefore, any room provided with an inbuilt amplification system will require a hearing augmentation system. Details of an inbuilt amplification system have not been provided on the plans.



### **8.1.11 BCA D4D12 & DAPS D3.11 – Ramps**

Assessment Comments:

On an accessway—

- a) a series of connected ramps must not have a combined vertical rise of more than 3.6 m; and
- b) a landing for a step ramp must not overlap a landing for another step ramp or ramp.

Based on the plans provided, this requirement is not applicable to this building.

### **8.1.12 BCA D4D13 & DAPS D3.12 - Glazing on an Accessway**

Assessment Comments:

The glazing specification and markings on glazing's cannot be effectively assessed on design documentation and can readily be addressed during subsequent stages of development.

## **8.2 BCA Part E3 & DAPS Part E3 - Lift Installations**

### **8.2.1 BCA E3D8 & DAPS E3.6 - Accessible Features Required for Passenger Lifts**

Assessment Comments:

Not applicable

## **8.3 BCA Part F4 & DAPS Part F2 - Sanitary and Other Facilities**

### **8.3.1 BCA F4D5& DAPS F2.4 - Accessible Sanitary Facilities**

Assessment Comments:

The building requires at least one unisex accessible sanitary facility, 1 x male ambulant and 1 x female ambulant sanitary facility in accordance with AS1428.1-2009. The dimensions of these rooms comply on the plans. A detailed sanitary facilities plan has not been provided and can be assessed at subsequent stages of development.

### **8.3.2 BCA F4D6& DAPS Table F2.4a - Accessible Unisex Sanitary Compartments**

Assessment Comments:

The building has provided with an accessible unisex sanitary compartment. This accessible sanitary compartment must comply with AS1428.1-2009. The circulation spaces comply with AS1428.1-2009. Detailed elevations and product specifications will be required to determine compliance with AS1428.1-2009 clause 15.

### **8.3.3 BCA F4D7& DAPS Table F2.4b - Accessible Unisex Showers**

Assessment Comments:

The building has provided with an accessible unisex shower. This accessible unisex shower must comply with AS1428.1-2009. The circulation spaces comply with AS1428.1-2009. Detailed elevations and product specifications will be required to determine compliance with AS1428.1-2009 clause 15.

### **8.3.4 BCA F4D12& DAPS F2.9 - Accessible Adult Change Facilities**

Assessment Comments:

Accessible Adult Change Facilities are not required.

## 9.0 Conclusion

This Report has assessed spatial planning matters associated with providing access and facilities for people with a disability. The design documentation reviewed for the subject building development is addressed 73 Bulwer Street Maitland NSW and can be viewed within the Appendix section of This Report.

This Report has identified some non-compliances and items that require further information relevant to ensure compliance with providing access and facilities for people with a disability.

Any works that are planned and undertaken to improve access must comply with the Disability (Access to Premises – Buildings) Standards, the National Construction Code Vol 1 2022 and the relevant Australian Standards. Any works that are proposed or completed should be assessed and inspected by a qualified access consultant to ensure compliance.

## 10.0 Appendix: Reviewed Documentation

*Table 10.0: Architectural Design Documents Prepared By Hoover Group*

Document Number/Reference	Document Title	Revision	Date of Issue
CATERED-202401	Architectural Plans – Draft Plan Set	A	06.09.2024