



Access Report

**Multi-Dwelling Development**  
61 Banks Street  
EAST MAITLAND NSW 2323

For: A & K MacKay Building Co P/L  
Ref: LP\_22061



## Document Control

This report has been prepared based on the documentation available and time allocated to conduct the review. All reasonable attempts have been made to identify key compliance matters.

### Revision Summary:

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<b>approved by:</b> Lindsay Perry	Draft Revision 1	22 February 2022 19 March 2022

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### Clarifications:

This report is limited to items within drawings listed in this report only.

**Any dimensions quoted throughout this report and within Australian Standards are CLEAR dimensions, not structural.**

The recommendations throughout this report reflect the professional opinion and interpretation of Lindsay Perry Access Pty Ltd. This may differ from that of other consultants.

### Definitions:

The following terminology has been used throughout this report:

**Compliant** | compliance with current accessibility legislation has been achieved  
**Compliant Configuration** | circulation and spatial planning requirements are compliant  
**Capable of compliance** | compliance is achievable through detailed design  
**Not Yet Complaint** | circulation and spatial planning requirements have not yet been met  
**To be addressed during detailed design stage** | details not available at DA stage  
**To be confirmed** | inadequate information is provided to determine compliance



## Executive Summary

Development application documentation for the Multi-Dwelling Development located at 61 Banks Street East Maitland NSW 2323, has been reviewed against current accessibility legislation.

The following table summarises our findings.

Item No.	Description	Compliance Status
<b>The Disability (Access to Premises) Standards</b>		
5.1	Access Code	Refer BCA requirements
5.2	New Work & The Affected Part	Not Applicable
<b>Access and Approach</b>		
6.1	Allotment Boundary to Entrance	Performance Based approach
<b>Adaptable Housing</b>		
<b>Pre Adaption Requirements</b>		
7.1	Accessible Entrance	Compliant configuration
7.2	Visitable Toilet	Compliant configuration
7.3	Accessible Path of Travel	Compliant configuration
<b>Post Adaption Requirements</b>		
7.4	Car Accommodations	Capable of compliance
7.5	Letterbox	Performance Based approach
7.6	Doorways	Capable of compliance
7.7	Internal Corridors	Compliant
7.8	Bathroom	Compliant configuration
7.9	Kitchen	Compliant configuration
7.10	Bedroom	Compliant configuration
7.11	Living Area	Compliant configuration
7.12	Laundry	Compliant configuration
7.13	Floors Generally	To be addressed during detailed design
7.14	Ancillary Items	To be addressed during detailed design

We consider that the drawings presented for assessment, for the purposes of a development application, generally comply with current statutory requirements.

  
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## 1 Project Background

The project is a multi-dwelling development comprising of one (1) single level dwelling fronting Banks Street and seventeen (17) double storey dwellings at the rear of the site. Two (2) dwellings have been identified as adaptable dwellings. A communal open space is provided centrally within the development.



Figure 1 | Proposed Development

## 2 Reviewed Documentation

Documentation prepared by The Plan Centre has been reviewed as follows:

dwg no.	drawing name	revision
A01	Site Analysis	03
A02	Site Plan	03
A03	Floor Plans Dwellings 1 – 4	03
A04	Lower Floor Dwellings 5 – 18	03
A05	Upper Floor Dwellings 5 – 18	03
A06	Boundary Elevations	03
A07	Boundary Elevations	01
A08	Internal Site Elevations	01
A09	Internal Site Elevation	01
A10	Shadow Diagrams + Details	01

## 3 Council Requirements

Maitland City Council DCP (2011) Part C, 2.2 Residential Development – Adaptable Housing is applicable to this development.

It seeks to maximise choice in the local housing market and encourage both home builders and designers of medium density housing, to consider adopting "adaptable design" principles. This means making provision in new dwellings for adaptation as an access friendly dwelling. This would generally comprise larger bathroom sizes, door openings, corridor width and no stairs.



## 4 Legislation

Access assessment has been made against Access Legislation including:

- The Commonwealth Disability Discrimination Act 1992 (DDA)
- Disability (Access to Premises (Buildings)) Standards 2010
- Access Code for Buildings 2010
- The National Construction Code Building Code of Australia Volume 1 2019, Amendment 1 (BCA)
  - Section D3 – Access for People with Disabilities
- Australian Standard AS1428.1 (2009) Amendment 1 & 2, – Design for Access and Mobility
- Australian Standard AS1428.2(1992) – Design for Access and Mobility: Enhanced and additional requirements – Buildings and facilities
- Australian Standard AS1428.4.1 (2009) Amendment 1 – Design for Access and Mobility: Means to assist the orientation of people with vision impairment – Tactile ground surface indicators
- Australian Standard AS4299 – Adaptable Housing

A summary of the requirements of relevant legislation follows.

### **The Disability Discrimination Act 1992**

The DDA requires independent, equitable, dignified access to all parts of the building for all building users regardless of disability. The DDA makes it unlawful to discriminate against a person on the grounds of disability.

### **The Disability (Access to Premises) Standards**

The Disability (Access to Premises - buildings) Standards 2010 (the Premises Standards) commenced on 1 May 2011. Any application for a building approval for a new building or upgrade of an existing building on or after that date triggers the application of the Premises Standards.

The Premises Standards include an **Access Code** written in the same style as the Building Code of Australia. It has a number of Performance Requirements that are expressed in broad terms and references a number of technical Deemed-to-Satisfy Provisions.

### **The National Construction Code / Building Code of Australia (Volume 1)**

The Building Code of Australia (BCA) is contained within the National Construction Code (NCC) and provides the minimum necessary requirements for safety, health, amenity and sustainability in the design and construction of new buildings (and new building work in existing buildings) throughout Australia. The BCA is a performance-based code and compliance can be met through satisfying the deemed-to-satisfy provisions or by meeting the prescribed performance requirements.

The BCA for Class 1a buildings, being a detached house or a group of dwellings such as terrace houses, townhouses or a villa unit, BCA has no specific accessibility requirements.



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### AS1428 – Design for Access and Mobility

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The AS1428 Suite provides design requirements for accessibility generally, covering all types of disabilities. AS1428.1 and AS1428.4.1 are referenced by the NCC / BCA.

- Australian Standard AS1428.1 (2009) Amendment 1 & 2, – Design for Access and Mobility contains access requirements that are mandatory for the provision of access for persons with a disability and is referred by the BCA
- Australian Standard AS1428.4.1 (2009) Amendment 1 – Design for Access and Mobility: Means to assist the orientation of people with vision impairment – Tactile ground surface indicators

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### AS4299 Adaptable Housing

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AS4299 (1993) provides housing for different community groups with different needs. It involves a move away from special accommodation for persons with a disability, avoiding social dislocation.

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## 5 The Disability (Access to Premises) Standards

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Any application for a building approval for a new building or upgrade of an existing building triggers the application of the Premises Standards. The Premises Standards include an Access Code written in the same style as the Building Code of Australia. Additionally, it offers a number of concessions for existing buildings as outlined below.

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### 5.1 Access Code

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The Premises Standards include an Access Code written in the same style as the Building Code of Australia.

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#### Compliance Summary:

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Not applicable to this type of residential development.

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### 5.2 New Work and The Affected Part

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The Disability (Access to Premises – Buildings) Standards apply to **...a new part, and any affected part, of a building**, to the extent that the part of the building is...a Class 3, 5, 6, 7, 8, 9 or 10 building (Clause 2.1).

**New work** is defined as follows (Clause 2.1 (4)):

- An extension to the building or a modified part of the building.

An **affected part** is defined as follows (Clause 2.1 (5)):

- The principal pedestrian entrance of an existing building that contains a new part; and
- 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.

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#### Compliance Summary:

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Not applicable to this type of residential development.

## 6 BCA | Access and Approach + External Areas Generally

While the BCA has no requirements for this type of development (Class 1a), due to the provision of adaptable housing within the development in keeping with Council DCP requirements, the approach to the adaptable dwellings needs consideration.



Figure 2 | Overall Site Plan showing Adaptable Dwellings

### 6.1 Approach from Allotment Boundary

A continuous accessible path of travel is required from the allotment boundary at the main points of pedestrian entry to the entry door of each adaptable dwelling.

#### Compliance Summary:

Performance based approach

#### Commentary:

A formed pedestrian footpath is provided adjacent to the driveway area for access from the allotment boundary along Banks Street.

Due to topographical constraints, an accessible path of travel is not achievable between Banks Street and the adaptable dwellings. Carparking will be relied upon for access to Dwelling 01 and Dwelling 05.



## 7 Adaptable Housing (Council Requirement)

Adaptable housing is required within the development under Council's DCP.

An adaptable housing unit is defined by AS4299 as follows:

*A housing unit which is designed and constructed to meet the performance requirements stated in the standard. It is designed in such a way that it can be modified easily in the future to become accessible to both occupants and visitors with disabilities of progressive frailties.*

There are six (6) performance requirements being: visitability; avoidance of level changes; manoeuvrability; ease of adaption; ease of reach; and future laundry facilities.

Both the pre-adaption state and post-adaption state need to be considered. In the pre-adapted state, an adaptable unit is required to be "visitable" and these requirements are applicable at the time of construction. Other elements are to be provided on adaption of the unit. Documentation needs to demonstrate that compliance in the post-adapted state is achievable.

At **time of construction**, the following are required:

- An accessible entrance per AS1428.1 (2009).
- A visitable toilet at the entry level per AS4299
- An accessible path of travel from the entrance to the visitable toilet and living areas within the meaning of AS1428.1 (2009)

At **time of adaption**, the following are required:

- Compliance with AS4299 Appendix A – essential criteria. This includes kitchen layouts, laundry layouts, carparking, etc

The following requirements for adaptable apartments are based on AS4299, Section 4 – Design of the Housing Unit, essential criterion as listed in Appendix 1, AS4299 Schedule of Features for Adaptable Housing. Compliance with the following features will achieve a Class C adaptable housing unit.

### Commentary:

Dwellings 02 and 05 have been nominated as the adaptable dwellings. They are a two-bedroom arrangement over two (2) levels with living, dining, kitchen, laundry and a toilet provided at the lower, entry level.

The bedrooms, bathroom and ensuite are provided at the upper floor level via stairs. A lift is proposed on adaption of the dwellings for access to the upper level.





## Pre-Adaption Requirements:

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### 7.1 Accessible Entrance

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Entrances to adaptable housing units are to comply with AS4299 Clauses 4.3.1 and 4.3.2. AS4299 which require that the entry doors comply with AS1428.2 **at time of construction**. The minimum clear opening width of the doorway is to be 850mm and allow for wheelchair maneuverability (provide minimum 1550mm long area in front of the doorway). Entrances to the adaptable housing units to be weatherproofed.

Door hardware is to comply with AS1428. In this regard, entry door hardware is to be in the accessible height range of 900-1100mm above finished floor level. The use of lever handles is encouraged to assist persons with a manual disability such as arthritis.

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#### Compliance Summary:

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Capable of compliance

#### Commentary:

Adequate circulation is provided at the doorways to achieve an accessible entrance.

Ensure a level transition is provided at the entrance door thresholds.

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### 7.2 Visitable Toilet

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Each adaptable housing unit is required to have a toilet on the entry floor that is a visitable toilet within the meaning of AS4299 **at time of construction**. The toilet is to be installed in compliance with AS1428.1 (correct set-out distance from fixed walls) and have the capacity to accommodate a grabrail that complies with Figure 4.5 of AS4299. The visitable toilet door is required to have a clear opening width of 820mm. Slip resistant floors are also required.

A visitable toilet is defined as a toilet which has a space of minimum 1250x900mm in front of the toilet clear of door swings.

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#### Compliance Summary:

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Capable of compliance

#### Commentary:

Ensure the toilet on entry level achieves a clear width of 900mm between walls.



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### 7.3 Accessible Path of Travel from Entry to Visitable Toilet & Living Area

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The performance requirements of AS4299 require the provision of an accessible path of travel, within the meaning of AS1428.1 (2009), from the entrance to the visitable toilet and a living area. Door circulation and corridor widths need to be designed to reflect this requirement.

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**Compliance Summary:**

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Compliant

### Post Adaption Requirements:

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### 7.4 Private Car Accommodations

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Private carparking spaces for adaptable housing units shall be large enough to enable a person with a wheelchair to get in and out of both the car and the parking space. A width of 3.8m is necessary to enable the driver to alight, open the passenger door and assist a person with a disability into a wheelchair.

Carparking spaces for the adaptable units to have a minimum floor plan dimension of 3.8m x 6.0 (AS4299, Clause 3.7.2). A clear vertical clearance of 2.5m is desirable.

The introduction of AS2890.6 in 2009 offers an approach to the provision of accessible carparking that can be easily accommodated in a standard carparking layout. It offers an accessible space 2400mm wide with a circulation area 2400mm wide adjacent to the space (4800mm for a single space). The circulation area can be "shared" between two accessible spaces (7200mm for two spaces). This offers carparking spaces in excess of the minimum requirement of AS4299 (3800mm).

The abovementioned configuration has been adopted in the provision of carparking for the adaptable unit. With regard to the strata plan, the shared space could become a part of the common title to ensure it remains a circulation area.

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**Compliance Summary:**

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Capable of compliance

**Commentary:**

A double garage is provided to both adaptable dwellings offering compliance with AS4299 with a minimum area of 3.8 x 6.0.

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### 7.5 Letterboxes

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Letterboxes to adaptable housing units should be located on a hard standing area connected by an accessible path of travel to the adaptable housing unit.

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**Compliance Summary:**

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Performance based approach



**Commentary:**

Letterboxes are shown at the front of development along Banks Street.

Letterboxes to adaptable apartments should be provided with an accessible path of travel, however in this instance vehicle access will be relied upon due to existing topographical constraints. We note that a passing bay is provided at letterboxes that can be used for this purpose.

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## 7.6 Doorways

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Doorways throughout adaptable housing units are required to have a clear opening width of 820mm. At time of construction, an accessible path of travel within the meaning of AS1428.1 is required from the entrance to the visitable toilet and living area. Other door circulation areas are to comply with AS1428.1 on adaption of the unit.

All door hardware is to be operable with one hand and in the height range of 900-1100mm above the floor level. The use of lever handles is encouraged to assist persons with a manual disability such as arthritis.

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**Compliance Summary:**

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Capable of compliance

**Commentary:**

Doorways will achieve the required circulation areas on adaption.

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## 7.7 Internal Corridors

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There is a requirement for all corridors to be minimum 1000mm.

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**Compliance Summary:**

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Compliant

**Commentary:**

Corridors within the adaptable dwellings are a minimum of 1000mm wide

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## 7.8 Bathroom

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Bathrooms within an adaptable housing unit are to comply with AS1428.1 after adaption. Issues to be considered include slip resistant floor, shower minimum 1100x1160mm with future provision for accessible features including handheld shower and grabrails, shower waterproofing to AS3740, recessed soap holder, washbasin with knee clearance, adequate circulation areas, automatic control of hot water, double GPO next to the mirror and the provision of capstan or lever taps. Refer to AS4299, Clause 4.4.4.

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**Compliance Summary:**

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Compliant configuration



**Commentary:**

The bathroom at the first floor in the adaptable dwelling (post adaption) provides the required circulation areas shown as dashed lines on the drawings.

We note access to the bathroom on the first floor is via a lift on post adaption.

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## 7.9 Kitchen

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Essential requirements for kitchens within an adaptable housing unit allow for future adaption and include items such as sinks, taps, cooktops, location of oven, cupboard handles, general power outlets, dimensions of the space and location of refrigerator.

Kitchens are required to have a clear space between benches of 1550mm. An area of bench top 800mm wide is required that can be adjusted through the height range of 750 – 850mm above floor level. Alternatively, a section of this dimension needs to be easily replaceable to achieve this requirement.

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**Compliance Summary:**

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Compliant configuration

**Commentary:**

The kitchen in the adaptable dwellings offers 1550mm circulation space (shown as dashed lines on the drawings) between benches and an 800mm long bench that could be adapted in the future to be adjustable through a height range of 750mm-850mm AFFL.

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## 7.10 Bedroom

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At least one bedroom within an adaptable housing unit is required to have adequate space for a wardrobe and a queen size bed with minimum 1540mm wide circulation at the foot of the bed and 1000mm at the side of the bed (1200mm preferred) for compliance with AS1428.2, Clause 6.1.

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**Compliance Summary:**

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Compliant configuration

**Commentary:**

Bedroom 2 at the first floor offers compliant circulation areas on adaption.

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## 7.11 Living Area

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Living areas within an adaptable housing unit are required to have circulation areas that allow a wheelchair to maneuver within the space at time of construction. In this regard, an area with 2250mm diameter is required, clear of furniture. AS4299, Clause 4.7 outlines this requirement. A telephone outlet adjacent to a general power outlet is also a requirement for living areas.

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**Compliance Summary:**

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Compliant configuration



**Commentary:**

The living area within the adaptable dwellings is an open-plan area which meets the circulation requirements of AS4299.

Other items mentioned above are to be addressed during detailed design stages.

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### 7.12 Laundry

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Requirements for laundry areas within adaptable housing units include the provision for an automatic washing machine / clothes dryer with clear space in front of the appliances. An area of 1550mm diameter will achieve this requirement. Laundries are to have slip resistant floors and door circulation areas in compliance with AS1428.1.

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**Compliance Summary:**

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Compliant configuration

**Commentary:**

Adequate circulation area is provided in front of the appliances, minimum 1550mm in diameter.

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### 7.13 Floors Generally

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AS4299 requires that all floor surfaces including bathrooms, laundry and external paved surfaces be slip resistant to comply with AS3661.1.

Non-essential items include that after modification, carpets should have short pile and consideration should be given to the fire hazard indices. Floors should be easily cleanable and bold patterns should be avoided to eliminate confusion for persons with vision impairment.

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**Compliance Summary:**

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To be addressed during detailed design

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### 7.14 Ancillary Items

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Ancillary items are not considered essential items. Switches such as light switches must be located within the accessible height range of 900-1100mm above the floor level. Power outlets should be located at a height not less than 600mm affl – a height of 1000mm is preferred. They should be located not less than 500mm from internal corners.

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**Compliance Summary:**

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To be addressed during detailed design



## 8 Conclusion

This report demonstrates that the fundamental aims of accessibility legislation are achievable within the Multi-Dwelling Development at 61 Banks Street East Maitland NSW. Spatial planning and general arrangements of facilities will offer inclusion for all building users.

Disability is often defined as any limitation, restriction or impairment which restricts everyday activities and has lasted or is likely to last for at least 6 months. Disabilities can be very varied. They can be physical, cognitive, intellectual, mental, sensory, or developmental. They can be present at birth or can occur during a person's lifetime. They can also be permanent or temporary. In Australia, almost one in five people – 4.3 million – have a disability with one in three having severe or profound core activity limitation.

Equity and dignity are important aspects in the provision of access to buildings for all users. With respect to people with a disability, equity and dignity are sometimes overlooked in the construction of new buildings or refurbishment works. The design approach needs to maintain a high level of equity for people with disabilities and meet the performance requirements of the BCA. The performance requirements adopt two main concepts in the provision of access for people with a disability being **to the degree necessary** and **safe movement**. Both of these concepts need to be achieved within the context of equitable and dignified access.

In this respect, a wide range of disabilities needs consideration and a compromise reached between requirements of different disability groups. Measures need to be implemented to ensure inclusion of all users, not a particular disability group in isolation.

