

03 May 2024

Our Ref: P223_562-2 (ACCESS DA) DY

Mosman Municipal Council c/o – Archer Office
Sent via Email

Attention: Andy O'Carroll

ACCESSIBILITY CAPABILITY STATEMENT FOR DA SUBMISSION
PROJECT NAME: MIDDLE HEAD AMENITIES BUILDING

1. INTRODUCTION

An assessment of the subject development has been undertaken by Design Confidence at the request of Mosman Municipal Council c/o – Archer Office and relates to the proposed sports amenities development located at 1110 Middle Head Road, Mosman NSW 2088.

2. BACKGROUND

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

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

'Section 71 of the Sydney Harbour Federation Trust Act 2001 covers 'excluded State Law' this states that certain state laws do not apply to the Trust or to the property (including Trust Land) covering, but not exclusive of, matters of town planning, powers and functions of local Councils, standards applicable to the design, or manner of construction, of a building, structure or facility and the protection of the environment or of the natural and cultural heritage. Although for completeness and if there is a lack of Commonwealth guidance, NSW laws or standards in these matters have been assessed and reviewed as required.'

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

- » Building Code of Australia (BCA) 2022 – Volume 1;
- » AS1428.1-2009 Design for access and mobility Part 1: General requirements for access – New building work;
- » AS1428.4.1-2009 Means to assist the orientation of people with a vision impairment – Tactile Ground Surface Indicators;

3. ASSESSMENT

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

Table 1 – Building Classification

STOREY	CLASSIFICATION	DESCRIPTION
-	Class 5/6/9b	Amenities Building
-	Class 9b	Shelter Structure

Table 3 on the following page outlines the relevant accessibility measures that will be provided as part of the development such that compliance with the BCA is achieved, specifically with Part D4 Access for People with a Disability, Parts F4D5, F4D6, F4D7 Accessible Sanitary Facilities.

Table 3 – Accessibility Measures

BCA CLAUSE	STATUTORY REQUIREMENT	COMMENT
General building access requirements Clause D4D2	Buildings and parts of buildings must be accessible as required by this clause, unless exempted by D4D5. Class 5, 6 & 9b Access is required to and within all areas normally used by the occupants.	The building is capable of achieving compliance with this clause.
Access to buildings Clause D4D3	An accessway must be provided to a building required to be accessible— a) from the main points of a pedestrian entry at the allotment boundary; and b) from another accessible building connected by a pedestrian link.	The building is capable of achieving compliance with this clause.
	In a building required to be accessible, an accessway must be provided through the principal pedestrian entrance, and— a) through not less than 50% of all pedestrian entrances including the principal pedestrian entrance; and b) in a building with a total floor area more than 500 m ² , a pedestrian entrance which is not accessible must not be located more than 50 m from an accessible pedestrian entrance, except for pedestrian entrances serving only areas exempted by D4D5.	The building achieves compliance.
Parts of building to be accessible Clause D4D4	In a building required to be accessible, every ramp and stairway, except for ramps and stairways in areas exempted by D4D5, must comply with— a) for a ramp, except a fire-isolated ramp, clause 10 of AS 1428.1; and b) for a stairway, except a fire-isolated stairway, clause 11 of AS 1428.1; and	Capable of compliance, design of stair, ramp and handrails to be developed at detailed design / CC stage.

BCA CLAUSE	STATUTORY REQUIREMENT	COMMENT
	c) for a fire-isolated stairway, clause 11.1 (f) and (g) of AS 1428.1. Accessways must have— a) passing spaces complying with AS 1428.1 at maximum 20 m intervals on those parts of an accessway where a direct line of sight is not available; and b) turning spaces complying with AS 1428.1— i. within 2 m of the end of accessways where it is not possible to continue travelling along the accessway; and ii. at maximum 20 m intervals along the accessway.	The building achieves compliance.
Exemptions Clause D4D5	The following areas are not required to be accessible: a) An area where access would be inappropriate because of the particular purpose for which the area is used. b) An area that would pose a health or safety risk for people with a disability. c) Any path of travel providing access only to an area exempted by (a) or (b). The following rooms / areas and associated accessways have been afforded the concession under D4D5 based on the health or safety risk and therefore access for people with disabilities need not be provided to these areas – (i) Storage; (ii) Utilities;	Written confirmation at CC stage required from client confirming areas to be considered under D4D5 exemptions.
Accessible carparking Clause D4D6	Carpark is existing and not part of the scope of works. Hence, comments provided are advisory in nature.	Recommend providing accessible carpark spaces that are in accordance AS 2890.6-2009.
Signage Clause D4D7 and Specification 15	Signage in accordance with this clause and details within AS1428.1 to be provided to identify sanitary facilities, hearing augmentation, non-accessible pedestrian entrances, directional signage and exit levels, where applicable.	Capable of compliance, Signage package to be submitted with detailed design documentation.
Hearing Augmentation Clause D4D8	A hearing augmentation system must be provided where an inbuilt amplification system, other than one used only for emergency warning, is installed— a) in a room in a Class 9b building; or b) in an auditorium, conference room, meeting room or room for judicatory purposes; or c) at any ticket office, teller's booth, reception area or the like, where the public is screened from the service provider.	As design progresses, consideration shall be given to the hearing augmentation provisions.

BCA CLAUSE	STATUTORY REQUIREMENT	COMMENT
Tactile indicators Clause D4D9	<p>For a building required to be accessible, tactile ground surface indicators must be provided to warn people who are blind or have a vision impairment that they are approaching—</p> <ul style="list-style-type: none"> a) a stairway; b) a ramp; c) in the absence of a suitable barrier— <ul style="list-style-type: none"> i. an overhead obstruction less than 2 m above floor level, other than a doorway; and ii. an accessway meeting a vehicular way adjacent to any pedestrian entrance to a building, excluding a pedestrian entrance serving an area referred to in D4D5, if there is no kerb or kerb ramp at that point, <p>except for areas exempted by D4D5.</p> <p>Tactile ground surface indicators required by (1) must comply with sections 1 and 2 of AS/NZS 1428.4.1.</p>	<p>Further details of tactile indicators to be developed with detailed design documentation in accordance with this clause.</p>
Wheelchair seating spaces Clause D4D10	<p>Does not apply to Concrete tiered seating. Comments provided are advisory in nature.</p>	<p>Cut into bottom tier to provide a space for wheelchair users that is at the same level as the tier.</p>
Glazing on accessways Clause D4D13	<p>On an accessway, where there is no chair rail, handrail or transom, all frameless or fully glazed doors, sidelights and any glazing capable of being mistaken for a doorway or opening, must be provided with visual indicators in accordance with Clause 6.6 of AS 1428.1-2009.</p>	<p>Further details of glazing decals to be detailed design documentation in accordance with this clause.</p>
Accessible sanitary facilities Clause F4D5	<p>In a building required to be accessible—</p> <ul style="list-style-type: none"> a) accessible unisex sanitary compartments must be provided in accessible parts of the building in accordance with F4D6; and b) accessible unisex showers must be provided in accordance with F4D7; and c) an accessible unisex sanitary compartment must contain a closet pan, washbasin, shelf or bench top and adequate means of disposal of sanitary products; and d) the circulation spaces, fixtures and fittings of all accessible sanitary facilities provided in accordance with F4D6 and F4D7 must comply with the requirements of AS 1428.1; and e) an accessible unisex sanitary facility must be located so that it can be entered without crossing an area reserved for one sex only; and f) where two or more of each type of accessible unisex sanitary facility are provided, the number of left and right-handed mirror image facilities must be provided as evenly as possible; and 	<p>Further details (e.g. fittings and fixtures) of the accessible sanitary facilities to be submitted with detailed design documentation in accordance with this clause.</p>

BCA CLAUSE	STATUTORY REQUIREMENT	COMMENT
	g) where male sanitary facilities are provided at a separate location to female sanitary facilities, accessible unisex sanitary facilities are only required at one of those locations; and h) an accessible unisex sanitary compartment or an accessible unisex shower need not be provided on a storey or level that is not required by D4D4(f) to be provided with a passenger lift or ramp complying with AS 1428.1.	
Accessible unisex sanitary compartments Clause F4D6	Where required by F4D5(a), the minimum number of accessible unisex sanitary compartments for each class of building is as follows: Class 5, 6, 7, 8 or 9 a) 1 on every storey containing sanitary compartments; and b) 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.	As the building contains three banks of toilets, two of those banks would require an accessible WC. At CC / detailed design stage, a performance solution can be pursued to rely on the single accessible WC via wayfinding signage.
Accessible unisex showers Clause F4D7	Where required by F4D5(b), the minimum number of accessible unisex showers for each class of building is as follows: Class 5, 6, 7, 8 or 9 Where F4D4 requires 1 or more showers, not less than 1 for every 10 showers or part thereof. The requirements of this clause do not apply within a ward area of a Class 9a health-care building.	Compliance is capable. Further details of accessible sanitary facilities to be submitted with detailed design documentation in accordance with this clause.
Ambulant sanitary facilities Clause F4D5 (c)	At each bank of toilets where there is one or more toilets in addition to an accessible unisex sanitary compartment at that bank of toilets, not less than one sanitary compartment suitable for a person with an ambulant disability for use by males and one sanitary compartment suitable for a person with an ambulant disability for use by females, must be provided. Ambulant sanitary facilities shall be designed in accordance with Clause 16 of AS1428.1.	Compliance is capable. Further details of ambulant sanitary facilities to be submitted with detailed design documentation in accordance with this clause.

4. SUMMARY

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

Compliance can be achieved either by meeting the deemed-to-satisfy requirements of the BCA, as are principally contained within Part D4 *Access for People with a Disability*, Clauses F4D5, F4D6, F4D7 *Accessible Sanitary Facilities*, or via a performance-based approach.

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

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

Kind regards,

Report By

Reviewed By



David Yan
Building Regulations Consultant
For Design Confidence (Sydney) Pty Ltd



John La Scala
Senior Associate | Accessibility
For Design Confidence (Sydney) Pty Ltd

APPENDIX 1 – DOCUMENTATION PROVIDED FOR ASSESSMENT

This accessibility assessment was based upon the architectural documentation prepared by Archer Office namely—

DRAWING NUMBER	REV	TITLE	DATE
A000	A	COVER PAGE	02/05/24
A020	A	SITE ANALYSIS	02/05/24
A040	A	DEMOLITION PLAN	02/05/24
A050	A	SITE PLAN	02/05/24
A101	A	GROUND FLOOR	02/05/24
A101	A	GROUND FLOOR	02/05/24
A102	A	ROOF PLAN	02/05/24
A201	A	ELEVATIONS	02/05/24
A301	A	SECTIONS	02/05/24
A401	A	SCHEDULE OF MATERIALS	02/05/24