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Ref: AN09008 APR 20090318

18th March 2009

Eastmark Holdings Pty Ltd
C/- Rice Daubney
110 Walker Street
NORTH SYDNEY 2060

Attention: Mr. Darren Tims

Dear Darren,

Re: Accessibility Plan
Project: Commercial Office and Hotel Tower Development
Address: 88 Walker and 77-81 Berry Streets, North Sydney

Philip Chun Accessibility has been engaged to provide the following professional opinion in regards to access for people with disabilities to and throughout the proposed commercial office and hotel tower development located at 88 Walker and 77-81 Berry Streets, North Sydney.

1.0 INTRODUCTION

This access report has been prepared for Eastmark Holdings Pty Ltd c/o Rice Daubney by Philip Chun Accessibility and represents a review of all aspects of access to and within the site with respect to the Building Code of Australia (BCA), Disability Discrimination Act 1992 (*Cth*) (DDA), and relevant Australian Standards as applicable to this project. This report verifies the accessibility principles applied to the project, and represented in the associated development approval documentation, confirms the Client's commitment to the development of an equitable and accessible environment for all.

Philip Chun Accessibility permits submission of this report to the relevant authority, NSW Department of Planning, to satisfy the Director-General's requirements which stipulate the undertaking of an Environmental Assessment with consideration to accessibility.

The following development approval documentation produced and provided by Rice Daubney (Project No. 07001), issued 6th March 2009 was reviewed as part of our assessment:

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Documents

Document No	Title	Revision
DA07	Site Plan	--
DA08	Basement 4	--
DA09	Basement 3	--
DA10	Basement 2	--
DA11	Basement 1	--
DA13	Lower Ground Plans	--
DA14	Lobby / Bridge Link	--
DA15	Food Court / Conference Centre	--
DA16	Conference / Restaurant	--
DA17	Plant / Reception and Bar	--
DA18	LR TYP SML/ Typical Hotel Floor	--
DA20	LR Typical / Plant	--
DA21	MR Typical / Hotel Typical	--
DA22	HR Typical / Hotel Typical	--
DA23	HR Typical SML / Hotel Plant	--
DA24	Tower Plant / Hotel Roof	--
DA25	Tower Roof / Hotel Roof	--
DA26	Long Section	--
DA27	Section Through Tower and Hotel	--
DA28	Section A and Section B	--
DA29	East Elevation	--
DA31	South Elevation with Context	--
DA32	West Elevation	--
DA35	Section Through Tower and Hotel with Context	--

2.0 DISABILITY DISCRIMINATION ACT 1992 (*Cth*) (DDA)

The Disability Discrimination Act 1992 (*Cth*) (DDA) states it is unlawful to discriminate on the basis of disability, protecting persons with disability and their associates. 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 also addresses discrimination in other areas, including:

- In employment (Sections 15 to 21);
- Provision of goods, services and facilities (Section 24);
- Requests for information (Section 30).

In contrast to building regulations, the DDA is not prescriptive and at this stage there are no specific DDA standards which can be adhered to, in order to ensure premises owners and facility providers meet the spirit and intent of the Act and eliminate their risk of attracting a complaint.

There is a misconception that compliance with the BCA equals compliance with the DDA; however there is a lack of uniformity between these legislative documents. The BCA stipulates minimum provisions for access and are by no means ideal. In order to provide guidance on this issue, the Human Rights and Equal Opportunities Commission (HREOC) have produced 'Advisory Notes on

Access to Premises'¹ to assist designers, builders, owners, managers, operators, regulators and users in their understanding of the application of Section 23 of the DDA.

There is an intention for the Australian Building Codes Board (ABCB) to make considerable changes to the BCA, to form part of a new National Standard for access to premises. It is aimed that this Premises Standard will provide greater consistency between the Acts, clarifying the objectives of the DDA through the modification of the deemed to satisfy provisions of the BCA. Currently, this Standard is in draft and further deliberation is required to ensure its implementation will increase accessibility to premises and facilities without imposing undue burdens on the building industry.

In the interim, Philip Chun refers to the Advisory Notes produced by HREOC in addition to Accessibility Standards in draft and current Australian Standards.

3.0 PROJECT DESCRIPTION

The proposed development site is bound by Berry Street (North), Walker Street (South), Spring Street (South) and Denison Street (West). Little Spring Street separates the proposed towers.

The project consists of:

- Commercial Tower
 - o Main entrance from Spring Street
 - o 33 Office levels
 - o 4 level Basement car park
 - o Service tunnel link to Hotel at Basement 2 level
 - o Bridge link to Hotel over Little Spring Street
 - o Retail Component
 - Main Entrance from Berry Street
 - Lift access from Lower Ground level of Commercial Tower
 - 2 levels and roof-top terrace
 - Physical connection to existing Tower
- Hotel
 - o Main entrance from Little Spring Street
 - o 31 Hotel levels, including Plant level
 - o Service tunnel link to Commercial Tower at Basement 2 level
 - o Bridge link to Commercial Tower over Little Spring Street

¹ Human Rights and Equal Opportunity Commission (HREOC), 'Advisory Notes of Access to Premises', 1996

4.0 ACCESS PROVISION

The following areas of the development will be accessible by the public and staff, excluding maintenance and storage facilities, enabling safe, equitable and independent travel.

4.1 Accessible Parking

4.1.1 Provision

The commercial development includes a basement car park consisting of four levels to service the commercial, retail and hotel components.

A total of 214 car parking spaces are proposed, consisting of 140 spaces allocated to the commercial tenants with an additional 26 parking spaces designated for retail and public parking. Accessible car parking spaces will be provided in accordance with percentages nominated in AS 2890.1 (1993). That is, not less than 2% of total car parking allocated to retail / commercial components is recommended to meet the spirit and intent of the DDA and will equate to a minimum of 4 accessible car parking spaces (based on a total 166 spaces).

In regards to car parking spaces for Hotel patrons, a total of 48 spaces are allocated for their use. The equal percentage of accessible hotel rooms to the total number of hotel rooms (8 from 200 at 4%) must be designated as accessible car parking for people with disabilities. That is, 2 car parking spaces to be provided as parking for people with disabilities. In addition, it is recommended that the equal number of car parking spaces to the number of accessible hotel rooms be designed with appropriate dimensions and head height clearances to enable access by a person with a disability as required. That is, a further 6 parking spaces. It would only be necessary to provide vertical signage and pavement marking, including the international symbol for access to 2 of the car parking spaces allocated to hotel patrons.

4.1.2 Location

Accessible car parking spaces will be allocated within close proximity to lifts used for general vertical movement to the Commercial Foyer, with consideration to pedestrian safety and proximity of car parking ramps. Therefore location on the lift side of the roadway ensuring direct access via a pedestrian pathway, as it is unsafe for an accessible car parking user to load / unload / travel within the roadway.

4.1.3 Design

Where appropriate all accessible car parking bays will be designed in accordance with AS 2890.6, 'Parking for People with Disabilities' (DR04021), referenced under AS 2890.1 (2004). This proposed standard outlines improvements for the design and provision of car parking for people with disabilities, which exceeds current BCA requirements and enhances functionality for all users. It is understood that this standard will be released and referenced under the BCA with the release of the National Disability (Access to Premises) Standards due for implementation within 12-18 months.

All accessible car parking spaces for people with disabilities will be provided with appropriate dimensions of not less than 2400mm X 5400mm (dedicated space) with an adjacent space of 2400mm X 5400mm designated for loading and unloading (shared area) (per AS 2890.6:200X - DR04021). This may include two dedicated spaces with a central shared area (of 2400mm width) to minimise the total area for accessible parking.

Appropriate head height clearances to the accessible car parking areas will be achieved in accordance with AS 2890.6 (DR04021), including not less than 2300mm between car park entry / exit and accessible car parking areas and a height between the car park floor and any overhead obstruction at the accessible car parking area of not less than 2500mm (from the entrance of the space to a distance of no less than 1000mm from the front of the space, where the height may be reduced to no less than 2200mm).

4.1.4 Identification

Due to the distribution of car parking spaces for all components of the development across four levels, not all accessible car parking spaces will be located together on a single level. Therefore, directional signage will be installed at the car park entrance indicating the location of accessible parking.

Vertical signage incorporating the international symbol for access will be installed to each accessible parking bay, in addition to delineation on the surface of the parking area to meet the requirements of AS 1428.1 (2001), AS 1428.2 (1992), AS 2890.1 (1993) and AS 2890.6 (DR04021).

4.2 External Access to the Site

4.2.1 Gradient and cross fall

The existing topography of the site poses difficulty in achieving grade access directly from the allotment boundary to each entrance of the Commercial development. At the main building entrance (via Spring Street), stairs are proposed to address a significant change in level. Alternative access by means of a lift or ramp will be developed to ensure safe, equitable and dignified access by people with mobility restrictions.

Confirmation will be sought from the civil engineer to ensure external levels to pedestrian pathways, including to the Denison Street Plaza and surrounding building entrances will enable reasonable access for all, within the constraints of the existing topography. Where achievable gradients will not exceed 1:20 or 1:40 where cross-traffic is likely. Landings (of 1:40) will be provided at appropriate intervals and to all entrances. The civil engineer is required to confirm the cross-fall or camber of pathways will not exceed 1:40.

4.2.2 Pathway accessibility

Generally the widths of pathways circulating the external areas of the site appear to be appropriate with widths in excess of 1500mm.

Tables and seating will be located within the Plaza on Denison Street. Philip Chun has recommended the building owner and management develop a policy for inclusion with all tenancy agreements to ensure tenant do not provide any obstructions to the pathway within 1800mm of the building line. This is to maintain appropriate access for all pedestrians, specifically people with vision impairments who use the building line as a cue for orientation during travel.

Where located within paths of travel, drainage points and drain covers will be selected with consideration to maximum perforation size to prevent objects becoming trapped, such as canes, heels and crutches.

Where provided, external furniture, including rest seating and rubbish bins will be setback from the general path of travel and 1800mm clear of the building line. Where appropriate, furniture to be grouped together.

4.2.3 External finishes

At this stage of the documentation, external finishes have not yet been specified; however when selected consideration will be given to appropriate slip resistance ratings (minimum W, R10; or V, R11 where external ramps are proposed) and stability of the surface. Surfaces of paths will be honed to avoid irregular placement and levels, and paving will be laid and set in accordance with transition requirements of AS 1428.1 (2001).

Any obstructions to paths of travel, such as columns and bollards, or abutting features, including landscaping walls and planter boxes will be provided with not less than 30% luminance contrast to surrounding surfaces, including abutting floor finishes.

A raised wombat pedestrian crossing is proposed for the new through-site link and treatment of warning tactile ground surface indicators will be provided where the vehicle roadway is flush with pedestrian pathways. Directional tactile ground surface indicators will be installed to further identify the location of mid-block crossing points. Tactile ground surface indicators will be installed in accordance with AS 1428.4 (2002) requirements for placement and luminance contrast.

Further design development will ensure external paths will be designed and constructed in accordance with AS 1428.1 (2001), AS 1428.2 (1992) and other accessibility guidelines relating to surface finish and path delineation.

4.3 Stairs

4.3.1 External

There are a number of external steps proposed within the proximity of the proposed development, including steps to raised landscaping areas within Denison Street. However, wherever provided alternative ramped access for people with disabilities has been considered, including interactions with the adjacent site (MLC).

There are external steps proposed to the main entrance of the Commercial development on Spring Street with a walkway proposed to intercept these steps which poses a number of concerns for access. It is understood that this area is under review to ensure safe, equitable, dignified and functional access for all by means of a lift or compliant walkway or ramp. Where the alternative means of access is not immediately apparent, tactile and Braille incorporating the international symbol for access will be installed indicating the direction and location of the alternative access.

4.3.2 Internal

Internally, a number of internal stairs are proposed for communication, including within the Foyer of the Commercial development providing access to the Food outlets on Denison Street. In all instances, alternative lift access is proposed.

Stairs are proposed within the Hotel Foyer, including series of two and three steps at varying intervals and a stairway leading to the bridge walkway linking the Hotel and Commercial developments. Alternative access is proposed via a walkway and lift (to the bridge).

Stairs are proposed within the Hotel linking the Conference level with the Restaurant and Bar. Alternative lift access is available.

4.3.3 Design

Philip Chun has recommended the extent of diminishing steps be minimised wherever possible, with consideration to the provision of furniture, planter boxes or handrails which protect the edge of the step.

All stairs used for communication purposes will be designed and constructed with tread and riser dimensions which meet the minimum requirements of the BCA. In addition, handrails will be installed to both sides of the stairs with appropriate and consistent heights, diameter, detail and profile in accordance with Clause 9 of AS 1428.1 (2001).

Hazard indication, including visual nosing to stair treads and warning tactile ground surface indicators will be installed to meet AS 1428.1 (2001) and AS 1428.4 (2002).

Stairs will be setback a minimum of 900mm from transverse paths of travel to accommodate handrails extensions and warning tactile ground surface indicators without posing hazard to passers by.

4.4 Building Entrances and Internal Doors

4.4.1 Building Entrances

Generally all entrances to the development are accessible with automated opening proposed and appropriate clear opening width (of not less than 850mm). The revolving door to the Commercial development (via Spring Street) is not accessible by all users, however an adjacent swing door will be installed to enable access. Where environmental factors contribute to increased operating forces of the door, automation will be considered.

Approach to entrances will be at no greater than 1:40 grade with sufficient area on either side of the door to enable independent access by wheelchair users, persons with ambulant disabilities and parents with prams, in accordance with AS 1428.2 (1992).

Where waterproofing is a concern, thresholds will not exceed 56mm in height, with localised ramping installed at the door with a gradient of 1:8 (maximum length 448m).

4.4.2 Internal Doors

All internal doors will enable independent access by all users, including clear opening widths of not less than 850mm to the operable leaf (minimum 920mm door leaf width) and appropriate circulation space for operation. Circulation is dependent upon the angle of approach and the clear opening width of the door (AS 1428.2:1992 Clause 11.5.2; AS 1428.2:200X DRAFT Clause 14.3.1).

There have been a few instances identified to the design team where circulation space to doors is limited and may restrict access by some users. On Commercial Floors and within the Hotel development, the single leaf swing door leading to the fire stair and Goods lift lacks latch side clearance which is a concern for the safe evacuation of people with disabilities. Also on Commercial Floors, the single-leaf swing door leading to the amenities, specifically the accessible toilet lacks appropriate latch side clearance. It is understood that these issues will be rectified in subsequent stages of the design.

4.4.3 Door Hardware

All door hardware and any security measures will be selected and installed to comply with the requirements of AS 1428.1 (2001).

4.5 Internal Paths of Travel

Internal paths of travel will be designed to enable safe and dignified travel by all. Continuous accessible paths of travel will be provided from the car parking area and building entrances to and within each commercial tenancy and to the entry doorway of each hotel room to ensure visit-ability by people of all abilities.

All common areas of the hotel and all areas of the commercial development, excluding service and maintenance areas are accessible by means of a lift and corridors will be provided with minimum widths of 1800mm.

Appropriate circulation space will be provided externally to key facilities, including accessible sanitary and shower facilities and the Goods Lifts to facilitate completion of a 180 degree turn by a wheelchair user (of not less than 1540mm width X 2070mm length).

Any obstructions to general routes of circulation will be avoided wherever possible, including to the internal walls of foyers, lift lobbies and main corridors. Any wall-mounted objects will be recessed and located within a cupboard, where appropriate

Finished surfaces, including wall, floor and door finishes will be selected to ensure adequate definition for people with varying degrees of vision impairment, such as minimum 30% luminance contrast between door and door frame, or door frame and adjacent wall, and wall and floor; height and texture of carpet; and slip resistance of smooth flooring surfaces. Appropriate visual indication which meets the compliance criteria of AS 1428.1 (2001) will be installed to all frameless or fully glazed doors and sidelights, and any glazing which may be mistaken for a doorway or opening.

Philip Chun has recommended the building owner / management advise all tenants of their obligation to meet the objectives of the Disability Discrimination Act 1992 (*Cth*) (DDA) and to ensure principles for internal paths of travel for the development, as outlined in this report are maintained, including selection of internal finishes, path widths and circulation. It is understood that this is likely to be included as a condition of the lease agreement for the commercial development.

4.6 Lifts

There is a total of twenty-three passenger lifts proposed to the development including:

- 2 Lifts to the Retail component, including 1 which services the Mini Major BOH and 1 which services the rood terrace;
- 18 Lifts to the Commercial development, including 1 lift to service the mezzanine commercial zone, 1 Goods Lift, 2 Lifts to service the car park and 4 and 5 lifts to the Low Rise and Medium and High Rises; and
- 4 Lifts to the Hotel, including 1 Goods Lift, and 3 general lifts, one of which services the bridge link.

Limited detail has been provided at this stage regarding the lift dimensions, design and fit-out; however Philip Chun has advised the design team to provide appropriate internal dimensions of not less than 1400mm (width) X 2000mm (depth). This may be reduced to 1700mm to lifts servicing the retail component of the development, where the lift does not service any storey above an effective height of 12 metres; whereby a stretcher facility is required under the BCA.

All lifts will be provided with enhanced features for people with disabilities to meet the parameters of AS 1735.12 (1999), including however not limited to, handrails and tactile and Braille lift landing and car controls.

Philip Chun has also recommended use of the Goods Lifts as a means of safe and efficient evacuation of people with special needs. Where this is to be implemented in the design, additional provisions will be required to maintain the safety and integrity of the lift in an emergency.

4.7 Escalators

Escalators are proposed to enable vertical movement between the street level and the retail component of the development. Philip Chun has advised that escalators are not a suitable means of access for all users. In addition to the lift proposed, installation of alternative stair access immediately adjacent to the escalators is recommended; however is not mandatory under current building requirements.

Warning tactile ground surface indicators to escalators will be in accordance with AS 1428.4 (2002) including slip resistance and luminance contrast requirements.

4.8 Accessible Sanitary and Shower Facilities

An accessible sanitary and shower facility for people with disabilities will be provided wherever gender facilities are proposed. The internal dimensions and layout of these facilities will be appropriate to ensure circulation of not less than 1900mm X 2300mm to the pan and 1600mm X 2500mm to the shower, in accordance with AS 1428.1 (2001) and AS 1428.2 (1992). The washbasin will not encroach greater than 100mm into these spaces.

All accessible facilities will be designed and constructed with appropriate selection and placement of fixtures and fittings which enable access by all users and meet the compliance requirements of not less than AS 1428.1 (2001), AS 1428.2 (1992) and other applicable accessibility guidelines. However further reviews of detailed design documentation is recommended to ensure this is achieved.

Philip Chun has recommended consideration to the provision of parenting facilities within the retail component of the development, including accessible baby change bench and suitable feeding facilities.

4.9 Customer Service Areas

Philip Chun recommends all customer service counters, including hotel reception, concierge, and bars proposed within the café, hotel bar and food court to be designed and constructed to facilitate access by a person with a disability. This may be achieved by a lower section of counter with appropriate knee and foot clearance.

It is recommended that finished surfaces, including counter face and top, and the background to which each is viewed be selected to ensure adequate definition for people with varying degrees of vision impairment, such as minimum 30% luminance contrast between counter top and counter face.

An assistive listening system, inclusive of appropriate tactile and Braille signage, is recommended for installation at any place where a service provider deals with a client or customer, including all classes of counters, in order to meet proposed legislative requirements.

4.10 Hotel Rooms

A total of 200 hotel rooms are proposed. At this stage, there appears to be no indication to the provision of accessible rooms to meet the requirements of the BCA and the spirit and intent of the DDA. Philip Chun has advised that 8 accessible hotel rooms are required to meet the minimum requirements of the BCA. This equates to 4% of total hotel rooms. The design and distribution of accessible rooms must be reflective of the range of amenity available with consideration to proposed egress routes.

Philip Chun Accessibility recommends a proportion of hotel rooms be assessed with consideration to adaptability for accessibility, which is likely to enhance occupancy of the accessible hotel rooms, which are typically larger in size and possess more functional features.

Further reviews of the documentation by an accredited access consultant are recommended ensure hotel rooms are designed to meet the accessibility needs of all users, a comprehensive review to be undertaken, to consider:

- Circulation to the entry door;
- Clear opening widths of internal doors and corridors;
- Internal circulation;
- Design of accessible bathroom facilities;
- Design of joinery, including cupboards, desk and kitchen facilities where proposed;
- Selection of internal finishes; and
- Provision of assistive devices which improve amenity and accessibility.

In addition to the above, it is recommended that all hotel rooms be designed to enable access to and through the entry door, with clear opening widths of not less than 850mm and accessible door hardware.

4.11 Conference Facilities

There are flexible conference facilities proposed within the Hotel. Whilst the internal fit-out of these facilities will be the responsibility of the hotel operator, consideration at design development stage will be required to ensure appropriate provisions are made in the base building design to accommodate future installation of assistive equipment, such as installation of assistive listening and viewing systems and consideration to the provision of height-adjustable presentation facilities.

Hearing augmentation listening systems are essential to enable the vast majority of people with varying degrees of hearing loss. An appropriate assistive listening system, inclusive of tactile and Braille signage must be provided to serve the conference area. Where an induction loop system is installed, not less than 80% of the floor area of the space must be served by the system. Where a system requires receivers, not less than 95% of the floor area of the space must be served by the system installed.

In addition to the above, the management of the facility to ensure access to computed aided real time captioning (CART), sign language interpreters and access to captioning on television and video display facilities is made available to those requiring it on an as needs basis.

4.12 Lighting

Confirmation from the electrical engineer or lighting consultant to be sought to ensure consistent lighting levels are provided throughout all areas (internal and external) of the development. Where lighting levels are increased, this must occur gradually to enable sufficient time for a person's vision to adapt to changing lighting levels.

Consideration to be given to the installation of dimmer switches and additional task lighting (on separate switching, particularly within Hotel Rooms, which can enable user adjustment.

4.13 Way-finding Strategy and Facility Signage

Limited documentation is available at this stage regarding the proposed way-finding strategy for the development.

It is recommended that an accredited access consultant be engaged as the design develops, to undertake a comprehensive review of the proposed way-finding strategy and signage package to ensure predictability and consistency of information which facilitates safe, independent and dignified travel by all.

The way-finding strategy must be developed with consideration to existing landmarks and visual features of the development, including the use of varied finished surfaces to differentiate areas of each building.

Tactile and Braille signage will be provided to exceed the compliance requirements of the BCA and provisions outlined in AS 1428.1 (2001) and AS 1428.2 (1992) including additional signage where deemed appropriate.

4.14 Emergency Evacuation

Limited detail has been provided at this stage regarding the proposed evacuation strategy, including the procedure for the evacuation of individuals with temporary and permanent impairments and high level mobility needs.

Philip Chun recommends that the project fire engineer be instructed to consider egress of building occupants with special mobility needs, including:

- people with disabilities;
- pregnant women;
- older persons;
- people who are overweight or obese;
- people with respiratory problems or cardiovascular disease;
- people with limited stamina; and
- other people with characteristics, temporary or permanent impairments which restrict them from egression via fire stairs.

The complimentary use of lifts in addition to egress stairs is recommended to ensure prompt and safe evacuation of people with special needs. If incorporated into the evacuation strategy, additional provisions will be made in the design and construction to ensure the integrity of the lifts is not compromised in an emergency.



This access plan has been prepared at the request of the applicant and does not absolve the applicant and owner of the requirements pursuant of the Disability Discrimination Act 1992 (Cth).

Philip Chun Access has endeavored to ensure all key aspects of access provision have been addressed and all reasonable attempts have been made to identify the main matters pursuant to the DDA. This professional opinion is subject to further assessment of detailed design documentation; to ensure the design principles are adhered to throughout subsequent stages of design and construction.

If you have any queries in regard to the above, please do not hesitate to contact the undersigned.

Yours sincerely,

Claire Bernadou
Manager Access Consulting
PHILIP CHUN ACCESS