

Determination 2016/014

Regarding access and facilities for people with disabilities to a gym in an altered existing two-storey building at 38 Richard Pearse Drive, Airport Oaks, Auckland

Summary

This determination considers whether a lift is required to a mezzanine level of a gym as part of alterations to the existing building, and the compliance of the alterations in respect of Clauses G1 Personal hygiene and D1 Access routes. An analysis of the benefits and sacrifices as part of the section 112 requirement for compliance as nearly as is reasonably practicable with regard to the access provisions is included in the discussion.

1. The matter to be determined

- 1.1 This is a determination under Part 3 Subpart 1 of the Building Act 2004¹ (“the Act”) made under due authorisation by me, John Gardiner, Manager Determinations and Assurance, Ministry of Business, Innovation and Employment (“the Ministry”), for and on behalf of the Chief Executive of the Ministry.
- 1.2 The parties to this determination are:
 - the owner of the building, Bell Investment Trust (“the applicant”), acting through the owner of the gym business that leases part of the building (“the agent”)
 - Auckland Council (“the authority”)², carrying out its duties as a territorial authority or building consent authority.
- 1.3 This determination arises from the parties’ desire to have clarification on the access required for people with disabilities as part of alterations to an existing gym. A code compliance certificate has not yet been applied for, and the authority has indicated that it will not consider such an application until it has either received the outcome of this determination or an amendment to the building consent to address access.
- 1.4 I therefore take the view that the matter for determination³ is whether the building work to alter the applicant’s building, and the building as altered, comply with Clauses D1 Access routes and G1 Personal hygiene of the Building Code (First Schedule, Building Regulations 1992) to the extent required by section 112 of the Act⁴.

¹ The Building Act, Building Code, compliance documents, past determinations and guidance documents issued by the Ministry are all available at www.building.govt.nz or by contacting the Ministry on 0800 242 243.

² The consent for the alterations was issued by Manukau City Council prior to its transition to Auckland Council; both are referred to in this determination as “the authority”.

³ Under section 177(1)(a) of the Act

⁴ In this determination references to sections are to sections of the Act, and references to clauses are to clauses of the Building Code.

- 1.5 In making my decision, I have considered the submissions of the parties and the other evidence in this matter. I have not considered compliance with any other aspects of the Act or other clauses of the Building Code.
- 1.6 I forwarded a copy of the determination to the Office for Disability Issues (“ODI”), at the Ministry of Social Development, by way of consultation under section 170 of the Act.
- 1.7 The relevant sections of the Act and clauses of the Building Code referred to in this determination are set out in Appendix A.

2. The building

- 2.1 The applicant’s property is a 4853m² flat site in a commercially zoned area. The existing building on the site is a large warehouse-type building. The building is constructed with a concrete and steel frame, concrete floor, and lightweight roof with steel portal frames.
- 2.2 The majority of the building, the rear portion, is used as a commercial warehouse. The front portion of the building contains a physiotherapy business, and a fitness gym and the gym offices. On the ground floor, these businesses share a front entranceway and reception area, as well as a lunch room and sanitary facilities, including and a shower and toilet. From the consent plans it does not appear as though the shower is accessible, and although the toilet has been described as an accessible toilet, it is accessed via a rather circuitous route to an area not immediately associated with the gym and requires navigation through a turnstile.
- 2.3 The front entranceway is accessed via a low ramp from the car parking area in front of the building. The international symbol for access is located outside the building beside the entranceway.
- 2.4 There is no direct access from the entrance area and physiotherapist and offices, to the newer gym area to the east (“the new gym area”). To access this area, staff and gym users must first ascend the flight of stairs leading from the entrance area to the mezzanine, and then descend into the new gym area via the second set of stairs constructed as part of the alterations (refer Figures 1 and 2 over page).
- 2.5 There is a 1.2m wide corridor leading from the new gym area to a fire exit on the building’s south-western corner. There is a smoke stop door at the internal end of this corridor, and the external door is locked from the outside.
- 2.6 The mezzanine floor covers an area of approximately 593m² and consists largely of open, un-partitioned space and is accessed by three separate sets of stairs, one of which leads up in two flights from the building’s entranceway. It contains two sets of sanitary facilities (one for men and one for women) at either side of the building, which contain toilets, showers and changing areas. There is a single step from the changing area to the shower facilities. None of these facilities are designed to be accessible for people with disabilities.

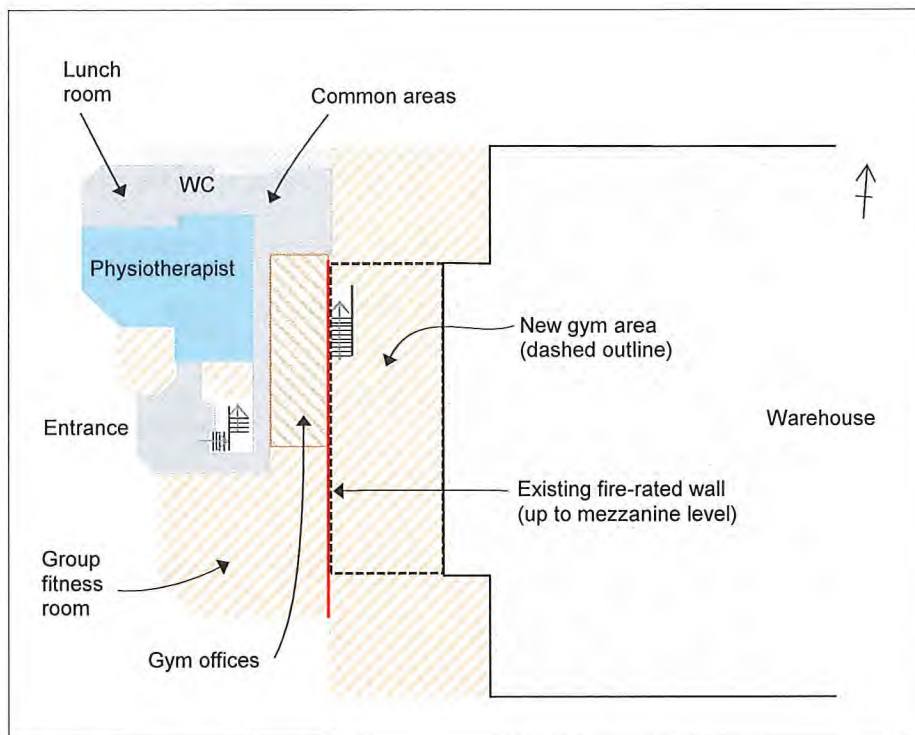


Figure 1: Site plan ground floor (approx. and not to scale)

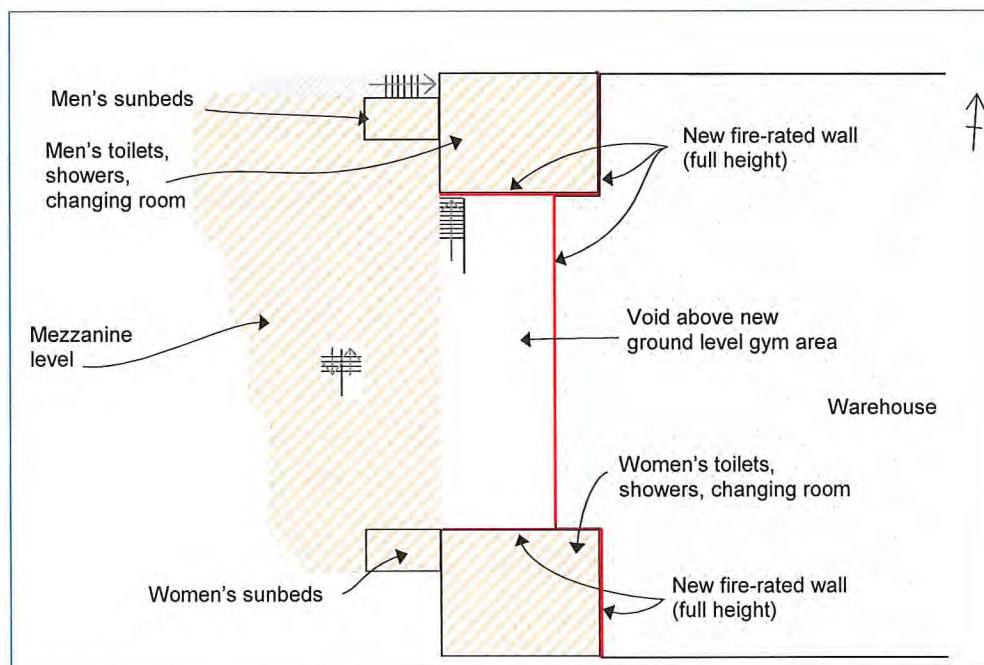


Figure 2: Mezzanine level (approx. and not to scale)

3. The background

3.1 A fire report dated 4 December 2006, which I assume was submitted with the application for a building consent, stated the area and design occupancy of the altered building. The author of the fire report later provided revised figures for the area and occupancy (refer paragraph 3.2). I have set out both in the table below.

Space (as described in the report)	Fire report Dec 2006		Revised Feb 2007	
	Area (m ²)	Design occupancy	Area (m ²)	Design occupancy
Lower Floor Gym	307	107 (0.35 users/m ²) ⁵	(Not stated)	6
Ground Floor Showroom/Office	329	66 (0.2 users /m ²)	(Not stated)	9
Upper Floor Gym	443	155 (0.35 users/m ²)	398	20

3.2 In a letter dated 2 February 2007 the authority requested further information, which amongst other things, said that a lift was required as the ‘upper floor’ had an area of 443m². In a letter dated 8 March 2007, with two marked-up floor plans of the ground floor only attached, the author of the fire report clarified that:

The actual occupancies will be as follows: Upper Floor Gym – 20, Lower Floor Gym – 6, Lower Floor Office/Showroom – 9. The area of the gym on the upper floor is now 398 m sq.

3.3 I note that when considering whether a lift is required the relevant issue is the area and occupant load of the upper floor. Using the approved consent drawings I calculate the total floor area for the upper level at approximately 593m²; when the sanitary facilities are removed from this area for the purpose of calculating the design occupancy, the area is reduced to 449 m². As set out in the fire report, the calculated occupancy was 157 (0.35 users/m²), and this is generally in accordance with the fire report of December 2006. (I can see no reason for the revision of the upper level floor area to below 400m², and the occupancy to 20. No justification for the change in occupancy of the upper level was provided in the letter.)

3.4 On 11 April 2007 the authority issued building consent No. 068170 for the alterations to the existing building. The building work covered by the consent included:

- addition of the two sets of sanitary facilities on the mezzanine floor
- creation of a new gym area to the east of the (then existing) gym on the ground floor
- installation of a new fire wall between the back wall of the new gym area and the warehouse beyond
- a new stairwell leading from the upper mezzanine floor to the new gym area.

3.5 The consented plans for the alteration show that a ‘proposed new lift’ was also to be installed to the mezzanine floor. This lift was to be located outside the front of the building, to the north of the main entrance door. However, the lift did not form part of the original consent application; instead its proposed location is shown on the

⁵ This occupancy load is the same as that stated in Table 2.2 of Acceptable Solution C/AS1 that was in force at the time the consent was issued.

consented plans with a note that ‘Lift to be separate application prior to code compliance certificate issue’. This proviso is repeated in the conditions attached to the building consent, where it is stated:

Lift installation No CCC to be issued or occupancy of the building until full details of the New Lift have been supplied and accepted by [the authority].

- 3.6 The alterations were subsequently carried out. I do not have the date of completion, however, the applicant applied for a Certificate for Public Use in October 2008, indicating the alterations were complete before November 2008.
- 3.7 A note on the copy of the application for the Certificate for Public Use records ‘The consent construction is complete. The lift required for the [code compliance certificate] is under consideration for a determination plus an amendment has been applied for.’ It would appear that this amendment related to an application to shift the location of the fire-rated wall at the rear of the gym. The authority issued the Certificate for Public Use on 14 November 2008.
- 3.8 The authority’s records show that two final inspections of the building work were carried out on 30 October 2008 and 5 November 2008, with outstanding matters that it required to be addressed noted at each. On 5 November 2008, the authority also carried out a “CCC Audit” in respect of the building work, the outcome of which was a ‘fail’, with the recorded reasons including the need for a determination to resolve whether a lift was required.
- 3.9 In May 2013, the agent contacted the authority regarding a compliance schedule. The authority replied in an email dated 21 May 2013 in which it advised (among other things) that the applicant needed to ‘Take steps to resolve the lift issue – either through a Determination with the Ministry or by alternative solution...’.
- 3.10 An application for a determination was received by the Ministry on 23 July 2015.

4. Submissions

- 4.1 In the covering letter accompanying the application for a determination, the applicant’s agent stated:
- We would like determination that we do not require a lift to be installed into the premises. The Facilities on the ground floor are sufficient to accommodate any client who requires wheelchair access.
- (I note here that the requirements in the Act and the Building Code that relate to access for people with disabilities is to provide adequate access to public facilities for a broader range of people with disabilities than only those who use wheelchairs.)
- 4.2 With the application, the applicant’s agent provided copies of:
- a floor plan
 - photos of the access ramp located at the front entranceway of the building, and of the accessible toilets on the lower floor
 - a letter from the physiotherapy business that shares the ground floor space with the gym, explaining how it accommodates clients with disabilities in its business.
- 4.3 The applicant also subsequently provided copies of the consent documentation, including:
- the building consent

- the consented plans, and amended plans showing the proposed location of the lift
 - the certificate for public use
 - the 2006 fire report
 - an undated, partially completed application for a code compliance certificate for the building work.
- 4.4 The Ministry emailed the agent on 31 July 2015 seeking clarification about why the lift had not been installed and whether a code compliance certificate had ever been applied for. The agent replied in an email dated 3 August 2015, which referred to the authority's email of 21 May 2013 (see paragraph 3.9).
- 4.5 On 2 September 2015, the Ministry again emailed the applicant's agent requesting additional information, including:
- the current use of the mezzanine floor
 - the gym functions (classes, equipment, etc) that occurred on the ground floor and the mezzanine floor
 - the difference between the facilities and services provided on the ground floor, as opposed to the mezzanine floor
 - whether the accessible toilet on the ground floor also had shower facilities
 - whether any costs had been obtained for installing the lift.
- 4.6 The agent responded by email on 3 September 2015, stating that:
- There is equipment that is on the mezzanine level but most would not be appropriate for [use by people with disabilities]. It is mainly pin loaded with non movable seating. The equipment on the lower level would be more appropriate for [use by people with disabilities]. Being a high percentage of free weights and multi use cable cross over machine and smith machine.
- 4.7 The agent also clarified that:
- group fitness classes are held on the lower level
 - there is an accessible shower and toilet downstairs, and this existed before the alterations
 - no quotes have been obtained for the lift.
- 4.8 On 9 September 2015, the Ministry again emailed the agent requesting more details about the nature of the facilities provided at the gym. In particular, the Ministry requested information about:
- the differences between the types of equipment available on each level of the gym
 - the nature of the group sessions and whether these were held on all levels
 - a floor plan of the accessible showers and toilets
 - the relationship between the physiotherapist business and the gym, and the extent to which a person with a disability is provided for at ground level.
- 4.9 The applicant's agent responded to this email on 8 October 2015, attaching photos of all the equipment that was available on the lower level of the gym, with descriptions of the types of exercises it could be used for and whether there was equivalent

equipment available on the mezzanine floor. The agent also confirmed the location of the accessible toilets and showers as being on the ground floor only.

- 4.10 The authority also provided documentation relating to the matter, and advised in an email dated 7 August 2015 that the building consent 'was issued as what is sometimes referred to as a staged building consent, with a second consent application (or alternatively an amendment to the issued building consent) making provision for a lift, to follow'.

5. The site visit, the drafts and submissions in response

- 5.1 I conducted a site visit at the property on 28 October 2015. Present with me at the site visit were two other officers of the Ministry. No representatives from the applicant, the applicant's agent or the authority attended.
- 5.2 At the site visit I was able to clarify the layout and means of access to the various areas of the gym, and confirm the nature of the facilities and services that were provided in each area. I also viewed the exterior of the building including the front entrance ramp, the fire escape door on the building's south-western corner, and the car park areas. The sanitary facilities were not observed during the visit.
- 5.3 The first draft determination was issued to the parties for comment on 24 November 2015. The first draft determination considered the gym offered similar facilities on the upper and lower levels, and if an accessible route was provided to the new gym area the alterations would satisfy Clause D1. The draft did not make a decision regarding Clause G1.
- 5.4 The authority accepted the draft without comment, and the applicant proposed installing a door providing access to the new gym area from the group fitness room. ODI supported the decision in the draft, noting that it would be helpful for the applicant to appreciate that the use of the building would include a wide range of people with disabilities as potential users, not only those who use wheelchairs, and who would wish to use the wider services and equipment but may not be able to easily or at all navigate steps.
- 5.5 On review I formed a different conclusion to that in the first draft and also considered that Clause G1 should be addressed. A second draft of the determination was subsequently issued to the parties for comment on 15 February 2016.
- 5.6 The authority responded by email on 17 February 2016, accepting the second draft determination subject to a non-contentious amendment.
- 5.7 ODI responded to the second draft on 29 February 2016, noting that it supported the conclusion identifying non-compliance with the Building Code.
- 5.8 Despite a reminder on 15 March 2016, no response to the second draft determination was received from the applicant or the applicant's agent.
- 5.9 I have amended the determination as I consider appropriate.

6. Discussion

6.1 General

- 6.1.1 The applicant has requested a determination about whether a lift is required to be installed in order for the alterations to achieve compliance with Clause D1 of the Building Code to the extent required by the Act.

6.1.2 However, to answer this question I must consider whether the alterations satisfy the section 17 of the Act and the building as altered satisfies section 112 of the Act with respect to access and facilities for persons with disabilities; this includes both Clause D1 Access routes, and Clause G1 Personal hygiene.

6.2 What the legislation requires

6.2.1 The gym is a building to which the requirements in section 118 of the Act apply and this does not appear to be disputed by the parties. Section 118 requires ‘reasonable and adequate provision by way of access, parking provisions, and sanitary facilities’ to be made for persons with disabilities where buildings are being constructed or altered (refer Appendix A.1).

6.2.2 The question is what is required in terms of reasonable and adequate provision for access and sanitary facilities provided for people with disabilities. The performance requirements for Clauses D1 and G1 require that:

D1.3.2 At least one *access route* shall have features to enable *people with disabilities* to:

(a) approach the *building* from the street boundary or, where required to be provided, the building car park,

(b) have access to the internal space served by the principal access, and

(c) have access to and within those spaces where they may be expected to work or visit, or which contain facilities for personal hygiene as required by Clause G1 Personal hygiene.

G1.3.4 Personal hygiene facilities provided for people with disabilities shall be accessible.

6.2.3 Clause D1.3.3 sets out the performance requirements for access routes, and Clause D1.3.4 sets out additional requirements for accessible routes. ‘Accessible route’ is defined in Clause A2 (refer Appendix A2):

6.2.4 Because the building works were alterations to an existing building, section 112 applies to the building as a whole after the alterations have been carried out (refer Appendix A.1). However, section 17 also applies to the new building work.

6.2.5 I have considered the application of section 112, and by extension section 17, in numerous previous determinations, including Determination 2009/110⁶. In my opinion, the reasoning established in those determinations applies in the current case.

6.2.6 In essence, those determinations have established that the requirement in section 112 applies to the whole building as altered, rather than just the alteration itself; and that the application of section 112 does not detract from the requirement in section 17 for building work (in this situation the alteration) to comply with the Building Code to the extent required by the Act⁷.

6.2.7 In the current case, what these provisions mean is that under section 17 the alterations to the building must comply fully with Clause D1 and G1 of the Building Code, and after the alterations the building as a whole must comply ‘as nearly as is reasonably practicable’ with Clause D1, as it relates to access for people with disabilities.

⁶ Determination 2009/110 Determination regarding access for people with disabilities to a café, *Department of Building and Housing*, 16 December 2009

⁷ Section 17 provides for building work to be subject to a waiver or modification of the Building Code, but under Section 67(3) no such waiver or modification can be granted in relation to access and facilities for people with disabilities

6.3 Compliance of the alterations (s17)

Clause G1 – Personal hygiene

- 6.3.1 The alteration work included the provision of 10 showers and 5 toilet cubicles for use by gym members. There are no accessible facilities provided and there does not appear to any reason why the sanitary facilities could not have included one or more accessible showers and toilets. The alterations do not comply with Clause G1 of the Building Code to the extent required by section 17 of the Act.

Clause D1 – Access Routes

- 6.3.2 To get to the new gym area, users must first ascend stairs to the mezzanine floor, and then descend a second flight of stairs to the new gym area. (I assume that this arrangement was reached to avoid having to create a door through the existing fire wall, which sits between the original gym and the new gym area.)
- 6.3.3 As there is no accessible route to the new gym area, the alterations do not comply with Clause D1 of the Building Code to the extent required by section 17 of the Act.

6.4 Compliance of the building after the alterations (s112)

Clause G1 – Personal hygiene

- 6.4.1 From the consented plans the ground floor shower does not appear to be accessible and no accessible facilities are provided on the mezzanine level.
- 6.4.2 As noted in paragraph 2.2, the single accessible toilet is accessed via a rather circuitous route to an area not immediately associated with the gym and the route includes navigating a turnstile. In addition, the only path to the accessible toilet from the entrance area appears to be through the group fitness room, which might pose difficulties for a person with disabilities if a class was in session.
- 6.4.3 In my view the personal hygiene facilities at the applicant's gym do not satisfy Clause G1 of the Building Code to the extent required by section 112 of the Act has not been met.

The area and occupancy of the mezzanine level

- 6.4.4 Clause D1.3.4 states that an accessible route shall '(c) include a lift ... where (iii) (c) include a lift complying with Clause D2 Mechanical installations for access to upper floors where:
- ...
- (iii) buildings are two storeys high and have a total design occupancy of 40 or more persons on the upper floor, ...
- 6.4.5 In addition, section 119 of the Act states that NZS 4121⁸ is to be taken as an Acceptable Solution. The Standard uses the floor area to establish those circumstances where a lift is not required:
- 9.1.3.2 Two and three storey buildings
- Where 9.1.3.1 is not applicable a lift is not required when:
- (a) Buildings are two storeys high and have a gross floor area of the upper floor of less than 400 m²; ...
- 6.4.6 The occupancy of the mezzanine floor was originally stated in the 2006 fire report to be 155 people, but was later reduced, without justification, by the author of the report

⁸ New Zealand Standard NZS 4121:2001 Design for Access and Mobility – Buildings and Associated Facilities

to 20 people. The area of the gym on the mezzanine also fell from 443 to 398m² (see paragraph 3.1) with the revised area being 2m² under the 400m² area for which a two-story building would require a lift as provided for in NZS 4121.

- 6.4.7 However, my own calculations, based on the approved consented drawings (see paragraph 3.3) generally accord with the original 2006 fire report, and mean that a lift would be required as the occupancy level of the upper floor is above 40 and the floor area is not less than 400m².
- 6.4.8 Even using the lesser revised area of 398m², applying an occupancy load of 0.35⁹ users/m² that was set out in the Acceptable Solution current at the time, the calculated occupant load would still be 139 – significantly higher than 40 occupants set out in D1.3.4(c)(iii).
- 6.4.9 The equivalent figure from the Acceptable Solution¹⁰ currently in force is 0.2 users/m², which for an area of 449m², gives a design occupancy of 90.
- 6.4.10 These figures are all well in excess of the 40-person occupancy limit stated Clause D1.3.4(c)(iii) beyond which a lift is required.

Clause D1 – Access Routes

- 6.4.11 As currently configured, the accessible routes and facilities provided for people with disabilities are severely limited. The only area of the gym that is easily accessible on the lower floor is the group fitness room. For both areas containing gym equipment, namely the mezzanine floor and the new gym area, the only access is via either one or two flights of stairs.
- 6.4.12 The gym facilities are provided in three areas as below:

Gym area	Approx. Area (m ²)	Facilities	Accessible route
Group fitness	105	Open floor, related equipment	Accessible
New gym area	136	Fitness machines (approx. 20 types)	Nil (two sets of stairs)
Mezzanine (not incl. changing rooms, sanitary facilities)	449	Fitness machines (approx. 25 types), sunbed rooms	Nil (one set of stairs)

- 6.4.13 On the basis that Clause D1 could be satisfied if an accessible route access was provided to the new gym area only and not the mezzanine, the agent has made an assessment of the equipment on the upper and lower level and whether the fitness machines on the mezzanine level are also available in the new gym area. This information appears to have excluded any machines presently on the mezzanine level that are able to be used by an ambulant person.
- 6.4.14 In the first draft of the determination I considered that the activities carried out in the ground floor level gym areas could be considered equivalent to those carried out on the mezzanine level. On review I consider that I erred in that respect.
- 6.4.15 The mezzanine level contains the changing rooms, showers and toilets, and sunbeds. In addition, by its very size it must be considered the main gym area. The new gym area, which is not currently accessible, may contain many of the machines available

⁹ As stated in Table 2.2 of Acceptable Solution C/AS1 that was in force at the time the consent was issued.

¹⁰ Table 1.2 of C/AS4 gives an occupant density of 5m² per person for 'Fitness centres/weights rooms'

on the mezzanine level, however, where the machines are located comes down to management practice, and such practices should not predetermine what machines are able to be used and therefore made available for gym members with disabilities. I therefore conclude that both levels are required to be accessible and that along with an accessible route should also contain appropriate sanitary facilities.

- 6.4.16 Section 112 of the Act requires the building as a whole after the alterations comply ‘as nearly as reasonably practicable’ in respect of access and facilities for people with disabilities. Previous determinations established an approach regarding the question of whether a building complies as nearly as is “reasonably practicable” with particular provisions of the Building Code. This approach involved the balancing of the sacrifices and difficulties of upgrading against the advantages of upgrading and follows the approach of the High Court¹¹. Previous determinations¹² have also considered the floor area and design occupancy of an existing building before weighing the benefits and costs of installing a lift.
- 6.4.17 In this case it is clear the mezzanine floor is well in excess of the area requiring a lift under NZS 4121, and the design occupancy provided for in D1.3.4(c)(iii). The benefits to be obtained from installing the lift mean that people with disabilities will be able to gain access to what is the main gym area; as well the changing rooms etc. Modification of the ground floor layout would also be required to enable those with ambulant disabilities to access the new gym area.
- 6.4.18 The cost of a lift is obviously a consideration, however, the building’s internal configuration lends itself to the installation of a platform lift, or similar, and the consented plans showed a lift located on the outside of the building providing access directly from the carpark to the mezzanine level. I note however that even if this lift had been installed it would not have provided an accessible route to the new gym area.
- 6.4.19 I conclude therefore that a lift is required and that neither the alterations, nor the existing building after the alterations comply with Clause D1.

¹¹ *Auckland City Council v New Zealand Fire Service*, 19/10/95, Gallen J, HC Wellington AP 336/93.

¹² For example, Determination 2006/73: Access for people with disabilities to the upper floor of a two storey warehouse and office building, Department of Building and Housing, 14 August 2006

7. The decision

7.1 In accordance with section 188 of the Building Act 2004, I hereby determine that the alterations to the building and the building as altered do not comply to the extent required by sections 17 and 112 of the Act with the following clauses of the Building Code that was current at the time the consent was issued:

- D1.3.1(c), D1.3.2(c) and D1.3.4(b)(i) and (iii)
- G1.3.4

Signed for and on behalf of the Chief Executive of the Ministry of Business, Innovation and Employment on 14 April 2016.



John Gardiner
Manager Determinations and Assurance

Appendix A

A.1 The relevant sections of the Act

17 All building work must comply with building code

All building work must comply with the building code to the extent required by this Act, whether or not a building consent is required in respect of that building work.

112 Alterations to existing buildings

(1) A building consent authority must not grant a building consent for the alteration of an existing building, or part of an existing building, unless the building consent authority is satisfied that, after the alteration,—

(a) the building will comply, as nearly as is reasonably practicable, with the provisions of the building code that relate to—

...

(ii) access and facilities for persons with disabilities (if this is a requirement in terms of section 118);...

118 Access and facilities for persons with disabilities to and within buildings

(1) If provision is being made for the construction or alteration of any building to which members of the public are to be admitted, whether for free or on payment of a charge, reasonable and adequate provision by way of access, parking provisions, and sanitary facilities must be made for persons with disabilities who may be expected to—

(a) visit or work in that building; and

(b) carry out normal activities and processes in that building.

(2) This section applies, but is not limited, to buildings that are intended to be used for, or associated with, 1 or more of the purposes specified in Schedule 2

Schedule 2 Buildings in respect of which requirement for provision of access and facilities for persons with disabilities applies

The buildings in respect of which the requirement for the provision of access and facilities for persons with disabilities apply are, without limitation, as follows:

p) places of assembly, including auditoriums, theatres, cinemas, halls, sports stadiums, conference facilities, clubrooms, recreation centres, and swimming baths

A.2 Relevant provisions of the Building Code include:

Clause A2—Interpretation

Accessible route An access route usable by people with disabilities. It shall be a continuous route that can be negotiated unaided by a wheelchair user. The route shall extend from street boundary or carparking area to those spaces within the building required to be accessible to enable people with disabilities to carry out normal activities and processes within the building.

Adequate means adequate to achieve the objectives of the building code

Clause D1—Access Routes

D1.3.1 Access routes shall enable people to:

...

(c) move into spaces within buildings by such means as corridors, doors, stairs, ramps and lifts, ...

D1.3.2 At least one access route shall have features to enable people with disabilities to:

...

(c) have access to and within those spaces where they may be expected to work or visit, or which contain facilities for personal hygiene as required by Clause G1 Personal hygiene.

D1.3.4 An accessible route, in addition to the requirement of Clause D1.3.3, shall:

...

(b) include a lift complying with Clause D2 Mechanical installations for access to upper floors where:

(i) ...

(iii) buildings are two storeys high and have a total design occupancy of 40 or more persons on the upper floor, ...

G1 - Personal hygiene

G1.3.4 Personal hygiene facilities provided for people with disabilities shall be accessible.