

Inquiry into the draft Disability (Access to Premises - Buildings) Standards

Submission from Latrobe City

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Introduction

The Access to Premises – Buildings Standard, when adopted, will provide building certifiers, developers and managers with greater clarity of requirements to ensure new buildings and extensive renovations provide increased access for people with a range of disabilities.

Please see below comments we wish to be considered in the review of the draft standards.

1. Australian Standard 1428

Australian Standard 1428 is adopted by reference in the draft standard. We understand the Australian Standard 1428 is under review and we can expect some changes to the structure and content of this standard. At present these changes are unknown and this makes it difficult to assess the impact of the revised standard on the Access to Premises – Buildings Standard. It would be preferable if the new revised AS 1428 was released prior to the close of the consultation phase to ensure respondents have access to the most current information.

If the new revised AS 1428 is not released prior to the close of this consultation, we recommend that requirements equal to the current AS 1428 Part 2 be adopted by reference in the Access to Premises – Buildings Standard.

2. Scope of Access to Premises – Buildings Standard

We understand that the draft Access to Premises – Buildings Standard only covers aspects of building and renovations which are currently covered by existing building regulations.

As access to the built environment for people with a disability goes far beyond 'buildings', we recommend that consideration be given to increasing the scope of the Access to Premises – Buildings Standard to cover other environments such as streetscapes and outdoor recreational facilities.

3. Way Finding

We do not believe that this issue of 'Way Finding' is adequately addressed in the draft standard. It is our view that more detail needs to be included in the Access to Premises – Buildings Standard to clarify the requirements to ensure people with a disability have equitable access to the built environment.

4. General Access Building Requirements

The draft standard requires that access is provided to and within one bedroom and associated sanitary facility in Class 1b (b) buildings containing 4 or more bedrooms. We recommend that access be provided to and within one bedroom and associated sanitary facility in Class 1b (b) buildings containing 3 or more bedrooms.

5. D3.2 Access to Buildings

The draft standard states that, "if a building with a total floor space of more than 500 square metres, a pedestrian entrance that is not accessible must not be located more than 50 metres from an accessible pedestrian entrance".

We recommend that this distance be reduced to 25 metres. We believe that this reduction in distance more accurately reflects the intention of the Disability Discrimination Act.

6. D3.4 (f) Exemptions

The draft standard does not require access to be provided beyond the ground floor in a Class 5, 6, 7b or 8 building which contains not more than three stories.

In rural areas such as Latrobe City, we have very few buildings that are more than 3 stories. This then means that people with a disability who are unable to use stairs will be excluded from access beyond the ground floor in almost all multi story buildings. This is discriminatory to people with a disability both as customers and employees.

The standard does not appear to have a provision to consider cases where providing access beyond the ground floor would not cause unjustifiable hardship. For example, if a company with vast assets was to build a building of 2 or 3 stories they would not be required to install a lift even if they had the resources to do so.

Perhaps an alternate solution would be for lifts to be required in all multi story buildings with an option to apply unjustifiable hardship provisions.

7. D3.4 Exemptions

Some of the exemptions outlined in this section have the potential to allow discrimination against people with a disability in regard to employment.

For example, a person with a disability could perform the inherent requirements of a job working in a commercial kitchen or as a telecommunication technician.

These exemptions are too prescriptive and make the assumption that people with a disability could not hold certain categories of employment. It seems impractical to try and list exemptions in very specific situations. We feel that these exemptions would be better addressed by requiring access to be provided and introducing a mechanism for exemptions to be considered on a case by case basis.

8. Table D3.5 Car parking spaces for people with a disability

This table specifies 1 accessible parking space for every 100 car parking spaces, or part there of, in Class 9c buildings (aged care) and 9a (c) buildings (nursing homes).

We recommend that this ration be increase to 1 accessible parking space for every 50 car parking spaces to reflect the needs of aged care and nursing home residents.