

Submission No 3

08th January 2009

Committee Secretary
House of Representatives
Standing Committee on
Legal and Constitutional Affairs
PO Box 2061
Parliament House
Canberra ACT 2600

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BY: LACA

M.L.

Dear Sir/Madam

Comment on Draft: Disability (Access to Premises – Buildings) Standards 2009

I hereby make a submission of my comments of the above mentioned Access to Premises – Building Standards 2009.

Disability (Access to Premises – Buildings) Standards 2009 Part 2

Part 2 Scope of Standards

Section 2.2 Persons whom Standards Apply

- (1). The Standards apply to the following persons to the extent that they are responsible for, or have control over, matters in Access Codes for a relevant building:
 - (a). a building certifier;
 - (b). a building developer;
 - (c). a building manager.

This Section falls short of the persons to which the standards apply. This section does not consider the persons who are responsible for the design of buildings and in direct contact with the building developer.

As a building certifier is not permitted under law to be involved in the design of a building because of conflict of interest. The building certifier only assesses what has been provided in the design and what has been constructed complies with the standards.

Therefore those responsible for the design of buildings, services and facilities and access to and from those buildings to which this standard applies should also be included. Those responsible for the design of building are Architects and Building Designers.

Definitions:

Architect: a person who is registered by the Board of Architects as an Architect;

Building Designer: a person who is licensed under a States licensing system as a building designer and permitted to undertake the design of buildings, including an Engineer.

Part 3 Requirements of Standards

3.1 Building Certifiers, developers and managers to ensure building complies with the Access Code.

In this part where there is a reference to a building certifier, building developer and building manager, reference should also be made to Architect or building designer.

SCHEDULE 1 Access Code for Buildings

Clause D3.6 Sub- sections (e) & (f) require directional signage to be provided.

Clause D3.8 Tactile Indicators: this clause sets out the requirements for the installation of tactile ground surface indicators.

This Standard and AS1428.1-2001 falls short in clarity and certainty in where way finding indication is to be installed!

This Standard needs to clearly indicate the locations where way finding is to be installed to eliminate a DDA action for lack of way finding within a building from the pedestrian entrance to accessible services and facilities.

Clause H2.14 Emergency Warning Systems

(2) in the event of an emergency, provisions must be made for people with vision impairment to locate the exit path.

This is an open statement which is open to interpretation and misinterpretation which could lead to a DDA action. This section, with Clause D3.6 must give clarity as to what is required and where the indication is to be provided or installed to allow with dignity for people with a vision impairment to locate an exit in an emergency.

Yours sincerely

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