

ACCESS AUSTRALIA

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BY: LACA

House of Representatives
Standing Committee on Legal and Constitutional Affairs

Suite R1 106
House of Representatives
PO Box 6021 Parliament House
Canberra ACT 2600

Dear Committee members

Draft Access to Premises Standards Inquiry

As requested we are pleased to make this Submission in relation to the draft Access to Premises Standards (APS) inquiry.

We have previously corresponded with the Government – supporting the decision to carry out this inquiry and expedite appropriate legislation changes.

This will provide more equitable and accessible services and environments for everyone, including persons with a disability.

For your information a profile of our company and directors is included with this Submission. We have extensive Australian and international access experience – and the undersigned was Chair of the AS1428 Standards Committee from 1974 to 1984.

We are continuing members of several Standards Australia access committees – and the undersigned was closely involved in the drafting and implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD).

APS Submission

1 Model Process

This is a clear and workable process and we consider establishment and efficient operation of the Access Panel is essential for effective implementation of the APS.

This particularly relates to alternative solutions and building upgrade plans – and our experience includes a number of alternative performance based solutions in relation to a range of services and environments.

Accordingly, and based on our attached profile, the undersigned would be most interested in becoming a member of the proposed APS Access Panel, as a *'person competent in access'*.

2 Guidelines

Item 5.3 – we do not consider this *Lessee Concession* to be practical, as the concession would allow a lessee to renovate part of a building with no requirement for an accessible path of travel from the entrance. The APS should require the building owner to upgrade the path of travel in conjunction with the lessee upgrade.

Class 2 buildings – public / common areas should be accessible and residential units should be visitable and adaptable, in accordance with AS4299. Our ageing population must be considered and we need to provide more adaptable housing to facilitate ageing in place. The UK has recently introduced legislation requiring all new housing to be adaptable, unless there are genuine problems related to topography or cost.

3 APS Standards

Clause 4.3 – refer to above Guidelines item 5.3 comments.

Part A4.1 – refer to above Guidelines Class 2 comments.

Part D DP1 – retain current BCA Objective – *to provide, as far as is reasonable, ... safe, equitable and dignified access to buildings and services*

Part E3 – provide requirements for lift lobbies, based on AS1428.2 circulation space of 1540 x 2070 for a 180° turn.

Clause F2.3 – ? (not included)

Clause H2.3 – ramps should comply with AS1428.1 for consistency.

Clause H2.4 – handrails should comply with AS1428.1 for consistency.

** Note: we appreciate the above 2 items would require modifications to the DDA Transport Standard*

Clause H2.8 – public transport buildings are to comply with AS1428.1 unisex accessible toilet requirements – and this should also apply to the APS for consistency.

Note: Refer AA comments below regarding unisex accessible toilets.

4 Draft AS1428.1

General – the draft AS1428.1 needs extensive editing. The existing AS1428.1 is 65 pages and the draft AS1428.1 is 99 pages. The extent of repetitive text and numerous similar diagrams needs to be rationalised.

Figure 1 – two wheelchair footprints are confusing, and the A90 footprint should only be included.

Clause 6 – luminance contrast, clarify text.

Clause 7.7 – visual indicators on glazing is a welcome inclusion, compared to previous note status. Clarify luminance contrast requirement.

Figure 18 – this is a useful clarification of kerbs.

Clause 11.3 & 12.1 – 900 setbacks for ramps and stairs are appropriate.

Clause 11.7 & 11.8 – step ramp gradient of 1:10 is appropriate and is similar to US and other standards. Clarify figure 22

For consistency kerb ramps should also be 1:10 gradient.

Figure 24 – kerb ramp diagrams are excessive.

Clause 14.1 – luminance contrast on paths of travel is appropriate.

Clause 16, Sanitary facilities – the current AS1428.1 requires a 1600 x 2000 circulation space for a WC, together with 800 offset from rear wall. The draft AS1428.1 further increases the circulation space to 1900 x 2300.

The draft AS1428.1 also requires a WC backrest, but includes no requirement for a baby change table in an accessible toilet.

From extensive Australian and international observations and research, we consider that the existing AS1428.1 WC circulation space is probably the largest accessible toilet requirement in the world.

From our involvement with Standards Australia our opinion is that the 800 rear wall offset is not required, as this was originally in the Standard to allow for a commode chair to straddle the WC. This is not a reasonable criteria for general use in public buildings.

Accordingly AA recommendations are as follows

- ❖ Remove the 800 WC rear offset requirement
- ❖ Delete backrest requirement
- ❖ Retain existing AS1428.1 circulation space of 1600 x 2000
- ❖ Retain minimum 1100 clear space between WC and basin etc
- ❖ Modify diagrams etc accordingly
- ❖ Provide requirements for an accessible toilet with baby change – based on AS1428.2 circulation space of 1900 x 2300
- ❖ Rationalise and reduce the text and diagrams, correct figure 41

Clause 16.7 – inclusion of PAD cubicles (for persons with an ambulant disability) in the APS and BCA is appropriate.

Figure 56 – add dimensions for wheelchair spaces in auditoriums

5 Draft AS1428.4

General – this is considered an overreaction to the basic requirement for detectable hazard warnings, extending over 72 pages. The essence of the hazard warning purpose and requirement is set out in Clause 2.1.2.

AS1428.4 was proposed by the Standards Committee was a Standard on Sensory Access, including lighting, detectable hazard warnings, hearing augmentation etc.

Tactile indicators should only be required to indicate a hazard, namely platform edges, vehicular way crossings and stairs. Existing AS1428.4 performance criteria allow appropriate design responses.

Tactile indicators at escalators and travelators can be provided by top and base plates, subject to compliance with existing AS1428.4 performance criteria.

Tactile indicators should not be required at ramps as ramp gradient of 1:14 is less than the 1:8 / 1:10 gradient of step ramps and kerb ramps, where tactile indicators are not required.

Accordingly AA recommendations are as follows

- ❖ Incorporate AS1428.4 2002 into the APS as an interim measure
- ❖ Redraft AS1428.1 as a standard on all aspects of Sensory Access
- ❖ Modify AS1428.1 accordingly
- ❖ Rationalise and reduce the text and diagrams

Note: Preface of draft AS1428.1 states that AS1428.4 includes tactile indicators, signage and features to assist people with vision impairment

6 Draft AS2890.6

General – draft AS2890.6 provided reasonable criteria, similar to US and other standards, for accessible parking spaces and adjacent shared spaces.

The requirements typically apply to pairs of adjacent parking spaces and do not cover the regular situation of one accessible parking space. Existing AS2890.1 requires a 3.2m wide single space whereas draft AS2890.6 would require a 4.8m wide space, including adjacent shared space, for a single accessible space.

Appendix A of draft AS2890.6 indicates that a 3.2m width is adequate to unload a wheelchair from the roof of a vehicle.

The shared end space area of 2400 x 2400 should be advisory and not mandatory.

Figure 2.6 is non-complying as required level 1600 wide shared space is not provided. Figure 2.5 & 2.6 indicate some form of ramp or bridge to the car side.

The extent of repetitive text and numerous similar diagrams needs to be rationalised.

Accordingly AA recommendations are as follows

- ❖ Add single accessible parking space requirements similar to AS2890.1
- ❖ Shared end space area to be advisory
- ❖ Clarify / resolve figures 2.5 & 2.6
- ❖ Rationalise and reduce the text and diagrams

Clause 2.4 – path of travel headroom of 2200 is appropriate.

Clause 3.1 – modify signage to require horizontal and vertical signage. This is important when accessible spaces are occupied and ground signage is obstructed.

We thank the Committee for this opportunity – and would be pleased to provide further comments and clarification as required.

Regards

AA

MICHAEL FOX
Director

The company was established in 1985 and Access Australia (AA) provides architectural, planning and access consultancy services. AA clients include government, architects, property developers, solicitors and service providers.

The directors of Access Australia provide extensive access experience including

Planning

Access Policies for state and local governments – including DDA Action Plans and strategies for the University of Technology Sydney, University of New England, Shoalhaven, Blacktown and Liverpool NSW local government areas, Telstra, Olympic Coordination Authority and the Sydney Opera House.

National and international consultations and programs with governments and organisations regarding access guidelines and legislation. Participation and continuing membership of Standards Australia Committees since 1974, including initiation and evolution of the AS 1428 suite of standards.

Sydney ferries & low floor buses, Olympic Roads & Transport Authority rail access program, and NSW Maritime wharf access program. Sydney 2000 Olympic & Paralympic Games public domain and local government streetscapes.

Design

Access reports for state and local government, including NSW Department of Commerce, City of Sydney, Blacktown, Fairfield, Great Lakes, Liverpool, North Sydney, Penrith, Pittwater, Shoalhaven, Sutherland and Waverley Councils.

Sydney International Airport, Homebush Bay Hotel, Olympic Multi Use Arena, Olympic Village, Media Village and Sydney Opera House.

AMP, Bovis Lend Lease, IBM, Multiplex, Stockland and Westfield access assessments and strategies for residential, hotel, retail and commercial projects.

Access Australia (AA) programs and reports provide a holistic approach based on the process of access – and relate to the BCA, relevant Australian Standards, including the AS1428 suite, and applicable local authority access requirements.

AA reports and recommendations also relate to pending 2009 changes to the BCA in response to the ABCB (Australian Building Codes Board) draft DDA Access to Premises Standard (APS). The intent of the APS is to progressively harmonise BCA access provisions with the complaints based DDA.

AA is actively involved in international access programs. In 2008 the Australian government ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) and is now assessing the CRPD Protocol. Australian government ratification of the CRPD Protocol is anticipated during 2009.

Directors

Michael Fox – AM, B Arch, MTCP, FRAIA, MRAPI – is an experienced architect, planner and access consultant with involvement in access and equity since 1972. He is a director of Access Australia and related architectural practice Michael Fox Architects. He is an accredited member of ACAA – the Association of Consultants in Access Australia.

International roles include extensive involvement in the UN Convention on the Rights of Persons with Disabilities (CRPD), ratified by Australia in July 2008. From 2004 to 2008 he prioritised key global issues, including CRPD adoption, as President of RI, a global network regarding the rights and inclusion of people with disabilities – www.riglobal.org. From 1996 to 2004 he was Global Chair of ICTA, the RI International Commission on Technology and Accessibility.

Related activities include Corporate Board member, House with No Steps, Sydney; University lecturer in *Access, Equity & Design*; and membership of Standards Australia ME / 64 Access and Mobility Committees.

Margaret Fox – BA, MA, Grad. Dip. IM – is a director of Access Australia. Since 1992 her extensive access experience has included planning reports and policy guidelines, together with initiation, management and field work associated with access audits, assessments and reports. She is an accredited member of ACAA

Margaret has carried out access research studies, consultations and implementation of DDA Action Plans, and is a member of the *Outdoor Access – Sports, Recreation & Leisure* draft Australian Standard Working Group.