

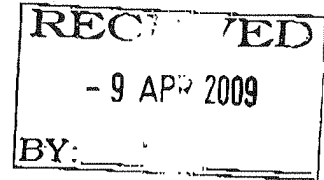
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LEVEL 12 60 COLLINS STREET MELBOURNE
 GPO BOX 4326 MELBOURNE 3001
 T 03] 9667 5555 F 03] 9667 5550
 www.mav.qsn.au

MUNICIPAL ASSOCIATION OF VICTORIA

Submission No 137

The Hon. Mark Dreyfus QC MP
 House of Representatives Legal and Constitutional Affairs -
 PO Box 6201
 Parliament House
 CANBERRA ACT 2600



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 09 APR 2009

16 March 2009

BY: LACA

Dear Mr Dreyfus

MAV Response to the draft Disability (Access to Premises - Buildings) Standards Review

The Municipal Association of Victoria (MAV) welcomes the opportunity to respond to the review of the draft Standards. The MAV was formed in 1879 and the Municipal Association Act 1907 established the MAV the official voice of local government in Victoria. Today, the MAV is a driving and influential force behind a strong and strategically positioned local government sector. Its role, broadly speaking, is to represent and advocate the interests of local government, lobby for a 'fairer deal' for councils, raise the sector's profile, ensure its long-term security and provide policy advice, strategic advice, capacity building programs and insurance services to local government.

In terms of this issue, local government's role in Victoria is:

- To advocate for accessible and adaptable housing and buildings
- To act as the Responsible Authority (planning permit decisions)
- To act as the Planning Authority (managing municipal planning Schemes)
- To act as the Municipal Building Authority (responsible for administering and enforcing the Building Act and regulations and approving/rejecting some building permits) and;
- To have a broader role in seeking sustainable and diverse and inclusive communities

The MAV supports the policy position that buildings should be accessible and adaptable to suit all users and their life-cycle needs. Accessible and adaptable buildings encourage sustainable communities through social diversity. Many of the Victorian councils have provided their own submissions to the review, and the MAV is sympathetic to the statements made in those and with the 19 recommendations made in the submission from the Australian Human Rights Commission. The Association would, however, like to see more clarification around timelines, performance monitoring and review and how the protocol will work in practice.

It is noted that Class 2 buildings are not included in this version of the draft standards and that some councils and other bodies have requested that this matter be reviewed. Given that Class 2

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buildings consist of medium-high density / multi unit dwellings which are a rapidly increasing component of private and rental building stock, the MAV considers that this matter should be subject to further discussion with affected stakeholders. Some areas which could be considered for inclusion are:

1. Common areas of Class 2 buildings (that could be the subject of DDA complaints)
2. Percentage of the dwellings provided

These situations have been outlined on page 30 of the submission from the Human Rights Commission.

The MAV is pleased to see action taking place on this issue and considers the draft Standards to be a much needed instrument that will ensure consistency with the Building Code of Australia (BCA) access provisions and will provide better outcomes for people with a disability and the general public as a whole.

The MAV looks forward to seeing progress on this issue as a matter of urgency, on behalf of the 79 councils in Victoria and Victorian people with disabilities who have been awaiting this outcome for many years.

Should any further information be required regarding this letter, please contact Nicola Wood, Disability Access & Inclusion Policy Adviser ph. or email

Yours sincerely

~~ROB SPENCE~~
Chief Executive Officer