

Submission to the
House of Representatives Standing Committee on Legal and Constitutional Affairs
on the
Draft Disability (Access to Premises – Buildings) Standards

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1. Introduction

Release of the draft Disability (Access to Premises – Buildings) Standards is welcomed by all and the Federal Government is to be congratulated for bringing these long awaited Standards before the Australian public.

I would like to thank the House of Representatives Standing Committee on Legal and Constitutional Affairs for the opportunity to present a submission on the draft Disability (Access to Premises – Buildings) Standards (Premises Standards). I submit my report below.

2. Overview of the draft Premises Standards provisions

2.1 Meeting expected outcomes

The provisions within the draft Premises Standards fall well short of meeting the outcomes for access to the built environment expected by Australian society.

Since the introduction of the Disability Discrimination Act (DDA) in 1993 various governments have been working towards the introduction of a Standard to the Act on access to premises for people with disabilities. The first report, Regulation Document 1997-01, raised expectations within Australian society that future buildings would provide an adequate level of access. Although this document was never adopted, in 1988 the Australian Building Codes Board (ABCB) released its Building Access Outcomes Report which indicated the level of provision which the Board was prepared to provide. Following amendment of the DDA in 2000 work recommenced on a draft DDA Standard on Access to Premises. This was released in 2004 further reinforcing society's expectations that future buildings would provide an adequate level of access.

With the release on 2 December 2008 of the current draft Premises Standards, the expectations of Australian society have been destroyed.

2.2 Major gaps in the provisions

The draft Premises Standards addresses the provision of access for people with disabilities to Class 1b, 3, 5, 6, 7, 8, 9, and 10 buildings. The obvious omission in this list is Class 2 buildings. By not including Class 2 buildings in the Premises Standards the Government is denying people with disabilities access to accommodation in what is becoming the major form of residential accommodation available in cities. This constitutes unjustifiable hardship for people with disabilities.

Although the draft Premises Standards includes performance requirements for the safe evacuation of people with disabilities, there are no deemed-to-satisfy provisions prescribed in either the draft Premises Standards or the referenced Australian Standards to give guidance on how such egress from multi-storey buildings might be achieved. This deficiency will impact on all users of high-rise buildings.

In addition to complete omission of criteria there are several areas of access in which the provisions of the draft Premises Standards fall far short of the minimum requirements necessary to meet intended access. One obvious deficiency is the inadequate requirement for signage and other way-finding aids such as tactile ground surface indicators (TGSI) for direction and tactile maps to assist people with vision impairment. Findings from recent way-finding research have now been published and are being used by industry. Adequate signage and tactile indicators would assist all building occupants including visitors. The lack of way-finding provisions is a serious omission.

Another serious shortfall results from the inadequate provisions of the draft Premises Standards for hearing augmentation to assist people with hearing impairment. Although the draft Premises Standards call for the provision of hearing augmentation, such provision is not required unless an inbuilt amplification system is already installed, and then only in "an auditorium, conference room, meeting room, room for judicatory purposes, room in a Class 9b building, or at a ticket office, teller's booth, reception area or the like, where the public is screened from the service provider.". Requirements of this nature which depend on a predetermined provision (inbuilt amplifier) before such requirements become mandatory invariably result in people with disabilities being denied adequate access.

It is difficult to see how it can be claimed that these omissions meet the objectives of the Disability Discrimination Act (DDA).

2.3 Meeting expected certainty

The provisions of the draft Premises Standards are unlikely to provide the “certainty” expected by the property sector. The legislation will definitely reduce the opportunity for complaint by people with disabilities needing access to and within those Classes of building covered by the legislation. However it will not prevent aggrieved persons from bringing a complaint of discrimination when unable to access the front door and public areas of Class 2 buildings, or if unable to use a public building because of lack of way-finding signage, directory boards, and directional TGSI, or to gain employment in a high-rise building due to lack of suitable evacuation provision, or the inability to access a service provided in a multi-storey building.

The fitout of a building is not within the scope of the Premises Standard. Therefore the Premises Standard cannot provide “certainty” against a complaint brought by persons unable to gain access to a service due to discriminatory fitout. However because fitout is generally the tenant’s responsibility, such complaint usually will be brought against the tenant.

The draft Premises Standards cannot be claimed to meet the intent of the DDA until it meets the level of access necessary to maximise the contribution which people with disabilities can make to Australian society.

3. Regulation Impact Statement

3.1 Benefits

The Regulation Impact Statement (RIS) has numerous short-comings. The current draft Premises Standard appears to have been developed with little regard for current obligations under the DDA. It has been stated that the determining factor has been the reduction of costs with scant regard for the resultant level of access.

There have been two previous serious attempts to codify the obligations under the DDA with regard to access to premises. These were the Regulation Document 1997/01 (RD97/01) and the 2004 draft Premises Standard documents (2004 Standard). Both these documents proposed a level of access that would provide access for 90% of wheelchair users (the level of access recommended by the guidelines published by Human Rights and Equal Opportunity Commission (now Australian Human Rights Commission (AHRC)) in 1997).

No attempt has been made to estimate the dollar value of the intangible benefits by the RIS for RD97/01, 2004 Standard or the current draft Premises Standard. Yet these benefits are by far the greatest benefits derived by people with disabilities from access to premises. Any benefit/cost analysis which includes a full dollar value for the intangible benefits will result in a positive ratio or at worst, be cost neutral.

It is therefore suggested that the 2009 Premises Standard should reflect the provisions necessary to provide adequate access for people with disabilities (i.e. meet the access needs of 90% of people who use mobility aids, 90% of people who use wheelchairs, 90% of people who are hearing impaired, and 90% of people who are vision impaired). These provisions would more closely align with the 2004 Standard than the current draft Premises Standard.

Additional intangible benefits accrue within the non-disabled community. These include benefits for people who are elderly, carers of people with disabilities, parents with prams, people who deliver mail and other goods, people who move stores throughout the building, furniture removalists, paramedics and ambulance personnel, fire-fighters and the like. If the financial benefit to the community from these intangible benefits is incorporated into the RIS, the benefit/cost ratio would be strongly positive.

It is dishonest not to incorporate into the RIS, an estimate of the financial benefits derived from intangible benefits both for people with disabilities and for the non-disabled community.

3.2 Costs

The RIS points out that "Standards formulated under the DDA can be regarded as simply codifying existing requirements not to discriminate. Thus, in a conceptual sense, neither the standard nor the equivalent amendment to the BCA can be regarded as creating new legal obligations beyond those currently imposed. In this sense, it can be argued that no additional compliance costs can be attributed to the Premises Standard."

Nevertheless costs have been ascribed to the proposed Premises Standard. These costs have been estimated in several ways and to the minutest detail.

The major individual cost items have been identified as:

- installation of additional or improved lifts and ramps
- more accessible entrances
- additional space requirements, e.g. passing spaces in corridors
- additional sanitary facilities

However, because the current draft Premises Standard was prepared with cost-effectiveness as a principal objective, the level of access prescribed is quite low compared with the level of access expected by Australian society as a result of previous attempts to codify the DDA. There should be no surprise therefore that a large cross-section of the Australian community believe that the current draft Premises Standard is discriminatory.

The RIS examined two options. Option one compares benefits and costs for the 2004 Standard with those for the current proposed Standard. Option two compares benefits and costs of applying the current proposed Standard only to new buildings and assumes that upgrades need only meet the current BCA.

While there is extensive discussion regarding unjustifiable hardship for building developers, no discussion has been given to the hardship experienced by people with disabilities when denied access to the full spectrum of Australian society because of inaccessible buildings. Such hardship can be substantial, yet no attempt has been made to estimate this pain and suffering.

By definition, intangible benefits derive without additional costs. It should be pleasing to those responsible for drafting the current Premises Standard proposal that a higher, non-discriminatory level of access can be achieved and still return a positive benefit/cost ratio.

It is strongly recommended that the provisions of the current draft Premises Standard be upgraded to meet the access needs of to provide adequate access for people with disabilities (i.e. meet the access needs of 90% of people who use mobility aids, 90% of

people who use wheelchairs, 90% of people who are hearing impaired, and 90% of people who are vision impaired).

3.3 Benefits/Costs

The RIS calculates that the quantifiable benefits associated with the adoption of the proposed Standard are expected to equal approximately \$1 billion per annum in a "steady state" (that is, after the full implementation of the Standard). The RIS calculates the expected annual costs will total approximately \$620 million.

The RIS assesses the draft Premises Standard by the calculation of benefit/cost ratios by several different means. While these are of interest to property owners and managers, they are of little relevance to the legal requirement for compliance with an existing Act of Parliament, other than if costs exceed benefits to an extent which can create grounds for a claim of unjustifiable hardship from the developer (DDA Section 11).

As the RIS points out, current compliance with existing obligations under the DDA is low, both due to uncertainty as to the specific nature of compliance obligations and due to the complaints-based nature of the enforcement arrangements under the DDA. This is a strong argument for codifying the DDA but not at the expense of access to premises.

Compliance with the proposed Premises Standard will be sufficient to satisfy the DDA duty not to discriminate in relation to provision of access to premises (DDA Section 34). Unfortunately the proposed Standard does not prescribe adequate access. In addition to not addressing all Classes of buildings or addressing all aspects of building use (e.g. emergency evacuation, etc), the level of access prescribed falls far short of the level expected from the objectives of the DDA. In short, the proposed Premises Standard would, if adopted, make legal that which today is considered by the Courts to be illegal (RIS Section 7.1).

As noted above, the RIS examines two options. Option one uses the 2004 Premises Standard as the base for comparing benefits and costs. Option two compares benefits and costs on the assumption that the proposed Standard will apply only to new buildings and not to upgrades. However, because the requirements for accessibility required by the proposed Standard have been significantly reduced, it is not surprising that for both options, the RIS has calculated that the proposed Standard will result in lower costs. Unfortunately benefits are also substantially reduced.

The 1997 HREOC Guidelines on providing access to premises, the 1997 Regulation Document, RD97/01, the 2004 draft Premises Standard plus its referenced Australian Standards all recommended that any DDA Standard on Access to Premises should prescribe access for 90% of every group within every sector. The Australian Courts have upheld this position. Therefore the proposed Premises Standard must be considered discriminatory and therefore in contravention of the objectives of the DDA.

The proposed Premises Standard presently before Parliament seeks to institutionalise disability discrimination on a scale which sets the movement towards full participation in Australian society by people with disabilities back to pre-1993, when the DDA was passed.

It would be dishonest to call the proposed Premises Standard a Disability Discrimination Act Standard.

4. Specific shortcomings of the draft Premises Standards

Part 1 Preliminary

1.4 Interpretation

The detail given for the term “specified Class 1b building” is discriminatory.

In particular, 1.4(a) is in conflict with requirements for other short-term rented accommodation. Why should the requirement for beds in a Class 1(b) Bed & Breakfast or a small Class 1(b) boarding house be different to the requirement for any other boarding house (Class 3) or for that matter for motel rooms (Class 3). Many such properties are developed through substantial building work. Owners and managers always have recourse to a claim of unjustifiable hardship.

While Class 1b Bed & Breakfast buildings are often existing houses which have been modified, the “single dwellings ... on the same allotment” referred to in 1.4(b) are usually purpose built. These include cabins in caravan parks and in eco-villages. Once again there is little justification for the inclusion of this discriminatory term in a Standard intended to prevent discrimination.

- It is recommended that the term “specified Class 1b building” be deleted from Part 1.4 of the Premises Standard.
- It is recommended that the Standard require that within a Class 1b building, the first room prepared for rent plus associated sanitary facilities to be accessible as with other short-term accommodation.
- It is recommended that the Standard require that for developments on the one allotment which provide dwellings, cabins, and similar short-term accommodation, that the first dwelling, cabin or the like plus associated sanitary facilities be accessible.

Part 2 Scope of Standards

2.1 Buildings to which Standards apply

There is no justifiable reason for Class 2 buildings to be outside the Scope of the Standard. Class 2 buildings (multi-unit blocks of home units) must be covered by the Access to Premises Standard.

Even the 2004 draft of the Premises Standard required access to the common areas of Class 2 buildings. This requirement must be returned to the 2009 draft Premises Standards. But time has moved on with respect to the need for and provision of long-term rental property. The majority of rental accommodation in major cities is now provided as apartments in multi-storey buildings. However the majority of this accommodation cannot be rented by people with disabilities due to lack of access to even the front door of the apartment.

Development Control Plans (DCP) of many local government authorities currently require a proportion of the apartments to be adaptable (i.e. to AS4299) in addition to access to all common areas.

- It is recommended that Part 2.1(1)(a)(i) be amended to delete “specified Class 1b buildings”.
- It is recommended that Part 2.1(1)(a)(ii) be amended to include Class 1b and Class 2 buildings.

Part 3 Requirements of Standards

No comment.

Part 4 Exceptions and concessions

4.1 Unjustifiable hardship

While it is unlawful not to obey the law, an appropriate outcome will not be achieved if the law is not an appropriate law. If a building developer complies with the 2009 Premises Standard they can be assured of “certainty” that they have met the requirements of the law. But because the draft 2009 Premises Standards do not prescribe an appropriate level of access, people with disability can be assured with “certainty” that the building will not be accessible.

Unjustifiable hardship for people with disabilities is not addressed by the Premises Standard (or the Regulation Impact Statement (RIS)). Such pain and suffering is real, is significant, and must be costed.

Clause 4.1(2) requires compliance to the maximum extent not causing unjustifiable hardship. While the intent of this Clause is appreciated, the Example given could be quite misleading and should be expanded to include additional examples, e.g. upgrading a lift to meet the needs of people with hearing impairment does not require enlarging the lift.

Clause 4.1(3)(f) refers to several situations which might increase the cost of construction. If a building developer chooses to build on a difficult site, then it is unjust to potential users with disabilities not to incorporate accessible features because of the developer’s personal choice.

Clause 4.1(3)(k) refers to “loss of heritage value”. Examples abound regarding how to react to providing access to heritage buildings. There is a need for the Premises Standard to provide guidance regarding provision of access to heritage buildings.

Clause 4.1(3)(l) is considered a misleading provision. If compliance can be achieved by any means other than that prescribed in the Premises Standard, then the “less onerous” means would have obvious advantages, i.e. less hardship. However, access must still be achieved. Further, if compliance is not met, then unjustifiable hardship needs to be proven.

It is noted that a significant portion of the Premises Standard refers to exceptions and concessions. This substantially dilutes the effectiveness of the document in achieving an accessible Australian environment.

It is recommended that Part 4 Exceptions and Concessions should add a Clause which discourages claims for unjustifiable hardship with respect to new buildings.

4.3 Lessees

This Clause is new exception. If the building developer or the building owner or who ever is responsible for the common areas never lodges a development application or building application and all building upgrades are undertaken by tenants, the building could complete its life and never achieve accessibility.

All building developers, building owners, building managers and lessees have a Corporate Social Responsibility to Australian citizens. The Premises Standards has a duty to support these people in meeting their responsibilities.

The underlying “trigger” for a building upgrade is quite unclear. There is much confusion within all levels of the building industry as to when an upgrade is “triggered”. It is recommended that Clause 4.3 be replaced with a definitive statement regarding “triggers” for building upgrade.

- It is recommended that the existing Clause 4.3 Lessees be deleted.
- It is recommended that Clause 4.3 be replaced with a definitive statement regarding “triggers” for building upgrade.

4.4 Lift concessions

This Clause highlights the difficulties associated with attempting to draft a regulatory document which seeks to impose the same compliance requirements on existing buildings as required for new buildings. The RIS has examined this dilemma therefore it may be appropriate for the Premises Standards to do likewise.

- It is recommended that the Premises Standards apply the A90 requirements to new buildings, a new part of a building if it is an extension to an existing building, and the affected part of the existing building which is the path of travel from the principal entrance to the new building work and including the lift. On the other hand, the Premises Standards could permit A80 requirements to apply to a new part of an existing building that is a modified part of the building and any associated affected part which is not the path of travel from the principal entrance to the new building work.

Part 5 Review

5.1 Timetable for review

The intention is for the Premises Standards to be reviewed every 5 years. This is an appropriate timeframe.

Because the Premises Standards will undergo review, there will be great pressure not to create undue hardship for building developers, building owners and building managers by amending the Standards to any great degree. Therefore there is a very real danger that the inequities that exist in the 2009 draft Premises Standards will be perpetuated.

- It is recommended that Clause 5.1 be amended to detail how the review will determine the effectiveness of the Standards and ensure that buildings reach and maintain non-discriminatory levels of accessibility.

Schedule 1 Access Code for Buildings

Part A1 Interpretation

No comment.

Part A2 Adoption of Standards etc

No comment.

Part A3 Access Code – documents adopted by reference

The principal Australian Standards adopted by reference include drafts of AS1428 Part 1-200X, AS1428 Part 4.1-200X, AS2890 Part 6-200X, plus existing AS1735 Part 7, 12, 14, 15 and 16. Comments regarding these referenced documents will be discussed below.

Unfortunately, as the release of the draft Australian Standards for public comment was deferred until mid February 2009, this submission has been delayed.

Part A4 Building classification

No comment.

Part D Access and egress

DP1 Performance requirement

Clause DP1 contributes little towards fulfilling the objectives of the DDA (These objectives are given in Part 1 Preliminary Section 3 Objects and are discussed below). Disability discrimination is defined by the DDA in Part 1 Preliminary, Section 5 Disability Discrimination and Section 6 Indirect Disability Discrimination. Unfortunately, as a performance requirement, DP1 gives little guidance on eliminating discrimination. It is unlikely therefore that the deemed-to-satisfy provisions of the Access Code will interpret the performance requirements appropriately.

- It is recommended that Clause DP1 be amended to require that “Access must be provided which does not discriminate against people with disabilities”.

DP4 Performance requirement

Clause DP4 is in conflict with the provision of Clause D3.3 Parts of buildings to be accessible. This conflict must be corrected.

It is recommended that Clause DP4 be amended to clarify the intent. For example does “exit” mean the path of travel from any occupiable location to outside the building?

- It is recommended that Clause DP4 be amended to clarify the intent.

DP6 Performance requirement

Clause DP6 is in conflict with the provision of Clause D3.3 Parts of buildings to be accessible. This conflict must be corrected.

Further, in light of the extensive experience gained overseas it is recommended that the deemed-to-satisfy provisions require and provide details for safe refuges along evacuation routes where people with disabilities can meet “evacuation buddies” or wait for rescue by first responders.

- It is recommended that the deemed-to-satisfy provisions require and provide details for safe refuges along evacuation routes.

DP9 Performance requirement

All people need to evacuate a building in an emergency. Therefore Limitation (b) is discriminatory and must be deleted. If the provision of emergency warning systems for people with hearing impairment is addressed elsewhere in the BCA then a Note should be provided directing readers to the relevant clauses.

- It is recommended that Clause DP9(b) be deleted.
- It is recommended that if the provision of emergency warning systems for people with hearing impairment is addressed elsewhere in the BCA then a Note should be added to Clause DP9 directing readers to the relevant clauses.

Part D3 Access for people with a disability

D3.0 Deemed-to-satisfy provisions

No comment.

D3.1 General building access requirements

Table D3.1 Requirements for access for people with disabilities

Class 1b buildings: Requirements for Class 1b buildings are discriminatory.

- It is recommended that for Class 1b buildings, requirement (a)(i) be amended to begin at 1 dwelling not 4 dwellings.
- It is recommended that for Class 1b buildings, requirement (b) be amended to begin at 1 bedroom not 4 bedrooms.

Class 2 buildings: The exclusion of requirements for Class 2 buildings from Table D3.1 is discriminatory.

- It is recommended that Table D3.1 be amended to include Class 2 buildings.
- It is recommended that for Class 2 buildings, Table D3.1 be amended to include a requirement for access to all common areas.
- It is recommended that for Class 2 buildings, Table D3.1 be amended to include a requirement for a minimum of 5% of the Sole-Occupancy-Units to be “adaptable”.

Class 3 buildings: Common areas: Because people with disabilities often travel in groups which will include both people who use wheelchairs and those who do not, the ability to

visit other members of the group is important. Therefore to ensure people with disabilities the same rights to equality as the rest of the community (DDA Section 3), corridors to all sole-occupancy-units should be accessible. Further, as corridors are a space that is used in common by residents, corridors in Class 3 buildings should be included common areas required to be accessible.

- It is recommended that for Class 3 buildings, Table D3.1 be amended to require “an accessible path of travel from a pedestrian entrance required to be accessible to each floor containing sole-occupancy-units and to the entrance doorway of each sole-occupancy-unit.”

Class 5, 6, 7, 8 and 9a buildings:

No comment.

Class 9b assembly buildings: Table 3.1 is misleading with regard to provision of wheelchair seating spaces in Class 9b assembly buildings. While it is appropriate to require an accessible path of travel only to locations where wheelchair seating spaces are provided, it is discriminatory not to provide wheelchair seating spaces on every tier.

Clause D3.9 requires the location of wheelchair seating spaces in Class 9b assembly buildings to be representative of the range of seating provided. This means that it will probably be necessary to provide wheelchair seating spaces on every tier to satisfy Clause D3.9.

Because it is not only wheelchair seating areas and access paths to them that need to be accessible, Table D3.1 needs to detail examples of “other areas normally used by the occupants”, e.g. stage, food concessions, dressing rooms, sanitary facilities, and the like.

- It is recommended that for Class 9b buildings, Table D3.1 be deleted and replaced by the requirement “To and within all areas for use in common by the occupants, including the stage, food concessions, dressing rooms, sanitary facilities, and the like, except to seating areas that do not contain wheelchair seating spaces”.

Class 9c aged care buildings: Common areas: Class 9c buildings are not intended for short-stay accommodation. Residents of aged-care facilities need to be able to visit other residents of the establishment. To ensure that all resident have the ability to visit other residents at a time of their choosing, all floors containing sole-occupancy-units must be accessible and all corridors to them must be accessible.

- It is recommended that for common areas of Class 9c buildings, Table D3.1 Para 1 be amended to require “an accessible path of travel from a pedestrian entrance required to be accessible to each floor containing sole-occupancy-units and to the entrance doorway of each sole-occupancy-unit.”

All areas for use in common by residents including corridors must be accessible. Therefore each floor which contains a room or space for use in common by residents must be accessible. To clarify the intent with respect to access requirements for Class 9c buildings, Table D3.1 should be amended.

- It is recommended that for common areas of Class 9c buildings, Table D3.1 Para 2 be amended require access “To and within each floor containing an area for use in

common by residents and to and within each room or space for use in common by the residents.”

Sole-occupancy-units: Table D3.1 is quite deficient with respect to requirements for provision of accessible sole-occupancy-units. Much of this deficiency stems from a lack of deemed-to-satisfy guidance regarding the appropriate accessible design.

It is very difficult to manage an aged care building with insufficient sole-occupancy rooms which are accessible.

- It is recommended that for Class 9c buildings, Table D3.1 require all sole-occupancy units to provide some level of accessibility.
- It is recommended that for Class 9c buildings, Table D3.1 require a minimum of 30% of sole-occupancy-units be independently accessible designed to AS1428-1. A minimum of 40% of sole-occupancy-units should be designed as carer-assisted accessible units.

It is noted that AS1428-1 is an inappropriate Standard to give guidance on carer-assisted accessible rooms for aged care. Therefore there is an urgent need for an Australian Standard to give appropriate deemed-to-satisfy guidance on aged care facilities.

Class 10b building: Swimming pool: There has been much misinformation promulgated regarding the available means for accessing swimming pools. An extensive range of appropriate equipment is available extending from small portable wheelchair platform lifts suitable for small spa pools to removable ramps suitable for larger pools. There is little justification for excluding any pool from requiring access.

- It is recommended that for Class 10b swimming pools, Table D3.1 be amended to require access “to and into swimming pools associated with a Class 1b, 3, 5, 6, 7, 8 or 9 building that is required to be accessible, but not swimming pools for the exclusive use of occupants of a Class 1b building or a sole-occupancy-unit in a Class 3 building.”

D3.2 Access to buildings

Clause D3.2(2)(b) requires that in a building with a total floor area more than 500m² any pedestrian entrance which is not accessible must not be located more than 50m from an accessible pedestrian entrance. Although Clause D3.6 Signage requires that signage be installed at the inaccessible pedestrian entrance, there is no requirement to provide an accessible path from the inaccessible pedestrian entrance to the accessible pedestrian entrance.

- It is recommended that Clause D3.2(2) be amended to add a sub-clause D3.2(2)(c) requiring an accessible path be provided from any inaccessible pedestrian entrance to any accessible pedestrian entrance.

D3.3 Parts of buildings to be accessible

It is discriminatory for Clause D3.3(a) and Clause D3.3(b) not to require accessways and stairways to all areas, other than hazardous areas, to be accessible.

- It is recommended that Clause D3.3(a) be amended to delete “or buildings” and replace “D3.4” with “D3.4(a), D3.4(b) and D3.4(c)”.

- It is recommended that Clause D3.3(b) be amended to replace “in areas” with “to hazardous areas”.

The whole subject of fire egress and evacuation including requirements for design of fire-isolated ramps and stairways needs re-evaluation. Existing requirements are not safe, e.g. occupants evacuating a building will be egressing down one side of the stairway while fire-fighters and first responders will be ascending the stairway up the other side. Both groups of people require handrails, sufficient space to pass plus slip-resistant and luminous nosings on the stairs for safe guidance.

- It is recommended that Clause D3.3(b) be amended to delete “fire-rated ramps and fire-isolated stairways”.

D3.4 Exemptions

Clause D3.4 is most inappropriate, especially when Clause D3.3 does not require access to areas excluded under Clause D3.4. There should be very few exempted areas with the only exceptions being hazardous areas restricted to authorised personnel only. These should be listed and could include a fire lookout tower or lighthouse tower, but not appurtenant buildings which must be accessible. All other areas should rely on the unjustifiable hardship provisions, including those areas to which access would appear difficult to create.

The general public, including the construction industry, the property sector, and those who drafted the 2009 Premises Standard appear to have very little appreciation of the scope of abilities which people with disabilities have to offer to the community. People with disabilities are quite capable of performing duties in staff serving areas of a bar or in a loft used for example for sail manufacture.

- It is recommended that Clause D3.4(a) be amended to delete “a staff serving area of a bar” and “a fire lookout, a lighthouse,” and to insert after “cool room,” the words “a fire lookout tower or lighthouse tower but not appurtenant buildings which must be accessible,”

There is absolutely no reason why the upper floors of warehouses should not be accessible. People with disabilities are quite capable of performing many duties associated with logistics and distribution of goods. Further, the use of such areas can be changed at a moment’s notice.

- It is recommended that Clause D3.4(d) be deleted.

There is absolutely no reason why mezzanine areas should not be accessible. As with upper floors of warehouses, the use of such areas can be changed at a moment’s notice. Because such a change of use could take place without a building application, mezzanine areas must be accessible as people with disabilities may well be capable of performing duties associated with the new use.

- It is recommended that Clause D3.4(e) be deleted.

Clause D3.4(f) exempts the upper floors of multi-storey Class 5, 6, 7b, and 8 buildings up to 3 storeys and with a floor area for each storey of not more than 200m² from being

accessible. As a result there is no requirement to provide low-cost items such as wayfinding Braille and tactile signage or such safety features as TGSIs, handrails, luminous and slip-resistant nosings on stairways to upper floors. This is most inappropriate.

- It is recommended that Clause D3.4(f) be deleted and replaced as a separate sub-clause to read: "Ramps or lifts are not required to the upper floors of multi-storey Class 5, 6, 7b, and 8 buildings up to 3 storeys and with a floor area for each storey of not more than 200m²".

Clause D3.4(g) is redundant as it reiterates the requirement of Clause D3.3(a).

- It is recommended that Clause D3.4(g) be deleted.

D3.5 Accessible carparking

Clause D3.5 does not have any provisions for pay-station machines and boom-gate controls. Boom gate ticketing machines and pay-station machines must be accessible and therefore must be included in the draft Premises Standard.

The accessibility of boom gate ticketing machines and pay-station machines associated with car parks depends on the design, the installation location relative to reach, ticket projection, grip and force required to retrieve the ticket, and vehicle sweep paths. The technical requirements for design, installation location relative to reach, position of operational parts, and the force required to operate controls should be provided in AS1428-1.

- It is recommended that Clause D3.5 be amended to add a sub-clause requiring boom-gate ticketing machines and pay-station machines associated with car parks to be accessible.

Table D3.5 Car parking spaces for people with disabilities

Research data was gathered on the number of disability parking permits issued in the various states of Australia on two occasions, namely 1996 and 2003. These data were presented to the Building Access Technical Committee in 1996 and again to the Building Access Policy Committee in 2003.

With the exception of NSW, both studies showed the number of parking permits issued was equal to 3% of registered non-commercial vehicles. It was interesting that the number of permits was also equal to 3% of people with non-commercial driver's licenses. Based on these data, the requirements of Table D3.5 are flawed.

The formula for calculating the number of accessible car parking spaces required for a Class 3 facility is a nonsense. The number of accessible car parking spaces should be equal to the number of accessible sole-occupancy units in a hotel/motel, boarding house, guest house, hostel, backpackers accommodation and the like, or in a boarding house, guest house, backpackers accommodation and the like providing dormitory style accommodation, the number of accessible car parking spaces should be equal to the number of accessible beds in the facility.

- It is recommended that Table D3.5 Class 1b and 3 buildings (a) should be amended to require the number of accessible car parking spaces to equal the number of accessible sole-occupancy-units or accessible bedrooms.

Available research data support a general increase in accessible car parking spaces by a factor of 3 (i.e. where 1% is suggested by the draft Premises Standard, it should read 3% or where 2% is suggested it should read 6%) for Class 5, 6, 7, 8 and 9 buildings.

- It is recommended that requirements for carparking spaces for people with disabilities presented in Table D3.5 for Class 5, 6, 7, 8 and 9 buildings be increased by a factor of 3.

D3.6 Signage

Clause D3.6 provisions require little useful signage other than:

- to identify an accessway from an inaccessible external pedestrian entrance to an accessible entrance,
- to identify sanitary facilities (after one has found their way to them),
- to identify the accessway from any inaccessible sanitary facilities to the accessible facilities,
- inside a room to identify that a hearing augmentation system is installed (note that no signage is required to identify the room).

The required signage is primarily for correcting inaccessible situations.

Clause D3.6 must require additional signage be provided. Further, all signage must be accessible to all people including people with hearing impairment and people with vision impairment.

- It is recommended that Clause D3.6 be amended to require additional raised tactile and Braille signage including
 - (a) directional signage to identify the accessway from the principal pedestrian entrance to the building directory; and
 - (b) a building directory accessible to all occupants and visitors including people with vision impairment and people with hearing impairment; and
 - (c) directional signage to identify the accessway from the building directory to accessible features for use by building occupants and visitors, including lifts, sanitary facilities, restaurants, and the like.

D3.7 Hearing augmentation

Clause D3.7 only requires provision of hearing augmentation if an inbuilt amplification system is installed. BUT there is no requirement to install an inbuilt amplification system.

If all Australian citizens are to receive full access to the law, all rooms used for judicatory purposes must be required to have hearing augmentation systems installed.

Also with the increasing portability of public address amplification systems, many large spaces such as auditoriums, sporting arenas, and the like make use of portable equipment. But without a requirement for hearing augmentation, none will be provided.

Further, all emergency warning communication must be accessible for all people including people with hearing impairment.

- It is recommended that Clause D3.7(1) be amended to require “A hearing augmentation system must be provided:
(a) in an auditorium, conference room, or a room in a Class 9b building; and
(b) in any meeting room or other room used for judicatory purposes; and
(c) at any ticket office, teller’s booth, reception area or the like, where the public is screened from the service provider.”

D3.8 Tactile indicators

No comment.

D3.9 Wheelchair seating spaces in Class 9b assembly buildings

Wheelchair seating spaces in Class 9b assembly buildings were discussed in part under Table D3.1 above. While Clause D3.9 expands on Table D3.1, requirements for wheelchair seating spaces remain incomplete.

Clause D3.9 addresses the specific requirements for cinemas, however the differing requirements for live theatre buildings, assembly halls, enclosed sporting arenas, large sporting stadiums, and the like, need to be addressed.

In live theatre buildings and conference halls for example, wheelchair seating towards the front are an advantage. This needs to be stated by Clause D3.9 to avoid all wheelchair seating spaces being located towards the rear.

- It is recommended that Clause D3.9 be amended to add a sub-clause requiring the location of wheelchair seating spaces in live theatre buildings, conference assembly halls and the like, to be representative of the range of seating provided including in the front row and distributed as prescribed by Table D3.9.

For enclosed sporting arenas, large stadiums and the like, it is critical that the location of wheelchair seating spaces be representative of the range of seating available as prescribed by Table D3.9.

- It is recommended that Clause D3.9 be amended to add a sub-clause requiring the location of wheelchair seating spaces in enclosed sporting arenas, large stadiums and the like, to be representative of the range of seating provided including in the rear row and distributed as prescribed by Table D3.9.

Although it is recommended above that Table D3.1 be amended to require all facilities associated with Class 9b buildings to be accessible, including stage, food concessions, dressing rooms, sanitary facilities and the like, it is recommended that a Note be added to Clause D3.9 directing readers to Table D3.1 regarding associated features required to be accessible.

D3.10 Swimming pools

As stated above, there is extensive misinformation being promulgated regarding means for providing access to pools. There are many types of pool lifts available. Many are portable

and can provide access to very small pools. These are very inexpensive and therefore there is no justifiable reason for not providing access to all pools.

Further, most pool lifts including portable pool lifts can be fitted with exchangeable lifting devices including slings, seats and wheelchair platforms. The cost difference is negligible.

Sling lifts can be quite painful for many people, and as a result are not a popular means for providing access. Because platform lifts and chair lifts can be used in every situation where a sling lift could be used, it is recommended that sling lifts should be deleted as an acceptable means of access.

- It is recommended that Clause D3.10(2)(d) be deleted.

While the means of access to small pools (perimeter $>40\text{m}$ to $\leq 70\text{m}$) may be restricted to platform lifts because of space, the means of access to large pools (perimeter $\leq 70\text{m}$) should be limited to a fixed or moveable ramp, or a zero depth entry.

- It is recommended that Clause D3.10 be amended to insert a new sub-clause to read "Where a swimming pool has a perimeter of more than 40m but less than 70m in length at least one accessible water entry/exit must be provided by a means specified in paragraph (2)(a), (b) or (c)."
- It is recommended that Clause D3.10(3) be amended to delete "(c)".

D3.11 Ramps

This clause should also address threshold ramps. Threshold ramps are discussed in detail below in Section 5 Overview of referenced Australian Standards.

Because a threshold ramp is an effective feature for providing weatherproofing at an external door, there is no objection to threshold ramps at external doorways. However, threshold ramps are a considerable barrier to access for many wheelchair users. It is recommended therefore that provision of threshold ramps not be permitted within the interior of buildings.

- It is recommended that Clause D3.11 be amended to add a sub-clause which states "(c) threshold ramps must: (i) not be provided at any door other than at an external doorway; and (ii) be provided in accordance with AS1428-1".

D3.12 Glazing on an accessway

Clause D3.12 requirements provide for the safety of all building occupants, not specifically people with disabilities. The reason it is appropriate for AS1428-1 to provide the specifications is because minimum requirements for people with vision impairment can be prescribed.

Part D4 Braille and tactile signs

No comment.

Part 5 Accessible water entry/exit for swimming pools

D5.5 Sling-style swimming pool lift

Sling lifts can be quite painful for most users. Sling lifts should not be used to provide access to public swimming pools.

- It is recommended that Clause D5.5 be deleted.

D5.6 Aquatic wheelchair

Aquatic wheelchairs provided to achieve access to public swimming pools should be independently mobilised.

- It is recommended that Clause D5.6 be amended to add a sub-clause which states that “aquatic wheelchairs must be capable of being independently mobilised by the occupant”.

Part E3 Lift installations

E3.6 Passenger lifts

Clause E3.6 does not make it clear that there needs to be adequate circulation space at lift doors. Clause E3.6 should be amended to include a requirement that lift entries are to be considered as doorways and that appropriate door circulation space requirements apply.

- It is recommended that a new sub-clause be added to E3.6 stating that “In an accessible building, every passenger lift must: have door landings which provide adequate circulation space to access landing controls and the lift car.”

Table E3.6(a) Limitations on use of types of passenger lifts

AS1735-7 over-the-stair platform lifts are extremely difficult to access, are not always safe, are never dignified, are usually unavailable being keyed off when not attended, and are grossly unreliable.

- It is recommended that a new sub-clause be added to Table E3.6(a) AS1735-7 stairway platform lift stating “Must not: be installed in new buildings or a new part if it is an extension to an existing buildings”.

Part F2 Sanitary and other facilities

F2.4 Accessible sanitary facilities

There are two issues associated with Part F2.

Firstly many of the provisions are discriminatory. The Premises Standard must require provision of sufficient toilets in sufficient locations to address the issues of safety (health), equity and dignity regarding sanitary facilities.

Secondly, management issues can arise where rearrangement of tenancies over time has led to several tenancies sharing toilet facilities but the toilet facilities are located within one

tenancy requiring access through a security door. To pre-empt this situation and avoid such difficulties in the future, it is recommended that sanitary facilities be located in areas that can become common areas should it be necessary to rearrange tenancies at a future date. Not having to pass through adjoining tenancies in order to access toilets will be overcome the difficulty for all members of the public. Again the Premises Standard must require provision of sufficient toilets in sufficient locations to guarantee that future demands can be met.

- It is recommended that Clause F2.4 be amended to add a sub-clause requiring sanitary facilities to be located in areas suitable for use as common areas.

Clause F2.4(h) is discriminatory. Accessible unisex sanitary facility must be provided at each block of toilets.

- It is recommended that Clause F2.4(h) be deleted.

Clause F2, Table F2.4(a) and Table F2.4(b) do not require provision of sanitary facilities in ward areas of Class 9a buildings. This is a significant deficiency particularly as ward areas of Class 9a buildings require a variety of sanitary facilities for toileting and bathing including facilities appropriate for carer-assistance, facilities compliant with AS1428-1, and standard facilities.

It should be noted that the circulation spaces, fixtures and fittings of accessible sanitary facilities prescribed by AS1428-1 are not suitable for care-assisted toileting or bathing. Most state and territory jurisdictions publish guidelines for health care facilities. It is recommended that the Premises Standard direct readers to these through a Note to Clause F2.4.

Table F2.4(a) Accessible unisex sanitary compartments

Table 2.4(a) Class 1b buildings (b): This requirement does not address accessible sole-occupancy-units which do not have private accessible sanitary facilities. Table F2.4(a) Class 1b buildings (b) should be redrafted to read: "(i) every accessible bedroom must have access to accessible unisex sanitary facilities, which may be common facilities or private facilities; (ii) where private accessible sanitary compartments are provided for all accessible bedrooms, common accessible unisex sanitary compartments need not be provided".

Requirement (b) for Class 5,6,7,8 and 9 buildings is inequitable and discriminatory.

- It is recommended that Table F2.4 Class 5,6,7,8 and 9 buildings (b) be deleted.
- It is recommended that Table F2.4 Class 5,6,7,8 and 9 buildings should be amended to read: "where Clause F2.3 of the BCA requires closet pans: 1 accessible unisex sanitary compartment must be provided at every bank of sanitary facilities".

Part H2 Public transport buildings

In his statement on 2 December 2008 when tabling the Draft Disability (Access to Premises – Buildings) Standards, the Attorney-General, the Hon Robert McClelland, MP, stated "The Premises Standards will ensure that people with disability have improved access to a wide range of public buildings". He went on to say "The Premises Standards

are intended to achieve more consistent, systemic and widespread improvements in non-discriminatory access for people with disability to publicly accessible buildings”.

Also, the House of Representatives Standing Committee on Legal and Constitutional Affairs in its media release on 12 December 2008 announcing the Inquiry into the draft Disability (Access to Premises - Buildings) Standards, stated “The draft standards were developed by the Australian Building Codes Board and the Australian Human Rights Commission to make public buildings more accessible for people with mobility, vision and hearing impairments”.

It is unfortunate that these goals will not be achieved by the 2009 draft Premises Standards.

Noting this, attention must be drawn to the 2009 draft Premises Standard Part 3 Requirements of Standards Clause 3.1(3) which sets out a timetable for public transport buildings and parts of transport buildings to meet the requirements of the Premises Standards Access Code. As a result of the 2009 draft significantly reducing the requirements for access to premises, access to public transport buildings will be significantly reduced over time. This clearly is in conflict with the goals for social inclusion claimed by the Australian Government.

The Premises Standards must not reduce access to premises beyond those set out in the Public Transport Standards or the 2004 draft Premises Standard.

5. Overview of referenced Australian Standards

Release of the 2009 draft AS1428-1 (Exhibit 9) was delayed until mid-February. Unfortunately, the Exhibit 9 draft of the Australian Standard has been changed considerably from the 2004 release of the draft document. The changes have reduced requirements to the extent that it is little changed from the 2001 published edition.

As a result of the delay in release of the draft Australian Standards, only a brief overview will be presented here.

5.1 Exhibit 9 (AS1428 Part 1)

Clause 2 Application:

This Clause requires significant reduction in expected access, namely, that the width of an accessible path of travel be generally 1000 mm (80% provision) as is the case with AS 1428.1 2001, while 90% provision dimensions be required at the following locations-

- *On an accessway, at the location of a turn greater than 60 degrees.*
- *New accessible sanitary facilities.*
- *At doorways, including door width and circulation space.*

If it is the intention of the Premises Standard to deny 20% of wheelchair users access to the built environment in most situations then this should be said in the Clause 1 Scope. Since release of the Disability Discrimination Act, it has been the expectation of Australian society that access to buildings would be provided for 90% of wheelchair users. Because such access is also required by most sectors of society, it is unlikely that informed members of the community will accept such discrimination.

Two drawings (Figure 1 and 2) are submitted to demonstrate the limited space available along an accessible path of travel provided by a 1000mm wide path. The drawings illustrate the inconvenience imposed upon fit, healthy able-bodied persons represented at the upper 90% of the Australian population to pass within a 1000mm wide access path.

A third drawing (Figure 3) is submitted to demonstrate the conflict which results when A80 dimensions interface with A90 dimensions. Figure 3 illustrates the inaccessibility which results at a doorway at the end of a corridor preventing the wheelchair user avoiding the swing of the door. A similar situation is created with doorways leading off a corridor. Such conflict along an accessible path of travel can only be resolved by truncation of the internal corner by the required distance in both directions. This is a necessary expensive waste of space.

Further drawings (Figures 4 and 5) demonstrate the additional construction costs involved in accommodating handrails to steps and ramps along a 1000mm wide straight accessible path of travel. The additional construction costs which result from limiting accessways to 1000mm will be considerable.

Clause 7.3 Width of an Accessible Path of Travel:

The Clause requires the width of a continuous accessible path of travel to be 1000 mm.

The research by J Bails 1982 clearly defined two size wheelchairs (Figure 6), namely the A80 and the A90 wheelchair (although the dimensions for the A90 wheelchair have not been provided). It is known from later research (Seeger 1994; Hunarch unpublished data (obtained under FOI)) that the 800mm x 1300mm space no longer accommodates the A90 wheelchair observed by this recent research. The conflict at the interface of A80 and A90 requirements prescribed by AS1428-1 and AS1428-2 will discriminate further against those members of the Australian population which use a current A90 wheelchair.

- It is recommended that the draft of AS1428-1 to be referenced in the draft 2009 Premises Standards be based wholly on the dimensions required for an A90 occupied wheelchair.

Clause 7.5 Circulation space for 90° or less wheelchair turn:

The Clause requires the width of a continuous accessible path of travel to be 1000 mm except at a change in direction of 90° or less.

Figure 2 demonstrates the difficulties which result with a 1000mm straight path of travel. Difficulties escalate for people who must use A90 wheelchairs when a 1000mm wide path of travel deviates from straight. There is no Australian research data to support the suggestion for maintaining a 1000mm wide path of travel through turns up to and including 60 degrees.

Whenever an access path diverts from straight by any degree, the needs of the A90 occupied wheelchair must be accommodated. Figure 7 illustrates how this can be achieved by requiring the inside corner to be truncated by 500mm in both directions.

- It is recommended that whenever an access path diverts from straight by any degree, the needs of the A90 occupied wheelchair must be accommodated by requiring the inside corner to be truncated by a minimum of 500mm in both directions.

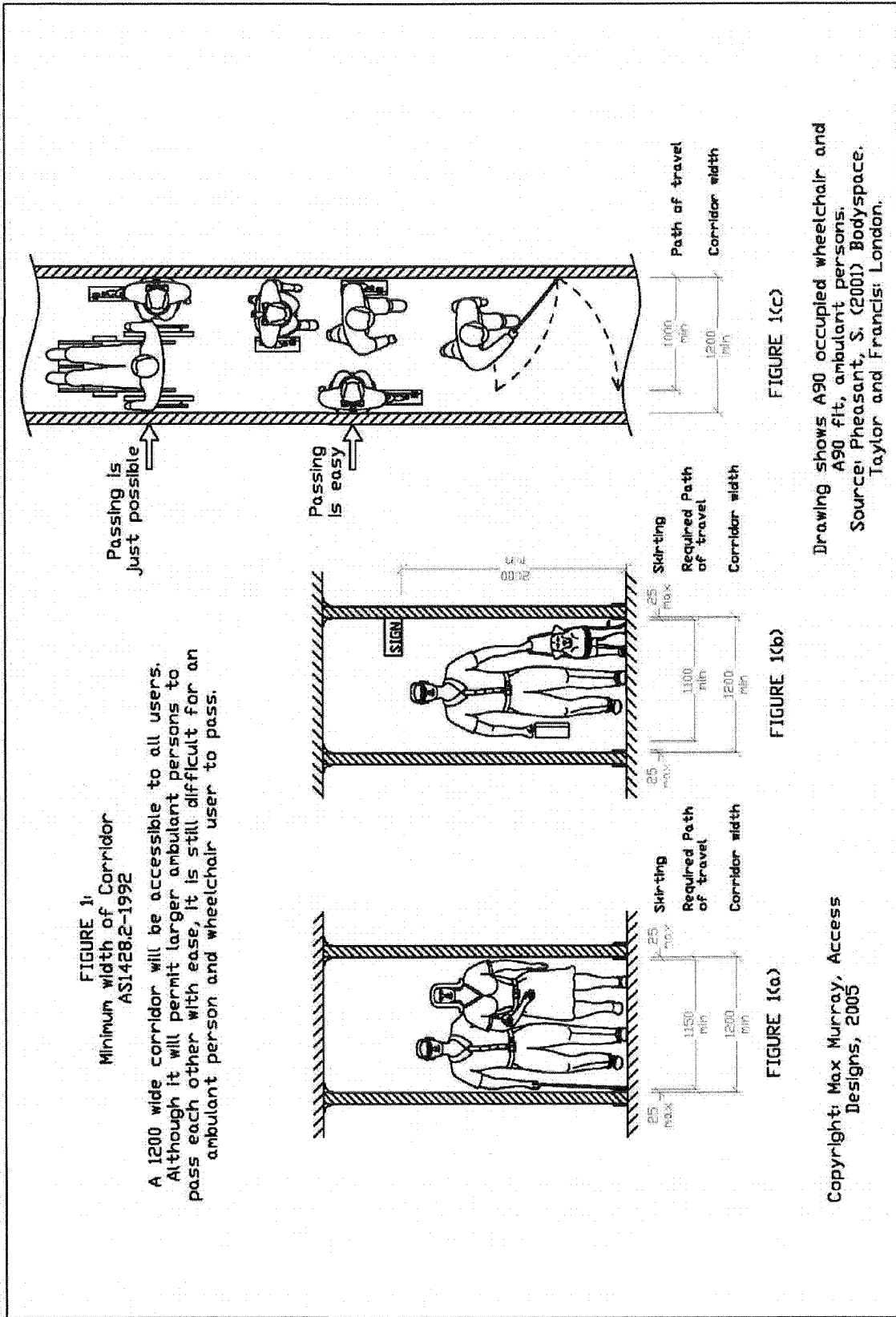


Figure 1 A90 Accessible Path of Travel

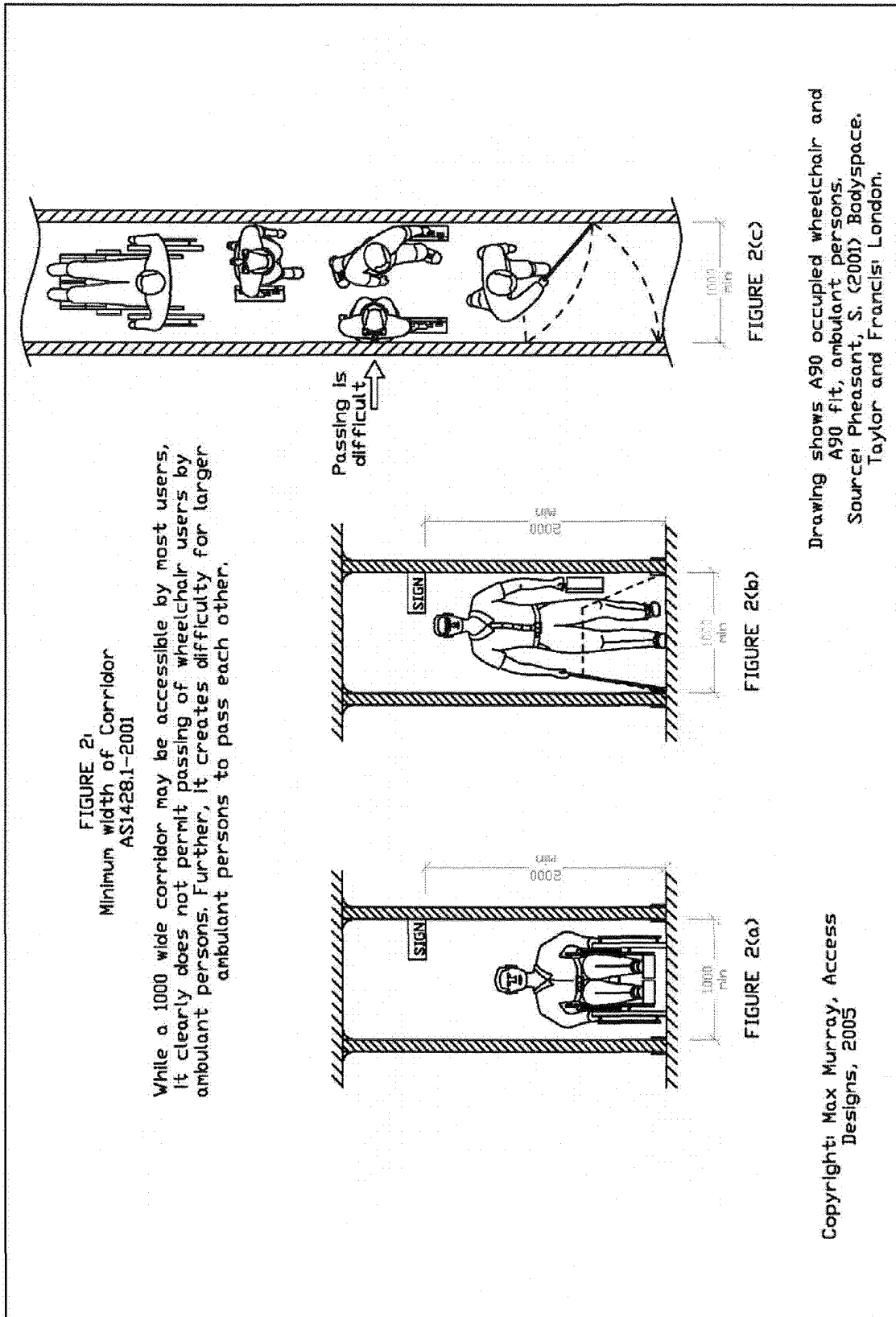


Figure 2 A80 Accessible Path of Travel

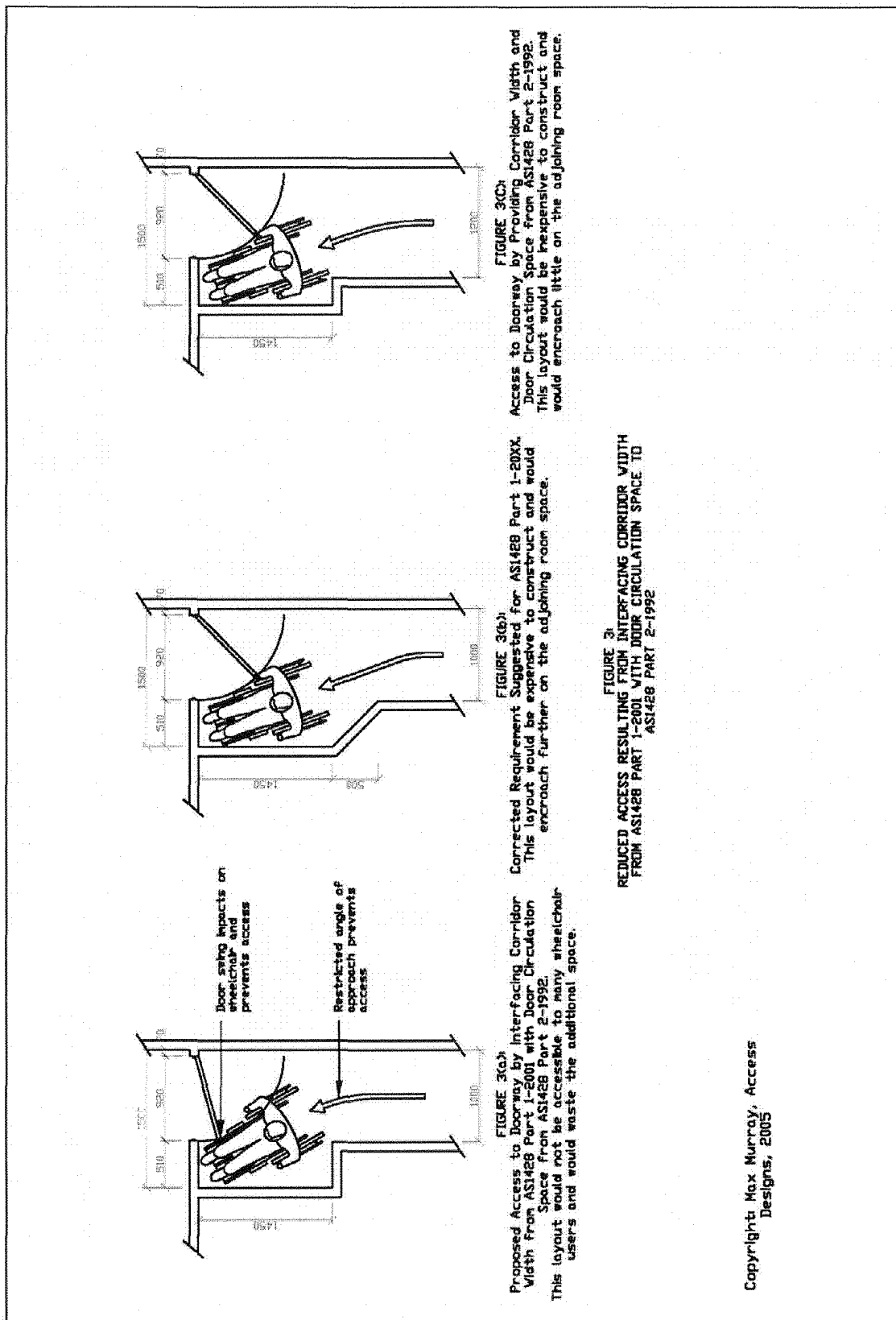


Figure 3 Inaccessibility at interface between A80 and A90 Spaces

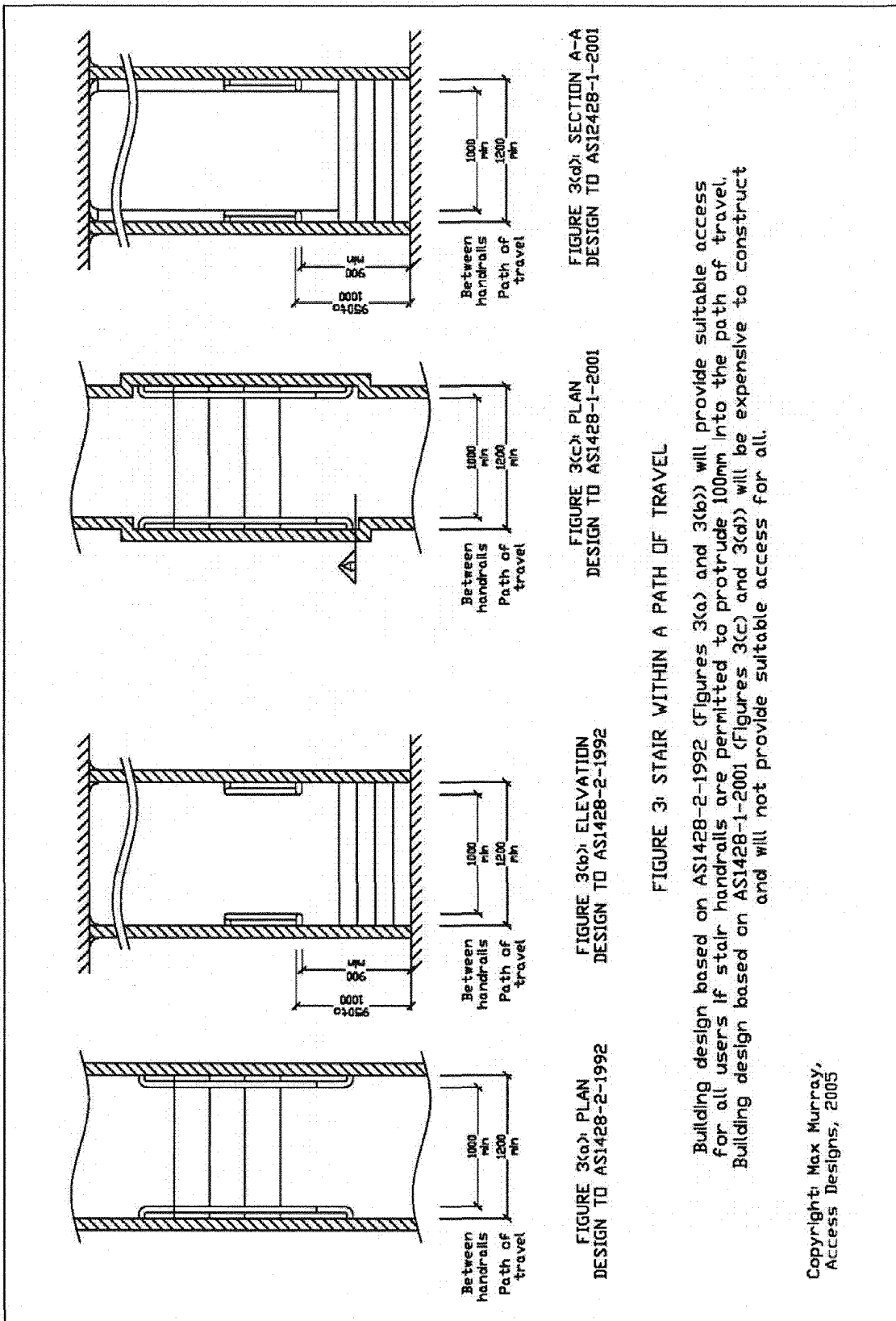


Figure 4 Stairs within an A80 Path of Travel Add to Costs

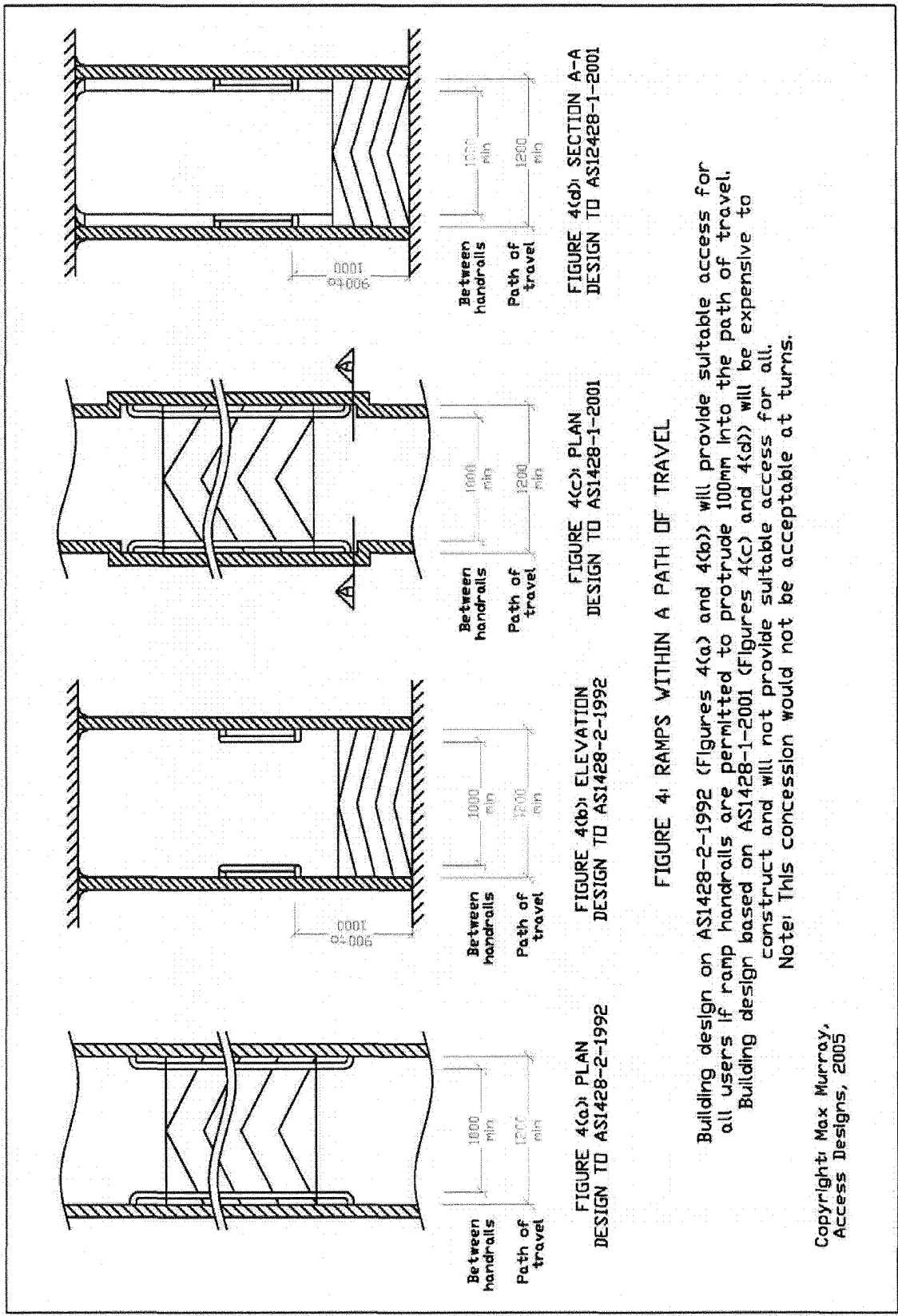


Figure 5 Ramps within an A80 Path of Travel Add to Costs

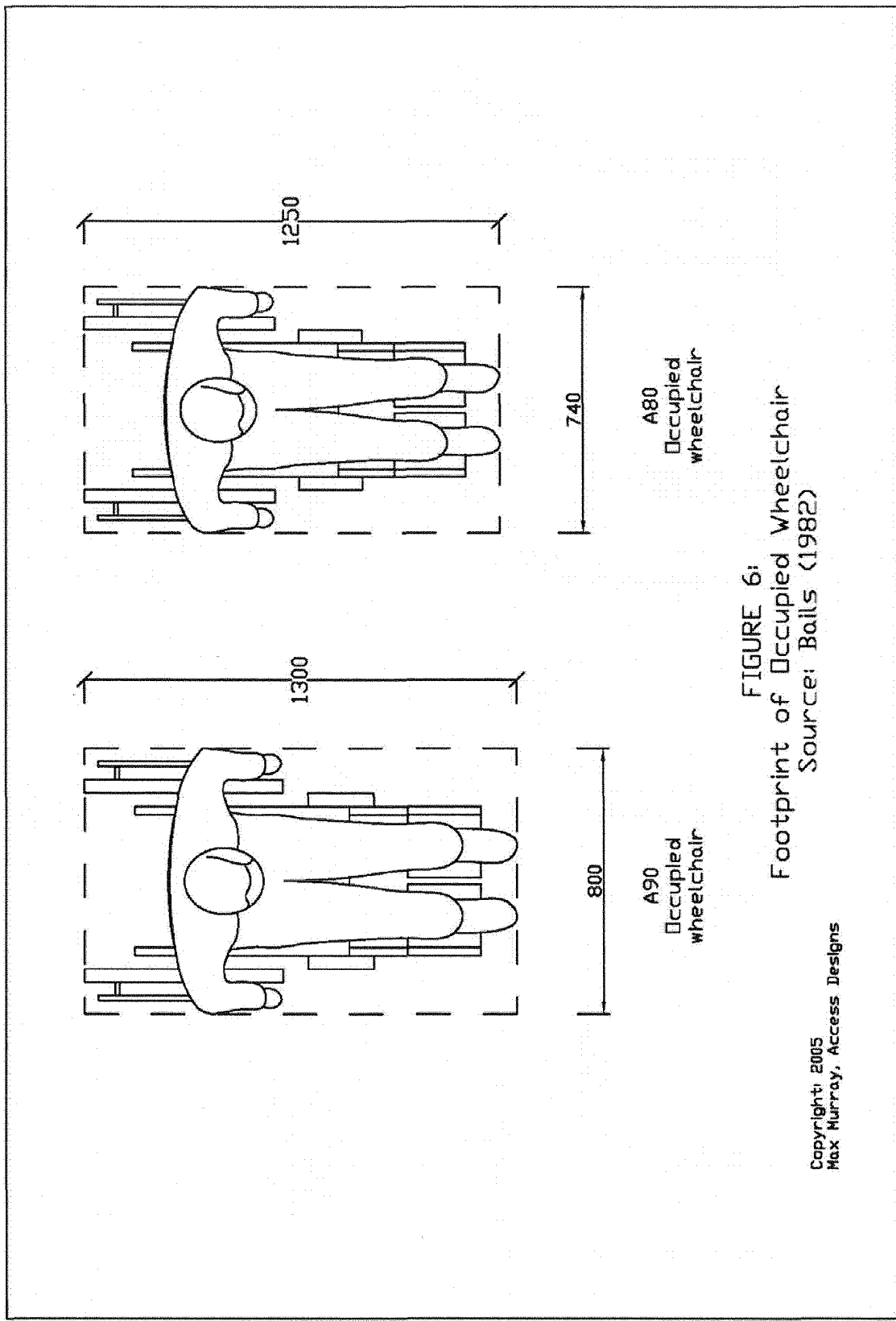


FIGURE 6:
Footprint of Occupied Wheelchair
Source: Bails (1982)

Copyright 2005
Max Murray, Access Designs

Figure 6 Relative Dimensions of A80 and A90 Occupied Wheelchair

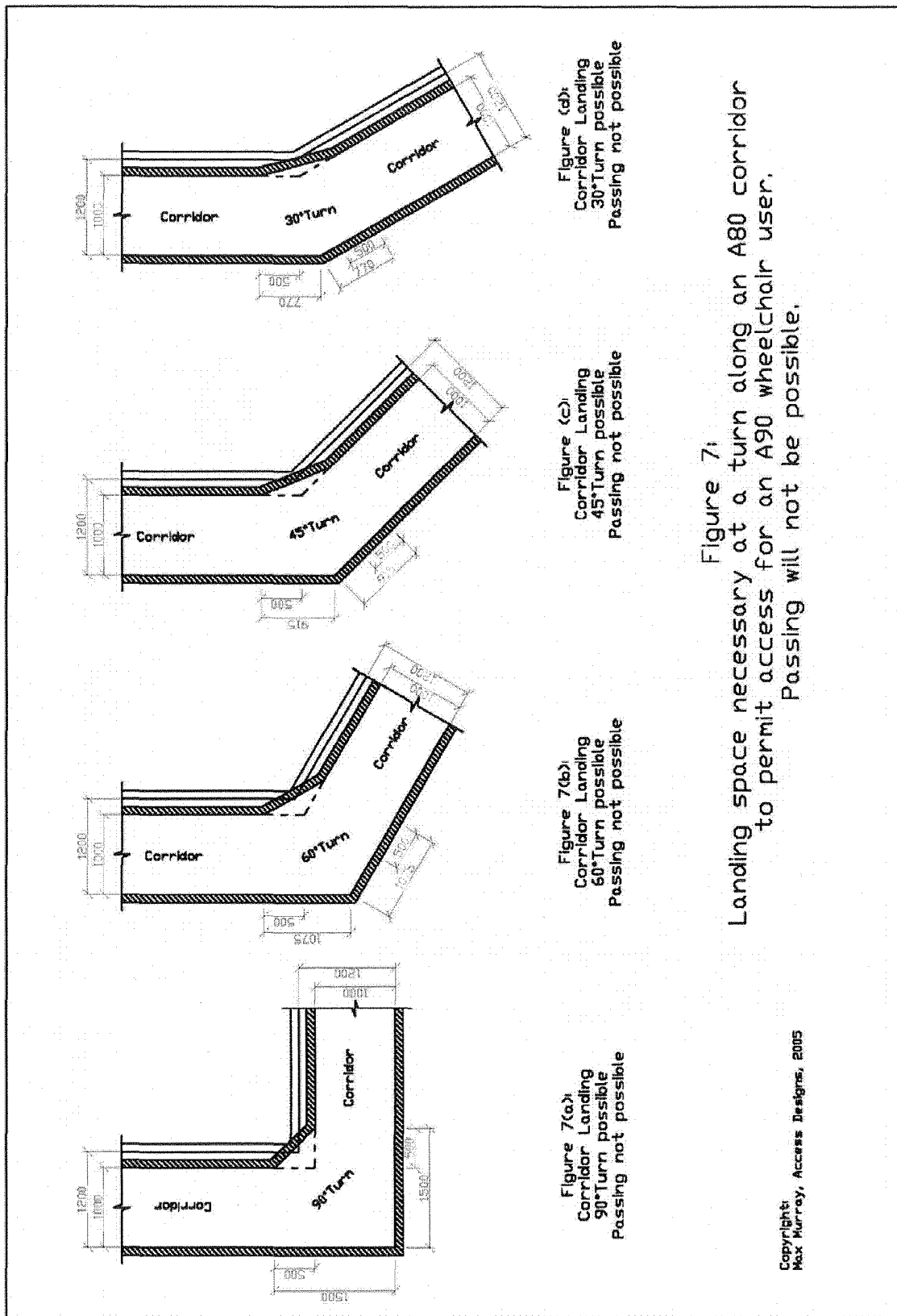


Figure 7 Corner space required to Accommodate an A90 Occupied Wheelchair at a Change in Direction

Clause 11.6 Threshold ramps:

Threshold ramps are a considerable barrier to access for many wheelchair users. The effort required to initiate access across a threshold ramp can create a tendency for wheelchairs to tip over backwards causing harm to the occupant.

It is agreed that a threshold ramp is an effective feature for providing weatherproofing at an external door. There is no objection to threshold ramps at external doorways. However the dimensions must not exceed the 35mm maximum rise or 1 in 8 maximum slope.

Permitting threshold ramps to be used within a building perpetuates poor design and poor building practise. It is objected to strongly.

- It is recommended that provision of threshold ramps not be permitted within the interior of buildings.

Diagrams generally:

The dimensions used on diagrams lack consistency.

While the text prevails, the diagrams also must reflect the intended requirement. However the Australian Standard must accommodate the needs of people who use an A90 wheelchair.

- It is recommended that the dimensions presented in the text and diagrams accommodate the needs of people who use an A90 wheelchair.

Additional Comment on AS1428-1:

Review of the draft 2009 Premises Standards and draft Australian Standards referenced by the Premises Standards have highlighted significant deficiencies in design guidelines. Firstly, AS1428-1 (exhibit 9) needs to provide design details for accommodation rooms in Class 3 buildings (hotels/motels). Secondly, AS1428-1 needs to provide design details for carer-assisted sanitary facilities in Class 9a hospital wards and Class 9b schools. It is recommended that this be achieved as a matter of urgency.

- It is recommended that as part of the review of Exhibit 9 draft (AS1428-1) provisions be included for design requirements for accommodation rooms in Class 3 motels, and for carer-assisted sanitary facilities in Class 9a hospital wards and Class 9b schools.

5.2 Exhibit 10 (AS1428 Part 4.1)

No comment.

5.3 Exhibit 11 (AS2890 Part 6)

Clause 2.4 Headroom:

This Clause requires that the vehicle path of travel from the carpark entrance to all parking spaces for people with disabilities and from those spaces to the carpark exit have a minimum headroom of 2000mm.

The 2009 draft Premises Standards (Access Code) recommends that the ceiling height of accessible car parks remain at 2200 mm in accordance with AS2890-1 1993. However,

the base data used to derive AS2890-1-1993 was a 1984 study. This data is now considerably out of date with many of the vans used by people with mobility disabilities requiring a headroom of 2300mm in order to access multi-level car parks. Further the issue of headroom is not a matter confined to vehicles used by people with disabilities, a significant proportion of the population choose to drive large four-wheel-drive vehicles with roof-mounted equipment. The need for ceiling heights of 2300mm is primarily the result of the increase in size of the vehicles chosen by a significant proportion of the population for their own use.

It should be noted that a headroom of 2300mm is only required at the entrance to the car park, and along the vehicle path from the entrance to the accessible parking bays and from those spaces to the car park exit.

In addition to being discriminatory to a significant proportion of people with disabilities, car park headroom requirements based on data that is 15 years old is discriminatory to a significant proportion of the non-disabled community. The requirement for headroom presented in Exhibit 11 would wind the requirements for access back to the date of the introduction of the DDA. This is strongly rejected.

- It is recommended that for all new car parks, a ceiling height (headroom) of 2300mm be required at the entrance to the car park, and along the vehicle path from the entrance to the accessible parking bays and along the return path to the exit.

5.4 AS1735 Part 7, 12, 14, 15 and 16

These Australian Standards are not undergoing review by Standards Australia at this time. Most of the AS1735 suite of low-rise standards (including AS1735-12) has not undergone review for some time. However, in light of the release for consultation of the 2009 draft Premises Standard, it is recommended that Standards Australia be requested to review, as a matter of urgency, AS1735-7, AS1735-12, AS1735-14, AS1735-15 and AS1735-16.

In anticipation of the Standards Australia Lift Committee reviewing the low-rise suite of standards, these documents have been reviewed and the details are presented in Appendix A.

Specific comments:

The following specific comments are presented regarding Australian Standards for low-rise lifts. These include AS1735-12 (all lifts), AS1735-7, AS1735-14, AS1735-15 and AS1735-16.

- AS1735-12 1999 (all lifts), AS1735-7 1998, AS1735-14 1998, AS1735-15 2002, and AS1735-16 1993 have not been reviewed for some time. It is recommended therefore that these Standards be reviewed as a matter of haste. However, it is grossly unlikely that any of these Standards will be reviewed before 13 March 2009.
- AS1735-12 1999 Facilities for persons with disabilities: provides the details of facilities required for lifts to be used by people with disabilities. It is recommended therefore that the application of this Standard be amended to state that the standard applies to all passenger lifts to be used by people with disabilities.

- AS1735-7 1998 Stairway lifts: These machines are grossly unsatisfactory pieces of equipment, they are extremely difficult to access, they are not always safe, they are never dignified, they are supposed to be keyed off when not in use (although management may chose to leave them switched on during opening hours) and they are grossly unreliable often failing mid-travel when occupied. It is recommended therefore that Table E3.6(a) of the draft Premises Standard be amended to add a new sub-Clause stating that an AS1735-7 stairway platform lift must not be installed in a new building or a new part of a building if it is an addition to an existing building, i.e. installation is only permitted in an existing part of a building undergoing renovation.
- AS1735-14 1998 Low-rise platforms for passengers: These lifts are permitted to operate under automatic control and still be compliant with the current Australian Standard. Furthermore there are Australian manufacturers already fabricating and selling automatically controlled low-rise platform lifts. It is recommended therefore that review of this standard not result in operation being limited to constant pressure control.
- AS1735-15 2002 Low-rise passenger lifts – non-automatically controlled: These lifts are permitted to travel 4m vertically and therefore may pass through a building floor. Although AS1735-15 compliant lifts are not required to use a fully enclosed lift car, passing through the floor of the storey above will require the lift car to be enclosed in a lift shaft. The standard requires AS1735-15 lifts to operate under constant pressure control. Although it would increase the cost slightly, it would be possible to manufacture a AS1735-15 lift to safely operate under automatic control. It is recommended that during review of the standard an appendix be added detailing the additional features necessary to permit a AS1735-15 lift to operate safely under automatic control.
- AS1735-16 1993 Lifts for persons with limited mobility – restricted use – automatically controlled: These lifts are permitted to travel vertically up to 12m. Standards Australia has split the application of this lift between two uses namely residential application and commercial building application. The residential application has been re-titled as AS1735-18 2002 Passenger lifts for private residences – automatically controlled, while AS1735-16 has been left to apply to commercial buildings. With the splitting of these Standards the current name given to AS1735-16 lifts is inappropriate. It is recommended AS1735-16 be re-titled Low-rise Passenger Lifts – Automatically Controlled.

6. Meeting existing Australian legislation and international agreements

6.1 Disability Discrimination Act 1992

Adoption of the Disability Discrimination Act by the Australian Government gave great hope to an enormous proportion of the nation's population that Australian society would become more inclusive for all citizens. The size of the population effected can be estimated from the data of Darcy (2003) to be at least 2 to 3 times the number of people with disabilities. This places the proportion of the Australian population expecting access to premises to improve for people with disabilities at between 30% and 60% depending on the base data chosen.

As argued above, the 2009 draft Premises Standards do not achieve their objectives therefore they do not achieve the objectives of the DDA. Specifically DDA Object (a)(i) and (a)(ii) will not be met.

These are critical objectives for the lives of people with disabilities. Until the 2009 draft Premises Standards meet the objectives of the DDA, it will be misleading and dishonest to propose the 2009 draft Premises Standards as a DDA Standard.

6.2 United Nations Convention on the Rights of Persons with Disabilities

When the Australian Government announced that it had signed the United Nations Convention on the Rights of Persons with Disabilities, many Australian citizens congratulated the government on their initiative. People with disabilities and their families have taken ratification of the Convention as an indication of the Australian Government's intention to ensure an inclusive society for all Australian citizens.

The Australian Government has now commenced a National Interest Analysis to inform a decision on whether or not it will accede to the Optional Protocol. However until Australia accedes to the Optional Protocol, the Convention remains "just a good idea".

People with disabilities and their families hold great hopes for this international law, but Australia has not comprehensively enacted into domestic 'hard law' previous international human rights treaties it has ratified. It can not be assumed that the act of ratification of the Convention is any guarantee that the Australian government will enact further domestic measures for the promotion and protection of the human rights of persons with disability.

Nevertheless I urge the Australian Government to draft Disability (Access to Premises – Buildings) Standards 2009 which truly fulfil the expectations of Australians with disabilities and their families and friends.

7. Conclusion – Addressing the Terms of Reference

7.1 Appropriateness and effectiveness of proposed Standards in achieving objects

There are two objects, namely:

- (a) to ensure that reasonably achievable, equitable and cost-effective access to buildings, and facilities and services within buildings, is provided for people with disabilities; and
- (b) to give certainty to building certifiers, building developers and building managers that, if access to buildings is provided in accordance with these Standards, the provision of access, to the extent covered by these Standards, will not be unlawful under the Act.

Object (a)

Because modern construction techniques will be able to achieve any level of access prescribed by the Standards, the objective of ensuring "reasonably achievable" access to buildings and facilities will be met.

Because the level of access prescribed by the Standards is most inadequate and inappropriate for a DDA Standard, the objective of ensuring "equitable" access to buildings and facilities has not been met.

Because the level of access prescribed by the Standards is most inadequate and inappropriate for a DDA Standard, costs have been reduced to very low levels comensurate with the low levels of benefits that will result. The objective of ensuring "cost-effective" access to buildings and facilities therefore may have been achieved but at the expense of access.

Because the Premises Standards do not address fit-out, it is not possible to assess if the object of ensuring access to services will be achieved.

Object (b)

Because building certifiers are only required to administer the provisions of the Premises Standards, the objective of giving certainty to building certifiers that access to buildings provided in accordance with these Standards will not be unlawful under the Act has been met.

However, because there are short-comings in the Standards with regard to the provision of access to buildings (Class 2 buildings, emergency evacuation, way-finding, fit-out), the objective of giving certainty to building developers and building managers that access to buildings provided in accordance with these Standards will not be unlawful under the Act has not been met.

Because the level of access prescribed by the Standards is most inadequate and inappropriate for a DDA Standard, people with disabilities can be certain that buildings constructed in accordance with these Standards will not provide the level of access required.

7.2 Interaction between Premises Standards and existing state and territory regulatory schemes including appropriateness and effectiveness of proposed Model Process to Administer Building Access for People with Disability

The proposed Model Process to Administer Building Access for People with Disability is an excellent document. Every effort must be made to ensure that state and territory jurisdictions are able to incorporate it into their existing regulatory schemes. Where suitable regulatory schemes are unavailable, state and territory jurisdictions should be encouraged to prepare suitable legislation which will allow adoption of the Model Process.

7.3 Will Premises Standards have unjustifiable impact on any sector or group within a sector.

Because building certifiers operate as regulators and merely administer the provisions of the Standards, there will be no unjustifiable impact on this sector.

As stated above the level of access prescribed by the Standards is most inadequate and inappropriate for a DDA Standard. As a result, costs have been reduced to very low levels. Because of these low costs, meeting the required the provisions of the Standards would not have an unjustifiable impact on building developers and building managers.

However, because the level of access prescribed by the Standards is most inadequate and inappropriate for a DDA Standard, and because there are short-comings in the Standards with regard to the provision of access to buildings, the provisions of the Standards would have an unjustifiable impact on people with disabilities. The groups within this sector who will be most affected include people with mobility impairment, people with hearing impairment, and people with vision impairment.

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Appendix 1

A1. Detailed assessment of referenced low-rise lift Australian Standards

The attachment presents an assessment of the Australian Standards relevant to low-rise lifts. These include AS1735-12 (all lifts), AS1735-7, AS1735-14, AS1735-15 and AS1735-16.

Issues

It should be noted that while there were people with disabilities included on the Standards Australia ME04 Committee working group for development of this suite of Standards, no people with disabilities on the Committee working group had voting rights and thus be able to influence the final published documents.

Part 12: Facilities for persons with disabilities

Preface, Scope and Application:

While the Preface to the 1999 edition states that the Standard is applicable to public buildings only and is compatible with the Building Code of Australia (BCA), the Scope states that the document sets out requirements for facilities in passenger lifts that are specifically designed to assist persons with disabilities. Further, the Application states that the Standard applies to new lifts in the public access path and in new lift wells in buildings other than private dwellings, and specifically where the building authority stipulates provision of facilities for people with disabilities.

Although from the Application it might be interpreted that the Standard applies only to passenger lifts with a fully enclosed lift car (i.e. Parts 1, 2, 3, and 16), this neglects the need for guidance with regard to facilities necessary to permit people with disabilities to use all lifts, i.e. it must apply to all passenger lifts including Part 7, 8, 14, or 15 lifts. Obviously if a functional element is necessary to drive a high-rise lift, then it also must be necessary to drive a low-rise lift.

- It is recommended that Part 12 Application be amended to indicate that it applies to all passenger lifts.

With introduction of the Disability Discrimination Act (DDA) Standard on Access to Premises (Premises Standard), Clause 1.1.2 will become redundant. Therefore it is recommended that Clause 1.1.2 be deleted.

- It is recommended that Clause 1.1.2 be deleted.

Lift Landings:

Part 12 is silent with regard to the required size of landings serving lifts. Because the circulation space provided by the lift landing is critical to the user's ability to access the lift car, it is recommended that Part 12 give guidance regarding the minimum size of lift landings.

Because there are many situations in which the user must reverse from a lift, e.g. when the other occupants prevent manoeuvring of the wheelchair within the lift car. Upon exiting the lift car, the user of the wheelchair will be required to make a 90° or 180° turn before proceeding from the lift landing. Because AS1428 Part 2-1992 Clause 6.2 prescribes the

minimum space necessary to turn an occupied wheelchair through 180° is 1540 x 2070mm, it is recommended that AS1735 Part 12 be amended to require lift landings to be a minimum size of 1540mm x 2070mm.

- It is recommended that a new Section to address Lift Landings be added to Part 12 which states that each public passenger lift shall be provided with a minimum landing circulation space of 1540mm x 2070mm to allow access by all.

Lift Car Size:

Section 2 states that the minimum lift car internal dimensions shall be 1100mm wide by 1400mm deep. The draft Disability Discrimination Act Standards on Access to Premises (Premises Standard) was originally prepared to provide access for 90% of people with disabilities. Table E3.6(b) of this Premises Standard requires the minimum lift car floor size to be 1400mm x 1600mm for all lifts with travel in excess of 12 m. Therefore although Table E3.6(b) allows exceptions to this required lift car floor size for low-rise lifts, it must be noted that these are concessions as a lift car with internal dimensions of 1100mm x 1400mm will fall short of the access needs required for 90% of people with disabilities. It is suggested that with the release of the draft Premises Standard, current wording in Section 2 is incorrect.

- It is recommended that Section 2 be re-drafted to reflect the new requirements, i.e. that the minimum lift car internal dimensions shall be 1400mm wide by 1600mm deep.

Section 2 should also note the exceptions allowed by the draft Premises Standard.

- It is recommended that Section 2 be re-drafted to indicate the exceptions allowed by the draft Premises Standard, namely that minimum lift floor dimensions may be reduced to 1100mm x 1400mm for all low-rise lifts (travel no more than 12 m), while the minimum lift floor dimensions may be reduced further to 810mm x 1200mm for AS1735-7 stairway platform lifts.

As discussed under Lift Landings above, the minimum space required to turn a wheelchair through 180° is 1540 x 2070mm. Therefore a lift car of 1400mm x 1600mm would not permit a wheelchair user to perform a 180° turn within the lift car. The minimum internal dimensions of a lift car necessary to permit a wheelchair user to make a 180° turn within the lift car would be 1540mm x 2070mm. The nearest standard sized lift car shown in ISO/DIS 4190-1 would have an inner dimension of 1600mm x 2100mm. The ability to perform a 180° turn within the lift car will have an impact on the ability of the occupant to exit the car (see Levelling of Lift Cars below) and the required number of control panels within the car (see Controls below).

- It is recommended that Section 2 be amended to include a statement that the minimum size of lift car necessary to permit a wheelchair user to make a 180° turn within the lift car shall be 1540mm x 2070mm.

Although the minimum clear opening required by AS1428-1 for doors along an accessible path is 850mm, the minimum clear opening required by Section 2 for lift doors must remain as 900mm. The greater clear opening dimension required for lift doors is necessary to permit a wheelchair user to reverse from a lift car because it is not possible to reverse a wheelchair from a lift car along the same path as was used to enter the lift car.

Doors:

Section 4 Doors, Clause 4.1 Types states that lift car and landing doors shall be horizontally sliding, power operated, and automatically controlled. While this requirement is most appropriate for all lifts with enclosed lift cars, the horizontally sliding requirement is difficult to comply with for low-rise lifts serving two stops only and using open cars. Such lifts should still be required to use doors, gates, or ramps which are power operated and automatically controlled. Such operation is necessary to comply with the passenger protection requirements.

- It is recommended that Section 4, Clause 4.1 be re-drafted to exempt low-rise lifts using open cars and serving no more than two stops from the requirement to install horizontally sliding doors.

Section 4, Clause 4.2 requires lift car doors to be fitted with passenger-protection devices. However Clause 4.2(a) refers to both lift car doors and lift landing doors. Therefore it is recommended that the first paragraph should be amended to include landing doors.

- It is recommended that Clause 4.2 be amended to make it clear that passenger-protection devices shall be fitted to all lift landing doors as well as to lift car doors.

The meaning of Clause 4.2(a) is not clear. It needs to be clear that both a safety shoe and a series of light beams are required on the lift car doors. Further it needs to be clear that the dual system is required for both car doors and landing doors. It also needs to be clear that for car doors, each light beam originates in the closing edge of the door on one side and is detected in the closing edge of the door on the opposite side. It also should clarify that the same system is used for the landing doors. Clause 4.2(a) should be further clarified if it stated that the 12mm diameter was held vertically and deleting reference to its longitudinal axis.

- It is recommended that Clause 4.2(a) to be amended to state that both a safety shoe and a series of light beams are required on the lift car doors, and duplicated on the landing doors.
- It is recommended that Clause 4.2(a) be amended to clarify that each light beam originates from the closing edge of the door on one side of the entrance opening and travels horizontally to the detector on the closing edge of the door on the opposite side of the entrance opening.
- It is recommended that Clause 4.2(a) be amended to delete reference to the longitudinal axis and state that the 12mm diameter must be held vertically.

Clause 4.2(b) which requires a series of beams across the lift car door to a height to 1550mm above the lift car door sill, presents an alternative to the system described in Clause 4.2(a). However as the sides of low-rise lifts with open lift cars are usually less of 1550mm in height, it is recommended that Clause 4.2(b) be amended to take account of low-rise lifts with open lift cars.

- It is recommended that Clause 4.2(b) be amended to take account of low-rise lifts with open lift cars by requiring the light beams 75mm apart from 50mm above the floor to the top of the lift car walls or 1550mm whichever is the lower.

With the introduction of destination directed control systems, the built-in door open dwell times need to be revisited. The requirements presented in Clause 4.3 may no longer be sufficient for all users particularly people with vision impairment.

- It is recommended that the door open dwell times presented in Clause 4.3 be revisited and if extended times are found necessary, Clause 4.3 be amended to reflect the extended times.

Levelling of Lift Cars:

Within a pedestrian path of travel, any vertical rise greater than 6mm is considered a trip hazard. In addition, any vertical rise of 6mm or greater will present an impassable barrier to many reversing wheelchair users. Therefore the tolerance on levelling accuracy of plus or minus 12mm permitted by AS1735 Part 12 Section 6 is not appropriate under today's OH&S expectations.

As is noted in Section 6, the levelling accuracy is measured as part of the acceptance test and results may exceed 12mm on occasions during the life of the lift equipment. This places greater emphasis on reducing the tolerance for levelling accuracy at the acceptance test. It is strongly recommended that the tolerance for levelling accuracy at the acceptance test be reduced to plus or minus 5mm. If this requires all passenger lifts to be fitted with automatic relevelling facilities, this should be done.

- It is recommended that Section 6 be amended to require the tolerance for levelling accuracy at the acceptance test be reduced to plus or minus 5mm for all passenger lifts.
- It is recommended that Section 6 be amended to require all passenger lifts incapable of meeting the plus or minus 5mm tolerance on levelling accuracy be fitted with automatic relevelling facilities.

Control Buttons:

Section 7 Clause 7.2.1 details the circumstances which determine when more than one lift car control panel is required. The clause states that when either depth or width of the lift car is less than 1400mm, not less than two accessible control panels are required, one to the left and one to the right of a person entering the lift car. Because persons using lifts differ with respect of the side to which they are capable of operating control buttons, when only one control panel is provided, it will be necessary for many people to turn through 180° in order to operate the lift.

As noted above under Lift Car Size, the minimum lift car internal dimensions that permit a 180° turn are 1600mm x 2100mm. Therefore it is recommended that Clause 7.2.1 be amended to require two lift car control panels in all lift cars with internal dimensions less than 1600mm x 2100mm.

- It is recommended that Clause 7.2.1 be amended to require two accessible lift car control panels in all lift cars with internal dimensions less than 1600mm x 2100mm.

Clause 7.2.2(b) states that the communication control button shall be identified by a visible symbol on the button face. The clause must state that this symbol will be in addition to the required tactile symbol and Braille equivalent (which must not be on the face of the button – see below).

Clause 7.2.2(c) states that the emergency stop control need not be positioned on the required control panels. This control button or switch must however be accessible. It is recommended that Clause 7.2.2(c) be amended to indicate that the emergency stop control must be located in an accessible position, preferably on the control panel.

Clause 7.2.2(d) states that although two control panels may be required, only one emergency stop control is required. This is illogical in view of the fact that two control panels are required because not all people are capable of reaching and operating controls on both sides of the lift car. Therefore it is recommended that two stop buttons be provided, with each being located in an accessible location, and preferably with each being associated with a different control panel.

- It is recommended that Clause 7.2.2(c) and Clause 7.2.2(d) be combined to require the provision of two stop buttons with each being located in an accessible position either on or in close association with each control panel.

Clause 7.2.2 requires each control button to be identified by the provision of a tactile symbol plus Braille equivalent. The Clause requires the symbols and Braille to be located above or to the left or on the face of the control button. However, because people who use the tactile symbol to identify the function of the control need to be able to press with sufficient force to differentiate between the raised tactile symbol and the surrounding control panel surface. Such necessary force exceeds the 3.5N stated by Clause 7.4.1.2 as the minimum force required to operate any control button. It is recommended therefore that the last paragraph of Clause 7.2.2 be amended to state that the required identifying raised tactile symbol and Braille equivalent be restricted to above or to the left of the control button.

- It is recommended that the last paragraph of Clause 7.2.2 be amended to state that all control buttons shall be identified by raised tactile symbols and Braille equivalent located above or to the left of the control button.

Clause 7.2.3 refers to key pads where provided and states that a tactile dot shall be provided on the centre of number 5 unless the tactile symbol is on the face of the button. From the argument provided above, it is recommended that the words “unless the tactile symbol is on the face of the button” should be deleted from the clause.

- It is recommended that Clause 7.2.3 be amended to delete from the clause the words “unless the tactile symbol is on the face of the button”.

Clause 7.4.1.2 refers to the force required to operate each control button. Again, this clause refers to situations where the tactile symbol is located on the face of the button. It is recommended that Clause 7.4.1.2 be amended to delete the second sentence.

- It is recommended that Clause 7.4.1.2 be amended to delete the words “Where tactile symbols are provided on the face of the button, the force required to operate the button shall be not less than 3.5N and not more than 5N.”.

Clause 7.4.4 details the extent to which the moving part of a control button or its surround must project beyond the face of the control panel. However many people with disabilities are unable to engage a control button which is level with or below its surround. Further it is not possible to cause the operation of the control if the button cannot be depressed for the full distance of its movement necessary. It is therefore recommended that the moving part

of a control button be required to project beyond its surround by not less than the distance of travel necessary to operate the control.

- It is recommended that Clause 7.4.4 be amended to require the moving part of a control button to project beyond its surround and the face of the control panel by not less than the distance of travel necessary to operate the control.

Information:

Section 8 Clause 8.1 requires that for lifts serving more than 3 floors, automatic audible information shall be adjustable between 35dB(A) and 55dB(A). However the draft DDA Premises Standards requires the adjustable range to be between 20dB(A) and 80dB(A). It is recommended therefore that Clause 8.1 be amended to require automatic audible information to be adjustable between the range of 20dB(A) and 80dB(A).

- It is recommended that Clause 8.1 be amended to require automatic audible information to be adjustable between the range of 20dB(A) and 80dB(A).

To clarify the intent of the second sentence of Clause 8.1 it is recommended that the sentence be amended to indicate that the tone should be sounded both at the landing and within the lift car.

- It is recommended that the second sentence of Clause 8.1 be amended indicate that the tone should be sounded both at the landing and within the lift car.

Many people who use wheelchairs also have hearing impairment. These people will not be able to turn around in all lifts and will not be able to benefit from any audible information. It is necessary therefore to provide all information by both audible and visual means. It is recommended therefore that Clause 8.2 be amended to provide the additional requirement that all information shall be provided by both audible and visual means.

- It is recommended that Clause 8.2 be amended to include the additional requirement that all information shall be provided by both audible and visual means.

Clause 8.3 details requirements for tactile information. It must be noted that Braille characters constructed within a recess by routing of the background are difficult to detect. It is recommended that Clause 8.3(d) be amended to require all tactile information to be provided as raised tactile characters which shall be raised a minimum of 0.8mm above the background.

- It is recommended that Clause 8.3(d) be amended to require all tactile information to be provided as raised tactile characters which shall be raised a minimum of 0.8mm above the background.

The last paragraph of Clause 8.5 states that where there are less than three lifts installed and landing lanterns are installed, audible indicators shall be provided. This sentence suggests that when landing lanterns are not installed, no audible information need be provided. This clearly would not be the intended requirement. It is recommended therefore that the last paragraph of Clause 8.5 be deleted. It is also recommended that the words "Where there are three or more lifts in a bank," be deleted from the first paragraph of Clause 8.5.

- It is recommended that the words “Where there are three or more lifts in a bank,” be deleted from the first paragraph of Clause 8.5.
- It is recommended therefore that the last paragraph of Clause 8.5 be deleted.

Because larger lifts carry more people than smaller lifts it is more the norm than not that the presence of other occupants will restrict the manoeuvrability of people using wheelchairs. Therefore it is important, irrespective of the size of the lift car, that a car position indicator be located on both front and back walls. It is recommended that Clause 8.6.1 be amended to require a car position indicator be located on both the front and the back walls.

- It is recommended that Clause 8.6.1 be amended to require a car position indicator be located within the lift car on both the front and the back walls.

Communication Systems:

Clause 9.2 is titled Acknowledgment of Communication. However the Clause merely requires visible acknowledgment that the communication control button within the lift car has been successfully operated. Unfortunately, illumination of a lamp will not provide a person with vision impairment with an indication that the communication control button has been successfully operated. It is recommended that Clause 9.2 be amended to refer to the “successful operation” of the communication control and to require acknowledgment with both an audible tone and the illumination of a lamp.

- It is recommended that Clause 9.2 be amended to refer to the “successful operation” of the communication control and to require acknowledgment with both an audible tone and the illumination of a lamp.

Clause 9.5 refers to the lift car end of the communication system. Unfortunately this equipment is all for audible communication and will not provide any assistance for a person with hearing impairment. The information required by the person within the lift car is that the call has been received and is being acted upon. It is recommended that Clause 9.5 be amended to require, in addition to a microphone and loudspeaker, a small visible display activated within the lift car when the answering service receives the call to indicate that the call has been received and assistance has been dispatched.

- It is recommended that Clause 9.5 be amended to require, in addition to a microphone and loudspeaker, a small visible display activated within the lift car when the answering service receives the call to indicate that the call has been received and assistance has been dispatched.

Part 16: Lifts for persons with limited mobility – Restricted use – Automatically controlled

This Standard was published in 1993 and is long overdue for review. With the introduction of AS1735 Part 18 to cover low-rise lifts for residential applications, Part 16 lifts are released to provide low-rise lifts for commercial applications. The current title for the Part 16 Standard therefore, is now inappropriate and misleading. This is particularly so given that the Note 5 of Clause 1.1 states that such lifts may be installed in small commercial buildings. Further while Note 1 of Clause 1.2 states that a regulatory authority may require the lift to be electrically isolated when not in use, this is not mandatory. Therefore such lifts installed in small commercial buildings may be unlocked throughout trading hours, i.e. their

use need not be restricted. Further, it is noted that the draft DDA Premises Standard does not place restrictions on the use of Part 16 compliant lifts. Therefore it is recommended that the Standard be re-titled as “Low-rise passenger lifts – Automatically controlled”.

- It is recommended that the Standard be re-titled as “Low-rise passenger lifts – Automatically controlled”.

Scope:

Because Notes to Clauses are informative and not normative, it is recommended that Notes 2, 3, 5, and 6 be converted to normative statements within the text. Note 2 should be incorporated into the first paragraph. Note 3 should be incorporated into paragraph two. Note 5 should become a normative Clause under Clause 1.2. Note 6 should become a normative Clause under Clause 1.1.

It is recommended that Notes 2, 3 and 6 be converted to normative statements within the text of Clause 1.1.

- It is recommended that Notes 2, 3 and 6 to Clause 1.1 be converted to normative statements within the text of Clause 1.1.
- It is recommended that Note 5 to Clause 1.1 be converted to a normative statement within the text of Clause 1.2.

Application:

Note 2 of Clause 1.2 discusses Catering for Specific Disabilities. However any lift installed in a small community building will be expected to transport people with all types of disabilities. Therefore as an automatically controlled low-rise passenger lift, a Part 16 compliant lift should incorporate all the features required by Part 12. It is recommended that Note 2 of Clause 1.2 be deleted and be replaced by a normative paragraph requiring the lift to incorporate all the features mandated by Part 12.

- It is recommended that Note 2 of Clause 1.2 be deleted and be replaced by a normative paragraph requiring the lift to incorporate all the features mandated by Part 12.

Design Limitations:

Clause 2.4.1 states that the maximum size for lift car floor area may be 1.6m² (1100mm x 1455mm). The Clause requires that the length of a car without doors be measured from car sill line to car sill line at 1000mm above the floor. However the draft DDA Premises Standard requires the minimum dimensions for the passenger space of the lift car to be 1100mm wide x 1400mm deep (1.54m²). Therefore if the maximum total car floor area (occupancy area plus space for safety light curtains) must not exceed 1100mm x 1455mm, then any safety light curtains would need to be provided within 55mm, i.e within 27mm of each end. However this conflicts with Clause 12.4(a)(iii) which requires a minimum of 50mm inside the vertical front face of the edge of the sill for location of any light beam.

Because the full 1100mm x 1400mm is necessary to accommodate a person using a wheelchair plus a carer, it is recommended that Clause 2.4.1 be amended to require this occupancy area of lift cars without doors to be measured between safety light curtains at 1000mm above the car floor.

- It is recommended that Clause 2.4.1 be amended to require the occupancy area of lift cars without doors to be measured between safety light curtains at 1000mm above the car floor.

Therefore in order to accommodate the 1100mm x 1400mm occupancy space plus 50mm each end for the light beams, the total floor area must be 1100mm wide x 1500mm long (1.65m²). It is recommended that Clause 2.4.1 be amended to limit the lift car floor area to a maximum of 1.65m².

- It is recommended that Clause 2.4.1 be amended to limit the lift car floor area to a maximum of 1.65m².

While Clause 2.4.2 limits the minimum car size to 600mm x 600mm (0.6m²), it should also limit such sizes to private residences. Further, the draft DDA Premises Standard requires the minimum dimensions for the occupancy area to be 1100mm wide x 1400mm deep (1.54m²), however this does not take account of the distance necessary any light beams. Therefore it is recommended that Clause 2.4.2 be amended to require minimum internal lift car floor dimensions to be 1100mm wide x 1500mm deep for all applications other than private residences.

- It is recommended that Clause 2.4.2 be amended to require minimum internal lift car floor dimensions to be 1100mm wide x 1500mm deep for all applications other than private residences.
- It is recommended that a Note be added to Clause 2.4.2 referring to Clause 12.4(a)(iii) for the minimum width in which to provide a light curtain.
- It is recommended that a Note be added to Clause 2.4.2 referring to AS1735-12 Clause 4.2(b) for details for a light curtain.

Liftwells:

Section 6 Clause 6.5 details Car Clearances. Clause 6.5.1 provides details for Bottom Clearance, yet it is not clear how to determine the required pit depth. It is recommended that a Table 6.5.1 be included by way of clarification.

- It is recommended that a Table 6.5.1 be included to clarify calculation of a complying pit depth.

Clause 6.5.3(b)(iii) states that the horizontal clearance between the car sill and the landing sill shall be no less than 10mm and no more than 25mm where doors are not powered or 40mm if the doors are powered. It is not clear why a greater gap is permitted for powered doors given that the minimum gap is the same for both situations. It must be noted that the minimum gap permitted by AS1428-1 along a path of travel is 13mm. This would suggest that a gap of even 25mm, would be too large. It is recommended therefore that the permitted range for horizontal clearance between the car sill and the landing sill be limited to between 10mm and 15mm. Further, it can be argued that the horizontal clearance between the car sill and the landing sill at the entrance should be limited to between 10mm and 15mm irrespective of door operation. Therefore, it is recommended that Clause 6.5.3(c) be deleted.

- It is recommended that Clause 6.5.3(b)(iii) be amended to limit the permitted range for horizontal clearance between the car sill and the landing sill to between 10mm and 15mm irrespective of door operation.
- It is recommended that Clause 6.5.3(c) be deleted.

Cars:

Section 12 Clause 12.4 provides the requirements for safety protection of the car entrance. Clause 12.4(a)(i) and Clause 12.4(b) gives requirements for protection by light beams. However the minimum number of required light beams is three, one at 15mm, one at 65mm plus one at 165mm above the floor. It is unlikely that such a series of beams would be interrupted by a 620mm diameter wheelchair wheel before it intercepted the liftwell wall.

Doors:

Clause 13.1 Note 2 refers to the space required at each landing to allow the landing door to fully open without obstructing the expected use of the area. However this statement gives little guidance regarding how to achieve this. It is recommended that Clause 13.1 Note 2 be elevated to a normative statement within Clause 13.1. It is also recommended that Clause 13.1 be amended to add the requirement that the landing call button be located a minimum of 800mm outside the opening arc of the door. It is also recommended that Clause 13.1 be further amended to state that a minimum lift landing of 1540mm x 2070mm is required to provide adequate manoeuvring space.

- It is recommended that Clause 13.1 Note 2 be elevated to a normative statement within Clause 13.1.
- It is recommended that Clause 13.1 be amended to add the requirement that the landing call button be located a minimum of 800mm outside the arc of any powered door.
- It is recommended that Clause 13.1 be amended to state that a minimum lift landing of 1540mm x 2070mm is required to provide adequate manoeuvring space.

Clause 13.2 refers to approved types of doors. Note 1 erroneously suggests that people who use wheelchairs prefer swing type landing doors. As this is not correct, it is recommended that Note 1 to Clause 13.2 be amended to delete the words "Where a passenger is likely to be in a wheelchair, swing type doors are the most suitable type, however".

- It is recommended that Note 1 to Clause 13.2 be amended to delete the words "Where a passenger is likely to be in a wheelchair, swing type doors are the most suitable type, however".

Clause 13.3 refers to the clear width of doorway openings. Because AS1735 Part 16 will be referenced in the DDA Premises Standard, it is recommended that the clear width of door openings be increased to 900mm and the reference to a 600mm clear opening relegated to a Note.

- It is recommended that Clause 13.3 be amended to require a minimum clear width of doorway opening of 900mm.

Clause 13.4 refers to the height of doorways and states that the minimum permitted vertical clearance shall be 1850mm (1800mm in difficult situations). It is difficult to reconcile this requirement when the BCA requires a minimum vertical clearance at doorways of 1980mm.

- It is recommended that Clause 13.4 be amended to require a minimum vertical clearance at doorways of 1980mm.

Clause 13.5 details requirements for the construction of lift doors and door handles. Door handles on the liftwell side need to be flush and also need to comply with AS1428-1. However because door handles complying with AS1428-1 necessarily protrude beyond the face of the door and the force required to open a door is limited to 20N, it is recommended that all landing doors be power operated and function automatically. It is also recommended that where car doors are fitted they be horizontally sliding, power operated and function automatically.

- It is recommended that all landing doors be power operated and function automatically.
- It is recommended that where car doors are fitted they be horizontally sliding, power operated and function automatically.

Clause 13.8 gives details for viewing panels in doors and requires compliance with AS1735-2. The area of the panel is limited to 0.065m² (i.e. 600mm x 108mm).

Requirements for glazed viewing panels in doors to be opened by people with disabilities are given in AS1428-1. This Standard requires the lower edge of the glazing to be not greater than 1000mm above the floor; the upper edge to be not less than 1600mm above the floor; the edge of the glazed panel to be not more than 200mm from the latch side of the door and to be not less than 150mm wide. Therefore the minimum permitted viewing panel area would be 0.09m² (i.e. 600mm x 150mm). As Clause 13.8 permits the installation of two viewing panels in lift landing doors, it is recommended that Clause 13.8 be amended to limit the maximum area of viewing panels in landing doors to 0.09m² and restrict the location to that required by AS1428-1.

- It is recommended that Clause 13.8 be amended to limit the maximum area of viewing panels in landing doors to 0.09m² and restrict the location to that required by AS1428-1.

Control Devices:

Section 15 details requirements for Control Devices. It is recommended that a Clause be added to Section 15 requiring compliance with AS1735-12 Section 7 for the design of control devices.

- It is recommended that a new Clause be added to AS1735-16 Section 15 requiring compliance with AS1735-12 Section 7 for the design of control devices.

Part 15: Low-rise passenger lifts – Non-automatically controlled

Scope:

Section 1 Clause 1.1 Scope limits the Part 15 lift to a low-rise, low-speed passenger lift controlled by a constant pressure device. Such devices limit the functionality of the lift for

people with disability. It is recognised that a constant pressure control is necessary for safety because the provisions of the Standard only provide the minimum requirements. However with sufficient safety devices fitted it would be possible to operate the lift under automatic control. This would significantly enhance the utility of Part 15 lifts. Therefore it is recommended that an additional Appendix be written which gives guidance on the necessary safety features to be installed to permit the lift to operate safely under automatic control. It is recommended that an additional Note be added to Clause 1.1 referring to this Appendix. The Appendix would provide guidance for those manufacturers who wish to produce a lift that can operate safely under automatic control.

- It is recommended that an additional Appendix be written which gives guidance on the necessary safety features to be installed to permit the lift to operate safely under automatic control.
- It is recommended that an additional Note be added to Clause 1.1 referring to the Appendix giving guidance for those manufacturers who wish to produce a lift that can operate safely under automatic control.

Design Limitations:

Clause 2.4.1 states that the maximum size for lift car floor area may be 1.6m^2 (1100mm x 1455mm). The Clause requires that the length of a car without doors be measured from car sill line to car sill line at 1000mm above the floor. However the draft DDA Premises Standard requires the minimum dimensions for the passenger space of the lift car to be 1100mm wide x 1400mm deep (1.54m^2). Therefore if the maximum total car floor area (occupancy area plus space for safety light curtains) must not exceed 1100mm x 1455mm, then any safety light curtains would need to be provided within 55mm, i.e within 27mm of each end. However this conflicts with Clause 12.4(a)(iii) which requires a minimum of 50mm inside the vertical front face of the edge of the sill for location of any light beam.

Because the full 1100mm x 1400mm is necessary to accommodate a person using a wheelchair plus a carer, it is recommended that Clause 2.4.1 be amended to require this occupancy area of lift cars without doors to be measured between safety light curtains at 1000mm above the car floor.

- It is recommended that Clause 2.4.1 be amended to require the occupancy area of lift cars without doors to be measured between safety light curtains at 1000mm above the car floor.

Therefore in order to accommodate the 1100mm x 1400mm occupancy space plus 50mm each end for the light beams, the total floor area must be 1100mm wide x 1500mm long (1.65m^2). It is recommended that Clause 2.4.1 be amended to limit the lift car floor area to a maximum of 1.65m^2 .

- It is recommended that Clause 2.4.1 be amended to limit the lift car floor area to a maximum of 1.65m^2 .

While Clause 2.4.2 limits the minimum car size to 600mm x 600mm (0.6m^2), it should also limit such sizes to private residences. Further, the draft DDA Premises Standard requires the minimum dimensions for the occupancy area to be 1100mm wide x 1400mm deep (1.54m^2), however this does not take account of the distance necessary any light beams. Therefore it is recommended that Clause 2.4.2 be amended to require minimum internal lift

car floor dimensions to be 1100mm wide x 1500mm deep for all applications other than private residences.

- It is recommended that Clause 2.4.2 be amended to require minimum internal lift car floor dimensions to be 1100mm wide x 1500mm deep for all applications other than private residences.
- It is recommended that a Note be added to Clause 2.4.2 referring to Clause 12.4(a)(iii) for the minimum width in which to provide a light curtain.
- It is recommended that a Note be added to Clause 2.4.2 referring to AS1735-12 Clause 4.2(b) for details for a light curtain.

Liftwells:

Section 6 Clause 6.5 details Car Clearances. Clause 6.5.1 provides details for Bottom Clearance, yet it is not clear how to determine the required pit depth. It is recommended that a Table 6.5.1 be included by way of clarification.

- It is recommended that a Table 6.5.1 be included to clarify calculation of a complying pit depth.

Clause 6.5.3 states that the horizontal clearance between the car sill and the landing sill shall be no less than 10mm and no more than 25mm. It is noted that the minimum gap permitted by AS1428-1 along a path of travel is 13mm which would suggest that a gap of 25mm, would be too large. It is recommended therefore that the permitted range for horizontal clearance between the car sill and the landing sill be limited to between 10mm and 15mm.

- It is recommended that Clause 6.5.3 be amended to limit the permitted range for horizontal clearance between the car sill and the landing sill to between 10mm and 15mm.

Doors and Gates:

Clause 13.1 details requirements for landing doors and gates. The Note refers to the space required at each landing to allow the landing door to fully open without obstructing the expected use of the area. It is recommended that the Note to Clause 13.1 be elevated to a normative statement within Clause 13.1. It is also recommended that Clause 13.1 be amended to add the requirement that the landing call button be located a minimum of 800mm outside the arc of the door. Additionally it is recommended that Clause 13.1 be further amended to state that a minimum lift landing of 1540mm x 2070mm is required to provide adequate manoeuvring space.

- It is recommended that the Note to Clause 13.1 be elevated to a normative statement within Clause 13.1.
- It is recommended that Clause 13.1 be amended to add the requirement that the landing call button be located a minimum of 800mm outside the arc of any powered door.
- It is recommended that Clause 13.1 be amended to state that a minimum lift landing of 1540mm x 2070mm is required to provide adequate manoeuvring space.

Clause 13.2 refers to approved types of doors. The Clause states that the force required to open a manual door or gate shall not exceed 20N. This Clause should also require manual doors or gates be fitted with a D-type pull handle between 900mm and 1100mm above the floor as prescribed by AS1428-1.

- It is recommended that Clause 13.2 be amended to require all manual doors or gates be fitted with a D-type pull handle between 900mm and 1100mm above the floor as prescribed by AS1428-1.

Clause 13.2 Note 2 erroneously suggests that people who use wheelchairs prefer swing type landing doors. As this is not correct, it is recommended that Note 2 to Clause 13.2 be amended to delete the words "Where a passenger is likely to be in a wheelchair, swing type doors are the most suitable type, however".

- It is recommended that Note 2 to Clause 13.2 be amended to delete the words "Where a passenger is likely to be in a wheelchair, swing type doors are the most suitable type, however".

Clause 13.3 refers to the clear width of doorway openings. Because AS1735 Part 15 will be referenced in the DDA Premises Standard, it is recommended that the clear width of door openings be increased to 900mm.

- It is recommended that Clause 13.3 be amended to require a minimum clear width of doorway opening of 900mm.

Clause 13.8 gives details for viewing panels in doors and requires compliance with AS1735-2. Requirements for glazed viewing panels in doors to be opened by people with disabilities are also given in AS1428-1 which provides details for the effective location and minimum size required. It is recommended that Clause 13.8 be amended to require viewing panels in landing doors to meet the effective location and minimum size requirements required by AS1428-1.

- It is recommended that Clause 13.8 be amended to require viewing panels in landing doors to meet the effective location and minimum size requirements required by AS1428-1.

Control Devices:

Clause 15.1.1 permits control devices between 850mm and 1250mm above the floor. However AS1428-1 limits the location of controls to between 900mm and 1100mm. It is noted that because a Part 15 compliant lift is limited in the height of travel and therefore the number of stops, the size of control panels will also be limited. Further because the force which people with disabilities can apply to a device declines with height above 900mm, it is recommended that the location of any control device requiring constant pressure be limited to between 900mm and 1000mm above the floor. However the location of control devices not requiring constant pressure can be permitted between 900mm and 1100mm above the floor.

- It is recommended that Clause 15.1.1 be amended to limit the location of any control device requiring constant pressure to between 900mm and 1000mm above the floor and the location of control devices not requiring constant pressure to between 900mm and 1100mm above the floor.

Clause 15.3 gives details for operating control devices. This Clause should include a sub-clause requiring all control buttons to be operated by people with disabilities to comply with the design provisions of AS1735-12 including for raised tactile characters and Braille.

- It is recommended that Clause 15.3 be amended to include a sub-clause requiring all control buttons to be operated by people with disabilities to comply with the design provisions of AS1735-12 including for raised tactile characters and Braille.

While Clause 15.3.1 limits the maximum operating force for constant pressure control devices to 10N it is noted that AS1735-12 limits the maximum operating force for control buttons to 5N. Because of the difficulty people with disabilities have in applying sustained pressure to a device, it is recommended that Clause 15.3.1 be amended to limit the required operating force for constant pressure devices to 5N.

- It is recommended that Clause 15.3.1 be amended to limit the required operating force for constant pressure devices to 5N.

Part 14: Low-rise platforms for passengers

Design Limitations:

Clause 5.4.1 states that the maximum size for lift car floor area may be 1.6m² (1100mm x 1455mm). The length of a lift car without doors is generally measured from car sill line to car sill line at 1000mm above the floor. However the draft DDA Premises Standard requires the minimum lift floor dimensions to be 1100mm wide x 1400mm deep (1.54m²). Therefore because Clause 12.4(a)(iii) requires a minimum of 50mm inside the vertical front face of the edge of the sill for location of any light beam, the maximum total lift car floor area available for passengers will be 1100mm x 1300mm when two light beams are installed or 1100mm x 1350mm when only one light beam is installed. A lift car with floor dimensions of 1100mm x 1300mm will not accommodate an occupied wheelchair plus an attendant carer. It is recommended therefore that the mechanics of AS1735-14 be upgraded to accommodate a lift with a floor area of 1100mm wide x 1500mm long (1.65m²).

Because the full 1100mm x 1400mm is necessary to accommodate a person using a wheelchair plus a carer, it is recommended that Clause 5.4.1 be amended to require this occupancy area of lift cars without doors to be measured between safety light curtains at 1000mm above the car floor.

Therefore in order to accommodate the 1100mm x 1400mm occupancy space plus 50mm each end for the light beams, the total floor area must be 1100mm wide x 1500mm long (1.65m²). It is recommended that Clause 2.4.1 be amended to limit the lift car floor area to a maximum of 1.65m².

- It is recommended that Clause 5.4.1 be amended to require the occupancy area of lift cars without doors to be measured between safety light curtains at 1000mm above the car floor.
- It is recommended that Clause 5.4.1 be amended to limit the lift car floor area to a maximum of 1.65m².
- It is recommended that the mechanics of an AS1735-14 platform lifts be upgraded to accommodate a lift with a maximum car floor area of 1.65m².

While Clause 5.4.2(a) limits the minimum car size to 400mm x 600mm (0.24m²), it should also limit such sizes to private residences. Further, the draft DDA Premises Standard requires the minimum dimensions for the lift floor dimensions to be 1100mm wide x 1400mm deep (1.54m²), however this does not take account of the distance necessary any light beams. Therefore it is recommended that Clause 5.4.2(b) be amended to require minimum internal lift car floor dimensions to be 1100mm wide x 1500mm deep for all applications other than private residences.

- It is recommended that Clause 5.4.2(b) be amended to require minimum internal lift car floor dimensions to be 1100mm wide x 1500mm deep for all applications other than private residences.
- It is recommended that a Note be added to Clause 5.4.2 referring to Clause 12.4(a)(iii) for the minimum width in which to provide a light curtain.
- It is recommended that a Note be added to Clause 5.4.2 referring to AS1735-12 Clause 4.2(b) for details for a light curtain.

Operating Clearances:

Clause 9 states that the horizontal clearance between the car sill and the landing sill shall be no less than 10mm and no more than 20mm. The minimum gap permitted by AS1428-1 along a path of travel is 13mm which suggests that a gap of 20mm would be too large. It is recommended therefore that the permitted range for horizontal clearance between the car sill and the landing sill be limited to between 10mm and 15mm.

- It is recommended that Clause 9 be amended to limit the permitted range for horizontal clearance between the car sill and the landing sill to between 10mm and 15mm.

Landing Protection:

Both AS1735-12 and AS1735-14 are silent with regard to the required size of landings serving lifts. Because the circulation space provided by the lift landing is critical to the user's ability to access the lift car, it is recommended that both Part 12 and Part 14 give guidance regarding the minimum size of lift landings.

Because there are many situations in which the user must reverse from a lift, e.g. when the other occupants prevent manoeuvring of the wheelchair within the lift car. Such situations require the wheelchair user to make a 90° or 180° turn before proceeding from the lift landing. AS1428 Part 2-1992 Clause 6.2 states that the minimum space required to turn a wheelchair through 180° is 1540 x 2070mm. To allow access by all, it is recommended that a new Section to address Lift Landings be added to AS1735 Part 12 which states that each public passenger lift shall be provided with a minimum landing space of 1540mm x 2070mm. Further it is recommended that a new Clause be added to AS1735-14 which references the relevant clause within AS1735-12 requiring a minimum landing space of 1540mm x 2070mm.

- It is recommended that a new Section to address Lift Landings be added to AS1735 Part 12 which states that each public passenger lift shall be provided with a minimum landing space of 1540mm x 2070mm to allow access by all.

Clause 14 requires a self-closing gate at the top landing where travel exceeds 600mm. This gate must swing on to the landing. This landing shall be a minimum of 1540mm x 2070mm. The gate shall not require more than 20N to open and have a D-ring handle fitted 900-1100mm above the floor. If power gates are provided a lift call button shall be at least 800mm clear from the arc of the gate swing.

- It is recommended that a new sub-Clause be added to AS1735-14 Clause 14 which references the relevant clause within AS1735-12 requiring a minimum landing space of 1540mm x 2070mm.
- It is recommended that a new sub-Clause be added to AS1735-14 Clause 14 requiring the top landing gate to require not more than 20N to open.
- It is recommended that a new sub-Clause be added to AS1735-14 Clause 14 requiring a D-ring handle be fitted to all manual gates at 900-1100mm above the floor.
- It is recommended that where power operated gates are fitted, the lift call button shall be fitted at least 800mm clear of the arc of the swing of the door.

Control Devices:

Clause 15(a) allows control devices to be located on either the platform or the landing or both. It is essential that in public buildings the controls must be located on the lift car in addition to on the landing irrespective of height of travel. It is recommended that Clause 15(a) and Clause 15(b) be amalgamated and require the controls to be located on both the lift car and on the landing.

Clause 15(d) should be amended to delete the second sentence stating “where the travel is less than 600mm and the control device has not been provided on the platform,”.

Where a continuous pressure control device is provided, it must be located at a height between 900mm and 1000mm to permit the majority of users to operate control. Further, where a continuous pressure control device is provided, the force required to operate the control shall not exceed 5N. It is recommended that a new Clause be added to Clause 15 requiring the force necessary to operate the control device not exceed 5N.

A new sub-Clause should be added to Clause 15 requiring control buttons to comply with AS1735-12 with respect to raised tactile characters and Braille.

- It is recommended that Clause 15(a) and Clause 15(b) be amalgamated and require the controls to be located both on the lift car and on the landing.
- It is recommended that Clause 15(d) be amended to delete the second sentence stating “where the travel is less than 600mm and the control device has not been provided on the platform,”.
- It is recommended that a new sub-Clause be added to Clause 15 stating that where a continuous pressure control device is provided, it must be located at a height between 900mm and 1000mm above the floor.
- It is recommended that a new sub-Clause be added to Clause 15 requiring the force necessary to operate the control device to not exceed 5N.

- It is recommended that a new sub-Clause be added to Clause 15 requiring control buttons to comply with AS1735-12 with respect to raised tactile characters and Braille.

Part 7: Stairway lifts

Platform area:

Table 1 requires the minimum platform dimensions to be 685mm wide x 1000mm long. However the draft DDA Premises Standard requires the minimum platform size for stairway lifts in public buildings to be 810mm wide x 1200mm long. It is recommended therefore that Table 1 be amended to show the platform minimum dimensions as 1200mm long and 810mm wide. The Note to Table 1 states that length is measured horizontally in the direction of travel between the safety flaps in the elevated position or the sensitive edges in the non-actuated position, whichever applies. The position at which length is measured is not clear to all readers and it is recommended that a Figure be provided to clarify the requirement.

- It is recommended therefore that Table 1 be amended to show the platform minimum dimensions as 1200mm long and 810mm wide.
- It is recommended that a Figure be provided in association with Table 1 to clarify the position at which platform length is measured.

End Person Clearance:

While Clause 14 refers to an end person clearance of 300mm, this clearance does not address the necessary wheelchair circulation space of 1540mm x 2070mm required for the bottom landing and the top landing. Access to the platform shall be by end approach only.

- It is recommended that a sub-Clause be added to Clause 14 requiring wheelchair circulation space of 1540mm x 2070mm at the bottom landing and at the top landing for stairway lifts in public buildings.
- It is recommended that a sub-Clause be added to Clause 14 requiring access to the platform to be by end approach only for stairway lifts in public buildings.

Carriage:

Clause 18.3 requires the wheelchair platform to be provided with an approach ramp. This is generally self-retracting and attached to the end of the platform. Because the Note to Table 1 requires the length of the platform to be measured horizontally between the safety flaps in the elevated position there is a conflict between the length of the ramp, the grade of the ramp and the length of platform floor available to accommodate a wheelchair. It is recommended that platform ramps be limited in length to 300mm and that these fold to 45 degrees during travel. This configuration will result in a 1 in 3.75 grade and a platform floor of 745mm in length.

- It is recommended that platform ramps be limited in length to 300mm and that these fold to 45 degrees during travel.

Operating Controls:

Clause 23.1 requires the operating controls be of a continuous pressure type. Where continuous pressure controls are installed the force required to operate these controls must not exceed 5N.

- It is recommended that a sub-Clause be added to Clause 23 stating that the force required to operate constant pressure controls shall not exceed 5N.

It is recommended that all control buttons (landing and platform) be identified by raised tactile characters and Braille as detailed in AS1735-12.

- It is recommended that a sub-Clause be added to Clause 23 stating that all control buttons be identified by raised tactile characters and Braille as detailed in AS1735-12.

The landing call button shall be located within reach of a person in a wheelchair who is positioned ready to board the platform.

It is recommended that a sub-Clause be added to Clause 23 requiring the landing call button to be located within reach of a person in a wheelchair who is positioned ready to board the platform.

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Appendix 2

References

- Bails, J.H. (1982) Project report on the field testing of Australian Standard AS1428-1977. Adelaide: South Australian Department of Housing and Construction (for the Australian Uniform Building Regulations Co-ordinating Council (AUBRCC), Canberra, ACT, Australia
- Darcy, S. (1998) Anxiety to access – Tourism patterns and experiences of New South Wales people with physical disabilities. Tourism New South Wales; Sydney
- Pheasant, S. (2001) Bodyspace. Taylor and Francis; London

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Thank you again for the opportunity to amend my initial submission on the draft Premises Standards documents. I trust my comments will be useful and I look forward to reading the final documents.

Yours sincerely

Max Murray.
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