

Committee Secretary
House of Representatives Standing Committee on
Legal and Constitutional Affairs
PO Box 6021
Parliament House
CANBERRA ACT 2600
AUSTRALIA

RECEIVED
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BY: LACA

22nd February 2009

Dear Sir,

Re: *Inquiry into the draft Disability (Access to Premises – Buildings) Standards, 2009.*

With respect to the terms of reference of the Inquiry, we would like to address several parts of the consultation draft *Disability (Access to Premises – Buildings) Standards Guidelines 2009*. Our comments relate to the provision of facilities to meet the toiletry/sanitary needs of the severely disabled in the community. At present this group is discriminated against with respect to suitable facilities. We have based our submission on information obtained from the website addressing the needs of the severely disabled – <http://www.changing-places.org>

In one of the links from this website there is a draft British Standard 8300 relating in part to Changing Places, www.changing-places.org/news_28.asp. British Standard 8300 is currently under review and can be viewed at <http://drafts.bsigroup.com>.

Thank you for the opportunity to comment on the draft Standards.

Yours sincerely,

Anne Fitzpatrick
Physiotherapist

Pauline Fox

Introduction

Changing Places (CP) facilities are designed for use by people with complex and multiple disabilities who require the assistance of up to two carers. The space needs to be fitted with a fixed tracked hoist system so that carers can fit the user's slings to the hoist and move the person to the various items in the facility.

Any larger buildings where the public have access in numbers or where visitors might be expected to spend longer periods of time are advised to consider provision of a CP facility. Such facilities are particularly important in buildings that might offer the only suitable sanitary accommodation within a locality, or in buildings where public services are provided, such as those operated by local authorities.

CP toilet facilities provide extended space to accommodate disabled people who often use large complex wheelchairs with elevated leg rests, a reclining facility and/or integral oxygen cylinders, and space to fit slings for use with a hoist. Within a CP facility it is possible also for a wheelchair to be parked within the facility when not in use without compromising the safe access and use of the facility's equipment.

Further advice on the design and installation of CP facilities can be obtained by contacting the Changing Places Consortium <http://www.changing-places.org>.

A CP facility should be provided in larger buildings and complexes, such as:

- Major transport termini or interchanges
- Motorway services
- Sport and leisure facilities
- Cultural centres, such as museums and art galleries
- Stadia and larger auditoria
- Shopping centres
- Key buildings within town centres
- Educational establishments

The CP facility should be at least 3M x 4M with a ceiling height of 2.4M.

Although our comments refer mainly to the consultation draft *Disability (Access to Premises - Buildings) Standards Guidelines 2009* (the Premises Standards) there may well be a need to change other documents if our recommended changes are accepted. We have listed some of these under Comment 5.

Comments on Disability (Access to Premises – Buildings) Standards Guidelines 2009.

Comment 1: Part 2 How do the Premises Standards work?

2.3 What buildings do the Premises Standards apply to?

(1) The Premises Standards apply to:

- (a) new buildings;
- (b) new work on existing buildings, which can include a renovation or extension to an existing building. In some situations this will also include an affected part of a building – that is the path of travel from the principal public entrance of an existing building to the new work or renovated part of that existing building. (See section 2.1 of the Premises Standards); and
- (c) an existing public transport building covered by the *Disability Standards for Accessible Public Transport 2002* ('the Transport Standards').

(2) The Premises Standards do not apply to existing buildings unless they are undergoing new work, renovation or change of use or classification.

(3) The Premises Standards require that when a building owner submits an approval for new work in an existing building (eg: an upgrade or renovation), then the Premises Standards apply to the area that is being upgraded (the 'new part'), and the path of travel from the principal entrance to the new work (the 'affected part'). Providing an accessible path of travel may involve upgrading the access features of the lift, removing a step into the building at the entrance, upgrading handrails on a ramp or a combination of such measures.

(4) A concession for lessees provides that a lessee will generally not need to provide a path of travel to the new work (see Part 5, below).

(5) If building work is being undertaken on existing sanitary facilities that are located within a new part of a building (i.e.: the part that is the subject of the building approval), then these will need to be upgraded.

However, it should be noted that sanitary facilities that already comply with the 2001 edition of AS 1428.1 need not be increased in size to comply with the 2009 edition of that standard.

(6) A 'change of use' could be considered a 'new part' of a building if it triggers a building approval. If so, then a person would need to upgrade the areas subject to the 'change of use' application.

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Our suggestion is to make the following addition to Part 2, section 2.3:-

(7) A *Changing Place* facility should be installed in new buildings and new work on existing buildings in large buildings that are in areas of public use, such as:

- Major transport termini or interchanges
- Motorway services
- Sport and leisure facilities
- Cultural centres, such as museums and art galleries
- Stadia and larger auditoria
- Shopping centres
- Key buildings within town centres
- Educational establishments

Comment 2: Part 5 Exceptions and concessions.

5.4 Toilet concession

- (1) This concession relates to the size and features of existing accessible toilets in existing buildings.
- (2) The Premises Standards require particular features and layout of new accessible toilets including floor dimensions of 1900mm by 2300mm.
- (3) This concession means that, where there is an existing accessible toilet in an existing building that meets the layout requirements and floor dimension requirements of the 2001 edition of AS 1428.1 of 1600mm by 2000mm, there would be no need to increase the size of the facility to meet the new requirements.
- (4) This concession recognises that, where an accessible toilet compliant with AS 1428.1 (2001) is already available, requiring a person to rebuild it could impose an unreasonable cost.

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We would recommend the following addition:

(5) This concession relates to the size of the Changing Places facilities. If no shower is to be installed, then the dimension minimum to be 3000mm x 3400mm with 2400mm ceiling height. The plan as per diagram Changing Places http://www.changing-places.org/features_layout.asp. If a shower is to be installed, then the dimension minimum to be 3000mm x 4000mm with a 2400mm ceiling height. The plan as per diagram BS 8300:2008. http://www.changing-places.org/the_campaign_news.asp

Comment 3: Part D3 – Access for People with a Disability

Clause D3.6 Identification of facilities

- (3) In addition all accessible unisex sanitary facilities must have the international symbol of access and information on whether the facility allows for left or right handed transfer.

We would like to see the following, subject to approval from the organisation in the UK:

The *Changing Places* facilities to have the Changing Places symbol – the blue and white circular image with symbols to denote a toilet with space on either side for a carer, an adult-sizes height adjustable changing bench and a hoist.
http://www.changing-places.org/features_cpymbol.asp

Comment 4: Part F2 – Sanitary and other facilities

Clause F2.4 Accessible sanitary facilities

(1) This Clause refers to Tables F2.4 (a) and F2.4 (b) to determine the numbers of accessible sanitary facilities, and AS 1428.1 for details of the construction of accessible facilities. This clause also requires sanitary compartments suitable for use by a person with an ambulant disability to be provided in certain circumstances.

(2) Note that where two or more of each type of unisex accessible sanitary facilities are provided in a building, the number of left and right handed mirror image facilities must be provided as evenly as possible. This is required because some people transfer from their wheelchairs from the right hand side and some from the left.

We would like to suggest the addition of:

(3) For details of construction of the *Changing Places* facility, please refer to <http://www.changing-places.org/features.asp> for minimum standards.

This suggestion presumes that the CP standards are acceptable in Australia.

Comment 5:

If the needs of the severely disabled in the community are accepted with respect to accessible sanitary facilities then additions and changes are needed in the other draft documents.

For example,

1. Summary of main Australian Standards referenced in the Access Code
In the section “Sanitary facilities” specifications for Changing Places facilities (with and without shower) should be added.
In the section “Signage” the Changing Places (if approved) should be added.
2. Disability (Access to Premises – Buildings) Standards 2009 (consultation draft)
In “Part F2” relevant references to the sanitary facilities need to be included.
