

Committee Chair
House of Representatives Legal & Constitutional Affairs Committee
House of Representatives
PO Box 6021
Parliament House
Canberra ACT 2600

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BY: LAC4

20 March 2009

Submission No 115

City of Stonnington Submission in Response to Disability (Access to Premises – Buildings) Draft Standards Inquiry 2009

Dear Mr Dreyfus,

The City of Stonnington welcomes the Federal Government's decision to formalise the Disability Standard for Access to Premises, as something that will assist local government in integrating DDA advice more comprehensively into Council operations. We commend the guiding principles of the Premises Standards, in particular, to promote recognition and acceptance within the community that persons with disabilities have the same fundamental rights as the rest of the community.

The responses below address the Terms of Reference for the Inquiry as outlined by the House of Representatives Standing Committee on Legal and Constitutional Affairs, as follows:

1. The appropriateness and effectiveness of the proposed Premises Standards in achieving their objects.
2. The interaction between the Premises Standards and existing regulatory schemes operating in state and territory jurisdictions, including the appropriateness and effectiveness of the proposed Model Process to Administer Building Access for People with Disability.
3. Whether the Premises Standards will have an unjustifiable impact on any particular sector or group within a sector.
4. Any related matters

1. The appropriateness and effectiveness of the proposed Premises Standards in achieving their objects.

Part 1.2 - Purpose of Guidelines

(2) These Guidelines are not mandatory and should only be considered interpretive.

It should be clearly stated which of the guidelines are mandatory and shall be provided in order to meet the absolute minimum access conditions.

Part 2.1 - Premises Standards made under the DDA

Refers to DDA requirements and should clearly indicate which of the individual DDA requirements have been covered.

Part 2.3 - What buildings do the Premises Standards apply to?

It should be clear as to where the requirements of the AS1428.1 apply and which of the Premises Standard guidelines do address the specific requirements of the AS1428.1 - General Requirements for access - new building work.

Part 4.1 - Building access matters not dealt with by the Premises Standards

Should clearly indicate that a specific requirement does not apply, if this is the case, and instruct as to which requirement is applicable with a reference to the relevant document i.e. AS1428.1 or DDA.

Part 4.4 - Maintenance and management of access ways

A mechanism should be introduced to ensure responsibility in regard to maintenance and management as well as an infringement process in the case of failure to comply with the relevant requirements.

Part 5 - Exemptions and concessions

A mechanism should be introduced to ensure that acceptable conditions are provided regardless of the fact that some requirements cannot be met, as specifically required in the Premises Standard.

Where satisfactory conditions cannot be provided, a full explanation/justification should be provided, including alternate measures to address the particular concern.

Part 3D - Clause D3.5 Car parking

It is to be ensured that the advice given in the Premises Standards does not contradict with requirements and guidelines provided in Australian Standard 2890.1 and 2890.6 regarding the number of proposed designated disabled parking spaces within a parking facility and the associated technical/design requirements.

The following are further areas we would like to see investigated and considered:

- Private or rental housing is not included in the Access to Premises Standards. Until the Federal Government regulates for universal housing – well-designed housing that reduces the risk of injury, ill health and institutionalisation – housing will not be sustainable and liveable for all Australians. Accessible universal housing design should be considered for Class 1a interiors and Class 2 buildings by developing nationally agreed provisions and specification.
- Building Code of Australia performance requirement has restricted itself through the limited number of technical provisions referred to around Signage and subsequent wayfinding around a building. This reference needs to be broader to accommodate all people and include building information in a variety of modes, such as tactile (Braille), visual and audio.

- That a requirement for visual emergency egress alarms be included in the final Premises Standards so that equitable egress and fire safety for buildings is also considered for all people.
- There is a need for all of the Australian Standards covering lifts (AS1735) to be reviewed to ensure lifts are accessible and safe.
 - 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 the front and back walls.
 - Many people who use wheelchairs also have a 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 to provide for these additional requirements, specifying all information is provided by both audible and visual means. Particularly in regards to communication systems in the lift car end, this equipment should be amended to require, in addition to a microphone and loudspeaker, a small visible display activated within the lift car to indicate that the emergency call has been received and again to indicate assistance has been dispatched.
 - The 1200mm minimum length required for floor dimensions on some passenger lifts will not accommodate mobility aids whose length is in the 1200-1300mm range. The dimensions provided should offer consistency with Disability Standards for Accessible Public Transport of which permits carriage of mobility aids up to 1300m long.

We support the Federal Government to enable this Disability Standard for Access to Premises into legislation. It should aim to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community. Further to this, the standards will assist local government in its own vital role to recommend and provide good, consistent and accurate advice to the building and construction industry, architects, urban planners, interior designers, traffic engineers and residents. For any further information please do not hesitate in contacting Marie-Ann McMahon on

Yours Sincerely,

~~Daniel Freer~~
 Manager Leisure and Libraries