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I wish to make the following submission to the Inquiry into the draft **Disability (Access to Premises - Buildings) Standards**. It addresses in part the first item listed in the Inquiry's Terms of Reference "*the appropriateness and effectiveness of the proposed Premises Standards in achieving their objects*".

In his press release dated 12 December 2008 the Chair of your Committee said *inter alia* "These standards will further protect and promote the full participation of people with disabilities in the community and have important implications for the development of buildings that are accessible to the public".

With due respect to the Chair, his first assertion is presumptuous.

If one of the main purposes of the Disability (Access to Premises - Buildings) Standards 2009 [Exhibit 01] is to bring 'certainty' to users of the Access Code [BCA] and these standards, then it will not be realised if they remain in their current form.

The following demonstrates, by way of example, that assertion.

For a great number of manual wheelchair users, the act of opening a manually operated door whilst sitting on an incline of up to 1:8 is impossible, and the act of trying to open it dangerous.

Exhibit 01 makes no mention at all of 'threshold ramp', and yet in the Draft of AS1428.1 2009 [Exhibit 9] at Clause 14.4.3 we are provided with a definition of a 'threshold ramp', and in Clause 11.6 technical specifications are provided.

Exhibit 01 also says, "accessway means a continuous accessible path of travel (as defined in AS 1428.1) to, into or within a building".

Exhibit 9 defines a 'continuous accessible path of travel' as "An uninterrupted path of travel to, into or within a building providing access to all required accessible facilities...". Exhibit 9 in Clause 7.1 goes on to provide an alternative 'definition' – 'A continuous accessible path of travel shall not include a step, stairway, turnstile, revolving door, escalator, moving walk or other impediment (my underlining). I put it to the Inquiry that a 'threshold ramp' is a considerable impediment.

Appendix B to AS1428.2 (Informative) in the column headed 'Doors and doorways' reads "Attention must be given to circulation space on both sides of a door. A level landing at door thresholds is important" (my underlining).

It is important to note that Exhibit 01 in Clause H2.3, in relation to "A ramp forming part of an accessway" invokes compliance with Clause 8 of AS1428.2. Whilst Clause 8 refers in turn to AS1428.1, it provides several variations – one of which is the minimum intervals at which flat landings must be provided; those intervals are not the same as those specified in Exhibit 9.

It is apparent that Exhibits 01 and 9 are flawed, and full of errors.

It is also apparent that the interests of disabled persons have been largely ignored. It is supposed that by demonstrating compliance with Exhibit 01, anyone will be virtually immune to any action pursuant to the provisions of the DDA (in relation to buildings). If this is indeed the case, then the consequences of error-ridden documents forming part of the DDA does not augur well.

These standards must not be fast-tracked along the path to Royal Assent. They must be able to stand up to rigorous analysis and checking. They must also be able to shown to be a tool that provides a built environment that meets the fair and reasonable needs of disabled people in our community.

Yours sincerely,

Director
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