

Submission No. 114

RECEIVED
20 MAR 2009

SM

BY: LACA

ILC Tas Submission

Draft Disability (Access to Premises – Buildings) Standard

19th February 2009

Draft Premises Standard

Independent Living Centre (Tas) Inc (ILC Tas) makes the following statements with regard to the Draft Premises Standards. Statements by ILC Tas are in **bold** and relate to the commentary provided in this paper prepared initially by AFDO.

ILC Tas commends the work done to prepare the Draft Premises Standards and appreciates the opportunity to comment.

1. Part 2.1

Given that the trigger for the Premises Standards is a requirement for a building approval is there variation around Australia concerning when that trigger would occur. If so, how does this variation impact on when the Premises Standards provisions would be triggered?

AFDO Recommended Position

This still needs to be clarified. AFDO has written to ABCB and is waiting for a reply.

We support a national approach.

ILC Tas agrees with this recommendation.

2. Table D3.1 Class 9b

This Table does not make it clear that theatres and other Class 9b buildings need to ensure that access is provided to the stage, dressing rooms, refreshment areas etc (although this is covered in the Guidelines).

AFDO Recommended Position

The Table should be amended to ensure clarity on the need for access to all areas of Class 9b buildings (except those areas exempted – tiers and platforms with no accessible seating).

ILC Tas agrees with this position and requests that it be taken a step further to include halls, school stages and rooms used as dressing rooms (even though not stipulated as such) at these venues. The Table is not clear about whether these types of buildings are included in this class.

In addition, the requirement (D3.9) to provide wheelchair seating spaces but not in the front row where there are less than 300 seats excludes those people who like to sit in the front row.

3. Table D3.1 Class 9c

The Table requires the same numbers of accessible sole occupancy units as in Class 3 buildings.

This is most inadequate given that the people likely to be admitted to an aged care facility are much more likely to have a severe mobility disability than occupants of motels.

AFDO Recommended Position

The numbers of accessible sole occupancy units in a Class 9c building must be increased by at least a factor of 3 in each number of units range. That is: 1-10 – 3 units accessible, 11 -40 – 6 units accessible, etc.

ILC Tas agrees with this recommendation.

4. Part D3.3 Parts of buildings to be accessible

Fire isolated stairs are exempt from requirements for access features that would assist people to evacuate safely. This will jeopardise evacuees (including blind people, vision impaired people and people with ambulant disability) and the people assisting them in a crisis who are forced to use the fire isolated stairs?

AFDO Recommended Position

Fire isolated stairs and ramps must be required to meet AS1428.1.

ILC Tas believes that this Part may have been misinterpreted for the above recommendation. We believe that Part D3.3 should be modified for clarity to include brackets as follows:

D3.3 (b) every ramp and stairway, (except for ramps and stairways in areas exempted by clause D3.4), *fire-isolated ramps and fire-isolated stairways*, must comply.....

We agree that fire-isolated ramps and stairways must comply with AS 1428, however, we believe that may have been the original intention of the Part. Our interpretation is that the exception only applies to those ramps and stairways exempted by clause D3.4 and not the fire-isolated ramps and stairways.

5. Boom gates and Pay Machines in Car Parks (Not covered in Code where Car Parking covered)

Many people with disability have difficulty extracting ticket from an entry boom gate.

Many people with disability cannot access parking pay machines.

Accessible parking requirements should be considered in conjunction with the work occurring on the National Accessible Parking Strategy

AFDO Recommended Position

That boom gates and pay machines must be accessible be made mandatory and be included in the Code.

ILC Tas agrees with this recommendation.

6. D3.6 Signage

Part D3.6 (e) requires no more than the international symbol for access and an arrow.

More information is required. Signage should include written information on what feature the sign was directing an individual to (i.e. accessible toilet, entrance, ramp, parking).

Any directions towards an accessible entrance need also to ensure the person is being sent on an accessible path to that entrance.

AFDO Recommended Position

Part D3.6 must be amended to require information about the facility one is being directed to, and a requirement that such pathway be an accessible one.

ILC Tas agrees with this recommendation

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

D3.9 (b) refers only to cinemas (excluding live theatre, concert halls, etc.). There is concern that in cinemas, people could be forced to sit in the front row – so not allowing that is supported.

However, front row seating in live theatre is considered desirable, as is front row seating at some sporting venues.

AFDO Recommended Position

D3.9(b) can be left as is if a new D3.9(c) is drafted as follows:

D3.9(c) in a theatre or other venue (but not a cinema):

- (i) with not more than 300 seats — wheelchair seating spaces may be located in the front row of seats; and
- (ii) with more than 300 seats — not less than 75% of *required* wheelchair seating spaces must be located in rows other than the front row of seats; and
- (ii) the location of wheelchair seating is to be representative of the range of seating provided.

ILC Tas agrees with this recommendation.

8. Part F2 – Sanitary and other facilities

The draft Access Standard requires a unisex facility with all banks of toilets unless there are more than one bank on any floor, when 50% of banks of toilets must have a unisex toilet there also.

This will allow toilet facilities on floors where there is more than one tenant for facilities to be behind a security door, thus preventing an employee of the other tenant from accessing the unisex facility.

There is also a health and safety issue for toilets in large shopping centres, at large sporting venues and at large entertainment venues where the distance between banks of toilets can be excessive.

AFDO Recommended Position

This provision must be amended to require an accessible unisex toilet with every bank of toilets.

ILC Tas believes that an accessible unisex toilet should be provided each side of a security door or in each tenanted area unless there are common accessible toilets available for all tenants.