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

Submission No 10

Submission No

12 February 2009

Dear Sir/Madam

COTA Over 50s welcomes the opportunity to contribute to the Committee's consideration of the draft *Disability (Access to Premises - Buildings) Standards*.

The Committee should have regard for the following principles when considering the merits of the proposed *Standards*:

- While the *Standards* are particularly important for promoting the wider social inclusion of senior Australians and those with disabilities, all citizens benefit from optimal design of the built environment.
- There are strong links between the design of the built environment and the maintenance of health and wellbeing of citizens, and WHO universal health principles should guide considerations of the *Standards*.
- Legislation and regulation is much preferred over litigation. The latter will become more prevalent if buildings fail to meet the standards that enable building owners and managers to meet their obligations under the *Disability Discrimination Act*.
- The costs of retrofitting buildings to meet contemporary needs and standards are infinitely greater than any expenditure outlaid during the initial building process, so a robust regime of standards and their implementation is a genuine investment in cost efficiency.

COTA Over 50s is strongly supportive of the views contained in the Issues Paper of February 2009 prepared by the Australian Federation of Disability Organisations (AFDO) and urges the Committee to take seriously into account the recommendations contained in that paper.

The *Premises Standards* will clarify the level of access to buildings required to meet responsibilities under the Disability Discrimination Act (DDA). The draft contains important proposals for improvements in access to new buildings and those undergoing renovation or new work. This includes: increased circulation space in new accessible toilets and around doorways; improvements in access to theatres and cinemas; increases in the number of accessible rooms in hotels and motels; improvements in signage and hearing augmentation systems in rooms with a PA system and significant increases in the number and location of unisex accessible toilets.

These proposed changes are significant and aim to ensure all people have equal access to buildings used for the social, cultural, health, employment, recreational and political life of our community. They are also significant for those involved in the design, construction, certification, development and management of buildings who will have to comply with them. The proposals, when finalised, will result in important changes to the way in which buildings are designed and constructed and will improve access to buildings for everyone, especially older Australians.

In particular, we draw your attention to the following requirement concerning Class 2 buildings (Apartments and flats) that appeared in the 2004 draft of the standards, namely the requirement that access to the common areas of a Class 2 building should be as below:

Access is required for new Class 2 buildings and existing buildings undergoing substantial new work or upgrades through the main entrance and to the front door of the units on that entry level; to at least one of a range of facilities used in common by all the residents (for example a BBQ area, laundry or pool). If the block of flats has a lift the access must also be provided to the front door on the units on the levels serviced by the lift. This means that there is a concession for small 2 and three storey blocks of flats where there are no common features on the upper floor. In this situation access is not required to the upper floors.

COTA Over 50s urges the Committee to recommend in favour of the above standards for access to common areas of Class 2 buildings, and in favour of the views expressed on the *Standards* by the Australian Federation of Disability Organisations.

Sincerely



Dr Geoffrey Bird
Executive Director
COTA Over 50s Ltd.