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06 APR 2009

BY: LACA

**Supplementary Information to Submission # 92 to
House of Representatives Standing Committee on Legal and Constitutional Affairs
Inquiry into the draft Disability (Access to Premises - Buildings) Standards 2009**

HSPC Disability Access Consultancy (HSPC-DAC) offers further comments and information pertaining to some matters raised at the Public Hearing in Melbourne on 30 March 2009.

1. Wayfinding for people with vision impairment

"Any wayfinding system is more than just signs - it encompasses architecture, landscape architecture, interior design, lighting and cognitive landmarks." (From Preface, CRC Wayfinding system audit.)

There is currently no Australian Standard on wayfinding but the wayfinding research has been completed and the outcomes have been published. Therefore, it is our opinion that:

- Based on information currently available, the 2009 Premises Standards should include a greater degree of wayfinding provisions for people with vision impairment than is currently required by the Building Code of Australia.
- Further wayfinding provisions that can only be determined in the future when an Australian Standard becomes available should remain under the provisions of the DDA and not be exempted by the 2009 Premises Standards.

Examples of available information:

- The outcomes of the wayfinding research have been published in November 2007 by the Cooperative Research Centre (CRC) for Construction Innovation under the following titles:

- **Wayfinding design guidelines**
- **Wayfinding system audit**

The guidelines provide practical and comprehensive design method to wayfinding using an inclusive design approach.

- **Cautionary Note AN13.05.601 Signage formats**, published by the Australian Institute of Architects January, January 2006, states, inter alia, that:

- *"Signage systems which accommodate all users incorporate raised tactile and Braille characters. The principle of design,, is that wherever visual signage is installed, it should either incorporate raised tactile and Braille signage, or be duplicated by it."*
- *"The cost of implementing such a design policy is unlikely to invoke provisions of the Disability Discrimination Act 1992, which renders it 'not unlawful' to discriminate against a person on the grounds of the person's disability if the action results in unjustifiable hardship on the part of the provider. In fact, in the known cases resolved by conciliation to date, the cost of adjusting the signage has been less than the cost of defending the complaint, and pragmatic decisions have prevailed."*

A copy of the Cautionary Note is attached for information. (Attachment #1)



2. Access provisions for people with hearing impairment

All buildings and facilities should be designed to provide adequate hearing access for all users. Any public building that provides facilities to amplify sound or uses sound to alert users to something should provide parallel facilities that enable deaf and hearing impaired people to hear (or see) the sounds and information.

Insufficient information, such as the lack of appropriate emergency warning, may result in restricted independence or even reduced level of safety.

Examples of available information:

- **Australian Standard 1428.5 Communication for people who are deaf or hearing impaired** (scheduled for publication in April 2009).
- Practice Note **AN13.05.006 Designing buildings for people with a hearing impairment**, published by the Australian Institute of Architects, July 2005. A copy of the Practice Note is attached for information. (Attachment #2a)
- Draft document **Visual emergency warning systems for people who are deaf or hearing impaired**.
A copy of this draft document is attached for information. It has been prepared as a Practice Note for architects by the National Access Work Group of the Australian Institute of Architects but it has not been published and as such is not the official endorsed position of the Institute. (Attachment #2b)

3. Emergency egress and evacuation from multi-level buildings

At the Public Hearing we suggested that the mandatory minimum clear width of escape stairs should be 1200mm and that handrails should be provided on both sides of the stairs.

Arguments for these safety provisions are to be found, for example, in **Elevators and Stairs for Evacuation: Comparisons and Combinations** by building safety analyst Jake Pauls CPE.

A copy of this paper is attached for information. (Attachment #3)

4. Issue of constant pressure control in lifts for people with disability

According to the lift manufacturers, constant pressure control is a cost-effective safety measure. However, constant-pressure operation cannot be used by all potential users.

Draft document **Low Rise Lifts** illustrates the issue, identify difficulties of interpretation of BCA deemed-to-satisfy provisions, identify conflicts between manufactured items and declared principles of accessibility, and propose some design principles which would assist in providing acceptable solutions.

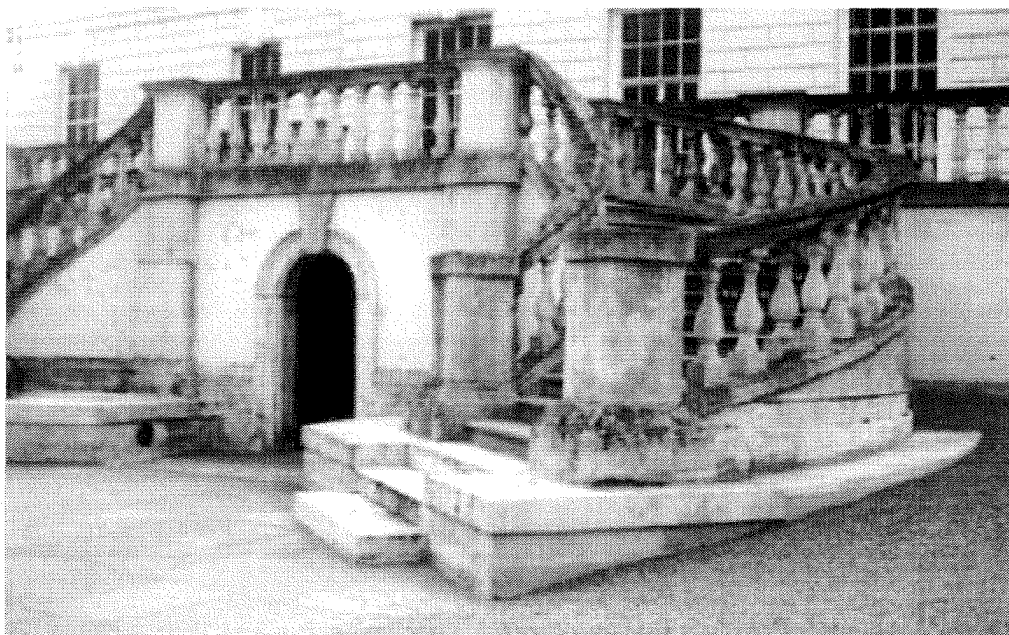
A copy of this draft document is attached for information. It has been prepared as a Practice Note for architects by the National Access Work Group of the Australian Institute of Architects but it has not been published and as such is not the official endorsed position of the Institute. (Attachment #4)



5. Access to heritage buildings

Examples of available information:

- The Australian Institute of Architects' **Policy on Universal Access** encourages members to:
 - *"Recognise the unique and sensitive nature of implementing accessibility modifications while protecting the integrity and significance of heritage properties."*
 - *"Work in collaboration with those with the skill and understanding of the issues required to evaluate and implement the appropriate access solution with a conservation context."*
- Practice Note **AN13.05.004 Improving access to heritage buildings and/or places**, published by the Australian Institute of Architects, April 2002, outlines principles in providing access solutions without adversely affecting the significance of the building and/or place.
A copy of the Practice Note is attached for information. (Attachment #5)
- **Planning and access for disabled people: a good practice guide** published by the Office of the Deputy Prime Minister (UK) provides inclusive design examples of access to heritage buildings:



The Queen's House, National Maritime Museum, Greenwich

"Inclusive access via the lower ground floor of this listed building was delivered through sympathetic and creative design, in discussion with English Heritage. The ground level immediately outside the entrance was subtly lowered to match the internal floor level and additional steps were added to the bottom of the curved external staircases. This eliminated a short flight of entry steps and allowed inclusive step free entry and egress."



The Treasury, London

"The original stepped entry to this building was remedied with an elegant solution that complimented the architecture of this listed building. The existing steps were brought forward to a landing and ramped access was provided from both sides. This eliminated the need for a handrail on both sides of an asymmetrical single ramp."

6. Complaint-based system of enforcement

As stated on page 13 of HSPC-DAC written submission, we believe that *"Most aggrieved persons do not enter the complaints process because it is emotionally taxing, very time consuming - which may result in loss of earnings - and there may be significant legal costs involved."*

We would suggest the following to achieve compliance:

- That a report from a specialist in access be required for all Certificates of Occupancy. This would be comparable to a report from a fire engineer or structural engineer required by the relevant Building Surveyor.
- Consider a reporting system and course of action similar to that enforced in the US whereby persons who believe have been discriminated against are only required to provide to the US Department of Justice (DoJ) their contact details, a description of the act of discrimination, and information on the person, business, organisation, or institution believed to have discriminated. The Disability Rights Section of the DoJ will consider and investigate the complaints and determine whether to begin litigation. Any such action would be taken on behalf of the United States.

A copy of ***How to File a Title III Complaint*** is attached for information.
(Attachment #6)



Please contact the undersigned should you require further input.

Yours sincerely,

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