



Clubs Australia

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## DISABILITY PREMISES STANDARDS SUBMISSION FEBRUARY 2009

### Introduction

Clubs are not-for-profit community based organisations whose central activity is to provide recreational facilities in place for people with common interests to come together. Clubs contribute significantly to their local communities, through employment and training, direct cash and in-kind social contributions and through the formation of social capital by mobilising volunteers and providing a diverse and affordable range of services, facilities and goods.

ClubsAustralia represents Australia's 4000 registered clubs and these clubs have around 10 million club memberships. Club members are people from many walks of life and with many different interests. The Australian Bureau of Statistics in 2004/05<sup>1</sup> reported clubs have 65,000 employees and contribute \$4 billion to the Australian economy. In addition the NSW Independent Pricing and Regulatory Tribunal (IPART) in its Review of the Registered Clubs Industry in NSW<sup>2</sup> found that clubs in NSW make a net \$811 million annual positive net social contribution. This includes providing cash donations, affordable goods and services and the value of time provided by the 43,000 volunteers in NSW clubs (there are 65,000 volunteers in clubs nationally).

Clubs, as local community organisations, are highly responsive in addressing the needs of their local communities, including people with disabilities. Clubs play an important role in promoting participation for disabled people through sport and recreation activities as well as through paid employment.

### Positive Social Experiences

As community organisations, clubs have the ability to generate positive social experiences, and promote social inclusion, for people living with some form of intellectual or physical disability. Social inclusion is a core tenet of club operation as the primary role of clubs is to bring people together to share in a common interest or purpose. In addition to providing a warm and friendly social environment and offering services to disability support groups, individual clubs throughout Australia have also initiated specialised programs to help their disabled members, offering sport and recreation programs and employment opportunities.

### Employment Opportunities

There is a notable tradition in the Club Movement of employing disabled people. This is particularly prevalent among RSL and ex-services clubs. As an example, ClubsNSW and the RSL and Services Clubs Association were recently presented with a certificate of appreciation from Jobsupport (celebrating employment for people with an intellectual

<sup>1</sup> Australian Bureau of Statistics, Report Number 867.0, "Clubs, Pubs, Taverns and Bars, Australia, 2004-05"

<sup>2</sup> IPART "Review of the Registered Club Industry", June 2008

disability) for clubs' ongoing commitment to employment of people with intellectual disabilities. Mt Pritchard Community Club, Manly Warringah RSL and Hornsby RSL have all used the Jobsupport placement program to hire intellectually disabled workers. Parramatta Leagues Club has also been awarded for its disability employment program. The club was judged the best large employer of people with a disability by Northcott Disability Services at the 2008 annual Jobmatch Employer of the Year Awards.

### Sporting Initiatives

Many clubs offer support for disabled members of their community to help them participate and compete in sport. Clubs support disabled athletes through development of their sporting talent and also through sponsorship. For example, the Kyabram Club in Victoria sponsored Claire Keating, a disabled swimmer, and enabled her to compete at the 2008 Beijing Paralympics.

Other larger clubs have been able to go further than individual sponsorships and support and have implemented disabled athletics programs that benefit entire communities. One example of this is the Mingara Recreation Club on the New South Wales Central Coast and their "Life without Barriers" program. Under this banner, the club runs various sporting and social programs for people in the local area with physical or intellectual disabilities. Activities include swimming, darts, snooker, bowls, indoor bowls, athletics and gym sessions. Mingara Recreation Club is largely credited with lifting the Central Coast's sports participation rate for disabled people to 40% more than the state average.

Many Clubs provide subsidised activities that promote participation for their disabled members. Sports are often cost prohibitive for disabled athletes and community clubs can offer cheaper alternatives. For example, during a recent focus group discussion one club manager explained that a member of his club had modified his wheelchair to play bowls, because it was the only sport he was able to physically participate in, as well as afford.<sup>3</sup>

ClubsNSW, a member of ClubsAustralia, is Principal Partner of the NSW Institute of Sport (NSWIS) and much of its annual sponsorship is directed towards disabled athletes. In addition, ClubsNSW sponsors two Wheelchair Sports NSW programs, the Junior Wheelie Sports Program and Junior Wheelie Christmas Camp. These are designed to increase participants self esteem, confidence and independence with activities such as swimming, sailing, cricket, wheelchair basketball and tennis, athletics and drama.

### Clubs and the draft Disability Premises Standard 2009

ClubsAustralia is supportive of the draft Standards promotion of equitable access to buildings and facilities for people with disabilities. Indeed many clubs have existing disabled access facilities in place for their members and guests. However, ClubsAustralia is of the belief that the draft Standards, whilst acknowledging exceptional circumstances where full compliance may not be met, does not adequately account for the challenges some clubs would face in complying with the Standards.

Registered clubs are classified as Class 9b public buildings although they typically contain bar and entertainment facilities normally associated with Class 6 buildings such as bars and pubs, and are quite different in nature to public transport buildings. Many clubs that seek to renovate existing facilities are located in older buildings that may be

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<sup>3</sup> Ucomm Managers Focus Group Report, July 2007, p. 9.

unsuitable for changes such as the installation of lift access or the modification of sanitary facilities.

While it is clear the Standards apply when a development approval is submitted for work on new and existing buildings, the level of compliance required is not. There also appears to be no consideration of the proportional expense of installing disability access facilities in relation to the cost of a venue's intended building works. If the cost of adhering to the Standards is not reasonable in relation to the costs of a building project this could be a disincentive to proceed.

Many smaller clubs may not have the financial resources to upgrade their existing disabled facilities so the Standards would benefit from an exemption mechanism if undertaking such works would compromise a venue's financial viability.

The Standards requirement that Tactile Ground Surface Indicators be placed on ramps, stairs and escalators may present safety and liability issues for clubs. As acknowledged in Clause D3.8 of the Standards, the placement of these indicators in such areas may pose a tripping hazard for less mobile and elderly people. It is noted that a significant proportion of club members are elderly.

ClubsAustralia requests that a similar allowance be extended to 9b public buildings in the Disability Standards to permit alternate use of such indicators on balustrades to minimise the potential harm to club members and guests.

Currently the inability of a venue to comply with the Standards can only be validated by a Court ruling after a complaint of discrimination is made. ClubsAustralia advocates the provision of non legal avenues of appeal for not-for-profit organisations as the current determination could impose prohibitive costs on such organisations seeking to assert their inability to comply.

ClubsAustralia believes that in the interests of clarity the key issues of compliance and cost should be addressed more explicitly in the Standards, including through a series of examples, to assist both clubs and local government in the interpretation of the Standards. ClubsAustralia is aware of clubs dealing with local councils regarding adherence to the Building Code of Australia that have experienced differing interpretations of the Code depending on their council's reading of the Code.

While ClubsAustralia is supportive of the Standards, in principle, further avenues of redress are required. Such exemptions should either be explicit in the Standards to avoid confrontation or available at low cost without recourse to the Courts.

For more information please contact Mr Josh Landis, Manager Government Relations,  
on \_\_\_\_\_ or by email \_\_\_\_\_