

24 February 2009

Submission No 37

Hon Mark Dreyfus QC MP
House of Representatives Legal & Constitutional Affairs Committee
House of Representatives
PO Box 6021
Parliament House
Canberra ACT 2600

RECEIVED SM
25 FEB 2009
BY: LACA

SUBMISSION re Draft Disability (Access to Premises – Buildings) Standard

Dear Mr Dreyfus

Thank you for this opportunity to comment on the draft Standard.

I believe there are several features of the draft as now presented that will not meet the needs of the people it's designed to meet. For example:

The draft AS1428 part 1 allows for 1000mm wide passageways, with some consideration of "cutting the corner" with some bends. As the attached drawing shows, both of these provisions are inadequate for people who use a standard "A90" wheelchair.

Recommendation:

1. Amend AS1428.1 to require a minimum of 1200mm wide passageways

The draft AS2890.6 specifies a head height of 2200mm which is inadequate for 4wds and for commuter vans.

Recommendation:

2. Amend AS2890.6 to require a minimum of 2300mm head height in car parks.

The 2004 draft Standard included provisions for Class 2 buildings (home units and the like) to have access to all common areas, including upper levels where there is a lift, and to the door of all units (to allow visiting).

The current draft excludes Class 2 buildings.

If this proceeds it will set back by many years the work that many Local Councils have done to adopt appropriate Develop Control Plans requiring this access.

It must be emphasised that including access to common areas in Class 2 buildings would NOT impose an additional cost as most Councils require it now.

Allowing developers to build inaccessible Class 2 building will prevent people with disability from ever owning a unit in any such block and prevent their visiting family and friends residing there – thus exacerbating social isolation.

Recommendation:

3. Amend the draft to include access for people with disability (to AS1428.1 – as amended to provide for 1200mm passageways) to require access to the common areas and to the doors of units in Class 2 buildings.

As the population ages more older people are travelling. Economic accommodation is a priority for many.

Having a threshold of four (4) bedrooms in a B&B or the like before any access is required will effectively exclude people with disability from all B&Bs, almost all cabins in caravan parks and many eco lodges.

Existing facilities will be covered by the “unjustifiable hardship” provisions – so economic viability is not an issue. There seems no good reason why new, purpose built B&Bs, cabins and eco lodges should not be required to provide accessible accommodation as motels and hotels are – that is, up to ten units, one must be accessible, etc.

Recommendation

4. Amend the provisions of the draft Standard to require Class 1b buildings (B&Bs and the like) to provide accessible accommodation at the same rate as Class 3 buildings (motels).

Parking for wheelchair users is inadequate. Bear in mind a wheelchair user who cannot find an appropriate parking spot close to their destination may have to abandon the trip – whereas an able bodied person may simply have to walk a couple of hundred metres.

The number of parking authorities issued throughout Australia is something like 10% of the number of vehicles registered (it varies state to state – it's 13% in NSW).

Requiring 1% of places to be reserved is clearly inadequate.

Recommendation:

5. Amend the Standard to require 5% of parking spaces to be reserved for people with disability, with 2/5th of those to meet the revised AS2890.6 and reserved for wheelchair users (or others using large equipment or otherwise requiring a fully opening door). Wheelchair users should be issued with a distinctive Authority.

There also need to be adequate Five year Review provisions, Standards for emergency egress, specifications for motel bedrooms, increased numbers and specifications of bedrooms in aged care accommodation, as well as many detail issues in the draft.

I'd be prepared to attend a Hearing in Sydney to discuss these issues. I use a power wheelchair, so I'd need wheelchair access.

Yours sincerely

John Moxon

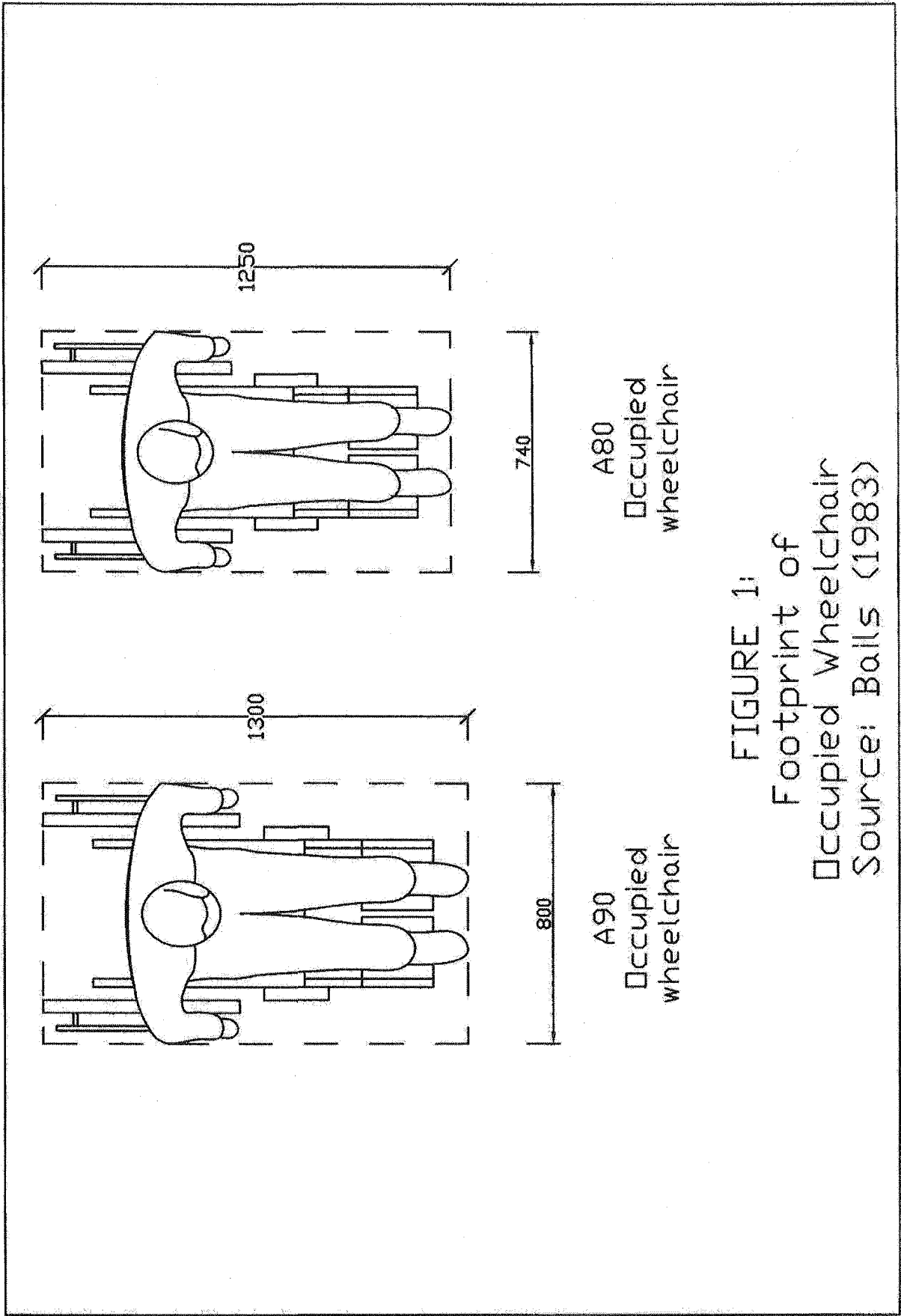
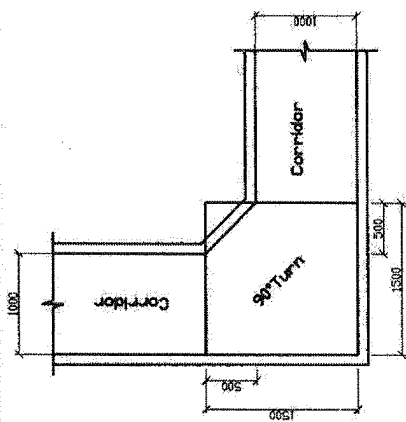
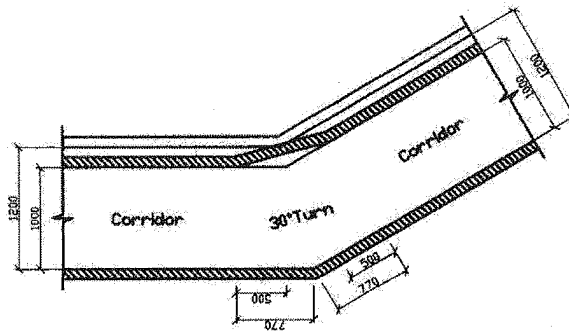


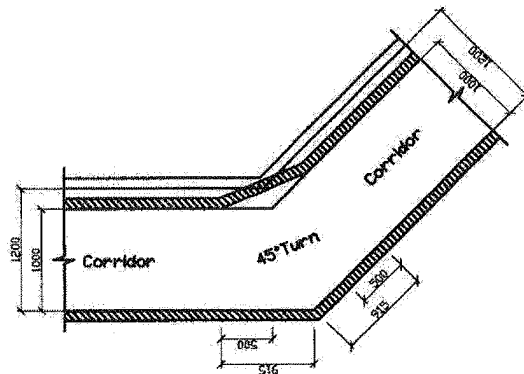
FIGURE 1:
 Footprint of
 Occupied Wheelchair
 Source: Balls (1983)



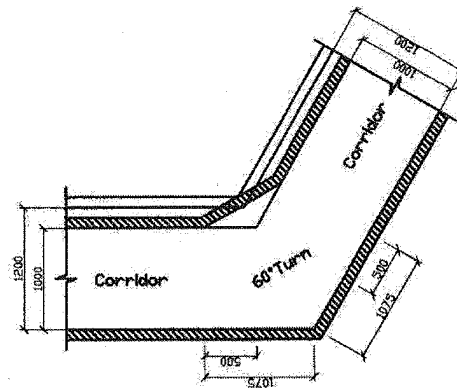
Corridor Landing
90° Turn
Passing not possible



Corridor Landing
30° Turn possible
Passing not possible



Corridor Landing
45° Turn possible
Passing not possible



Corridor Landing
60° Turn possible
Passing not possible

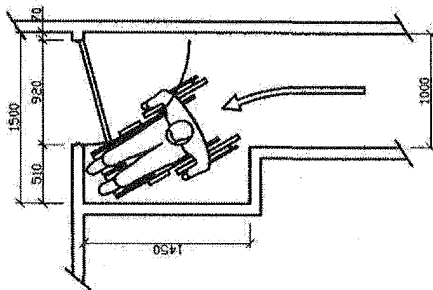


FIGURE 4(a): Proposed Access to Doorway by Interfacing Corridor Width from AS1428 Part 1-2001 with Door Circulation Space from AS1428 Part 2-1992. This layout would not be accessible to many wheelchair users and would waste the additional space.

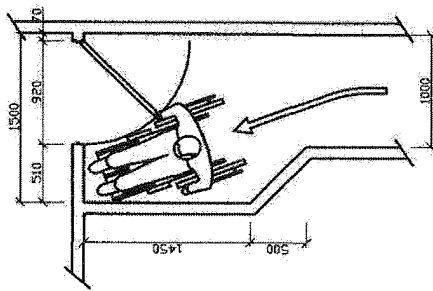


FIGURE 4(b): Corrected Requirement Suggested for AS1428 Part 1-2001. This layout would be expensive to construct and would encroach further on the adjoining room space.

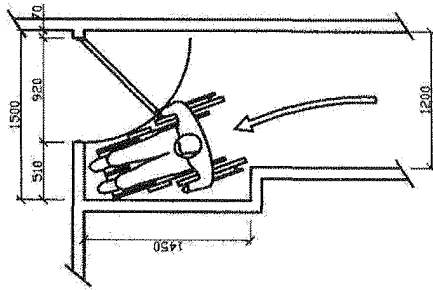


FIGURE 4(c): Access to Doorway by Providing Corridor Width and Door Circulation Space from AS1428 Part 2-1992. This layout would be inexpensive to construct and would encroach little on the adjoining room space.

FIGURE 4: REDUCED ACCESS RESULTING FROM INTERFACING CORRIDOR WIDTH FROM AS1428 PART 1-2001 WITH DOOR CIRCULATION SPACE TO AS1428 PART 2-1992

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FIGURE 2:
Minimum width of Corridor
AS1428.1-2001

While a 1000 wide corridor may be accessible by most users, it clearly does not permit passing of wheelchair users by ambulant persons. Further, it creates difficulty for larger ambulant persons to pass each other.

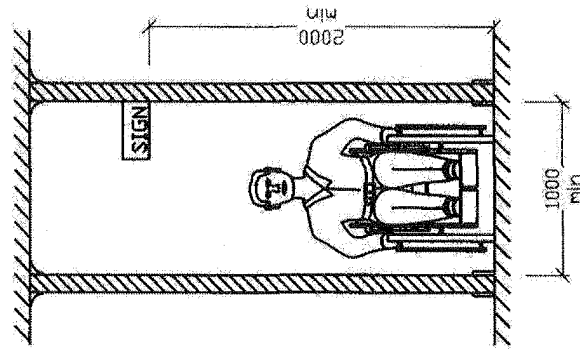


FIGURE 2(a)

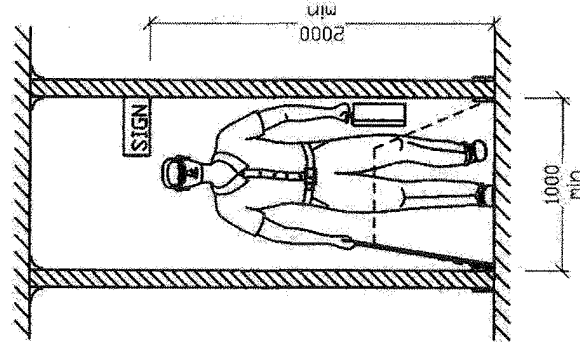


FIGURE 2(b)

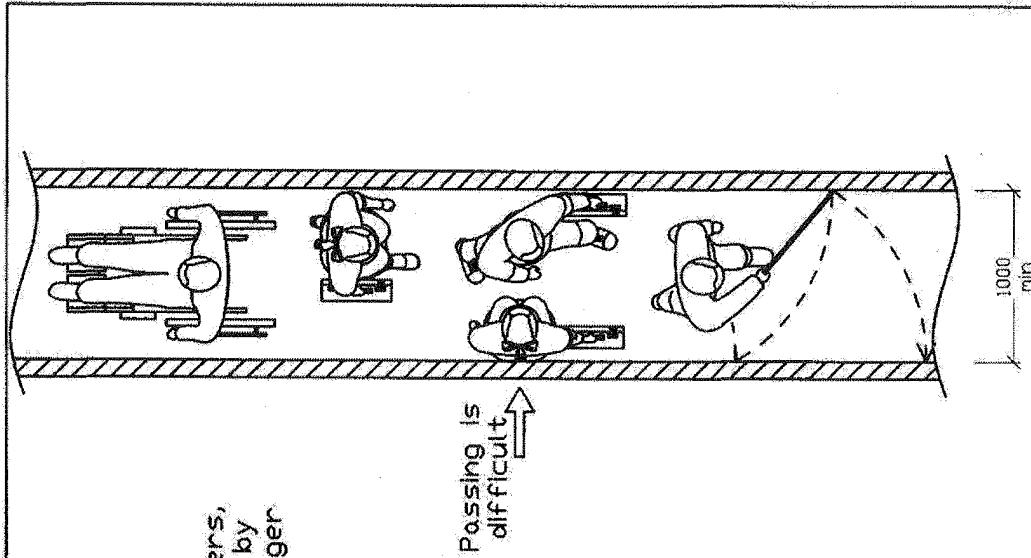


FIGURE 2(c)

Copyright: Max Murray, Access Designs, 2005

Source: Pheasant, S. (1986, 2001) Bodyspace: Taylor and Francis, London.

FIGURE 1:
Minimum width of Corridor
AS1428.2-1992

A 1200 wide corridor will be accessible to all users. Although it will permit larger ambulant persons to pass each other with ease, it is still difficult for an ambulant person and wheelchair user to pass.

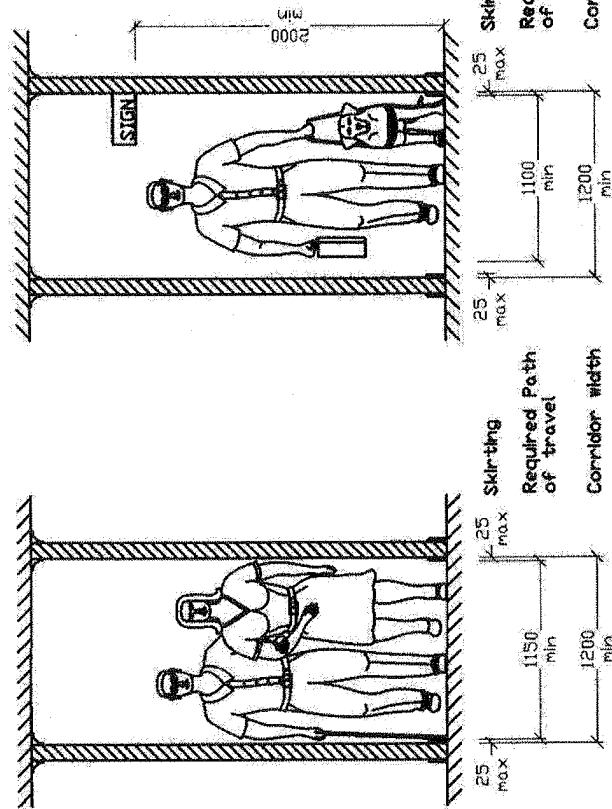
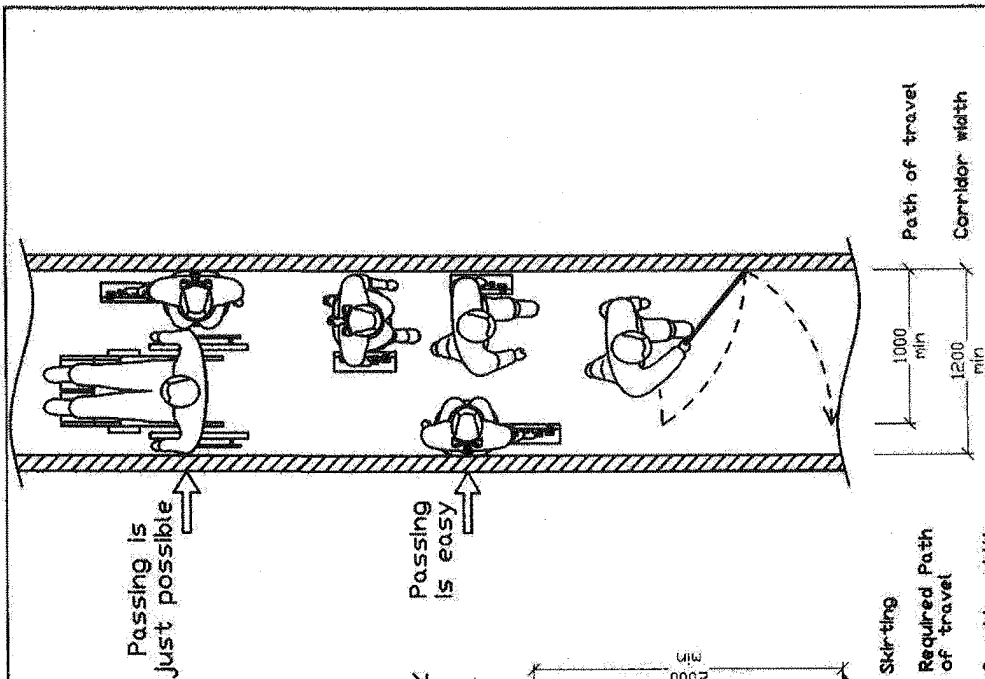


FIGURE 1(a)

FIGURE 1(b)

FIGURE 1(c)



Copyright: Max Murray, Access Designs, 2005

Drawing shows A90 occupied wheelchair and A90 fit, ambulant persons.
Source: Pheasant, S. (1986, 2001) Bodyspace. Taylor and Francis: London.