Response to
Review of
Access to Premises Standard

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Executive Summary

Physical access into and around public buildings does not guarantee useability. That is, the use of the building or place may still be inaccessible. For example, a café area or reception desk in a lobby. The whole building and all its functions need to be designed with all prospective building users in mind.

The most critical issue is educating building professionals and tradespeople about why these features are necessary and why the details make all the difference. Accessibility and universal design are not regularly taught at tertiary institutions. At best they are tacked-on electives for architecture students. The concept of accessibility needs to be woven throughout design and building courses.

Prescriptive standards are a necessary but insufficient condition to ensure access and inclusion. Not all situations can be accounted for in standards. Standards by definition are minimum standards. Awareness of standards does not equate to understanding the purpose of the standards.

Building certifiers must also understand the purpose of the current standards and apply them. Too many places are signed off that do not comply.

An Easy Read/Easy English version of the standards for tradespeople and others who have low literacy levels. This version would also benefit everyone because Easy Read versions allow a quick grasp of the topic to get an overall understanding.

The Sustainable Development Goals include, among others, people with disability. Their recommendation is to take a universal design approach. Education and training on how designs can be inclusive as well as compliant using a universal design approach is essential.

The original purpose of the Standards was to ensure the obligations of the Disability Discrimination Act are met. We have moved on and policy settings are focusing on inclusion.

Human rights are too often contested as if they are optional. How they can be fulfilled is the challenge, not whether they should be bestowed or not.

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About Centre for Universal Design Australia (CUDA)

CUDA is a registered charity with the aim of creating a more inclusive world where everyone is included everywhere, every time regardless of their background, gender, age or level of capability. The concept of universal design is the means by which to achieve inclusive communities.

Universal design is an approach to designing goods, services, built environments and communications technology so that they include as many people as possible without the need for specialised or separate solutions[1]. It goes beyond access codes and covers all marginalised groups by age, gender identity, race and ethnicity, and physical, sensory and cognitive abilities.

To be clear, universal design, is not a special type of design and is not "disability" design. It is design for inclusion, safety, affordability, and resilience. Universal design is not mutually exclusive to any policy setting. Universal design is both a philosophy (inclusion) and design outcomes (buildings, products, etc.).

Universal design separates itself from accessible design by focusing on user-centred design from the earliest stages of a project – not just at the end stage. This can result in the seamless integration of inclusive features that are often invisible and that do not stigmatise users[2].

The terminology of "accessible" is now synonymous with "disability" within the construction industry. This is unfortunate because it perpetuates the notion that accessible design is "disabled" design and only for a few people.

Opening Comments

We will address selected survey questions from the perspective of advocates for creating a more inclusive society, both socially and economically.

The connection to human rights legislation underpins the current Standards and do not need repeating here. Human rights are never given willingly – they are fought for. Even though the Premises Standards were designed to bring the building code in line with the Disability Discrimination Act and assist industry, it still required consistent lobbying by the disability community because industry resisted change. The basic right to get in and out of a public building was fought for, not given. Hence the need for mandated regulation.

Physical access into and around public buildings does not guarantee useability. That is, the use of the building or place may still be inaccessible or unusable. For example, a café area or reception desk in a lobby. The whole building and all its functions need to be designed with all prospective building users in mind.

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[1]Center for Universal Design, (1997) https://projects.ncsu.edu/ncsu/design/cud/about_ud/about_ud.htm
[2] Victorian Health and Building Authority. Universal Design https://www.vhba.vic.gov.au/resources/universal-design

Accessibility requirements are often incorporated as afterthoughts. Legal requirements and standards do not of themselves create an understanding of why these features are required. Consequently, we still see long ramps tacked onto newly constructed buildings. While these might comply with standards, they are not useable if they are too long or tucked away. Such ramps are an example of compliance without equity. It is equity we must strive for.

Designing an entrance that everyone can use is equity. Separate paths of travel are not equitable. A set of revolving doors is not equitable, but new buildings are still applying them. A separate door is required for people who cannot use revolving doors.

A performance based, user-centred universal design approach requires an understanding of why and how design features are used and needed.

What are the most critical challenges or issues that require improvement to ensure the Premises Standards achieves its objective?

The most critical issue is educating building practitioners and tradespeople about why these features are necessary and why the details make all the difference.

Some details cannot be added at the end of the project because the spatial requirements or relevant design elements were not considered at the outset.

If more people understood the purpose underpinning the standards, we might find designers moving beyond minimal compliance to being more inclusive in their overall designs.

Many designers consider access compliance an impost on their creativity rather than a challenge to their creativity. That makes people with disability a “nuisance”.

Currently, people with disability are seen as a compliance “must have”. They are treated as a separate group needing special requirements such as a “disabled” ramp or “disabled” toilet. They are not viewed from a mainstream perspective.

The issue needs to be tackled at the root cause. Accessibility and universal design are not regularly taught at tertiary institutions. At best they are tacked-on electives for architecture students. The concept of accessibility needs to be woven throughout design and building courses.

Building certifiers must also understand the purpose of the current standards and apply the requirements of the standards. Too many places are signed off that do not comply. An example is provided in the following survey question.

Practitioner awareness of the standard is a necessary but insufficient condition to create inclusive buildings.

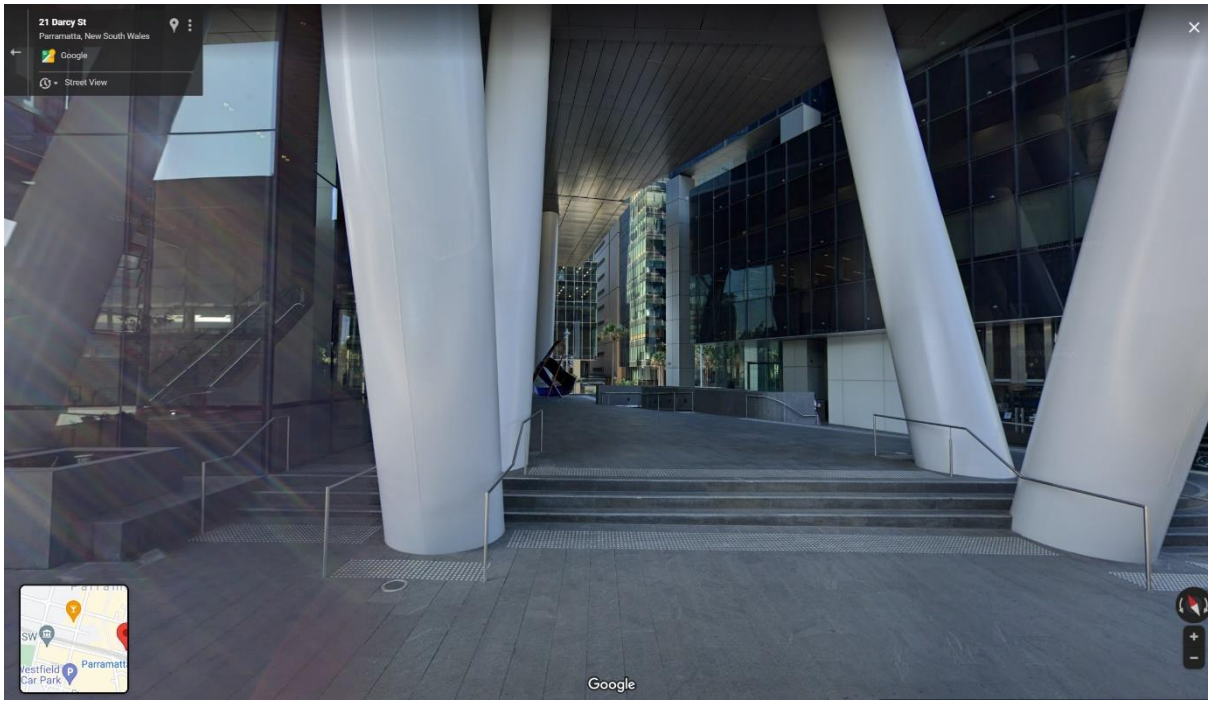
What problems have you faced? How have these problems affected you?

I recently visited a newly constructed office tower block at 4 Parramatta Square, Parramatta. There is no obvious accessible entry, only steps. There are steps that "disappear" into the ground on the corner of the building. These are trip hazards and are not essential to access or the design. There seems to be no apparent reason why steps were included in the design. The shop across the way has a level entry and no ramp.

Tactile ground surface indicators have no luminance contrast. Handrails do not comply with AS1428.1.

Entry is via a revolving door. To use the additional and narrow automatic door you need to know where it is. You also need to know that the door only opens if you press a green button on a free-standing pole, which is not obvious at the door entry. So you need to know where this placed. The door is labelled as "automatic" but the automation is manually operated. Consequently, I thought the door was locked when it failed to open when I stood in front of it. The receptionist showed me how it worked *after* I was in the building.

The reception/security desk is almost shoulder high for the average standing person. The receptionist presented me with a touch screen for me to fill in my name and company. This required me to stand awkwardly with my arms at shoulder level trying to operate the screen. Glare from the windows made this even more difficult. The level of lighting was dim overall in the lobby area. The receptionist eventually finalised my security information for me. I was issued with a swipe card to walk through the security gate and gain access to the lift lobby. I cannot remember if there was a wide gate as well.



View of the entry to 4 Parramatta Square, Darcy Street, Parramatta showing the non-compliant handrails which are also used to prevent people from walking into the poles.

If I had been either a wheelchair user or a white cane user, this building would have presented me with several inconveniences if not direct barriers. This is not a welcoming or inclusive building. The revolving doors are difficult for slow walkers, people with vision and perception issues, and people with cognitive conditions. They prevent two or three people from walking into the building together and continuing their conversation.

Revolving doors should be banned.

"Disappearing" or tapered steps should also be banned. They are dangerous and should be designed out. Another feature, such as seating or planter boxes can be added to avoid this common design flaw. There is nothing in the standards to prevent this.

What factors need to be considered to address the issue if a recommendation or other proposal for change is to be implemented effectively?

We repeat, education and training on the purpose of the change. This includes the trades because this is where some important design details get lost as "not being that important". At the construction level, many design details are left until the last moment in construction and this is where errors occur.

Do you have other ideas that can make the Premises Standards better?

The original purpose of the Standards was to ensure the obligations of the Disability Discrimination Act are met. We have moved on and policy settings are focusing on inclusion. Hence the NSW Disability Inclusion Act 2014.

Australia is a signatory to the UN Convention on the Rights of Persons with Disabilities and the Sustainable Development Goals (leave no one behind). They are about inclusion, not just access. Both promote a universal design approach to designing environments, products, services and communications technology.

A universal design, or inclusive design, approach does not focus on disability per se – it shows how there are benefits for all citizens. It goes beyond compliance. It assumes people with disability do not need to be segregated by specialised designs.

The Premises Standards should have additional information about taking a universal design approach and encourage designers, builders and trades to go beyond compliance.

In the example of 4 Parramatta Square, all but the handrails technically complied. However, this does not make the building usable for all and creates a sense of being an outsider and excluded.

How can we make the Premises Standards and NCC easier to understand?

An Easy Read/Easy English version for tradespeople who have low literacy levels. This version would also benefit all other practitioners as Easy Read versions allow a quick grasp of the topic to get an overall understanding. Low literacy is also a disability and affects more than 40% of the population.

People are time poor and need quick access to information. Rather than leaving access issues to an access consultant to fix at the end of the project, they would know how to prevent issues at the outset of the design. Easy and quick access to information might help.

My experience on a Standards Committee and working party is that the committee drafts the standard. There seems to be no professional editing and re-drafting involved. These documents end up being “wordy”.

Involving professional writers and editors would go a long way in helping documents to be more easily understood.

Do the Premises Standards make sure building are accessible?

No.

I refer to my example of 4 Parramatta Square.

Building certifiers need to be brought to account as well as designers and builders.

What should we change in the Premises Standards to make it easier to use public buildings?

We refer to earlier comments about taking a universal design approach alongside the necessary compliance conditions. This will require education at the tertiary level.

Do accessible toilets need to change?

Design by committee is not a reliable design process. Proper research into how people with various disabilities use public toilets needs to be undertaken. This is imperative. There are many different ways in which wheelchair users access the toilet; some not at all because they have a leg bag that needs emptying.

They do not suit all older people who need assistance with toileting.

Providing one accessible toilet with either a left or right hand grab rail will not suit people with the opposing upper limb deficiency. The addition of a drop-down rail could be beneficial where only one accessible toilet is provided

Do you think there is another way to fix these problems that does not include the Premises Standards?

Education and training on how designs can be inclusive as well as compliant using a universal design approach. The Sustainable Development Goals include, among others, people with disability. Their recommendation is to take a universal design approach to “leave no one behind”.

Concluding Comments

Prescriptive standards are a necessary but insufficient condition to ensure access and inclusion. Not all situations can be accounted for in standards. Standards by definition are minimum standards. The adage of “you get what you measure” applies here.

The tick-box approach for compliance to minimum standards means we get, at best, the minimum. Individual features can be compliant, but that does not guarantee they link to each other to form a seamless and accessible experience in and of a building.

The building and construction sector is a system based on regulations, formal and informal codes of practice and, “that’s the way we’ve always done it”.

For built environments to be inclusive of everyone we have to start at the beginning with designers and builders being taught inclusive processes from year one in their courses and have it woven through all units of study. The challenge is to get academia to re-shape their courses.

Human rights are too often contested as if they are optional. How they can be fulfilled is the challenge, not whether they should be bestowed or not.

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