

Productivity Commission Inquiry into the DDA

Issues to be raised

Council acknowledges that the Commission is interested in the perspective of Local Government particularly as it relates to planning and building/development issues. As mentioned in its first round submission, Council has had experience in implementing the DDA's objectives in this regard for some years. Now that the Draft Access to Premises Standard has been released for comment Council would like to further comment on these issues and highlight the following points;

- Although the draft access to premises standard is likely to improve the current situation *in buildings* its scope remains limited;
- It does not cover a range of elements that are intrinsic to a buildings use, i.e. furniture and fittings or how the premises are managed/operated. This is something of a missing link with Planning Law which is a significant issue in NSW. That remains the key tool to ensure adequate controls and operational procedures are put in place to ensure an accessible building leads to an inclusive experience;
- Similarly the standard does not cover other aspects of the built environment that are covered by the DDA like footpaths, parks and recreational space and specific event issues like location and temporary facilities;
- The allowance to propose alternative solutions other than those documented in the standard is a reasonable idea however may well add to the difficulty for Council's and certifying agencies trying to assess compliance;
- The 'Protocol' designed to assist this aspect (along with applying the standard to existing buildings) is not a part of the standard and therefore not mandatory;
- The provision within the 'Protocol' for Building Upgrade Plans to be assessed by an Access Panel is not sufficiently clear on who would monitor these plans. As some plans may detail works which could be projected to occur over a period of more than ten years, this could again become complicated for Council's and certifying agencies;
- Where Councils have established their own 'Access Panel' or systems to assess DDA issues they could potentially be presented with many Building Upgrade Plans. This is particularly so for an inner city Council, who face the more challenging issues of retrofitting access standards in older, existing buildings;
- All of these issues leave a very large grey area for Councils. The current proposals lack sufficient guidance on DDA issues for these developments, and
- Consultation issues remain a concern. Local Government (NSW particularly) seems to have had limited input in the process and although Councils deal with these issues daily many are not aware of or have been involved in the development of the standard. It is suggested that local government has been under-represented to date and should be more closely consulted as it is often better placed than most other stakeholders to provide a practical perspective.

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