

NEW DIRECTIONS IN BUILDING SERVICES®

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Commonwealth Premises Standards in NSW

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Program

- When
- Legislation & Regulations
- Application
- Break
- Affected parts
- Exemptions



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The Commonwealth's *Disability (Access to Premises - Buildings) Standards* (the Premises Standards) made under the *Disability Discrimination Act 1992* (DDA) has applied since May 1st 2011 and applies to all new building work and to “**affected parts**” of existing buildings.

The Premises Standards, which establish new requirements for access to buildings, has been incorporated into the Building Code of Australia (BCA)



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Disability Discrimination Act 1992 (DDA)
(Commonwealth legislation)

Premises Standards
(made under the DDA)

Other standards made under the DDA, eg
Transport Standards

Contains

- Scope of the Standards
- Requirements of the Standards
- Exceptions and concessions
(including unjustifiable hardship)

Plus

Access Code for Buildings
(construction standards)

Building Code of Australia (BCA)
(reflects the provisions of the
Access Code)

Administrative Protocol

(gives states a model process to determine
access requirements for buildings)

**Environmental Planning and
Assessment Act 1979**

(NSW legislation, which requires compliance with
the BCA and therefore
the Access Code after 1 May 2011)



How the Premises Standards will apply

The Premises Standards applies to building work for which an application for a construction certificate or complying development certificate is lodged. They will apply to most BCA building classes, excepting the majority of those ordinarily reserved for private residential uses; Crown development; and most existing public transport buildings.

The Standards contain an Access Code of construction that is mirrored in the access provisions of the BCA. New work must comply with the Access Code in the same manner as complying with the BCA by meeting deemed-to-satisfy provisions or by adopting an alternative solution that achieves the relevant performance requirements.



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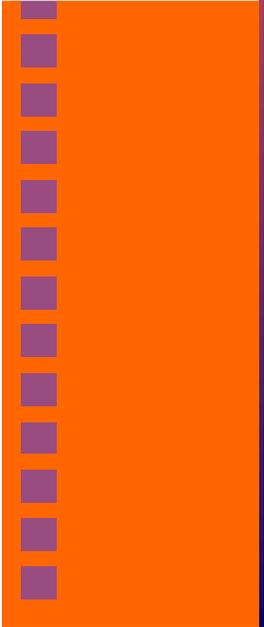
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Take a break....



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The Premises Standards also require the **affected part** of an existing building to comply with the Access Code where new building work requiring approval is proposed. The affected part of a building is defined as:

- (a) the principal pedestrian entrance of an existing building that contains a new part; and*
- (b) any part of an existing building, that contains a new part, that is necessary to provide a continuous path of travel from the entrance to the new part.*



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A general exemption to compliance with the Premises Standards is provided where compliance would cause **unjustifiable hardship**. Compliance with the Premises Standards is still required to the maximum extent not involving unjustifiable hardship. Another exemption excludes lessees from compliance with the requirement to upgrade the affected part of the building if they do not lease the whole building.

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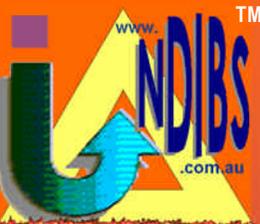
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The greatest failure: the failure to learn



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Where to



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Emerging issues?

What other issues will effect and impact the facilities which you manage?

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Thank you for your attention

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