



Office of the Commissioner for
Public Employment

office of the
commissioner for
public employment

A joint official publication of the Commissioner for Public Employment and the
Anti-Discrimination Commission

Bulletin: 02/2006

NTPS Bulletin

Disability access to buildings

On 3 December 2005, International Day for People with Disabilities, the Commissioner for Public Employment (CPE) and the Lord Mayor of Darwin awarded disability access prizes to the best Darwin Mall business and the best NT Government building. The awards followed a disability access audit conducted by the disAbility Action Network and the Office of the CPE (OCPE).

The awards were extremely well received by the owners and occupiers of the buildings at a ceremony in Raintree Park, Darwin.

Following on from this success the OCPE and the ADC have resolved to co-sponsor an annual building access award. Also, the OCPE and ADC will combine their efforts in the future to promote the benefits of easy access to buildings for people with disabilities.

Need for promotion

There is general awareness of the need to provide easy access to buildings for people with disabilities. The need arises for reasons of equity and human rights. Failure to provide access may render owners or occupiers of buildings vulnerable to disability discrimination complaints.

All states and territories except SA have legislation covering equitable access to buildings. In an effort to bring some consistency to the law in this area a draft disability standard on access to premises has been developed federally. Once settled this standard will be incorporated into the *Disability Discrimination Act* (Commonwealth) and the revised (National) Building Code of Australia. Eventually, the standard will be incorporated to become part of NT legislation – probably through the NT *Anti-Discrimination Act*.

The aim of the premises standard is to clearly define the level of access that must be provided to buildings by developers, owners, occupiers, operators, designers, builders, managers, lessors, lessees, in order to meet legislative requirements. This will mean that developers, owners etc can operate with confidence that they will not be subject to a successful discrimination complaint if they comply with the standard. Also, it will ensure a more accessible environment for people with disabilities, young families and our ageing population.

It is likely that the premises standard and revised building code will only apply to new buildings and new work in existing buildings. Also, the new standard will be useful in complementing existing disability access law which is applied flexibly and requires the **reasonable** accommodation of special needs that do not cause unjustifiable hardship to owners, occupiers etc.

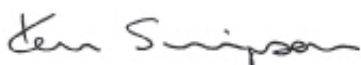
How building access will be promoted

The ADC and the OCPE realise that NT owned and occupied government buildings form a significant portion of all NT buildings, so it is appropriate that these agencies offer encouragement to the government sector to provide a best practice example of disability access to the community as a whole.

Accordingly, the joint ADC/OCPE promotional strategy, to be developed in conjunction with various NT government representatives in the human services and properties areas, will also be aimed at the private sector.

The strategy will include access audits, information about what is needed to ensure access for people with different types of disability, technical aspects of the premises standard to facilitate renovation and planning, and eventually a best practice model.

It is anticipated that an access to premises standard will be adopted in future in the NT. The joint OCPE/ADC strategy will assist in the gradual introduction of a standard that delivers the best access possible, minimises building costs, and accounts for the particular circumstances of building owners and occupiers.



KEN SIMPSON
A/Commissioner for Public Employment



TONY FITZGERALD
Anti-Discrimination Commissioner

21 August 2006

Contacts

**Office of the Commissioner
for Public Employment**
GPO Box 4371,
Darwin NT 0801
Tel 8999 4282
Fax 8999 4148
Email ocpe@nt.gov.au

**OCPE Central Australia
Representative**
PO Box 8574,
Alice Springs NT 0871
Tel 8951 5785
Fax 8951 5788
Email ocpe@nt.gov.au

**Anti-Discrimination
Commission**
LMB 22 GPO
Darwin, NT 0801
Tel 8999 91444
Fax 8981 3812
Email administrationadc@nt.gov.au

**Anti-Discrimination
Commission Alice Spings Office**
Ground Floor, Centrepoin Building
54 Hartley St Alice Spings NT
Tel 8951 5818