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1 INTRODUCTION

These guidelines are to assist applicants with a clear indication of the levels of information required to support the non-discriminatory access and use requirements outlined in Council's current Development Control Plan (DCP) and to outline the different types of development applications which require an Access Audit.

In 1992, the Commonwealth Government passed the Disability Discrimination Act. This Act makes it unlawful to discriminate against a person on the grounds of disability in the following areas of life:

- access to premises, public places and clubs;
- housing and accommodation;
- employment and education;
- provision of goods, services and facilities.

In 2009, the Commonwealth Government passed the Disability (Access to Premises – Buildings) Standard to assist in removing conflicts between the Disability Discrimination Act and the Building Code of Australia. The requirements of this Standard have been included in the BCA effective from May 2011.

The following facts highlight the need for Council to ensure that all new and modified buildings and other infrastructure in the local area are fully accessible:

- the population of the City of Lake Macquarie is ageing at a rate higher than the NSW average;
- the incidence of disability increases with age;
- more than 17 % of the City of Lake Macquarie's population is already aged 65 years and over.
- at least 20% of Australians live with some type of disability
- older people and people with a disability are active participants in the community and regularly need to access services and facilities.

Universal Design is a tool to provide non-discriminatory access and use, features can be viewed at: www.anuhd.org. The World Health Organisation's **Age Friendly Cities** is another tool and the features are listed in the **Lake Macquarie Ageing Population Plan**.

In addition to the Building Code of Australia, the following standards and policies are the minimum requirement for providing access for people with a disability:

- AS 1428 Design for Access and Mobility
 - Part 1 - General Requirements
 - Part 2 - Enhanced and Additional Requirement
 - Part 3 - Requirements for Children and Adolescents with a Disability
 - Part 4.1 - Tactile Ground Surface Indicators
- AS 1735 Lifts and Elevators
 - Part 7 - Stairway Lifts
 - Part 12 – Facilities for Persons with Disabilities
 - Part 14 – Low Rise Platforms for Passengers
- AS 2890.6 Off Street Parking for People with Disabilities
- AS 3769 Automatic Teller Machines

- AS 4299 Adaptable Housing
- Disability Standards for Accessible Public Transport (Commonwealth Government)
- State Environment Planning Policy: Housing for Seniors and People with a Disability (NSW Government)

1.1 DOCUMENTATION REQUIRED

Any development that is to be used by the public needs to provide sufficient information and documentation at the Development Application stage, to show how non-discriminatory access will be provided. This information should be included on plans and detail the:

- gradients/width of the path of travel to entry/entries;
- measurements for doorway widths;
- circulation spaces around doors;
- dimensions of sanitary facilities
- details of ramps and/or lifts to access changes in levels;
- dimensions of disability parking spaces;

Some medium to high use developments and specific development types require a Disability Access Audit. These audits show how the proposed development complies with relevant standards and regulations to ensure non-discriminatory access and use. Audits also need to address specific considerations relevant to the type of development eg hearing augmentation in auditoriums or a schedule of features in adaptable housing. Council requires that an Accredited Access Consultant carry out these audits. Information on how to locate a consultant is available at www.access.asn.au.

Type of Development	Disability Access Audit Required
Affordable housing	For developments with 20 or more dwellings, a Disability Access Audit is required.
Amusement centres	For developments with a total floor area of 500m ² or more, a Disability Access Audit is required
Backpackers' accommodation	For developments with 20 or more bedrooms, a Disability Access Audit is required.
Boarding house	For developments with 20 or more bedrooms, a Disability Access Audit is required.
Business/commercial premises	For developments with a total floor area of 500m ² or more, a Disability Access Audit is required
Child care centre	All developments require a Disability Access Audit.
Community facility	All developments require a Disability Access Audit.
Educational establishment/school	All developments require a Disability Access Audit.
Entertainment facility	All developments require a Disability Access Audit.
Function centre	All developments require a Disability Access Audit.
Group home	All developments require a Disability Access Audit.
Health consulting rooms	For developments with 4 or more consulting rooms a Disability Access Audit is required.
Health services facilities	All developments require a Disability Access Audit.

Type of Development	Disability Access Audit Required
Hospital	All developments require a Disability Access Audit.
Hotel or motel accommodation	All developments require a Disability Access Audit.
Information and education facility	All developments require a Disability Access Audit.
Licensed premises	All developments require a Disability Access Audit.
Markets	For developments with a total floor area of 500m ² or more, a Disability Access Audit is required
Manufactured home estate/caravan park	All developments require a Disability Access Audit.
Medical centre	All developments require a Disability Access Audit.
Mixed use development	For developments with a total floor area of 500m ² or more, a Disability Access Audit is required
Multi-dwelling housing	For developments with 20 or more dwellings, a Disability Access Audit is required.
Nightclub	All developments require a Disability Access Audit.
Passenger transport terminals	All developments require a Disability Access Audit.
Place of public entertainment	All developments require a Disability Access Audit.
Place of public worship	All developments require a Disability Access Audit.
Public transport facilities	Transport interchanges require a Disability Access Audit.
Recreation facilities	All developments require a Disability Access Audit.
Registered club	All developments require a Disability Access Audit.
Retail premises	For developments with a total floor area of 500m ² or more, a Disability Access Audit is required.
Residential care facility	All developments require a Disability Access Audit.
Residential flat building	For developments with 20 units or more, a Disability Access Audit is required.
Seniors/disability housing	All developments require a Disability Access Audit.
Tourist accommodation	For developments with 20 units or more, a Disability Access Audit is required.

1.2 DISABILITY PARKING

Council's general requirement for disability parking is 1 disability space per 50 car parking spaces. Where the general car parking rate is between 5 and 50 spaces, at least 1 space is to be provided for people with a disability. Disability car parking spaces are to comply with AS 2890.6 Off Street Parking for People with a Disability.

Some medium /high use developments and specific use developments generate an additional need for parking for people with a disability due to the type of service offered, or the number of people who will use the development. In the City of Lake Macquarie, vehicle ownership is high due to an inadequate level of public transport. This has resulted in a higher than average number of older people and people with a disability, seeking and being found to be eligible for Mobility Parking Scheme Permits. The following table sets out the requirement for disability parking for specific types of developments.

Type of development	Ratio of disability parking spaces.
Retail/commercial developments	2%
Transport – rail stations, transport interchanges	1-3%
Community or recreation facility	2-3%
Education Tertiary institution or school	1-3%
Medical – hospitals, medical/community health centre, specialist clinic, rehabilitation centre	3-4%
Entertainment facility	3-4%

1.3 OTHER RESOURCES

Additional Information on providing non-discriminatory access and use and the Disability Discrimination Act is available at the Australian Human Rights Commission www.hreoc.gov.au/disability_rights.