



Building the Education Revolution

Disability (Access to Premises—Buildings) Standards (Premises Standards)

BER

As part of the Australian Government's \$42 billion Nation Building—Economic Stimulus Plan, \$16.2 billion is being invested over three years for the Building the Education Revolution (BER) program to fund infrastructure projects at primary and secondary schools.

The BER builds on the Government's commitment to deliver a world-class education to all Australian schools. The funding provided will help to stimulate national and local economies through the scale and pace of construction work undertaken.

This new funding will provide \$14.1 billion for *Primary Schools for the 21st Century*, \$821.8 million for *Science and Language Centres for 21st Century Secondary Schools* and \$1.28 billion for a *National School Pride* program.

Premises Standards

The new draft Disability (Access to Premises—Buildings) Standards (Premises Standards) set out the proposed requirements for new and refurbished buildings, including school buildings, to allow access by people with a disability, to comply with the *Disability Discrimination Act 1992*.

The Premises Standards are not yet law (by legislative instrument) and a draft of the Premises Standards instrument and accompanying Guidelines are currently the subject of an Inquiry by the House of Representatives Standing Committee on Legal and Constitutional Affairs. The Committee is due to report to the Australian Parliament in June 2009.

As the Premises Standards are currently being considered by Parliament, it would not be appropriate to require compliance with particular access provisions from the draft Premises Standards as a condition of funding under BER.

However, the Government recognises the importance of ensuring students, teachers, parents and any others with a disability are able to benefit from this substantial investment in all Australian schools. Schools and education authorities are encouraged to consider the proposed new standards in the development and construction phase of BER projects.

Should the Premises Standards be enacted, the Building Code of Australia will be amended as soon as is practicable to reflect the new Premises Standards, where there is any inconsistency.

If the draft Premises Standards become law during the implementation of BER education authorities and schools will be required to comply with the Premises Standards in the same way that they are currently required to comply with all Commonwealth laws. Compliance with Commonwealth laws and policies are also a condition of the Bilateral Agreements and failure to comply with the Premises Standards may incur financial consequences in accordance with those Agreements.

The Premises Standards will apply to works for which a building approval is lodged on or after the date for the commencement of any Standards. They would not apply to works begun after that date where a building approval request is lodged prior to any new commencement date.

While the draft Premises Standards are not yet law, education authorities and schools should consider ways to ensure access for people with disability and to the extent reasonably possible meet the proposed standards. Major construction or refurbishment projects under BER should pay particular attention to provision of:

- the number of accessible sanitary facilities;
- circulation space in lifts and at doorways;
- passing or turning spaces along long passageways;
- access to upper floors, either via a ramp or lift; and
- appropriate access for people with hearing or vision impairment.

For more information on BER:

www.buildingtheeducationrevolution.gov.au

For information on the Parliamentary Inquiry and copies of the draft Premises Standards instrument and accompanying Guidelines: <http://www.aph.gov.au/house/committee/laca/disabilitystandards/tor.htm>

For more information on design and construction for access: http://humanrights.gov.au/disability_rights/buildings/good.htm