



# INFORMATION SHEET

BUILDING

NAT LEG 12-10

## PREMISES STANDARD – WHAT YOU NEED TO KNOW

From 1 May 2011, the Disability Discrimination (Access to Premises – Buildings) Standards 2010 came into force. The Standard is commonly referred to as the 'Premises Standard'.

The Standard is applied through the Building Code of Australia (BCA) and provides builders, building owners and designers greater protection from a claim under the Disability Discrimination Act 1998.

*Note – Compliance with the Standard does not guarantee a claim will not be made or found to be justified but it provides a greater level of certainty regarding the standard of access the building should deliver.*

The Standard applies to 'public buildings' which includes all Class 3 – 9 buildings under the BCA including hotels, tourist accommodation, retail premises, commercial and industrial buildings, government buildings, theatres and cinemas.

The Standard also applies to new (but not existing) residential apartments which include one or more units available for short term rent. The inclusion of existing apartment buildings will be reviewed in 2014.

However the BCA extends the application of the Standard to all residential apartments rather than only apartments with short term rental, as the Government has not established a clear definition for short term rental.

Therefore the requirements for all residential apartment buildings are that:

*“the common areas must provide access:*

- *From a pedestrian entrance required to be accessible to at least 1 floor containing sole-occupancy units and to the entrance doorway of each sole-occupancy unit located on that level.*
- *To and within not less than 1 of each type of room or space for use in common by the residents, including a cooking facility, sauna, gymnasium, swimming pool, common laundry, games room, individual shop, eating area, or the like.*
- *Where a ramp complying with AS 1428.1 or a passenger lift is installed—  
(a) to the entrance doorway of each sole-occupancy unit; and  
(b) to and within rooms or spaces for use in common by the residents, located on the levels served by the lift or ramp.”*

As with all BCA requirements, the changes will apply to new buildings seeking approval after the commencement date (1 May 2011) and also to major renovations or changes to existing buildings which require building approval.

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DISCLAIMER - The above is intended to provide general information in summary form. The contents do not constitute specific advice and should not be relied upon as such. Formal specific advice should be sought by members with respect to particular matters before taking action.

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There are provisions for exemptions and hardship in relation to the potentially costly upgrading requirements for existing buildings.

Class1a dwellings are not covered by this Standard as they are not defined as 'public buildings'.

The detailed requirements are set out in those parts of the BCA that relate to access. The ABCB webpage has more information to assist builders.

<http://www.abcb.gov.au/en/major-initiatives/access-for-people-with-a-disability>

**For more information, HIA members can contact the Building Services advisor in your area by calling 1300 650 620 or emailing [hia\\_technical@hia.com.au](mailto:hia_technical@hia.com.au).**