

Barrier Free Newsletter - October 2008

Welcome to the October Newsletter for the Barrier Free NZ Trust. We have had a very busy 2 months, what with an increase in demand for services and moving offices within the Wellington CBD – hence you were missing out on the September Barrier Free Newsletter!

The past month, the access community has been quite active and this Newsletter covers a range of hot topics. We encourage you to take the discussion further by keeping the Trust in the loop with your thoughts.

This month we will cover:

- Welcoming on board new Trustee Richard Cullingworth
- Barrier Free NZ Trust Modules of Learning Update
- Sustainable Urban Communities
- Riverton Viewing Platform
- Department of Conservation – Backcountry Huts Update
- Government Ratifies UN Convention

A big thank you to those who gave feedback on our August Newsletter, the purpose of our newsletters is not only to keep our readers in the “access” loop, but also for us to hear from you what is happening out there.

Welcoming Richard Cullingworth to the Barrier Free NZ Trust

The Trust would like to extend a warm welcome to Richard Cullingworth, who has recently joined our Board of Trustees.

Richard became a member of the Trust because he believes in the development of a built environment that is accessible and usable by everyone. He brings extensive practical experience in the assessment and design of accessible environments gained at a time when the UK was adapting to huge changes in building codes and discrimination law.

He has worked alongside architects and designers on a range of projects including the conversion to exhibition space of Grade 1 historic buildings at Althorp (for the Diana, Princess of Wales Trust) and the design and subsequent construction of the 80,000 sq m extension to the Manchester Arndale shopping centre.

He has undertaken assessments of existing properties ranging from central Government offices and 5 star hotel chains, to night clubs and airport buildings. He was a member of the committee which developed and wrote the British Standard BS8300:2001 and has lectured extensively to property professionals and clients.

Richard believes that the Trust is in a unique position to be able to influence how the built environment is designed and adapted and fully supports its aims.

We look forward working with Richard and wish him all the best establishing himself in New Zealand.

Barrier Free NZ Trust Modules of Learning Update

There are only three courses remaining for 2008 so get in quickly!

Upcoming 2-day Barrier Free Seminars for 2008

Christchurch: 14-15 October 2008

Wellington: 30-31 October 2008

Auckland: 18-19 November 2008

Places fill in quickly, so make sure you register soon!

<http://www.barrierfreenz.org.nz/index.php/training-and-education/registration>

Sustainable Urban Communities

RNZ is a highly urbanised nation, with around 87% of our population living in towns and cities. As the design of these places affects almost every aspect of our lives, emphasis needs to be placed on creating towns and cities that meet everyone's needs and aspirations, today and in the future.

The Department of Internal Affairs and the Ministry of the Environment are working in parallel to establish new ways to help deliver sustainable urban development in NZ.

This is a positive move forward for our access community and is a prime opportunity for individuals and groups to put forward comments to ensure that provision for people with disabilities is recognised in urban environment strategies.

The Department of Internal Affairs is seeking feedback on the [Building Sustainable Urban Communities](#) discussion document by 28 November 2008. This document sets out ideas for new ways to deal with the increasing challenges and opportunities of urban development, to ensure our towns and cities thrive, prosper, and continue to provide a high quality of life. They want to hear what the public thinks about the ideas, tools, and approach described in the document.

The Second Schedule of the Resource Management Act 1991 (RMA) originally included a provision to provide for "the community or any group within the community (including minorities, children, and disabled people)" in the local government policy statements and plans. This was repealed in the Resource Management Amendment Act 2005, and no legislation has been introduced since then to provide for access for people with disabilities in the built urban environment.

The Trust put forward a submission to the Ministry for the Environment on [National Guidance on Urban Design – Scope of Proposed National Policy Statement](#). [Click here](#) for a copy. The proposed NPS considered that national guidance under the RMA 1991 could help to improve the quality of urban design in NZ, and would complement existing voluntary, non-statutory initiatives like the NZ Urban Design Protocol.

It is important that the processes of councils are influenced at the highest level through their objectives and policies, as these are an integral component of their statutory documents. With the development of an NPS on Urban Design, all activities of a territorial

authority will be required to conform.

The Barrier Free NZ Trust encourages people in the access community to put forward submissions to encourage [Universal Design](#) in NZ.

Riverton Viewing Platform

The Riverton Viewing Platform, 38km from Invercargill has been a matter of debate between the Southland District Council (SDC) and Peter Dolamore, a Barrier Free Advisor since the beginning of 2008.

In summary, the SDC issued a building consent to the four-level viewing platform which had a ramp that went to the third level, not to the top. The third level was approximately 450 mm lower than the upper platform.

The SDC issued the consent based on the grounds that wheelchair users were not “visually disadvantaged” by having access to the lower level. Peter Dolamore applied for a Determination that argued wheelchair users were disadvantaged, and that the ramp did not comply with the NZ Building Code Clause D1.3.2.

On the 8th September, the DBH ruled that in this case the SDC was wrong in issuing a building consent. A ramp must be built to the top level of the platform.

This is an example of how important it is, that people who are responsible for designing, building, and granting code compliance, are aware of what access requirements are in NZ legislation. It is not the role of the Trust or the Council to waiver legislation – that is the role of the Chief Executive at the DBH.

Designing right the first time can save costly alterations and time further down the track. Seek advice of a Barrier Free Advisor so you can make informed decisions at the start.

Department of Conservation Backcountry Huts

Readers may remember in the August Barrier Free Newsletter, the Trust submitted comments to the Department of Conservation on the proposed changes to the Building Code in relation to Backcountry Huts.

Cabinet has approved amendment to the Building Code Clauses to exempt backcountry huts from the following requirements:

- Smoke alarms and emergency lighting
- Access and sanitary facilities for wheelchair users
- Potable (drinkable) water supply and artificial lighting

The current [Consultation on Compliance Document for Backcountry Huts](#) is to establish a means of compliance with the likely amendments to nine Building Code Clauses. The proposed change that will affect access to people with disabilities is Clause D1 – Access Routes. The DBH hopes to amend the limit on application so performance D1.3.2 will not apply to backcountry huts.

The Consultation paper outlines what the definition of a DoC Backcountry hut is. The definition includes the following criteria:

- *“(a) is located on land that is administered by the Department of Conservation for*

conservation, recreational, scientific, or other related purposes, including any land administered under any of the following:

- *(i) the Conservation Act 1987;*
- *(ii) the National Parks Act 1980;*
- *(iii) the Reserves Act 1977;*

and

- *(b) is intended to provide overnight shelter to any person who may visit and who carries his or her own food, bedding, clothing, and outdoor equipment;*

and

- *(d) has been certified by the Director-General as being in a location that wheelchair users are unlikely to be able to visit;*

and

- *(e) is intended to be able to sleep—*
 - *(i) no more than 20 people in its backcountry hut sleeping area; and*
 - *(ii) no more than 40 people in total;*

and...”

The Trust will be commenting on this Document, and once again, encourages people in the access community to revise the document and put forward comments to the Department of Building and Housing by the 31 October 2008.

Government Ratifies UN Disability Convention

The Barrier Free NZ Trust was invited by the Hon Ruth Dyson to celebrate at Parliament NZ's imminent ratification of the UN Nations Convention on the Rights of Persons with Disabilities on 24th September 2008.

The ratification heralds a momentous day for the disabled community and continues the progress the government has made over the past eight years in promoting an inclusive society where people with disabilities are valued and can fully participate.

The Convention sets out in practical measures what States should do to ensure people with disabilities can enjoy human rights on an equal basis with others. It places obligations on States to promote and ensure those rights as well as mechanisms to support implementation and monitoring.

On 26th September, NZ's Instrument of Ratification was deposited at the United Nations. Ratification takes effect 30 calendar days after the instrument is deposited which means that NZ will be able to attend the very first meeting of States Parties to this convention, which will be held from 31 October to 3 November 2008.

For more information on this Convention, head to the [Office for Disability Issues](#) website.