

Access for people with disabilities in buildings that provide public accommodation



People with disabilities must be able to 'carry out normal activities and processes' in an accommodation building, and there are a number of ways to ensure this is possible.

This is an interpretation of the requirements for accessibility contained in the Building Act 2004, the Building Code, Acceptable Solutions and Verification Methods. It is not intended to replace legal advice.

Published on 1 September 2008

1st edition

Buildings which must be accessible

If section 118 of the Building Act 2004 applies to a building, it must be accessible for people with disabilities. This includes all the buildings listed in schedule 2 of the Act. In relation to buildings providing accommodation, clause (j) of the schedule lists:

- hotels
- motels
- hostels
- halls of residence
- holiday cabins
- groups of pensioner flats
- boarding houses
- guest houses
- other premises providing accommodation for the public.

Homestay

We are often asked whether 'homestay' accommodation must be accessible for people with disabilities. A homestay with facilities for up to five guests can usually continue to be treated as a private house.

The Building Code's clause A1 defines detached dwellings as 'where a group of people live as a single household or family'. The definition includes a 'boarding house accommodating fewer than six people'.

Serviced apartment buildings may need to provide accessible facilities. The Building Code's schedule 2 refers to 'premises providing accommodation for the public'. If someone can come in from the street and check into an apartment, the building comes under schedule 2. Even

if a booking is made in advance, the building is still providing accommodation for the public.

The fact that individual apartments are individually owned under a unit title arrangement makes no difference to the need for accessible units. The Building Code is not concerned with ownership or tenancy arrangements.

2005/156: Notice to fix

Determination 2005/156 (<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/determination-2005-156/>)

What facilities must be provided?

The basic objective of the Building Act (see section 118) is that people with disabilities must be able to 'carry out normal activities and processes' in the accommodation building. For example, a wheelchair user should be able to occupy the accessible unit and use the facilities in the same way as anyone else.

A number of Building Code clauses have specific requirements that will affect access in accommodation buildings, including specifically:

- D1 Access routes refers to the accessible route from the street boundary and from the accessible car park, and within the building. The Acceptable Solution D1/AS1 specifies the number of accessible units that must be provided in relation to the total number of units in accommodation buildings
- F8 Signs has a general requirement for signs for accessible facilities
- G1 Personal hygiene covers accessible toilets and showers
- G2 Laundering has a requirement for accessible laundries at camping grounds
- G3 Food preparation and prevention of contamination requires accessible food preparation areas at camping grounds and in accessible accommodation units
- G5 Interior environment requires accessible reception counters
- G9 Electricity has a requirement for light switches and plug sockets to be usable by people with disabilities, which in practice means they must be within easy reach.

International symbol of access (ISA)

Know what the international symbol of access means, where it should be used and how to use it well.

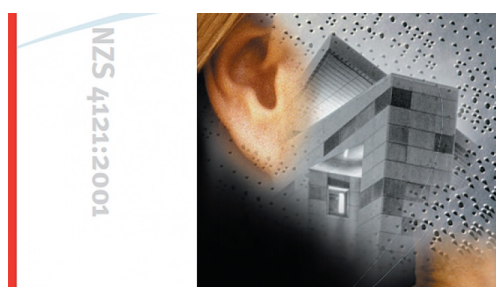
Read about the International symbol of access. (<https://www.building.govt.nz/building-code-compliance/f-safety-of-users/f8-signs/international-symbol-of-access-isa/>)

Access Standard NZS 4121:2001

Section 14 of New Zealand Standard NZS 4121:2001 Design for access and mobility – buildings and associated facilities is dedicated to accessible accommodation. The Standard is also an Acceptable Solution for requirements buildings have to meet under the Building Act.

This section gives specific details for accessible kitchens, whereas Acceptable Solution G3/AS1 simply specifies a 1500 mm diameter manoeuvring circle.

It also shows how bedrooms, sitting areas and dining and kitchen areas can be laid out to give enough space for a wheelchair user.



New Zealand Standard NZS 4121:2001 – Design for access and mobility: buildings and associated facilities [PDF]

Download a free copy

https://www.standards.govt.nz/sponsored-standards/building-standards/nzs4121?utm_source+MBIE

Access to NZS 4121:2001 Design for access and mobility: Buildings and associated facilities is permitted by Standards New Zealand under Copyright Licence 001096. Any proposed use of content from NZS 4121:2001 in any format or media must be the subject of a copyright request, in writing, to copyright@standards.co.nz (<https://www.building.govt.nz/mailto:copyright@standards.co.nz>)

Car parking

In a motel, the accessible car park is usually placed outside the accessible unit. In other forms of accommodation, the accessible car parks should be located as near as possible to the units or hotel rooms. Ideally, the parks should be under cover.

Accessible car parking spaces

Find out how to ensure there are accessible car parks for people with disabilities.

Read about Accessible car parking spaces (<https://www.building.govt.nz/building-code-compliance/d-access/d1-access-routes/accessible-car-parking-spaces/>)

Hotel and motel reception areas

Important features of office and reception areas are accessible counters, and the general height can be 900mm. So that all people checking in can write at a counter, hotels and motels need a 775mm high section, with sufficient knee space underneath.

There should be an accessible route from the office to the accessible units so that someone with a disability can visit the office during their stay without needing to use a vehicle. The office and reception shall be identified with the International Symbol of Access, but the symbol should not be used on the accessible units themselves.

Accessible reception and service counters

Find out what makes a reception area accessible, including good design and building requirements.

Read about Accessible reception and service counters (<https://www.building.govt.nz/building-code-compliance/g-services-and-facilities/g5-interior-environment/accessible-reception-and-service-counters/>)

Kitchens

Determination 2003/09 related to the accessible facilities to be provided in a motel. In paragraph 5.4.6, the determination noted that the kitchen in question would provide a 1500mm diameter manoeuvring space, according to Acceptable Solution G3/AS1, and therefore had to be accepted as complying with the Building Code. In comparison with NZS 4121, G3/AS1 lacks practical construction details and is due for review. In the meantime, a reasonable approach is to incorporate the following features in accessible kitchens:

- maximum bench height of 900mm
- bench work area about 900mm wide, having knee space (a pull-out shelf under the bench top can be an alternative in very small kitchens where bench space is limited)
- manoeuvring area of at least 1500mm diameter
- under-bench cupboards not more than 600mm deep from the wall
- light switches, sockets and heat controls not more than 1200mm above the floor (ideally, about 1000mm)
- switches and sockets located on a return wall (fittings on the wall at the rear of the bench can be difficult to reach from a wheelchair)
- cutlery, cups, glasses and plates stored either directly under the bench top or in a cupboard not higher than 1200mm, which is acceptable for side-reach
- microwave platter and controls not higher than 1200mm
- lever-action two-way tap at the sink.

Bedrooms

An accessible bedroom must have sufficient manoeuvring space. This means a 1500mm diameter clear space inside the room, with 900mm on each side of the bed. NZS 4121's Figure 54 has sample floor plans. Controls such as curtain pull cords, television and radio, heaters, as well as light switches, need to be located between 500mm and 1200mm from the floor. Lighting should be arranged so that one of the main lights can be controlled from each side of the bed. There should be provision for hanging clothes at a level of about 1300mm in a wardrobe that is located with a clear approach area.

Accessibility-related determinations

2010/066: The provision of access and facilities for people with disabilities to a new building

Determination 2010/066 (<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/determination-2010-066/>)

2008/068: Provision of an access stair in a proposed multi-storey serviced apartment / hotel building

Determination 2008/068 (<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/determination-2008-059/>)

2005/144: Stairs to a raised storage area in the alteration of an equipment maintenance and sale building

Determination 2005/144 (<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/determination-2005-144/>)

2004/013: Access and facilities for people with disabilities in a tavern

Determination 2004/065 (<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/determination-2004-013/>)

2004/65: Accessible counters in a commercial building

Determination 2004/013 (<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/determination-2004-065/>)

2003/09: Access and facilities for people with disabilities in a new motel

Determination 2003/09 (<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/determination-2003-09/>)

This information is published by the Ministry of Business, Innovation and Employment's Chief Executive. It is a general guide only and, if used, does not relieve any person of the obligation to consider any matter to which the information relates according to the circumstances of the particular case. Expert advice may be required in specific circumstances. Where this information relates to assisting people:

- with compliance with the Building Act, it is published under section 175 of the Building Act
- with a Weathertight Services claim, it is published under section 12 of the Weathertight Homes Resolution Services Act 2006.