

## Test of Reasonableness Board (TORB)

*As per the Equal Opportunities (Persons with Disability) Act I of 2000 Cap. 413 of the Laws of Malta*

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Our Ref: FebTORB\_06

1st March 2019

Mr. Benjamin Aquilina  
31, Chamonix  
Triq il-Għid  
Siggiewi SĠW 1153

PA/03973/18 – Żabbar – To sanction change of use from residential to guesthouse (Class 1 to Class 3A) including sanctioning of minor internal alterations.

On Friday 22nd February 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated permit. Perit Iynne Gixti and Mr. Elson Aquilina were present on behalf of the applicant.

Exemption was requested on the conditions imposed upon following previous TORB due to financial burden and project feasibility.

CRPD had objected on the following non-conforming elements:

- The entrance contains a flight of steps thus it is not accessible for all. An accessible entrance should be provided with the INTERNAL/EXTERNAL floor levels should be indicated since line/s could refer to a step/s (Pavement & All Internal/External). Any threshold/s should not exceed the maximum permissible floor level as per AADG 2011
- Some of the thresholds exceed the maximum permissible floor level
- The entrance door LEAF OPENING & DIMENSIONS should be indicated on plan in conformity to AADG 2011 (Double/Sliding doors should be done in accordance)
- An accessible sanitary facility should be provided and marked on plan with its DOOR LEAF OPENING & DIMENSIONS as per AADG 2011
- External paving materials should be indicated in conformity to AADG 2011 (Courtyard, Backyard etc.)
- All internal/external doors WIDTH should conform to AADG 2011
- An accessible sanitary facility should be provided and marked on plan with its DOOR LEAF OPENING & DIMENSIONS as per AADG 2011 (Ground Floor)

- An accessible guest room should be provided as per the 'Tourism for All Guidelines' & AADG 2011
- Swimming pool should be made accessible for all (Hoist in accordance to EU Standards)

Taking all arguments in consideration, the TORB concluded that it is **NOT REASONABLE** to exempt. Fresh proposals should be submitted as discussed during board.



Rita Vella  
Chairperson  
Test of Reasonableness Board