

Test of Reasonableness Board (TORB)

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

19th September 2019

Ref: 12SepTORB_05

Mr. Ronald Muscat Azzopardi
34, Tzigane
Triq il-Ħawt
Swieqi SWQ 3433

PA/03012/19 – Birkirkara – To sanction internal and external alterations at first and to sanction change of use from shop to office class 4A. To sanction internal alteration shifting of walls and alterations to facade. Proposed extension to third floor level and change in use from washroom to office class4A and to demolish part of existing structure.

On Thursday 12th September 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated case. Perit Ronald Muscat Azzopardi was present on behalf of the applicant.

Exemption was requested on the existing lift and landing and the accessible sanitary facilities at Second Floor Level due to the space restrictions of the existing property. Applicant proposing to shift steps from entrance to behind passenger lift so to bring access route to lift to level. Accessible sanitary facilities are proposed at First Floor Level however no plans reflecting updated proposal provided.

CRPD 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, Internal/All Floors & All Terraces). Any threshold/s should not exceed the maximum permissible floor level as per AADG 2011
- The entrance door LEAF OPENING & DIMENSIONS should be indicated on plan in conformity to AADG 2011 (Double/Sliding doors should be done in accordance & correspond with the elevation)
- The passenger lift SHAFT & DOORS dimensions do not conform to AADG 2011. Moreover, the CABIN dimensions should be indicated in conformity to AADG 2011
- Landings in front of the passenger lift do not conform to AADG 2011
- Refuge areas should be provided (All Floors) and separated as per AADG 2011
- All internal/external doors WIDTH should conform to AADG 2011 (Some are not)
- Accessible sanitary facilities should be provided and marked on plan with its DOOR LEAF OPENING & DIMENSIONS as per AADG2011 (All Floors)
- The external paving materials should be indicated in conformity to AADG 2011 (Terraces)

Taking all arguments in consideration, the TORB concluded that it is **NOT REASONABLE** to exempt. Applicant should update plans to include the missing information and explore further solutions as suggested during board.



Rita Vella
Chairperson
Test of Reasonableness Board