

Test of Reasonableness Board (TORB)

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

9th October 2019

Our Ref: SepTORB_01

Mr. Chris Attard
Best Deal Properties
JL Building
Luqa Road
Paola PLA 9045

PA/05776/19 – Marsaxlokk – Proposed uprooting of existing vegetation, excavation & construction of 62 garages at levels -1 & -2, substation, 11 maisonettes, 42 apartments & 8 penthouses over 3 blocks as per PC 12/17. Application includes embellishment of private road.

On Wednesday 2nd October 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated permit. Perit Mario Vassallo present on behalf of the applicant.

Exemption was requested on the of entrance of the centre main block, indicated as Block C in the plans, from conforming to accessibility requirements as it was claimed that the ramp cannot meet the gradient as imposed in AADG 2011. Exemption also requested on the common areas of the smaller blocks (Blocks A and E) as should they have applied for them separately they would not have been imposed to accessibility requirements.

CRPD objected on the following non-conforming elements:

Parking:

Accessible Parking has not been provided.

Internal Environment:

Internal Door Widths are not marked on the plans.

Lifts:

The Dimensions of both an Accessible Lift Cabin and Lift Shaft are not marked on the plans.

Residential Projects (larger than 30 units):

Entrance Lobbies, Common Areas, Lifts and/or 20% of the units are not Accessible.

Taking all arguments in consideration, the TORB concluded that in view that the proposed development has not yet been constructed, it is **NOT REASONABLE** to exempt. Proposal should be amended in such a way that it is accessible for all, including the common areas of the smaller blocks.



Rita Vella
Chairperson
Test of Reasonableness Board