

Test of Reasonableness Board (TORB)

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

6th November 2019

Our Ref: OctTORB_02

Mr. Euchar Vella
Kukkanja Ltd.
Triq Fortunato Mizzi
Victoria,
Gozo

PA/03317/19 – Mosta – Proposed construction of apartments with different layout from that approved in PA9252/17, addition of 10 apartments due to increase of site area and sanctioning of minor changes in facades of development covered by PA1789/18 and slabs thicknesses and therefore finished floor levels of each floor.

On Wednesday 30th October 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated permit. Perit Joseph Bondin, Mr. Euchar Vella and Mr. Bernard Fenech were present on behalf of the applicant.

Previous applications not subject to CRPD vetting since total number of units did not exceed 30. Exemption requested on the Block A (Phase 1) from being accessible for all, on the lift shaft dimensions of both blocks and on the upper levels of the Block B (Phase 2) since the base of Block A and underlying basements including lift shafts as according to previous permits have already been constructed. Applicant also claimed that the units of the Block A have already been sold.

CRPD objected on the following non-conforming elements:

Parking:

- Accessible Parking has not been provided
- Accessible Parking is not clearly marked with the wheelchair logo and dimensions

External Areas:

- External Paving Material is not indicated on the drawings
- External Paving Material for yards, terraces, balconies & roofs is not indicated on the drawings
- Spot Levels for external areas are not indicated on the drawings
- Drop Kerbs are not indicated on the drawings
- Access Routes for external areas are not indicated on the drawings

Main Entrance:

- Internal and External Spot Levels for all entrances are not provided
- Width and Direction of Opening of Main Entrance Door has not been provided

Ramps:

- Ramps are not marked with Length, Width and Gradient
- Ramps are not marked with Spot Levels at the Beginning, Ending and on Landings
- Ramps are not provided with 1.5x1.5m landings at the Top and Bottom

Internal Environment:

- Spot Levels are not provided where lines on plan could refer to a difference in level
- Internal Door and Corridor Widths are not marked on the plans
- Lobbies or Circulation Areas do not accommodate a 1.5m diameter turning circle

Sanitary Facilities:

- Accessible Sanitary Facilities have not been provided
- Accessible Sanitary Facilities have not been provided on all floors or in all areas
- Accessible Sanitary Facilities are not marked with room dimensions and/or wheelchair logo
- Accessible Sanitary Facilities are not marked with door width and direction of opening
- Location of Sanitary ware and grab rails has not been provided
- Anteroom to Accessible toilets does not accommodate a 1.5m diameter turning circle

Lifts:

- Accessible Lifts have not been provided
- The Dimensions of an Accessible Lift Cabin are not marked on the plans
- The Dimensions of an Accessible Lift Shaft are not marked on the plans
- The Dimensions of both an Accessible Lift Cabin and Lift Shaft are not marked on the plans
- Lifts do not have 1.5x1.5m landings clearly marked on the plans

Platform Lifts:

- Dimensions of Platform Lifts are not marked on the Plans
- Platform Lifts do not meet the AADG requirements

Stair Lifts:

- Dimensions of Stair Lifts are not marked on the Plans
- Stair Lifts do not meet the AADG requirements

Residential Projects:

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

Tourist Projects:

- Accessible Guest Rooms have not been provided
- The Number of Accessible Guest Rooms does not meet the AADG requirements

Reception Areas:

- Declaration which states that at least 1m length of the reception counter is not higher than 760mm has not been provided

Refuge Areas:

- Refuge Areas have not been provided
- Refuge Areas do not meet the AADG requirements

Swimming Pools:

- Lifters or ramps to render the pool accessible to wheelchair users have not been provided

Playing Fields:

- Playing Equipment suitable for Persons with Disability has not been provided

Taking all arguments in consideration, the TORB concluded that plans should be updated to include the missing information and the proposal presented to the Board for accessible for all units at the Block B (Phase 2) Ground Floor Level.



Rita Vella

Chairperson

Test of Reasonableness Board