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Submission:

**C-RIS: Proposal to include minimum accessibility standards
for housing in the NCC**

Australian Building Codes Board



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Executive Summary

Shelter WA welcomes the opportunity to provide a submission in response to the Consultation Regulation Statement (C-RIS) for the proposal to include minimum accessibility standards for housing in the National Construction Code (NCC) by the Australian Building Codes Board (ABCB).

Through the (C-RIS), which the Centre for International Economics (CIE) has been engaged to develop by the ABCB, the regulatory options for the inclusion of minimum accessibility standards for housing in the NCC are outlined and discussed.

Shelter WA welcomes the C-RIS, and the ongoing consultation as a long-needed move towards the regulation of minimum standards for accessible and adaptable housing in Australia.

Shelter WA appreciates the effort taken so far to progress towards consistent regulatory measures for accessible housing. This reform will bring benefits to our society and community and we urge for timely implementation of the standards that reflect the needs of the community and future demographic changes.

Finally, Shelter WA urges the introduction and implementation of accessible housing standards that go beyond a minimalist approach. Western Australian households require homes that are fit for purpose and designed with safety, amenity, inclusion and accessibility in mind for all ages and stages of life.

About Shelter WA

Shelter WA is the independent peak body, based in Perth, Western Australia, that advocates for social and affordable housing and ending homelessness.

Our vision is that all people living in Western Australia have housing that enables them to thrive.

Shelter WA brings together a strong coalition committed to diverse and affordable housing choice for all. With a focus on housing for people on low to moderate incomes and groups that experience housing insecurity.

Shelter WA drives change by facilitating collaboration amongst those who have an impact on housing, while providing evidence-based policy, advice, engagement, representation, and strong advocacy for an effective housing system.

Housing unlocks opportunity, enhances health and well-being, provides access to education and employment options. It enables people to fully participate in community life. We believe housing is a basic human right. Everybody has a right to a place to call home.

Introduction

Housing unlocks opportunity, enhances health and wellbeing, provides access to education and employment options. In addition, it enables people to fully participate in community and social life.

Therefore, the right to adequate housing is manifested in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and a variety of other legislative measures.¹

However, so far, only limited attempts have been made in Australia to facilitate the access to accessible housing that meets people's needs.

In 2009, the need for a common approach to accessible housing for everyone in Australia was addressed, through the *National Dialogue on Universal Housing Design* attempting to create collaboration across the housing industry and community sector to develop a voluntary approach.

Nevertheless, accessible housing standards have not become business-as-usual, with only 5 per cent of houses in Australia built, being accessible.²

In 2018, an estimated 16 per cent of Western Australians were recorded as living with a disability, with the majority of these reporting a physical condition, such as back problems, as their main long-term health condition.³

However, at some stage of our lives, we will all require an increased level of access in our homes. Whether due to illness, injury, the arrival of children or ageing, the majority will need improved

¹ UN General Assembly. (1948). Universal declaration of human rights, (217 [III] A). Paris; UN General Assembly. (1996). International Covenant on Economic, Social and Cultural Rights. United Nations, Treaty Series, vol. 993, p. 3.

² ANUHD. (2015). Report on the progress of the National Dialogue on Universal Housing Design 2010-2014.

³ ABS (2020). Disability, Ageing and Carers, Australia: Western Australia, 2018.

access in their home, to enable us to maintain our independence and remain connected with the community.

Considering the growing demographics of an ageing population and the need to 'age in place', there is growing evidence for more adaptable and accessible housing to address low income family needs, the benefits of disability mobility to avoid re-institutionalisation, and the costs and issues to retrofit access features.

All these points highlight the need for the introduction of accessible housing standards to become business as usual and enable the provision of housing that is accessible and tailored to people's needs and circumstances.

Summary of recommendations

- I. Revise the CBA to reflect the long-term positive social outcomes and benefits that could be realised through the introduction of accessible housing standards in the NCC.
- II. Introduce an accessibility standard into the NCC, reflecting the Livable Housing Design Guideline (LHDG) Gold Standard, which is applicable to all new Class 1a and Class 2 buildings.

People with disability and housing in Western Australia

Housing plays a significant role in the health and wellbeing of Western Australians with disability, through the provision of shelter, safety, as well as security.

The provision of and access to sustainable, appropriate, and affordable housing enables people with disability to participate in the social, economic and community aspects of everyday life.

Consequently, those who do not have access to affordable, appropriate and secure housing can experience negative impacts on their social and economic outcomes, such as the risk of homelessness, poor health and lower employment and education rates.

However, many people with disability do not have the appropriate housing that caters to their needs and enables them to live an independent and connected life. According to the Australian Institute of Health and Welfare (AIHW) (2019), around 1 in 8 (12 per cent) people with a disability, and 1 in 4 with severe or profound disability, have had to modify their home due to their age and condition.

Around 20 per cent of people aged 65 years and over with disability, and 40 per cent of people aged 65 years and over with severe or profound disability have modified their home to tailor it to their needs.⁴

⁴ AIHW (2019). People with disability in Australia.

In addition to this, almost 1 in 10 people with disability have had to move to a new house due to their condition or age. People with severe or profound disability (14 per cent) are more than twice as likely as people with other disability (6 per cent) to have done so.⁵

About 25 per cent of people with disability have moved more than once because of their condition or age. In this respect, younger people with disability are more likely to move to a new house multiple times than older people with disability.⁶

In addition to this, more than 58 per cent of public housing tenants in Western Australia receive an aged, disability or medical support pension. However, given the lack of adequate social housing stock and high wait times on the social housing waiting list, many people with disability in Western Australia do not have access to housing that meets their needs.⁷

Lack of accessible housing is a market failure

Shelter WA argues that the lack of accessible housing that caters to the needs of the community, is a market failure, that requires intervention.

In 2011, the Council of Australian Governments (COAG) agreed to set the aspirational target that all new homes will be of agreed universal design standards by 2020 as a key commitment in the 2010-2020 National Disability Strategy (NDS).⁸

However, this target has not been met, as it is estimated that only 5 per cent of housing stock in Australia will meet the standard by 2020.⁹

In addition to this, the ABCB Discussion Paper has highlighted in its preliminary costing that the cost impact in putting in minimum design standards is far cheaper than the cost of retrofitting at a later date.¹⁰

Nevertheless, the housing and construction sector is still not adhering to building more accessible and adaptable houses that meet the needs of the community and addresses the demographic changes of an ageing population.

It could be argued that the market is currently choosing an inefficient option of designing new inaccessible housing, which gets more expensive over time to retrofit, in addition to not supporting achieving the social aims of accessibility for people with disability, as well as an ageing population.

The biggest barrier to minimum accessibility standard, is the additional up-front cost that is required, the costs of which will diminish once designing and constructing up to the accessible housing standard becomes business as usual.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ COAG (2011). National Disability Strategy: An initiative of the Council of Australian Governments.

⁹ ANUHD (2015). Report on the progress of the National Dialogue on Universal Housing Design 2010-2014.

¹⁰ ABCB (2018). Accessible Housing- Options Paper.

In addition to this, through taxation, all Australians are currently paying for retrofits of residential dwellings, through government home modification schemes related to disability services and aged care services.¹¹

NDIS is forecast to spend \$137 million in home modifications in 2019-20. It is assumed with a growing ageing population that the overall cost of home modifications will increase with the ageing demographic.¹²

Some of these home modifications costs borne by government could be prevented if a minimum accessibility were introduced, reducing the overall costs of such programs.

Future potential requirements are not considered

The C-RIS also seems to neglect the potential benefit from accessible housing to the wider community. According to this, the C-RIS calculates the potential benefits from accessible housing based on people with a mobility impairment receiving assistance with mobility.

Through this, approach, the benefits and advantages of accessible housing for a variety of cohorts are ignored. In this regard, families with small children, pregnant women, as well as people who are chronically ill or injured, are ignored from the cost-benefit analysis of the potential introduction of an accessible housing standard.

In this regard, around half of Western Australians had one or more chronic conditions in 2017-18. Even though not all chronic illnesses lead to core activity limitations, but many do, either for certain periods or lifelong adjustments are necessary.¹³

Furthermore, the population of Western Australia is experiencing demographic changes, which will only be exacerbated in the future.

Concerningly, the C-RIS did not take into consideration the social costs arising out of inaccessible housing that directly contributes to marginalisation, isolation and exclusion. Research suggests that practices that marginalise and exclude people within inaccessible environments constitute severe personal, economic and societal costs ranging from loneliness, to neglect and abuse, to the loss of personal safety.¹⁴

For people to build social ties, benefit and contribute to social capital, and participate in community and family life, houses need to be designed in a way that facilitate inclusion and the promotion of wellbeing.

Accessible housing is a critical factor in achieving dignity, equity, as well as social inclusion, and this should be included in the cost-benefit calculation when discussing the introduction of accessible housing standards.

¹¹ For instance, through the National Disability Insurance Scheme (NDIS), Commonwealth Home Support Programme (CHSP) or other funding avenues.

¹² Productivity Commission (2018). NDIS costs.

¹³ AIHW (2018). Chronic conditions and disability.

¹⁴ Royal Commission into Aged Care Quality and Safety (2020).

Discussion

It is evident, that the introduction of minimum accessibility standards for housing in the NCC are essential and overdue in order to enable everyone in Western Australia to have housing that caters to their needs and circumstances.

The C-RIS presents in total seven options considering how accessibility can be improved. However only three of the presented options argue for the introduction of an accessibility standard for housing into the NCC.

Given the options, Shelter WA strongly supports Option 2, which requires the introduction of an accessibility standard, which is reflecting the *Livable Housing Design Guidelines (LHDG) Gold standard*, into the National Construction Code applying to all new Class 1a and Class 2 buildings.

The reason for this recommendation is the fact, that only Option 2 fully meets the objective set out in the C-RIS, which is to ensure that new housing be designed in a way that it meets the needs of the community, including older Australians, as well as others with mobility limitations. Furthermore, the LHDG Gold standard provides for most people to live in a house as part of the family and to contribute to household tasks, as well as the opportunity for greater independence and capacity for self-care.

Furthermore, many features at the LHDG Gold standard, over and above the LHDG Silver standard are cost neutral. However, they are beneficial for the occupant of the home whether they have a disability now or in the future. According to the 2008 Landcom Universal Housing Design Guidelines, there will only be minimal cost incurred, “if the key design features are considered and designed up front.”¹⁵

In addition to this, Shelter WA does not agree with the statement made throughout the C-RIS, that the costs associated with including an accessible housing standard in the NCC significantly outweigh the benefits, as not all potential societal and economic benefits have been considered sufficiently in the preparation of the cost-benefit analysis by CIE.

Furthermore, the C-RIS is failing to take into account the impact of the potential introduction of an accessibility standard in the NCC for the whole household and community. People that require accessible housing have everyday relationships beyond support services and carers; they are connected to a broader network and community. In this respect, if a person is denied access to this network and community due to inaccessible housing, this network is also negatively impacted – and that is a potential cost that needs to be considered in the C-RIS too.

Shelter WA strongly urges that there be emphasis on potential savings for social service and social welfare budgets, savings for health budgets, as well as negative externalities such as the negative spill-over implications from retrofits and unnecessary home modifications in the future.

If we understand the importance and value of the provision of accessible housing now and implement an accessibility standard for housing, we can ensure that all Western Australians can obtain diverse,

¹⁵ Landcom. (2008). Universal Housing Design Guidelines.

affordable, safe and adequate housing options that are appropriate for their needs and circumstances now and in the future.

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