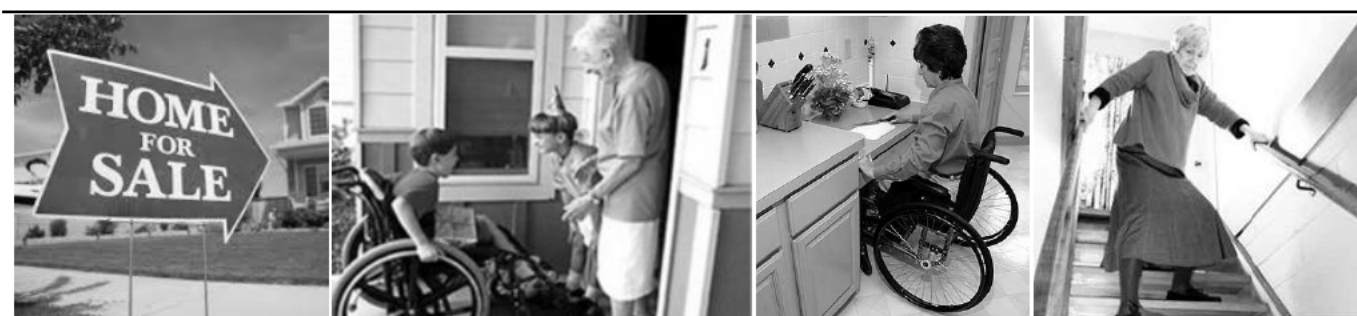


SENATE STANDING COMMITTEE ON COMMUNITY AFFAIRS  
DELIVERY OF OUTCOMES  
UNDER THE  
NATIONAL DISABILITY STRATEGY 2010-2020  
TO BUILD INCLUSIVE AND ACCESSIBLE COMMUNITIES



# Submission

**The need for improved accessibility requirements in  
housing in the National Construction Code**

**February 2017**



Australian Network  
for Universal  
Housing Design



**Rights & Inclusion Australia**  
ABN 60 149 775 100



## Table of Contents

<b>Introduction</b> .....	<b>5</b>
Who we are .....	5
How our Submission Relates to the Scope of the Present Enquiry .....	5
<b>Background</b> .....	<b>7</b>
“Agreed universal design standard” .....	8
<b>Response to Terms of Reference</b> .....	<b>10</b>
<b>1 Progress to date</b> .....	<b>10</b>
National Dialogue on Universal Housing Design .....	10
Livable Housing Australia .....	11
State and Territories.....	11
National Disability Strategy Second Implementation Plan 2015-2018.....	11
Standards Australia .....	12
Australian Building Codes Board (ABCB) .....	12
Building Ministers Forum .....	12
<b>2 Barriers to progress</b> .....	<b>13</b>
Circular transfer of responsibility.....	13
Government expects the private housing industry to address discrimination .....	13
<i>The housing industry wants reliable buyer demand</i> .....	14
<i>Lack of immediate financial incentive</i> .....	14
<i>The structure of the volume building sector</i> .....	14
<i>Assumption that people with disability do not live in the community</i> .....	15
<i>The belief that the cost of access is too high</i> .....	15
There is minimal demand from buyers of new housing .....	16
Households that experience exclusion support a regulatory approach .....	16
Those most affected have little influence on housing policy and regulatory mechanisms..	17
<b>3 The impact of restricted access</b> .....	<b>17</b>
Lack of social inclusion .....	18
Over representation in social housing .....	18
Variability in modifications and retrofitting.....	19
Discrimination due to the lack of accessible private rental housing .....	19
<b>Conclusion</b> .....	<b>19</b>
<b>Appendices</b> .....	<b>21</b>
Appendix 1. ANUHD/RIA Proposed Deemed-to-Satisfy provisions .....	21
Appendix 2. Members of the National Dialogue on Universal Housing Design .....	25
<b>References</b> .....	<b>27</b>
<b>Attachments</b> .....	<b>31</b>

## Figures

<i>Figure 1</i> Comparison of actual outputs with agreed national targets* .....	10
<i>Figure 2.</i> “It’s someone else’s responsibility” .....	13
<i>Figure 3.</i> Circulation space requirements for shower recess .....	23
<i>Figure 4.</i> Toilet – location of sheeting .....	23
<i>Figure 5.</i> Bath – location of sheeting .....	24
<i>Figure 6.</i> Shower recess – location of sheeting .....	24

## Tables

Table 1 <i>Cost of minimum access in new housing</i> .....	16
--	----

## Acknowledgement

ANUHD and RIA acknowledge the generous support of Griffith University to develop this submission.

## Contact Details

**Margaret Ward** PSM

**David Brant**

Convenors

**Michael Fox** AM

Chair



Australian Network  
for Universal  
Housing Design

[www.anuhd.org](http://www.anuhd.org)

[anuhd@anuhd.org](mailto:anuhd@anuhd.org)



Rights & Inclusion Australia  
ABN 60 149 775 100

[www.riaustralia.org](http://www.riaustralia.org)

[reply@riaustralia.org](mailto:reply@riaustralia.org)

## Introduction

### Who we are

The **Australian Network for Universal Housing Design (ANUHD)** is a national network of designers, builders, researchers and home occupants who believe that housing is vital infrastructure which should respond to every Australians' current and future needs. ANUHD was an original member of the National Dialogue on Universal Housing Design (National Dialogue).

**Rights and Inclusion Australia (RIA)** is an Associate Member Organisation of RI Global. One of its aims is to organise, co-ordinate, sanction and promote initiatives that protect and advance the rights, inclusion, rehabilitation and crucial services for persons with disability and their families.

### How our Submission Relates to the Scope of the Present Enquiry

Our submission relates to the planning, design, and management of housing.

**Policy Outcome 1 of the Strategy is:** *"People with disability live in accessible and well designed communities with opportunity for full inclusion in social, economic, sporting and cultural life"*. **Policy Direction 3 of Policy Outcome 1 is:** *"Improved provision of accessible and well designed housing with choice for people with disability about where they live"*.

Under this Policy Direction 3, the Strategy lists a current commitment:

*The Australian Government is working with representatives from all levels of government, key stakeholders from the disability, ageing and community support sectors and the residential building and property industry on the National Dialogue on Universal Design (sic) [National Dialogue] to ensure that housing is designed and developed to be more accessible and adaptable. An aspirational target that all new homes will be of agreed universal design standards by 2020 has been set, with interim targets and earlier completion dates to be determined. (1 p. 34)*

**ANUHD and RIA submit that:**

- **Regulatory intervention is necessary to meet the Strategy's Outcome 1, Policy Direction 3 and the commitment to achieve the National Dialogue's 2020 target.**
- **The regulatory intervention needed is an amendment of the NCC to include access features as specified in LHA's Gold level in all new and extensively modified housing.**
- **These changes to the NCC should be complemented by education and training of the housing sector and the broader community.**



## Background

The United Nations Convention on the Rights of Persons with Disabilities (the Convention) [2] obliges Australia as a signatory to respect, protect and fulfil the right of people with disability to access all aspects of the physical and social environment on an equal basis with others. With regard to housing, the Convention not only directs how housing assistance is to be offered (people have the “the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement” [Article 19]), but it also stipulates how housing should be designed; (“the design of . . . environments, . . . [should] be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design” [Article 19]).

Australia must report to the international community that the rights set out in the Convention are respected, protected and fulfilled. The obligations to the right to accessible housing are considered to be progressively realisable; that is, Australia does not have to immediately fully comply with this obligation, but must work to fulfil these obligations over time. Further, any progressive action must match the level of resources a nation has available to it [3].

In 2009, the Commonwealth Government called together representatives from the housing industry, community and human rights organisations (members of the National Dialogue are listed in Appendix 2) to agree on a national universal housing design guideline and a strategic plan over 10 years to improve the supply of accessible housing. The Convention was the impetus for the National Dialogue’s agreement [14, 15].

Although there has been ongoing recognition of the need for regulation for minimum access in housing since 1978 [4-8], governments across Australia have continued to rely on voluntary approaches [9-12]. The former Commonwealth Parliamentary Secretary for Disabilities, Bill Shorten, who initiated the National Dialogue, explained:

*We were able to see the role of government not as the regulator, but [as an] authority to encourage the stakeholders to develop new standards and approaches to residential housing design. [13]*

The National Dialogue set a precedent by agreeing to a national guideline [14] and strategic plan [15] with measurable targets:

- 25 per cent to Silver level by 2013
- 50 per cent to Silver level by 2015
- 75 per cent to Silver level by 2018
- 100 per cent to Silver level by 2020.

More ambitious targets were set for the Commonwealth, States and Territory funded housing:

- 100 per cent to Silver level by 2011
- 50 per cent to Gold level by 2014
- 75 per cent to Gold level by 2017
- 100 per cent to Gold level by 2019.

In order to assess the progress of achieving these targets, National Dialogue members recommended that a series of ongoing reviews to measure the voluntary uptake of the guidelines by all sectors; that is, residential building and property, aged care, public and social housing, and the level of consumer demand for these features. These reviews were to identify:

- areas of successful application,
- any barriers to uptake, and
- whether there is a need for other incentives or measures to stimulate adoption of Universal Housing Design principles [15].

In 2011, the Council of Australian Governments (COAG) included in their 2010-2020 National Disability Strategy [21] the following commitment:

*The Australian Government is working with representatives from all levels of government, key stakeholders from the disability, ageing and community support sectors and the residential building and property industry on the National Dialogue on Universal Design [National Dialogue] to ensure that housing is designed and developed to be more accessible and adaptable. An aspirational target that all new homes will be of agreed universal design standards by 2020 has been set, with interim targets and earlier completion dates to be determined. [p. 34]*

Neither the Australian Government or the National Dialogue implemented any reviews.

### “Agreed universal design standard”

The Strategy refers to an “agreed universal design standard” in this commitment. The National Dialogue developed the Livable Housing Design guidelines [14] with three levels:

- **Silver level** focuses on the key structural and spatial elements that are critical to ensure future flexibility and adaptability of the home. Incorporating these features will avoid more costly home modification if required at a later date
- **Gold level** provides for more generous dimensions for most of the core livable housing design elements and introduces additional elements in areas such as the kitchen and bedroom
- **Platinum level** provides some further enhanced requirements for the core livable housing design elements plus all remaining elements.



The National Dialogue decided the “agreed universal design standard” was the Silver level; that is, all new housing construction by 2020 would make provision for:

1. A safe continuous and step free path of travel from the street entrance and parking area to a dwelling entrance that is level;
2. At least one level (step-free) entrance into the dwelling;
3. Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces;
4. A toilet on the ground (or entry) level that provides easy access;
5. A bathroom that contains a hobless (step-free) shower recess;
6. Reinforced walls around the toilet, shower and bath to support the safe installation of grab rails at a later date [14].

The voluntary approach has failed. On a generous estimation, the current voluntary approach will achieve less than 5% of the 2020 target [1]. A regulatory approach is now required.

ANUHD and RIA consider the Silver level to be inadequate for a minimum standard and propose that the Gold level is more appropriate for the achievement of social inclusion as envisaged by Policy Outcome 1. (See Appendix 1. ANUHD/RIA Proposed Deemed-to-Satisfy provisions )

## Response to Terms of Reference

### 1 Progress to date

This section considers the progress to date towards building inclusive and accessible communities, with reference to the planning, design, and management of housing, with particular reference to the National Dialogue agreement.

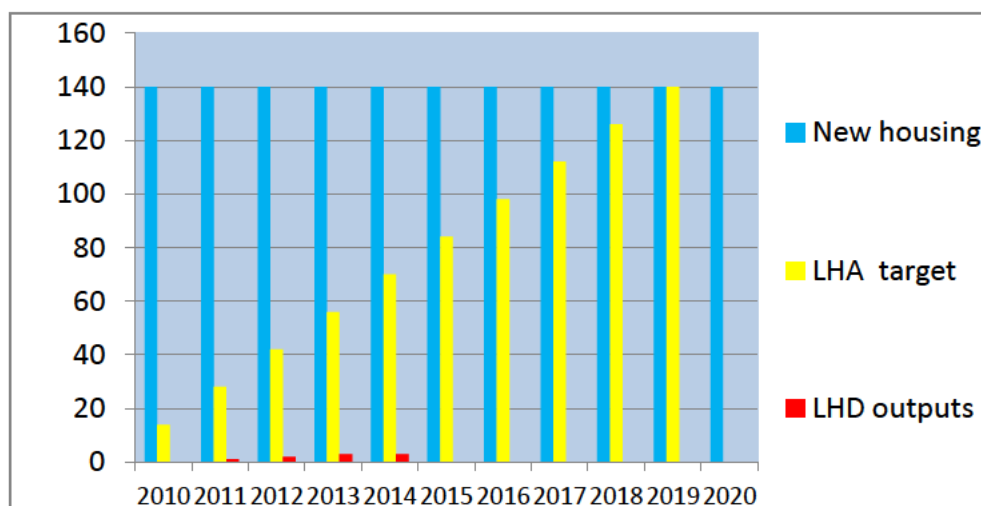
#### National Dialogue on Universal Housing Design

As noted earlier, the National Dialogue identified the need for ongoing reviews to be undertaken at two to three year intervals across the 10-year period. These reviews, the first of which was to commence in 2013, were to identify:

- areas of successful application,
- any barriers to uptake, and
- whether there is a need for other incentives or measures

The National Dialogue was to advise the Commonwealth on the outcomes of these reviews and progress made towards the aspirational 2020 target. No review has been undertaken.

In 2015 ANUHD, as a National Dialogue member, and RIA conducted an alternative review [1]. The review found that, in spite of the support of the Australian Government and the sustained efforts of Livable Housing Australia, the housing industry, as a whole, has failed to show signs of voluntary systemic transformation. A generous estimation is that the current voluntary approach will achieve less than 5% of the National Dialogue’s 2020 target. (See *Figure 1.*)



**Figure 1** Comparison of actual outputs with agreed national targets\*<sup>1</sup>.

<sup>1</sup> Data after December 2014 is unavailable (see p. 8)

## Livable Housing Australia

In **June 2011**, the Commonwealth Government with some National Dialogue members, established a not-for-profit company, Livable Housing Australia (LHA), to drive the strategic directions set down by the National Dialogue and to champion the Livable Housing Design Guidelines [14] across Australia to meet these targets [17]. In March 2014 LHA informed ANUHD that:

*LHA was established to take forward the Strategic Plan as agreed to by the Dialogue. As such, we would like to assure you that LHA has been submitting regular reports to the Commonwealth Government as per the terms of our Agreement. (personal correspondence from Ms Amelia Starr dated 28 Mar 14, [attached](#))*

These reports were not made available to National Dialogue members and, in **October 2014**, LHA informed ANUHD that no public reports on progress to the targets would be available to third parties in the future to avoid risk of misinterpretation (private correspondence from Ms Starr, dated 28 Oct 14, [attached](#)).

The office of LHA closed in December 2014, and the latest report from the current Chairperson indicates little measurable progress since then (private correspondence from Ms Pickett Heaps, dated 25 Mar 16, [attached](#)).

## State and Territories

In **March 2014**, ANUHD and RIA surveyed State and Territory Housing authorities on their progress in meeting the targets for new social housing [1].

The responses indicated that:

- No state or territory (except Tasmania) was able to report their outputs in relation to the agreed targets; and
- Rather than adopting the National Dialogue strategy, each State and Territory continued to use its own guideline and procurement strategy for accessible social housing.

## National Disability Strategy Second Implementation Plan 2015-2018.

On **1 December 2016** the Commonwealth released their National Disability Strategy Second Implementation Plan 2015-2018. Only the Australian Capital Territory is cited with regard improving housing quality. No State provided any quantifiable data on outputs in relation to the agreed targets.

There is no reference to COAG's commitment to the 2020 target, to Livable Housing Australia, or the National Dialogue agreement in the National Disability Strategy Second Implementation Plan [19].

## Standards Australia

In **January 2016**, ANUHD and RIA submitted to Standards Australia a proposal for review of the current and outdated Australian Standard 4299-1995 Adaptable Housing as a possible standard to be called up in the NCC as a means to meet the commitment to the 2020 target [20].

This proposal was supported by 170 organisations. It was unsuccessful due to the lack of support from Livable Housing Australia, the Master Builders Association, the Housing Industry Association and the Property Council of Australia, all of whom continue to favour the voluntary approach.

## Australian Building Codes Board (ABCB)

In **March 2016**, ANUHD and RIA submitted a Proposal for Change (PFC) to the NCC to incorporate accessibility in housing. On **13 July 2016** the Building Codes Committee replied that:

The Australian Building Codes Committee of the ABCB rejected the proposal because it was considered to be “a policy rather than a technical matter”. Such a decision was the purview of COAG (through the Building Ministers’ Forum). (personal correspondence and conversation with Mr Neil Savery, MD ABCB, dated 22 July 16, attached).

## Building Ministers Forum

On receipt of this advice, ANUHD and RIA approached the members of the Building Ministers Forum to consider the PFC at their meeting on **14 December 2016**. The public communiqué from the meeting stated:

*Ministers discussed important issues relating to accessibility, including universal and accessible housing, and agreed to have further discussions on the costs and benefits of applying a minimum accessibility standard for private dwellings in Australia at the next BMF meeting [in March 2017]. [50]*

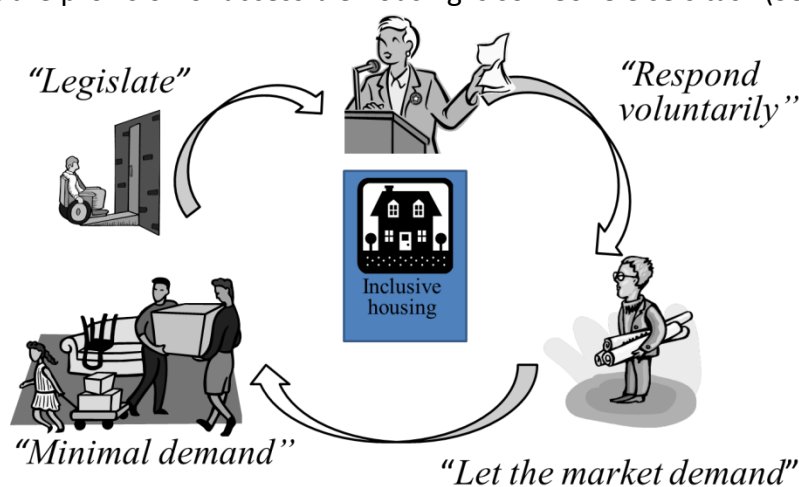
This offers some hope that there will be action on this issue by the Building Ministers’ Forum. The ANUHD and RIA intend to keep advocating for strategies to reach the 2020 target; that is a regulatory approach in light of the failure of the National Dialogue agreement.

## 2 Barriers to progress

This section identifies the current and potential barriers to progress or innovation, and how these might be addressed.

### Circular transfer of responsibility

ANUHD and RIA identify a number of barriers to implementing the Strategy's commitment to ensure that housing is accessible to everyone, and the aspirational target that all new homes will be of agreed universal design standards by 2020 is met. These barriers present as ongoing shifts of responsibility, with government, housing providers, the buying-market all identifying that the provision of accessible housing is someone else's task (See Figure 2).



**Figure 2. "It's someone else's responsibility".**

Further, those people most affected by the lack of accessible housing (households with a person with disability or older person, health and home-care services, hospitals and alternative housing providers) are not represented where the policy and practice decisions are made about the design of future housing and residential communities.

### Government expects the private housing industry to address discrimination

The Strategy [21] identifies the current discrimination and denial of human rights with regard to the design of mainstream housing. It states:

*People with disability experience substantial barriers in finding a place to live, especially in the private market. Barriers are often presented by designs which do not allow the building structure of the home to change without significant expense, to meet the needs of a person who is ageing or who has a disability. The greater the take up of universal design features, the more open the community is to people with disability, including those with age-related disability. This provides greater choice about where to live, but also more social opportunities for visiting friends and family.*

In spite of this, the Strategy relied on the good-will of the housing industry to produce inclusive, non-discriminatory residential communities although there was agreement about the urgency of the need, and no evidence that a voluntary approach would work [22-25].

### **The housing industry wants reliable buyer demand**

The housing industry has effectively transferred the responsibility for increasing the supply of accessible housing to the buying market. There are four key barriers for the housing industry to respond:

- the lack of an immediate financial incentive,
- the structure of the volume building sector,
- the corporate assumption that people with disability do not and should not live in the community, and
- the belief that the cost of accessible housing is too high [13].

### **Lack of immediate financial incentive**

Although the National Dialogue identified significant benefits for government (reduced health care costs, reduced cost of future government-subsidised home modifications, reduced need for aged care residential accommodation, reduced need for in-home assistance, shorter hospital stays, and the freeing up of carers to return to the workforce) and the community (improving homes safety, saving on home modification costs), there were no equivalent identifiable benefits for the housing industry.

Livable Housing Australia established an accreditation system that was costly for builders and buyers both in time and money. It failed to attract the interest of even the most socially responsible builders to adopt the voluntary guidelines and to certify their construction to comply. At the end of 2014, LHA had only 55 completed dwellings identified as compliant (54 were dwellings requiring accessibility as a condition of funding). Since then, a self-assessment portal and a less onerous system have been developed to try to attract industry support. The outcome of these changes is not publicly known.

### **The structure of the volume building sector**

Ninety-five percent of Australian housing is privately-developed [26]. The Australian housing industry is highly competitive, and is primarily governed by cost and fashion trends. The relatively simple construction techniques rely on semi-skilled labour where possible and standard-sized items. Profits are made through economies of scale within strict timelines [27]. Housing quality relies on regulation [28] which are required to be met as a minimum within this highly competitive environment.

Small family businesses dominate the Australian housing industry, and they are connected with manufacturers, finance intermediaries and land developers forming a complex interdependent network [28]. Most new dwellings are built speculatively for sale at

completion, with capacity for only minor cosmetic changes within set designs [29]. Any major changes are avoided because they risk time-delays and unexpected costs; these have a domino effect which reverberates beyond the builders to other providers within this complex network [30].

The volume builders are complemented by a significant housing sector of small providers that retrofit, refurbish and modify existing housing. When housing is poorly designed from the outset, the industry effectively has “more than one bite of the cherry” through the need to retrofit and modify. There is therefore little incentive for the housing industry to support changes which have little immediate benefit to one sector and potentially diminishes the business opportunities of the other.

### **Assumption that people with disability do not live in the community**

The policy position of the Housing Industry Association, the representative voice on the supply side, reveals a corporate assumption that people with disability do not and should not live in the community [32]. It states:

*The overwhelming majority of private homes will not be used, now or in the future, by people requiring wheelchairs. The [NCC] presently incorporates general accessibility requirements to provide minimum effective access to [specialist facilities] for disabled persons.*

The HIA considers that housing for people with disability is a government responsibility to be addressed through specialist housing grants. Regardless of their support for the National Dialogue agreement, their policy states:

*The most effective method of providing appropriate housing for people with a disability is via direct support from governments to incorporate relevant changes and fixtures to suit the particular disability and through the promotion of a range of design solutions that both builders and consumers can understand and select to suit their own housing needs.*

Nevertheless, the HIA concedes that, if there is a substantial market-demand, “accessibility features can be easily incorporated into new housing and should be done so at the choice of the consumer.” In effect, the housing industry has transferred the responsibility two ways: to the government to fund housing for people with disability, and to the buyer to demand it.

### **The belief that the cost of access is too high**

The Victorian Regulatory Impact Statement [31] made a compelling argument that the construction cost of minimum access features, if regulated, would be negligible. The cost of modifying housing is estimated to be at least 19 times more expensive than providing same access standard at the time of construction. (See Table 1). Landcom, which is the NSW land

development authority, supports these estimates by advising builders to include access features as the cost is minimal [53].

**Table 1 Cost of minimum access in new housing**

	Low-rise unit	Single house	High-rise unit (elevator)	Retrofitting
Cost at new construction	\$190	\$870	\$1000	\$19,400
Cost of dwelling	\$250,000	\$370,000	\$330,000	\$330,000
Percentage of cost	0.1%	0.2%	0.3%	6.1%

Recent research into current building practices in Australia [8] found that many of the features of the National Dialogue’s agreed minimum level (hobless showers, step-free entries and wider doorways) are regularly provided in mainstream housing. Although some dwellings provided some features some of the time, no dwelling provided all the features or provided a coherent path of travel necessary to make a dwelling accessible. In summary, the suggested access features are common within current building practice—the problem is the lack of reliable and coherent provision so that people with disability can use them.

### There is minimal demand from buyers of new housing

The problem currently from the demand side is that people who find they need accessible housing are often not in a position to buy a new home [5, 33] and most buyers of new homes are unlikely to request it [54] or want to pay the extra premium that volume builders are more likely to charge for features that they do not yet need [34, 35]. Those few people who need accessible housing and also are in a position to buy a new home often face a reluctant or indifferent housing industry for the reasons outlined above [30].

Once people with disability and older people eventually find the right housing, set it up for their needs and establish their support services and networks, they are unlikely to move from that dwelling and neighbourhood for a considerable time. Accessible homes generally have a low turn-over in the housing market [24].

Investors in new private rental housing generally do not consider accessibility to be a desired feature; they do not see people with disability as preferred tenants, and nor are they willing to pay extra to provide accessibility [5, 49].

### Households that experience exclusion support a regulatory approach

Nevertheless, when considering the lifespan of a home, there is a strong financial argument for home owners and investors to seek access by regulation. Research in the United States [37] which has a comparative demography and housing sector [22, 23] estimates there is a 60% probability that a newly-constructed single-family dwelling will house at least one resident with a long-term physical limitation during its lifespan. Similarly, when disabled



visitors (people coming to the home) are taken into account, the probability rises to 91%. Another recent US study on the housing needs of older people supports these findings [38]. These, with many other international studies [30, 39-43], support and inform a regulatory approach to the provision of accessible housing, if the desired outcome is inclusive and accessible communities.

### **Those most affected have little influence on housing policy and regulatory mechanisms**

The current decision makers and advisors on housing construction, in particular, the Australian Building Codes Board, and its State and Territory equivalents are made up by representatives of the construction industry and planning and housing departments. Their priority, understandably, is the impact of any change on future productivity and economic sustainability of the industry. These mechanisms appear to give little regard to the impacts on the users throughout the lifecycle of the dwelling and on ancillary services and supports which are affected by inaccessible design. Without this broader focus of the impact of housing design, governments and individual residents will continue to pay for the consequences of inaccessible housing design long after the builders have made their profits and have gone.

## **3 The impact of restricted access**

This section outlines the impact of restricted access for people with disability and older people on inclusion and participation in economic, cultural, social, civil and political life.

The housing picture for households with people with disability (including older people) shows some disquieting patterns [24]. In relation to the general population, households with a member with disability:

- Are more likely to report significantly lower incomes;
- Are more likely to experience housing stress;
- Are more likely to be tenants, especially public tenants;
- Generally have less financial liquidity; and
- Have made housing decisions based on the needs associated with a family member's disability or long-term health condition.

Yet, it is this cohort that is expected to be the consumers in a demand-driven housing market.

People with physical disability are further impacted by their restricted access to mainstream housing causing social exclusion, over-representation in social housing, additional expenses, and discrimination in the private rental and purchase market.

Older people make up 40% of people with disability. They are expected to have their needs met by informal support in the community or through Government funded aged care programs. Over 90% of older people live in a private dwelling in community settings with one in five receiving some formal paid support service. Only 6% of older people live in residential aged care facilities [52, p. 13].

One in eight Australians are carers, most of whom are female, and are likely to have a disability themselves [51]. This suggests that the deleterious impact of inaccessible housing has a multiplied effect; it does not only affect the person with disability or older person but also affects others associated with them.

### **Lack of social inclusion**

Even when people with physical disability find an accessible dwelling, it is highly unlikely that they will be able to visit other dwellings in the neighbourhood because those other dwellings are almost invariably inaccessible. Social inclusion develops from hundreds of everyday interactions and is what hold communities together. Social inclusion requires people to be present in each others' homes, to participate and to reciprocate in ordinary ways [44]. As people age or have less capacity, they are at home more, and the design of their housing and the housing of others has even more significant bearing on their inclusion and well-being [45]; as the person ages, inaccessible housing exacerbates their marginalisation, isolation and exclusion [46]. This then has an impact on wellbeing, which ultimately becomes a cost impost on the health system.

### **Over representation in social housing**

With the chronic shortage of accessible housing in the private market, people with disability are over-represented in social housing. They make up 41% of the tenancies in public housing, 33% in State owned and managed indigenous housing (SOMIH) and 36% in community housing [26]. Many more people with disability would be homeless, institutionalised or living in inadequate housing, were it not for social housing [5]. We argue that social housing has an obligation to provide non-discriminatory housing assistance [47] and that the more ambition targets for accessible social housing set out in the National Dialogue agreement are warranted.

Non-discriminatory access to social housing continues to be critically important; however, the levels of social housing have been declining relative to population and there is no coherent national strategy or bipartisan support to address this decline [48]. Social housing can no longer be considered as a sustainable alternative for people who need accessible housing: rather, social housing has now become for many an interim solution for a crisis.

## Variability in modifications and retrofitting

Retrofitting or modifying existing homes, where possible, appears to be the obvious response to the lack of accessible housing. However, this has its own barriers with:

- variable and inadequate funding leading to a dilution of service and delays; and
- variable standards for access and quality leading to occupational health and safety concerns for home-based workers [49].

## Discrimination due to the lack of accessible private rental housing

As noted earlier, investors in private rental housing generally do not consider people with disability as preferred tenants and are resistant to paying the extra premium that volume builders charge to provide accessibility at the time of purchase, or when a tenant requests these changes.

Under the *Disability Discrimination Act 1992* tenants have the right to modify a rental property themselves within reason; however, they are obliged to remove the modifications at the end of their tenure. Households with a person with physical disability are unwilling to make this financial commitment without security of tenure, and landlords have been found to be reluctant to agree to modifications to make the dwelling more appropriate, even though they are not obliged to pay for them [5, 49].

## Conclusion

Inclusive and accessible communities are contingent on a reliable and adequate supply of accessible housing in the neighbourhood. The Strategy can no longer rely on a voluntary approach if it intends to support the National Dialogue's agreement to the 2020 target.

**ANUHD and RIA submit that:**

- **Regulatory intervention is necessary to meet the Strategy's Outcome 1, Policy Direction 3 and the commitment to achieve the National Dialogue's 2020 target.**
- **The regulatory intervention needed is an amendment of the NCC to include access features as specified in LHA's Gold level in all new and extensively modified housing.**
- **These changes to the NCC should be complemented by education and training of the housing sector and the broader community.**



## Appendices

### Appendix 1. ANUHD/RIA Proposed Deemed-to-Satisfy provisions

The following Deemed-to-Satisfy provisions are informed by the Gold Level of Livable Housing Design guidelines developed by the National Dialogue on Universal Housing Design [43].

**Element 1: There is a safe and continuous pathway from the street entrance and parking area to a dwelling entrance that is level.**

1. Provide a safe and continuous pathway from:
  - i. the front boundary of the allotment: or
  - ii. a car parking space, where provided, which may include the driveway on the allotment, to an entrance that is level as specified in Element 2.
2. The path of travel as referred to in (a) should have a minimum clear width of 1000mm with turnarounds and passing requirements as per AS1428.1 (2009) and—
  - i. an even, firm, slip-resistant surface;
  - ii. a cross-fall of not more than 1:40;
  - iii. a maximum pathway slope of 1:14 with landings provided at no greater intervals as detailed in AS1428.1 (2009) for gradients between 1:20—1:14.
  - iv. a step ramp compliant with AS1428.1 (2009) may be incorporated, with a landing at its head and foot where there is a change in height of 190mm or less.
  - v. The landings must have a length of at least 1500mm exclusive of the swing of the door or gate that opens onto them.

**Element 2: There is at least one level entrance into the dwelling to enable home occupants to easily enter and exit the dwelling.**

- a) The dwelling should provide an entrance door from Element 1 with:
  - i. a minimum clear opening width of 850mm;
  - ii. a level transition and threshold (maximum vertical tolerance of 3mm. 5mm between abutting surfaces is allowable provided the lip is rounded or bevelled); and
  - iii. reasonable shelter from the weather.
- b) A level landing area of 1450 x 1500mm should be provided at the level entrance door.
- c) Where the threshold at the entrance exceeds 5mm a ramped threshold of up to 35mm compliant with AS1428.1 (2009) may be provided.

- d) The level entrance should be connected to the safe and continuous pathway as specified in Element 1.

Note: The entrance must incorporate waterproofing and termite management requirements as specified in the BCA.

**Element 3: Internal doors and corridors facilitate comfortable and unimpeded movement between spaces.**

1. Doorways to rooms on the entry-level used for living, dining, bedroom, bathroom, kitchen, laundry and sanitary compartment purposes should provide:
  - i. a minimum clear opening width of 850mm; and
  - ii. a level transition and threshold (maximum vertical tolerance of 3mm. 5mm between abutting surfaces is allowable provided the lip is rounded or bevelled).
2. Internal corridors/passageways to the doorways referred to in (1.) should provide a minimum clear width of 1200mm. The corridor can be 1000mm if the doorways and corridor together provide adequate turning space (See AS 4218.1).

**Element 4: The ground (or entry) level has a toilet to support easy access for home occupants and visitors.**

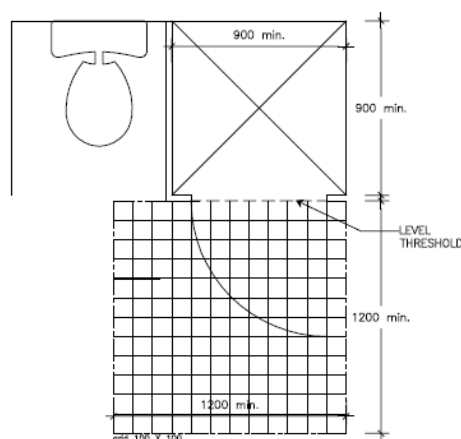
- a) Dwellings should have a toilet on the ground (or entry) level that provides:
  - i. a minimum clear width of 1200mm between the walls of the bathroom if located in a separate room; and
  - ii. a minimum 1200mm clear circulation space forward of the toilet pan exclusive of the swing of the door.
- b) If the toilet is located within the ground (or entry) level bathroom, the toilet pan should be located in the corner of the room to enable the installation of grab rails.

**Element 5: The bathroom and shower is designed for easy and independent access for all home occupants.**

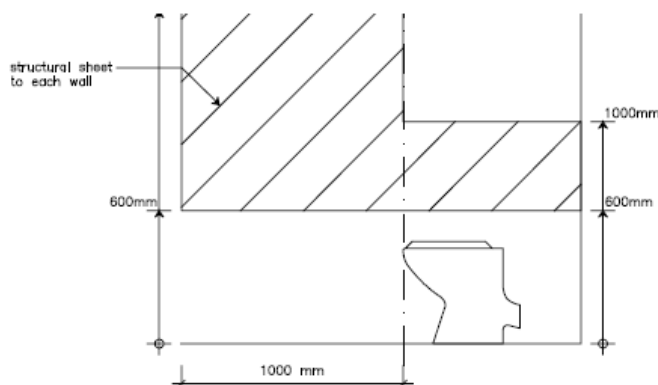
- a) One bathroom should feature a slip-resistant, hobless (step-free) shower recess. Shower screens are permitted provided they can be removed at a later date, and be located in a bathroom on the ground (or entry) level;
  - (ii) provide dimensions of 900mm x 900mm; and
  - (iii) provide a clear space of 1200mm x 1200mm forward of the shower recess entry in accordance with *Figure 3\**.
- b) The shower recess should be located in the corner of the room to enable the installation of grab rails at a future date.

**Element 6: The bathroom and toilet walls are built to enable grab rails to be safely and economically installed.**

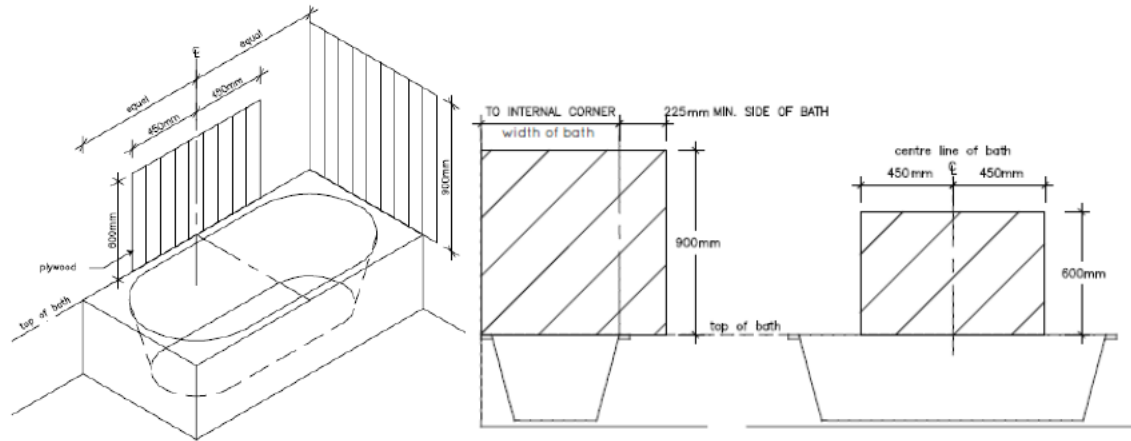
- a) Except for walls constructed of solid masonry or concrete, the walls around the shower, bath (if provided) and toilet should be reinforced to provide a fixing surface for the safe installation of grab rails.
- b) The fastenings, wall reinforcement and grab rails combined must be able to withstand 1100N of force applied in any position and in any direction.
  - i. The walls around the toilet are to be reinforced by installing sheeting with a thickness of at least 12mm in accordance with
  - ii. *Figure 4\**.
  - iii. The walls around the bath are to be reinforced by installing sheeting with a thickness of at least 12mm in accordance with *Figure 5\**.
  - iv. The walls around the hobless (step-free) shower recess are to be reinforced by installing sheeting with a thickness of at least 12mm in accordance with *Figure 6\**.



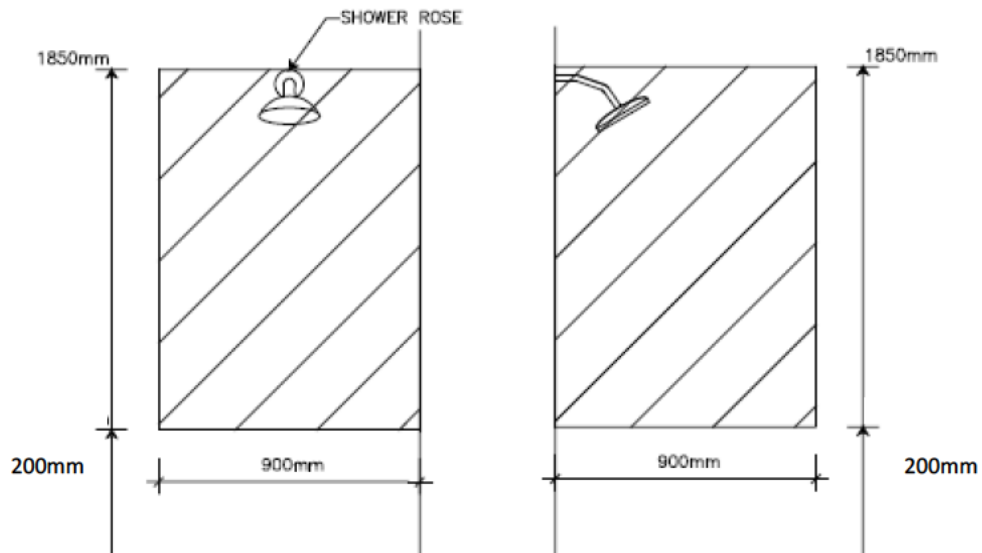
**Figure 3. Circulation space requirements for shower recess**



**Figure 4. Toilet – location of sheeting**



**Figure 5. Bath – location of sheeting**



**Figure 6. Shower recess – location of sheeting**

\*These diagrams are derived from the Livable Housing Australia's 3<sup>rd</sup> edition of the Livable Housing Design Guidelines.



## Appendix 2. Members of the National Dialogue on Universal Housing Design

In late 2009, the Parliamentary Secretary for Disabilities and Children Services, Bill Shorten, convened the National Dialogue on Universal Housing Design, bringing together representatives from all levels of government, and key stakeholders groups from the ageing, disability and community support sectors and the residential building and property industry. The members of the National Dialogue are:

- Australian Human Rights Commission
- Australian Institute of Architects
- Australian Local Government Association
- Australian Network for Universal Housing Design
- COTA Australia • Grocon
- Housing Industry Association
- Lend Lease
- Master Builders Australia
- National People with Disabilities and Carers Council
- Office of the Disability Council of NSW
- Property Council of Australia • Real Estate Institute of Australia
- Stockland

The National Dialogue members recognised that achieving the outcomes set out in this Strategic Plan will rely on the ongoing cooperation and contribution of the members and all levels of government over the next ten years.

Secretariat support was provided by the Department of Families, Housing, Community Services and Indigenous Affairs.

The Department of Industry, Innovation, Science and Research and the Australian Building Codes Board acted as observers to the Dialogue given the discussion around developing guidelines. The Department of Planning and Community Development and the Building Commission, Victoria provided technical advice on the guidelines.



## References

1. Australian Network for Universal Housing Design and RI Australia, *Report on the progress of the National Dialogue on Universal Housing Design 2010-2014*. 2015: Sydney.
2. United Nations. *Convention on the rights of persons with disabilities and optional protocol*. 2007 22 July 2010]; Available from: <http://www.un.org/disabilities/default.asp?navid=14&pid=150>.
3. People with Disability Australia, *Accommodating human rights: a human rights perspective on housing, and housing and support for persons with disability*. 2010.
4. Committee on Rights of Persons with Handicaps, *The law and persons with handicaps. Volume 1. Physical handicaps* 1978, Government of South Australia: Adelaide.
5. Beer, A. and D. Faulkner. *21st century housing careers and Australia's housing future*. AHURI Final Report No. 128. 2009 July 21, 2010]; Available from: [http://www.ahuri.edu.au/nrv/nrv2/NRV2\\_Assoc\\_Docs.html](http://www.ahuri.edu.au/nrv/nrv2/NRV2_Assoc_Docs.html).
6. Office of the Public Advocate, *Housing Design for All.*, in *Issues Paper 3*. 2005, Queensland Government: Brisbane.
7. Wiesel, I. and D. Habbis, *NDIS, housing assistance and choice and control for people with disability*, in *AHURI Final Report No. 258*. 2015, University of New South Wales; University of Tasmania.
8. Ward, M. and J. Franz, *The provision of visitable housing in Australia: Down to the detail*. *Social Inclusion*, 2015. 3(2): p. 31-43.
9. Department of Public Works, *Smart and sustainable homes design objectives*. 2008, Brisbane: Queensland Government.
10. Building Commission Victoria, *Welcome: design ideas for accessible homes*. 2002, Melbourne: Building Commission Victoria.
11. Government of Western Australia. *Liveable homes: designs that work for everyone*. 2011 February 27, 2012]; Available from: <http://www.liveablehomes.net.au/>.
12. Australian Government. *Design for Life*. 2008; Available from: <http://www.yourhome.gov.au/technical/index.html>.
13. Shorten, B. *Address to the Sydney Institute*. 2010 December 4, 2012]; Available from: <http://www.thesydneyinstitute.com.au/podcast/the-future-of-disability-in-australia-winning-the-battle-for-equal-treatment/>.

14. NDUHD. *Livable housing design guidelines*. 2010 July 22, 2010]; Available from: [http://www.fahcsia.gov.au/sa/housing/pubs/housing/Documents/universal\\_housing\\_design.pdf](http://www.fahcsia.gov.au/sa/housing/pubs/housing/Documents/universal_housing_design.pdf).
15. NDUHD. *Strategic plan*. 2010 January 20, 2015]; Available from: [https://www.dss.gov.au/sites/default/files/documents/05\\_2012/national\\_dialogue\\_strategic\\_plan.pdf](https://www.dss.gov.au/sites/default/files/documents/05_2012/national_dialogue_strategic_plan.pdf).
16. Ward, M. and K. Jacobs, *'Policies that Fail—Words that Succeed': The Politics of Accessible Housing in Australia*. Australian Journal of Public Administration, 2016.
17. Livable Housing Australia. *Home Page*. 2012; Available from: <http://www.livablehousingaustralia.org.au/59/about-lha.aspx>.
18. COAG, *2010-2020 National Disability Strategy: Progress Report to the Council of Australian Governments* Department of Social Services, Editor. 2014, Australian Government: Canberra.
19. Department of Social Services, *National Disability Strategy: Second implementation plan—Drivign Action 2015-2018*. 2016: Canberra.
20. Australian Network for Universal Housing Design and Rights and Inclusion Australia, *Proposal for Standards Development Project to review AS4299-1995 Adaptable housing to align with the 2010-2020 National Disability Strategy (Livable Housing Design)*. 2016: Sydney.
21. COAG, *2010–2020 National Disability Strategy: An initiative of the Council of Australian Governments*. 2011, Australian Government,: Canberra.
22. Smith, S., et al., *Population Aging, Disability and Housing Accessibility: Implications for Sub-national Areas in the United States*. Housing Studies, 2012. 27(2): p. 252-266.
23. Smith, S., S. Rayer, and E. Smith, *Aging and disability: Implications for the housing industry and housing policy in the United States*. Journal of the American Planning Association, 2008. 74(3): p. 289-306.
24. Beer, A. and D. Faulkner, *The housing careers of people with a disability and carers of people with a disability 2008*, Australian Housing and Urban Research Institute: Southern Research Centre, Adelaide.
25. National People with Disabilities and Carer Council, *Shut Out: The Experience of People with Disabilities and their Families in Australia*. 2009, Australian Government: Canberra.
26. AIHW, *Housing assistance in Australia 2014*. 2014, Australian Government: Canberra.
27. Murray, S., D. Ramirez-Lovering, and S. Whibley, eds. *reHousing*. 2008, RMIT Publishing Press: Melbourne.

28. Dalton, T., et al., *Understanding the patterns, characteristics and trends in the housing sector labour force in Australia.*, in *AHURI Positioning Paper, no.142*. 2011: Melbourne.
29. Dalton, T., R. Wakefield, and R. Horne, *Australian suburban house building: industry organisation, practices and constraints.*, in *AHURI Positioning Paper, no. 143*. 2011: Melbourne.
30. Bringolf, J. *Barriers to universal design in housing*. Urban Research Centre, College of Health and Science. [(Doctoral dissertation)] 2011 September 16, 2012]; Available from: <http://handle.uws.edu.au:8081/1959.7/506910>.
31. Victorian Government. *Accessible Housing: Public consultation on the visitable and adaptable features in housing regulatory impact statement*. 2010 June 18, 2014]; Available from: <http://www.qauhd.org/sites/default/files/RISvictoria.pdf>.
32. Housing Industry Association. *Accessibility in residential buildings*. 2011 June 9, 2010]; Policy Statement on accessibility in residential buildings]. Available from: <http://hia.com.au/hia/content/Policy/region/National/classification/Building%20Policy/article/IS/HP/Accessibility%20in%20Residential%20Buildings.aspx>.
33. Judd, B., et al., *Downsizing amongst older Australians*, in *AHURI Final Report No.214*. 2014: Melbourne.
34. Crabtree, L. and D. Hes, *Sustainability uptake in housing in metropolitan Australia: An institutional problem, not a technological one*. *Housing Studies*, 2009. 24(2): p. 203-224.
35. Spanbroek, N. and E. Karol. *Ageing at home-are we prepared?* in *The 2nd International Conference for Universal Design*. 2006. Kyoto, Japan: Curtin University of Technology.
36. QDN, Griffith University, and National Shelter, *A place to call home: A housing issues paper for people with disability*. 2016: Brisbane.
37. US Census Bureau, *Americans with disabilities: 2005*, U.S.Department of Commerce, Editor. 2008: Washington DC.
38. Joint Center for Housing Studies of Harvard University, *Projections & implications for housing for a growing population: older households 2015-2035*. 2016, Harvard University: Cambridge, Massachusetts.
39. Nishita, C., et al., *Promoting basic accessibility in the home: Analyzing patterns in the diffusion of visitability legislation*. *Journal of Disability Policy Studies*, 2007. 18(1): p. 2-13.
40. Malloy, R.P., *Opening neighbourhoods to people with mobility impairment: Property, disability and inclusive design housing*, in *The public nature of private property*, R.P.

- Malloy and M.R. Diamond, Editors. 2011, Ashgate Publishing Limited: Farnham UK. p. 133-154.
41. Imrie, R., *Accessible housing: Quality, disability and design*. 2006, London: Routledge.
  42. Bringolf, J. *Barriers to universal design in Australian housing*. International Conference on best practices in universal design at FICCDAT. 2011 September 16, 2012]; Available from: <http://udeworld.com/dissemination/conferences.html>.
  43. Ward, M., *Inclusive housing in Australia; a question of responsibility and distributive justice*, in *Creative Industries Faculty*. 2013, Queensland University of Technology: Brisbane.
  44. Chenoweth, L. and D. Stehlik, *Implications of social capital for the inclusion of people with disabilities and families in community life*. International Journal of Inclusive Education, 2004. 8(1): p. 59-72.
  45. de Jonge, D.M., et al., *Understanding the essence of home: Older people's experience of home in Australia*. Occupational Therapy International, 2011. 18(1): p. 39-47.
  46. Saugeres, L., *(Un)accommodating disabilities: housing, marginalization and dependency in Australia*. Journal of Housing and the Built Environment, 2010. 26(1): p. 1-15.
  47. Australian Government, *Disability Discrimination Act*. 1992: Australia.
  48. Troy, P., *Accommodating Australians: Commonwealth government involvement in housing*. 2012, Annandale, N.S.W: Federation Press.
  49. Jones, A., D. de Jonge, and R. Phillips, *The role of home maintenance and modification services in achieving health, community care and housing outcomes in later life.*, in *AHURI final report, no.123*. 2008: Brisbane.
  50. Building Ministers Forum, *Communique 14 December 2017*, Industry Innovation and Science, Editor. 2016: Perth.
  51. Australian Bureau of Statistics. *4430.0 - Disability, Ageing and Carers, Australia: Summary of Findings, 2012* November 19, 2013]; Available from: <http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4430.0Contents2012?opendocument&tabname=Summary&prodno=4430.0&issue=2012&num=&view=>.
  52. Productivity Commission, *Caring For Older Australians: Productivity Commission inquiry report*. 2011, Australian Government: Canberra.
  53. Bringolf, J., *The Landcom Universal Housing Design Guidelines: best practice or wishful thinking?* Access by Design, 2011. Winter 2011(129): p. 16-17.
  54. Karol, E., *Inclusive design and the new home market: The West Australian situation*. Architectural Science Review, 2008. 51(1): p. 80-83.

## Attachments



Livable Housing Australia  
ABN: 50 151 320 928  
C/- Property Council of Australia  
Level 1, 11 Barrack Street  
Sydney, NSW, 2000  
PO Box 6943  
Silverwater NSW 1811  
Phone: 1300 738 913

28 March 2014

Dr Margaret Ward  
Mr David Brant  
Australian Network for Universal Housing Design  
[anuhd@anuhd.org](mailto:anuhd@anuhd.org)

Dear Dr Ward and Mr Brant,

**Re: Progress Report on the Strategic Plan**

Many thanks for your correspondence seeking a contribution from Livable Housing Australia (LHA) to the progress report on the Strategic Plan of the National Dialogue on Universal Housing Design (the Dialogue).

LHA was established to take forward the Strategic Plan as agreed to by the Dialogue. As such, we would like to assure you that LHA has been submitting regular reports to the Commonwealth Government as per the terms of our Agreement.

We also note your observation that there has been '*no formal action from the Chair of the Dialogue*'. To clarify, the formal Chair of the Dialogue was the Parliamentary Secretary for Disabilities however the Dialogue ceased to meet in a formal capacity once LHA was established.

As you are aware, the industry member associations remain steadfastly committed to working with Livable Housing Australia to champion the *Livable Housing Design Guidelines* and national Livability certification. We have undertaken a significant amount of groundwork with industry and we expect to see sustained growth in the number of homes that achieve a Livability Certification in the year ahead. We will be communicating our progress to the Commonwealth Government in July and will be in a position to discuss these outcomes with you at this time.

We remain committed to our voluntary, market driven approach and to working in partnership with industry, consumers and governments to deliver livable design outcomes for all Australians.

We acknowledge the Workshop recommendations that you have cited in your letter however do not necessarily agree with your evaluation. From our reading it is clear that *educating builders to help drive delivery* actually was the most rated recommendation (Recommendations 3,4,7 combined). This is a key focus and business area for LHA and we believe it will lead to the outcomes you are equally committed to achieving.



**From:** Amelia Starr  
**Sent:** 28 October, 2014 12:03  
**To:** David Brant; ANUHD  
**Cc:** Graeme Innes  
**Subject:** Re: LHA figures and booklets

Dear Marg,

Thanks for your email and interest in LHA's latest figures.

LHA will no longer be providing interim figures to third parties as we have had some concerns with how the figures are reported and interpreted. We understand it can be difficult to appreciate the figures we provide as we measure compliance at different points in the design and build process. We also use a different matrix to identify projects that have voluntarily adopted the Guidelines.

I will be presenting our latest figures which include design certified, as-built certified as well as those developments which have adopted the LHD Guidelines without seeking formal certification at the Standards Australia Forum in November. Copies of the presentation will be made available so you will have a snapshot of the figures at this time.

I will also place 10 copies of the Guidelines in the post to you today. I'd also encourage you to get participants at the Conference to download the free Guidelines App – much lighter than the hard copy and mobile. If you need the details for this please don't hesitate to contact us.

Warmly,

Amelia

**Amelia Starr**

Executive Director  
**Livable Housing Australia**

C/- Property Council of Australia  
Level 1, 11 Barrack Street Sydney  
PO Box 6943  
Silverwater NSW 1811  
[www.lha.org.au](http://www.lha.org.au)



We would ask that the Australian Network for Universal Housing Design not lose sight of the significant progress that has been made since the formation of LHA. This will be further enhanced by our new online assessment portal and website which is due to be launched shortly.

We look forward to exploring with you the ways in which the Network's membership can positively contribute to the work we are undertaking with our industry, community and government stakeholders.

Please do not hesitate to contact me to discuss any aspect of this letter.

Yours sincerely,

Amelia Starr  
Executive Director  
Livable Housing Australia

cc

- Peter Verwer – Chair Livable Housing Australia, CEO Property Council of Australia
- Graeme Innes AM – Deputy Chair Livable Housing Australia, Federal Disability Discrimination Commissioner Australian Human Rights Commission
- Wilhelm Harnisch – Board Director Livable Housing Australia, CEO Master Builders Australia
- Dennis Hogan – Board Director Livable Housing Australia, Director Regulatory Development, Building Commission Victoria
- David Parken – Board Director Livable Housing Australia, CEO Australian Institute of Architects
- Ian Yates – Board Director Livable Housing Australia, Chief Executive Council of the Ageing Australia (COTA)
- Sophie Picket-Heaps – Board Director Livable Housing Australia, National Design Manager, Retirement Living, Stockland
- Fiona Smith – Board Director Livable Housing Australia, Policy and Research Advisor, Trust for Nature
- Kristen Brookfield – Senior Executive Director, Building, Development and Environment Housing Industry Association
- David Waldren – National Executive Design Manager, Grocon Group
- Angela Jurjevic – Executive Director, Housing and Building Policy, Victorian Government Department of Planning and Community Development

**From:** Sophie Pickett-Heaps  
**Sent:** 25 March, 2016 10:02  
**To:** ANUHD  
**Cc:**

**Subject:** Re: Proposal for Change to the NCC

Dear Margaret,

Thank you for your courtesy email and acknowledgement. Livable Housing Australia's Constitution states the object of the company is to promote the voluntary adoption of universal housing design. This reflects the spirit of the Kirribilli Dialogue agreement. Thus we do not support the proposal for regulation.

We appreciate the spirit of cooperation suggested in your email. LHA is dedicated to voluntary approach, our goal is not a minimum compliance standard, but a major step-change in thinking, industry skills and practices. Our focus is increasing the voluntary uptake and encouraging delivery of more livable homes.

We believe there are a significant number of homes built to LHA standards which are not being registered. This is evidenced in website traffic, discussion with stakeholders and industry, and commitments by industry leaders. Consequently we have simplified the assessment/registration process and removed the cost of registration. Furthermore we are currently working with the VBA to prototype capturing the LHA numbers in the planning process. We are, similarly to other industry standards, evolving and responding to the market.

Kind regards, Sophie

**Sophie Pickett-Heaps**

Chair, Livable Housing Australia

Co-Head of Design  
Stockland, Level 26, [133 Castlereagh Street, Sydney NSW 2000](#)

On 24 Mar 2016, at 5:24 PM, ANUHD

wrote:

Dear Sophie,

We hope this finds you well.

We have been working to improve the accessibility of housing in Australia since 2002 and we acknowledge the excellent work that Livable Housing Australia is doing to raise awareness of liveable housing design within the housing industry. We also acknowledge your intention to work with us in a collaborative way towards improving the accessibility of housing.

As a member of the National Dialogue on Universal Housing Design we supported the voluntary approach to adopt a national guideline and to reach the 2020 target of minimum accessibility provided in all new housing until 2013 when the first review was to be done.

Our report on the progress of the National Dialogue's strategy in 2015 used Livable Housing Australia data and anticipated that less than 5% of the 2020 target will be reached using the current voluntary approach.

We have now completed a Proposal for Change to the National Construction Code which will ensure a national approach to minimum accessibility in housing and the 2020 target will be reached. Taking the advice of the Managing Director of ABCB, Mr Neil Savery, we intend to send this proposal to the relevant Commonwealth and State Ministers to seek their support. As a courtesy we send it to you first for your consideration.

We look forward to your comment by Tuesday 29 March 2016.

Best wishes,

Margaret

**Margaret Ward** PSM  
**David Brant**  
Convenors

<image001.jpg>  
[www.anuhd.org](http://www.anuhd.org)

**Michael Fox** AM  
Chair

<image002.jpg>  
[www.riaustralia.org](http://www.riaustralia.org)

# AUSTRALIAN BUILDING CODES BOARD



Ms Margaret Ward  
Co-Convenor  
Australian Network for Universal Housing Design

anuhd.network@gmail.com

Level 12  
SAP House  
Cnr Bunda & Akuna Streets  
Canberra ACT 2601  
GPO Box 9839  
Canberra ACT 2601 Australia  
Phone: 1300 134 631  
Email: [abcb.office@abcb.gov.au](mailto:abcb.office@abcb.gov.au)  
Web: [www.abcb.gov.au](http://www.abcb.gov.au)

*Margaret*  
Dear Ms Ward

## Re: Proposal for Change (PFC) to the National Construction Code (NCC)

I refer to the recent submission by the Australian Network for Universal Housing Design (ANUHD) and Rights & Inclusion Australia (RIA) of a PFC to amend the NCC to introduce measures for accessible housing.

As you are aware the Building Codes Committee (BCC), which is a technical advisory committee to the Board of the ABCB, met on the 14 July to consider this and other matters.

The BCC was provided with a copy of the PFC and advised of the Board's previous decisions in regard to this subject that have been communicated to you and/or Mr Michael Fox, including that of its most recent meeting in June of this year.

Having regard to all of this information the BCC resolved in the first instance that it is not in a position to support the PFC.

In this respect the BCC acknowledged the Board's view as the decision making body under the ABCB's Inter-governmental Agreement, that this is a policy rather than a technical matter, which given it has involved a decision of COAG, will require resolution at that level to establish any change in the direction of governments towards regulatory intervention.

The BCC also noted during its discussion, that there is an existing Australian Standard for adaptable housing that is applied through mechanisms other than the NCC, and that this standard may not be entirely suitable. With the support of the Standards Australia representative at the meeting, the BCC further resolved that the ANUHD and RIA be encouraged to continue dialogue with Standards Australia and other stakeholders on the production of a suitable replacement for this document.

**B u i l d i n g   A u s t r a l i a ' s   F u t u r e**

Given that the PFC was submitted jointly by the ANUHD and RIA, I am including Mr Fox in my response, and trust that this advice provides some assistance to you.

As always I am happy to talk to you if you require any further clarification.

Yours sincerely

Neil Savery  
General Manager

22 July 2016

Copy to: Mr Michael Fox, Chair Rights and Inclusion Australia