

National Disability
Services (NDS)
Submission to
Homes Victoria

Submission in Response to the Homes Victoria's Ten-Year Social and Affordable Housing Strategy Discussion Paper

16 April 2021

About National Disability Services (NDS)

NDS is the peak body for non-government disability service providers, with more than 250 members in Victoria and over 1,080 members nationally. NDS provides information and networking opportunities to its members and policy advice to State, Territory and Commonwealth governments. The diverse and vibrant membership of small, medium and larger organisations, directly and indirectly support thousands of people with disabilities in Victoria.

NDS members collectively deliver the full range of disability services; from supported independent living assistance, specialist disability accommodation services, respite, therapy, community access and employment.

NDS joins other representative organisations including the Australian Federation of Disability Organisations, People with Disability Australia, the Australian Association of Gerontology, among many others, in advocating for the inclusion of mandatory accessibility standards within the Australia's National Building Code.

Background

The [Victorian Department of Families, Fairness and Housing's website](#) indicates that people with a disability form 18.4 per cent of the Victorian population¹. The number of people with a disability in Victoria is increasing. The number is expected to continue to grow due to population growth, ageing and increased life expectancy. More than 15 per cent of the Victorian population are older and the number of Victorians aged 65 and above is set to triple by 2058².

According to the [Building Better Homes website](#), a 2020 survey of people with mobility impairment, 73.6 per cent of respondents with disabilities were living in housing that does not meet their needs³. This leads to increased costs of modifications and the need for paid and unpaid care, and a reduction in workforce participation with inevitable negative consequences for our economy.

As our population ages and the disability population grows, the demand for accessible housing is only going to increase. Already, nearly 81 per cent of Australians over 55 would prefer to age at home, rather than go into residential aged care⁴. Not only will greater access to appropriate housing support choice for older Australians, it will also result in substantial savings to the health and welfare sector from reduced injuries and home-care, as well as reducing the cost of aged-care. And it is not just people with disabilities and older Australians who benefit from accessible housing design. We all do.

NDS is committed to the full implementation of the National Disability Insurance Scheme (NDIS) and to supporting Victorian service providers to thrive within a person-centered landscape. The disability sector recognises that safe, secure, affordable and accessible accommodation and buildings is fundamental to the goal that all Victorians have access to housing services in the community.

¹ Department of Families, Fairness and Housing, State Government of Victoria, Australia, *People with a disability in Victoria* (2021), <<https://providers.dhhs.vic.gov.au/people-disability-victoria>>.

² Department of Health and Human Services, State Government of Victoria, Australia, *Ageing* (2020), <<https://dhhs.vic.gov.au/ageing>>.

³ Dr. Ilan Wiesel, *Lived Experience and Social Health and Economic Impacts of Inaccessible Housing: Report Submitted to the Australian Building Codes Board RIS* (Melbourne: The University of Melbourne, October 2020), <https://disability.unimelb.edu.au/_data/assets/pdf_file/0019/3522007/Accessible-Housing-FINAL-REPORT.pdf>.

⁴ Amity James; Steven Rowley; Wendy Stone; Sharon Parkinson; Angela Spinney; Margaret Reynolds, *Older Australians and the housing aspiration gap*, AHURI Final Report 317 (Melbourne: Australian Housing and Urban Research Institute, August 2019), <<https://www.ahuri.edu.au/research/final-reports/317>>.

Recommendations

NDS urges Homes Victoria to consider the following seven recommendations, which will make Victoria more inclusive of people with disabilities, create more opportunities for people with disabilities, and positively shape the way all Victorians live, now and into the future:

Recommendation 1: Victorian Government commitment to inclusion of mandatory accessibility standards within the National Building Code and inclusion of universal design principles in Victorian planning approvals, with targets so over time all Victorian new builds incorporate universal design principles.

Recommendation 2: Specialist technologies are fitted into social housing and government buildings to enable equal access to people with a sensory disability.

Recommendation 3: Build more social, affordable and accessible housing to meet the needs of people of different ages and abilities over time.

Recommendation 4: Provide incentives for developers to allocate a portion of their new housing developments as social housing for people with disabilities.

Recommendation 5: Amend Victorian tenancy protections to reflect the contemporary disability housing environment.

Recommendation 6: Encourage housing-related activities to procure goods and services from organisations that employ people with disabilities, to support their employment.

Recommendation 7: Robust governance arrangements in place to ensure alignment of State and Federal building legislation and requirements.

Recommendation 1: Victorian Government commitment to inclusion of mandatory accessibility standards within the National Building Code and inclusion of universal design principles in Victorian planning approvals, with targets so over time all Victorian new builds incorporate universal design principles.

NDS recommends the inclusion of mandatory accessibility standards within the National Building Code. This Code is a critical document which drives levels of accessibility within both residential and non-residential buildings across Australia. Inclusion of mandatory accessibility standards within the Code offers us the opportunity to create housing and building stock appropriate to the needs of our aging population over the next decades, and reduce the built barriers to people with disabilities.

NDS recommends that universal design principles are applied to new accommodation, buildings and estates in Victoria, to ensure that they meet the current and future needs of Victorians, specifically in light of its growing disability and ageing population and communities. This includes the application of the Australian Standard for Design and Access and Mobility to enable physical access of all people in all new housing, building and estate developments⁵.

Housing regulations should ensure that new housing stock includes accessible and barrier-free bathrooms with wide doorways, step-free showers or walk-in bathtubs, benches and wall handles, hoists and changing tables, combined with shelving units and wall shelves made of stainless steel. These modern bathroom designs are needed by people with complex disabilities and older Victorians; and prevent the prohibitive cost in retro-fitting houses as needs arise. This will allow people with disabilities to live in a house that meets their needs and allow them to age in place.

It is essential that all Victorian Government provided and funded buildings are compliant with contemporary accessibility standards. NDS recommends that this includes high-quality lighting for people with a vision impairment and flashing smoker detectors for people with a hearing impairment. A higher standard of application of these standards would result in people with disabilities and people with mobility issues having equal access to housing services as other Victorians.

⁵ Standards Australia, *ME-064: Access for People with Disabilities* (2021), <<https://www.standards.org.au/standards-catalogue/sa-snz/building/me-064>>.

In addition to housing stock, NDS recommends that improvements are made to the communal access areas in public housing. In particular, pathways need to be even, well-signed and have regular wheelchair access points. Car parks should have adequate numbers of well-positioned car spaces allocated only to people with disabilities.

NDS would like to see housing, building and estate designs to be sustainable, in compliance with, and meet contemporary accessibility standards, including wheelchair access in all areas of new buildings and houses. NDS urges Homes Victoria to take a fit-for-purpose approach that considers the needs of all members of the community, including people with disabilities and the ageing population.

Building more accessible housing is not only about meeting current and future housing demand, but also setting a basis for developing more inclusive communities, helping address the challenges of an ageing population, and reducing government expenditure on health and support costs overtime.

Recommendation 2: Specialist technologies are fitted into social housing and government buildings to enable equal access to people with a sensory disability.

NDS recommends that people with sensory disabilities are catered for in a significant portion of social housing developments in Victoria and in new builds or refits of public sector buildings. This includes the increased level of braille, tactile markers and hearing loops in housing and public buildings.

In addition, NDS encourages design features which prevent people with autism from becoming overwhelmed in highly-stimulating environments with the provision of quiet rooms in public buildings for people with sensory processing difficulties.

Recommendation 3: More social, affordable and accessible housing is built to meet the needs of people of different ages and abilities over time.

Disability housing is given very little mention in the Ten-Year Social and Affordable Housing Strategy Discussion Paper. Whilst the National Disability Insurance Scheme (NDIS)

provides some limited disability housing options ranging from Improved Liveability, Robust, Fully Accessible, and Highly Physical Support, under Specialist Disability Accommodation (SDA), the need for disability housing is far greater than SDA.

Only 6 per cent of the NDIS population are eligible for NDIA SDA housing. Many of the remaining 94% of NDIS participants are thus dependent on social and public housing as well as private rentals for their housing. Many people with disabilities are on Disability Support Pension (DSP) with low income. Many cannot afford buying a home or paying for unaffordable private rentals. Many are looking to the Victorian Government to provide secure, safe, affordable and accessible housing accommodation, here in Victoria.

NDS recommends that Homes Victoria takes a lead role on building more social, affordable and accessible housing to meet current and future housing demand, as well as the needs of people of different ages and abilities over time. Whilst we welcome Victorian Government's recent investment in social housing, we want to see more at this level of investment, and we want some specific targets to allow for people with disabilities⁶. One issue is that people with disabilities may not be classed as homeless and so are not prioritised in allocation of scarce social housing. This needs to be addressed in the prioritisation of social housing allocations.

Recommendation 4: Provide incentives for developers to allocate a portion of their new housing developments as social housing for people with disabilities.

To address the need for full integration of people with disabilities into the wider community, NDS recommends that the Victorian Government provides financial and tax incentives for developers to designate a proportion of new houses and units as social housing. There should then be support for people with disabilities to access some of this social housing.

Working towards housing equity and housing dignity will increase the stock of suitable housing that is well-located and proximate to community services that meets the needs of people with disabilities.

⁶ The Hon Daniel Andrews MP, Premier, 'Victoria's Big Housing Build', *Media Release* (online), 15 November 2020. <<https://www.premier.vic.gov.au/victorias-big-housing-build>>.

Recommendation 5: Amend Victorian tenancy protections to reflect the contemporary disability housing environment.

Where we live, who we live with and the supports to live the life we want are very important.

Whilst NDS acknowledges the work undertaken to develop tenancy protections for people in SDA housing, we are calling for this to be amended to ensure the tenancy protection options reflect the contemporary disability housing environment.

We recommend for the Victorian Government to work with people with disabilities, their families and carers, SIL and SDA providers and NDS, to understand the needs and preferences on residential tenancy lease options, and design more flexible lease options which reflect the needs of SDA residents and their family under the full range of contemporary living arrangements outlined in the NDIS Individual Living Options (ILO) model:

- Co-Residency: Support resides full time or part time in the participant's home
- Host Arrangements: Participant resides full time in the home of a non-related host who provides support
- Living Alone: Support is provided in the home of the participant in a variety of ways
- Living Together: Participant lives with other people of their choice and receives support

It is also recommended that more flexible lease options be developed for people with disabilities who are not eligible for NDIS SDA supports but wish to have a greater level of protections than the standard Residential Tenancies Act lease. Some NDIS participants who are not eligible for SDA nevertheless require higher level tenancy protections including security of tenure.

Recommendation 6: Housing-related activities are encouraged to procure goods and services from organisations that employ people with disabilities, to support their employment.

One in five Australians lives with disability. This includes those living with mental health conditions⁷. It is increasingly likely that, to fill job vacancies with quality candidates, Victorian organisations will employ people with disabilities.

NDS was pleased to hear that in the recent Victorian Government's initiatives on the removal of railway crossings, Supported Employment organisations were engaged to undertake some of the landscaping.

NDS would welcome similar affirmative measures and/or quotas in place that would see Victorian organisations engaged in housing-related activities, procuring goods and services from Victorian Disability Enterprises and other organisations that employ people with disabilities.

This initiative would assist the retaining of employment by vulnerable people, hence reflecting the diversity the community we serve. The ultimate benefit would be to ensure the continued employment of people with disabilities.

Recommendation 7: Robust governance arrangements in place to ensure alignment of State and Federal building legislation and requirements.

The Housing Strategy Discussion Paper does not mention the work required to ensure different levels of state and federal governance (i.e. legislation, rules, standards) work effectively together to facilitate the development of affordable housing including disability accommodation in Victoria. This is a complex area as different areas of governance are often developed in isolation and then once developed conflict with others.

⁷ Department of Social Services, Australian Government, *Benefits of employing people with disability* (2021), <<https://providers.dhhs.vic.gov.au/people-disability-victoria>>.

NDS recommends for the Victorian Government to consider and document the inter-relationships between different legislation, particularly around the National Construction Code (NCC) and barriers this is currently creating to developing disability housing.

The requirements of the Victorian Residential Tenancies Act and the NDIS SDA Design Standard cause issues with the NCC. As noted in the NDIS SDA Design Standard, where there is a conflict between the NCC and the NDIS SDA Design Standard, the NCC takes precedence. The NDIS SDA Standard outlines a set of requirements, but that NCC is far more stringent. For example, building an SDA house in the Improved Liveability Category will be a Class 3 building and so will require a whole swag of requirements way outside the scope of the NDIS SDA Standard in order to get a building permit.

NDS and SDA subject matter experts recommend that there needs to be more emphasis in the Housing Strategy about the 'focus' on making areas of state and federal governance work effectively together between residential tenancy law, construction codes, design standards, quality and safeguarding and workplace safety, etc.

This is a complex but critical issue, and NDS would welcome the opportunity to engage further with the Victorian Government on this issue.

Conclusion

In summary, NDS recommends for the Victorian Government to develop a long-term, sustainable Housing Strategy, designed to ensure all Victorians, specifically people with disabilities and older Victorians who are on low incomes to secure safe, affordable and accessible accommodation.

For more information, please contact Heidi Cheung, Senior Policy and Projects Officer on 0458 518 490 or Heidi.Cheung@nds.org.au.

Sarah Fordyce
State Manager
NDS Victoria
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