

NATIONAL DISABILITY SERVICES VICTORIA

**Submission to Infrastructure Victoria's paper on
All Things Considered: Options for Victoria's 30
year infrastructure strategy**

June 2016

Overview

NDS is pleased to make a submission to Infrastructure Victoria's paper, *All Things Considered: Exploring options for Victoria's 30 year infrastructure strategy*. NDS welcomes this considered process for development of an infrastructure strategy for the State, and the strong emphasis on consultation and valuing of diverse perspectives within this process. This submission addresses the paper and its many options at a high level. Its key message is that the infrastructure options adopted by Victoria should recognise the rights of people with disabilities to fully access our communities, and to be enabled to fulfill their potential as equal citizens.

Specific recommendations are:

- *That State and Local Governments should only issue planning approvals for new developments that meet contemporary Australian standards for access, and reflect the need for accessible toilets and adaptive technologies.*
- *That Infrastructure Victoria push for adoption of universal design principles across our new housing stock; and facilitate new disability housing development through direct funding for new housing, the provision of Government-owned land towards new developments, and use of the planning scheme to require developers to ensure a proportion of new housing is available for people with a disability,*
- *That all public transport infrastructure be compliant with the Disability Discrimination Act.*
- *That infrastructure-related activities are encouraged to procure goods and services from Australian Disability Enterprises, to support the employment of people with disabilities.*

National Disability Services

NDS is the peak body in Victoria and Australia for non-government disability service providers, with more than 200 members in Victoria and more than 1,050 members nationally. We have a diverse and vibrant membership, comprised of small, medium and larger service providers supporting thousands of people with disability, including both children and adults with autism spectrum disorder. Our members employ over 8,000 people in Victoria alone and are supported by countless volunteers in delivering vital services to Victorians with disability.

NDS is committed to improving the disability service system to ensure it better supports people with disability, families and their carers, and to building a more inclusive community. NDS has advocated strongly over a number of years for the introduction of a National Disability Insurance Scheme (NDIS) and is now supporting service providers across Victoria as they transition to the new Scheme.

People with disabilities within Victoria

One in five Victorians has a disability. Each of these Victorians will experience disability in a different way, but overall are more likely to experience discrimination and stigma, live in poverty, have poorer health, lower levels of educational attainment and be unemployedⁱ.

Recent statistics documented in the recent State Disability Plan discussion documents confirm this picture:

- In 2014–15, disability discrimination made up one-quarter of all complaints to the Victorian Equal Opportunity and Human Rights Commission. Furthermore, the number of complaints has increased by 10% over the last two years.
- Over six per cent of Victorians with a disability rent public or social housing, compared with only one per cent of people without a disability.
- People with a disability report poorer health outcomes than people without a disability, and they report that some health service providers don't have appropriate equipment or knowledge to provide the services they seek.
- Inequality of access to transport is a barrier for many people with a disability. The likelihood of exclusion is further compounded in regional and remote areas.
- The Royal Commission into Family Violence found that one in four women and girls with a disability are reported victims of family violence.
- The Royal Commission also found that women with disabilities experience all kinds of violence at higher rates, increased severity and for longer than other women.
- 38% of people with a disability of working age have completed year 12 compared with 61% of people without a disability
- Australia ranks 21st out of 29 OECD countries for employment of people with a disability
- 53% of people with a disability are in the workforce compared to 83% of people without a disability
- 43% of people with a disability rely on a government pension as their main source of income, and much underemployment is reported
- People with disabilities have a significantly lower income of \$400 per week compared with \$750 per week for people without a disability.ⁱⁱ

Infrastructure has a significant role in creating an inclusive community, and in addressing these grim statistics.

Looking ahead

The role and potential of people with a disability in our community is changing, and all future planning needs to be cognisant of these changes. Commitments and actions towards creation of a more inclusive society have already been made, and provide a clear context for development of Victoria's Infrastructure Strategy.

UN Convention on the Rights of Persons with Disabilities

Australia has embraced a rights based approach to people with disabilities, as reflected in its endorsement of the UN Charter United Nations Convention on the Rights of Persons with Disabilities. The Convention aims:

“to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.”

The rights prescribed in the Convention are extensive and include the right to live in the community and participate in public and cultural life; the right to education and the right to work; the right to an adequate standard of living and the right to “habilitation and rehabilitation”; the right to receive information in accessible formats and the right to accessible public transit.ⁱⁱⁱ

National Disability Strategy

The National Disability Strategy 2010-2010 provides a comprehensive framework for improving life for Australians with disability, their families and carers. Endorsed by all Australian Governments, it provides a comprehensive framework for achieving an inclusive nation. The Strategy identifies six priority areas for action, with the first of these being:

Inclusive and accessible communities – the physical environment including public transport; parks, buildings and housing; digital information and communications technologies; civic life including social, sporting, recreational and cultural life.

National Disability Insurance Scheme

Victoria is on the cusp of transitioning to the National Disability Insurance Scheme (NDIS). This groundbreaking initiative represents a tremendous opportunity to improve the quality of life of Victorians with severe and permanent disability. The NDIS is characterised by consumer choice and control, individualised funding and an open market for disability services. The NDIS offers the promise of delivering substantially more services to people with disability, services that better suit the needs of people with disability and which are provided in flexible, responsive and innovative ways.

The NDIS has a strong focus on community and economic engagement, and will likely see significant increased demand for provision of services in mainstream community settings, rather than segregated traditional facilities. This will enable NDIS participants to participate more fully in community and economic life, but only to the extent enabled by more inclusive transport, technology, justice, housing, health and education systems. Positive outcomes in all these service sectors can have a direct and positive impact on the employment and spending power of people with disability and their families, and therefore benefit the economy as a whole.

The NDIS will roll out across Victoria over a three year period, from 1 July 2016 to 30 June 2019, and will see around 105,000 Victorians becoming NDIS participants. It is imperative that the Victorian Infrastructure Strategy complements and supports this roll-out, in ways which are consistent with ensuring access to and inclusion in our community for people with disability, their families and carers.

State Disability Plan 2017 – 2020

Alongside roll out of the NDIS in Victoria will be implementation of the next state disability plan. Consultation on the plan is occurring currently, however it is significant that, reflecting the National Disability Strategy, the plan’s first identified outcome is:

creation of 'inclusive and accessible communities', with people with disability live in accessible and well-designed communities with opportunity for full inclusion in social, economic, sporting and cultural life'.

The Victorian government's clear commitments to the UN Convention, National Disability Strategy, NDIS and state disability plan together provide a clear direction to Infrastructure Victoria regarding the significance of creating fully accessible infrastructure within our state.

Current Infrastructure Impediments

Many Victorians already enjoy world class environments, with appealing green spaces, quality built environments, retention of heritage beauty and accessible public transport. Indeed Melbourne has often been voted one of the world's most livable cities.

However, it is evident from the above statistics and other data, that many people with disabilities are denied access to such environments, due to current major impediments in physical, transport and technological infrastructure.

Access to the Built Environment

Despite decades of discussions about the need to improve access to the built environment for people with disability, progress has been limited. Poor access to and around many public buildings and spaces continues to be a barrier to community participation. This needs to be addressed by the Infrastructure Strategy.

NDS also strongly urges Infrastructure Victoria to commit to actively supporting and expanding the *Changing Places* program into its strategy. This program provides for public toilets with full sized change tables and hoists in major public spaces across Australia to meet the needs of people with severe and profound disabilities (see <http://changingplaces.org.au/>). As people with disabilities are increasingly encouraged and supported to access the community under the NDIS rather than stay within specialist day services, NDS is concerned that those with more profound disabilities will be 'left behind' and unable to access mainstream activities due to lack of access to toilets.

Physical restrictions to accessing or moving around venues, however, are only a part of the problem. The absence of adaptive practices or technologies—such as hearing loops, captioning, audio description, Braille and large print signage — limits participation by many people with sensory loss. For people with sensory impairments, access to these technologies is as important for their participation as access to the built environment or transport.

NDS advocates that State and Local Governments should only issue planning approvals for new developments that meet contemporary Australian standards for access, and reflect the need for accessible toilets and adaptive technologies. People with disability should have access to public spaces and venues which is dignified and equal to that available to everyone else in the Victorian community.

Recommendation: That State and Local Governments should only issue planning approvals for new developments that meet contemporary

Australian standards for access, and reflect the need for accessible toilets and adaptive technologies.

Housing

There is an urgent need to develop new housing options for people with disability. There is a desperate shortage of affordable accessible housing, and this is likely to get worse. Once fully operational, the NDIS will generate much higher demand for affordable housing, with an estimated 20,000 – 30,000 Victorians with disability needing access to housing but not currently supported in social or public housing or specialist disability accommodation.

The scale of this challenge is illustrated by the Victorian Government's publication, *Victoria in Future*, which is considered by the Government to be '... an important guide for planning and building for our future.'^{iv} The Report notes that in 2011 the proportion of the Victorian population over the age of 65 (and therefore not NDIS ineligible) was 14.1 per cent of a total population of 5,537,800. It also predicts that, on the basis of current trends, by 2051, 21.8% of Victoria's population of 10,007,600 will be over 65 years of age. This equates to an increase in Victoria's population of older Australians from around 780,000 in 2011 to more than 2.1m in 2051. Given that the incidence of disability in our population increases with age, it is reasonable to assume that the proportion of those Victorians with disability will increase commensurately. This impending challenge requires urgent and far sighted responses from the Government now, including in the provision of disability housing and accommodation.

There are already many good examples of new and innovative housing products being developed by disability service providers in partnership with housing associations. However, there are also many impediments to overcome in order to deliver new housing on the scale required, in order to respond to the new demand the NDIS will generate.

NDS strongly urges Infrastructure Victoria to seek the adoption of universal design principles across our new housing stock. Specifically, NDS supports the mandating of the following four features in all new single dwellings, all new ground floor medium density dwellings and one in five new high-rise dwellings:

1. A clear path from the street (or car set-down/park) to a level entry: 1 metre wide path or ramp with no handrails, from the street or car parking; an exception for sites with an average slope steeper than 1 in 14;
2. Wider doorways and passages: a minimum clear opening width of 820 mm to required doors and a minimum clear opening width of 1000 mm to halls;
3. A toilet suitable for people with limited mobility on the entry-level: achieved with the toilet compartment measuring 900 mm wide and 1200 mm from the front of the pan to the nearest part of a doorway, or, for a toilet located in the bathroom, it must be in the corner; and
4. Reinforced bathroom walls to allow grab rails to be fitted inexpensively if they are needed later.

Whilst the NDIA (through the Commonwealth DSS) will be primarily responsible for driving NDIS housing policy, there is a critical leadership role for the Victorian Government in

facilitating new disability housing development through the provision of direct funding for new housing, the provision of Government-owned land towards new developments, or using the planning scheme to require developers to ensure a proportion of new housing is available for people with a disability, particularly in prime urban renewal sites which are close to public transport and amenities. There is a particular opportunity at present, given the spate of new apartment developments, including in inner Melbourne, however there is currently no mandatory legislative or regulatory requirement that even a small proportion of these be developed as accessible, social housing.

One of the initiatives that could be led by the Victorian Government to help support development of new housing supply would be to replicate a successful Queensland program in which the Government donates land to not for profit disability service providers to enable development of high quality community-based housing for people with a disability. Another example of this approach is in City of Greater Geelong, which also opted to donate surplus Council land in Ocean Grove for the development of housing for people with disability.

Utilisation of government-owned land to help address one of Victoria's most pressing social issues easily passes a 'public interest' test. NDS submits that action by government is required now, to drive innovative, flexible and collaborative models for the future provision of housing for people with disability in Victoria. There is also a role for the private sector and financial institutions in developing new housing options, to capitalise on the increased level of demand being driven by the NDIS. This includes key sites such as Fisherman's Bend and E-Gate in Docklands. The State Government can also enforce the adoption of accessible building standards as a proportion of all new residential and commercial buildings. This would better prepare our community for the housing needs not only of people with disability but for our ageing population.

The promotion of universal design principles for private housing, equipment and goods has received limited attention by governments, architects and designers. Improvements in these areas would be of enormous benefit to millions of older Victorians —many of whom will develop disability as they age — as well as to those who live with long-term disability.

Recommendation: That Infrastructure Victoria push for adoption of universal design principles across our new housing stock; and facilitate new disability housing development through direct funding for new housing, the provision of Government-owned land towards new developments, and use of the planning scheme to require developers to ensure a proportion of new housing is available for people with a disability.

Transport

The Government should also ensure that all public transport infrastructure is compliant with the *Disability Discrimination Act*. Universally accessible public transport is a cornerstone of a contemporary and inclusive society where all people have an equal opportunity to participate. It benefits people with a wide range of mobility levels, including children, young people and older people, people with disability, people carrying infants or shopping, pregnant women, people with temporary impairment etc. Accessible public transport will enable people with mobility challenges to efficiently get to workplaces, places of education and training, and access the community in line with everyone else.

Recommendation: That all public transport infrastructure be compliant with the Disability Discrimination Act.

Procurement from ADEs

The Infrastructure Strategy could make a real contribution to improving the lives of people with disability in Victoria by encouraging and promoting the procurement of goods and services from Australian Disability Enterprises (ADEs) in infrastructure-related activities.

There are about 6,000 Victorians with disability who are currently employed in ADEs. Many of these businesses face an uncertain future due to a range of economic, legal and historic reasons. The government has an opportunity to support these activities through procurement programs, as are being used in the current level crossing removal program. Continued employment for these individuals has multi-layered benefits for our economy and society.

The NSW Government has adopted this approach and in the last three years, over 30 disability organisations have secured about \$8m in NSW Government contracts, benefitting hundreds of people with a disability.

In June 2016, the Tasmanian Government followed the NSW's example, and announced the establishment of a Disability Employment Program (DEP) to be funded via a 3 year grant from the Tasmanian Community Fund. Implementation of a similar model of ADE social procurement should be supported through the Infrastructure Strategy.

Recommendation: That infrastructure activities are encouraged to procure goods and services from Australian Disability Enterprises, to support the employment of people with disabilities

Comments on Specific Options

As noted above, NDS welcomes the considered and consultative approach adopted by Infrastructure Victoria in development of an Infrastructure Strategy. We also endorse the vision:

By 2046, we see a Victoria where everyone can access good jobs, education and services regardless of where they live, where communities are held together by strong bonds, where industries and businesses thrive, and where the environment is valued and protected.

Please note our comments in regard to some of the broad options identified in the paper:

1. **Community infrastructure accessibility (CIM), p62**

NDS strongly supports further development of this option. Inaccessible infrastructure is recognized as a major barrier to people with disabilities, yet the Government has endorsed the UN Convention, National Disability Strategy, and State Disability Planning process, all of which identify the need for accessible infrastructure.

2. **Sport and recreational facility investment framework (SRF), p41**

NDS supports further development of this concept, with inclusion of a focus on accessible recreational facilities. The NDIS is expected to encourage many more people with disabilities to access mainstream recreational and sporting activities, and at present there are significant infrastructure barriers in Victoria to this participation.

3. **Community space shared use agreements (CSS1), p45**

Integrated shared use community and recreation facilities (RFC)

NDS strongly supports greater shared use of community spaces, and co-location or integration of arts, sporting and recreational facilities. Many disability specific services may be interested in sharing space with mainstream services to enhance community inclusion of people with disabilities. Creation of new or refurbished shared spaces, with accessible and welcoming features, will significantly contribute to the potential for community inclusion.

4. **Transport**

Public transport accessibility (PTV), p61

Public transport alternative use of taxis or hire cars (PTA), p45

Transport is a major barrier to inclusion for many people with disabilities. NDS strongly supports upgrading of all public transport to ensure its accessibility. We also support amendment of bus and taxi/hire care regulations to encourage alternative transport services, particularly in rural and regional areas, and we need to encourage more flexible and cost effective use of transport resources.

5. **Sub-regional infrastructure planning (SIP), p45**

NDS supports local area place-based planning, with the involvement of local Disability Committees, service providers, NDIS local area coordinators etc, to ensure local responses to community needs, including those of people with disabilities.

6. **Health Care and Facilities**

Respond to increasing pressure on health care, particularly due to ageing, p49

NDS particularly supports the options within this grouping relating to health education and prevention, and encourages a strong focus on the needs of disadvantaged groups. People with disabilities report poor experiences with many health services, and too often are overlooked with preventative health programs.

Community health facility access (SCC), p61

NDS strongly supports implementation of universal design principles into all new community facilities, including health facilities.

7. **Active lifestyle infrastructure regulation (ALR), Active lifestyle infrastructure provision (ALP), p53**

NDS supports the principles of 'active design' being incorporated into new residential developments and public spaces, including those in low income areas

8. **Housing**

NDS recommends that the option to increase residential facilities for people with disabilities (p62) be further developed. There is a critical shortage of housing

affecting people with disabilities, and the Specialist Disability Accommodation Framework to be implemented by the National Disability Insurance Agency will only provide capital for housing for 6% of NDIS participants. Other people with disabilities will be seeking low cost public or social housing, or private rental or purchase. NDS advocates that universal design principles should be incorporated into all new builds to address this need.

Options to provide better access to housing for the most vulnerable Victorians, p65
NDS strongly supports the range of housing options identified in the discussion paper. As noted above there is a desperate shortage of affordable and accessible housing located near transport and community services, and the Victorian government has the opportunity to step up and use an array of levers to scale up the availability of such housing.

9. High Quality **Education Infrastructure** to support lifelong learning, p73
NDS supports the funding of all education infrastructures to ensure its physical and technological accessibility for people with disabilities. Data indicates the low educational outcomes of many people with disabilities as compared to the general population, and inaccessible facilities are one cause of these poor outcomes.

10. ICT

Access to services through technology and ICT (AST), p91
Both disability service providers and people with disabilities face barriers due to poor technology connections, particularly in rural area. ICT provides great potential for improved communications and access, and this should be realized.

NDS also supports the range of options relating to preservation of our natural environment, water security and lower carbon energy supply. People with disabilities generally have low incomes, and will keenly feel the impacts of climate change and potential degradation of our environment. Preservation of the natural environment will contribute to a positive environment for all Victorians.

Conclusion

NDS urges Infrastructure Victoria to take account of the major commitments the Victorian government has already made to creating an accessible and welcoming built environment. This is a time of great opportunity in the disability sphere, with the advent of NDIS, and government commitment to the National Disability Strategy and Victorian State Disability Plan. The potential for these commitments and the NDIS will only be realized if the accessibility of our community is significantly enhanced. The Infrastructure Strategy provides a framework to ensure such accessibility, and NDS urges Infrastructure Victoria to reflect these commitments in its consideration of each of the options presented in the paper.

A handwritten signature in black ink that reads "David Moody". The signature is written in a cursive style with a long horizontal stroke at the end.

David Moody
State Manager Victoria
National Disability Services

Endnotes

ⁱ Department of Health and Human Services 2016, A companion document to a discussion paper of the Victorian State Disability plan 2017-2010

ⁱⁱ Department of Health and Human Services 2016, A discussion paper of the Victorian State Disability plan 2017-2010, p9.

ⁱⁱⁱ United Nations 2007, Convention on the Rights of Persons with Disabilities, Article 1.

^{iv} See <http://www.dtpli.vic.gov.au/data-and-research/population/census-2011/victoria-in-future-2015>