

Performance and Wellbeing Framework Consultation Paper

Spinal Cord Injuries Australia and Physical Disability Council of NSW

Joint Submission Under Wellbeing theme *Housed*

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1. Background and Context

Spinal Cord Injuries Australia and the Physical Disability Council of NSW commend the NSW government on the prioritisation of wellbeing as a measure for performance. Our submission focusses on the “Housed” theme, specifically the proposed indicators.

Currently the only indicator for the outcome “Vulnerable people have access to suitable housing” focusses on social housing. Social housing is a critically important indicator for the housing of vulnerable people however, in its narrow approach it fails to incentivise the single most important aspect of realising widespread secure and stable living conditions – universal design.

We request a further indicator be included in the Framework to address the acute shortage of homes in NSW with basic accessible and adaptable features.

2. About Spinal Cord Injuries Australia

Spinal Cord Injuries Australia (SCIA) is a *for purpose* member-based organisation that has been providing a dedicated advocacy service for people with spinal cord injuries and neurological conditions since 1967.

SCIA was founded by people with acquired spinal cord injury in 1967. Today people with disability still largely lead our organisation. People with disability make up 35% of our employees and a

further 25% of employees have an immediate family member with disability. Over 50% of our board have disability and we represent 3000 members across Australia, the majority of whom reside in NSW, who have spinal cord injury or neurological condition and their family.

Access to suitable housing is an issue of primary importance to our membership. In a 2020 survey of 134 SCIA members, 27% rated housing as the most important advocacy issue for them. Accessible housing is not only important for people with SCI and other neurological conditions but also people with other physical disabilities.

Additionally, by 2050 an estimated 2.4 million people in NSW will be aged over 65 and the majority prefer to age at home. Considering this, the scale of adaptations to housing in NSW will be significant over a short period. This will create economic and social challenges over the next 25 years if action is not taken now to increase the supply of homes with basic accessibility features in mainstream housing.

3. About The Physical Disability Council of NSW

The Physical Disability Council of NSW (PDCN) is the peak body representing people with physical disabilities across New South Wales. We represent people with a range of physical disabilities, our CEO has lived experience of physical disability and over 50% of our board have disability. We represent people of all ages and sub-groups including children, families, young people and older people; people from Culturally and Linguistically Diverse backgrounds and First Nations people; We represent people who are from a wide range of socio-economic circumstances and live in metropolitan, rural and regional areas of NSW.

Our core function is to influence and advocate for the achievement of systemic change to ensure the rights of all people with a physical disability are improved and upheld.

Housing is one of the biggest problems facing people with disabilities in NSW. Over 3 million Australians, including nearly 1 million in NSW, have mobility issues, with numbers expected to double. Most people needing assistance with core activities live in the private housing market, and NSW lags behind other states in building accessible housing. A PDCN Survey in 2022 indicated a high level of dissatisfaction with home accessibility, as the average dissatisfaction score is 44 out of 50, where 0 means completely satisfied, and 50 means entirely dissatisfied.

4. Accessibility Features for all Housing

Basic accessibility features

“Basic accessibility features” should be defined using the National Construction Code’s Seven Minimum Accessibility Standards. NSW introduced voluntary guidelines in 2011 but there are no measures in place to track change. As the Consultation Paper states, “What gets measured gets done”.

The additional indicator proposed in our submission will need to be complemented by a data development strategy to assess the current stock of housing as well as additional supply coming online from new builds. This information should be made more broadly available so people seeking homes with basic levels of accessibility and adaptability can find suitable housing.

Social housing is not enough to address the emerging issue created by a lack of housing with basic accessible and adaptable features.

Whilst people with physical disability and older people do not ordinarily consider themselves vulnerable, we believe that for the purposes of the wellbeing theme of *Housed*, people with disability and older persons should be included in the definition of 'vulnerable' as many are unable to live independently in accommodation without accessibility features.

Thus, the focus on social housing becomes a narrow view on "vulnerable" people and implies social housing is the State's primary solution for people living with a physical disability (and the elderly) to access secure and suitable housing.

Social housing alone will not shift the dial on the serious housing shortage impacting people living with mobility limitations. Waiting lists for social housing are long, and even when people with disabilities are considered priority cases, they may still wait years for suitable housing.

Most people living with a physical disability do not need or want social housing. Access to the mainstream housing market is the biggest obstacle to secure and suitable housing. Most houses lack even basic accessible or adaptable features.

The indicators must be broader than social housing to realise this housing outcome in the Framework. To achieve genuine increases in accessible and adaptable housing in the mainstream housing market will require more than NDIS funded home modifications and support for segregated housing, which limits people to living in group homes, social housing, or premature admission to nursing homes.

Regulation to deliver public outcomes should not be overlooked

The proposed indicators for the *Housed* theme in the Framework focus on government service provision only (i.e. social housing). The Framework overlooks the important role of government regulation to deliver outcomes for NSW residents. Regulatory settings ensure businesses and individuals also act to deliver public value outcomes important to the community.

The NSW government does not need to fund and deliver 100 per cent of what is needed to realise the *Housed* outcomes for vulnerable people. There are joint responsibilities between the public and private sector which, when activated, work efficiently to minimise the cost of government service delivery.

While other States and Territories have implemented a regulatory approach following the failure of voluntary guidelines, NSW and WA are the only jurisdictions in Australia that have yet to sign up to the National Construction Code's seven minimum accessibility standards.

The *Housed* indicators must capture universal design to have greatest impact for least cost.

By adopting the National Construction Code Livable standards and adding the further indicator on the proportion of newly built homes, the NSW Government will be delivering the largest impact for a growing population with least cost.

The prevalence of disability increases with age, although notably the severity of disability does not (OECD 2021).¹ This means integrating basic accessibility into the mainstream housing market (i.e.

¹ The OECD reported that the prevalence of disability almost triples between the working-age and senior populations: nearly half of the population aged 65 years and older reports a disability, compared to less than 18% of the working-age population. The severity of disability does *not* seem to dramatically increase with age: 28% of the working-age population with a disability report severe activity limitation, compared to 32% of seniors.

the principles of universal design) is an effective policy solution and one with the capacity to benefit the largest proportion of the population, at least cost.

Universal design is the broadest conception of designing for people with a range of needs, including people with disabilities.² Accessible housing following the universal design approach can create a suitable housing stock with basic accessible and adaptable features able to meet the changing needs of the population. Such features can be easily accommodated in the design phase of dwellings, but are often not considered in NSW, because the State has not adopted the National Construction Code's Seven Minimum Accessibility Standards.

There does not have to be a trade-off between affordability and accessibility.

New constructions methods (i.e. modular homes, 3D construction) and new materials can be used to achieve both. Thoughtful design of the indicators can ensure that we achieve accessibility while still realising affordability.

A 2021 audit (Summer Foundation) of accessible features in new build house plans found that:³

*“consistently incorporating accessibility features into the building code for all new dwellings would not be a significant cost impost on volume builders of residential housing in Australia. **Indeed, the country’s biggest builders are already incorporating most of these features in some new builds because they are consistent with good design”.***

The study found internal corridor dimensions often exceeded minimum levels with all of the houses audited having at least four elements complying with much higher accessibility standards (i.e. Gold and Platinum Levels).

The most consistent barriers for people with mobility impairments related to design features that would be near to cost neutral to address: threshold free entrance, width of internal doors (820mm), the dimensions of a ground level toilet and a frameless shower. Even achieving this would be make a considerable difference to accessibility.

Coordinating housing with employment and transport outcomes will maximise public benefits.

The Performance and Wellbeing Framework opens up the opportunity for coordinating housing supports with other policy areas such as transport and employment. Increasing the supply of homes in areas close to accessible forms of public transport, such as the light rail system, are critical to realising the greatest benefits from the public investments being made. They also make an impact on the indicators for the related theme *Prosperous* by enabling access to work for people with disability. Access to housing for people living with physical disability will yield a lower return if it is not focused on locations near to accessible public transport and close to deep labour markets.

What gets measured ... and what does not get measured.

The Framework states that “what gets measured gets done”. The proposed indicators in the Performance and Wellbeing Framework will be ineffective to incentivise change in one of the most significant challenges facing policy makers and NSW residents as the population ages – suitable and secure housing unless the focus is broader than social housing.

² OECD 2021. A crisis on the horizon: Ensuring affordable, accessible housing for people with disabilities, OECD Social, Employment and Migration Working Papers, No, 261. Paris.

³ Wiesel, I., 2020. *Lived experience and social, health and economic impacts of inaccessible housing*, prepared by Melbourne Disability Institute, University of Melbourne and Summer Foundation, p.28.

Providing access to adequate housing with basic accessibility features should not be considered optional by the NSW Government. Physical disability will affect us all at some point in our lives.

The current approach in NSW of voluntary standards fails to deliver a significant stock of housing with basic accessible and adaptable features needed to meet the changing needs of the population. Unless the Framework sets an indicator for increasing the supply of homes with basic accessible and adaptable features in the mainstream housing market, the crisis will grow and increase in cost.

After years of consultation, in 2023 both the Disability Royal Commission and the NDIS Review made clear recommendations that the NSW Government adopt at a minimum the National Construction Code Livable Housing Design standards.

5. What we are seeking

We are not seeking all new residential construction to be designed to be fully wheelchair accessible. Basic accessible and adaptable features in the mainstream housing market are all that is needed. These are much cheaper to incorporate in the initial design and construction phase, compared to the higher costs of modifying existing dwellings.

Independent costings commissioned by the Australian Building Codes Board (ABCB) indicate that the average cost to incorporate Silver Level Design features at point of build would cost, on average less than \$5000⁴. Accessible design is 22 times more cost effective than retrofitting modifications⁵.

The National Construction Code's 7 Minimum Accessibility Standards has principles of accessibility for construction and design that facilitates:⁶

- Easy entry and exit from the dwelling.
- Easy navigation and functionality within and around the home.
- Relatively easy and cost-effective solutions to adapt the housing to changing needs of residents over time.

We are seeking NSW Government policy to deliver solutions that will benefit the widest range of people including children, families, and older persons as well as those currently living with physical disabilities.

Currently the only indicator for the outcome "Vulnerable people have access to suitable housing" focusses on social housing. Whilst social housing is a critically important indicator, it fails to incentivise universal design in a broader context or deliver for the majority of people with disability who do not desire or need to live in social housing.

As part of developing the Performance and Wellbeing Framework we are calling on the NSW Government to:

1. Include a further indicator under the Housing theme : **the proportion of newly built homes in NSW with Silver Level Livable Housing accessibility features.**

⁴ Department of Planning and Environment, *Frequently Asked Questions, Housing 2041*, p.2 < [Housing 2041 – Frequently asked questions \(nsw.gov.au\)](https://www.nsw.gov.au/housing-2041-frequently-asked-questions)> accessed 24 July 2023.

⁵ New Zealand Ministry of Social Development (2009)

⁶ Wiesel, I., 2020. *Lived experience and social, health and economic impacts of inaccessible housing*, prepared by Melbourne Disability Institute, University of Melbourne and Summer Foundation, p.28.

2. adopt new provisions in the 2022 National Construction Code which require all Class 1a residential buildings and Class 2 Apartments to be built to minimum accessibility standards (Silver Level Livable Housing Design).

“Because the experience of disability is universal across the lifespan and impacts all areas of human life, disability is relevant to the implementation of all Sustainable Development Goals.”

OECD 2019, Disability Factsheet: Sustainable Development Goals.



Dianne Lucas
Chief Executive Officer
Spinal Cord Injuries Australia



Edward Morris
Chief Executive Officer
Physical Disability Council of NSW

Appendix A: The National Construction Code’s Seven Accessible Design Features

1. A safe continuous and step free path of travel from the street entrance and / or 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 shower recess.
6. Reinforced walls around the toilet, shower and bath to support the safe installation of grab rails at a later date.
7. Stairways designed to reduce the likelihood of injury and also enable future adaptation.