



Australian Network  
for Universal  
Housing Design



**Building Better Homes**  
A National Building Code **for All Australians**

# Submission to the NDIS Review

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## Accessibility in all new housing construction

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# Accessibility in all new housing construction

## Overview

Australian Network for Universal Housing Design (ANUHD) believes that the homes we build for today should be fit for all of tomorrow's Australians.

Building Better Homes (BHH) wants minimum accessibility standards for housing included in the National Construction Code, ensuring the Code meets the needs of all Australians.

Australia's Disability Strategy<sup>1</sup> acknowledges that "having appropriate housing, and a community that is accessible and inclusive, is central to how people with disability live, work and socialise (p. 9)." The former National Disability Strategy<sup>2</sup> was more specific:

*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. (p. 32)*

People with disability and their families face two main housing challenges: affordability and accessibility. This submission offers a strategy for accessibility in housing.

Our submission informs the NDIS Review objective to "find ways to improve, and make more timely, decision making in relation to home modification, assistive technology and accommodation". A key component of the solution is how well the mainstream housing industry designs and builds housing that allows for the inclusion of all people, including people with disability and their families.

## Recommendations

We ask the NDIS Review to recommend the following actions:

- 1. All new social and affordable housing to be built to the ABCB Livable Housing Design Standard: Beyond Minimum now<sup>a</sup>.**
- 2. State and Local governments to incentivise the housing industry to build to ABCB Livable Housing Design Standard: Beyond Minimum as soon as practical, and**
- 3. The Australian Building Codes Board (ABCB) to mandate the ABCB Livable Housing Design Standard: Beyond Minimum for all new housing in the National Construction Code (NCC) in 2028.**

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<sup>a</sup> Available at [ABCB Voluntary Standard Beyond minimum for livable housing](#)

## Background

In 2010, the National Dialogue on Universal Housing Design<sup>3</sup>, consisting of housing industry, human rights and community leaders, agreed that:

- Most homes have not been designed or built to meet the changing needs of residents and visitors, in particular, older people and people with disability.
- All new homes could be of Livable Housing Design Standard<sup>b</sup> by 2020 with interim targets to be set within that 10-year period, using a voluntary approach.
- A more stringent target of Livable Housing Design Standard: Beyond Minimum<sup>c</sup> could be met for social housing. (The former National Rental Affordability Scheme(NRAS)<sup>4</sup> also agreed to specify the equivalent<sup>d</sup> of Livable Housing Design Standard: Beyond Minimum in future funding rounds for affordable rental housing<sup>5</sup>).

The National Dialogue on Universal Housing Design was a direct response to Australia's obligations under the United Nations Convention on the Rights of Persons with Disabilities<sup>6</sup> (UNCRPD).

By 2015, there was evidence that the voluntary approach had failed to meet the interim targets and less than 5% of the 2020 aspirational target<sup>7</sup>. There was further evidence that social housing providers across Australia were sporadic and unreliable in providing housing to Livable Housing Design Standard or higher<sup>8</sup>. Future funding rounds for NRAS were ceased in 2013.

In spite of the commitment within the National Disability Strategy<sup>2</sup> to support the agreement, the disregard for the agreement by the housing industry and the lack of vision by governments resulted in minimal action<sup>9</sup>.

ANUHD and BHH advocated for the Livable Housing Design Standard: Beyond Minimum to be mandated in the National Construction Code for all new housing. At the same time, the UN Committee on the Rights of Persons with Disabilities<sup>10</sup> observed of Australia *"the significant proportion of the existing built environment that is inaccessible and the lack of mandated national access requirements for housing in the National Construction Code"* and supported a national mandated response.

In 2021, The Building Ministers Meeting mandated the Livable Housing Design Standard for all new housing in the 2022 NCC and the Livable Housing Design Standard: Beyond Minimum be a voluntary code.

Had the agreement by the National Dialogue and the commitment by the National Disability Strategy been honoured, Australia would now have over **800,000 mainstream dwellings**<sup>11,12</sup> to Livable Housing Design and over **10,000 dwellings**<sup>13</sup> to Livable Housing Design Standard: beyond Minimum as social housing stock.

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<sup>b</sup> Known then as Livable Housing Design--Silver level, now available at [Livable Housing Design \(abcb.gov.au\)](https://www.abcb.gov.au/livable-housing-design)

<sup>c</sup> Known then as Livable Housing Design—Gold level, now available at [ABCB Voluntary Standard Beyond minimum for livable housing](https://www.abcb.gov.au/voluntary-standard-beyond-minimum-for-livable-housing)

<sup>d</sup> Livable Housing Design—Gold level

## Rationale for recommendations

### 1. All new social and affordable housing to be built to the ABCB Livable Housing Design Standard: Beyond Minimum now.

Through the National Dialogue on Universal Housing Design (2010) and the National Disability Strategy (2011), the housing industry with the three levels of government agreed to a target of all new public housing to Livable Housing Design: Beyond Minimum by 2019. If these agreements had been met, the social housing system would have added over **10,000 additional dwellings to Livable Housing Design Standard: beyond Minimum** across Australia<sup>13</sup> by now.

Over 30% of social housing households have a tenant with a disability<sup>13</sup>. With this action, building to Livable Housing Design: Beyond Minimum would become the norm, decreasing the need for home modifications for people with significant disabilities<sup>14</sup> and offering greater choice for people with disability about where they might live. Further, a housing pathway out of social housing to affordable housing would become a possibility.

This recommendation:

- reinforces the 2010 agreement by the National Dialogue and the 2011 commitment by the National Disability Strategy, and brings them to attention for action;
- offers NDIS participants greater choice of where, with whom and how they live; and
- assists the NDIS Review to reach their objective to “*find ways to improve, and make more timely, decision making in relation to home modification, assistive technology and accommodation*” at no cost to the NDIS.

### 2. State and Local governments to incentivise the housing industry to build to ABCB Livable Housing Design Standard: Beyond Minimum as soon as practical

At first glance, this recommendation ignores the lessons of the past decade when the voluntary approach failed to significantly increase the supply of accessible mainstream housing. Nonetheless, this strategy provides an important step between the first (above) and the third recommendation (below).

Recent research<sup>15</sup> has shown that all the features in the Livable Housing Design Standard: Beyond Minimum are already included in established mainstream building practice; however, not in a way that guarantees practical and reliable accessibility of the dwellings (for example, a large front door may have a step at the entry, or the spacious bathroom has a shower with a hob).

The high take up of these individual element suggests that they are easy and cost-effective to build, attractive to buyers and increase the sales value of the dwelling. With adequate incentive from State and Local governments, individual housing companies are likely to build

to Livable Housing Design Standard: Beyond Minimum, guaranteeing practical and reliable accessibility for future occupants and visitors.

Incentives are simple to establish, relatively easy to administer using Livable Housing Design assessors, and can cease when no longer required. Incentives also provide education and awareness for Recommendation 3 planned for 2028.

This recommendation:

- reinforces the 2010 agreement by the National Dialogue and the 2011 commitment by the National Disability Strategy
- prepares the housing industry for Recommendation 3
- assists the NDIS Review to reach their objective to *“find ways to improve, and make more timely, decision making in relation to home modification, assistive technology and accommodation”* at no cost to the NDIS.

### **3. The ABCB to mandate the ABCB Livable Housing Design Standard: Beyond Minimum for all new housing in the National Construction Code in 2028.**

Already, the Livable Housing Design Standard is mandated for all new housing in the 2022 Nation Construction Code and is expected to be implemented in all States and Territories by 2025. This current building reform has significant benefits for people with a disability and their families, yet is unlikely to alleviate the NDIS responsibilities for home modifications. As basic access features in housing become the norm, rather than the exception, more people with disability and their families will expect to have, and demand, greater choice in where, with whom and how they live.

The objective of the Livable Housing Design Standard is *“to ensure that housing is designed to meet the needs of the community, including older people and those with a mobility-related disability”*. Yet, the Livable Housing Design Standard falls short of this objective and will be unsuitable for many people using mobility aides without the need for specialised or adapted features.

In 2020, the Melbourne Disability Institute<sup>16</sup> reviewed the data provided by the ABCB and found that the benefits of mandating the Livable Housing Design Standard: Beyond Minimum in the NCC outweigh the costs. Further, the MDI argued that Livable Housing Design Standard: Beyond Minimum has particular merit as the most cost-effective of the options that achieve functionality for those elderly and disabled people in wheelchairs.

Australia’s experience mirrors that of the United Kingdom. New housing in the United Kingdom has had minimum accessibility<sup>e</sup> since 1999. In 2015, the City of London also identified for both social and economic reasons for increasing the accessibility standard of new housing<sup>17</sup>. The existing standard was deemed to be too low to provide the expectations of dignity and independence in London’s population. The City of London decided that 100 per

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<sup>e</sup> Part M(1) is similar to the Livable Housing Design Standard

cent of new build homes should be accessible with 10 per cent fully wheelchair accessible<sup>f</sup>. The United Kingdom<sup>18</sup> followed suit in 2022<sup>g</sup>.

This recommendation:

- Reflects a broader long-term vision of people with disability living in inclusive, accessible and well-designed homes and communities, cited in the NDIS Act (2013), The UNCRPD and Australia’s Disability Strategy 2021-2031.
- Assists the NDIS Review to reach their objective to *“find ways to improve, and make more timely, decision making in relation to home modification, assistive technology and accommodation”* at no further cost to the NDIS.
- Will significantly alleviate the current cost burden on the NDIS with regard to specialist housing responses, and will offer greater choice for participants in where, with whom and how they live.
- Is likely to be inevitable given the experience of the United Kingdom.

## Conclusion

The NDIS was not designed to be a one-stop shop for all that people with disability need to live a full and an inclusive life. Being able to choose where, with whom and how you live is a human right for everyone. Housing is everyone’s business, and the housing industry has a critical role to play.

With social housing policy change, incentives then regulation of Livable Housing Design Standard: Beyond Minimum by 2028, the mainstream housing industry will design and build housing to meet the needs of all Australians. Accessible housing will become the norm, like accessible transport, and public places and spaces.

Attached to this submission is the Proposal for Change to mandate the Livable Housing Design Standard: Beyond Minimum in 2028, now lodged with the ABCB.

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<sup>f</sup> UK Building Regulation Part M4 (2) ‘accessible and adaptable dwellings’ equivalent to [ABCB Voluntary Standard Beyond minimum for livable housing](#) and ten per cent of new housing should meet building regulation requirement M4 (3) ‘wheelchair user dwellings’ equivalent to Livable Housing Design—Platinum level.

<sup>g</sup> UK Building Regulation Part M4 (2) ‘accessible and adaptable dwellings’ equivalent to [ABCB Voluntary Standard Beyond minimum for livable housing](#)



## Access Terminology for housing

Generic description	Livable Housing Australia <sup>h</sup> Guidelines	Australian Building Codes Board <sup>i</sup> Standards	United Kingdom <sup>j</sup> Standards
Provides basic structural and spatial elements that are critical for some future flexibility and so that most people can visit.	Silver level	Livable Housing Design Standard	Part M(1)-- Visitable
Provides for more generous dimensions for most of the dwelling, including kitchen, laundry and bedroom.	Gold level	Livable Housing Design Standard: Beyond Minimum	Part M(2)— Accessible and adaptable
Provides design elements that would better accommodate ageing in place and people with higher mobility needs.	Platinum level	Refer to Australian Standard 1428.1 (2021)	Part M(3)— Wheelchair user

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<sup>h</sup> For Livable Housing Design guidelines, see [Design guidelines \(livablehousingaustralia.org.au\)](https://www.livablehousingaustralia.org.au)

<sup>i</sup> For ABCB standards, see [Standards and Protocols | ABCB](#)

<sup>j</sup> For Building regulations Part M see [Access to and use of buildings: Approved Document M - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/access-to-and-use-of-buildings-approved-document-m)

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