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The Hon. Mick de Brenni MP

Minister for Housing and Public Works

Queensland Building Plan

Department of Housing and Public Works

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Dear Minister

The Anti-Discrimination thanks the Department of Public Housing and Works for the opportunity to make this submission on the *Queensland Building Plan Discussion Paper*.[[1]](#footnote-1)

The Commission makes comment on two matters in the discussion paper as follows.

1. **Liveable housing design**

Goal*: To increase the uptake of liveable design features in homes*

The discussion paper outlines:

Queensland has an ageing population. Liveable housing design is about making our homes easier and safer to use for all occupants and their visitors, including older people, people with mobility impairments, people with temporary injuries, and families with young children.

In 2016 the Queensland Government established the Livable Housing Design Working Group to identify opportunities to improve the uptake of liveable housing design features in homes. The group includes representatives from the building industry, community sector and government agencies. It has identified potential strategies that could be used to increase the uptake of liveable housing design in Queensland’s dwellings.

The importance of liveable housing design has been recognised nationally through the Council of Australian Government’s ‘National Disability Strategy’ and the Productivity Commission’s report ‘Caring for Older Australians’. The Australian Building Codes Board has also been asked to consider requiring minimum access features for new housing under the National Construction Code (NCC).

There are three compelling arguments for the provision of basic access features in all new housing; human rights, economic and social. Since 2010 there has been a collaborative agreement (Liveable Housing Design) between national housing and community leaders to transform building practices to provide minimum access features in all new housing by 2020. However, there are very poor outcomes from this agreement to date. The current voluntary strategies have provided the housing industry little impetus to respond, and have therefore failed to meet desired outcomes. The societal costs of this inaction to provide basic access in new housing are ultimately shifted to the health, disability and aged care sectors and individuals and their families.

Costs are shifted to the Queensland Department of Health and Department of Communities, Child Safety and Disability Services through avoidable hospital stays; the acute care and rehabilitation of injuries resulting from slips, trips and falls; costly home modifications; and the inefficient use of home-based nursing, support, and aids and equipment in poorly-designed home environments. Individual families also bear the costs; they pay for modifications; provide care in risky home environments and often are required to inappropriately place their loved ones in nursing homes and specialist facilities. Many people with disability and older people become marginalised and isolated because they cannot visit the homes of their family and friends.

The eight core design features elements that are sought to provide basic access features in all new housing (the Silver Level) are:

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. Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.
3. A toilet on the ground (or entry) level that provides easy access.
4. A bathroom that contains a hobless (step-free) shower recess.
5. Reinforced walls around the toilet, shower and bath to support the safe installation of grab rails at a later date.
6. A continuous handrail on one side of any stairway where there is a rise of more than one metre.
7. Stairways are designed to reduce the likelihood of injury and also enable future adaptation.
8. At least one, level (step-free) entrance into the dwelling.

**Proposals**

Some of the strategies in the discussion paper identify voluntary initiatives that could be implemented by government in partnership with industry and community sector organisations, other strategies involve regulatory options.

The Commission submits for the reasons outlined above the government should proceed to:

* Mandate a minimum standard (‘Silver Level’) of liveable housing design to be included in all new residential dwellings by 2020 by developing a new mandatory part of the Queensland Development Code (QDC). Some exemptions could be considered, e.g. steep properties and very small lots. In addition, the government shouldsupport similar mandated requirements in the National Construction Code.
* Require all Livable Housing Australia compliant properties to be registered on a publicly available database so consumers seeking liveable housing can easily locate suitable properties.
* Once ‘silver’ liveable housing design features are mandated in 2020, provide a financial incentive to new homebuyers to include a minimum of ‘Gold Level’ design features in their new dwellings (using Livable Housing Australia’s Design Guidelines). This will provide a larger pool of housing that is fully accessible for those in our community who require this type of housing. At present, there is an acute shortage of gold standard housing.
* Update Economic Development Queensland’s Accessible Housing Guideline to immediately include increased requirements for liveable housing design in new dwellings in its Priority Development Areas, so that all new housing will reach silver level, and after 2020 require 10% of EDQ housing to reach ‘gold level’.
* Prior to 2020, build a partnership to raise awareness of liveable housing design and build industry capability to deliver houses to a minimum ‘Silver Level’ of liveable housing design.
* Prior to 2020, develop case studies and display homes in partnership with industry to promote liveable housing design to builders and consumers.
* Work with the real estate industry to promote the existing *Liveable Housing Australia* logo for real estate marketing of houses that already include liveable housing design features so they are readily identifiable to consumers.

1. **Inclusive Communities**

Goal: *To make our communities more inclusive for people with profound disabilities*

The discussion paper outlines the following:

The rollout of the National Disability Insurance Scheme (NDIS) has heightened interest in issues facing people with disability, their families and carers. There is potential under the Queensland Building Plan to consider other supportive changes that could be made to Queensland buildings to make our community more inclusive for people with disability.’[[2]](#footnote-2)

As the NDIS is introduced across Queensland between 1 July 2016 and 30 June 2019, it will provide individualised support for people with disability, their families and carers. It creates a catalyst for government, in partnership with industry and community sector organisations, to implement additional strategies that could improve the accessibility of new and existing public buildings.

On 13 February 2011, the Council of Australian Governments endorsed the National Disability Strategy 2010–2020 to provide a national vision for an inclusive society and outline a 10-year framework to drive improvement across mainstream and specialist systems. The six outcome areas are: inclusive and accessible communities; rights protection, justice and legislation; economic security; personal and community support; learning and skills; and health and wellbeing.

There are a number of strategies that could help to improve amenity in public buildings for people with disability.

**Proposals**

The Commission’s comments on the proposals outlined in the discussion paper are:

* The Commission supports the need for larger ‘family’ rooms in appropriate places. There are many circumstances where people with disability require appropriate facilities to change which are often not available. This experience can be stressful and embarrassing for people with disability and separate, larger facilities would greatly assist. The Commission suggests there is a particular need for such rooms in high use places of public assembly such as supervised swimming facilities, fair grounds, stadiums, theatres, shopping malls, public change rooms, tourist destinations, theme parks and in supervised caravan/camping parks where shower/change facilities are available to patrons.
* Accessible public toilets — only a small number of public facilities in Australia are fully inclusive. For example, very few have access to a hoist or swing rails to enable people with disability and their carers to avoid toileting procedures that may impact on safety and hygiene. The Commission agrees there is a need for such facilities. The Commission suggests there is a particular need in high use places of public assembly such as supervised swimming facilities, fair grounds, stadiums, theatres, shopping malls, public change rooms, tourist destinations, theme parks and in supervised caravan/camping parks where shower/change facilities are available to patrons. Because the vulnerability of such equipment to vandalism, it may only be practical to provide this equipment in areas where the facilities are well supervised.
* The Commission understands that quiet areas for people experiencing sensory overload may be useful for people with disability who may find exposure to ordinary social activities stressful and frustrating. However, the Commission has some concerns about the concept of designated ‘quiet rooms’ being available, where they could get relief from this stress. The concern is that the rooms may easily become places of exclusion and isolation, rather than a sanctuary. There is also a concern that unless such a place is well supervised, there is a probability it will be used for purposes other than that which they were intended, and become an area where public nuisance issues occur. Rather, exemplary design of public spaces should allow for safe quiet areas where anyone can find a suitable place to temporarily seek a rest or a break from an overly stimulating or noisy environment. This space should be inclusive of all, including older people and others who would value using a quiet area from time to time. The Commission suggests further research be undertaken to determine best practice in this regard.
* The Commission supports the proposal for continence bins — one in four Australians have continence issues (this equates to 5 million people). Despite health regulations that dictate appropriate disposal, public toilets do not provide bins capable of allowing appropriate disposal of continence items. Wherever sanitary bins are provided, it would be appropriate to provide continence bins. It is essential that bins do not encroach on the required clear space of 2300 mm x 1900 mm. New toilets might have bins recessed into or attached to the walls.

The Commission is available to provide further information on any of the above issues if required.

Yours sincerely



**KEVIN COCKS AM**

**Anti-Discrimination Commissioner**

**Queensland**

1. Queensland Building Plan, a discussion plan for industry and consumers, November 2016. <http://queenslandbuildingplan.engagementhq.com/why-do-we-need-a-building-plan/documents> [↑](#footnote-ref-1)
2. Ibid p20 [↑](#footnote-ref-2)