



ACCESSIBILITY DESIGN PROVISIONS - OVERVIEW
NDIS – SPECIALIST DISABILITY ACCOMMODATION


KEY DESIGN / CONSTRUCTION CONSIDERATIONS

Thursday 28th June 2018

2

SDA OVERVIEW

NOT FOR THE FAINT-
HEARTED!



It is not for the faint-
hearted, but it is
important that we
know what we were
fighting for,.

3 A MISSED OPPORTUNITY?

- Puzzling to me why SDA funding assessments are based on the LHDG model?
- Why follow this rationale?
- Surely following AS 1428 would have been a better outcome?



4

OVERVIEW

Background

NDIS

Supply chain

Legislation

SDA Design

Project Management

Questions / Close

5 BACKGROUND

1

NDIS Act
SDA Provider
SIL Provider

2

SDA Rules 2016
Accommodation
Design levels & types

3

SDA Pricing –
Determined by
building type / design
category

4

National Disability
Insurance Scheme
(Provider Registration
and Practice
Standards) Rules 2018

6 SDA KEY FACTS



7 BUILDING CLASSIFICATION & CERTIFICATION

Eligibility for funding:

Properties to be Class 1 2 or 3

Usual broad process – buildings need to be certified that Building Code of Australia provisions are met; Building Certifier role

Within living accommodation – design / construction to be certified by a LHA (Livable Housing) Assessor; additional LHA Assessor role

8 BROAD LEGISLATION PROVISIONS

General Common area accessibility (Class 1 / 2 / 3 buildings);
Within accommodation type under NDIS (improved livability,
fully accessible etc) may need to be designed to Silver, Platinum,
or Platinum “+” level of the LHA Guidelines

“Implied” LHA Assessor role, but not specifically prescribed
within the SDA Rules

9 LEGISLATION PROVISIONS – HIERARCHY

International –

CRPD 2006; ratified by Australia 2007; in force 2008

Federal –

DDA, Premises Standards, NDIS Act 2013 (& associated standards / guidelines)

State –

National Construction Code / Building Code of Australia; Volumes 1 & 2

10 LEGISLATION PROVISIONS – MIS-ALIGNMENT

CRPD & DDA follow Social Model of Disability

Focus on access to housing, transport, facilities etc

NDIS follows both Medical & Social model of Disability

Eligibility based on Medical Model;

Capacity based on Social Model



II SDA SUMMARY – DESIGN OPTIONS

1. Basic – other characteristics
2. Improved Livability – Silver LHA
3. Fully Accessible – Platinum LHA
4. Robust – Silver LHA + additions
5. High Physical support – Platinum LHA + additions (AT ready)

12 LEGISLATION DISCONNECTS

SDA only addresses Capital support payments in isolation

Differences between the way legislation (Participant needs vs LHD Guidelines NOT a mirror image) & LHD is written and the intent of the NDIS

May be difficult (impractical) to meet number of accessible units / accessible car parking provisions of Class 1 / 2 / 3 Multi –Residential buildings under the BCA

I3 LEGISLATION DISCONNECTS

SDA refers to LHA Criteria as minimum requirements for New Builds BUT Livable Housing Design (LHD) are guidelines with voluntary performance levels, unless specifically mandated (see next slide)

Is the *actual* intent of the NDIS / SDA Rules & pricing guide to meet the principles of the LHD Guidelines?

E.g.; High Physical Support, variable design to bedroom/ bathroom?

14 LHA PROVISIONS SUMMARY

(P 11)...

none of the requirements are mandatory, unless the Guidelines are referenced by a state, territory or local government authority or regulation in which case the relevant requirements specified by an Authority shall then be mandatory. If the Guidelines are being relied upon for a regulatory purpose, for example a development application, then advice should be sought from the relevant regulatory authority as to which of the requirements are mandatory. "If the Guidelines are to be used as a benchmark for Silver, Gold or Platinum level Certification, then all of the requirements detailed in the Guidelines must be met"

15 LHA PROVISIONS SUMMARY

(P 11)...

LHA Design Guidelines apply to at least **one toilet, bathroom**. Where there is more than one bathroom or toilet in a dwelling, the LHA Guidelines should apply to the ground floor (entry) facilities. In the case LHA gold or platinum requirements for **kitchens, laundry and bedroom then the design guidelines apply to at least one** of these areas of a dwelling.

16 LHA – A HIDDEN GEM

LHDG (P 29) under Part 4 Toilet states for Gold level:

- “... with a minimum clear width of 1200mm between the walls of the bathroom if located in a separate room, or between amenities if located in a combined bathroom”.

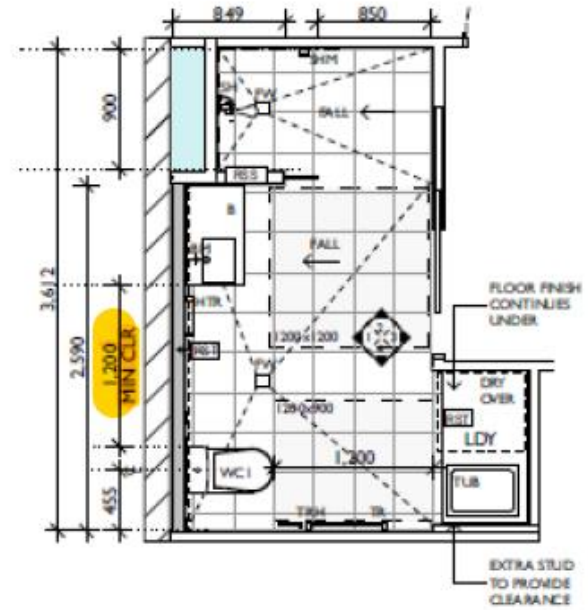
What does this mean in a combined bathroom?

- Between the walls x; or
- Between the amenities (fixtures) so WC & WHB ✓;



17

LHA – A HIDDEN GEM



 **BATH I - GOLD**
FLOOR PLAN 1:50

18 LEGISLATION DISCONNECTS

BCA vs LHD additional examples -

- Height of door thresholds
- Car parking if multi residential building – size & No reqd
- Kitchen design – benchtops can be ambulant height
- Bathroom design – peninsular WC layout to improve space for OOA / Parent / guardian to assist?

19 PROJECT DESIGN MANAGEMENT SUGGESTIONS / HINTS & TIPS...

My past project experience prompts the following for consideration:

1. Investor / operator to develop key project functional brief
2. In the case of multiple projects suggest that to avail of economies of scale that the appointed designer develops “kit of parts” typical overlay drawings
3. Silver Level, potentially only 6 elements of LHD to be followed (platinum ALL 15)
 - Project stage LHD items 1 – 6; 8 – 11 & 14 – 15 (SD / Base Build)
items 12, 13 (DD/ fit-out) and item 7 (Stairways) n/a?

20 LEGISLATION DISCONNECTS

Is there scope for Performance-based design outcomes?

Design for participant(s) needs -

- Meet minimum circulation requirements of LHD guidelines
- Meet AT ready provisions for High Physical support design
- Design for dignity and practicality with specific initial occupant and also legacy in mind
- Does this approach need to be separately documented to satisfy NDIS requirements & NOT impact on the award of funding? – suggest maybe a role for the LHA Assessor for acceptance by all stakeholders

21 MEETING DESIGN REQUIREMENTS

Key Stakeholders:

- investor (owner) operator
- Nominated occupant (if known)
- Design professional
- Private / Public Certifying Authority (Building Certifier)
- LHA Assessor

Engage all stakeholders early in the process and consult (little &) often for the best outcomes

22 CASE STUDY FROM RECENT REVIEW OF “ISSUED FOR CONSTRUCTION DRAWINGS”

- Elevation drawings were not available
- Door schedule was not provided
- Bathroom & Laundry door access widths shown at 820 mm
1:50 bathroom plans & elevation drawings needed for precise assessment; were not issued

23 MOVING FORWARD

Role of the LHA Assessor

Review &
understand
project brief

Engage with
applicable
Stakeholders as
required

Workshop(s)
SDA Accom
with designers

On-going
Review &
Record any
“technical”
departures to
BCA / LHD

Co-ordinate
with NDIS /
Client /
Certifier as
necessary

Provide Design
and
Construction
sign off

24 SUMMARY

- Recap
- Questions
- Thank you for your attendance & participation

