



Purple Orange

**Submission to the
Department of Social Services
about the National Housing
and Homelessness Plan**

20 October 2023

About the Submitter

JFA Purple Orange is an independent social-profit organisation that undertakes systemic policy analysis and advocacy across a range of issues affecting people living with disability and their families.

Our work is characterised by co-design and co-production and includes hosting a number of user-led initiatives.

Much of our work involves connecting people living with disability to good information and to each other. We also work extensively in multi-stakeholder consultation and collaboration, especially about policy and practice that helps ensure people living with disability are welcomed as valued members of the mainstream community.

Our work is informed by a model called *Citizenhood*.

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1. Summary and recommendations

All Australians should have access to an accessible, affordable, and safe place to call home. Housing should be understood, first and foremost, as a basic human right for individuals and as essential social infrastructure for communities. Policy settings should reflect this view and ensure sufficient investment is dedicated to delivering on this objective for all Australians. The development of the National Housing and Homelessness Plan presents an opportunity to set out a new inclusive vision for Australia's housing future. In this submission, we focus on the crucial importance of recognising and responding to the poorer housing outcomes experienced by Australians living with disability within the Plan.

We recommend:

Recommendation 1: The National Housing and Homelessness Plan should recognise that housing is, first and foremost, a basic human right for all individuals and essential social infrastructure for our communities.

Recommendation 2: The National Housing and Homelessness Plan should clearly reiterate that Australians living with disability have a right to access housing on the same basis as non-disabled people. It should recognise people living with disability as a priority group and emphasise the obligations of all governments under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

Recommendation 3: The National Housing and Homelessness Plan should reflect, complement, and enhance the commitments of all governments in *Australia's Disability Strategy 2021-2031* to improving housing outcomes for people living with disability.

Recommendation 4: The National Housing and Homelessness Plan should commit governments to allocating the resources needed to ensure actions under this Plan, as well as under other national documents such as *Australia's Disability Strategy 2021-2031*, are delivered in order that promises produce tangible results.

Recommendation 5: The National Housing and Homelessness Plan should articulate a vision whereby all Australians have access to a place they can authentically call *home*. It should underscore that this principle applies equally to all people living with disability, not just non-disabled Australians.

Recommendation 6: The National Housing and Homelessness Plan should draw on the Model of Citizenship Support in articulating a new vision for housing in Australia and as a useful lens through which to grapple with the range of housing problems faced by Australians living with disability and other cohorts.

Recommendation 7: The National Housing and Homeless Plan should thoroughly articulate the benefits to individuals and their communities of having a place to genuinely call *home* and the costs to government budgets and the economy that arise when some Australians are excluded from this right.

Recommendation 8: The National Housing and Homelessness Plan should articulate a vision whereby all Australians are empowered to make individual housing choices from the same array of genuinely available options without discrimination, segregation, congregation, and exclusion.

Recommendation 9: The National Housing and Homelessness Plan should commit governments to immediately ceasing investments in, and incentives for, new group houses, congregate sites, and similar options. Additionally, it should commit governments to no longer offering such facilities to new residents effective immediately.

Recommendation 10: The National Housing and Homelessness Plan should commit governments to prioritising the re-housing of group house residents wishing to leave, and to holding group house providers properly accountable for advancing authentic inclusion for remaining residents.

Recommendation 11: The National Housing and Homelessness Plan should commit governments to phasing out the group house model by 2030, and providing residents with alternative non-segregated, non-congregated, individualised housing models that properly lift people into inclusive lives.

Recommendation 12: The National Housing and Homelessness Plan should commit governments to significant new investment in a range of alternative individualised housing options based on genuine choice that do not segregate, congregate, or exclude Australians living with disability.

Recommendation 13: The National Housing and Homelessness Plan should commit all state and territory governments to implementing in full the National Construction Code (NCC) 2022 Livable Housing Design Standard no later than October 2024. Exemptions or concessions under the Standard should be limited to those that are sensible and necessary, precluding any form of blanket exemption.

Recommendation 14: The National Housing and Homelessness Plan should commit the Commonwealth to only funding housing that is compliant with the National Construction Code (NCC) 2022 Livable Housing Design Standard regardless of whether the Standard has been adopted in a jurisdiction effective immediately. It should also commit governments to allocating a portion of their investments to houses that fulfil the higher 'Gold' level of Livable Housing Australia's (LHA) Livable Housing Design Guidelines.

Recommendation 15: The National Housing and Homelessness Plan should commit Australian governments to a sensible gradual transition away from policy settings involving 'special treatments' for property investors that inflate prices and distort the housing market in order to ensure all Australians, including people living with disability, have a fair opportunity to achieve home ownership as owner-occupiers.

Recommendation 16: The National Housing and Homelessness Plan should commit state and territory governments to ensuring there are reasonable statutory protections for renters in the private rental market.

Recommendation 17: The National Housing and Homelessness Plan should commit Australian governments to significant new investments in social housing supply with a target of reaching at least six per cent of all housing stock across Australia being social housing within 10 years to ensure current and future demand is met. It should also commit governments to maintaining and upgrading existing stock to ensure they provide high-quality accessible social housing to all those who rely on it.

Recommendation 18: The National Housing and Homelessness Plan should commit Australian governments to establishing an independent inquiry to evaluate current and potential solutions to declining rates of home ownership in Australia. This should extend to specifically examining how the lower rates of home ownership by people living with disability compared to non-disabled people can be addressed.

Recommendation 19: The National Housing and Homelessness Plan should include a target to end homelessness as soon as possible through a multifaceted approach that addresses the causes to prevent further people becoming homeless and invests in the supports necessary to assist those who are already homeless into suitable housing. Specific consideration should be given to ensuring all elements of these approaches are responsive to the needs of Australians living with disability.

Recommendation 20: The National Housing and Homelessness Plan should recognise that housing policies need to consider and interact with the importance of neighbourhoods and surrounding communities. It should commit governments to establishing policy settings that ensure neighbourhoods are fully accessible and inclusive of all community members and enable people living with disability to take up meaningful valued roles in ordinary community life.

Recommendation 21: The National Housing and Homelessness Plan should commit governments to ensuring all future housing construction is not only accessible and affordable, but in its design also brings people together as neighbours.

Recommendation 22: The National Housing and Homelessness Plan should commit governments to investing in grassroots initiatives that build inclusive and accessible neighbourhoods for the benefit of all. It should emphasise the importance of this objective for Australians living with disability given current poorer outcomes in areas such as social and economic participation.

Recommendation 23: The National Housing and Homelessness Plan should recognise the importance of high-quality frequent data collection to track outcomes. The Plan should identify clear measurable targets and provide a mechanism for regular transparent public reporting.

Recommendation 24: The National Housing and Homelessness Plan should be overseen by a body with diverse leadership including, in particular, people from those cohorts that are currently underserved by the housing sector, including, but not limited to, Australians living with disability and First Nations people.

Recommendation 25: The National Housing and Homelessness Plan should commit governments to sufficient investment in the collection and reporting of meaningful data about housing in Australia, as well as dedicated funding to overcome the current shortfall in data about the housing circumstances and experiences of Australians living with disability. One focus of data collection should be to track progress on eliminating segregation, discrimination, and exclusion from the housing outcomes of Australians living with disability.

Recommendation 26: The Department should ensure it undertakes a genuine co-design process to design and implement the National Housing and Homelessness Plan. It should engage with a range of cohorts, including people living with disability, to ensure the Plan reflects diverse needs and will be fit-for-purpose to ensure housing supply will meet the long-term requirements of our ageing population.

Recommendation 27: The Department should conduct further open public consultation on the draft National Housing and Homelessness Plan once it is formulated.

2. Introduction

JFA Purple Orange is grateful for the opportunity to provide this submission to the Department of Social Services (DSS) regarding the development of Australia's National Housing and Homelessness Plan (the Plan).

We welcome the decision of the Commonwealth and state and territory governments to develop this Plan. As has been widely acknowledged, many Australians are currently experiencing significant housing pressures across all forms of tenure, while the demand for homelessness services has increased. These pressures are exacerbated for people with access needs by the severe shortage of accessible dwellings across the country. We hope the Plan will set out a clear pathway to overcoming the many problems that currently exist and create appropriate mechanisms for monitoring, measuring, and publicly reporting on progress toward achieving targets that ensure there is accountability for results.

While the current housing crisis is impacting all Australians, the impact is far greater for people living with disability who need both accessible and affordable housing options. The availability of accessible housing is extremely limited, and many people are forced to wait for long periods of time to find suitable accommodation. Outdated institutional approaches to disability housing persist and, indeed, continue to be favoured by government agencies, with many Australians living with disability forced to reside in group houses¹ with people they do not know and would not choose to live with. Others are stuck in inappropriate accommodation, including in hospitals long after their clinical needs have been met due to no suitable alternatives being available, which has flow-on impacts for the public health system and for ambulance ramping – a significant problem in many jurisdictions this year. Australians living with disability must be a priority group within the Plan to ensure it fully addresses the shortfall in housing outcomes compared to non-disabled people. This must not be treated as a separate segregated policy issue.

It is critically important that addressing the poorer housing outcomes for Australians living with disability is at the forefront of the Department's approach to developing the Plan. The

¹ In their character and effect, group houses are service facilities, not homes. This is why we deliberately use the term 'group houses' rather than the more common 'group homes'. The use of 'home' in this context is a misnomer and profoundly compromises its true meaning.

Plan must set targets to end housing segregation, discrimination, and exclusion, as well as homelessness. It is to this end that we make our submission. In the first section, we provide an overview of experiences of housing drawn from conversations with South Australians living with disability. We identify a range of problems encountered in accessing appropriate housing for their needs and choices. We then detail their ideas for solutions, actions, and goals to improve housing outcomes. The second section provides a comprehensive analysis of the problems and potential solutions to address these. In the third section, we outline our vision for Australia's housing future – a future where Australians living with disability are afforded the same choices from the same genuinely available options as non-disabled people.

This submission is informed by the experiences of South Australians living with disability. During August and September 2023, we met with 37 people living with disability across metropolitan, regional, and rural South Australia to listen to their experiences of housing and discuss how the Plan could improve outcomes. Additionally, our organisation hosts numerous peer networks, and we regularly engage with people with diverse disabilities and experiencing a range of life circumstances to understand the problems they are encountering in finding accessible and affordable housing and how these can be fixed. Our work has provided us with unique insights into the experiences and needs of South Australians living with disability.

Our organisation's work is informed by a model called *Citizenhood*. We believe this model offers a valuable lens through which the Department can consider a new approach to housing policy and formulate a Plan that will produce meaningful change for Australians living with disability. As such, the next section briefly introduces the Model of Citizenhood Support.² We encourage the Department to access the full paper via our [website](#).

2.1. Model of Citizenhood Support

JFA Purple Orange believes that having a suitable place to call home is fundamental to living a good life. A good life largely depends on the availability of life chances – the assets and opportunities available to a person. The Model of Citizenhood Support sets out a framework

² R. Williams, 'Model of Citizenhood Support', 2nd edition, 2013, Julia Farr Association Inc, Unley, South Australia. See <https://www.purpleorange.org.au/what-we-do/library-our-work/model-citizenhood-support>

for how people can be supported to build their chances of a good life and maximise their *Citizenhood*. Given the impact of access to secure housing on a person's life chances, the presence of a place to call home is critical.

The Model provides a comprehensive contextual framework for organising policy and practice in support of people living with disability. Although it was developed with a focus on the life chances of people living with disability, it is also a highly relevant lens through which to approach policymaking regarding issues faced by other cohorts and, indeed, the housing issues currently facing so many Australians. Hence, we urge the Department to consider how this Model can usefully support its work.

The Model asserts that our life chances comprise four different, interrelated, types of assets we can call upon, termed the Four Capitals. These are: Personal Capital (how the person sees themselves), Knowledge Capital (what the person knows and learns), Material Capital (money and the tangible things in our lives including a place to call home), and Social Capital (having people in our lives whom we know and know us). These Capitals apply to any person and can reveal what types of investment and assistance might be helpful for someone to build a good life for themselves. It is worth noting that typically each of these assets is advanced when a person has access to safe, secure, accessible, affordable housing – and diminished significantly when a person experiences homelessness.

The concept of *Citizenhood* is not to be confused with the concept of Citizenship, which is a much narrower static construct typically referring to membership of a country.

2.2. Home is the gateway to life

Housing is a critical form of personal Material Capital. It provides the base from which we access and build all our other Capitals. A *home* is more than just a shelter; it should be a place we can genuinely call 'home'; a place of comfort, rest, renewal, and belonging; where we are free to be ourselves, personalise our surroundings, and make decisions about who enters and on what terms. Home is the foundation that allows us to live good ordinary lives, pursue our goals and interests, do things that give us meaning and purpose, build and maintain relationships with friends and loved ones, connect with our neighbours, and actively

participate in our local communities. It is where we find a sense of safety, security, and certainty when we return at the end of our day. Home enables choice and control in our lives; upholds our individuality, self-determination, and status; and facilitates the use of our existing skills and the development of new ones.

To invest in the chances of a house providing an authentic sense of home, the dwelling should be accessible in line with a person's individual requirements and close to ordinary community resources, such as shops, healthcare services, transport hubs, recreation facilities, and other public amenities. The resident/s should be in charge of what happens in the home. Appropriate assistive technologies should be utilised to meet the occupant's circumstances and preferences, to maximise personal control. Crucially, a home should be a place where a person can welcome family, friends, and visitors and build ordinary valued relationships with their neighbours. When the above elements are accomplished, a person is much more likely to take up valued roles in community life and maximise their *Citizenhood*.

3. Experiences of housing and ideas for change

It is essential the Plan encompasses the experiences and concerns of the Australian community regarding housing, living arrangements, and neighbourhoods. Often, the housing needs of people living with disability are relegated and treated as somehow separate from those of other Australians. This approach is untenable, and the Plan must make this clear. Australians living with disability must be fully included in the Plan and their voices should be heard in shaping its vision.

Later in this submission, we will recommend the Plan should be co-designed with communities, including Australians living with diverse disabilities, actively involved in decision-making during its development and implementation. However, given this process has opened with a public consultation, we are keen to ensure these voices are heard as part of what we hope is only a first step toward developing the Plan.

During August and September 2023, we met with 37 people living with disability across the SKILL (Strengthening Knowledge, Ideas, Links & Leadership project), Disability Elders of All Ages (DEAA), and Our Voice SA (OVSA) peer networks in South Australia to discuss the Plan. They represent a broad cross-section of the disability community, with an age range encompassing young adults to older adults located in metropolitan, regional, and remote areas of the state. We heard from people with a diverse range of disability types, including sensory, physical, intellectual, neurological, and psychological. They lived in a range of different housing arrangements, such as the family home, independently, or shared accommodation, and across diverse tenure types, including group houses, Supported Disability Accommodation (SDA), social housing, and private rentals. We also heard from people with lived experience of homelessness.

In this section, we set out the experiences and insights that people living with disability have shared with us in these discussions, as well as their ideas for solutions to the problems, and what they hope the Plan will achieve over the next 10 years.

3.1. Problems with housing for people living with disability

3.1.1. Inaccessible housing

We began each of our discussions with people living with disability by focusing on their experiences of accessing suitable housing and the problems they encounter. Many non-disabled people take for granted that they can enter, move around, and use all facets of a dwelling just as they need. This is not how people with mobility issues and access needs experience housing. Most of Australia's existing housing stock is inaccessible. Yet, consultation participants agreed accessible housing is a human right, and everyone should have a secure suitable home that meets their needs.

Many shared examples of the difficulties they have encountered negotiating accessibility barriers in housing. A participant explained they had to change a lot of things when they moved into their public housing property, for example changing doorways to make them more accessible, and that it was a difficult and bureaucratic process to make these changes. Another participant stated the regional area they live in has almost 50 public housing properties *"but only one is kitted out accessibly"*. Still another participant revealed they had been offered a public housing property that was not accessible for a wheelchair user and was unsuitable for their age, so they had to decline it. Other experiences shared included being aware of people being *"kicked out of housing"* because of the alterations they needed to make the property accessible.

Concern was also expressed about the costs associated with accessing information about Australian Standards and specifications for accessible housing. One participant mentioned being required to spend \$350 to acquire specific details, such as how high their toilet seat should be. Costs like this constitute a barrier to modifying dwellings to make them accessible for the needs of the resident. However, the strong consensus from the discussions was people need housing that can be adapted and tailored for their needs, and this is a human right.

3.1.2. High cost of housing

As the discussions moved to the high cost of housing, many participants expressed a feeling that we are currently living in *"difficult"* and *"scary"* economic times. The impact of high inflation has made the cost of housing and the costs of living in general too high to be

affordable for many people. For some, this feeling was compounded by their belief that the current crisis is a consequence of government policy settings – in other words, “*an artificially created crisis*”. Examples provided of how governments are contributing to the crisis were a lack of planning, a failure to increase housing stock in line with need, issues with managing inflation, high immigration, newly arrived people outbidding locals, concerns about profitability and deterrents to invest in housing construction, and foreign investment rules, among others.

Consultation participants also highlighted the effects of low incomes on what housing options are affordable. Many people living with disability rely on the Disability Support Pension (DSP) as their sole source of income. This reduces the range of housing options that are genuinely available to them and force people to share in circumstances that are unsuitable and/or unsafe. There is high demand for limited social housing and, while people are grateful for the lower rates of rent, they can often find themselves in unsafe environments and inaccessible or haphazardly maintained properties. Participants also spoke about private rental affordability and finding it “*daunting*” to find places that are affordable. They referred to settings for financial support, such as those for rent assistance, as being unrealistic in the current inflated market.

Additionally, participants discussed the financial reality of not being able to afford their own home. For those receiving the DSP, the payment rate is not high enough to ever be able to buy a home. Indeed, one participant expressed their dismay that the “*golden right*” of owning a home would likely always be out of their reach due to their very low DSP payments. Participants also spoke of the difficulties people living with disability have in borrowing money when they receive the DSP as their only source of income. A participant explained that even borrowing money for a small loan not associated with housing was difficult. Further, another participant expressed concerns about how a person receiving the DSP would be able to keep up with mortgage repayments and other ownership costs even if they could purchase a home.

3.1.3. Lack of availability

The problems of inaccessibility and unaffordability are brought into even sharper focus when the availability of housing is as low as it currently is. We heard people living with disability encounter many barriers to finding housing to suit their needs and preferences, and often

find themselves in living situations that are less than ideal because there are no other options available. For example, people are living in sheds, caravans, tents, and boarding houses, as well as with family members and relatives. A participant explained boarding houses can be dangerous for people living with disability because fellow boarders may be former inmates from prison or other people who have extreme behavioural issues. People living with disability are often perceived as easy targets. Another participant recounted they had lived in a lot of places that they did not like or feel safe in. This included having to live with people who had assaulted them, yet they chose to stay because the only other option was to live on the streets. A participant highlighted that shared living environments are often unsuitable for people with Autism and other sensory disabilities, but there is nothing in place that recognises this. The shortage of dwellings compels people to live with incompatible fellow residents and in unsafe conditions.

Many participants commented there is not enough housing stock, particularly social housing and private rentals. They attributed this to a lack of government planning regarding supply and demand. There are extremely long waiting lists for social housing, with one person explaining there was an eight-year minimum wait for public housing in their area and no additional properties appearing to become available. The lack of availability of housing is also worse in regional and remote areas. Housing for temporary workers is one example of a problem facing regional areas, with concerns expressed that housing these people, such as tradespeople required to work on a short-term basis for local projects, is displacing locals. This problem can involve outbidding locals on rentals perhaps without even viewing the property first.

We also heard it was common for people living with disability to reside in housing provided by their families, including both living alone in a property owned by family or feeling compelled to live with family members in shared arrangements due to an absence of available alternatives. As will be discussed further below, this can cause complications and distress if families fall out with each other and/or people go through relationship breakdowns.

3.1.4. Group houses

Forced shared living in group houses continues to be the default housing option for many people living with disability, especially those living with intellectual disability. Consultation

participants highlighted their right to have a choice about where they live and to access different housing options that are genuinely available, yet not feeling supported by those around them in their dream of living independently. For example, a participant stated: *"I would like to live independently, but [my] support worker said 'no'"*.

As a consequence of not being supported to make their own housing choices, many people living with disability are being *"packed together"* in group houses, shared living spaces, and other quasi-institutional living arrangements. Their freedom of choice is *"being lost"*, increasing their risk of exposure to numerous problems, including violence, abuse, neglect, or exploitation. The issue of supported living providers acting as 'gatekeepers' was highlighted, including cases of threatening the loss of housing if people want to choose a different provider (for example, saying: *"If you stop using us... you will lose this house!"*). Additionally, participants shared examples of support worker rostering and allocation causing *"conflict"* within a house, and of being placed in housing based on convenience to service providers without consideration of *"who actually fits together"*, *"common interests"*, or *"whether they get along or are good for each other"*.

Participants referred to grouping people in shared housing arrangements like this as similar to institutionalisation and urged governments not to *"segregate"* and *"separate"* people living with disability from others. Participants told us governments also need to clearly understand the difference between independent living and shared living with some degree of independence. We heard that two sisters had been told if they wanted to live 'independently' they must live together – in other words, share – despite this not being what either of them wanted nor a suitable arrangement given their differing personalities and needs. The sisters were not listened to and others made choices for them. Participants frequently spoke about the right to choice and control not being adhered to.

3.1.5. Specialist Disability Accommodation (SDA)

People living with disability noted during our consultations that SDA funding under the National Disability Insurance Scheme (NDIS) is limited to a very small portion of NDIS participants. They spoke about many people not qualifying for SDA due to *"not fitting a particular box"* or their needs not being deemed *"complex enough"*. Therefore, many people fall through the cracks and are unable to find housing that supports their needs.

For those who are eligible, there are many other issues. Often SDA also involves being forced to live with others not of a person's choosing, as well as not being able to select who supports them, for example with overnight care. A participant shared their experience of living in an SDA property, explaining it was common to have to change a lot about the property to suit a person's needs and there was a lot of *"hoop jumping"* to get basic things done. The participant wanted to widen a doorway and install a ceiling hoist, but said it took a long time for these changes to be approved and completed. The participant also described instances where things within the property were *"falling apart"* but they had been unable to contact staff at the SDA provider to fix these issues. Additionally, it is expensive to live in SDA housing while only receiving the DSP, something that many overlook and do not understand.

3.1.6. Social housing

Many people living with disability reside in social housing. Consultation participants highlighted the extremely long waiting lists to access social housing, with many waiting years before gaining a property. We heard that the system is *"utterly broken"* and people living with disability are *"being left behind"* as governments come and go without fixing the problems. Participants explained there are *"many hoops"* to jump through in accessing and living in public or community housing. Participants concurred the South Australian Housing Authority (SAHA) does not have a good reputation for supporting people living with disability into suitable public housing with staff not having the necessary skills and attitudes to provide the required assistance. Participants suggested SAHA staff do not demonstrate any sense of wanting to help. However, after gaining access to a property, a participant described their positive experience, stating they have a *"permanent home as long as you look after it"*. Further, while people must ask for permission for some things, SAHA looks after tenants in terms of maintaining the property, such as painting, cleaning gutters, and mowing lawns. Experiences varied among consultation participants, but, as would be expected, those who have already secured a property were more positive in their reflections than those still waiting.

Of greater concern were experiences of substandard properties. A participant spoke of being allocated a house that was infested with cockroaches and the community housing provider would not address the infestation. The participant only lived in the house at night to sleep, during the day they went out and ate meals at a friend's house for two months until they

were able to find somewhere else to live. They also had to keep their groceries and important possessions at the friend's house, making them dependent on that person and exposing them to abuse and risk of losing their possessions. The participant was required to continue to pay rent during this period. Unfortunately, the participant ended up falling out with their friend during this time, which made their situation even more difficult. Another participant gave a second-hand account of a person also placed in a cockroach-infested property. Still another relayed a similar second-hand story of a person living with disability, who was homeless and living in their car, seeking assistance and being allocated a property that was "*riddled with termites*" and not suitable for living in.

Further, inaccessibility is also a significant concern for many. A participant explained people often need to change a lot in a public housing property to suit their needs, but this is not allowed in public housing properties. The size of properties also concerned a participant, who felt these properties are like "*dog boxes*", where people feel "*boxed in, with little yard space*". As such, participants felt that social housing should not be the "*end game*" for people and they wanted to have a prospect for something better in the future.

Participants told us that social housing forces people to plead their case, and participants felt strongly that they should not have to plead for housing when everyone should be entitled to somewhere suitable to live. Many participants are aware of public housing properties that are empty, particularly in regional areas, and they wanted SAHA to act on this problem to increase the availability of dwellings.

3.1.7. Private rental market

We heard there are many barriers to people living with disability accessing the private rental market. These barriers include inaccessibility of properties, inaccessibility of application forms, unaffordability, lack of availability, insecurity of short-term leases, bullying, discrimination, and bias in favour of non-disabled applicants. Participants told us about many instances of discrimination they had experienced, based on pregnancy, having children or pets (and the potential for property damage), being a First Nations person, and aspects of their living situation being judged. A participant added that non-disabled people also experience discrimination with private rental applications and that real estate agencies and landlords often discriminate against parents, pet owners, and First Nations people when

selecting tenants. Intersectionality is a compounding factor for these types of unacceptable experiences. Other participants noted that agents and landlords often choose candidates based on their jobs, and this means the odds are stacked against people living with disability who also experience high levels of discrimination in employment.

A participant also shared their experience of when they had wanted to rent out the house they owned and the real estate agency asked them to decide between the top five candidates based on limited information, such as how many children the applicants had, any pets, and their job situation. The participant said they did not want a single male to have their four-bedroom house over a woman with two children. Another participant responded the real estate sector is “*very inhumane*” due to the implication that only “*desirable*” candidates get housed.

Other participants spoke of the need for private rentals to be more accessible, affordable, and provide greater security of tenure. Many leases are either month-to-month or fixed term for a one-year period and this creates instability and insecurity and opens up the potential for continual rent increases and people feeling vulnerable to being “*kicked out*” at any time. This precariousness in housing makes it difficult for people to plan for the future, discourages allowing people to adapt a dwelling to suit their needs, increases the likelihood of repeated rent rises, and exacerbates the chances of people falling through the cracks into homelessness.

We also heard about a range of other problems regarding private rentals. Many are concerned about the excessive amount of personal information required to be given to real estate agents when applying for private rentals. A participant encapsulated this sentiment, stating: “*Estate agents know more about me than my doctor*”. Further, despite there being many people desperate for rentals, participants knew of owners who currently had empty houses. Finally, participants believe there is a lack of support available to find new accommodation in situations where people are forced to move due to a landlord ending a lease.

3.1.8. Experiences of homelessness

A few participants had lived experience of homelessness, many had felt vulnerable to it, and all were very aware of the increasing prevalence of homelessness in their communities. A

participant shared their experience of homelessness resulting from domestic violence. They explained they shared a joint bank account containing “lots of money” with a spouse who was abusive and ended up clearing out the joint account. The participant was left with no money and lived in a [REDACTED] at the time so had to work out how to find food and shelter. They were not able to couch surf due to their disability. They shared that the experience resulted in them having a breakdown and being hospitalised. Eventually, they were able to get back on their feet and access new housing. They attributed this to talking to others on the street and finding out information about where to go for help. They reflected that the experience taught them a lot and they discovered the hard way that there is help available.

Another participant recounted their experience of homelessness at a time when they did not have access to the medication they required and, consequently, lost functional capacity in social skills to be able to present well at appointments to view rental properties. They said that people should not be discriminated against for not “*presenting as a desirable candidate*” as people’s living situations fluctuate and can be unstable, thereby affecting the way a person presents.

Others shared second-hand insights into the problem of homelessness. A participant knew of someone living with disability who has been living on the streets for more than five years, but they perceived the person is happy. They go into the library during the day. They are resourceful and can mend their own clothes. This person had “*fallen through the cracks*” in terms of support from government and housing providers. Another participant knew of someone else living with disability who was currently homeless and sleeping in their car, demonstrating the prevalence of the problem given the small sample of consultation participants.

Participants had also experienced very insecure housing circumstances where they felt vulnerable to homelessness. A participant shared their experience of periods in their life when they had to couch surf at other people’s houses and encountered unsafe situations with male housemates. This participant said because they owned a pet, this made finding alternative housing difficult. Another participant described the cycle of precarious housing for a person they knew after they were evicted from a property. The person went to a housing provider, but the provider did not want to help. The person found somewhere else to live, sharing with

another person living with disability. When the person was evicted from that property, they had to find somewhere else to live yet again.

Many participants also reflected on the consequences of people's attitudes relating to homelessness. We heard that pride has an impact on how people choose to live and that others in the community are quick to judge people for their choices. Sometimes people may indicate they are happy living the way they are. A participant stated there is a difference between rough sleeping and being homeless. On the other hand, participants reflected that there are a lot of people who live in cars or couch surf, and we do not know they are actually homeless. Participants also discussed the importance of having a stable address and a tax file number, and noted there are a lot of things people cannot do without a fixed address. Participants felt that many in the community would not help each other and stated this is a problem. People need courage to ask for help, but more help should be readily available.

3.1.9. Associated policy issues

Housing policy does not exist in isolation. Consultation participants identified many other critical issues that interact with housing and homelessness, therefore policies must be considered holistically. These include lack of access to transport, very low incomes, the rising cost of living, unemployment, domestic and family violence, and proximity to services and shops. Many participants told us that transport, both public transport and taxis, needs to be improved to assist with housing because the ability to do daily living activities impacts where people can live. Indeed, transport emerged as an issue with strong links to housing. For those without a car or licence, access to transport has a significant impact on where they can live. Without access to transport, a participant described feeling "*trapped*". Participants also shared how people living with disability experience high levels of unemployment and underemployment and this impacts their access to housing due to the relevance of income in determining housing options.

3.1.10. Impacts on family and relationships

Many participants spoke about the complicated living situations people living with disability often find themselves in including a reliance on other family members, such as living with parents or living independently within properties owned by their family members. Although family members often have the best intentions in providing housing support, it is not an equal

relationship and there is a high risk of interpersonal issues developing or abuse occurring. In these situations, participants described how people living with disability feel they cannot complain about the property, are trapped, and cannot change where or how they live. Families can experience a significant falling out with each other or relationship breakdowns that are, at least in part, a consequence of housing issues.

Housing tensions can spill over into other issues and create conflicts. A participant described instances where they were begging their partner for assistance with providing them transport and how uncomfortable this made them feel, stating dependence on others feels “*rubbish*”. Another participant had experienced similar tensions and spoke of their partner telling them “*I’m not going to be your personal taxi service*”. On the other hand, others described positive experiences with supportive families. Some reflected that they would not be where they are at in life now if not for this support. For example, they spoke of the support their families had provided to aid the transition from the family home into other accommodation settings. Or gaining greater independence while living within their family home by being responsible for buying their clothes and groceries.

Fear about future housing options was a very common and upsetting theme in the discussions. Many contemplated what the future would hold when loved ones die. A participant living in the family home stated that they would have to live somewhere else one day because their parents would not live forever. This participant expressed their concern about their brother who lives with physical disability and also resides in the family home, but who they thought would not be able to live alone in the future. Similarly, another participant shared their family’s concerns about another family member living with disability who would need to move into a supported living arrangement one day and that this would likely require them to relocate away from their rural community. The family is worried about the person uprooting their life and being left without connections into the community, increasing vulnerability to isolation and loneliness. They stated this increases their vulnerability to abuse, including fears about support workers focusing solely on the person’s money.

Other participants spoke about how they and their families were preparing for a future after their parents have passed. One mother had helped a participant save up for a home, bought land, and helped them build a house because she said it was important to have a stable home and to build the skills to live independently now. The participant said it took a long time to

build the property after starting off with “*just dirt*”, but it meant a lot and gives them and their sibling stability.

3.1.11. Regional, rural, and remote areas

Many of the participants in our consultations live in regional, rural, and remote South Australia. While many housing issues arise regardless of geographic location, often these problems are exacerbated by the tyranny of distance and isolation. Participants believed there is even less accessible housing available outside metropolitan areas and a general housing shortage particularly due to the trades shortage and the cost of getting building materials to these locations. Housing maintenance can also be affected. Further, when there is new housing construction, the workers take up existing housing in the area during the build, adding to the shortage for locals. Incomes are often lower and there are less employment opportunities to sustain housing costs. Very limited or no public transport options constrain where people can live while being able to access basic services, such as food, shops, and healthcare. They must be close enough to walk to essential services if that is an option for them or close enough for a suitable taxi service to be available and for the distance they need to travel to be affordable – in other words, a trip as short as possible.

3.2. Ideas for action and change

3.2.1. Build more accessible houses

Housing that is accessible and suitable for a person’s needs is a human right. That was the strongest message conveyed by participants in our consultations. There was a strong consensus there needs to be a significant increase in the supply of accessible housing across Australia. Participants also concurred more thought needs to be given to the location of housing so people live near essential infrastructure and services, such as transport, healthcare, and grocery shops. Participants noted accessible housing and SDA are increasingly located further away from these basic services, as well as community activities and events resulting in greater segregation and exclusion of people living with disability. Participants told us housing should be designed, located, and built with the intention of creating inclusive neighbourhoods where all people are included and can fully participate in community life.

Participants stated there needs to be substantial investment in more “*disability-friendly*” housing, including building properties that have a minimum of two bedrooms as people should be treated with dignity and respect when support workers are required for overnight shifts. Participants agreed governments need investment strategies to build more accessible housing and that this could occur through community housing options. Additionally, it was suggested governments should set targets for the percentage of public housing that is fully accessible.

Participants discussed the importance of adopting Universal Design principles and adhering to the National Construction Code (NCC) Livable Housing Design Standard, particularly because anyone can have a disability at any point during their life. A participant also spoke about the concept of a 15-minute city where accessible services and shopping centres are within 15 minutes of housing. Participants also suggested there should be multiple transport options, including lots of bus stops, to ensure accessibility, while one stated parking is another important consideration. Another participant suggested those who make housing policy need to work with disability organisations so that they can learn more about the diverse range of accessibility needs.

3.2.2. Make housing more affordable

Ensuring there is more affordable housing made available is another action put forward during our discussions with consultation participants. Often people living with disability are on very low incomes. Participants called for policy settings for financial support, such as rent assistance, and for what is considered ‘affordable’ housing to be reassessed in the wake of recent inflation. This also needs to account for other increases in the cost of living. Additionally, the higher rates of unemployment and underemployment for people living with disability, who often face exclusion and discrimination in workplaces impacting their capacity to earn more income, should be taken into account.

3.2.3. Increase housing stock

Participants agreed there needs to be more stock for all forms of tenure, including social housing and private housing, and there needs to be a range of choices available for people. Participants told us that the need for increased housing stock applies to both metropolitan and regional areas, and that dwellings need to be in different forms such as houses,

townhouses, units, and apartments, as well as more flexible and non-conventional housing types such as granny flats, transportable houses, and tiny homes. A participant also recommended creating more co-op housing.

Participants identified that building approvals and other regulations often present barriers to creating more housing opportunities. Some suggested these could be made more flexible particularly to increase the number of dwellings on a block and to allow homeowners to use part of their land to build an additional dwelling on, such as a granny flat that could then be rented out. Participants also want the problem of empty houses addressed, particularly social housing stock, and suggested governments could consider new creative options to increase available dwellings including examining how other types of empty buildings, such as old schools and vacant shops, can be utilised for housing.

3.2.4. Invest in social housing

During discussions with participants, we heard many suggestions for how social housing should be improved and supply increased to address the long waiting lists. The suggestions ranged from governments building more public housing stock, investing in community housing, improving accessibility, ensuring people have space within both indoor and outdoor areas, and considering how neighbourhoods where social housing is located can be made more accessible for people. Participants were keen for established social housing stock to be audited for accessibility to enable upgrades. Further suggestions included governments understanding people's needs before "*allocating*" public housing to them to prevent people ending up in unsuitable dwellings.

3.2.5. Protect the rights of renters

Participants believed private rental landlords have too much power currently and there is a need for more rights to protect renters. We heard various suggestions to rebalance the sector, such as offering longer-term leases to provide more security and stability to renters, disallowing no-fault evictions, enforcing a 'rent freeze', and making rental inspections by real estate agents less intimidating. Participants told us it is difficult to navigate the private rental market, including applying for properties. We heard suggestions about providing more support to people applying for housing in the private rental market. In addition to experiencing difficulties with how to make an application for private rental properties, many

people living with disability are discriminated against when they apply for private rental properties. Steps should be taken to prevent this from occurring.

3.2.6. End homelessness

Participants strongly endorsed the principle that all people are entitled to housing and agreed more needs to be done to support homeless people to find safe and appropriate housing. This includes supporting homeless people with knowing where they can seek shelter and support and other helpful information. Participants agreed that preventing homelessness occurring in the first instance should be the focus rather than allowing it to happen before assisting. One also suggested Australia should learn from overseas experiences. A participant also suggested people with homes should be encouraged to display 'safety house' signs on their homes so people know where they can go if they are in danger.

3.2.7. Increase the Disability Support Pension (DSP)

Many people living with disability receive the DSP as their only form of income, but with such a low payment rate it is difficult to afford housing. Participants endorsed an increase in the DSP payment. Additionally, more banks need to accept the DSP as a permanent source of income (as many already do with child support payments even though a person's eligibility will eventually end). Both of these measures would reduce the need to borrow money from family and friends, which can increase the chances of abuse occurring. Participants discussed their concerns at the DSP being a barrier to home ownership and what protections could help ensure those who do own homes can sustain that ownership. This is an area they want explored further.

3.2.8. Increase NDIS support for housing

Providing more support to NDIS participants regarding housing is something we heard repeatedly throughout our discussions. A participant called for a review of the SDA eligibility criteria so it can assist more people in need. Many people living with disability want to live independently, but to achieve that goal they need assistance with building their capacity and skills and in identifying and pursuing their preferred housing goals. The lack of accessible and affordable housing options makes it hard for people to fulfil their housing goals.

Once living independently, they may need continued or additional support to look after their home. Participants told us the National Disability Insurance Agency (NDIA) should do more to assist people, such as providing more flexibility with funding to allow people to get support for things like cleaning and gardening to ensure their home is well presented prior to a rental inspection. We also heard the NDIS must acknowledge that everyone deserves housing and, when things go wrong, a second chance – that is, one-off situations should not be held against people forever.

3.2.9. Fund broader housing supports

Participants agreed everyone is entitled to housing and to tailored support to obtain the housing they want to live in. We heard that governments need to shift their thinking from housing being a commodity, to housing being an essential and basic human right. There were concerns about the way governments are letting people struggle during the current housing crisis, particularly with navigating through the various steps to find suitable housing. A participant suggested creating a service to support people, but cautioned this should not include making people wait on hold on the telephone for hours, providing information only through complicated websites that assume people are literate in reading and can use technology and the internet, or not providing an interpreter service if people require this for their disability and/or language needs. These are some of the problems in existing systems that are already resulting in people falling through the cracks. Participants also highlighted similar issues with navigating difficult systems such as Centrelink, which was described as a *“cruel and inhumane system”* and a system that *“keeps you broken”*.

Participants also suggested governments do more to advertise what services are available because people do not hear about these services and supports enough. It is extremely important for people know support is available and how to find it. Governments should advertise via multiple formats, such as television, newspapers, online mediums and posters in public spaces, such as public transport stations, shopping centres and healthcare services.

3.2.10. Build individual capacity

Consultation participants sought more support and assistance to develop independent living skills, perhaps through a dedicated agency that also supports people to navigate systems to find housing options. Capacity building could focus on connecting utilities, budgeting for a

household, utilising local transport options to access services, maintaining a property, growing their own food, and similar skills. Support through peer networks should also be funded. Additionally, there is a need for more crisis supports, such as to organise housing after the sudden death of a parent.

3.3. Consultation participants' goals for the Plan

We were reminded of the qualities of what a 'good home' looks like. Participants described elements of a good home as having a roof over your head, feeling safe, having space to be yourself and to do the things you enjoy, having somewhere to keep possessions and make memories, and being able to choose who you live with and where. A home can take many forms, but ultimately people are entitled to housing that makes them feel safe and secure.

Below, we set out the goals that consultation participants identified for the Plan:

- **Housing is recognised as a human right in legislation**

There should be legislation to formally recognise that "*housing is fundamental to living*" and is a fundamental human right for all Australians. This principle should be adopted in all areas of government.

- **Housing is accessible and adaptable to a range of needs**

Existing and new housing stock (including public, community, and private) should meet the National Construction Code (NCC) Livable Housing Design Standard and follow Universal Design principles. Australia needs to plan for access because at any point in time anyone can acquire a disability and housing should cater for everyone.

- **More housing options are available for people with low incomes**

There needs to be more housing options available to people on low incomes, including through new innovations in housing design and different financial and ownership models.

- **Enough housing stock is available to meet community needs now and into the future**

There needs to be more housing stock available to meet the community's needs, including public housing, community housing, SDA, and private rental housing. New housing needs to be built, and existing properties need to be better utilised. Creative new options also need to be considered, such as tiny homes.

- **Enough social housing is available to eliminate waiting lists**

There needs to be more public and community housing stock to ensure there is more affordable housing available to people on low incomes. Public and community housing should better meet the needs of people living with disability, such as increased accessibility and more space within the outdoor and indoor areas. There should be a target for social housing stock that is fully accessible to promote change.

- **The default assumption of shared living for people living with disability ends**

People living with disability need to be asked how and where they want to live, rather than assume that everyone wants to reside in shared living arrangements. People should not be forced into shared living arrangements based on having a disability. All people are entitled to have dignity of choice.

- **More people are eligible for Specialist Disability Accommodation (SDA)**

Eligibility criteria for SDA needs to be reviewed to ensure more people are able to access it.

- **Support and funding for independent living capacity building is available**

More support and funding are needed to support people with developing their independent living skills, including establishing better transition from home programs.

- **Renters in the private rental market are protected**

Better protections for renters are required, with rental stock and affordability regulated more closely by governments. More support is required to assist people with navigating the private rental market.

- **Incentives to rent properties to people living with disability are available**

Similar to grants being offered to employers for employing people living with disability in the workplace, incentives should be provided to landlords who rent their properties to people living with disability.

- **People experiencing homelessness are supported into housing**

More support needs to be provided to people experiencing homelessness. Everyone is entitled to housing, and people who are experiencing homelessness are entitled to support to find safe and appropriate housing. The prevention of homelessness must be a government priority. Action was taken during the worst of the COVID-19 pandemic to address homelessness and this should be implemented on an ongoing basis.

- **There are enough qualified tradespeople to build enough houses**

There needs to be an increase in the number of skilled tradespeople to meet the demand for more housing, including in regional areas.

4. Analysis of problems and solutions

Access to secure, accessible, affordable housing is one of the most important determinants of life chances because it enables so many other elements of *Citizenship*. It provides shelter and safety, promotes health and wellbeing, and enables education and employment. Without suitable housing, it is extremely difficult for a person to actively participate in the social, cultural, and economic life of their community. These challenges are exacerbated for people living with disability by a multitude of issues. According to the Australian Housing and Urban Research Institute (AHURI), adults living with disability “experience more housing disadvantage than their non-disabled counterparts, including homelessness, poor-quality housing, and housing unaffordability.”³

It is disappointing the Issues Paper released as part of this consultation does not explicitly consider the housing needs of people living with disability, particularly given these Australians already experience significantly worse housing outcomes than non-disabled people. In this section, we demonstrate the pressing need for the Plan to include housing for people living with disability as a top priority. We provide some important broader context and analysis for the discussion of the problems and solutions affecting this group. The themes identified in the previous section where we captured the important voices of people living with disability carry through to this analysis.

4.1. Segregation and congregation of people living with disability

Despite the transition to the NDIS and its promise of delivering individualised ordinary housing options, disability group houses continue to be a significant part of the housing mix for Australians living with disability. As noted earlier in this submission, we deliberately use the term ‘group houses’ rather than the more common ‘group homes’ because the use of ‘home’ in this context is a misnomer. In their character and effect, group houses are service facilities not homes. These facilities are not anchored on deep familial or personal

³ See Australian Housing and Urban Research Institute, ‘Precarious Housing and Wellbeing: A Multi-Dimensional Investigation, February 2022, at <https://www.ahuri.edu.au/sites/default/files/documents/2022-02/AHURI-Final-Report-373-Precarious-housing-and-wellbeing-a-multi-dimensional-investigation.pdf>, p.12.

connections but on imagined compatibility based on superficially similar support needs, outdated economics of disability support, and/or a scarcity of accessible ordinary housing. None of these 'justifications' are acceptable. They would not be acceptable to non-disabled Australians, so why should they be acceptable for a person living with disability?

Much has been voiced or written elsewhere about the nature of group houses, including some views that group houses can be considered good if there is quality in the care and if the residents chose it. We do not intend to navigate the detailed points therein within this submission. Instead, we believe that the group house model must be rejected because it is not an ordinary option chosen by most Australians in their own lives. There may be times, for example when young people first leave home, or go to full-time adult study, where they may be sharing with several other people in similar circumstances. But beyond instances where a household might have several adult family members, it is rare for a group of non-related adults to share a dwelling long-term. The group house is not a choice most Australians make. Therefore, it is unacceptable to suggest it is suitable for Australians living with disability, let alone for it to have become their *default* housing option if they do not have the resources to make their own alternative arrangements.

Further, the nature of a group house works against the goal of inclusion. When several people living with disability are placed in a house together, with staff comings and goings, it presents that house not as an ordinary home in the street but as a service venue, a facility, and that changes the way the neighbours and others view the nature of any role they might have in the occupants' lives. In short, it makes things weird. Also, the economics and habits of group houses mean a participant does not have control because this power is typically held by the paid staff, and they do not have choice because if there are four people living in the house who all want to do something different, and only one or two staff there to support them, it is going to be impossible for each person to have their choice met.

Home should be more than just a *house*, and it is certainly not a *facility*. Group houses, even assuming the best of intentions are held, perpetuate segregation and marginalisation. Even with the best of support staff, the group house model is tough going, making it much harder to build momentum for authentic community inclusion. Group houses do not have a good track record of delivering authentic choice and control to occupants or enabling people into authentic ordinary social and economic participation in their communities.

Regrettably, group houses also do much worse. We have heard from numerous residents about how they are pressured or forced to live with ill-matched housemates, including situations where they have been subjected to violence as a result. The NDIS Quality and Safeguards Commission's 'Own Motion Inquiry into Aspects of Supported Accommodation' report released in January highlighted the shocking prevalence of reportable incidents occurring in group houses, with the inquiry investigating about 7,000 incidents and complaints related to the facilities of seven providers during a period of about four years.⁴ The incidents include abuse, neglect, and unlawful physical or sexual contact.

The problems of segregation and exclusion are not limited to forced shared living in group houses. Congregate sites where people living with disability may have their own unit but within a complex where all or most other residents also live with disability does not constitute an ordinary life in an ordinary neighbourhood. Like group houses, congregate sites present to nearby residents as facilities and as an intentionally separate community that is not a part of the surrounding neighbourhood. It would be very rare to find an ordinary street anywhere in Australia where every household shares a particular characteristic, circumstance, or living arrangement. The richness of life in neighbourhoods and communities is built on a diversity of residents and households with inclusion as a key feature. It is true that neighbourhoods across Australia have different degrees of neighbourliness and interactions between residents – some where everyone knows everyone else, others where people do not know who lives next door – but congregate sites create a barrier of exclusion that removes opportunities for ordinary interactions with people beyond the boundary of what is, and is seen to be, a facility.

4.2. Housing inaccessibility

Australia urgently needs more accessible housing. It is essential the housing market and social housing options cater to the needs of all Australians without discrimination, including those living with disability, older people, people using prams and other aids for young children, and the many others in the community who would benefit from greater accessibility. Good quality

⁴ NDIA Quality and Safeguards Commission, 'Own Motion Inquiry into Aspects of Supported Accommodation: Inquiry Report', January 2023, p.7, available at <https://www.ndiscommission.gov.au/resources/reports-policies-and-frameworks/inquiries-and-reviews/own-motion-inquiry-aspects>

accessible housing should meet residents' current requirements, taking into account the possibilities of a short-term injury or other mobility restriction, as well as being easily adaptable to their changing needs into the future. The problems of affordability and housing security are significantly worse for those requiring accessible housing due to the even more severe supply shortage of such dwellings.

Additionally, our population is rapidly ageing, with many Australians increasingly looking for housing options that allow them to 'age in place' and remain connected to their local communities. Institutional settings like nursing homes no longer meet the expectations of most Australians for their retirement and older years. Australian Bureau of Statistics (ABS) data indicates the portion of Australians aged 65 and older in 2020 was about 12 per cent.⁵ By 2066, the ABS predicts that figure will be almost a quarter of Australia's population, including about 4.4 per cent likely to be aged over 85.⁶ To accommodate this significant change, houses and apartments will need to be much more accessible than most of Australia's existing stock. Houses and apartments built now are highly likely to still be in use well beyond 2066. Hence, there is an urgent need to adopt accessible design standards across the housing sectors in all states and territories in order to begin to future proof residential dwellings. Otherwise, governments and individuals will face the exponentially higher costs of retrofitting accessibility features to these dwellings in the future.

The ABS's Survey of Disability, Ageing, and Carers (SDAC) in 2018 found that 4.4 million Australians – or 17.7 per cent of the population – live with disability.⁷ Just over 610,000 of these people have a personal NDIS plan, according to the National Disability Insurance Agency's (NDIA) quarterly report for April to June 2023. Of these, about 23,000 participants live in Specialist Disability Accommodation (SDA).⁸ This leaves more than 96 per cent of NDIS participants – and millions more Australians living with disability – to navigate the mainstream housing market where the supply of accessible affordable dwellings is well below current

⁵ See Australian Institute of Health and Welfare (AIHW), 'Demographic profile', 28 June 2023, available at <https://www.aihw.gov.au/reports/older-people/older-australians/contents/demographic-profile>.

⁶ *Ibid.*

⁷ Australian Bureau of Statistics (ABS), Disability, Ageing and Carers, Australia: Summary of Findings, 2018, available at <https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/latest-release>.

⁸ See National Disability Insurance Agency (NDIA), 'NDIS Quarterly report to disability ministers: Q4 2022-23', available at <https://www.ndis.gov.au/about-us/publications/quarterly-reports>.

demand. It is essential that the housing market and social housing options cater to the needs of all Australians, including those living with disability, without discrimination or segregation.

Many people living with disability are residing in unsuitable accommodation that they cannot move around in, or are stuck in hospital, residential aged care, or a group house, with no foreseeable solutions to improve their circumstances. Often, Australians living with disability have to make do with what they can get even if it is inaccessible in full or in part. Anecdotally, some people with physical disability have reported to JFA Purple Orange that they must crawl into their bathrooms or complete personal care routines in kitchens. Similarly, many people living with disability continue to live in family homes by necessity, not choice. Others are forced into shared living arrangements with strangers in disability group houses. Getting by in unsuitable inaccessible housing has significant impacts on the lives of people with access needs. The 2020 study 'Lived experience and social, health and economic impacts of accessible housing', conducted by the University of Melbourne's Dr Ilan Wiesel, highlighted the broad range of consequences of inaccessible housing.⁹ Almost one third of respondents to the study's questionnaire indicated it had led to the loss of a job, a missed work opportunity, reduced work hours, or reduced productivity, while more than 80 per cent agreed or strongly agreed they cannot visit family or friends' homes due to inaccessibility.

The National Construction Code (NCC) 2022 Livable Housing Design Standard is an important first step toward addressing the need for more accessible housing. Adapted from the 'Silver' level requirements of the Livable Housing Design Guidelines of Livable Housing Australia (LHA), the NCC Standard will ensure that residential properties are easier to enter and navigate in and around, as well as allowing further adaptations to be made later to suit a resident. Examples of these basic requirements are at least one entrance without a step, a ground level toilet, a hobless shower recess, and reinforced walls so grabrails can be added later if needed. Building in line with the 'Gold' level requirements of the Livable Housing Design Guidelines remains voluntary, but would deliver significant additional accessibility particularly in kitchens, living areas, and bedrooms.

⁹ Ilan Wiesel, 'Lived experience and social, health and economic impacts of inaccessible housing', The University of Melbourne, 31 August 2020, available at https://disability.unimelb.edu.au/_data/assets/pdf_file/0011/3492686/RIA-Report-Survey-Findings.pdf.

Another key benefit of the NCC Standard is to create the basis for a nationally consistent approach, which will greatly assist the residential housing sector and its supply chains to transition. Yet, despite many years of development and consultation about the new Standard, some states are wavering on implementation of the new NCC Standard. Federal leadership in adopting and implementing the Standard through strict conditions attached to all Federal Government funding is extremely important not just to increase the supply of accessible dwellings, but to send a clear signal about the future direction of demand in the housing construction market.

4.3. Neglect of social housing

Social housing is provided by either the government (public housing) or by not-for-profit organisations (community housing), with a number of First Nations housing providers included in the sector. Rents are based on a percentage of a household's income. Both public and community housing is a crucial part of the housing mix in Australia, yet governments have increasingly neglected investing in it over recent decades. The Federal Government's commitment to establishing the Housing Australia Future Fund (HAFF) could provide some of the required funds to address the unmet demand of social housing. However, this will not be enough to solve the problem.

The shortage of social housing to meet demand has continued to get worse over many years and has gone unaddressed by numerous governments across the country. Nationally, according to ABS Census data, "[i]n the 40 years between 1981 and 2021 the percentage of all Australian households living in social housing ... has ranged from 4.9 per cent in 1981 to 3.8 per cent in 2021."¹⁰ In June 2022, there were 174,600 households on public housing waiting lists nationally with expected wait times blowing out to 10 years in some areas.¹¹ In South Australia, in the 10 years between 2012 and 2022 social housing stock fell by seven per

¹⁰ Australian Housing and Urban Research Institute (AHURI), 'What is the right level of social housing for Australia?', 2021, available at <https://www.ahuri.edu.au/analysis/brief/what-right-level-social-housing-australia>.

¹¹ Australian Institute of Health and Welfare (AIHW), 'Housing assistance in Australia', 14 July 2023, available at <https://www.aihw.gov.au/reports/housing-assistance/housing-assistance-in-australia>.

cent while the state's population increased by 14.8 per cent.¹² South Australia was the only state that decreased stock during that period. The current unmet need for social housing in South Australia is estimated at about 39,000, with 30,100 dwellings needed in Adelaide and 8,900 in regional areas.¹³ In July 2022, the public housing waiting list was 17,000 with almost 4,000 households granted priority status.¹⁴ There is a critical need for significant additional investment by governments in social housing. According to the Australian Housing and Urban Research Institute (AHURI), fulfilling the current met and unmet need for social housing would require that about six per cent of dwellings in Australia are public, community, or First Nations housing.¹⁵

Despite this grim picture, many people living with disability rely on social housing. In 2020, about 39 per cent of social housing households included a person living with disability.¹⁶ There are also notably higher numbers of First Nations people living with disability residing in social housing.¹⁷ While social housing provides shelter to many Australians living with disability, it also has a number of challenges with data from the Australian Institute of Health and Welfare (AIHW)¹⁸ indicating that the quality of their experience is below residents without disability. Households with one or more residents living with disability are less likely to enjoy better health, feel less settled, and feel less able to cope with life events than those without. Notably, 76.4 per cent of these households feel part of their community compared to 81.4 per cent of households with non-disabled residents. They also feel significantly less able to advance their life chances through education, training, or employment with just 56.7 per cent feeling more able to improve their employment situation compared to 69.1 per cent without disability.

¹² H. Pawson, 'Albanese government tackles housing crisis on 3 fronts, but there's still more to do', *The Conversation*, 8 February 2023, available at <https://theconversation.com/albanese-government-tackles-housing-crisis-on-3-fronts-but-theres-still-more-to-do-198509>.

¹³ See 'Quantifying Australia's unmet housing need: Regional snapshots', December 2022, available at <https://cityfutures.adu.unsw.edu.au/documents/702/CHIA-housing-need-regional-snapshots-v1.3.pdf>

¹⁴ Candice Prosser and Rebecca Opie, 'South Australia's public housing shortage worsens, as number of people on waiting list reaches 17,000', ABC, 31 July 2022, available at <https://www.abc.net.au/news/2022-07-31/south-australian-public-housing-shortage/101286630>.

¹⁵ Australian Housing and Urban Research Institute (AHURI), 'What is the right level of social housing for Australia?', 6 July 2022, available at <https://www.ahuri.edu.au/analysis/brief/what-right-level-social-housing-australia>.

¹⁶ Australian Institute of Health and Welfare (AIHW), 'People with disability in Australia', 5 July 2022, available at <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/housing/housing-assistance#Social-housing>

¹⁷ *Ibid.*

¹⁸ *Ibid.*

This underscores the importance of housing not just being available but also being suitable for a person's needs. There continues to be examples of people being placed in social housing properties that are not fit-for-purpose, poorly maintained, or not appropriate to their needs, for example a man with mobility restrictions being placed in a two-storey property where he could not access the upper storey bathroom resulting in him not being able to shower regularly.¹⁹ We continue to hear other examples where tenants in social housing do not receive essential supports to enable personal care resulting in poor hygiene and medical consequences, as well as people sleeping in chairs because they do not receive support to go to bed in the evening or get up in the morning.

There needs to be significant additional investment to building new dwellings and extending the life of existing properties. Failing to provide this will lead to having a detrimental effect on general community wellbeing and other areas such as healthcare, mental health services, crisis supports, and similar.

4.4. Unaffordable housing

The challenges faced by Australians in the private housing market include higher prices, the continuing rise in the Consumer Price Index (CPI), frequent interest rate rises, and the associated rising costs of living.²⁰ Australian house prices rose significantly during the Covid-19 pandemic as demand increased and supply was constrained including by issues in supply chains. Price rises have since moderated somewhat as successive interest rate rises took their toll. Still, the private housing market presents many difficulties for people living with disability with the costs well above what many can afford.

Affordable housing schemes exist in both the community housing sector and in the private market. For example, the South Australian Housing Authority (SAHA) defines 'affordable housing' as "housing for people and households on incomes ranging from low to moderate,

¹⁹ For more information, see 'VIDEO: Tenant with mobility issues put in two-storey house', ABC, available at <https://www.abc.net.au/news/2023-05-10/tenant-with-mobility-issues-put-in-two-storey-house/102328712>.

²⁰ See Australian Bureau of Statistics, 'Consumer Price Index, Australia', April 2023, <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>

and includes both rental and home ownership”.²¹ This housing is priced so that these households “are able to meet essential basic living costs, with housing costing no more than 30% of weekly household income, either for mortgage or rent”.²² However, the thresholds for eligibility for affordable housing schemes continue to consume more and more income brackets as inflation in house prices far exceeds wage increases. For rental affordable housing schemes, the rate of rent is set as a deduction from the prevailing market rate in the location, therefore as market rents increase so do those in affordability schemes. Hence, there are now important questions to be addressed in relation to the targeting of affordability schemes to households with higher incomes than previously while those in greatest need are locked out because the costs are well above what they can afford.

4.5. Declining home ownership

The limited data available regarding home ownership rates for Australians living with disability, which suggests roughly comparable outcomes with non-disabled people, does not tell a complete story. This data lacks nuance particularly because many older homeowners may have purchased their home (and paid the mortgage in full or significant part) before acquiring disability, while young people living with disability may be counted as dependents of their parents who often own the home. Hence, although statistics do not point to an overall discrepancy in home ownership rates for Australians living with disability compared to others, aged-based breakdowns reveal a more complex picture. For people aged 25 to 64, 55 per cent of those living with disability own their home (with or without a mortgage) compared to 61 per cent of non-disabled people.²³ The trend in ownership rates across the population has also been in decline for many years.²⁴

There are also significant discrepancies in ownership rates among all age groups for some disability types, particularly people living with head injury, stroke, or acquired brain injury (37

²¹ SA Housing Authority, <https://www.housing.sa.gov.au/about-us/our-partnerships/affordable-housing>.

²² SA Housing Authority, <https://www.housing.sa.gov.au/about-us/our-partnerships/affordable-housing>.

²³ Australian Institute of Health and Wellbeing (AIHW), 'People with disability in Australia', 5 July 2022, available at <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/housing/living-arrangements>.

²⁴ Australian Institute of Health and Wellbeing (AIHW), 'Home ownership and housing tenure', 5 April 2023, available at <https://www.aihw.gov.au/reports/australias-welfare/home-ownership-and-housing-tenure>.

per cent ownership rate with or without a mortgage), psychosocial disability (34 per cent), and intellectual disability (22 per cent).²⁵ People living with disability are also more likely to continue living in a parental home for longer. Among those aged 26 to 44, 15 per cent are still living with one or both parents compared to nine per cent of their non-disabled peers.²⁶ Additionally, there are groups experiencing intersectional disadvantage for whom the ownership gap is far greater, especially for First Nations Australians, a group with an overall population home ownership rate of just 42 per cent.²⁷

It is important to emphasise the data cited here regarding home ownership rates for people living with disability is from the Survey of Disability, Ageing, and Carers (SDAC) in 2018, which is the most recent available despite predating the Covid-19 pandemic. There is an urgent need to include disability variables in all mainstream ABS surveys to ensure timely, accurate, and easily comparable data is available about the housing experiences of these Australians (as well as for many other critical outcome areas).

Notably, there is much less opportunity for direct discrimination based on disability in a home purchasing transaction than there is for many other more subjectively influenced decisions, such as whether to employ a person living with disability or not. However, this latter form of discrimination, and the barriers to Personal Material Capital that it creates, has significant flow on effects for housing given the importance of income, savings, and wealth to a person's capacity to obtain a mortgage and/or buy a home. For those who do gain employment, there continues to be a vast gap in income levels. The median gross personal income of a person living with disability was \$505 per week in 2018, less than half that of a non-disabled person at \$1016 per week at that time.²⁸ Addressing poorer employment and wage outcomes for people living with disability is a fundamental component of overcoming discrepancies in home ownership rates. The Plan should recognise how multiple policy areas interrelate and

²⁵ Australian Institute of Health and Wellbeing (AIHW), 'People with disability in Australia', 5 July 2022, available at <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/housing/living-arrangements>.

²⁶ Australian Institute of Health and Wellbeing (AIHW), 'People with disability in Australia: Personal life', 5 July 2022, available at <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/people-with-disability/personal-life>.

²⁷ Australian Institute of Health and Wellbeing (AIHW), 'Housing circumstances of First Nations people', 7 September 2023, available at <https://www.aihw.gov.au/reports/australias-welfare/indigenous-housing>.

²⁸ Australian Bureau of Statistics (ABS), 'Disability and the labour force', 24 July 2020, at <https://www.abs.gov.au/articles/disability-and-labour-force>.

impact on housing outcomes and emphasise the need for whole-of-government responses to the housing crisis.

Likewise, societal attitudes result in people living with disability being more likely to be single and, therefore, to live in single income households. Indeed, Australians living with disability are more than twice as likely to live alone compared to non-disabled people.²⁹ This makes it much harder to fulfil ownership aspirations compared to dual income households or those with access to intergenerational wealth, for example through inheritance or financial assistance, such as the colloquial ‘bank of mum and dad’. Indeed, access to intergenerational wealth doubles the chance an Australian will enter home ownership – a figure that has risen sharply in recent years.³⁰ In-kind support, such as a period of free co-residency with family while earning and saving for a deposit, also increases purchasing rates – for each year of zero-cost accommodation the chance of entering home ownership increases by 40 per cent.³¹ For those relying on a single income without access to these advantages, the barriers to home ownership are compounded.

With the discrepancies outlined above and the downward trend in home ownership rates across the whole population, it is extremely important the Plan seriously considers policy settings and initiatives to boost home ownership rates. This requires both comprehensive changes to housing policies across Australia for the benefit of all cohorts and some targeted initiatives focused on people living with disability.

The current approach to tax breaks and the treatment of capital gains fundamentally distorts housing market in favour of wealthy investors and short-term rentals rather than owner-occupiers.³² Sensibly reducing these distortions, such as by capping negative gearing and

²⁹ Australian Institute of Health and Wellbeing (AIHW), ‘People with disability in Australia’, 5 July 2022, available at <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/housing/living-arrangements>.

³⁰ Whelan, S., Pawson, H., Troy, L., Ong Viforj, R. and Lawson, J. ‘Financing first home ownership: opportunities and challenges’, AHURI Final Report No. 408, Australian Housing and Urban Research Institute Limited, Melbourne, September 2023, available at <https://www.ahuri.edu.au/research/final-reports/408>.

³¹ *Ibid.*

³² See further reading, Grattan Institute, ‘Hot property: Negative gearing and capital gains tax reform’, April 2016, available at <https://grattan.edu.au/wp-content/uploads/2016/04/872-Hot-Property.pdf>; The Henry Tax Review, ‘Australia’s Future Tax System Review Final Report’ 02 May 2010, available at <https://treasury.gov.au/review/the-australias-future-tax-system-review/final-report>; and The Australia Institute, ‘Tax equity: Reforming capital gains taxation in Australia’, April 2009, available at https://australiainstitute.org.au/wp-content/uploads/2020/12/cap_gains_7.pdf.

capital gains tax discounts applied to property investments, would make home ownership more affordable for all Australians. To be clear, we do not object to private investment in housing and recognise the ongoing need for dwellings to be available for renters but hold serious concerns about the ‘special treatments’ currently provided to housing investors.

Additionally, Ideas that are often contemplated include rent-to-own schemes, a range of shared ownership mechanisms, and other programs that support resident to gain equity stakes in the place where they live. We appreciate that such policies need to be very carefully calibrated to avoid adding to inflationary pressures in the market overall and to prevent participants becoming overburdened with associated costs, such as property maintenance and insurance bills, or becoming ‘trapped’ in a property when they wish to relocate due to insufficient equity to re-enter a similar scheme elsewhere because price inflation has outstripped their small ownership portion.³³ Grants and other injections of cash to buyers only inflate prices more.

Therefore, we urge governments to establish an independent inquiry to evaluate the options. The aim of this inquiry should be to produce an evidence-based national action plan for governments to address the lower home ownership rates of Australians living with disability, especially those in the disability cohorts highlighted above, First Nations people, and others. Such an inquiry would also assist in developing a pathway to help reverse the downward trend in home ownership rates across the whole population.

It may be that these types of initiatives are more feasible for those with moderate incomes³⁴ rather than people on very low incomes, such as those receiving the Disability Support Pension (DSP) or Jobseeker. To this end, we reiterate calls for the rate of the DSP to be increased, its rules to be simplified, and for limits and disincentives to paid work to be removed. DSP rules and requirements are currently too complicated and not well understood by many recipients. This creates significant disincentives to doing any amount of paid employment to increase income, which needs to be addressed. We acknowledge that some

³³ For a fuller examination of these types of schemes and their risks and benefits, see Australian Housing and Urban Research Institute (AHURI), 'Shared home ownership by people with disability', March 2017, available at https://www.ahuri.edu.au/sites/default/files/migration/documents/AHURI_Final_Report_No277_Shared-home-ownership-by-people-with-disability.pdf.

³⁴ *Ibid.*

of the disincentives are real while others are misperceived, but their effect in discouraging work is the same. The process to apply and access the DSP is so lengthy and taxing that many recipients regard achieving this as akin to achieving the 'holy grail' and fear losing their access if they do any work or attempt to re-enter ongoing employment. The rates of transition from DSP to employment are currently extremely low. For a person relying on the DSP as their only form of income currently, home ownership is currently impossible. They are stuck in a lifetime of poverty.

Further, for people living with disability in Specialist Disability Accommodation (SDA) through their NDIS plans there is currently little to no prospect of home ownership in SDA. It is essential the NDIA's approach to SDA evolves to make it easier for SDA-eligible people to self-direct an SDA solution so they can be owner-occupiers. While unnamed government officers have previously expressed a reluctance for this based on the assertion SDA was not intended as a wealth creation device for the disability community, it is important to facilitate and safeguard this option for people living with disability well into the future. Otherwise, we have the scenario where anyone can grow wealth from creating an SDA dwelling except for the person actually living in it. This would be profoundly discriminatory.

4.6. Homelessness

The housing crisis is impacting homeowners and renters across Australia and pushing more people into homelessness with 122,494 Australians estimated to have been experiencing homelessness on Census night in August 2021.³⁵ In March 2023, 95,767 people used homelessness services across Australia, a 7.5 per cent increase over just three months.³⁶ The housing shortage and rental crisis have been further exacerbated by internal migration, international borders reopening after the Covid-19 pandemic, the impact of the booming

³⁵ Australian Bureau of Statistics (ABS), 'Estimating Homelessness: Census', 22 March 2023, available at <https://www.abs.gov.au/statistics/people/housing/estimating-homelessness-census/2021>

³⁶ National Disability Data Asset (NDDA), 'Housing: Key findings from the pilot using NSW, Vic, Qld and SA data', available at <https://www.ndda.gov.au/wp-content/uploads/2022/09/19-Infographics-Housing.pdf>.

short-term rental market (for example, through Airbnb), and the lack of affordable housing in particular locations of need.³⁷

Australians living with disability are at greater risk of experiencing homelessness due to the lack of accessible dwellings, often having lower incomes, and facing higher levels of discrimination in the private rental market. In the year 2021-22, about 7,300 people living with disability received support from specialist homelessness services across Australia.³⁸ This represents a rate that is five times higher than for non-disabled people.³⁹

Addressing many of the problems identified throughout this submission will reduce the levels of housing stress and help to prevent people falling into homelessness in the future. However, there is already a crisis that requires significant investment in targeted solutions. People experiencing homelessness should be supported into suitable housing and enabled to access wrap around services that respond to their individual needs to help ensure they can sustain housing in the future. We are aware of a range of oft-cited international policy approaches that are likely to be informative for Australia in designing solutions. Examples include Finland, Austria, and Scotland. We urge the Department to explore these and other jurisdictions to ensure Australia can benefit from their experiences and learnings.

4.7. Planning and data collection

Australia's unmet housing need is estimated at 640,000 currently and is predicted to grow to 940,000 by 2041.⁴⁰ Importantly, this is not the number of additional physical houses that are needed, but rather the number of housing solutions required for households to have suitable shelter. It is likely these solutions will be found through a combination of adjusting policy

³⁷ Australian Housing and Urban Research Institute (AHURI), 'Why does Australia have a rental crisis, and what can be done about it?', November 2022, available at <https://www.ahuri.edu.au/research/brief/why-does-australia-have-rental-crisis-and-what-can-be-done-about-it>

³⁸ Australian Institute of Health and Wellbeing (AIHW), 'Specialist homelessness services annual report 2021–22', 8 December 2022, available at <https://www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-annual-report/contents/clients-with-disability>.

³⁹ *Ibid.*

⁴⁰ UNSW City Futures Research Centre, Quantifying Australia's unmet housing need: A national snapshot', November 2022, available at <https://cityfutures.adu.unsw.edu.au/social-and-affordable-housing-needs-costs-and-subsidy-gaps-by-region/>.

settings to make existing stock available for long-term secure housing that is affordable and by adding new dwellings to supply. Both solutions require planning based on robust evidence. More research is required to fully understand the experiences of Australians living with disability in relation to housing and, thereby, enable improved planning and policymaking. Additionally, the quality of data about housing in Australia needs to be improved to support higher quality policymaking, including by increasing the frequency of surveys that capture the experiences of people living with disability. In particular, data needs to be more specific and reflect greater nuance in circumstances. For example, the ABS acknowledges that disability group houses can be easily misclassified as “private dwellings”.⁴¹ Further, in relation to Census data, if a form was not returned, the house is deemed unoccupied even though there may be many other reasons to explain why a household did not participate.⁴² Census data is also undermined by a collection process that is not accessible to some people living with disability. Improved data would support the future implementation of the Plan to address the ongoing challenges of the shortage of housing stock, lack of accessible dwellings, and inflated costs that are rendering housing increasingly unaffordable for many Australians.

⁴¹ See <https://www.abs.gov.au/census/guide-census-data/census-dictionary/2021/variables-topic/housing/dwelling-type-dwtd>

⁴² See <https://www.abc.net.au/news/2022-09-02/housing-property-australias-one-million-empty-homes/101396656>

5. A vision for Australia's housing future

All Australians should have access to an accessible, affordable, and safe place to call home. Housing should be understood, first and foremost, as a basic human right for individuals and as essential social infrastructure for communities. Policy settings should reflect this view and ensure sufficient investment is dedicated to delivering on this objective for all Australians. The development of the National Housing and Homelessness Plan presents an opportunity to set out a new inclusive vision for Australia's housing future. Below, we identify some key elements that should shape the Plan.

5.1. Housing is a human right

Many discussions about housing refer to it in terms of an investment product or as an asset that holds ever increasing monetary value for the owner – sometimes the term 'nest egg' is used to infer its role in preserving and growing wealth. The role of housing as shelter and a key foundation for so many other aspects of a life of *Citizenhood* is also noted, although largely taken for granted in governments' housing policies. However, the current housing crisis has highlighted the need to understand access to suitable housing as, first and foremost, a basic human right for individuals and essential social infrastructure for communities. Otherwise, governments and society will carry the burdens of the lack of basic shelter and a growing population of people experiencing precarious housing or homelessness in other ways, including, but not limited to, the costs of healthcare, mental health services, hospitals, unemployment, support payments, disruption to children's education, family and domestic violence, crime, and a loss of social cohesion in communities. Of course, this list says nothing of the profound impacts on individual adults and children experiencing homelessness or forced to endure unsuitable accommodation or living arrangements.

Adopting the lens of a right to access suitable housing changes how we think about solutions to the many problems that governments need to address. It also brings the poorer housing outcomes experienced by Australians living with disability compared to non-disabled people into sharp focus. It is critically important that the Plan recognises and responds to the principle that access to housing on an equal basis with all other people is a fundamental

human right of Australians living with disability. This means that people are not just housed, but that the nature of the housing, and the living arrangements therein, are the same as those available to their non-disabled peers. It is not a question of luxuries, but of the opportunity for all people to live good ordinary lives.

The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), ratified by Australia in 2008, states that all people living with disability have the right to “choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement”.⁴³ Australia’s ratification of the UNCRPD comes with responsibilities to ensure that people living with disability have access to suitable housing that meets their access needs and allows them to reach their potential in all other aspects of ordinary life. To date, Australia’s progress in fulfilling its obligations under the UNCRPD has been far too slow. While documents like *Australia’s Disability Strategy 2021-2031* include commitments to improving housing outcomes, the necessary investments in actions to make tangible changes have not followed. We acknowledge indications that a Targeted Action Plan for housing under the Strategy may be developed soon, but again we emphasise the importance of allocating resources to identified actions if these types of documents are to turn promises into results.

Recommendation 1: The National Housing and Homelessness Plan should recognise that housing is, first and foremost, a basic human right for all individuals and essential social infrastructure for our communities.

Recommendation 2: The National Housing and Homelessness Plan should clearly reiterate that Australians living with disability have a right to access housing on the same basis as non-disabled people. It should recognise people living with disability as a priority group and emphasise the obligations of all governments under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

⁴³ United Nations, ‘Convention on the Rights of Persons with Disabilities’, Article 19, 2006, available at <https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd>

Recommendation 3: The National Housing and Homelessness Plan should reflect, complement, and enhance the commitments of all governments in *Australia's Disability Strategy 2021-2031* to improving housing outcomes for people living with disability.

Recommendation 4: The National Housing and Homelessness Plan should commit governments to allocating the resources needed to ensure actions under this Plan, as well as under other national documents such as *Australia's Disability Strategy 2021-2031*, are delivered in order that promises produce tangible results.

5.2. Ensuring an authentic sense of *home*

The Plan should recognise the difference between a house, a facility, and a *home*. The ultimate goal of all housing policies should be to ensure that each Australian lives in a place where they feel an authentic sense of *home*. The Plan should articulate what it means to have a place to call home and the characteristics that help achieve this outcome. The *Model of Citizenship Support* provides a useful lens through which to formulate this vision. The vision should encapsulate that home is personal to the individual and a base from which they can pursue all other parts of a happy, healthy, productive life in community. Such a vision is critically important to challenging and overcoming outdated perceptions that it is appropriate for Australians living with disability to be excluded from the ordinary housing options available to non-disabled Australians.

Recommendation 5: The National Housing and Homelessness Plan should articulate a vision whereby all Australians have access to a place they can authentically call *home*. It should underscore that this principle applies equally to all people living with disability, not just non-disabled Australians.

Recommendation 6: The National Housing and Homelessness Plan should draw on the Model of Citizenship Support in articulating a new vision for housing in Australia and as a useful lens through which to grapple with the range of housing problems faced by Australians living with disability and other cohorts.

Recommendation 7: The National Housing and Homeless Plan should thoroughly articulate the benefits to individuals and their communities of having a place to genuinely call *home*

and the costs to government budgets and the economy that arise when some Australians are excluded from this right.

5.3. Embedding choice

The Plan should embed the principle that each Australian has the right to choose where and with whom they live from the same range of ordinarily available options as others. Eliminating large and small scale, institutionalised, forced shared living houses and facilities for people living with disability must be a key imperative of the Plan.

As a first step, the Plan should commit all governments to stop investing in and incentivising the creation of group houses, cluster sites, or other similar quasi-institutional facilities immediately and to no longer offer this option for new residents. Further, the Plan should set targets to transition away from these forms of housing and commit to an end date of 2030 by which all such facilities will be eliminated.

Instead, the Plan should commit governments to significant investment in better alternative housing options that enable people living with disability to make informed individual choices about where and how they live, on their own terms, without discrimination and segregation. There is an array of alternatives to suit individual needs and choices; just as there is in the housing market generally. This has been evident for a long time. We do not advocate for a single prescribed option; that too would be inconsistent with the principle of individual choice from a range of genuinely available ordinary options. Hence, governments should be open to the full range of reasonable alternatives, encourage genuine innovation, and take a flexible approach to how it invests in housing solutions that bring an authentic sense of home for each resident. And they must be affordable to most people. We regularly hear from people living with disability that the current model for Independent Living Options (ILO) under the NDIS is cost prohibitive for a majority of people who may be eligible.

Obviously, we are not suggesting that ‘beachside mansions’ are a reasonable request, but, equally, we strongly reject the argument that individual housing choices for people living with disability are somehow unreasonable or financially inefficient when this is an ordinary expectation of non-disabled Australians. Notwithstanding this, governments must be weary

of so-called innovations that will, in effect, create a new generation of forced shared or congregate living dwellings and steadfastly focus on genuine individualised options.

Recommendation 8: The National Housing and Homelessness Plan should articulate a vision whereby all Australians are empowered to make individual housing choices from the same array of genuinely available options without discrimination, segregation, congregation, and exclusion.

Recommendation 9: The National Housing and Homelessness Plan should commit governments to immediately ceasing investments in, and incentives for, new group houses, congregate sites, and similar options. Additionally, it should commit governments to no longer offering such facilities to new residents effective immediately.

Recommendation 10: The National Housing and Homelessness Plan should commit governments to prioritising the re-housing of group house residents wishing to leave, and to holding group house providers properly accountable for advancing authentic inclusion for remaining residents.

Recommendation 11: The National Housing and Homelessness Plan should commit governments to phasing out the group house model by 2030, and providing residents with alternative non-segregated, non-congregated, individualised housing models that properly lift people into inclusive lives.

Recommendation 12: The National Housing and Homelessness Plan should commit governments to significant new investment in a range of alternative individualised housing options based on genuine choice that do not segregate, congregate, or exclude Australians living with disability.

5.4. Making housing accessible to all

The new National Construction Code (NCC) 2022 Livable Housing Design Standard is an important first step toward addressing the need for more accessible housing. Adapted from the ‘Silver’ level requirements of the Livable Housing Design Guidelines of Livable Housing Australia (LHA), the NCC Standard will ensure that residential properties are easier to enter and navigate in and around, as well as allowing further adaptations to be made later to suit a

resident. Examples of these basic requirements are at least one entrance without a step, a ground level toilet, a hobless shower recess, and reinforced walls so grabrails can be added later if needed. Building in line with the 'Gold' level requirements of the Livable Housing Design Guidelines remains voluntary, but would deliver significant additional accessibility particularly in kitchens, living areas, and bedrooms.

Recommendation 13: The National Housing and Homelessness Plan should commit all state and territory governments to implementing in full the National Construction Code (NCC) 2022 Livable Housing Design Standard no later than October 2024. Exemptions or concessions under the Standard should be limited to those that are sensible and necessary, precluding any form of blanket exemption.

Recommendation 14: The National Housing and Homelessness Plan should commit the Commonwealth to only funding housing that is compliant with the National Construction Code (NCC) 2022 Livable Housing Design Standard regardless of whether the Standard has been adopted in a jurisdiction effective immediately. It should also commit governments to allocating a portion of their investments to houses that fulfil the higher 'Gold' level of Livable Housing Australia's (LHA) Livable Housing Design Guidelines.

5.5. Making secure affordable housing available to all

There are currently a range of policy settings that distort Australia's housing market including a number that involve 'special treatment' for property investors, both in comparison to owner-occupiers, and vis-à-vis the treatment of investments in other asset classes, such as shares. To be clear, we do not object to private investment in housing and recognise the ongoing need for dwellings to be available for renters but hold serious concerns about the impacts of these 'special treatments' on the ability of many Australians to access secure affordable housing through either renting or ownership. We believe reducing these distortionary 'special treatments' as part of a sensible gradual transition plan will create a fairer, more affordable housing market for all Australians and relieve the pressure on other government expenditure including, but not limited to, rent assistance, homelessness services, hospital overstay due to lack of availability of appropriate housing, and temporary accommodation for families on social housing waiting lists. The Plan provides an opportunity

to set clear guidance for how governments can take sensible steps to rebalance the market and remove perverse incentives that lock people, including many people living with disability, out of housing. This should extend to greater protections for the reasonable rights of private market renters.

The Plan should highlight the critical role that social housing plays in Australia's housing mix and commit governments to a long-term action plan to reverse the decline in public and community housing through significant new investments. It is essential the Plan emphasises the key role that social housing plays in ensuring Australians can access affordable housing currently and will need to continue to fulfil long into the future. The Plan should include clear targets to increase social housing stock and to upgrade existing dwellings to meet contemporary standards. The Plan should envisage Australia achieving six per cent of total housing stock being social housing within 10 years in order to meet current and projected need.

Notwithstanding the critical importance of increased investment in social housing, home ownership should also be a key consideration for the Plan. The Plan should provide the basis for a comprehensive evaluation of initiatives to boost home ownership rates among people who are currently locked out of the market, including many Australians living with disability. An independent inquiry should examine the merits, risks, and impacts of all existing programs regarding home ownership and/or affordability across Australia, as well as other prospective ideas to ensure future actions are carefully calibrated to avoid adverse consequences, such as price inflation in the market and the creation of debt traps for individuals.

The target for actions regarding making housing available to all should be to end homelessness in Australia as soon as possible. While the above propositions will contribute toward that goal, specific focused actions will be needed to prevent and eliminate homelessness. This is especially true for people who are currently experiencing homelessness, particularly those for whom this has been a long-term circumstance. Hence, a multifaceted approach is required to address the causes of homelessness, embed measures to prevent people falling into homelessness, and assist those already experiencing homelessness to access suitable housing.

Recommendation 15: The National Housing and Homelessness Plan should commit Australian governments to a sensible gradual transition away from policy settings involving ‘special treatments’ for property investors that inflate prices and distort the housing market in order to ensure all Australians, including people living with disability, have a fair opportunity to achieve home ownership as owner-occupiers.

Recommendation 16: The National Housing and Homelessness Plan should commit state and territory governments to ensuring there are reasonable statutory protections for renters in the private rental market.

Recommendation 17: The National Housing and Homelessness Plan should commit Australian governments to significant new investments in social housing supply with a target of reaching at least six per cent of all housing stock across Australia being social housing within 10 years to ensure current and future demand is met. It should also commit governments to maintaining and upgrading existing stock to ensure they provide high-quality accessible social housing to all those who rely on it.

Recommendation 18: The National Housing and Homelessness Plan should commit Australian governments to establishing an independent inquiry to evaluate current and potential solutions to declining rates of home ownership in Australia. This should extend to specifically examining how the lower rates of home ownership by people living with disability compared to non-disabled people can be addressed.

Recommendation 19: The National Housing and Homelessness Plan should include a target to end homelessness as soon as possible through a multifaceted approach that addresses the causes to prevent further people becoming homeless and invests in the supports necessary to assist those who are already homeless into suitable housing. Specific consideration should be given to ensuring all elements of these approaches are responsive to the needs of Australians living with disability.

5.6. Building inclusive neighbourhoods and communities

For too many years society has intentionally segregated people living with disability – such as in institutional living arrangements, segregated schools or classrooms, or disability-specific

employment enterprises – creating and fuelling community attitudes and fear. This is not a natural fear that we are born with; we as a society through the creation of various social policies, such as institutionalised care (many of which are now viewed as discriminatory despite perhaps originally having good intentions), created this fear. The recent Final Report of the DRC has placed a spotlight on these unacceptable practices. The nature of housing is one of the key aspects that determines the nature of neighbourhoods and communities. The Department should ensure that all its deliberations in formulating the Plan occur in the context of the benefits for all Australians that building authentically inclusive neighbourhoods and communities will achieve.

Segregation in areas including, but not limited to, housing serves to render genuine neighbourhood inclusion further out of reach. This is because, in their effects, these separate ‘special’ disability-focused facilities, services, and programs reinforce a community perception that people living with disability are best served by having separate ‘special’ things. This has been termed ‘othering’. It kills true social, community, and economic participation and should have no place in our decision-making. Ordinary neighbourhood resources and opportunities available to all local people are a natural gateway to community membership. They bring meaningful valued roles readily available in our communities, often at low or no cost, into the lives of people living with disability. Assisting a person to connect to these resources and opportunities can lead to a snowballing of connections and relationships for a person over time.

The link between social isolation and loneliness and people’s physical and mental health is not a new concept. Over the years many researchers have tackled the topic and have all come to concerningly similar conclusions – when people are excluded from neighbourhoods and communities, the more prevalent loneliness and isolation is, resulting in a decrease in people’s physical and mental health (as well as a decrease in life longevity), and places more strain on our already struggling healthcare systems, among others. When people living with disability are isolated and disconnected from their neighbourhood and community, including those in segregated settings, it can lead to a life of exclusion and vulnerability to violence, abuse, neglect, and exploitation.

An inclusive community benefits from the participation and contribution of all its members, bringing a diversity of voices, ideas, and perspectives into decision-making, activities and

events, businesses, and general community life. It is this diversity that makes community life rich, interesting, and dynamic for the benefit of all. Inclusive neighbourhoods create positive ordinary interactions between people living with disability and non-disabled members of the community, breaking down stereotypes and supporting meaningful connection. This can be further harnessed by increased participation of people living with disability in mainstream employment and education settings. The more inclusive our communities are, the more likely it is that people living with disability will have informal support networks; this in turn supports the emergence of natural safeguards. This might be as simple as a person visiting the local café weekly and becoming known by staff, organising regular catch ups with neighbours, or attending the local community garden. As these connections grow, the community members would notice and check in if the person was unexpectedly absent.

Recommendation 20: The National Housing and Homelessness Plan should recognise that housing policies need to consider and interact with the importance of neighbourhoods and surrounding communities. It should commit governments to establishing policy settings that ensure neighbourhoods are fully accessible and inclusive of all community members and enable people living with disability to take up meaningful valued roles in ordinary community life.

Recommendation 21: The National Housing and Homelessness Plan should commit governments to ensuring all future housing construction is not only accessible and affordable, but in its design also brings people together as neighbours.

Recommendation 22: The National Housing and Homelessness Plan should commit governments to investing in grassroots initiatives that build inclusive and accessible neighbourhoods for the benefit of all. It should emphasise the importance of this objective for Australians living with disability given current poorer outcomes in areas such as social and economic participation.

5.7. Measuring and reporting progress

It is essential the Plan's targets are meaningful, timebound, and measurable. Without accountability for results, the Plan will be unlikely to deliver change that genuinely makes a

difference for the millions of Australians under significant housing stress or for the cohorts for whom outcomes already fall well short of those of other people.

To achieve this, there needs to be an investment in data collection that is fit-for-purpose in the current policy environment. The ABS collects significantly less data less frequently about housing than for other topics, such as employment. What data is collected, fails to consider important variables, including whether a person lives with disability, and therefore it is extremely difficult for policymakers to identify issues, trends, and areas of need. The Plan must include actions to review the scope of current data collection and to invest in rectifying the shortfalls in both scope and frequency.

This, in turn, will support the robust regular public reporting of data against the targets set out in the Plan. We envisage the recently renamed Housing Australia federal agency could play a central role in monitoring and reporting on progress toward achieving the targets under the Plan. The Plan must place accountability for outcomes at its core and will best achieve this outcome if Housing Australia, or other oversight body, includes in its leadership people living with disability and from other cohorts currently underserved by the housing sector, such as First Nations people.

Recommendation 23: The National Housing and Homelessness Plan should recognise the importance of high-quality frequent data collection to track outcomes. The Plan should identify clear measurable targets and provide a mechanism for regular transparent public reporting.

Recommendation 24: The National Housing and Homelessness Plan should be overseen by a body with diverse leadership including, in particular, people from those cohorts that are currently underserved by the housing sector, including, but not limited to, Australians living with disability and First Nations people.

Recommendation 25: The National Housing and Homelessness Plan should commit governments to sufficient investment in the collection and reporting of meaningful data about housing in Australia, as well as dedicated funding to overcome the current shortfall in data about the housing circumstances and experiences of Australians living with disability. One focus of data collection should be to track progress on eliminating

segregation, discrimination, and exclusion from the housing outcomes of Australians living with disability.

5.8. Co-designing the Plan

In this section, we have endeavoured to set out some of the key elements we believe are essential if the Plan is to achieve meaningful change. However, we do not regard this contribution as anything more than a first step. For the Plan to truly reflect the issues and concerns of Australians living with disability and to benefit from their lived experiences, insights, and ideas, we strongly believe the Department should implement a comprehensive co-design process that genuinely engages people in the development, decision-making processes, and implementation of the Plan. It is only through their input that the Plan will achieve genuine outcomes for people living with disability. While running a consultation to enable people to have a voice is important, a greater emphasis on active participation and leadership from the Australian community, including people living with disability, is essential.

Indeed, governments and government departments should proactively consider how genuine co-design processes can enhance policy development across all areas of their work. We are concerned that many of the processes that governments are currently referring to as co-design fall well short of best practice and do not include active involvement in decision making. We encourage the Department to access our Guide to Co-Design with People Living with Disability,⁴⁴ which was itself co-designed, via our [website](#).

Additionally, we expect that, once formulated, the draft Plan will be presented again for further open public consultation and input.

Recommendation 26: The Department should ensure it undertakes a genuine co-design process to design and implement the National Housing and Homelessness Plan. It should engage with a range of cohorts, including people living with disability, to ensure the Plan

⁴⁴ View the Guide at https://purpleorange.org.au/application/files/7416/2510/1861/PO-CoDesign_Guide-Web-Accessible.pdf.

reflects diverse needs and will be fit-for-purpose to ensure housing supply will meet the long-term requirements of our ageing population.

Recommendation 27: The Department should conduct further open public consultation on the draft National Housing and Homelessness Plan once it is formulated.

6. Conclusion

Thank you for the opportunity to contribute a submission toward the development of this important Plan. The development of this national Plan on housing and homelessness represents a huge opportunity for our nation. With so many Australians, especially people living with disability, feeling significant housing stress currently, we hope the Plan can provide a comprehensive pathway forward for how governments can work together to improve housing outcomes and end homelessness. Doing so will generate benefits for individuals, communities, and the economy, as well as enabling all Australians to share more fully in the opportunities of our nation.

We would like to advise the Department of our eagerness to participate in further opportunities to shape the draft Plan. We are also available to meet to discuss this submission. To arrange this, please contact [REDACTED]
[REDACTED]