



National Disability Services Submission

National Housing and Homelessness Plan

About National Disability Services

National Disability Services (NDS) is Australia's peak body for non-government disability service organisations, representing more than 1100 non-government service providers. Collectively, NDS members operate several thousand services for Australians with all types of disability. NDS provides information and networking opportunities to its members and policy advice to State, Territory and Commonwealth governments. We have a diverse and vibrant membership, comprised of small, medium and larger service providers, supporting thousands of people with disability. Our members collectively provide a full range of disability services, from supported independent living and specialist disability accommodation, respite and therapy, to community access and employment. NDS is committed to improving the disability service system to ensure it better supports people with disability, their families and carers, and contributes to building a more inclusive community.

1.0 Overview

National Disability Services (NDS) welcomes the opportunity to actively participate in shaping the National Housing and Homelessness Plan ("the plan") and addressing the concerns presented in the National Housing and Homelessness Plan Issues Paper ("issues paper"). NDS supports the development of a comprehensive, future focused housing and homelessness strategy that will govern the allocation of resources and the coordination of responses to housing and homelessness issues for the Australian community.

2.0 Scope of this submission

The issues paper highlights several key areas of concern. This submission will centre its attention on how these areas impact housing outcomes for people with disability and will present a set of recommendations for consideration in the development of an inclusive plan that caters to the needs of this demographic. In addition, we will reference the recently concluded Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability ("the Royal Commission"), which delved into housing affordability, social housing, and the responses of the homelessness system concerning people with disability. Our submission will draw upon the evidence presented during the Royal Commission and incorporate insights from the findings and recommendations outlined in the Commissioners' final report.

3.0 Introduction

“People with disability are conspicuously absent from national housing and homelessness policy frameworks”.¹

The Australian government has a responsibility to work toward providing better housing outcomes for people with disability. Accessible, sustainable, and suitable housing options enable people with disability to engage in social, economic, and community activities. In contrast, the unavailability of such housing can lead to adverse outcomes, including homelessness, diminished health, and reduced access to employment and education opportunities.²

¹ Royal Commission into Violence, Abuse, Neglect and Exploitation (2023); Final Report: Volume Seven, Part C, pg. 660. © Commonwealth of Australia 2023 <https://disability.royalcommission.gov.au/publications/final-report> Accessed 29 September 2023.

² Australian Federation of Disability Organisations (2023) About Australians with disability – Housing <https://www.afdo.org.au/about-australians-with-disability/housing/> Accessed 01 October 2023

As a signatory to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)³, Australia has specific obligations to uphold rights of people with disability related to homes and living. In accordance with Article 19, which is titled "Living independently and being included in the community," States Parties emphasise their recognition of the fundamental right of all people with disability to live within the community, with the autonomy to make choices on par with others. They commit to implementing effective and suitable measures to enable people with disability to fully enjoy this right and participate actively in the community. This commitment encompasses three key aspects.⁴

Firstly, people with disability must have the opportunity to choose their place of residence and the people they live with, and they should not be compelled to reside in specific living arrangements. This upholds their right to self-determination and independence, as outlined in Article 19.⁵

Secondly, people with disability should have access to a range of support services within the community, which includes in-home assistance, residential support, and other resources that facilitate their inclusion and prevent isolation or segregation from the wider community, in line with the principles of Article 19.⁶

Lastly, community services and facilities that are available to the general population must be equally accessible to people with disability. This ensures that their specific needs are recognised and addressed, promoting inclusivity and equality for all, as articulated in Article 19. This commitment underscores the importance of fostering an inclusive and supportive community for people with disability, in compliance with the spirit and letter of Article 19.⁷

Creating inclusive homes and communities is one of the seven outcome areas in Australia's Disability Strategy (ADS). The ADS is designed to help Australia meet its obligations under the UNCRPD and articulate the commitment of all governments to improve the lives of people with disability. Addressing issues with housing affordability, accessibility and increasing the choice and control people with disability have over where they live, who they live with, and who comes into their home are priorities in the ADS. At this stage there is no targeted housing action plan in the ADS and homelessness is not identified as a priority.

Notwithstanding these prescribed duties and obligations, people with disability continue to encounter substantial barriers when seeking suitable housing. As

³ Convention On The Rights Of Persons With Disabilities (CRPD) (2023)
<https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd?page=2> Accessed 01 October 2023

⁴ Article 19 – Living independently and being included in the community (2023)
<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-19-living-independently-and-being-included-in-the-community.html> Accessed 01 October 2023

⁵ Ibid

⁶ Ibid

⁷ Ibid

highlighted by the Royal Commission, this predicament is, in part, a consequence of national policy frameworks neglecting to place the experiences of people with disability at the forefront of housing considerations. Consequently, enduring challenges hinder their ability to secure safe and appropriate housing.

Developing a plan that seeks to take a coordinated approach to housing and homelessness policy and embed National leadership represents an opportunity to address this shortcoming.

4.0 The needs of people with disability across the housing spectrum

Homelessness is a pervasive problem that can impact anyone. Unlike certain societal issues that tend to target specific demographics, homelessness does not discriminate. However, within the broad spectrum of individuals affected by homelessness, it's important to recognise how distinct groups, such as people with disability, face unique challenges. The limited awareness about the connection between homelessness and living with a disability often allows this issue to persist unnoticed.⁸

Access to safe and stable housing is a fundamental pillar of people's health and overall wellbeing. The availability of affordable housing is a critical concern for all, particularly those with limited incomes. Insufficient access to affordable housing elevates the likelihood of households encountering housing-related difficulties, impacting their health, educational opportunities, employment prospects, and increasing the risk of homelessness.⁹

As noted in the issues paper, all members of the community, live in and move in and out of a range of housing and accommodation options. This is true for people with disability. Unlike some other groups however, their movement across these options can be dictated by a range of unique and in some cases constant disability related factors and that impact significantly on their housing needs, preferences, needs and options at any one time.

People with disability have worse housing and homelessness outcomes than the general population.¹⁰

⁸ Pareja S (no date) The impact of homelessness on people with disabilities <https://thehomemoreproject.org/blog/the-impact-of-homelessness-on-people-with-disabilities-pwd> Accessed 01 August 2023

⁹ Australian Institute of Health and Welfare (2022) People with disability in Australia 2022, catalogue number DIS 72, AIHW, Australian Government.

¹⁰ Productivity Commission (2022) In need of repair: The National Housing and Homelessness Agreement, Study Report, Canberra. <https://www.pc.gov.au/inquiries/completed/housing-homelessness/report/housing-homelessness.pdf>. Accessed on 15 October 2023.

Due to a broad range of cumulative risk factors and socio-economic factors, people with disability are some of the most economically disadvantaged members of our community.¹¹ They are more likely than people without disability to experience issues with housing affordability.¹² However, people with disability also experience a range of well-known and broadly acknowledged barriers in different variations across housing tenures, which distinguish them from other members of the community who face housing affordability issues.¹³

These can be summarised as:

- Lack of accessible crisis accommodation and crisis accommodation support services.¹⁴
- Discrimination or disadvantage in competition over private rental tenancies due to low income and the lack of rental history and references.
- Shortfall in supply of housing that is appropriately designed for people with mobility restrictions (or other design requirements related to their disability) in the social and private sectors, and difficulties getting home modifications funded and approved.¹⁵
- Shortfall in supply of housing that is culturally appropriate for Indigenous people with disability.
- Low priority in social housing allocations for people living with parents or in group homes. People with disability are much more likely to live with their parents beyond the age of 25, in group homes and in tertiary homelessness services such as boarding houses.¹⁶
- Challenges for people with intellectual disability in obtaining home loans with rates of home ownership being significantly lower than that of the general population.¹⁷
- Lack of mechanisms or brokerage systems to share information about housing options.
- Difficulty obtaining housing without confirmed support funding, or vice versa.

¹¹ Keogh, M., Disability and Poverty: Submission to the Community Affairs References Committee inquiry into the extent and nature of poverty in Australia, 3 February 2023, People with Disability Australia, Sydney

¹² Ibid

¹³ Wiesel, I., Laragy, C., Genders, S., Fisher, K., Jenkinson, S., Hill, T., Finch, K., Shaw, W. and Bridge, C. (2015) Moving to my home: housing aspirations, transitions and outcomes of people with disability, AHURI Final Report No. 246, Australian Housing and Urban Research Institute Limited, Melbourne, <https://www.ahuri.edu.au/research/final-reports/246>.

¹⁴ Royal Commission into Violence, Abuse, Neglect and Exploitation (2023); Final Report: Volume Seven, Part C. © Commonwealth of Australia 2023 <https://disability.royalcommission.gov.au/publications/final-report> Accessed 29 September 2023.

¹⁵ Productivity Commission (2022) In need of repair: The National Housing and Homelessness Agreement, Study Report, Canberra. <https://www.pc.gov.au/inquiries/completed/housing-homelessness/report/housing-homelessness.pdf>. Accessed on 15 October 2023.

¹⁶ Wiesel, I. and Habibis, D. (2015) NDIS, housing assistance and choice and control for people with disability, AHURI Final Report 258, Australian Housing and Urban Research Institute, Melbourne pg 11 <http://www.ahuri.edu.au/publications/projects/p71053>

¹⁷ Ibid

- Over representation in social housing with 39 per cent of households in social housing including a person with disability.¹⁸

Addressing these challenges, coupled with the diverse experiences of people with disability across the housing spectrum, requires careful planning and tailored strategies to improve their housing choices and outcomes.

The role of the NDIS

The National Disability Insurance Scheme (NDIS) plays a significant role in addressing housing and homelessness issues for people with disability in Australia. While the primary focus of the NDIS is to provide support and services to people with disability, its impact on housing and homelessness is indirect but substantial. This currently includes:

- *Funding for Specialist Disability Accommodation (SDA)*: The NDIS provides funding for eligible participants to access Specialist Disability Accommodation. SDA refers to housing that is specially designed to cater to the needs of people with significant and permanent disability. This funding allows individuals to access appropriate housing that meets their disability-related requirements. As at June 2023, 23,092 NDIS participants were receiving specialist disability accommodation funding.¹⁹
- *Improved Access to Support Services*: The NDIS offers funding for support services that can be critical in preventing homelessness among people with disability. This may include personal care and support, which can help individuals live independently and avoid homelessness.
- *Personalised Plans*: NDIS participants receive individualised support plans that may include funding for housing-related supports. These supports can range from home modifications to assistance with daily living tasks, making it easier for individuals to maintain stable housing situations.
- *Addressing Specific Needs*: The NDIS considers the unique needs and circumstances of people with disability when crafting their plans. This personalisation can include addressing housing concerns, like making accommodations for wheelchair access or finding housing solutions that suit the individual's disability needs.
- *Transition Planning*: For those transitioning out of institutional care or supported accommodation, the NDIS assists in creating plans to ensure a smooth transition into independent living or other appropriate housing options.
- *Funding for Home Modifications*: The NDIS provides funding to eligible participants for necessary home modifications. These modifications can

¹⁸Australian Institute of Health and Welfare (2022) People with disability in Australia 2022, catalogue number DIS 72, AIHW, Australian Government.

¹⁹ National Disability Insurance Agency (2023), NDIS Quarterly report to disability ministers, '© National Disability Insurance Agency' <https://www.ndis.gov.au/media/2351/download> Accessed 20 September 2023.

include installing ramps, handrails, accessible bathrooms, and other adjustments to make the participant's home more accessible and suitable for their needs.

- *Support for Accessibility Equipment:* The NDIS can also fund accessibility equipment, such as wheelchair lifts or mobility aids, to help participants move around their homes more independently and safely.

While the NDIS contributes to improving housing outcomes for people with disability, there are still challenges and gaps in the system. The NDIS primarily focuses on support services and funding, whereas housing policies and construction standards, as well as the availability of accessible and affordable housing, are typically managed by state and local governments. Coordination and collaboration between the NDIS and housing agencies is essential to create comprehensive solutions for people with disability seeking housing stability.

5.0 Focus Areas

The issues paper identifies seven focus areas for the plan. Issues for people with disability and the disability sector more broadly across these areas are discussed below.

5.1 Homelessness and homelessness services

The final report of the Royal Commission offers a comprehensive insight into the current data regarding people with disability experiencing homelessness and accessing homelessness services. The data underscores the critical challenges faced by people with disability and the unique intersection of homelessness and disability. Notably, the Royal Commission has put forth crucial recommendations to address these pressing issues.

Based on the 2021 Census, 4,792 individuals were homeless, and 3,457 were marginally housed among people under 65 with 'severe or profound' disability.²⁰ Compared to people without disability, people aged under 65 years with 'severe or profound' disability were overrepresented in these groups.²¹ Around 3 per cent of people accessing specialist homelessness services self-reported as having a disability, with 62 per cent of these reporting mental health issues.²²

First Nations people with disability are also overrepresented in users of Specialist Homelessness Services (SHS). Nearly one-quarter of clients with 'severe or

²⁰ Australian Bureau of Statistics, Census 2021 – Estimating homelessness module, Results accessed using ABS Table Builder: Core Activity Need for Assistance, by Homelessness Operational Groups and by Age

²¹ Ibid

²² Australian Institute of Health and Welfare (2022) Specialist homelessness services annual report 2021–22, AIHW, Australian Government, accessed 18 October 2023

profound' disability were Indigenous (23 per cent).²³ Similarly, homelessness has been highly correlated with incidence of psychosocial disability and substance misuse.²⁴

Recent release from prison, along with transitions from other government services, has been identified as a key pathway to homelessness.²⁵ Data shows that people with a disability are overrepresented in the criminal and juvenile justice systems, and finding appropriate housing is complex for these individuals.²⁶

It is important to note that the definitions of homelessness and disability can affect how data is understood. For instance, information on disability is not gathered for people 'sleeping rough'. Additionally, the separation of data collection methods implies that estimated figures for people with disability experiencing homelessness are probably lower than they should be in these datasets.

The issues paper notes that further data and research is needed to better understand the needs and barriers faced by groups such as people with disability experiencing homelessness and seeking support services.

The National Disability Data Asset (NDDA) strives to offer a comprehensive understanding of the experiences of people with disability in Australia, including their interactions with services and systems. Housing data collected by the NDDA (as part of several pilots) indicates that people with disability are five times more likely to access specialist homelessness services than people without a disability, with 73 per cent reporting a psychosocial disability.²⁷ These figures are much higher than those reported elsewhere.

The data highlights differences in the reasons for seeking assistance from homelessness services between people with disability and those without disability.

For example, people with disability are:

- likely to have multiple reasons for seeking assistance
- more likely to indicate accommodation issues as their main reason for seeking assistance (40 per cent of SHS clients with disability aged 25-64, compared with 29 per cent of those without disability)

²³ Ibid

²⁴ Steen A (2018) The many costs of homelessness Medical Journal of Australia <https://www.mja.com.au/journal/2018/208/4/many-costs-homelessness#3> accessed on 09 September 2023

²⁵ Australian Institute of Health and Welfare (2022) Specialist homelessness services annual report 2021–22, AIHW, Australian Government, accessed 18 October 2023

²⁶ Rowe, Sand Simpson J 2017 for Australians for Disability Justice the provision of services under the NDIS for people with disabilities who are in contact with the criminal justice system Submission to the Joint Standing Committee on the NDIS <https://www.crcnsw.org.au/wp-content/uploads/2017/08/Submission-NDIS-Joint-Standing-Committee-Final.pdf> p32 accessed 08 August 2023

²⁷ National Disability Data Asset (2021) Identification of people with disability in linked administrative data for service use and outcomes reporting in housing: Summary of NDDA Pilot Findings December 021 <https://www.ndda.gov.au/wp-content/uploads/2022/11/summary-ndda-pilot-findings-housing.pdf> accessed 18 September 2023

- less likely to indicate relationship problems as their main reason for seeking assistance (25 per cent of SHS clients aged 25-64 with disability, compared to 45 per cent for those without disability)
- on average, likely to require longer support periods from homelessness services providers than those without disability. In 2019-20, SHS clients with disability aged 25-64 had a median support period of 50 days (37 days for those without disability).²⁸

People with disability experiencing homelessness report a range of issues with accessing crisis and transitional forms of housing. Frequently, the available options do not align with their often intricate requirements, leading to instances of people ending up without shelter or sleeping rough. Crisis accommodation can also be inaccessible meaning that people with disability leaving family violence situations may need to remain in unsafe situations.

The Royal Commission examined the adequacy of temporary forms of accommodation such as boarding or lodging houses, including those that are funded to specifically support people with disability, mental health issues or aged related conditions. Noting that these operate differently across all states and territories and with varying levels of regulation, the Royal Commission concluded that these settings, give insufficient attention “to quality, safety, autonomy, dignity, and inclusion, both for residents with disability and those without disability”.²⁹

A person’s pathway into homelessness is driven by the intersection of structural drivers (such as housing affordability and poverty), risk factors (including individual circumstances and history), and protective factors (such as employment).³⁰

Strategies that focus on prevention and early intervention, better access to support and services and the development of an integrated and person-centred system along a housing first approach have been identified as improving outcomes for people experiencing or at risk of experiencing homelessness. Indeed, the issues paper highlights examples where these have been successfully incorporated into program design.

Like all people experiencing homelessness, people with disability will benefit from a “Housing First” approach. This approach offers “affordable housing to people experiencing homelessness as quickly as possible, removing potential barriers and providing the supports they need to avoid returning to homelessness for as long as

²⁸ National Disability Data Asset (2021) Identification of people with disability in linked administrative data for service use and outcomes reporting in housing: Summary of NDDA Pilot Findings December 2021 <https://www.ndda.gov.au/wp-content/uploads/2022/11/summary-ndda-pilot-findings-housing.pdf> accessed 18 September 2023

²⁹ Royal Commission into Violence, Abuse, Neglect and Exploitation (2023); Final Report: Volume Seven, Part C. © Commonwealth of Australia 2023 pg. 699 <https://disability.royalcommission.gov.au/publications/final-report> Accessed 29 September 2023.

³⁰ NSW Government (2018) NSW Homelessness Strategy 2018-2023 <https://www.facs.nsw.gov.au/download?file=590515> Accessed 10 September 2023

supports are needed”.³¹ However, research suggests that a more comprehensive “Housing First” strategy is required for the chronic homelessness experienced by people with severe disability and comorbid conditions.³² This strategy needs to ensure appropriate housing *and* continuity of psychiatric care, the treatment of substance use disorders, appropriate behaviour supports, access to health care and tenancy supports and a range of models for social support.

A successful and effective “Housing First” approach also requires significant investment into accessible social housing, crisis and long-term supportive housing models. This will require adequate investment under the National Housing and Homelessness Agreement (NHAA) to see a significant reduction in the number of people experiencing homelessness.

The National Housing and Homelessness Plan represents an opportunity to address the additional issues experienced by people with a disability in meaningful ways. Acknowledging the interconnectedness of various aspects of individuals' lives and environments in relation to their disabilities, and the heightened vulnerability experienced by some people with disability, is crucial. The measures proposed by the Royal Commission, including the necessity for all government levels to adopt a 'no exit into homelessness' policy for individuals leaving institutional and service settings, are a necessity.

5.2 Social and community housing

People with disability are overrepresented in social housing and housing assistance programs. At June 2020, 39 per cent of households in social housing included a person with disability.³³ 16 per cent of people receiving Commonwealth Rent Assistance (CRA) also received a Disability Support Pension.³⁴ To meet the housing requirements people with disability and their families will require increased investment in accessible and affordable housing.

People with disability face additional barriers when it comes to accessing social housing that meets their needs. These include:

- A general shortage of accessible social housing designed to meet the varying and diverse needs of people with disability. Every state and territory employ varying systems of prioritisation, but, generally, accessible housing is not given precedence for people with disability. Consequently, some accessible and adapted social housing units are allocated to those who do not require

³¹ NSW Government (2018) NSW Homelessness Strategy 2018-2023 <https://www.facs.nsw.gov.au/download?file=590515> Accessed 10 September 2023

³² Johnson, G. et al. (2012) Policy shift or program drift? Implementing Housing First in Australia, AHURI Final Report No.184. Melbourne: Australian Housing and Urban Research Institute. <https://www.ahuri.edu.au/research/final-reports/184>

³³ Australian Institute of Health and Welfare (2022) People with disability in Australia 2022, catalogue number DIS 72, AIHW, Australian Government.

³⁴ Australian Institute of Health and Welfare (2022) People with disability in Australia 2022, catalogue number DIS 72, AIHW, Australian Government.

them, further exacerbating the housing supply problem for people with disability

- Current policies and procedures are not accessible and may create unrealistic expectations for people with disability. For example, people with a disability may only have 24 hours to inspect a property. For some people with a disability this may not be possible as it depends on the availability of supports that may be required such as support staff, advocates or travel arrangements. There is also a lack of information in accessible formats such as easy read.
- The Royal Commission heard evidence where applicants with disability are made limited reasonable offers of housing and where the housing provider making the offer also determines whether the offer is reasonable or not. Definitions of reasonableness used often disadvantage and fail to consider the access needs of people with disability – e.g., offers not considering vicinity to services and amenities, denying access of a companion or therapy animal, or making an offer that does not contain an additional bedroom for a person’s carer that they rely on for support.
- Challenges in securing modifications for social housing also persist. For instance, a recent report by the NSW Ombudsman highlighted extended delays (exceeding 12 months), inadequate communication, and unsatisfactory responses to complaints in the NSW government’s handling of requests for reasonable modifications for tenants with disability.³⁵
- Studies indicate that the social disability linked to severe mental illness poses a challenge for many individuals in maintaining tenancy without assistance. Additionally, the ongoing issue of insufficient secure and affordable housing remains a hindrance to involvement in both mental health treatment and community engagement for people with severe mental illness and disability. Consequently, there persists a reliance on services for individuals experiencing homelessness, highlighting the essential role of stable housing as a fundamental requirement for comprehensive disability support and the treatment of severe mental illness.³⁶

Addressing the social and community housing needs of people with disability is paramount within the National Housing and Homelessness Plan. As people with disability are overrepresented in social housing and housing assistance programs, recognising the unique challenges they face is essential. Increased investment in accessible and affordable housing is crucial. While they encounter numerous barriers in accessing suitable housing, such as shortages in accessible housing and unrealistic policies, strategies and policies that prioritise their needs are vital.

³⁵ NSW Ombudsman NSW Ombudsman (2022), Modifying public housing properties to meet the needs of tenants with disability - issues identified through complaints, Special report. https://www.ombo.nsw.gov.au/_data/assets/pdf_file/0005/138047/Modifying-Public-Housing-properties-to-meet-the-needs-of-tenants-with-disability_v1.1.pdf Accessed on 09 October 2023.

³⁶ Olav B Nielssen, William Stone, Naidene M Jones, Sarah Challis, Amelia Nielssen, Gordon Elliott, Nicholas Burns, Astrid Rogoz, Lucy E Cooper and Matthew M 2017 Large Characteristics of people attending psychiatric clinics in inner Sydney homeless hostels <https://www.mja.com.au/journal/2018/208/4/characteristics-people-attending-psychiatric-clinics-inner-sydney-homeless#17>

Furthermore, the challenges related to securing housing modifications and the social disability faced by those with severe mental illness highlight the need for stable and accessible housing as a fundamental element of comprehensive disability support.

5.3 Home ownership, housing costs and the private rental market

Private rental

People with a disability frequently live in or near poverty³⁷ and as such are often priced out of the housing market.

Currently the gap between social housing and market rental is so great that there is perverse incentive to stay in social housing. At the same time the decline in social housing availability is forcing more low income and people experiencing disadvantage into the rental market, where they often experience poor quality housing.³⁸

The housing finance gap between revenue from rents paid by low-income tenants and the cost of developing and maintaining good-quality housing is also largely problematic.

The number of people with disability living in unaffordable private rental rose by 138 per cent (compared to 41 per cent for people without a disability) from 2001 to 2014, well above the trend of increased rental affordability stress in the general population.³⁹ Given the rapid growth in rental stress among low income renters, it is likely that this trend has only continued and worsened.⁴⁰

In 2017 research speculated that by 2027, 15,000-25,000 NDIS participants nationally could potentially find homes in private rental without housing assistance. While this number is purely speculative, it is based on several identifiable groups: between a third to half of those currently living with parents; a small number of people who will enter employment; a larger number of people who could get financial assistance from parents or a partner; people who live in low-value housing markets; and people who could achieve affordability.⁴¹

However, the availability of private rental for single people who are NDIS participants is very limited on affordability criteria. For example, in 2022, a snapshot by Anglicare

³⁷ ACOSS (2023), Poverty in Australia 2023: Who is affected <https://povertyandinequality.acoss.org.au/poverty-in-australia-2023-who-is-affected/> Accessed 01 October 2023.

³⁸ Productivity Commission (2019) Vulnerable Private Renters: Evidence and Options, Commission Research Paper, Canberra <https://www.pc.gov.au/research/completed/renters/private-renters.pdf> accessed 09 October 2023

³⁹ Disability Housing Futures Working Group (2017), People with disability living in inadequate housing: prevalence, trends, and health and workforce participation outcomes Report 1 April 2017 https://nahc.org.au/documents/DHF_Report_April_2017.pdf p11 Accessed on 30 September 2023.

⁴⁰ Productivity Commission 2019, Vulnerable Private Renters: Evidence and Options, Commission Research Paper, Canberra

⁴¹ Disability Housing Futures Working Group (2017), People with disability living in inadequate housing: prevalence, trends, and health and workforce participation outcomes Report 1 April 2017 https://nahc.org.au/documents/DHF_Report_April_2017.pdf p11 Accessed on 30 September 2023.

indicated that only 0.1 per cent of properties were affordable to an adult over the age of 21 people on the Disability Support Pension (DSP) across Australia.⁴² As noted in the report whether any of the properties that people on the DSP could afford were accessible is unknown. People with disability frequently encounter challenges when interacting with real estate agents and experiencing discrimination in private rental applications. They may face obstacles when requesting home modifications or repairs, and the threat of eviction. Property owners often display reluctance towards investing in costly accessibility modifications due to concerns about potential depreciation of property value or future rental prospects.⁴³ This leaves people with disability with fewer options.

Home Ownership

Responding to the diverse housing needs of people with a disability requires the examination of the role of home ownership, shared ownership and mixed equity. People with a disability have identified the value of being able to choose their preferred dwelling in the open market (as opposed to inflexible allocation in social housing, affordable housing or even private rental).⁴⁴ Where NDIS participants are eligible, SDA can represent an opportunity for participants to purchase their own home.⁴⁵

Governments have offered a variety of programs to assist low- and moderate-income households to enter home ownership, including: grants or tax concessions for purchase of homes in the open market; 'rent to buy' or 'right to buy' schemes to assist social renters to purchase the homes in which they live, often with subsidised rent; subsidised mortgages; and shared ownership.⁴⁶ Directing funding toward these types of programs as opposed to 'first home owner' grants which may have the impact of decreasing affordability⁴⁷ needs to be considered.

In 2019, 95 per cent of people with disability lived at home or in the community, with 64 per cent owning their home (with or without a mortgage).⁴⁸ This may represent an opportunity to leverage this capital to enable people with a disability to access and sustain home ownership, through a shared ownership/mixed equity model, even

⁴² Ibid

⁴³ Productivity Commission (2022) In need of repair: The National Housing and Homelessness Agreement, Study Report, Canberra. <https://www.pc.gov.au/inquiries/completed/housing-homelessness/report/housing-homelessness.pdf>. Accessed on 15 October 2023.

⁴⁴ Wiesel, I., Bullen, J., Fisher, K., Winkler, D., and Reynolds, A. (2017) *Shared home ownership by people with disability*, AHURI Final Report No. 277, Australian Housing and Urban Research Institute Limited, Melbourne, <https://www.ahuri.edu.au/research/final-reports/277> Accessed 09 September 2023

⁴⁵ Summer Foundation (2023), Using SDA to buy your own property, <https://www.summerfoundation.org.au/resources/using-sda-to-buy-your-own-property/> Accessed 9 October 2023.

⁴⁶ Wiesel, I., Bullen, J., Fisher, K. R., Winkler, D. and Reynolds, A. (2017) *Shared home ownership by people with disability*, AHURI Final Report No. 278, Australian Housing and Urban Research Institute, Melbourne, <http://www.ahuri.edu.au/research/finalreports/277> Pg 7

⁴⁷ Productivity Commission (2022) In need of repair: The National Housing and Homelessness Agreement, Study Report, Canberra. <https://www.pc.gov.au/inquiries/completed/housing-homelessness/report/housing-homelessness.pdf>. Accessed on 15 October 2023.

⁴⁸ Australian Institute of Health and Welfare (2022) *People with disability in Australia 2022*, catalogue number DIS 72, AIHW, Australian Government.

though they have lower income and savings than those that are typically required to afford a loan deposit and repayments. This can in turn reduce the demand for other more expensive forms of housing and other welfare assistance.⁴⁹

In a broader context, shared equity strategies can offer a structure to update government obligations related to the supply and preservation of social and affordable housing. They can also serve as a mechanism to attract additional, and better-suited, forms of affordable housing.

5.4 Zoning and planning policies

The Productivity Commission inquiry into the National Homelessness and Housing Agreement reflects the impact that zoning and planning policies can have on housing availability and affordability.⁵⁰ As the report notes zoning not only governs where housing can be built but the form of that housing: whether high or medium density, lower cost and housing that is accessible to people with disability.

Assessing the impact of current zoning and planning regulation on the availability of housing for people with disability is difficult as environmental and planning policies differ across states and territories and planning decisions are made at the local government level. The notion of a postcode lottery could be used in this context to some extent. Some zoning and planning policies are more inclusionary than others. Some policies reflect previous models of housing for people with significant disability where this predominantly consisted of government built and funded houses designed for 4-6 residents. These are often referred to as group homes. The NDIS can enable NDIS participants to explore new models of support and as such new housing options. The Royal Commission has recommended that government should introduce policies that preference a move away from group home models.⁵¹

As noted in the issues paper the nature and form of housing and the built environment can contribute to the overall liveability of the community in which they are built and vice versa. Inclusion is a critical factor for people with disability and most people with disability and their families are seeking community-based mainstream solutions to their housing needs as opposed to a specialist solution.

⁴⁹ Pinnegar, S., Easthope, H., Randolph, B., Williams, P., Yates, J. (2009) Innovative financing for home ownership: the potential for shared equity initiatives in Australia, AHURI Final Report No. 137, Australian Housing and Urban Research Institute Limited, Melbourne, <https://www.ahuri.edu.au/research/final-reports/137>

⁵⁰ Productivity Commission (2022) In need of repair: The National Housing and Homelessness Agreement, Study Report, Canberra. <https://www.pc.gov.au/inquiries/completed/housing-homelessness/report/housing-homelessness.pdf>. Accessed on 15 October 2023.

⁵¹ Royal Commission into Violence, Abuse, Neglect and Exploitation (2023); Final Report: Volume Seven, Part C, pg. 660. © Commonwealth of Australia 2023 <https://disability.royalcommission.gov.au/publications/final-report> Accessed 29 September 2023.

The National Housing Accord includes a commitment for all governments to develop and implement zoning and planning policies to increase the available of affordable housing.

Increasing the opportunity for people to access affordable housing across the community provides a step out of welfare dependency and reduces financial stress, increases workforce participation and provides positive physical and mental health outcomes for people with disability. Affordable and accessible housing should be considered as essential requirements of sustainable neighbourhoods. Research shows that social mix that includes people with disability can be seen as essential for 'sustainable development'.⁵² However, as noted throughout this submission, ensuring that this housing is accessible is key.

Infrastructure planning rarely integrates housing investment alongside other urban infrastructure (typically transport). This is despite a clear overlap between investment in these arenas, for creating urban places that accommodate a diverse and productive population. A functional housing system is often taken to be an outcome of infrastructure investment, rather than an integral part of that infrastructure investment.

Lack of accessible transport and transport infrastructure such as bus stops and train stations are a significant barrier for people with disability who may rely on public transport or specialist transport as opposed to private transport options. People with disability identify experiencing discrimination related to public transport.⁵³ The issues paper identifies the critical role that transport options can play in improving the sustainability and liveability of a community, however consideration around the accessibility of these options for all people with disability (including those with sensory and cognitive disabilities) should form part of the plan.

The issues paper also notes that under the National Housing Accord the Australian government is exploring options to use commonwealth land to contribute the development of social and affordable housing. Governments across Australia own many SDA enrolled properties that are operated by the non-government sector. These properties attract SDA payments from the NDIS (in addition to reasonable rent contributions). Many of these properties are ageing and do not meet the needs of current or future residents. Considering the role of governments in owning and building SDA and how they will develop policy, initiatives and other mechanisms aimed at boosting the supply of SDA to NDIS participants is an important part of

⁵² Spiller, M, Mackevicius, L and Spencer A (no date) Development contributions for affordable housing: theory and implementation SGS Economics Pg. 4 <https://sgsep.com.au/assets/main/SGS-Economics-and-Planning-Development-contributions-for-affordable-housing.pdf> Accessed 15 September 2023

⁵³ Australian Institute of Health and Welfare (2022) People with disability in Australia 2022, catalogue number DIS 72, AIHW, Australian Government.

ensuring that there is adequate housing supply for people with disability with the most complex support needs in Australia.

5.5 Environmental Sustainability

“Well-designed, climate appropriate sustainable improvements make a home more affordable over its life span”.⁵⁴ Retrofitting existing social housing properties (as this has been shown to produce significant savings)⁵⁵ and continuing to require all new and significant property development (including those providing any social or affordable housing) comply with Building Sustainability Index (BASIX) requirements needs to be considered.

There have been significant advancements in smart and assistive technology in recent years and people with disability are likely to benefit from these as built environments become smarter and more accessible.

Ultimately greater ease of access and increased usability benefits everyone in the community.

The issues paper highlights the impact of natural disasters on housing outcomes, noting that these can place greater strain on the housing system including crisis responses. For people with disability, accessing emergency accommodation and suitable alternative housing at the time of natural disasters is even more difficult. Both the emergency housing available and information about emergency housing options may not be accessible. These difficulties continue into recovery and post recovery efforts.

A recent report into the flooding events in Northern NSW noted that the future housing system needs to be able to respond to the 'new normal' where natural disasters and climate events are more likely to reduce the impact on individuals and communities. As this system is developed, people with disability need to be prioritised.⁵⁶

⁵⁴ Australian Government (2020) Australia's guide to environmentally sustainable homes <https://www.yourhome.gov.au/housing/affordability> accessed 01 October 2023

⁵⁵ *ibid*

⁵⁶ van den Nouwelant, R. & Cibi, A. (2022) “The impact of housing vulnerability on climate disaster recovery: The 2022 Northern Rivers Floods” (Sydney: City Futures Research Centre) <https://cityfutures.adu.unsw.edu.au/documents/700/Northern-Rivers-postflood-housing-20221102.pdf> accessed 01 October 2023

6.0 Recommendations

NDS makes the following recommendations for a National Housing and Homelessness Plan.

Recommendation One: Prioritise people with disability within the National Housing and Homelessness Plan by formally designating them as a high-priority demographic.

This should extend to the National Housing and Homelessness Agreement (NHHA) and be made obligatory for states and territories in their own strategies, with comprehensive reporting. This recommendation is in direct alignment with the Royal Commission's Recommendation 7.33 and is crucial for acknowledging and tackling the distinct housing requirements of people with disability. It establishes a foundation for transparency, accountability, and ultimately, improved housing outcomes.

Recommendation Two: Prioritise accessibility in housing. Set targets for accessible housing construction, adopt Liveable Housing Design Standards, and monitor the impact.

Ensuring accessibility in housing is crucial for people with disability. The National Housing and Homelessness Plan should prioritise strategies to enhance accessibility, set targets for accessible housing construction, and monitor their effectiveness. All governments should promptly adopt the mandatory and voluntary Liveable Housing Design Standards which have been included in the National Construction Code.

Recommendation Three: Enhance data collection for better understanding of disability housing needs, including those outside the scope of the NDIS

It is vital that the National Housing and Homelessness Plan increase data collection, access, and utilisation. This data should encompass those who are ineligible for the NDIS and those NDIS participants who are unlikely to qualify for Specialist Disability Accommodation. This recommendation is of utmost importance as it provides the necessary data foundation for informed housing policies. By enhancing data collection, understanding housing needs, and including those outside the scope of the NDIS, the plan can address a wider spectrum of people with disability, promoting more comprehensive housing solutions.

Recommendation Four: Within the National Housing and Homelessness Plan, define governments' role in owning and constructing Specialist Disability Accommodation (SDA) and in formulating policies, initiatives, and other mechanisms to augment the supply of SDA for NDIS participants.

This action is vital because it sets clear expectations for government involvement in addressing the housing needs of NDIS participants. Defining the role of governments across SDA helps underpin measures that will help ensure that people with disability have adequate access to suitable housing, in line with fostering housing equity and inclusivity.

Recommendation Five: Incorporate measures within the National Housing and Homelessness Plan to guarantee an ample supply of housing and provide authentic choice for people with disability

Ensuring an adequate supply and easy location of housing options empowers people with disability to make informed choices. The establishment of an accessible and effective housing register of private, social and affordable housing is required. Additionally, the National Housing and Homelessness Plan should consider the implementation of a vacancy management system that facilitates people with disability, both NDIS participants and non-participants, in accessing suitable and available housing options.

Recommendation Six: Develop well-defined pathways within the National Housing and Homelessness Plan to facilitate smooth transitions for people with disability between various housing options

This action is crucial as it ensures people with disability have clear and accessible pathways between housing options, reducing the risk of disruptions and homelessness. Greater integration and education among stakeholders are key to creating a seamless housing system that accommodates the unique needs of people with disability.

Recommendation Seven: The National Housing and Homelessness Plan should explore a comprehensive range of models empowering people with disability to exercise choice and control over their housing and prevent homelessness.

The National Housing and Homelessness Plan should encompass increased support for 'at risk' tenancies, improved access to transitional housing, and innovative models of home ownership, such as shared ownership and equity schemes. This action is critical as it broadens the spectrum of housing options for people with disability, enabling them to make informed choices and prevent homelessness. By supporting 'at risk' tenancies, facilitating access to transitional housing, and

introducing innovative homeownership models, the strategy creates a more inclusive and accommodating housing landscape.

Recommendation Eight: Embrace co-design with people with disability to improve housing policies.

Fostering co-design principles, involving people with disability and their formal and informal support networks, will enhance housing outcomes. The National Housing Supply and Affordability Council should integrate people with disability and or Disability Representative Organisations into its membership and housing and homelessness programs must be user-friendly and fully accessible for people with disability. Further strategies need to be developed to embrace and bolster the Housing First approach and acknowledge the intricate histories and unique and often substantial support requirements of people with disability experiencing homelessness.

Recommendation Nine: Invest in universally designed, sustainable social housing, and review policies impacting access for people with disability.

The National Housing and Homelessness Plan should focus on investing in social housing that adheres to universal design principles, emphasising the need for accessibility, sustainability, and considering infrastructure development like transportation and healthcare that is essential for people with disability. Additionally, it should review policies and practices that hinder access to appropriate social housing. NDS strongly supports recommendations from the Royal Commission, particularly 7.35 (b) and 7.36, which call for the voluntary Liveable Housing Standards to be applied to any new social housing and for social housing processes and communications to improve social housing operations and procedures.

Recommendation Ten: Design and implement policies that facilitate the development and funding of affordable housing

Affordable housing is a pressing concern, and addressing it is crucial for ensuring housing accessibility for people with disability and the wider community. These actions support the development of affordable housing, making it more attainable for people with disability and promoting housing affordability in general. This should encompass various measures, including inclusionary zoning and planning policies, utilisation of government-owned vacant land, tax policies, and incentives for developers.

These recommendations can play a pivotal role in shaping the National Housing and Homelessness Plan, acknowledging and addressing the unique housing requirements of people with disability. These actions are in alignment with the Royal Commission's recommendations and ultimately contribute to a more equitable and

accessible housing landscape, benefiting people with disability and the broader community.

7.0 Conclusion

In conclusion, addressing the housing needs of people with disability is imperative for fostering inclusivity and equity in our society. People with disability often encounter discrimination and difficulties in various housing sectors, including social and community housing. To truly advance the National Housing and Homelessness Plan, it is essential to prioritise accessibility, affordability, and supportive housing models tailored to the specific needs of people with disability. By implementing targeted strategies and investing in accessible and affordable housing, we can take significant steps toward reducing homelessness and providing stable, secure housing for all individuals, regardless of their abilities.

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