



2 August 2021

The Hon. Kevin Anderson MP
NSW Minister for Better Regulation and Innovation

Dear Minister,

Further information required on NSW's strategies to increase supply of accessible housing

We refer to the letter COR-04918-2021 of 2 August 2021 from Ms Rose Webb, Deputy Secretary, Better Regulation Division in response to our letter to you of 23 July 2021. Ms Webb's letter does not answer our questions.

To reiterate, we are aware that the NSW Government has determined not to support the inclusion of minimum accessibility standards in the NCC as currently proposed, for the reasons you have previously outlined. So, we seek further information on NSW Government's non-mandated approach to increase the supply of housing equivalent to the Livable Housing Design (Silver level)ⁱ.

We note your assurance that the NSW government has improved the supply of accessible housing as part of your commitment to the National Disability Strategyⁱⁱ, that is: "*An aspirational target that all new homes will be of agreed universal design standards by 2020 has been set, with interim targets and earlier completion dates to be determined*" (p. 34). We also note the NSW Government's commitment in its Housing 2041: NSW Housing Strategy that that "*homes in NSW [will be] accessible and suitable for different stages of life or changing circumstances*"ⁱⁱⁱ?

We calculate that, while the NCC amendments will provide access in **80-90%** of new housing, NSW's non-mandatory approach provides access in **less than 10%** of new housing. (Please see Attachment for details.)

Nonetheless, Ms Bell writes that the non-mandated approach recognises the need for housing that is designed to meet the needs of the community. You also have previously assured us that your government has had successful strategies in place prior to any proposals being considered nationally. With this in mind, we would appreciate substantiated and informed answers to the following questions:

- How will the NSW Government meet the commitments of the 2010-2020 National Disability Strategy that *all new homes will be of agreed universal design standards*" and the Housing 2041: NSW Housing Strategy that "*homes in NSW [will be] accessible and suitable for different stages of life or changing circumstances*"^{iv}?

- Given the poor outcomes to date, what does the NSW Government plan to do differently from what it has done in the past?

We look forward to a prompt reply to anuhd@anuhd.org.

Yours Sincerely,

A handwritten signature in black ink that reads "Margaret Ward". The signature is written in a cursive style with a long, sweeping tail on the letter "d".

Dr Margaret Ward PSM/ David Brant

Convenors

cc Members of the Building Ministers Meeting
Government representatives on Australian Building Codes Board
Michael Said, Senior Building Codes Officer, Building Policy, NSW Government
Rose Webb, Deputy Secretary, Better Regulation Division

Attachment

Expected supply of dwellings to Silver level in NSW in 2019/2020 (see Table 1 below)

- The total development approvals for dwellings in NSW in 2019-2020 is 48,426^v
- Social and Affordable Housing (SAHF) program is reported to provide 1000 new dwellings in 2019^{vi vii}
- Landcom^{viii} reports they provided 125 Silver level apartments through their partnerships.
- There is no requirement for private family homes to comply with Silver level. It is expected that less than 5% of new housing to comply with Silver level or above^{ix}.
- The NSW Apartment Design Guide^x encourages 20% of the total apartments incorporating the Livable Housing Guideline's Silver level universal design features. No independent evaluation of the efficacy of this voluntary strategy is available, so a generous expectation of 50% compliance is used.

Table 1: Percentage of dwellings to Silver Level or above)

Source	Total	Silver level	% to Silver level
Total dwelling approvals for 2019-2020	48,426		
Private apartments	23,758	2,376	
Private houses	24,191	1,210	
Private unspecified	477		
Landcom	2500	125	
Social and Affordable Housing (SAHF) program	1000	1000	
Total		3,522	9.73

ⁱ [Accessible housing | ABCB](#)

ⁱⁱ COAG. 2010–2020 National Disability Strategy: An initiative of the Council of Australian Governments. In. Canberra: Australian Government, 2011. (p. 34)

ⁱⁱⁱ NSW Government. *Housing 2041: NSW Housing Strategy*. Sydney 2021.

^{iv} NSW Government. *Housing 2041: NSW Housing Strategy*. Sydney 2021.

^v Australian Building Codes Board. *Accessible Housing Options Paper Consultation Report*. Canberra, 2019

^{vi} [Land and Housing Corporation Dwelling Requirements \(nsw.gov.au\)](#)

^{vii} Department of Communities and Justice Annual Report 2019–20 | VOLUME 1 – PART 2 – OUR PERFORMANCE (p. 33)

^{viii} Landcom Annual Report 2019-20. <https://annualreport2020.landcom.com.au/assets/4d39491d5b/Landcom-Annual-Report-2020.pdf> . p. 22

^{ix} Australian Building Codes Board. *Accessible Housing Options Paper Consultation Report*. Canberra, 2019.

^x <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/apartment-design-guide-part-4-designing-the-building-2015-07.pdf?la=en>