



SUBMISSION

to

**QUEENSLAND FLOODS
COMMISSION OF INQUIRY**

29 March 2011

1. INTRODUCTION

The Anti-Discrimination Commission (the ADCQ) is established under the *Anti-Discrimination Act 1991* (the Queensland *ADA*). One of the functions of the ADCQ is to promote an understanding and acceptance, and the public discussion of human rights in Queensland.

The scheme of the Queensland *ADA* is to prohibit discrimination, both direct and indirect, on certain grounds in certain areas of activity unless an exemption under the Queensland *ADA* applies, and to provide a mechanism for resolving contraventions of the Queensland *ADA*.

There are 16 prohibited grounds of discrimination including age, race, impairment, religious belief or activity, and family responsibilities. Relevant to the Floods Commission of Inquiry, discrimination on these grounds is prohibited in the areas of goods and services, accommodation, administration of state laws and programs, and local government.

The provision of accessible services is a requirement of the *ADA* and the need to address community diversity and vulnerability applies to each of the areas of disaster prevention, preparedness, response and recovery. In order to prevent discrimination, consideration of the needs of people with particular vulnerabilities must be given to pre, during and post emergency procedures. Such people include people with disabilities; people who speak languages other than English; people who are from culturally and linguistically diverse backgrounds; people who are frail due to their age or medical conditions; and those with family responsibilities for young children, in particular those who have limited financial resources.

The ADCQ notes in the Queensland government response to the 2009 Victorian Bushfires Royal Commission acknowledged the need to make arrangements for vulnerable people to ensure the safety of those in our community who require special assistance during an emergency. It is heartening to see that not only was the need

acknowledged by the Queensland government to make arrangements for vulnerable people, it was in many instances actioned during the recent flood and cyclone events.

2. FLOODS COMMISSION OF INQUIRY TERMS OF REFERENCE

The ADCQ's submission addresses the following terms of reference:

All aspects of the response to the 2010/2011 flood events, particularly measures taken to inform the community and measures to protect life and private and public property, including:

- immediate management, response and recovery;
- resourcing, overall coordination and deployment of personnel and equipment;
- adequacy of equipment and communications systems; and
- the adequacy of the community's response.

The Commission of Inquiry is also required to make recommendations which it considers appropriate, feasible and cost effective to improve:

- The preparation and planning for future flood threats and risks, in particular the prevention of the loss of life.
- The emergency response in natural disaster events

3. ADCQ SUBMISSIONS

The ADCQ makes the following submissions for the consideration of the Queensland Floods Commission of Inquiry.

3.1. Resourcing, overall coordination and deployment of personnel and equipment

The Queensland Government through a range of policies, plans and statements has recognised that the Queensland community is diverse, multicultural and also consists of

people with disabilities or vulnerabilities who have additional disadvantages or requirements.¹ Such people may be ignored or missing from disaster response planning and operations.

Recommendations

1. There is a need for state and local government authorities to recognise, plan and cater for needs of vulnerable people and the diversity of the community during emergency events, including during each phase of immediate management, response and recovery.
2. Authorities with the responsibility of planning for the management of disaster events should specifically address within their plans the needs of vulnerable and diverse members of the community.
3. The training of emergency personnel should include consideration of how the needs of vulnerable and diverse groups can be addressed during disaster events.

3.1.1. Evacuation Procedures for vulnerable people

Authorities with the responsibility of planning for the management of disaster events should specifically address within their plans the needs of vulnerable members of the community. Wherever possible, this should include a clear plan for who has the responsibility for the evacuation of highly vulnerable people, and how that plan will be implemented.

The ADCQ understands that during the recent natural disaster events many communities across Queensland performed very well in looking after and protecting the more vulnerable members of the community. By way of example, in Townsville before the cyclone, the Department of Communities arranged for Police Liaison Officers, agencies

¹ Multi cultural Queensland -making a world of Difference,

http://www.multicultural.qld.gov.au/media/maq_making_world_difference_policy.pdf

Draft 10 - year plan for supporting Queenslanders with a disability

<http://www.communities.qld.gov.au/disability/community-involvement/draft-10-year-plan-for-supporting-queenslanders-with-a-disability>

such as Spiritus (the funded body for Management of Public Intoxication Program) to locate the homeless residents of the community and take them to the evacuation centre. The evacuation was voluntary, everybody was given the option of whether they wished to evacuate, transport was provided, and the Department of Communities initiated opening up Suncorp Metway basement car park as their evacuation centre.

Another extremely valuable initiative of the Cairns Regional Council has been to maintain a Resident Evacuation & Recovery Register. The following information about the register appears on the Council's website:

„The Evacuation & Recovery Register is for residents of the Cairns Region who are elderly, infirmed and/or disabled and have no transport or friends or family in the area.

If an evacuation is required, those listed on the register will be assisted by emergency service personnel to evacuate their residence. In this event, evacuees will be taken to a safe designated area. Unfortunately emergency services will not have the resources to assist with moving large quantities of personal belongings or pets (except seeing-eye dogs)².

This register is updated annually. By placing your name on the register, you are authorising Council to give your details to any agencies that may be involved in an evacuation.

If you answer yes to all of the following questions, you may qualify for the register:

² The ADCQ recommends Councils include guide, hearing and assistance dogs as defined in the *Guide, Hearing and Assistance Dogs Act 2009*

- Are you elderly, infirmed and/or disabled?³
- Do you have no transport?
- Do you have no friends or family in the area?

If you believe that your personal circumstances qualify you to be placed on the register, please contact the Disaster Management Unit on (07) 4044 3044.'

The ADCQ applauds Council's initiative in establishing and maintaining this register. The ADCQ understands the Townsville City Council is also in the process of establishing such a register.

However, anecdotal evidence suggests that there have, on occasion, been issues which have prevented the stated objective of the register from being achieved. In the aftermath of Cyclone Yasi, two cases of residents who were on the register because of their disability and the fact that they do not have friends or family who can be relied on to assist in an emergency, and who were not assisted to evacuate in preparation for the cyclone have come to light.

Both cases involve clients of a Cairns based community organisation that provides services to clients with disabilities, and information regarding them has been provided to the ADCQ in the course of our consultations with services in the preparation of this submission.

³ The ADCQ suggests the use of person first language when describing people who may have a disability or who may be frail or infirm due to their age or medical conditions. For example the question could read- „Are you a person who has a disability or who is frail or infirm due to your age or medical conditions?

Case A

A is a 59 year old man with a brain injury. He has slurred speech, memory problems and is paralysed down one side. His mobility is restricted and he moves by shuffling in a push wheelchair, but does not require any special form of motorised transport as his wheelchair can easily be transported in an ordinary car. A is able to take a few short steps sufficient to move from his wheelchair into a car.

A Lives in a ground floor unit in a flood prone area that was zoned “orange”. A receives services from three separate service providers, but has no friends or family in the Cairns area who would be able to provide assistance with evacuation in an emergency. He doesn't have a phone and has difficulty being understood in phone communication.

On the night before Cyclone Yasi crossed the coast, at approximately midnight or the early hours of the following morning, a police officer “door-knocked” A's home and advised him that he would be evacuated at 6am. A therefore prepared himself for evacuation by 6am on the morning of the cyclone. However, no-one ever arrived to evacuate A, or to advise him of any change of plan. One of A's neighbours, realising that he had been left alone, offered to assist and drove him around Cairns in search of an evacuation centre, but unfortunately all centres were at capacity by this time and A was not admitted to an evacuation centre. A returned home and endured the cyclone alone in his unit.

A reported to his advocate that he found the entire situation so distressing that he would prefer to have his name removed from the Council's register. The advocate has made enquiries with the Council to try to investigate why A was not evacuated, or why he was not advised that the planned evacuation was not to proceed, but at the time of writing this information remains unknown.

Case B

B is a 38 year old Torres Strait Islander man with cerebral palsy, a mild intellectual disability and significant mobility restrictions. He uses a motorised wheelchair, which requires a hoist to be transported and which would not operate if more than 10cm floodwater were to encroach on the surface where it's placed. B can only use a push wheelchair with assistance, because he has no use of one hand.

B lives in a ground floor unit in a public housing complex situated in a flood prone area. He does have a mobile telephone, but this was stolen just prior to Cyclone Yasi. He has two sisters who live some distance from him, but still in the Cairns area. Their relationship with him is not such that he could safely rely upon their assistance in an emergency.

Some time prior to Cyclone Yasi, it's not know how long before, Council sent a re-registration form to B for his completion. This was part of the annual renewal process, aimed at ensuring that the register is kept up to date. B did not know what the form was for or what he should do with it. Eventually, the form came to the attention of B's advocate, who assisted B to complete the form and lodged it with Council on 18 January 2011. The form included information such as the contact phone numbers of B's next-of-kin, i.e. his two sisters, but it also included a tick in the appropriate boxes for B to declare as follows:

“I am elderly, infirmed, and/or disabled; and

I have no transport; and

I have no friends or relatives in the Cairns area that could assist me in an emergency situation or evacuation.”

After lodgement of the form, Council attempted, unsuccessfully, to contact B's sisters, so contacted B instead, to validate information on the form. Apparently the Council staff member advised B that, because he had sisters in the area, he would not be prioritised in

the event of an emergency. No attempt was made to contact B's advocate who'd lodged the form, and whose contact details were on the form. The investigations of B's advocate have indicated that B did not understand what was being said by the Council staff member in the phone call, and therefore continued to believe that he would be assisted to evacuate in the event of an emergency. Unfortunately it has now become apparent that it was not clear to the council staff member who contacted B that B did not understand what he/she was saying AND that the sisters were not reliable for the purposes of emergency help.

B's advocate was not present for the phone call, so information about what was said during the call has been gathered subsequently by the advocate, in an attempt to investigate why B was never evacuated prior to the Cyclone, despite living in a flood prone area and despite believing he was registered as a person requiring evacuation assistance. B spent the evening of Cyclone Yasi alone in his unit and in extreme fear. All other occupants of the public housing block where B lives evacuated the building except one other. The other person who was not evacuated also has a disability, but ADCQ is not aware of the detailed circumstances of that person.

It may be that the person in case A didn't need to be evacuated, but his distress levels were extremely high because of what happened, including the midnight door-knock and then no-one turning up to evacuate him – the distress and stress levels were exacerbated by his disability.

Even if both the people in case A and B were in areas that, in the end didn't flood, or even if they weren't ever going to flood, neither of these gentlemen were physically able to protect or treat themselves in the event of an injury from the cyclone. Neither had the capacity to fully understand information provided via television, and were not kept informed by means that they could understand of what arrangements were being made as a consequence of the registration on the Evacuation and Recovery Register.

Recommendations

4. Where ever possible, in local areas that have an increased vulnerability to flood, cyclone and other natural disaster events, local councils should establish and maintain a Resident Evacuation & Recovery Register for highly vulnerable residents in that local government area.
5. Any Evacuation Procedure registration and renewal of registration process of highly vulnerable people should involve consultation with that person's identified supports.
6. Communication and information that is clear and consistent needs to be provided to the person and their identified supports on any evacuation register during emergency events.

3.1.2. Evacuation Centres

The establishment and planning of evacuation centres should wherever possible be resourced to cater for diversity and the special needs of vulnerable people who may need to use that centre.

Accessible centres - Evacuation centres need to be accessible for people with disabilities. Centres may need to be used by people with mobility or other impairments. Ensuring that the facilities are accessible, including the provision of accessible toilets is essential. In addition, if necessary other accessibility issues may need to be considered. For some people with disabilities, being removed from their routine environment can be much more stressful than those without a disability. For instance, people with autism may find it very difficult to cope in a crowded, noisy evacuation environment. If possible, providing access to a relatively quite and private place is of high importance for some people with disabilities to be able to successfully manage an emergency situation.

Culturally appropriate centres - Centres need to be run in a way that makes them welcoming and safe for people of various cultural backgrounds. Persons responsible for managing centres may need to be sensitive to cultural needs and recognise that some groups may have needs for extra privacy, and others may feel concerned about the levels

of extra public scrutiny in evacuation centres. Ensuring that those needs are considered and addressed wherever possible will help to make all cultural groups feel safe and welcome in evacuation centres.

Recommendations

7. Evacuation centres need to be accessible for people with disabilities.
8. Centres need to be run in a way that makes them welcoming and safe for people of various cultural backgrounds.

3.1.3. Resource planning for persons who require a carer

There needs to be adequate planning by organisations who employ professional carers, to ensure people who they are responsible for caring for are in a safe and appropriate place with adequate care during an emergency event.

The ADCQ has been informed two contrasting cases that illustrate best practice and practice that is less than ideal to illustrate this point.

The first case in Townsville involved a disability support agency that had considered and made plans for all their clients that had high support needs during the period of a natural disaster event. During the Cyclone Yasi event, arrangements were made for a carer to be present with each high needs client in their home throughout the duration of the cyclone. Even though this may have entailed carers working outside their usual range of hours and for a prolonged shift, preplanning had occurred so that arrangements were put into place to ensure their client's needs were catered for throughout the emergency event.

In contrast, the ADCQ has been informed of a case where a person with a disability requiring a carer was dropped off at an evacuation centre and left without a carer, due to the carer's need to go and address their personal issues arising out of the emergency.

Recommendation

9. Organisations that employ professional carers must be required to forward plan for natural disaster emergencies to ensure those for whose care they are responsible are in a safe and appropriate place with adequate care during an emergency event. Systems need to be developed so that the needs of both the professional carer and the person they are caring for can be catered for during these crisis events.

3.1.4. Food Provision

If food is being provided at emergency/evacuation centres or as emergency supplies to communities affected by a disaster where ever possible such provision should cater for those with special dietary requirements. Where possible halal or vegetarian foods should be available where there is a high likelihood of evacuees coming from communities where a significant number in the population comprises of practicing Muslims or Sikhs(e.g. Southern Brisbane and Ipswich); and wherever possible the provision of foods suitable for those with special dietary requirements due to medical conditions should be considered.

The ADCQ has been informed that during the recent flood event in Brisbane, a well organised and resourced community group, the Brisbane Sikh Temple situated on Logan Road, Mt Gravatt (the Sikh Nishkam Society of Australia) with a large scale kitchen facility offered to provide up to several 100 vegetarian meals to evacuation centres in the Brisbane region (consisting of lentils, rice, chapattis, rice pudding, yoghurt and salad). This type of food would have met the dietary requirements of a range of groups of people including vegetarians and those requiring halal foods due to their religious practices. This offer was not taken up by authorities, possibly because the organisation did not have the requisite certification or accreditations in place for its kitchen facility.

Recommendation

10. If food is being provided at emergency/evacuation centres or as emergency supplies to communities affected by a disaster where ever possible such provision should cater for those with special dietary requirements.

3.2. Adequacy of equipment and communications systems

3.2.1. Sign Interpreters and Captioning

The ADCQ commends the initiative of the Queensland Government in arranging for sign language interpreters and captioning to accompany those responsible for communicating emergency information at media conferences to people across the State and community during the recent flood and cyclones events. This ensured information conveyed by television broadcasts was made accessible to those with hearing impairments. This should become standard practice through out all emergency events.

Recommendation

11. The provision of sign language interpreters and captioning to accompany those responsible for communicating emergency information at media conferences should be standard practice during all natural disaster events.

3.2.2. Information in Languages other than English

In response to the recent floods the Department of Communities took the step of making of information accessible in over 20 languages to ensure that people from non-English-speaking backgrounds or CALD communities were provided with vital information during the emergency periods. This should become standard practice during large scale emergency events in Queensland.

Consideration by planning authorities also needs to be given to ways and means of informing migrant workers, backpackers and other tourists from non-English speaking backgrounds who may not be familiar with emergency procedures during floods and cyclones that may be well known to local communities. Due to the likelihood that such persons may not be accessing local radio or TV broadcasts, or other news media, they may be unaware that a natural disaster situation is imminent, and that their safety may be compromised during an emergency event.

Recommendation

12. Where possible the provision of information in an accessible manner in a range of languages other than English should be standard practice during and in the recovery phase of large scale emergency event. There is a need to ensure people in the community who are not familiar with English and local emergency procedures are safe during an emergency event.

3.2.3. Assistive Technologies

Where emergency information is conveyed by electronic means it is incumbent on service providers and administrators of State laws and programs to provide information in a manner that is accessible to people with impairments or language barriers. Much information is made available to the public on agency websites. People with impairments such as visual (including blindness) or dexterity and mobility (which restrict the use of a mouse or a keyboard) often rely on assistive technologies to improve interaction with a computer. The Queensland Government Chief Information Office administers *Information Standard 26 Internet*⁴ which outlines the minimum requirements for Queensland

⁴ <http://www.ggcio.qld.gov.au/ggcio/architectureandstandards/informationstandards/current/Pages/Internet.aspx>

Government agencies in the creation, implementation, and management of agency internet sites for the delivery of information and services. At a minimum, agencies must:

- recognise that customers may access online content using assistive technologies due to disability, impairment or preference by consideration of the [World Wide Web Consortium \(W3C\) Web Content Accessibility Guidelines \(V2.0\)](#) and ensure the following conformance levels:
 - A Level conformance with Guideline 1.2
 - AA Level conformance with all other Guidelines

Recommendation

13. Where emergency information is conveyed by electronic means service providers and administrators of State laws and programs must recognise that customers may access online content using assistive technologies due to disability, impairment or preference by consideration of the [World Wide Web Consortium \(W3C\) Web Content Accessibility Guidelines \(V2.0\)](#) and ensure the following conformance levels:

- A Level conformance with Guideline 1.2
- AA Level conformance with all other Guidelines.

3.3. Recovery and Adequacy of the Community's Response-Post Emergency matters

3.3.1. Building accessible buildings and infrastructure and incorporating universal design principles in the rebuilding phase.

As a consequence of the recent flood and cyclone events a great many residential homes, public and commercial buildings and infrastructure have been badly damaged or destroyed. The planning and execution phases of rebuilding of these facilities presents a great opportunity for government and the community to design and build facilities that fully

inclusive of all members of the community. This can be done by complying with the requirements of the *Anti Discrimination Act 1991*, the *Disability Discrimination Act 1992*, and the *Disability (Access to Premises – Buildings) Standards 2010 (Cth)*⁵ and by incorporating universal design principles into the design and execution of new buildings and infrastructure that replaces damaged stock.

There are potentially conflicting issues with regard to guidelines for residential construction in flood-prone areas and the desire to build inclusive communities. The obviously solution is to rebuild “high and dry” and ignore the access needs of people with disability and older people. This may be required where single family dwellings (Class 1 buildings) are the only answer. The ADCQ suggests this will result in communities that exclude and discriminate against people with disability and older people.

The concepts of Professor Peter Skinner, Associate Professor at the School of Architecture (University of Queensland) offer a solution to flood prone areas so that flood damage in the future is kept to a minimum, the required density of development is maintained and all people can continue to live and be part of their communities. Professor Skinner advocates for the replanning of low density flood prone areas to become multi-story development (Class 2 buildings) releasing land that is consistently flood prone for parks, bike-ways and wildlife corridors. Such developments use the flood prone floor levels for car parking and access with three or four levels of housing above. This plan maintains the required density of development and provides a much needed natural amenity to the community.

As from 1 May 2011, all Class 2 buildings are required to provide non discriminatory access in common areas. The ADCQ suggests a further consideration of the provision of universal design, at least to Liveable Housing Design silver level in all private (Class 2) dwellings. The State Government for this provision would be supported by the National

⁵ The Premises Standards can be found at <http://www.ag.gov.au/premisesstandards>

Dialogue for Universal Housing Design, which has an aspirational goal of all new housing providing the silver level by 2020.⁶

3.3.2. Mental Health issues

For some members of the community including those with existing mental health issues, and for those who acquire mental health problems as a consequence of their experiences during recent emergency events, there will be an increased need for mental health supports.

It is important that this need is recognised and the appropriate support is provided.

3.3.3. Continuance of New Initiatives and Programs that address disadvantage.

The ADCQ recognises that after significant disaster events, in the phase of reconstruction that some commitments, new initiatives and programs to address disadvantage may be delayed, and this delay may have a direct impact on vulnerable people. The Anti-Discrimination Commission submits that commitments, policy, new initiatives and programs that were designed to remove disadvantage or barriers should not become static during the recovery phase.

Recommendations

- 14.** That the rebuilding and replacement of all new commercial and government buildings and infrastructure comply with the Anti Discrimination Act 1991 and the Disability Discrimination Act 1992 and Access to Premises Standards.
- 15.** That to the greatest degree possible universal design principles be incorporated into the design and execution of new buildings and infrastructure that replaces damaged stock, including building Class 2 buildings to Liveable Housing Design silver level. (see Attachment A)

⁶ Liveable Housing Design Guidelines Developed by the National Dialogue on Universal Housing Design (see attachment ,A')

16. That planning authorities give consideration to replanning of low density flood prone areas to become multi-story development (Class 2 buildings) releasing land that is consistently flood prone for parks, bike-ways and wildlife corridors.
17. State Government Authorities recognise and provide for increased mental health supports for those who have experienced trauma due to their experiences during natural disaster events.
18. Commitments, policy, new initiatives and programs that were designed to remove disadvantage or barriers should not become static during the recovery phase.

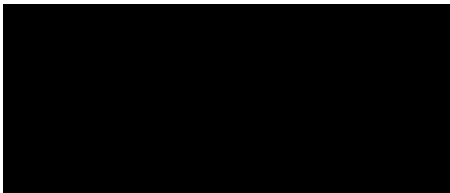
Summary of Recommendations

1. There is a need for state and local government authorities to recognise, plan and cater for needs of vulnerable people and the diversity of the community during emergency events, including during each phase of immediate management, response and recovery.
2. Authorities with the responsibility of planning for the management of disaster events should specifically address within their plans the needs of vulnerable and diverse members of the community.
3. The training of emergency personnel should include consideration of how the needs of vulnerable and diverse groups can be addressed during disaster events.
4. Where ever possible, in local areas that have an increased vulnerability to flood, cyclone and other natural disaster events, local councils should establish and maintain a Resident Evacuation & Recovery Register for highly vulnerable residents in that local government area.
5. Any Evacuation Procedure registration and renewal of registration process of highly vulnerable people should involve consultation with that person's identified supports.
6. Communication and information that is clear and consistent needs to be provided to the person and their identified supports on any evacuation register during emergency events.
7. Evacuation centres need to be accessible for people with disabilities.

8. Evacuation centres need to be run in a way that makes them welcoming and safe for people of various cultural backgrounds.
9. Organisations that employ professional carers, must be required to forward plan for natural disaster emergencies to ensure those for whose care they are responsible are in a safe and appropriate place with adequate care during an emergency event. Systems need to be developed so that the needs of both the professional carer and the person they are caring for can be catered for during these crisis events.
10. If food is being provided at emergency/evacuation centres or as emergency supplies to communities affected by a disaster where ever possible such provision should cater for those with special dietary requirements.
11. The provision of sign language interpreters and captioning to accompany those responsible for communicating emergency information at media conferences should be standard practice during all natural disaster events.
12. Where possible the provision of information in an accessible manner in a range of languages other than English should be standard practice during and in the recovery phase of large scale emergency event. There is a need to ensure people in the community who are not familiar with English and local emergency procedures are safe during an emergency event.
13. Where emergency information is conveyed by electronic means service providers and administrators of State laws and programs must recognise that customers may access online content using assistive technologies due to disability, impairment or preference by consideration of the [World Wide Web Consortium \(W3C\) Web Content Accessibility Guidelines \(V2.0\)](#) and ensure the following conformance levels:
 - A Level conformance with Guideline 1.2
 - AA Level conformance with all other Guidelines.
14. That the rebuilding and replacement of all new commercial and government buildings and infrastructure comply with the *Anti Discrimination Act* 1991 and the *Disability Discrimination Act* 1992 and Access to Premises Standards.

15. That to the greatest degree possible universal design principles be incorporated into the design and execution of new buildings and infrastructure that replaces damaged stock, including building Class 2 buildings to Liveable Housing Design silver level (see Attachment A)
16. That planning authorities give consideration to replanning of low density flood prone areas to become multi-story development (Class 2 buildings) releasing land that is consistently flood prone for parks, bike-ways and wildlife corridors.
17. State Government Authorities recognise and provide for increased mental health supports for those who have experienced trauma due to their experiences during natural disaster events.
18. Commitments, policy, new initiatives and programs that were designed to remove disadvantage or barriers should not become static during the recovery phase.

The ADCQ thanks the Commission of Inquiry for the opportunity to make these submissions.⁷



KEVIN COCKS AM
Anti-Discrimination Commissioner
Queensland

⁷ The ADCQ acknowledges the assistance of Rights In Action Inc in the preparation of this submission.

Livable Housing Design Guidelines

Developed by the National Dialogue on Universal Housing Design

Contents

- What is Livable Housing Design? 3
- The Livable Housing Design Guidelines 3
- The relationship between the Livable Housing Design Guidelines and the Building Code of Australia (BCA) 4
- Application 5
- Key Design Elements 6
 - 1. Dwelling access 6
 - 2. Dwelling entrance 7
 - 3. Car parking (where part of the dwelling access) 8
 - 4. Internal doors & corridors 9
 - 5. Toilet 10
 - 6. Shower 11
 - 7. Reinforcement of bathroom & toilet walls 12
 - 8. Kitchen space 13
 - 9. Laundry space 14
 - 10. Ground (or entry level) Bedroom space 15
 - 11. Internal stairways 16
 - 12. Switches and Powerpoints 17
 - 13. Door and Tap hardware 18
 - 14. Family/Living room space 19
 - 15. Window sills 20
 - 16. Flooring 21



What is Livable Housing Design?

Livable housing design means designing Australian homes to meet the changing needs of home occupants across their lifetime.

It recommends the inclusion of key easy living features that aim to make homes easier and safer to use for all occupants including: people with a disability, ageing Australians, people with temporary injuries, and families with young children.

A livable home is designed to:

- be easy to enter
- be easy to move around in
- be capable of easy and cost-effective adaptation, and
- be designed to anticipate and be respond to the changing needs of home occupants.

By including safer and user-friendly design features a livable home design seeks to enhance the quality of life for all occupants at all stages of their life.

The Livable Housing Design Guidelines

The Livable Housing Design Guidelines have been developed to assist the residential building and property industry and governments. They may also provide useful information for consumers seeking to introduce livable design features into a new home and could also be readily applied within an existing home.

The Guidelines describe key easy living elements that aim to make a home safer and more responsive to the changing needs of home occupants.

Three levels of performance are detailed in the Livable Housing Design Guidelines. These voluntary performance levels can be applied to all new detached and semi detached houses, terraces and townhouses (Class 1a) and new apartment dwellings (Class 2). In the majority of circumstances the performance requirements are identical.

It is noted that common areas for some Class 2 buildings will be covered by the *Disability (Access to Premises – Buildings) Standards 2010* when it comes into effect.

The levels of performance range from basic requirements through to best practice in livable home design and are as follows:

Silver Level	Core livable housing design elements
Gold Level	Enhanced standards for the core livable housing design elements + additional elements
Platinum Level	In some instances further enhanced standards for the core livable housing design elements + all remaining elements.

In line with the current Government approach to social¹ and affordable² housing initiatives, higher levels of performance are proposed for all new housing that receives government assistance or funding for construction. The milestones for social and affordable housing are detailed in the *National Dialogue for Universal Housing Design's Strategic Plan*.

¹ Social housing refers to an existing and changing portfolio of housing that has been financed with public funds. It is generally provided for low-income renters in housing need.

² Affordable housing refers to housing that is provided at an affordable rent to low and moderate-income renters. Affordable rent is charged at below the market rent rates.

Homes built to meet the Livable Housing Design Guidelines include six core design elements:

1. A safe and continuous path of travel from the street entrance and/or parking area to a dwelling entrance that is level,
2. At least one level entrance into the dwelling,
3. Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces,
4. A toilet on the ground (or entry) level that provides easy access,
5. A bathroom that contains a hobless (step-free) shower recess, and
6. Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date.

The core design elements would not necessarily accommodate the needs and abilities of all home occupants. However, they are considered to be of most widespread benefit and use to home occupants in the majority of circumstances.

Importantly, by including the core livable housing design elements, home occupants are provided with the opportunity to reduce or avoid the costs associated with retrofitting a home to improve access in future, should it be required.

The Gold and Platinum performance levels provide enhanced dimensions and requirements for the six core design elements along with some additional requirements.

The relationship between the Livable Housing Design Guidelines and the Building Code of Australia (BCA)

The Building Code of Australia (BCA) sets out the legal construction requirements for all new building work in Australia. The BCA includes performance requirements that must be achieved for each aspect of building construction.

In designing a home that incorporates Livable Housing Design Guideline elements it is important to ensure that all building work also complies with the relevant BCA requirements where they apply, particularly for:

- fire safety
- water proofing of wet areas (internal)
- weather proofing (external)
- termite protection
- window location and size
- floor surfaces in wet areas and on stairs.
- stairways

Application

The elements described in the Livable Housing Design Guidelines are applicable to the following classes of buildings as specified in the BCA.

Class 1 – one or more buildings, which in association constitute:

Class 1a – a single dwelling being:

- (i) a detached house; or
- (ii) one of a group of two or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit; or

Class 1b:

- (i) a boarding house, guest house, hostel or the like; with a total area of all floors not exceeding 300 m² measured over the enclosing walls of the Class 1b building; and in which not more than 12 persons would ordinarily be resident, which is not located above or below another dwelling or another Class of building other than a private garage..
- (ii) 4 or more single dwellings located on one allotment and used for short-term holiday accommodation.

Class 2 – a building containing 2 or more sole-occupancy units, each being a separate dwelling.

Class 4 – a dwelling in a building that is a class 5, 6, 7, 8 or 9 if it is the only dwelling in the building.

Note: The design levels described in this Guideline should only be applied to the parts of the building classes not covered by the *Disability (Access to Premises – Buildings) Standards*.

Key Design Elements

1. Dwelling access

Performance statement: There is a safe and continuous pathway from the street entrance and/or parking area to a dwelling entrance that is level.

Silver Level

- (a) A safe and continuous pathway from:
- (i) the front boundary of the allotment; or
 - (ii) a car parking space, where provided, which may include the driveway on the allotment,
- to an entrance that is level as specified in Element 2.
- This provision does not apply where the average slope of the ground where the path would feature is steeper than 1:14.
- (b) The path of travel as referred to in (a) should have a minimum clear width of 1000mm and –
- (i) an even, firm, slip resistant surface;
 - (ii) a crossfall of not more than 1:40;
 - (iii) a maximum pathway slope of 1:14. (Landings are to be provided at intervals as detailed in AS1428.1 (2009) for gradients between 1:20 – 1:14).³
 - (iv) a step ramp compliant with AS1428.1 (2009) may be incorporated, with a landing at its head, and foot where there is a change in height of 190mm or less. The landings must have a length of at least 1200mm exclusive of the swing of the door or gate that opens onto them.

Gold Level

As for silver level except replace (b) with a minimum clear pathway width of 1100mm.

Platinum Level

As for silver level except replace (b) with a minimum clear pathway width of 1200mm provided from:

- (i) the front boundary of the allotment, and
- (ii) any car parking space, where provided, which may include the driveway on the allotment,

to an entrance that is level as specified in Element 2.

³ Full compliance with the requirements of AS1428.1 is not required. Consideration could be given to ensuring that the design does not preclude the installation of kerb guards, handrails and tactile ground surface indicators (TGSIs) in the future.

2. Dwelling entrance

Performance statement: There is at least one level entrance into the dwelling to enable home occupants to easily enter and exit the dwelling.

Silver Level

- (a) The dwelling should provide an entrance door with -
 - (i) a minimum clear opening width of 820mm;
 - (ii) a level transition and threshold (maximum vertical tolerance of 5mm between abutting surfaces is allowable provided the lip is rounded or beveled); and
 - (iii) reasonable shelter from the weather.
- (b) A level landing area of 1200mm x 1200mm should be provided at the level entrance door.
- (c) Where the threshold at the entrance exceeds 5mm a ramped threshold of up to 56mm compliant with AS1428.1 (2001) may be provided. (Refer Figure 1)
- (d) The level entrance should be connected to the safe and continuous pathway as specified in Element 1.

Note: The entrance must incorporate waterproofing and termite management requirements as specified in the BCA.

Gold Level

As for silver level except replace (b) with a level landing area of 1350mm x 1350mm and (a) (i) with minimum clear door opening width of 850mm.

Platinum Level

As for silver level except replace (b) with a level landing area 1500mm x 1500mm and (a) (i) with a minimum clear door opening width of 900mm.

3. Car parking (where part of the dwelling access)

Performance statement: Where the parking space is part of the dwelling access it should allow a person to open their car doors fully and easily move around the vehicle.

Silver Level

(a) Where the parking area forms part of the access pathway into the dwelling the space should incorporate -

- (i) minimum dimensions of at least 3200mm (width) x 5400mm (length);
- (ii) an even, firm and slip resistant surface; and
- (iii) a level surface (1:40 maximum gradient, 1:33 maximum gradient for bitumen).

Gold Level

As for silver level with the following additional features incorporated for Class 1a dwellings:

- (iv) where practicable, a vertical clearance over the parking space of 2500mm; and
- (v) where possible, it is desirable that the parking space be covered to ensure protection from the weather.

Platinum Level

As for gold level for Class 1a dwellings except that parking space should provide minimum dimensions of at least 3800mm x 6000mm.

(b) For Class 2 dwellings, parking spaces compliant with the accessible parking provisions detailed in AS2890.6 (2009), should be provided as follows:

- (i) where individual parking spaces form part of the individual unit's title, one accessible parking space should be provided for each unit; and
- (ii) if visitor parking is provided, then 1 space per 100 units (or part thereof) should be an accessible parking space.

4. Internal doors & corridors

Performance statement: Internal doors and corridors facilitate comfortable and unimpeded movement between spaces.

Silver Level

- (a) Doorways to rooms on the entry level used for living, dining, bedroom, bathroom, kitchen, laundry and sanitary compartment purposes should provide:
- (i) a minimum clear opening width of 820mm; and
 - (ii) a level transition and threshold (maximum vertical tolerance of 5mm between abutting surfaces is allowable provided the lip is rounded or beveled).
- (b) Internal corridors/passageways to the doorways referred to in (a) should provide a minimum clear width of 1000mm.

Gold Level

As for the silver level except replace (a) (i) with a minimum clear opening width of 850mm and (b) with a minimum corridor/passageway width of 1200mm.

Platinum Level

As for the silver level except replace (a) (i) with a minimum clear opening width of 900mm and (b) with a minimum corridor/passageway width of 1200mm.

5. Toilet

Performance statement:

The ground (or entry) level has a toilet to support easy access for home occupants and visitors.

Silver Level

- (a) Dwellings should have toilet on the ground (or entry) level that provides:
- (i) a minimum clear width of 900mm between the walls of the bathroom if located in a separate room; and
 - (ii) a minimum 1200mm clear circulation space forward of the toilet pan exclusive of the swing of the door in accordance with Figure 1.
- (b) If the toilet is located within the ground (or entry) level bathroom, the toilet pan should be located in the corner of the room to enable the installation of grabrails.

Gold Level

As for silver level except replace (a) (i) with a minimum clear width of 1200mm between the walls of the bathroom if located in a separate room.

Platinum Level

As for the gold level with the following additional features:

- (iii) the toilet pan is positioned between 450mm – 460mm from the nearest wall as measured from the centre line of the toilet;
- (iv) 600mm minimum clearance is provided forward of the cistern measured from the front of the cistern to the front of the toilet pan. 800mm (+/-10mm) clearance is required if the cistern is recessed; and
- (v) the height of the pan is between 460mm - 480mm above the finished floor level.

6. Shower

Performance statement:

The bathroom and shower is designed for easy and independent access for all home occupants.

Silver Level

- (a) One bathroom should feature a slip resistant, hobless (step-free) shower recess. Shower screens are permitted provided they can be removed at a later date.
- (b) The shower recess should be located in the corner of the room to enable the installation of grabrails at a future date.

Gold Level

As for silver level except that the hobless (step-free) shower recess described in (a) should -

- (i) be located in a bathroom on the ground (or entry) level;
- (ii) provide dimensions of 900mm x 900mm; and
- (iii) provide a clear space of 1200mm x 1200mm forward of the shower recess entry.

Platinum Level

As for gold level except that the hobless (step-free) shower recess should -

- (ii) provide dimensions of 1160mm x 1100mm; and
- (iii) provide a clear space 1400mm x 1600mm forward of the shower recess entry.

7. Reinforcement of bathroom & toilet walls

Performance statement: **The bathroom and toilet walls are built to enable grabrails to be safely and economically installed.**

Silver Level

- (a) Except for walls constructed of solid masonry or concrete, the walls around the shower, bath (if provided) and toilet should be reinforced to provide a fixing surface for the safe installation of grabrails.
- (b) The fastenings, wall reinforcement and grabrails combined must be able to withstand 1100N of force applied in any position and in any direction.
- (c) The walls around the toilet are to be reinforced by installing -
 - (i) noggings with a thickness of at least 25mm in accordance with Figure 2a; or
 - (ii) sheeting with a thickness of at least 12mm in accordance with Figure 2b.
- (d) The walls around the bath are to be reinforced by installing –
 - (i) noggings with a thickness of at least 25mm in accordance with Figure 3a; or
 - (ii) sheeting with a thickness of at least 12mm in accordance with Figure 3b.
- (e) The walls around the hobless (step-free) shower recess are to be reinforced by installing -
 - (i) noggings with a thickness of at least 25mm in accordance with Figure 4a; or
 - (ii) sheeting with a thickness of at least 12mm in accordance with Figure 4b.

Gold Level

Silver level requirements apply.

Platinum Level

Silver level requirements apply.

8. Kitchen space

Performance statement: The kitchen space is designed to support ease of movement between fixed benches and to support easy adaptation.

Silver Level No requirements.

Gold Level

- (a) The kitchen space should be designed to support ease of movement and adaptation with –
 - (i) at least 1200mm clearance provided in front of fixed benches and appliances; and
 - (ii) slip resistant flooring.⁴
- (b) Where practicable, floor finishes should extend under kitchen cabinetry to enable cupboards to be moved without affecting the flooring.

Platinum Level As for the gold level except that the kitchen space described in (a) should be designed with -

- (i) at least 1550mm clearance should be provided in front of fixed benches and appliance;
- (ii) slip resistant flooring; and
- (iii) task lighting above workspaces should be installed.

⁴ As per the BCA

9. Laundry space

Performance statement: The laundry space is designed to support ease of movement between fixed benches and to support easy adaptation.

Silver Level No requirements.

Gold Level

- (a) The laundry space should be designed to support ease of movement and adaptation with -
 - (i) at least 1200mm clearance provided in front of fixed benches and appliances; and
 - (ii) slip resistant flooring.⁵
- (b) Where practicable, floor finishes should extend under laundry cabinetry to enable cupboards to be moved without affecting the flooring.

Platinum Level As for the gold level except that in laundry space described in (a) should be designed with:

- (i) at least 1550mm clearance should be provided in front of fixed benches and appliances;
- (ii) slip resistant flooring; and
- (iii) task lighting above workspaces should be installed.

⁵ As per the BCA

10. Ground (or entry level) Bedroom space

Performance statement:	There is a space on the ground (or entry) level that can be used as a bedroom.
Silver Level	No requirements.
Gold Level	<p>The dwelling features a space (or room) on the ground (or entry) level that:</p> <ul style="list-style-type: none">(i) is of at least 10m² with one wall a minimum length of 3m;(ii) provides for a minimum path of travel of at least 1000mm on at least one side of the bed.
Platinum Level	<p>As for the gold level with the following additional circulation space requirements:</p> <ul style="list-style-type: none">(iii) a space 1540mm (width) x 2070mm (in the direction of travel) to be provided on the side on the bed that is closest to the door approach; and(iv) a minimum path of travel of 1000mm on the remaining side of the bed.

11. Internal stairways

Performance statement: Where installed, stairways are designed to reduce the likelihood of injury and also enable future adaptation.

Silver Level No requirements.

Gold Level

(a) Where practicable, stairways in dwellings should provide a minimum clear width of 1000mm and –

- (i) be straight in design;
- (ii) be positioned adjoining a load-bearing wall; and
- (iii) feature a continuous handrail on at least one side of the stairway.

Note: The steps must provide a slip resistant finish and suitable non-slip tread as specified in the BCA. Handrails on both sides of the stairway are preferred.

Platinum Level

(a) Where practicable, stairways in dwellings should provide a minimum clear width of 1200mm and –

- (i) be straight in design;
- (ii) be positioned adjoining a load-bearing wall;
- (iii) feature continuous handrails on both sides of the stairway; and
- (iv) minimum landing areas of 1200mm x 1200mm at the top and base of the stairway.

Note: The steps must provide a slip resistant finish and suitable non-slip tread as specified in the BCA.

12. Switches and Powerpoints

Performance statement:	Light switches and powerpoints are located at heights that are easy to reach for all home occupants.
Silver Level	No requirements.
Gold Level	<ul style="list-style-type: none">(a) Light switches should be positioned in a consistent location -<ul style="list-style-type: none">(i) between 900mm – 1100mm above the finished floor level; and(ii) horizontally aligned with the door handle at the entrance to a room.(b) Powerpoints should be installed not lower than 300mm above the finished floor level.
Platinum Level	As for gold level with the following feature – <ul style="list-style-type: none">(iii) light and powerpoint switches to be rocker action, toggle or push pad in design with a recommended width of 35mm.

13. Door and Tap hardware

Performance statement: Home occupants are able to easily and independently open and close doors and safely use tap hardware.

Silver Level No requirements.

Gold Level (a) Doorways to feature door hardware installed at between 900mm -1100mm above the finished floor.

Platinum Level As for gold level with the following features -

- (b) Doorways to feature lever or D-pull style door hardware; and
- (c) Basins, sinks and tubs to feature lever or capstan style tap hardware with a central spout.

14. Family/Living room space

Performance statement: The family/living room features clear space to enable the home occupant to move in and around the room with ease.

Silver and Gold Levels No requirements.

Platinum Level (a) The family/living room accommodates a free space, 2250mm in diameter, to enable ease of movement clear of furniture.

15. Window sills

Performance statement:

Windows sills are installed at a height that enables home occupants to view the outdoor space from either a seated or standing position.

Silver and Gold Levels

No requirements.

Platinum Level

- (a) Window sills on the ground (or entry) level in living areas and bedroom spaces should be positioned no higher than 1000mm above the finished floor level to facilitate natural surveillance.
- (b) Window controls should be able to be easy to operate with one hand and located within easy reach from either a seated or standing position.

Note: A concession from (a) is reasonable in kitchen, bathroom and utility spaces.

16. Flooring

Performance statement: Floor coverings are slip resistant to reduce the likelihood of slips, trips and falls in the home.

Silver and Gold Levels No requirements.

Platinum Level

- (a) All floor coverings should:
 - (i) be firm and even, and
 - (ii) feature a level transition between abutting surfaces (maximum vertical tolerance of 5mm between abutting surfaces is allowable provided the lip is rounded or beveled).