

SDA Notes

SDA Comments & Criticisms

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Contents

Contents	2
Figures	2
1 NDIS SDA Design Standard	3
1.1 Requirements Definition	3
1.2 Vague, Contradictory & Unverifiable Requirement	3
1.3 Minimum Design Standard.....	5
1.4 References to Other Standards	6
1.5 Requirements - Modified or Qualified.	8
1.6 Overly Prescriptive	8
1.7 Unintended Consequences	9
1.8 Unnecessarily Expensive Requirements.....	9
1.9 Requirements That Are Optional Rather Than Mandatory	11
1.10 Enforceability and Responsibility	11
1.11 Illustrations	12
1.12 Editing	12
2 NDIA SDA Design Standard Accreditation Process.....	13
2.1 Professional Overview.....	13
2.2 Prerequisites	13
2.3 Comparison with FirstRate5 Certifier Accreditation	14
3 Missing	15
4 Conclusions	16

Figures

Figure 1 - Pantry Requirement	5
Figure 2 - Carpet	5
Figure 3 - AS1428.1 example	7
Figure 4 - Qualified Requirement	8
Figure 5.1 - Clause 6 Windows.....	9
Figure 6 – A90 Wheelchair Sketchup Model Source.....	10
Figure 7 - Insurance Requirements.....	14

1 NDIS SDA Design Standard

The NDIS Specialist Disability Accommodation (SDA) Design Standard¹ was written by a very experienced writing team, with contributions from an extensive range of organisations. However, as a design standard, SDA Design Standard is a severely flawed document.

In my opinion, the document is poorly written, badly edited, overly prescriptive, contains inadequate requirements and definitions, and is misleading and simply excessive in places. As well as inadequate referencing, and more serious problems including conflict-of-interest and a fundamental lack of understanding of what is required in a requirements document.

The overall document seems to be a combination of minimum requirements to meet the SDA classifications, good design practice, and a general guidelines document.

By virtue of being referred to in the NDIA operations requirements, guidelines, and possibly legislative authority, the standards here are intended to underpin a \$700 million a year of SDA payments to NDIS participants². So it's a significant document presumably intended to be legally enforceable.

Sadly, it doesn't meet that requirement.

Worse, it omits vital information.

1.1 Requirements Definition

Requirements need to be clear, unambiguous, and verifiable.

The definition of clear and unambiguous is self-evident.

If the requirement can't be verified, then either the requirement needs to be removed, or it needs to be modified in such a manner that a verification technique as possible "Professional Judgement" is not a suitable verification method in a mandatory minimum requirements standard. If for no other reason,, it would be rather difficult to argue in court in the event of a dispute.

1.2 Vague, Contradictory & Unverifiable Requirement

Problem requirements include the following:

- **Professional Judgement** (Clause 19.4) Design Requirement "*colour contrast shall be provided between floor services and wall surfaces*" followed by a Rationale of "*colour contrast is to be determined by the assessor based on their professional judgement*".

Try getting an independent verification of the requirement with that definition. Clause 19.2 has the same problem. As does Clause 8.16 "*Kitchen benchtop cabinetry shall be made of robust materials*"
- **Colours** (Clause 19) The requirements regarding colour contrast et al. in the SDA Design Standard is inadequately addressed by the current document. Note that this is a serious issue to be addressed. The Industry Fact Sheet by Lukman et al. applicable to class 1(a) buildings³ is a detailed description of problems and how they could be addressed. Perhaps a separate standard is required?

¹ NDIS Specialist Disability Accommodation Design Standard Issue 1.1 Dated 25 October 2019

² media release from the Minister - Members of the NDIS Specialist Disability Accommodation Reference Group 15 March 2019 <<https://www.ndis.gov.au/news/1927-members-ndis-specialist-disability-accommodation-reference-group-announced>>

³ Authored by Aldyfra Lukman, Catherine Bridge and Gillian Barlow for the Home Modification Information Clearinghouse, UNSW Sydney "*Industry Fact Sheet Colours for the homes of people with ageing eyes or vision impairment.*" 2nd edition of March 2017 "Retrieved 28 March 2021 <https://www.homemods.info/>

- **Smoke Alarms** (Clause 24.1) *“Smoke alarms that are in keeping with a home environment shall be provided...”* is not a verifiable requirement. This is one occasion where a reference to the relevant standard is appropriate.
- **Emergency power solution/Life-support Power Backup (Clause 22.1)** Exactly what life-support system needs to have an uninterruptible power supply and what capacity (kVA/kW & kWh/Ah) is required? This has the potential to be very expensive.

Missing - and it is a major oversight - is backup power for the Internet connection and emergency communications. Some systems e.g. Mitsubishi Electric air conditioner control iPad application require contact with a remote server to operate. Similarly IP phones and/or “analog” landlines may rely on having power to the NBN connection.

- **Pantry** (clause 8.15 {Figure 1}) A standard issue pantry with a hinged door and a depth of 450 to 600 mm is wheelchair accessible. In much the same way as a refrigerator is wheelchair accessible. A TV sitting on a bench top is wheelchair accessible. Canary in a cage sitting on top of a cupboard is wheelchair accessible. Can you see the problem with specifying something as vague as “wheelchair accessible” in a requirement?

If the intent was to make mandatory a pantry as per illustration on page 52, then that requirement needs to be detailed as a Design Requirement, not in the Rationale.

- **Assistive Technology** (clause 23) *“ability for high Internet speeds to be maintained and stable in nature with Wi-Fi coverage throughout all areas of the dwelling”* and *“a video, intercom or other communication system shall be provided to enable communication between the participant and their supports were not within line of sight”* is manifestly inadequate.

Not only has no effort being put into actually assessing and including verifiable requirements on the Wi-Fi/Internet connection, but it also fails to appreciate the necessity for the house fabric to contain the interface required to support the necessary Assistive Technology.

Having provision for power at the windows and doors is a start. But the reality is that the 6% of severely disabled participants eligible for SDA are going to need support for AT to assist with operation of lights, fans, air conditioners, roller blinds, curtains, emergency alarms, smoke alarms, opening and closing doors (and locking & unlocking doors), turning music and TV on and off, viewing of streaming program such as Netflix, security cameras. And the list goes on to address all the activities of daily living.

And that’s before you start to consider individuals that might be physically able but have cognitive problems operating items such as light switches and air-conditioners. How do you interface to the house air-conditioners and window openers any special software running on iPads (for example)?

While the NDIA might like to assume that all participants can be put in a couple of different categories, reality is that individual disabilities require different solutions. Someone with no hand function might not be able to open a window which with a manual winder but can operate a wall light switch. Someone with no arms can’t do either. The NDIS process assumes that both are capable living in a home certified & stamped “Fully Accessible”.

There needs to be some work done looking at use cases for various disabilities. And making sure that SDA accommodation can be quickly and easily modified accordingly. At the moment, there is an enormous range of different approaches being taken, and lessons learnt need to be incorporated into the knowledge base.

The amount of support that needs to be built into the fabric of the house to make fitting necessary AT needs to be reviewed, possibly standardised to some extent, and allowances made in both the SDA Design Standard and good design practice.

I'd suggest that at the very least a hardwired ethernet network (POE Cat 5e/6 & patch panel) with cables to key points in the house would be a minimum.

Wi-Fi might be attractive, but reliability, updates, upgrades, and security issues down the track in 3-, 4-, or 5-years' time promise to make it an absolute nightmare to support. And that's before you look at the five different ways you can do voice activation. Which ones are still going to be around in five years time. And who's going to pay for fixing any problems once the builder has walked away from their SDA certified home?

- **Carpets** (Clause 13.3 {Figure 2}) I'm not sure how to describe this. The requirement is "carpet backing not more than 4 mm bringing the total height to a maximum of 15 mm" the Rationale notes that "the density of the carpet and the quality of the underlay which may make the floor unsuitable for wheelchairs regardless of the pile height of the carpet"

The authors have included a mandatory requirement - and then acknowledged that a compliant carpet may make the floor unusable for wheelchairs.

	seated or standing position.	
8.15	A pantry shall be provided which is wheelchair accessible.	Required for ease of use. Pantry with extendable basket type shelves or full pull out style pantry is considered to be suitable.
	Kitchen benches and	 

Figure 1 - Pantry Requirement

	resistance of P3 or R10.	internal stairways.
13.3	Carpets if provided within the dwelling, shall be provided with pile height or thickness not more than 11mm and carpet backing not more than 4mm bringing the total height to a maximum of 15mm.	To assist persons that require use of a wheelchair for mobility. Note that attention should be provided to the density of the carpet and the quality of the underlay which may make floor unsuitable for wheelchairs regardless of the pile height of the carpet.
		 

Figure 2 - Carpet

1.3 Minimum Design Standard

It states that⁴ "This SDA Design Standard document sets out the **minimum** designed requirement for each Design Category" (my emphasis on minimum). From 1st July 2021 all enrolled SDA accommodation will have to meet the "Design Standards established in this document". It follows then that failure to meet all the requirements would result in withdrawal or lack of certification to the SDA Design Standard.

- **Dishwasher** Why is (Clause 8.1) a dishwasher a mandatory requirement in a TBA house? If I remove the dishwasher or it stops working is SDA funding withdrawn?
- **Rangehood** (Clause 8.1) Have you ever tried to operate a range hood while sitting in a wheelchair? Suggest a mandatory requirement should be for an inbuilt (bench) exhaust fan, or do what I did and buy a range hood with a remote control.

⁴ Page 8 ibid

- **Dimmable Lighting Switches** (Clause 12.4) How does a dimmable lighting switch make an SDA home more wheelchair accessible? While it might be a good idea, it doesn't belong in a mandatory requirements document.

1.4 References to Other Standards

The NDIS SDA Design Standard make extensive references to numerous other standards, the main one being AS 1428.1-2009. An example is included in Figure 3. This raises a couple of issues.

- **Reference to external documents** (clause 3.5) Requirements such as *“Based on the building classification, the NCC or the local government authority may require the provision of an accessible parking space in accordance with AS 2890.6”* should not be an SDA requirement. It is an NCC or local government authority requirement. Possibly a Note about applicability *“for information”*, guideline or best practice note. Perhaps. But certainly not a requirement
- **Applicability** AS 1428.1-2009 is intended to cover accessibility for new building works for public buildings. The enabling legislation mandating the AS 4028.1-2009 access requirements⁵ specifically excludes (Class 1 a) private homes.

The question then arises whether the intent of including the AS 4028.1-2009 content in the SDA Design Standard was to make them mandatory requirements for (Class 1a) private homes - to get around the fact that the actual legislation specifically excludes them?

- **Cost** At a cost of \$249 for the PDF, and \$277 for a printed copy⁶, it's a bit awkward checking references to AS 1428.1-2009 for anyone that is not serious about the exercise.
- **References** There are several ways of referencing documents. One approach is to quote a particular issue e.g. AS 1428.1-2009 (Amend 2) rather than just AS 1428.1.

Another is to make a statement along the lines of *“current as of the date of publication”* or *“applicable references at the time of making a certification”*. And hope that no changes have been made which actually affect their call up in the Design Standard. That is the approach used in the SDA Design Standard which refers to (page 80) *“All referenced documents are to be the current applicable at the time of assessment”*.

Note that AS 1428.1-2009 (Amendment 2-2017) is the current standard. But draft AS 1428.1-2020 is currently at the ballot stage of the development & approval process⁷. It will be a task for someone to see what changes have been made if it is approved, and how it impacts the SDA Design Standard.

⁵ *Disability (Access to Premises-Buildings) Standards 2010* as amended Compilation No.2 dated 30 September 2020 <https://www.legislation.gov.au/Details/F2020C00976> retrieved 16 April 2021

⁶ <https://www.techstreet.com/sa/searches/31558876?searchText=AS+1428.1-2009> retrieved 27 March 2021

⁷ <https://www.standards.org.au/standards-development/developing-standards/process>

- **Enforceability** Inclusion of the AS1428.1-2009 requirements raises queries about enforceability and legal jurisdiction. Currently disputes (in Victoria say) regarding application of AES 1428.1-2009 may be addressed in the Victorian Civil and Administrative Tribunal e.g. *Melchiori v Building Practitioners Board*⁸. I'm reluctant to even speculate what the effect of the new Building Professionals Act in New South Wales is/will be.
- **Conflict between Requirements** In the event of a conflict between AES 1428.1-2009 or its replacement AES 1428.1-2020 (currently draft) (called up by legislation and part of the NCC) and the SDA Design Standard (presumably intended to be called up via the NDIA legislation or regulations) how will the order of precedence be resolved? Not a trivial problem considering the amount of money being invested in building SDA apartments.

And while the LHA may like to believe they are the sole arbiters regarding assessor certification training as well as SDA standard interpretation, I suspect that the new New South Wales Building Professional Act may impose additional requirements upon certifiers. Such as⁹:

“Certifiers are considered public officials under the Public Interest Disclosures Act 1994 (NSW) (PID Act) and are also subject to the provisions of the Independent Commission Against Corruption Act 1988 (NSW) (ICAC Act) and the Ombudsman Act 1974 (NSW).”

Note that this is speculation on my part - a be curious to know if anyone has looked into the matter.

Clause	Design Requirement
	Doorway circulation spaces in accordance with AS1428.1 shall be provided to all doorways (excluding exclusive staff use areas, non-accessible toilets and storage rooms).
4.2.7	Door automation can be provided in lieu door circulation spaces that are required as per AS1428.1 to the latch side of the door. Note that if door circulation is not provided as per AS1428.1 then door automation must be provided at the onset and not simply provision for door automation at a future time.
	Power and control cabling to

Figure 3 - AS1428.1 example

A reduced number of references to AS1428.1-2009 would simplify the SDA Design Standard and reduce future problems. If you want to include specific requirements in this document, put those requirements in the document and break the link to AS1428-2009.

The illustrations of the actual circulation space are so much clearer in the draft AS4128.1-2020. And for that matter, the original LHA diagrams did a much better job illustrating circulation space than the current SDA Design Standard.

⁸ *Melchiori v Building Practitioners Board (Review and Regulation)* [2016] VCAT 1125 (7 July 2016) Last Updated: 7 July 2016 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL ADMINISTRATIVE DIVISION
<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VCAT/2016/1125.html?context=1;query=as1428.1%20;mask_path=>

⁹ Corrs Chambers Westgarth "Certifiers the focus of tough new standards the New South Wales" dated 17 September 2020 < <https://corrs.com.au/insights/certifiers-the-focus-of-tough-new-standards-in-nsw>>

1.5 Requirements - Modified or Qualified.

The idea of mandatory requirements is not helped by vague promises of a concession being available. Clause 2.1 *“a concession from this requirement may be granted on larger parcels of land excluding medium and high density locations”*

Requirements in the Rationale column is also not a good idea. For example clause 4.2.2 requires *“all external doorways of the minimum clear opening width of 900 mm...”*. The rationale then adds to the requirement *“enhanced clearance as required for some uses”*. Requirement should be in the Design Requirement column.

Similarly clause 14 Internal Stairways has a series of requirements as Notes. Accepted practice is that *“Notes”* do not form part of the requirements. E.g. the Draft Standard Australia AS1428.1-2020 *“the use of Notes in this document are of an advisory nature only to give explanation or guidance... Notes do not form a mandatory part for conformance to this document.”*

17.1	A dwelling shall be provided with a storage cupboard with a minimum 600mm width and adjustable shelf heights.	Required for improved amenity. Note: The storage cupboard is required to be separate to the bedroom robe. In a Robust design category, it would be reasonable to provide fixed shelves.	
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Figure 4 - Qualified Requirement

1.6 Overly Prescriptive

In several places the requirements are overly prescriptive. These may require either a more expensive solution, or preclude alternatives. Examples include:

- **Oven** (Clause 8.5) Clause 8.5 requires *“Side hinged door with latch side of door next to accessible benchtop”*. A NEFF oven¹⁰ has a *“Slide and Hide”* handle which disappears entirely when opened. But it does NOT have a side opening door. Clearly a better solution for accessibility precluded by an overly prescriptive description.
- **Dimmable Lighting Switches** (Clause 12.4) Why are dimmable lighting switches mandatory? Surely home automation control using C-bus or KNX touchscreen would be OK? What about voice control? Or Phillip Hue or LIFX controlled using iPad or smart phone? And best of luck finding dimmable control knobs which are 35mm wide to meet clause 12.3.
- **35 mm Switches** (Clause 12.3) *“Light and GPO switches shall be rocker action, toggle or push pad in design with a minimum width of 35mm”* Why? What’s wrong with the capacitive touch panel illustrated on Page 72 of the SDA Design Standard? Or KNX proprietary controls and touch panels?
- **Air-Conditioner Control Panels** (Clause 21.1) *“ Reverse cycle air-conditioning shall be provided to living areas and bedrooms with control panels...”*. So what action needs to be taken for reverse cycle air conditioners supplied with a remote control - which is clearly not operable by someone with no hand function? Is it acceptable to use a touchscreen iPad with proprietary software? Works for me but doesn’t meet the SDA Design Standard.

¹⁰ <https://www.neff.com.au/productList/ovens-compact-ovens/ovens/single-ovens/B47CR32N0B>

1.7 Unintended Consequences

Many requirements appear to have unintended consequences. Examples include:

- **Mandatory Bedroom Windows** (Clause 6.1 {see Figure 5}) The intent of the requirement relates to windowsill height. However, the Rationale appears to imply that all bedrooms are “*required to have at least one glazed area “To an external wall”*”. Which would apparently preclude apartments that don’t have a window in every bedroom.

Not that it matters - apparently there is a Concession process. Which isn’t explained anywhere in the SDA Design Standard.

Clause	Design Requirement	Rationale	Applicable to
6.1	All window sills in living areas and at least one window sill in each participant’s bedroom shall be positioned no higher than 1000mm above the FFL. Note: Concession is reasonable in kitchen, bathroom and utility spaces. Window controls shall be	Provided to enable users to see out of window. Each bedroom is required to have at least one glazed area (can be a window or a full height door) to an external wall of that particular room with the noted minimum sill height requirements.	 

Figure 5.1 - Clause 6 Windows

1.8 Unnecessarily Expensive Requirements

These are requirements which appear to be excessive and unnecessary when compared to standard building construction requirements. These include:

- **Structural Engineer Requirements** (clause 20.2) “*for final as built stage of SDA certification, the structure shall be inspected and certified by a qualified structural engineer as being suitable for sealing hoists with minimum load capacity of 250 kg*”. Why? To get building approval for residential property in Australia, (generally) The local council (or equivalent) requires drawings which have been checked and signed off - in most cases by a Private Certifier. This will include checking for compliance with the BCA & any Council requirements and ensuring that foundations and the building structure meet relevant requirements.

But if you are intending to apply for SDA registration, you need an additional inspection after the house is built by a “*qualified structural engineer*”. Apparently the builder can be trusted to do the building foundations, framing, electrical et cetera et cetera in accordance with the approved drawings. But not the ceiling hoist support structure.

- **Wall Reinforcing** The original LHA guidelines¹¹ - for example Figure 6 (on page 38) in the LHA Guidelines - shows the location of reinforcement required for the possible future fitment of grab rails). Fairly clear-cut. The new SDA Design now requires that the entire bathroom from ground level to 2.1 metres high needs to be reinforced. Why does the wall behind the mirror need reinforcing. Or the wall behind the door. Or above windows?

A more reasonable approach, if thought necessary, is to expand the amount of reinforcing in the shower alcove or behind the toilet. But the entire room? Manifestly excessive.

¹¹ "Liveable Housing Design Guidelines" Fourth Edition 2017, Liveable Housing Design

- **Adjustable Workbench** (clause 8.7). The requirement (allegedly a minimum requirement) is that the benchtop surface be adjustable from 720 mm to 1020 millimetres clear space underneath. This appears excessive. As a check, the A90 wheelchair use for standards development (Figure 6¹²) sketch up model was measured. The seat height is 367 mm above floor level. This leaves a gap of (1020 - 367 = 653 mm) of **more than half a metre** for cushion and thighs.

This is clearly not a minimum requirement, but I suspect reflects the capability of a (expensive ?) proprietary movable benchtop arrangement. A good example of an unnecessary expense being mandated under the guise of a “minimum standard”.

[Incidentally, the figures for my (large) electric wheelchair are 450 mm to the top of the seat base, and 690 mm to the top of the thighs. And I generally work on 750 mm minimum clearance for tables and bench tops. So how tall/large would someone be to require a knee clearance of over 1 m?]

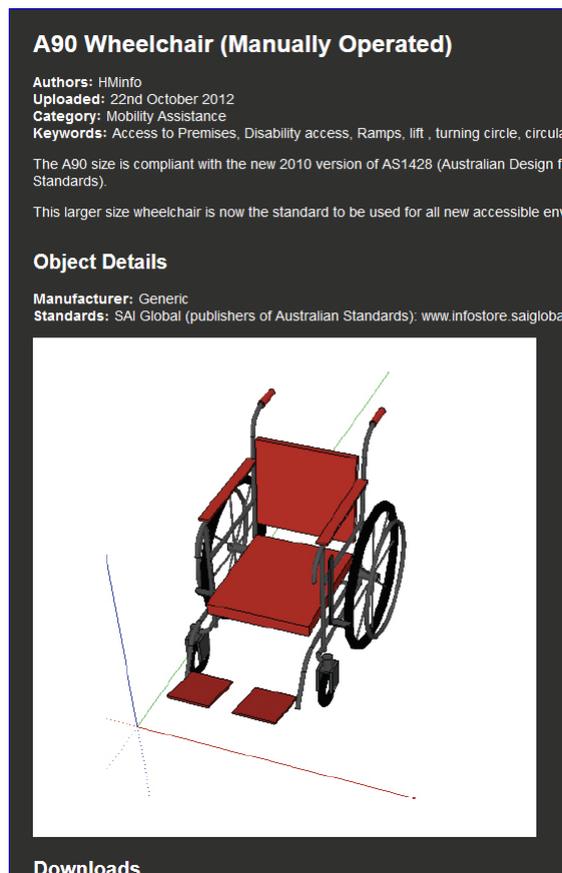


Figure 6 – A90 Wheelchair Sketchup Model Source

¹² A90 Wheelchair as used in AS1428.1-2009 <<https://www.homemods.info/resources/hminfo-libraries/enabling-block-library/a90-wheelchair-manually-operated>>

1.9 Requirements That Are Optional Rather Than Mandatory

Clause 4.1.3 states “all door circulation spaces (excluding internal doors circulation spaces for bedrooms) shall be provided in accordance with AS1428.1 to both sides of the door”. UNLESS

- “a concession to this requirement can be applied to storage and exclusive staff use areas where staff accommodation is provided as a part of the dwelling”. Presumably wheelchair users don’t use storage rooms or work as staff. And watch for a proliferation of storage rooms in SDA accommodation drawings.
- “Door automation is considered an appropriate BCA performance solution in lieu of door latch side clearance”. Why? What if somebody wants to use the handle instead of relying on the electric door strike to **open** the door? Surely the latch side door clearance would still be required?

1.10 Enforceability and Responsibility

The current situation is that LHA has effectively handed responsibility for the SDA design Standard writing, training¹³, and certifier accreditation¹⁴ to a private organisation called The Access Institute¹⁵. Which is currently under administration.¹⁶ I can’t find any references to a functioning board, let alone Board oversight responsibility for the SDA design standard. Is this a problem? Only if you have concerns about the implications of mandating via the NDIA legislation an inadequate and flawed SDA Design Standard.

Of particular concern is my understanding of the current process being mandated by the NDIA is that it is possible for an accredited SDA assessor to:

- be paid to design and/or consult during the building design process,
- be paid to review and sign off that the drawings comply with the requirements, and
- be paid to inspect and review the “as built” drawings and finished buildings.

Spot the conflict-of-interest!¹⁷.

When it comes to certification of apartment blocks in New South Wales, under the new legislation the following is defined as corrupt conduct¹⁸:

*“Act in a way that constitutes or involves a breach of public trust. For example, a **certifier issues a construction certificate despite having a professional interest due to helping design the building**. This breaches the public’s trust for a certifier to independently carry out certification work.” (My emphasis).*

Clearly, responsibility for SDA design, review, & certification needs to be separated.

¹³ <<https://accessinstitute.com.au/event/accredited-specialist-disability-accommodation-sda-assessor-course-1-day/>>

¹⁴ <<https://livablehousingaustralia.org.au/become-lha-assessor/>>

¹⁵ <https://accessinstitute.com.au/>

¹⁶ <<https://creditorwatch.com.au/credit/profile/131948279/ACCESS-TRAINING-INSTITUTE-PTY-LTD>> retrieved 16 April 2021

¹⁷ New South Wales Department of Fair Trading "Certifier conflicts of interest" <<https://www.fairtrading.nsw.gov.au/trades-and-businesses/business-essentials/building-certifiers/certifier-conflicts-of-interest>>

¹⁸ (page 4) *Practice standard for registered certifiers, 1-new residential apartment buildings*, Construct NSW, dated September 2020 PDF downloaded 16 April 2021 (Cat No. FT05007CM Version 0920)

1.11 Illustrations

There are a few issues with the illustrations used including the following:

- **Wheelchair User in Accessible Van.** How is this relevant? There are no ground markings or other relevant aspects illustrated. Surely a photograph of the parking area compliant with Clause 3.4 would be more useful?
- **Front Cover** The front cover doesn't illustrate an SDA compliant kitchen. Problems include:
 - (Clause 8.7) no height adjustable benchtop is installed,
 - (clause 8.11) tap ware is not "lever or sensor type", and
 - (Clause 8.15) entry not wheelchair accessible - as defined by the illustration on page 52.
- **Photographs of House Frontages** The illustrations include exterior shots of modern buildings, but they don't actually add value to the document. Providing photographs which illustrate rooms or items complying with the Design Standard would be far more useful. And at least relevant.

It's a mandatory minimum requirements Design Standard. Illustrations should be included for a reason, not just to brighten up the document. If it's not serving a purpose, remove it.

1.12 Editing

There is a range of editing problems including the following:

- **Abbreviation** The abbreviation for metre is "m", not "M". (M is the SI abbrv. for Mega)^{19, 20},
- **Requirements in the Rationale Column** contained in the Rationale column such as (Clause 2.5 & 2.6) "*any required landing space shall be fully within the property boundary*" and... (Clause 3.1) "*in a multi-story residential development, where car parking is located in the basement than the provision of a lift or ramp shall be required...*",
- **Requirements in the Figure** Requirements contained in Figure 3 "*a level landing area of at least 1200 mm x 1200 mm the maximum of 1:40 gradient and crosswalk shall be provided...*" and "*a covered roof area shall be provided over the entire required landing area outside main external entry doorway (shown in yellow)*".
- **Order of Precedence** (Clause 5.3) the first part of the Design Requirement states that:
 - "*Width of the corridor shall comply with the requirements of door circulation spaces as per AS4028.1 based on direction of approach.* Followed by
 - "*Note: Where AS1428.1 requires corridor width of less than 1200 mm, a minimum clear width of 1200 mm shall be provided.*"

So which is the order of precedence of the requirements? Is a "Note" a requirement? (Accepted practice e.g. the Draft Standard Australia AS1428.1-2020 "*the use of Notes in this document are of an advisory nature only to give explanation or guidance... Notes do not form a mandatory part for conformance to this document.*" Does this convention also apply to the SDA Design Standard?)

- "Required" and "Shall" are terms are defined as "mandatory" (page 82). So is the Rationale in Clause 4.2.2 (for example) "*enhanced door clearance as required for some uses*" an additional mandatory requirement?

¹⁹ <https://en.wikipedia.org/wiki/Metre>

²⁰ <https://en.wikipedia.org/wiki/Mega->

2 NDIA SDA Design Standard Accreditation Process

I also take issue with some aspects of the process that need to be followed to gain accreditation as an NDIS SDA Design Standard certifier. In comparison to an arguably more complex requirement to become an accredited energy assessor.

2.1 Professional Overview

By Professional Overview, I mean traceability back to a professional organisation such as Engineers Australia or Australian Institute of Architects. Although the courses are nationally accredited and provided by a Registered Training Organisation (RTO), there doesn't appear to be any Professional oversight or responsibility regarding the SDA certification accreditation process.

It's not an unreasonable assumption to assume that the Board members of the Livable Housing Association would have a degree of oversight.

In 2012 there was representation from a range of groups including²¹ the Federal Disability Discrimination Commissioner, Master Builders Association, Australian Institute of Architects, Stockland, and others. When I last checked around 18 months ago from memory - the board was made up of current or ex-Stockland executives. Now (April 2021) there is no link to any board representatives. And they haven't responded to requests to provide a list of current board members.

So it's difficult to make any assessment whether the Board of the Livable Housing Association has provided an appropriate degree of Professional oversight to the development of the SDA Design Standard.

This leaves the observation that the Access Consulting and LHA/SDA certifier process is essentially self-regulating based on training courses provided by Access Institute and without effective independent review and oversight.

2.2 Prerequisites

But I digress. To become an accredited SDA Design Certifier, the prerequisite to actually sit the training course and obtain the certification include:

1. Qualifications A Certifier needs to have the following qualifications:

- registered Architect,
- registered building surveyor/certify,
- be an accredited member of the Association of Consultants in Access Australia (ACAA), or
- be a registered Occupational Therapist.

[Other professional qualifications such as Doctor or Engineer will not make the cut. Which is disappointing considering the expertise available in a diverse range of occupation - such as Rehabilitation Engineer or a Civil engineer with extensive building experience.]

AND

2 . Prequel Training a Certifier needs to have completed²²:

“CPP40811 Certificate IV in Access Consulting or CPP50711 Diploma of Access Consulting nationally recognised qualification”

²¹ (Page 63) of Livable Housing Design Guidelines 2nd Edition 2012 (PDF)

²² (page 9) Accredited Specialist Disability Accommodation (SDA) Assessor Course, Course Information Handbook V1.3 Access Institute 2021

A five-day online course training course provided by Access Institute - the price tag of \$4000. The course includes units such as training on how to follow site Occupational Health & Safety requirements, reform and access audit on education facilities, transport premises, aged care facilities, and outdoor recreation areas. An additional training including promoting team effectiveness, work effectively as an access consultant, and communicate effectively as an access consultant.

AND

3. Accredited Specialist Disability Accommodation (SDA) Assessor Course a 4.5 hour online course with a follow-up exam at a cost of \$650.

AND

4. Insurance. Refer to Figure 7 . Prior to being certified, you must have an insurance policy in place which includes indemnifying “*the assessor, their clients and the NDIS*” against “*unforeseen negative events resulting from SDA assessment*”. Is this obtainable and what is it going to cost?

6. Insurance

All of the nominated Specified Professionals must provide evidence of valid Professional Indemnity and Public Liability Insurance to protect the assessor, their clients and the NDIS in the event of unforeseen negative events resulting from SDA assessments.

. The policies must provide a minimum limit of:

- Professional Indemnity insurance (*minimum \$5M for any single claim*), and
- Public Liability insurance (*minimum \$10M*).

Figure 7 - Insurance Requirements²³

These requirements constitute a significant barrier to entry.

The insurance requirements in particular required to indemnify “*the assessor, their clients, and the NDIS*” need to be reconsidered, and both cost and legal implications assessed in the light of recent legislative changes.

Given that the requirements contained in the SDA Design Standard are not technically all that difficult to understand or verify, the restriction on the number of occupations that may participate as certifiers seems unnecessary.

2.3 Comparison with FirstRate5 Certifier Accreditation

With a few exceptions, six-star energy rating (as defined) is a mandatory requirement for new homes in Australia. One of the approved tools is FirstRate5 house energy rating software²⁴.

An informal test of of the SDA certification requirements reasonableness is to compare with a similar certification requirement FirstRate5 house energy rating software²⁵ Assessors.

²³ Page 9 - Course Information Handbook, Accredited Specialist Disability Accommodation (SDA) Assessor Version 1.3, Access Institute 2021.

²⁴ <https://www.fr5.com.au/>

²⁵ <https://www.fr5.com.au/>

Despite being arguably far more complex (based on my experience having apply both FirstRate5 assessment and NDIS SDA requirements to my own home as part of a Masters thesis) the requirements to be a FirstRate5 certified focus entirely on the requirements to be a certifier:²⁶

- *“As of 11 November 2019 all NatHERS Accredited Assessors must hold a Certificate IV In Home Energy Efficiency and Sustainability (Thermal Performance Assessment) CPP 41119).”*,
- Be a member of Australian Building Sustainability Association (ABSA), and
- have the appropriate indemnity insurance - with an option of using ABSA arranged insurance or organising your own.

FirstRate5 Certifier Accreditation does NOT include:

- prejudged assessment of people skills and experience based on prior qualifications,
- A restricted set of prior qualifications and skills to be Certifier, and,
- predefined insurance levels with unrealistic requirements.

This less restrictive set of entry conditions to the field allows a greater number of participants from a wider range of backgrounds. Which may help explain why the fees for a six star energy assessment roughly half that of a SDA assessment from approved certifiers (based on quotations for my SDA home).

Until these barriers to entry are addressed, the result will be a limited number of new assessors. Which allows the current incumbent assessors to maintain a virtual monopoly on assessments and current charging levels.

3 Missing

Such a long list of missing requirements. The existing SDA Design Standard essentially is a backward looking document. It's crammed in lots of information wheelchair manoeuvrability and physical accessibility requirements.

But it doesn't look into the near future where the amount of Assistive Technology which uses software and relies on IoT operation and thinking is going to need consideration.

At the moment there is a lot of people applying a lot of different technologies, but incorporating current technology in SDA accommodation at the moment is essentially uncoordinated, not standardised, and potentially going to be a very expensive nightmare in the near future when it comes to upgrades, security issues, and replacement. And that's before you consider how someone with a disability - sorry that 6% of the NDIS participants that have a severe disability - are going to cope with having to deal with IoT related AT problems on a day-to-day basis.

²⁶ <https://www.absa.net.au/become-an-assessor/getting-started/>

4 Conclusions

Taken individually, the criticisms in these notes are minor. Collectively however they demonstrate a fundamental problem with the document.

While a considerable amount of work has been done and needs to be respected, it's largely a rework and update with additional detail of the LHA, SDA definitions, and including AS 1428.1-2009. With additional guidance and "optional" designs provided based on authors extensive experience.

There are however numerous issues regarding how requirements have been developed and documented. And missing is a certain minimum amount of detailed required to address modern technology and the use of IoT based AT which severely disabled participants are increasingly using.

Document needs to be withdrawn and a rewrite conducted addressing the need for more rigorous requirements, definitions, and verification.