

Chapter E8 Adaptable Housing

Part E ► General Controls for All Development

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Repealed by WDCP 2015 Amendment No. 5 on 7 December 2020

Chapter E8 ▶ Adaptable Housing

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E8.1 Introduction

Disability discrimination happens when people with a disability are treated less fairly than people without a disability. Under the Commonwealth *Disability Discrimination Act 1992* (DDA) it is unlawful to discriminate against people with a disability in most areas of life; including for example providing access to, and the use of, premises.

The Commonwealth Government's requirements for accessibility to buildings are primarily established in:

- ▶ *Disability (Access to Premises - buildings) Standards 2010*, including the Access Code; and
- ▶ National Construction Code Series - Section D Part D3 - Access for People with a Disability.

These requirements are mandatory and set the minimum requirements for access that must be achieved. It is the responsibility of all applicants to identify and apply these mandatory provisions when designing a building.

In addition to the above requirements for accessibility to buildings, Council has requirements for the provision of adaptable housing in this chapter.

An adaptable dwelling is a dwelling that is designed so that it can be easily modified in the future to become accessible to both occupants and visitors with a disability or progressive frailties.

Applicants are required to implement these DCP provisions when designing buildings so we can achieve best practice and increase the provision of adaptable housing stock.

E8.1.1 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

E8.1.2 Development to which this chapter applies

This chapter of the DCP applies to the following types of development:

- ▶ dwelling houses;
- ▶ semi-detached dwellings;
- ▶ dual occupancies;
- ▶ attached dwellings;
- ▶ multi dwelling housing;
- ▶ residential flat buildings; and
- ▶ shop top housing.

E8.1.3 Objectives

The objectives of this chapter are:

- 01 To promote the social welfare of the community through the provision of adaptable housing.
- 02 To ensure that housing options exist for people with a disability through the provision of adaptable housing.
- 03 To promote sustainable development by extending the use of buildings through the provision of adaptable housing requirements and by increasing the number of adaptable dwellings in the local government area.

E8.1.4 Relationship to other parts of the DCP

This chapter contains provisions for increasing the stock of adaptable housing. It is to be read in conjunction with the others part of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area—the controls in Part B: General residential, or Part C: Heritage Conservation Areas that apply to the land.
- ▶ If located in a business centre—the controls in Part D: Business Centres that apply to the land.

E8.1.5 Relationship to other documents

Disability Discrimination Act 1992

The Commonwealth *Disability Discrimination Act 1992* (DDA) provides protection for everyone in Australia against discrimination based on disability. It encourages everyone to be involved in implementing the DDA and to share in the overall benefits to the community and the economy that flow from participation by the widest range of people.

Section 23 of the DDA covers access to premises and makes it unlawful to discriminate against a person with disability in relation to access to, or use of, premises including access to premises.

Disability (Access to Premises - Buildings) Standards 2010 including the Access Code for Buildings

The Premises Standards detail and codify the general requirements of the DDA by setting minimum requirements for the provision of access. The Premises Standards and Access Code calls up Australian Standards relating to disability access and parking including, AS 1428.1 - Design for access and mobility and AS 2890.6 - Off street parking for people with disabilities.

National Construction Code

Part D3 of the National Construction Code (NCC) specifies minimum access requirements for buildings and is similar to the Access Code. The NCC applies to certain types of specified Class 1b buildings, Class 2 to Class 10 buildings excluding Class 4 buildings, and calls up the same Australian Standards as the Access Code.

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

Accessibility for Seniors Housing is to be provided in accordance with the requirements of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

Repealed by WDCP 2015 Amendment No. 5 on 7 December 2020

E8.2 Adaptable housing

An adaptable dwelling is a dwelling that can be modified to be an accessible dwelling.

An accessible dwelling is a dwelling designed and built to accommodate the needs of people with a disability, and which complies with the AS 1428 - Design for access and mobility.

An applicant will need to demonstrate compliance with the adaptable housing provisions. This may include a report prepared by an appropriately qualified person submitted with the development application, specifying how the proposal has addressed the requirements in this chapter, the relevant Australian Standards and the National Construction Code.

Objectives		Controls	
O1	To increase the amount of building stock that provides for adaptable housing.	C1	Development for an attached dwelling, multi dwelling housing, residential flat building or shop top housing containing 10 or more dwellings, designs and constructs at least 10% of the dwellings to Class A certification under AS 4299 - Adaptable housing.
O2	To provide opportunities for dwellings to be readily converted into accessible dwellings to meet the current and future needs of the community.	C2	Development for a dwelling house or dual occupancy is encouraged to provide adaptable housing design.