

30 September 2026

Danielle Wood
Chair of Productivity Commission and
Commissioner for the Housing Supply Regulation Inquiry
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Dear Chair,

Re: Public consultation regarding the Interim Report of the Inquiry into Housing Supply Regulation

Thank you for the opportunity to provide input into the public consultation regarding the Interim Report of the Inquiry into Housing Supply Regulation. JFA Purple Orange is concerned about the narrow perspective presented in the Interim Report and hopes that this shortcoming will be addressed in the further six months available to develop the content and reform priorities for the Final Report. As an independent purpose-led organisation that undertakes systemic policy analysis and advocacy across a range of issues affecting people with disability and their families, our main focus is on the urgent need to address the severe lack of accessible housing across Australia. However, in reading the Interim Report, we became increasingly concerned that the absence of any serious consideration of this problem is reflective of a general narrowness in the perspectives considered and an adherence to problematic assumptions about regulation as a negative imposition that repeatedly go unchallenged.

Time and resource constraints limit our capacity to analyse and respond to every element of the Interim Report, but we hope our feedback can assist in providing some useful direction on the need to expand considerations and more robustly interrogate assumptions and claims. Below, we propose that the national wellbeing framework, known as “Measuring What Matters”, should inform and shape the Final Report; more consideration should be given to the ways that smart, straightforward, focused, and fit-for-purpose regulation would support increased supply of housing; and draw attention to the millions of Australians whose housing experiences and needs are currently missing from the Interim Report. Supply is only one piece of the housing policy puzzle, which needs to be understood and considered holistically to enable the development of effective solutions.

National wellbeing framework should underpin the policy context for the Final Report

Treasurer Jim Chalmers has repeatedly emphasised the need to expand how Australia assesses its national success beyond pure economic measures to encompass the things that will “deliver better outcomes for our people, our communities, and our economy” within a broader conceptualisation of national wellbeing than has traditionally been the case. Australia’s first national wellbeing framework, known as “Measuring What Matters”, covers the five themes of healthy, secure, sustainable, cohesive, and prosperous, with inclusion, equity, and fairness as cross-cutting dimensions. It is intended that the framework provides “guidance for agencies to inform policy development and evaluation” and can be used in “areas of policy that require different levels of government to work together”.¹ Since the release of the framework, questions of maintaining social cohesion have also come to the forefront of policy considerations with access to decent housing in liveable communities a significant consideration for this. Given this Inquiry is occurring at the request of the Treasurer, it is disappointing that the context of this stated overarching policy approach, and the articulated priorities within, are largely absent from the Interim Report. This should be rectified in the Final Report.

Where these broader themes are acknowledged, they are generally superficial mentions without any sense that they have influenced the substantive elements of the Interim Report. Overall, the document adopts a narrow and blunt economic focus that undermines the far more complex and nuanced reality of housing policy in Australia. In the “Principles for best practice housing regulation” presented in Figure 2 on page 6, it is stated that the overarching objective of the regulatory system includes that it “balances economic, social, cultural, and environmental outcomes”. Yet the four principles overwhelmingly focus on economic elements and, in some respects, are likely to undermine the others. The approach suggests that best practice involves making regulation “less limiting to provide a net benefit”. We strongly challenge the assumption that less regulation is automatically and always better. It appears the possibilities of making regulation **more supportive** of net benefits have not been considered.

The first principle to “adopt a ‘build’ mindset” suggests the benefits of regulation should clearly outweigh costs, without articulating **who** judges the benefits and against what criteria. In reality, this is a very subjective proposition. The second principle is to “only regulate where necessary” and otherwise “allow households to choose and pay for other features they value”, but this type of short-term approach fails all elements of the overarching objective. Housing is long-term community infrastructure that will be utilised by numerous occupants over a typical lifespan of many decades. It does not need to only serve the desires of one household at one point in time; it should be durable, sustainable, accessible, adaptable, and cost effective over a long lifespan in order to avoid frequent renovations and retrofits that are many times more expensive than building to meet Universal Design principles from the start. Retrofitting of highly visible items,

such as ramps, also marks out a property as a target for theft and similar crimes, and creates a significant safety risk for occupants. Building in line with Universal Design principles also avoids this. The fourth principle to “keep the process simple” suggests that discretion should be limited, which will reduce flexibility and may work against the overarching objective. We believe these few examples demonstrate how the narrow lens applied in the Interim Report prevent it from presenting a nuanced and accurate account of the impacts of regulation on housing supply in Australia.

Recommendation 1: The Productivity Commission should engage with the themes and values in the national wellbeing framework, known as “Measuring What Matters”, as part of the broader context for its Inquiry into Housing Supply Regulation to ensure it presents a nuanced and accurate account. The Commission should ensure the Final Report genuinely reflects the need for social, cultural, and environmental outcomes, in addition to narrow and blunt economic elements, as it claims to do.

Problematic assumptions against regulation need robust scrutiny

The declaration that “regulation limits housing development” in the Interim Report is the result of a seemingly deeply embedded assumption without considering the alternative proposition that smart, straightforward, focused, and fit-for-purpose regulation could, in fact, be used to **boost** housing development. Poor, ineffective, or overly complex regulation should not be taken as automatically discrediting all approaches to, and types of, regulation. Regulation does not need to be complex and the role of industry in disputing requirements and needing every element to be spelt out in excruciating detail has been a contributing factor to the increase in regulation page counts. In most instances, clear fit-for-purpose regulation can replace the overly complex versions and achieve the same benefits.

Poor, unclear, and inaccessible information about requirements is a significant cause of many of the issues blamed on regulatory complexity. Investment in improving communication, resources, and training to support easier understanding of best practices among builders would mitigate many of the complaints about regulation. Pattern books with high-quality, accessible, affordable, and climate-appropriate designs for all regions across Australia would also be a valuable investment of public resources. This would help offset claims that the increasingly narrow, odd-shaped, and tiny housing blocks are a barrier to high-quality and accessible builds by providing the design plans to achieve this (noting this does not address the broader issues of tiny narrow blocks, especially in poorly serviced greenfields developments that quickly become “dormitory suburbs”, including excessive on-street parking that hampers access for emergency vehicles and waste collection).

The Interim Report also assumes a level of “choice” in housing options that does not match the reality experienced by all but the wealthiest Australians. This is also a significant flaw in the Interim Report. Coercive choices due to a range of factors, such as availability, location, inaccessibility, and cost, are not genuine choices. We routinely hear about people, especially Australians with disability, making do with whatever housing is available to them even when it does not meet their most basic access, health, and wellbeing needs. To suggest that this should be taken as an indication of occupants’ actual needs and wants, or that this high level of tolerance for poor housing stock somehow backs a claim that good regulation is not needed, is extremely problematic. To be clear, Australia’s housing market is best characterised as consumers “making do with what they can get” rather than consumers exercising free choice in an open and diverse marketplace.

Over many years, JFA Purple Orange has observed the exaggerated claims of housing peak bodies and lobbyists about the costs of building with basic accessibility features go unchallenged. For example, the Australian Building Codes Board (ABCB) commissioned modelling that estimated the additional cost of building a Class 1a “volume product” house to adhere to the National Construction Code 2022 Livable Housing Design Standard is \$4,123.² Yet, Master Builders Australia has claimed it to be \$15,000 and this has been published unchecked in a report of the Parliamentary Select Committee on Productivity in Australia.³ We are aware of builders, including through state government development agencies, who are delivering housing built to the Standard at costs in line with the ABCB modelling. Nevertheless, we note that Master Builders Australia is repeatedly cited throughout the Interim Report without adequate scrutiny of their claims or disclosure of their clear conflict of interest. This is but one example of the need to take a very cautious approach to the claims about the costs of regulation and scrutinise them closely. This type of interrogation to test claims should be one of the core functions of the Productivity Commission to ensure inquiries such as this produce findings that are based in robust evidence without any real or perceived undue influence from vested interests.

Recommendation 2: The Productivity Commission should fully interrogate its assumptions against housing regulation and genuinely consider how smart, straightforward, focused, and fit-for-purpose regulation can be beneficial for boosting housing supply. In particular, it should genuinely test the claims of vested interests to ensure they are backed with robust evidence before publishing them.

Narrow lens of Interim Report fails to consider the needs of many Australians

All Australians should have a safe, accessible, and affordable place to call home. Housing should be understood, first and foremost, as a basic human right for all individuals and as essential

social infrastructure for communities. Housing and planning policy must reflect this and ensure sufficient investment is dedicated to delivering on this objective for all Australians experiencing the current housing and cost of living crises. The Productivity Commission should not be under the illusion that supply alone is the “silver bullet” to solving housing problems; it is not. We must ensure that house builds are high quality and fit for purpose so that they are **accessible and affordable** for all Australians. The majority of our population need, or will need, accessibility features in their houses to ensure they can enter, move around, and live in their homes as independently as possible; this includes people with disability; older people; people with chronic illnesses, temporary injuries, or mobility issues; parents with prams and other equipment; and similar. Ensuring houses meet basic access needs is also crucial for the visitability of homes and enabling families to stay connected and prevent ongoing isolation and loneliness – to be clear, it is not “woke” to want Nan and Pop to be able to visit children and grandchildren at home. Further, the ability to safely move furniture and appliances in and out of homes without removing door frames, fence panels, and similar is also becoming increasingly difficult.

The Interim Report contains just one mention of “disability”, and even this instance is problematic. On page 56, people experiencing “disability” is mentioned as a form of “acute housing stress” alongside experiences of homelessness and family violence. This is unacceptable. Australians with disability are not a form of housing **problem**; the widespread lack of housing with even the most basic accessibility features is the problem. Indeed, more than 20 per cent of Australians are people with disability and their needs should be centred and understood in this Inquiry. Achieving this will require the Productivity Commission to proactively seek to understand the experiences and perspectives of a broader range of stakeholders and lived experience communities because many representative organisations simply do not have the resources to compete with the lobbying of industry and other vested interests in a national Inquiry like this. We note the list of organisations involved in the Inquiry in Appendix A is heavily skewed to industry interests. End users and intended beneficiaries of housing should be given equal voice in the Final Report.

The National Disability Insurance Scheme’s (NDIS) introduction of Specialist Disability Accommodation (SDA) in July 2016 aimed to create more living options for people with disability ensuring choice and control, as well as strengthening the housing sector. How well SDA has delivered on this promise is widely questioned. Regardless, the NDIS does not provide housing for the vast majority of participants with only 3.4 per cent currently funded for SDA and just two per cent actually living in SDA dwellings.⁴ This leaves more than 96 per cent of NDIS participants, and millions more Australians with disability, to navigate the mainstream housing market where the supply of accessible and affordable dwellings is well below current demand. This is a clear element of current market failure that should be addressed in the Final Report. Australians with disability deserve to live in mainstream housing that meets their access needs and to be supported to live in inclusive neighbourhoods and communities – not segregated and congregated in quasi-institutions separate from the rest of society.

It is also surprising and disappointing that the Interim Report does not engage with many of the other substantial challenges facing housing policy in Australia, which fit-for-purpose regulation could help address. In particular, Australia has a rapidly ageing population, with the number of people aged over 85 set to triple by 2065-66.⁵ Older people are increasingly electing to age-in-place rather than enter residential aged care facilities. The Federal Government is encouraging this because it is much cheaper than 24-hour residential care. Yet, it can only occur if housing is safe, accessible, and affordable for older people to continue to live in. The failure to engage with the challenges of Australia's ageing population in this Inquiry should be rectified in the Final Report as part of a much broader lens on the many problems that intersect with housing supply.

Recommendation 3: The Productivity Commission should proactively seek to include diverse voices from across the Australian community in the final stages of its Inquiry and use this input to inform its Final Report. This should include people with disability who currently face a severe shortage of safe, accessible, and affordable places to live.

Recommendation 4: The Productivity Commission should remove the reference on page 56 to people experiencing “disability” being a form of “acute housing stress” from its Final Report and, instead, engage fully and seriously with the problem of the severe shortage of accessible housing across Australia.

JFA Purple Orange met with officials from the Productivity Commission about the need to consider broader perspectives when examining questions about the merits of housing regulation in October 2025. We expressed our desire to continue to engage with the Commission on these important matters and remain keen to participate in this Inquiry. We strongly believe broader engagement with diverse groups that experience a variety of challenges in finding and maintaining safe, accessible, and affordable housing will strengthen the Final Report and the priorities it identifies. To arrange a meeting at a mutually convenient time, please contact Selena Maddeford, Manager – Policy and Projects, JFA Purple Orange, on [Redacted] or [Redacted]

Yours sincerely

Belle Owen
Interim Strategy Lead
JFA Purple Orange

Notes

- ¹ For further information, visit <https://treasury.gov.au/policy-topics/measuring-what-matters>.
- ² See Australian Building Codes Board and Donald Cant Watts Corke, 'Accessible Housing: Estimated Cost of Proposed Changes to NCC', 23 December 2020, page 21, available at <https://ncc.abcb.gov.au/sites/default/files/resources/2022/Accessible-housing-estimated-cost-impact-of-proposed-changes-to-NCC.pdf>.
- ³ See The Senate Select Committee on Productivity in Australia, 'Interim report: Housing', August 2026, page 38, available at https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/RB000844/toc_pdf/InterimreportHousing.pdf; with original source, Answers to Questions on Notice, No. 34, Master Builders Australia, available in the Additional Documents section at https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Productivity_in_Australia/ProductivityinAustralia/Additional_Documents.
- ⁴ See National Disability Insurance Agency (NDIA), 'Quarterly report to disability ministers Q1 2025-26 Full report', September 2025, available at <https://www.ndis.gov.au/publications/quarterly-reports>.
- ⁵ See Australian Government, 'Intergenerational Report 2026: Australia's future to 2066', 2026, page xiii, available at <https://treasury.gov.au/sites/default/files/2026-09/p2026-797917.pdf>.