



Inquiry into Specialist Disability Accommodation service delivery through Housing ACT

Answer to question on notice

Asked by: Ms Jo Clay MLA

Addressed to: Minister for Homes, Homelessness and New Suburbs

Reference: HCSD

Hearing: 11 May 2026

In relation to: Specialist Disability Accommodation engagement

Question received: 18 May 2026

Answer Due: 25 May 2026

1. Does Housing ACT of the Health and Community Services Directorate have any information on the demand for housing by people with extreme functional impairment and/or very high disability-related support needs?
2. What is the size of the public housing waitlist for people with extreme functional impairment and/or very high disability-related support needs?
3. Reference was made to establishing a dual system which would address the conflict with the NDIS on the rate of rental charged. Housing ACT received advice that this would require a new instrument under the Housing Assistance Act. Can you provide a copy of that advice and can you outline how such an arrangement would work?
4. The Department of Families, Fairness and Housing (DFFH) is a registered NDIS Specialist Disability Accommodation (SDA) provider. What is the system that DFFH established to become a registered housing provider and can that system be applied in the ACT?
5. Housing ACT engaged with the ACT Human Rights Commission, the Public Trustee and Guardian and the Official Visitors for Disability Services to determine the most appropriate approach to engaging with people with a disability about their living arrangements. Did you include the community organisations who deliver services to those people, such as Hartley Lifecare and Koomarri, in those discussions. And if not, why not?
6. Housing ACT wrote to tenants in SDA enrolled dwellings (both ACT Housing managed and headleased by community organisations) in January 2026. Had Housing ACT engaged with tenants in those dwellings before January 2026 and if not why not?

7. Did Housing ACT engage with the community organisations who managed/delivered services to tenants in SDA enrolled dwellings to inform them about the issues associated with the enrolment of Housing ACT as a registered SDA provider? If so, how often did this occur in 2023 and 2024?
8. Has either Housing ACT or Programmed carried out a property assessment of all Housing ACT owned SDA properties? If so, when was the last property assessment carried out?
9. After enrolling as a SDA provider what steps need to be followed to enrol a dwelling as a SDA property?

Ms Yvette Berry MLA: The answer to the Member's question is as follows:

1. There is no obligation for a housing assistance applicant or a public housing tenant to disclose disability to Housing ACT; however, a person may choose to do so at the point of application or during their tenancy at their discretion, including the nature of their disability and/or the extent of their support requirements.

At 31 March 2026, 54 per cent of public housing households included someone with disability; however, people with disability have diverse needs, and not everyone requires physical modifications to their home. Furthermore, disability is not a uniform experience, and individual needs can vary significantly and change over time.

Housing ACT holds some information about housing assistance applicants and tenants who have indicated they have extreme functional impairment and/or very high disability-related support needs, but it is not systematically quantified or readily reportable. As such, the data could not be extrapolated in the given timeframe as it is non-standard data.

2. Please refer to the answer to question 1.
3. Reference was made during the hearings to the conflict between means-tested eligibility for public housing and Specialist Disability Accommodation (SDA) eligibility under the National Disability Insurance Scheme (NDIS).

ACT Government representatives have discussed the eligibility requirements and means testing for SDA on multiple occasions with representatives from the National Disability Insurance Agency (NDIA).

The advice has not been provided in writing; however, the *National Disability Insurance Scheme Act 2013* (Cwth), the *National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020* (Cwth) and the *NDIS Practice Standard Supplementary Module: Specialist Disability Accommodation* outline the eligibility requirements for NDIS participants and SDA, as well as standards that apply to providers.

Subsequent legal advice has been sought to support the interpretation and application of these rules to existing public housing assistance programs. This advice is subject to legal professional.

Section 19 of the *Housing Assistance Act 2007* (the Act) provides for the Minister for Housing to approve a housing assistance program. A housing assistance program includes the kind of

assistance that may be provided, the eligibility criteria for that assistance, and how decisions under the program may be reviewed.

However, whilst this would address the dual eligibility issue, a new housing assistance program under the Act would still require tenants to pay 'Government rent' (as the rent is payable to the Commissioner for Social Housing), which means the tenant would not be eligible for Commonwealth Rent Assistance (CRA). CRA is a component of the financial model under the SDA Pricing and Payments Framework, so is necessary to support its financial viability.

4. I understand that the Victorian Government's Department of Families, Fairness and Housing (DFFH) is a registered SDA Provider and it acts as the asset owner, SDA provider, tenancy manager and property manager. The SDA properties are owned and managed as a portfolio distinct from its public housing and are thus able to attract CRA.

To replicate the Victorian Government model, the ACT Government would need to establish an entity separate to the Commissioner for Social Housing as a minimum. Further investigation would be required to determine the legal and operational settings which facilitates DFFH's SDA Provider function and whether these were replicable in an ACT Government context.

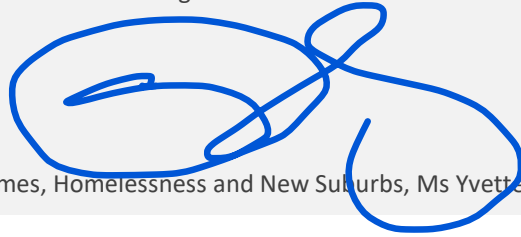
5. The ACT Government does not have visibility of the Supported Independent Living (SIL) providers engaged by its tenants who are NDIS participants. As such, Koomarri and Hartley LifeCare were not directly consulted in preparing for engagement with the people living in the enrolled dwellings. Housing ACT did however engage with Community Housing Providers such as Havelock House on these matters.
6. There had been no engagement with people living in the SDA enrolled dwellings before January 2026. Much of Housing ACT's early consideration of SDA related to the operational, resourcing and policy requirements of being a registered provider and had not canvassed the needs of the people living within those dwellings. During 2024, Housing ACT undertook significant engagement to begin to determine the most appropriate approach to engaging the people living in the enrolled dwellings about their living arrangements. In August 2024, the planned engagement was paused. Work recommenced to prepare for engagement in the second half of 2025.
7. Housing ACT met formally with one of the headlessees of its enrolled dwellings to discuss options for SDA provision in May 2024.
8. A Property Condition Assessment (PCA) was undertaken for 95 per cent of the SDA enrolled properties between May 2023 and January 2024. PCAs capture information about the general condition of a property's key components (including flooring, kitchen, bathroom, painting etc.) but do not provide detailed information about disability/accessibility features. Only 6 properties did not have a PCA. This was because:
 - a. 2 properties were vacant and assessed and upgraded through the vacant program.
 - b. 2 were new builds and did not require a PCA.
 - c. Contact was attempted to access the remaining 2 properties but was unsuccessful.

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9. Information about how to enrol a home as SDA can be found on the NDIS website at the following link: <https://www.ndis.gov.au/providers/home-and-living-providers/specialist-disability-accommodation-sda/how-enrol-home-specialist-disability-accommodation-sda>.

Approved for circulation to the Standing Committee on Public Accounts and Administration

Signature:

A large, stylized handwritten signature in blue ink, consisting of several loops and a long horizontal stroke.

Date:

02/06/26

By the Minister for Homes, Homelessness and New Suburbs, Ms Yvette Berry MLA