

29 May 2026

Committee Secretary
Senate Standing Committees on Community Affairs
Parliament House Canberra ACT 2600

Via email - community.affairs.sen@aph.gov.au

Dear Committee Secretary

RE - Inquiry: National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) Bill 2026

About the Author

I make this submission in my capacity as Founder and Chief Executive Officer of Accessible Homes Australia (AHA), one of Australia's leading independent Specialist Disability Accommodation (SDA) providers and an organisation well regarded by its peers across the sector. AHA also holds a somewhat unique position: it is led by a person who has lived the NDIS from both sides. I write as both a long-term NDIS participant and an SDA provider, having lived with a profound physical disability for more than 30 years. I founded AHA to ensure that people with complex disability support needs have access to quality, safe, and genuinely participant-choice-focused housing and that such housing would be provided at a cost saving, inclusive of home and care costs combined, at a saving to incumbent disability housing options. That dual perspective, both as a participant and provider, is uncommon among those who contribute to debates of this kind, and informs everything that follows.

My personal experience as a long-term NDIS participant informs my understanding of what it means to have control over your housing and support arrangements. My professional experience as the founder and operator of a major SDA provider has given me detailed insight into the market mechanics, participant outcomes, provider viability, and the policy settings that sustain or undermine quality SDA delivery. This submission draws on both perspectives.

About Accessible Homes Australia

Accessible Homes Australia is a registered NDIS SDA provider operating four purpose-built SDA communities across Queensland:

- East Palm Beach, Palm Beach (Gold Coast) – 7 apartments
- One Grant Avenue, Hope Island (Gold Coast) – 10 apartments
- Qube, Broadbeach (Gold Coast) – 1 apartment
- Urraween Village, Urraween (Hervey Bay) – 12 villas

AHA operates on a clear separation of housing and support model: we provide the accommodation, and participants can choose from independent OSS providers. This separation is fundamental to our approach because it protects participant choice, reduces conflicts of interest, and ensures that housing decisions are made in the participant's

interests, not driven by support provider incentives. We currently have SDA homes for 30 SDA participants across our four sites.

Key Concerns with the Proposed Legislation

1. Ministerial Determination Powers Threaten SDA Market Viability

The Bill proposes giving the Minister unrestricted power to set category-wide funding limits for any support type—including SDA. We have observed, in advance of the proposed legislation, the NDIA is already implementing strict interpretations of “effective and beneficial” and “value for money” criteria, and we are seeing a measurable increase in SDA application declines. The prospect of ministerial funding caps creates profound uncertainty for the sector.

From an investor and provider perspective: if there is genuine uncertainty about whether the Minister might impose a funding ceiling on SDA (e.g., "SDA cannot exceed \$X per participant"), investment appetite weakens immediately. Lenders are more cautious. Capital costs rise. Good practice providers reconsider expansion or exit the market. The supply of quality SDA shrinks. This is not hypothetical. We are already experiencing hesitation from institutional investors in new SDA development.

From a participant perspective: if SDA supply tightens, options diminish potentially to zero. Waiting lists lengthen. Participants remain in inappropriate housing or institutions for longer. Critically, there are no viable alternative housing options in Australia's already stretched national housing market. Hospitals are full and designed for acute care, not long-term housing. Social housing, not designed for accessibility, has a waiting list exceeding 200,000 people. If SDA supply contracts due to regulatory uncertainty or funding constraints, displaced participants have nowhere else to go. They become trapped in inappropriate, unsafe, or segregated settings - precisely what the NDIS was designed to prevent.

The sustainability of the "good practice" SDA sector depends on clear, legislated safeguards that prevent arbitrary funding constraints being imposed on essential home and living supports. Without such safeguards, the Bill risks collapsing the only purpose-built, participant-controlled housing option available to Australians with complex disability support needs.

2. Amendments to the Reasonable and Necessary Criteria Risk Cost-Based Rationing of SDA

We support efforts to improve the long-term financial sustainability of the NDIS. Our concern is with the practical operation of the Bill's amendments to the reasonable and necessary criteria, particularly the proposed additions to the “value for money” criterion. The Bill would require the NDIA to consider whether a comparable support costs less, and introduces a presumption in favour of lower-cost options. Read together with the Bill's ministerial determination powers (discussed above), these provisions create a framework in which SDA decisions can be driven principally by cost.

We are concerned that these provisions will be applied in service of the Government's stated ambition to constrain Scheme growth. Where a “value for money” test is applied without an equivalent regard for comparability of outcome, general social or public housing may be treated as an acceptable substitute for purpose-built SDA, notwithstanding that it cannot

deliver the accessible design or the integrated support model that SDA participants require. Critically, a narrow value-for-money test that examines the SDA support cost in isolation, without reference to broader Scheme outcomes or cross-funding-stream cost analysis, risks producing false economies. The combined cost of OSS (Onsite Shared Support, a 24/7 support model in place at our locations) plus single participant SDA in a clustered setting of 10 dwellings is often substantially cheaper than alternative funding combinations, such as SIL plus 3 person shared SDA, or intensive 1:1 supports. When the NDIA applies cost pressure by narrowing value-for-money tests, the risk is that true economy of funding is overlooked.

To illustrate how these provisions are already operating in practice: we are observing SDA applications declined for participants who clearly meet the criteria—supported by comprehensive occupational therapy assessments, complex disability profiles, and an identified need for specialist disability accommodation design and integrated support. Decisions are issued on broad grounds (“not likely to be effective and beneficial”) without specific supporting evidence (and in fact, requesting peer-reviewed articles to be provided that support such requests – to which the market is too young to have a substantial material of this kind), while referencing cheaper general, non-accessible, non-supported housing as an alternative. This pattern demonstrates the risk the Bill’s amended criteria create at scale.

We urge the Committee to recommend that the Bill’s amended reasonable and necessary criteria, and any associated determination powers, be framed so that SDA eligibility and funding continue to be determined by reference to participant need, safety, and functional requirements—not rationed on cost grounds alone.

3. The Bill Should Safeguard the Separation of Housing and Support

The Bill’s provisions governing home and living supports, and the ministerial determination powers, will operate within the Government’s broader Home and Living reform framework. A clear separation between housing provision and care and support provision has been repeatedly identified, by both the NDIS Review and the Disability Royal Commission, as an essential participant safeguard. We ask the Committee to ensure that nothing in the Bill, or in the way its provisions are likely to be administered, erodes the aspiration towards that separation.

In this context, we note a related reform direction—the proposed “Supported Independent Living (SIL) Commissioning” model. While SIL Commissioning is not itself contained in the Bill, it will operate alongside the Bill’s provisions, and we respectfully ask the Committee to consider whether those provisions adequately guard against integrated provider control over both housing and support. If large, multi-service providers are permitted to control both the accommodation and the in-home care and support of the same participants, the consequences would be serious:

- Erosion of genuine participant choice: residents cannot change support providers without risking the loss of their home.
- Loss of market competition: independent SDA providers operating a separation-of-housing-and-support model cannot compete with integrated providers who control both elements.

- Increased safeguarding risk: there is extensive evidence (including in the Disability Royal Commission’s findings) that where a single provider controls both housing and support, oversight failures lead to abuse, neglect, and preventable harm.

AHA’s operational model is built on the explicit separation of housing and support provision. This is not incidental, rather it is foundational to participant safeguarding and autonomy. We provide the accommodation; participants choose their own primary and shared support providers from the open market. This creates genuine checks and balances, preserves choice, and ensures that a participant’s housing security is not tied to their support arrangements.

We respectfully ask the Committee to recommend that the Bill, and any related implementation framework, include explicit protections preserving the separation of housing and care, so that no commissioning model can concentrate control of both accommodation and support with a single provider

4. Evidence-Based SDA Decision-Making

The Bill proposes that supports are only funded if supported by published, peer-reviewed, generalisable research. While evidence-based decision-making is important, this threshold creates a practical barrier for SDA, which has a rich and growing evidence base that is not always structured in the narrow academic format the new rules appear to require. The evidence is not limited to peer-reviewed journals; it includes comprehensive outcome data, participant testimonies, and documented case studies. For example, outcome evidence comparing accessible social housing to purpose-built SDA with integrated support demonstrates material differences in participant independence, functional capacity, and quality of life. One such publicly available case study of a participant’s experience before and after SDA can be viewed at https://youtu.be/kWIP_akPcSI?si=SsITi70wdEfRBdGf

More importantly, when the NDIA declines SDA applications and cites lack of evidence for effectiveness, but provides no specific, referenced evidence of their own for why SDA would not be “effective and beneficial”, the applicant has no meaningful pathway to appeal or respond. This is inequitable.

We recommend that the Committee seek clear evidence from Government as to how the proposed amendments are consistent with evidence-based SDA decision-making and with the findings of the NDIS Review and the Disability Royal Commission.

Our Recommendations

We respectfully ask the Committee to recommend the following:

- That ministerial determination powers (if retained) include explicit legislative safeguards, transparency requirements, and consultation obligations where the exercise of those powers could affect essential home and living supports or the viability of the stand-alone SDA market.
- That the Bill’s amendments to the reasonable and necessary criteria (including the value for money provisions), and any associated determination powers, not be applied

so as to ration SDA access on cost grounds rather than by reference to participant need, safety, and functional requirements.

- That the Bill include explicit protections for the separation of housing and care provision, preventing any NDIS Home & Living commissioning model from concentrating control of both accommodation and support with a single provider.
- That where the NDIA declines SDA funding or eligibility, it must provide specific, referenced evidence for its decision and give applicants a fair opportunity to respond before a final decision is made.
- That the Committee seek confirmation from Government as to how these reforms align with the NDIS Review, the Disability Royal Commission, Australia's obligations under the Convention on the Rights of Persons with Disabilities, and long-term SDA market sustainability.

Conclusion

I came to founding Accessible Homes Australia because I believe that people with disability deserve homes of their own, designed for their needs, operated with respect for their autonomy, and insulated from the conflicts of interest that arise when housing and support are bundled under a single provider. The four communities we operate provide SDA homes to 30 NDIS participants, many of whom were previously in institutional settings or inappropriate housing.

I support the intent of the Bill to improve NDIS financial sustainability and participant safeguarding. However, I am concerned that without careful legislative safeguards, the implementation of these reforms may inadvertently undermine participant choice, housing security, and the viability of the good-practice, independent SDA sector that has worked so hard to emerge from the institutional disability housing paradigm. The funding of quality SDA is not simply a support expense - it is building national generational infrastructure that will serve Australians with the most complex disabilities for decades to come. Short-term cost control that compromises the sustainability of that infrastructure would be false economy at the expense of some of the most vulnerable people in our community.

I urge the Committee to examine these issues carefully and to recommend amendments that protect the participant-choice-focused, separation-of-housing-and-support model that has proven to deliver both safety and autonomy.

Yours faithfully

Perry Cross AM

Founder & Chief Executive Officer
Accessible Homes Australia