

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

2016 - 2017

Division/Agency: Social Policy Division

Question No: 305

Topic: National Housing Affordability Agreement

Reference: Hansard page 86-87 (01 March 2017)

Senator: Cameron, Doug

Question:

Senator CAMERON: DSS do not have ultimate responsibility for this. It is Treasury; isn't it?

Mr Robinson: Treasury is responsible for making the payments. The negotiation around the original agreement, I think, was led by the Department of Social Services back in 2000.

Senator CAMERON: But Treasury would have been involved? Treasury would not have turned a blind eye; would they?

Mr Robinson: I was not involved at that time. We would probably need to take on notice what level of involvement Treasury had back then.

[...]

Senator CAMERON: All right. So can you get me on notice which states and territories you have had discussions with, when the discussions took place and which specific issues were discussed. Has the department been able to provide a clear view about the government's intentions on NAHA? Are there any further discussions about the future of NAHA scheduled with states and territories? And, if so, when?

Mr Brennan: Yes. We can take all of that on notice.

[...]

Senator CAMERON: So the Commonwealth cannot terminate NAHA without agreement; is that correct?

Mr Brennan: I will take the specifics of that on notice. But, broadly, yes; [...]

Senator CAMERON: Does that mean that the Commonwealth can terminate unilaterally or not?

Mr Brennan: I will take the particulars on notice [...] So parliament could legislate.

Senator CAMERON: Parliament could legislate to terminate but the Commonwealth cannot make a decision unilaterally without legislative change?

Mr Brennan: I will take the specifics on notice [...]

Senator CAMERON: But one flows from the other. You cannot have one without the other; can you?

Mr Brennan: They are related.

Senator CAMERON: They are related?

Mr Brennan: Yes. So as to whether it is possible to unilaterally pull out of the agreement, I think I will take that on notice just in the interests of getting it absolutely accurate.

Answer:

The National Affordable Housing Agreement (NAHA) was negotiated as part of the Intergovernmental Agreement on Federal Financial Relations which was agreed by COAG in November 2008 following negotiations with the States and Territories involving first Ministers, Treasury and portfolio agencies.

The National Affordable Housing Agreement is ongoing but may be amended as necessary by the agreement of the Council of Australian Governments.

The National Affordable Housing Specific Purpose Payment is subject to the provisions of the *Federal Financial Relations Act 2009*. Legislation would be required for changes to be made to the Act.

As part of broader discussions around social housing and rental affordability, the future of the NAHA was mentioned at both the Deputy Heads of Treasuries meeting on 10 February 2017 and Heads of Treasuries meeting on 24 February 2017. These discussions were attended by representatives from all States and Territories.