

Social Housing Application Policy

Responsible Manager	Manager, Housing
Head of power	<i>Local Government Act 2009 Local Government Regulation 2012 Residential Tenancies and Rooming Accommodation Act 2008 (Qld) Department of Housing and Public Works' Community Housing Rent Policy for Indigenous Councils Social Housing Policy Housing Act 2003</i>
Authorised by	Council
Authorised on	30 June 2021
Implemented from	July 2021
Last reviewed	2021
Review history	2017
To be reviewed on	June 2023
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

Council is strongly committed to ensuring that the local government principles are reflected in the Social Housing Application Policy.

1.1. Overview

Torres Strait Island Regional Council provides affordable housing for low to moderate income families and individuals throughout 14 of its 15 Divisions. Social housing is provided to eligible applicants for the duration of their need. Our aim is to ensure:

- a) Council uses eligibility criteria for social housing to ensure the rental subsidy is provided to people in need of rental assistance.

2. Application

This policy applies to all Council social housing tenants, including employees. Councillors, contractors, agents and assigns of Council.

3. Legislation/Policies

This policy is established with reference to obligations specified in the relevant legislation of Social Housing Application Procedure and Social Housing Policy.

4. Eligibility Criteria

To be eligible for long term social housing, applicants must meet all eligibility criteria. Applicants must have:

- a) Australian citizenship or permanent residency;
- b) Torres Strait Islander or Aboriginal descent – descent is understood as:

“Membership of the Indigenous people depends on biological descent from the Indigenous people and on mutual recognition of a particular person’s membership by that person and by the elders or other persons enjoying traditional authority among those people”.

Source: Leading Judgment in Mabo v Queensland No2

Exception: where a Non-Indigenous applicant is the registered primary care giver of Aboriginal or Torres Strait Islander children, that person may be eligible for social housing, to ensure that Aboriginal and/or Torres Strait Islander children are not disadvantaged through homelessness;

- c) Queensland residency;

Exception: the Queensland residency requirement may be waived on a case-by-case basis where interstate applicants can provide evidence of a definite need to move to the Torres Strait;

- d) Evidence of Independent income.

Social housing will not be provided to applicants who cannot demonstrate income. This is to ensure that applicants are able to meet rent payments once they become tenants;

- e) Current and valid proof of identity; and
- f) Not own or be in the process of purchasing property;

Exception: The Housing Manager and Head of Community Services has discretion in allocating where there is a home ownership interest, to facilitate home ownership in the Torres Strait.

- g) Applicants with current or ex-tenancy debts will only be eligible once they have entered into and sustained, and unbroken Arrears Payment Plan for a minimum of three months.

5. Eligibility Criteria for Papua New Guinea (PNG) Nationals

To be eligible for long term social housing, applicants must meet all eligibility criteria.

- a) Existing tenants of PNG descent;

If the tenant had been provided with a general tenancy agreement, that tenancy is valid and the principles of all tenancy management policies and procedures will apply.

- b) Applicants for housing of PNG descent; and

Applicants of PNG descent and/or nationality are NOT eligible to apply for all social housing within TSIRC Government area.

- c) PNG residents with Torres Strait children.

When it is proven that a non-Torres Strait person applying for housing is the primary carer of Indigenous children, whether by birth or traditional adoption, applicant is eligible to apply for social housing if sufficient evidence is provided.

6. Provisions

When employees are applicants, Councillors and employees will follow Council processes for managing conflict of interest situations.

Eligible applicants shall be prioritised in order of their level of need and placed on Council's Register of Need.

All matters related to applications and other tenancy-related decisions can be reviewed and appealed through Council appeal processes.

Manager Responsible for Review:

Manager, Housing



Adoption: 30 June 2021

Due for Revision: 30 June 2023

Hollie Faithfull
A/Chief Executive Officer