

Appeals Policy

1. PURPOSE

The purpose of this policy is to provide a clear, consistent and transparent framework for ensuring that the local government principles are reflected in the Appeals Policy.

2. SCOPE

This policy applies to all tenants, staff, Councillors, contractors, agents and assigns of Council.

This policy sets out the principles to be followed when an appeal is received. The *Residential Tenancies and Rooming Accommodation Act 2008* sets out the rights for tenants to appeal reviewable decisions by Council's Housing Unit regarding:

- (a) a person's eligibility to be offered social housing assistance;
- (b) the type of social housing to be offered to an applicant;
- (c) the area where social housing is to be offered to an applicant.

3. LINK TO CORPORATE PLAN 2025-2030

TSIRC [Corporate Plan 2025-2030](#)

Outcome 1: Strengthening Our Communities

1.1 Provide Suitable Public Housing

- Work with the State and Federal Governments and community to ensure that all Torres Strait Island communities have access to safe, secure and culturally appropriate housing.

Outcome 2: A Proactive and Responsible Council

3.1 Provide Good Governance and Leadership

- Ensure responsible financial management and sustainability.
- Ensure compliance with legislative requirements and regulations, uphold the Council's legal obligations, and make ethical decisions in the best interest of the community.

4. POLICY STATEMENT

This policy is to be applied in conjunction with Housing Complaint Management Policy.

- (a) Council will, in the first instance, encourage negotiation with the tenant with the aim to resolve the issue, before tenants consider the appeals process.
- (b) Council supports the right to appeal, based on Council's commitment to:
 - (i) Accessibility: all social housing tenants have the right to challenge decisions relating to the provision of housing services they believe are incorrect

- (ii) addressing and responding to matters quickly and fairly;
 - (iii) Redressing: reassessing decisions if policy is not applied correctly;
 - (iv) Accountability: all decisions must be documented clearly and openly to ensure integrity in the process.
- (c) The appeals process provides Council with the opportunity to review policy and procedure effectiveness.
- (d) Council is committed to delivering quality client service, mutual respect and support to staff and tenants.

5. REPORTING

Nil.

6. DEFINITIONS

Refer to legislation definitions.

7. RELATED DOCUMENTS AND REFERENCES

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Housing Act 2003*
- *Housing Regulation 2003*
- *Residential Tenancies and Rooming Accommodation Act 2008*
- *RTA Regulations 2024*
- *Housing Policy*

8. REVIEW

Policy type:	☒ Council ☐ Administrative
Directorate:	Community Services
Responsible Officer:	Manager, Housing
Authorised on:	21 July 2026
Next review date:	February 2028 (This policy will be reviewed every two years or as required by changes in legislation).
Review history:	2021, 2023, 2026
Version	1