

Allocation of Housing Policy

1. PURPOSE

This policy outlines the principles that guide the allocation of social housing properties to eligible applicants. Torres Strait Island Regional Council is committed to a fair, transparent, and accountable allocation process, ensuring decisions are made without favouritism or bias. The individual needs and circumstances of prospective tenants and their households are carefully considered in all allocation decisions.

2. SCOPE

This policy applies to all tenants, Council Officers, and applicants of Council's Social Housing Register.

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

4.1 Councillors and staff must:

- (a) Declare any conflict between their personal interests and the interests of Council, pursuant to Council's Code of Conduct; and
- (b) Not disclose any confidential information about an applicant or tenant, their waitlist status, or any financial information to any external party.

4.2 Council must use eligibility criteria:

- (a) Has no outstanding debts with council
- (b) For long term social housing when allocating to prospective tenants; and
- (c) For all applicants who are seeking long term social housing through TSIRC as depicted in Social Housing Application Policy.

(d) Eligibility Categories:

1. **Very high need** - applicants who are experiencing

- i) homelessness

- ii) child safety issues
- iii) disability or medical needs
- iv) domestic violence

Note 1: *where a tenant of a dwelling immediately impacted by a Katter Lease or entitlement is not the applicant or the beneficiary of that Lease or entitlement and relocation is required, the tenant shall be allocated a very high need prioritisation.*

Note 2: *Tenant holding a fixed-term GTA will remain on the register of needs as Category One (Very High Need).*

- 2. **High need** - applicants living within the community whose current housing situation is overcrowded.
- 3. **Moderate need** - applicants living outside of the community without adequate housing who are applying to relocate to the community.
- 4. **Lower need** - applicants living outside of the community with adequate housing who are applying to relocate to the community.

Note: *applicants living outside of the community who are requesting to move to an island and are experiencing homelessness in their current situation shall be rated as having a very high need.*

- 4.3 Where a vacant property has disability modifications, it will be offered to the first applicant on the Register of Need whose needs are best met by the modifications. If there are no applicants listed on the Register that require disability modifications the property will be allocated in order of need.
- 4.4 Where a vacant property has no disability modifications, it is to be offered to applicants in the following order:
 - i) transfers initiated by Council
 - ii) very high need applicants in order of date of application
 - iii) high need applicants in order of date of application
 - iv) moderate need applicants in order of date of application
 - v) lower need applicants in order of date of application
- 4.5 Allocation is based on:
 - (a) Must be residing in community for 12 months before applicant can be tenanted (special circumstances in consultation with Councillor)
 - (b) Priority classification [level of housing need];
 - (c) bedroom entitlement;
 - (d) Social housing design that best meets the need of applicant; and
 - (e) Consideration of cultural connection to land and traditional ties to family, and where appropriate, can be verified in consultation with respective Prescribed Body Corporate (PBC) group.

5. AUTHORISATION OF PROPERTY ALLOCATION

The responsibility for allocating all social housing dwelling to eligible applicants is as follows:

- (a) For existing housing
 - (i) Allocation decision shall be made in consultation with the Division Councillor.
 - (ii) Councillor may seek advice from the Prescribed Body Corporate [PBC] to confirm an applicant's connection to the land, family ties and suitability to live in the Division.
- (b) For new housing under a funded Federal Government building scheme
 - (i) Applicants shall provide Council with a proof of their cultural or traditional connection to the vacant land upon which housing is to be built, prior to Council commencing the allocation process on a given Division.
 - (ii) ILUA must be in place or 24JAA
 - (iii) Council shall use a consultative process with relevant stakeholders to determine allocation of new housing in each Division, considering Council's housing needs and Ailan Kastom.

Should no allocation decision be reached for existing and/or new housing through a consultation process within the allocated timeframe, the Manager Housing shall intervene to resolve the issue.

6. REPORTING

Nil.

7. DEFINITIONS

- **Applicant:** An individual or household who has submitted an application for social housing with Torres Strait Island Regional Council.
- **Council:** Torres Strait Island Regional Council (Council).
- **Cultural/Traditional connection:** The applicant's recognised and verifiable link to a specific Division or land through traditional ownership, family ties, or recognition by a Prescribed Body Corporate (PBC).
- **Division councillor:** The elected representative for a geographic Division within the TSIRC local government area.
- **ILUA:** Indigenous Land Use Agreement — a voluntary agreement between a native title group and others about the use of land and waters.
- **Prescribed Body Corporate (PBC):** An organisation representing native title holders for a specific area, consulted by Council to verify traditional connections or land ties.
- **Priority classification:** The category assigned to an applicant based on the level of housing need — including Very High, High, Moderate, and Lower need — as outlined in this policy.

- **Register of need:** A list maintained by Council that ranks eligible applicants according to their priority classification and application date.
- **Social Housing:** Affordable rental accommodation provided by Council to eligible individuals or families based on assessed need and subject to ongoing eligibility requirements.
- **Tenant:** A person who holds a general tenancy agreement with Council for a social housing property.

8. RELATED DOCUMENTS AND REFERENCES

This policy is established with reference to obligations specified in the Housing Act 2003 and *Residential Tenancies and Rooming Act 2008*. This Policy is to be applied in conjunction with Allocation of Housing Procedure.

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

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