

South Australia

Housing and Urban Development (Administrative Arrangements) (South Australian Aboriginal Housing Authority) Regulations 1998

under the *Housing and Urban Development (Administrative Arrangements) Act 1995*

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Legislative history

1—Short title

These regulations may be cited as the *Housing and Urban Development (Administrative Arrangements) (South Australian Aboriginal Housing Authority) Regulations 1998*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Interpretation

In these regulations, unless the contrary intention appears—

Aboriginal person means—

- (a) a person of the Aboriginal race of Australia; or
- (b) a descendant of an indigenous inhabitant of the Torres Strait Islands;

Act means the *Housing and Urban Development (Administrative Arrangements) Act 1995*;

ATSIC means the Aboriginal and Torres Strait Islander Commission established under the *Aboriginal and Torres Strait Islander Commission Act 1989* of the Commonwealth, as amended from time to time;

Authority — see regulation 4.

4—Establishment of South Australian Aboriginal Housing Authority

The South Australian Aboriginal Housing Authority (*the Authority*) is established as a statutory corporation under the Act.

5—Board of management

- (1) The board of management of the Authority will be constituted of nine members, of whom—
 - (a) five will be appointed by the Governor, on the nomination of the Minister, of whom at least two must be persons who, in the opinion of the Minister, are appropriate representatives of Anangu Pitjantjatjara, Maralinga Tjarutja or the Aboriginal Lands Trust; and
 - (b) four will be appointed by the Governor on the nomination of ATSIC.
- (1a) One of the members appointed to the board on the nomination of the Minister will be appointed as the presiding member.
- (1b) If—
 - (a) a member of ATSIC is appointed to the board on the nomination of ATSIC; and
 - (b) the person subsequently ceases to be a member of ATSIC,the office of that member is automatically vacated.
- (2) At least one member of the board of management must be a woman and at least one must be a man.
- (3) The appointment by the Governor of a deputy to a member of the board is subject to the same nomination requirements as the appointment of the member.
- (4) All members of the board of management and all deputies must be Aboriginal persons and it will be a condition of appointment that the member or deputy provide, within 3 months of his or her appointment, such evidence to the board as the board thinks necessary to establish that the member or deputy is an Aboriginal person.

6—Functions of Authority

- (1) The functions of the Authority are—
 - (a) to develop strategies, policies and guidelines for the provision of appropriate housing to Aboriginal people in the State and for the ongoing management and maintenance of such housing; and
 - (b) to liaise with other State and Commonwealth agencies providing assistance or services to Aboriginal people to achieve a coordinated response to problems and issues facing Aboriginal people; and
 - (c) to receive and allocate resources for Aboriginal housing programs in the State; and
 - (d) to provide and manage or facilitate the provision and management of appropriate housing for Aboriginal people in the State; and
 - (e) to provide a single point of contact for Aboriginal people seeking housing assistance.
- (2) The Authority must carry out its functions in a way that—
 - (a) is sensitive and responsive to cultural issues;

- (b) promotes the economic development and empowerment of Aboriginal people and encourages self-determination and self-management by Aboriginal people;
 - (c) maximises skill development, employment and training opportunities for Aboriginal people;
 - (d) promotes the health and safety of Aboriginal people.
- (3) Any housing provided by the Authority should—
- (a) be affordable and secure and meet the needs of the clients; and
 - (b) be well located, of adequate size and condition, and meet reasonable standards of health, safety and security; and
 - (c) incorporate modern standards of energy efficiency; and
 - (d) where possible, provide reasonable access to community services.

7—Strategic plans to be prepared

- (1) The Authority must, in each financial year, prepare a strategic plan in accordance with the requirements of the Agreement.
- (2) A copy of the strategic plan must, on or before 30 June in each year, be provided to—
 - (a) the Minister; and
 - (b) the Commonwealth Minister responsible for housing; and
 - (c) the Chairperson of ATSIC.
- (3) In this regulation—

the Agreement means the *Bilateral Agreement between the Commonwealth and the State Government of South Australia regarding Aboriginal and Torres Strait Islander Housing* entered into in 1998, or any agreement entered into in substitution for that agreement.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
1998	192	<i>Gazette 22.10.1998 p1238</i>	22.10.1998: r 2
2000	274	<i>Gazette 30.11.2000 p3394</i>	30.11.2000: r 2

Provisions varied

New entries appear in bold.

Provision	How varied	Commencement
r 5		
r 5(1)	varied by 274/2000 r 3(a)	30.11.2000
r 5(1a) and (1b)	inserted by 274/2000 r 3(b)	30.11.2000
r 5(4)	varied by 274/2000 r 3(c)	30.11.2000