



**Government
of South Australia**

Minister for Human Services

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Our ref: MCOR/0053
Your ref: 7127509

Ms Nat Cook
Member for Hurtle Vale
PO Box 158
WOODCROFT SA 5162

Sent by email: Tristan.rust@parliament.sa.gov.au

Dear Ms Cook,

Freedom of information application

I refer to your application under the *Freedom of Information Act 1991* (the Act), received by the Office of the Minister for Human Services on 12 October, 2018 seeking access to:

Copies of any and all documents (including but not limited to physical and electronic material) regarding Ministerial agenda item "Election Commitment: Parameters for a new Housing Authority amalgamating Housing SA and Renewal SA" From 11 April 2018.

Unfortunately, a determination was unable to be made within the 30 days, therefore it is considered to be a 'deemed refusal' under section 19(2)(b) of the Act. However, our office has continued to process your application outside of this timeframe. Section 19(2)(a) of the Act provides that an agency can release documents outside of the thirty-day timeframe, and this is still taken to be a determination under the Act.

Three documents have been identified as falling within the scope of your application and I have determined to release one document in part and two documents in full.

Document one contains the mobile phone number of a departmental employee and I consider that the release of this information would be an unreasonable disclosure of information related to the employees' personal affairs, and have determined it to be exempt pursuant to clause 6(1) of Schedule 1 of the Act.

If you are dissatisfied with my determination, you can seek an internal review by writing to the Minister for Human Services as the Principal Officer of the agency. Your request should be sent within 30 days of your receipt of this letter.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, and the documents to which you are given access, may/will be published on the agency's disclosure log. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>.

If you have any questions in relation to this matter, please contact Amanda Hockings, Office Manager, on telephone 8463 3388 or by email at amanda.hockings2@sa.gov.au. If you disagree with publication, you will need to advise the Office Manager within two weeks of the date of this determination.

Yours sincerely



Amanda Hockings
ACCREDITED FOI OFFICER

4 / 12 / 2018

SCHEDULE OF DOCUMENTS – MCOR/0053

Freedom of information application from the Ms Nat Cook seeking access to *Copies of any and all documents (including but not limited to physical and electronic material) regarding Ministerial agenda item "Election Commitment: Parameters for a new Housing Authority Amalgamating Housing SA and Renewal SA" from 11 April 2018.*

No	Author	Addressee	Date	Description of document	Determination	Reason
1.	Department of Human Services		11 April 2018	Agenda Item	Released in Part	Exempt – Clause 6(1) – personal affairs
2.	Department of Human Services			Agenda Item – Attachment 1	Released in full	
3.	Department of Human Services			Agenda Item – Attachment 2	Released in full	



MINISTER FOR HUMAN SERVICES MEETING		
AGENDA ITEM		
TITLE OF PAPER:	Parameters for a new housing authority amalgamating Housing SA and Renewal SA.	
MEETING DATE	11 / 04 /2018	DISCUSSION
KEY POINTS	<ul style="list-style-type: none"> • The Government has committed to establishing the parameters for a new housing authority amalgamating the functions of Housing SA and Renewal SA. • The Department has prepared an overview of a range of options for the design of a new authority for your consideration. • The Department's preferred approach is Option 3 as it provides the greatest degree of efficiency and effectiveness, consistent with the Premier's directions, while providing independent performance advice to the Minister. 	

Minister's Comments:

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BACKGROUND

The Government has committed to establishing the parameters for a new housing authority amalgamating the functions of Housing SA and Renewal SA. A summary of the existing governance arrangements for the South Australian Housing Trust (SAHT) is provided in Attachment 1, and a comparison of housing authority governance arrangements operating interstate is provided in Attachment 2.

DISCUSSION

As requested, this paper has been prepared to provide options for the design of a new authority for your consideration.

The options presented are consistent with the Premier's directions for Chief Executives to report to one Minister and that re-organisation supports an efficient and effective delivery of the Government's agenda.

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OPTIONS FOR CONSIDERATION

Option 1: Retain the SAHT but reconstitute its governance

The functions and governance of the SAHT could be amended to reflect the contemporary priorities of the Government, examples of this could include:

- a) expanded scope across the housing continuum including increasing partnerships in the supply of affordable and market home ownership and rental, contributing to government investment and priorities in land use planning and infrastructure development, or
- b) further focus on the coordination and delivery of housing and related support services to those experiencing the greatest risk and vulnerability within the community and in need of intensive support to live independently in the community, integrating with whole of government investment and priorities in social welfare and human services.

As an immediate measure, you could use your existing powers under Section 28 of the *South Australian Housing Trust Act 1995* (SAHT Act) by issuing a statement setting objectives, targets or goals that the SAHT is to pursue. The membership of the current SAHT Board concludes 30 June 2018 and your appointment of its membership could reflect these amended priorities.

In the longer term, amendment of the SAHT Act would embed the Government's intended aims of the new authority.

Option 2 – Separate the functions of the SAHT

The functions and governance of the SAHT could be separated with policy, funding and contract responsibilities undertaken by DHS, and service delivery activities undertaken by the new authority. The new authority would be created with its own discrete reporting arrangements to the CE and/or Minister.

This option addresses issues raised by some members of the community housing sector, that there is a perception of conflict when SAHT is both a provider and funder of services.

However, the separation would create governance challenges, such as reduced governance and leadership for the provision of housing advice and cross-sector service coordination.

As an immediate measure, a statement of parameters for the new authority would be drafted for your presentation to Cabinet and implementation would require amendment of the SAHT Act.

Option 3: Align all SAHT functions within DHS

The functions and governance of the SAHT could be aligned within the Department of Human Services to provide better integration of services and protection for those most vulnerable in our communities, this could be realised as:

- a) All housing functions of the SAHT are incorporated within the Department's governance, while maintaining its status as an Authority. This ensures the accountability of the CE, DHS to the Minister for all housing and related services functions alongside their accountability for other areas of the portfolio ensuring a coordinated response.
- b) To recognise the Government's desire to achieve improvements in service quality and service outcomes within the housing sector, the model proposed in option 3a could be augmented with an independent Authority to provide analysis and advice on the matters such as system performance, structural reforms, and service quality. An independent analysis body could be utilised to oversee high priority projects, such as the progression of the election commitment to engage the Australian Housing and Urban Renewal Institute to audit the state's current housing assets and map future demand.

As an immediate measure, this would be achieved by appointing DHS executives to the SAHT Board.



In the medium term, the new independent Authority could be created by regulation with parameters set out by the Government.

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SUMMARY OF OPTIONS

	Single accountability for housing services	Single accountability for human services	Requires legislative amendment	Timeframe	Retains PNFC	Applied Elsewhere
1: Reconstitute SAHT governance	Yes	No	Maybe	3 to 6 months	Yes	
2: Separate functions of SAHT	No	No	Yes	12 to 18 months	Yes	
3a: Align SAHT within DHS 3b: Establish independent housing advisory Authority	Yes	Yes	No	2 to 4 months	Yes	Western Australia and Victoria

Division	Housing SA Executive Director Office		
Executive Director	Philip Fagan-Schmidt		09/04/18
		<i>signature</i>	
Chief Executive	Tony Harrison		09/04/18
		<i>signature</i>	

ATTACHMENTS

1. Summary of the existing governance arrangements for the South Australian Housing Trust (SAHT)
2. Comparison of housing authority governance arrangements operating interstate

Contact Officer:	Philip Fagan-Schmidt
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ATTACHMENT 1: OVERVIEW OF EXISTING SAHT GOVERNANCE ARRANGEMENTS

The South Australian Housing Trust (SAHT) is the principal property and tenancy manager of public housing in the State. The SAHT is responsible for the administration of the *South Australian Housing Trust Act 1995* (the SAHT Act), the *South Australian Co-operative and Community Housing Act 1991* (SACCH Act), and the *Community Housing Providers (National Law) (South Australia) Act 2013*.

The SAHT is established under the SAHT Act and is managed by the SAHT Board of Management. The SAHT Board, through the SAHT Act, is responsible to the Minister for overseeing the operations of the SAHT. To effect its responsibilities under the Acts the SAHT engages the Urban Renewal Authority, trading as Renewal SA and the Department of Human Services (DHS) to deliver a range of housing options for residents of South Australia. Renewal SA are responsible for the SAHT assets and strategic asset management. The current focus being on urban regeneration, initiatives that address housing affordability and growth of the community housing sector.

The South Australian Housing Trust (SAHT) facilitates a range of housing options for South Australians through its stewardship of the State's public and Aboriginal housing stock of approximately 38,000 dwellings and through the delivery of other housing related services to South Australians. Housing SA and Renewal SA act on behalf of the SAHT Board to undertake the functions of the SAHT Act and other relevant legislation and to carry out the objectives and policies of the Government.

Key objectives of the Trust include:

- Help people to secure and maintain affordable and appropriate public and private rental housing.
- Focus on high quality services to those who are most vulnerable or at risk in our society.
- Provide a wide range of products and services to people to help make connections between them and the places they live, delivered by a number of government and non-government providers working in partnership.
- Support the Commonwealth Government in the delivery of various National Partnership Agreements.
- Assist the State Government in the growth and accessibility of the community housing sector.
- Acceleration of urban renewal through ongoing partnerships and engagement with industry, not-for-profit and community housing sectors.
- Regeneration of neighbourhoods to meet future community needs.

Service Agreements

Operationally the SAHT delivers services under Section 17 of the SAHT Act, through two Service Level Administrative Arrangements (SLAAs) with Renewal SA and DHS - Housing SA. The SLAAs were approved by Government in December 2014. The SLAAs set out the services, obligations of each party, duration of the SLAA, and the administration of the SLAAs.

Public Non-Financial Corporation status

The SAHT entity is a public non-financial corporation which provides the following benefits:

- enabling the Authority to gain budget approvals across multiple years to support long-term capital development activities
- ensuring some of the financial activities of the Authority do not affect the General Government ledger.

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ATTACHMENT 2: OVERVIEW OF HOUSING GOVERNANCE ARRANGEMENTS IN OTHER JURISDICTIONS

Victoria	<p>The <i>Housing Act 1983</i> is the legislation specific to the Victorian public housing system. A primary objective of the Act is to ensure every person has adequate and appropriate housing. The Director for Housing, who sits within the Department of Health and Human Services (DHHS) is the landlord for all of Victoria's public housing. The Director of Housing entity is a public non-financial corporation that is incorporated within financial reporting for the DHHS.</p>
New South Wales	<p>The Land and Housing Corporation (LAHC) is a statutory body that has ownership and management of NSW Government social housing assets and operate under the portfolio and direction of the Minister for Family and Community Services and Minister for Social Housing.</p> <p>The LAHC is a public trading enterprise responsible for administering the <i>Housing Act 2001</i>. They are a related entity to the NSW Department of Family and Community Services (FACS). NSW also has an Aboriginal Housing Office that is a separate statutory body that is responsible for developing affordable and culturally appropriate housing and employment opportunities for Aboriginal people.</p> <p>LAHC engage FACS to undertake tenancy management services including establishing and maintaining tenancies, management of tenant complaints and appeals, collection of rent and other charges, investigation of and drafting of responses to Ministerial and other enquiries relating to delivery of services.</p>
Queensland	<p>Government-provided social housing services sit under the Department of Housing and Public Works. The Department consists of 5 divisions: Housing and Homelessness Services; Queensland Government Procurement; Public Works and Asset Management; Building Industry and Policy; and Corporate Services. There is additionally an Aboriginal and Torres Strait Islander Strategy Unit that reports directly to the Director-General.</p> <p>The Minister of Housing and Public Works administers the <i>Housing Act 2003</i> that seeks to improve access to safe, secure, appropriate and affordable housing, and help build sustainable communities.</p>
Western Australia	<p>The Housing Authority, part of the Department of Communities, is the provider of public housing in Western Australia. The Housing Authority is a statutory authority established under the <i>Housing Act 1980</i> that reports to the Minister for Housing. The Housing Authority manages and oversees the social housing system, delivers special-purpose housing for people with specific needs, develops land and constructs developments, provides finance and home-ownership options.</p>

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