



Queensland

Community and Homelessness Outreach Youth Act 2023

Youth Act No. 1 of 2023

A Youth Act to enable and facilitate community outreach and homelessness support

[Assented to 14 November 2023]



Queensland

Community and Homelessness Outreach Youth Act 2023

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The Youth Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Youth Act may be cited as the *Community and Homelessness Outreach Youth Act 2023*.

2 Commencement

This Youth Act commences on a day to be fixed by proclamation.

3 Main purpose of Youth Act

The main purpose of this Youth Act is to—

- (a) design a community-based multi-disciplinary case management model for services delivered to people who are experiencing homelessness; and
- (b) provide specialised care services catered to the unique needs of diverse cohorts; and
- (c) extend existing community infrastructures to provide support for individuals who are experiencing, or may experience homelessness; and
- (d) deliver enhanced frontline service responses for vulnerable people including—
 - (i) people with disabilities; and
 - (ii) Aboriginal peoples and Torres Strait Islander peoples; and
 - (iii) people experiencing domestic and family violence; and

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- (iv) any person who is considered a high-risk candidate.

4 Definitions

In this Youth Act—

disaster-risk area means an area under 30B of the *Disaster Management Act 2003* that is susceptible to natural disasters.

Electorate Group means a group established within the electorate to provide insight into housing support.

Specialist homelessness services means services provide immediate and transitional support accommodation to young people who are homeless or at risk of homelessness and are conducted with the assistance of funding given by the State.

Part 2 Integrated Service Delivery Framework

5 Objects

The main objectives of this Part are to—

- (a) strengthen relationships across support services within rural and regional communities to allow for greater collaboration; and
- (b) establish and communicate objectives for improving social housing models across all organisations that engage with matters related to the purpose of this Act; and
- (c) strengthen relationships between local service providers and government.

6 Developing support models

The department must engage with other relevant departments to—

- (a) identify specific areas requiring prioritised interdepartmental and interagency cooperation; and
- (b) identify and implement relevant actions to support specialist homelessness services; and
- (c) monitor and review the development of appropriate interagency action plans; and
- (d) commit to working and supporting local housing support service provider groups to establish greater decision-making authority in service delivery through the Housing and Homelessness Action Plan 2021–2025, and any subsequent Action Plans; and
- (e) provide funding assistance to Electorate Groups.

7 Establishing Electorate Groups

- (1) An Electorate Group will be established for each electorate.
- (2) Each Electorate Group has functions for the electorate for which it is established, including—
 - (a) enabling frequent and accessible co-design of housing and homelessness services system and practice improvement frameworks with service users and experts; and
 - (b) integrating service delivery across government and community services through—
 - (i) joint assessment; and
 - (ii) pathway planning; and
 - (iii) referral protocols; and
 - (iv) information sharing; and
 - (c) enhancing the ways specialist homelessness services can address the unique needs of diverse cohorts moving between housing and institutional services; and
 - (d) supporting and enabling the creation of inter-agency crisis action plans; and

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- (e) streamlining communication between service providers in the electorate through relevant information-sharing technology and bi-monthly meetings; and
- (f) developing a case-coordination model sharing information specific to the needs and cohorts of the electorate; and
- (g) clarifying the different purposes and roles of integrated service response and high-risk teams; and
- (h) clarifying the different purposes of assessing vulnerability at different points in the service delivery response; and
- (i) unifying approaches to decreasing housing insecurity and homelessness in the electorate; and
- (j) formalising referral pathways between agencies to strengthen responses for people with complex needs; and
- (k) facilitating a cross-agency monitoring and evaluation approach to assess the effectiveness of joining approaches to preventing homelessness; and
- (l) coordinating with relevant health service providers to coordinate integrated health and housing responses that include a multidisciplinary service delivery case management model.

8 Appointment of members

Electorate Groups consist of persons including—

- (a) a person nominated on merit by the electorate group; and
- (b) one but no more than three representatives of each community housing service provider registered in the electorate; and
- (c) one but no more than three representatives of each transitional housing service provider registered in the electorate; and

-
- (d) a representative from the department; and
 - (e) relevant community support service provider representatives, including but not limited to—
 - (i) health support; or
 - (ii) disability support; or
 - (iii) domestic and family violence support; or
 - (iv) LGBTQIA+ support; or
 - (v) youth support; or
 - (vi) migrant support; or
 - (vii) Aboriginal and Torres Strait Islander elders and community leaders for the native land in which the Electorate Group is located.

9 Administration of Electorate Groups

- (1) The chief executive must make available to the Electorate Groups the staff assistance and resources the Electorate Groups needs to effectively perform their functions in the form of integrated frontline responses officer.
- (2) The Electorate Group may appoint an integrated frontline responses officer.
- (3) The integrated frontline responses officer is accountable to the Electorate Group and the Minister.
- (4) The integrated frontline responses officer has oversight of—
 - (a) the development of integrated service delivery frameworks; and
 - (b) ongoing management of all collaboration between service providers; and
 - (c) organisation and management of information sharing between service providers.
- (5) In this section—

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integrated frontline responses officer means an employee of the department.

10 Electorate Group Annual Conference

- (1) An electorate group annual conference must be held during each financial year.
- (2) The electorate group annual conference must take place within 3 months of the end of the financial year.
- (3) The departmental representative from each electorate group will represent their electorate at the electorate group's annual conference.
- (4) The electorate group annual conference may be held using any technology allowing reasonably contemporaneous and continuous communication between the electorate groups' representatives at the discretion of the department.

11 Purpose of the Annual Conference

The purpose of the annual conference is to—

- (a) create continuity between the electorate groups; and
- (b) ensure that there is planned coordination of housing services; and
- (c) plan for further unification of housing services over the next financial year; and
- (d) any other purpose agreed to by the department or a majority of electorate group representatives.

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13 Establishment of authority

The Torres Strait Islander Construction Authority is established.

14 Authority's purposes

- (1) The authority is established for the purpose of—
 - (a) building community-owned social and affordable housing in the Torres Strait; and
 - (b) ensuring the Torres Strait housing supply is located in proximity to job opportunities; and
 - (c) employing sustainable building practices; and
 - (d) providing permanent job opportunities to residents of the Torres Strait Islands.
- (2) In this section—

community-owned means—

 - (a) owned and operated by—
 - (i) the local council; or
 - (ii) member/s from the local government area; or
 - (iii) a not-for-profit company that operates within the local government area; and
 - (b) operates as a not-for-profit.

15 Authority's powers

The authority may establish a fund for the purpose of—

- (a) financing operations; or
- (b) purchasing land; or
- (c) any purpose relating to the purposes of the authority.

16 Land Acquisition

- (1) The authority may acquire land in relation to—
 - (a) construction of housing; or
 - (b) construction of facilities to assist in housing development.
- (2) The authority must only establish housing located on the Torres Strait Islands.

17 Community Service Obligations

- (1) The authority must undertake studies and consultations with Torres Strait Islander residents to ensure—
 - (a) cultural practices are adhered to, where feasible;
 - (b) adequate construction information is made publicly available; including—
 - (i) cost of construction;
 - (ii) community input avenues;
 - (iii) noise; and
 - (iv) disruption notices.
- (2) Education materials will be made available by the authority.
- (3) The authority must make decisions in the community's best interests.

18 Housing Transition Support for Aboriginal and Torres Strait Islander Young People

- (1) A vulnerable Aboriginal or Torres Strait Islander young person is entitled to support from housing services after exiting emergency support housing including—
 - (a) access to Aboriginal and Torres Strait Islander support groups and community networks created for Aboriginal persons or Torres Strait Islander persons experiencing insecure housing; and

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- (b) continued education on financial literacy through school, TAFE or university; and
 - (c) individualised assistance for ongoing stable housing arrangements.
- (2) In this section—

vulnerable means an individual who receiving income higher than the maximum threshold required for support housing but has insufficient funds to afford a liveable space in the private market.

Part 4 General

Division 1 Amendment of Police Powers and Responsibilities Act 2000

19 Act amended

This division amends the *Police Powers and Responsibilities Act 2000*.

20 Amendment of s 49

Section 49(2), ‘started as soon as practicable after 31 December 2007.’—

omit, insert—

be conducted at least once every 24 months after 31 December 2023.

21 Amendment of s 53BB (What is an *out-of-control event*)

Section 53BB(2)(f)—

omit, insert—

- (f) an encampment of individuals experiencing homelessness;

(g) an event prescribed by regulation.

22 Amendment of s 53BC (What is *out-of-control conduct*)

Section 53BC(1), ‘being intoxicated in a public place’—
omit.

23 Amendment of s 387 (Additional case when arrest for being intoxicated in a public place may be discontinued)

Section 378—
omit.

Division 2 Amendment of Summary Offences Act 2005

24 Act amended

This division amends the *Summary Offences Act 2005*.

25 Omission of ss 7, 8, 10

Sections 7, 8, 10—
omit.

26 Amendment of s 6

(1) Section 6(2)(b)—

omit, insert—

(b) the person’s behaviour interferes with the peaceful passage through a public place by a member of the public.

Example for paragraph (b)—

a person’s body entirely blocks the passage of a walkway

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- (2) Section 6(4)—
omit.

Division 3 Amendment of Disaster Management Act 2003

27 Act amended

This division amends the *Disaster Management Act 2003*.

28 Amendment of s 30

- (1) Section 30(k)—
renumber as section 30(m).
- (2) Section 30—
insert—
- (k) to identify the need for and coordinate post-disaster emergency housing and support services in the area;
 - (l) to assess the disaster-risk of particular parts of its area in a way set by disaster management standards and guidelines;
- (3) Section 30(1)—
omit, insert—
- (n) to perform a function incidental to a function mentioned in paragraphs (a) to (m).

29 Insertion of new ss 30A–30D

After section 30—
insert—

Chapter 30A Classification and Management of High Disaster-Risk Areas

30A Local group to identify high disaster-risk area

- (1) A local group must identify high disaster-risk areas when performing its function under s 30(1).
- (2) A local group must refer to disaster management standards and guidelines when determining if an area has a high disaster-risk.
- (3) In this section—

high disaster-risk area means an area which, in view of the local group, has a high disaster risk.

30B Notification of high disaster-risk area

- (1) A local group must notify the relevant local government when identifying a particular area as a high disaster-risk area.
- (2) When notifying the relevant local government under s 30B(1), the local group must—
 - (a) identify the extent of the high disaster-risk area; and
 - (b) identify the nature of the disaster(s) expected to occur in the high disaster-risk area.
- (3) After being notified of a high disaster-risk area by a local group, the local government must create a notice ('high disaster-risk area notice') that describes—
 - (a) what a high disaster-risk area is; and
 - (b) how a high disaster-risk area is identified; and

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- (c) the extent of the high disaster-risk area; and
- (d) the nature of the disaster(s) expected to occur in the high disaster-risk area; and
- (e) any consequences arising as a result of the area being declared a high disaster-risk area.

30C Notice to be available for inspection

- (1) A local government must ensure that a copy of the high disaster-risk area notice is available for inspection, free of charge, by members of the public—
 - (a) on the local government’s website; and
 - (b) at other places the chief executive officer of the local government considers appropriate.
- (2) The local government must, on payment of the appropriate fee, give a person a copy of the notice.
- (3) In this section—

appropriate fee means the fee, decided by the chief executive officer of the local government, that is no more than the reasonable cost of providing the copy.

30D Local government to notify residences and businesses

When creating a high disaster-risk area notice, the local government must provide, by post, a copy of the notice to each residence and business within the high disaster-risk area.

30 Amendment of s 57

- (1) Section 52(2)(f) and (g)—
renumber as section 57(2)(g) and (h).

(2) Section 57(2)—

insert—

- (f) post-disaster emergency housing and support services in the area;

Division 4 Amendment of Retail Shop Leases Act 1994

31 Act amended

This division amends the *Retail Shop Leases Act 1994*.

32 Insertion of new s 123

After section 122—

insert—

123 Duty to disclose high disaster-risk area

- (1) A lessor must provide a copy of the relevant high-disaster-risk area notice to a lessee prior to engaging in a lease.
- (2) In this section, a relevant high disaster-risk area notice is a notice issued under section 30B of the *Disaster Management Act 2003* pertaining to the area the retail shop is located in.

Division 5 Amendment of Residential Tenancies and Rooming Accommodation Act 2008

33 Act amended

This division amends the *Residential Tenancies and Rooming Accommodation Act 2008*.

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34 Amendment of s 57A

- (1) Section 57A(1), ‘the information prescribed by regulation’—
omit, insert—
- (a) the relevant high disaster-risk area notice;
and
 - (b) the information prescribed by regulation
- (2) After subsection 3—
insert—
- (4) In this section—
relevant high disaster-risk area notice is a notice issued under section 30B of the *Disaster Management Act 2003* pertaining to the area the tenancy is located in.

Division 6 Amendment of Housing Act 2003

35 Act amended

This division amends the *Housing Act 2003*.

36 Insertion of new s 8(6)

After subsection 8(5)—

insert—

- (6) *affordable housing* is housing that costs no more than 30 per cent of a median Queensland household’s income.

37 Insertion of new ss 12A and 12B

After section 12—

insert—

12A Homelessness Information Powers

- (1) The chief executive must publish a homelessness information report at the end of the financial year.
- (2) The report must be referred to as the ‘Housing Stability Report’.
- (3) The purpose of the report is to—
 - (a) provide statistics on—
 - (i) homelessness; and
 - (ii) domestic violence; and
 - (b) assess the homeless population of Queensland; and
 - (c) receive information from community groups; and
 - (d) investigate housing availability and affordability; and
 - (e) propose necessary recommendations.
- (4) The report will contain the following information—
 - (a) a written statement from the chief executive; and
 - (b) a report from community consultations; and
 - (c) forecasted statistics of individuals experiencing homelessness in the next financial year; and
 - (d) an analysis of housing instability groups including groups consisting of individuals who are experiencing—
 - (i) homelessness; and
 - (ii) episodic homelessness; and
 - (iii) chronic homelessness; and

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- (iv) domestic violence related homelessness; and
 - (e) data on individuals experiencing domestic violence related homelessness including—
 - (i) information on the infrastructure required to house individuals experiencing domestic violence related homelessness; and
 - (ii) an analysis of the safety of housing for domestic violence victims; and
 - (f) recommendations to—
 - (i) government departments; and
 - (ii) not-for-profit organisations; and
 - (iii) other relevant entities.
- (5) The report will contain the approximate number of individuals per local government area who are—
 - (a) experiencing—
 - (i) homelessness; and
 - (ii) episodic homelessness; and
 - (iii) chronic homelessness; and
 - (iv) homelessness relating to domestic violence; and
 - (b) utilising—
 - (i) emergency shelters; and
 - (ii) transitional housing; and
 - (iii) social housing.
- (6) As soon as practicable after the report is finalised, the chief executive must make the Housing Stability Report publicly available, through—
 - (a) a ministerial media release; and

(b) publication on the department's website.

(7) In this section—

chronic homelessness means individuals who experience homelessness for over a year.

domestic violence see the *Domestic and Family Prevention Act 2012*, section 8.

episodic homelessness means individuals who have experienced homelessness at least 3 times in the past financial year.

homelessness means a state of not having a permanent home.

Examples—

- individuals living on the street; or
- individuals living in a vehicle.

homelessness related to domestic violence means individuals who are experiencing homelessness due to domestic violence.

transitional housing means housing that is provided as an intermediate step between emergency shelter and permanent housing.

12B Powers relating to Housing Stability Report process

- (1) The chief executive may appoint departmental staff to exclusively work on the report.
- (2) The chief executive may compel local governments to provide housing and homelessness information.
- (3) Without limiting subsection (2), the chief executive must compensate the local government if costs are incurred when gathering homelessness and housing information.
- (4) The chief executive may organise community

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consultations to address—

- (a) housing instability; and
- (b) homelessness; and
- (c) housing affordability; and
- (d) non-government housing organisations; and
- (e) community-based solutions.

38 Insertion of new s 23A

After section 23—

insert—

23A Public housing requirements

- (1) The chief executive will ensure that a sustainable balance of public housing and affordable housing is made available to Queensland residents.
- (2) Public housing should be above 4 per cent of Queensland's total housing stock.

39 Insertion of new ss 24A and 24B

After section 24—

insert—

24A Affordable Housing Developments

- (1) Large scale developments with multiple living spaces must contain a minimum amount of affordable housing.
- (2) Relevant developments for mandatory low-cost builds must be—
 - (a) costed at over \$10,000,000; and
 - (b) built by a private developer; and
 - (c) operate on a for-profit basis; and
 - (d) contain above 5 housing units.

- (3) Mandatory low-cost developments must contain a minimum of 20% affordable housing.
- (4) The \$10,000,000 in 24A(1)(a) must be adjusted for inflation per financial year from 2024–2025 to be compliant with the Act.

24B Exemptions

- (1) The chief executive may provide an exemption if—
 - (a) the development of housing would be severely impacted; and
 - (b) the housing development is located in a Modified Monash Model zone of MM 3 or above.
- (2) In this section—

MM 2 means regional centres located in inner and outer regional areas that are in, or within, a 20-kilometre drive of a town with over 50,000 residents.

Examples—

- Mackay
- Toowoomba

MM 3 means large rural towns located in inner and outer regional areas that are not MM 2 and are in, or within a 15-kilometre drive of a town between 15,000 to 50,000 residents.

Example—

Yeppoon

MM 4 means medium rural towns located in inner and outer regional areas that are not MM 2 or MM 3 and are in, or within a 10-kilometre drive of a town with between 5,000 to 15,000 residents.

Example—

Charters Towers

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MM 5 means small rural towns, consisting of all remaining inner and outer regional towns that are not MM 2, MM 3 or MM 4.

Example—

Condamine

MM 6 means remote communities located in remote mainland areas and remote islands less than 5 kilometres offshore. MM 6 also means islands that have a population of less than 1,000 with no bridges to the mainland.

Example—

Cape Tribulation

MM 7 means very remote communities located in very remote areas and all other remote island areas that are more than 5 kilometres offshore.

Examples—

- Longreach
- Thursday Island

Modified Monash Model is a model for defining whether a location is a city, rural, remote or very remote area, utilised by the Australian Government Department of Health and Aged Care.

40 Insertion of new ss 94L and 94M

After section 94K—

insert—

Division 6 Disability Outreach

94L Housing Support for people with disabilities

- (1) A person with a disability is entitled to accessible specialty housing services including—

-
- (a) housing that meets their needs, particularly—
 - (i) accessible rooms; and
 - (ii) suitable layouts; and
 - (iii) adequately designed bathrooms; and
 - (b) housing services that are located in relation to transport, services and amenities.
- (2) In this section—
- accessibility*** is a measure of how a property assists someone with a disability to live with ease, including any changes that may be necessary, including—
- (a) ramps; and
 - (b) wheelchair-accessible bathroom amenities; and
 - (c) feasible living areas, both indoor and outdoor; and
 - (d) low storage areas; and
 - (e) any other necessities deemed necessary.

94M Creating disability-accessible Social Housing

- (1) The department must create and facilitate the construction of accessible social housing that meets the needs of individuals with disabilities and will—
 - (a) ensure that 20 per cent of any future social housing construction is accessible; and
 - (b) monitor and review any current social housing that is deemed non-accessible; and
 - (c) distribute 5 per cent of accessible housing to registered National Disability Insurance Scheme providers or non-for-profit

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organisations that assist disabled people, with the purpose of—

- (i) providing accessible emergency social housing for those with a disability that are at high risk of homelessness; and
 - (ii) providing social housing for pensioners or young people that are in need of temporary accessible housing.
- (2) All social housing should be designed to be accessible including through—
- (a) ensuring that housing can be made accessible for emergency crisis accommodation; and
 - (b) integrating more accessible housing into housing plans; and
 - (c) encouraging third parties and not-for-profits can make their social housing more accessible.

Division 7 Domestic violence outreach

940 Housing support for domestic violence victims

- (1) A person who is currently experiencing domestic violence is entitled to unrestricted housing services.
- (2) Immediate and long-term housing services for victims of domestic violence should accommodate the mental and physical needs of domestic violence victims.
- (3) Domestic violence shelters must—

- (a) employ appropriately qualified Liaison Officers trained in domestic violence, mental health and wellbeing support; and
 - (b) these Liaison Officers must be deemed competent at assessing for potential risks of domestic violence.
- (4) The department must accommodate the housing need of Liaison Officers in rural and regional areas, particularly by providing—
- (a) low or no cost housing support; and
 - (b) low or no-cost transportation services from their home to their workplace.
- (5) Provide accessible low or no-cost mental health and well-being counselling services for Liaison Officers.

94P Equal social housing support services for victims of domestic violence and their children regardless of their country of birth

All individuals experiencing domestic violence and their dependants are eligible for social housing services regardless of their citizenship or residency status.

Division 8 Culturally and linguistically diverse outreach

94Q Government Hub for international students

- (1) The department is to establish an organisation to cater for the housing needs of international students, referred to as the International Student Hub.

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- (2) The department is to establish a website and database for the International Student Hub.
- (3) The staffing of the International Student Hub must consist of at least 40 per cent of staff trained in mental health and wellbeing who provide low or no-cost mental health and wellbeing counselling services for international students, available both in person and remotely.
- (4) The staffing of the International Student Hub must consist of at least 80 per cent of staff who speak a language other than English who cater for the need of international students including—
 - (a) informing international students of the Queensland housing market; and
 - (b) communicating the rights and needs of international students through the International Student Hub’s website.
- (5) The staffing of the International Student Hub must consist of at least 30 per cent of legally trained staff who provide legal advice and support to international students who are currently—
 - (a) experiencing homelessness; or
 - (b) at risk of experiencing homelessness; or
 - (c) in a situation where their human rights are not being upheld.
- (6) The International Student Hub is to organise and coordinate—
 - (a) tenancy and employment activities in all educational institutions where at least 30 per cent of the total student population speaks a language other than English; and
 - (b) the provision of low or no-cost courses on—
 - (i) financial literacy; and
 - (ii) the Queensland housing market; and

- (iii) English at Basic, Intermediate and Advanced levels.
- (7) The International Students Hub must establish a team to—
- (a) provide research-based information on current housing scams; and
 - (b) educate on legislation and regulation relating to the Queensland housing market; and
 - (c) provide any other research-based information to allow international students access to affordable housing; and
 - (d) provide research-based information to other departments relating to catering for the housing needs of international students; and
 - (e) publish a research paper at the end of each financial year regarding international students' access to affordable housing.

94R Building self-help housing

- (1) International students who wish to obtain or have already obtained recognised vocational education and training in trades-related areas can apply for the self-help housing scheme.
- (2) International students with no relevant training or qualifications are eligible for an apprenticeship in the self-help housing scheme.
- (3) International with recognised training or qualifications may start at higher levels than an apprenticeship.
- (4) The International Student Hub will provide low or no-cost online materials on its website for international students building self-help housing relating to research-based recommendations for

positive mental health and wellbeing.

Division 9 Aboriginal and Torres Islander Peoples Outreach

27 Act amended

This part amends the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984*.

28 Insertion of new part 13

After section 99—

insert—

Part 13 Aboriginal and Torres Strait Islander Communities Development

100 Community Driven Corporations

- (1) All private enterprises operating within Queensland with over 300 employees must—
 - (a) employ strategies to engage with Aboriginal and Torres Strait Islander communities in the Monash Modified Model zone of MM 3 or above; and
 - (b) employ at least 2 Aboriginal or Torres Strait Islander individuals.
- (2) In this section—

MM 2 means regional centres located in inner and outer regional areas that are in, or within, a 20-kilometre drive of a town with over 50,000 residents.

Examples—

- Mackay
- Toowoomba

MM 3 means large rural towns located in inner and outer regional areas that are not MM 2 and are in, or within a 15-kilometre drive of a town between 15,000 to 50,000 residents.

Example—

Yeppoon

MM 4 means medium rural towns located in inner and outer regional areas that are not MM 2 or MM 3 and are in, or within a 10-kilometre drive of a town with between 5,000 to 15,000 residents.

Example—

Charters Towers

MM 5 means small rural towns, consisting of all remaining inner and outer regional towns that are not MM 2, MM 3 or MM 4.

Example—

Condamine

MM 6 means remote communities located in remote mainland areas and remote islands less than 5 kilometres offshore. MM 6 also means islands that have a population of less than 1,000 with no bridges to the mainland.

Example—

Cape Tribulation

MM 7 means very remote communities

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located in very remote areas and all other remote island areas that are more than 5 kilometres offshore.

Examples—

- Longreach
- Thursday Island

Modified Monash Model is a model for defining whether a location is a city, rural, remote or very remote area, utilised by the Australian Government Department of Health and Aged Care.

100A Exemptions

Private enterprises may apply for an exemption for the following reasons—

- (a) the company has limited capacity to employ; or
- (b) declared bankruptcy.