



BOULIA SHIRE COUNCIL

COUNCIL HOUSING POLICY

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Contents

BACKGROUND	3
OBJECTIVE.....	3
SERVICE DEMAND.....	3
SCOPE	4
ELIGIBILITY	4
HOUSING COMMITTEE	5
ALLOCATION PROCEDURE	5
ALLOCATION POLICY	5
ALLOCATION of PRIORITY.....	6
ACCEPTANCE OF OFFER OF HOUSING	7
TENANCY AGREEMENT	7
TERM OF TENANCY AGREEMENT	7
BOND	7
RENT	7
PAYMENT OF RENT/FURNITURE.....	8
RENT REVIEWS.....	8
UTILITIES.....	8
MAINTENANCE AND INSPECTIONS.....	8
VACANCY PROCEDURE	8
TERMINATION OF T E N A N C Y A G R E E M E N T	9
CHANGE OF CIRCUMSTANCES.....	9
RESIGNATION, RETIREMENT OR TERMINATION OF EMPLOYMENT.....	9
PETS	9
RELATED POLICIES AND LEGISLATION	10

BACKGROUND

Bouliia Shire Council is primarily responsible for the provision of housing that is required to support the delivery of Council services. Currently, Council manages over 36 units of residential accommodation in Bouliia, ranging from three- and four-bedroom family homes to aged pensioner single-bed units. This Policy provides a framework for allocating those residential properties to staff, contractors, and members of the community.

OBJECTIVE

Council aims to provide the best possible accommodation to meet the demand for rental housing relative to the provision of Council services. Irrespective of the nature of that demand, the reality is that Council has limited resources, and there are other levels of Government working in the public housing sector as well as private investors providing housing. Therefore, accommodation for staff and contractors required to enable the Council to function is implicitly a higher priority than other demands.

SERVICE DEMAND

Different demands for housing support the delivery of Council services, and they are:

- **Executive Staff Housing:** This is core housing identified as essential to attract and retain executive-level staff. Whilst not all Councils provide accommodation for administrative staff, rural and remote Councils are expected to include quality housing as part of an employment package to attract and retain an executive team. Depending on circumstances and personal preferences, the marketplace may have high expectations regarding the type and quality of housing for executive staff.
- **Key Staff Housing:** This is core housing identified as essential to attract and retain key staff who, in most circumstances, have skills, qualifications and experience that are highly sought after and who are likely to be recruited from outside of the commute distance to the place of work.
- **Furnished Staff Housing:** A basic furnished house could be available for certain key staff positions if required; this would incur a higher rent if applicable or a furniture rental agreement as per the Council's Fees and Charges.
- **Other Staff Housing:** This is housing identified as necessary to provide accommodation for employees of the Council who may otherwise be unable to purchase or rent a suitable property from private sources.

- **Contractor Accommodation:** Council may need to provide accommodation to meet the short-or long-term needs of contractors and consultants engaged by Council or to facilitate economic or business development in the community.
- **Residential Housing:** This is housing identified as necessary to meet the demand for rental accommodation in the community and may include aged pensioner accommodation.

SCOPE

This Policy applies to all employees, contractors and other residents of the Shire residing or seeking to reside in Council-owned housing.

ELIGIBILITY

Staff: To be eligible for Council housing, employees must be of good character and understand that the provision of housing is not an industrial right but offered as an incentive to attract and retain competent staff for specific roles with the Council.

They must also meet the following criteria:

- Be a full-time and or permanent part-time employee of the Boulia Shire Council.
- Be appointed to or transferred to the location from another location to meet a specific requirement.
- Required to live on-site or close to the work site as a Caretaker or other specific roles or requirements of the Council.
- Be offered housing as part of an employment package.
- Have not breached conditions of use of housing or behaved in a manner that constitutes grounds for eviction.
- Do not own or lease housing that is within a reasonable distance of the Council housing being offered.

Contractors: To be eligible for Council housing, Contractors must be engaged based on accommodation provided as part of a contract and/or for short-term use whilst undertaking work within the Shire. Council is not required to offer or provide long-term accommodation for contractors. Therefore, the provision of housing for contractors shall be at the discretion of the Chief Executive Officer to meet the service needs of the Council.

Residential Accommodation: Where a property is required to be retained for future use by Council and there is no current staffing demand for that property, consideration will be given to leasing the property to members of the community in accordance with this policy.

HOUSING COMMITTEE

The Housing Committee is a committee of Council comprising two Councillors, one independent community member (appointed by Council following advertising), a Senior Staff member and a nominated representative of the Boulia Interagency Group. The Committee shall meet as required to determine applications for rental from community members. The Community Services Manager shall prepare the agenda and coordinate meetings of the Committee.

ALLOCATION PROCEDURE

Staff Housing: The CEO shall determine the demand and requirements for Staff Housing in consultation with the housing officer.

Contractor Housing: Any request for short-term contractor housing shall be assessed by the Housing Committee. The term of any lease shall be three months per term at maximum.

Residential Housing: All persons applying for residential housing must complete the appropriate Application for Housing form subject to all conditions under the Residential Tenancies Authority.

Upon receipt of the Application for Housing form, the Housing Committee will consider the application. If housing is available, then Council will check referees and past rental history, apply the allocation policy, and recommend an accommodation offer to the Housing Committee for consideration.

All applicant personal details and the discussions of the Housing Committee are confidential; Housing Committee members have a duty to ensure the information provided by the applicants or discussed at committee meetings remains confidential.

The Housing Committee will consider the application and make an offer concerning the allocation or non-allocation of housing per this policy. If the Housing Committee is unwilling or unable to decide, then the CEO shall determine the application.

The Council will then communicate an offer to the applicant, including rent charges, furniture rental, bond payable, etc., and if accepted, process the application, and give the tenant permission to collect a key and occupy the allocated dwelling.

ALLOCATION POLICY

Categories of Housing

Accommodation is divided into three categories; these are as follows:

- 1. Family Housing**

Generally, three- or four-bedroom housing containing necessary living and bedroom accommodation for family living.

2. **Without Dependent Housing**

Generally, it includes flats, units, and smaller houses suitable in size to meet the living requirements of employees without dependents or partners.

3. **Reserve Housing**

Housing that is associated with a specific employment or facility. This housing can only be allocated to an employee who holds a particular position with the Council with which the facility is associated unless the CEO agrees to allow another employee to occupy the dwelling, for example, the Caretaker's house or the CEO's residence. Unoccupied reserve accommodation will only be reallocated on a short-term, conditional tenancy basis.

ALLOCATION of PRIORITY

The Housing Committee will consider past rental and character references for the applicant and all adult persons seeking to live in Council rental accommodation. If the applicant or any adult living with the applicant does not provide a good character reference and/or evidence of favorable past rental history, the Committee may refuse the application.

Family Housing (two, three and four-bedroom homes)

Priorities for allocation of accommodation to this group will be determined by the following factors including:

1. Consideration of the number of dependents residing in the home permanently.
2. Specific location and employment requirements associated with Council operations, i.e., a contractor engaged by Council.
3. Suitability of the housing to the applicant's needs. i.e., location, childproof fencing, etc., may assist in determining allocation.
4. Custody arrangements of children will be considered.
5. Should the prospective tenant have pets, the number of animals and their size are considered. Should the animal's size be deemed inappropriate for the unit size, the Committee reserves the right to refuse the pet on the property for the animal's welfare.
6. Priority for furnished units will be given to temporary relief staff or short-term contractors.

Without Dependent Housing (one- and two-bedroom units)

Priority for this housing will be given to persons without dependents; this will be determined by:

1. Specific location and employment requirements associated with Council Operations.

i.e., working for a contractor to Council.

2. Specific individual requests, for example, a fenced yard for pets

Reserve Housing

Priority for caretaker housing will be allocated to employees of the Council with which the facility is associated, for example, Racecourse Reserve or Sports Centre.

Priority for one-bed sitter-type units shall be given to persons who are in receipt of a minor disability or aged pension.

Nothing in this policy prevents the Committee or the CEO from allocating a particular type of housing or reserving housing for other purposes on a short-term basis if no suitable applicants are available.

ACCEPTANCE OF OFFER OF HOUSING

Persons are expected to accept the offer of housing available at the time. A refusal of a reasonable offer in the view of the Housing Committee will place the applicant at the bottom of the waiting list. The person has the right to appeal any decision by applying in writing to the Chief Executive Officer.

TENANCY AGREEMENT

All persons occupying Council housing must sign a General Tenancy Agreement and abide by the standard terms of the General Tenancy Agreement within the guidelines of the Residential Tenancies and Rooming Accommodation Act 2008. Any additional special terms in the General Tenancy Agreement must be adhered to.

TERM OF TENANCY AGREEMENT

To promote home ownership and provide flexibility in housing choices, tenants can opt for tenancy agreements lasting up to 12 months. If both parties agree, the General Tenancy Agreement can be renewed for additional terms.

BOND

All tenants must pay a four (4) week bond at the commencement of a tenancy or through payroll instalments.

RENT

As part of a salary sacrificing agreement, Council's permanent employees who reside in a Council residence will be charged the employee discount rental rate set by Council in the annual budget.

All other tenants will be required to pay the scheduled fee adopted by Council that applies to the housing being offered.

PAYMENT OF RENT/FURNITURE

Rent is to be paid fortnightly in advance by one of the following methods:

- Deduction from wage/salary of employee
- Direct debit/bank deposit
- EFT at the Council office

RENT REVIEWS

Rental reviews will be carried out annually as part of the annual Council budget process, and market rent figures for each residence will be adjusted annually.

UTILITIES

Tenants must meet the full costs of gas, electricity, and telephone unless, in the case of staff, it has been agreed by Council as part of a salary sacrifice arrangements. Tenants are also required to meet the cost of all yard maintenance services, which is why the unit rent for staff is slightly higher than for houses.

MAINTENANCE AND INSPECTIONS

Tenants are expected to maintain the property in a clean and tidy state, which will be subject to regular inspections by the Council's housing inspection representative. Council has a schedule of maintenance that will capture normal wear and tear issues; however, any damage to the property must be reported to the Council immediately, and any damage not deemed normal wear and tear will be repaired at the tenant's expense.

VACANCY PROCEDURE

If a person vacates the premises under the terms of the Residential Tenancies and Rooming Accommodation Act 2008, the person must:

- As soon as the person is aware of the pending vacancy, notify Council of their intention to leave by the appropriate RTA Form.
- Promptly hand over vacant possession, including the return of keys, to the appropriate Council Officer. Failure to return keys will result in rent being charged until the keys are returned.
- Clean the premises (the premises should be in the same condition as when the tenant moved in - fair wear and tear excepted).
- Notify the Council of the person's forwarding address.

A house is defined as vacant when a person has physically moved out of the house, including the removal of personal belongings, the property clean, the removal of personal equipment in the yard, and keys for the property returned to Council, and both the tenant and Council have completed exit inspections.

TERMINATION OF TENANCY AGREEMENT

Under the terms of the Residential Tenancies and Rooming Accommodation Act 2008, notice to terminate the rental agreement may be issued if:

- The person has not paid rent for 14 days.
- Council or the tenant breaks the Agreement, including exceeding the occupancy limit on the housing form.
- Council or the tenant wish to give vacant possession at the end of the fixed term, per the Agreement.
- Where an employee voluntarily resigns from their position with Council or abandons their employment, or under Council's Counselling and Disciplinary Policy, the employee's employment relationship with Council is terminated.
- Council may give due notice if the residence is required for staff or contractor housing. According to the *Residential Tenancies and Rooming Accommodation Act 2008*, the tenant has two (2) months to comply.

CHANGE OF CIRCUMSTANCES

A person undergoing a change of circumstances, which influences the type of housing appropriate to that person's new circumstance, may be required to move to accommodation in keeping with these new circumstances. A change involving the number of occupants will only be considered if the change involves full-time occupants and available housing.

RESIGNATION, RETIREMENT OR TERMINATION OF EMPLOYMENT

Employees will be required to vacate a Council residence within four (4) weeks where employment ceases either by resignation or retirement or where they have provided four (4) weeks' notice.

Application may be made to the Housing Committee for unallocated Council housing and will be considered in the normal process.

Employees whom Council terminates will be deemed no longer to qualify for a rental subsidy and will commence payment of normal market rental rates as per the schedule in the Fees and Charges.

PETS

The Bouliia Shire Council recognises the role of pets in providing companionship and security and contributing to residents' health and well-being. The Council supports tenants who own pets where the housing style suits that type of pet. The keeping of pets on any Council property must comply with Local Government local laws.

Tenants must seek permission to house pets on the property and will only be permitted to keep a pet if:

- The property is suitable for keeping a pet, for example, appropriate fencing, suitable area, or style of housing.
- The tenant accepts all responsibility for damage done by pets as written in the tenancy agreements. i.e., carpet shampooing, heavy cleaning of curtains, pest spraying.
- The pet does not interfere with neighbours' reasonable peace, comfort, and privacy.
- The pet is registered with Council as required and secured within the property's boundaries.

RELATED POLICIES AND LEGISLATION

This Policy complements other legislation, and where it is silent on matters referred to in the following legislation, such matters must be followed in accordance with the legislation:

- Local Government Act 2009
- Residential Tenancies and Rooming Accommodation Act 2008
- Residential Tenancies and Rooming Accommodation Regulation 2009
- Residential Tenancies and Rooming Accommodation Amendment Regulation 2022