

POLICY TITLE: Housing and Tenancy Property Management
POLICY NUMBER: PP-063 **DOC. ID** 3519085
CATEGORY: Statutory

Responsible Department: People and Performance
Council Approval Date: 26 September 2017 **Resolution Number:** 5102

OBJECTIVE

Isaac Regional Council is committed to ensure that it provides suitable, sustainable and affordable housing when needed and where possible within the Isaac Region. Council is guided by the following eight (8) objectives to be managed by Planning Environment and Community Services.

- 1.1 Further develop the Isaac Regional Council Housing Trust (Isaac Affordable Housing Trust).
- 1.2 Continually improve our service delivery.
- 1.3 Introduce council asset management strategies now and for all future housing assets.
- 1.4 Ensure that all council's houses, duplexes and units are adequately maintained over the life of the asset.
- 1.5 Ensure that security and amenity for tenants (and their families) as tenants are of an acceptable standard for each agreed category and associated level of rent.
- 1.6 Ensure that any risks to council that are associated with the provision of housing are minimised and well managed.
- 1.7 Council takes a more strategic role in the management of all council's housing through timely and relevant information and future planning; and
- 1.8 Consistency and transparency are evident in the management of council's housing including the alignment of rent between affordable and employee housing.

SCOPE

Isaac Regional Council developed the Housing for the Future Strategic Plan to assist in ensuring that Isaac Regional Council works towards providing safe, secure and well managed accommodation services which optimises council's expenditure on accommodation within our region and continues to support Isaac Regional Council's commitments to providing housing, where needed and where possible.

This policy applies to tenants who rent and/or occupy council owned or leased property whether it is contractual employee housing, non-contractual employee housing, caretaker housing or non-employee housing. This policy does not apply to social housing and/ or housing provided by the Isaac Affordable Housing Trust.

To define and co-ordinate the tenancy and property management of Isaac Regional Council owned housing utilised as contractual employee housing, non-contractual employee housing, caretaker housing and non-employee housing (refer s10). To encourage Isaac Regional staff housing to be distributed equitably across the region, align family demographic needs and eliminate the need for private market rentals.

DEFINITIONS

Term/Acronym	Meaning
Council	Refers to Isaac Regional Council.
Council Housing	Are premises constructed by the pre amalgamated Shire Councils and post amalgamated Isaac Regional Council in an effort to recruit and retain senior and specialist staff. Council housing also includes external (general public) rentals under lease managed within the council property portfolio, however this is not the focus of this Administrative Policy.
Salary Sacrificing Residential Rent	A salary sacrifice arrangement is an arrangement between an employee and an employer where the employee appears to forego part of their future entitlement to salary or wages in return for the employer providing them with benefits of a similar value. Salary sacrifice arrangements where relevant will be subject to the provisions of the Council's Enterprise Bargaining Agreement.
Social Housing	Social housing are premises constructed under caveat using funding from state or federal government on freehold/leasehold land by council. Once constructed, council then manages the tenancy of these premises, collecting rent and maintaining the building to a suitable standard.
Residential Tenancies Authority	The self-funded state authority that administers the <i>Residential Tenancies and Rooming Accommodation Act 2008</i> .
Fatigue Housing	A combination of houses and dongas in each Isaac Region township is provided for employees and/or contractors to stay in overnight from a safety and duty of care perspective before on travel or returning to normal operational location. Usage of such facilities attracts an agreed cost debited to the appropriate directorate.
Waiting List	A housing list developed from expressions of interest based on available fit for purpose properties. The waiting list is managed by Human Resources and Property Services and will include date of application, type of accommodation requested and personal/family circumstances. Applications will be recorded upon receipt and advance as fit for purpose properties become available. Should an employee not accept a "suitable" property offered, they will revert to the bottom of the list.
Isaac Affordable Housing Trust	The Isaac Affordable Housing Trust is a registered charitable organisation whose purpose is to provide accommodation too low to middle income workers throughout the Isaac Regional Council area. The trust is a private company limited by shares and Isaac Regional Council is the single shareholder employing a company secretary to ensure legislative compliance for the company.
Critical Roles	A critical role is a role that is difficult to recruit/retain. The positions that fall under this category will vary over time according to operational requirements. Water and Sewerage treatment plant operators and Town Co-ordinators within Isaac Regional Council are so designated. Additions to this category or the housing policy must be submitted to and approved by the applicable Director and authorised by the Chief Executive Officer.

POLICY STATEMENT

Isaac Regional Council understands that in the management of its property portfolio, housing that is provided as contractual employee housing, non-contractual housing, caretaker housing and non-employee housing is a benefit. Such benefit is discretionary in nature and Isaac Regional Council reserves the right to withdraw or otherwise change such benefits provided to an employee should an employee act in a manner inconsistent with or in breach of this policy. This policy aims to ensure the fair and equitable allocation of housing in alignment with employment conditions.

Rent

Upon resolution and adoption of Council's housing policy, existing rental rates in place will be maintained until further notice.

Isaac Regional Council through the Director Planning, Environment and Community Services reserves the right to conduct an independent assessment of median rental rates within the Isaac Regional Council area by Local Real Estate Agents for all categories of council provided accommodation. At the discretion of the Chief Executive Officer, the independently determined market value rental rate may be recommended to be adjusted or status quo maintained.

Management levels of M4 and above covered by contract are provided with accommodation as a term which is defined in remuneration schedules. Where available, defined classes of accommodation will be retained for specific levels of management. Where an entitlement to Council accommodation arises, and "fit for purpose" accommodation is not available, the Chief Executive Officer may authorise external rental up to the approved assigned value of housing.

Where the employee is required to pay rent, they will be required to pay the general rate towards the weekly cost. Should fit for purpose accommodation become available, the employee may be required to relocate.

Eligibility

Accommodation will be allocated in accordance with fit for purpose guidelines at the discretion of Council.

Eligibility for Housing

To be eligible for the following categories of housing, a prospective tenant must meet the following criteria:

- 1. Contractual Employee Housing**
Be an existing or appointed employee of Isaac Regional Council and have housing provided as a contractual term.
- 2. Non-Contractual Employee Housing**
Be an existing or appointed employee of Isaac Regional Council;
An existing employee who rents a residential premise owned by Council will be required to pay portion-able rent as identified.
- 3. Caretaker Housing**
Be appointed to carry out a caretaker role associated with a Council facility/service.

4. **Non-Employee Housing**

Provide an essential service to rural/remote communities.

Employees may be offered council provided subsidised accommodation upon employment with council, depending on contractual arrangements, individual circumstances, eligibility and availability.

Should an employee's family be unable to join the employee immediately upon commencement there will be a three (3) month period in which the family are to arrive in order to remain eligible for the allocated style of accommodation. Should such situation arise the employee may be required to move to more alternative accommodation.

It is an employee's responsibility to notify property services when there has been a change in their personal circumstances that may affect their eligibility for accommodation. If appropriate, property services will liaise with the employee's Director to determine if these changes affect housing eligibility.

Ineligibility

Should a prospective tenant not meet a requirement as set out for the following categories of housing, they will be deemed ineligible to rent a Council owned/leased property:

1. **Contractual Employee Housing**

A prospective tenant and/ or the prospective tenant's spouse or partner who own, either directly or indirectly, a private dwelling within the same region as the Council house they wish to rent (lease) and that private dwelling is within 50km of the council provided accommodation shall be ineligible to apply for occupancy of Leased or Sub-Leased Employee Housing.

2. **Non-Contractual Employee Housing**

A prospective tenant and/ or the prospective tenant's spouse or partner who own, either directly or indirectly, a private dwelling within the same region as the Council house they wish to rent (lease) and that private dwelling is within 50km of the council provided accommodation shall be ineligible to apply for occupancy of Leased or Sub-Leased Employee Housing.

Lease Holder

The lease of council provided accommodation will be registered in the name of the occupying lessee. Where accommodation is occupied by employee and spouse, defacto or same sex partner and are both employed by Isaac Regional Council, in circumstances where the assigned employee leaves council employment, the lease does not automatically transfer to the other employee. Any applications for lease consideration will be at the sole discretion of the Chief Executive Officer. Should such application not be approved, the premises must be vacated in terms with the tenancy lease and council's housing policy.

Categories of Housing

In order to be able to clarify the different purposes of council owned housing, the following categories have been created to define these purposes:

1. **Contractual Employee Housing**

Housing that is owned or leased by council and has been set aside to accommodate employees in an effort to attract and retain staff with the necessary skills and/ or

qualifications to carry out a particular role. Such housing is contractually supplied in accordance with remuneration package conditions. Such housing may be leased or sub leased to employees under the tenancy arrangement.

2. **Non-Contractual Employee Housing**

Housing that is owned or leased by council and set aside to affordably accommodate employees in an effort to attract and retain staff with the necessary skills and/ or qualifications to carry out a particular role in areas within the region where residential rental costs are overall expensive and/ or availability is limited. Rental rates apply and such housing may be leased or sub leased to employees under tenancy arrangements.

3. **Caretaker Housing**

Housing that is located on or near a particular facility that accommodates a caretaker or similar who undertakes a particular role associated with that facility, e.g. swimming pool and recreational reserve. Such housing is provided in accordance with relevant caretaker contractual/ lease conditions.

4. **Non-Employee Housing**

Housing that has been set asides to attract and retain professionals throughout the region. Such housing may be provided to specialist contractors in rural and remote areas as determined in accordance with operational requirements. Non-employee housing is provided by a sub-lease arrangement. This category includes transit housing.

Transit Accommodation

Where accommodation is to be provided and assigned premises are not available upon commencement of employment, suitable and short term alternative commercial accommodation may be approved by applicable director, utilised and costed to the appropriate directorate.

Transitional Allowance

1. Where a contracted entitlement to Council accommodation arises and “Fit for Purpose “ accommodation is not available the Chief Executive Officer may authorise external rental up to the notional value of Council housing.
2. Where at the conclusion of the lease of the external rental the contracted employee elects to reside permanently in the assigned location by purchasing a local residence thereby supporting and contributing to the local community, then subject to continuing to occupy the position entitling subsidised rental assistance and upon application to the Chief Executive Officer the following may be approved.
3. A “Transitional Allowance” equal to the subsidised rental amount may be approved by the Chief Executive Officer for a maximum period of up to two (2) years. Such allowance to be subject to applicable taxation and to apply only whilst the employee continues to occupy the designated role. Each case to be considered on its merits

Single Persons Accommodation

An employee entitled to and requiring single accommodation will be allocated accommodation as determined by property services in conjunction with Human Resources. Where single accommodation is not available, shared accommodation will involve same gender. Where not practical, agreed alternative accommodation will be considered by property services and agreed with the employee.

Properties Offline or Awaiting Capital Works

Property services will maintain a register of council accommodation withdrawn from the availability register due to condition or awaiting capital works.

Responsibilities/Accountabilities

Final approval or recommended allocation of housing rests with Isaac Regional Council's Chief Executive Officer in conjunction with recommendations of the applicable director and in accordance with council housing policy and Property Services.

The responsibility for management of council's accommodation budget, assets, capital works and maintenance rests with the relevant delegated officer.

Responsibility for daily management of Property Services operational issues rests with the Manager Property Services through council's property management system.

Responsibility for maintaining register of available accommodation in each council location and liaison with Human Resources rests with property officers within the Planning, Environment and Community Services.

Human Resources is responsible for advising Property Services of approved accommodation requests in accordance with contractual arrangements and Isaac Regional Council Housing Policy.

Tenancy Agreement

Employees eligible for accommodation are required to enter into a general periodic tenancy agreement for accommodation as allocated. The rights and obligations of the parties contained in the general tenancy agreement are in addition to the rights and obligations containing in this policy.

Legislations and Related Guidelines

- Queensland Government benchmark for affordable housing rents
- Isaac Regional Council housing for the future strategic plan 2012-2015
- Housing green paper submitted to Council November 2014
- *Residential Tenancies and Rooming Accommodation Act 2008*
- Residential Tenancies and Rooming Accommodation Regulation 2009

References

Type	Document ID/Name
Procedure	Housing and Tenancy Property Management Procedure
Forms	Expression of Interest – Employee Housing Form Employee Housing Modification Request Form