



## Croydon Shire Council

# Council Housing Policy

### Document Control

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**CEO Approval:**

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05/11/2016	13 October 2016	New Policy
03-08/2019	22 August 2019	Policy Review
08-04/2022	28 April 2022	Policy review – no changes

## 1. Purpose

The purpose of this Policy is to coordinate the tenancy and property management of the Croydon Shire Council owned housing utilised as employee housing. The objectives of the Policy are to:

- support the retention of staff with required skills and qualifications dictated by service delivery and organisational needs;
- ensure the provision of housing where there is a recognised shortfall of private rental accommodation;
- provide a standard of accommodation that is commensurate with local community standards;
- manage Croydon Shire Council's employee housing assets so that it can operate on a financially viable basis and attain a level of self-sufficiency;
- encourage Croydon Shire Council employee tenants to use Council housing as a short term accommodation solution while seeking alternative private sector accommodation arrangements including home ownership;
- provide equitable conditions for Council employees across the region.

## 2. Scope

This Policy applies to all employees of Croydon Shire Council residing or seeking to reside in Croydon Shire Council owned housing.

## 3. Background

This Policy encompasses the entire portfolio of Council owned residential accommodation. Croydon Shire Council is primarily responsible for the provision of housing in support of their delivery of Council services.

## 4. Legislation

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Residential Tenancies and Rooming Accommodation Act 2008*
- *Residential Tenancies and Rooming Accommodation Regulation 2009*

## 5. Definitions

'Council' means Croydon Shire Council.

'Council Housing' means the entire portfolio of Council owned residential accommodation.

## 6. Policy

### 6.1 Eligibility

To be eligible for Council housing, employees must meet the following criteria:

- Be a permanent full time employee of the Croydon Shire Council.
  - Consideration will be given to part-time or casual employees with first preference being given to permanent full-time employees of Croydon Shire Council. The provision of accommodation will be of short term duration being a maximum length
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of three (3) months. This may be extended at the discretion of the Chief Executive Officer.

- Where a short term contractor to Council cannot obtain private accommodation which is of a reasonable standard, in a reasonable location and at a reasonable rent. In this instance the provision of private accommodation will be of a short-term duration being a maximum length of three (3) months. The time limit may be extended at the discretion of the Chief Executive Officer.

## **6.2 Ineligibility**

The employee and/or spouse must not own, either directly or indirectly, a private dwelling within the Croydon Shire.

## **6.3 Allocation procedure**

All employees applying for Council housing will be required to complete the appropriate Application for Housing form.

On receipt of the Application for Housing form, the Business Manager will consider the application, apply the allocation policy and make a recommendation regarding an offer for housing to the Chief Executive Officer.

The Business Manager will communicate an offer to the applicant, including rent charges.

## **6.4 Allocation policy**

### Categories of Housing

Accommodation is divided into a number of categories:

1. Family housing - generally three or four bedroom housing containing necessary living and bedroom accommodation for family living.
2. Without dependant housing - generally include flats, units and smaller houses suitable in size to meet the living requirements of employees without dependants or partners.
3. Fatigue housing - housing associated with employees/contractors required to travel to perform special duties to live on site or close to the worksite in line with fatigue management and safety principles.

## **6.5 Allocation priority**

### Family Housing

Priorities for allocation of accommodation to this group will be determined by the following factors in the priority order listed:

1. Number, age and gender distribution of dependants. Consideration will be given to only those dependants occupying permanently.
2. Specific location and employment requirements associated with Council's operation.

3. Local knowledge of specific house design, location, childproof fencing, etc. may assist in determining allocation.
4. Custody arrangements of children will be considered, and may be taken into account when making allocations.

#### Without Dependent Housing

Priority for this housing will be given to employees without dependents. Priority will be determined by:

1. Specific location and employment requirements associated with Council's operations.
2. Specific physical requirements of applicants, i.e. disabilities, etc.
3. Specific individual requests, for example pets, hobbies, etc. which depending on circumstances may not be considered.

### **6.6 Acceptance of offer of housing**

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

### **6.7 Tenancy agreement**

All properties will be managed in accordance with the *Residential Tenancies and Rooming Accommodation Act 2008*. All employees occupying Council housing are required to 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 written into the General Tenancy Agreement need to be adhered to.

### **6.8 Term of tenancy agreement**

To encourage employees to seek home ownership and allow for flexibility in housing allocation, tenants will be offered tenancy agreements up to a maximum term of 36 months with the ability to renew the General Tenancy Agreement if mutually suitable to both parties.

### **6.9 Bond**

All employees will be required to pay a four (4) week bond at the commencement of a tenancy.

### **6.10 Rent**

Council employees who reside in a Council residence will be charged as per Council's approved Fees and Charges Schedule.

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**6.11 Payment of rent**

Rent is to be paid fortnightly in advance by a payroll deduction from the wage/salary of the employee.

**6.12 Rent reviews**

Rental reviews will be carried out on an annual basis and rent figures for each residence will be adjusted annually in line with Council's Fees and Charges Schedule.

**6.13 Utilities**

Tenants are required to meet the full costs of gas, electricity and telephone. Tenants are also required to meet the cost of all yard maintenance services.

**6.14 Water service charges**

Water charges will apply to tenants as set out in Sections 164 and 166 of the *Residential Tenancies and Rooming Accommodation Act 2008*.

**6.15 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 representatives. Any property damage or maintenance required must be reported to Council immediately in writing using the 'Notice of Damage to Premises / Building Maintenance Request Form'. Any damage not deemed to be normal wear and tear will be repaired at the tenant's expense.

**6.16 Co-tenancies**

When two or more employees share occupancy of any residence, a co-tenancy agreement under the *Residential Tenancies and Rooming Accommodation Act 2008* will apply. In the case of a co-tenancy all parties would be responsible for the tenancy agreement. Co-tenants are considered jointly and severally liable for the tenancy. In other words any money owed to the lessor is recoverable by a claim against all the tenants or one tenant for the whole amount.

**6.17 Vacancy procedure**

In the event that an employee vacates the premises under the terms of the *Residential Tenancies and Rooming Accommodation Act 2008*, the employee must:

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

A house is defined as vacant when an employee has physically moved out of the house, including removal of furniture and personal property, cleaned the residence, and keys for the property have been handed back to the Council.

### **6.18 Termination of agreement by Croydon Shire Council or Council employee**

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

- The employee has not paid rent for 14 days;
- Croydon Shire Council or the employee breaks the agreement;
- Croydon Shire Council or the employee wish to give vacant possession at the end of the fixed term set out in the Agreement;
- The employee voluntarily resigns from their position with Council or abandons their employment or under Council's Code of Conduct and Performance and Misconduct Policy the employee's employment relationship with Council is terminated.
- Council may terminate any tenancies with the required notice, to make best use of Council premises.

### **6.19 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.

### **6.20 Termination of employment**

Employees will be required to vacate a Council residence within four weeks where employment ceases either by resignation, retirement or termination.

### **6.21 Pets**

The Croydon Shire Council recognises the role of pets in providing companionship and security and in contributing to the health and well-being of Council staff. The Council supports employees keeping pets where the style of housing is suitable for that type of pet. The keeping of pets in any Council property must comply with Local Government local laws. No pets are permitted to be kept at Council's single unit accommodation.

You are allowed to keep a pet if:

- The property you are allocated is suitable for keeping a pet, e.g. appropriate fencing, suitable area or style of housing;
- The pet does not interfere with the reasonable peace, comfort and privacy of neighbours;
- You comply with the Local Government local laws;
- All pets must be kept outdoors.

Exceptions to the above requirements include keeping a small caged bird or fish in a small tank.

### **6.22 Rental References**

The Council may, upon request, require an employee to supply tenancy related information from previous rentals.

## **7. Related Documents**

- Application for Housing