

### 1. Purpose

This policy defines the use and availability of residential properties owned by Warrumbungle Shire Council whilst ensuring that the premises are managed in a professional manner within the relevant legislation.

### 2. Objectives of the Policy

The objective of this policy is to provide clear guidelines for the purpose and access for rental of Council owned residential properties to ensure that utilisation and return on investment provides the best outcome for Council.

### 3. Policy Scope

The policy applies to all staff and Visiting Medical Officers (VMO) who have the opportunity to live and rent or manage Council owned residential properties. This policy applies to the following residential properties;

- 4 Irwin Street, Coolah
- 17 Cole Street, Coolah
- 84 Martin Street, Coolah
- 137 Martin Street, Coolah
- 139 Martin Street, Coolah
- 141 Martin Street, Coolah
- 143 Martin Street, Coolah
- 8934 Newell Highway, Coonabarabran

### 4. Background

The Residential Property Policy was a resolution of Council (76/1314) in August 2013 and has had no other versions since.

Warrumbungle Shire Council owns seven (7) residential properties in the township of Coolah and one (1) property just outside Coonabarabran. These properties are available as an incentive to attract professional staff to work in the shire. The property at 141 Martin Street is provided for the local Doctor who has VMO access to the Coolah Multi Purpose Service (Hospital). All properties are leased at an agreed rental rate with terms and conditions as prescribed in the Residential Tenancies Act 2010 No 42 and Residential Tenancies Regulation 2010.

### 5. Definitions

'Council' means Warrumbungle Shire Council

'Landlord' means Warrumbungle Shire Council

'Residential Properties' means all properties listed under the Policy Scope

'Property' means to property owned in title by Warrumbungle Shire Council

'Tenant' means:

- (a) the person who has the right to occupy residential premises under a residential tenancy agreement, or
- (b) the person to whom such a right passes by transfer or operation of the law, or
- (c) a sub-tenant of a tenant, and includes a prospective tenant.

'Staff' means any person employed or contracted by Warrumbungle Shire Council as an employee of Council.

'Visiting Medical Officer' (VMO) means the Doctor who holds the current VMO rights at the local hospital as prescribed by the State Government Health Department.

'Market Rate' means a market appraisal conducted by a qualified Valuer/Real Estate Agent

### 6. Policy Statement

Staff housing is deemed as a positive recruitment strategy to attract professional staff to work for Warrumbungle Shire Council and live within the shire. Council also appreciates the value of a community provided executive style house for VMO's as part of an attractive package for recruitment of a local Medical Service.

It is a condition that the following terms shall be agreed to in the Warrumbungle Shire Councils Residential Tenancy Agreement prior to occupying premises:

1. The employee agrees to sign a Residential Tenancy Agreement, which will initially be for a term of three (3) months then every 12 months under a new Lease Agreement.
2. That the rent as stated in the agreement be at 'market rate' and subject to increase in line with CPI or valuation adjustment yearly.
3. That on cessation of employment the tenant shall return to the Landlord the premises in a clean and habitable condition within 60 days of termination notice or resignation as per the Residential Tenancy Act 2010.
4. A bond (equivalent to four (4) weeks rent) plus two (2) weeks rent in advance will be paid at the commencement of the Lease Agreement then rent will be paid weekly as a payroll deduction. The bond will be forwarded to the Office of Fair Trading as per the Residential Tenancy Act 2010.
5. That market appraisals will be conducted in July of every second year or when a property is vacated by a qualified Valuer/Real Estate Agent and the rent will be adjusted according to the recommendation of the 'market rate'.
6. All properties will be subject to market rate as assessed by local rural estate property agent.
7. All other conditions of tenancy will be in accordance with the Tenancy Agreement and the Residential Tenancies Act and Regulations.

Priority for staff housing will be given to Directors, Managers and staff where skills shortages exist, who have to relocate to the shire, with provision for other staff to apply to the General Manager to rent a vacant property should the opportunity arise.

### 7. Responsibilities

The Manager Property and Risk will hold responsibility over this policy

### 8. Associated Documents

Operational Plan and Delivery Program  
Warrumbungle Shire Council Residential Property Procedures  
Residential Tenancies Act 2010 No 42  
Residential Tenancies Regulation 2010  
Local Government Act 1993 No 20

### 9. Getting Help

The staff member/s who can assist with enquiries about the policy  
Position: Manager Property and Risk

### 10. Version Control

Review Date: September 2021 or when relevant legislation changes.  
Staff Member Responsible for Review: Manager Property and Risk



# Council Residential Property Policy

## Strategic

<b>Policy Name</b>	<b>Version</b>	<b>Resolution No.</b>	<b>Date</b>
Residential Property Policy	1	419	26 June 2008
Residential Property Policy	2	76/1314	15 August 2013
Residential Property Policy	3	32/1718	20 July 2017