

## Remote Housing Leases

### Policy

Date effective: 15 December 2016

#### 1. Policy statement

This policy explains how the Department of Housing and Community Development ('the Department') manages housing under different lease arrangements in remote communities.

#### 2. Purpose

This policy ensures that the Department appropriately manages properties and also explains how the Department meets its obligations under leases with the Australian Government.

#### 3. References

*Northern Territory National Emergency Response Act*

*Residential Tenancies Act*

Rent policy

Pre-existing and Improvised Dwellings policy

Property Management policy

Tenancy Agreements for Public Housing policy

Occupancy Information Document

#### 4. Scope

This policy covers the management and maintenance of the property which is carried out by the Department. It does not include management or maintenance which is the responsibility of the tenant.

The "property" is the land on which the "dwelling" was built, including the yard, fence, driveway and garden. For housing complexes, it includes the common areas and parking lots.

For information on how the Department manages the dwelling, see the Property Management Policy.

#### 5. Roles and Responsibilities

Role	Responsibility
Front-line Staff	<ul style="list-style-type: none"><li>Ensure that occupancy information documents or lease agreements are entered into with all occupants of remote and town camp properties and that either rent or a maintenance levy is charged.</li></ul>
Property Contract Officers	<ul style="list-style-type: none"><li>Complete an assessment of each dwelling and arrange for any repairs or maintenance required.</li><li>Reclassify properties as appropriate.</li></ul>

Role	Responsibility
Executive Director	<ul style="list-style-type: none"> <li>Consult with the Australian Government if legal action is being considered or a change in the use of the dwelling or demolition of the dwelling is being considered.</li> </ul>

## 6. Policy details

The Department is a lessee under three types of remote leases:

- Whole of township leases
- Housing Precinct leases
- Five Year leases

Each lease has slightly different requirements for property and tenancy management.

### 6.1. Whole of Township leases

Through a whole of township lease, the traditional owners agree to lease the entire area of the community to the Australian Government for between 40 and 99 years. Subleases are then issued to all users of the town.

A whole of township lease is administered by the Executive Director of Township Leasing on behalf of the Australian Government. The Northern Territory Government, through a sublease arrangement, manages all social housing in these townships. Tenants of all houses in the lease area are required to pay either rent or a maintenance levy and will receive regular repairs and maintenance services.

### 6.2. Housing Precinct leases

Under a Housing Precinct lease, the community agrees to lease all existing and new community housing lots to the Northern Territory Government for a minimum of 40 years.

The Northern Territory Government is the landlord under a housing precinct lease and is responsible for the property and tenancy management services. Tenants of new houses are required to sign leases and occupants of existing housing will be required to sign either an Occupancy Information Document (OID) or a lease depending on the condition of the house.

Tenants under a lease are required to pay the remote rent specified in the Rent policy. Occupants who sign an OID are required to contribute to a maintenance levy.

### 6.3. Five year leases

The Australian Government holds statutory five year leases over 64 Northern Territory Communities under section 31 of the *Northern Territory National Emergency Response Act*. These leases have been entered into to enable the Australian and Northern Territory Governments to complete work under the Strategic Indigenous Housing and Infrastructure Program.

The Australian Government has delegated its responsibilities as landlord of these communities to the Northern Territory Government. Occupants of all houses in these communities are required to sign OIDs and contribute to a maintenance levy.

#### 6.4. Occupancy information document

Occupants of existing dwellings who are required to enter into an occupancy information document ('OID') with the Department are required to pay a maintenance levy. Under the OID, the occupants are required to keep the dwellings clean and tidy and in a reasonable standard.

#### 6.5. Maintenance levy

Occupants of properties subject to an OID contribute to maintenance and utilities expenses through a maintenance levy. The amount of the maintenance levy varies from community to community. This contribution is calculated on a per head of household basis, similar to a poll tax.

#### 6.6. Town Camps

Under a lease between the Executive Director of Township Leasing, Northern Territory Government and Chief Executive Officer (Housing), the Department has the responsibility for the tenancy and property management services on the town camps. The town camps are located in Alice Springs, Katherine and the Barkly Region (Tennant Creek and Elliott).

The Department has entered into service level agreements with housing corporations for the supply of the municipal services as well as some of the tenancy management services.

All the occupants of the town camps are required to enter into a lease agreement with the Department, unless their dwelling is classified as improvised, see the Pre-existing and Improved Dwellings policy.

### 7. Document change control table

Release Date	Version Number	Approved by (position)	Section amended	Category
15/12/2016	1.01	Director Policy	all	Editorial amendments
26/06/2013	1.00	Executive Director, Housing Operational Client Services	all	New