



# HOUSING UPDATE

Newsletter of the Community Housing Coalition of WA

June 2002

## Building Community in the Kimberley Region

The CHCWA is leading the way in a new community development and brokerage project in Kimberley.

CHCWA has been appointed the lead agency to address the management support needs of community organisations in the Kimberley region, including many Aboriginal housing organisations.

CHCWA's role will be to act as the community broker, linking the non-profit organisations that require management or development services and private and public sector organisations offering these services.

In an area where professional isolation and burnout are big issues, the long term strategy of the project is to support community organisations in linking together more effectively to help them identify common problems and solutions.

Fiona Callan of CHCWA has taken on the role of the systems coordinator for the Kimberly Project and is at present facilitating the process for employing a project and a development officer to be based in Broome. It is hoped that these positions will be filled in early June. Fiona is also locating and establishing an office, identifying the needs of the infrastructure and is at present writing a submission to the Lotteries Commission for office equipment and supplies.

Additional funding applications are in with a number of bodies to support the proposed activities of the two year project including: web based information services, local support networks, employment services, training and professional development, mentoring, accounting services and the development of business/community partnerships.

This project presents CHCWA with a rare opportunity to form relationships with these organisations over a sustained period. Our hope is for some of the indigenous communities to identify as being community housing providers.'

Government departments and the non-government sector are watching carefully to see whether the model has applicability across other regions of the state.

For more information contact Mike Newbigin at CHCWA on email: [Mike@chcwa.communityhousing.com.au](mailto:Mike@chcwa.communityhousing.com.au)



## Let's Hear the Positive Stories About Community Housing!!!

Late last year the debate about affordable housing in the Western Suburbs occurred, with the local newspapers, *The Post* and *Community News* running a series of articles, some for, some against.

The wider community appears to have a negative view of social housing.

My idea is to gather positive images of affordable housing developments created by community housing providers. Human interest stories with photo opportunities depicting the positive outcomes people experience as a result of being housed, would be a good way of raising the profile of community housing and changing public opinion.

The State Labor Government seems keen to use some of the land it owns to develop a mix of private and social housing.

The National Housing Conference indicated that community housing is indeed an important contributor to the overall wellbeing of society, as mentioned by Robyn Williams in the December 'Update'.

The community housing sector is destined to grow, and if we want people housed in areas where there is access to services and jobs, we need to convince the general public it is a positive move for the people being housed and also the wider community.

So I invite organisations receiving this newsletter to gather photographs and stories and let us know, so that we can embark upon a media campaign to raise the profile of the positive aspects of community housing.

**Diane Niyati**

## Events Calendar

- 21 June 2002 - **The Reformed Industrial Relations**, WACOSS are hosting a seminar on the changes to the Industrial Relations Legislation - 9.30am - 11.30 am, Hotel Grand Chancellor 707 Wellington Street, Perth. : Contact WACOSS to register 9420 7222.
- July 18 2002 - **Understanding Aboriginal Culture Workshop**, BEC are hosting a course for organisations that would like to improve their basic understanding of Aboriginal culture. - For further information contact, Lucy or Jayne at BEC ph 9479 3777 .
- 13 August 2002 - **CHCWA Council Meeting**, 9.30am- 12.30pm Conference Room, Claisebrook Lotteries House East Perth.

## CHSC Terms of Reference...

### Approved Version.

The Community Housing Standing Committee (CHSC) is one of three standing committees established under the Terms of reference of the Housing Advisory Committee (HAC).

The role of the CHSC is to identify and develop strategic policy designed to support the growth and viability of the community housing system in western Australia. Strategic policy developed by the CHSC is recommended to the HAC for discussion and adoption.

In January the CHSC started a review process through interviews with individual members of the Committee. The result of this process was a proposal to reduce the number of the Terms of Reference from seven down to three. A working party was formed to draft the wording of the proposed changes. The revised Terms of Reference were circulated to stakeholders for feedback. The final version of the Terms of Reference are as follows: As a Standing Committee the CHSC will, through the HAC:

**1.** advise, the Minister for Housing and Works and Director General of the DHW on community housing:

**Policy;**

**Priority housing needs;  
research proposals; and**

**Program Initiatives.**

**2.** Through consultation, take a lead role in the development, and monitor the implementation, of the Western Australian Community Housing Strategic Plan, including:

**Strategies to address unmet housing need;**

**Program initiatives;**

**Program guidelines; and**

**Current and new funding mechanisms.**

**3.** participate in relevant debates at a state national level.

Fiona Callan CHSC Secretariat

## The RTA Review What's our Position

**As many of you would be aware the statutory review of the WA Residential Tenancy Act (1987) is happening. In early January, a consultant (Stamford's and Associates) was appointed by the Department of Consumer and Employment Protection (DCEP) to undertake the review process.**

The date for formal submissions closed in early May, and CHCWA provided a formal submission as well as attending a number of focus groups. CHCWA developed its submission on the basis of the contentious issues derived from the outcomes of the joint Shelter and CHCWA Forum on the RTA, held in July 2001. The issues highlighted in the Forum included, variations of rent, the status of special clauses in tenancy agreements, bond accrual and alternative dispute processes. The use of Section 64 was also an issue in the Forum.

Further work was undertaken on developing the position at the CHCWA Council meeting in February this year. Most other states in Australia have incorporated some, if not most, of the needs of their community housing sector into their respective Residential Tenancy Acts (RTA's). The interactions vary from being required to register, (usually with the Housing Department), as a community housing provider to no mention of community housing at all. In WA we submitted that a specific definition of community housing should be included in the revised RTA. This is particularly useful in two areas; one is variation of rent and the second in a provision to allow for the accrual of bond payments.

For example, some other RTA's in Australia allow for a rebate on rents where a change in the level of the rebate does not constitute a rent increase. CHCWA felt that this provision, which the DHW is exempted from by regulation, should extend to community housing providers. To

achieve this it was felt that community housing should be defined within the WA legislation for two reasons. Firstly, the application of the Act should be limited to groups providing not for profit affordable housing, and secondly a definition will facilitate groups in identifying as being community housing providers.

CHCWA also submitted that community housing providers should be able to access a system of bond accruals, similar to that which operates in Queensland. Under this system community housing providers can accrue bonds until either the bond is paid in full, or the tenancy ends. In both cases the bond is required to be lodged with the Bond Administrator. In our submission we argued that if there was no dispute in relation to the bond then there should be no requirement for lodgment.

CHCWA also argued for the inclusion of Specific Clauses, which usually fall outside the scope of standard tenancy agreements. These clauses can be endorsed under the ACT tenancy legislation, but are done on a tenancy-by-tenancy basis. Shelter ACT in their paper called 'Taking Stock' (October 2000), suggested that a number of standard clauses be included in the Regulations, saving the community housing providers the time and effort needed to register each individual agreement. CHCWA sought that common use clause, such as those requiring tenants to maintain support agreements, should be included in the WA Regulations.

The issue of the status of Boarders and Lodgers was one of the contentious issues identified through the review process. At the end of the day, CHCWA argued that careful consideration needed to be given to this special group of tenancies, and if it was decided to provide coverage, it should either occur through separate legislation or a specific section of the RTA.

Copies of CHCWA's submission are available by ringing our office.

Mike Newbiggin.

# Training: where is it at?

**CHCWA no longer has the staffing resources to operate as a Registered Training Organisation under the new Australian Quality Training Framework Standards. These new standards make extra demands on Registered Training Organisations. We were due for re registration in April of this year, but the Board has decided not to re-register at this stage.**

This is sad for me and for the people wishing to gain qualifications in Community Housing Work, out of the Community Services Training Package. If you are concerned about this you may wish to contact Robin Terry at the Community Services, Health and Education Industry Training Council, robin@csheic.org.au as they are taking up the cause of small Registered Training Organisations, that are suffering under the new regulations. It would be good for them to have feedback, about how CHCWA losing its Registered Training Organisation status may affect you.

The whole training package is being reviewed at the moment, and Fremantle Housing Association is one of the Sample Work Sites chosen for this review. The new qualifications have more units and offer a variety of qualifications, but it is going to be interesting to see if there are any Registered Training Organisations able to deliver them in Western Australia

## All is not lost:

All is not lost however, as I will still be offering professional development courses, such as stress management, creating and maintaining professional boundaries and conflict resolution, and running other training when requested.

## Governance:

Governance issues seem to be high on the agenda of many organisations, and I will be offering training for board members, I have been invited to train Northside Housing Association's new board of management, although this project is on hold at the moment. I would be happy to do the same with other members' boards

## CODE OF PRACTICE;

After many years in the wilderness, the Code of Practice for Community

Housing Providers in Western Australia, is being resuscitated and aligned with the National Housing Standards, and I will be servicing the organisations who wish to be involved in meeting the standards of the Code of Practice. Rob Spinks conducted a review of the Code last year, and most of the recommendations in that review are to be implemented.

Presently I am in touch with people in the Eastern States that are involved in the National Accreditation process, so that any moves we make will be in line with developments nationally. I have rewritten the Code of Practice to incorporate the 10 core indicators of the National Standards.

The National Standards are also being reviewed and so we will keep up to date with those developments.

National Community Housing Forum has produced a report "A Regulatory Framework for Community Housing in Australia; Vol. 1: Risk Management and Vol. 2 Regulatory Options:

These make interesting reading as they make distinctions between National Standards and Codes of Practice and talk about the benefits of both.

The National Community Housing Forum is trying to involve our Department of Housing and Works in the discussion on regulation and the process of National Standards, but so far to no avail. Both Queensland and New South Wales have a Standards and Accreditation Unit funded by their State Housing departments. Each State is responsible for implementing the National Standards and Accreditation, so if any organisations are interested in being nationally accredited, they would need to lobby the department to get a Standards and Accreditation unit established in Western Australia.

Diane Niyati

## COMMUNITY HOUSING CAN HELP SAVE DULLSVILLE

**"A new report commissioned by Perth City Council, CityLife: Opportunities and Challenges, suggests that little night-life and a lack of affordable housing are among the key problems holding back Perth's development. There was a perception the city had become an enclave for the rich. It was critical that affordable housing be protected and expanded. All agreed homelessness was a problem." (Western Australian, 5 Feb 2002)**

The First Perth Co-op is one community-housing group that agrees. The group applied for Community Housing Programme assistance to help them achieve their goal. In response, the Department of Housing and Works stated that land in the inner-city area was too expensive for a Co-op. However, the new group is determined to create a Co-op in the area where members currently live and work.

Although most members are on unpredictable and low incomes, the group has some private equity members. Together they are looking for innovative solutions to help fund the Co-op. The First Perth group believes that they can contribute to a vibrant and responsible inner-city community.

First Perth and other emerging Co-ops are committed to diversity and sustainability. Co-ops can provide homes for people with special needs, culturally appropriate communities for Aboriginal and other ethnic groups, crisis accommodation for refugees, supportive accommodation for young and older single people. Parents of young people with mild intellectual disabilities are also looking for Co-op opportunities to provide independent living, caring neighbours and access to amenities, including support services.

Robyn Williams

# Budget Boosts

**In mid May, the Premier Geoff Gallop announced a new package of \$32 million to tackle homelessness and social exclusion.**

The package will see an additional \$10.5 million allocated for new public housing and includes \$5.5 million for people with special needs and those exiting the justice system. It is expected that this will result in an additional 65 units allocated to, and managed by, the community sector.

Some initial concerns that this may not be new money seem to have been assuaged, and the State Government should be congratulated on this welcome and timely initiative.

Additional monies have also been made available to provide much needed support for a variety of tenants. This money includes an additional \$3.8 million to provide services and accommodation for people with mental illness and a further \$500,000 for SHAP (Supported Housing Assistance Program) services. A further \$1.4 million, over three years, in support dollars, have been allocated for people exiting the justice system.

Whilst uncertainty surrounds the future of the CSHA (Commonwealth State Housing Agreement), it appears likely that funding to the state will remain at the \$106 million for at least the next financial year. Further reforms are anticipated as the Commonwealth winds back its involvement in these Special Purpose Payments, in anticipation of the State taking a greater role through GST revenues.

Whilst the long term funding future remains uncertain, the State Government has shown a commitment, which if not enough, is a start.

Mike Newbigin

## In the courts

In spite of efforts to find a political solution to the current withdrawal of rates exemptions by a number of local government authorities, the issue has continued, and is now set for a legal resolution.

A case has commenced before the Land Valuations Tribunal between South City Housing and the City of Armadale. An initial hearing was held in mid-May with a full hearing date set down for September.

The question involved surrounds the lack of a definition of charitable. Under the Local Government Act Section 6.26 (2) (g) exempts "land used exclusively for charitable purposes" from rates.

Local governments have two concerns over community housing,

one is the lack of definition of "charitable" under the Act, and the second is a concern that the State is shifting responsibility for the cost of affordable housing provision onto Local Government.

A number of cases have commenced between charitable organisations (in particular aged care providers) and Local Government, but none have yet reached the Tribunal.

A recent survey of CHCWA members indicates that over that last two years the percentage of rates paid by community housing providers, as compared to the potential rates charge, has risen from 29% to 47%. This indicates that only about half the properties managed by community housing providers now enjoy full rates concessions, as opposed to more than 70% only two years ago.

Whatever the reasons Local Government has used to reduce the access of community housing providers to their legal right to rates exemptions, their real issue is with the State. CHCWA believes that the current attitude of Local Government Authorities to community housing providers, is unwarranted and does not relate to the question of their charitable status.

At the end of the day Local Government, community housing providers and the State need to find a solution to provides certainty and equity for all parties.

The Courts will make a determination, but the real solution is a political one.

Mike Newbigin

## Incorporation Workshop

The legalities of incorporation, and a sincere desire to get it right, can result in the over legislation of an organisation. Recently CHCWA held a workshop for Co-op housing groups looking to incorporate as not-for-profit associations, or review their Rules of Association. Twenty people attended and included three new and two established Co-op groups.

Stephen Sharpe, an associations' advisor from the Dept. of Consumer and Employment Protection, reassured the attendees with in his extensive knowledge of the Act and its application, dispelling a lot of misconceptions. This left the participants free to develop their own Rules without feeling worried about the legalities. Peter O'Connell, a founding member from the First Fremantle Housing Collective, also offered 15 years of experience in developing and reviewing a Co-op Constitution.

### Key points included:

- The terms 'Rules of Association' and 'Constitution' are synonymous for Incorporation.
- Use simple language that you and others can understand.
- Keep it simple. Don't include impractical rules or details that may need frequent review.
- The matters to be provided for in the Rules are itemised in Schedule 1 of the Act.
- A process for altering or adding to the Rules is embodied in the Act.
- It's advisable to include a dissolution clause and provision for postal/ absentee participation.
- The Model Rules can be copied or modified as long as they comply with the Act.
- There is a range of democratic decision-making processes including majority rules.

Contact Stephen or another advisor if you have queries on 9282 0832 or check the website [www.fairtrading.wa.gov.au/charities/association](http://www.fairtrading.wa.gov.au/charities/association)

The participants unanimously felt reassured, better informed and able to continue with their Incorporation process with more confidence.

Robyn Williams