



# RATES WIN FOR COMMUNITY HOUSING

**Over recent years, a substantial shift in the policy approach of Local, State and Federal revenue authorities has lead to a more restrictive interpretation of taxing exemptions applicable to various charities in Australia.**

Many local councils in Western Australia have been reviewing the applicability of land rates exemptions on land used exclusively for charitable purposes.

South City Housing (SCH) manages 20 properties in the Armadale local government area, 15 of which were receiving rates exemptions until 2001. The City of Armadale then decided to withdraw these exemptions and referred SCH to the Land Valuation Tribunal (LVT) for appeal.

The 15 properties provide accommodation to those suffering psychiatric disabilities, families escaping domestic violence and other financially disadvantaged.

SCH approached Jackson McDonald, Barristers and Solicitors, seeking legal support to challenge the City of Armadale. Jackson McDonald is WA's largest independent law firm having specific expertise in many areas including the area of local government and town planning, taxation and representation of the not-for-profit sector. They agreed to represent SCH on a pro bono basis.

Jackson McDonald have, and continue to, represent a number of ratepayers in relation to claims for rates exemptions before the LVT. They were quick to lodge an appeal against the City of Armadale and assisted SCH in preparing and lodging evidence in support of the appeal with the aim of proving SCH uses the land exclusively for charitable purposes.

Once the evidence in support of the appeal was lodged, and after lengthy discussions between Jackson McDonald and the solicitors for the City of Armadale, and with a hearing date of October 2002 rapidly approaching, the City of Armadale agreed to consent to orders that were filed in the LVT stating that SCH does use all 15 properties exclusively for charitable purposes and was entitled to the rates exemption.

As a result of this decision, the City of Armadale withdrew the rates notices and reinstated the rates exemptions. As rates notices had previously been issued and paid, refunds were obtained by SCH.

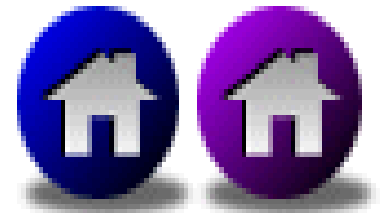
The Commonwealth Government recently announced proposed amendments to the income tax legislation which will introduce a statutory definition for "charity". Local and State Governments will be encouraged to introduce the same definitions. With these and other changes under way together with GST audits by the ATO, the pressure

on charities from the revenue authorities is not likely to abate any time soon.

*Lisa Chighine (Jackson McDonald)*

SCH would like to thank Jackson McDonald for these efforts in assisting them to obtain a positive outcome. Special thanks to Lisa Chighine and Marian Wilson for their hard work.

Bob Chown, Executive Officer of SCH says; "the issue of local government rates exemptions has the potential to undermine development of good relationships between community housing providers and local government. The State government should intervene to achieve consistency on this issue and a win-win outcome for both sectors."



## Events Calendar

- |                 |  |
|-----------------|--|
| 1 October 2002  | - <b>Industrial Relations Implementation Forum</b> - 9.30am - 11.30, Derbarl Yerrigan, 156 Wittenoom Street, East Perth  |
| 9 October 2002  | - <b>Regional Housing Associations Vision Seminar</b> - 12pm Milligan Foundation, 19 Sholl Street, Mandurah.   |
| 22 October 2002 | - <b>CHCWA Open Board Meeting</b> - 9.30 to 11.30 for people interested in nominating for Board positions at the AGM. Conference Room, Claisebrook Lotteries House, 33 Moore Street, East Perth.                     |
| 31 October 2002 | - <b>CHCWA Annual General Meeting</b> - 9am - 12pm Keynote Speaker, The Hon Tom Stephens MLC, Minister for Housing and Works, Derbarl Yerrigan, 156 Wittenoom Street, East Perth. A light luncheon will be provided. |

*Please ring CHCWA on 9221 7933 to confirm your attendance*

## MEMBER PROFILE

# BUNBURY HOUSING ASSOCIATION

**In 1994 accommodation agencies, interested parties and the City of Bunbury met to identify ways to address the housing crisis looming in Bunbury and the South West region generally. The participants resolved to meet regularly and thus the Bunbury Housing Association (BHA) was born.**

*“As a small community housing association we have experienced the usual birth pangs that all new beginnings bring,”* says Renate De Haan, BHA’s Executive Housing Officer.

Add to that the challenges of establishing an organisation in a regional area and it is obvious that there is potential for the BHA to develop into a major provider over time.

The BHA is already making a significant contribution in the South West region and in its fifth year of full operation, they house 170 adults and children in Bunbury and Busselton.

The issues facing low-income earners in Bunbury are no different to those in the Perth metropolitan area but are compounded by the high costs and limited resources available in regional areas. Bunbury is the largest regional city in WA and the hub for the South West region, the fastest growing region in Western Australia. Private rentals are therefore at a premium and Renate De Haan adds *“high upfront costs and increased discriminatory practices mean there is less availability of rental properties that are affordable.”*

BHA’s housing stock currently consists of 43 houses/units including 7 houses in Busselton of these BHA has 12 CDHP properties. The BHA has a solid network in the region and most high needs clients are supported by local specialised agencies such as, Learning About Mental Problems (LAMP), Pathways, South West Mental Health, South West Aboriginal Medical Service and disability services agencies.

Approximately 30% of BHA’s tenants are on a disability pension and about a quarter of all tenants are Aboriginal.

BHA also manages Yanget House, a boarding house for single men in Bunbury. When the BHA took over management 2 ½ years ago it was somewhat dilapidated and offered only a basic level of accommodation. The Department of Housing and Works has since fixed the leaking roof and BHA have undertaken a complete refurbishment of the building thanks to a grant of \$30,000 from the Lotteries Commission. The BHA has transformed Yanget House into a residence with a clean and secure standard of accommodation for up to 18 single men. There are currently 16 tenants with an age spread between 25 and 76 years. Of these, 3 suffer from serious illness and there are 4 cases of registered mental illness. Overall 80% of the boarding house population is also seriously affected by chronic alcoholism. This presents its own set of challenges in terms of care and therefore 24 hour caretaking is necessary. The BHA works closely with Yanget tenants and has introduced a system whereby the contracts for cleaning and caretaking are let to appropriately skilled tenants.

With a waiting list that never falls below 140, a continual source of frustration for the BHA is the shortage of appropriate housing stock in the region. Despite an increasing need and BHA’s attempts to obtain more properties, they have had no increase in housing stock over the last 2 years.

The City of Bunbury through its “People’s Plan” acknowledges the need to have a social housing policy and they express a commitment to identifying community housing options, in particular for singles and low income families. The Bunbury Housing Association is actively

working with the Council to ensure it progresses its commitments to low cost housing. And while the BHA has enjoyed a productive relationship over the years receiving rates exemptions on some of their properties, these are now under review by the Council.

Regional Housing Associations, particularly those operating in non-metropolitan areas, are an important part of the community housing network. The demands on the Bunbury Housing Association will only increase in the years ahead and therefore a lot of work must be done for it to realize its full potential as the region’s foremost housing agency.

### AT A GLANCE

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*If you would like your organisation to be featured in a future edition of the Housing Update please contact Victoria at CHCWA on 9221 7933 or for country callers 1800 357 933 (WA only)*

# Review of National Community Housing Standards Underway

By Terry Maller\*

**The National Community Housing Accreditation Council has initiated a review of the National Community Housing Standards. RPR Consulting has been contracted to do the work with the National Community Housing Forum coordinating the project. A steering committee with representation from across Australia is overseeing the project.**

The National Community Housing Standards and the accreditation process were first developed through a national consultation process in 1997/98. The standards are displayed on the NCHF web site ([www.nCHF.org.au/manual.htm](http://www.nCHF.org.au/manual.htm)).

The review is needed as significant growth has occurred in community housing over the past five years. Since 1998 two States have established accreditation units – NSW and Queensland. Victoria and the ACT are part way along the path of introducing accreditation.

For States like WA where the standards and accreditation process have not yet been picked up, the review offered an opportunity to re-engage with the issue and contribute thinking to a national project.

As well as the sector growing, there have been other significant changes in the overall environment that community housing is operating within.

Three States are introducing legislation that will establish a registration system for community housing providers; the Commonwealth State Housing Agreement is currently being renegotiated with substantial changes to how social housing will be provided.

Three key questions are being considered in the review:

1. How has the environment for community housing changed and what

is now 'good practice' in community housing delivery?

2. Where do the standards and accreditation process 'fit' within a quality framework for community housing?

3. What is the best way of structuring the standards and designing the accreditation process?

On September 18<sup>th</sup> a representative of RPR Consulting held a workshop for providers to gain a WA perspective into the review.

The input from local providers was necessary and valuable as accreditation will come to WA within the next few years.

This is already acknowledged by CHCWA as in reviewing their Code of Practice adopted the ten core indicators in line with the National Standards.

CHCWA have recently reactivated the Code of Practice review committee and all providers will be encouraged to seek accreditation under the Code.

This will be an invaluable first step for providers in the future when WA establishes an accreditation unit and adopts the national standards.

***\* Terry Maller is a tenant and Board member of City Housing and was appointed as a resident's representative to the National Accreditation Council in 2000. He is a member of the steering committee overseeing the review process and also a member of CHCWA's Code of Practice Monitoring Committee.***

## Nominations for The Board of CHCWA

Community Housing Coalition of W.A. has been fortunate to have a Board that is supportive of CHCWA's ongoing pursuit of excellence. A strong and professional Board representative of its membership, is essential to the wellbeing of any organization.

CHCWA's Annual General Meeting will be held on 31 October this year and we will soon be calling for nominations for four positions on the Board.

According to our Constitution, each Board member is elected for a term of two years, with five members being elected one year and four members the next.

Board Members whose two year term is up this year are, Mick O'Loughlen, Hans Gerritsen, Leanne Strommen, and Tina Merry, who resigned in August.

Once all the members of the Board have been elected at the AGM, nominations for the Chair, Treasurer and Secretary will be taken and they will be elected at the AGM.

Each Member organization has already nominated one person who has voting rights at the AGM. If this nominated representative cannot attend, the member organization can nominate another person and let us know in writing, who that person is. We invite as many members' representatives to attend the AGM, and meet with the Minister, and support CHCWA.

If you are interested in a position on the Board, please feel free to attend our Open Board Meeting at 9.30am on 22 October 2002 where you will be able to observe the Board in operation and talk to current members about their experiences.

Diane Niyati will be running an induction day for the new board on 19 November, and there will be ongoing training and professional development for Board members, throughout the year.

# The 'Gateway' in East Perth

## *An Opportunity for Community Housing*

CHCWA staff have been meeting with the East Perth Redevelopment Authority to discuss the 'Gateway' project.

Alan Grey, the planning manager of EPRA invited Diane Niyati to give a presentation to his staff. They were keen to know more about Community Housing, and CHCWA's role, as the peak body.

EPRA's brief from Minister Alannah MacTeirnan is to create strategies to include Affordable Housing in the development. At the moment EPRA is looking to provide land in the area that is designated to affordable housing and therefore able to be purchased at an affordable price, by Community Housing Providers.

Diane also encouraged EPRA to explore other avenues such as density bonuses for developers.

CHCWA is preparing a submission to EPRA regarding the 'Gateway'.

This is a tremendous opportunity for Community Housing to house people in the inner city area. It is time for creative thinking, both in terms of the people that could be housed there, and the types of joint ventures that will allow the more affordable housing to be provided.

EPRA will be inviting interested parties to meet with them, and Mike and Diane will be talking to Jeff Mould regarding possible funding avenues.

*Please contact Diane or Mike if you would like to talk more about Community Housing opportunities in East Perth*

# Thanks Robyn!

**Robyn Williams' contract as the Co-op Development Officer ended in early July.**

**Robyn brought valuable skills and real commitment to the role of development officer.**

**Over time she successfully raised the profile of the co-op sector by developing new co-op's in a fairly forbidding political landscape.**

**Thanks Robyn for your work.**

**Robyn is currently working with FOHCOL and is their proxy on the CHSC, and a CHSC representative on the Community Housing Steering Committee.**

# Eligibility Changes, What's the Story?

Recent correspondence from the Department of Housing and Works (DHW) requiring all new community housing tenants to maintain continuing eligibility has, understandably and justifiably, caused considerable concern around the sector.

In the August letter the DHW asked community housing providers to insert a clause into all new tenancy agreements reading "*The tenant must, during the period of the tenancy, remain eligible for housing assistance as per Homeswest rental Policy*". The instruction for this policy change has come, according to the DHW, from the Minister for Housing and Works.

This raises a number of concerns. Firstly, the implementation of this policy change came without discussion, even though a number of appropriate opportunities

exist. These include an advisory committee for community housing (the Community Housing Standing Committee) and another for broader housing matters (the Housing Advisory Committee). That there was no discussion of the policy change makes the Committees seem irrelevant.

Secondly, the timing of this policy is unfortunate given community housing is considering its future direction through the development of a DHW endorsed strategic plan. What makes the picture even more obscure is the Minister's memorandum to the DHW saying, on the future of community housing, "*..the sector needs to be encouraged to pursue a diverse range in its tenant base. Excessive targeting to complex and high needs tenants can produce its own problems and undermine the ongoing viability of limited sized CH providers. The potential for cross*

*subsidization should be considered in the enhancement of CH.*" This memorandum went on to discuss CH's role in affordable housing.

At this stage and after considerable head scratching, CHCWA has decided to get to the bottom of the policy decision. We have decided we need to hear the words directly from the Minister. The Minister's office is unclear about the origin of the decision but has agreed to get back to us.

In the meantime, CHCWA is asking all providers not to implement any changes to tenant eligibility criteria until further discussions have taken place with all stakeholders.

If you want to stay up to date with this debate, the best way is by becoming a member and receiving access to our weekly electronic newsletter

**Mike Newbigin**

# Kimberley Update

Since commencing operations in July 2002, Kimberley Community Management Services has employed two staff (a full time Project Officer and a part-time Development Officer), and established and opened its fully equipped office in Broome.

The Advisory Committee met in August and September to discuss a range of issues and membership continues to grow with the addition of Ross Humphries and Suzanne Rigney representing the Shire of Derby West Kimberley, while Mr Dickie Bedford, ATSIC Commissioner, has agreed to be the patron.

KCMS has already made its presence felt in the region. The Derby Support Network took place in August, with people responding enthusiastically to the proposal. Follow-up meetings are taking place through September, and a plan for the shape of the service is being developed which will see the Derby community driving this project.

KCMS is also planning to be involved in, and deliver a presentation to, an Indigenous Governance Workshop in Broome in late September and they made a submission to the House of Representatives Inquiry into Indigenous Capacity Building.

The brokerage service is starting to take shape with development of a plan underway to map service providers in the region for inclusion in the project.

## AT A GLANCE

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## Star Letter to the Editor

### On possible changes to Homeswest's eligibility criteria

I see this policy as punitive and contrary to the efforts of many for self development/improvement and community development. Is a family or individual to be punished for improving their financial circumstances by giving them an ultimatum that includes leaving their home, neighbours and community? Is the community that has supported the once disadvantaged not to benefit from the new additional spending power of its members? What happens when one of a couple who live in a two or three bedroom property dies? Does the remaining partner then also lose the shared home, garden, memories and neighbours to be squeezed into a Homeswest 'singles' unit? What happens when a couple have successfully guided their children to maturity and home leaving stage? Are they to lose the family home of many years because they become 'eligible' for fewer bedrooms? What about the single parent whose last child leaves home? If the income has been Parenting Pension then that will be lost. As a sole permanent resident will the single parent be required to move to singles accommodation? This would mean loss of income, community, and an environment conducive to family visits. Does this actually happen? Our society is battling to keep families together and nurture community. Thousands of dollars are spent by government and non government agencies to this end. This policy attacks our families and community at the very foundations....the home. How can our Housing Minister simultaneously claim his title and push this policy? If Community Housing and Public Housing are on the increase then with this policy undermining of our families and community is also on the increase. For those struggling with a psychiatric illness finally getting a property to call home is, in the first

instance, an anxiety provoking hurdle that puts some in hospital before they actually get to move in. And this is when the news is good! How are they to benefit from the stability of tenure, the purpose of this ILP program, if in fact that stability does not exist? I know Jeff Mould wrote of "muddy waters" but does this apply to circumstances where bedrooms are under-utilised? What control does Jeff have of the future use of this policy?

I have no doubt that those who developed and push this policy had the as yet unassisted disadvantaged in mind however I believe it is a policy that disadvantages the Department that developed it.

It is a policy that may taint the image of Public Housing when increase in pride of tenancy could have positive payoffs for the Department.

It is a policy that possibly ensures rental incomes will be kept at the lowest ebb from the lowest waged.

It is a policy that may put a barrier up to the Department reaping any of the fruits of the labour of assisting the disadvantaged to become strong community members who support the system.

It is a policy that could generate instability, fear and anger in the clientele that the Department asks the workers to interact with on a daily bases. It is a policy that could create stress and alienation for the workers of the Department.

It is a policy that potentially disadvantages the Department and possibly incurs many unseen costs (for the Department as well as the community).

**Marie Noble**  
**Wesley Housing Co-ordinator**  
**WESLEY MISSION PERTH**

# JOIN CHCWA NOW!!

Individual community housing providers are a diverse group of organisations but there are common issues that affect the sector as a whole which require a united voice. Collectively, individual providers can make a difference in shaping the political and social landscape through their membership of CHCWA.

The main benefit of CHCWA membership is the opportunity to improve the operating environment for your organisation by having an input into positions, policies and practices. CHCWA can then make representations to politicians, government departments, media, special interest groups and other stakeholders to ensure members concerns are heard and resolved.

## Benefits of Membership

- Automatic access to CSS, the Community Sector Services common insurance arrangement.
- Regular Council Meetings, enabling input from member organisations into CHCWA policy.

- **Members-Only Functions - an opportunity to meet other providers in a social setting.**
- **Technical workshops and forums to discuss matters of mutual interest in the technical, business and political fields.**
- **Research and statistical information**
- **Free publications, including *Housing Update* - a bi-monthly newsletter of current issues, activities and initiatives and**
- ***The CHC Pen* a weekly e-bulletin on specific activities undertaken by CHCWA**
- **Members-only section on the website which has detailed information on current events, training opportunities and invitations**
- **Opportunity for free advertising on our website**

## Survey results help us to help you

Thank you to those members who responded to the survey sent with the last edition of *Housing Update*. The answers provided will assist us in providing a better service to your organisation.

From the responses it is clear that you want more opportunities to hear about best practice and meet other providers to exchange ideas. In order to facilitate this we have implemented a number of new initiatives including changes to Council meetings, the *Housing Update* and the way we correspond with you.

### Council Meetings

You told us you see Council meetings as an opportunity to exchange ideas with other providers and keep up with current issues affecting the sector. We therefore modified the agenda for the last Council meeting to include presentations by Geoff King from Noongar Mia Mia Pty Ltd and Bob Chown from the South City Housing Association. In future we will endeavour to include these features at all Council meetings.

The survey results indicated there is significant interest from regional members in becoming involved in Council meetings but time constraints and travel costs restrict their ability to participate regularly. We therefore invited regional members to participate via teleconference at the last Council meeting and indications are this was a useful exercise.

### Housing Update

Seventy five percent of respondents found *Housing Update* 'useful,' with the remaining 25% finding it 'very useful.' You would like to see it published bi-monthly and contain more articles on good practice, policy debates and information about the sector generally. Seventy percent of respondents would read it if it was made available electronically, but there was a general feeling that hard copies should be retained. In order to tap into this section of membership which operates electronically, we have introduced a new e-bulletin *The CHC Pen* which is sent to members with email every week outlining the Coalition's key activities for the week.

**YES, I would like more information about membership of the  
COMMUNITY HOUSING COALITION OF WA.**

Organisation Name: .....

Contact Person: .....

Address: .....

..... Postcode: .....

Send to: CHCWA, 33 Moore Street, East Perth, WA, 6004 or fax: 9221 7944