



muswellbrook shire council

Draft Staff Housing Assistance Policy

MSC10E

Authorisation Details

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Community Strategic Plan Goal	6: Collaborative and responsive community leadership that meets the expectations and anticipates the needs of the community		
Community Strategic Plan Strategy	6.3: Ensure Council is a best practice employer providing a safe, happy, suitably resourced and productive workplace		

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1. Policy Objective

Council recognises that the demand for residential housing, as well as short-term stay accommodation, within the Muswellbrook Shire, can at times, exceed the supply of the residential housing market. In order to conduct effective recruitment Council needs to offer a range of attraction and retention strategies for potential and existing Council employees.

The Staff Housing Assistance Policy:

- enables Council's ability to offer housing to Staff;
- facilitates Council holding a presence in the residential market which generates a rental return and supplies suitable housing for a range of Council employees.

2. Risks being addressed

This policy supports the delivery of key objectives in Council's Workforce Plan to Attract, Retain, Engage and Develop Council Staff.

3. Scope

This policy outlines the administration of the residential housing portfolio for Muswellbrook Shire Council, as well as other Council owned accommodation.

4. Definitions

Term	Definition
Council	Muswellbrook Shire Council
Council owned residential property	Houses/apartments owned by Council which are designated for long-term stay (6 months to 12 months).
Council owned accommodation for short-term stay	Rooming or unit accommodation owned by Council which is designated for short-term stays (up to 4 months) or is student accommodation (e.g. Sam Adams College student accommodation).
Staff housing assistance	The offer of a Council owned residential property.
Need	Priority is based on: <ol style="list-style-type: none"> 1. emergency housing requirements 2. new employees 3. existing employees

5. Policy Statement

5.1 Council owned residential property

That Council lease any vacant Council owned residential property subject to but not necessarily limited to the following conditions.

- 1) A standard Residential Tenancy Agreement issued by NSW Fair Trading or equivalent be signed between the tenant and Council as the Landlord.
 - i. In the situation where Council signs the head lease on a property not owned by Council, the employee will still be required to sign a standard tenancy agreement with Council.
- 2) That the General Manager or a delegate be given the authority to enter into the tenancy agreement outlined in clause 1 on behalf of Council.
- 3) Staff housing assistance will be at the discretion of the General Manager in response to a written application by an existing staff member.
- 4) Staff housing assistance can be offered to vacant positions, subject to recruitment, where it is deemed appropriate to secure the employment of the preferred candidate.
- 5) Staff housing assistance only applies to employees that relocate to the Shire from outside the Shire.
 - i. Exceptions can be made subject to the approval of the General Manager based on retaining staff and low occupancy rates in the Council's residential housing portfolio.
- 6) In times of high demand, staff housing applications are prioritised on need.
- 7) The maximum length of a tenancy agreement to be signed associated with a Council owned residential property shall be twelve (12) months with the ability to extend the lease by a further twelve (12) months.
- 8) Staff Housing Assistance is not strictly limited to Muswellbrook Shire Council employees. If market conditions allow, non Council employees may take up residency in a residential property owned or managed by Council.
- 9) This policy does not apply retrospectively to agreements pre-dating this policy, however, all agreements signed after the adoption date will be subject to this policy.
- 10) Council will issue a standing invoice at the time of signing the lease agreement for rent due in advance. A payroll deduction will be set up for staff to have payments deducted weekly. On termination any amounts due will be deducted from the employee's final salary.
- 11) Any property damage must be paid by the staff member upon final inspection.
- 12) Council, where possible, will encourage staff to use available salary packaging options as part of their remuneration package. Further information on these options can be discussed upon commencement; salary packaging options include remote area housing.

5.2 Pricing Method

- 13) Payment of a bond equivalent to four (4) weeks rent is to be paid prior to the tenant taking up residency in a Council owned residential property. Council will submit this bond with NSW Fair Trading or an equivalent regulatory body.
- 14) In the second half of each financial year Council staff will complete a market rate assessment of the rental properties within the Muswellbrook Shire.

- 15) A market comparison will be undertaken with similar properties to get the most accurate market price.

5.3 Council owned accommodation for short-term stay

- 16) Staff can stay at a Council owned accommodation after obtaining an approval from the General Manager and in consultation with Council's Property Section and Human Resources.
- 17) Staff can stay up to 4 months in a Council owned accommodation (unless the General Manager has approved otherwise). All costs for the duration of the temporary stay will be paid by the employee.

6. Delegations

The General Manager (or a delegate) is authorised to:

- enter into a tenancy agreement on behalf of Council;
- approve use of Council owned accommodation by Staff.

7. Dispute Resolution

The General Manager is the interpreter of this Policy and shall be the sole arbiter in respect to the application of the Policy.

8. Related Documents

Legislation and Guidelines

- Residential Tenancies Act 2010

Policies and Procedures

- N/A

Other Supporting Documents

- N/A

9. Version History

This section identifies authors who reviewed the Policy and the date that it became effective.

Version No.	Date changed	Modified by	Amendments/Previous adoption details
1	14/03/2003	Property and Building	Adopted by Council, Minute Number 1001
2	13/03/2006	Property and Building	Adopted by Council, Minute number 54
3	8/04/2013	Property and Building	Adopted by Council, Minute Number 303
4	8/02/2016	Property and Building	Adopted by Council, Minute Number 430
5	11/06/2019	Property and Building	Adopted by Council, Minute Number 325
6	12/08/2024	Director Infrastructure and Property	Updates to the legislation section and policy reformatted. Removed the 10% rent reduction, added a condition that the lease be limited to 12 months with the ability to extend the lease by a further 12 months, and removed that the General Manager can extend the lease. Endorsed by Manex on 16 September 2024.