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## AP006 – Letting of Residential Council Property

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### 1. Intention

To maintain continuous lease of Council properties at fair rental.

### 2. Scope

This policy applies only to Shire of Waroona currently owned residential property.

### 3. Statement

The Chief Executive Officer be responsible for arranging tenancies of Council residential properties and, if the letting of properties requires tenders to be called, be authorised to call and accept lease tenders or a letting fee subject to the amount being within the limit determined by Council under section 5.43 (b) and (d) of the *Local Government Act 1995* (the Act). For the purposes of sections 5.43(b) and (d) of the Act, the determined amount is \$500 per week.

A review of all rentals takes place with the budget process each year.

The maximum period for lease for residential properties be one year.

Where Council enters into a residential lease with an employee of Council, the rental shall be assessed having regard for any time spent on caretaker duties outside of normal working hours. Council will also meet a portion of each water account as determined in the annual budget.

Any remainder of each account will be the responsibility of the tenant.

Where Council enters into a residential lease with a person who is not an employee of Council, the amount of each water usage account shall be the sole responsibility of the tenant. This can be managed by a third party property management company.

The tenant is required to maintain the gardens in a clean and tidy state.

Residential properties may be let to a resident medical General Practitioner at a reduced rental rate. Such reduced rental rate may include a subsidy for utility costs.

Occupiers of Council property are required to obtain approval before entering into any agreement to sub-lease that property.

### 4. Legislative and Strategic Context

The *Residential Tenancies Act 1987*, *Local Government Act 1995* and the associated subsidiary legislation provide the broad framework within which this policy operates.

### 5. Review

This policy is to be reviewed as required.

### 6. Associated Documents

Nil.

<b>Division</b>	Administration				
<b>Policy Number</b>	AP006				
<b>Contact Officer</b>	Director Corporate Services				
<b>Related Legislation</b>	Local Government Act 1995 Residential Tenancies Act 1987				
<b>Related Shire Documents</b>	Nil				
<b>Risk Rating</b>	Low	<b>Review Frequency</b>	As required	<b>Next Review</b>	When required
<b>Date Adopted</b>	22/06/2004				OCM04/083

Amendments		
Date	Details of Amendment	Reference
14/11/2009	Updated as part of major review.	OCM09/197
23/10/2012	Updated as part of major review.	OCM12/10/123
26/09/2017	Updated as part of major review.	OCM17/09/091
22/06/2021	Updated as part of major review and reformatted.	OCM21/06/071
Previous Policies		
CORP025 – Council House – 1 Eastcott Street, Waroona 2.15 – Council House – 1 Eastcott Street, Waroona		