



WAVERLEY  
COUNCIL

# **Waverley Affordable Housing Program Tenancy Policy**

Policy owner	Community Programs
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Approved by ELT	Yes
Date approved	13 July 2023
Commencement date	1 March 2024
Version	1
Keywords	Affordable Housing
Revision date	2026
Amendments	
Relevant strategic direction	Waverley Community Strategic Plan 2022-2023
Relevant legislation/codes/ guidelines	The NSW Local Government Act (1993) Environmental Planning and Assessment (EPA) Act 1979 State Records Act 1998 Government Information (Public Access) Act 2009 Privacy and Personal Information Protection Act 1998 Residential Tenancies Act (NSW) 2010 Department of Communities & Justice <i>NSW Affordable Housing Ministerial Guidelines</i>
Related policies/documents	Waverley Community Strategic Plan 2022-2032 Waverley Council, Complaints Management Policy (20 September 2011) Access to Information Policy Records Management Policy
Related forms	To be completed

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## 1. Background

Over many years, Waverley Council has built up a small portfolio of accommodation to enable the provision of limited term affordable accommodation for residents earning low to moderate incomes. Council contracts with a registered Community Housing Provider for management of the Program, which is known as the Waverley Affordable Housing Program (WAHP).

## 2. Objective

Waverley Council's Affordable Housing Program aims to maintain diversity in the Waverley community. The program targets households on low to moderate incomes who can demonstrate a connection to the Waverley area.

This policy sets out Waverley Council's requirements for the allocation and management of tenancies in the Waverley Affordable Housing Program. It is intended to ensure that the Program makes an effective contribution to the pool of accommodation support available through various programs for low to moderate income earners.

It sets out criteria for eligibility, requirements for allocation and rent charges, and tenants' rights and obligations.

## 3. Scope

The policy applies to properties within Waverley Council's Affordable Housing Portfolio. These properties are owned or leased by Council for the purpose of providing affordable rental accommodation in Waverley.

## 4. Policy Content

### 4.1 Eligibility

#### 4.1.1 Criteria

To be eligible an applicant must establish their identity, and provide proof that they:

- Are a citizen or have permanent residency in Australia
- Are over the age of 18 years
- Have lived or worked in the Waverley Local Government Area. for at least three years prior
- Do not own assets or property that could reasonably be expected to be used to address their housing needs
- Have not benefitted from a previous term of affordable housing
- Have a household income within the specified income eligibility limits.

Employees of Waverley Council and their immediate relatives, and employees of Council's Community Housing Manager are not eligible for the Program.

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Additional weighting may be provided when assessing applications for those who are / have been victims of Domestic and Family Violence.

Applicants must provide evidence to support their application for housing. A list of supporting documentation required is at Appendix 4.

#### **4.1.2 *Income Eligibility Limits - Entry***

Applicants must provide proof that their total average gross household income, taken over the two years preceding their application for the Program:

- Enables payment of rent of at least 40% of the rent set

Does not exceed the income limits for a household of their size as specified annually in the NSW Ministerial Affordable Housing Guidelines.

#### **4.1.3 *Tenure***

One five year period is the maximum available to any tenant in the Waverley Affordable Housing Program. Succession or transfer of tenure is not allowed.

#### **4.1.4 *Reassessment***

Each tenant's eligibility to remain on the Program will be assessed annually at the end of each fixed term lease period.

Tenants must provide proof that their total gross household income:

- Enables payment of rent at the rate set
- Does not exceed the income limits for a household of their size as specified annually in the NSW Ministerial Affordable Housing Guidelines.

## **4.2 Allocation**

### **4.2.1 *Allocation of a Vacancy***

Vacancies in the WHP will be advertised. Advertisements will clearly stipulate eligibility criteria. Applicants who fulfil the eligibility criteria will become eligible applicants. Eligible applicants whose household size matches the property size available will be short listed. If necessary, a ballot will be drawn from these short listed applicants.

Eligible applicants will be advised of vacancies in the Program that are appropriate to their needs for a period of 12 months following their original application.

## **4.3 Rent**

### **4.3.1 *Rental Bonds***

A rental bond equivalent to two weeks rent is required.

### **4.3.2 *Rent Setting***

The rent set for properties in the Waverley Affordable Housing Program is 75% of the bottom quartile market median for a comparable property at the time.

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Tenants in the Program will be charged rent at the rent set or no more than 30% of their weekly household income including any rent assistance received.

#### **4.3.3 *Determining Market Rent***

The *Housing NSW Rent and Sales Report*, published quarterly, is used to establish the bottom quartile median weekly market rent in Waverley for a comparable property. Property types are:

- studio or one bedroom unit
- two bedroom unit.

#### **4.3.4 *Annual Rent Reviews***

Rent will be adjusted annually according to the tenant's household income.

#### **4.3.5 *Rent Payment***

Rent payment is required fortnightly in advance.

#### **4.3.6 *Rent Arrears***

A tenant who falls into arrears with their rent payments will be given a reminder and provided with an opportunity to negotiate a program of repayments at one week in arrears. Legal action will commence if these provisions have not resulted in an agreement at two weeks in arrears.

## **5. Rights and Obligations**

### **5.1 *Residential Tenancies Act (NSW) 2010***

The rights and obligations of Council and its tenants in the Waverley Affordable Housing Program will be consistent with the Residential Tenancies Act (NSW) 2010.

### **5.2 *Tenancy Agreements***

Council or its agent will enter into a residential tenancy agreement with the tenant for a property in the Program, in accordance with the Residential Tenancies Act (NSW) 2010, every 12 months for up to five years so long as the tenant remains eligible for the Program.

### **5.3 *Inspections***

Council or its agent will conduct an inspection of the unit at least annually.

## **6. Review**

### **6.1 *Review and update***

This Policy will be reviewed at least every five years. It will be updated as required to ensure consistency with relevant legislative and policy requirements.

Appendices will be reviewed annually in November and updated as required.

## Appendix 1

## Waverley Affordable Housing Program Portfolio

October 2023

Properties held in perpetuity	From	1 bed	2 bed
Bondi	2004	1	
Bondi	2004	1	
Bondi	2005	1	
Bondi	2011	1	
Bondi	2008	1	
Bondi	2005	1	
Bondi	2005	1	
Bondi	2008	1	
Bondi Beach	2000	1	
Bondi Beach	2013	1	
Bondi Junction	2004	1	
Bondi Junction	2000	1	
Queens Park	2007	1	
Queens Park	2011	1	
Vaucluse	2003	1	
Rose Bay	2002		1
Bondi	2003		1
Bondi	2005		1
Bondi	2005		1
Bondi	2005		1
Bondi Junction	2002		1
Bondi Junction	2000		1
Randwick	1935		1
Randwick	1935		1
		15	9
<b>Leased Properties</b>			
Bondi	2008	1	
		1	
		16	9

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## Appendix 2

### Household Income Limits 2023/24

At October 2023

<b>Household Type</b>	<b>Low</b>	<b>Moderate</b>
Single	\$51,700	\$77,600
Single + 1	\$67,200	\$100,900
Single + 2	\$82,700	\$124,200
Couple	\$77,600	\$116,400
Couple + 1	\$93,100	\$139,700
Couple + 2	\$108,600	\$163,000



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## Appendix 4

### Waverley Affordable Housing Program - Documentation required to support an application

It is important that all requested documents are provided to assess applications:

#### Proof of Identity

Provide any TWO from the list below for each person over 18 years listed on your application:

- a) Birth certificate
- b) Marriage certificate
- c) A current passport
- d) Medicare card
- e) Department of Corrective Services Release Card
- f) Motor vehicle driver's licence.

#### Proof of Citizenship/Residency (you must be an Australian citizen or permanent resident)

Provide ONE from this list for each person over 18 years listed on your application:

- a) Birth certificate
- b) A current Australian passport
- c) A current passport if not an Australian citizen
- d) Citizenship certificate/papers.

#### Proof of Residency in the Waverley LGA

Applicants must show that they have lived or worked in the Waverley LGA for three years.

Provide any TWO of the following:

- a) Copy of Tenancy Agreement(s) in your name
- b) Water, Gas, Electricity Phone Bill in your name
- c) Evidence of employment in Waverley.

#### Proof of Income

Provide ANY from this list which apply to each person over 18 years listed on your application:

- a) If in receipt of a Centrelink income – a current income statement from Centrelink stating the type of benefit and amount (or signed Centrelink Authorisation Form that allows access to confirm your benefit details)
- b) If a wage or salary earner (full time, part time, casual earnings) – Provide ALL listed below:
  - i) Employer letter indicating your salary and length of time employed with current employer.
  - ii) Pay Slips
  - iii) Income tax return for the past two years

- c) If self employed
  - i) Profit and Loss Statement for the past two years
  - ii) Income tax return for the past two years.

**Proof of Current Assets**

Provide for each person over 18 years listed on the application:

- a) A savings bank pass book, bank statements for the last four weeks for an account which is used regularly (or current ATM mini statement listing the last 4 weeks transactions and verified against the ATM card)
- b) Records of any cash, shares or term deposits
- c) Proof of assets (e.g. share certificates, market valuation of any property owned by any member of the household).

## Appendix 5

### Waverley Affordable Housing Program - References

October 2023

*NSW Affordable Housing Ministerial Guidelines:*

<https://www.facs.nsw.gov.au/download?file=843446>

*Housing NSW Rent and Sales Report:*

<https://www.facs.nsw.gov.au/resources/statistics/rent-and-sales/dashboard>