



AUSTRALIAN  
CAPITAL TERRITORY

SPECIAL

# GAZETTE

No. S100, Tuesday 30 June 1992

AUSTRALIAN CAPITAL TERRITORY

HOUSING ASSISTANCE ACT 1987

NO. 83 of 1992

Under section 12 of the Housing Assistance Act 1987, I prepare the following program:

LOCAL GOVERNMENT AND COMMUNITY HOUSING PROGRAM

1. NAME OF PROGRAM

The name of this Program is the Local Government and Community Housing Program.

2. OBJECTS OF PROGRAM

- 2.1 The objective of this Program is to involve local government and community groups in the provision and management of long term housing for people on low incomes. Whilst housing is to be provided in accordance with the principles of Recital D of the Commonwealth State Housing Agreement, the Program seeks to encourage the development of new housing models. By testing the effectiveness of such models the program will provide a vehicle for the adoption of greater diversity in mainstream public housing.

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2.2 Specific objectives are:

- (i) To involve local government bodies and community groups in the provision and management of rental housing for people on low incomes.
- (ii) To encourage the development of a non-profit rental housing co-operative sector.
- (iii) To encourage funded organisations to contribute additional funds and other resources to housing which would not otherwise be available.
- (iv) To promote maximum tenant involvement in decision making for the development and management of their housing.

3. **APPLICATION OF HOUSING AGREEMENT AND LGACHP GUIDELINES**

The Housing Agreement and LGACHP Guidelines shall apply to this Program. Where there is any inconsistency between this Program and the LGACHP Guidelines, the latter shall prevail over this Program unless a contrary intention appears.

4. **DEFINITIONS AND INTERPRETATION**

4.1 In this Program except where the contrary intention appears:

"Act" means the Housing Assistance Act 1987.

"ACT Plan" means the plan specified in Clause 8 of this Program.

"Advisory Committee" means the State Advisory Committee specified in Clause 8.1 of the Program.

"Commissioner" means the Commissioner for Housing appointed under the Act.

"Commonwealth Minister" means the Commonwealth Minister for the time being responsible for the administration of the Program for the Commonwealth.

"Eligible Organisation" means a "community group" as defined in the Interpretation Section of the LGACHP Guidelines that meets the requirements in the provisions of the LGACHP Guidelines relating to applications for funding.

"Financial Year" means the financial period from 1 July to 30 June of the following year.

"Funding Package" means the package specified in Clause 8.5 of the Program.

"Housing Agreement" has the same meaning as defined in the Act.

"LGACHP Funds" means the funds provided for the purposes of this Program.

"LGACHP Guidelines" means the Local Government and Community Housing Program Guidelines made under Part XII of the Housing Agreement.

"Minister" means the Territory Minister for the time being responsible for administering the program and the Act.

"Program" means the Local Government and Community Housing Program.

"Territory" has the same meaning as defined in the Interpretation Act 1967.

"the Fund" has the same meaning as defined in section 18(1) of the Act.

4.2 In this Program unless the contrary intention appears:

4.2.1 a word importing the singular includes the plural and vice versa;

4.2.2 a word importing one gender includes the other gender;

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- 4.2.3 a reference to a clause or subclause is a reference to a clause or subclause of this Program;
- 4.2.4 a reference to an Act or the LGACHP Guidelines includes that Act or LGACHP Guidelines as amended from time to time;
- 4.2.5 where a word or phrase is given a particular meaning in the Act or LGACHP Guidelines that word or phrase in this Program has a corresponding meaning.

5. **FUNDING**

- 5.1 Funding is to be provided and administered in accordance with the LGACHP Guidelines.

6. **USE OF FUNDS**

- 6.1 All LGACHP Funds shall be used in the manner and for purposes consistent with the LGACHP Guidelines and the ACT Plan.

7. **FORM OF ASSISTANCE**

- 7.1 Assistance shall be provided in accordance with the LGACHP Guidelines.

8. **ADMINISTRATION OF PROGRAM**

- 8.1 The Minister shall establish or cause to be established a State Advisory Committee consistent with the LGACHP Guidelines with the exception that there shall not be a local government representative on the Advisory Committee.
- 8.2 Membership of the Advisory Committee is to be jointly approved by the Commonwealth Minister and the Minister.
- 8.3 For each Financial Year, the Minister shall develop or cause to be developed an ACT Plan for the purpose of this Program jointly with the Commonwealth Minister in accordance with the LGACHP Guidelines.
- 8.4 The Advisory Committee shall call for submissions which meet the priorities identified in the ACT Plan. Those submissions shall be made available to all Advisory Committee members.
- 8.5 The Advisory Committee shall develop a Funding Package identifying projects to be funded. Projects shall be consistent as far as possible with the ACT Plan priorities.
- 8.6 The Minister shall approve the Funding Package following advice from the Advisory Committee and shall forward the Funding Package to the Commonwealth Minister for endorsement.

- 8.7 Both the Commonwealth Minister and the Minister shall jointly announce the ACT Plan and the Funding Package.

**9. ELIGIBILITY FOR ASSISTANCE**

- 9.1 Subject to this Program and the LGACHP Guidelines, an organisation shall be eligible for the allocation of assistance if that organisation is an Eligible Organisation as defined in this Program.

**10. ALLOCATION OF ASSISTANCE**

- 10.1 Subject to this Program and the LGACHP Guidelines the Commissioner shall allocate assistance to an Eligible Organisation only in reference to the identified priorities and other criteria in the ACT Plan, the recommendations of the Advisory Committee, and the approval of the Territory and Commonwealth Ministers.

- 10.2 Prior to the allocation of assistance, an Eligible Organisation must demonstrate with respect to the project for which assistance is sought that it has:

10.2.1 appropriate financial and administrative resources;

10.2.2 an appropriate and effective system of management;

10.2.3 objectives which are consistent with the objectives of this Program, the LGACHP Guidelines and the ACT Plan:

- 10.3 Where an Eligible Organisation does not accept an offer of assistance under the Program within the time specified in the offer, or within any agreed extension of time of that offer, the offer shall be deemed to have been refused and the Commissioner shall reallocate the assistance in accordance with the process identified at clauses 10.1 and 10.2 above.

**11. TENANT PARTICIPATION**

- 11.1 In respect of projects for which assistance is sought under this Program, opportunities shall be provided for tenant participation in decision making processes and management of the project in accordance with the provisions of the LGACHP Guidelines relating to tenant participation.

**12. ADMINISTRATION OF PROJECTS**

- 12.1 Projects shall be administered in accordance with the LGACHP Guidelines.

- 12.2 Prior to the grant of assistance to an Eligible Organisation, the Eligible Organisation shall enter into a Funding Contract in the form and on the terms and conditions required by the Commissioner and consistent with the LGACHP Guidelines.

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**13. FORM OF APPLICATION**

- 13.1 An application for assistance under this Program shall be made in a form agreed by the Commissioner and lodged with the Commissioner within the period specified by the Commissioner. The application shall contain such information relating to the application as the Commissioner may require.
- 13.2 The Commissioner may from time to time request an applicant to provide in writing further information in connection with an application.
- 13.3 If that information is not provided within the time stipulated by the Commissioner, or within any mutually agreed extension of the time stipulated, the application shall be deemed to have been withdrawn by the applicant.

**14. ADDITIONAL INFORMATION**

- 14.1 An Eligible Organisation that is a party to a contract for the funding of a project under this Program shall provide any additional information of the kind specified in the contract.

**15. NOTIFICATION OF DECISIONS**

- 15.1 Where this Program requires that notice of a decision of the Commissioner be served, that notice shall be in writing and shall be served by:
- 15.1.1 delivering the notice personally to an officer or employee of the organisation; or
- 15.1.2 posting the notice to the address of the organisation last known to the Commissioner.

**16. REPORTING**

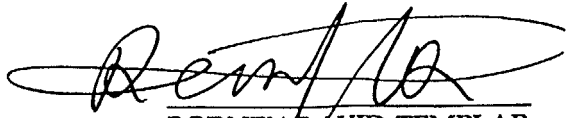
- 16.1 The Commissioner shall furnish to the Commonwealth Minister information on the operation of the Program in accordance with the LGACHP Guidelines.

**17. SECRECY**

- 17.1 The Commissioner shall not disclose information obtained in connection with this Program other than:
- 17.1.1 in the performance of his duties or functions under this Program;
- 17.1.2 in accordance with the Freedom of Information Act 1989;
- 17.1.3 in accordance with the Privacy Act 1988 (Cth); or

17.1.4 where the organisation or person who is the subject of the information consents to its release.

Date: 24-6-1992



RODNEY DAVID TEMPLAR  
Acting Commissioner for  
Housing

APPROVAL

Under section 12 of the Housing Assistance Act 1987, I APPROVE the above Local Government and Community Housing Program

Date: 25-6-92



TERENCE CONNOLLY  
Minister for Housing and  
Community Services

- Note: (1) This Program is published pursuant to section 6 of the Subordinate Laws Act 1989.
- (2) The LGACHP Guidelines referred to in this Program may be obtained from the ACT Housing Trust, Rental Housing, Services Section, 2nd Floor, South Building, Canberra.