



GUNDJEIHMI ABORIGINAL  
CORPORATION JABIRU TOWN

## **GACJT ACCESS TO RENTAL HOUSING IN JABIRU CHARTER**

### **Purpose**

The purpose of this Charter is to ensure that residential housing in Jabiru is managed to support the Mirarr Masterplan and Vision for the town of Jabiru. Gundjeihmi Aboriginal Corporation Jabiru Town (GACJT) holds the Jabiru Township Lease and is obliged to ensure that the operation of the lease supports the economic development of the Mirarr traditional owners for whose benefit the lease has been granted by the Kakadu Aboriginal Land Trust.

This Charter sets out the conditions on which the Approved Housing Entity (AHE) may be granted sub-leases or management rights over residential housing in Jabiru by GACJT.

Housing held by the AHE under sub-leases, management agreements from other Approved Managing Entities or other management arrangements must be managed according to this Charter.

This Charter will be reviewed from time to time.

### **Approved Housing Entity**

The purpose of the AHE is to centrally manage all residential housing in Jabiru under approved sub-leases and management arrangements from GACJT that has not been sub-leased to any other Approved Managing Entity (AME) under the Sub-lease Application and Approvals Guide.

GACJT agrees to the AHE taking all and every measure to provide for well maintained and sustainable rental housing in Jabiru, subject only to the AHE applying the terms of this Charter.

The AHE must:

- (a) be a not-for-profit organisation;
- (b) re-invest any surplus earnings into the improvement, renovation, construction, management and furnishing of existing assets or, subject to GACJT approval, new residential infrastructure; and
- (c) not provide tourist or contractor accommodation.

## Housing Categories

The AHE may sub-lease or manage housing in one of the following categories but for no other purpose. No housing may be used as a business premise other than for an approved home-based business that does not involve the premises being open to the public or attended by customers or clients.

- A. OWNER HOUSING: Houses tenanted by a Mirarr owned entity for use as staff housing.
- B. AHE STAFF: Houses tenanted by the AHE for use as staff housing.
- C. STAFF: Houses tenanted by an employer for use as staff housing.
- D. WORKFORCE: Houses tenanted by workers who reside in Jabiru and are employed on a regular basis and who have not been provided staff housing by their employer. Permanent or ongoing employees employed on a part time or full time basis on the waitlist should be prioritised over casual employees and the AHE is expected to undertake reasonable due diligence prior to offering individual tenancies, including financial capacity to pay rent.
- E. SELF-EMPLOYED: Houses tenanted by self-employed persons with demonstrated business in Jabiru.
- F. INDIGENOUS SUPPORT SERVICE: Houses approved by GACJT for use by indigenous aged care, disability housing and crisis accommodation services.
- G. EMERGENCY: Houses approved by GACJT for emergency accommodation for periods of less than one month.
- H. TRANSIT: Houses used for transit (short term furnished and serviced) accommodation to meet demand from business related visitors and for use by local residents whose property is undergoing rectification works for periods of less than three months.

## Approval by GACJT

GACJT notes that Jabiru Kabolkmakmen Ltd is approved to fulfil the role of the AHE as of 30 June 2021. Pursuant to that approval, GACJT has granted sub-leases to the AHE over 28 residential lots.

The grant of sub-leases to the AHE is subject to the approval of the GACJT board. The AHE will provide GACJT with a detailed application for each proposed additional sub-lease that includes the following information:

- 1. Whether the lot is occupied
- 2. Name of licensee (or previous sub-lessee prior to 30 June 2021)
- 3. Status of rectification work – including whether the infrastructure meets the Minimum Housing Standard, is the lot subject to further remediation or rectification works, is there any agreement in place for works to be undertaken at a later time or by another entity
- 4. Name of occupant, if any
- 5. Proposed Category for which the lot will be used
- 6. Proposed occupant

Management arrangements, including any management arrangement with ERA, are subject to the approval of GACJT. The AHE will provide GACJT with a detailed application for all management arrangements that includes the following information:

- 1. List of all lots
- 2. Whether the lots are occupied at commencement
- 3. Name of licensee or Approved Managing Entity

4. Status of rectification work – including whether the infrastructure meets the Minimum Housing Standard, is the lot subject to further remediation or rectification works, is there any agreement in place for works to be undertaken at a later time or by another entity
5. Name of occupant, if any, and the term of the occupancy (which must not exceed the term of the underlying licence or sub-lease)
6. Proposed Category for which the lot will be used
7. Proposed occupant.

The GACJT Board will consider applications from the AHE in accordance with the Sublease Application and Approval Guide and will approve or refuse applications either in total or in part. If approved, the AHE will have independent discretion over whether to grant tenancies provided the AHE complies with the terms of this Charter including the following requirements.

### **Compliance with Township Lease and Traditional Owner Masterplan**

Where the AHE has applied for GACJT consent to the grant of sub-leases or approval of management arrangements, the NHE will ensure that the application is consistent with the purpose of the Jabiru Township Lease and the Mirarr Masterplan and Vision by identifying the proposed categories of use in accordance with the following allocations. The AHE will maintain the proportionate allocation of lots throughout the term of all sub-leases and management arrangements:

1. All requests for OWNER HOUSING will be satisfied. This will be considered before any other potential tenancy. This includes requests from GACJT, Gundjeihmi Aboriginal Corporation (GAC) and traditional owner business in Jabiru as confirmed by GACJT
2. Subject to the above, AHE STAFF needs may be satisfied before other potential tenancies, provided that the total number of lots for AHE staff does not exceed 10 or such other number as approved by GACJT
3. Lots in the STAFF, WORKFORCE and SELF-EMPLOYED categories will form at least 60% of the total number of dwellings under sub-lease or management at any one time
4. Lots in the INDIGENOUS SUPPORT SERVICE and EMERGENCY categories will form at least 5% of the total number of dwellings under sub-lease or management at any one time
5. Lots in the TRANSIT category will form no more than 10% of the total number of dwellings under sub-lease or management at any one time.

Any exceptions to the above allocations may be approved by the GACJT Board, provided the NHE can demonstrate that special circumstances require the exception on a temporary basis.

### **No tenancies for non-compliant former sub-lessees**

GACJT will notify the AHE of any former sub-lessees who have failed to meet legal obligations in relation to rectification, remediation, sub-lease payments or other charges. The AHE will not enter into tenancies with any notified former sub-lessee without the express consent of GACJT.

### **Waitlist for tenancies**

Where a request has been made to the NHE for housing that cannot be met from existing lots under sub-lease or management, the NHE will record the request on a Waitlist. Requests can be made to the NHE verbally or in writing, provided that the entity complete the AHE's required documents prior to the housing allocation. Each request will be identified by category. The AHE will provide the GACJT

CEO with monthly updates to the Waitlist together with a snapshot of the number of lots under sub-lease and management that are allocated to each category at the time of the update.

The AHE will allocate housing based on the current Waitlist, with due consideration of Housing Categories. A property should not be allocated to any individuals or entities not on this Waitlist, without prior consent in writing from GACJT’s CEO.

**Key Rent Principles**

GACJT consents to the AHE determining rents at its discretion provided the following key principles are applied.

- a. Rent to be Fair and Reasonable**  
Rents charged will be fair and reasonable for the standard and size of the accommodation.
  
- b. Fair Access and No Anti-Competitive Impacts**  
A standard scale of rents will be applied equitably across the town to ensure fair access to housing and to ensure no anti-competitive impacts on the costs of services dependent on housing availability.
  
- c. Indexation**  
Rents will be subject to indexation. This indexation shall be in accordance with the Consumer Price Index, unless otherwise agreed between the AHE and the tenant.

**Definitions and Interpretation**

In this Policy, unless a contrary intention appears:

<b>Approved Managing Entity</b>	has the same meaning as in the Sublease Applications and Approval Guide and is an employer or other agency that requires 20 or more residential lots for the purpose of permanent staff accommodation that has the financial capacity to adequately maintain and manage residential housing.
<b>Consumer Price Index (CPI)</b>	shall be in accordance with the CPI Index released quarterly by the Northern Territory Department of Treasury and Finance.
<b>Approved Housing Entity</b>	means the entity approved by GACJT to manage residential lots not managed by any other Approved Managing Entity and limited transit accommodation.
<b>Sublease Application and Approvals Guide</b>	means the Guide prepared by GACJT that applies to the grant of sub-leases over lots in the town of Jabiru.