

Government Accommodation for Community Purposes

Nivek Thompson

The accommodation of community organisations in properties owned by Government has a long history, with little formal policy framework surrounding it. As the Australia Street Company put it, in a recent report, 'at all levels of government the practice seems to be long standing, to apply to a great diversity of community organisations and is more likely than not to be characterised by an absence of formal and effective policies and contractual arrangements.'

In response to the ad hoc nature of practices in this area the Properties for Community Purposes Program was established in 1991, with the aim of coordinating 'the process of applications from community groups for the use of properties owned by State agencies.' Unfortunately the design of this program limited its effectiveness.

In December 1999 the Government Asset Management Committee decided to review Government accommodation occupied by community organisations and the policies relevant to this. This decision was influenced by a range of factors including the constraints affecting the operation of the PCPP, an audit undertaken by the Department of Housing of its facilities used for non-residential purposes, representations from NCOSS around uncertainty and changes occurring in relation to existing usage.

The Government Asset Management Committee is a high level committee providing a strategic focus on accommodation and asset management issues. The objective of the GAMC is to ensure continuous improvement in whole-of-government asset management performance. The GAMC is chaired by the Director General of the Premier's Department, Col Gellatly and includes the CEOs from the Treasury, the Department of Public Works and Services, the Attorney General's Department and the Roads and Traffic Authority.

A Review Committee was established to oversee the review of Government accommodation occupied by community organisations, involving representatives from DPWS, Premier's Department, Treasury, The Cabinet Office, Department of Housing, AGs, NSW Health and DoCs.

The Review Committee engaged consultants to survey Government agencies in regard to existing usage by community organisations of government accommodation and current policies and approaches to community use of government accommodation. The consultants also conducted consultations with both Government agencies and NGOs.

A major factor confronting Government agencies when considering the use by community organisations of their properties is the Treasury Directive 469.1 Sale or Lease of Government Assets which states 'In the

absence of specific approval to the contrary, market values should be realised on the sale or lease of Government assets. Government assets ... include ... realty.'

It is the tension between this Treasury Directive and other Government policy around social justice and agency-level service delivery policies that the Government Accommodation for Community Purposes Policy seeks to address.

Draft Policy

The final policy, which will be considered by the GAMC at its next meeting in June, does not mandate the provision of Government accommodation to community organisations.

The policy provides a 'management framework' for Government agencies to use when making decisions around the use of Government assets to meet community needs, both directly through their own service delivery and indirectly through community organisations.

It adopts a facilitative approach, placing the provision of Government accommodation to community organisations within the framework of other Government initiatives and policies, which encourage and support whole-of-government approaches and working with community organisations to meet community needs.

In particular it has links with the Regional Service Delivery Planning, which focuses on developing new models of service delivery, involving particularly models of integration, cooperation and collaboration of effort to produce better outcomes for communities and individuals.

The policy sets out a range of factors to be taken into account by Government agencies when considering the allocation of accommodation to community organisations:

- their proposed use of the accommodation is consistent with the aims of this policy
- the proposed use is not incompatible with other uses of the accommodation
- the proposed use is appropriate to the accommodation available
- where appropriate, that the organisation will contribute to meeting needs identified in agency service delivery plans
- the organisation is able to make a contribution toward the recurrent costs of the accommodation
- the organisation has appropriate levels of insurance cover
- where appropriate, the organisation is prepared to share part of the accommodation with other community organisations
- other accommodation options are either not available or not appropriate

- the proposed use is consistent with the requirements of the funding source for the service.

Notwithstanding the Treasury Directive relating to market returns, the GACP policy provides that where a community organisation contributes to an agency's core services, the agency can negotiate around the appropriate rental to be paid. And explicitly states that 'Government agencies should avoid setting rentals for community organisations which can only be met by a reduction in their level of service delivery.'

The policy states that in determining the appropriate level of rental, Agencies should consider the following issues:

- the funding level of the community organisation
- the services provided by the community organisation
- the community organisation's ability to maintain the accommodation
- the indirect benefits from having an occupant in premises that might otherwise be vacant, e.g. security, maintenance, etc

The Policy also addresses the issue of existing usage by community groups of Government properties. The policy provides that decisions around continued usage should be dependent upon the community organisation providing 'adequate levels of continuing community benefit demonstrated by

- discontinuation of recurrent funding by grants bodies, where this is due to the funding body's assessment that the service being provided is deficient [i.e. not simply because of changes in grant funding policy or practice]
- de-registration or removal of the occupant's licence where registration and/or licences apply
- a change in the organisation's not-for-profit status or its core business so that the organisation no longer meets the criteria outlined in the section describing a community organisation
- persistent failure to provide, on request, a copy of the organisation's annual report, or similar document, to the Government
- the community group is no longer an incorporated association.

Agencies will be required to report on accommodation provided to community organisations and the level of subsidy provided in both their Annual Reports and to DPWS for inclusion in the annual whole-of-government report to the GAMC.

It is intended to communicate this policy to all Ministers through a Premier's Memorandum to ensure the policy is widely known and

implemented. As this is a new policy it is proposed to review it, 18 months to 2 years after implementation.

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Nivek is a Senior Project Manager in the Strengthening Communities Unit, which is part of the Strategic Projects Division of the NSW Premier's Department. Nivek is responsible for the capacity building for NGOs project. Nivek also manages the IYV Secretariat that is responsible for whole of government projects and co-ordinating government agencies in relation to the International Year of Volunteers 2001.

Nivek previously worked for the NSW Department of Fair Trading looking at consumer issues arising from National Competition Policy, in particular in the areas of utilities. Prior to that Nivek worked at the National Children's and Youth Law Centre developing a Charter of Rights for Children and Young People based on the UN Convention on the Rights of the Child.

Nivek was a key player in the establishment of the National Childcare Accreditation scheme, representing the ACTU and the LHMU. Nivek was a member of the Crawford Committee, the Interim National Accreditation Council and the National Childcare Accreditation Council. Nivek was also a ministerial nominee on the Childcare Parent's Advisory Committee.