



Government of **Western Australia**
Department of **Communities**
Housing

**GOVERNMENT REGIONAL OFFICERS'
HOUSING (GROH)**

**Private Business
in a GROH Dwelling
Policy**

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GROH Private Business in a GROH Dwelling: Policy

Purpose

The Private Business in a Government Regional Officers' Housing (GROH) Dwelling Policy (the Policy) stipulates the conditions that tenants and occupants in a GROH program dwelling must satisfy to operate a private business from the GROH dwelling.

Scope

This Policy applies to all occupied GROH dwellings including those that have shared tenancies and is for use by Communities employees, Client Agencies, GROH tenants and the general public.

Definitions

Client Agency means either:

- an Employing Agency, which is a Department under the administration of a Minister of the Crown in the Government of the State, or any Crown instrumentality, hospital, board, body corporate or other body of whatever description, proclaimed as a Department under s.7 of the Government Employees' Housing Act 1964; or
- a Responsible Agency, which is the agency responsible for arranging the salary and other entitlements (including accommodation) of the tenant when this tenant is not an employee of an Agency.

Communities means the Department of Communities.

Dependent means a person who is in a significant relationship with the tenant or in the tenant's custody, care and control; ordinarily resident with this tenant in their GROH dwelling; and either wholly or mainly dependent on the tenant for economic support. This includes:

- a spouse (married or de-facto);
- a partner;
- a student under 25 who is a full-time student a child;
- an invalid relative; or
- a parent or parents or a spouse's parent or parents.

GROH means the Government Regional Officers' Housing program administered by the Department of Communities.

GROH applicant means a person applying to be a tenant in a GROH dwelling.

GROH client means either:

- a Client Agency; or
- any other client serviced by GROH (**other GROH client**).

GROH dwelling means a house as defined in s.5 of the *Government Employees' Housing Act 1964* (GEH Act), which is owned, leased or constructed by Communities and allocated for use by GROH.

GROH-owned dwelling means a GROH dwelling that is owned by Communities.

GROH Tenancy Agreement means the property and tenancy agreement between the GROH tenants and the Client Agency, for which GROH acts as the Agent.

GROH tenant means a person residing in a GROH dwelling under the terms of a GROH Tenancy Agreement.

Insurances means all indemnity and public liability insurances required to operate a business from a residential dwelling.

Leased dwelling means a GROH dwelling that is leased from the private rental market by Communities.

Maintain means to keep the grounds and gardens of the GROH dwelling as close as possible to the condition they were in when the tenant first occupied the dwelling – fair wear and tear excepted (*RTA Regulations 1989*, Form 1AB). Maintaining the grounds and gardens includes tasks such as mowing and edging the lawns and slashing grass, weeding, hand watering (as is reasonable), trimming shrubs and trees (particularly to prevent the possibility of any injury or nuisance) and removing rubbish from the yards.

Occupant means any person living in the GROH dwelling, other than the GROH tenant, or any of the tenant's dependents.

Officer means an employee of the Department of Communities - Housing Division.

Other GROH client includes other worker housing programs, e.g. Non-Government Organisations, non-proclaimed state government Agencies, other housing programs or private tenants in occupation of GROH dwellings.

Private Business means one whose ownership shares or interests are not publicly traded and are often owned by the company founders and/or their families and heirs or by a small group of investors. A business is run commercially with the intention or purpose of making a profit, with activities regularly and repeatedly undertaken, planned, organised and carried out in a businesslike manner.

RTA means the *Residential Tenancies Act 1987 (WA)*.

Policy Statements

1. Operating a Private Business from a GROH Dwelling

- 1.1 If a GROH tenant, their dependent or any occupant of a GROH dwelling wishes to operate a private business in a GROH dwelling, they must:
 - i. obtain the approval of the client agency;
 - ii. obtain the approval of the local government authority;
 - iii. take out all required insurances; and
 - iv. obtain the approval of Communities, and of the property owner for GROH-leased dwellings.

- 1.2 For approved private businesses operating in a GROH dwelling, Communities reserves the right to:
 - i. review the rent charged to the GROH tenant, in consultation with the client agency; and
 - ii. withdraw its approval, if justified complaints about the operation of the private business are received.

Document History

ISSUE	DATE	REASON	POLICY AUTHOR	OFFICERS TITLE	DATE LOADED ON Internet
1	October 2001	Policy Reformatted	Andrew Smith	Policy and Projects Officer	
2	November 2005	Policy amended to reflect the changes to the Government Employees' Housing Authority	Lisbet Schäfers	Projects and Policy Officer	
3	August 2006	Policy amended to reflect the change to the Government Employees' Housing Authority by the <i>Machinery of Government (Miscellaneous Amendments) Act 2006</i>	Lisbet Schäfers	Projects and Policy Officer	February 2004
4	October 2009	Policy Reformatted	Danielle Faulkner	Coordinator Policy and Projects	October 2009
5	September 2018	Policy reformatted and amended	Brett Hockley	Senior Policy and Practice Officer	September 2018
6	July 2019	Scope and Definitions updated to ensure consistency with other GROH Policies	Brett Hockley	Senior Policy and Practice Officer	July 2019

Authorisation

Version	Authorised by	Approval Date	Effective Date	Sections modified (if applicable)
6	Executive Director Contracting	July 2019	July 2019	

Summary Information

Responsible Officer	Executive Director Contracting
Contact Officer	Senior Policy and Practice Officer, Contracting
Superseded Documents	N/A
Review	September 2021
File Number	2019/MS/295
Document Control	This document is published on the Communities website, www.housing.wa.gov.au , under the 'GROH Agencies' section of the 'Investors & Partners' menu.
Associated Documents	<ul style="list-style-type: none"> • <i>Government Employees' Housing Act 1964</i> • <i>Residential Tenancies Act 1987</i> • <i>Public Sector Management Act 1994</i> • <i>Freedom of Information Act 1992</i>