



Aboriginal Housing Company Limited

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ABN : 28 001 154 481 ACN : 001 154 481

19 November 2018

Mr Soo-Tee Cheong
Chairperson
Independent Planning Commission NSW
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

Dear Mr Cheong

RE: "Pemulwuy Project": Precinct 3 Contribution levied under Redfern-Waterloo Authority Affordable Housing Contributions Plan condition E4 (b) I , ii ,iii

The Aboriginal Housing Company Ltd (AHC) is not a registered Community Housing Provider (CHP) The AHC was set up in 1973 prior to the establishment of the CHP arrangements. The AHC currently owns the Pemulwuy Project Precincts 1, 2 and 3 plus rents 38 properties for Aboriginal and Torres Strait Islander tenants across the state. We have not needed registration to run our company because we do not manage any housing stock for any government or any other housing group.

In 2013 AHC sought legal advice from Ashursts, our company's lawyers, on becoming a CHP. The AHC Board weighed up the potential of becoming a CHP and noted the following:-

1. Funding benefits of having support from a peak body;
2. What peak body support would look like for AHC; and
3. What recognition of being a registered CHP would mean for the Company.

The biggest concern was highlighted in Ashurst's "Potential Intervention" report – under the legislation, the Registrar has the ability to intervene in the operations of a CHP in order to safeguard operations. In the Community Housing Providers (Adoption of National Law) Act 2012 (NSW) there are also more expansive enforcement and intervention powers given to the Registrar. This is problematic for a fiercely independent organisation like the AHC.

After careful consideration of the report, our constitution and our governance arrangements the AHC made the decision not to be registered, and to stay independent and continue to provide our existing services. We understood fully what this meant for the AHC - we would no longer be eligible to access government funding.

At this point we broke down what self-determination meant to us. We had to strive to make things happen for ourselves and our next Generation. We realised the concept of self-determination was at our discretion and we needed to put strategies and plans into place to ensure whatever path we chose would safeguard our existing services and the AHC's sustainability for generations to come. We are confident that the structure of our Pemulwuy Project lays the foundation for our future.

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The 62 affordable houses we will build do not even scratch the surface of the need for affordable housing. We can be part of the solution to the housing crisis which is a major concern to our people and communities.

This means being able to secure a project that can offer quality and affordable housing solutions, using a resource and capacity model that addresses diversification without continuous government assistance, which AHC and the Pemulwuy Project have chosen to apply.

The issue now is not about the delivery of affordable housing through CHPs, we believe we can deliver affordable housing through Pemulwuy, it is about the conditions set in the approval requirements as outlined in membership of CHP.

Since 1973 we have travelled the road many have chosen not to, we take each step with the future generation in mind.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alisi Tutuila', written in a cursive style.

Alisi Tutuila
Chairperson, Aboriginal Housing Company Ltd