

14 May 2018

Planning Policy Unit  
Department of Justice  
PO Box 825  
Hobart TAS 7001



**Australian Institute of Architects**

To whom it may concern,

On behalf of the Tasmanian Chapter of the Australian Institute of Architects (the Institute), I would like to thank you for the opportunity to comment on the draft Residential Housing Supply Bill 2018 (the Bill).

The Institute is generally supportive of measures to address the critical shortage of affordable housing in Tasmania. We recognise the urgency of the problem and the need for quick action to accelerate the supply of affordable housing stock. We believe the Bill should deal only with rezoning for accelerated affordable housing supply, but with consideration for the issues raised in this submission. We believe that subdivision and temporary permit approvals are not appropriate for inclusion in the Bill and that they would not significantly assist in achieving the stated aims of the legislation to “accelerate supply of affordable housing”.

In addressing the need for improved residential housing supply to solve Tasmania’s housing crisis, we would like to highlight the importance of enabling progressive solutions, which do not exacerbate social problems but instead contribute to the health and wellbeing of Tasmanians.

The Institute’s [Affordable Housing Policy](#) describes housing as a basic human need and universal human right, and states that there is a critical need for more diverse and flexible housing solutions. There is no ‘one size fits all’ solution and finding a solution that works means all aspects must be considered, including not only the planning and construction of housing but also the associated city, transport and public amenities growth. The past release of new land on the city fringe without access to services has created ongoing problems and, without a definition of ‘affordable housing’, there is a deficiency in understanding how land release may address affordability. The issue of affordability now refers to ‘affordable living’ rather than housing to capture the importance of location. Understanding affordable housing in a commercial market is crucial to getting the right outcomes.

The Institute agrees in principle with land release and rezoning but is concerned that the release of more greenfield sites without adequate consideration of location runs the risk of increasing social inequality by creating more inappropriate housing in low-density, car-dependent suburbs. The [Southern Tasmanian Regional Land Use Strategy 2010 – 2035](#) (the strategy) promotes “consolidation of existing settlements and minimisation of urban sprawl and lower density development,” to achieve “a range of economic, social and environmental benefits”. We believe Crown land released for affordable housing must be located within the Urban Growth Boundary identified in the strategy, within a reasonable distance of employment opportunities, and basic services such as, health and child-care, education and training. The strategy supports giving preference to urban expansion that is in physical proximity to existing transport corridors and the higher order activity centres rather than urban satellites or

dormitory suburbs<sup>1</sup> and higher density residential and mixed-use developments within 400, and possibly up to 800 metres (subject to topographic and heritage constraints) of integrated transit corridors.<sup>2</sup>

We believe that under Part 2, Section 5 of the Bill (Restrictions on declaration of housing supply land) there should be a requirement to demonstrate the suitability of Crown land for affordable living, i.e. the land must be within a certain distance of basic services to ensure those without cars have access to those services, must allow for mixed use and must be socially inclusive.

We also hold concerns about Section 19 (5) (a), which states that “the subdivision to which the proposed plan of subdivision is substantially for the purposes of the provision of residential housing;” and (b) “at least some of the residential housing will be affordable housing”. We believe the legislation would be better supported with a clear quota for affordable housing as a percentage of all developments. An [Australian Housing and Urban Research Institute report](#), led by the University of Sydney, examined how land use planning mechanisms can support affordable housing inclusions within new and renewing communities. It found that 'inclusionary planning' tools leverage significant quantities of affordable housing supply in many parts of the UK and US.<sup>3</sup> For instance, 12,866 affordable housing units (43% of total affordable housing output) were delivered through inclusionary planning requirements in England between 2015–16. While the report found inclusionary planning for affordable housing is not as widespread in Australia, South Australia delivered 5,485 affordable homes between 2005–15 through an inclusionary planning target applying to new residential areas. This amounts to around 17 per cent of total housing supply in that state. The report also found that in NSW, a planning incentive scheme introduced in 2009 has yielded around 2,000 affordable rental dwellings in Sydney, equivalent to about one per cent of the city’s total supply. The Institute encourages inclusionary planning for affordable housing to meet the stated aims of the Bill to “enable the rapid, appropriate rezoning and subdivision of certain areas of Crown land to meet the acute demand for housing, including affordable housing...” Therefore, we recommend that a stipulated mandatory affordable housing quota should be applied to any re-zoning determination.

The Institute believes the inclusion of temporary emergency residential planning permits (TERP permits) is also problematic, and risks creating more social problems through their temporary nature. With no definition of what constitutes an emergency and uncertainty over what happens at the end of the permit, the TERP permits risk providing a temporary solution to a long-term problem, with no additional benefit to fast-track release.

We also consider that subdivision approval will not accelerate the rezoning and release process – the ultimate intent of the Bill. Furthermore, the Bill does not appear to address the advisory process that is envisaged for the Minister to make a determination on such subdivisions or the TERP permits. The Institute questions the effectiveness of a parallel assessment system that would be required for this purpose. We believe it would not only be an unnecessary cost to the State but, importantly, run significant risk of causing confusion and alienating the broader community. We suggest that the approval of subdivisions for affordable housing should be retained within existing systems administered by our local authorities and that councils be allowed to issue TERP permits. Both the subdivision approvals and issue of TERP permits should follow due process retaining community consultation procedures and independent review by the Tasmanian Planning Commission.

Importantly, the Institute suggests the Bill should be extended to address the rezoning of already built-up land to enable the repurposing of existing buildings suited to adaptive reuse for residential

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<sup>1</sup> [Southern Tasmanian Regional Land Use Strategy 2010 – 2035](#) LUTI 1.1

<sup>2</sup> [Southern Tasmanian Regional Land Use Strategy 2010 – 2035](#) LUTI 1.2

<sup>3</sup> [https://www.ahuri.edu.au/\\_data/assets/pdf\\_file/0022/17275/Supporting-affordable-housing-supply-inclusionary-planning-in-new-and-renewing-communities-Executive-Summary.pdf](https://www.ahuri.edu.au/_data/assets/pdf_file/0022/17275/Supporting-affordable-housing-supply-inclusionary-planning-in-new-and-renewing-communities-Executive-Summary.pdf)

accommodation. Consistent with this submission, we contend that it should be within the Urban Growth Boundary where services supportive of affordable living are available, and should be required to follow due process regarding planning approvals.

The Institute suggests focussing on strategic, integrated and clever solutions, to immediately address the housing crisis. We recommend separate legislation for a short-term approach to emergency shelter in Tasmania, with consideration given to [that undertaken in New Zealand](#), and to complement a more strategic long-term plan for rezoning and land release in appropriate areas.

Tasmania has the potential to provide a unique model of low-rise, high-density housing within walkable neighbourhoods close to services and connected to centres with public transport. The Hobart Northern Suburbs light rail and ferry transits have great potential to create connected communities by providing the catalyst for affordable living for new communities through provision of affordable and social housing, without car dependence. In order to achieve the best land release results, we would urge the government to prioritise a strategic regional plan for Greater Hobart, and other population growth centres, in line with a state settlement and population policy.

If we can be of any further assistance, please don't hesitate to contact us.

Kind regards,

A handwritten signature in black ink that reads "Yvette Breytenbach". The signature is written in a cursive style with a period at the end.

**Yvette Breytenbach RAIA**  
President, Tasmanian Chapter,  
Australian Institute of Architects