

Public, social and supportive housing in the new ACT planning framework

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Theme music: Cole Porter "Anything Goes"

Public Housing Objectives

What we need

1. Proper maintenance of Public Housing
2. Treat residents as valued people
3. Supportive and Adaptable Housing close to shops, schools and services
4. Dwellings that blend with the neighbourhood
5. Proper Salt and Pepper distribution of dwellings
6. Good investments by ACT Housing including selling some sites and developing elsewhere according to 'sound financial principles' (Act)
7. Consult and engage with local community groups and neighbours
8. We should be proud of our public housing

What we get

1. Poorly maintained properties
2. Pawns moved around a chessboard
3. Apparent random distribution mostly far away from shops, schools and services
4. Squash as many dwellings on the block
5. Undesirable concentrations in some areas
6. Develop the site or leave vacant rather than sell the site and build dwellings elsewhere
7. Total secrecy

8. There is room for improvement

Summary

- Impact of changes unclear – we don't know because
 - 'objective based' (discretionary) decision making
 - The Act delegates to Notifiable Instruments (NIs) – mostly made by the Chief Planner - with decisions made under those
 - Limited mandatory requirements in the Plan
- We can give a “best guess”
- Some clues are in the Act and available NIs
- ***New Planning system is not fit for purpose***
- Planning system must comply with recommendations from Royal Commission on 'disability'

Territory Plan Supportive Housing defined

Supportive Housing means using land for residential accommodation for persons in need of support, providing a range of support services such as counselling, domestic assistance and personal care for residents as required.

Although such services must be able to be delivered on site, management and preparation may be carried out on site or elsewhere. Housing may be provided in the form of self-contained *dwelling*s. The term does not include a *retirement village* or *student accommodation*

A complex hierarchy of documents

Act delegates to Territory Plan NI 2023-540 and Part A gives hierarchy

1. District Policy
2. **Zone Policy ***
3. Other Policy
4. Design Guides
5. District Specifications
6. Zone Specifications
7. Other Specifications.

Associated document provisions

1. Planning (Exempt Development) Regulation 2023 – general
2. Planning (Inner South) District Strategy 2023 NI 2023-533 embeds social housing - part of increasing housing supply, macrotrend etc
3. Design Guides – all general
 - Housing Design Guide NI 2023-542
 - Urban Design Guide NI 2023-541
 - Biodiversity Design Guide NI 2023-543
4. Technical Specifications NI 2023-547 – not relevant
5. Planning (Residential Zones) Technical Specifications NI 2023- 554
 - Assessment Outcome 4.6 – meet AS4299 i.e. may consider when assessing outcomes under Plan

Assessment Requirements - density

Residential Zones Policy (E1) – 2nd document in hierarchy

- Assessment and Policy Outcomes included
- Supportive housing in RZ1,RZ2,RZ3,RZ4,RZ5

Supportive housing RZ1

Min block size for more than 1 dwelling = 600m²

Max no dwellings per block = 1 additional for every 250m² over min

Multi unit adaptable housing RZ2

Min block size for more than 1 dwelling = 600 m²

Max no per block + 1 additional every 250m² and all built to be adequate

Case Study Comment

In five recent GNCA cases before ACAT on supportive housing, the DAs were overturned, withdrawn or re-notified due to non-compliance with a mandatory rule AS 4299 (the standard to make life comfortable for those in supportive housing).

As a result, Minister Berry stated that: ***“Housing ACT has taken on board the feedback provided by the Tribunal and lessons learnt will be incorporated in future developments.”***

Recently, a new DA was lodged for one of the blocks where HACT sought to build three supportive houses in 2022. The new DA is very different. It is for a residential development of two public housing dwellings on the block and it complies with the existing lease.

It seems our efforts have produced good results

Royal Commission into Violence, Abuse, Neglect and Exploitation of people with Disability