

# Terms of Reference

## Social Housing Renewal Standing Advisory Committee

Version: September 2017

**Standing Advisory Committee** appointed pursuant to Part 7, Section 151 of the *Planning and Environment Act 1987* to report on the suitability of planning proposals to facilitate new social housing outcomes.

### Name

1. The Standing Advisory Committee is to be known as the 'Social Housing Renewal Standing Advisory Committee' (the Standing Advisory Committee).
2. The Standing Advisory Committee is to have members with the following skills:
  - a. Strategic and statutory land use planning;
  - b. Urban design;
  - c. Property economics and development feasibility; and
  - d. Transport planning.
3. The Standing Advisory Committee will include an appointed Chair and Deputy Chair.

### Purpose

4. The purpose of the Standing Advisory Committee is to:
  - a. advise on the suitability of new planning proposals prepared by the Department of Health and Human Services (DHHS) to facilitate renewal and redevelopment of existing public housing estates to increase the supply of social housing ; and
  - b. provide a timely, transparent and consultative process to facilitate the renewal of Victoria's social housing stock.

### Background

5. There is an increasing demand for social housing (public<sup>1</sup> and community<sup>2</sup> housing) in Victoria, particularly for individuals on low, supported incomes. Declining housing affordability is seeing a rise in homelessness, with a 19 per cent increase in demand for homelessness services since 2011.
6. Victoria has the lowest proportion of social housing dwellings per capita of all states in Australia and is lagging compared to other states with its provision of social housing.
7. The situation is exacerbated by more than 30 per cent of the public housing supply being over 30 years old and nearly 16 per cent of properties being obsolete in four years.
8. The current housing supply is predominantly made up of three bedroom dwellings and does not meet current demand for public housing, which is for one and two bedroom dwellings (72 per cent), driven by changes to household composition.

<sup>1</sup> Rental housing that is targeted to very-low and low income households on an affordable basis (no more than 25% of income on rent), owned and managed by the State Government housing authority, or managed by community housing providers on the government's behalf.

<sup>2</sup> Rental housing that is targeted to low to moderate income households that is managed and generally, but not always, owned by a non-government housing provider.

9. A good proportion of the current public housing stock is low to medium rise walk up flats that were built in the 1950's – 1970's. These sites, whilst typical of their era, do not maximise the development potential of the land, resulting in an underutilisation of public assets.
10. Much of the current supply is in very poor condition and does not provide for functional and safe housing. Only the tenants in the most severe housing stress will agree to move into many of the walk up properties, which are the least preferred and most deteriorated housing on offer, and this is compounding disadvantage.
11. Current walk up buildings are not suitable for people with disabilities or people who are ageing, who now comprise the majority of social housing demand.
12. Compared to dwellings less than 10 years old, the housing stock is more costly to maintain and is diverting limited funding away from investment in new social housing supply.
13. Despite the Director of Housing's large stock size and value, there is limited opportunity for revenue generation from public housing, which creates a shortfall between operating costs and revenue. This cost is increasing as maintenance costs grow.
14. In a constrained funding environment, the Director of Housing is seeking new approaches to deliver social housing by providing an opportunity to upgrade and renew existing stock and increase the overall number of social housing dwellings. DHHS has identified a number of their existing land assets that can be better utilised to delivered a renewal opportunity and provide important new public housing stock.

## Method

### General

15. The Minister for Planning (or delegate) may refer proposals to the Standing Advisory Committee. The proposals may be referred in groups.
16. A proposal may be in the form of changes to the planning scheme and/or a combined planning permit application.
17. In making a referral, the Minister for Planning or delegate must be satisfied that any future planning provisions for the land make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on *The Form and Content of Planning Schemes*
18. A proposal may include land in addition to that owned by the Director of Housing where there is a direct link to the provision of social housing and where it enables a more comprehensive urban planning approach. The inclusion of such land must be agreed to by the Minister for Planning prior to notice.
19. The Standing Advisory Committee may meet and invite others to meet with it when there is a quorum of at least two members.
20. The Standing Advisory Committee may apply to vary these Terms of Reference or inform itself in any way it sees fit.

### Briefings

21. The Standing Advisory Committee may request a project briefing from DHHS prior to the commencement of a proposal, or group of proposals. This may occur prior to the formal notification process.

22. The Standing Advisory Committee may issue directions to DHHS at the completion of any briefing.

**Public exhibition of proposals**

23. The Standing Advisory Committee will pre-set the public hearing dates prior to the notice period commencing.
24. The Department of Environment, Land, Water and Planning (DELWP) will provide administrative support, including seeking written submissions on relevant proposals during a 20 business day notice period.
25. DELWP will provide direct notice (by letter) to:
  - a. Relevant Council;
  - b. Relevant Government agencies or servicing authorities; and
  - c. Neighbouring properties.
26. DELWP will place a notice in a local newspaper (where available) in the first week of the notice period.
27. DHHS will provide notice to Director of Housing tenants that are affected by the proposal.
28. DELWP will provide information about relevant proposals on its website and details on how to make a submission.
29. All submissions are to be collected at the office of Planning Panels Victoria (PPV) in accordance with the 'Guide to Privacy at PPV'. Electronic copies of submissions will be provided for each relevant Council, DHHS and DELWP.
30. Petitions and pro-form letters will be treated as single submissions and only the first name to appear on the first page of the submission will receive correspondence in relation to Standing Advisory Committee matters.

**Public hearing**

31. The Standing Advisory Committee is expected to carry out a directions hearing and a public hearing.
32. The Standing Advisory Committee may conduct workshops or forums to explore design issues or other matters. Any workshops or forums will be a public process.
33. The following parties should be asked to present to the Standing Advisory Committee:
  - a. DHHS
  - b. Relevant Council(s)
  - c. DELWP
34. The Standing Advisory Committee will provide any party that has made a written submission with the opportunity to be heard.
35. The Standing Advisory Committee may limit the time allocated to parties appearing before it.
36. The Standing Advisory Committee may prohibit or regulate cross-examination.

## Submissions are public documents

37. The Standing Advisory Committee must retain a library of any written submissions or other supporting documentation provided to it directly until a decision has been made on its report or five years has passed from the time of its appointment.
38. Any written submissions or other supporting documentation provided to the Standing Advisory Committee must be available for public inspection until the submission of its report, unless the Standing Advisory Committee specifically directs that the material is to remain 'in camera'.

## Matters to be considered

39. The Standing Advisory Committee must consider:
  - a. All relevant submissions.
  - b. The appropriateness of the proposal in light of key strategies including *Home for Victorians* and *Plan Melbourne 2017*.
  - c. The appropriateness of the proposal against the objectives of the *Planning and Environment Act 1987* and any other relevant provisions of the planning schemes.
  - d. Whether the Minister for Planning should act as Responsible Authority for the development site(s) and if this would expedite future planning approvals.
  - e. Whether the proposed changes to the planning scheme and/or planning permits should be approved, subject to any recommended changes.
40. It is not the role of the Standing Advisory Committee to review or consider:
  - a. the increasing demand for one and two bedroom social housing dwellings;
  - b. the suitability of joint venture partnerships as a delivery model;
  - c. leveraging under-utilised public land to deliver an increase in social housing;
  - d. the dwelling yields needed to achieve an increase of at least 10 per cent in social housing;
  - e. the appropriateness of community housing providers to administer the provision of social housing.

## Outcomes

41. The Standing Advisory Committee must produce a brief written report for each matter referred to it for the Minister for Planning providing:
  - a. Consideration of the matters as outlined in these Terms of Reference.
  - b. An assessment of any other relevant matters raised in the course of the hearing process.
  - c. An assessment of whether the proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on *The Form and Content of Planning Schemes*
  - d. A (without prejudice) draft planning permit including relevant conditions from referral authorities (if applicable).
  - e. A list of persons who made submissions to the Standing Advisory Committee.

- f. A list of persons consulted or heard.
- 42. The Standing Advisory Committee may submit its reports in stages based on groups, or other groupings as practical.
- 43. After DHHS submits its final Development Plan or planning permit application, the Minister for Planning may refer the Development Plan or planning permit application to the Standing Advisory Committee for further review prior to his final assessment.

### Timing

- 44. The Standing Advisory Committee is required to hold a directions hearing no later than 20 business days from close of the notice period.
- 45. The Standing Advisory Committee is required to submit its report in writing as soon as practicable but no later than 20 business days from the completion of its hearings.
- 46. If the Minister for Planning refers a Development Plan or planning permit application to the Standing Advisory Committee for further review, a brief report must be prepared within 10 business days from the receipt of the referral.

### Fee

- 47. The fee for the Standing Advisory Committee will be set at the current rate for a Panel appointed under Part 8 of the *Planning and Environment Act 1987*.
- 48. The costs of the Standing Advisory Committee will be met by the DHHS.



Hon Richard Wynne MP  
Minister for Planning

Date: 6/9/17

## Appendix A: Project Management

*The following information does not form part the Terms of Reference.*

### Project Management

1. Administrative and operational support to the Standing Advisory Committee will be provided by Cassie Hannam, Senior Planner, Department of Environment, Land, Water and Planning, 03 8683 0943 and [cassie.hannam@delwp.vic.gov.au](mailto:cassie.hannam@delwp.vic.gov.au)
2. Day to day liaison for the Standing Advisory Committee will be through Andrea Harwood, Senior Project Manager, of Planning Panels Victoria on 03 8392 5123 and [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au)

## **Appendix B: List of planned projects in 2017**

*The following information does not form part the Terms of Reference.*

### **Initial Project**

1. Flemington Estate

### **Group A**

2. Gronn Place, Brunswick West
3. BellBardia and Tarakan Estates, Heidelberg West
4. Walker Street, Northcote

### **Group B**

5. Ascot Vale Estate
6. Abbotsford Street, North Melbourne

### **Group C**

7. Noone Street, Clifton Hill
8. New Street, Brighton
9. Bills Street, Hawthorn