



Recognising and upholding excellence in local government

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05 July 2024

To: EDQ

By: email

edq@dsdilgp.qld.gov.au

To whom it may concern

Dear Sir/Madam

RE: Policy and draft criteria for Economic Development (affordable housing) amendment regulation 2024

The Organisation Sunshine Coast Association of Residents Inc. (OSCAR) is a non-partisan, not-for-profit umbrella/peak organisation covering resident and community organisations on the Sunshine Coast and Noosa Local Government Areas (LGAs) in South East Queensland.

OSCAR currently has over 35 member groups from the Pumicestone Passage to Noosa and from the Coast to the hinterland and ranges.

The OSCAR overarching Vision states: "The residents of this region enjoy being part of a connected and engaged community living in an area of outstanding natural beauty. They recognise that they are custodians of the unique and abundant biodiversity, beaches and green spaces of the region."

OSCAR aims to support member organisations by:

- 1 Advocating to local and state government and the public on policy issues that are of regional significance and of concern to our members;
- 1 Acting to resolve issues of strategic or region-wide relevance that are referred by member organisations;
- 2 Representing the member organisations on region-wide matters of interest to the community;
- 3 Maintaining awareness and responsiveness through frequent and regular ordinary meetings and dialogue with member organisations; and
- 4 Practising professional, honest and ethical conduct.

Further information about OSCAR can be found on our website at:

<https://www.oscar.org.au/>

We have made some comments and suggestions relating to the Proposed Draft Criteria in the following pages

OSCAR Comments

We welcome the opportunity to make a submission to EDQ about proposed amendments to the Regulations related to affordable housing, associated with the passing of The Economic Development and Other Legislation Amendment Bill 2024 (the Bill). OSCAR also made a submission to the Bill prior to its adoption.

Our comments are based on the document *"Policy and draft criteria for Economic Development (affordable housing) amendment regulation 2024"*

Sections 1-4

We appreciate the information in Sections 1-4 of the document, outlining the:

Purpose and Context and Policy for the Regulation Amendment.

Figure 1 in Section 3 Spectrum of Housing Affordability is an excellent diagrammatic representation of the Housing Affordability Spectrum.

Section 4.1 references the recently passed Bill. OSCAR has and continues to support the first 2 points of this section, that is in relation to the provision of diverse housing, including affordable housing, (point 1) and the ability for Minister to enter into third party agreements with Community Housing Providers (point 2).

OSCAR supports strongly these two measures and would like to see such applying to ALL developments, particularly in green and brownfield developments in all locations.

We also support parts of points 3 and 4 where the Minister can *"include requirements for affordable housing"* (point 3) and *"That conditions can be imposed on the development approval to require affordable housing"* (Point 4). These parts appear appropriate given the objective of this state development initiative is to facilitate affordable housing coming to the market in this context.

However we have serious reservations relating to components of points 3-5 of the proposed amendments. Requiring a payment of an amount in lieu *instead* of bringing affordable housing to the market in line with the criteria does not meet the objectives for opening up these planning pathways to provide affordable housing to low to moderate income earners. We make further comment on this in our commentary in section 4.5.

Sections 4.2-4.5 refer to PDA Development processes. Section 4.4 is a sound process for ensuring that affordable housing is located where it is needed. The Needs Analysis concept we feel is a more effective way of identifying both the need for and the quantum of affordable housing provision.

Section 4.3 PDA Guideline 16

With respect to Implementation - PDA Guideline 16 – that *development applications are to*

be assessed against the relevant ILUP or PDA appears logical from a planning perspective

Section 4.4 indicates that the Needs Analysis will be conducted for *“the relevant area”*.

We support this component and ask – *“Is this relevant area considered to be the whole LGA or the specific sub area under consideration?”*

Section 4.5 PDA Development Applications.

OSCAR supports the statement that *“In making an application in a PDA that includes requirements for affordable housing, the applicant should demonstrate how any applicable affordable housing requirements are achieved.”*

OSCAR would like to see the wording amended to state:

That the in making an application the applicant *“ is required to demonstrate how any applicable affordable housing requirements are achieved”*.

We suggest that such action should be supported across all sectors in terms of this reform.

OSCAR requests that this process is transparent to the whole community and not just kept within EDQ.

OSCAR does NOT support Paragraph 3 of Section 4.5 that is *“that applications that do not meet the affordable housing requirements may provide a monetary contribution in lieu of the supply of affordable housing”*.

Further, a condition allowing *“payment of a monetary contribution in lieu of the supply of social or affordable housing, a proponent may enter into an agreement with the MEDQ to waive the payment in lieu and provide for the supply of alternate affordable housing elsewhere”* appears disingenuous and could enable exploitative governance arrangements by the private sector in partnership with the public sector.

For non-PDA applications this process has the potential to circumvent the local planning authority approvals' processes and subsequent appeal rights of applications that would ordinarily be impact assessable.

We understand that a person attending the Webinar asked whether EDQ follow up on these hypothetical alternative affordable housing development approvals (offsets) and the answer was "no".

This element of the amendment appears to be a planning pathway for the development industry to circumnavigate local council schemes, the scientific methodology and community expectations contained within them, and serves to undermine genuine incentives in bringing affordable housing to the market.

We are concerned and object to this element of the proposed reform and suggest that the general public expects that this particular reform should be targeting, facilitating and enforcing the development of affordable housing via PDA / ILUP applications and approvals.

Table 1 Proposed affordable housing criteria

Table 1 outlines clearly the criteria for **Non-market** (a,b,c) and **Market housing** (d,e,f) and provides a very useful explanation section for the criteria. **Market housing affordable to first home buyers and key workers** (g,h), similarly outlines the criteria and provides explanations for both.

The definitions section is also most useful.

Conclusion

There are numerous other initiatives and planning pathways and incentives for developments that do not provide for affordable housing under the EDQ criteria in this instance, that can benefit from said initiatives and planning pathways in bringing diversity of housing to the market, and through current and established planning channels without a PDA declaration or otherwise.

In short, a PDA or ILUP application approval and conditions to provide affordable housing should be enforced under this scheme or the approval should be deemed voided. Affordable housing initiatives should provide affordable housing to the market and be governed as such to achieve the outcomes advertised.

I acknowledge the contribution and support of members of the OSCAR executive and member group Caloundra Residents Association in developing this response.

Yours sincerely,

A handwritten signature in black ink that reads "Melva E Hobson". The signature is written in a cursive, flowing style.

Melva Hobson PSM
President
OSCAR
(Organisation Sunshine Coast Association of Residents)