

## Housing Availability and Affordability (Planning and Other Legislation) Amendment Bill 2023

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**SUBMISSION: PARLIAMENTARY COMMITTEE INTO HOUSING AFFORDABILITY BILL  
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ON BEHALF OF *KURILPA FUTURES***

**Purpose of Submission**

This submission aims to identify and explore the wider-scale and longer-term consequences that would flow from the introduction of the proposed Housing Affordability Bill

**The Purposes of the Bill**

The Bill aims to supercede existing planning provisions and controls by *Ministerial Designations* of proposed new permitted land uses. In areas specified, new housing developments would be permitted, in the stated interests of housing availability and affordability.

**Evaluation**

**1. Land Assembly**

The justification of tackling claimed shortages of developable land for housing development is erroneous. In the South East Queensland Regional Plan area, for instance, more housing land is designated, available and awaiting development, than is needed to meet projected demands. It is mainly located in carefully selected and highly suitable situations, concentrated around well-serviced *Transit Orientated Developments* (TODs), strategically located in already existing and designated lines of communication and along transport corridors. These policies have, for instance, been mainstays of successive Brisbane City Council *City Plans* since their introduction in Brisbane's *City Shape Strategy* in 2006, and remain so in the current 2014 *City Plan*. The resultant low cost, low and medium rise and community-integrated housing is far more suitable for the often-stressed households needing affordable housing than high rise units spatially separated from direct access to the play and amenity open space needed by young and old alike.

**2. The Proposed Use of Ministerial Powers of *Designation* and *Declaration***

The use of Ministerial powers in the Minister's recent declaration of the *Kurilpa Precinct Temporary Local Planning Instrument* (TLPI) in Brisbane in the stated interests of housing affordability illustrates the fallibility of these types of narrowly targeted initiatives. The land designated in the TLPI is amongst the most expensive in the state. High rise construction for

the 60-90 storey developments being promoted is the most costly of any building form. The 'requirements' included to assist affordability in such situations allow evasion of the provision of any affordable housing at all by developers who choose to adopt alternative required *Acceptable Outcomes* (AOs) related to amenity and environmental quality. Instead of promoting affordable housing the TLPI Designation which is the forerunner of this Bill would divert scarce housing funding and construction to provide the ultimate in high-cost high-rise luxury units.

### **3. Implications for Conservation of Recreational and Rural Conservation Space**

At present rural agricultural and recreational land throughout the region is protected by confining urban development to areas within a designated *Urban Footprint*. The proposed legislation would reverse this protection by creating *Urban Zones* through *Designations* at Ministerial discretion. In SEQ, this reversal of the two-decade long protection of rural resource and recreation land is a retrograde step which should not be supported. In addition, such development areas could be declared with no direct Community Consultation, but only through surrogate negotiations with local governments.

### **4. Heritage Implications**

In *Ministerial Designations*, Heritage provisions by local government could be over-ruled by the Minister on behalf of the State Government. Taking such decisions about local heritage away from local governments would be a retrograde step.

### **5. Excessive centralization of powers**

All of the above radical innovations would result in excessive centralisation of decision-taking and control in the hands of potentially distant authorities, taking decisions further from *action points* to more remote *centres of control*. In so doing they ignore and transgress the *Principle of Subsidiarity*, which states that in the interests of appropriateness and responsiveness, decisions and controls should be devolved to the lowest level at which they can be successfully undertaken and administered. By reversing this principle, the proposed legislation would erode both local democracy and well-informed decision-taking. Bad precedents would be set for both process and outcome.

### **6. Replacement of coherent, integrated community planning by series of short term 'one-off' expedients.**

Reliance on these short term expedients to progress the planning and construction of housing - one of the most crucial and inter-related of human and urban activities- would be a large step backwards towards the abandonment of integrated planning for well serviced and suitably located communities. It would be retrograde in its immediate effects, socially corrosive in its cumulative long-term impacts, and damagingly confrontational.