
2.9 Waiver of Planning Fees for Community Housing Proposals

File: TBA
Responsible Officer: Acting Manager Strategic Planning

Purpose

1. To adopt a policy of waiving planning fees relating to the use and/ or development of community housing.

Background

2. Council adopted the *City of Yarra Affordable Housing Statement and Strategy* (the Strategy) in September 2004 to guide Council actions regarding the provision of affordable housing within the municipality.
3. The Strategy defines affordable housing as, “housing which is appropriate to the needs of low to moderate income households and does not consume such a high proportion of household income that it leaves the household with insufficient money to meet other essential needs (i.e., clothes, transport, food, medical etc.)” Community housing falls within the ambit of this definition.
4. One of the key objectives of the Strategy is “growing affordable housing stock”. Sitting under this objective are two strategies:
 - “(a) *To develop a strategic approach to the planning, advocacy and development of social and affordable housing developments within the municipality; and*
 - “(b) *To facilitate projects that maintain and enhance the availability of affordable housing through partnerships, contributions and incentives.*”
5. One of the actions associated with the above objective and strategies is to investigate incentives, partnerships and Council contributions that encourage the development of new affordable housing.
6. As part of implementing this component of the Strategy it is proposed that Council adopt a policy of waiving planning fees associated with the use and/ or development of ‘community housing’. This complements Council’s existing policy which allows the waiver of rates for land developed with ‘community housing’.
7. For the purposes of this policy, community housing is defined as:

"Housing owned by a not-for-profit organisation which [is endorsed as a deductible gift recipient for the purposes of the Income Tax Assessment Act 1997] OR [operates predominantly for a charitable purpose], but does not include housing on land owned by the Department of Human Services or land that has been transferred by the Department of Human Services to a third party within the past 10 years."
8. An example of where this policy could be applied in the near future is a forthcoming planning application relating to the development of the ‘House of

the Gentle Bunyip' site at the corner of Hodgkinson and Gold Streets, Clifton Hill, by Melbourne Affordable Housing.

Consultations

9. Consultation was undertaken as part of the development of the Strategy, and this initiative accords with the Strategy.

Financial Implications

10. Due to the small number of planning applications for the development of community housing, and their modest scale, the loss of revenue from these fees will be minimal. For example, in the recent past there have been two permit applications for community housing (1 Park Place, North Fitzroy developed by Yarra Community Housing; and 92A Hodgkinson Street, Clifton Hill, under development by Melbourne Affordable Housing). The planning application fee for the construction of each of these developments was \$1010.

Economic Implications

11. The proposed fee waiver will have positive benefits for the providers of community housing.

Social Implications

12. The proposed fee waiver supports Council's goal of expanding the provision of affordable housing in the municipality.

Legal Implications

13. The Planning and Environment (Fees) Regulations 2000 provide a responsible authority the power to waive a fee in connection with matters other than an amendment to a planning scheme, in a range of circumstances [section 13(1) of the Regulations]. These include the following relevant circumstances, that:
 - (a) if in the opinion of the authority the application or determination assists the proper development of part of the State, region or municipal district;
or
 - (b) an application is for land used exclusively for charitable purposes.
14. Applications associated with the provision of community housing meets these circumstances.
15. Section 13(3) of the Regulations also require that if a responsible authority waives a fee in accordance with this regulation the matters taken into account and which formed the basis of the decision to waive the fee must be recorded in writing.
16. For the purposes of complying with Section 13(3) of the Regulations this report and recommendation provide the rationale for the fee waiver.

RECOMMENDATION

17. That Council adopt a policy of waiving the fees in connection with matters (other than an amendment to the planning scheme) determined under the *Planning and Environment Act 1987* for the use and/ or development of community housing, where community housing is defined as:

"Housing owned by a not-for-profit organisation which [is endorsed as a deductible gift recipient for the purposes of the Income Tax Assessment Act 1997] OR [operates predominantly for a charitable purpose], but does not include housing on land owned by the Department of Human Services or land that has been transferred by the Department of Human Services to a third party within the past 10 years."

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Maltzahn

Seconded: Councillor Jolly

That the recommendation be adopted.

CARRIED

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