

DRAFT SECOND READING SPEECH
HON ROGER JAENSCH MP
Housing Land Supply Amendment Bill 2021

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Mister Speaker, I move that the Bill be read a second time.

This Bill makes a number of amendments to the Housing Land Supply Act 2018.

The Housing Land Supply Act was developed following the then Premier's Housing Summit in 2018. The introduction of the Act was unanimously supported by both Houses of Parliament as a more direct process for rezoning and modifying planning scheme requirements for eligible Government land to facilitate housing, particularly for affordable and social housing developments.

The Housing Land Supply Act targets underutilised or vacant land that is suitable for residential purposes and the provision of social and affordable housing through the making of Housing Land Supply Orders.

It replaces the standard planning scheme amendment processes under the Land Use Planning and Approvals Act 1993 and provides shorter timeframes for the rezoning of land, while still maintaining the same rigorous assessment criteria.

To date, five Housing Land Supply Orders have been made under the Act, for land at Rokeby, West Moonah, Devonport, Newnham and Huntingfield. A total of around 40 hectares has now been rezoned for housing purposes and transferred to the Director of Housing under the Homes Act 1935. This land will deliver around 600 new lots for residential development.

More draft Orders are currently being progressed to further assist with the Director of Housing's work program for providing more affordable and social housing options around our State.

When the Housing Land Supply Act was introduced, there was a strong demand for housing and across Tasmania we are continuing to see significant rises in the cost of housing, private rental and increased demand for housing in general. The impacts of the COVID-19 pandemic have also driven increased demand for housing in our regional areas.

The Housing Land Supply Act, in conjunction with the Homes Act 1935, provides an important mechanism for delivering social and affordable housing in Tasmania. In effect it provides a form of 'inclusionary zoning' through the planning scheme, ensuring that a share of new housing construction is allocated to people in need of housing.

Responding to the continued demand for housing requires action across a number of sectors, including our planning system. The aim of this amendment Bill is to make more government land eligible for consideration.

Mister Speaker, the draft Bill aims to achieve this in four ways.

First, the amendments expand the scope of eligible Government land to include land owned by Tasmania Development and Resources, as well as land obtained by the Director of Housing after the Housing Land Supply Act came into effect.

Currently, the Housing Land Supply Act only allows certain government land to be considered for a Housing Land Supply Order. This is limited to land that was owned, vested in, or held by the Director of Housing under the Homes Act 1935, or was Crown land, before the Act commenced in 2018.

The Housing Land Supply Act was originally intended for surplus government land or land already owned or managed by the Director of Housing. However, with a number of Orders now made, the availability of suitable, eligible government land is becoming limited, and more needs to be done to assist with Tasmania's acute housing shortage.

Having a broader range of government land eligible for consideration under the Act will further assist the Director of Housing's work program by delivering more land for affordable housing sooner.

Land owned by Tasmania Development and Resources, a Tasmanian Government entity, was unintentionally excluded from the original Housing Land Supply Act. While it is Government land, it is not technically Crown land and could not be considered under the Act. Including this land allows previously identified land within the Launceston Techno Park in Kings Meadows for example, to be considered.

In addition, the Bill expands the Housing Land Supply Act to include land obtained by the Director of Housing after the Act came into effect. This is proposed in response to submissions that requested greater promotion of affordable housing within planning schemes.

This change allows the Director of Housing to more strategically identify appropriate opportunities to deliver social and affordable housing development, rather than being constrained by existing Government owned sites.

Second, the amendments allow for the consideration of Housing Land Supply Orders within the municipality of Flinders.

The lack of public transport and reticulated services in Flinders municipality limit the consideration of Orders under the current Housing Land Supply Act criteria.

The proposed changes allow for the consideration of land on Flinders Island by:

- removing the need for such land to be proximate to public transport; and

- creating flexibility in the zone requirements, provided the land can be adequately serviced.

These changes will further ensure we can provide for the specific housing and support the needs of the Flinders community given the unique circumstances acknowledged in the Northern Tasmania Regional Land Use Strategy.

Third, the amendments provide a more inclusive consultation process and improved transparency in the decision making process for proposed Housing Land Supply Orders.

It is important that the Housing Land Supply Act provides both meaningful and inclusive consultation on proposed Housing Land Supply Orders.

While the Act was approved by both Houses of Parliament with a requirement for only targeted consultation with defined 'interested persons', with the experience of operating the Act and the expanded scope of eligible land, it is considered that the consultation process for proposed Orders should be improved and broadened.

The Bill proposes amendments to the current consultation process under the Housing Land Supply Act to require a 28 day public consultation period for all proposed Orders processed after this Bill comes into effect.

This aligns the consultation process with the normal planning scheme amendment process under the Land Use Planning and Approvals Act 1993, and written notice will still be provided to all defined 'interested persons' announcing the commencement of the public consultation period.

Importantly, the revised consultation processes will not erode the significant time savings afforded by this process, and by ensuring broader input on all future proposed Orders, they are expected to increase public confidence in the process.

The amendments also specifically require the Minister when consulting on, or tabling a proposed Order in Parliament, to provide a clear statement outlining their opinion on how it satisfies the relevant criteria under the Housing Land Supply Act.

The Bill also provides a clear process for the Minister to follow if it is determined to not progress a proposed Order after consultation. Notice must be given to all interested persons and each person who made a submission on the proposed Order. The notice must give reasons why the Minister has made this decision, and the Minister's reasons and each submission is made available on the Department's website for a period of at least 6 months.

Mister Speaker, we have listened to the community and made these very important changes to the Bill.

Finally, the amendments make the rezoning assessment criteria of the Housing Land Supply Act consistent with those of the Land Use Planning and Approvals Act 1993.

Currently, the Housing Land Supply Act requires that the rezoning of land for a housing land supply order be 'consistent' with the regional land use strategy.

However, the Land Use Planning and Approvals Act currently only requires the rezoning of land to be 'as far as practicable' consistent with the regional land use strategy, which was suggested by the independent Tasmanian Planning Commission as a more practical requirement for the assessment of planning scheme amendments.

It is unnecessary for the rezoning criterion to differ between the two Acts.

The Bill also adds an additional criterion to require an Order to align with the requirements of the Tasmanian Planning Policies when in effect. The Housing Land Supply Act predates the amendment of the Land Use Planning and Approvals Act which established the framework for the Tasmanian Planning Policies.

It is important that the Housing Land Supply Act is now updated.

Mister Speaker, this Bill furthers the purposes of the Housing Land Supply Act and provides further opportunities for delivering social and affordable housing in Tasmania. Importantly, it also improves the current Act by providing more inclusive and transparent decision-making processes.

Finally, Mister Speaker, I would also like to acknowledge the comprehensive and invaluable feedback received on the Bill across two consultation periods and from a broad range of stakeholders.

This has helped shape the Bill and further improve the processes under Housing Land Supply Act.

Mister Speaker, I commend this Bill to the House.