



# LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

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## STANDING COMMITTEE ON PLANNING, TRANSPORT AND CITY SERVICES

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Submission No 5 -

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Inquiry into DV 365 -

Housing Choices

Received - 22/04/21

Authorised - 06/05/21

## **Submission to the Inquiry into Draft Variation 365: Housing Choices – Co-Housing and Boarding House**

### **Effect of the Variation**

This variation regulates boarding houses and cohousing developments so as to reduce the possibility of diversity of residential housing in RZ1. It does this by prohibiting boarding houses over 4 bedrooms and cohousing in RZ1 areas.

This would seem to contradict the stated aim of the variation which is to implement this part of the Housing Choices Collaboration Hub recommendation.

“Theme 4 – Lifestyle and diversity – The current housing options driven by market do not provide flexibility for varying lifestyles in both physical space and possible procurement methods. Recommendation 7 – For both infill\* and new developments, government should require and/or incentivize developers to deliver an increase in: 1. Mix of dwelling sizes and diversity of dwelling types. 2. The set proportion (%) of new dwellings that meet universal design standards: whilst taking into account different Precincts and changes over time.

### **Definition and Regulation of Boarding house**

Boarding houses are defined as “Boarding house means the use of land to provide the residents with a principal place of residence for 3 months or more where meals, laundry or other services are provided only to those residents of the boarding house, and/or may also include shared facilities, such as communal living area, bathroom, kitchen or laundry facilities. A boarding house is not licensed to sell liquor under the Liquor Act 2010.” To the best of my knowledge the ACT does not have any other specific regulation of boarding houses.

This definition would surely also encompass a ‘normal’ family home where the members of the family live there for 3 months or more and meals and other services are provided. It would also include the normal “share house”.

As a matter of practical reality in Canberra, some large houses are built in Canberra to with the intention of being boarding houses, but as far as planning is concerned they present as a “normal” single house.

I am pleased that the recommended version of DTV365 allows boarding houses in RZ1, where as the draft version prohibited them. I am not sure of the economics of boarding houses but I assume that a boarding house for 4 people is too small to provide any

services. I assume what this variation is in fact supporting is “mini apartments’ where each ‘apartment’ is basically self contained but no unit titling is allowed.

In early times in Canberra boarding houses or there larger versions as hostels were a normal part of accommodation especially for single people. I think there is still a market for them, and there is no reason that they should not be in RZ1 areas if they are similarly sized to the rest of the neighborhood. Today many boarding houses are supported accommodation for residents with support needs. This is very much needed, and appropriate regulation of this is also needed. Other jurisdictions have non planning regulation for boarding houses to protect resident’s right.

It is unclear to me how the prohibition of boarding houses of more than 4 bedrooms in RZ1 areas will work in practice. How can ACTPLA determine whether or not a development is a boarding house?

The other question is, why does ACTPLA want to restrict boarding houses, especially as they are one way of implementing the Housing Choices recommendation and potentially one way for more affordable accommodation?

### **Definition of Cohousing**

Cohousing is defined as “Co-housing means a development with separate dwellings or private living areas, with some common/shared indoor components such as kitchens, living areas, bedrooms and laundries. Private living areas must each contain a bedroom and a bathroom as a minimum and may contain a kitchenette. The common/shared indoor components may be provided in a separate building.”

It is now prohibited from RZ1. Again as a matter of practical reality in Canberra, small cohousing developments are built in Canberra in RZ1. They are often multi generation households using a combination of large houses, secondary dwellings and possibly temporary or unapproved structures. What they cannot do is unit title separate dwellings. This can lead to issues, I have heard in particular of elder abuse where a parent has built a granny flat on a block which may be owned by their children and the parents ending up with no legal or financial rights.

Sharing facilities, along with resident control, is the essence of cohousing, in my opinion. Shared facilities, as well as social and economic benefits, give the possibility of more affordable housing. As such, I think that the ACT government should be trying to encourage, not discourage them. I am pleased that the potential cohousing development in Ainslie has reached territory plan variation stage, but disappointed that it needs a territory plan variation.

## **Central Theme of the Variation**

The central theme of the variation seems to be to ensure that only single household residences are built in RZ1. RZ1 covers 80% of the residential area of the ACT and current government policy is for 70% of new developments to be in existing areas. This is leading to large apartment blocks in the town centres in particular. Meanwhile the RZ1 areas are being slowly rebuilt with McMansions that use the entire 50% plot ratio plus generous “Al fresco” areas to house ever smaller families.

This is not compatible with the Housing Choices recommendations or the comments that were received in the consultation process. Most of the submissions expressed interest in increasing housing choices and relaxing provisions. It is entirely unclear why ACTPLA is reducing the options for cohousing and boarding houses.

Household sizes have reduced in Canberra, while house sizes have increased. This is one, but only one, of the factors that have led to increasingly unaffordable housing in Canberra and significant homelessness. I don't think a more positive planning environment for cohousing and boarding house is in any way enough to solve the problem, but as the Housing Choices report said “The current housing options driven by market do not provide flexibility for varying lifestyles in both physical space and possible procurement methods”. This variation only reduces flexibility and does not advance the government or the communities aims.

## **Recommendations**

ACTPLA put forward a new draft variation to the territory plan which will implement the Housing Choices recommendation to increase flexibility and diversity.

ACT government consider legislation to protect the rights of occupants of boarding houses, as other jurisdictions have.

ACTPLA create, consult on and implement policy and territory plan changes that will lead to more sustainable, developments in Canberra.

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