



ACT
Government

Environment, Planning and
Sustainable Development

Phone: 6207 1923
Reference: 18/00536

[REDACTED]

[REDACTED]

Freedom of information request: Towards a New Housing Strategy

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Environment, Planning and Sustainable Development Directorate (EPSDD) on 9 January 2018, in which you sought access to documents relating to Towards a New Housing Strategy discussion paper.

Specifically, you are seeking:

[REDACTED] requested a range of information in relation to issues raised in a discussion paper Towards a New Housing Strategy.

[REDACTED] consistent with the recent public exhortation by Minister Rattenbury to utilise the new provisions of the FOI Act, hereby requesting pursuant to the ACT Freedom of Information Act copies of all of the information [REDACTED]

I would in addition be grateful, pursuant to the FOI Act for a copy of all correspondence, notes, advice etc, however described, which was generated within the ACT Government and Public Service in response [REDACTED]

In the email of 3 August 2017 [REDACTED]

"1. The Terms of Reference for the Affordable Housing Advisory Group.

2. Advice on the arrangements which have been made to ensure that the Advisory Group has access to expert advice for the purposes of analysis and design of possible policies and programs to support the project.

3. In the Message from the Minister she refers to work which the Affordable Housing Advisory Group has done in recent months 'to review what has been achieved so far and consider what further steps could be taken to improve housing affordability in the ACT.' I would be grateful for the outcomes of the review which the Minister is referring to and any documents and reports related to it.

4. In the Introduction to the discussion paper it is stated 'the Government has invested heavily in reviewing its current and previous efforts on delivering social and affordable housing'. I would be grateful for advice on how much the Government has invested in these reviews and on who undertook the reviews. I would also be grateful for a copy of all reports and documents relating to those reviews.

5. In the Chapter of the paper 'Where Are We Now' on page 5 of the discussion paper it is stated 'Approximately 37,000 dwelling sites have been released over the last ten years against a demand of around 30,000 dwellings.'

I would be grateful if you would provide me with the data and modelling on which it was determined that the demand for the period stated was 'around 30,000 dwellings'. I would in addition welcome advice on how many of the 37,000 'dwelling sites' referred to were identified as being for detached housing and how many of them were for housing other than detached housing and for the modelling which determined the proportion of the dwelling sites which would be applied to each type of housing.

It would also be helpful if you could advise me how many of the remaining 7,000 dwelling sites that are claimed to be excess to demand are currently available for purchase and how many of them are for detached housing and the number that are currently available under the land rent scheme. It would also be useful for those preparing submissions to have advice on the cost range of these dwelling sites and the number of blocks/sites in each cost range.

6. It is also noted on page 5 that the 2016 Census reports that the proportion of households in the ACT paying more than 30% of their income on mortgage costs has fallen over the five years since the 2011 Census from 7.8 % to 5.5 %. The 2016 Census also reports that the proportion of households in Canberra living in housing which they own outright or over which they have a mortgage has also fallen and that the number renting has increased. Has the Government undertaken research into whether the fall in the number of households paying more than 30% of their income on a mortgage is directly linked to the fact that significantly fewer Canberrans are purchasing a home, presumably because they cannot afford to do so, and are therefore renting. It would be interesting to know of the quintiles within which the households paying more than 30% of their income on mortgage payments fit.

7. I would welcome a copy of any modelling the ACT Government has undertaken on the impact which the abolition of land tax would have on rental affordability in the ACT. If the Government has not analysed this issue does the Advisory Group plan to do so.

8. In response to the request for views on steps that might be taken to increase the supply of affordable rental accommodation has the Government undertaken any research on the role which negative gearing has in increasing the supply of rental accommodation and conversely the possible consequences for the future supply of rental accommodation if negative gearing is abolished. If so I would welcome a copy of the analysis. If not does the Advisory Group propose to commission any such advice.

9. On page 6 of the discussion paper it is claimed that 'an analysis of mortgage and rent serviceability showed that for households earning above \$100,000 (that is the third quintile and above) affordable rents start at \$579 per week and an affordable mortgage enables the purchase of a home starting at \$483,000.' It is further noted on page 7 that for households with an annual income of between \$55,000 and

\$100,000 that an affordable mortgage would allow the purchase of a home between \$260,000 and \$483,000. I would be grateful for any information the Government may have on the number of detached houses sold or for sale over say the last year for under \$483,000 i.e. the upper limit of affordability for 60,000 Canberra households.

10. I would welcome a copy of all relevant data on the median as well as the average price of land and housing, detached and other than detached, for each of the last five years. It would also be valuable to have information on the average per square meter price of land sold in each of the last five years for both detached housing and housing other than detached housing.

11. On page 12 under the heading Support the future establishment of an Aboriginal and Torres Strait Islander community housing organisation it is stated: 'This is a long-term, aspirational goal'. I would welcome advice on why the Government believes the housing needs of the ACT Aboriginal and Torres Strait Islander community are a low priority and refers a response to them as 'long-term and aspirational' only. I would welcome advice on whether this approach to what Winnunga Nimmityjah regards as the legitimate and urgent needs of the Aboriginal community was adopted as a result of advice from members of the Affordable Housing Advisory Group or was mandated by the Government."

I am an Information Officer appointed under section 18 of the Act to deal with access applications made under Part 5 of the Act.

EPSDD is required to make a decision on your access application by 6 March 2018. Thank you for your agreement to the extension of time.

Decision on access

Searches were completed for relevant documents and 28 documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

Documents identified as relevant to your request contain information that I consider would on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

I have decided to grant access, under section 50 of the Act, to copies of documents with deletions applied to information that I consider would be contrary to the public interest to disclose.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

Material considered

In reaching my access decision, I have taken the following into account:

- the FOI Act, particularly schedule 2.2 (ii)
- the content of the documents that fall within the scope of your request;

- your views on the public interest in disclosing the government information applied for (as per section 37 of the Act);
- the *Information Privacy Act 2014*

Exemptions claimed

The Act recognises the right of every person to obtain access, under its provisions, to government information (see section 7, the Act). As an Information Officer I am required to allow access to information subject to the Act unless, on balance, disclosure would be contrary to the public interest (see section 17, the Act).

In assessing the public interest, I must apply the cascading test set out by section 17 of the Act which requires consideration of factors favouring disclosure, any favouring nondisclosure and the balance of those factors when considered cumulatively.

In relation to the documents identified as falling within the scope of your request, section 17 applies as follows.

Folios 9, 11, 13 and 17 of the identified documents contain information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act.

These documents contain the names or personal contact information of individuals.

I am satisfied that the release of the identified documents may further open discussion, government accountability, informed debate and the provision of contextual or background information.

I am not satisfied that disclosure of the deleted information could reasonably be expected to further advance these matters as it is limited to the personal information of specific members of the public.

I am therefore satisfied that disclosure of the personal information of individuals could reasonably be expected to prejudice the protection of an individual's right to privacy under the *Human Rights Act 2004*. This is a factor favouring nondisclosure under Schedule 2.2 (ii).

In balancing these matters I am satisfied that, on the information available, disclosure of the personal information of individuals would be contrary to the public interest.

The information identified for deletion falls within the meaning of personal information and I am satisfied that when considered collectively with the information released, would involve the unreasonable disclosure of sensitive information.

Charges

I have waived fees associated with your access application because the documents relate to matters of public interest.

Online publishing – disclosure log

Under section 28 of the Act, EPSDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to

you in response to your access application will be published in the disclosure log from three days after the date of my decision. Your personal contact details will not be published.

You may view the disclosure log at

<http://www.environment.act.gov.au/about/access-government-information/disclosure-log>

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: ombudsman@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601

Telephone: (02) 6207 1740

<http://www.acat.act.gov.au/>

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact EPSDD Customer Service on (02) 6207 1923 and ask to speak to the FOI team, or email to EPSDFOI@act.gov.au

Yours sincerely



Geoffrey Rutledge
Information Officer
Environment, Planning and Sustainable Development Directorate

6 March 2018

