

Reference: 54960

23 December 2009

Ms A A Johnstone MP  
Member for Townsville  
Ground Floor, 31 Sturt Street  
TOWNSVILLE QLD 4810

Dear Ms Johnstone

The Department of Communities appreciates the need to keep you, as the Member for Townsville, informed of housing activities occurring within your electorate.

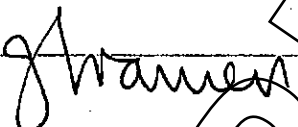
The project for nine, one-bedroom apartments at 143 Mitchell Street, North Ward, has recently been approved to proceed to tender following town planning assessment.

This project will be undertaken through the Department of Communities' Social Housing Construction Program to provide housing solutions for low income people in housing need.

Information about the project and a Fact Sheet regarding social housing tenancy management is attached for your information.

For further information about planning approval please contact Alice Slark, Planning Officer, Project Services on (07) 3227 7257. For information about the management of social housing please contact Jenny Cramer, Senior Client Service Manager, North Queensland Area Office on (07) 4760 7310.

Yours sincerely

  
for James Harmon  
Area Manager  
North Queensland Area Office  
Department of Communities

Attachments:  
Information  
Plans  
Fact Sheet

**Project Details:**

<b>Address:</b>	143 Mitchell Street, North Ward
<b>Real Property Description:</b>	Lot 28 on T1186
<b>Local Authority:</b>	Townsville City Council
<b>Proposal Details:</b>	Nine, one-bedroom apartments
<b>Housing Program:</b>	Nation Building Jobs Plan (NBJP)
<b>Planned Construction Year:</b>	2009/2010
<b>CIMS Ref:</b>	54964

**Town Planning Process – Public Housing Provisions under IPA Chapter 5 Part 6**

The Director-General of the Department of Communities is responsible for administering the public housing provisions of the *Integrated Planning Act 1997* (IPA) Chapter 5 Part 6.

Under the IPA provisions “public housing” is exempt development, i.e. planning approval by a local government is not required. However, responsibilities are placed on the Director-General of the Department of Communities to:

- provide information about the proposed development including plans and specifications to the relevant local government;
- determine whether the proposal for development is “substantially inconsistent” with the requirements of the relevant planning scheme;
- where a project is considered “substantially inconsistent”, undertake public notification of the project to invite submissions about its impact. Public notification involves the placement of a notice on the land and in the local newspaper, and notifying adjoining owners of the proposed development in writing, and
- consider submissions received before determining whether the project proceeds.

**Project**

The Nation Building and Jobs Plan project is for nine, one-bedroom apartments configured as two, three-storey buildings on a 1012m<sup>2</sup> site. The proposed site is within the Mixed Residential Precinct of District 2 under the *Townsville City Plan 2005* and the project is code-assessable development. The project has been determined as ‘not substantially inconsistent’ with the planning scheme; therefore public notification will not be undertaken.

**Key Town Planning Matters**

The project conforms to the planning scheme probable solutions for meeting the specific outcomes for building height, zoning intent, site area, site cover and gross floor area. The project incorporates alternative solutions for front setback, open space and car parking as listed below:

Front Setback

The planning scheme specifies building setbacks to minimise the impact of development on the amenity of adjoining properties and the streetscape. Setbacks also aim to ensure that developments do not overlook or overshadow adjoining properties.

The proposed development responds to the concerns for the neighbours’ amenity by setting the main building line back a minimum of 6m. The balconies and patios are set back 3.6m from Mitchell Street. The setbacks are considered acceptable as the balconies and patios are not fully enclosed and provide articulation and surveillance to the street frontage.

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Telephone 07 4760 7310  
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Website [www.housing.qld.gov.au](http://www.housing.qld.gov.au)  
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### Open Space

The planning scheme requires that landscape and recreation space is provided for all developments.

Each apartment is provided with sufficient open space in the form of a patio or balcony which is usable and functional spaces for recreation purposes. In addition, the site is located within close proximity to open space areas suitable for recreation, including parkland along the beachfront and The Strand 300m from the site.

### Car Parking

Six covered car parking spaces are provided for the nine apartments. The rate of provision accords with the department's car parking rates which have been established on the basis of Australian Bureau of Statistics data on car ownership in public housing and public transport availability.

The six covered car parking spaces are, therefore, considered to satisfy the planning scheme's intent to achieve safe, sufficient and convenient parking for residents and to prevent any impact on local traffic.

### **Target Client Groups**

The department provides direct housing assistance to households in housing need. The level of need is assessed using the department's Client Intake and Assessment Process. The department also aims to match households to the most appropriate housing type and location for their needs to assist them in maintaining a successful tenancy.

Please refer to the Fact Sheet relating to social housing tenancy management for further information.

### **Plans**

Plans of the project are included for your information.

### **Area Office Contact Details (Tenancy Management)**

Contact: Jenny Cramer, Senior Client Service Manager  
Address: PO Box 953 Townsville 4810  
Telephone: (07) 4760 7310

### **Planning Officer Contact Details**

Contact: Alice Slark, Planning Officer  
Address: Level 4, 80 George Street, Brisbane QLD 4000  
Telephone: (07) 3227 7357

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# Tenancy Management Social Housing

## Who manages social housing properties?

- Social housing properties are managed by the Department of Communities (public rental housing) or by community organisations or local governments (community housing). Community housing and public housing are forms of social housing assistance for eligible applicants. They both offer affordable housing for people on low incomes with a housing need.

## How does a social housing tenancy differ from a private rental tenancy?

- Most social housing tenants pay rent based on 25% of a household's assessable income. The maximum rent is the market rent for that property. Market rent is the amount of rent a household in the private rental market would expect to pay for a similar property in the area.
- Affordable housing is a type of community housing where rent is based on a different scale. Tenants in affordable housing pay 30% of their household income in rent, or up to 74.9% of the market rent if they are tenants of the Brisbane Housing Company.

## What are a tenant's responsibilities under the *Residential Tenancies and Rooming Accommodation Act 2008 (effective 1 July 2009)*?

- Social housing tenants sign a *Residential Tenancy Agreement* which is a legal contract between the department or the community housing provider and the tenant. This agreement is similar to any residential tenancy agreement signed by private renters with their landlord.
- Like private rental tenants, social housing tenants have a responsibility to pay rent on time, provide access for maintenance and inspections of the property, maintain the house and its surrounds in a neat and tidy condition, and not disturb the peace, comfort and privacy of their neighbours.
- Breaches of these responsibilities are a breach of the agreement, and will cause a *Notice to Remedy Breach (RTA Form 11)* to be issued. The processes under the *Residential Tenancies and Rooming Accommodation Act 2008* to remedy breaches and to terminate a tenancy occur in the same way as these situations in the private rental market.

## What about neighbourhood complaints?

- The Department of Communities and community housing providers are committed to assisting all tenants and neighbours to live peacefully alongside each other. It is expected that social housing tenants living in Government subsidised housing will make every effort to treat one another with respect and behave in a responsible and community-minded manner.
- The department is responsible for managing complaints relating to public housing tenancies. Community housing providers are responsible for managing complaints relating to the tenancies and properties that they manage.

- Where necessary, mediation through the Dispute Resolution Centre run by the Department of Justice and Attorney-General can be used to resolve problems between neighbors.
- The department and community housing providers cannot control the behaviour of people. However, if tenants or their visitors are involved in behaviour that substantially disrupts the lifestyle of other people in the neighbourhood; the department or the community housing provider may seek to terminate the tenancy.

#### How a tenancy gets terminated?

- The department is committed to assist tenants in sustaining their tenancies, however in the event that tenants fail to comply with the tenancy agreement, this could lead to a tenancy being terminated.
- The *Residential Tenancies and Rooming Accommodation Act 2008* governs the legislative process for evictions. If a tenant breaches their tenancy agreement, a *Notice to Remedy Breach* may be issued. If the breach is not remedied and other actions by area office staff or the community housing provider to resolve the breach are unsuccessful, steps may be taken to end the tenancy.

#### Further information

There are a number of Fact Sheets on specific tenancy management issues available on the Housing and Homelessness website: [www.housing.qld.gov.au](http://www.housing.qld.gov.au). They include:

#### Public Housing Fact Sheets:

- FactF1 - Rent arrears
- FactE1 - How to pay your rent
- FactG1 - Maintenance
- FactF2 - Neighbours
- FactF2 - Maintenance – self help
- FactA4 - Modifications to departmental properties
- FactG4 - New telephone service connection fees
- Fact A5 - The Tenant Participation Program
- FactF5 - Temporary absence from your home
- FactF5 - Visitors
- FactF6 - Transfers
- FactG6 - Water in your home and your health
- FactF7 - Succession of tenancy
- FactF8 - Pets in departmental properties
- FactE11 - Absences from home for medical treatment and your rent

#### Community Housing Fact sheets:

- What is Community Housing  
[http://www.housing.qld.gov.au/programs/pdf/community\\_housing\\_factsheet.pdf](http://www.housing.qld.gov.au/programs/pdf/community_housing_factsheet.pdf)

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