

PLANNING AND ENVIRONMENT ACT 1987 - SECT 3AA

Meaning of affordable housing

(1) For the purposes of this Act, *affordable housing* is housing, including [social housing](#), that is appropriate for the housing needs of any of the following—

- (a) [very low income households](#);
- (b) [low income households](#);
- (c) [moderate income households](#).

(2) For the purposes of determining what is appropriate for the housing needs of [very low income households](#), [low income households](#) and [moderate income households](#), regard must be had to the matters specified by the Minister by notice published in the Government Gazette.

(3) Matters specified by the Minister by notice under subsection (2) cannot include price ranges or prices for the purchase or rent of housing.

(4) In this section—

S. 3AA(4) def. of
[low income households](#) amended by No. 7/2018 s. 23.

"low income households" means households with a household income within the income range specified as a low income range by Order under [section 3AB](#);

"moderate income households" means households with a household income within the income range specified as a moderate income range by Order under [section 3AB](#);

"social housing" has the same meaning as in [section 4\(1\)](#) of the [Housing Act 1983](#) ;

"very low income households" means households with a household income within the income range specified as a very low income range by Order under [section 3AB](#).

S. 3AB inserted by No. 47/2017 s. 4.

Planning and Environment Act 1987

SPECIFIED MATTERS UNDER SECTION 3AA(2)

Ministerial Notice

I, Richard Wynne, Minister for Planning and Minister responsible for administering the **Planning and Environment Act 1987**, under section 3AA(2) of that Act specify the following matters as matters to which regard must be had for the purposes of determining what is appropriate for the housing needs of very low, low and moderate income households:

- Allocation
- Affordability (in terms of the capacity for very low income, low income and moderate income households that it is intended for)
- Longevity (in terms of the public benefit of the provision)
- Tenure
- Type of housing, in terms of form and quality
- Location, in terms of site location and proximity to amenities, employment and transport
- Integration, in terms of the physical build and local community
- The following official estimates of housing need:
 - Australian Bureau of Statistics Community Profiles
 - Census profiles for Victoria
 - Department of Health and Human Services Rental Report
 - Metropolitan regional housing plans to guide housing growth
 - Public housing waiting list (Victorian Housing Register list)
 - Victoria in Future data tables.

This Ministerial Notice takes effect on 1 June 2018.

Dated 17 May 2018

HON RICHARD WYNNE MP

Minister for Planning

Planning and Environment Act 1987
SECTION 3AB – SPECIFICATION OF INCOME RANGES
Order in Council

The Governor in Council under section 3AB of the **Planning and Environment Act 1987** and on the recommendation of the Minister for Planning, the Minister administering the **Planning and Environment Act 1987**, hereby specifies, with respect to affordable housing that is not social housing, the following ranges to be the very low income range, low income range and moderate income range, respectively.

Table 1 – Greater Capital City Statistical Area of Melbourne

	Very low income range (annual)	Low income range (annual)	Moderate income range (annual)
Single adult	Up to \$26,680	\$26,681 to \$42,680	\$42,681 to \$64,020
Couple, no dependant	Up to \$40,010	\$40,011 to \$64,030	\$64,031 to \$96,030
Family (with one or two parents) and dependent children	Up to \$56,010	\$56,011 to \$89,630	\$89,631 to \$134,450

Table 2 – Rest of Victoria

	Very low income range (annual)	Low income range (annual)	Moderate income range (annual)
Single adult	Up to \$19,440	\$19,441 to \$31,110	\$31,111 to \$46,660
Couple, no dependant	Up to \$29,160	\$29,161 to \$46,660	\$46,661 to \$69,990
Family (with one or two parents) and dependent children	Up to \$40,830	\$40,831 to \$65,330	\$65,331 to \$97,980

Note: Table 1 and 2 are derived from annual area median income from the Australian Bureau of Statistics 2016 Census of Population and Housing and indexed using the Australian Bureau of Statistics Housing Group of the Consumer Price Index

This Order applies from 1 July 2022.

For the avoidance of doubt, this Order revokes the following Orders previously made under section 3AB of the **Planning and Environment Act 1987**:

- Specification of Income Ranges, published in Government Gazette No. S 256 on 1 June 2018 at pages 1–2;
- Specification of Income Ranges, published in Government Gazette No. G 23 on 6 June 2019 at page 1070;
- Specification of Income Ranges for Affordable Housing, published in Government Gazette No. S 322 on 30 June 2020; and
- Specification of Income Ranges, published in Government Gazette No. G 26 on 1 July 2021.

21 June 2022

Responsible Minister:

HON RICHARD WYNNE MP
Minister for Planning

SAMUAL WALLACE
Clerk of the Executive Council