

PLANNING SYSTEM

State environmental planning policies

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Related	

State Environmental Planning Policy (Affordable Rental Housing) Amendment 2011

The purpose of this circular is to advise councils, accredited certifiers, proponents and the community of amendments to the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Introduction

The NSW Government has announced amendments to the State Environmental Planning Policy (Affordable Rental Housing) 2009 (AHSEPP) that commenced on 20 May 2011.

The State Environmental Planning Policy (Affordable Rental Housing) Amendment 2011 makes changes to the AHSEPP including:

- repealing elements of the AHSEPP, and
- amending parts of the AHSEPP.

The changes have been introduced to help encourage the development of new affordable rental housing in suitable locations.

Councils, accredited certifiers and proponents should familiarise themselves with the requirements of the amended AHSEPP, including the Savings and Transitional provisions.

Amendments to the AHSEPP

Low-rise infill development prohibited in low-density residential zones

Proposals for villas, townhouses and apartment complexes by the private sector, which contain an element of affordable rental housing, are no longer permissible in low-density residential areas, unless they are approved under another planning instrument.

Requirement to consider the character of the local area

Private sector proposals for new infill and boarding house developments must be designed to be compatible with the character of the local area. This provision is applied to proposals currently under assessment and future development proposals.

Enhanced accessibility criteria

New private infill and boarding house developments in the Sydney region must be located close to more frequent public transport services.

New private infill and boarding house developments outside the Sydney region must be close to local centre and mixed use zones.

Increased parking requirements

Car parking requirements have been increased for infill developments, new generation boarding houses and residential developments undertaken by Housing NSW.

Incentives linked to percentage of gross floor area rather than number of dwellings

The affordable rental housing component of new private infill developments must be at least 20% of the gross floor area of the proposed development. Previously, the requirement related to a specified number of dwellings. This provision is applied to proposals currently under assessment and future development proposals.

Increased Housing NSW notification requirements

Housing NSW is now required to consult the local community on new housing proposals in a manner consistent with the policies of the local council.

Transitional and savings provisions

Savings and transitional provisions ensure that current development applications under assessment will continue to be assessed under the original AHSEPP requirements. The exception is that proposals for private infill development and boarding houses must meet the new 'character of local area' criteria. Infill development proposals are also required to meet the new gross floor area criteria for the proportion of affordable rental housing provided.

Further Information

An updated version of the AHSEPP incorporating the changes set out in the amending SEPP is available on the NSW legislation website:

www.legislation.nsw.gov.au

A copy of the State Environmental Planning Policy (Affordable Rental Housing) Amendment 2011 and fact sheets on the recent changes can be found on the Department of Planning and Infrastructure's website:

www.planning.nsw.gov.au

If you have further enquiries, please contact:

Planning Information Centre

Phone: 02 9228 6333 or

Email: housingpolicy@planning.nsw.gov.au

Authorised by:

Sam Haddad
Director-General
NSW Department of Planning and Infrastructure

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