

N02.03

9<sup>th</sup> March, 2011

Policy, Planning Systems and Reform  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Dear Sir/Madam,

**Re: Submission to the Department of Planning's Affordable Housing SEPP Review**

Thank you for the opportunity to make a submission to the review of the Affordable Housing SEPP on behalf of the Western Sydney Regional Organisation of Councils Ltd (WSROC).

Western Sydney Councils are constantly grappling with the challenge of providing affordable housing for our growing population.

With average incomes and education levels below the rest of Sydney there is an urgent need for good affordable housing, both in the rental and the purchase markets.

However, WSROC and our member councils are increasingly concerned that the State Government appears to be pursuing policies that encourage developers to meet this demand, without regard to ensuring those developments are appropriately sized and sited, or have due regard for existing environmental and residential amenity guidelines and laws.

In addition, the introduction of "bypassing" provisions such as Part 3A, the establishment of Joint Regional Planning Panels and an expansion of the Planning Minister's discretionary powers has left local councils increasingly sidelined from the decision making process.

We welcome the opportunity to provide our opinions on these important issues and look forward to working closely with the Government to ensure that the housing needs of our low and medium income residents, and our special needs residents can be most effectively met.

Once again, thank you for the opportunity to make a submission to this review (see attached). WSROC and our member councils would be happy to consult further on any of these issues if required,

Yours sincerely,



Alison McLaren  
**President**



**SUBMISSION TO THE DEPARTMENT OF PLANNING  
ON THE AFFORDABLE HOUSING SEPP REVIEW**

March 2011

Prepared by the

Western Sydney Regional Organisation of Councils  
(WSROC)

## **PART 3 GENERAL ISSUES**

### **Section 3.1 Improving Public Awareness**

WSROC strongly supports initiatives to promote the building and development of low-cost housing throughout its 10 LGAs. Our councils are daily engaged with informing and educating the community about various developments and would welcome the support and financial assistance from the Government to help promote better community understanding about the need for Affordable Housing and to overcome community prejudice against these types of developments. WSROC would be happy to work with the Department of Planning in developing and promoting public awareness of affordable housing issues.

### **Section 3.2 Ensuring Objective decision making**

WSROC supports the suggested response but stresses that councils must continue to be involved in decisions made regarding developments in their own LGAs. WSROC is concerned that councils are being too often sidelined in the decision-making process which has the effect of alienating residents and constituents from commenting on developments in their own communities. As the frontline representatives of residents and constituents they deserve to play a significant role in these processes.

### **3.3 Flexibility and allowance of variations**

WSROC welcomes moves to allow flexibility in council decision making, and notes that our councils are already showing their flexibility and amenity on these issues, as highlighted by the example of Blacktown council's approval of the Forest Glade project at Parklea.

### **3.4 Benchmarks**

WSROC strongly supports a provision for affordable housing requirements in major developments.

## **PART 4 INFILL HOUSING**

WSROC is concerned that the provisions allowed for developers to define their projects as Affordable Housing is too heavily skewed in favour of developers and against the community at large. Under the existing rules, only 50 per cent of a property developed under an AHSEPP is required to be offered to the rental market, and then only for a period of ten years. There is no provision for those rents to be subsidised or offered at below market rates, and WSROC notes that this review is considering offering these rental properties through commercial real estate agents. We would suggest that local councils could be consulted in the management of these properties as their community focus means they are often aware of local and community issues which could have a bearing on these properties.

In general however, WSROC broadly supports the suggested recommendations outlined in Part 4.

### **Section 4.3: An end to “secret” amendments to the SEPP**

In June 2010 WSROC was alarmed to learn that the NSW Planning Minister had made undisclosed changes to the SEPP which dramatically changed the requirements for affordable housing developments to have access to transport.

As a result, medium and large scale developments could be approved in areas which had no access to regular public transport on weekends and evenings. Social inclusion and mobility is already an issue with many low income housing tenants, and locating affordable housing developments away from vital transport services serves only to exacerbate these problems. These new provisions also led to AH residents having a greater reliance on cars to get around which adds to traffic congestion and air pollution problems. WSROC does not accept that a requirement for more parking facilities is the answer.

In light of these concerns, we strongly welcome **suggestion 4.3** which notes that a key consideration of the review is to re-introducing extended public transport frequency guidelines to include weekends and evenings. WSROC also supports the suggestion that a 10 per cent allowance on distances be allowed where the transport interchange is a large and significant one.

## **PART 5: SECONDARY DWELLINGS**

WSROC broadly supports the suggested responses of Part 5, but stresses that floor space requirements need to maintain some minimum levels to be viable.

### **5.6 Section 94 developer contributions**

Councils rely on Section 94 developer contributions to provide important support infrastructure to residential developments. These contributions are particularly critical in NSW where local councils have had their incomes restricted by rate pegging for many years. While WSROC acknowledges that the cost of providing infrastructure to a greenfields site is significantly higher than that of a secondary dwelling, it is still important that councils are given some leeway in recouping costs associated with new developments, particularly where there may be individual circumstances that require a significant developer contribution. WSROC does not believe that residents and ratepayers should bear the cost of an individual's property development and so would prefer that Section 94 developer levies be assessed on an individual development basis, with provision for appeal to an independent authority if required.

WSROC also welcomes the **suggested response 9.4** in which social housing projects will revert to payment of section 94 contributions in accordance with the relevant council's contributions plan.

## **SECTION 6 – BOARDING HOUSES**

WSROC supports the concept of the “new boarding house” model and recognizes that these types of housing have an important role to play. However, if approvals for these types of

residences are to be facilitated by councils, it is important that the new boarding houses are differentiated from group or care home where residents may require special needs and monitoring. WSROC is also concerned that the current parking provisions of one space for 10 rooms is unrealistic, especially in some areas of Western Sydney where public transport is inadequate. Councils need to have the authority and flexibility to increase parking requirements depending on the location of the proposed boarding house and its proximity to public transport.

## **SECTION 7 - SUPPORTIVE ACCOMMODATION**

WSROC fully supports supportive accommodation which is appropriately developed and located in consultation with local councils and residents.

## **SECTION 8 – SOCIAL HOUSING PROVISIONS**

WSROC strongly supports the needs of social housing providers and recognises that these developments may need to be located in areas not normally zoned for residential flats. We support the suggested response but stress that these decisions need to be taken on an individual basis in consultation with local councils and residents.

## **SECTION 9 LAND AND HOUSING CORPORATION**

WSROC broadly supports the provisions outlined in Section 9 and welcomes the suggestion that car parking requirements for social housing developments be negotiated with relevant councils.

### **Section 9.4**

We strongly support the reversion to previous requirements for social housing developments to comply with council development levies (section 94).

### **Section 9.5**

Plans to fast track demolition and redevelopment plans are understandable but a special exemption should be made in cases where asbestos is present. In that case, Housing NSW should be required to comply with WSROC's asbestos policy as regards management and disposal of asbestos demolitions.

## **SECTION 10 GROUP HOMES**

### **Section 10.2**

WSROC notes the suggestion that single dwellings converted to group homes should be considered exempt of development approval. However WSROC is concerned that this will mean that local residents and neighbours are not notified of the plans, or given an opportunity to comment, and that potential parking implications will not be addressed. WSROC supports a streamlining of the process, but would suggest that councils still need some oversight powers in these conversions.

## **SECTION 11 LOW-COST RENTAL ACCOMMODATION**

### **Section 11.2**

WSROC supports the expansion of AHSEPP provisions to regional areas, particularly in the light of sustainably managing future population growth.

### **Section 11.4**

WSROC strongly supports ongoing consultation with councils as to the most appropriate management of affordable housing contributions on an LGA basis.

WSROC Ltd  
9<sup>th</sup> March, 2011