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

To Whom It May Concern,

Affordable Rental Housing SEPP Review

The Environmental Defender's Office of NSW (EDO) welcomes the opportunity to comment on the review of the *State Environmental Planning Policy (Affordable Rental Housing) 2009*. The EDO is a community legal centre with over 20 years experience specialising in public interest environmental and planning law.

The *Affordable Rental Housing SEPP Review* discussion paper provides information regarding the following 4 issues:

1. low-rise infill development;
2. secondary dwellings;
3. social housing; and
4. incentive and levy schemes.

Whilst the discussion paper states that these are the “fundamental issues regarding affordable rental housing and its acceptability in certain local communities,” it also provides that comments can be made regarding other issues such as “processing and environmental performance.” Our brief comments below focus primarily on the issues of process and environmental performance.

The EDO recognises that one of the major challenges facing NSW is the need to provide a sufficient amount of appropriate accommodation for a rapidly expanding population. In the effort to address this challenge, it is fundamental that strict development standards exist within the legislation to ensure that the environmental, social and economic values of an area are not degraded. In undertaking the review of the SEPP the Department of Planning should ensure that at the forefront of any reforms is the need to operate in accordance with the principles of ecologically sustainable development. Any fast-tracking or exemption from applying standards may help meet short term time frames for development, but may create long-term problems in terms of sustainability.

Accordingly, the EDO submits that the SEPP needs more of an emphasis on the development of affordable housing that incorporates sustainable, or “green”, building features (such as rain water tanks, grey water systems, energy efficiency measures, insulation, solar heating, green roofs, etc). It is clear that incorporating such elements into housing design can provide long term economic, social and environmental benefits at a minimal upfront cost. This will become increasingly important as household bills increase. A very recent example of how this can be done is evident in Sydney's inner west suburb of Lilyfield, where an apartment complex has become the first housing estate in Australia to achieve a five-star energy efficiency rating.¹

¹ Available at: <http://www.abc.net.au/news/stories/2011/02/09/3134472.htm?site=news>.



While maintaining the important development standards relating to sustainability, we note some practical exemptions should exist within the SEPP to accommodate some of the differing requirements of affordable housing, such as 1 car space per 5 dwellings for social housing. However to ensure that such exemptions are not over-utilised, there needs to be a clear process and rationale setting out how such decisions are made. The EDO therefore supports proposals in the discussion paper such as that the “Department of Planning will develop a parking standard guideline which sets out the parameters for determining parking standards for affordable housing taking into consideration bedroom numbers, site location and other factors.”²

Finally, the EDO submits that effective and informed public engagement and community consultation is necessary to ensure support of projects that fall within the SEPP’s criteria. Therefore the EDO agrees with the note by Housing Australia in the discussion paper, whereby “housing NSW projects be notified in accordance with the council’s requirements for comparable private sector development.”³

Once again the EDO thanks you for the opportunity to provide input into the review of the SEPP and looks forward to further consultation on the matter in the near future. If you have any further questions please contact me on (02) 9262 6989.

Yours sincerely

Environmental Defender’s Office NSW

Rachel Walmsley

Policy Director (EDO NSW)

² *Affordable Rental Housing SEPP Review* discussion paper, p45.

³ *Affordable Rental Housing SEPP Review* discussion paper, p43.

