

Relevant Information for Local Planning Panel

FILE: D/2022/285 **DATE:** 12 December 2022

TO: Local Planning Panel Members

FROM: Andrew Thomas, Executive Manager City Planning and Development

SUBJECT: Information Relevant To Item 4 – Development Application 163 Bridge Road, Glebe – D/2022/285

For Noting

That the Local Planning Panel note the information contained in this memo.

Background

On 9 December 2022, a letter was submitted by the applicant asking that the recommended condition of consent (4) “*Affordable Housing Contribution – Residual Land or Central Sydney – Payment in Lieu of Floor Space Contribution – Prior to Construction Certificate*” be deleted. A copy of the letter is included at Attachment A to this memorandum.

The applicant's justification is that the co-living development is intended to be used as affordable rental housing, meeting the definition of affordable rental housing under Cl 13 of the Housing SEPP 2021, and therefore is excluded from the total floor area definition and the payment of an affordable housing contribution under Cl 7.13 ‘Contribution for purpose of affordable housing’ of the Sydney LEP 2012. The applicant has provided estimated rental figures to demonstrate the co-living development meets the definition of affordable housing under the Housing SEPP.

The applicant also recommends that condition 4 be replaced with a condition requiring that the co-living development be operated as affordable housing as defined under the Housing SEPP.

Council’s Response:

The City of Sydney Affordable Housing Program, 24 August 2020, defines Affordable rental housing as “*affordable housing that is owned and managed by government, a recommended community housing provider, or an eligible community housing provider and rented to very low to moderate income households*”. The manager of the co-living development would therefore need to be registered as a community housing provider in order for Council to be

satisfied that the development is affordable housing, and a positive covenant requiring the co-living development to be managed by a community housing provider in perpetuity could be imposed.

It is also noted that the definition of a boarding house under the SLEP 2012 requires boarding houses to be carried out either on behalf of the Land and Housing Corporation, or managed by a registered community housing provider. This application has been lodged as co-living rather than as a boarding house, which does not require it to be managed by a social housing provider.

It is recommended that condition 4 "*Affordable Housing Contribution – Residual Land or Central Sydney – Payment in Lieu of Floor Space Contribution – Prior to Construction Certificate*" be upheld.

Prepared by: Nicholas Reid, Planner

Attachments

Attachment A. Applicant's Letter Requesting Changes to Draft Conditions .

Noted



ANDREW THOMAS

Executive Manager Planning and
Development