



*Urbanista*

AFFORDABLE HOUSING CONTRIBUTION SCHEME

RESOURCES



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Part 1: LEP Provisions for Affordable  
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<b>Sydney Local Environmental Plan 2012</b>		
<p><b>Part 7 Local Provisions – general, Division 3 Affordable Housing</b></p>	<p>7.13 Contribution for purpose of affordable housing</p> <p>(1) This clause applies to the following development—</p> <p>(a) development on land at Green Square or Ultimo-Pyrmont, or on southern employment land or residual land that involves—</p> <p>(i) the erection of a new building the gross floor area of which is more than 200 square metres, or</p> <p>(ii) alterations to an existing building that will result in the creation of more than 200 square metres of gross floor area that is intended to be used for the purpose of residential accommodation, or</p> <p>(iii) alterations to an existing building that will result in the creation of more than 60 square metres of gross floor area that is intended to be used for a purpose other than residential accommodation, or</p> <p>(iv) the demolition of existing floor area and the subsequent creation, whether for the same or a different purpose, of more than 200 square metres of gross floor area,</p> <p>(b) development on land at Green Square or Ultimo-Pyrmont, or on southern employment land, that involves a change of use of more than 60 square metres of existing floor area of a building,</p> <p>(c) development on residual land that involves a change of use of existing floor area from other than residential accommodation to residential accommodation or tourist and visitor accommodation,</p> <p>(d) development on land at Central Sydney that involves—</p> <p>(i) the creation of more than 100 square metres of gross floor area, or</p> <p>(ii) the demolition of existing floor area and the subsequent creation, whether for the same or a different purpose, of more than 100 square metres of gross floor area, or</p> <p>(iii) a change of use of existing floor area from other than residential accommodation to residential accommodation or tourist and visitor accommodation.</p> <p>(2) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring a contribution equivalent to the applicable affordable housing levy contribution for the development provided for in subclause (2A), (2B) or (2C).</p> <p>(2A) The affordable housing levy contribution for development on land at Green Square, on Pyrmont Peninsula land or on southern employment land is—</p>	<ul style="list-style-type: none"> <li>● Contribution applies to: <ul style="list-style-type: none"> <li>○ Land within an identified ‘precinct’ (i.e. Green Square, Ultimo-Pyrmont, southern employment land, Central Sydney)</li> <li>○ Developments based on minimum GFA</li> <li>○ Certain development typologies (i.e. residential use, change of use)</li> </ul> </li> <li>● Contribution rate: <ul style="list-style-type: none"> <li>○ LEP includes fixed affordable housing levy contribution rate (% of total floor area) for each precinct</li> </ul> </li> <li>● Contribution accepted as: <ul style="list-style-type: none"> <li>○ Dedication of land to Council comprising of one or more dwellings between 35m<sup>2</sup>-90m<sup>2</sup>, with any remainder being paid as monetary contribution to Council</li> <li>○ Monetary contribution to Council</li> </ul> </li> <li>● Relevant policy / program: <ul style="list-style-type: none"> <li>○ City of Sydney Affordable Housing Program 2020</li> </ul> </li> </ul>

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP
<p>(a) 3% of the total floor area of the development that is intended to be used for residential purposes, and</p> <p>(b) 1% of the total floor area of the development that is not intended to be used for residential purposes.</p> <p>(2B) The affordable housing levy contribution for development on land at Ultimo-Pyrmont, other than Pyrmont Peninsula land, is—</p> <p>(a) 0.8% of the total floor area of the development that is intended to be used for residential purposes, and</p> <p>(b) 1.1% of the total floor area of the development that is not intended to be used for residential purposes.</p> <p>(2C) The affordable housing levy contribution for development on land at Central Sydney or on residual land is as follows—</p> <p>(a) for development applications lodged before 1 July 2022—</p> <p>(i) 1.5% of the total floor area of the development that is intended to be used for residential purposes, and</p> <p>(ii) 0.5% of the total floor area of the development that is not intended to be used for residential purposes,</p> <p>(b) for development applications lodged on or after 1 July 2022—</p> <p>(i) 3% of the total floor area of the development that is intended to be used for residential purposes, and</p> <p>(ii) 1% of the total floor area of the development that is not intended to be used for residential purposes.</p> <p>(3) A condition imposed under this clause must permit a person to satisfy the affordable housing levy contribution—</p> <p>(a) by way of a dedication in favour of the Council of land comprising one or more dwellings (each having a total floor area of not less than 35 square metres and not more than 90 square metres) with any remainder being paid as a monetary contribution to the Council, or</p> <p>(b) if the person so chooses, by way of a monetary contribution to the Council.</p> <p>(4) The rate at which a monetary contribution is to be taken to be equivalent to floor area for the purposes of this clause is to be calculated in accordance with—</p> <p>(a) for development on land at Ultimo-Pyrmont other than Pyrmont Peninsula land—the Revised City West Affordable Housing Program published by the Department in June 2010, or</p> <p>Note—</p> <p>The Program is made available by the Department on the Department’s website.</p>	

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP
<p>(aa) (Repealed)</p> <p>(b) for development on land at Green Square or Central Sydney, or on Pymont Peninsula land, southern employment land or residual land—the City of Sydney Affordable Housing Program adopted by the Council on 24 August 2020.</p> <p>Note—</p> <p>The Program is made available by the Council on its website (<a href="http://www.cityofsydney.nsw.gov.au">www.cityofsydney.nsw.gov.au</a>).</p> <p>(4A) The City of Sydney Affordable Housing Program applies to Pymont Peninsula land for the purposes of this clause as if Pymont Peninsula land was land at Green Square.</p> <p>(5) To avoid doubt—</p> <p>(a) it does not matter whether the floor area, to which a condition under this clause relates, was in existence before, or is created after, the commencement of this clause, or whether or not the floor area concerned replaces a previously existing area, and</p> <p>(b) the demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of any contribution.</p> <p>(6) In this clause—</p> <p>Pymont Peninsula land means land to which clause 6.63, 6.64, 6.65 or 6.66 applies.</p> <p>residual land means the land identified as “Residual Land” on the Locality and Site Identification Map.</p> <p>total floor area means the total of the areas of each floor of a building within the outer face of the external enclosing walls and including balconies, but excluding the following—</p> <p>(a) columns, fins, sun control devices, awnings and other elements, projections or works outside the general lines of the outer face of the external walls,</p> <p>(b) that part of a balcony that exceeds the minimum area required by the consent authority in respect of the balcony,</p> <p>(c) ancillary car parking permitted by the consent authority and associated internal vehicular and pedestrian access to that car parking,</p> <p>(d) space for the loading and unloading of goods,</p> <p>(e) the floor area of a building, including balconies, that is—</p> <p>(i) on land in Zone IN1 General Industrial, or</p> <p>(ii) used to provide affordable housing or public housing, or</p> <p>(iii) used for the purpose of community facilities.</p>	

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP
<p>7.13A Affordable housing in Zone B7</p> <p>(1) Despite any other provision of this Plan, development for the purposes of a residential flat building or a mixed use development that contains shop top housing may be carried out with development consent on land in Zone B7 Business Park if the consent authority is satisfied that—</p> <ul style="list-style-type: none"> <li>(a) the residential flat building or shop top housing to which the development application relates will be used for the purposes of affordable housing, and</li> <li>(b) the affordable housing will be provided by or on behalf of a public authority or social housing provider, and</li> <li>(c) the affordable housing will be provided in accordance with the Employment Lands Affordable Housing Program adopted by the Council on 30 March 2015, and</li> <li>(d) the development is compatible with the existing uses and approved uses of land in the vicinity of the development having regard to the following matters— <ul style="list-style-type: none"> <li>(i) the impact that the development (including its bulk, scale and traffic generation) is likely to have on the existing uses and approved uses of that land, and</li> <li>(ii) the services and infrastructure that are or will be available to meet the demands arising from the development, and</li> <li>(iii) the impact that those uses are likely to have on the health, wellbeing and amenity of residents of the development by reason of noise, dust, lighting, truck movements, operating hours or otherwise, and</li> </ul> </li> <li>(e) no part of the ground floor of the residential flat building or mixed use development that fronts a street will be used for residential purposes, and</li> <li>(f) the development is not likely to have an adverse effect on the environment and does not cause any unacceptable environmental risks to the land concerned.</li> </ul> <p>(2) In this clause— <i>street</i> includes an area of land that is identified in a development control plan made by the Council as land that is proposed to be used for the purposes of a street.</p>	<ul style="list-style-type: none"> <li>• Contribution applies to: <ul style="list-style-type: none"> <li>○ Land within a specific zone (B7 Business Park)</li> <li>○ Affordable housing within residential flat building or mixed use development with shop top housing developments</li> </ul> </li> <li>• Contribution rate: <ul style="list-style-type: none"> <li>○ N/A</li> </ul> </li> <li>• Contribution accepted as: <ul style="list-style-type: none"> <li>○ Affordable housing</li> </ul> </li> <li>• Relevant policy / program: <ul style="list-style-type: none"> <li>○ Employment Lands Affordable Housing Program 2015</li> </ul> </li> </ul>
<p><b>Draft</b></p> <p>[new] 7.13B Planning Proposal land</p> <p>(1) The objective of this clause is to require an affordable housing contribution commensurate with past increases to development capacity.</p> <p>(2) This clause applies to development on land identified in Column 1 of Schedule 7 – Planning Proposal land that results in:</p> <ul style="list-style-type: none"> <li>(a) the erection of a new building over 200 square metres, or</li> </ul>	<ul style="list-style-type: none"> <li>• Contribution applies to: <ul style="list-style-type: none"> <li>○ Specific sites identified in LEP (i.e. Schedule 5 Part 1)</li> <li>○ Developments based on minimum GFA</li> </ul> </li> </ul>

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP
<p>(b) additions to an existing building resulting in the creation of more than 200 square metres of residential floor area, or</p> <p>(c) additions to an existing building resulting in the creation of more than 60 square metres of non-residential floor area, or</p> <p>(d) demolition of existing floor area and the subsequent creation of more than 200 square metres of new floor area for the same or new purpose, or</p> <p>(e) change of use to existing floor area from a non-residential purpose to a residential use or a tourist or visitor accommodation use.</p> <p>(3) On Planning Proposal land, clause 7.13 applies only to the extent identified in Column 2, Schedule 7.</p> <p>(4) The consent authority may, when granting development consent on Planning Proposal land, impose a condition on development under subclause (1) requiring a contribution equivalent to the total affordable housing levy contribution, being the amount identified in Column 2, Schedule 7.</p> <p>(5) The total affordable housing levy contribution is to be satisfied either by way of:</p> <p>(a) a dedication in favour of the Council of land comprising one or more dwellings (each having a total floor area of not less than 35 square metres), in accordance with the Program, with any remainder being paid as a monetary contribution to the Council, or</p> <p>(b) monetary contribution to the Council.</p> <p>(6) The rate at which a monetary contribution is to be taken to be equivalent to floor area for the purposes of this clause is to be calculated in accordance with the Program. Note. The Program is made available by the Council on its website (<a href="http://www.cityofsydney.nsw.gov.au">www.cityofsydney.nsw.gov.au</a>).</p> <p>(7) To avoid doubt:</p> <p>(a) it does not matter whether the floor area, to which a condition under this clause relates, was in existence before, or is created after, the commencement of this clause, or whether or not the floor area concerned replaces a previously existing area, and</p> <p>(b) the demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of any contribution.</p> <p>(8) In this clause Program means the City of Sydney Affordable Housing Program, adopted by the Council on 24 August 2020.</p>	<ul style="list-style-type: none"> <li>○ Certain development typologies (i.e. residential use, change of use)</li> <li>● Contribution rate: <ul style="list-style-type: none"> <li>○ LEP includes fixed affordable housing levy contribution (i.e. Schedule 7)</li> </ul> </li> <li>● Contribution accepted as: <ul style="list-style-type: none"> <li>○ Dedication of land to Council comprising of one or more dwelling minimum 35m<sup>2</sup> with any remainder being paid as monetary contribution to Council</li> <li>○ Monetary contribution to Council</li> </ul> </li> <li>● Relevant policy / program: <ul style="list-style-type: none"> <li>○ City of Sydney Affordable Housing Program 2020</li> </ul> </li> </ul>



LOCAL ENVIRONMENTAL PLAN		APPROACH TO AHC IN LEP
[new] Schedule 7 – Planning Proposal land		
<b>Column 1 - Planning Proposal land</b>	<b>Column 2 – Contribution requirement</b>	
Land identified on the Affordable Housing Map as AH Area 1	<p>The total affordable housing contribution requirement is:</p> <ul style="list-style-type: none"> <li>(a) the contribution rate that applies to the development under clause 7.13, and</li> <li>(b) 9% of any floor space that exceeds 1.5:1 in the development (unless the amount of non-residential floor space in the development exceeds 1.5:1).</li> </ul>	

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP
<b>Warringah Local Environmental Plan 2011 (Northern Beaches)</b>	
<p><b>Part 6 Additional Local Provisions</b></p>	<p>6.11 Affordable housing</p> <p>(1) This clause applies to development in an affordable housing contribution area that involves—</p> <p>(a) the erection of a new building with a gross floor area of more than 200 square metres, or</p> <p>(b) alterations to an existing building that will result in the creation of more than 200 square metres of gross floor area intended to be used for residential purposes, or</p> <p>(c) alterations to an existing building and the consequent creation, whether for the same or a different purpose, of more than 100 square metres of gross floor area.</p> <p>(2) Development consent must not be granted unless the consent authority is satisfied that the proportion of the gross floor area of the building used for affordable housing is not less than the amount shown on the Affordable Housing Contributions Scheme Map.</p> <p>(3) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring a contribution equivalent to the applicable affordable housing levy contribution for the development.</p> <p>(4) A condition imposed under this clause must provide for the affordable housing levy contribution to be satisfied—</p> <p>(a) by dedication in favour of the Council of land comprising—</p> <p>(i) 1 or more dwellings, each having a gross floor area of not less than 50 square metres, with any remainder paid as a monetary contribution to the Council, or</p> <p>(ii) other land approved by the Council in accordance with the Affordable Housing Contributions Scheme, with any remainder paid as a monetary contribution to the Council, or</p> <p>(b) if the Council agrees, by monetary contribution paid to the Council.</p> <p>(5) The rate at which a dedication of land or monetary contribution is taken to be equivalent to the relevant floor area for the purposes of the affordable housing levy contribution is to be calculated in accordance with the Affordable Housing Contributions Scheme.</p> <p>(6) In this clause—</p> <p><i>Affordable housing contribution area</i> means land shown as an affordable housing contribution area on the Affordable Housing Contributions Scheme Map.</p> <p><i>Affordable Housing Contributions Scheme</i> means the Affordable Housing Contributions Scheme adopted by the Council on 28 September 2021.</p> <p><i>affordable housing levy contribution</i>, in relation to development on a site, means the percentage of the gross floor area of the building used for the purposes of residential accommodation on the relevant site shown in the table to subclause (2).</p> <ul style="list-style-type: none"> <li>• Contribution applies to: <ul style="list-style-type: none"> <li>○ Identified affordable housing contribution area</li> <li>○ Developments based on minimum GFA</li> <li>○ Certain development typologies (i.e. residential purposes, change of use)</li> </ul> </li> <li>• Contribution rate: <ul style="list-style-type: none"> <li>○ Rate set in-line with Affordable Housing Contributions Scheme Map / AHCS</li> </ul> </li> <li>• Contribution accepted as: <ul style="list-style-type: none"> <li>○ One or more dwelling minimum 50m<sup>2</sup> with any remainder being paid as monetary contribution to Council</li> <li>○ Other land approved by Council with any remainder being paid as monetary contribution to Council</li> </ul> </li> <li>• Relevant policy / program: <ul style="list-style-type: none"> <li>○ Affordable Housing Contributions Scheme 2021</li> </ul> </li> </ul>

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP
<b>Randwick Local Environmental Plan 2012</b>	
<p><b>Part 6 Additional Local Provisions</b></p>	<p>6.18 Affordable housing at Kensington and Kingsford town centres</p> <p>(1) This clause applies to land identified as “Area 1” on the Special Provisions Area Map known as Kensington and Kingsford town centres.</p> <p>(2) The consent authority may, when granting consent to the carrying out of development (other than development that is excluded development) impose a condition requiring a contribution equivalent to the affordable housing levy contribution, being—</p> <p style="padding-left: 40px;">(a) for a development application lodged from 13 August 2020 and up to and including 13 August 2022—3% of so much (if any) of the total floor area of the development that is intended to be used for residential purposes, and</p> <p style="padding-left: 40px;">(b) for a development application lodged after 13 August 2022—5% of so much (if any) of the total floor area of the development that is intended to be used for residential purposes.</p> <p>(3) The floor area of any excluded development is not to be included as part of the total floor area of a development for the purposes of calculating the applicable affordable housing levy contribution.</p> <p>(4) A condition imposed under this clause must satisfy the affordable housing levy contribution—</p> <p style="padding-left: 40px;">(a) by way of a dedication in favour of the Council of land comprising 1 or more dwellings (each having a total gross floor area of no less than 50 square metres) with any remainder being paid as a monetary contribution to the Council, or</p> <p style="padding-left: 40px;">(b) by way of a monetary contribution to the Council, but only for the purposes of boarding houses and serviced apartments.</p> <p>(5) The rate at which monetary contribution is taken to be equivalent to floor area for the purposes of this clause is to be calculated in accordance with the Kensington and Kingsford Town Centres Affordable Housing Plan adopted by the Council on 10 December 2019.</p> <p>Note— The plan is made available by the Council on its website (<a href="http://www.randwick.nsw.gov.au">www.randwick.nsw.gov.au</a>).</p> <p>(6) To avoid doubt—</p> <p style="padding-left: 40px;">(a) it does not matter whether the floor area, to which a condition under this clause relates, was in existence before, or is created after, the commencement of this clause, or whether or not the floor area concerned replaces a previously existing area, and</p> <p style="padding-left: 40px;">(b) the demolition of a building, or a change in the use of the land, does not give rise to a claim for a refund of any contribution.</p> <p>(7) In this clause— <i>excluded development</i> means development for the following purposes—</p>
	<ul style="list-style-type: none"> <li>• Contribution applies to: <ul style="list-style-type: none"> <li>○ Identified area within LEP (i.e. Kensington and Kingsford town centres)</li> <li>○ Residential purposes only</li> </ul> </li> <li>• Contribution rate: <ul style="list-style-type: none"> <li>○ LEP includes fixed affordable housing levy contribution rate (% of total floor area) based on date of DA lodgement</li> </ul> </li> <li>• Contribution accepted as: <ul style="list-style-type: none"> <li>○ One or more dwelling minimum 50m<sup>2</sup> with any remainder being paid as monetary contribution to Council</li> <li>○ Monetary contribution to Council as boarding houses or serviced apartments</li> </ul> </li> <li>• Relevant policy / program: <ul style="list-style-type: none"> <li>○ Kensington and Kingsford Town Centres Affordable Housing Plan 2019</li> </ul> </li> </ul>

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP	
	<p>(a) residential accommodation that will result in the creation of less than 100 square metres of total floor area,</p> <p>(b) residential accommodation (excluding boarding houses) that is to be used to provide affordable housing, public housing or group homes.</p> <p><i>total floor area</i> means the total of the areas of each floor of a building within the outer face of the external enclosing walls and including balconies, but excluding the following—</p> <p>(a) columns, fins, sun control devices, awnings and other elements, projections or works outside the general lines of the outer face of the external walls,</p> <p>(b) any area of a balcony that is more than the minimum area required by the consent authority in respect of the balcony,</p> <p>(c) the maximum ancillary car parking permitted by the consent authority and any associated internal vehicular and pedestrian access to that car parking,</p> <p>(d) space for the loading and unloading of goods.</p>	

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP
<b>Canada Bay Local Environmental Plan 2013</b>	
<p><b>Part 6 Additional Local Provisions</b></p>	<p>(1) This clause applies to development on land in an affordable housing contribution area that involves—</p> <p>(a) the erection of a new building with a gross floor area of more than 200 square metres, or</p> <p>(b) alterations to an existing building that will result in the creation of more than 200 square metres of gross floor area that is intended to be used for residential purposes, or</p> <p>(c) the demolition of existing floor area and the subsequent creation, whether for the same or a different purpose, of more than 100 square metres of gross floor area.</p> <p>(2) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring a contribution equivalent to the applicable affordable housing levy contribution for the development specified in subclauses (2A)–(6A).</p> <p>(2A) The affordable housing levy contribution for development in Area 4 is 3.5% of the relevant floor area that exceeds the floor space achieved by applying a floor space ratio of 1.76:1.</p> <p>(3) The affordable housing levy contribution for development in the following affordable housing contribution areas is 4% of the relevant floor area—</p> <p>(a) the Burwood affordable housing contribution area,</p> <p>(b) the Homebush affordable housing contribution area, except for 3 King Street, Concord West and 176–184 George Street, Concord West,</p> <p>(c) the Kings Bay affordable housing contribution area.</p> <p>(4) The affordable housing levy contribution for development on land at 3 King Street, within the Homebush affordable housing contribution area, is 5% of the relevant floor area that exceeds the floor space achieved by applying a floor space ratio of 0.5:1.</p> <p>(5) The affordable housing levy contribution for development on land at 176–184 George Street, Concord West, within the Homebush affordable housing contribution area, is 5% of the relevant floor area that exceeds the floor space achieved by applying a floor space ratio of 1.0:1.</p> <p>(6) The affordable housing levy contribution for development in the following affordable housing contribution areas is 5% of the relevant floor area—</p> <p>(a) the 160 Burwood Road Concord affordable housing contribution area,</p> <p>(b) the Rhodes East affordable housing contribution area.</p> <p>(6A) The affordable housing levy contribution for development on land in the Rhodes West affordable housing contribution area, except for Area 4, is 5% of the relevant floor area that exceeds the floor space achieved by applying the maximum floor space ratio that was shown for the land on the Floor Space Ratio Map immediately before the commencement of this subclause.</p>
<ul style="list-style-type: none"> <li>• Contribution applies to: <ul style="list-style-type: none"> <li>○ Identified affordable housing contribution area</li> <li>○ Developments based on minimum GFA</li> <li>○ Certain development typologies (residential purposes)</li> <li>○ Demolition and rebuild of more than 100m<sup>2</sup></li> </ul> </li> <li>• Contribution rate: <ul style="list-style-type: none"> <li>○ LEP includes fixed affordable housing levy contribution rate (% of total floor area) for each area, as well as specific sites</li> </ul> </li> <li>• Contribution accepted as: <ul style="list-style-type: none"> <li>○ Dedication of land to Council comprising of one or more dwelling minimum 50m<sup>2</sup> with any remainder being paid as monetary contribution to Council</li> <li>○ Monetary contribution to Council</li> </ul> </li> <li>• Relevant policy / program: <ul style="list-style-type: none"> <li>○ Affordable Housing Contributions Scheme 2020</li> </ul> </li> </ul>	

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP
<p>(7) A condition imposed under this clause must provide for the affordable housing levy contribution to be satisfied—</p> <ul style="list-style-type: none"> <li>(a) by dedication in favour of the Council of land comprising— <ul style="list-style-type: none"> <li>(i) 1 or more dwellings, each having a gross floor area of not less than 50 square metres, with any remainder paid as a monetary contribution to the Council, or</li> <li>(ii) other land approved by the Council in accordance with the Affordable Housing Contributions Scheme, with any remainder paid as a monetary contribution to the Council, or</li> </ul> </li> <li>(b) if the person chooses, by monetary contribution paid to the Council.</li> </ul> <p>(8) The rate at which a dedication of land or monetary contribution is taken to be equivalent to the relevant floor area for the purposes of the affordable housing levy contribution is to be calculated in accordance with the Affordable Housing Contributions Scheme.</p> <p>(9) To avoid doubt—</p> <ul style="list-style-type: none"> <li>(a) it does not matter whether the floor area, to which a condition under this clause relates, was in existence before, or is created after, the commencement of this clause, or whether the floor area concerned replaces an existing area, and</li> <li>(b) the demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of an affordable housing contribution.</li> </ul> <p>(10) In this clause—</p> <p><i>affordable housing contribution area</i> means the following areas shown on the Affordable Housing Contribution Scheme Map—</p> <ul style="list-style-type: none"> <li>(a) Burwood affordable housing contribution area,</li> <li>(b) 160 Burwood Road Concord affordable housing contribution area,</li> <li>(c) Homebush affordable housing contribution area,</li> <li>(d) Kings Bay affordable housing contribution area,</li> <li>(e) Rhodes East affordable housing contribution area,</li> <li>(f) Rhodes West affordable housing contribution area.</li> </ul> <p><i>Affordable Housing Contributions Scheme</i> means the Affordable Housing Contributions Scheme adopted by the Council on 18 August 2020.</p> <p><i>Area 4</i> means the land identified as “Area 4” on the Additional Local Provisions Map.</p> <p>relevant floor area of a building means the gross floor area of the building that is to be used for residential purposes excluding the floor area that is—</p> <ul style="list-style-type: none"> <li>(a) to be used to provide affordable housing or public housing, or</li> <li>(b) to be used for community facilities, schools, public roads or public utility undertakings, or</li> <li>(c) on land in Zone IN1 General Industrial.</li> </ul>	

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP
<b>Willoughby Local Environmental Plan 2012</b>	
<p><b>Part 6 Additional Local Provisions</b></p>	<p>6.8 Affordable housing</p> <p>(2) Development consent must not be granted to the erection of residential accommodation on land identified as “Area 3” or “Area 9” on the Special Provisions Area Map unless the consent authority has taken the following into consideration—</p> <ul style="list-style-type: none"> <li>(a) the Willoughby Affordable Housing Principles,</li> <li>(b) the impact the development would have on the existing mix and likely future mix of residential housing stock in Willoughby,</li> <li>(c) whether one of the affordable housing conditions should be imposed on the consent for the purpose of providing affordable housing in accordance with the Willoughby Affordable Housing Principles.</li> </ul> <p>Note— The matters set out in State Environmental Planning Policy (Housing) 2021, section 15 may also apply to the development.</p> <p>(3) The following are the affordable housing conditions—</p> <ul style="list-style-type: none"> <li>(a) a condition requiring the dedication in favour of the consent authority, free of cost, of land comprised of one or more complete dwellings with a gross floor area of the amount equivalent to 4% of the accountable total floor space, with each dwelling having a gross floor area of at least 50 square metres,</li> <li>(b) a condition requiring the payment of a monetary contribution to the consent authority by the applicant that is the value, calculated in accordance with subclause (4), of 4% of the accountable total floor space,</li> <li>(c) a condition requiring— <ul style="list-style-type: none"> <li>(i) the dedication in favour of the consent authority, free of cost, of land comprised of one or more complete dwellings with a gross floor area of less than the amount equivalent to 4% of the accountable total floor space (the dedication amount), with each dwelling having a gross floor area of at least 50 square metres, and</li> <li>(ii) the payment of a monetary contribution to the consent authority by the applicant that is the value, calculated in accordance with subclause (4), of the gross floor area equivalent to the difference between the dedication amount and 4% of the accountable total floor space.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Contribution applies to: <ul style="list-style-type: none"> <li>○ Identified affordable housing contribution areas</li> <li>○ Identified development typologies (excluding boarding houses, community homes, hostels, public housing)</li> </ul> </li> <li>• Contribution rate: <ul style="list-style-type: none"> <li>○ LEP includes fixed affordable housing levy contribution rate (% of total floor area)</li> </ul> </li> <li>• Contribution accepted as: <ul style="list-style-type: none"> <li>○ Dedication of land to Council comprising of one or more dwelling minimum 50m<sup>2</sup></li> <li>○ Monetary contribution to Council</li> </ul> </li> <li>• Relevant policy / program: <ul style="list-style-type: none"> <li>○ TBC</li> </ul> </li> </ul>	

LOCAL ENVIRONMENTAL PLAN	APPROACH TO AHC IN LEP
<p>(4) The amount of the contribution to be paid under a condition imposed under subclause (2)(c) is the value of the gross floor area concerned calculated by reference to the market value of dwellings of a similar size to those proposed by the development application.</p> <p>Note— Section 7.32 of the Act permits the imposition of such a condition and specifies the circumstances under which such a condition may be imposed. Any condition imposed is subject to section 7.33 of the Act.</p> <p>(5) This clause does not apply to development for the purpose of any of the following—</p> <ul style="list-style-type: none"> <li>(a) boarding houses,</li> <li>(b) community housing (as defined in section 3 of the Housing Act 2001),</li> <li>(c) group homes,</li> <li>(d) hostels,</li> <li>(e) public housing (as defined in section 3 of the Housing Act 2001).</li> </ul> <p>(6) An affordable housing condition must not be imposed in relation to an amount of accountable total floor space if the consent authority is satisfied that such a condition has previously been imposed under this clause in relation to the same or an equivalent amount of accountable total floor space on the site.</p> <p>(7) In this clause— <i>accountable total floor space</i> means the following—</p> <ul style="list-style-type: none"> <li>(a) for development on land identified as “Area 3” on the Special Provisions Area Map—the gross floor area of the residential component of the development, excluding the residential floor space of the development that is used for affordable housing,</li> <li>(b) for development on land identified as “Area 9” on the Special Provisions Area Map—the gross floor area of the part of the development used for residential accommodation.</li> </ul>	





## Part 2: Affordable Housing Contribution Scheme Provisions - Examples

## 1.1 Objectives of the affordable housing contribution scheme

### City of Canada Bay

- Recognise the provision of affordable rental housing as critical infrastructure to support sustainable growth
- Contribute to meeting the needs of very low to moderate income households for affordable housing in the City of Canada Bay
- Provide certainty around the requirements for affordable housing in the City of Canada Bay, including the rate for contributions and how contributions will be collected
- Ensure that contribution rates for affordable housing are viable and are evidence- based.

### City of Sydney

- Recognise affordable rental housing as critical infrastructure necessary to support sustainable and diverse communities and long term economic growth in the City of Sydney local government area (city)
- Ensure that, as the cost of housing increases in the city, affordable rental housing is provided for very low to moderate income households
- Ensure there are opportunities for very low to moderate income households, who have an historical connection with the city, to live in the city
- Ensure there are opportunities for very low to moderate income earners who work in the city to live in the community in which they are employed, and
- Facilitate opportunities for government and community housing providers (CHPs) to supply affordable housing within the city.

### Randwick City Council

- Identify the need for affordable housing which will only be increased by renewal and redevelopment
- Recognise affordable housing as essential infrastructure necessary to support a socially diverse community and the economic functions of Randwick City,
- Ensure there are opportunities for low to moderate income households who work or have family connections in Randwick City to live in Randwick City.

### Waverley Council

- Support a socially diverse community
- Capture value attributed to individual landowners through uplift granted by the planning system for the public purpose of affordable housing
- Expand Council's existing affordable housing portfolio.

## Northern Beaches Council

- To set out how, why, where and at what rate development contributions can be collected for the purpose of affordable housing; and
- To provide local residents and key workers on low to moderate incomes with access to affordable rental accommodation to assist them to enter the private rental market or home ownership.

## 1.2 Where does the affordable housing contribution scheme apply?

### City of Canada Bay

The AHCS applies to the following land within the City of Canada Bay:

- 1) Rhodes West and Rhodes East as shown in Figure 1.1, below; and
- 2) The Parramatta Road Corridor Urban Transformation Strategy Precinct Areas of Burwood, Homebush and Kings Bay as shown in Figure 1.2, below;
- 3) 160 Burwood Rd, Concord (Bushell 's site) at Figure 1.3, 4) 1-7 Ramsay Road and 5 & 7 Harrabrook Avenue, Five Dock at Figure 1.4 below,
- 5) Other areas within the City of Canada Bay where a Planning Proposal is approved for residential or mixed-use development and an uplift of land value is created, and where Council resolves to include the area in this AHCS scheme and the Canada Bay LEP.

These lands to which the AHCS apply are collectively referred to as “the affordable housing contribution areas”. Additional land may be added ...via Council resolution and amendment of the Canada Bay LEP.

### City of Sydney

This Program applies to land shown at Figure 1, being:

- land in Central Sydney
- land in Green Square
- land in the Southern Employment Lands, and
- residual land.

This Program also applies to ‘Planning Proposal land’ where it is identified in an LEP.

Planning Proposal land may be identified anywhere in the city where Council is the consent authority. This Program also provides the requirements for affordable housing built in the B7 Business Park zones under Sydney LEP 2012.

**Randwick City Council**

The AHCS applies to specific land (Kingsford Town Centre and Kensington Town Centres) Outlined by a map in the AHCS.

**Waverley Council**

The Scheme applies to the whole Waverley Local Government Area.

**Northern Beaches Council**

The Scheme will apply to specified areas within the Northern Beaches Council area as follows:

1. Frenchs Forest Planned Precinct as identified within Figure 1.

### 1.3 What types of development does the scheme apply to?

#### City of Canada Bay

The AHCS applies to all new development in the areas defined by the maps in section 1.2 of this AHCS, except for:

- Development for non-residential floorspace (unless identified as adaptable floor space)
- Exempt development
- A dwelling house that results in the creation of less than 200sqm of residential floor space
- Refurbishment or repair of a building that results in additional residential floorspace less than 100 sqm
- Development for the purposes of affordable housing or social housing
- Development of community facilities, public roads or public utility undertakings.

#### City of Sydney

This Program applies to land shown at Figure 1, being:

- land in Central Sydney
- land in Green Square
- land in the Southern Employment Lands, and
- residual land.

This Program also applies to 'Planning Proposal land' where it is identified in an LEP. Planning Proposal land may be identified anywhere in the city where Council is the consent authority.

This Program also provides the requirements for affordable housing built in the B7 Business Park zones under Sydney LEP 2012.

#### Randwick City Council

Any development in the designated centres.

#### Waverley Council

Residential apartment development and mixed-use development excluding employment generating only development.

## **Northern Beaches Council**

The Northern Beaches Affordable Housing Contributions Scheme applies to the residential component of a development to which the development application relates.

### **1.4 Overview - Affordable housing need**

#### **City of Canada Bay**

As for many Councils within the Greater Sydney Region, the decline in the affordability of housing is a key issue for the City of Canada Bay.

Over the last 20 years there has been an ongoing decline in the proportion of housing stock available for very low to moderate income households in particular.

The desirable location and proximity of the LGA, together with the upward pressure on property prices from urban renewal and stagnation of wages is expected to cause further declines in affordability over future decades.

This will lead to increased demand for Affordable and Social Housing.

[Extract from Section 1.6 of Canada Bay Affordable Housing Scheme- October 2020 draft]

#### **City of Sydney**

Sydney remains Australia's least affordable city. The high cost of housing is an important economic and social issue in Sydney, particularly within the city where housing prices are amongst the highest in metropolitan Sydney.

The loss of lower and middle income households from the city results in a less diverse community with only high income households in private housing and very low income households remaining in the city's social housing.

This 'hollowing out of the middle' has social and economic risks to the individual and to the community.

[Extract from Section 1.4 City of Sydney Affordable Housing Program, further information in Appendix A Background and affordable housing needs analysis].

### **Randwick City Council**

The Randwick City Affordable Housing Needs Analysis (attached as Appendix A) demonstrates the need to increase the supply of affordable rental housing in Randwick Local Government Area (LGA). Without provision of more affordable forms of housing, the market can be expected to continue to produce more expensive housing in the area, so that housing will only be affordable to households on relatively high incomes. The flow on effect is that existing lower income groups would need to move out of the area, and new lower income households may be prevented from finding housing in the local area, close to employment and education opportunities within the Randwick Education and Health Strategic Centre.

[Extract from Section 1. Introduction Randwick City Council Kensington and Kingsford Affordable Housing Plan. Further details in attached Affordable Housing Needs Analysis]

### **Waverley Council**

Affordable housing refers to a spectrum of housing options including social housing, affordable rental housing, and certain types of market housing. There are few opportunities in Waverley to access affordable housing. Unaffordability has been a growing issue over the last two decades as household income-to-house price ratio has increased from 4:1 in 1994 to 12:1 in 2016. At present, Waverley is severely unaffordable. Waverley's rent for all dwellings is 1.3 times higher than the Sydney average.

As a result, 30% of all renting households are in rental stress and, most strikingly, 85% of low-income households are in rental stress. The current forms of affordable housing supply are not going to meet the relevant demand. Waverley has the fifth lowest key worker population in Sydney. Where key workers are on a very low, low and moderate income, this is contributing to overall demand for affordable housing.

[Extract from Section 1.6 Overview of affordable housing need in Waverley]

### **Northern Beaches Council**

Housing has a vital role to play in developing sustainable local communities. Providing housing that is affordable and appropriate to the needs of the local community also ensures a strong and stable labour force to sustain local businesses.

The lack of affordable housing for households on low and middle incomes has become a critical issue on the Northern Beaches.

Many households on moderate or lower incomes cannot afford to rent without experiencing "housing stress" or being forced into sub-standard housing in order to secure affordable rents.

[Extract from Section 1.4 Overview of Affordable Housing Need]

## 1.5 Legislative basis for affordable housing contributions

### City of Canada Bay

Section 7.32 of the Environmental Planning and Assessment Act (EP&A Act) allows Council to levy contributions for affordable housing if a State Environmental Planning Policy (SEPP) identifies a need for affordable housing in the LGA.

Under Section 7.32(3)(b) of the EP&A Act, any condition imposed on a development consent must be authorised by a Local Environmental Plan (LEP) and be in accordance with an affordable housing contribution scheme for dedications or contributions set out in, or adopted by, the LEP. Clause x.xx of the City of Canada Bay LEP 2013 (Amendment x 2020) authorises this AHCS, as follows:

[Extract from Section 1.7 City of Canada Bay Affordable Housing Contribution Scheme]

### City of Sydney

The Environmental Planning and Assessment Act 1979 (the Act) considers the promotion of the social and economic welfare of the community as one of its objectives. In 1999 the Act was amended to specifically include the provision and maintenance of affordable housing as an Object of the Act.

Section 7.32 of the Act allows for the collection of contributions for affordable housing where a need for affordable housing is identified in a planning instrument and where one of the following applies:

- (a) the consent authority is satisfied that the proposed development will or is likely to reduce the availability of affordable housing within the area, or
- (b) the consent authority is satisfied that the proposed development will create a need for affordable housing within the area, or
- (c) the proposed development is allowed only because of the initial zoning of a site, or the rezoning of a site, or
- (d) the regulations so provide.

State Environmental Planning Policy No. 70 – Affordable housing (Revised Schemes) 2009 (SEPP 70) identifies that there is a need for affordable housing in the City of Sydney. Local environmental plans contain controls for the calculation, levying and management of affordable housing contributions in the City of Sydney.

### Randwick City Council

Section 7.32 of the Environmental Planning and Assessment Act 1979 (the Act) allows for the collection of contributions for affordable housing where a need for affordable housing is identified in a planning instrument and where:

- a) The consent authority is satisfied that the proposed development will or is likely to reduce the availability of affordable housing within the area, or
- b) The consent authority is satisfied that the proposed development will create a need for affordable housing within the area, or



- c) The proposed development is allowed only because of the initial zoning of a site, or the rezoning of a site, or
- d) The regulations so provide.

State Environmental Planning Policy 70 – Affordable Housing (Revised Schemes) (SEPP 70) identifies Randwick City as an area in need for affordable housing. The Kensington and Kingsford town centres planning proposal provision on affordable housing contains controls for the calculation, levying and management of affordable housing in the Kensington and Kingsford town centres.

The planning proposal also identifies development that is excluded from making a contribution under the scheme. All development for the purposes of residential accommodation within the Kensington and Kingsford town centres contribution area (that is not explicitly excluded from the provisions under the affordable housing clause as outlined in the planning proposal) is subject to the collection of contributions for affordable housing under Section 94F of the Act because:

- redevelopment within the town centres will reduce the availability of affordable housing by increasing demand for affordable housing while also increasing the cost of housing in the local government area
- SEPP 70 is to establish a need for affordable housing in the LGA. Demand for affordable housing will only be increased by renewal and redevelopment. Appendix A provides additional analysis of the need for affordable housing in the LGA.

### **Waverley Council**

Residential development and mixed-use development excluding dwelling houses (a building containing only one dwelling) and employment generating only development within the Waverley LGA is subject to the collection of contributions for affordable housing under Section 7.32 Clause 1 of the Act because:

- State Environmental Planning Policy 70 – Affordable Housing (Revised Schemes) (SEPP 70) is applied to the whole state. It allows Councils to collect affordable housing contributions where there is an identified need for affordable housing in the area. Appendix A provides additional analysis for affordable housing in the LGA.
- Redevelopment in the LGA will reduce the availability of affordable housing by increasing demand for affordable housing while also increasing the cost of housing.

## Northern Beaches Council

An Object of the Environmental Planning and Assessment Act 1979 (the Act) is to encourage the provision and maintenance of affordable housing. Section 7.32 of the Act allows for the collection of contributions for affordable housing where a need for affordable housing is identified in a planning instrument and where:

- a) The consent authority is satisfied that the proposed development will or is likely to reduce the availability of affordable housing within the area, or
- b) The consent authority is satisfied that the proposed development will create a need for affordable housing within the area, or
- c) The proposed development is allowed only because of the initial zoning of a site, or the rezoning of a site, or
- d) The regulations so provide

State Environmental Planning Policy No. 70 – Affordable housing (Revised Schemes) 2009 (SEPP 70) enables Councils identified in the SEPP to prepare schemes requiring developer contributions for affordable housing.

## 1.6 Relationship to other affordable housing provisions in the LGA

### City of Canada Bay

City of Canada Bay Local Environmental Plan 2013 The Affordable Housing Contributions Scheme is affected by the inclusionary zoning provisions in the City of Canada Bay Local Environmental Plan 2013 which are authorised under the Environmental Planning and Assessment Act 1979 and State Environmental Planning Policy No. 70 Affordable Housing (Revised Schemes).

Under these provisions all residential development in the nominated locations (unless excluded) is required to provide affordable housing contributions. This can be achieved by dedicating affordable housing dwellings on-site or by a monetary contribution or by land dedication of suitable land to Council. City of Canada Bay Local Strategic Planning Statement.

The City of Canada Bay Local Strategic Planning Statement sets out the following affordable housing provisions:

- Action 2.1 includes Council's intention for 5% of new housing to be provided as affordable housing in the Rhodes Peninsula.
  - Action 5.1 states that an Affordable Housing Contributions Scheme will be prepared for the Parramatta Road Corridor.
  - Action 5.5 requires a minimum of 5% of the Gross Floor Area of new development to be dedicated as affordable housing for:
- It also states that 'an affordable housing contribution plan is required before the rezoning of above precincts/sites.

## City of Sydney

The state government has long recognised the importance of providing affordable housing through the planning framework. The Eastern City District Plan (District Plan), released in March 2018, recognises the critical need to provide more affordable rental housing in the Eastern District and includes a range of planning priorities and indicators for the delivery of affordable housing through the planning framework.

The District Plan also includes a target when planning proposals are being prepared for urban infill or land release areas, that five per cent to 10 per cent of new floor area be provided as affordable rental housing, subject to development feasibility being established at the precinct scale. The District Plan does not prevent local government from establishing alternate contribution rates so long as development viability is retained.

The City's Sustainable Sydney 2030 Vision establishes an ambitious affordable housing target that in 2030, 7.5 per cent of housing will be social housing and 7.5 per cent of housing will be affordable housing.

The City has a history of providing affordable housing through the planning framework. In 1996 the first affordable housing contribution scheme in NSW was introduced in Ultimo/Pymont to ensure that as the area developed a proportion of housing remained available for very low to moderate income earners. A similar scheme was introduced in Green Square in 1999 when it was rezoned from industrial land to mixed use.

In 2006 an affordable housing contribution scheme was introduced by the NSW government on significant sites in Redfern-Waterloo. In 2015 a scheme was introduced to support the rezoning of the Southern Employment Lands.

This Program streamlines and consolidates the Green Square and Southern Employment Lands schemes and introduces new schemes for Central Sydney, residual land and Planning Proposal land.

Not all the affordable housing we need to support sustainable growth can be achieved by this Program. A range of approaches and a collaborative effort between the state government, the City, community housing sector and the private sector is required.

[Extract from Section 1.4 City of Sydney Affordable Housing Program]

## **Randwick City Council**

Clause 6.18 of Randwick LEP 2012 allows for landowners and developers to satisfy an affordable housing contribution requirement by making:

- An in-kind contribution of finished affordable housing dwellings, or
- An equivalent monetary contribution payment.

The proposed operational detail for the collection and distribution of affordable housing contributions within the Kensington and Kingsford town centres are contained within this guideline.

It builds on Council's existing Affordable Rental Housing Policy, Program and Procedures adopted in 2006/07.

## **Waverley Council**

The Waverley Affordable Housing Contributions Scheme (herein referred to as the Scheme) aims to ensure that lower income households continue to live and work locally within the Waverley LGA, to facilitate a socially diverse and inclusive community.

### **Current approach**

Waverley's current approach to collecting affordable housing contributions is under Waverley's Planning Agreement Policy 2014. This Policy has been successfully utilised to negotiate and draft planning agreements accompanying Development Applications seeking a Clause 4.6 variation to Clause 4.4 Floor space ratio for additional floorspace. Waverley has had a longstanding commitment to the provision of affordable housing where every planning agreement contribution allocates 10% of funds towards affordable housing. Amendment 3 to the Policy seeks to increase this to a minimum of 25%. The NSW Government released a Ministerial Direction requiring that Councils who wish to require land or contributions for affordable housing through a voluntary planning agreement must have an affordable housing contributions scheme. Council wishes to continue allocating planning agreement funds to affordable housing and hence the preparation of this Scheme.

### **Proposed approach**

Under State Environmental Planning Policy 70 – Affordable Housing (Revised Schemes) (SEPP 70) all Councils in NSW were made eligible to start collecting affordable housing contributions where there is uplift in the planning controls, an identified local housing need (Appendix A) and where it is viable. Council has adopted the Local Housing Strategy which does not propose any rezoning in the LGA. This is because it was determined that existing housing capacity under current controls would deliver the appropriate housing supply to meet housing targets. Notwithstanding, the Local Housing Strategy identified a strong need for affordable housing in the Waverley LGA and indicated that new market housing was not addressing this need but exacerbating it by often reducing existing affordable housing.

To this end, there is a clear case for intervention, in the form of an affordable housing contribution, to ensure that new housing delivery is contributing to the delivery of affordable housing. The LHS recommended a percentage range of 1-3% contribution on all new residential apartment development and 10-15% contribution on sites receiving uplift. It was identified that a specific percentage of 1% on all new residential apartment development and 10% on sites receiving uplift would be more appropriate compared to a range, as a test of industry acceptance. It is envisaged that this rate will increase in the future. Furthermore, Council also receives unsolicited spot rezonings from private industry. The subject scheme will give Council the legislative backing to require affordable housing contributions of 10% from proponents that are granted uplift through the planning proposal process.

## Northern Beaches Council

The Affordable Housing Contribution Scheme will be referenced in Councils LEP(s) and is the primary mechanism for Council to levy for affordable housing (for areas of uplift) in the Northern Beaches LGA. Council is undertaking additional research on affordable housing in the preparation of the Northern Beaches Housing Strategy.

This Strategy will inform other Council responses to affordable housing issues and the preparation of a single Northern Beaches Local Environmental Plan by 2021. Should Council undertake negotiations through a proposed planning agreement for the provision of affordable housing, in connection with a development application or proposed development application, the Minister's Direction Environmental Planning and Assessment (Planning Agreements) Direction 2019 is to be considered.

This includes consideration of the Northern Beaches Council Affordable Housing Contributions Scheme.

## 1.7 Affordable housing principles

### City of Canada Bay

In addition to those principles provided in the City of Canada Bay Affordable Housing Policy, the AHCS will be managed in accordance with the following principles set out in SEPP 70:

1. Where any of the circumstances described in section 7.32 (1) (a), (b), (c) or(d) of the Act occur, and a State Environmental Planning Policy or Local Environmental Plan authorises an affordable housing condition to be imposed, such a condition should be imposed so that mixed and balanced communities are created.
2. Affordable housing is to be created and managed so that a socially diverse residential population representative of all income groups is developed and maintained in a locality.
3. Affordable housing is to be made available to very low, low or moderate income households, or any combination of these.
4. Affordable housing is to be rented to appropriately qualified tenants and at an appropriate rate of gross household income.
5. Land provided for affordable housing is to be used for the purpose of the provision of affordable housing.
6. Buildings provided for affordable housing are to be managed so as to maintain their continued use for affordable housing.
7. Rental from affordable housing, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), is generally to be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing.
8. Affordable housing is to consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the vicinity.

## City of Sydney

The City of Sydney affordable rental housing principles are:

- affordable rental housing is to be provided and managed in the City of Sydney Local Government Area (LGA) so that a socially diverse residential population, representative of all income groups, is maintained
- affordable rental housing that is provided is to be made available to a mix of households on very low to moderate incomes
- affordable rental housing that is provided is to be rented to very low to moderate income households at no more than 30% of gross household income
- dwellings provided for affordable rental housing are to be managed so as to maintain their continued use for affordable rental housing, and
- affordable rental housing is to consist of dwellings constructed to a standard which, in the opinion of Council, is consistent with other dwellings in the LGA.

## Randwick City Council

The Randwick City affordable housing principles are:

- affordable housing must be provided and managed in Randwick City so that a socially diverse residential population representative of all income groups is available in Randwick City
- affordable housing must be rented to tenants whose gross household incomes fall within the following ranges of percentages of the median household income for the time being for the Sydney Statistical Division according to the Australian Bureau of Statistics: - Very low income household - less than 50% - Low income household - 50% or more, but less than 80% - Moderate income household - 80–120% - and at rents that do not exceed a benchmark of 30% of their actual household income, and
- dwellings provided for affordable housing must be managed so as to maintain their continued use for affordable housing
- rental from affordable housing received by or on behalf of the Council, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), must be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing in Randwick City or for research and policy development for housing and affordable housing purposes
- affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings within the development, especially in terms of internal fittings and finishes, solar access and privacy.

## Waverley Council

The Waverley affordable housing principles are:

- Affordable housing must be provided and managed in Waverley so that a socially diverse residential population representative of all income groups is available in Waverley,
- Affordable housing must be rented to tenants whose gross household incomes fall within the following ranges of percentages of the median household income for the time being for the Sydney Statistical Division according to the Australian Bureau of Statistics: - Very low income household - less than 50% - Low income household - 50% or more, but less than 80% - Moderate income household - 80–120% - and at rents that do not exceed a benchmark of 30% of their actual household income, and
- Dwellings provided for affordable housing must be managed so as to maintain their continued use for affordable housing,

- Rental income from affordable housing received by or on behalf of the Council, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), must be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing in Waverley or for research and policy development for housing and affordable housing purposes, and
- Affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings within the development, especially in terms of internal fittings and finishes, solar access and privacy.

### **Northern Beaches Council**

(1) The Northern Beaches Affordable Housing Contribution Scheme Principles are:

- Affordable housing must be provided and managed so that accommodation for a diverse residential population representative of all income groups is available in the Northern Beaches, and
- Affordable housing must be rented to tenants whose gross household incomes fall within the following ranges of percentages of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) according to the Australian Bureau of Statistics:  
 Very low income household less than 50%  
 Low income household 50% or more, but less than 80%  
 Moderate income household 80–120%  
 or any combination of these households, and at rents that do not exceed a benchmark of 30% of their actual household income, and
- Dwellings provided for affordable housing must be managed so as to maintain their continued use for affordable housing, and
- Rental from affordable housing received by or on behalf of the Council, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), and money from the disposal of affordable housing received by or on behalf of the Council must be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing in Northern Beaches, and
- Affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with the same type of dwellings within the development to which the development application relates, especially in terms of internal fittings and finishes, solar access and privacy, and
- The affordable housing rental program is a transitional program providing access to affordable housing to eligible local residents and key workers to assist them to enter the private rental market or home ownership by the end of that period.

## Additional Definitions Used in Affordable Housing Contribution Schemes

Definition	
<b>Registered Community Housing Provider</b>	<p>Community housing providers who are registered under the National Regulatory System of Community Housing. In NSW a community housing provider must be registered by the Registrar of Community Housing to receive assistance from the Department of Family and Community Services or the NSW Land and Housing Corporation.</p> <p>(Source: Canada Bay Affordable Housing Contribution Scheme - Draft)</p>
<b>Housing Affordability</b>	<p>Refers to the relationship between expenditure on housing cost (whether a mortgage payment or a rental payment) and household incomes. A common benchmark measure is no more than 30% of gross household income is spent on housing costs.</p> <p>(Source: Canada Bay Affordable Housing Contribution Scheme - Draft)</p>
<b>Inclusionary zoning</b>	<p>A planning intervention by government that mandates a certain proportion of development is required (or included) as affordable housing dwellings as a condition of planning consent. This mandatory requirement is specified as a certain proportion of affordable housing to be 'included' within the development.</p> <p>(Source: Canada Bay Affordable Housing Contribution Scheme - Draft)</p>
<b>Net Saleable Area (NSA)</b>	<p>A term used for residential property which refers to the internal floor area including internal walls, mezzanines, bathrooms and hallways but excludes common spaces and uncovered areas such as balconies, patios and verandahs.</p> <p>(Source: Canada Bay Affordable Housing Contribution Scheme - Draft)</p>
<b>Accountable total floor space</b>	<p>Accountable total floor space means the gross floor area of the residential component of the development to which the development application relates. This includes changes of use of floor area to a residential use.</p> <p>(Source: Northern Beaches)</p>



**Source Documents:**

City of Canada Bay Affordable Housing Contribution Scheme – Draft October 2020

City of Sydney Affordable Housing Program – Adopted 24 August 2020

Kensington and Kingsford Town Centres Affordable Housing Plan

Waverley Affordable Housing Contributions Scheme 2020

Northern Beaches Affordable Housing Contributions Scheme September 2021