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City Planning Department

**Planning Proposal-
LEP (Affordable Housing) 2017**

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ATTACHMENTS

- A** *City of Ryde Affordable Housing Policy: Background Report (October 2015), Judith Stubbs and Associates*
- B** *City of Ryde Affordable Housing Policy 2016-2031, (April 2016) City of Ryde*
- C** *Affordable Housing Study (June 2017), HillPDA*
- D** *Draft Ryde Development Control Plan Part 3.6: Affordable Housing*
- E** *Item 8 Council Agenda paper 22 August 2017*
- F** *Council Minutes Item 8 Council Meeting 22 August 2017*



1.0 Introduction

A planning proposal is a document that explains the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making that plan. This planning proposal has been prepared in accordance with the requirements of the Environmental Planning and Assessment Act 1979 (in particular section 55) and relevant guidelines produced by the Department of Planning and Environment, including “*A Guide to preparing Planning Proposals*”.

The Department of Planning and Environment requires a Planning Proposal to cover six main parts which form the basis of this document as follows:

- Part 1 – Statement of Objectives and Intended Outcomes of the proposed LEP
- Part 2 – Explanation of the Provisions to be included in the LEP
- Part 3 – Justification of objectives, outcomes and process for implementation
- Part 4 – Maps to identify intent and applicable area
- Part 5 – Community Consultation proposed to be undertaken on the Draft LEP
- Part 6 – Project timeline - anticipated timeframe for the making of the LEP

1.1 Background

City of Ryde Local Study

Council on the 15 May 2007 resolved the following:

That consideration of options for affordable housing provisions in Ryde be included as a consideration in the preparation of a housing strategy as part of the preparation of a Local Strategy for Ryde.

In response to the above resolution, a study titled *City of Ryde Affordable Housing Strategy Stage: 1 Final Background Report* was prepared by Judith Stubbs and Associates in October 2008 which identified a lack of affordable housing for purchase for low to moderate income households. The key issues identified included:

- A lack of affordable housing for rental by low to moderate income households.
- A lack of affordable housing for purchase for low to moderate income households, particularly families.
- Ensuring a supply of adaptable and accessible smaller dwellings for an aging population in new developments.
- Providing affordable housing which allows people to age in place rather than having to move away from an area where they may have support and community connections.
- Affordable housing for key workers

Options proposed in the report to address the need for affordable housing were:

- Awareness raising and advocacy in the need for affordable housing in the City.

- Facilitate affordable housing through planning and regulatory functions.
- Direct provision or management of housing by Council.

Council resolved on 2 December 2008 to endorse the study *City of Ryde Affordable Housing Strategy Stage: 1 Final Background Report* and to proceed to *Stage 2 – Investigation of Options for Affordable Housing*.

The preliminary draft *Affordable Housing Strategy: Stage 2 Report* 2009 was considered by Council 2009 on 17 November 2009. The report outlined the following recommendations:

- Include within the comprehensive LEP a general aim, zone objectives and local clause which specifically address affordable housing;
- Include within the comprehensive LEP height and FSR incentives for town centres, the purpose of these incentives being the provision of affordable housing;
- Council to undertake affordable housing developments;
- Assessment of the impact of the loss of affordable housing as part of the development assessment process; and
- The use of voluntary planning agreements to deliver affordable housing.

Council resolved not to proceed with the inclusion of affordable housing in the comprehensive LEP as the recently released SEPP (Affordable Rental Housing) was expected to adequately deal with the provision of opportunities for affordable housing in the City. It is noted that the SEPP has resulted in the production of a limited number of affordable housing properties, and a number of secondary dwellings (granny flats).

Affordable Housing Summit

On 26 August, 2014 Council resolved to hold an affordable housing summit to discuss an Affordable Housing Plan for the City of Ryde. The Ryde Housing Affordability Summit was held in November 2014. The issues raised at the summit are summarised below:

- Public perceptions of affordable housing and a lack of community understanding and education on the issue.
- Insufficient housing stock and increasing land value.
- Lack of housing options to meet diverse needs (e.g. low incomes and student housing).
- The need to work with community housing providers, State Government and other local councils to deliver improvements, and uplift new developments for affordable housing.

On the 12 May 2015 Council endorsed the findings of the Affordable Housing Summit and resolved to prepare a Ryde Affordable Housing Policy to guide and facilitate the delivery of affordable housing in the City of Ryde.

City of Ryde Affordable Housing Policy 2016 – 2031

To facilitate the development of an Affordable Housing Policy a report titled, *City of Ryde Affordable Housing Policy Stage 1: Background Report* (dated 2 October 2015), was prepared by Dr Judith Stubbs & Associates. (ATTACHMENT A) The report provided an analysis on demographic and housing issues in the City of Ryde and included the following key findings and recommendations:

- By 2031 there will be 10,700 key workers living in housing stress and in need of affordably priced housing with 70% being renters. The households are across the three key worker income bands:
 - o 50% 'Very low' income households = 5,350 dwellings
 - o 30% 'Low' income households = 3,210 dwellings
 - o 20% 'Moderate' income households = 2,140 dwellings.
- That 90% of the likely future demand for affordable housing will not be met through the market, or through 'light' planning intervention. Given this market failure, intervention is necessary to address affordable housing issues in Ryde LGA.
- The market analysis indicates that planning incentives such as increased height in return for the provision of affordable housing are likely to be taken up. The basic principle is that developers may be granted an incentive in return for a portion of new dwellings being designated affordable housing to offset the costs of affordable housing.
- The specific affordable housing delivery models considered included
 - o Value Capture Arrangements which capture a share of the land value uplift in respect of rezonings (through a Voluntary Planning Agreement)
 - o precinct-based density bonuses and
 - o mandatory inclusion zoning
- Over time; the asset value of Council's affordable housing portfolio may be used to underwrite opportunities to develop affordable housing 'demonstration' project/s. City West Housing Corporation; which owns and manages affordable housing in Ultimo and Pyrmont; undertakes such projects.

The *City of Ryde Affordable Housing Policy 2016-2031* (ATTACHMENT B) which was adopted by Council on the 12 April 2016 offers a comprehensive framework to advocate for, facilitate, provide and manage affordable housing in the Ryde Local Government Area.

The Policy aims for 5% of all new dwellings in the Ryde Local Government Area to be affordable housing by 2031. Of these, two-thirds (or 500 dwellings) is to be delivered by the State Government, and one-third (or 250 dwellings) is to be delivered by Council through the development process.

The Affordable Housing Policy outlined an Implementation Plan, including the preparation of a Planning Proposal to introduce planning controls for affordable housing. Work is progressing on delivering the other projects identified in the implementation plan including

establishing management arrangements for future affordable housing dwellings with a Community Housing Provider.

In April 2016, Council adopted the following interim policy position:

That Council adopt an interim position in relation to the delivery of affordable housing as part of the development and planning process with:

- *2 % of dwellings in new residential and mixed use developments be affordable housing.*
- *4 % of dwellings constructed on land to be rezoned to permit residential / mixed use development be affordable housing.*

This interim policy position has been implemented where appropriate through Voluntary Planning Agreements in relation to Planning Proposals (for a change to the zoning or additional height or floor space ratio) or where a Development Application proposes to exceed the development standards specified in RLEP 2014.

Affordable Housing Study (June 2017)

Council on the 12 April 2016 resolved to prepare a Planning Proposal to amend Ryde Local Environmental Plan 2014 to include affordable housing provisions as outlined in the City of Ryde Affordable Housing Policy

To determine the necessary changes to the planning controls to achieve the Policy's aim of 250 affordable housing units by 2031 Council engaged specialist property and planning consultants Hill PDA in 2016 to consider affordable housing delivery models including value sharing arrangements, density bonuses, and mandatory inclusionary zoning. Hill PDA's report titled *Affordable Housing Study* (June 2017) concluded that:

- 7% of the total residential gross floor area of the development where the land is subject to a rezoning from an employment, special or infrastructure use to a residential use or mixed use, or where there is an increase in the permitted height or floor space.
- 2% of the total residential gross floor area in new residential and mixed use developments where the development applications are permissible under the Ryde Local Environmental Plan 2014.

In respect of amendments to Ryde LEP 2014 that results in new and or additional residential floor space on land, a 7% affordable housing requirement is proposed in order to balance the 2% requirement in respect of DAs and achieve Council's adopted target of 5% affordable dwellings for the City of Ryde.

Accordingly, this Planning Proposal (PP) outlines the following proposed changes to RLEP 2014:

- o Where additional residential floor space has been created on a site as a result of an amendment to Ryde LEP 2014 a minimum 7% of all new residential floor space is to be delivered as affordable housing
- o For development applications within an R3 Medium Density Residential zone, R4 High Density Residential zone and/or a Centre identified on the Ryde LEP Centres Map which has not been subject to an increase in residential floor space from an amendment to Ryde LEP 2014, a minimum 2% of all new residential floor space is to be delivered as affordable housing.
- o Where appropriate; Council may accept a monetary contribution in lieu of an affordable floor space where, for example, the 2% or 7% requirement for affordable housing floor space does not equate to an apartment (i.e. 50sqm) or the particular location may not be suitable (e.g. it is not serviced by public transport). The criteria and process will be detailed in a new DCP part.
- o Where a developer wishes to provide more affordable housing than the minimum requirement; Council, at its discretion; may exclude affordable housing floor space from floor space ratio calculations.

1.2 Land to which the Planning Proposal applies

This Planning Proposal applies to all land in the City of Ryde:

- o Zoned R3 Medium Density Residential
- o Zoned R4 High Density Residential
- o Identified as a Centre in Ryde LEP 2014 Centres Map
- o Where a change in Ryde LEP results in additional land being developed for residential purposes.

1.3 Current Planning Provisions

The City of Ryde Affordable Housing Policy

The *City of Ryde Affordable Housing Policy* was adopted in April 2016 and offers a comprehensive framework to advocate for, facilitate, provide and manage affordable housing in the Ryde Local Government Area. (ATTACHMENT C) At that time Council also adopted the following interim policy position:

That Council adopt an interim position in relation to the delivery of affordable housing as part of the development and planning process with:

- *2 % of dwellings in new residential and mixed use developments be affordable housing.*

- 4 % of dwellings constructed on land to be rezoned to permit residential / mixed use development be affordable housing.

This interim policy position has been implemented where appropriate through Voluntary Planning Agreements in relation to Planning Proposals (for a change to the zoning or additional height or floor space ratio) or where a Development Application proposes to exceed the development standards specified in RLEP 2014.

Environmental Planning and Assessment (EP&A) Act 1979 and State Environmental Planning Policy No.70 – Affordable Housing

State Environmental Planning Policy 70 (SEPP 70) - Affordable Housing identifies those Council areas where a need for affordable housing has been identified.

The Policy:

- (a) Identifies that there is a need for affordable housing in the local government areas identified, and
- (b) Describes the kinds of households for which affordable housing may be provided, and
- (c) Makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing.

Section 94F of the EP&A Act allows for the collection of contributions for affordable housing where a Council area has been identified as having a need for affordable housing in SEPPP 70 subject to a number of conditions including:

- 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,

Development must only satisfy one of these conditions for Council to be able to require a contribution.

Council on 22 August 2017 resolved the following:

(a) That Council prepare a Local Strategic Planning Statement related to Affordable Housing and submit to the Minister for Planning for adoption. This will set the strategic direction for the Ryde Local Government Area for key worker housing.

(b) That Council prepare a Planning Proposal for the inclusion of affordable housing provisions in Ryde Local Environmental Plan and forward for it to the Minister for Planning with a request for a gateway determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*. The Planning Proposal will involve the following amendments to Ryde Local Environmental Plan 2014:

- 1) *The consent authority may, when granting development consent to a development containing a residential component, impose a condition requiring a contribution equivalent to the affordable housing contribution levy being:-*
 - a. *for development within an R3 Medium Density Residential zone, R4 High Density Residential zone and/or a Town Centre identified on Ryde Local Environmental Plan 2014 Centres Map, 2% of the total floor area of the residential component.*
 - b. *for development resulting from a change in the zoning of the land on or after the day Ryde Local Environmental Plan 2014 (Amendment No 15) commences 7% of so much of the total floor area of the residential component.*
 - c. *for development resulting from a change in the maximum height and floor space permissible, 7% of the additional residential component.*
- 2) *The consent authority may, when granting consent to a development, exclude from floor space ratio calculations the gross floor area of the affordable housing to be dedicated to Council.*

Note: A financial contribution will be required in accordance with Development Control Plan 2014 Part 3.6 Affordable Housing when the required affordable housing contribution levy results in part of a dwelling being required.

(c) That Council, in the event of a Gateway Determination being issued pursuant to Section 56 of the *Environmental Planning and Assessment Act 1979*, place the Planning Proposal on public exhibition and a further report be presented to Council following the completion of the exhibition period advising of the outcomes and next steps.

(d) That Council prepare a new draft Part 3.6 to Ryde Development Control Plan 2014 (**ATTACHED**) and exhibit the draft concurrently with the abovementioned Planning Proposal. The Development Control Plan will provide detailed guidance to the Local Environmental Plan and include provisions relating to the minimum size of affordable housing (50sqm) and a monetary contribution calculator.

(e) That the Acting General Manager write to the Minister for Planning requesting that the City of Ryde be included in *State Environmental Planning Policy 70 - Affordable Housing* providing evidence of the identified need for affordable housing in the City of Ryde, a copy of *City of Ryde Affordable Housing Policy 2016-2031*, this report and Council's resolutions.

(f) That all monetary contributions obtained under the Ryde Affordable Housing Controls, including any surplus rental funds, are hypothecated to the delivery, maintenance and management of affordable housing and that a Reserve is established for this purpose.

2.0 Objectives or Intended Outcomes

This part of the planning proposal responds to Section 55(1) of the Environmental Planning and Assessment Act 1979 which requires an explanation of what is planned to be achieved by the proposed amendments to RLEP2014.

The objectives of this Planning Proposal are to:

- Give effect to the intent for the draft North District Plan to provide affordable housing
- Increase the amount of affordable housing in the LGA to achieve the City's affordable housing targets
- Ensure affordable housing contribution rates do not impact on development viability
- Increase certainty for landowners and developers seeking to develop land in the LGA

The intended outcome of the Planning Proposal is to:

- require the provision of affordable housing in the City of Ryde
- provide a transparent framework for development to make equitable affordable housing contributions

3.0 Explanation of Provisions

To achieve the intended outcomes, this Planning Proposal seeks to amend Ryde LEP 2014 in the manner described below.

The introduction of an Affordable Housing Contribution Clause.

It is proposed to amend the Ryde LEP 2014 to include an affordable housing contributions clause.

The clause will apply to land when:-

1. a development proposal containing a residential component, is submitted to Council on land that has not had an increase in residential floor space through an amendment to Ryde LEP 2014 and is :
 - o Zoned R3 Medium Density Residential
 - o Zoned R4 High Density Residential
 - o identified in Ryde LEP 2014 Centres Map as a Centre

The affordable housing contribution requirement for the above development applications will be 2% of the total gross floor area of the development to be use for residential purposes.

2. A development proposal containing a residential component, is submitted to Council on land that an amendment to Ryde LEP 2014 has occurred, creating additional residential floor space.

The affordable housing contribution requirement for the above will be 7% of the total gross floor area being developed for residential purposes. The amount of floor area to be developed for residential purposes will be calculated at the time of the amendment to LEP 2014 and confirmed at the development application stage.

Where the required affordable housing contribution levy results in part of a dwelling being required a financial contribution will be required in accordance with Development Control Plan 2014 Part 3.6 Affordable Housing. ATTACHMENT D

If a developer wishes to provide more affordable housing than the contribution requires Council may exclude the additional contribution from the floor space of the development.

The proposed contribution requirement on land developed for residential purposes is provided in Table 1 below.

TABLE 1

Contribution Required	Amount of Affordable Housing Contribution	When required
Land Zoned: - o R3 Medium Density Residential - o R4 High Density Residential - o identified in Ryde LEP 2014 Centres Map as a Centre and no amendment has occurred to Ryde LEP 2014 to increase the residential floor space available.	2% of gross floor area of residential development	At Development Application stage
Amendment has occurred to Ryde LEP 2014 that increases the residential floor space available.	7% of gross floor area of residential development.	At Voluntary Planning Agreement stage to be confirmed at Development Application stage.

Proposed new Clause 6.13 Affordable housing contribution:

- 1) *The consent authority may, when granting development consent to a development containing a residential component impose a condition requiring a contribution equivalent to the affordable housing contribution levy being:-*
 - a. *For development within an R3 Medium Density Residential zone, R4 High Density Residential zone or a Town Centre identified on Ryde Local Environmental Plan 2014 Centres Map, where no amendment has occurred to the land under Ryde LEP 2014 to increase residential floor space after the day Ryde Local Environmental Plan 2014 (Amendment No 15) commences, 2% of the total gross floor area of the residential component.*
 - b. *For development where a change in Ryde Local Environment Plan 2014 creates additional residential floor space on the land, after the day Ryde Local Environmental Plan 2014 (Amendment No 15) commences, 7% of so much of the total floor area of the residential component.*
- 2) *Where it is proposed to exceed the requirements of clause (1) above, the Consent Authority may exclude from floor space ratio calculations the floor area of affordable housing to be dedicated to Council.*

Note: A financial contribution will be required in accordance with Development Control Plan 2014 Part 3.6 Affordable Housing when the required affordable housing contribution levy results in part of a dwelling being required.

4.0 Justification

Section 55 (3) of the Environmental Planning and Assessment Act 1979 enables the Director-General to issue requirements with respect to the preparation of a PP. This section responds to all matters to be addressed in a PP – including Director-General's requirements for the justification of all PPs (other than those that solely reclassify public land).

4.1 Need for the Planning Proposal

4.1.1 Is the planning proposal a result of any strategic study or report?

A number of background reports and studies have been carried out in support of the development of a Planning Proposal to facilitate the provision of affordable housing in the City of Ryde. They include:-

- *City of Ryde Council Affordable Housing Strategy: Stage 1 Final Background Report 2008* - The Report identified the key issues for affordable housing in the City of Ryde and options to address the need for affordable housing.
- *Affordable Housing Strategy Stage 2 (Draft) May 2009* -The report reviewed various strategies to introduce affordable housing into the City of Ryde and made recommendations including:
 - o making provisions within the comprehensive LEP
 - o Council undertaking affordable housing developments;
 - o The use of voluntary planning agreements to deliver affordable housing
- *City of Ryde Affordable Housing Policy Stage 1: Background Report – 2 October 2015* - The Background Report provides an analysis on demographic and housing issues in the City of Ryde and reviewed various affordable housing delivery models including Value Sharing Arrangements (similar to our existing Voluntary Planning Approval process), precinct-based density bonuses, and mandatory inclusion zoning.
- *City of Ryde Affordable Housing Policy* - The Policy provides a comprehensive framework to advocate for facilities , provide and manage affordable housing in the City of Ryde and aims for 5% of all new dwellings in the Ryde Local Government Area to be affordable housing by 2031 with one-third (or 200 dwellings) being delivered by Council through the development process.
- *Affordable Housing Study (June 2017)* – The Study, undertaken by Hill PDA informs the preparation of the amendments to Ryde Local Environmental Plan 2014 ensuring that the draft controls are based on a market appraisal and robust feasibility analysis to demonstrate that the controls can achieve the affordable housing objectives without unacceptable impacts on development feasibility.

For a more detailed account of each study refer to Section 1.1 Background of this Planning Proposal.

4.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes?

This Planning Proposal is to facilitate new affordable housing contribution schemes within the City. The objectives of the Planning Proposal are to provide clarity for the community and the development industry.

While the provision of affordable housing can be achieved through Voluntary Planning Agreements, including requirements in RLEP2014 will mandate the provision of affordable housing for identified land.

4.2 Relationship to strategic planning framework

This section discusses relevant strategic planning documents and their relationship to the PP.

4.2.1 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

A Plan for Growing Sydney

In December 2014 the NSW Government released Sydney's Metropolitan Plan "A Plan for Growing Sydney". The Plan outlines a vision for Sydney over the next 20 years. It identifies key challenges facing Sydney including a population increase of 1.6million by 2034 and a requirement for 664,000 new homes.

In responding to the above and other challenges the Plan sets out four goals including:

- A city of housing choice and home that meet our needs and lifestyles
- A great place to live with community that are strong, healthy and well connected.

To achieve the four goals the Plan proposes 22 directions and associated actions . Actions particularly relevant to this Planning Proposal include:

1. Action 2.3.1: Require local housing strategies to plan for a range of housing types.
2. Action 2.3.3: Deliver more opportunities for affordable housing.

The Planning Proposal is consistent with several goals, directions and actions of the plan. Specifically it will increase the supply of affordable housing and improve housing diversity and choice.

Draft North District Plan

The draft North District Plan, prepared by the Greater Sydney Commission, was on exhibition until 31 March 2017. The draft District Plan identifies productivity, liveability and sustainability priorities and actions to achieve the goals for the northern district set in the Metropolitan Plan.

The Planning Proposal is consistent with the following aspects of the draft Plan:

1. Liveability Priority 3: Implement the Affordable Rental Housing Target- for planning proposals or strategic plans for new urban renewal or greenfield areas which states in part:

A target of 5% to 10% of new floor space will be applied at the rezoning stage so that it can factored into the development equation:

- *within areas that have been shown, via a local housing strategy, or another form of appropriate research, to have current or future need for affordable rental housing*
- *to applicable land within new urban renewal or greenfield areas (government and private) subject to development feasibility assessed at a precinct scale*
- *to all new floor space (above the existing permissible floor space)*

2. Action L6: Support council to achieve additional affordable housing (through SEPP 70) which states:

In relevant areas, we will support councils and the Department of Planning and Environment in amending SEPP 70 – Affordable Housing (Revised Schemes). The application of the target identified in this draft District Plan should not prejudice negotiations to secure affordable housing in other locations where this target is not applicable (draft North District Plan page 100).

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. Clause 5 the Environmental Planning and Assessment Act outlines the objects of the Act, which includes:

“(a) to encourage:

.....

(viii) *of the provision and maintenance of affordable housing”.*

In 1999 the Act was amended to specifically include the above as an Object of the Act .

Section 94F of the Act allows for the collection of contributions for affordable housing where a need for affordable housing is identified in State Environmental Planning Policy 70- Affordable Housing (Revised Schemes).

State Environmental Planning Policy 70 (SEPP 70) - Affordable Housing (Revised Schemes) identifies the need for affordable housing a number of council areas, thereby allowing them to impose conditions on development consents relating to affordable housing.

Council on 22 August 2017 resolved in part the following:

That the Acting General Manager write to the Minister for Planning requesting that the City of Ryde be included in State Environmental Planning Policy 70 - Affordable Housing providing evidence of the identified need for affordable housing in the City of Ryde..

The Planning Proposal is consistent with the objectives of the Act in encouraging the provision of affordable housing.

4.2.2 Is the planning proposal consistent with the local council's local strategy, or other local strategic plan?

City of Ryde 2021 Community Strategic Plan

The Community Strategic Plan sets out the future vision for the City of Ryde. The plans set the desired outcomes and the aspirations of the community, and the goals and strategies on how they will be achieved. One of the key challenges identified was to offer a range of affordable and varied accommodation options to meet the changing needs and demands of Ryde's population.

Local Planning Study (LPS)

Council adopted *Local Planning Study (December 2010)*. Affordable housing was one of the background studies investigated as part of the preparation of the Housing Study that made up the LPS. The as a result of Council's resolution of 15 May 2007:

That consideration of options for affordable housing provisions in Ryde be included as a consideration in the preparation of a housing strategy as part of the preparation of a Local Study for Ryde.

Studies identified the need for affordable housing in Ryde however at this time Council resolved not to proceed with inclusion of affordable housing program in an LEP as the recently released SEPP (Affordable Rental Housing) was expected to adequately deal with the provision of opportunities for affordable housing in the City.

The need for more affordable housing in Ryde was however identified in the Local Planning Study through the key recommendation to allow the strata subdivision of dual occupancy developments in Ryde.

4.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

A summary assessment of the PP in terms of State Environmental Planning Policies (SEPPs) is contained in the table below (Table 1).

This assessment indicates that the draft amendments to RLEP2014 contained in this PP is consistent with all relevant SEPPs.

Table 1 – Consistency with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
SEPP No 19 Bushland in Urban Areas			✓	Not relevant to proposed amendment.
SEPP No 21 Caravan Parks			✓	Not relevant to proposed amendment.
SEPP No 30 Intensive Agriculture			✓	Not relevant to proposed amendment.
SEPP No 33 Hazardous and Offensive Development			✓	Not relevant to the proposed amendment
SEPP No 50 Canal Estate Development			✓	Not relevant to proposed amendment.
SEPP No 55 Remediation of Land			✓	Not relevant to proposed amendment.
SEPP No.62 Sustainable Aquaculture			✓	Not relevant to proposed amendment.
SEPP No 64 Advertising and signage			✓	Not relevant to the proposed amendment
SEPP No 65 Design Quality of Residential Flat Development			✓	Not relevant to the proposed amendment.
SEPP 70			✓	While SEPP 70 does not currently apply to City of Ryde, the intention of the Planning Proposal is to include affordable housing requirements. A request has been sent to the Minister for Planning that City of Ryde be included in SEPP 70.
SEPP (Affordable Rental Housing) 2009			✓	Applies to the whole of the State. This SEPP requires affordable housing to be provided in certain locations subject to specific and limited criteria. This model of affordable housing differs from the affordable housing subject to this Planning Proposal which is more broad and captures some of the development uplift

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
				experienced through planning proposals and additional floor space ratio. SEPP (Affordable Rental Housing) requires the provision of affordable housing for a 10 year period where the Planning Proposal aims to introduce a requirement in RLEP2014 for affordable housing to be dedicated to Council in perpetuity.
SEPP(BASIX) 2004			✓	Not relevant to proposed amendment.
SEPP (Exempt and Complying Development Codes) 2008			✓	Not relevant to proposed amendment.
SEPP(Housing for Seniors or People with a Disability) 2004			✓	Not relevant to proposed amendment.
SEPP (Infrastructure) 2007			✓	Not relevant to proposed amendment.
SEPP (Major Development) 2005			✓	Not relevant to proposed amendment.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007			✓	Not relevant to proposed amendment
SEPP (State and Regional Development) 2011			✓	Not relevant to the proposed amendment
Deemed SEPPs				
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005			✓	The PP is not inconsistent with the relevant planning principles for the Sydney Harbour Catchment.
Draft State Environmental Planning Policies				
SEPP No 66 - Integration of Land Use and Transport 2001			✓	Not relevant to proposed amendment
SEPP (Competition) 2010			✓	Not relevant to proposed amendment
SEPP (Educational Establishments and			✓	Not relevant to proposed amendment

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
Child Care)				
SEPP Vegetation			✓	Not relevant to proposed amendment
SEPP Coastal Management			✓	Not relevant to proposed amendment
SEPP Infrastructure			✓	Not relevant to proposed amendment
SEPP Advertising and Signage SEPP			✓	Not relevant to proposed amendment

4.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

A summary assessment of the PP in terms of the Directions issued by the Minister for Planning under Section 117 of the *EP&A Act* (last update 1 February 2011) is contained in the Table 2).

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 117(2) of the *Environmental Planning and Assessment Act 1979*. These directions apply to PPs lodged with the Department of Planning and Environment on or after the date the particular direction was issued:

Consideration of Relevant Section 117 Directions applying to PPs

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
1. Employment and Resources			
1.1 Business and Industrial Zones Objectives are:- - o Encourage employment growth in suitable locations - o Protect employment land in business and industrial zones and - o Support the viability of identified strategic centres.	X		
1.2 Rural Zones Objective: To protect the agricultural production value of rural land.			X
1.3 Mining, Petroleum Production and Extractive Industries Objective: To ensure that the future extraction of significant materials is not compromised by inappropriate development.			X
1.4 Oyster Aquaculture Objective: To protect oyster aquaculture from development that may result in adverse impact on water quality.			X
1.5 Rural Lands Objective: To protect and facilitate economic development of rural			X

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
lands.			
2. Environment and Heritage			
2.1 Environment Protection Zones Objective: To protect and conserve environmentally sensitive areas.			X
2.2 Coastal Protection Objective: To implement the principles in the NSW Coastal Policy.			X
2.3 Heritage Conservation Objective: To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	X		
2.4 Recreation Vehicle Areas Objective: To protect sensitive land from adverse impacts from recreation vehicles.			X
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs			X
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones Objectives are: - o To encourage a variety and choice of housing types to provide for existing and future housing needs - o To make efficient use of existing infrastructure and services and endure that new housing has appropriate access to infrastructure and services and - o To minimise the impact of residential development on the environment and resource lands.	X		
3.2 Caravan Parks and Manufactured Home Estates Objective: To provide a variety of housing types.	X		
3.3 Home Occupations Objective: To encourage the carrying out of low impact small businesses in dwelling houses.	X		
3.4 Integrating Land Use and Transport Objectives are: - o Improving access to housing , jobs and services by walking, cycling and public transport - o Support of public transport services and reduce travel demand.	X		
3.5 Development Near Licensed Aerodromes Objective: To ensure safe and effective operation of aerodromes.			X
3.6 Shooting Ranges			X

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
Objective: To reduce land use conflict, maintain appropriate levels of public safety and amenity.			
4. Hazard and Risk			
4.1 Acid Sulfate Soils Objective: To avoid significant adverse impacts from use of land that contains acid sulfate soils.	X		
4.2 Mine Subsidence and Unstable Land Objective: To prevent damage to life, property and the environment on land identified as subject to mine subsidence.			X
4.3 Flood Prone Land Objective: To ensure an LEP includes consideration of appropriate flood impacts.	X		
4.4 Planning for Bushfire Protection Objective: To encourage sound management of bush fire prone areas.	X		
5. Regional Planning			
5.1 Implementation of Regional Strategies Objective: To give legal affect to the regional strategies.			X
5.2 Sydney Drinking Water Catchments Objective: To protect water quality in the Sydney drinking water catchment.			X
5.3 Farmland of State and Regional Significance on the NSW Far North Coast Objective: To ensure the best agricultural land will be available for current and future generations.			X
5.4 Commercial and Retail Development along the Pacific Highway, North Coast Objective: To manage commercial and retail development along the Pacific Hwy.			X
5.8 Second Sydney Airport: Badgerys Creek Objective: To avoid incompatible development in the vicinity of any future second Sydney airport.			X
5.9 North West Rail Link Corridor Strategy			X
5.10 Implementation of Regional Plans Objective: To give effect to the vision, land use strategy, goals directions and actions contained in Regional Plans.	X		
6. Local Plan Making			
6.1 Approval and Referral Requirements Objective: To ensure that LEP provisions encourage the efficient and appropriate assessment of development.	X		
6.2 Reserving Land for Public Purposes Objective: To facilitate the provision of public services and	X		

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
facilities.			
6.3 Site Specific Provisions Objective: To discourage unnecessary restrictive site specific planning controls.	X		
7. Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036. Objective: To give legal affect to the vision contained in the A Plan for Growing Sydney (December 2014)	x		
4.2 Implementation of Greater Macarthur Land Release Investigation			x

4.3 – Environmental, social and economic impact

4.3.1 Impact on Critical Habitat, Threatened Species and Ecological Communities

The PP will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats nor is it expected to have any adverse environmental effects.

4.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The Planning Proposal intends to amend the planning controls to require a certain percentage of a development to be provided as affordable housing. The environmental effects of these development proposals would be assessed in each individual application on its merits.

4.3.3 Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal forms one part of the Implementation Plan of the City of Ryde Affordable Housing Policy 2016-2031. This Policy aims to take action to address housing affordability in the City of Ryde and to deliver affordable housing suitable for people on low to moderate incomes. This represents a positive social impact and addresses an identified social need for this type of housing as demonstrated through reports authored by Judith Stubbs on behalf of Council. The Planning Proposal will contribute to the achievement of a diversity of housing stock in the City of Ryde.

The Planning Proposal is supported by a background study which demonstrates that the proposed planning controls will not unreasonably impact on development feasibility.

4.4 State and Commonwealth interests

4.4.1 Is there adequate public infrastructure for the planning proposal?

The planning proposal will not place additional demands on public infrastructure.

4.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Department of Family and Community Services (Centre for Affordable Housing) will be consulted with as part of the consultation process associated with the exhibition of the PP.

The PP does not raise any issues that are expected to be of concern to any other State or Commonwealth public authority.

Any State or Commonwealth authority that is identified in the gateway determination will be consulted following that determination.

5.0 Mapping

There are no mapping amendments proposed with respect to this Planning Proposal.

6.0 Community Consultation

This section provides details of the community consultation that is to be undertaken on the planning proposal:

The community consultation process to be undertaken for this PP is expected to be undertaken in the following manner for a period of 4 weeks:

- o written notice given:
 - in the local newspaper circulating in the area;
 - on Council's webpage;
 - to subject landowners and key stakeholders;
 - to local state government representatives; and
 - consultations considered necessary by the Department of Planning and Environment with relevant State and Commonwealth authorities.
- o the written notice will:
 - provide a brief description of the objectives and intended outcomes;
 - state where the planning proposal can be inspected;
 - indicate the last date for submissions; and

- confirm whether the Minister has chosen to delegate the making of the LEP.
- o The following materials will be placed on exhibition:
 - the PP;
 - the Gateway determination; and
 - *any associated documents.*

One community drop-in session will be held during the exhibition period.

7.0 Project Timeline

1. Planning Proposal presented to Council	August 2017
2. Planning Proposal submitted with a	September/ October 2017
3. request for a Gateway determination	
4. Gateway determination received by Council	November/December 2017
5. Community consultation (4 weeks)	February/ March 2018
(Note: Council does not undertake community consultation over the summer school holidays)	
6. Outcomes of Community consultation presented to Council	May 2018
7. PP submitted to DoPE	
Requesting notification on Government website	June 2018