

STRATEGIC
PLANNING POLICY

CITY OF CANADA BAY
AFFORDABLE HOUSING CONTRIBUTION SCHEME

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2.0	Revised* 15/6/21 Effective** 31/10/21	T. Kao	• Rhodes West Contribution Area added to AHCS • References to annual indexation are corrected to quarterly indexation
3.0	Revised* 18/10/2022 Effective** 31/3/2023	K. Judd	• 1-7 Ramsay Rd, Five Dock Contribution Area added to AHCS
4.0	Revised* 28/03/2023 Effective** 25/8/2023	H. Wilkins	• Contribution for 160 Burwood Rd, Concord (Bushells site) from 5% to 10%
5.0	Revised* 17/03/2026 Effective** TBC	M. Dennett	• Housekeeping amendments
6.0	Revised 19/03/26 Effective** TBC	A. Wynen	• Five Dock Precinct Contribution Area added to AHCS

Note: *Revision Date is the date of Council adoption of the revised Affordable Housing Contribution Scheme. **Effective Date is the date of *Canada Bay Local Environmental Plan* Amendment gazettal to include the affected land under Cause 6.12.

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SECTION 1: STRATEGIC CONTEXT AND BACKGROUND

1.1 Introduction

The City of Canada Bay Affordable Housing Contributions Scheme (the AHCS) sets out how, where, and at what rate development contributions are collected by the Council for affordable housing.

The AHCS has been prepared in accordance with the requirements of Section 7.32(1)(c) of the *Environmental Planning and Assessment Act 1979* and *State Environmental Planning Policy (Housing) 2021*.

It is consistent with the Eastern City District Plan which identifies opportunities to support affordable rental housing, particularly for key workers and skilled workers in targeted employment areas.

1.2 Context

In Sydney over the last 20 years, a growing population combined with a decrease in average household size has led to an increase in the demand for housing. This demand has exceeded the supply of new dwellings and has contributed to increased housing costs, which affects the ability of very low to moderate income households to live in large parts of the Eastern City District, including desirable locations such as the City of Canada Bay.

Unless there is intervention to support the provision of designated Affordable Housing, particularly in significant redevelopment areas such as Rhodes East and in the Parramatta Road Corridor, urban renewal is likely to push prices and rents that are already beyond the capacity of many households even further out of reach.

Council is committed to enabling Affordable Housing in the City of Canada Bay to maintain a diverse, vibrant and healthy community and to alleviate housing stress experienced by some individuals and families in the private rental housing market. This commitment is set out in the Canada Bay Community Strategic Plan - *Our Future 2036* which identifies housing affordability as a challenge and recognises the need to supply housing for purchase and rental across a range of income levels to ensure a broad cross-section of the community can enjoy living and working in the City. This approach is reinforced in the City of Canada Bay Local Strategic Planning Statement (the LSPS) which sets out a land-use vision that includes housing affordability and includes actions requiring Council to address Affordable Housing.

The City of Canada Bay Housing Strategy supports the LSPS, providing an evidence base and the following vision for Affordable Housing in Canada Bay:

Affordability of housing will be addressed through the requirement for major redevelopment sites to provide affordable housing that can be managed by community housing providers. This will allow key workers and households on low-moderate incomes to live within the City of Canada Bay, and retain social and economic diversity. (SGS 2019: p 12).

This Affordable Housing Contribution Scheme is a key step towards meeting that vision.

1.3 Objectives of the AHCS

The objectives of the City of Canada Bay AHCS are to:

- 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, including providing accessible housing for all;
- Ensure Affordable Housing is constructed to a standard consistent with other housing in the LGA
- 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.

1.4 Where does the AHCS apply?

The AHCS applies to the City of Canada Bay Local Government Area. The following affordable housing contribution areas are identified within LGA:

- 1) Rhodes West and Rhodes East as shown in Figure 1.1; and
- 2) The Parramatta Road Corridor Urban Transformation Strategy Precinct Areas of Homebush, Burwood, and Kings Bay as shown in Figure 1.2; and
- 3) 160 Burwood Rd, Concord (Bushell's site) as shown in Figure 1.3; and
- 4) 1-7 Ramsay Road, Five Dock as shown in Figure 1.4; and
- 5) [The Five Dock Precinct as shown in Figure 1.5, below; and](#)
- 6) 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 are collectively referred to as "the Affordable Housing Contribution Areas".

Additional land may be added to the AHCS by amendment of this document via Council resolution and amendment of the Canada Bay LEP.

1.5 Summary of Affordable Housing Contribution %

Rhodes East

Land	Affordable Housing Contribution %
Rhodes East affordable housing contribution area	5

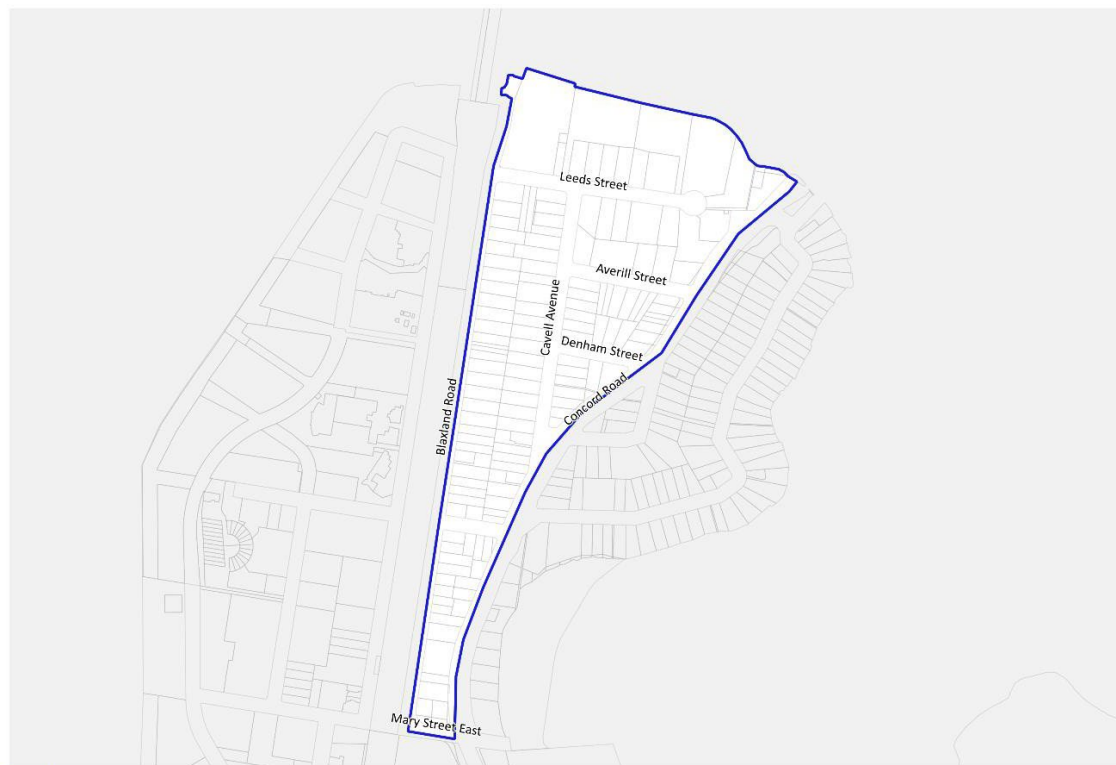


Figure 1.1a: Rhodes East Affordable Housing Contribution Area

Rhodes West

Land	Affordable Housing Contribution %
Area 4 Rhodes West	3.5% of the relevant floor area that exceeds the floor space achieved by applying a floor space ratio of 1.76:1
Rhodes West (except for Area 4)	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.



Figure 1.1b: Rhodes West Affordable Housing Contribution Area

Homebush

Land	Affordable Housing Contribution %
Homebush affordable housing contribution area (except for 3 King St, Concord West and 176 – 184 George St, Concord West)	4
3 King St, Concord West	5% of the relevant floor area that exceeds the floor space achieved by applying a floor space ratio of 0.5:1
176 – 184 George St, Concord West	5% of the relevant floor area that exceeds the floor space achieved by applying a floor space ratio of 1.0:1.



Figure 1.2a: Homebush Affordable Housing Contribution Area

Burwood

Land	Affordable Housing Contribution %
Burwood affordable housing contribution area	4

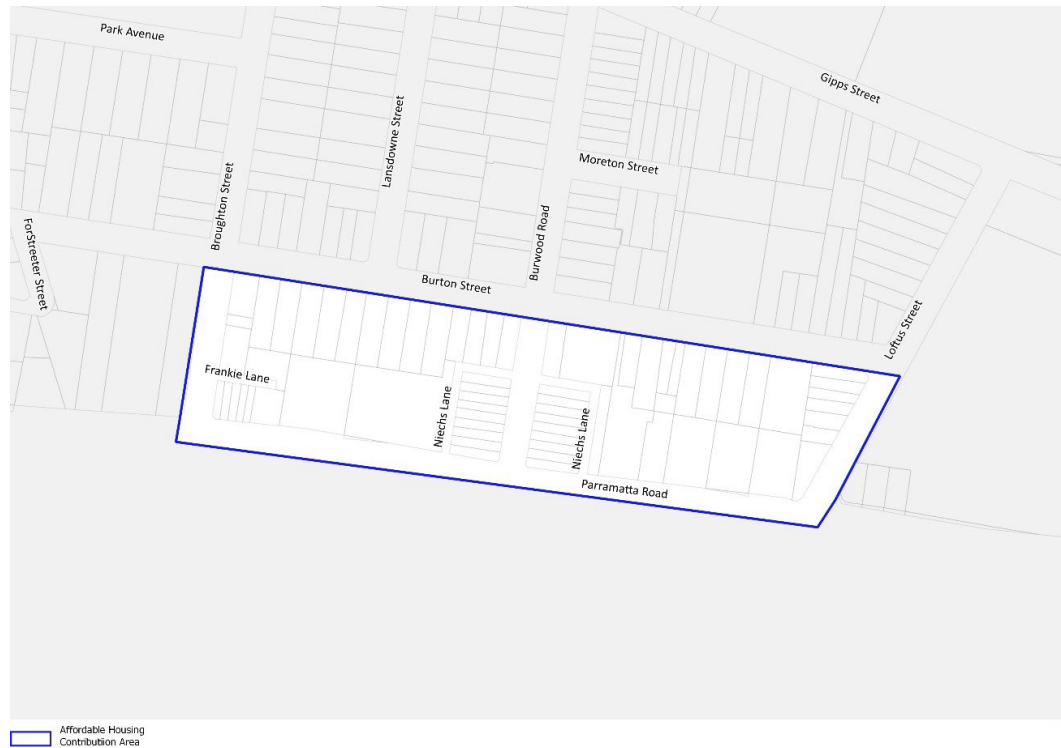


Figure 1.2b: Burwood Affordable Housing Contribution Area

Kings Bay

Land	Affordable Housing Contribution %
Kings Bay affordable housing contribution area	4

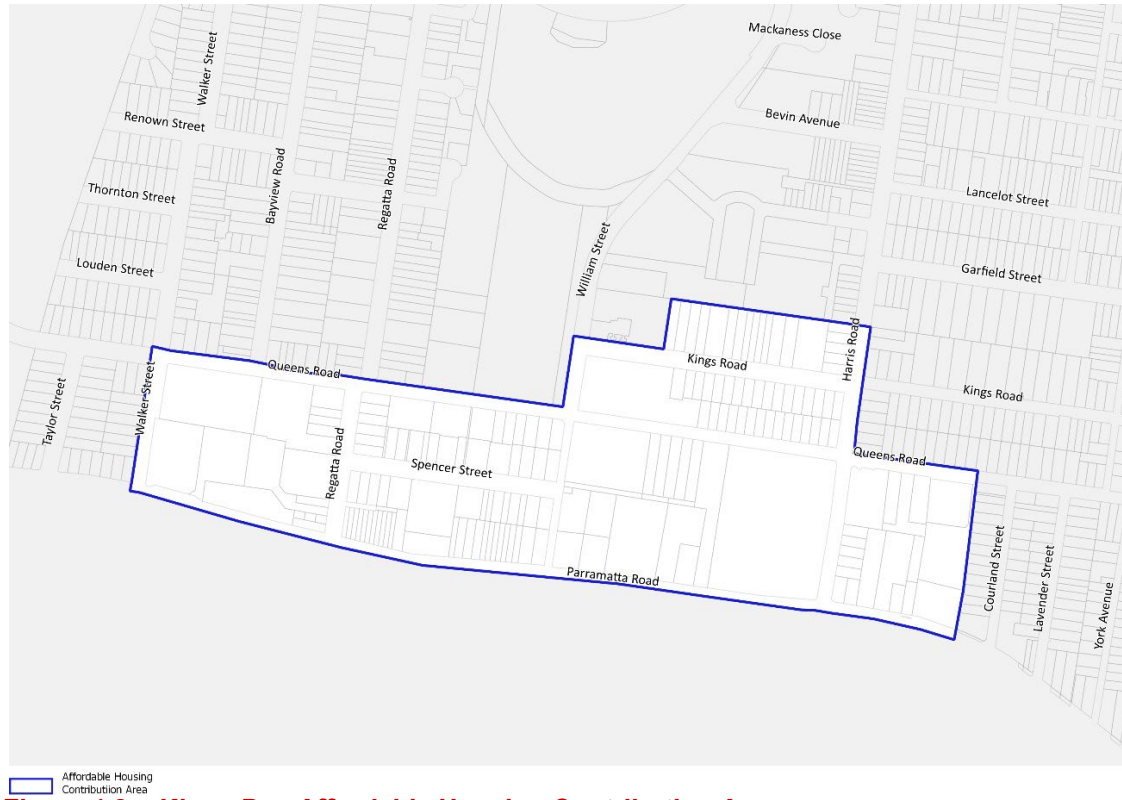


Figure 1.2c: Kings Bay Affordable Housing Contribution Area

160 Burwood Road

Land	Affordable Housing Contribution %
160 Burwood Rd, Concord	10



Figure 1.3: 160 Burwood Road, Concord Affordable Housing Contribution Area

1-7 Ramsay Road

Land	Affordable Housing Contribution %
1 -7 Ramsay Rd, Five Dock	5



Figure 1.4: 1- 7 Ramsay Road, Five Dock Affordable Housing Contribution Area

Five Dock Precinct

Land	Affordable Housing Contribution %
Five Dock Precinct contribution area (except for 1 Waterview Street, 146 First Avenue, 37-43A Waterview Street, 2 Second Avenue, 1-7 East Street, 2 West Street, 150-168 Great North Road, 106 Great North Road, 9-21 Waterview Street)	2
1 Waterview Street	3
146 First Avenue	3
37-43A Waterview Street	4
2 Second Avenue	4
1-7 East Street	5
2 West Street	5
150-168 Great North Road	5
106 Great North Road	10
9-21 Waterview Street	10



Figure 1.5: Five Dock Precinct Affordable Housing Contribution Area

1.6 What type of development does the AHCS apply to?

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

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- 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.

1.7 Overview- Affordable Housing Need in City of Canada Bay

Evidence

Council has assembled a comprehensive evidence base that considers both the need for and viability of requiring Affordable Housing provision as part of development in the LGA. This has supported the development of the AHCS and is referenced in this section and throughout the document, with details provided in the appendices. The evidence base includes LGA-wide information such as the Housing Strategy, and locality-based Affordable Housing reports, including the following documents.

- Council's Affordable Housing Policy (2007, revised August 2017)
- City of Canada Bay Housing Strategy (SGS Economics and Planning) 2019
- Draft Affordable Housing Program Rhodes East (Hill PDA) 2017
- Affordable Rental Housing -Evidence report Rhodes East (Hill PDA) 2017
- Draft Affordable Housing Program- Parramatta Road Corridor (AEC Consulting) 2019
- Affordable Housing Program- Parramatta Road Corridor Background Analysis (AEC Consulting) 2018
- Feasibility analysis undertaken by the Department of Planning, Industry and Environment for Rhodes Gateway West (Jones Lang LaSalle) 2020
- 1 Ramsay Road, Five Dock – Affordable Housing Feasibility Analysis (Atlas Urban Economics) 2021
- [Five Dock Precinct - Five Dock Feasibility Analysis \(Atlas Economics\)](#)

Overview

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 and the increasing cost of living, is expected to cause further declines in affordability over future decades. This will lead to increased demand for Affordable Housing and Social Housing.^{1,2}

The lack of Affordable Rental Housing will have the effect of displacement within the City of Canada Bay, with very low-moderate income earners at risk of being forced away from the area. This would lead to a less diverse community, the migration of young people to other areas and a reduced labour force of key workers available to support the local economy.³

One of the key findings of The City of Canada Bay's Housing Strategy is that housing in the LGA is becoming less affordable- particularly for young families moving into larger dwellings with more than two bedrooms.⁴

Affordable and Social Housing Demand⁵

The Housing Strategy describes households who are in need of Affordable Housing as those who, due to financial stress (and potentially other reasons), are either:

- Unable to access market housing (including homeless persons)
- Have low household incomes and spend a high proportion of this income on rent (i.e. are experiencing rental stress)⁶

¹SGS Economics and Planning for City of Canada Bay Council (2019) Canada Bay Housing Strategy.

²AEC for City of Canada Bay Council (2019) Affordable Housing Program Parramatta Road Corridor.

³Affordable Housing Discussion Paper and Action Plan- Warringah Council (2015) in Hill PDA (2017 Affordable Housing Program Rhodes East)

⁴SGS Economics and Planning for City of Canada Bay Council (2019) Canada Bay Housing Strategy.

⁵Information in this section from SGS Economics and Planning for City of Canada Bay Council (2019) Canada Bay Housing Strategy.

⁶This definition excludes those who are homeowners and are experiencing mortgage stress. This cohort is typically excluded, as these households have the option of liquidating their asset and entering the rental market. (source: SGS Economics and Planning 2019).

Research undertaken by SGS Economics and Planning for the Housing Strategy found that at the time of the 2016 Census, 42% of households renting in the City of Canada Bay LGA were experiencing rental stress (paying more than 30% of household income on rent). Of the 3,780 households currently experiencing rental stress, 2,224 were experiencing severe rental stress (paying more than 50% of household income on rent). This has a significant impact on lower income households, including key workers, sole parents, older persons and students.

This level of rental stress translated to a demand for 5,058 social and affordable housing dwellings within Canada Bay, is illustrated in Figure 1.4 below: Canada Bay households living in social housing also contributes to this demand.

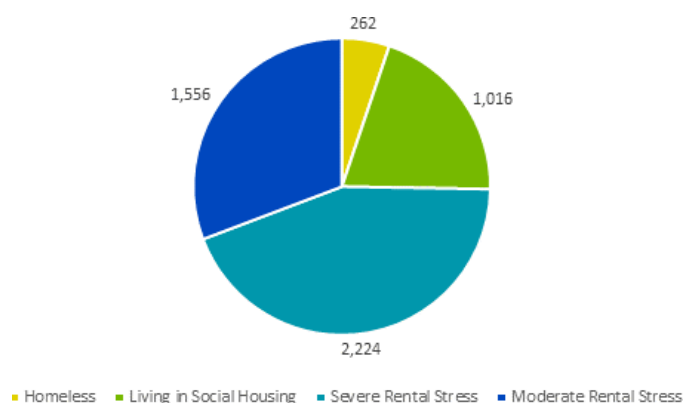


Figure 1.5: Current Demand (by number of households) for Social and Affordable Housing

Source: ABS Census 2016, ABS Homelessness Estimate (Cat. 2049.0), SGS Economics & Planning 2018

Over the 20-year period spanning from 2016 to 2036, the City of Canada Bay is expected to accommodate a high level of population growth, with the population predicted to increase from approximately 88,000 in 2016 to 120,000 in 2036.

Demand for social and affordable housing is expected to grow by approximately 770 dwellings to 2026

and up to 1,997 additional dwellings between 2016 and 2036. When added to current demand, this results in a total demand of 7,056 dwellings (i.e. 14% of all dwellings in Canada Bay). This represents an average annual growth rate of 1.7%, compared to an annual growth of 1.5% across NSW.⁷

In addition to population growth pressures, the redevelopment of land in urban renewal precincts such as Rhodes Planned Precinct and the Parramatta Road Corridor is likely to place upward pressure on property values. Unless there is intervention to support the provision of designated Affordable Housing, urban renewal is likely to push already high purchase prices and rents further out of reach of very low to moderate income households.

⁷ Ibid

1.8 Legislative basis for Affordable Housing Contributions

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.

In April 2018, State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes) (SEPP 70) was amended to apply to the City of Canada Bay. The SEPP provided a mechanism for Councils to develop schemes and levy developer contributions for Affordable Housing via conditions of consent. The SEPP now applies to all Councils in the Greater Sydney Region. In November 2021, SEPP 70 was consolidated into State Environmental Planning Policy (Housing) 2021. Clause 14 of State Environmental Planning Policy (Housing) 2021 states there is a need for affordable housing within each area of the State.

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 6.12 of the City of Canada Bay LEP 2013 authorises this AHCS.

1.9 Relationship to other Affordable Housing provisions in the LGA

State Environmental Planning Policy (Housing) 2021 (Housing SEPP)

The requirement to provide affordable housing in relation to residential development pursuant to Chapter 2 Part 2 In-fill affordable housing or section 156 of Chapter 5 of the Housing SEPP is in addition to the requirements of this Affordable Housing Contribution Scheme.

Any requirement to provide a monetary contribution under Chapter 2 Part 3 Retention of affordable rental housing is to be in accordance with Section 3 of this Affordable Housing Contribution Scheme. Any collection of monetary funds under Chapter 2 Part 3 of the Housing SEPP is to be transferred to the Department of Communities and Justice (DCJ) (now a part of Homes NSW).

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 the State Environmental Planning Policy (Housing) 2021.

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: Planned Precincts; Parramatta Road Corridor precincts; and where there is an increase in density arising from a planning proposal. It also states that an affordable housing contribution plan is required before the rezoning of above precincts/sites.

Voluntary Planning Agreements

Council has a Planning Agreements Policy which sets out its policy, principles and procedures relating to planning agreements under section 7.4 of the Environmental Planning and Assessment Act 1979.

The minimum requirements for Affordable Housing as set out in this AHCS will apply to applicable development regardless of whether a Voluntary Planning Agreement is negotiated with Council. In some instances, additional Affordable Housing contributions will be negotiated and required in a Voluntary Planning Agreement.

Where Council is negotiating the terms of a proposed planning agreement that includes provision for Affordable Housing in connection with a development application or proposed development application, it will follow the requirements set out in the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021.

City of Canada Bay Affordable Housing Policy

The City of Canada Bay Affordable Housing Policy provides a set of principles and clarifies the intent of Council's involvement in affordable housing. The principles are:

- Produce - Council supports the production of affordable housing stock; whether through inclusionary zoning, voluntary planning agreements or working with developers to encourage appropriately designed affordable housing.
- Promote – Council aims to provide a diverse range of housing types and sizes for varying stages and circumstances of life, including affordable housing for key workers, adaptable housing for people with a disability and housing for families and individuals escaping domestic violence.
- Retain - Council undertakes the role of advocacy, and where possible, undertake mitigation to reduce further loss to affordable housing stock

1.10 Conditions for imposition of an Affordable housing contribution

Before an Affordable Housing Contribution is imposed, the consent authority is required to consider the conditions set out in Clause 15 of the SEPP (Housing) 2021:

- (a) affordable housing must aim to create mixed and balanced communities,
- (b) affordable housing must be created and managed so that a socially diverse residential population, representative of all income groups, is developed and maintained in a locality,
- (c) affordable housing must be made available to very low, low and moderate income households, or a combination of the households,

- (d) affordable housing must be rented to appropriately qualified tenants and at an appropriate rate of gross household income,
- (e) land provided for affordable housing must be used for the purposes of the provision of affordable housing,
- (f) buildings provided for affordable housing must be managed to maintain their continued use for affordable housing,
- (g) affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the area.

1.11 Definitions

Affordable Housing	As defined by Environmental Planning and Assessment Act 1979: means housing for very low-income households, low income households or moderate-income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.
Affordable Rental Housing	Is rental housing that is owned by the City of Canada Bay that is managed by a registered Community Housing Provider and rented to Very Low, Low and Moderate income households.
Equivalent monetary contribution	Monetary contributions in lieu of dedication of completed dwellings. The dollar contribution rate is expressed as a dollar amount per square metre of floorspace (GFA) required. The dollar contribution rate is indexed quarterly. The monetary contribution amount defines the dollar value of a contribution in-lieu of (instead of) dwellings in-kind. This dollar amount forms the basis of cash or contribution of land.
Dwelling in-kind	Completed dwellings dedicated (gifted) to Council in perpetuity
Gross Floor Area (GFA)	As defined by Canada Bay Local Environmental Plan 2013: The sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes: a) the area of a mezzanine, and b) habitable rooms in a basement or an attic, and c) any shop, auditorium, cinema, and the like, in a basement or attic, but excludes: d) any area for common vertical circulation, such as lifts and stairs, and e) any basement: f) storage, and g) vehicular access, loading areas, garbage and services, and h) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and i) car parking to meet any requirements of the consent authority (including access to that car parking), and j) any space used for the loading or unloading of goods (including access to it), and k) terraces and balconies with outer walls less than 1.4 metres high, and l) voids above a floor at the level of a storey or storey above.

Housing affordability	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.
Inclusionary zoning	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.
Key workers	Persons permanently employed in the following sectors in the City of Canada Bay or surrounding region: • Health services (incl. support and ancillary staff) • Childcare • Public primary or secondary education (incl. support and ancillary staff) • Emergency services (incl. support and ancillary staff) • Public transport • City of Canada Bay employee • Retail • Labourers • Manufacturing • Hospitality Note: The list of occupations may change from time to time.
Land in-kind	Dedication to the City of Canada Bay of land for affordable housing
Net Saleable Area (NSA)	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.
Contribution rate (%)	The percentage contribution rate that is used in the calculation of completed dwellings to be dedicated (gifted) to Council in perpetuity. A monetary contribution for a relevant development and is adjusted quarterly to take into account indexation.
Very Low, Low & Moderate income households	As defined in State Environmental Planning Policy (Housing) 2021, Very Low to Moderate income households are those households whose gross incomes fall within the following range of percentages of the median household income for the Sydney Statistical Division according to the Australian Bureau of Statistics: • Very low-income household < 50% • Low income household 50% -80% • Moderate income household 80% to 120%
Registered Community Housing Provider	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.

Social housing	Social housing is secure and affordable rental housing for people on low incomes. It includes public, community and Aboriginal housing. Public housing is managed by Department of Communities and Justice while community housing is managed by non-government organisations (community housing providers).
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SECTION 2: AFFORDABLE HOUSING CONTRIBUTIONS

2.1 Contribution rates (%)

Affordable Housing contributions are in addition to other contributions including local infrastructure contributions (s7.11 or s7.12) and special infrastructure contributions (Subdivision 4 of the Act).

All development in the Affordable Housing Contribution Areas must contribute to Affordable Housing, required through a condition of development consent. Contributions must meet the following requirements:

- A contribution is to be calculated in accordance with the requirements of this section. There are no savings or credits for floor space that may exist on the site, even if the building is being adapted or reused.
- If the contribution is less than 50 sqm then it must be made as a monetary contribution.
- A contribution in some instances may comprise a combination of in-kind dedication and monetary contribution.
- Adaptable floor area (from existing commercial/industrial to residential) is calculated in the total residential gross floor area for the purpose of calculating an Affordable Housing contribution.
- In all instances Council will require evidence that the condition of consent has been satisfied prior to the granting of a Construction Certificate.

The rates (%) of Affordable Housing contributions required under the AHCS are as follows:

Rhodes East and Rhodes West Affordable Housing Contribution Areas

Rhodes East Affordable Housing Contribution Area: 5% of the total gross floor area that is to be used for residential uses.

Rhodes West Affordable Housing Contribution Area: 5% of the additional gross floor area that is to be used for residential uses (except for 4 Mary Street and 1-9 Marquet Street in Rhodes where 3.5% of the additional gross floor area applies)⁸

Parramatta Road Corridor Affordable Housing Contribution Areas:

- **Kings Bay Affordable Housing Contribution Area** - 4% of the total gross floor area that is to be used for residential uses.
- **Burwood Affordable Housing Contribution Area** - 4% of the total gross floor area that is to be used for residential uses.
- **Homebush Affordable Housing Contribution Area** - 4% of total gross floor area (except for 3 King St and 176 George Street in Concord West where 5% of additional gross floor area applies)⁹

⁸ With regard to the Rhodes West Affordable Housing Contribution Area (Rhodes Gateway West) additional gross floor area is taken to mean any additional floor area that is granted development approval in addition to what is permissible under the Canada Bay LEP as at October 2020, with the exception of 4 Mary Street and 1-9 Marquet Street where additional gross floor area is taken to mean any additional floor area that is granted development approval in addition to what is permissible under the Canada Bay LEP as at October 2020.

⁹ The affordable housing contributions rates in the Homebush Scheme Area are different for the sites at 3 King St and 176 George St, West Concord, as these are subject to negotiated Voluntary Planning Agreements where an agreement was made that 5% of additional gross floor area would be required as affordable housing contributions

160 Burwood Road, Concord Affordable Housing Contribution Area:

160 Burwood Road, Concord: 10% of the total gross floor area that is to be used for residential uses.

1-7 Ramsay Road Affordable Housing Contribution Area:

1 – 7 Ramsay Road, Five Dock: 5% of the total gross floor area that is to be used for residential uses.

Five Dock Precinct Affordable Housing Contribution Area:

Five Dock Precinct: 2% of total gross floor area (except for 1 Waterview Street and 146 First Avenue where 3% of the total gross floor area applies, and 37-43A Waterview Street and 2 Second Avenue where 4% of the total gross floor area applies, and 1-7 East Street, 2 West Street and 150-168 Great North Road where 5% of the total gross floor area applies, and 106 Great North Road and 9-21 Waterview Street where 10% of the total gross floor area applies).

There are three methods by which a contribution requirement may be satisfied:

- Dedication of completed dwellings (refer section 2.2)
- Making an equivalent monetary contribution (refer section 2.3) or
- Contribution of land for Affordable Housing (refer section 2.4).

Council's preference is for Affordable Housing contributions to be made through the dedication of completed dwellings. When submitting a DA, the documentation should confirm the dwellings which are to be dedicated on completion and must be accepted by Council and its nominated Community Housing Provider (CHP).

Should the dwellings proposed for dedication be deemed unsuitable by Council, cash contributions in lieu of dwellings dedicated will be the method of contribution. The cash contribution will be calculated in accordance with section 2.3.

2.2 Dedication of dwellings

The Affordable Housing contribution requirement is to be satisfied through the dedication of completed dwellings free of cost, and to the satisfaction of Council. The completed dwellings must be purposed as Affordable Rental Housing, be consistent with the Design Guidelines in Appendix A and meet the following requirements:

- Completed dwellings (and land) are dedicated to Council in perpetuity and free of cost. Council or its CHP will be responsible for rental arrangements.
- Total gross floor area (GFA) exceeds 50sqm. If the GFA is less than 50sqm, a monetary contribution will instead be payable (as described in section 2.3 of the AHCS).
- Where only part of a contribution is satisfied through dedication of completed dwellings, any remaining requirement is to be paid as a monetary contribution.

CALCULATING DWELLING CONTRIBUTION FOR TOTAL GROSS FLOOR AREA

Example based on 5% contribution rate

Calculating the Contribution - Residential development

Calculation: Gross floor area x 5% = required affordable housing square metre provision

Example: A development application for a new residential development comprising 8,000sqm of GFA.

$$= 8,000\text{sqm} \times 5\%$$

$$= 400\text{sqm affordable housing GFA required to be dedicated}$$

Calculating the Contribution - Mixed-use development

Calculation: Total GFA - non-residential GFA = residential GFA

Residential GFA x 5% = required affordable housing square metre provision

Example: A development application for a new 8,000sqm mixed use development comprising 7,000sqm of residential GFA and 1,000sqm of non-residential GFA.

$$= 8,000\text{sqm} - 1,000\text{sqm} = 7,000\text{sqm Residential GFA}$$

$$= 7,000\text{sqm} \times 5\%$$

$$= 350\text{sqm affordable housing GFA required to be dedicated}$$

Calculating the Contribution - Adaptable Use

A change of use of an existing non-residential use to a residential use would attract an affordable housing contribution.

Affordable Housing contribution provision:

$$= \text{contribution rate (\%)} \times \text{converted residential gross floor area}$$

Example: A development application for a conversion of a of an existing 2,000sqm commercial/ industrial space to residential GFA.

$$= 5\% \times 2,000\text{sqm}$$

$$= 100 \text{ sqm affordable housing GFA required to be dedicated}$$

CALCULATING DWELLING CONTRIBUTION FOR ADDITIONAL GROSS FLOOR AREA

Example based on 5% contribution rate

Calculating the Contribution - Residential development

Calculation:

Additional gross floor area[#] x 5% = required affordable housing square metre provision.

#Additional gross floor area = Subtract the residential gross floor area permissible under the *Canada Bay Local Environmental Plan* prior to the amended development controls, from the proposed residential gross floor area.

Example: A development application for a new residential development comprising 8,000sqm of additional GFA.

$$\begin{aligned} &= 8,000\text{sqm additional GFA} \times 5\% \\ &= 400\text{sqm affordable housing GFA required for dedication} \end{aligned}$$

Calculating the Contribution - Mixed-use development

Calculation: Total GFA – permissible GFA under LEP = Additional GFA

Additional GFA x (Residential GFA ÷ Total GFA) = Additional Residential GFA

Additional Residential GFA x 5% = required affordable housing square metre provision

Example: A development application for a new development is for a total of 10,000sqm GFA (comprised of 9,000sqm residential GFA and 1,000sqm non-residential GFA). The previous 7,000sqm GFA permitted under the LEP is deducted from the 10,000sqm.

$$\begin{aligned} \text{Additional GFA} &= 10,000\text{sqm} - 7,000\text{sqm} \\ &= 3,000\text{sqm} \end{aligned}$$

$$\begin{aligned} \text{Additional Residential GFA} &= 3,000\text{sqm} \times (9,000\text{sqm} \div 10,000\text{sqm}) \\ &= 2,700\text{sqm} \end{aligned}$$

$$\begin{aligned} \text{Dwelling Contribution Required} &= 2,700\text{sqm} \times 5\% \\ &= 135\text{sqm affordable housing GFA required for dedication} \end{aligned}$$

Calculating the Contribution - Adaptable Use

A change of use of an existing non-residential use to a residential use would attract an affordable housing contribution.

Affordable Housing contribution provision:

$$= \text{contribution rate (\%)} \times \text{converted residential gross floor area}$$

Example: A development application for a conversion of an existing 2,000sqm commercial/industrial space to residential GFA.

$$\begin{aligned} &= 5\% \times 2,000\text{sqm} \\ &= 100\text{sqm affordable housing GFA required to be dedicated} \end{aligned}$$

Note: If the dedication of dwellings is in deficit of more than 1 sqm, the remaining balance of the GFA is paid as a monetary contribution using the methodology detailed in section 2.3.

If the dedication of dwellings exceeds the gross floor area required, the amount is not recoverable by the developer. Each affordable housing dwelling is required to have a gross floor area of 50sqm or greater.

Where dedication of dwellings exceeds the GFA requirement, there is no offset available against other contributions.

2.3 Equivalent monetary contribution

Where an offer to satisfy an Affordable Housing contribution requirement by dedication of completed dwellings is not accepted by Council, the contribution requirement may be satisfied by making an equivalent monetary contribution.

The equivalent monetary contribution is calculated by multiplying the applicable contribution rate (%) by a dollar per square metre rate and multiplied by the applicable residential GFA.

The equivalent monetary contribution rate is calculated based on the median strata dwelling price for the City of Canada Bay (as shown in the Department of Communities and Justice (DCJ) Sales and Rent Reports) and reviewed and indexed quarterly as per Section 3.2 of this Scheme.

The current dollar per square metre rate for the June 2025 quarter is **\$11,812/sqm GFA**. Updated contributions rates are provided within the AHCS Summary Table on Council's website at <https://www.canadabay.nsw.gov.au/development/plans-policies-and-controls/development-contribution-plans>

The example below shows how the equivalent monetary contribution is calculated in circumstances where dedication of dwellings in-kind is not accepted by Council, and therefore a monetary contribution is required to satisfy the Affordable Housing contribution requirement.

CALCULATING EQUIVALENT MONETARY CONTRIBUTIONS

Example based on 5% contribution rate

Calculating the Contribution - Residential development

Calculation: Equivalent monetary contribution rate x Contribution rate (%) x GFA

$$= \$11,812/\text{sqm} \times 5\% \times \text{additional residential GFA}$$

#Additional gross floor area = Subtract the residential gross floor area permissible under the *Canada Bay Local Environmental Plan* prior to the amended development controls, from the proposed residential gross floor area.

Example: A development application for a new residential development comprising 8,000sqm of additional GFA.

$$\begin{aligned} \text{Monetary contribution} &= \$11,812/\text{sqm} \times 5\% \times 8,000\text{sqm} \\ &= \mathbf{\$4,724,800} \end{aligned}$$

Example based on 3.5% contribution rate

Calculating the Contribution - Mixed-use development

Calculation: Subtract the maximum permitted gross floor area under the LEP from the total gross floor area multiplied by the proportion of residential to total GFA proposed to determine the additional residential gross floor area.

Multiply the equivalent monetary contribution with the contribution rate (%) and the additional residential gross floor area.

Therefore: **Total GFA – permissible GFA under LEP = Additional GFA**

Additional GFA x (Residential GFA ÷ Total GFA) = Additional Residential GFA

Monetary contribution = Equivalent monetary contribution rate x Contribution rate (%) x Additional Residential GFA

Example: A development application in Rhodes East for a new development is for 10,000sqm GFA (comprised of 9,000sqm residential GFA and 1,000sqm non-residential GFA). The previous 7,000sqm GFA permitted under the LEP is deducted from the 10,000sqm..

$$= 10,000\text{sqm} - 7,000\text{sqm} = 3,000\text{sqm Additional GFA}$$

$$= 3,000\text{sqm} \times (9,000\text{sqm} \div 10,000\text{sqm})$$

$$= 2,700\text{sqm Additional Residential GFA}$$

$$\text{Monetary contribution} = \$11,812/\text{sqm} \times 3.5\% \times 2,700\text{sqm}$$

$$= \$1,116,234$$

The next example shows where dedication of completed dwellings is insufficient to satisfy the Affordable Housing contribution requirement, and an equivalent monetary contribution is additionally required.

CALCULATING DWELLING CONTRIBUTION AND EQUIVALENT MONETARY CONTRIBUTION

Example based on 5% contribution rate

Calculating the Contribution - Residential development

Calculation: Gross floor area x 5% = required affordable housing square metre provision

Example: A development application for a new residential development comprising 8,000 square metres of GFA.

$$= 8,000\text{sqm} \times 5\%$$

$$= 400\text{sqm affordable housing GFA required to be dedicated}$$

Four 2-bedroom units (each measuring 90sqm GFA) are dedicated to Council on completion. This totals 360sqm GFA of dedicated affordable housing GFA. There is a shortfall of 40sqm GFA to satisfy the Affordable Housing contribution requirement.

An equivalent monetary contribution of \$23,624 is additionally made. This is calculated as follows:

$$= \$11,812/\text{sqm} \times 5\% \times 40\text{sqm GFA}$$

In total, the Affordable Housing contributions in this example are four 2-bedroom units dedicated on completion and a monetary contribution of \$23,624 is made.

Calculating the Contribution - Mixed-use development

Calculation: Total GFA - non-residential GFA = residential GFA

Residential GFA x 5% = required affordable housing square metre provision

Example: A development application for a new 8,000sqm mixed use development comprising 7,000sqm of residential GFA and 1,000sqm of non-residential GFA.

= 8,000sqm - 1,000sqm = 7,000sqm Residential GFA

= 7,000sqm x 5%

= 350sqm affordable housing GFA required to be dedicated

Five 1-bedroom units (each measuring 68sqm GFA) are dedicated to Council on completion. This totals 340sqm GFA of dedicated affordable housing GFA. There remains a shortfall of 10sqm GFA to satisfy the Affordable Housing contribution requirement.

An equivalent monetary contribution of \$5,906 is additionally made. This is calculated as follows:

= \$11,812/sqm x 5% x 10sqm GFA

In total, the Affordable Housing contributions in this example are five 1-bedroom units dedicated on completion and a monetary contribution of \$5,906 is made.

Calculating the Contribution - Adaptable Use

A change of use of an existing non-residential use to a residential use would attract an affordable housing contribution.

Affordable Housing contribution provision:

= contribution rate (%) x converted residential gross floor area

Example: A development application for a conversion of a of an existing 2,000sqm commercial/ industrial space to residential GFA.

= 5% x 2,000sqm

= 100sqm affordable housing GFA required to be dedicated

One 2-bedroom unit (measuring 89sqm GFA) is dedicated to Council on completion. There remains a shortfall of 11sqm GFA to satisfy the Affordable Housing contribution.

A equivalent monetary contribution of \$6,497 is additionally made. This is calculated as follows:

= \$11,812/sqm x 5% x 11sqm GFA

In total, the Affordable Housing contributions in this example are a 2-bedroom unit dedicated on completion and a monetary contribution of \$6,497 is made.

2.4 Dedication of Land

The acceptability of land for dedication (as an alternative to dedication of dwellings or monetary contribution) is subject to Council's discretion and approval, in consultation with the community housing sector and Council's nominated CHP. The following requirements are identified to guide the assessment of suitability.

- Minimum area of 800sqm
- Within 5-min walking catchment (400m) of bus station or 10-min walking catchment (800m) of train station
- Not be subject to environmental constraints, in particular:
 - Be of residential building quality, not contaminated or require remediation
 - Be of good quality building land, not subject to flooding or flood constraints
- Have access, locational and site characteristics comparable to the proposed residential development.

The value of the dedicated land (assuming the associated floorspace potential is not transferred/ realised elsewhere on the site) should be equivalent to the monetary contribution calculated under the AHCS.

If the floorspace potential of the dedicated land is able to be transferred and developed elsewhere on the site, the land should be dedicated to Council at nominal cost (\$200/sqm to cover cost of legal and administrative matters) and a monetary contribution will still be required for affordable housing.

If the floorspace potential of the dedicated land is not transferred and developed elsewhere on the site, the expertise of a valuer/ land economist is required. In this circumstance, the following steps are relevant for the dedication of land as a contribution.

- Assess if the land to be dedicated meets with the identified requirements
- If land is suitable for dedication, identify the proposed land in a subdivision plan to be approved by Council
- Calculate the equivalent monetary contribution payable
- Obtain independent valuation of land to be dedicated
- If the assessed land value is less than the equivalent monetary contribution payable, subject to acceptability by Council, pay the difference in monetary contribution.

If the assessed land value exceeds the equivalent monetary contribution, no offset or refund is applicable.

A development application must include the following information:

- The quantum and location of land to be dedicated and any residual amount for which a monetary contribution is required
- Identify on the subdivision plans the land proposed for dedication
- Demonstrate the value of the land to be dedicated against the equivalent monetary contribution
- Demonstrate the appropriateness of the land proposed for dedication with reference to the principles of the AHCS.

CALCULATING A LAND DEDICATION CONTRIBUTION (ALL CONTRIBUTION AREAS)

Land dedicated may contribute to satisfying the Affordable Housing contribution requirement. The value of land dedicated is deducted from the equivalent monetary contribution amount and any shortfall may be satisfied by a monetary contribution.

The value of land dedicated depends on whether the floorspace potential associated with that land has been transferred to the rest of the site.

If the floorspace potential has been transferred for development elsewhere on the site, a nominal value will be ascribed to the land dedicated (\$200/sqm).

If the floorspace potential has not been transferred for development elsewhere on the site, a valuation of the land dedicated is required.

Calculating the Contribution - Residential development

Example: A development in the Kings Bay Precinct proposes new residential floorspace of 4,000sqm GFA. The affordable housing contribution rate of 4% is applied to the residential GFA as follows:

An equivalent monetary contribution of \$1,889,920 ($\$11,812 \times 4\% \times 4,000\text{sqm}$) is required.

If contribution through land dedication is proposed, consideration should be given to whether the floorspace potential associated with the dedicated land can be transferred and developed elsewhere on the site, or if the floorspace potential is foregone with the land that is dedicated.

These two scenarios are illustrated below:

- Scenario 1 - floorspace potential cannot be transferred/ developed elsewhere
 - If the land proposed for dedication is valued at \$2,000,000, its value exceeds the equivalent monetary contribution of \$1,889,920 required. If accepted for dedication, no offset or refund is applicable.
 - If the land proposed for dedication is valued at \$1,500,000, its value is less than the equivalent monetary contribution of \$1,889,920 required. A monetary contribution of \$389,920 is required.
- Scenario 2 - floorspace potential can be transferred and developed elsewhere on the site
 - The land should be transferred to Council at nominal value (\$200/sqm).
 - If the land proposed for dedication measured 800sqm, a monetary contribution of \$1,729,920 would be required, calculated below:

$$\begin{aligned} &= \$1,889,920 - \$160,000 (800\text{sqm} \times \$200/\text{sqm}) \\ &= \$1,729,920 \end{aligned}$$

2.5 Development that is exempt from the affordable housing contribution scheme

The following development is exempt from the AHCS:

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

The justification for granting exemptions to these development categories is:

- In the case of a) and f), above, the development of non-residential floorspace and community facilities, public roads or public utility undertakings are excluded from Affordable Housing contributions. This is because they are considered to have community value due to their ability to accommodate jobs (commercial or community development) and/ or community services (community facilities).
- In the case of b), c), and d), the works are considered to be of a minor nature and imposition of an Affordable Housing contribution is considered a disproportionate burden in such minor circumstances.
- In the case of e), development for the purposes of affordable or social housing will already contribute substantially to the aims of the AHCS.

2.6 Conditions of consent for affordable housing

Council will levy developer contributions for Affordable Housing via conditions of consent.

The condition of consent must include the following information:

- a) The total residential gross floor area of the development that was used to calculate the contribution or the monetary contribution required.
- b) the different floor areas that can contribute to the total contribution amount (this only applies in instances where rates differ between development types or between commercial and residential floor space)
- c) the relevant contribution rates (%)
- d) the indexation period at time of determination (for any monetary contributions).
- e) a requirement to demonstrate that the title of any dwellings will be transferred to a community housing provider or council prior to the granting a Construction Certificate.
- f) a requirement to make any monetary payment at a specified time or stage in the development application process
- g) a requirement that any dwellings that will be dedicated are shown on approved plans in the same development application and referenced in the affordable housing condition.
- h) The dedicated Affordable Housing is to be constructed to a standard which in the opinion of Council is consistent with other dwellings in the development.
- i) If a staged development, Affordable Housing must be provided at each stage.

SECTION 3: ADMINISTRATION AND IMPLEMENTATION

3.1 How to make a contribution

All development to which this AHCS applies (other than development excluded by Canada Bay LEP 2013) is required to provide Affordable Housing. This requirement will be by way of a condition of development consent.

There are three different ways to make the required Affordable Housing contribution. The first (and preferred way) is the dedication of affordable housing dwellings to Council. Secondly where it is not possible or practical for Affordable Housing to be dedicated, an equivalent monetary contribution can be made. The third and least preferred is the dedication of land and is expected to apply in exceptional situations.

A contribution requirement forms part of a development consent. Council will require evidence that the Affordable Housing contribution requirement is satisfied prior to granting of any construction certificate or complying development certificate. Where no construction certificate is required, evidence that the Affordable Housing contribution requirement is satisfied will be required by Council before commencement of use/occupation.

The AHCS also includes a methodology for the dedication of land, however it is expected that this approach would only occur in exceptional circumstances.

Dedicating Affordable Housing dwellings

Where Affordable Housing is proposed to be dedicated on site, the applicant must transfer the titles of the dwellings to Council. An agreement to transfer the titles must be made and evidence provided to Council prior to the granting of a Construction Certificate.

Council must be satisfied that the nominated dwellings achieve the affordable housing principles and design details as set out in this Scheme. Where appropriate Council will seek comment from the Community Housing Provider to ensure this.

Council and the Community Housing Provider (as appropriate) will also consider the suitability of the proposed dedication and quantum of dwellings from an operational perspective, that is, the cost implications of management and maintenance.

The Affordable Housing contribution will be satisfied when the title is transferred to Council prior to issue of an Occupancy Certificate.

Paying a monetary contribution

Where an applicant is to make a monetary contribution towards Affordable Housing the amount of the contribution will be specified in the condition of development consent. The contribution must be paid to Council prior to the issue of any Construction Certificate.

If the applicant is unable to pay the monetary contribution at Construction Certificate stage, evidence must be provided to Council to this effect and arrangements made for Council to secure payment such as a Bank Guarantee or equivalent at a later stage in the development period.

Dedicating land

Where land is proposed to be dedicated as a contribution, Council will ensure the proposed land satisfies Council's requirements and refer the application to a preferred CHP for comment.

Council will undertake an assessment of the appropriateness of land proposed for dedication with reference to the affordable housing principles and comment received from the preferred CHP.

3.2 Indexing of payments

Contribution rates will be adjusted quarterly within one week of the first of March, June, September and December, to ensure that the contributions reflect the costs associated with the provision of affordable housing over time. Rates will be adjusted with reference to movement in the median price for strata dwellings in the City of Canada Bay LGA. All monetary contributions must be indexed at the time of payment to ensure funds received will cover the full costs of delivering the required affordable housing contributions.

The median strata price is published quarterly in the NSW Government Rent and Sales Report, Table: Sales Price - Greater Metropolitan Region - Strata.

The formula for the adjustment is:

Next Quarter's Contribution Rate = Current Contribution Rate x (MDP2/MDP1)

Where:

MDP1 is the median strata dwelling price for the PREVIOUS quarter

MDP2 is the median strata dwelling price for the CURRENT quarter

The City of Canada Bay's website will display the current rates within the *AHCS Summary Table*.

3.3 Processes for the distribution and management of funds

Contributions will be pooled and managed by Canada Bay Council or its nominated Community Housing Provider until there is sufficient funding available to issue a tender or request for expressions of interest. Any financial return resulting from the management of funds in waiting is to be used for the purpose of developing Affordable Housing in accordance with this Scheme.

Rental income received from Affordable Housing stock will be managed in accordance with the terms outlined in Council's Affordable Housing policy. This will ensure returns are re-invested in Affordable Housing stock in the form of property maintenance and renewal and replacement.

3.4 Registered community housing providers and delivery program

Affordable Housing properties acquired or achieved under this AHCS or by any other means, are to be transferred in property title to the City of Canada Bay Council. Alternatively, the City of Canada Bay Council may nominate a Community Housing Provider, to which the property title is transferred.

Council will outsource the management of the Affordable Housing contributions and dwellings to a Housing Manager with demonstrated experience and expertise in the management of Affordable Housing. Selection of the Housing Manager to manage the dwellings will be conducted in accordance with Council's Procurement Policy. Council will enter into a management agreement for the affordable rental housing dwellings with the successful Housing Manager following the selection process.

A Council inter-departmental Affordable Housing Steering Committee will be involved in the ongoing management of the Affordable Housing program and preparation of a management agreement that clearly delineate the responsibilities of both Council and the Community Housing Provider. Council will also provide a delivery program that outlines how funds raised or dwellings provided under the AHCS will be used and requirements for reporting and transparency.

3.5 Monitoring and review of scheme

The AHCS will be reviewed every three years. Key considerations will include:

- A review of evidence relating to the Affordable Housing Contribution Scheme where monitoring identifies issues or considerable change in market conditions.
- Number of delivered affordable housing dwellings
- Total amount of funds in waiting
- Allocation of funding within that year
- Size, type, quality and locational appropriateness of dwellings
- Retention and use of affordable housing revenue by Council

Affordable Housing Covenants

The affordable housing covenant ensures the benefits of affordable housing are secured in accordance with this Program in the long term.

The affordable housing covenant will be required to be registered, before the date of the issue of the occupation certificate, against the title of the property, in accordance with section 88E of the Conveyancing Act 1919. The covenant will:

- require Affordable Rental Housing to be retained as affordable rental housing in perpetuity;
- require Affordable Rental Housing to be managed in accordance with the Affordable Rental Housing Principles;
- allow at the sole discretion of Council for the removal of the covenant to facilitate the sale of affordable rental housing where Council is satisfied equivalent or better replacement stock is to be provided within the LGA; and
- allow for the lifting of the covenant at the sole discretion of Council in the circumstance that the eligible community housing provider becomes insolvent and another eligible community housing provider, or the Council, is unable or unwilling to take over the interest in the asset.

APPENDIX A: DESIGN GUIDELINES

Where an affordable housing contribution requirement is to be satisfied by the dedication of built dwellings, the dwellings must be suitable to be used for affordable housing in the long term. Homes should be designed in such a way to be low-maintenance and efficient to run, reducing as much as possible any financial costs and pressures to tenants and Council/Community Housing Providers. This includes:

1. The location, size, amenity and quality of the Affordable Housing dwellings are to be to the satisfaction of Council and its nominated CHP and generally consistent with the standard of new housing in the LGA. They should not be distinguishable from market housing within the LGA. If not to its satisfaction, Council may require the contribution to be satisfied by way of an equivalent monetary contribution.
2. Exclusion from embedded power networks, if the embedded network does not allow tenants to freely choose the service provider
3. Provision of ceiling fans and window blinds for thermal comfort
4. Provision of appliances with high efficiency standards
5. Maximising passive and cross-ventilation and other cooling methods to avoid air-conditioning costs
6. Use of robust, durable and low-maintenance materials that are easy and cost effective to replace when needed
7. The internal living space (net saleable area, NSA) of the competed dwellings is to be a similar efficiency ratio to the overall residential dwellings.
8. A proportion of affordable housing is to be provided as adaptable housing, in accordance with the City of Canada Bay DCP. These should incorporate features that support equitable access for all users, such as step-free entries, accessible bathrooms and circulation spaces.
9. If dwellings are part of a larger development:
 - the internal and external design of the proposed affordable housing dwellings are to be equivalent in design quality to other dwellings in the development. It must include external elements, such as balconies or courtyards, that are generally consistent with those provided for other dwellings on the site.
 - use the same entrance and access points to the main development/building and facilities.
 - comply with the Apartment Design Guidelines (ADG), including a maximum of 15% of dedicated apartments receiving no direct sunlight between 9am and 3pm at mid-winter.
10. Where the affordable housing contribution is greater than 10 apartments, the dwelling mix must comply with the Canada Bay LEP 2013.
11. In developments that provide on-site parking, affordable housing is to receive a proportionate allocation of parking spaces consistent with the allocation provided to market housing.