

To Whom it May Concern

Thankyou for the opportunity to comment on the affordable housing SEPP in relation to boarding homes in low density residential areas. The codes could be improved by adding more details to the legislation.

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Boarding house development scale and compatibility with the local area.

The stated intention of the affordable housing SEPP at the time of its inception in 2009 was to improve rental housing affordability by increasing supply targeted to those that need it the most. Discussions at the time included the idea that boarding houses were economically unfeasible developments, and therefore, the legislation needed to be pro-development to ensure supply. This was achieved by requiring only 0.1 parking spaces per room (now 0.5), no character compatibility test (now required), and no need to be in an accessible area (now needed for R2 zones).

The notion that boarding houses are economically unfeasible is in fact correct when they are at traditional small scales. In fact, despite the codes allowing waivers to the requirements for common rooms, "house rules" and inspections if the development is less than 5 rooms, there has not been one single boarding house development of less than 5 rooms approved in NSW in the last 5 years.

This is a shame; as such small scale developments would be more amicable and better achieve the objective of providing a diversity of housing options, close to where people work.

Thus, while limiting boarding house scale to 12 rooms in low density environments makes sense, more should be done to improve the feasibility of small scale developments, for example, the "Clause 30A" consideration of compatibility with the local area does not make sense if the development is less than 5 rooms and may be a reason why no small scale development has happened.

To put it in perspective, bed and breakfast is permitted under complying development (subject to LEP land use) for up to 4 rooms. Is there any valid reason why small scale boarding homes could not also be done under complying development, using the housing code plus the ARHSEPP? It would appear less impactful than the bed and breakfast.

The suggestion is to expand the character compatibility requirement with the following.

1. A development is not compatible in a low density residential area if it contains more than 12 rooms.

2. Not required for developments of less than 5 boarding rooms

This gives more balance and shifts the feasibility curve toward smaller scale development, which may or may not then become feasible.

Definition of “accessible area” for permissibility of boarding homes in low density residential areas.

For the purpose of assessing which residential areas boarding homes should be permitted, which is the angle the discussion has taken (as opposed to what’s an “accessible area” for determining required parking, as was originally the purpose of that term), proximity to where people work is the missing factor.

For example, it may be considered reasonable to restrict boarding homes to a radius within 5km of Parramatta, Chatswood or Macquarie Park, or 10km from the Sydney CBD, given these are the largest centers of employment. A similar alternative would be to benchmark how long it takes to get from the dwelling to the CBD by public transport, on average, during working hours, and require that to be less than a certain threshold, say 30 minutes.

However, any further restriction on the ARHSEPP should be done carefully, as it is not clear boarding house development in the low density areas is still feasible, bearing in mind most development happening now is from times past. If development has in fact become unfeasible in the low density areas, then diversity in housing is being lost, and workers are living further from their workplace, in a city that does not have the infrastructure to support that sprawl.