



New South Wales

Environmental Planning and Assessment Amendment (Affordable Housing Statutory Condition) Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Environmental Planning and Assessment Act 1979* to impose a condition requiring an affordable housing component for development for residential accommodation that will result in 10 or more dwellings.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 **Amendment of Environmental Planning and Assessment Act 1979 No 203**

Schedule 1[1] removes the requirement for a State environmental planning policy to identify a need for affordable housing within an area prior to a condition being imposed requiring land or money to be contributed for affordable housing.

Schedule 1[2] and [3] make consequential amendments.

Schedule 1[4] sets out a proposed statutory condition that applies to development for the purposes of residential accommodation resulting in 10 or more dwellings. The proposed condition requires 20% of the residential floor space of the development to be used for affordable housing. The proposed condition does not apply to development carried out by or on behalf of the Aboriginal Housing Office, the Land and Housing Corporation or a registered community housing provider.