



New South Wales

State Environmental Planning Policy (Affordable Rental Housing) Amendment (Boarding House Development) 2019

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ANTHONY ROBERTS, MP
Minister for Planning

State Environmental Planning Policy (Affordable Rental Housing) Amendment (Boarding House Development) 2019

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1 Name of Policy

This Policy is *State Environmental Planning Policy (Affordable Rental Housing) Amendment (Boarding House Development) 2019*.

2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

3 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

Schedule 1 Amendment of State Environmental Planning Policy (Affordable Rental Housing) 2009

[1] Clause 27 (2) and (3)

Omit “this Division does” wherever occurring. Insert instead “clauses 29, 30 and 30A do”.

[2] Clause 30AA

Insert after clause 30:

30AA Boarding houses in Zone R2 Low Density Residential

A consent authority must not grant development consent to a boarding house on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone unless it is satisfied that the boarding house has no more than 12 boarding rooms.

[3] Clause 54C

Insert after clause 54B:

54C Savings and transitional provisions—2019 amendment

- (1) This clause applies to a development application that was made before the commencement of the amending SEPP and was not determined by a consent authority or, if appealed, not finally determined by a court before that commencement.
- (2) The application must be determined by applying all provisions of this Policy as if the amending SEPP had not commenced.
- (3) In this clause, the ***amending SEPP*** means *State Environmental Planning Policy (Affordable Rental Housing) Amendment (Boarding House Development) 2019*.