



New South Wales

# **State Environmental Planning Policy Amendment (Housing Supply) 2022**

under the

Environmental Planning and Assessment Act 1979

Her 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 Amendment (Housing Supply) 2022**

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### **1 Name of Policy**

This Policy is *State Environmental Planning Policy Amendment (Housing Supply) 2022*.

### **2 Commencement**

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

### **3 Repeal of Policy**

This Policy is repealed at the beginning of the day following the day on which this Policy commences.

## **Schedule 1 Amendment of State Environmental Planning Policy (Housing) 2021**

**[1] Section 4 Interpretation—general**

Omit “Schedule 2 or 3” from section 4(2). Insert instead “Schedule 1 or 2”.

**[2] Section 12 Transferred provisions**

Omit “and 6” from section 12(b). Insert instead “, 6 and 7”.

**[3] Section 25 Standards for boarding houses**

Omit section 25(1)(g)(i)–(iii). Insert instead—

- (i) for development on land in Zone R2 Low Density Residential—  
600m<sup>2</sup>, or
- (ii) for development on other land—800m<sup>2</sup>.

**[4] Schedule 1 Complying development—secondary dwellings**

Omit “, no more than 8m, equal to 3 times the height above 3.8m” from section 10(1)(a)(ii).  
Insert instead “equal to 3 times the height above 3.8m, up to a maximum setback of 8m”.

**[5] Schedule 1, section 10(1)(b)(ii)**

Omit “, no more than 12m, equal to 3 times the height above 3.8m”.  
Insert instead “equal to 3 times the height above 3.8m, up to a maximum setback of 12m”.

**[6] Schedule 1, section 10(1)(c)(ii)**

Omit “, no more than 15m, equal to 3 times the height above 3.8m”.  
Insert instead “equal to 3 times the height above 3.8m, up to a maximum setback of 15m”.

**[7] Schedule 2 Complying development—group homes**

Omit “section 5” wherever occurring in section 11(1) and (2). Insert instead “section 6”.

**[8] Schedule 7A Savings and transitional provisions**

Insert after section 2(1)(d)—

- (da) an application to modify a development consent granted after the commencement date, if it relates to a development application made, but not determined, on or before the commencement date,

## **Schedule 2      Amendment of State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development**

### **Clause 4 Application of Policy**

Insert “, co-living housing” after “boarding house” in clause 4(4).

## **Schedule 3      Amendment of State Environmental Planning Policy (Transport and Infrastructure) 2021**

### **Section 2.120 Impact of road noise or vibration on non-road development**

Insert after section 2.120(3)—

- (3A) Subsection (3) does not apply to a building to which *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 7 applies.