

Our ref: IRF24/2769

Mr Andrew Mills
Chair
Independent Planning Commission
Suite 15.02, 135 Kling Street
Sydney NSW 2000

12 December 2024

Subject: Changes to IPC referral criteria for SSD in-fill affordable housing applications

Dear Mr Mills

I am writing to advise that Section 2.7 of State Environmental Planning Policy (Planning Systems) 2021 (the Planning Systems SEPP) will be amended on 13 December 2024, so that the Independent Planning Commission (Commission) will no longer be declared to be the consent authority for applications for in-fill affordable housing State significant development (SSD), unless the applicant has disclosed a reportable political donation.

The thresholds in the Planning Systems SEPP that designate the Commission as consent authority for SSD - s 2.7(1)(a) (council objection) or s 2.7(1)(b) (at least 50 public objections) - will no longer apply to SSD that is specified as in-fill affordable housing in Schedule 1, s 26A of the Planning Systems SEPP.

This change is intended to speed up the delivery of SSD in-fill affordable housing projects. It will also allow the Commission to focus its resources on more complex SSD applications.

The changes apply to development applications made but not determined, before the commencement date of the amending SEPP.

Current applications before the Commission

Despite these changes, the Minister will retain discretion to refer specific projects to the Commission for determination under the Minister's delegation to the Planning Assessment Commission (now Commission) dated 14 September 2011.

There are two applications for in-fill affordable housing SSD that the Department has already referred to the Commission that will be affected by the amending SEPP:

- Five Ways, Crows Nest (SSD-68230714)
- 4 Delmar Parade, Dee Why (SSD-66826207).

To enable these projects to be determined in an efficient manner, it is requested that the Commission determines these applications as a delegate of the Minister.

Department of Planning, Housing and Infrastructure



The Department will provide any assistance required to ensure an efficient process for the further assessment and determination of these applications.

If you have any questions, please contact Jen Bailey ([REDACTED]) or via email at [REDACTED]) or Steve Saville [REDACTED] or via email at [REDACTED]).

Yours sincerely

[REDACTED]

David Gainsford
Deputy Secretary
Development Assessment and Sustainability

CC: Samantha McLean, Executive Directors & Head, OIPC
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