

Planning, Homes – Budget Estimates Hearing - Monday 29 August 2022

Questions taken on Notice

#	Asked By	Question	Answer
1	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: In terms of your direct reports, Mr Cassel, how many of them are women?</p> <p>MICHAEL CASSEL: There would be five, at this point in time.</p> <p>The Hon. ROSE JACKSON: We might come back to this line of questioning in the afternoon.</p>	An answer was provided during the hearing.
2	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: Good. I also wanted to ask, Minister, about the comments that were made recently by Minister Stokes. Did you have a conversation with Minister Stokes, by the way, before he announced in the newspaper that his view was that there should be a 30 per cent target for affordable and diverse housing on public land? Were you looped in to that contribution that he made in the newspaper recently?</p> <p>Mr ANTHONY ROBERTS: I'd have to take that on notice.</p>	No.
3	The Hon. MARK BUTTIGIEG	<p>The Hon. ROSE JACKSON: It is a pretty straightforward question, though. He was in the newspaper saying he thought it should be government policy that there's a 30 per cent target for affordable and diverse housing—which is pretty squarely, I would think, in your portfolio. I'm asking you did he talk to you about it before he was in the newspaper saying that?</p> <p>Mr ANTHONY ROBERTS: I think any conversations that Mr Stokes and I have always had around this area is how we increase the amount of social and affordable housing within new developments.</p> <p>The Hon. ROSE JACKSON: Do you agree, then, with Minister Stokes that it should be government policy that 30 per cent of developments on government land should be affordable and diverse housing? Do you agree with that?</p> <p>Mr ANTHONY ROBERTS: I think that would be certainly a target that we would look at. But I might ask Mr Newport if there is any through the Land and Housing Corporation [LAHC].</p> <p>The Hon. ROSE JACKSON: It is not, though. Fair enough, Mr Newport. But is it the Government's policy that 30 per cent of housing on government land is affordable and diverse housing? It's not currently government policy, is it, Mr Newport?</p> <p>SIMON NEWPORT: I can only speak to Land and Housing Corporation. Certainly, the larger estate renewals, we do target 30 per cent social and affordable.</p> <p>The Hon. ROSE JACKSON: Yes, that's the Communities Plus model development of Land and Housing Corporation assets, isn't it?</p> <p>SIMON NEWPORT: Yes, that's the renewal model.</p> <p>The Hon. ROSE JACKSON: That wasn't what Minister Stokes was talking about. Minister Stokes was talking about the redevelopment of any government land for housing, and it should have a 30 per cent target for affordable and diverse housing. Do you agree with that?</p> <p>Mr ANTHONY ROBERTS: I certainly don't disagree with it.</p> <p>The Hon. ROSE JACKSON: Is this an announcement today? Is this now government policy? This is quite a big deal if this is now being announced as government policy. That's quite a substantial development.</p> <p>Mr ANTHONY ROBERTS: No, I'm not going to be announcing any new policy today.</p> <p>The Hon. ROSE JACKSON: So you and Minister Stokes both think that it should be policy that 30 per cent of housing on government land should be affordable and diverse housing. You both believe that, but it's not government policy and you're not going to announce it.</p> <p>Mr ANTHONY ROBERTS: I'm not announcing anything today that I'm aware of—or that you're aware of. I might announce something a little bit later on.</p> <p>The Hon. ROSE JACKSON: Minister Stokes, in his thought bubble in the newspaper, acknowledged that this would be quite a big deal for the TAHE, who is one of the largest property developers in New South Wales now. If you agree with him that this is what the policy should be, have you raised that with TAHE? Are you pursuing it with them? Is this a discussion that you are</p>	No.

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		<p>having with them, at the moment, to implement what you believe the policy should be?</p> <p>Mr ANTHONY ROBERTS: What I will say is the department may or may not be looking at ways to increase the amount of social housing on government land.</p> <p>The Hon. ROSE JACKSON: But that's my question. Are you? You may or may not, but my question is, are you doing that? That's the point of budget estimates: I ask if you are doing that, and then you tell me.</p> <p>Mr ANTHONY ROBERTS: Have I had discussions with my department with respect to increasing the yield of social and affordable housing in developments? Yes, I have had many discussions with them. That may have resulted in some work being done on that in the meantime.</p> <p>The Hon. ROSE JACKSON: So has it resulted in some work being done on that? You say it may have. I'm asking you, explicitly, has it resulted in work being done on that?</p> <p>Mr ANTHONY ROBERTS: Mr Ray?</p> <p>MARCUS RAY: Ms Jackson, the department always is looking at issues like affordable housing. And, yes, the department is looking at various matters in relation to affordable housing, as the Minister has said. My understanding of Minister Stokes' comments is that it was to start a discussion about that particular matter—of the potential for there to be 30 per cent on government sites. And, obviously, it has been successful because we are talking about it here today. But the current policy is the policy that was brought forward a few years ago by the Greater Sydney Commission, now the Greater Cities Commission, which was talking about 5 per cent to 10 per cent on the uplift. Yes, the department is currently doing work, but there's nothing that I can add to what the Minister says by way of announcement. But I do think that my understanding of the article was Minister Stokes was trying to start a discussion about more affordable housing and more affordable housing on public land.</p> <p>The Hon. ROSE JACKSON: It is just that I feel like, being in opposition, I start discussions. If you are in government, you actually do things. That's the difference, in a way. That's the opportunity that you have that I don't have, which is that I can talk about things; you can do things. So are you going to do that? As Mr Ray has said, there's a current policy. A different policy has been put on the table by your colleague. Are you going to do it?</p> <p>Mr ANTHONY ROBERTS: Do I disagree with what Minister Stokes raised? No, I don't. Do I think there are opportunities to move forward in this area? Yes, I do. And, in the fullness of time, there may be announcements around that.</p> <p>The Hon. MARK BUTTIGIEG: Have you had any discussions with the Treasury or the Premier's department about this?</p> <p>Mr ANTHONY ROBERTS: I'd have to take that on notice. Not personally.</p>	
4	The Hon. ROSE JACKSON	<p>ALEXANDER WENDLER: Yes. Thank you. We have received a new statement of priorities from Minister Roberts, a few weeks ago, and this has been adopted by the board.</p> <p>The Hon. ROSE JACKSON: Would you be able to table that new statement of ministerial priorities?</p> <p>ALEXANDER WENDLER: Yes, very happy to do that.</p>	See Annexure 'A'
5	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: Does the 30 per cent target for affordable and diverse housing that Minister Stokes has flagged and Minister Roberts supports—does that apply to that MOU?</p> <p>SIMON NEWPORT: I'd have to take that on notice. I'm not aware of the specifics of that at this stage.</p>	The 30% target is not specifically contemplated in the MOU. NSW Land and Housing Corporation's general approach to regional housing supply projects being investigated is to deliver a mix of social, key worker and private housing to meet the needs of the specific community.
6	Ms CATE FAEHRMANN	<p>Ms CATE FAEHRMANN: Then why didn't you put out a media release on the day that you had chosen not to go ahead with the Design and Place SEPP if this was something that you wanted to broadcast to the world?</p> <p>You didn't release the speech, you did it at a private developers' lunch, and then you didn't put out a media release to that effect.</p> <p>Mr ANTHONY ROBERTS: I don't release speeches before I make a speech. Certainly there was a media release, I'm sure—I will take it on notice—that should've followed very shortly afterwards.</p>	A media release was issued on the 5 th of April.

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7	The Hon. MARK PEARSON:	<p>The Hon. MARK PEARSON: I will keep pressing this particular line because the issue of responsibility flows backwards and forwards across several departments on these animal protection and environment issues. So there is a particular public concern about the fauna management plan, euthanasia protocol, with a provision that allows an onsite ecologist to assess and euthanise injured wildlife if "deemed unlikely to survive travelling to the vet." It is a fact that the area has six vet clinics and the closest is West Pennant Hills. Minister, why is a large developer like Mirvac being given greater leeway for killing wildlife than wildlife carers that are required under the New South Wales Code of Practice for Injured, Sick and Orphaned Protected Fauna to arrange for fauna to be assessed by a veterinarian or experienced fauna rehabilitator within 24 hours of rescue? So we have one set of rules for wildlife carers and another set of rules for an ecologist which has been appointed by a developing company.</p> <p>Mr ANTHONY ROBERTS: Mr Ray?</p> <p>MARCUS RAY: Mr Pearson, I understand that the information before me is that there are conditions that do require the appointment of that ecologist and the fauna management plan, but I don't have that next level of detail down.</p> <p>The Hon. MARK PEARSON: So you will take on notice then?</p> <p>MARCUS RAY: I can take it on notice.</p>	<p>In accordance with the development consent, Hills Shire Council has approved a Fauna Management Plan for the demolition development application which states if an injured animal is determined by the project ecologist that it needs to be humanely euthanised, it will be taken to the nominated vet hospital for euthanasia. Only if the animal is critically injured and deemed unlikely to survive travelling to the vet, can the animal be euthanised quickly and humanely by the project ecologist to alleviate suffering. This will occur in accordance with animal ethics protocols. Further questions should be directed to Hills Shire Council.</p>
8	The Hon. MARK PEARSON	<p>The Hon. MARK PEARSON: That actually goes to my next question. My understanding is that a development application may be exempt from the Biodiversity Conservation Act, which doesn't allow unnecessary, unjustifiable harm to wildlife. But there are exemptions to that Federal legislation, is that correct? Is that your understanding?</p> <p>MARCUS RAY: Look, I'd have to take that on notice, Mr Pearce.</p>	<p>This is a matter for the Minister for Environment and Heritage.</p>
9	Mr JUSTIN FIELD	<p>Mr JUSTIN FIELD: Sorry, Mr Whitworth, is this the work that Minister Stokes had asked to be done? I just want to be clear: If that didn't happen, just let me know. He specifically said he'd asked the department to investigate options. I assume when he said that the department went, "Yes, that's this body of work that we're doing now", or maybe they went, "Shit, we don't know what that is. We should ask him and start that work." Did that work happen? This was only in November 2021 when he made that speech to the Committee for Sydney.</p> <p>BRETT WHITWORTH: I will take on—I don't have a date for the guidelines. I thought that they had been completed a little bit before November 2021, but we have certainly been doing an extensive amount of work. Your question is specifically in the mining space, but we have also been doing an extensive amount of work on the update of guidelines in other renewable energy spaces as well. As I've pointed out to you, we do have our guidelines for the economic assessment of mining and coal seam gas proposals. I'll get you a date for that for this afternoon's session.</p>	<p>The Department's conditions of consent for coal mining projects already require that proponents implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions. These measures are implemented through Air Quality and Greenhouse Gas Management Plans, with ongoing requirements to review and audit the performance of mines against these conditions.</p> <p>More recently, since Minister Stokes' speech in November 2021, consent conditions for coal mines have been further tightened to include strict performance measures around greenhouse gas emissions, including CO2e limits, and measures to tighten these limits over time.</p> <p>The Department is constrained by limitations under planning legislation, and existing conditions of consent, as to the extent that it can require applicants to reduce emissions. However, the Department will continue to carefully evaluate annual reviews and independent environmental audits in relation to measures to minimise greenhouse gas emissions, including seeking expert advice where required.</p> <p>The NSW Environment Protection Authority recently released its draft Climate Change Policy and Action Plan for public comment, which proposes increased regulation of larger greenhouse gas emitters, including climate change mitigation and adaptation plans.</p> <p>Further, the Federal Department of Climate Change, Energy, the Environment and Water has released its Safeguard Mechanism reform: consultation paper – to get feedback on how it can reduce greenhouse gas emission baselines over time, in line with Federal greenhouse gas emission targets.</p>
10	Mr JUSTIN FIELD	<p>Mr JUSTIN FIELD: I've asked a series of questions about this as well. The answer I got back—when asked about how judgements are made about a reasonable and feasible best practice, the reference has been made to the annual greenhouse gas emissions and air quality reporting required from various coalmine sites. Noting what Ms Higginson said, which was, with regard to Narrabri underground—there was a comment from the department of planning that said there is no guidance on how to assess potential mitigation or abatement measures, e.g., what measures are considered reasonable and feasible best practice. Has there been a single coalmine currently</p>	<p>All coal mines are subject to three-yearly independent environmental audits which assess their compliance with all conditions, including greenhouse gas management conditions and the implementation of the reasonable and feasible measures described in their approved management plans. Following the review of annual reports and the findings of independent audits, the Department has not considered it necessary to require additional actions.</p>

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		<p>approved in New South Wales which has been required to take actions to reduce greenhouse gas emissions on the judgement of the planning department, who enforces conditions, that they need to take some action where there is a reasonable and feasible way to reduce emissions? Has any project been required to take additional actions to reduce emissions as a result of that condition of consent?</p> <p>Mr ANTHONY ROBERTS: Mr Gainsford?</p> <p>DAVID GAINSFORD: What I am aware of is that, as you were mentioning before, there are annual reviews that are required to be produced under each consent. Also, there are three-yearly independent environmental audits that occur under each one of those consents. The environmental audits are also looking at compliance with greenhouse gas management plans and some of those reasonable and feasible measures. For the specifics of each project I'd probably need to take that on notice.</p>	
11	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: That makes sense to me. Thank you, Mr Ray. So for 2021 to 2026, what's the overall figure for that five-year period?</p> <p>Mr ANTHONY ROBERTS: Mr Ray?</p> <p>MARCUS RAY: If you just bear with me, I think it's roughly about 160,000, but I might just have to take that on notice.</p>	The housing target for five years to 2026 is approximately 151,500 dwellings based on the Department's latest Sydney Housing Supply Forecast (2021).
12	Ms SUE HIGGINSON	<p>The CHAIR: Mr Gainsford, were you able to financially assess the heritage-lost value? I think, from memory, there was an economic—you know, we basically said the economic benefits of the project going ahead outweigh the negative impacts. Did we financially measure the value of the heritage lost?</p> <p>DAVID GAINSFORD: I'd have to take that on notice</p>	The economic cost associated with the loss of heritage value was not directly calculated as a component of the economic assessment, and the independent expert advice provided for the Department by the Centre for International Economics did not raise concern relating to this aspect of the cost-benefit analysis. Notwithstanding, the cost associated with the relocation of the Homestead, including archaeological salvage of various heritage sites, was calculated by Glencore and incorporated into the economic costs of the project.
13	Ms CATE FAEHRMANN	<p>Ms CATE FAEHRMANN: That's all right, I'll come back to that this afternoon I think. With the terms of reference for the regional task force, I understand when I looked at the terms of reference myself that it doesn't say that the task force has to consider necessarily any kind of impacts of these developments on the community and the environment. Is there a reason why the terms of reference don't state that?</p> <p>....</p> <p>Ms CATE FAEHRMANN: Where did the terms of reference come from?</p> <p>MARCUS RAY: Look, I would have to go back and take that on notice. I don't recall who drafted them. Obviously they were accepted. They were terms of references that were inputted by Minister Stoke. He approved the terms of reference and he established the Regional Housing Taskforce.</p>	<p>The Terms of Reference for the Regional Housing Taskforce were prepared by the Department and approved by the former Minister for Planning and Public Spaces on 21 July 2021. They were focused on identifying mechanisms within the planning system to facilitate and drive the delivery of housing matched to community needs.</p> <p>As detailed in the Taskforce's Findings Report from September 2021, the Taskforce undertook extensive consultation with a range of stakeholders, and issues related to community impacts from housing development and the resolution of environmental impacts are documented in the Report.</p>
14	Ms CATE FAEHRMANN	<p>Ms CATE FAEHRMANN: That is right. I thought I'd change it to "sleeper" because that's what you understood. We'll go back to those sleeper DAs. For example, one is at a little community of Tura Beach, which is near Merimbula. This DA was approved in 1989, so over 30 years ago. It is set to clear 10 hectares of what are old-growth trees, threatened species habitat, including habitat for the greater glider, which was recently uplisted as endangered at the Federal level. Under this DA, developers are going to clear what is an area that contains an endangered plant as well—it doesn't exist anywhere else. Do you think it's acceptable that the planning system can basically allow this block of old-growth habitat, endangered species, approved for clearing back in 1989 after the bushfires? Do you think that it's acceptable that the planning system can allow this to happen today in 2022?</p> <p>Mr ANTHONY ROBERTS: It sounds as though it is certainly something that needs to be addressed. I'm happy to take that on board quite sincerely and seek advice from my department as to what we could do with respect to these issues.</p>	<p>Development consents are a property right that, once granted, run with the land. However, if planning controls evolve over time and depart from what would be allowed under a 'zombie' development consent, the respective council can revoke the development consent. There is a process in the planning legislation to give procedural fairness to the consent holder, who can claim compensation.</p> <p>In regard to Tura Beach, the development was given development consent in October 1989. Bega Valley Shire Council has advised that the consent remains valid as works have commenced.</p>
15	Mr JUSTIN FIELD	<p>Mr JUSTIN FIELD: Just to go back and remind you of what the department said in the planning assessment report for the Narrabri underground mine, this is quoting from that: ... there is no clear guidance on how to assess potential mitigation or abatement measures (e.g. what measures are considered 'reasonable and feasible' or 'best practice'), both for current and future activities ... Minister, I guess I'm asking the question. What is the point of having conditions of</p>	All coal mines are subject to three-yearly independent environmental audits which assess their compliance with all conditions, including greenhouse gas management conditions and implementation of the reasonable and feasible measures described in their approved management plans. Following the review of annual reports and the findings of independent

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		<p>consent with regards to taking reasonable and feasible actions when the department has no way of actually measuring that? How many emissions, tonnes of greenhouse gas emissions have been abated in New South Wales as a result of this condition on existing coalmines, to take reasonable and feasible measures to reduce emissions?</p> <p>Mr ANTHONY ROBERTS: I'm happy to take that on notice, unless Mr Gainsford has anything to add.</p>	<p>audits. These reviews and audits have not identified any non-compliances against greenhouse gas emission conditions and therefore the department has not considered it necessary to require additional actions.</p>
16	Ms SUE HIGGINSON	<p>The CHAIR: Minister, perhaps just take it on notice and let us know who is the Minister responsible for the Warragamba Dam now.</p> <p>Mr ANTHONY ROBERTS: Okay.</p>	<p>Questions regarding Warragamba Dam should be directed to the Minister for Water and Water NSW.</p>
17	Ms SUE HIGGINSON	<p>The CHAIR: We will recommence the hearing. If I may, before we get going formally, I note that the two documents that were sought to be tabled, we're having some difficulty receiving those for tabling. If the Committee is okay—and particularly perhaps Ms Jackson, because these were documents that related to your line of questioning—we will send a note in relation to questions on notice to make sure those documents are received.</p> <p>The Hon. ROSE JACKSON: Thank you. That was in relation to the Landcom statement of ministerial—</p> <p>ALEXANDER WENDLER: Priorities, yes.</p> <p>The Hon. ROSE JACKSON: Yes. Great. That's fine. Thank you.</p>	<p>See Annexure 'A'</p>
18	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: I will probably direct questions through you, Mr Cassel, unless it's kind of obvious, but you can suggest who might be the right person to talk to. I just wanted to start with a couple more questions about the issue of the Premier's priority around women in senior leadership. I just wanted to clarify: How many, for example, deputy secretaries are there in DPE?</p> <p>MICHAEL CASSEL: Ms Jackson, there are a few moving around at the moment. There are two that are on the way out, so I just—can I come back to you with an exact number?</p> <p>The Hon. ROSE JACKSON: Yes, it would be useful to have on notice—</p>	<p>As at 30 June 2022, the headcount for Senior Executive Bands 1 to 3 in DPE is 445, of which 217 (48.76%) are female.</p>
19	The Hon. ROSE JACKSON	<p>ALEXANDER WENDLER: Yes, I have. Can I just go back to clarify that it's a statement of priorities that we got from the Minister, just so we are clear on the name. There will be a statement of expectations, but that would come from Treasury.</p> <p>The Hon. ROSE JACKSON: Okay. Sorry, just to be clear on that, you've had a new ministerial statement of priorities that has come from Minister Roberts?</p> <p>ALEXANDER WENDLER: Yes.</p> <p>The Hon. ROSE JACKSON: The statement of expectations, that's what comes from the Treasurer and the Minister for Finance?</p> <p>ALEXANDER WENDLER: Yes. Just to—</p> <p>The Hon. ROSE JACKSON: And what's the difference, then—sorry—in terms of how they operate from your point of view?</p> <p>ALEXANDER WENDLER: Just to clarify, we operate under the Landcom Corporation Act. Under the Landcom Corporation Act, the Minister can give us a statement of priorities, and that is what happened.</p> <p>...</p> <p>ALEXANDER WENDLER: Yes, I just wanted to clarify. The document that I will hand up later on is called a statement of priorities, and it is fully consistent with the Act.</p> <p>...</p> <p>ALEXANDER WENDLER: Sorry. Again, to clarify there, the statement of priorities will be taken as part of the statement of expectations. There may be more.</p>	<p>See Annexure 'A'</p>
20	Ms CATE FAEHRMANN	<p>Ms CATE FAEHRMANN: Sure. I'll just put this one on the record: West Yamba has proposals for a number of subdivisions. These subdivisions, these developments, are being built on flood-prone land. Fill is being trucked in at about a truckload of fill every minute into the town of Yamba, filling up this area, say, 2½ to three metres high. In the floods of February and March the existing areas of Yamba—the existing residential streets—flooded for the first time, massively, because of stormwater as a result of this fill. That sounds absurd to you, doesn't it, that something like this should be able to go ahead that is increasing the</p>	<p>A Floodplain Risk Management Plan was prepared by Clarence Valley Council to support the West Yamba planning proposal. The proposal was reviewed by the former Department of Natural Resources and former Department of Environment and Climate Change regarding flooding issues. At the time, the Departments advised the proposal was acceptable to proceed.</p>

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		<p>risk—it is basically building high up on flood plain for new subdivisions that are going to make living in the rest of Yamba incredibly risky. People were trapped for six days in the March floods, but at the moment this is going ahead. The community of Yamba held a rally on Sunday against this and they feel that nobody is listening to them. As you say, you're looking at the approval process. That should be one that should come out, and maybe the planning department can tell the council to think again.</p> <p>MARCUS RAY: Ms Faehrmann, I think it's fair to say that what we're looking at are the ones in the system, not the ones that have already been approved. Again, not knowing the full details, but I would expect there would have been a thorough assessment—if that amount of fill is coming in, there would have been a thorough assessment at the time the planning proposal was completed to ensure that there wouldn't be those offsite impacts. That's a pretty fundamental thing. All I can do is take that on notice and go away and provide you with a response on those questions.</p>	<p>The issue of land filling and flooding impacts in West Yamba would also need to be considered and adequately addressed by Clarence Valley Council in any development applications as the relevant assessment authority.</p>
21	Mr JUSTIN FIELD	<p>Mr JUSTIN FIELD: Thank you, Chair. I think this will be again for Mr Gainsford, please. I will go back to some of the questions I was asking about greenhouse gas emissions reporting. I understand there are annual reports that are provided for each of the coalmines in New South Wales. You mentioned a three-year audit as well. You might potentially take it on notice, but for each of the operational coalmines in New South Wales, could you confirm which ones are up to date in terms of providing their annual reports—or if there are any outstanding—and when the most recent three-year audit was conducted for each of those? Is that possible?</p> <p>DAVID GAINSFORD: Yes, Mr Field, I'm happy to take that on notice, thanks.</p>	<p>All required annual reviews and independent audits have been submitted in accordance with the relevant conditions of consents. These are publicly available on the proponents' respective websites and, more recently, on the Department's Major Projects Register.</p>
22	The Hon. MICK VEITCH	<p>The Hon. MICK VEITCH: Mr Cassel, I've got some questions around the Accelerated Infrastructure Fund. I'm not sure who you would direct these questions to. In the first instance, what was the measure of high growth that was used to determine the councils' eligibility to apply for funding under the Accelerated Infrastructure Fund?</p> <p>MICHAEL CASSEL: That's a very detailed question.</p> <p>MARCUS RAY: Mr Veitch, I might have to take that on notice. I don't think I've actually got that threshold in my notes, sorry.</p>	<p>The measure for a council's eligibility for Round 3 of the Accelerated Infrastructure Fund is based on the most recent NSW 2022 population forecast over the next 10 years.</p> <p>For regional councils, an increase of 3,000 people over the 10-year period to 2032.</p> <p>For metropolitan councils, an increase of 13,000 people over the 10-year period to 2032.</p>
23	The Hon. MICK VEITCH	<p>The Hon. MICK VEITCH: One of the issues that's happening at the moment, of course, right across New South Wales—not just in the regions—is that prices are going up pretty quickly for a whole range of materials et cetera. Looking at how we share the risk or spread the risk for this in this round of projects—round three projects—how are we going to accommodate that? Is there potential to accommodate that in the process? People who put a bid in will make a bid now, but prices—</p> <p>MICHAEL CASSEL: The cost overruns, do you mean?</p> <p>The Hon. MICK VEITCH: Yes.</p> <p>MICHAEL CASSEL: The advice I have at the moment is the market seems to be softening a little bit on some of those infrastructure costs. But it's always a challenge with any project. Whenever bidding occurs for a joint-funded project, costs always seem to go up. I'm not sure we've got a specific mechanism in there at this point in time. In my experience, usually what happens is discussions start occurring about halfway through the project and then we resolve how we're going to fund it. I'm not sure I've seen one that's ever stopped and not been funded.</p> <p>The Hon. MICK VEITCH: I'm happy for you to take it on notice and go away and just check for a bit more detail. That would be great.</p>	<p>Cost risk will be reduced by nominations, including a project cost contingency amount, in the estimated value of the construction project. An amount of cost contingency is permitted to account for the likes of the current volatile market and potential cost overruns.</p> <p>Shortlisted projects will be referred to a third party independent technical consultant to review, including estimated project cost and level of cost contingency.</p> <p>The independent technical consultant (quantity surveyor) will also provide advice on the acceptability of the level of project contingency for each shortlisted project.</p>
24	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: Perhaps you could take on notice—let us just say, for example, round two. How many infrastructure projects were funded under that round?</p> <p>MARCUS RAY: I can do that.</p> <p>The Hon. ROSE JACKSON: And also how many submissions did you receive or how many requests did you receive?</p> <p>MARCUS RAY: Yes, I can do that.</p> <p>The Hon. ROSE JACKSON: Thank you. For round two, that would be useful.</p>	<p>46 project nominations were received under Round 2 of the Accelerated Infrastructure Fund. Of these, 42 met the mandatory criteria, 26 were shortlisted for third-party due diligence, and 24 were recommended for endorsement.</p>

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25	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: I think you mentioned that the number of councils—the 41—is more than were eligible for round two.</p> <p>MARCUS RAY: Yes.</p> <p>The Hon. ROSE JACKSON: How many were eligible for round two?</p> <p>MARCUS RAY: I'd have to take that on notice, but it might have been 10 or 12.</p> <p>The Hon. ROSE JACKSON: That would be useful just to take on notice.</p> <p>MARCUS RAY: Sure.</p> <p>The Hon. ROSE JACKSON: And who they were—we've gone from 10 or 12 in round two to 41 in round three—and the details of what those local government areas were.</p>	<p>Eight high-growth councils in Western Sydney were eligible under Round 2 of the Accelerated Infrastructure Fund, including Blacktown, Camden, Campbelltown, Hawkesbury, Liverpool, Penrith, The Hills Shire and Wollondilly.</p> <p>Two councils were eligible under Round 1 - Blacktown and The Hills Shire.</p>
26	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: At this stage, how much of that do you intend to reinvest in new property, as opposed to maintenance or redeveloping old property or other costs of the Land and Housing Corporation?</p> <p>SIMON NEWPORT: As I'm sure you understand, it's a bit of a rolling program. It doesn't happen within the one year. I don't have that exact detail. I could take that on notice.</p> <p>The Hon. ROSE JACKSON: That'd be useful. I appreciate it's a pipeline. I do. But, obviously, I'm also trying to understand, of the money that came in from disposing of land and property, how much goes out in building new properties. I'm trying to understand that.</p> <p>SIMON NEWPORT: Sure. What Mr Cassel was just pointing out to me, of course, is that all of the money is ring-fenced as capital. So it can't be spent on anything else, other than major upgrades on houses and new houses. Obviously, as people would know, over the years, we've been tracking quite closely what's been delivered with the Millers Point. Certain higher profile, larger scale sales are, obviously, clearly tracked, dollar for dollar. The rest of it, if you like, as revenue—I'd have to get back to you.</p>	<p>In 2021-22, NSW Land and Housing Corporation sold 262 residential properties generating \$323m in sales proceeds and 242 land lots generating \$91m in sales proceeds. All proceeds from asset sales are reinvested in new supply and capital maintenance.</p>
27	The Hon. ROSE JACKSON	<p>SIMON NEWPORT: I can read my own notes. Millers Point and Dawes Point are aggregated for the purposes of here. So 1,749 homes have been completed. Another 149 are under construction, and a further six are at the DA stage.</p> <p>The Hon. ROSE JACKSON: The construction, the allocated and the DA, all of that—does that exhaust the fund? Or is there, even subsequent to that—</p> <p>SIMON NEWPORT: I'd have to take that on notice.</p>	<p>Yes, Millers Point's sales proceeds will be expended once the 149 dwellings under construction are completed.</p>
28	The Hon. MARK PEARSON	<p>BRETT WHITWORTH: They're not necessarily undertaking that same ranging, is my understanding. But, again, that's my understanding of the advice that I'm getting. It's mainly the young male koalas that do the extensive ranging; it's less the female koalas—</p> <p>The Hon. MARK PEARSON: Would you be able to take on notice as to whether whoever put together the report and recommendations took into account the koalas that aren't robust and young and looking for sex or whatever else? There could be the other animals that are wanting to cross as well.</p>	<p>The Office of the Chief Scientist and Engineer (OCSE) report makes references to koala travelling distances / ranges in its advice and recommendations. For example, the report specifically notes, the average corridor width is based on the home range size for female koalas, which is understood to be between 11 and 61 hectares (Campbelltown Koala Plan of Management), and that home ranges are not circular but can be various shapes including long and narrow.</p> <p>More importantly, the OCSE report considered an extensive range of existing reports and studies in preparing its final advice. This existing body of work noted that koalas can travel up to 200 metres per day to undertake normal feeding behaviour and up to six kilometres to move between disconnected habitats.</p> <p>The OCSE clarified that the corridors are not simply to connect habitat but are in themselves habitat. The approximate distances between the proposed koala / fauna crossings are:</p> <p>Corridor A (Noorumba Reserve) to Corridor B (Beulah Reserve): 2.5 kilometres.</p> <p>Corridor B to Corridor E (Ousedale Creek): 4.5 kilometres.</p> <p>Corridor E to Kings Fall Bridge (Georges River): 3.1 kilometres.</p>
29	Ms SUE HIGGINSON	<p>The CHAIR: They're rather cryptic, aren't they? They've been around for a long time, though. I think this is probably one for Mr O'Donoghue again—I'm sorry, I keep getting you up. There is a concern around the Bloomfield Colliery remediation plan. I'm assuming you have some carriage of that. There is concern that we're actually endorsing the replacement of vegetation, obviously, that's been removed but in the remediation that we're</p>	<p>The Resources Regulator, the lead regulator - regarding rehabilitation at mines sites, requires Rehabilitation Management Plans to be prepared, consistent with the development consent and in accordance with strict completion criteria.</p>

#	Asked By	Question	Answer
		<p>not requiring that to be put back. I know the Minister was very clear this morning—he has a view that we do need to put back what we took. Is that something you can explain?</p> <p>STEPHEN O'DONOGHUE: I'll have to take that on notice, Ms Higginson. In terms of the rehab management plan, there's a role there for the resources regulator as well, in terms of that, and there have been the changes to the mining reform lately, with the Mining Reg just coming into play since July. There's a rehab management plan requirement under that legislation as well. I can provide you more information around that. But the concern is mainly about not replacing vegetation.</p>	<p>The rehabilitation objectives are provided in Table 5 of project approval MP07_0087, as modified.</p>
30	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: Back to you, Mr Newport. Since the policy arrangements in relation to LAHC self-funding status, when did that policy framework commence?</p> <p>SIMON NEWPORT: I'm not sure I can answer that. My understanding is that it was some years ago.</p> <p>The Hon. ROSE JACKSON: Mr Cassel, do you know? Perhaps it needs to be taken on notice.</p> <p>MICHAEL CASSEL: Probably best to take it on notice.</p> <p>The Hon. ROSE JACKSON: Since that time—and I think you are going to have to take this on notice, considering we don't actually know that time—what percentage of the overall stock that the Land and Housing Corporation owns has been sold?</p> <p>SIMON NEWPORT: Yes, you are right. I will have to take that on notice</p>	<p>Prior to 1 July 2011, the NSW Land and Housing Corporation (LAHC) and the former Housing NSW (HNSW) were a combined group and received NSW and Commonwealth funding as well as rent revenue from tenants and proceeds from asset sales. However, since 1 July 2011 and the separation from HNSW, LAHC became a self-funded entity relying on rent revenue and asset sales proceeds.</p> <p>Between 1 July 2011 and 30 June 2022, LAHC sold 4,464 dwellings, which is 3.4% of the total number of LAHC's social housing dwellings as at 30 June 2011.</p>
31	The Hon. ROSE JACKSON	<p>MICHAEL CASSEL: Sorry, can we just go back to your first question? Can you just ask me that again?</p> <p>The Hon. ROSE JACKSON: It was about the current arrangements in relation to the Land and Housing Corporation's funding; i.e., that it is—</p> <p>MICHAEL CASSEL: Being self-sustaining.</p> <p>The Hon. ROSE JACKSON: Self-funded, yes. When did that arrangement commence?</p> <p>MICHAEL CASSEL: From memory—so I will come back to you with an exact date</p>	<p>Since 1 July 2011, NSW Land and Housing Corporation has relied on rent revenue and asset sales proceeds, as well specific program funding as an off budget agency.</p>
32	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: Yes, but that may not be how many dwellings are needed, you know— as you say, depending on the analysis that you do of who those individuals are. Again, I do appreciate that that changes. Perhaps you'd take it on notice, but I guess I'm just interested if you do have a sense of—the funding constraints aside—what work you need to do to deliver housing to all of the people who need it as a priority right now.</p>	<p>An answer was provided during the hearing.</p>
33	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: Yes. I might just quickly ask a couple of questions about maintenance. Obviously it has been raining quite a lot. I just wondered how many requests for roof repair work, for example, has the Land and Housing Corporation received in recent times?</p> <p>SIMON NEWPORT: In terms of roofing itself, I would have to take it on notice across the statistics and the total number of inquiries we get, which is about 600,000—sorry?</p> <p>...</p> <p>SIMON NEWPORT: Yes, but not specifically on roofs. I don't have that data. We'd have to take that on notice specifically for roofs.</p> <p>...</p> <p>The Hon. ROSE JACKSON: Yes. It would be useful to know how many of those are from roof repairs and for excessive mould.</p> <p>...</p> <p>The Hon. ROSE JACKSON: I am particularly interested in the leaky roofs and excessive mould.</p> <p>SIMON NEWPORT: I don't have the specific cause and time frames for those things. We'd have to take that on notice.</p>	<p>As at 6 September 2022, 13,162 orders have been raised relating to roof repairs and 805 relating to mould this calendar year on NSW Land and Housing Corporation properties managed by the Department of Communities Justice. These are due for completion in 2022.</p>
34	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: As I said, I'm pretty sure that the Minister for Families and Communities told the Parliament that a task force had been established between DCJ, the Land and Housing Corporation, her team and Minister Roberts' team, which includes you. That's not something you're familiar with?</p> <p>SIMON NEWPORT: No, not in the short time frame. I understand that they were the specific actions that were taken with regard to that. I'd have to take that on notice.</p>	<p>In response to the Ombudsman's report, NSW Land and Housing Corporation and Department of Communities and Justice jointly formed a Disability Modification Task Force to analyse issues identified in the Ombudsman's Report and implement improvements in the delivery of disability modifications.</p> <p>It is alternately chaired by senior DCJ and LAHC executives and reports to the respective Deputy Secretary/Chief Executive.</p>

#	Asked By	Question	Answer
35	Ms CATE FAEHRMANN	<p>Ms CATE FAEHRMANN: I want to ask a couple of questions again about the Cumberland Plain Conservation Plan. Mr Whitworth, this is you, isn't it, that I'm directing this to? Within the plan, there are references repeatedly to "important koala habitat". It's a question that I'm hoping perhaps you could take on notice, Mr Whitworth. Would you be able to provide a map of what this important koala habitat is? Basically, throughout the report, it repeatedly refers to "important koala habitat", using the term to describe primary, secondary and tertiary corridors and what have you. I think it's important. I assume that the department has defined that?</p> <p>BRETT WHITWORTH: We would have used information from both the Chief Scientist & Engineer report as well as from the Environment and Heritage group. They had done a number of pieces of work on the primary and secondary koala corridors in south-western Sydney.</p> <p>Ms CATE FAEHRMANN: Would you be able to provide some further information about what that important koala habitat is?</p> <p>BRETT WHITWORTH: We certainly can. I'm fairly confident that it's actually already available, but we will provide either the information or—</p> <p>Ms CATE FAEHRMANN: The link.</p> <p>BRETT WHITWORTH: —the link or whatever, yes.</p>	<p>Mapping of the protected koala habitat can be found on the CPCP viewer, which is available via www.planning.nsw.gov.au/Policy-and-Legislation/Strategic-conservation-planning/Cumberland-Plain-Conservation-Plan/Mapping#inPageNav-1. When the viewer is open, click on the "show layer list" icon at the top of the page, and then scroll through all the mapping layers and click on "protected koala habitat and restoration" to see where it is located.</p>
36	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: That's right, yes, that thing. My understanding is that the commitment that has been given, signed up to by the New South Wales Government, is in relation to new apartments and capacity to have electric vehicle charging as a part of that construction. Is that right?</p>	<p>An answer was provided during the hearing.</p>
37	The Hon. ROSE JACKSON	<p>The Hon. ROSE JACKSON: Yes. Obviously, I'm interested to know about the capacity for at least the wiring requirements to apply more broadly than just to new apartments and to apply to houses or duplexes, going forward. That seems, at first blush, to perhaps have something to do with planning. But, no, it does not.</p> <p>MARCUS RAY: Sure. Look, can I just take that on notice? We'll get back to you rather than speculate.</p>	<p>The provisions of the State Environmental Planning Policy (Transport & Infrastructure) make the installation of electric vehicle charging facilities exempt development if it is for the private non-commercial use of the owner or occupier of the premises. However, the onus is on the developer of the property to provide the appropriate facilities.</p>
38	Ms SUE HIGGINSON	<p>The CHAIR: But if a council came to the department and said, "Hey, we've just got a much better system that we apply in our LGA to protect koalas", and it's evidently a much better system and applies much higher standards to koala protection and mapping and identification of habitat, would the department accept that?</p> <p>MARCUS RAY: Ms Higginson, I mean, there are obviously benefits of having a set of rules that apply across the State for the protection of koalas. I'd say that that would be—we'd have to consider that. We'd have to consider how that would work and the cost—the regulatory cost—of all of that and whether it could actually work or not work. We'd have to take advice from our colleagues in the Environment and Heritage group. We work very closely with those. But I couldn't speculate—there are too many variables.</p>	<p>The NSW Government has a comprehensive framework in place for the protection of koalas and koala habitat. Councils are empowered through the State Environmental Planning Policies (Koala Habitat Protection SEPP 2020 and 2021) to identify koala habitat and corridors in comprehensive Koala Plans of Management (KPOM) and can also specify development controls to address key issues within their local government areas.</p> <p>Local development on land to which an approved KPOM applies must be consistent with the KPOM. Councils can also include tailored provisions beyond development controls in KPOMs, such as community education programs, citizen science programs, and monitoring and reporting on local population trends and threats.</p> <p>The Koala SEPPs are important, but one of many government initiatives designed to protect koalas. Through the NSW Koala Strategy, the NSW government is working to protect koala habitat and improving outcomes for threatened species. To achieve this, it has committed \$20 million to purchase land with priority koala habitat to add to national park estate, and the transfer of 24,000 hectares of unproductive state forests to management of National Parks and Wildlife Service.</p> <p>Questions regarding further koala initiatives should be directed to the Minister for Environment and Heritage.</p>
39	Ms SUE HIGGINSON	<p>The CHAIR: And, naturally, I'll have some questions for the Minister responsible for that but in a different session. So just on that, and finally on that one, how is Santos going in terms of the performance of its Narrabri Gas precondition requirements—whether that's for you, Mr Gainsford, or—?</p> <p>DAVID GAINSFORD: It is for me again. So, with Narrabri Gas, we're at a stage where they have presented a number of management plans to us and, as part of the review of those management</p>	<p>As of 6 September, the Department has approved the following management plans:</p> <ul style="list-style-type: none"> • Aboriginal Cultural Heritage Management Plan. • Waste Management Plan. • Historic Heritage Management Plan.

#	Asked By	Question	Answer
		<p>plans, we're sort of working through those management plans. I think at this point of time we've approved two of their eventual 12 management plans they need.</p> <p>The CHAIR: Do you know what those ones are off the top of your head?</p> <p>DAVID GAINSFORD: I don't. I have probably got a note here, but I might take that on notice. As I understand it, this is the next stage of the exploration component of the Narrabri Gas Project, so this is the precursor to enabling to do that further exploratory sinking of gas wells.</p>	

40	The Hon. MICK VEITCH	<p>The Hon. MICK VEITCH: You might have to take this on notice, I'm not sure, but how many homes are under assessment by a DPE gateway process in south-west Sydney? How many of these have exceeded the department's maximum benchmark time frame?</p> <p>MARCUS RAY: I would have to take that one on notice. I don't have that information.</p>	<table border="1" data-bbox="1694 247 2760 821"> <thead> <tr> <th>LGA</th> <th>Number of Planning Proposals (PPs) currently in the system (under assessment, not yet determined) that provide for additional homes</th> <th>Number of homes</th> </tr> </thead> <tbody> <tr> <td>Liverpool</td> <td>3</td> <td>15,158</td> </tr> <tr> <td>Wollondilly</td> <td>0</td> <td>N/A</td> </tr> <tr> <td>Camden</td> <td>0</td> <td>N/A</td> </tr> <tr> <td>Campbelltown</td> <td>1</td> <td>53</td> </tr> <tr> <td>Blue Mountains</td> <td>0</td> <td>N/A</td> </tr> <tr> <td>Fairfield</td> <td>2</td> <td>3,480</td> </tr> <tr> <td>TOTAL</td> <td>6</td> <td>18,691</td> </tr> </tbody> </table> <table border="1" data-bbox="1694 852 2760 1209"> <thead> <tr> <th>LGA</th> <th>Number of PPs in the system that exceed 502 days (2021/22 benchmark)</th> <th>Number of PPs in the system that exceed 380 days (2022/23 benchmark)</th> </tr> </thead> <tbody> <tr> <td>Liverpool</td> <td>0</td> <td>0</td> </tr> <tr> <td>Wollondilly</td> <td>0</td> <td>0</td> </tr> <tr> <td>Camden</td> <td>0</td> <td>0</td> </tr> <tr> <td>Campbelltown</td> <td>0</td> <td>0</td> </tr> <tr> <td>Blue Mountains</td> <td>0</td> <td>0</td> </tr> <tr> <td>Fairfield</td> <td>0</td> <td>0</td> </tr> <tr> <td>TOTAL</td> <td>0</td> <td>0</td> </tr> </tbody> </table> <p>* As at 9 Sept 2022.</p>	LGA	Number of Planning Proposals (PPs) currently in the system (under assessment, not yet determined) that provide for additional homes	Number of homes	Liverpool	3	15,158	Wollondilly	0	N/A	Camden	0	N/A	Campbelltown	1	53	Blue Mountains	0	N/A	Fairfield	2	3,480	TOTAL	6	18,691	LGA	Number of PPs in the system that exceed 502 days (2021/22 benchmark)	Number of PPs in the system that exceed 380 days (2022/23 benchmark)	Liverpool	0	0	Wollondilly	0	0	Camden	0	0	Campbelltown	0	0	Blue Mountains	0	0	Fairfield	0	0	TOTAL	0	0
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41	The Hon. MICK VEITCH	<p>The Hon. MICK VEITCH: This is probably the last question from me, which will probably upset the shadow Minister. I'm going to freewheel here. I'm the shadow Minister for Agriculture. The Agriculture Commissioner has delivered his report, with a number of recommendations around land use conflict. Can I ask the department, what role do you have in implementing those recommendations? Is there a whole-of-government response to this process?</p> <p>MARCUS RAY: I might pass that over to Mr Whitworth. I will just say that the department was dealing with the agricultural commissioner quite a lot through the process. I had meetings with him myself and senior staff had meetings with him. But as to the final report, I'll pass you over to Mr Whitworth.</p> <p>BRETT WHITWORTH: Thank you. I don't have a detailed set of notes on this, but—</p> <p>The Hon. MICK VEITCH: I'm happy for you to take it on notice.</p> <p>BRETT WHITWORTH: I am aware that the Agriculture Commissioner is in the process of finalising that the agriculture commission is providing their report through the Minister for Agriculture, and that we are engaging with Department of Regional NSW in terms of the implementation of the recommendations from the report. A lot of focus has been on things such as the renewable energy projects and how we can get an appropriate balance and protection for agricultural land as well as rural communities. We released, for example, the large-scale solar development guidelines only last week. As part of that process there was a lot of conversation with the Agriculture Commissioner to identify what are appropriate means to do visual assessments of these large-scale solar</p>	<p>As part of the Renewable Energy and Agriculture Review, the Agriculture Commissioner is undertaking a review of the adequacy of the existing framework to manage issues and opportunities from the forecast growth in the renewable energy and the agricultural sector in NSW.</p> <p>To ensure government decisions strategically consider matters from this review as well as from the Agriculture Commissioner's report on 'Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System,' a whole of government response has been held over while the review is finalised.</p> <p>The Department is part of a cross agency working group which will oversee the recommended implementation of the actions from 'Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System.' The project is being led by the Department of Primary Industries.</p>																																																

	<p>developments in the rural landscape, as well as how we talk about benefit sharing of these developments with rural communities.</p> <p>The Hon. MICK VEITCH: If you could take that on notice and have a look to see if there's anything else you want to add?</p> <p>BRETT WHITWORTH: Certainly.</p>	
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The Hon. Anthony Roberts MP
Minister for Planning
Minister for Homes

Mr Peter Roberts
Chair
Landcom
60 Station Street
Parramatta NSW 2150

Via email: [REDACTED]

Cc: [REDACTED]

Dear Mr. ^{Peter}Roberts,

Landcom Statement of Priorities

As you are aware, section 11 of the Landcom Corporation Act 2001 (the Act) provides for the Portfolio Minister to provide the Board of Landcom, from time-to time, with a written statement of priorities.

The NSW Government is committed to improving housing supply, fast-tracking critical infrastructure, and helping to address housing issues in the community, particularly regional NSW which is experiencing unprecedented levels of housing stress.

Below is a statement of priorities for the 2022-23 financial year and beyond which will help support these objectives.

Proposed statement of priorities under section 11 of the Act.

1. Continue Landcom's work to increase the supply of diverse and affordable housing, as well as continue to meet its existing target of 10 per cent of affordable housing in metropolitan NSW.
2. Expand the focus of Landcom's business to regional NSW and build a portfolio of projects in regional NSW by mid 2024;
3. Raise the target of affordable housing, including rental and freehold sale, to at least 20 per cent across Landcom's portfolio of regional projects by 2025, with a goal of 30 per cent in regional NSW beyond that date subject to market conditions;
4. Provide reasonable assistance, wherever commercially practicable, to the NSW Land and Housing Corporation with respect to the delivery of regional housing projects; and
5. Partner with NSW Government development corporations and agencies, on a commercial basis, to deliver additional housing supply and improve housing affordability

To assist in implementing the statement of priorities, I support increasing Landcom's debt limit with T-Corp by \$150 million.

The Landcom Act also provides for the annual reporting against the statement of priorities, and I welcome a report from the Board in due course. In the interim, I look forward to regular meetings with yourself and/or Landcom's CEO at which we can discuss progress.

Yours sincerely,

The Hon. Anthony Roberts MP
Minister for Planning
Minister for Homes

Housing Policy

1 July 2021

Issued for: External

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NOTE TO READERS: Landcom’s Housing Policy includes some content that relates to internal administrative processes, and this has been removed from this version.

1 Understanding housing needs across NSW

Safe, secure and affordable housing is essential to the wellbeing of individuals, the vibrancy of our communities and the productivity of the NSW economy.

Meeting the housing needs of the NSW population is a vitally important but complex task. People's housing needs are dynamic, shifting throughout their lives as demographics, preferences, and circumstances change. Providing housing to meet these varied and changing needs requires a broad spectrum of housing tenures and types that suit a range of budgets.

NSW faces several challenges and opportunities in meeting these needs:

- **Ensuring housing supply meets demand:** In 2016, 7.7 million people lived in NSW, a 15% increase from 10 years earlier.ⁱ While the COVID-19 pandemic has and will continue to impact population growth in the short term, NSW has had a cumulative undersupply of housingⁱⁱ and is still expected to grow on average by over 100,000 people each year until 2041.ⁱⁱⁱ The sustained delivery of new housing, well-located to jobs and services, is critical to ensuring NSW provides the necessary amount of housing to meet demand.
- **Ensuring housing is affordable:** The NSW housing market for both rent and ownership is currently unaffordable to large parts of the population. From 2009 to 2019, the value of residential land in NSW doubled from \$900 billion to \$1.77 trillion.^{iv} Housing prices in Greater Sydney nearly doubled between 2012 and 2017, and the cost of renting is 30% more than in Melbourne and Brisbane and nearly double Adelaide.^v As a result, many households struggle to own or rent a home. Of lower income households in Greater Sydney, in 2018 17% were in mortgage stress and 37% in rental stress.
- **Providing housing to meet a diversity of preferences and needs:** The supply of dwellings in NSW needs to evolve to meet the shifting spectrum of housing needs and preferences across NSW. The growth of smaller households, an ageing population, rapidly evolving preferences particularly in younger people, and the need to better meet the needs of people with a disability, is driving demand for a greater level of choice in terms of housing type, form and tenure.
- **Providing housing and creating places that are resilient, long-lasting and high amenity:** In the context of a changing climate and increasing environmental pressures, housing in NSW must respond to the increasing frequency and severity of natural hazards, such as bushfires, extreme heat, erosion and drought. Ensuring that housing is well-designed and connected to high quality infrastructure, services and amenities is key to creating great places for people to live in NSW.

2 The role of Landcom

The delivery of diverse, affordable, and resilient housing is a key focus for the NSW Government.^{vi} There is a wide range of partners within and outside the NSW Government charged with delivering on this task. Within the NSW government several departments and agencies are responsible for the key levers which influence the supply, location and type of housing delivered in NSW, while partners in local government, the community housing sector and the private sector also play vital roles.

Landcom has an important role to play as the NSW Government’s land and property development organisation. We help the NSW Government achieve its urban management objectives by taking a lead role in improving the supply, diversity, affordability and sustainability of new housing in NSW.

We are not a conventional land developer. Instead, we have a unique mandate to bridge the NSW Government’s social, environmental and economic objectives and the commercial imperative of the private sector.

In practice our focus is on delivering housing types and tenures focused at the low to moderate income end of the market, while also working with our partners in government, the development sector and the community housing sector to support the delivery of all housing across the housing continuum.

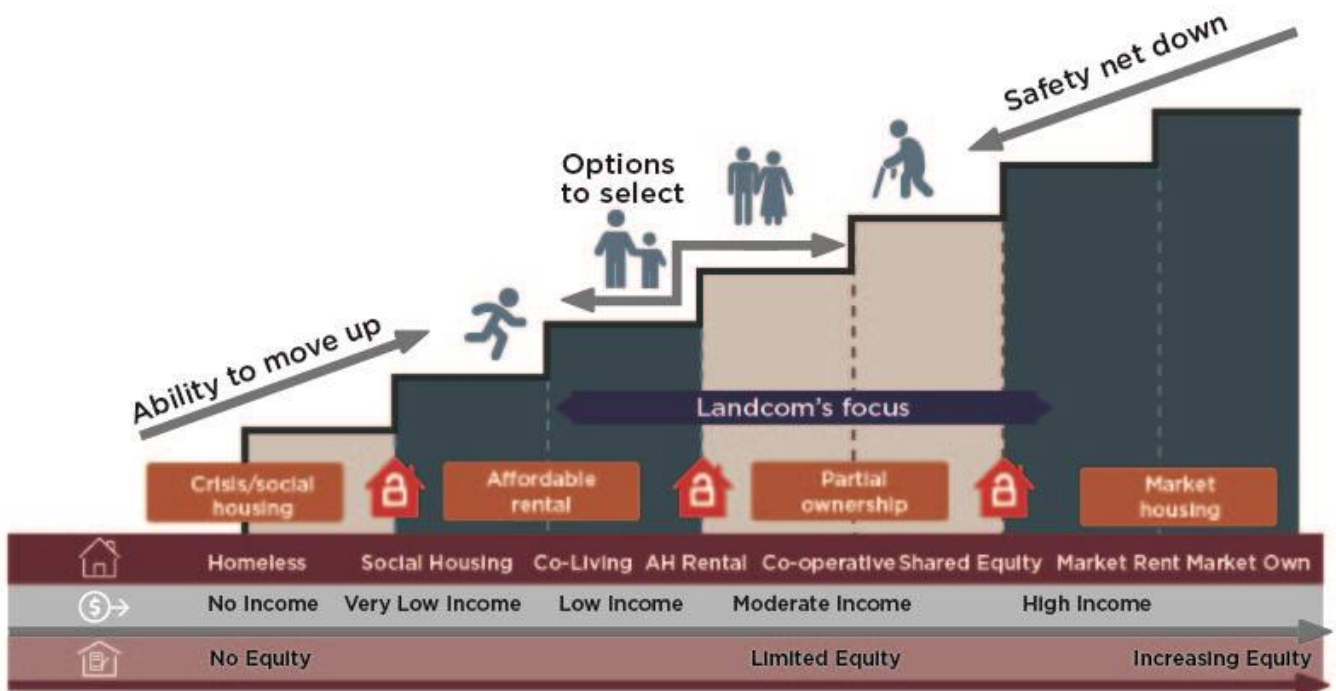


Diagram of Landcom’s focus on meeting a range of housing needs, incomes and tenure types.

3 The purpose of our Housing Policy

This Housing Policy (the **Policy**) describes how Landcom will contribute to meeting NSW's housing needs. It identifies our commitments to ensure that the communities we deliver demonstrate leadership, showcase innovation, and contribute to ensuring that everyone in NSW has access to safe, secure and affordable housing.

The Policy identifies the points of difference which define a Landcom community.

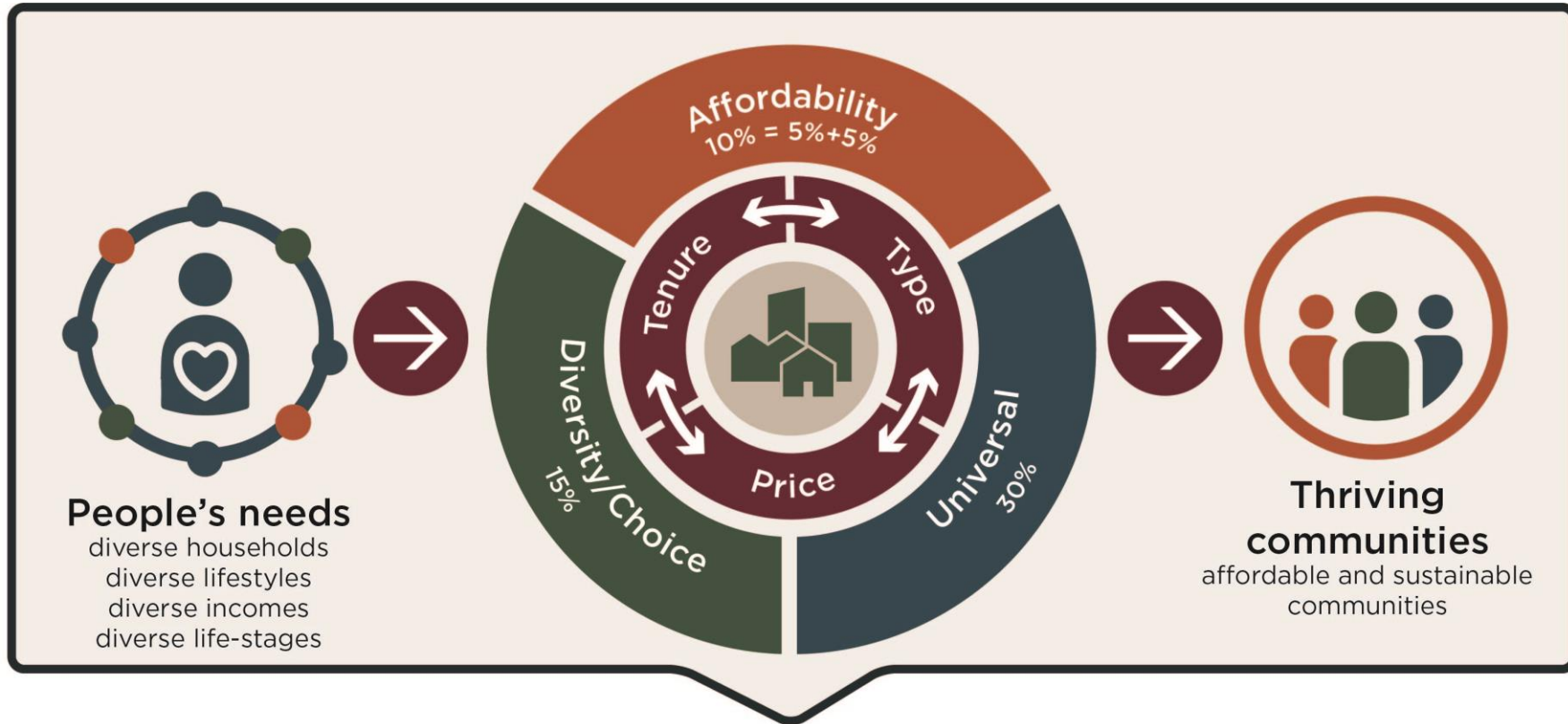
The Policy aligns with our principal objectives defined by the *Landcom Corporation Act 2001* and directly responds to our Statement of Priorities, issued by Landcom's Portfolio Minister, the Minister for Planning and Public Spaces.

To ensure Landcom meets these targets across our portfolio by 2025, in line with our Ministerial Statement of Priorities, this Policy will apply to all new projects initiated by Landcom following its adoption.

The policy has three main components:

1. **Policy objectives and commitments:** across the six focus areas of Affordability, Choice, Quality, Universal Design, Demonstration, and Advocacy and Advice, we describe the outcomes we are striving to deliver and the activities we will undertake.
2. **Tracking and reporting our progress:** a set of tools and processes we will use to track and report on how we are meeting the objectives and commitments in this policy.
3. **Reviewing our policy:** the internal governance processes we will use to review and update this policy to ensure it remains relevant and aligned to Landcom's objectives.

4 Our Housing Policy on a page



 **Delivering Quality Places**

 **Demonstrate**

 **Advocacy and advice**

Diagram summarising Landcom's Housing Policy, the elements are each described in detail below.

5 Our Housing Policy objectives and commitments

The Policy sets objectives and commitments across six focus areas: Affordability; Housing Diversity/ Choice; Universal Design; Quality Places; Demonstration; and Advocacy and Advice.

5.1 Affordability

The objectives we are striving to achieve

At Landcom we believe that everyone in NSW should have access to safe, secure and affordable housing. However, across NSW many households are experiencing significant housing stress. We recognise that the need for affordable housing is diverse, with people in different circumstances and stages of life requiring access to affordable housing in a range of types and tenures.

We are committed to addressing this issue by providing housing that is affordable to the diverse range of households that exist across the housing spectrum, including people living in affordable rental, private rental, and those who own their home, including those who aspire to home ownership.

The target we will commit to

Across Landcom's project portfolio we will deliver a minimum of 10% of new housing that contributes to improving the affordability of housing in NSW. To ensure our projects are delivering housing that is affordable to more households across the housing spectrum, the target is divided into two parts:

1. A minimum of 5% of the housing must be Affordable Rental Housing; and
2. In addition to this, a further minimum 5% of the housing will be a mix of Affordable Rental Housing and affordability including affordable ownership housing and alternative housing products which improve housing affordability more generally.

Project teams are strongly encouraged to deliver a percentage of affordability above 10%, where possible.

How the target is defined

Affordable Rental Housing is defined as sub-market rental housing for a mix of very low, low- or moderate-income households as defined by the NSW Environmental Planning & Assessment Act.^{vii} In line with the NSW Affordable Housing Ministerial Guidelines^{viii}, rent is determined based on 30% of the gross household income to ensure affordability so that households are also able to meet other basic living costs, such as food, clothing, transport, medical care and education. These homes will be owned and/or managed by a registered Community Housing Provider.

Affordability including affordable ownership and alternative products that improve housing affordability more generally, are defined as affordable to a maximum of the moderate household income level (see **Appendix A**) and provide alternative tenures or a pathway to home ownership including:

- Private market housing for purchase which is affordable for moderate income households or below;

- Private market housing for purchase by the ‘first home buyer’ segment of the market, noting if the definition of First Home Buyers as set by broader Government policy differs from Landcom’s definition this will be adopted for separate tracking and reporting;
- Housing products which are delivered using design or construction techniques which lower the purchase price and contribute to improving housing affordability, for example via lower household energy costs; and
- Innovative tenure models that provide households with a form of home ownership or other tenure that improves housing affordability, such as fractional ownership and shared ownership schemes. These products will be owned and managed by a private developer or Community Housing Provider following an englobo sale.

How we measure target achievement

As a starting point all new projects must aim to deliver the 10% affordability target. Any project where it is proposed to deliver less than 10% will require justification and Board approval.

Landcom’s affordable housing target is measured across the portfolio of projects, so where a new project does not deliver the 10% target, Landcom is required to identify a separate active project or projects where those dwellings will be delivered.

There is flexibility available to project teams in terms of how the affordable housing products are located across a project. For example, the housing can be allocated in a separate dedicated building or mixed in with other types of housing, depending on the appropriateness, opportunities and constraints of the project.

Affordable Rental Housing is required to be owned or managed by a Community Housing Provider, with the length of time that the housing is provided determined on a project by project basis. However, project teams are encouraged to deliver Affordable Rental Housing that is owned by a Community Housing Provider and delivered for the long term.

Delivery of affordable rental and ownership housing can be by Landcom as developer, or by contract to successful development partners delivering all or part of Landcom projects.

Where a tender process is undertaken, it should include evaluation of proposed Affordable Rental Housing and affordable ownership in terms of quantity, longevity and suitability to meet local need and look favourably upon practical innovation.

Contracts of sale will include specified delivery of Affordable Rental Housing and affordable ownership housing as per winning tenders and aligned to Landcom’s Housing Policy. They will also require reporting of final housing delivery outcomes to Landcom on completion.

5.2 Choice

The objectives we are striving to achieve

At Landcom we recognise that housing needs are varied and changing because of shifting preferences, diverse demographic and cultural backgrounds, different life stages and budgets and

varying household sizes. However, the supply of housing in NSW has not kept pace with shifting demand and as a result often does not provide the level of choice required to meet the diverse needs of households.

We are committed to increasing the level of choice in the NSW housing market through delivering communities which include a diverse range of housing types, tenure arrangements and delivery models to suit local needs.

The target we will commit to

Across Landcom’s project portfolio we will deliver a minimum of 15% of new housing which meets the definition of Diverse Housing. Project teams are strongly encouraged to deliver a percentage above 15% in projects where feasible and Board commercial commitments are met.

How the target is defined

Diverse Housing is defined as housing that increases the mix of housing stock in the area in which it is being delivered, in terms of its:

- Size and built form structure – it offers an alternative to the predominant type in the area for example detached housing or high-rise apartments; and/or
- Development or financing model – it differs to the mainstream speculative land and development model; and/or
- Tenure or occupancy arrangements – it offers an alternative to traditional ownership and rental tenures.

Table 1 provides examples of housing which would meet the definition of Diverse Housing. This is not an exhaustive list. The concept of Diverse Housing is intentionally flexible to promote innovation across type, tenure, construction methodology or other mechanisms to meet the diverse housing needs of the community in which it is being delivered.

Table 1: Examples of Housing Choice

Compact apartments with shared spaces	Manor homes
Build to rent	Multi-generational housing
Seniors housing	Student housing
Rural residential	Terrace housing
Secondary dwellings including ‘Fonzie Flats’	Co-housing
Modular prefabricated homes	Cross laminated timber construction
Small lot housing	Dual key apartments

The mix of Diverse Housing needs to respond to local context. This can be informed by Local Housing Strategies prepared by local councils, and by reference to housing data that compares current and future projected households and the suitability of local housing stock for them.

How we measure target achievement

All new projects must aim to deliver the 15% Diverse Housing target. Any project where it is proposed to deliver less than 15% will require justification and Board approval.

Landcom's Diverse Housing target is measured across the portfolio of projects, so where a new project does not deliver the 15% target, Landcom is required to identify a separate active project where those dwellings will be delivered.

Delivery of Diverse Housing can be by Landcom as developer, or by contract to successful development partners delivering all or part of Landcom projects.

Where a tender process is undertaken, it should include evaluation of proposed Diverse Housing in terms of quantity and suitability to meet local need and look favourably upon practical innovation.

Contracts of sale will include specified delivery of Diverse Housing as per winning tenders and aligned to Landcom's Housing Policy and require reporting of final housing delivery outcomes to Landcom on completion to allow accurate tracking of the range of housing activity that Landcom unlocks.

5.3 Universal Design

The objectives we are striving to achieve

At Landcom we support the wide-spread adoption of universal design to ensure that:

- any person can use a dwelling, irrespective of age, level of mobility, or condition of health
- homes can adapt to accommodate changing needs, such as ageing in place, or supporting those with disability.

The target we will commit to

All medium and high density housing in Landcom projects will include at least 30% that is universally designed. This means the housing will meet or exceed the requirements for Livable Housing Australia's Silver Level certification.

Landcom also encourages universal design for detached housing. Project teams are also strongly encouraged to deliver more than 30% universally designed housing where feasible.

How the target is defined

Universally designed housing is defined as housing product that is certified as meeting or exceeding Livable Housing Australia's Silver Level. The seven core design elements in the Livable Housing Australia Silver Level are:

1. A safe continuous and step free path from the street;
2. At least one step free entrance to the dwelling;
3. Door and corridor widths for unimpeded movement;
4. Stairways designed to enable future adaptation;
5. Ground floor toilet;
6. Step free (hobless) shower access; and

7. Reinforced walls in bathroom to support grab rails at a later date.

Dwellings that exceed the Livable Housing Australia's Silver Level are encouraged and also contribute to meeting this target. Examples of this would include National Disability Insurance Scheme homes, Accessible and Gold or Platinum Level Livable Housing Australia's housing.

How we measure target achievement

All applicable new projects must aim to deliver the 30% Universal Housing target. Any medium or high density housing where it is proposed to deliver less than 30% will require justification and Board approval. This would be by exception, however consideration may be given for example to viability impacts due to unforeseen project costs such as additional uncovered site contamination or provision of high levels of public benefit in other ways.

Implementation of universally designed housing is either by Landcom as developer, or by contract to successful developer partners delivering all or part of Landcom projects.

Where a tender process is undertaken, it should include evaluation of proposed universally designed housing delivery in terms of quantity.

Contracts of sale will include specified delivery of Universal Housing as per winning tenders and aligned to Landcom's Housing Policy and require copies of final Livable Housing Australia's certificates to be provided to Landcom on completion. If accessibility is provided by other accessibility standards, or exceeding Livable Housing Australia's Silver Level, evidence is also required by a qualified authority along with a record of dwelling location.

In all cases, certification is required to verify as-built delivery specifications and to collate the locations of the universally designed housing.

5.4 Quality Places

The objectives we are striving to achieve

At Landcom we are focused on creating great places that residents want to live in, and add value to their lives, and create social, environmental, and economic benefits for NSW.

To achieve this, we strive to deliver communities that are:

- Well-connected to jobs, education, services, and infrastructure;
- Sustainable and resilient to the changing climate;
- Supported by a high level of amenity including access high quality public open space, public and active transport, walkable streets and community facilities; and
- Underpinned by good design.

Central to this objective is our belief that access to quality housing and public spaces should be available to everyone in NSW, regardless of income, age, gender, race or ability.

The activities we will undertake

As part of Landcom's commitment to quality places:

- All projects are required to undergo independent and rigorous design review through the Landcom Design Review Panel.
- All projects strive to meet the targets and objectives identified within the Landcom Sustainable Places Strategy.
- All projects are encouraged to deliver innovative and industry-leading levels of connectivity and amenity.

How we measure achievement

As part of our reporting to the Executive Committee, the Board, our Portfolio Minister and public reporting in the Annual Report and Landcom Sustainability Report, Landcom will report on the activities we undertake to contribute to ensuring our projects create great places and deliver quality housing.

5.5 Demonstration

The objectives we are striving to achieve

At Landcom we are committed to demonstrating industry leadership to improve the supply, diversity, affordability, and sustainability of housing in NSW.

We strive to collaborate with Government, the development sector and not-for-profit sector by sharing innovative examples of delivery and engaging in partnerships to achieve solutions.

The activities we will undertake

We will demonstrate innovation through market-leading pilot projects on government land that showcase sustainability, design quality and diversity of housing types, tenures and delivery models. These developments are to exceed market benchmarks for delivering greater social, economic and environmental benefit. This action for Landcom is also contained in the *Housing 2041 2021-22 Action Plan Housing Strategy for NSW*^x.

We're committed to supporting housing innovation by delivering demonstration projects that highlight new initiatives. Solutions may be developed through partnerships and shared in the public realm and with industry.

How these are defined

Demonstration includes innovative projects and initiatives which demonstrate innovative solutions to the challenges faced by the sector, including improvement to the supply, diversity, affordability, and sustainability of housing. These can be entire projects or smaller initiatives within projects that provide new and innovative solutions.

Demonstration projects and initiatives may trial innovative and sustainable:

- Housing types;
- Tenures;
- Construction methods;
- Finance models;
- Designs that contribute to housing diversity and affordability; and

- Broader activities in relation to housing, such as demonstrating best practice community consultation, placemaking, and integration of scientific and academic research into practice in Landcom communities.

How we measure achievement

Project teams and/or development partners will deliver demonstration projects and/or initiatives that will vary based on the project context. Partnerships and consultation with academic institutions and industry should be considered.

Learnings and models developed through the pilots and other innovative initiatives will be captured as case studies and shared with government, industry and the community.

5.6 Advocacy and Advice

The objectives we are striving to achieve

Landcom is not just a conventional land developer. We have a unique mandate to work across government and the private sector to deliver quality housing and create great places. In practice this means we bridge the NSW Government's social, environmental and economic objectives and the commercial imperative of the private sector.

We strive to capitalise on our unique position and role by advocating and advising both the development industry and government on the initiatives and reforms required to improve the outcomes delivered by housing in NSW.

The activities we will undertake

Landcom is committed to:

- Staying informed on Government policy and legislation, tracking Landcom housing activity, maintaining awareness of relevant data, for example via post-occupancy surveys, relevant research, statistical information such as Landcom's housing indicators for each NSW local government area and the overall status of the housing industry;
- Advising Government by making representations on proposed policy; strategy and legislation; and
- Participating in Government and industry working groups and committees.

How we measure achievement

As part of our reporting to the Executive Committee, the Board and our Portfolio Minister, Landcom will report on the activities we undertake to serve as a trusted advocate and advisor to government and industry on the action required to improve the supply, diversity, affordability and sustainability of housing in NSW.

6 Implementation

This Policy applies to all new Landcom projects from 1 July 2021. Existing projects that predate the Policy are not expected to meet the commitments in this Policy, however, where feasible and reasonable they are encouraged to do so.

Any new project proposal that does not meet the targets in the Policy will require justification and approval to proceed.

Where a project that does not meet the Affordability or Housing Diversity targets is given approval to proceed, Landcom will seek to identify a separate active project or projects where the required number of those dwellings will be delivered. This will help to ensure the targets are met across Landcom's overall portfolio of projects.

Housing products can be counted against the targets in multiple commitments, as relevant. For example, Affordable Rental Housing might also meet or exceed the requirements for Livable Housing Australia's Silver Level certification.

7 Tracking and reporting our progress

The tools and processes we will use to ensure we meet the objectives and commitments identified in this document

We will undertake a range of tracking and reporting activities to monitor and manage our achievement of the Policy:

- Our projects teams will use our LOTS system to regularly report the number of projected and achieved dwellings they deliver in line with the requirements of the Policy;
- Our Executive Committee will provide updates to the Board through quarterly project updates;
- We will provide our Portfolio and Shareholder Ministers, the Department of Planning and Environment, and NSW Treasury with updates as required; and
- We will report key indicators in our Annual and Sustainability Reports.

Appendix A: Method used for calculating Affordable Ownership

Introduction

- Affordable Ownership is defined as housing that is affordable to any household earning a maximum gross household income of up to 120% of the median household income for either Sydney or the Rest of NSW as defined by the Australian Bureau of Statistics.^x
- Market housing that can be purchased at a price point that will equate to mortgage repayments of no more than 30% of gross moderate household income is therefore considered to be an Affordable Ownership product.
- For practical monitoring purposes we need to translate this maximum income level into a maximum sale price of an apartment, house or other housing product. The method below describes the agreed approach to calculating this.
- Note that anything priced below this maximum price at the time of release is considered Affordable Ownership.
- While the full Policy will be reviewed every two years this method will be updated annually to ensure figures reflect changes to data from the Australian Bureau of Statistics.

Method

- The 2021 upper limit for moderate income households in Metropolitan Sydney, as defined by the Australian Bureau of Statistics is an annual salary of \$118,300.^{xi}
- The affordable maximum of 30% of \$118,300 is spending up to \$2,958 per month on mortgage repayments.
- The maximum loan amount is determined using a publicly available home loan repayment calculator^{xii} using the following assumptions:
 - 30 year loan period;
 - Interest and principal loan;
 - Owner occupied home;
 - Interest rate used is the current Standard Variable rate; and
 - Excludes stamp duty, rates, strata fees etc.
- Based on this approach, the maximum mortgage for a moderate income household is \$635,500.
- An assumed 20% deposit of \$127,100 is added to the loan amount giving a maximum affordable purchase price of \$762,600.
- If product is land only at time of release, an allowance is needed for house construction, currently this is assumed to be \$300,000.^{xiii} Therefore in FY21, any housing on a Landcom project released for sale at or below \$762,600 or land ready for house construction sold at or below \$462,600 is classified as an Affordable Ownership product.
- For comparison the median dwelling value as of November 2020 in Sydney was \$860,967.^{xiv}

Summary

Definition	Included within Housing Policy Affordable Ownership definition FY21
Moderate Income Housing, ABS Quintile 80 - 120% of median income Households Within 30% of gross annual household income	Sydney: House and land package or other form of residential accommodation maximum price \$762,600*, land only \$472,600 <hr/> Rest of NSW: maximum \$647,760, land only \$347,760

* Anything below this figure is Affordable Ownership, to be updated annually using Department of Communities & Justice Centre for Affordable Housing definition as per Australian Bureau of Statistics

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ⁱⁱ National Housing Finance and Investment Corporation, *State of the Nation's Housing 2020* report p5. Available at <https://www.nhfc.gov.au/media/1581/nhfc-state-of-the-nations-housing-report-2020.pdf>

ⁱⁱⁱ NSW Department of Planning, Industry and Environment 2020, *Population*. Available at: <https://www.planning.nsw.gov.au/Research-and-Demography/Population-projections>

^{iv} NSW Department of Planning, Industry and Environment 2021, *Housing 2041: NSW Housing Strategy*, p.46. Available at: <https://www.planning.nsw.gov.au/Policy-and-Legislation/Housing/A-Housing-Strategy-for-NSW>

^v NSW Department of Planning, Industry and Environment 2020, *A Housing Strategy for NSW – Discussion Paper*, p.54 and p.59. Available at: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Discussion-papers/Policy-and-legislation/Housing/A-Housing-Strategy-for-NSW--Discussion-Paper-2020-05-29.pdf>

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^{vii} *Environmental Planning and Assessment Act 1979* Section 1.4 Definitions. Available at: http://classic.austlii.edu.au/au/legis/nsw/consol_act/epaaa1979389/s1.4.html#affordable_housing

^{viii} *NSW Affordable Housing Ministerial Guidelines 2020/21*, section 3 Definition of Key Terms. Available at:

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^{xiii} Housing Monitor Guidance Note, Landcom internal document 2020

^{xiv} Core Logic November Home Value Indices 2020