

Item 12.12**Notices of Motion****Preventing 'Poor Doors' and Discrimination Against Low Income Tenants in New Housing Developments**

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) the term "poor door" refers to a separate entrance made for a residential building that segregates social, affordable or lower income housing tenants from the private or higher income tenants in a housing development;
- (ii) in cities like London and New York, 'poor doors' became more common in response to rules offering density bonuses, tax concessions or other incentives to developers in return for setting aside some units for affordable housing in their buildings;
- (iii) when social or affordable housing was required to be included in a building, some developers began segregating tenants on lower incomes from other tenants, by restricting their access to the common entrance, lobby, general tenant spaces and/ or services in the building;
- (iv) in NSW, developers are increasingly offered planning, zoning and tax benefits in return for the inclusion of some social or affordable housing in new developments. The current NSW Government's approach to planning and development is estimated to lead to a significant increase in mixed-tenure apartment developments in Sydney;
- (v) recent reporting from Guardian Australia highlighted an example of a poor door in the Watermanns Residence at Barangaroo, where affordable housing tenants are required to use a separate entrance from other residents, who pass through a grand glass foyer with a concierge desk;
- (vi) other examples have also been reported, in some cases imposed by developers or landlords, and in some cases negotiated by Community Housing Providers to facilitate those providers to reduce their costs (for example by avoiding high strata fees);
- (vii) locally and internationally, 'poor doors' have been recognised as harmful to lower income communities and to social cohesion; and
- (viii) strong public opposition to 'poor doors' led to rule changes by London and New York councils, aimed at ensuring tenants with different incomes were treated equitably. Both cities introducing planning requirements in favour of 'tenure-blind' design in developments, and restrictions on the physical segregation of tenants, including restricting or banning 'poor doors';

- (B) Council further note:
- (i) the City of Sydney's current policy requires that affordable rental dwellings are designed and constructed to a standard which, in the opinion of the City, is generally consistent with other dwellings the same building. That is, affordable social housing is not differentiated as affordable housing compared with the design of the other housing;
 - (ii) current Council requirements do not ban separate entrances or physical segregation for lower income tenants;
 - (iii) the City recently exhibited the Affordable Housing Contributions Review 2024 and related documents, which seek changes to the Sydney LEP 2012, Affordable Housing Program and other documents, to improve the way affordable housing is delivered within the Local Government Area;
 - (iv) changes being considered by Council include that the City will have more powers to require affordable housing to be built as part of private developments; and
 - (v) the review creates an opportunity to consider updates to the council's requirements around separate entrances and equitable access to common spaces and services in a building for people on low incomes;
- (C) Council in principle agree:
- (i) that low income tenants should not be physically segregated from other tenants in building developments; and
 - (ii) that Council planning and affordable housing rules should encourage equitable access to spaces and services, and encourage social connection between different kinds of tenants, especially those living in the same building or local community; and
- (D) the Chief Executive Officer be requested to:
- (i) provide advice to Council about how Council's existing affordable housing program and policies protect against tenure-based, physical segregation, including 'poor doors' or restricted access to common areas and building services;
 - (ii) seek feedback and input from Council's Housing for All Advisory Panel;
 - (iii) include collated advice in the report-back to Council with the final recommendations from the Affordable Housing Contributions Review;
 - (iv) if needed, provide advice about possible amendments to the Sydney LEP 2012, Affordable Housing Program and relevant documents, to ensure future affordable housing developments, facilitated by the City, are 'tenure blind' and facilitate all residents to have equitable access to areas within residential buildings; and
 - (v) refer this resolution, and any relevant later Council decisions, to Council's Design Advisory Panels and relevant Council staff who may be considering or assessing developments whose design proposes segregated entrances or services for lower income or affordable housing tenants.