

22 February 2024

Department of Planning, Housing and Infrastructure
GPO BOX 39
SYDNEY NSW 2001

Dear Sir/Madam,

City of Canada Bay Submission to the Explanation of Intended Effect: Changes to create low and mid-rise housing

This submission outlines the City of Canada Bay's (CCB) response to the *Explanation of Intended Effect: Changes to create low and mid-rise housing* (EIE) released by the Department of Planning, Housing and Infrastructure (DPHI).

The City of Canada Bay Council considered a report on the EIE at a meeting on 20 February 2024 and resolved:

1. *Council supports the intent of the package of changes from the NSW government to increase housing stock across NSW, however, Council views the Department of Planning Housing and Infrastructure (DPHI) implementation details with grave concern as they will substantially undermine Council's ongoing strategic program to deliver a significant increase of quality new dwellings across Canada Bay LGA.*
2. *Council calls upon the DPHI:*
 - a. *to work with local government to plan for low and mid-rise housing in the next iteration of the Region Plan, District Plan and LSPSs, in lieu of a metropolitan wide SEPP*
 - b. *to exclude heritage items and heritage conservation areas from the government changes to environmental planning instruments*
 - c. *to require all new development to provide affordable housing through an inclusionary zoning mechanism, where the affordable housing is dedicated to Council in perpetuity*
 - d. *to mandate that new development initiatives arising from government plans require a minimum of 25% deep soil for residential flat buildings and be supported by a tree canopy assessment to demonstrate how future development will achieve tree canopy targets.*
3. *Council write to the State Government:*
 - a. *offering to negotiate new housing targets to put the government's aims into practice, based on being allowed the flexibility to implement the most effective approaches for our LGA, and building upon extensive work already undertaken or currently in progress*

- b. *requesting ongoing briefings on how and where additional hospitals, primary and secondary schools, regional open space, and public transport will be provided to support the increased population arising from the low and medium rise reforms*
- c. *requesting that the DPHI commit to working with local government to plan and provide the public open space necessary to support the additional population arising from the low and mid-rise housing reforms, given the significant cost implications associated with land acquisition*
- d. *requesting that the DPHI commit to reviewing the development contribution framework to enable local government to adequately fund local infrastructure.*

Council also endorsed this submission for consideration and response by DPHI.

To form a baseline understanding of the EIE, CCB prepared the map at Figure 1, illustrating 400m and 800m distances from E1 Local Centre zones with a supermarket and 400m and 800m distances from MU1 Mixed Use zones, train and metro stations.

As illustrated in Figure 1, the majority of CCB is likely to be impacted by the proposed State Environmental Planning Policy (SEPP), with the likelihood that the character of established suburbs will be irrevocably altered over time.

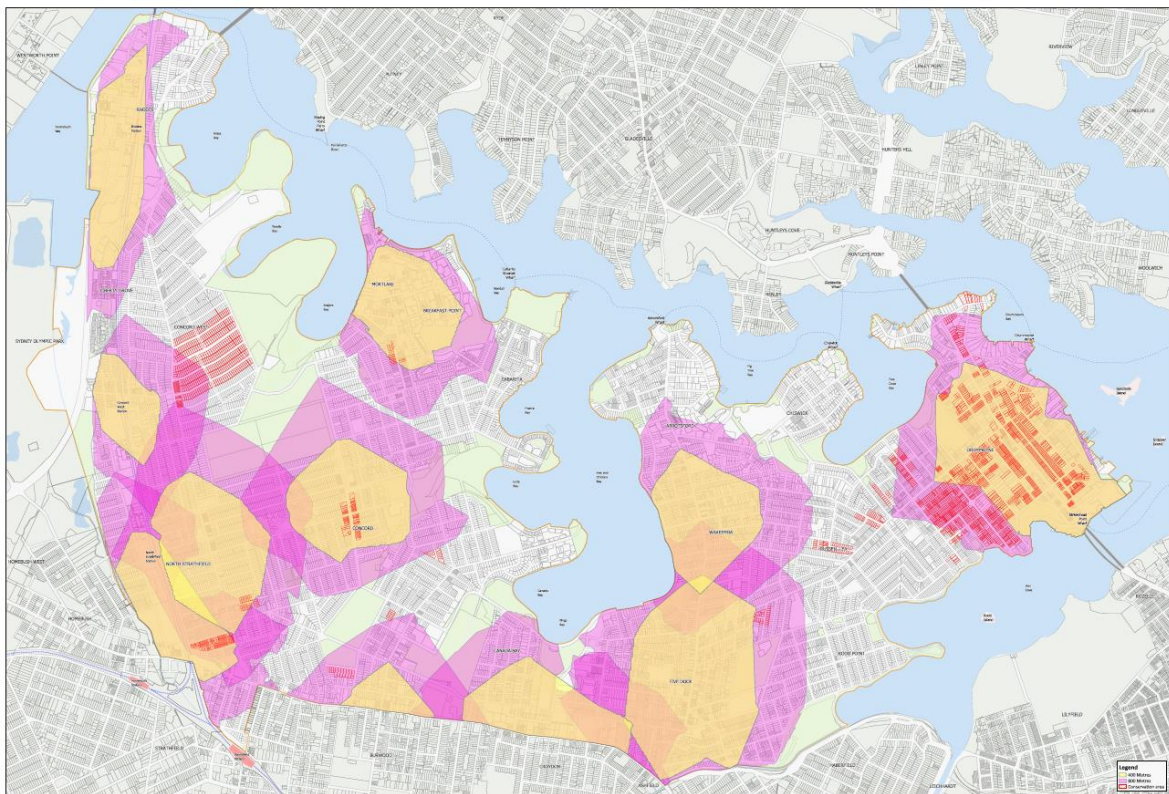


Figure 1. Canada Bay LGA: Indicative walk time maps 400m and 800m from MU1 Zones, selected E1 Zones, train and metro stations - with Heritage Conservation Area overlay.

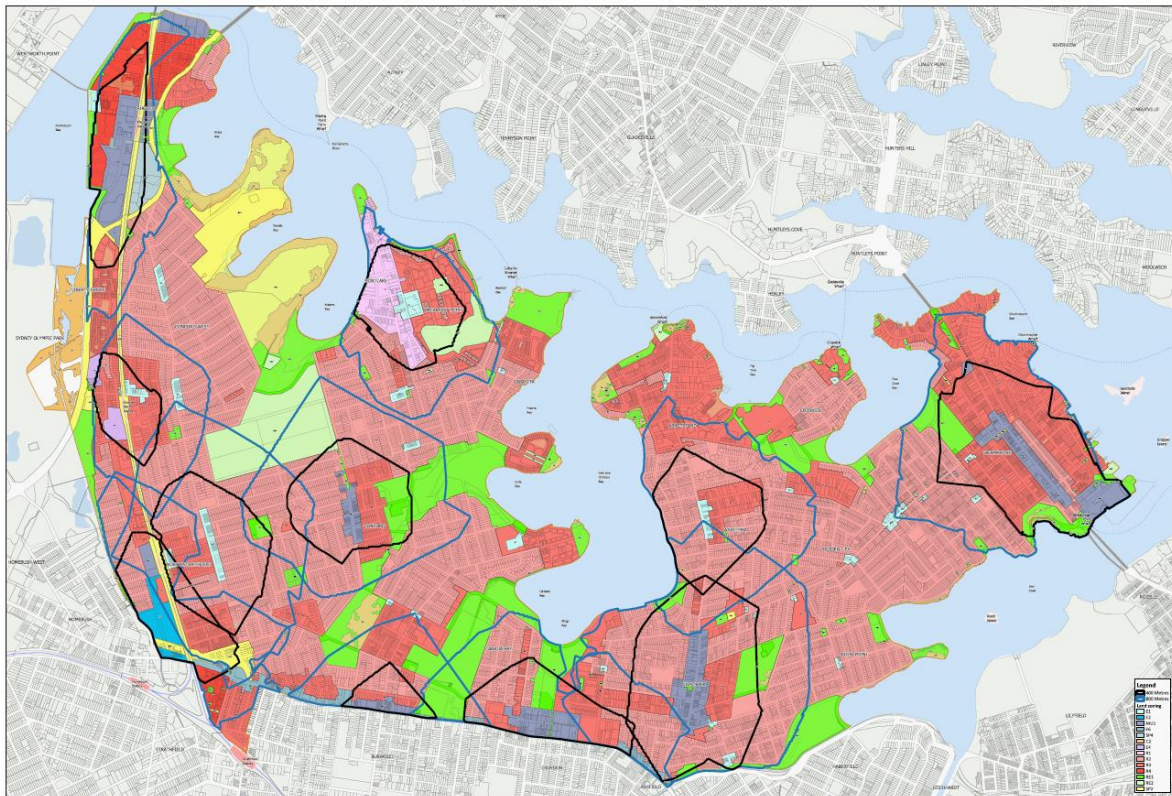


Figure 2. Canada Bay LGA: Indicative walk time maps 400m and 800m from MU1 Zones, selected E1 Zones, train and metro stations – with Zoning overlay.

General

The proposed reforms undermine strategic planning in New South Wales and erode the role of Local Strategic Planning Statements, Local Housing Strategies and Development Control Plans.

CCB has undertaken extensive engagement with the community on the desired future character of the Local Government Area with land use actions and priorities expressed in Council's adopted *Community Strategic Plan*, the *Canada Bay Local Strategic Planning Statement* (LSPS) endorsed by the former Greater Cities Commission, and the *Canada Bay Local Housing Strategy* (endorsed by the Department of Planning and Environment).

New housing in CCB has and continues to be delivered consistent with adopted strategies and in alignment with endorsed State Government strategies.

It is relevant to note that communities throughout CCB have been the subject of extensive development and land use change over the past 20 years. Between 2011-2021, CCB has delivered 7,000 new dwellings within a relatively small land area of 19 square kilometres constrained by foreshore peninsulas.

Strategic planning involving the preparation of the Region and District plans followed by planning at the local level through LSPSs, represents a preferred approach to deliver low- and mid-rise housing, in comparison to application of a metropolitan wide SEPP.

CCB is currently progressing several detailed masterplans, all of which have undergone at least one or more rounds of community and stakeholder consultation. These masterplans are

in-line with the intent of the NSW Government's proposed EIE, in achieving densities within walking distances of transport hubs, services and amenities.

CCB has also undertaken local studies in recent years to determine thresholds for encouraging the missing middle typologies including dual occupancies, manor houses, terraces and multi-dwelling housing. CCB planning controls permit these typologies throughout the LGA.

Recommendation 1: DPHI work with local government to plan for low and mid-rise housing in the next iteration of the Region Plan, District Plan and LSPSs, in lieu of a metropolitan wide SEPP.

Recommendation 2: Should the reforms progress, the NSW Government recognise significant precinct wide masterplans/studies undertaken and in progress within CCB; and work collaboratively with CCB to refine, improve, and determine parameters in any draft SEPP.

E1 Local Centre zones

Station and town centre precincts are defined in the EIE as including land within 800m walking distance of land zoned E1 Local Centre but only if the zone contains a wide range of frequently needed goods and services such as full-line supermarkets, shops and restaurants.

The City of Canada Bay has an extensive frontage to the foreshore of the Parramatta River and Sydney Harbour, resulting in a geography of numerous peninsulas and bays. Most peninsulas are not well serviced by public transport and vehicular traffic is forced to filter through local streets before reaching key intersections, which act as pinch points. The pinch points are characterised by traffic congestion and delay.

There are numerous E1 Local Centre Zones in the City of Canada Bay, with many comprising small groupings of neighbourhood shops. However, there are only three E1 Local Centre Zones in the City of Canada Bay that have a supermarket. Council has not identified any of these Local Centre zones as being suitable or appropriate for rezoning in any strategy or study. Permitting four to six storey apartment buildings, either within these small neighbourhood centres or within the vicinity of these centres is inconsistent with the existing and desired future character of these places.

It is requested that the Department give due consideration to the geography of the City of Canada Bay, the location and accessibility of Council's E1 Local Centres and the impact of traffic generated by development in peninsula locations and exclude the application of the SEPP to the E1 Local Centres in the City of Canada Bay.

Recommendation 3: The SEPP not apply to E1 Local Centres or their surrounds in the City of Canada Bay.

Conservation of Heritage listed places

Leading global cities protect their heritage. The EIE states that '*heritage and environmental considerations will continue to apply to the extent they are not inconsistent with these provisions*' (i.e. non-refusal development standards).

Applying this approach will result in heritage items and buildings in heritage conservation areas being demolished where the conservation of protected buildings and places is inconsistent with the construction of residential flat buildings, multi-dwelling housing, manor houses or dual occupancies facilitated by the SEPP.

Clause 5.10 Heritage Conservation in the *Standard Instrument for Local Environmental Plans* will be of no effect as the provisions of an LEP are overridden by SEPPs.

At a webinar hosted by the DPHI on 31 January 2024, it was suggested by Departmental Officers that heritage controls could apply in addition to provisions of the SEPP and that development could be considered 'on merit'. This position contradicts the EIE and would create inherent conflict between the non-refusal development standards of the SEPP and the policy position of conserving contributory buildings in a heritage conservation area.

The SEPP will have a significant and irreversible impact on heritage protected places and Council is not aware of any analysis of the impact of such a policy intervention on heritage items or on the integrity of heritage conservation areas (HCA). Numerous historical places of value to the community will be lost where the protection of a heritage listed place 'is inconsistent with the new standards'. This outcome is entirely inconsistent with 'Planning Direction 3.2 – Heritage Conservation' that requires the conservation of heritage places.

It is particularly concerning that the implications of the proposed Policy have not been adequately explained to communities in the information released by the Department of Planning and Environment to date.

Based on proximity to Stations, Mixed Use and Local Centres, the following heritage conservation areas will be impacted in CCB:

- Birkenhead and Dawson Estates Conservation Area
- Bourketown Conservation Area
- Drummoyne Avenue West Conservation Area
- Drummoyne Park Estate Conservation Area
- Creewood Street Conservation Area
- Gale Street Inter war Californian bungalow Group
- Gale Street Victoria Housing Group
- Majors Bay Road Conservation Area
- Marlborough and Tavistock Street Conservation Area
- Moore Street Conservation Area
- Mortlake Workers Housing Area
- Park Avenue Conservation Area
- Parklands Estate Conservation Area
- Powells Estate Conservation Area
- Salisbury Street Housing Group
- Thompson Street Conservation Area
- Victoria Road Retail Conservation Area
- Yaralla Estate Conservation Area

There are only five HCAs in CCB that are outside of 'station and town centre' catchments.

Three examples are provided below to illustrate the impact of the proposed SEPP on heritage conservation areas in the City of Canada Bay.

Example 1 – Bourketown Heritage Conservation Area

The Bourketown HCA is located to the west of the Drummoyne local centre, which is zoned MU1 Mixed Use (see Figures 2 and 3). The Bourketown HCA is of high value in reflecting the principal late Victorian and Federation period of development in Drummoyne. The street layout survives from the original Bourketown subdivision, one of the earliest subdivisions of the area.

This HCA is affected by the proposed SEPP and is partly zoned R3 Medium Density Residential and partly R2 Low Density Residential. The SEPP will permit 6 storey Residential Flat Buildings within that part of the HCA zoned R3 Medium Density Residential, which will fundamentally conflict with the character and scale of buildings that are characteristic of the HCA.



Example 2 - Yaralla Estate Heritage Conservation Area

The Yaralla Estate HCA is a 1920s precinct that is representative of Concord's major developmental period. It is one of the best preserved examples of Inter-War streetscapes in the Council area and includes some of the Sydney region's best examples and some outstanding rows of typical 1920s bungalows, for which Concord is noted. The Drive has special significance as the alignment of the original entry to the Walker family's Yaralla estate.

The Yaralla Estate HCA is zoned R2 Low Density Residential and under the provisions of the proposed SEPP, contributory buildings in the HCA may be demolished where their conservation is inconsistent with standards allowing the construction of dual occupancies, multi-dwelling housing (terraces), multi-dwelling housing and manor houses. Whilst the loss of contributory buildings in a HCA is an egregious outcome in and of itself, the scale and form of the replacement buildings permitted by the SEPP will further undermine the streetscape and integrity of HCA.

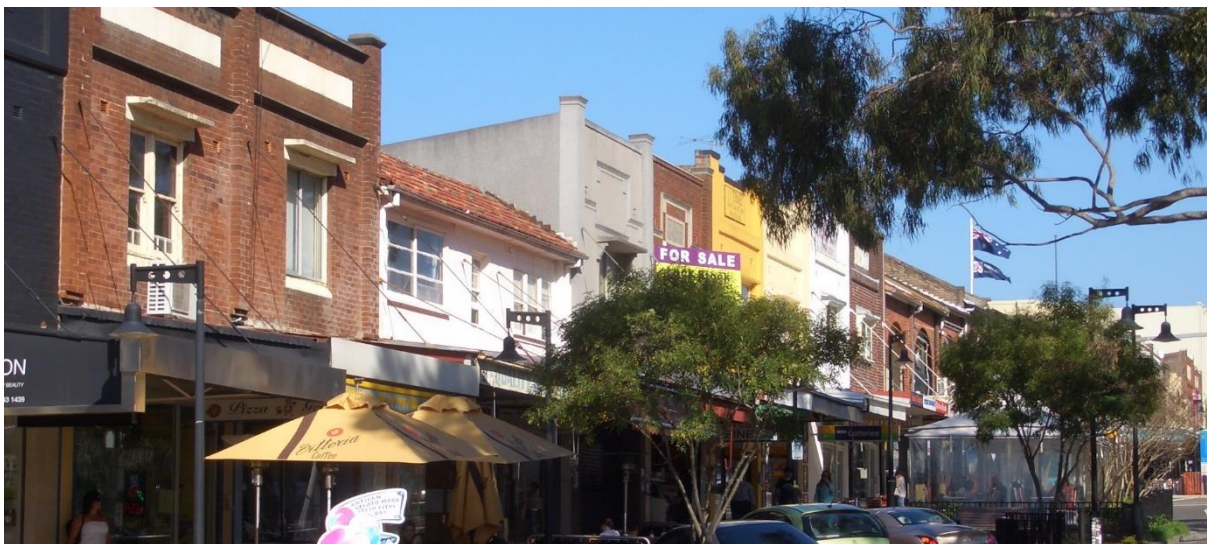


Example 3 - Majors Bay Road Heritage Conservation Area

The Majors Bay Road commercial precinct is dominated by Inter-War commercial buildings, where the consistent scale and rhythm of facades, and use of materials contributes to an attractive streetscape.

The Majors Bay Road HCA is zoned MU1 Mixed Use and accommodates a supermarket and businesses offering a variety of goods and services. The proposed SEPP will permit shop top housing to a height of six storeys.

As the conservation of heritage listed buildings will be inconsistent with the non-refusal standards in the SEPP, buildings that contribute to the streetscape and character of the centre will be lost.



Recommendation 4: Heritage items and Heritage Conservation Areas be excluded from the application of the SEPP.

Dual occupancies

The EIE seeks to permit dual occupancies in all R2 Low Density Residential zones across New South Wales.

Dual occupancies are already permissible in the R2 Low Density Residential Zone in the City of Canada Bay and have been the subject of a significant take-up over the past decade.

However, the EIE proposes a Floor Space Ratio (FSR) for dual occupancies that is substantially higher than the FSR permitted by the *Canada Bay Local Environmental Plan 2013* and will result in bulky buildings with reduced opportunity for landscaping and private open space.

The following table sets out standards that have proven to deliver good planning and urban design outcomes in CCB.

Dual Occupancy	EIE - Proposed	Canada Bay Current Controls / Recommended Controls for the proposed SEPP
Zone Permissibility	R2	R1, R2, R3
Maximum building height	9.5m	8.5m
Maximum FSR	0.65:1	0.5:1
Minimum site area	450m ²	450m ² (attached) 800m ² (detached)
Minimum lot width	12m	14m (attached) 17m (detached)
Minimum car parking	1 space per dwelling	1 space per dwelling

Recommendation 5: The maximum Floor Space Ratio for dual occupancies be reduced to 0.5:1.

Manor houses

The EIE will permit Manor houses in R2 Low Density Zones in station and town centre precincts. At present, Manor houses are limited to zones where multi-unit housing is permissible in CCB.

Should Manor houses be permitted in R2 Low Density Zones, it will be necessary to ensure that this typology is compatible with the scale of development typical in low density zones. It is recommended that the maximum height of Manor houses be reduced from 9.5m to 8.5m. This will ensure manor houses remain sympathetic to existing streetscapes, and do not lead to 3 storey buildings.

Similarly, the minimum lot width proposed is too narrow at only 12m. An increased lot width will enable adequate landscaping, deep soil, and tree canopy targets to be realised as well as sufficient area for waste storage.

In circumstances where Manor houses are permitted in the R2 Low Density Residential Zone, it is not appropriate for an unlimited number of apartments to be provided within the permitted building envelope. It is requested that the existing cap of 4 dwellings as outlined in the Codes SEPP be retained.

The following table sets out standards that have proven to deliver good planning and urban design outcomes in CCB.

Manor Houses	EIE - Proposed	Canada Bay Current Controls / Recommended Controls for the proposed SEPP
Zone Permissibility	R2 as per EIE	R1, R3
Maximum building height	9.5m	8.5m
Maximum FSR	0.8:1	0.7:1
Minimum site area	500m ²	600m ²
Minimum lot width	12m	18m
Minimum car parking	0.5 spaces per dwelling	Variable.

Recommendation 6: Manor houses be subject to a maximum building height of 8.5m and a minimum lot width of 18m.

Recommendation 7: Manor houses be limited to a maximum of 4 dwellings.

Multi dwelling housing (terraces) / multi dwelling housing

Under the proposed SEPP, multi-dwelling housing (terraces) will be permitted within R2 Low Density Residential zones. CCB currently permits multi-dwelling housing (terraces) in R1 General Residential, R3 Medium Density Residential and R4 High Density Residential zones.

The inclusion of this typology in the R2 Low Density Residential zone may be acceptable where these developments are located outside of Heritage Conservation Areas and are subject to appropriate development standards.

At present, a minimum site area of 600m² is required for multi dwelling housing (terraces) pursuant to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. The EIE proposes to reduce the minimum site area to 500m², which is too small to accommodate three terraces with each dwelling having a reasonable width and depth. It is recommended that the minimum site area for multi dwelling housing (terraces) be retained at 600m².

The *Canada Bay Local Environmental Plan 2013* recently introduced the following clause to guide the design of multi dwelling housing (terraces) with an appropriate built form:

Despite clause 4.3, development consent may be granted for development for the purposes of multi dwelling housing (terraces) on land to which this clause applies if the consent authority is satisfied that the development will not result in a building that—

- (a) exceeds 9m in height,
- (b) has a third storey or attic that includes habitable spaces other than bedrooms,
- (c) projects higher than an incline plane that—
 - (i) starts at the front building line at 7m above ground level (existing), and
 - (ii) extends upwards in the direction of the land's rear boundary at an angle of 45°,
- (d) projects higher than an incline plane that—
 - (i) starts at the rear building line at 7m above ground level (existing), and
 - (ii) extends upwards in the direction of the land's front boundary at an angle of 45°.

It is requested that the Department give consideration to the above clause when formulating the draft SEPP.

Multi dwelling housing & Multi dwelling housing (terraces)	EIE – Proposed	Canada Bay Current Controls / Recommended Controls for the proposed SEPP
Zone Permissibility	R2	R1, R3, R4
Maximum building height	9.5m	9.0m
Maximum FSR	0.7:1	0.7:1
Minimum site area	500m ² – multi dwelling housing (terraces) 600m ² – multi dwelling housing	R1 & R3 Zones - 600m ² R1 & R3 Zones – 600m ²
Minimum lot width	18m	18m
Minimum car parking	0.5 spaces per dwelling	Variable

Recommendation 8: The minimum site area for multi dwelling housing (terraces) be retained at 600m².

Recommendation 9: The Department impose standards to ensure that multi-dwelling housing (terraces) have an appropriate building envelope.

Residential flat buildings (RFBs) up to 6 storeys

The EIE indicates RFBs up to 6-storeys will be permissible in R3 Medium Density Residential zones within 400m walking distance of stations and town centres. Many of the R3 Medium Density Residential zones within the Canada Bay LGA aim to facilitate two-storey townhouses. Permitting four to six storey residential flat buildings in all R3 Medium Density Residential

zones near all locations identified as station town centres will result in apartments being constructed in locations that were never intended to accommodate the density or scale of development proposed.

The EIE does not specify a minimum lot size or minimum frontage requirements for RFBs, with development instead being considered on merit. Lot size and frontage standards ensure future development is able to satisfy building separation and landscaping requirements, as well as provision of quality common open space. CCB requests a minimum lot size of 800m² and a minimum frontage of 20m be imposed on RFBs to ensure adequate building separation and common area provision. A minimum percentage of the site area should be reserved for grassed common area and designated shaded play space.

The proposed SEPP will permit a maximum height of 21m and a Floor Space Ratio (FSR) of 3.0:1 for RFBs. Both Council Officers and Council's independent Urban Designer are not aware of any RFB that has a height of 6 storeys and setbacks to the front, side and rear boundaries that achieve an FSR of 3.0:1. Council is able to provide examples to the Department of six storey buildings that achieve an FSR of 1.5:1 and examples of 6 to 7 storey mixed use buildings that have nil setbacks to their front, side and rear boundaries that achieve an FSR of less than 3.0:1.

Based on these precedents, an FSR of 3.0:1 is deemed to be too high for a six storey RFB typology with landscaped setbacks to boundaries or a shop top housing development with nil setbacks to boundaries.

Setting the FSR too high will also create unrealistic expectations in relation to the reasonable development capacity of a site and it is recommended that the proposed FSRs be reduced.

Residential flat buildings	EIE – Station and town centre precincts	Canada Bay Current Controls: RFBs (other than manor houses)
Zone Permissibility	R3 as per EIE	R1, R3, R4
Maximum building height	Within 400m - 21m 400 to 800m – 16m	Variable
Maximum FSR	Within 400m - 3.0:1 400 to 800m – 2.0:1	Approx 1.5:1
Minimum site area	-	R1, R3 - 800m ² R4 - 1500m ²
Minimum lot width	-	20m
Minimum car parking	Not stated	Variable

Recommendation 10: The maximum Floor Space Ratio for Residential Flat Buildings and Shop top housing within 400m of stations/centres (6 storeys) be reduced to 2.0:1.

Recommendation 11: The maximum Floor Space Ratio for Residential Flat Buildings within 400 to 800m of stations/centres (4 storeys) be reduced to 1.25:1.

Definition of supermarkets

The terminology of 'full line supermarket' is a major consideration in the application of the proposed SEPP. A clear definition of what constitutes a 'full line supermarket' is necessary for the consistent application of the SEPP and to ensure that development has access to the required services and amenities. It is noted that the Australian Competition and Consumer Commission has previously defined a full-line supermarket as a supermarket containing at least 2,500sqm of retail Gross Floor Area (excluding loading docks and storage etc) with a full range of goods including packaged groceries, fresh meat, bakery and deli departments, fresh fruit and vegetables and frozen foods.

Major supermarket operators regularly engage CCB in discussions about new supermarkets across the LGA. Concern is raised that where a new supermarket is constructed, an area within 800m of the new supermarket will become eligible for residential flat buildings and other development types permitted under the proposed SEPP. To limit the impact of ad-hoc development, it is recommended the draft SEPP map specific centres and station locations that will be subject to the proposed controls.

Recommendation 12: The SEPP define 'full line supermarket' as a supermarket containing at least 2,500sqm of retail Gross Floor Area (excluding loading docks and storage etc).

Recommendation 13: The station and town centre locations that will be subject to the proposed SEPP be mapped.

Affordable Housing Bonus (AHB)

The application of the recently implemented in-fill affordable housing bonus of the Housing SEPP will have a profound effect on the scale and height of development facilitated by the proposed SEPP. It is unclear whether this has been taken into consideration in the formulation of the proposed heights and FSRs.

It is recommended that the affordable housing bonus only apply to residential flat buildings facilitated by the SEPP and not dual occupancies, multi dwelling housing or manor houses.

Recommendation 14: The Infill affordable housing bonus permitted by State Environmental Planning Policy (Housing) only apply to residential flat buildings facilitated by the proposed SEPP and not multi dwelling housing, multi dwelling housing (terraces), manor houses or dual occupancies.

Amenity & Design controls

Should the proposed SEPP proceed, it is important that controls are implemented to provide a high level of amenity for the occupants of future buildings.

Housing diversity is an important consideration in the provision of housing diversity yet has been seemingly overlooked. It would be beneficial to specify a minimum percentage of studio/one bedroom and three bedroom family sized apartments to be integrated into every new Residential Flat Building. Clause 6.11 of the Canada Bay LEP provides an example of how such a requirement can be drafted for inclusion in the SEPP.

The Apartment Design Guide requires only 7% site area to be dedicated to deep soil, but acknowledges that larger sites should provide a larger percentage of up to 15%. The City of Canada Bay is seeking to increase tree canopy cover to meet the State Government's target of 40%. This outcome will only be achievable where private, as well as public land has the capacity to support mature shade trees. It is recommended that a minimum of 25% deep soil be required on all sites accommodating a residential flat building under the proposed SEPP.

Similarly, the proposed tree planting rates for all development types are insufficient for Council to arrest the decline in tree canopy and achieve NSW Government tree canopy targets.

Significant concern is raised with proposed amendments to the building separation requirements of the Apartment Design Guide. A reduction in building separation will have a serious effect on sunlight access to apartments.

The reforms should reference and adhere to the design Guidance prepared by the NSW Government Architect, including Better Placed, Greener Places and Connecting with Country. The reform as communicated in the EIE will not realise the intent of these documents in creating places with good quality design and amenity.

Recommendation 15: The SEPP encourage apartment diversity by mandating a minimum percentage of studio/one bedroom and three bedroom apartments.

Recommendation 16: The SEPP mandate a minimum of 25% deep soil for residential flat buildings.

Recommendation 17: The proposed tree planting rates for all development types be increased.

Recommendation 18: The building separation requirements of the Apartment Design Guide remain unchanged to enable adequate sunlight access to apartments.

Recommendation 19: Development standards or design guidance incorporate the principles and outcomes outlined in Better Placed, Greener Places and Connecting with Country.

Natural Hazards

The City of Canada Bay has prepared a number of flood studies that identify flood prone land.

In accordance with 'Local Planning Direction 4.1 – Flooding', a planning proposal must not permit a significant increase in the development and/or dwelling density of land in a flood planning area.

The planning system should ensure that people and property are not placed at risk and the SEPP should not apply to Flood Planning Areas.

Recommendation 20: The SEPP should not apply to Flood Planning Areas.

Walking distance methodology

The EIE defines station and town centre precincts as land within walking distance of certain zones and services. A consistent approach will be required to determine whether a site is located within walking distance catchments. It is recommended that a standardised mapping tool be created and made available on the NSW Spatial Viewer. This will enable applicants and consent authorities to make decisions based on a consistent methodology.

Any mapping tool should also clearly articulate that only sites that fall entirely within the 400m or 800m walking catchments are eligible for the development types outlined in the EIE.

Recommendation 21: A standardised mapping layer or tool be prepared by the Department and made available on the NSW Spatial Viewer to illustrate walking catchments.

Waste Management

Changes to requirements for access to basements may result in new residential development not integrating with Councils standard waste service as well as waste management systems that are poorly designed and do not maximise resource recovery. If these changes are implemented without individual consideration of each council's contracted waste collection service, there is significant risk that new development will not have access to the effective and efficient collection of waste and recycling.

City of Canada Bay Council provides a domestic waste service to all domestic rate payers and that service is provided based on the building type and the surrounding infrastructure.

Single unit dwellings are serviced from kerbside.

Multi-unit developments with up to 20 or less dwellings may be provided with a collect and return service. This service may be provided if sufficient space is available for the collection vehicle to stand at a designated kerbside collection point, parallel to the kerbside for the required time to collect the waste.

Any development of over 20 dwellings that is not eligible for 'presentation to kerb' or 'collect and return' must facilitate on-site collection for Council's Waste Contractor where the Heavy Rigid 12.5m collection vehicle enters the property and services the development within the property boundary from a designated loading area. Developments of over 20 dwellings are provided with bulk waste services in the form of 660L or 1100L mobile garbage bins and must be serviced from the basement of the building to avoid excessive handling and visual pollution.

We would ask that any changes to vehicle access to basements be predicated on the number of dwellings rather than the number of storeys in a development as the number of dwellings is dependent on the footprint not the height.

We would also ask that the Department consider the EPA 'Better Practice Guide for Resource Recovery in Residential Developments' to avoid impacting the amenity of local areas.

Recommendation 22: Vehicle access to basements be predicated on the number of dwellings rather than the number of storeys.

Recommendation 23: The Department ensure the EPAs 'Better Practice Guide for Resource Recovery in Residential Development' is followed.

Infrastructure

The scope and extent of the low and mid rise reforms will generate significant interest from the development industry resulting in additional market housing. This housing will generate a demand for infrastructure that is not planned or assumed by local or state governments. It should be acknowledged that more people than planned will be living in established suburbs and this will require a commensurate increase in infrastructure spending by government.

Particular concern is raised with respect to public open space. Access to public open space is not equitable throughout CCB, with various suburbs not being located within convenient walking distance of parks and playgrounds. By focusing on access to transport and services alone, the reforms will create an outcome whereby certain new communities will not have access to adequate public open space.

It is necessary for the NSW Government to work with local government to identify the local infrastructure that is necessary to support increases in population prior to permitting an increase in density, noting that the cost of acquiring land for public purposes will be prohibitive due to increasing land values versus the income received from development contributions.

The Department should also acknowledge that there is a significant gap between the cost to deliver local infrastructure and the ability for works arising from population growth to be funded by local infrastructure contribution plans. This gap, if left unaddressed, will lead to new populations being inadequately serviced by necessary infrastructure.

Recommendation 24: The State Government communicate how and where additional hospitals, primary and secondary schools, regional open space, and public transport will be provided to support the increased population arising from the low and medium rise reforms.

Recommendation 25: The Department commit to working with local government to plan and provide the public open space necessary to support the additional population arising from the low and mid-rise housing reforms, given the significant cost implications associated with land acquisition.

Recommendation 26: The Department commit to reviewing the development contribution framework to enable local government to adequately fund local infrastructure.

It is requested that DPHI undertake to exhibit any draft SEPP instrument prior to finalisation.

Should you require further information in relation to this submission, please contact Paul Dewar, Manager Strategic Planning on 9911 6402 or paul.dewar@canadabay.nsw.gov.au.

Yours Sincerely,



Monica Cologna
Director, Environment and Planning