

**Submission
No 79**

INQUIRY INTO DEVELOPMENT OF THE TRANSPORT ORIENTED DEVELOPMENT PROGRAM

Organisation: Haberfield Association Inc

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Submission to the Legislative Council Inquiry into the development of the Transport Oriented Development draft State policy.

The Haberfield Association (**Association**) expresses its concerns about the Transport Oriented Development (**TOD**) SEPP. As described further below, the concerns relate to (amongst other things):

1. The overly simplistic nature of the policy approach
2. A lack of consultation with affected communities
3. The lack of enabling infrastructure
4. Heritage impact.

These concerns are magnified by the cumulative impact of the TOD SEPP with the proposed Diverse and Well Located Homes SEPP (**DWLH Proposal**).

For the reasons set out below, the Association's submission is that TOD SEPP and the DWLH Proposal should not apply to Heritage Conservation Areas (**HCA**s) like Haberfield and that this should be reflected in any legislation that implements those proposals or any version of them.

We note that the Association has previously endorsed the Inner West Council officers' draft submission in objection to the TOD and the DWLH Proposal.

1. Simplistic Policy Approach

The Association recognises that, as a concept, transport oriented development is consistent with good planning principles. However, proximity to transport is just one of a number of considerations that need to be balanced when implementing zoning changes or assessing development. This is especially the case in historical, in-fill development areas like the Inner West LGA in Sydney, which have existing infrastructure, built form and heritage overlays that need to be considered.

The policy approach underlying the TOD SEPP is to apply uniform up-zoning across geographical areas based solely on proximity to certain rail stations. This is simplistic, ignores current local government plans and proposals, and, has the effect of circumventing the proper balancing of factors that occurs as part of a robust local planning process. In the Association's view this is a short-sighted approach that will lead to poor planning outcomes and a range of negative externalities.

The Association notes that the NSW Government has stated that the policy approach underlying the TOD SEPP (and the DWLH Proposal) is necessary to improve housing affordability.

The Association recognises housing affordability as an important national policy challenge that requires a strategic policy response taking into account both supply and demand side factors. However, the Association submits that the simplistic blanket up-zoning of existing suburban areas is unlikely to be effective (and certainly not optimal) in achieving improvements in affordability. A broader, more considered and more targeted policy response is required.

The NSW Government has not provided suitable strategic town planning, economic and financial modelling that would ensure the TOD and DWPH proposals will lead to the successful delivery of the 355,000 dwellings by 2029, and a total of 550,000 dwellings by 2042.

The NSW Government has not indicated the sources of funding for the new dwellings. The proposal is silent on the total cost of the dwellings, who will pay and who will benefit from the construction and sale.

2. Lack of consultation

The Association is concerned about the lack of consultation with community organisations such as the Association in the preparation of the TOD SEPP (and the DWLH Proposal).

The Association notes:

- the scant opportunities afforded to citizens, concerned Associations for review and input after their release;
- the apparent neglect of the impact of the changes on Heritage Conservation Areas;
- the failure by Government to release key analyses and modelling related to the selection of the precincts included in the TOD SEPP; and
- that many members of our community have informed us that they are still not clear what the impact of the TOD SEPP (or the DWLH Proposal) will be, or how it will be implemented, or why it is said to be necessary, even though it will potentially have a drastic impact on the community.
- the confusion created by NSW Government ministers on how the proposals will be applied.

The Association calls for steps to be taken to increase community awareness and engage in meaningful community consultation before any amendments to the SEPP become law.

3. Lack of enabling infrastructure

The TOD SEPP is proposed to apply to a number of inner west suburbs including Ashfield, Croydon and Marrickville. In addition, as we understand it, the DWLH Proposal is intended to apply across the Inner West LGA.

The Inner West LGA does not have the infrastructure required to support the up-zoning that is contemplated and there is no evidence of a costed plan to deliver that infrastructure.

To take a single example, the two public primary schools in Haberfield are over capacity with extended wait lists, with Haberfield Public nearing 800 students. Nearby Ashfield, Summer Hill and Kegworth primary schools are also well over capacity for their sites. The material increase in population contemplated by the TOD SEPP and the DWLH Proposal will necessitate the construction of additional school facilities. The same applies to health care, transport and other public services (water, sewage and power).

The Association's concern is that the cost of this infrastructure, and/or the adverse impact on residents if it is not delivered, is not adequately or satisfactorily considered.

4. Irreversible heritage impacts

The policy approach underlying the TODD SEPP and the DWLH Proposal will have a devastating impact on heritage precincts that, if it is permitted to occur, will be deeply felt today and deeply regretted in hindsight.

In particular, the intent appears to be to override existing heritage controls to enable the permitted developments under TODD SEPP and the DWLH Proposal. If that is not the intent then the way in which the so-called non-refusal standards, as yet not published, are to interact with heritage controls has not been made clear by the NSW Government.

In the case of Haberfield in particular, the current controls in the Haberfield HCA do not contemplate any of the proposed forms of development under the TODD SEPP or the DWLH Proposal (aside from single storey dual occupancy development). As a result, it is not possible to implement the developments that are required to be permitted under the TODD SEPP or the DWLH Proposal without fundamentally undermining the Haberfield HCA and the current Development Control Plan.

The Garden Suburb of Haberfield stands as an irreplaceable testament to the visionary ideals of urban planning at the turn of the twentieth century. Its significance in Australian town planning history cannot be overstated. If the heritage of Haberfield were to be lost, it would be an irreparable loss, vanishing forever from the tapestry of our cultural landscape.

Haberfield was not merely a response to urban sprawl; it was a deliberate and comprehensive solution, meticulously planned to address the social, economic, and aesthetic challenges of rapid urbanisation. Marketed as a haven devoid of slums and congestion, it embodied the ideals of the international Garden City movement, setting a standard for urban design that reverberates to this day.

The architectural and spatial layout of Haberfield, with its distinct separation of land uses and cohesive urban fabric, is a testament to the foresight and ingenuity of its planners. From its commercial core adorned with Federation-style buildings to its residential streets adorned with meticulously crafted period houses, every element was carefully curated to create a harmonious living environment.

Permitting two storey multiple dwelling developments would undermine the fabric and integrity of the HCA, which is based on a single storey appearance. The TOD and DWPH SEPPs are wholly incompatible with the streetscape and appearance of the HCA. Introducing them would be extremely detrimental to the current characteristics and coherence of the neighbourhood.

Haberfield is a formally designed and planned suburban living environment that is integral to understanding the development of Australia. The landscape significance of Haberfield is encapsulated by four principal elements:

- A. The extant street pattern of the suburb's original layout;
- B. The extant residential allotment proportions developed in Haberfield's original layout that ensure space and spatial rhythm between built forms;

- C. Remnant hard and soft garden fabric from original residential garden layouts, and historical plantings in those gardens; and
- D. Street tree plantings from the first phase of the suburb's development.

Haberfield's heritage predates international exemplars like Letchworth and Hampstead Garden Suburb, making it a trailblazer in shaping Australia's urban landscape. Its association with figures like Richard Stanton and Dr. David Ramsay further enriches its historical tapestry, underscoring its status as a cultural icon.

The suburb's landscape and architectural features, meticulously designed to foster aesthetic coherence and functional harmony, are a testament to the values of craftsmanship and attention to detail. If Haberfield's heritage were allowed to slip away, the loss would extend beyond mere buildings and streets; it would erase a vital chapter in our urban history, a chapter that cannot be rewritten once lost.

Furthermore, the community engagement and cultural diversity that characterize Haberfield are invaluable assets that must be preserved. From the advocacy of the Haberfield Association to the vibrant Italian cultural influence along Ramsay Street, these elements contribute to the suburb's unique identity and enrich the social fabric of New South Wales.

The preservation of Haberfield's heritage is not just a matter of nostalgia or sentimentality; it is a matter of safeguarding our collective memory and identity. If we allow it to be lost, we lose a piece of ourselves, a piece that can never be recovered. Haberfield's heritage is not just a relic of the past; it is a living legacy that deserves our utmost protection and stewardship for generations to come.

Recommendations

The Haberfield Association calls on the NSW Government to modify the policy approach underlying the TOD SEPP and the DWLH Proposal generally, and its interaction with heritage conservation areas, with the aim of achieving a more effective and nuanced response to the challenges posed by the housing shortage and affordability.

The Association recommends that the TOD SEPP and the DWLH Proposal should not apply to HCAs like Haberfield and that this protection of heritage should be reflected in any legislation that implements those proposals or any version of them.

Ronald Brown
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