

**Submission
No 91**

INQUIRY INTO DEVELOPMENT OF THE TRANSPORT ORIENTED DEVELOPMENT PROGRAM

Organisation: Save Marrickville Resident Group

Date Received: 26 March 2024

SAVE MARRICKVILLE

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26 March 2024

Please consider this submission by Save Marrickville resident group regarding the proposed Transport Oriented Development program.

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Submission: Transport Oriented Development

Save Marrickville is a group of residents taking positive action to ensure the growth of our suburb is planned properly for our community, the environment and future residents. The key objectives of Save Marrickville include:

- No overdevelopment
- No high rise greater than five storeys
- Sympathetic, well-designed development and density
- Appropriate and considered transition points
- Preservation of heritage and local character
- Preservation of industrial and employment lands
- Appropriate infrastructure identified and implemented before rezoning
- Affordable housing
- Promotion and preservation of natural assets and local environment
- Planning control to stay with Council.

Save Marrickville welcomes the opportunity to provide feedback on the Transport Oriented Development (TOD) and also the Diverse and Well-Located Homes (DWLH) proposals.

While acknowledging the pressing need for increased housing supply and improved accessibility to quality affordable housing, as well as the urgent requirement for public housing and a shift towards urban infill over greenfield developments, it is our firm belief that the current Transit-Oriented Development (TOD) and the DWLH proposals are not the most effective solution to address the housing crisis and may, in fact, exacerbate the situation.

We express strong opposition to the outlined plans for several key reasons. The blanket application of standardised strategies across the Lower Hunter-Newcastle to the Illawarra-

Shoalhaven, from Sydney and Richmond is oversimplified and lacks empirical support. A strong evidence base and justification is required when Council amends development standards in their LEP. Councils are required to complete urban design studies, flood studies, fire risk studies, traffic projections, heritage, amenity and character studies, contamination studies, environmental impact studies and seek concurrence with airport and aviation authorities and with State infrastructure agencies such as Sydney Water, Ausgrid and Transport for NSW to provide the confidence that development under the standards is achievable. The TOD and DWLH, without this due diligence are unlikely to yield favourable outcomes. In The Netherlands, developers must prove that the existing infrastructure would support new development before the development can be considered. It is time that such conditions were introduced in NSW.

The indiscriminate delineation of 400 and 800-metre circles around railway stations and town centres does not reflect sound urban planning principles. Critical factors such as topography, historical significance, flood vulnerability, areas with aircraft noise issues and existing street layouts must be carefully evaluated in the planning process. These proposals seem tailored to benefit developers, investors, and large property holders, rather than prioritising the needs of the community.

Placing excessive reliance on developers to solve the housing crisis through market-driven approaches that prioritise profit maximisation over community well-being is misguided. Proposed alterations to building regulations and standards, aimed at enhancing developers' financial gain, are likely to compromise the quality of life, devalue the amenity and degrade the heritage and character of many suburbs.

Removing the Councils from the decision-making process, bypassing the Local Environment Plan (LEP) and Development Control Plan (DCP), releasing documents on December 23 with no community consultation for the TOD is deemed undemocratic and unacceptable. This move involves stripping councils of development controls, altering height and Floor Space Ratios (FSRs), and implementing a "consent permissibility" condition, along with the absence of a minimum block size requirement and a range of "non-refusal development standards," signifying a significant departure from current policy.

The proposed plans lack specific mechanisms or safeguards to achieve the purported objectives of enhancing housing supply, affordability, diversity, choice, and fostering vibrant local communities, with potential adverse effects in some instances. These proposals will burden councils with additional infrastructure costs and the question needs to be asked "Who will pay for all the additional infrastructure needed?" We strongly recommend the removal of the local infrastructure contributions cap to ensure the real cost of providing required infrastructure is captured.

The proposals have not demonstrated strategic merit against NSW Government's own statutory planning framework and policies, and it is recommended that the Department of Planning, Housing and Infrastructure work with councils to realise housing opportunities in a way that benefits the existing and future communities and achieve the best possible outcomes.

These proposals are inconsistent with the NSW Government commitment made in The National Housing Accord to "working with local governments to deliver planning and land use reforms". The Government should fulfil its commitment by working with Councils to develop planning and land use that will reliably and efficiently deliver housing supply.

While there is no compulsory acquisition, residents may find it impossible to remain in their single-storey homes if neighbouring properties are sold and replaced with six to eight-storey blocks. The uncertainty surrounding the proposals has caused distress, as residents grapple with the prospect of difficult negotiations with their neighbours and developers when selling their homes and uncertainties about where they will be able to live in the future. The developers are already active and applying some pressure on households closer to the station. These pressures can divide neighbourhoods and communities.

Once homes are sold, where will these displaced individuals and families go? How will families with multiple children relocate when developers prioritise constructing one or two-bedroom units? Many families have already departed Marrickville due to rising property values and the associated challenges with urban gentrification, including traffic congestion and parking difficulties.

Density could be effectively implemented, but it is essential that the State Government collaborate with councils and residents to achieve successful urban design through targeted strategies.

Impact on the Inner West

The proposed initiatives are expected to have a significant impact on 75 to 80% of the Inner West Local Government Area, leading to a notable decline in its character, heritage, amenity, and overall quality of life. Currently, the Inner West boasts a diverse mix of housing options, with only 27% of the area consisting of detached houses, 41% medium density, and 30% high-rise buildings.

The Inner West has consistently met or surpassed housing targets, with numerous approved development applications waiting to be expedited to address the growing demand. Specific locations, such as the Victoria Rd precinct in Marrickville featuring many 11-storey apartment blocks, Station St with an eight-storey Boarding House, and Illawarra Rd with six-storey Serviced Apartments, to name a few. These and many others across the LGA should be completed before considering TOD and DWLH.

There is a lack of defined population or housing targets, as well as uncertainty regarding circular distance zones. Council's analysis infers that housing targets are likely to be more than triple which is unacceptable and unsustainable.

Housing such as seniors, co-living, secondary dwellings, and boarding houses should be counted towards Council's dwelling targets as they are currently not. The application of the proposals in the Parramatta Road Corridor overrides Inner West Council's well progressed Stage 1 Implementation Planning Proposal. We believe that these State led proposals are too much, too fast, lack evidence and testing and will result in a significant degradation of the Inner West.

Affordable Housing

The proposals lack a guarantee to enhance the affordability of purchasing or renting properties, as they only include a 2% requirement for affordable rentals near stations and do not clearly outline mandates in the DWLH. It is alarming that the destruction of various boarding houses, group homes, older units, houses, and shop-top housing, which currently offer lower rental rates, will

result in the loss of existing affordable housing. These plans may force many more individuals out of their current residences and communities and onto the streets. An immediate audit of Boarding House dwelling numbers in targeted areas, particularly in the Inner West, where the second largest number of boarding house studios in the state can be found (second only to the City of Sydney), is essential to prevent any overall decrease.

The issue of housing affordability for property purchase is intricate and originates from various factors, such as the tax incentives that fuel the speculative housing market, the government's neglect of constructing public housing in the last three decades, for example, not just limited supply.

Housing Supply and Cost

We must realistically address the misconception that an increase in supply will lead to lower prices. These measures are unlikely to drive down the prices of houses or units. Take the suburb of Zetland, for instance, which saw a staggering 2,700% surge in housing supply over two decades. Despite this, the current median house price stands at \$2,145,000, with a 2-bed unit priced at \$1,005,000 (data from realestate.com.au, 2017). Similarly, a rise in supply due to apartment developments in Marrickville has resulted in elevated prices across the board for houses, units, and rentals.

There is nothing in the proposal that guarantees increased and more speedy supply, in fact, it is highly unlikely the supply objectives will be realised. The TOD documents confirm this, estimating that only about 10% of housing targets will be met in the first five years.

City of Sydney Council warns that the proposals will lead to conflict and appeals and slow down the delivery of housing and lead to poor urban outcomes for communities.

Constraints

The uniform proposal spanning from the Lower Hunter-Newcastle to Illawarra-Shoalhaven, which by-passes place-based planning, is overly simplistic and unlikely to succeed. In the Inner West area, there are numerous challenges to contend with, such as a high percentage of small lots (60% are less than 300 m²), a densely packed urban layout with narrow streets, aircraft obstruction concerns, elevated aircraft noise levels in various regions, traffic congestion, parking shortages, issues with urban heat islands, inadequate heritage protection, biodiversity depletion, limited open spaces and sporting facilities, strained utilities like wastewater systems, insufficient infrastructure for health and education services, flooding risks in swamp and wetland areas, contaminated soils from past industrial activities, and the need to address climate change impacts like rising sea levels and increased tidal surges. It is essential to consider all these factors for future urban development.

Heritage Loss Concerns

A Save Marrickville survey in 2018 of local residents, showed that heritage, including the architecture, is very important to them. Most residents approve of development that respects heritage and mixes old with new architecture, such as repurposing existing structures in new developments. However, the DWLH proposal assumes that housing and heritage cannot coexist.

This raises concerns about the potentially harmful impacts on heritage areas in suburbs like The Rocks, Paddington, Elizabeth Bay, Roseville, Haberfield, Summer Hill, Hurlstone Park, and Croydon. The claim that "heritage controls will continue to apply where they are not inconsistent with the proposals" is misleading, suggesting that heritage controls can be ignored. The proposed approach lacks proper consideration for existing architectural landscapes, long-standing heritage values, and urban design regulations.

These propositions pose a significant threat to heritage preservation, comparable to the controversial actions of the NSW Askin Government from 1965-75, known for its corrupt dealings with developers.

An assessment of responses from 255 submissions for the Sydenham to Bankstown Urban renewal Proposal in 2017 indicated that residents truly value heritage - "Character and Heritage Loss" and "Need to Retain Historical Houses" receiving 256 mentions. Two hundred and forty submissions objected to the proposal. Many submissions accepted that there would be revitalisation, however asked for "considered planning" and "renewal to respect character". They expressed a "desire to get development right", a "desire for good urban development", and to see a "proposition that embraces intelligent, visionary, planning on a human scale that enhances the quality of living, improves our environment, encourages connectedness and community". We are sure that had communities been consulted they would have expressed very similar viewpoints.

All Heritage Conservation Areas (HCAs) ought to be exempt from generic planning approaches, and Heritage assessments should be considered in historic precincts where incomplete, such as in Marrickville and Canterbury-Bankstown. Existing heritage protections must be upheld. Manor houses, terraces and six-storey units will not be suitable in all zoned areas. While addressing the housing crisis is crucial, a single, poorly executed development in a heritage area can undermine its cultural and historical significance for present and future generations.

Concern for varied Apartment Design Standards

Developers consistently strive to exceed boundaries in terms of building heights and floor space ratios, six storeys next to single storeyed houses is not acceptable and nor is the proposed increased FSR. The proposed modifications to the Apartment Design Guide for mid-rise housing, including increased heights, reduced setbacks, reduced building separations, landscaping, and tree and deep soil coverage and removal of the requirement for basements to accommodate waste vehicles are not supported.

Design excellence should involve transitioning to single-storey residences limited to a maximum of three stories, a standard that appears to have been disregarded in recent State Planning Proposals. Crucial factors like overshadowing, light loss, and privacy infringements must be integral considerations in exceptional design, which seem to have been neglected in the proposed planning changes. The planned tree coverage and landscaping fail to meet the essential criteria. The mandate of 15% land coverage for mid-rise housing implies that 85% of the site could be covered with impermeable surfaces, contributing to urban heat island effects. The requirement for deep soil areas should be increased to 30% to mitigate these issues.

Poor quality developments, with expensive structural and maintenance issues are common where local planning controls have been relaxed. "Mascot Towers", "Opal Tower" in Homebush and

Toplace “Vicinity” in Canterbury come to mind. Instances of residents encountering challenges with new constructions of various scales are not uncommon. Tales of individuals battling developers for over a decade to rectify significant building flaws in their buildings or being left with structurally compromised properties due to developer bankruptcy or relocation, are prevalent. Strict adherence to Apartment Design standards and rigorous certification processes are essential.

Permissibility and non-refusal standards must not be implemented until local infrastructure plans are updated and in place.

Diverse Floor Space Ratios

Numerous new boarding house studios, such as the compact Nightingale Teilhouse apartments on Illawarra Rd, Marrickville, are extremely cramped. While these units may be cost-effective for developers, they compromise residents' comfort and liveability. Such spaces are unsuitable for families or individuals reliant on cars for transportation, given the absence of parking provisions.

Enhancing Choice and Diversity in Urban Development

Sydney is a city renowned for its vibrant mix of unique suburbs, each with its own cultural and historic significance, faces a threat to its diversity due to these proposals and “pattern book” development controls. These could lead to a homogenised urban landscape spanning from the Hunter to the Shoalhaven, sacrificing historical architectural excellence and character. The quality of new cookie-cutter developments often lacks architectural merit, and reduce housing diversity.

Local communities, like Marrickville, cherished for their eclectic blend of people, historic architecture, and independent businesses, face challenges from insensitive development practices that erode the area's unique charm. Despite demographic shifts, the cultural richness of neighbourhoods like Marrickville, with their diverse dining, music venues, entertainment, breweries and distilleries rejuvenating the former industrial areas, remains a draw for residents and visitors alike. Marrickville's gritty, diverse, vibrant character, has earned it a spot among the world's coolest neighbourhoods. Upholding architectural integrity and preserving the distinctiveness of local communities are essential for promoting a thriving and diverse urban environment. Embracing developer-driven development outlined in the plans will not foster vibrant communities but will lead to their demise.

Traffic and Parking

New urban developments should mandate the provision of adequate parking spaces for both residential and commercial units. 0.5 is not an adequate parking provision in areas where demand already greatly exceeds supply. While residents of Sydney often utilise public transport, the extent of its usage is contingent on their workplace location. Those working in the city are more inclined to use public transport, whereas individuals working in suburban areas may resort to driving due to the complexities of commuting involving multiple transport modes. The assumption that proximity to transportation hubs or residing in Boarding Houses eliminates car ownership is inaccurate. Households rely on cars for multiple purposes, and the current provision of car spaces is insufficient and fails to consider the needs of families and individuals with mobility restrictions. The prevalence of multiple vehicles per household compounds the parking issues. Cars are getting

larger, and households have more of them. Consequently, minimal parking allocations fail to address the actual car ownership needs of residents.

In what other ways can we enhance supply and affordability?

Immediate construction commencement or adherence to set timeframes is vital for all approved development applications (DAs). Neglecting sites for prolonged periods or holding onto approved DAs until profitability improves should be avoided. Expediting all approved DA processes from the Hunter to Shoalhaven would significantly boost the housing supply.

Doubling the Council rates for empty properties and short-term Airbnb rentals could help alleviate housing shortages. Reports indicate over 600 vacant residences in the Inner West Local Government Area last year. Unlocking these properties could substantially augment the housing availability. It is concerning to witness these residences remain unoccupied amidst the pressing rental accommodation scarcity. The removal of incentives that prioritise housing as an investment rather than a living space, such as Negative Gearing and Capital Gains concessions, by the Federal Government is imperative.

The State Government must take significant steps to address the issue of affordable housing by implementing regulations similar to those seen in cities worldwide. For instance, in London, all new developments are required to allocate 35 to 50% of properties for "Inclusionary" or social housing. It is imperative to substantially increase developer contributions towards affordable housing initiatives. Moreover, specific targets within the Affordable Housing goals should be established for various types of rentals to ensure the preservation of socio-economic diversity, including family dwellings, single occupancy, aged-friendly, and adaptable housing.

Affordable rental properties should be secured in perpetuity. An assessment of existing "Affordable Housing" units is necessary to prevent potential misuse or conversion of such properties. Furthermore, introducing a mandate for new developments to reserve a percentage of units for genuine first-time homebuyers can help mitigate competition with local and foreign investors.

The lack of public housing supply is a critical concern, as evidenced by a sizeable waiting list of 60,000 individuals. Both State and Federal Governments must prioritise the construction of more public housing units, considering the inadequate development in this sector over the past three decades despite the sale of numerous public housing assets. Additionally, maintaining and refurbishing current derelict public housing stock should be prioritised to facilitate reoccupation and alleviate housing shortages.

The State Government should allocate funding to councils for conducting a comprehensive analysis of the built environment in selected areas to determine appropriate development outcomes, such as identifying sites suitable for higher densities and areas deserving conservation. Each council ought to pinpoint locations conducive to redevelopment, where infill development could judiciously increase housing capacity with terraces. There is a need to reassess secondary dwelling regulations within the State Environmental Planning Policy (SEPP) to make it a more feasible option for boosting dwelling density and potentially offering more affordable housing opportunities. If property owners opt to subdivide their deep property areas to produce front and

back lots, they would be less incentivized to demolish existing Victorian, Federation, and Inter-War houses, which would aid in preserving streetscapes and augmenting housing availability.

Exploration and implementation of collaborative initiatives like those seen abroad involving governments, Community Housing Co-operatives, and individual buyers sharing primary housing costs, repayable to the government by residents, should be pursued. Identifying suitable government and council sites for infill housing development is imperative. The Inner West Council should be acknowledged for its proactive efforts in exploring potential development sites.

The State Government should consider increasing developer contributions for local infrastructure and exploring the concept of "Value Capture" to leverage windfalls resulting from changes in residential zones more extensively. This should apply to developers only though and not to families forced to sell their family homes.

The current focus on trains and shops may not be sufficient to meet the diverse needs of residents. The situation in the Inner West, particularly ambulance ramping at RPA Hospital, highlights the strain on essential services due to the existing population. Delays in medical appointments, limited school capacity, scarce childcare and aged care facilities, inadequate open spaces, and overburdened sporting facilities all point to the need for comprehensive planning and infrastructure spending.

Conclusion

Addressing the housing crisis does not have to result in the loss of heritage and character of existing suburbs. There exist numerous alternative approaches to consider before the degradation of streetscapes, character, amenities, urban greenery, and historical aspects of the built environment, potentially compromising the integrity of diverse and vibrant communities. The Sydenham to Bankstown Urban Renewal strategy failed to meet the standards of quality planning and community expectations, sparking similar concerns with this flawed proposal. Reflecting on these initiatives, one may ponder, "What will the region from Hunter to Shoalhaven resemble in the forthcoming years?" A hodgepodge of mid or high-rise structures interspersed with a few one-storey residences, void of heritage and tree coverage, well-worn parks, traffic jams, and streets crammed with parked cars, lacking in character, vibrancy, and community spirit.

In this future, only the affluent few can aspire to dwell in houses with gardens. The landscape, with its eradication of charming old houses for towering apartment complexes, will engender a stressful environment marked by amplified noise, congested traffic, insufficient parking, and heightened road incidents. The proliferation of substandard apartments today portends a future marred by exorbitant maintenance and strata expenses, an unfortunate reality confronting numerous apartment occupants already. This grim outlook does not constitute a legacy to embrace or anticipate with optimism.

The suggested course of action involves retracting the proposal and reinstating planning responsibilities to local councils, empowering them to engage in collaborative consultations with their respective communities for place-based urban Master planning. Councils should be permitted to devise Urban Design Plans tailored to station precincts and town centres, promoting increased housing opportunities while endeavouring to preserve local heritage and unique character.