

Submission
No 92

**INQUIRY INTO DEVELOPMENT OF THE TRANSPORT
ORIENTED DEVELOPMENT PROGRAM**

Name: Name suppressed

Date Received: 27 March 2024

Partially
Confidential

Firstly, with regard to public consultation on the TOD SEPP.

Division 3.30 of the Environmental and Assessment Act requires "an explanation of intended effect and seeking and consideration of public comment as the Minister considers appropriate or necessary". Yet in this case, the minister has decided not to take those actions.

The impact of TOD SEPP Part 2 is very significant, if the community is entitled to provide feedback to it.

There was a Legislative Council Regulation Committee report on SEPPs (Report 8 2021), and in particular recommendation 2 (that has not been implemented) was that this consultation and notice of intended effect requirement become mandatory.

There have also been document orders (Standing Order 52 concerning the TOD SEPP) and Estimate Committee Supplementary questions - where virtually any detail of the assessment and planning process has been withheld on the basis of "cabinet in confidence". It is hard to understand how background information that would be expected to be technical assessment, apolitical and non commercially sensitive, could be considered "cabinet in confidence".

Secondly, I have specific comments on the (limited) details of the TOD SEPP, particularly in relation to the lack of detail and proper planning.

I reject in its entirety the proposal to allow 21 m on R2 in general, and the overriding of all heritage controls.

The proposal is fundamentally flawed in its assumptions that the existing areas are able to handle the very substantial increase in density. No evidence has been provided on the basis of this claim.

My argument is as follows:

TOD SEPP Part 1 suggests 47800 new homes – 5975 at each of 8 x 1200 m radius major hubs. These major hubs already have significant mid and high rise. Each major hub represents a land area of 4500000 m², and hence the absolute increase in density at each major hub is 1.32 homes / 1000 m².

TOD SEPP Part 2, suggests 138000 new homes – 4450 at each of 31 x 400 m radius stations. These stations are currently mostly low density residential. Each 400 m radius station catchment represents 500000 m², and hence the absolute increase in density at each station is 8.86 homes / 1000 m².

There are several TOD SEPP areas, such as Marrickville-Dulwich Hill; Banksia-Kogarah; and Gordon to Roseville where 3 or 4 adjoining suburbs are proposed as TOD SEPP Part 2 locations.

In such a narrow concentrated zone of 4 stations, the proposed additional housing is 18000 – the equivalent of 3 major TOD SEPP Part 1 hubs in terms of extra housing, in an area that is approximately 35% of a single TOD SEPP Part 1 major hub. Yet only TOD SEPP Part 1 will receive the benefit of a proper masterplan process and none is deemed necessary for TOD SEPP Part 2 locations.

Using publicly available demographic data on typical occupancy rates of apartments and age profile distributions, TOD SEPP Part 2 could deliver an extra 36000 residents in these concentrated areas between a small number of rail stations (4) (not including the extra residents other changes outside the 400 m might yield), of which approximately 5500 would be school age.

Typically the public and private senior schools (7-12) have enrolments of the order 1000-1500. The primary schools (K-6) are of the order 500-700. The equivalent of 5-6 new schools (or increased capacity at other schools) would be required just for this narrow strip alone.

I have not done any other type of analysis on things like medical facilities, fire engines, retail shops (supermarkets) to house these population increases, but it would not be unexpected that very significant increases would be needed.

Hence the lack of any master planning process and the claims that capacity to support the growth is available, without providing any of the evidence or detail, is fundamentally flawed and wrong.

I am not against increased density that is done in proper way. I actually believe the general approach (except several of the specific details) of the more general Sydney-wide approach to increased density in low to mid rise housing changes are much more reasonable and planned, and in principal I would support them in R2 areas (though the issue of how heritage areas can maintain both their existing environment and also deliver the increase we all need to be able to provide needs some thought).