

**Submission
No 100**

INQUIRY INTO DEVELOPMENT OF THE TRANSPORT ORIENTED DEVELOPMENT PROGRAM

Organisation: Save Our Valley Incorporated

Date Received: 27 March 2024



Save Our Valley Incorporated
Bardwell Park - Earlwood - Turrella - Bexley North

**Submission to the NSW Parliamentary Inquiry PC 7, into
NSW Department of Planning's Development of the
Transport Oriented Development Program**

Save Our Valley is incorporated with the Department of Fair Trading as a non-profit community group, made up of local volunteers. We are not affiliated with any political organisation or party.

The [Transport Oriented Development Program](#) (TOD) and the related program [Diverse and Well-located Homes Program](#) (DAWLH) seem to be a revival of the previous Coalition government's plans, but with increased emphasis on a 'one size fit all' approach to planning and development. These two programs impact directly on our community and raise significant concerns.

Save Our Valley was formed in July 2017, when people in the suburbs of Earlwood, Bardwell Park, Turrella and Bexley North expressed concerns about the former NSW Government's plans for development around train stations, then referred to as the *Priority Precincts* program.

Save Our Valley supports the need for new ideas to resolve the national housing crisis, but opposes some of the aims and assumptions of the two programs, for the reasons set out in this submission.

As a volunteer non-profit organisation, we do not have the time or resources to thoroughly examine NSW Planning's documents related to the TOD and DAWLH programs. We submit that more time should be given for community consultation before any of the programs' components are implemented.

We welcome feedback on this submission. We have made a separate submission to NSW Planning on the DAWLH Program. We can be contacted via email at

PC 7 Inquiry terms or reference relevant to Save Our Valley:

In respect of the Inquiry's terms of reference (copy annexed to this document), the following items are particularly relevant to our community organisation:

Items (a) (ii), (iii); (c); (d); (e); (i); (j); (k);and (l).

(a) the analysis, identification or selection undertaken by the Government, the Premier's Department, The Cabinet Office or the Department of Planning, Housing and Infrastructure (Department) into:

(ii) the 31 Transport Oriented Development Program precincts where the Transport Oriented Development Program State Environmental Planning Policy (SEPP) applies

(iii) any of the 305 Sydney Trains, Sydney Metro and Intercity stations within the Six Cities Region which were **considered as** part of any of the Transport Oriented Development Program **locations**.

(c) the development of the Transport Oriented Development Program **policy approach** by the Government

(d) consultations undertaken with councils, joint regional organisations and **communities** during the preparation of the Transport Oriented Development Program State Environmental Planning Policy

(e) ongoing opportunities for review and input by councils, joint regional organisations and communities, including consultations with renters, key workers and young people needing affordable housing in relation to the Transport Oriented Development Program State Environmental Planning Policy

(i) the heritage concerns with the Transport Oriented Development Program including but not limited to the concerns of the Heritage Council LEGISLATIVE COUNCIL PORTFOLIO COMMITTEE NO. 7 – PLANNING AND ENVIRONMENT

(j) the enabling infrastructure capacity for every station selected or considered as part of the Transport Oriented Development Program

(k) the impact on localised environment and amenity values caused by the Transport Oriented Development Program

(l) the existing or potential **measures** and programs analysed, considered or implemented by all NSW Government agencies **to support additional housing density**, including the housing series reports published by the NSW Productivity Commissioner.

Save Our Valley's views

Turrella is included in 31 suburbs to be rezoned by 1 April 2024 under the TOD program, designated as a Tier 2 TOD, allowing residential flat buildings within 400m of the station. It is not clear whether this means only mid-rise flats up to six storeys or includes high-rise flats. Medium and high density housing is inappropriate for Turrella because of the topography, flooding due to its low-lying position, traffic congestion, environmental impact, and the potential loss of local jobs.

The DAWLH Program explanation document states (pages 27-28), that non-refusal standards will apply to facilitate medium-density housing within 800 metres of all train stations. We take this to mean that residential flats of six storeys (or eight storeys including the affordable housing allowance) are planned for Bexley North, Bardwell Park and **Turrella** stations, enabling a continuous corridor of mid-rise development 800 metres either side of the Airport train line from Wollie Creek station to the western side of Bexley North station, and beyond to Kingsgrove.

Save Our Valley is against this rushed, cookie-cutter approach to planning, arbitrarily zoning areas as suitable for multi-dwelling, mid-rise and high-rise housing, without consultation with councils or communities, and without consideration of the particular characteristics of these areas.

We are not against development or change. We are for integrated planning and development in consultation with the local community and councils, to ensure that the housing density levels are appropriate for our suburbs in a way that respects the needs of the whole community, its urban character and available infrastructure. We are for development where it includes sufficient, integrated public transport, good traffic planning, enhanced school and other community facilities in proportion to any projected increase in population, and where it maintains or increases existing open spaces for public use. We support affordable housing mandates for new developments.

Given the current infrastructure and traffic issues in these suburbs, we consider that multi-dwelling housing and a limited number of low-rise residential flats may be appropriate for some parts of these suburbs, provided that significant green space and tree canopy is retained and consequential infrastructure needs are adequately addressed.

Save Our Valley's concerns:

There are six areas of concern to our community relevant to the Terms of Reference, which are detailed later in this submission:

1. **Lack of clarity and detail:** NSW Planning has identified land within 400m of **Turrella** station for Tier 2 Transport Oriented Development (TOD) rezoning by 1 April 2024. But it is not clear
 - whether 'transport hub' rezoning will extend to within 800m of the 31 identified railway stations in addition to the TOD rezoning
 - what will happen with Bardwell Park and Bexley North stations and when
 - whether Earlwood is a 'town centre' within the meaning of the TOD Program.
2. **Unsuitability due to geological features:** the TOD Program's blanket approach does not take account of the topography, traffic impediments, local infrastructure limitations, and protected bushland and waterways of the area, including the Wollie Creek Regional Park.
3. **Flooding:** Wollie Creek, which adjoins the T8 Airport line along **Turrella**, Bardwell Park and Bexley North stations, and the M5 Motorway at Bexley Road, floods regularly, causing traffic and infrastructure chaos, which will be exacerbated with increased density.
4. **Traffic congestion and parking:** greatly increasing density around **Turrella** and the other nearby stations will add to the already congested trains and suburban roads, further choking the access to and from the M5 motorway.
5. **Maintaining jobs, businesses and heritage:** the TOD Program does not explain how increasing density will maintain the suburban character and heritage; retain vital light-industrial areas and small businesses, and protect waterways, essential urban bushland and green corridors. **Turrella** has a many light industries that will be negatively affected by medium and high density residential development under the TOD.
6. **Affordable housing:** this is a vital component of any housing policy re-think, yet is given scant consideration in the DAWLH and TOD Program documents.

SOV's concerns in detail

1. Lack of clarity about rezoning and affordable housing

Planning has identified land within 400m of Turrella station for Tier 2 Transport Oriented Development (TOD) rezoning by 1 April 2024. But it is not clear

- whether 'transport hub' rezoning will also extend to within 800m of the 31 identified stations in addition to the TOD rezoning
- what will happen with areas within 400m and 800m of Bardwell Park and Bexley North stations and when
- whether Earlwood is a 'town centre' within the meaning of the Program.

Our community needs more detailed and certain information so we can plan for the future and provide input from the perspective of people who currently live and work in these suburbs.

2. Unsuitability due to local geological features

The Programs' blanket approach does not take account of the topography, geology, traffic impediments, local infrastructure limitations, and protected bushland and waterways of the area. The proposed increases in density will increase pressure on existing infrastructure, worsen road and public transport congestion and reduce the liveability of our suburbs.

Applying the uninformed and indiscriminate planning provisions to these areas without genuine and sustained community consultation will lead to poor planning and building outcomes, cost blow-outs for public infrastructure and irreparable damage to the remnant natural environment.

Topography: Clearly the planners have only identified at these suburbs on a one-dimensional map. Turrella, Bardwell Park, Earlwood and nearby Arncliffe are built on steep sandstone escarpments, so access to sites is difficult and many streets are narrow with little room to expand. This means that building is more costly than on flat areas. It requires local knowledge to plan well for the environment, which requires consultation with local councils and communities.

Increased height in building developments will create canyon like corridors on the escarpments, towering over the existing housing, causing wind tunnels as at Wolli Creek station, but at a higher altitude. Multi-storey development on/near the escarpments will have impacts that are untested, unplanned and inappropriate for all neighbouring residential areas at a lower altitude. Increased density will add to the peak hour chronic congestion in the pooling areas of main and connecting roads into and out of transit areas to and from the Sydney city and surrounding suburbs.

Such high level, high density developments will negate the privacy and right to enjoyment of existing residents, whose housing was not configured with a notion of other building developments towering over their related boundary spaces, thus severely impacting their relative value and worth.

Green spaces and ecological areas: Premier Minns in March 2024 committed \$13 million from the budget to complete the Wolli Creek Regional Park. It contains critical remnant bushland, waterways and ecologically significant vegetation and wildlife, including a protected flying fox colony. Our community is greatly concerned about the impact of development adjacent to the park.

The Wolli Creek Regional Park and Bardwell Valley Parklands provide connected areas of ecologically significant vegetation and waterways. Federal, state and local governments have spent significant funds to improve the water quality and stormwater management into the Cooks River. Green spaces and tree canopy are vital for a healthy community. Increasing residential density in these suburbs and replacing absorbent gardens, trees and grass surfaces with hard surfaces will cause greater run-off of storm water and pollution, damaging these waterways.

3. Flooding

Our suburbs lay within the Sydney waterways ecosystems, including Bardwell Creek, Wolli Creek and the Cooks River. Flooding occurs regularly adjacent to the T8 Airport line at **Turrella**, Bardwell Park and Bexley North stations. This significantly affects trains, road traffic, and pedestrian access, especially at the two bridge points which cross Wolli Creek north to south. This will be exacerbated with increased population density.

Turrella station is to become a Tier 2 TOD with medium- or high-rise housing. The area within 400 metres of the station is on very low-lying land, on sandy river soil and sandstone. It floods in storm events, causing significant traffic, train and infrastructure problems. Increasing density will significantly increase the adverse impacts of water inundation on the health of Wolli Creek and its flora and fauna.

Multi-level residential flats and new duplex houses typically place on-site parking and storage below ground level. For sites adjacent to Wolli Creek and Bardwell Creek, underground parking is unsuitable because of the regular flooding events.

Existing single dwellings on suburban blocks typically have absorbent gardens and lawns. Replacing them with larger multi-storey dwellings, which typically have less garden and more hard surfaces will increase flooding in these areas. Rezoning from low- to medium-density housing means that more stormwater and pollution will flow into the Cooks River, Bardwell Creek and Wolli Creek systems.

If flooding in these areas increases as a result of the State government allowing inadequate design and infrastructure, and poor planning and modelling for floods events, residents, businesses and developers are likely to seek redress and compensation.

4. **Traffic congestion and parking**

Greatly increasing density will add to the already congested suburban roads, further choking the access to the M5 motorway and the narrow access points across Wolli Creek and the rail lines.

Turrella: this is a cul-de-sac suburb bound by the Wolli Creek to the north and the Cooks River to the east. All roads in and out are narrow single lane roads, with many one way streets. While there is a railway bridge for the T8 Airport Line trains, there is no bridge for other vehicles to exit north or east. Traffic already snakes around Bardwell Park and Arncliffe and is chaotic in the adjoining Wolli Creek station area. Adding hundreds more residents will increase the congestion and make it even more difficult for the small businesses and light industries in **Turrella** to access vital transport corridors.

North-south access: There are only two north-south road bridges along the rail and road corridor from **Turrella** to Bexley North over the railway line and Wolli Creek: Bexley Road from Earlwood to Bexley North and Hartill-Law Avenue from Earlwood to Bardwell Park and **Turrella**. These are 'choke points' with traffic backed up for 800 metres at busy times. Since the M5 East extension toll was imposed, trucks and cars avoid the toll by exiting onto Bexley Road or Slade Road to travel east, adding to congestion. In heavy rain, Wolli Creek and Bardwell Creek often overflows, cutting off these north-south road and rail access points altogether.

Turrella, Arncliffe, Wolli Creek and Banksia have had significant medium- and high-rise development in recent years, and consequently the traffic has become very congested. Without significant infrastructure changes, the increased housing density proposed by the TOD and DAWLH programs will make vehicle travel in these areas even more difficult. Both Programs envisage that most new residents will use public transport to commute, but people use their cars other than for work and so the roads will become even more choked.

5. **Maintaining jobs, businesses and heritage**

The Programs do not explain how increasing density will maintain the suburban character and heritage, retain vital light industrial areas and small businesses, and protect waterways and critical urban bushland and green corridors.

Turrella light industry: The light industrial businesses that currently occupy the low-lying areas around **Turrella** station provide local people with local jobs and enable residents to readily access trades, goods and services. This is vitally important to the diversity of the area. These small, low-impact industries are also suitable for navigating the narrow, winding streets around the Turrella cul-de-sac and are resilient enough to deal with the regular flooding of Wolli Creek. Rezoning this area from light industrial to Tier 2 TOD residential only will reduce diversity, as the suburbs will be reduced solely to residents travelling in and out to get to work, school and study. Replacing efficient

small factories with shop-top flats, coffee shops, barbers and beauty salons will reduce the trade-skills-based population of the area that we value and need.

To thrive, communities need a mix of people from local industry, small businesses, social enterprises and residents to reflect their diversity. Rezoning these areas for medium and high density population will dramatically change the character of the area and significantly reduce local industries.

Small businesses will lose: Bardwell Park and Bexley North stations currently provide a range of small business services for local residents. Businesses currently either own their shops or offices or pay a reasonable rent. Rezoning the station areas to shop-top housing with increased commercial rents will mean that people that have been operating for decades may no longer be able to afford to run their independent businesses. Developers like shop-top housing because they do not require a set-back from the footpath, so they can increase the size of the flats above. But many shops remain vacant due to high rents and poor planning. Councils and communities should be able to challenge shop-top housing (i.e. not subject to non-refusal standards) where the viability of the shops cannot be supported. Instead of thriving independent local businesses, we will have cloned franchises, offering generic goods and services without the local flavour and history that makes a vital, diverse community.

Protect waterways and green corridors: The Programs provides scant information on how development will maintain the waterways and green corridors that are so important to any thriving community. Amazing work has been done over decades by our community to save the bushland, and put the M5 Motorway underground instead of through the middle of the valley, and create the Wolli Creek Regional Park. Many residents volunteer their time to regenerate the bushland and waterways. It is contradictory for the NSW government to preserve and fund the natural beauty and heritage of the area and then apply a blanket rezoning policy for the adjoining areas. Our community wants NSW Planning to specifically consider the area for its unique values and assets – its waterways, bushland, wildlife, and community action to maintain it - as a special place to live and work. NSW Planning needs to work with the community to develop the area in a sustainable way.

Heritage ignored: The TOD and DAWLH Programs do not deal with heritage issues. They compare Sydney to other cities in terms of density, population and infrastructure. Sydney is different from every other city in Australia and the world. It is not appropriate to simply impose a 'one-size-fits-all' approach. This attitude has left Sydney with trains that don't work on our lines, ferries that are not appropriate for our waters and high rise towers that are unsuitable to live in.

The vicinity around **Turrella**, Bardwell Park and Bexley North stations has its own unique heritage and our community has worked hard to preserve from inappropriate development and find practical alternative solutions. The arbitrary planning approach proposed by the Programs will reduce much of this heritage and disrespect the work of community volunteers.

6. Affordable housing

Our community supports affordable housing. This is a vital component of any housing policy re-think, yet is given scant consideration in the Program documents. The proposed infill housing bonus of just 2 percent is completely inadequate in light of the aims and scale of the TOD and DAWLH Programs for affordability, diversity, liveability and a sense of community.

Additional low and medium density housing in our suburbs will not become affordable simply because they are built. We consider that the proportion of affordable housing around transport hubs and town centres should be mandated at a much higher percentage, based on demographic projections for any development locations.. This will give a better chance for the people who provide essential services on modest incomes, including teachers, emergency service workers, and aged care, child care and health care workers, to live in or closer to the communities in which they work.

We consider that providing new affordable housing by allowing developers to add additional storeys to their residential flats is simplistic and not good practice. The local communities and councils can offer ideas for incentivising developers that work for the existing residents and the people who need affordable housing without simply increasing the height of new developments.

Save Our Valley's aims are to:

- alert the local community to the State Government's development plans for the suburbs of Bardwell Park, Bardwell Valley, Bexley North, Earlwood and Turrella.
- address issues arising from development proposals and potential rezonings in those suburbs
- act as a channel for the community to express its suggestions and concerns about planning proposals
- advocate for outcomes that respect the rights and values of local residents and business owners and are compatible with the local topography, amenity and heritage

Our members are open to the needs of potential new residents for housing and services, including affordable housing, and aim to work together with all stakeholders to find solutions.

Our objectives are:

- **Consultation with community** – genuine consultation is conducted at all stages of the planning process with existing residents, community groups, and local businesses.
- **Appropriate planning** - approvals for residential, commercial and industrial developments reflect the existing character of our suburbs, avoid overshadowing and limit building heights.
- **Planning for entire suburbs** - planning for infrastructure, transport, residential scale and community amenity is on a whole-of-suburb basis, not site-by-site as DAs are submitted.
- **Mandated community infrastructure** - locations and scale of community facilities, schools and open spaces are identified and mandated in advance of any rezoning for residential development in proportion to the projected increase in population.
- **Mandated open space and amenity** - publicly accessible open space is maintained or increased.
- **Air quality** – any development includes monitoring air quality at the Turrella pollution stacks resulting from the increased traffic on duplicated M5 and future F6 motorway.
- **Jobs and businesses** – local skilled jobs are maintained and the prosperity of local small businesses and industries are facilitated by high quality, integrated planning.

END OF SUBMISSION



Contact: