

**Submission  
No 193**

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

**Organisation:** Blacktown City Council

**Date Received:** 9 April 2024

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30 April 2024

Ms Sue Higginson MLC  
Committee Chair  
Portfolio Committee No 7 - Planning and Environment  
NSW Legislative Council  
6 Macquarie Street  
Sydney NSW 2000  
By email: [PortfolioCommittee7@parliament.nsw.gov.au](mailto:PortfolioCommittee7@parliament.nsw.gov.au)

Dear Ms Higginson

**Final endorsed submission to the Parliamentary Inquiry into the development of the Transport Oriented Development Program**

I am writing in relation our previous letter dated 9 April 2024.

I can now confirm that Council formally considered this matter at its meeting on 24 April 2024 and resolved to endorse the draft submission.

A copy of Council's final submission is now attached for your information.

If you would like to discuss this matter further, please contact our Acting Manager Strategic Planning and Economic Development, Helen Budd on .

Yours faithfully

Peter Conroy  
Director City Planning and Development

**Blacktown City Council**  
**Final submission in response to:**  
**Parliamentary Inquiry into the development of the Transport Oriented  
Development Program**

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Blacktown City's current planning and housing strategies are consistent with and support the principle behind the Transport Oriented Development (TOD) Program, to focus housing development and diversity around town centres and stations with high levels of amenity, where development is based on a masterplanned, holistic approach to the precinct.

**Importance of holistic planning**

We support this approach to planning, based on an integrated masterplan that takes into account local opportunities and constraints, and plans for the needs of the precinct as a whole in relation to transport, access, sports, parks and recreation, health, education, retail and services.

We are concerned at the lack of alignment between the TOD program and the low-and mid-rise housing reforms, both announced concurrently in December 2023. There is a very real risk that the implementation of the low-and mid-rise housing reforms, as exhibited, will effectively result in the sterilisation of some centres from their potential for longer term higher density redevelopment. The unrestricted, ad-hoc, opportunistic development that would be permitted under the low-and mid-rise reforms requires no consideration for nor contribution towards a holistic vision for a precinct.

**Inconsistencies in NSW Government policy and practice**

Blacktown City is currently preparing masterplans for a number of our Urban Renewal Precincts identified in our NSW Government endorsed Local Strategic Planning Statement. These include Seven Hills and Toongabbie, where we have a collaborative partnership with the NSW Land and Housing Corporation to facilitate significant redevelopment of public housing assets, the Blacktown Health and Education Precinct expansion of the CBD, Riverstone and greenfield centres at Schofields and Marsden Park.

Planning for the redevelopment of these centres has been frustrated by inconsistencies experienced at state government level:

- our centres have the potential to support more dwellings than would be permissible under the low-and mid-rise housing reforms
- however, at this point in time they have not been identified as Transport Oriented Development precincts
- because they are not specifically identified as Transport Oriented Development precincts, they are not identified for an accelerated pathway, and we are unable to gain support from the NSW Government to pursue uplift that would make a significant contribution to the State's housing targets under the Housing Accord
- at the same time, our centres have been identified as areas falling within the scope of the low-and mid-rise initiative
- the low to mid rise development permissible under this initiative will effectively sterilise our centres from achieving the higher density residential capacity possible under our masterplans. Once medium rise development has commenced, it will take several decades for it to become economically viable to upgrade to a higher density.

### **Infrastructure contributions**

The development of a longer term, holistic masterplan for each precinct allows for the identification and planning for the things that contribute towards great community places rather than just somewhere to live, such as:

- schools
- medical facilities
- playgrounds, parks and sports fields
- stormwater management and water sensitive urban design
- protection of local heritage and environmentally sensitive areas
- public spaces, community spaces, libraries and meeting rooms
- well-connected pathways to places that people want to go to, that are safe, useable and shaded
- town centres that are safe, comfortable, shaded, inviting, accessible and diverse
- affordable housing.

The timeframe for redevelopment of a precinct must allow for preparation of an infrastructure contributions plan that reflects and will enable implementation of the masterplan. Contributions plans are based on the nexus between the development that the masterplan will enable, and the additional demand that the development will generate. They can be developed in partnership with State Government agencies to align with relevant standards and specifications, and the rollout of other state infrastructure.

It is critical that infrastructure contributions plans are prepared before land is rezoned for development. This will provide certainty for all parties, landowners, developers and consent authorities (including Council) regarding what contributions will be required and what these will and will not contribute towards.

There are inconsistencies in the Transport Oriented Development program documents that suggest opportunities for development to be accelerated ahead of finalisation of masterplans and contributions plans. This would undermine the critical role that the masterplan and contributions plan play in the eventual outcome that new residents will experience and live with daily.

### **Transparency of process**

The TOD process has been characterised by a lack of transparency. The background studies justifying the selection process for the TOD precincts and validating the capacity of essential infrastructure to support uplift in these precincts has not been made public.

This information is important for public trust and governance. Equally, it is important for local government and other stakeholders to understand how the estimation of the number of dwellings and population anticipated in the TOD precincts has been calculated, what upgrades may be planned to a range of supporting infrastructure, the timing for these and how this may impact on capacity or timing of planned upgrades elsewhere across each of the Six Cities.

The estimation of capacity needs to take into account local considerations. Not all areas have the same capacity for redevelopment. For example, the Kellyville and Bella Vista Metro Station Part 1 precincts are located close to the Blacktown City area boundary, with part of the catchment falling within our area. On paper, some parts of existing suburbs appear to have potential for redevelopment. However, this does not recognise restraints on land title created when the area was developed some 20 years previously which make redevelopment to higher density difficult.

### **Alignment with other housing reforms**

The TOD program is just one of several housing reform measures announced by the NSW Government. However, the reforms are not aligned. Terms and definitions are different across the reforms, as are the size of catchments and applicable controls. There are inconsistencies between reform proposals and between existing state controls – such as the Apartment Design Guide and complying development code – and existing local controls.

A thorough review is required prior to new legislation coming into effect to minimise these inconsistencies. This will minimise confusion for landowners, developers and consent authorities and ensure development applications are capable of assessment as efficiently as possible.