

Submission
No 219

INQUIRY INTO DEVELOPMENT OF THE TRANSPORT ORIENTED DEVELOPMENT PROGRAM

Organisation: Friends of Oatley

Date Received: 28 March 2024

I am making a submission to this inquiry on behalf of Friends of Oatley (FOO), a local community group in the Georges River Council (GRC) Local Government Area (LGA).

FOO thanks you for the opportunity to again comment on these far-reaching and unacceptable planning changes.

We would like to emphasise first that we do not believe releasing these proposals just before the Christmas/New Year holiday season, with little advertising, was appropriate in any way, considering the long-term and immense effects they will have on the liveability of Sydney and its environment.

In brief, our objections to these proposals are the effect on our local environment (loss of trees and wildlife, landscaping, etc) and streetscapes, lack of suitable infrastructure and services (transport, schools, recreation areas, green space, etc.) to support a potentially very large population increase, increased traffic, etc.

In addition, considering that GRC has 11 railway stations on two lines and nine major local centres, these proposals will unfairly impact almost all of the LGA,

Our local council, Georges River, has already met its mandated 2036 targets and is also actively investigating and planning other options for additional housing.

Please see the attached submission which was made earlier to the Department of Planning for more details on our position on these proposed planning changes.

FOO categorically rejects DPPI's proposals as they stand.

To whom it may concern:

Please note that Friends of Oatley (FoO) categorically rejects DPHI's proposal as it stands.

Instead we strongly recommend that DPHI adopts Georges River Council's (GRC's) unanimous resolution CCL001-24 "NSW Government Housing Reforms 2023-24 " dated 12th February, 2024 at https://georgesriver.infocouncil.biz/Open/2024/02/CCL_12022024_MIN_EXTRA.PDF in its entirety.

That is, to quote the resolution in part:

(a) That Council acknowledges the Housing Reforms undertaken by the NSW State Government to assist with the delivery of 314,000 new homes by 2029 across NSW, through the following:

(i) Infill Affordable Housing within the State Environmental Planning Policy (Housing) 2021 – in force from 14 December 2023

(ii) Transport Oriented Development State Environmental Planning Policy (TOD SEPP) – draft and anticipated to come into effect April 2024

(iii) Low and Mid-Rise Housing – draft and on consultation until 23 February 2024

(b) In respect of the proposed TOD SEPP, that Council:

(i) Note its impacts on Kogarah railway station precinct are limited to those areas zoned R4 High Density Residential in the Kogarah North Precinct.

(ii) Write to the Department of Planning, Housing and Infrastructure (DPHI) raising concerns to any variation to the design criteria in the Apartment Design Guide for TOD related development due to the impacts on the amenity of both the apartment occupants and neighbouring buildings.

(iii) Write to the DPHI requesting funding for the development of a master plan for the MU1 and SP zoned land in the Kogarah Strategic Centre in order to support the objectives of the TOD SEPP and to promote the role of Kogarah as a Strategic Centre.

(c) That Council welcome the opportunity for increased housing capacity and diversity created by the proposed Low and Mid-Rise Housing Reform, though express concerns regarding the blanket 'one-size-fits-all' nature of the Reform and its impact on the local character of the Georges River Local Government Area (LGA).

(d) That Council request the DPHI to defer the implementation of the Low and Mid-Rise Housing Reform within the Georges River LGA so Council is given the opportunity to review its Local Strategic Planning Statement (LSPS) to create capacity for additional and diverse housing through the creation of new R3 and R4 zones within the following 12 precincts:

- (i) Hurstville Railway Station and Hurstville City Centre (Strategic Centre)
- (ii) Kogarah Railway Station and Kogarah Town Centre (Strategic Centre)
- (iii) Beverly Hills Railway Station and Beverly Hills (King Georges Road) Local Centre
- (iv) Kingsgrove Railway Station and Kingsgrove (Kingsgrove Road) Local Centre
- (v) Mortdale Railway Station and Mortdale (Morts Road) Local Centre
- (vi) Penshurst Railway Station and Penshurst (Penshurst Street) Local Centre
- (vii) Riverwood (Belmore Road) Local Centre (viii) South Hurstville (King Georges Road) Local Centre
- (ix) Oatley Railway Station and Oatley (Mulga Road) Local Centre
- (x) Allawah Railway Station (xi) Carlton Railway Station (xii) Narwee Railway Station

(e) That Council respond to the DPHI's request for the nomination of "station and town centre precincts" as being the 12 precincts as identified in Recommendation (d) above.

(f) That Council note the request to defer the Low and Mid-Rise Housing Reform in Recommendation (d) above is due to the following concerns:

- (i) Overriding the master planning work that has been completed by Council in conjunction with the community for the Mortdale and Beverly Hills Local Centres,

(ii) Providing uplift to centres that fall within the definition of “station and town centre precincts” without the appropriate master planning being in place to address community concerns of public domain and infrastructure provision,

(iii) Providing capacity for up to 150,000 additional dwellings within the Georges River LGA without considerations of the availability of infrastructure to support this growth,

(iv) Increasing housing capacity by permitting development on smaller allotments with greater height and FSR, resulting in changes to the low-density character of the LGA’s suburbs, loss of trees and canopy cover on private land, replacement of on street parking with driveways and increased traffic impacts due to additional density,

(v) Permitting manor housing and multi-unit housing in the R2 Low Density Residential Zone and residential flat buildings (up to 6 storeys) in the R3 Medium Density Residential Zones in “station and town centre precincts” undermines the existing LSPS 2040 and the criteria for growth that was developed with the Georges River community,

(vi) Permitting manor houses and multi dwelling housing in the R2 Zone and residential flat buildings (of 3 to 6 storeys) in the R3 Zone in “station and town centre precincts” undermines the hierarchy of residential zones developed with the community through the LSPS 2040 and implemented through the GRLEP,

(vii) Applying the Low- and Mid-Rise Housing Reforms to Heritage Conservation Areas will compromise the social, built and cultural significance of these areas by permanently altering the historical subdivision pattern and character of the built form,

(viii) Applying the minimum lot width of 12m and minimum site area of 450sqm for dual occupancy development across the LGA is a significant reduction from the existing GRLEP requirements of minimum 15m lot with and minimum site area of 650sqm and 1,000sqm outside and within the Foreshore Scenic Protection Area (FSPA) respectively.

(ix) The Reforms do not address the existing infrastructure shortage that currently exists including insufficient open space, community centres, sports courts and libraries, which will put more pressure on Council to address both existing and future populations.

(g) That Council resolve to amend the Georges River Council Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12) to address the potential increase in resident and worker population as a result of the Housing Reforms.

(h) That Council advise DPHI of its intention to amend the Section 7.11 and Section 7.12 Contribution Plans to address the potential increase in resident and worker population as a result of the Housing Reform program.

That Council seek funding from DPHI to fund:

(i) the required amendments to its Section 7.11 and Section 7.12 Contribution Plans, and

(ii) the preparation of master plans for each of the “station and town centre precincts” identified in Recommendation (d) above to ensure that growth is accompanied by the required upgrades to public open space and community facilities, public domain, traffic and pedestrian improvements, drainage, and infrastructure generally.”

FOO contends that the DPHI proposal as it stands is unfit for adoption, and we provide the following reasons:

- As GRC encompasses 11 railway stations on two lines and nine major local centres, the proposal will unfairly impact almost all of the LGA, with a possible maximum uplift of a ludicrous 150,000 additional dwellings which is almost half of the government's 2029 target.
- It will affect the aesthetics of the streetscape across the LGA, e.g., ugly and bland terraces and duplexes crammed on 12 metre frontages.
- Curtailing of lot sizes and street frontages will mean less car parking and more congestion.
- Landscape areas will be reduced giving rise to a loss of tree canopy, wildlife habitat and privacy and an increase in temperature, which blatantly conflicts with the concerted efforts of Council, the community and indeed, the state government to mitigate climate change.
- The government's abject failure to even consider (let alone provide) necessary infrastructure for well over 30 years, e.g. the appalling though regular sewerage overflows from the North Georges River submain into the river, and severe lack of open space in Kogarah and Hurstville.
- DPHI's failure to acknowledge the laudable planning achievements by GRC in close consultation with the community. For example:

(a) GRC has not only already met its mandated 2036 targets but is also actively investigating a raft of other options for additional housing.

(b)GRC's excellent Local Strategic Planning Statement for its 20-year vision is under regular review to meet the changing needs and demographics of the LGA.

(c) GRC's existing LEP allows for a possible uplift of 14,000 additional residences.

(d) Through its Housing Strategy & Delivery Programme GRC intends to deliver between 5-10% of additional housing as "affordable" by 2040.

(e) GRC's Commercial Centres Strategy & Commercial Centres Economic Study examined its 48 business centres for the purpose of synchronising land use, encouraging local employment and expanding those centres.

(f) GRC has implemented masterplans for both Mortdale and Beverly Hills centres, giving provision for both "shop-top" dwellings and mid to low rise residential flat buildings.

(g) GRC's technical and evidence-based Foreshore Scenic Character Study scrutinised the local character within the environmentally sensitive Georges River Foreshore Scenic Protection Area from Salt Pan Creek east to Captain Cook Bridge, with extensive public consultation undertaken in 2023 which is now under review.

Perhaps most alarmingly in its curious suggestion to foist duplexes into all R2 zones, DPHI has failed to take into account the obvious environmental, cultural, economic and high personal risks inherent in the construction of additional housing in

- GRC's Foreshore Scenic Protection Area (with the 2023 public consultation now under review)

<https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Planning-Strategies-and-Studies/Foreshore-Scenic-Character-Study> and also in

- Bushfire-prone zones (currently on exhibition).

<https://www.georgesriver.nsw.gov.au/Council/Media/Public-exhibition-of-Bush-Fire-Management-Committee%E2%80%99s-draft-Bush-Fire-Risk-Management-Plan>

N.B. We direct you to **Appendix A below**: a 2020 submission made by renowned environmentalist Dr Sharyn Cullis concerning the serious impact of reducing the safeguards provided by the stringent FSPA standards. The evidence contained within it remains accurate.

<https://www.theleader.com.au/story/7776121/tributes-for-environmental-campaigner/>

Finally, FOO considers that the DPHI proposal also severely falls short of accepted probity and public interest (if not legal) standards, for the following reasons:

- DPHI inexplicably issued the document just prior to Christmas, with most of the consultation period consumed by school holidays and family events, with the only real window for making comments being three weeks in February.
- DPHI has refused to extend the closing date and answer constituents' enquiries.
- Attempts to ascertain whether the consultation was advertised fell on deaf ears, with our local MP and DPHI refusing to provide any answers, disconnecting phone calls and referring those without computer skills to the website.
- Questions have arisen about a former developer-lobbyist who now works as the premier's chief-of-staff, MP's moving residential addresses which may allow them a personal benefit, questions over a property purchase by a DPHI employee, conflicts of interest by politicians and officials generally and the failure to publicise any discussions between the premier, planning minister or DPHI staff prior to the sudden release of the proposal.
- It totally ignores the strong efforts of Council and the GRC community which have been carefully planning for the future, with Council steadfastly complying with its current targets through the expenditure of millions of dollars on studies, which, if the proposal is adopted, will amount to a scandalous waste of both taxpayer and ratepayer funds.
- The disingenuous comment by the minister on 702ABC today that the proposal "does not override a council's D.A. powers" clearly contradicts what has been clearly stated in DPHI's exhibited document.

Additionally we were advised by your Planning Customer Support Team via email that, "if your email is in relation to a submission on a project or policy currently on exhibition by the Department, it will be forwarded to the relevant planning officer." So we ask that emails received by information@planning.nsw.gov.au be forwarded to the relevant person accordingly.

Yours Sincerely,
Melina Amerasinghe
President
Friends of Oatley