

**Submission  
No 221**

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

**Name:** Mrs Christine Wells

**Date Received:** 28 March 2024

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Ms Sue Higginson MLC  
Chair  
Portfolio Committee No. 7 – Planning and Environment  
Development of the Transport Oriented Development

Dear Ms Higginson

**Re: Parliamentary Inquiry into the development of the Transport Oriented Development Program**

Thank you for the opportunity to make a submission on the NSW Parliamentary Inquiry into the development of the Transport Oriented Development Program. I do not support the plans for the TOD program.

I live in Ku ring gai so my interest is in the selected TOD precincts there.

Some of my concerns relate to specific terms of reference of this Legislative Council inquiry.

**(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)**

The TOD is aimed at increasing housing density/availability around key railway stations. It is not clear other than in general terms how these were selected and there is a paucity of information supplied to councils and the community about its operation.

There is already a significant degree of uplift in zoning and housing density in progress in Ku ring gai. This has been previously agreed on by Council and residents over recent years in response to targets assigned by earlier NSW Planning Dept initiatives and also Greater Sydney Commission.

How much of previous planning activity has been ignored and dismissed by the TOD program . The TOD is very poor and divisive public policy which attempts to apply, rushed, one size fits all wholesale planning changes without a proper consultation process with communities affected.

There is possible confusion regarding the TOD SEPP. How will it apply to locations where there is a railway station surrounded by or accompanied by a commercial centre, as is the case in many of the target railway stations?

For example, streets are within 400 to 800 metres of the station but might only be within 400 metres of the commercial centre if it is a long strip of shops before the railway area. How will these streets be zoned? As a railway precinct or a commercial precinct? **Are developers going to opt for the one that gives them the higher buildings/increased density?**

My greatest concern is that the TOD gives free rein to developers and real estate agents to plan our communities. And this approach is highly unlikely to provide the amount of affordable housing which is of greatest need. Especially in the TOD precincts where the market rate for properties to redevelop will result in developers providing only the inevitable “luxury” commodity.

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

My understanding is that there was little meaningful consultation with councils, and no opportunity for residents to make submissions. The imposition of top-down controls makes no allowance for local conditions which vary greatly from one LGA to another. My observation is that the community believes this is not good planning, will not result in good planning, let alone be consistent with community expectations about democratic processes.

**(i) the heritage concerns with the Transport Oriented Development Program including but not limited to the concerns of the Heritage Council**

My concerns here are for the fate of heritage items and heritage conservation areas such as in the Ku ring gai LGA where I live. I believe that the proposals, “if implemented without further consideration, will have a devastating and irreversible impact on the character and significance of large numbers of individual heritage items and HCAs across Ku-ring-gai”

There is an excellent analysis of the impact of the proposed planning changes, that is available on the Ku ring gai Council website. My concerns are expressed more clearly by this document and with more specialist knowledge than I have.

Please see: <https://www.krg.nsw.gov.au/Council/News-and-media/Latest-news/Demand-better-planning-on-housing>

**(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.**

The TOD does not take account of the great degree of traffic congestion already existing in the TOD precincts in Ku ring gai. The local roads and the Pacific Highway are very congested and there is a great deal of commuter parking around the target stations already. Increased density will exacerbate this. I understand there is no budget for the increase in transport infrastructure which will be needed. Can local councils absorb the costs?

I commend to the Legislative Council review the submissions from FOKE and the 416 Group for well analysed statements on congestion on our roads.

**Please see 416 Group submission to the NSW Government on the proposed changes to housing policy – February 2024.**

[Home - 416 Group.](#)

### **Conclusion.**

Because of their very significant and negative impacts on heritage, and traffic congestion, (as well as public transport, biodiversity, trees schools and water supply), I do not support the proposed plans.

There are alternatives, some of which will increase the supply of housing probably more quickly than the SEPP will, they will be generally welcomed by the community, and have fewer environmental repercussions. The SEPP should be reviewed in collaboration with residents and local councils. For a start the TOD will need to take account of local character and differences.

Christine Wells

**28<sup>th</sup> March 2024**