

## Resolution of Council

**19 February 2024**

### Item 11

#### **Submission - NSW Government - Changes to Create Low and Mid-Rise Housing**

Moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

It is resolved that:

- (A) Council endorse the City of Sydney submission on the NSW Government Changes to Create Low and Mid-Rise, as shown at Attachment A to the subject report, recognising the seriousness of the housing supply crisis and that all elected representatives at all levels of government must take responsibility for addressing this, pending the following changes:
  - (i) recommend the NSW Government extend the consultation period for a minimum additional four weeks to allow enough time for councils and the community to understand the proposal and provide additional feedback;
  - (ii) recommend the NSW Government use the extended consultation period to undertake meaningful consultation with local communities to help them understand impacts to specific areas;
  - (iii) clarify that the Council supports working with the NSW Government to accelerate planning proposals which would add capacity for the City, where these are developed and implemented in cooperation with Council; and
  - (iv) in relation to the National Housing Accord, which includes a target for 3,100 affordable homes for NSW (or approximately one per cent of the overall housing target for NSW), note in the submission that the City supports stronger affordable housing targets being established and implemented, and that the City has already established greater targets for the Local Government Area;

- (B) Council agree in principle that increased residential density around transport hubs is a vital element to increasing housing supply;
- (C) Council seek to engage constructively with the NSW Government on their proposed Create Low and Mid-Rise Housing rezoning reforms and notes that on 12 February 2024 the Lord Mayor wrote to the Minister for Planning and Public Spaces raising concerns about the proposed changes and requesting an urgent meeting for City staff to brief him on impacts to the City;
- (D) Council note that these rezoning proposals were only issued for consultation in late December 2023 and that they should not be rushed through prior to dwelling targets having been provided or without proper negotiations between Council and the NSW Government;
- (E) Council seek urgent clarification from the NSW Government and the Department of Planning, Housing and Infrastructure regarding the dwelling targets and how the Create Low and Mid-Rise Housing changes will relate to existing heritage protections and heritage conservation areas in the City of Sydney;
- (F) Council seek an urgent commitment from the NSW Government and the Department of Planning, Housing and Infrastructure that if councils meets the targets provided, heritage protections and heritage conservation areas will be allowed to be preserved by the councils, where they determine, and that the Create Low and Mid-Rise Housing changes will not be applied;
- (G) authority be delegated to the Chief Executive Officer to make amendments to the submission prior to lodgement on 23 February 2024 which are consistent with the approved recommendations or to correct errors;
- (H) Council note that Councillors can provide comments to the Director City Planning, Development and Transport by 11 March 2024 for inclusion in an addendum to the submission to be sent to the NSW Department of Planning, Housing and Infrastructure by 15 March 2023; and
- (I) the Lord Mayor be requested to write to other NSW Government Ministers responsible for relevant portfolios providing a copy of the submission and highlighting the potential impacts of the changes, including to:
  - (i) the NSW Minister for the Arts, noting the potential pressure on creative spaces in the City;
  - (ii) the NSW Minister for Housing, noting the likely reduction in the ability of Council to levy affordable housing contributions where new height or floor space ratio (FSR) is being delivered ('value uplift capture'), and
  - (iii) the NSW Minister for Heritage and Environment, noting the potential reduction in street tree plantings and significant impacts on heritage.

Carried unanimously.

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