

## Item 11

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

**File No:** X102116

#### Summary

The NSW Department of Planning, Housing and Infrastructure has prepared an 'Explanation of Intended Effects: Changes to create low and mid-rise housing' (EIE) to introduce new planning controls to encourage more low and mid-rise housing. The changes are part of a series of planning reforms that aim to meet the NSW Government's commitments under the National Housing Accord.

As drafted the changes will override local planning controls within 800 metres walking distance of a train station, light rail stop and the Metropolitan Centre zone (SP5) as well as areas zoned Commercial Centre, Local Centre or Mixed Use with a significant retail presence.

The draft changes will allow residential flat buildings and shop-top housing to be built to 21 metres (six storeys) up to 400m from a station or centre or 16 metres (four storeys) up to 800m from a station or centre. The proposed changes would apply in heritage conservation areas and to heritage items, although heritage impacts will remain a consideration. In addition, the affordable housing bonus that applies in some parts of the local area will continue to apply, increasing heights up to eight storeys.

In parts of Rosebery and Centennial Park changes will allow low-rise manor houses, terraces and townhouses with heights of 9.5 metres in the R2 Low Density residential zone within 800 metres of Moore Park light rail and the Eastlakes shopping centre. Height and density will also be increased for dual occupancy dwellings, which are already allowed.

The City supports the NSW Government's efforts to meet its commitments under the National Housing Accord. However, contrary to the NSW Government's commitments under the Accord, the proposed planning changes have not been prepared effectively with local government and have been prepared in absence of housing targets and strategies.

In our area, the EIE is likely to have perverse outcomes of slowing down housing delivery as misaligned development standards, tensions with other controls, and not dealing with hazards and infrastructure will slow development applications and encourage court appeals.

The City of Sydney's Submission on the NSW Government Changes to Create Low and Mid-Rise (submission) is provided at Attachment A. It makes a series of recommendations to recognise the housing supply delivered by the City and in its development pipeline; and to work with the City on effective strategic planning to bring additional housing into the pipeline. The submission makes further recommendations to improve outcomes while maintaining its intent to facilitate housing should Government not commit to proper strategic planning processes with the City.

The draft changes are on public exhibition and open for comment until Friday 23 February 2024. The Department have advised that submissions must be received no later than the due date if it is to be considered, however addenda information may be provided by 15 March 2023.

## Recommendation

It is resolved that:

- (A) Council endorse the City of Sydney submission on the NSW Government Changes to Create Low and Mid-Rise, shown at Attachment A to the subject report, which will be sent to the NSW Department of Planning, Housing and Infrastructure by 23 February 2024;
- (B) 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; and
- (C) 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.

## Attachments

**Attachment A.** City of Sydney Submission on the NSW Government Changes to Create Low and Mid-Rise Housing

**GRAHAM JAHN AM**

Director City Planning, Development and Transport

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