

# **Attachment A**

<h2><b>Summary of Submissions</b></h2>
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Submissions Table - Build-to-rent and Co-living Housing Planning Proposal: June 2024

Submitter	Submission	Response
Urbis, 1 individual submission	<b>Support proposal</b>	<b>Noted.</b>
A+ Design Group, Property Council, Urban Taskforce, Scape, Mirvac, GoGet, Stockland, 3 individual submissions	<b>Support with changes</b>	<b>Noted, with responses to key points below.</b>
6 individual submissions	<b>Unsupportive of proposal</b>	
5 individual submissions	<b>Raised other issues</b>	
Property Council, Urban Taskforce, Mirvac, Stockland	<p><b>Limited timeframe of the proposed changes</b></p> <p>The proposal should not be limited to a five-year frame. This does not allow sufficient time for new developments to utilise the bonus and is not functional. The timeframe should apply from the determination of a concept development application not a stage 2 development application.</p>	<p>The five-year timeframe is to encourage the acceleration of the delivery of in-demand housing and avoid land banking or speculation. As was clarified post gateway, the five years is for the lodgment of detailed development application. However, noting submissions, it is proposed to modify the timeframe to concept DAs lodged within 5 years of the commencement of the LEP amendment. It is recommended a savings provision be included in the LEP amendment for detailed DAs which are subject to a concept DA that relies on the incentive floor space.</p>
Property Council, Urban Taskforce	<p><b>Expand the application of the available floor space bonus</b></p> <p>The Accommodation Floor Space bonuses should be the same as that for non-residential development in all 4 Areas of Central Sydney</p> <p>Accommodation Floor Space bonuses for co-living housing should be available in all 4 Areas of Central Sydney</p>	<p>Accommodation floor space has historically been different for commercial, residential and hotel uses. The planning proposal temporarily re-instates the previous residential bonuses but for build-to-rent housing. There are some Areas where the incentive floor space for build-to-rent housing is greater than for non-residential uses, eg Area 2.</p> <p>The different areas of Central Sydney each have a different focus for types of development. Demand and suitability for co-living is greatest in Area 4.</p>

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Urban Taskforce	<p><b>Building design</b></p> <p>Dwellings should be permitted on the first and second floors, with higher ground floor ceiling height, and additional overall building height to offset this.</p> <p>There should be flexibility for daylight access and balcony requirements for build-to-rent and co-living housing. These apartments are often occupied by key workers or shift workers who have different requirements or desires for sunlight access.</p>	<p>Existing controls require non-residential uses on ground and first floors in Central Sydney to ensure active frontages and avoid amenity impacts to residents from the large numbers of pedestrians on Central Sydney streets.</p> <p>A Department of Planning Housing and Infrastructure Practice Note for build to rent provides flexibility for private open space and balconies, storage and apartment mix.</p>
Scape, Urban Taskforce	<p><b>Site controls</b></p> <p>The Scape submission included analyses of potential redevelopment of a number of their sites within the City of Sydney.</p> <p>The current 1,000m<sup>2</sup> minimum site area restriction is not supported. Minimum lot size for buildings over 55m should be reduced from 1,000sqm to 800sqm.</p>	<p>Of the Scape sites detailed in their submission only one site (83 Quay Street, Haymarket) is within the Central Sydney boundary and subject to this planning proposal.</p> <p>As part of the Central Sydney Planning Strategy the City carried out detailed testing and review of tall buildings on sites smaller than 1,000sqm (Appendix N Erection of Tall Buildings). Issues included poor public domain impacts including wind, sky view and daylight, and poor street activation outcomes, and poor built form outcomes and outlook due to minimal setbacks. Site size was increased from 800sqm to 1,000sqm on that basis.</p> <p>No change is recommended to existing controls for minimum lot sizes for tall buildings.</p>
Property Council, Urban Taskforce, Mirvac, Scape	<p><b>Tower cluster provisions</b></p> <p>Tower cluster provisions should be available for build-to-rent and co-living housing as these sites can support additional height and density.</p> <p>Allow co-living housing to use tower cluster provisions in Central Sydney and reduce minimum site size for these to less than 2,000sqm.</p>	<p>The tower cluster provisions in Central Sydney were endorsed to incentivise commercial development to deliver on the Central Sydney Planning Strategy by continuing to enable Central Sydney to grow as a global city.</p> <p>The tower cluster provisions are opt-in controls subject to certain requirements. Residential development is still permitted on these sites, able to use the mapped FSR, as well as up to 10% additional floor space for a competitive design process. The introduction</p>

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		<p>of the accommodation floor space bonus for build-to-rent and co-living housing enables an additional incentive for a particular type of residential development.</p> <p>The minimum 2,000sqm lot size for tower cluster sites is appropriate for employment sites, enabling suitable setbacks which due to the significant heights provides for a good public domain environment for wind and daylight. These provisions were thoroughly tested as part of the Central Sydney Planning Strategy and should be retained, along with the continued focus of the tower cluster areas on business and commercial uses.</p>
<p>Urban Taskforce, Scape, Mirvac</p>	<p><b>Application of the Housing SEPP</b></p> <p>Remove Clause 1.9(2A) of Sydney LEP restricting the application of the Housing SEPP for Co-living housing, to allow the 10% bonus available under the Housing SEPP</p> <p>Should delete Cl. 1.9(2B) of the Sydney LEP, which restricts the application of the build-to-rent provisions in certain parts of the City of Sydney.</p>	<p>The proposed co-living bonus is equivalent to 20%, double that offered by the Housing SEPP. No change is recommended to Clause 1.9(2A), as the proposed bonus is greater than the SEPP, is consistent with the Central Sydney Planning Strategy and provides certainty about which controls apply.</p> <p>The sites listed in Cl. 1.9(2B) are outside the Central Sydney area and therefore outside the scope of this planning proposal. Build to rent may be carried out in accordance with the LEP.</p>
<p>GoGet</p>	<p><b>Car share spaces</b></p> <p>The proposal will result in increased demand for carsharing. In response, 1 car share per 50 dwelling units for developments that have at least 20 parking spaces should be a condition of development approval.</p>	<p>Car share parking requirements are covered in existing controls and will continue to apply.</p>
<p>Scape, Mirvac</p>	<p><b>Residential development and site-specific planning proposals</b></p> <p>Revise the City's Guidelines for Site Specific Planning Proposals in Central Sydney to incentivise student accommodation uses for site specific planning proposals.</p>	<p>When lodged the City assesses planning proposals against the Local Strategic Planning Statement and other local and state strategies and guidelines.</p> <p>The Guideline assists proponents requesting site specific planning controls to be able to meet the strategic direction in the Central</p>

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	<p>The City discourages residential accommodation as part of site-specific planning proposals.</p>	<p>Sydney Planning Strategy, which is to encourage commercial and business uses to support the economic growth of Sydney and the state.</p> <p>The Guideline also identifies opportunities for residential development to be considered for site specific planning proposal, but these need to still meet the strategic directions.</p> <p>Residential development continues to be delivered under current planning settings with 5,000 new dwellings lodged, approved or under construction in Central Sydney (at June 2023).</p>
<p>A+ Design Group, Urbis, 1 individual submission</p>	<p><b>Other requests for changes</b></p> <p>Should allow BTR and co-living housing in existing approved developments, without a new DA.</p> <p>The City should include an implementation strategy for the delivery of BTR and co-living housing.</p> <p>Interest in 456B Harris Street, Ultimo being considered a candidate for BTR.</p> <p>Urbis, on behalf of the owner of 187 Thomas Street supports the proposal's following elements:</p> <ul style="list-style-type: none"> <li>• Re-imposition of the accommodation floor space bonus for BTR within Central Sydney, noting a 1.5:1 bonus would apply to the site (Area 4) to be proportioned depending on total mix of land uses.</li> <li>• The ongoing application of clauses 72, 73, 74(2)(a), 75 and 76 of the Housing SEPP on development within Central Sydney.</li> <li>• The requirement for non-residential uses, or ancillary residential uses, to be located on the first and second floors of development.</li> </ul>	<p>The planning system does not restrict an owner renting a built dwelling. The NSW Government establishes the primary planning controls for co-living housing in the Housing SEPP.</p> <p>The City doesn't deliver BTR or co-living housing. The market is best placed to implement the proposed floor space incentives.</p> <p>The City will assess any development application lodged. As the site is not located in Central Sydney, the proposed changes will not apply to the site.</p> <p>Support noted. A planning proposal for the subject site was considered, supported and amendments made to Sydney LEP in September 2021, being site specific provisions under clause 6.58.</p> <p>These amendments are in line with the City's approach under the Central Sydney Planning Strategy, and were introduced to incentivise the delivery of employment floor space.</p> <p>BTR is not prohibited in the SP5 zone.</p> <p>The intent of the proposed changes are to enable BTR (and Co-living) incentives, being an FSR above that for residential development, as part of a balanced approach to of land use in Central Sydney.</p>

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	<ul style="list-style-type: none"> <li>The maximum cap of 0.2 parking spaces per BTR dwelling.</li> </ul> <p>Note that:</p> <ul style="list-style-type: none"> <li>Sydney LEP clause 6.58(7) prohibits residential accommodation or serviced apartments on the site.</li> <li>Despite the prohibition, the Housing SEPP enables BTR housing on the site, provided the development accords with the BTR requirements under the SEPP.</li> <li>The proposed development on the site does not benefit from a FSR non-discretionary development standard under the Housing SEPP. The relevant FSR development standard that continues to apply to the site is outlined in clauses 6.58(3) – (6) of the Sydney LEP.</li> <li>This site does not seek to rely on subclause 74(2)(b) and (c) of the Housing SEPP, and thereby this proposed change has no impact on the relevant FSR development standard for the site.</li> </ul>	<p>The current incentives for employment land uses will remain, and be supplemented by the introduction of an FSR incentive for BTR and Co-living which will encourage a form of residential development that will deliver needed rental accommodation and people living in Central Sydney. These provisions are to work in conjunction with other incentives, such as the tower cluster and other site specific provisions, fostering employment uses.</p> <p>The City notes that the subject site specific provisions are less clear in the application of the prohibition, which is most often drafted to ensure that the uplift provisions are only available for non-residential uses.</p>
A+ Design Group, Stockland, 3 individual submission	<p><b>Supports proposal for housing diversity</b></p> <p>Supports increased housing diversity that proposal will encourage.</p>	Noted.
A+ Design Group, Stockland, 2 individual submissions	<p><b>Supports proposal for more housing supply</b></p> <p>Supports the encouragement of increased housing supply and rental availability</p> <p>Supports the delivery of more build-to-rent and co-living housing, particularly if it results in more affordable public and student housing.</p>	<p>Noted.</p> <p>The proposal is not for public or social housing, it is intended to increase housing diversity and to support increased housing supply to address the shortage of rental accommodation, including student accommodation in the south of the CBD.</p>
2 individual submissions	<p><b>Height, bulk and scale impacts</b></p> <p>The proposal will allow buildings to exceed existing height and floor space ratio controls and be detrimental to the liveability of the city.</p> <p>The increased building heights will result in overshadowing and create wind tunnels.</p>	<p>The proposal reinstates a floor space bonus that was previously available to all residential accommodation. There is no proposed change to the height controls.</p>

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	<p>Height and floor space controls should remain close to existing residential limits.</p>	
<p>4 individual submissions</p>	<p><b>Social impacts</b></p> <p>The proposal will adversely change the social character of Central Sydney.</p> <p>An increased supply of rentals in Central Sydney will result in character change.</p> <p>The proposal will diminish quality of life in Central Sydney.</p>	<p>The proposal will support the development of much needed rental housing. It will support the vibrancy and character of Central Sydney as rental housing needs the housing to be occupied.</p>
<p>3 individual submissions</p>	<p><b>Infrastructure impacts</b></p> <p>Utilities like water and sewer will be unable to support population growth and require upgrades.</p> <p>The proposal will result in worsening traffic and parking outcomes.</p> <p>The proposal will strain public infrastructure.</p>	<p>Central Sydney is well serviced by existing utilities including water and sewer. As part of the development approval process, approval from utility providers is needed to be able to commence construction.</p> <p>The City is also well serviced by public transport including trains, light rail, buses, and the proposed new Metro stations. The City is also supporting moves to reduce traffic and parking in streets including pedestrianisation and minimising parking rates in new developments.</p>
<p>1 individual submission</p>	<p><b>Noise impacts on residents</b></p> <p>Extended trading hours are generating noise impacts. Any entertainment space within a co-living building should meet strict noise limit criteria to protect residents.</p>	<p>The proposal restricts residential dwellings on the ground, first and second storey floors to help minimise noise impacts for residents and reducing land-use impacts. Any development application will need to address internal amenity for residents.</p>
<p>6 individual submissions</p>	<p><b>There are other solutions to address housing supply</b></p> <p>There are apartments in the City of Sydney zoned for short term or tourist accommodation and are used as rentals. Rezoning these properties would place them in the official rental market.</p> <p>The City should seek policy changes restricting foreign ownership of unoccupied residential property.</p>	<p>Noted, however these are outside the scope of the planning proposal, which is seeking to support more diverse housing in Central Sydney. The City has an affordable housing levy which funds community housing providers to develop affordable housing for very low to moderate income households. The City is also addressing the loss of existing smaller and more affordable housing stock.</p>

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	<p>International House at the University of Sydney campus should be retained as student housing.</p> <p>A program should be introduced similar to programs overseen by the London Docklands Development Corporation in the 1980s. At least 30% of all new housing was available to first-time buyers at a discounted price and attractive repayment rates.</p>	
<p>A+ Design Group, 1 individual submissions</p>	<p><b>Questioned impacts on housing affordability</b></p> <p>Questioned if rentals will be offered at below market rent as market rent is not affordable.</p> <p>Noted that Sydney faces acute housing affordability challenges.</p>	<p>Noted. The proposal is intended to support the increase of housing diversity to address the current shortage of rental accommodation.</p>