

## Relevant Information for Council

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**FILE:** X101840 **DATE:** 21 November 2024

**TO:** Lord Mayor and Councillors

**FROM:** Graham Jahn AM, Executive Director City Planning, Development and Transport

**SUBJECT:** Information Relevant To Item 11.7 - Post Exhibition - Planning Proposal - Dwelling Retention - Sydney Local Environmental Plan 2012 Amendment

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### Alternative Recommendation

It is resolved that:

- (A) Council note the issues raised during the public exhibition of Planning Proposal - Dwelling Retention as provided in the Summary of Submissions, shown at Attachment A to the subject report;
- (B) Council approve the Planning Proposal - Dwelling Retention, as amended following public exhibition, shown at Attachment B to the subject report, to be sent to the Department of Planning, Housing and Infrastructure to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979, subject to the following amendments (additions shown in ***bold italics***):

*Executive summary:*

The City of Sydney (the City) has seen some reduction of dwellings due to the redevelopment of existing residential flat buildings, particularly towards the eastern suburbs. This occurs through the consolidation of two apartments into one, replacement of residential flat buildings with a single dwelling house or the speculative redevelopment of a large residential flat building containing smaller apartments into a development containing significantly fewer, larger apartments. This is ***concurrently*** leading to a reduction in the diversity of housing in parts of the local government area...

... In response to this ongoing loss of dwellings and diversity of housing supply, this planning proposal introduces a new development standard to be inserted into the Sydney Local Environmental Plan 2012 (LEP) that limits the reduction in the number of dwellings through redevelopment of buildings that contain dwellings. This is to ensure that development does not significantly reduce the ***number and*** diversity of dwellings available particularly for smaller and more affordable apartment sizes.

### *Explanation of provisions*

Has an objective that seeks to minimise the loss of **dwelling** diversity resulting from the consolidation of existing dwellings or the demolition of existing dwellings for the construction of new dwellings.

### *Justification*

The types of apartments currently being lost are smaller, unlikely to be replaced and are relatively affordable. Average existing apartment sizes in four of the above examples range from 32 to 42 square metres and are being replaced with apartments averaging 133 to 192 square metres. In contrast, developments under this proposed clause would result in average apartment sizes that are larger than existing but smaller than proposed in the example development applications. This will ensure that **the number of dwellings and dwelling** diversity can be maintained and that redevelopment of apartment buildings maintains smaller apartments while still offering the opportunity to provide some larger dwellings in a redeveloped building.

- (C) authority be delegated to the Chief Executive Officer to make minor amendments to the Planning Proposal - Dwelling Retention to correct any minor errors prior to finalisation by the Department of Planning, Housing and Infrastructure.

## **Background**

At the meeting of the Central Sydney Planning Committee on 14 November 2024, minor amendments to the planning proposal were sought for the purpose of clarity.

The amendments ensure the planning proposal is clear throughout that the purpose of the proposed dwelling retention provision is to ensure that development does not significantly reduce the number of dwellings and diversity of dwellings available. These changes reaffirm that the role of the provision is to minimise the loss of housing stock.

If the planning proposal is sent to the Department of Planning, Housing and Infrastructure to be made as a local environmental plan, these changes will provide them with more clarity for drafting and finalisation of the new planning controls.

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Approved



**GRAHAM JAHN AM**

Chief Planner / Executive Director City  
Planning, Development and Transport