

**Meeting Date:** Tuesday 13 February 2024  
**Location:** Council Chambers, Level 1A, 1 Pope Street, Ryde and Online  
**Time:** 6.00pm

*Council Meetings will be recorded on audio tape for minute-taking purposes as authorised by the Local Government Act 1993. Council Meetings will also be webcast.*

**Statement of Ethical Obligations**  
*Councillors are reminded of their Oath or Affirmation of Office made under Section 233A of the Local Government Act 1993 and their obligation under Council's Code of Conduct to disclose and appropriately manage Conflicts of Interest.*

**NOTICE OF BUSINESS**

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## 1 COUNCIL SUBMISSION TO THE EXPLANATION OF INTENDED EFFECTS (EIE) - DIVERSE AND WELL-LOCATED HOMES

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**Report prepared by:** Senior Coordinator City Places; Executive Officer - City Economy; Executive Manager - City Development; Executive Officer - City Places  
**File No.:** GRP/23/13 - BP24/68

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### REPORT SUMMARY

This report seeks Council endorsement of the City of Ryde's (CoR's) submission pertaining to the NSW Government's *Explanation of Intended Effects (EIE) – Diverse and Well-located Homes*.

The submission calls for the NSW Government to partner with CoR to deliver a balanced outcome of housing, employment and infrastructure for the Ryde Local Government Area (LGA).

In making this submission, it is important to note that:

1. CoR is not a NIMBY Council – we have consistently exceeded our housing targets and will continue to do so, whilst noting the State Government has not delivered on the required infrastructure to support the increased residential density.
2. CoR wants to collaborate with the NSW Government on delivering a balanced outcome, meaning we deliver housing together with infrastructure, essential services, open space, and employment opportunities.
3. CoR is already working on master plans for West Ryde-Meadowbank and Eastwood that, if the right balance is struck with the NSW Government utilising considered, measured, strategic policy and regulatory levers, could deliver a significant uplift in housing, employment and infrastructure across the LGA (at a rate that counters the ill-conceived planning policy by the NSW Government to allow for employment lands in the Macquarie Park Innovation District to be replaced by Built-to-Rent housing – with no benefit to the community, no positive impact on addressing the housing crisis, particularly in relation to affordable housing, whilst having a significant adverse impact on employment and leading to the decimation of Australia's pre-eminent innovation district).

The EIE could result in an increase of up to 43,090 dwellings in the Ryde LGA within our low-density residential precincts – space for up to 107,725 more people which is an 83% increase in population. This does not factor in the cumulative impact of other related NSW Government proposals, including the Transport Oriented Development policy. This type of significant residential growth must be delivered in a sensible and balanced way – ensuring new and existing residents have access to housing AND infrastructure, essential services, open space, and employment opportunities.

**ITEM 1 (continued)**

CoR wants to work with the NSW Government to deliver the right outcomes for our City and the State. As such, CoR is calling on the NSW Government to:

1. Stop the progression of the EIE until the local government sector have been genuinely consulted with and can work with the NSW Government to refine the policy and achieve outcomes in the best interests of all parties, most importantly the communities we seek to serve;
2. Reject the proposed planning controls to Council's R2 – Low density residential zones;
3. Stop the proposal to allow Build-to-Rent on the nationally important Macquarie Park Innovation District (MPID) employment lands;
4. Fund the accelerated evaluation and revision of the NSW Government's *North District Plan*; and
5. Help the CoR bring forward the evaluation and revision of the CoR's *Local Strategic Planning Statement* and the *Local Housing Strategy* by providing funding and infrastructure incentives to deliver more housing sooner in a balanced and well-planned manner.

It is important for the NSW Government to note that the City of Ryde will continue to be constructive and solutions-focused towards achieving the right balance for a community who seek "lifestyle and opportunity at their doorstep" through appropriate policy and regulatory levers which cater for the need for additional housing whilst ensuring the provision of infrastructure, essential services, open space, and employment. It is critical that the NSW Government consult and engage in a manner that is genuine, inclusive, and meaningful so that we can all work together towards achieving the best outcomes for the State, including the City of Ryde.

**RECOMMENDATION:**

- (a) That Council Endorse the City of Ryde submission to the NSW Government in Attachment 1.
- (b) That Council informs the NSW Government that it opposes the implementation of the Explanation of Intended Effects: Changes to Create Low and Mid-Rise Housing as it provides no evidence-based plans on how this increased housing density can be serviced through the existing provision of infrastructure and other essential services.
- (c) That Council rejects the proposed planning controls from the Explanation of Intended Effects: Changes to Create Low and Mid Rise Housing to Council's R2 – Low density residential zones.

**ITEM 1 (continued)**

- (d) That Council authorise the CEO to take all action necessary to implement this resolution and otherwise take any action required on the EIE in the interests of the City of Ryde.
- (e) That the Mayor write to the NSW Premier, the Hon. Chris Minns MP; the Minister for Planning and Public Spaces, the Hon. Paul Scully MP; the Minister for Housing, the Hon. Rose Jackson MLC and the Minister for Transport, the Hon. Jo Haylen MP calling on them to:
  - i) Take a genuinely collaborative approach to working with Councils to resolve the current housing crisis in a well-balanced planning manner.
  - ii) Work with Councils to deliver balanced outcomes for their communities alongside increased housing, specifically: infrastructure, essential services, open space and employment opportunities for new and existing residents.
  - iii) Consider the NSW Government having a larger role in the provision of public and affordable housing instead of incentivizing Build-to-Rent for developers.
  - iv) Work with the Federal Government to explore other policy levers surrounding the current housing crisis (i.e., focus on other potential improvements beyond housing planning controls, including improved pathways for more well-trained builders and tradesmen, improving supply of building materials).

**ATTACHMENTS**

- 1 EIE Submission - Diverse and Well-Located Homes 37 Pages

Report Prepared By:

**Albert Madrigal**  
**Senior Coordinator City Places**

Report Approved By:

**Michael Galderisi**  
**General Manager - City Shaping**

## ITEM 1 (continued)

### Background

On 18 December 2023, the NSW Government exhibited the *Explanation of Intended Effects – Changes to Create Low and Mid-Rise Housing*. The Explanation of Intended Effects (EIE) proposes to make permissible low and mid-rise housing in ‘well-located areas’ defined as:

**“Residential Zones within 800m walking distance of a station or E1 Local Centre, E2 Commercial Centre or MU1 Mixed Use Centre (contains wide range of goods and services including shops, restaurants and full line supermarkets)”.**

In summary, the EIE:

- Changes the dwelling typologies permitted in Council’s existing R2 – Low Density Zone in ‘well-located’ areas (refer to Image 1)
- Changes the dwelling typologies permitted in Councils existing R3 – Medium Density Zone in ‘well-located’ areas (refer to Image 2) and
- Establishes Non-refusal Standards - a pathway whereby local councils cannot refuse the abovementioned changes.

*Image 1 – Dwelling typologies permitted in the R2 – Low Density Zone in ‘well-located’ areas*

*(Source: Department of Planning, Housing and Industry, 2023)*



**ITEM 1 (continued)**

*Image 2 – Dwelling typologies permitted in the R3 –Medium Density Zone in ‘well-located’ areas*

*(Source: Department of Planning, Housing and Industry, 2023)*



**Key Points**

Non-refusal Standards

The EIE also proposes Non-refusal standards for the above dwelling typologies in ‘well-located’ areas. Non-refusal Standards mean that Council cannot refuse development if it meets the prescribed development standards.

Table 1 provides a comparison of the EIE’s proposed changes to the CoR’s Local Environment Plan (LEP) 2014. The table demonstrates how significant the changes are by showing the differences in lot size, building heights, Floor-Space Ratios (FSR), and parking requirements.

**ITEM 1 (continued)**

*Table 1 – Comparison of Ryde LEP 2014 and Ryde DCP 2014 controls to the EIE (source: CoR, 2024)*

Planning Component	Ryde LEP 2014 / DCP 2014	Proposal (EIE)
<b>Dual Occupancies</b>	<p><u>Ryde LEP 2014 Controls</u> Permitted with consent (attached) in the R2 zone</p> <p>Development Standards:</p> <ul style="list-style-type: none"> <li>• Min. Site Area: 580m<sup>2</sup></li> <li>• Min. Lot Width: 15m</li> <li>• Max. Building Height: 9.5m</li> <li>• Max. FSR: 0.5:1</li> </ul> <p><u>Ryde DCP 2014 Controls</u> Min. Car Parking: 1 per dwelling</p>	<p>Permitted with consent across R2 zones (well-located areas)</p> <p><u>Non-refusal Standards:</u></p> <ul style="list-style-type: none"> <li>• Min. Site Area: 450 m<sup>2</sup></li> <li>• Min. Lot Width: 12m</li> <li>• Max. Building Height: 9.5m</li> <li>• Max. FSR: 0.65:1</li> <li>• Min. Car Parking: 1 per dwelling</li> </ul>
<b>Manor Houses</b>	<p><u>Ryde LEP 2014</u> Prohibited in the R2 zone</p>	<p>Permitted with consent across R2 zones (well-located areas)</p> <p><u>Non-refusal Standards:</u></p> <ul style="list-style-type: none"> <li>• Min. Site Area: 500m<sup>2</sup></li> <li>• Min. Lot Width: 12m</li> <li>• Max. Building Height: 9.5m</li> <li>• Max. FSR: 0.8:1</li> <li>• Min. Car Parking: 0.5 per dwelling</li> </ul>
<b>Multi-dwelling housing (terraces)</b>	<p><u>Ryde LEP 2014</u> Prohibited in R2 zones</p>	<p>Permitted with consent across R2 zones (well-located areas)</p> <p><u>Non-refusal Standards:</u></p> <ul style="list-style-type: none"> <li>• Min. Site Area: 500m<sup>2</sup></li> <li>• Min. Lot Width: 18m</li> <li>• Max. Building Height: 9.5m</li> <li>• Max. FSR: 0.7:1</li> <li>• Min. Car Parking: 1 per dwelling</li> </ul>

**ITEM 1 (continued)**

Planning Component	Ryde LEP 2014 / DCP 2014	Proposal (EIE)
<b>Multi-dwelling housing</b>	<u>Ryde LEP 2014</u> Prohibited in R2 zones	Permitted with consent across R2 zones (well-located areas)  <u>Non-refusal Standards:</u> <ul style="list-style-type: none"> <li>• Min. Site Area: 500m<sup>2</sup></li> <li>• Min. Lot Width: 12m</li> <li>• Max. Building Height: 9.5m</li> <li>• Max. FSR: 0.7:1</li> <li>• Min. Car Parking: 1 per dwelling</li> </ul>
<b>Residential flat buildings (RFBs) - R3 zone</b>	<u>Ryde LEP 2014</u> Permitted with consent in the R1, R3, R4 and MU1 zones.	Will permit RFBs of up to 6 storeys in the R3 zones in well-located areas.  <u>Non-refusal Standards</u> <i>(within 400m walking distance of station or E1, E2, mixed-use zone)</i> <ul style="list-style-type: none"> <li>• Max. FSR: 3:1</li> <li>• Max. Building Height 21m (6 storeys)</li> </ul> <u>Non-refusal Standards</u> <i>(between 400m-800m walking distance of station or E1, E2, mixed-use zone)</i> <ul style="list-style-type: none"> <li>• Max. FSR: 2:1</li> <li>• Max. Building Height 18m (3 storeys)</li> </ul>
<b>Shop-top housing (non-refusal standards)</b>	Permitted with consent in R1, R4, E1 and MU1	Introduction of non-refusal standards for Shop-top housing, applicable for areas where they are permitted (excluding those in R2 zones).

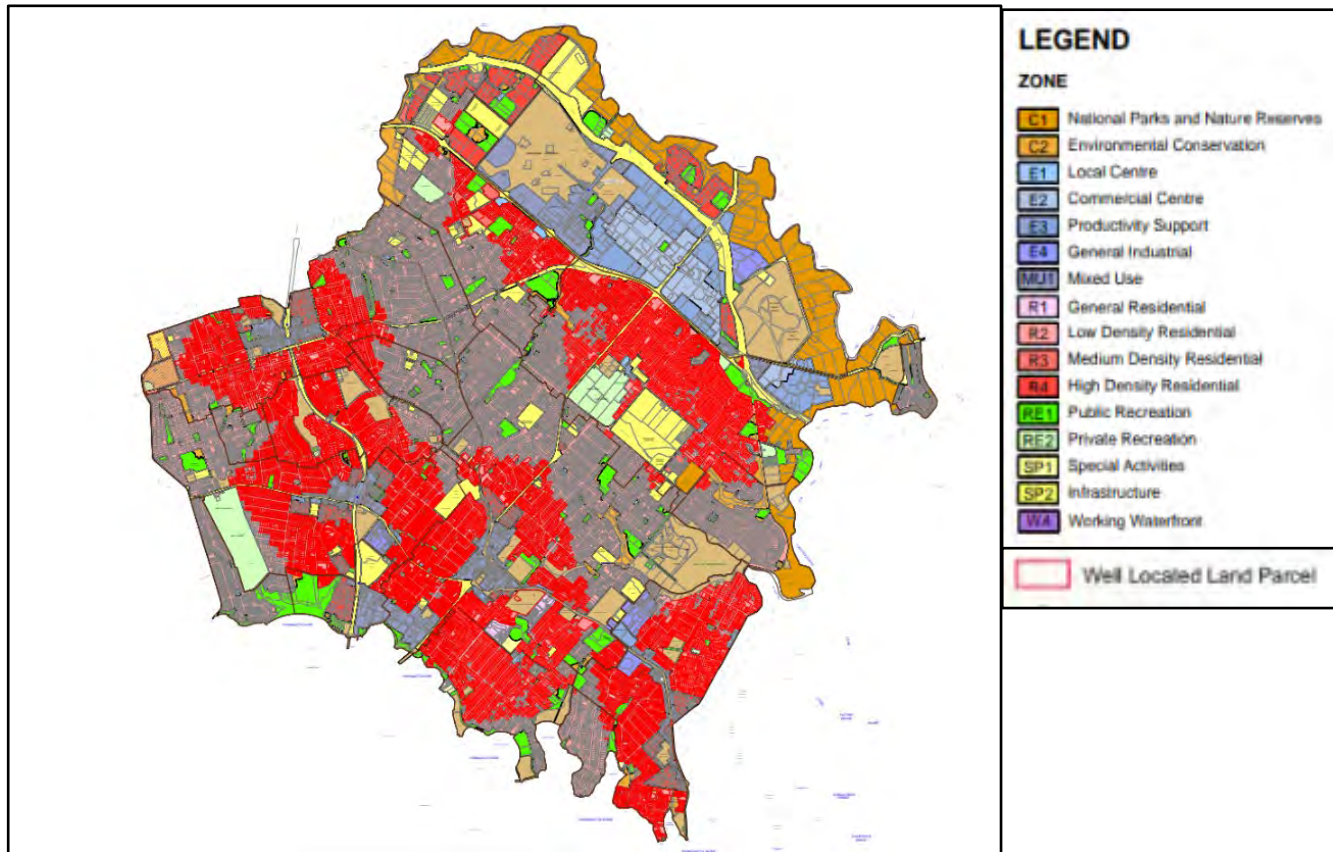
Impact on population and dwelling projections

The biggest impact on the CoR will be in its existing R2 Low-Density Residential Zones. A total of 47% of R2-zoned lots in the Ryde LGA will be impacted by the EIE. These impacts are illustrated in Image 3 below, with the impacted lots highlighted in **red**.



**ITEM 1 (continued)**

*Image 3 – City of Ryde LGA: total lots to be impacted by the EIE  
(Source: CoR, 2024)*

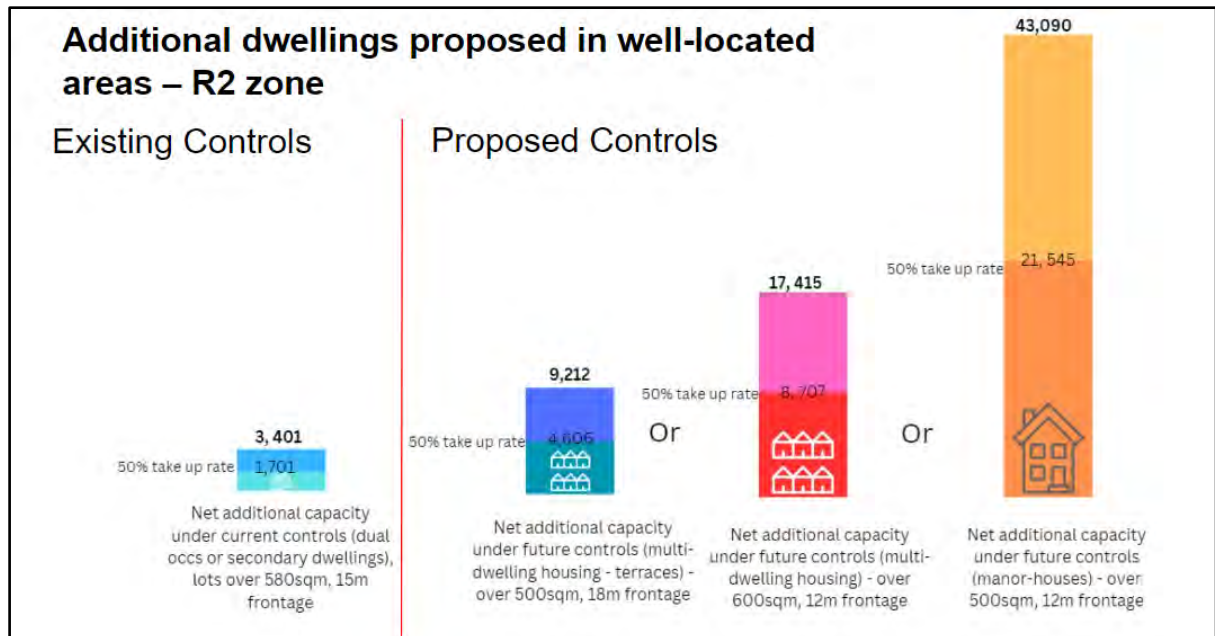


The CoR LGA does not have a high volume of R3 – Medium-Density Residential Zones, with the EIE only impacting 49 lots across the entire LGA. Therefore, the impact of the EIE on R3 – Medium-Density Residential Zones is considerably less than the impact of the EIE on R2 – Low-Density Residential Zones.

Council staff have prepared the infographic in Image 4 below to demonstrate the potential impact of the EIE's changes to R2 – Low-Density Residential Zones for the CoR.

**ITEM 1 (continued)**

*Image 4 – Infographic displaying additional uplift proposed by the EIE in the R2 zone (Source: CoR of Ryde, 2024)*



Importantly, Image 4 above demonstrates the EIE could increase the number of dwellings from Council’s LEP from 3,401 to up to 43,090 dwellings. Based on a rate of 2.5 persons per dwelling, this is an increase of more than 107,725 people.

Recognising that not all lots are likely to be redeveloped as per the EIE, staff have modelled a 50% ‘take up rate’, included in the image above, which still demonstrates a potential population increase of 53,863 people.

**Council submission**

The CoR, like other stakeholders, have been given until 23 February 2024 to make a submission on the EIE. The so-called consultation period started just before the Christmas holiday period (18 December 2023), and ran through, the festive period, which is not acceptable community engagement practice. There has not been any genuine engagement with the local government sector. This seems to have become a pattern, which does not bode well for good public policy outcomes. As summarised above, the EIE has the potential to deliver a considerable volume of additional dwellings and, therefore, residents to the CoR.

Without greater strategic planning, the EIE could result in this growth happening with a lack of infrastructure and essential services. Furthermore, it is highly likely to lead to negative outcomes in areas such as impacts on heritage, environmental protection, employment, transport, recreation, social cohesion, and wellbeing. It is not possible to accommodate a potential population increase of up to 83% within the existing capacity of infrastructure or services.

**ITEM 1 (continued)**

Council staff have prepared a submission, at Attachment 1, for endorsement by Council. The submission covers many different technical aspects of the EIE's shortcomings. The CoR is not a NIMBY Council, accepting that housing numbers can be increased, so long as it is supported with commensurate infrastructure and meaningful employment opportunities being created. As such, Council calls on the NSW Government to support the CoR in accelerating its strategic planning processes to achieve a balanced and harmonious approach to accelerating the delivery of housing across the LGA. It is of the utmost importance that the NSW Government strikes the right balance in accelerating housing supply.

It is also important to note that, due to the timing of the NSW Government's consultation period, the submission has been prepared by Council staff without the input of local stakeholders. If the NSW Government supports Council's call for a more collaborative approach, Council staff will establish several working groups to engage with local communities and other key stakeholders to inform the rapid review and revision of relevant planning documents.

**Financial Implications**

There are no financial implications associated with Council's consideration of the submission.

There will, however, be significant financial implications for Council should the EIE proceed unchanged. Financial implications are largely linked to the lack of planning for such exponential population growth, with no indication for any improved services or increased infrastructure to support a potential population explosion. This, combined with caps on contributions rates and the NSW Government's Housing Productivity Contribution, will likely result in sub-optimal outcomes, with both new and existing residents missing out on access to essential infrastructure and services.

For clarity, the EIE recognises there will be the need for additional or significantly upgraded infrastructure that Councils will have to plan for. Still, the EIE does not set a timeline or a framework for how the planning and delivery of infrastructure will be sequenced with the commencement of the EIE in June 2024.

The delivery, planning and costing of infrastructure needs to occur prior to or in line with the development taking place, with the impact of the development being assessed across the LGA.

**ITEM 1 (continued)**

**ATTACHMENT 1**



Lifestyle and opportunity @ your doorstep



**City of Ryde submission in response  
to the NSW Government's  
*Explanation of Intended Effect:  
Changes to Create Low and Mid-Rise  
Housing***

Prepared by the Senior Coordinator, City Places

## ITEM 1 (continued)

## ATTACHMENT 1



Lifestyle and opportunity @ your doorstep

The Hon. Paul Scully MP  
Minister for Planning and Public Spaces  
GPO Box 5341  
Sydney NSW 2001

XX February 2024

Our Ref: URB/24/51

Dear Minister Scully,


**City of Ryde submission to the Explanation of Intended Effect – Changes to Create Low and Mid-Rise Housing**

Thank you for the opportunity to respond to you on behalf of the City of Ryde (CoR) regarding your Department's Explanation of Intended Effects (EIE): Changes to create Low and Mid-Rise Housing.

CoR acknowledges the urgent need to address housing supply and affordability; however, our examination of the EIE's impacts on the Ryde Local Government Area (LGA) has identified significant negative consequences that, if unaddressed, will devastate community wellbeing, deliver unsustainable urban development outcomes, and undermine Council's statutory responsibilities under the *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979*.

CoR's primary concerns to the EIE relate to the blanket-upzoning approach to the R2 – Low Density Residential zones without due consideration for community wellbeing, provision of essential public services, open space, and infrastructure delivery and maintenance. Upon analysis, it is clear that the EIE has been prepared hurriedly, and with little due diligence or evidence base to support the appropriateness, consequences, or implementation of such a broad-scale policy change that will do little to solve housing affordability.

If implemented as is, the EIE could lead to a population surge of up to 107,725 people within a decade in our local government area alone (in addition to CoR's current planning controls), representing a 83% increase on Ryde's existing population of 129,123 people (ABS, 2021). As you would understand, such developments will severely diminish the ability of local governments to manage growth effectively and ensure high-quality planning and lifestyle outcomes. The opposition from CoR is not isolated, with many Sydney metropolitan Councils strongly objecting due to the lack of collaboration and evidence base in developing a policy with this scale of impact.



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ITEM 1 (continued)

ATTACHMENT 1



Lifestyle and opportunity @ your doorstep

CoR is committed to constructive dialogue with the NSW Government and Department of Planning Housing and Infrastructure (DPHI), and is seeking a more collaborative approach to dealing with the housing crisis. CoR is not a NIMBY Council with respect to housing provision– it has continually exceeded its housing targets over the past two decades and will continue to do so. CoR is willing to continue contributing to housing supply in a manner that strikes the right balance; delivering housing alongside proportionate infrastructure, essential services, open space, and employment opportunities. The CoR calls for the NSW Government and DPHI to partner with us to deliver a balanced outcome for the Ryde LGA.

Council staff have prepared the attached submission for consideration by the Department of Planning, Housing, and Industry. The submission outlines key findings alongside practical recommendations designed to support greater collaboration between CoR and the NSW Government.

Our preference is for the NSW Government to provide greater support to CoR to rapidly review and revise key strategic documents, including CoR's *Local Strategic Planning Statement*, and *Local Housing Strategy*. This approach would deliver a strategic response to the housing crisis – enabling CoR to deliver more housing more quickly and alongside essential infrastructure, community services, open space, and employment opportunities.

In conclusion, while we express our objection to the EIE, CoR wishes to engage in a genuinely collaborative process that delivers balanced planning outcomes for our current and future communities. Through open dialogue, careful planning, and a shared commitment to sustainable urban development, we can ensure that the growth of our communities is both equitable and beneficial for all.

If you or your department would like to discuss the contents of this submission with me in more detail, please do not hesitate to contact me via [ceo@ryde.nsw.gov.au](mailto:ceo@ryde.nsw.gov.au).

Yours sincerely

Wayne Rylands  
Chief Executive Officer

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**ITEM 1 (continued)**

**ATTACHMENT 1**

**Executive Summary**

On 18 December 2023, the NSW Government exhibited its *Explanation of Intended Effect – Diverse and Well-Located Homes* (the **EIE**).

The City of Ryde Council (**CoR**) opposes the EIE as it will have detrimental and irreversible impacts on the sustainable development of our City as well as the community's trust in our shared responsibilities (state and local government) to govern.

CoR recognises that the intent of the EIE is to support a more diverse choice of housing, particularly in areas where increased density could leverage existing transport connections and services. CoR is supportive of this intent and is willing to work with the NSW Government to deliver these changes in a strategic and well-thought-out manner, however, the EIE as proposed will actively work against the policy's intent.

CoR would like to make it very clear that:

1. CoR is not a NIMBY Council – we have consistently exceeded our housing targets and will continue to do so, whilst noting the State Government has not delivered on the required infrastructure to support the increased residential density.
2. CoR wants to collaborate with the NSW Government on delivering a balanced outcome, meaning we deliver housing together with infrastructure, essential services, open space, and employment opportunities.
3. CoR is already working on master plans for West Ryde-Meadowbank and Eastwood that, if the right balance is struck with the NSW Government utilising considered, measured, strategic policy and regulatory levers,, could deliver a significant uplift in housing, employment and housing across the LGA (at a rate that counters the ill-conceived planning policy by the NSW Government to allow for employment lands in the Macquarie Park Innovation District to be replaced by Built-to-Rent housing – with no benefit to the community, no positive impact on addressing the housing crisis, particularly in relation to affordable housing, whilst having a significant adverse impact on employment and leading to the decimation of Australia's pre-eminent innovation district).

The EIE does not support a strategic approach to managing growth. Modelling by Council staff highlights that the EIE has the potential to deliver up to an additional 43,090 dwellings across the City, representing an increase of up to 107,725 people on the City's existing planning controls – an 83% increase from the current population. A 50% take up of the EIE would still deliver a population increase of 53,863 people.

Improving access to housing is a shared objective for Governments at all tiers. But so, too, is ensuring residents have a high quality of life, with access to appropriate infrastructure, essential services, and employment opportunities. The EIE's blanket approach does not achieve this, and instead, will lead to greater disadvantage – where existing and new residents in 'well-located areas' don't have equitable access to infrastructure and services.

It is critical that the NSW Government works with councils to accelerate strategic planning efforts to make a plan for growth that will see an increase in density occur alongside the timely delivery of infrastructure, essential services, open space, and employment opportunities.

**ITEM 1 (continued)**

**ATTACHMENT 1**

CoR is calling on the NSW Government to:

1. Stop the progression of the EIE until the local government sector have been genuinely consulted with and can work with the NSW Government to refine the policy and achieve outcomes in the best interests of all parties, most importantly the communities we seek to serve;
2. Reject the proposed planning controls to Council's R2 – Low density residential zones;
3. Stop the proposal to allow Build-to-Rent on the nationally important Macquarie Park Innovation District (MPID) employment lands;
4. Fund the accelerated evaluation and revision of the NSW Government's North District Plan; and
5. Help the CoR bring forward the evaluation and revision of the CoR's Local Strategic Planning Statement and the Local Housing Strategy by providing funding and infrastructure incentives to deliver more housing sooner in a balanced and well-planned manner.



**ITEM 1 (continued)**

**ATTACHMENT 1**

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**ITEM 1 (continued)**

**ATTACHMENT 1**

**1 Key findings and recommendations**

CoR is a capable partner for government, industry, and business. It is supportive of the need to improve housing density, particularly along transport corridors, but wants density done well. This means:

- Delivering high-quality, diverse housing across the City
- Sequencing infrastructure delivery alongside increased housing
- Protecting employment lands
- Improving the natural environment through increased tree canopies and the management of stormwater run-off
- Improving connectivity between strategic centres, and
- Enhancing social cohesion, safety, and equity.

**1.1 Key findings**

CoR staff have thoroughly reviewed the EIE and its potential impacts on the Ryde Local Government Area (LGA). These impacts are detailed further in this submission, with Table 1 summarising key findings.

*Table 1 - Key findings: CoR review of EIE*

Key finding	Commentary
i) The EIE will cause considerable strain on local infrastructure.	<p>Implementation of the EIE will result in an increase in unplanned residential development and consequential population growth.</p> <p>Increasing the City's population without sufficient planning for new and upgraded infrastructure will lead to negative impacts such as increased congestion, utility constraints (particularly water and sewage), increased stormwater runoff into local waterways, a reduction in green infrastructure (e.g., trees and open spaces), and an inability to meet demands for recreational spaces, community facilities, health facilities, educational facilities, childcare facilities, and aged care facilities.</p>
ii) The EIE will lead to adverse impacts on public open space and recreational facilities	<p>Projections for the Ryde LGA suggest that there will be a shortage of public open space and recreational facilities within the existing planning controls. The introduction of the EIE risks bringing forward these shortfalls as well as increasing the divide between those who do and don't have access to public open space and recreational facilities.</p>
iii) The EIE will lead to adverse impacts on heritage	<p>The combination of the EIE's new allowances and the use of Non-refusal Standards will lead to negative impacts on heritage, which will erode local character alongside the historical and cultural fabrics of local communities.</p> <p>The EIE's impacts on heritage will be irreversible, leading to a loss of heritage values and community identity.</p>

**ITEM 1 (continued)**

**ATTACHMENT 1**

<p>iv) The EIE will negatively impact streetscapes and local character</p>	<p>The EIE proposes to enable low and mid-rise housing in low density areas, without due consideration for the local character.</p> <p>The increase in dwelling typologies could lead to a deterioration of the streetscape and climate resilience, replacing spaces for trees and gardens with spaces for concrete driveways adding to heat island effects.</p> <p>The EIE will also lead to a disruption of visual and spatial harmony, leading to a loss of unique aesthetics and architectural character that defines many lower-density neighbourhoods.</p>
<p>v) The EIE will negatively impact existing residents</p>	<p>The EIE will lead to greater conflicts between existing and new developments, with existing neighbours needing to face the challenges of new development – such as managing overshadowing, water run-off, noise and privacy.</p> <p>The use of Non-refusal Standards harms the democratic processes existing residents have followed to guide the future of the places they live and work.</p>
<p>vi) The EIE reduces the ability to negotiate good planning outcomes</p>	<p>The EIE's Non-refusal Standards will diminish the CoR's ability to negotiate with developers to ensure quality planning outcomes are achieved. This limitation could lead to developments that do not respond to local needs or standards, potentially resulting in sub-optimal urban design and planning outcomes.</p>
<p>vii) The EIE will deliver poorer design outcomes for dual occupancies and multi-dwellings</p>	<p>The EIE's proposal to enable dual occupancies and multi-dwelling housing on reduced lot sizes and frontages, compared to the <i>Ryde LEP 2014's</i> development standards, will result in less building separation, poorer landscaping outcomes, a reduction in climate change resilience, and public safety (privacy and passive surveillance).</p>
<p>viii) The EIE does not consider Flood Prone Areas properly, increasing the risk of owners living without insurance or increased premiums</p>	<p>The EIE lacks adequate consideration for flood planning, raising serious concerns about public safety and community resilience during flood events.</p> <p>The disregard for due diligence on flood planning could lead to situations whereby new residents may not be able to afford high insurance premiums. Furthermore, it could lead to situations where lives are at unnecessary risk.</p>
<p>ix) The EIE will lead to adverse impacts on the transport network</p>	<p>For the Ryde LGA, many of the 'well-located areas' are areas with an existing high dependency on private motor vehicles. There are many factors to this dependency, including topography and travel destinations; however, many of the centres in the Ryde LGA suffer from a lack of efficient mass-transit solutions that get people where they want to go in a timely, reliable, and cost-effective manner.</p> <p>Increasing density without improving the transport network will only exacerbate these existing issues.</p>

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<p>x) The EIE undermines the legislative responsibilities of Council to undertake a holistic and long-term approach to strategic planning</p>	<p>The EIE contradicts the CoR's long-term strategic planning objectives, which aim to create a balanced and sustainable approach to growth and urban development.</p> <p>If the blanket approach of the EIE was designed by a Council, the NSW Planning System would not allow its implementation without sufficient strategic planning, community consultation, and evidence that it could deliver this growth strategically. The NSW Government should meet the same expectations it sets for local government.</p>
<p>xi) An increase in housing approvals will not automatically lead to more affordable housing</p>	<p>The EIE's approach, particularly the use of Non-refusal Standards, seeks to bypass local communities in order to increase the volume of housing approvals. Public messaging surrounding the EIE focussed on the potential for increased housing supply to reduce the cost of housing.</p> <p>Increasing housing approvals is unlikely to address housing affordability unless the NSW Government can resolve other issues such as the availability of public housing, location and access to essential services, cost of construction materials, and labour.</p>
<p>xii) It is not clear how the EIE will be applied, particularly with regard to its relationship to other state and local government planning instruments.</p>	<p>The EIE lacks clarity regarding its enforcement and its relationship to other state and local planning instruments. As such, the EIE poses challenges in understanding how the proposed changes will be implemented, leading to confusion and inconsistent planning decisions across the NSW.</p>
<p>xiii) The EIE will be a catalyst event for waste management within Greater Sydney</p>	<p>The EIE lacks consideration of the anticipated rise in waste generation and, therefore, the necessary infrastructure and service expansions that will be required to manage waste.</p> <p>The EIE will lead to more complex waste management logistics, leading to additional costs to ratepayers. This may also lead to additional street design issues whereby large garbage trucks will need to be used on small local streets – removing the capacity for on-street parking.</p>

**1.2 Recommendations**

CoR is not a NIMBY Council. CoR have always exceeded our housing targets and will continue to do so. CoR is supportive of improving housing density alongside enhancing the wellbeing of our community. CoR opposes the EIE in its current form. Council staff have prepared a series of recommendations for the Department of Planning, Housing, and Industry's consideration. These recommendations are documented in [Table 2](#).

*Table 2 - CoR recommendations to improve the EIE*

Ref	Recommendation
a)	The NSW Government should increase the funding allocation (through HCPs) to include provisions for infrastructure development and service enhancements in response to the significant increase in population growth forecasts. The contributions collected from development within the Ryde LGA should be allocated to projects within the Ryde LGA.

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b)	The NSW Government should delay the adoption of the EIE (stated to be in June 2024) to enable local governments to review the infrastructure needs of their LGAs and update their contributions plans.
c)	The NSW Government should provide funding to local governments to prepare new Open Space Future Provision Plans and identify if property acquisition is required to meet the future active and passive recreation infrastructure needs of the additional population.
d)	The NSW Government should exempt all heritage conservation areas and items (and sites adjoining heritage conservation areas or items) from the EIE.
e)	The NSW Government should remove all areas of special character from the EIE. These include areas identified in CoR's <i>Local Housing Strategy</i> .
f)	The NSW Government should remove the Non-refusal Standards specified in the EIE and develop, in collaboration with Councils, supplementary development standards and design guidelines that offer detailed controls and guidance to protect neighbouring amenities. The guides should include recommendations for innovative design solutions that maximise solar access, visual and acoustic privacy and minimise negative impacts on existing residents.
g)	To maintain an amount of tree canopy on private land, the NSW Government should introduce planning controls that incentivise the planting of trees on sites that are redeveloped.
h)	The NSW Government should convert the Non-refusal Standards relating to minimum site area, floor space ratio, height of buildings, frontage and car parking to development standards.
i)	The NSW Government should allow local governments to apply their own development standards for minimum site areas and frontages for dual occupancies and multi-dwellings, similar to the current low-rise medium density code under SEPP (Exempt and Complying) 2008.
j)	The NSW Government should revise the EIE to ensure that flood or fire planning is adequately addressed, including allowing local governments the right of refusal if a development application does not address a council's flood or fire planning controls.
k)	The NSW Government should look at more collaborative opportunities, supporting local governments who are undertaking master planning activities. CoR, for example, is currently preparing master plans for West Ryde-Meadowbank and Eastwood.
l)	The NSW Government needs to work with local governments to ensure relevant strategic plans are updated in a timely manner (e.g., LSPS, Local Housing Strategy).
m)	State and Federal Governments should significantly increase the delivery and investment of affordable housing, including public housing targeting essential workers and low to moderate-income earners.
n)	The NSW Government should refer planning for affordable housing back to local governments through their local housing strategies to require private developments to deliver a proportion of residential dwellings as affordable housing.
o)	The NSW Government needs to develop a regional waste strategy for Greater Sydney addressing the increase in dwellings so that waste can be adequately managed.

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### 2 Detailed submission

CoR has prepared this submission in response to the NSW Government's EIE. CoR is committed to increasing the provision of housing across the Ryde LGA, but only in a sustainable manner where housing growth is met with appropriate infrastructure, essential services, open space, and employment opportunities.

CoR has always exceeded expectations when it comes to meeting our housing targets. Through its *Local Strategic Planning Statement 2020* and the *Local Housing Strategy 2021*, CoR has committed to delivering an additional 13,800 homes between 2021 and 2036. Moreover, CoR has committed to delivering this housing in areas accessible to frequent and high-capacity public transport, shops, and services.

Recognising the current housing challenge, CoR is willing to do more. However, doing more for housing means doing more for people – delivering them the infrastructure, essential services, and employment opportunities they need to thrive.

The detailed component of CoR's submission provides analysis and commentary on how the EIE will deliver sub-optimal outcomes for people living and working within the Ryde LGA now and into the future.

#### 2.1 Key finding: The EIE will cause considerable strain on local infrastructure

Implementation of the EIE will increase unplanned residential development and consequential population growth.

Increasing the City's population without sufficient planning for new and upgraded infrastructure will lead to negative impacts such as increased congestion, utility constraints (particularly water and sewage), increased stormwater runoff into local waterways, a reduction in green infrastructure (e.g., trees and open spaces), and an inability to meet demands for recreational spaces, community facilities, health facilities, educational facilities, childcare facilities, and aged care facilities.

At the heart of CoR's objection to the EIE is that it will result in a rapid increase of ad hoc, unplanned residential development. Consequently, CoR will not be able to deliver the infrastructure required to meet this unplanned population growth. In addition to not being able to plan for this growth, CoR will not be able to properly leverage the development to ensure they pay their fair share of infrastructure (new or upgraded) costs.

The NSW Government's proposed implementation of the EIE by the end of June 2024 does not give CoR or any local government adequate time to prepare the relevant plans and strategies required to deliver the infrastructure and services required by this new growth. CoR believes that this will be a similar issue for utility providers and essential service (particularly education and health) providers.

Under current controls in the Ryde Local Environment Plan (LEP) 2014, manor houses, multi-dwelling housing (terraces) and multi-dwelling housing are prohibited in the R2 zone (Low Density Residential). The EIE proposes to make these housing typologies permissible with consent in R2 zones within 'station and town centre precincts'. This will permit additional dwellings beyond the capacity under current planning controls in these precincts.

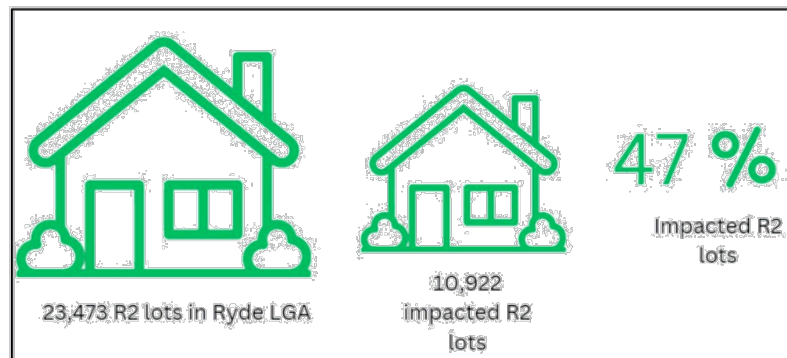
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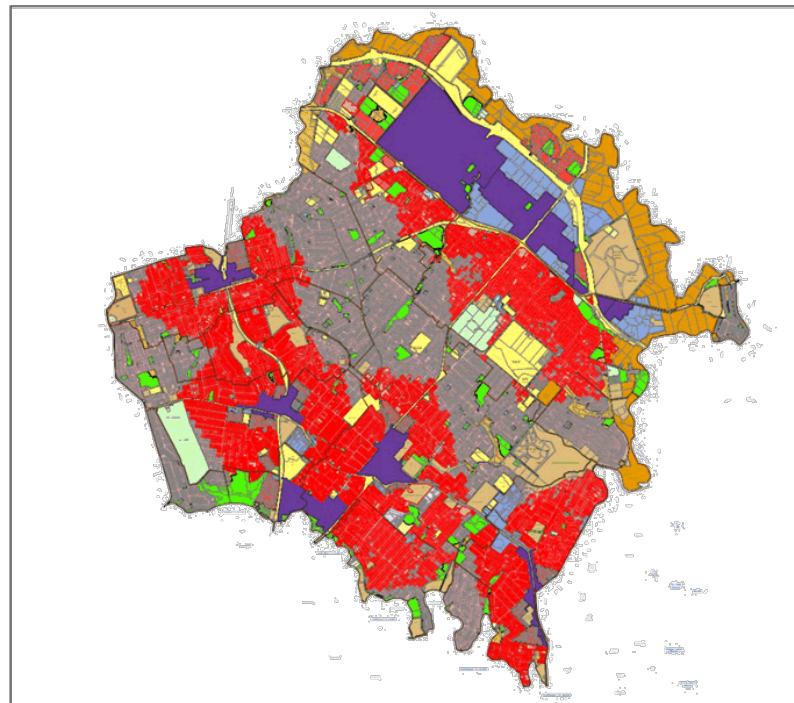
CoR has investigated the potential changes to dwelling capacity under the EIE and compared them to the capacity under existing planning controls in Ryde LEP. The EIE will apply to a significant number of R2 – Low Density residential lots, as demonstrated in [Figure 1](#).

Out of the 23,473 R2 lots within the Ryde LGA, 10,922 R2 lots will meet the minimum 500sqm, 12m lot frontage criteria for multi-dwelling housing and Manor homes within an 800-metre walking distance to a heavy rail station, metro station, or E1, E2 or MU1 zone with shops, services and supermarkets.

*Figure 1 - Total lots to be impacted by the EIE within the Ryde LGA (source: CoR, 2024)*



*Figure 2 - Total lots to be impacted by the EIE (highlighted in red) (source: CoR, 2024)*





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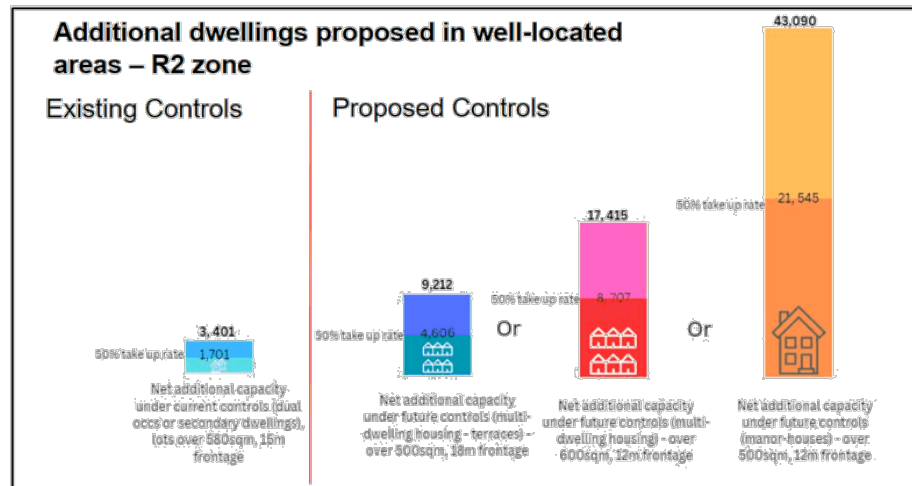
Figure 2 is a spatial representation of the total lots impacted by the EIE within the Ryde LGA (highlighted in red). This spatial representation demonstrates that almost half of the R2 lots within the Ryde LGA will be eligible for medium-density housing.

Council staff have further analysed the potential take up of the EIE, noting the following:

- Controls under Ryde LEP 2014 enable an additional 3,401 dwellings (Secondary dwellings or attached dual occupancies)
- A scenario analysis was undertaken, measuring the total additional dwellings proposed in the EIE and population growth with the scenarios
  - If 100% of lots with a size equal to or more than 500sqm and an 18m frontage are developed into multi-dwelling housing (terraces), it will result in a total of 9,212 additional dwellings.
  - If 100% of lots with a size equal to or more than 600sqm and 12m frontage are developed into multi-dwelling housing, it will result in a total of 17,415 additional dwellings.
  - If 100% of lots with a size equal to or more than 500sqm and 12m frontage are developed into manor housing on lots that are, it will result in 43,090 additional dwellings.

Figure 3 below demonstrates the potential uplift proposed by the EIE in R2 zones across the Ryde LGA.

Figure 3 - Additional uplift proposed by the EIE in the R2 zone (source: CoR, 2024)



Recognising that not all lots are likely to be redeveloped in line with the EIE, staff have modelled a conservative 50% 'take up rate', included in the figure above. This is an assumption that 50% of lots could be redeveloped into higher-density dwellings, as per the EIE.



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The Ryde LGA has an existing population of 129,123 people (ABS, 2021 Census). The potential to increase the population by between 41% and 83% (based on a 50% or 100% uptake of manor houses) is only feasible with adequate planning to prepare for this scale of growth (refer to [Table 3](#)).

*Table 3 - Additional Dwelling Capacity and Population (at 2.5 persons per dwelling) proposed by the EIE (Source: CoR, 2024)*

	Current dwelling capacity at 50% uptake	Current dwelling capacity at 100% uptake	Proposed dwelling capacity at 50% uptake	Population at 50% uptake	Proposed dwelling capacity at 100% uptake	Population at 100% uptake
<b>R2 zone – existing capacity</b>	1,701	3,401	-	4,253	-	8,503
<b>R2 zone - Terraces</b>	-	-	4,606 (+2,905)	11,515 (+7,262)	9,212	23,030 (+14,527)
<b>R2 zone – Multi-dwelling Houses</b>	-	-	8,707 (+7,006)	21,768 (+17,515)	17,415	43,538 (+35,035)
<b>R2 zone - Manor Houses</b>	-	-	21,545 (+19,844)	53,863 (+49,610)	43,090	107,725 (+99,222)

The EIE proposes that infrastructure will be funded through the Housing and Productivity Contribution (HPC), with payments made into a Housing and Productivity Fund (containing contributions from developments across the Sydney region). The amounts proposed to be collected will be going into a pool that can be used by the NSW Government across the Greater Sydney region, with no guarantee that the funding allocated to any future infrastructure delivery will be apportioned based on the amount of development within an LGA.

Based on Council's projections above, a maximum dwelling increase proposed by the EIE will likely be an additional 21,545 dwellings (factoring in Manor house development, 50% take up rate). Based on an average household size of 2.5 people per household (ABS, 2021), the population increase could be approximately 53,863 people, which will be significantly above what Council has planned for in relation to community infrastructure.

CoR's *Ryde Contributions Plan 2020* plans for a population growth of 45,302 between 2016 and 2036. The *Ryde Development Contributions Plans 2020* was developed based on this population projection alongside the associated demand for infrastructure at the time of its development.

The potential for a surge in population does not fit within the margins of CoR's Contributions Plan, which will need to be revised to ensure those developing new housing pay their fair share of development contributions.

The combination of a would-be out-of-date contributions plan and the NSW Government's Housing Productivity Contribution will likely leave new and existing residents within the Ryde LGA missing their fair share of infrastructure.

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In addition to the provision of initial delivery and renewal/upgrade of infrastructure required for the growing population, CoR's current 7.11 and 7.12 contribution plans and the HPC do not include provisions for costs associated with the ongoing maintenance of the new and upgraded infrastructure by Council, and replacement or renewal into the future.

In relation to the R3 – Medium Density lots, there are 49 lots within the 'well-located areas'. Compared to the 10,922 R2 lots to be impacted by the EIE, the impact on existing R3 zones within the Ryde LGA will be minimal.

### **2.2 The EIE will lead to adverse impacts on public open space and recreational facilities**

The EIE proposal will have detrimental impacts on the adequacy and usability of open space and recreational facilities, resulting in unacceptable impacts on access to sports and recreation opportunities.

The EIE will add significantly to the open space and recreation facility shortfalls already being experienced with CoR. These shortfalls are well understood by CoR and documented in its *Open Space Provision Strategy 2021* (the **OSP Strategy**).

The OSP Strategy identifies the following future open space shortfalls (based on the existing NSW Government population projection for the Ryde LGA being 171,650 people by 2036). It assumes the implementation of all existing planned recreational infrastructure, embellishments, and continuation of recreational demand and participation rates.

#### **2.2.1 Passive Recreation**

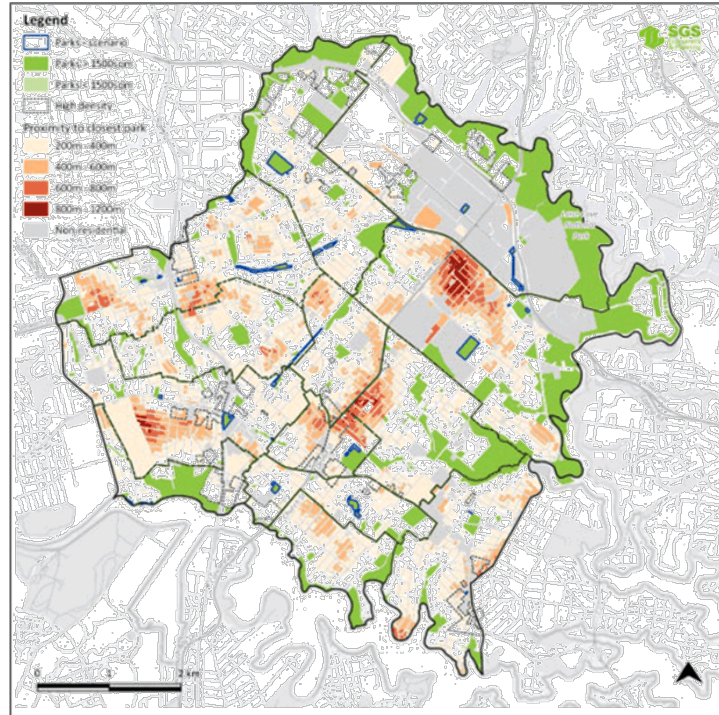
The OSP Strategy found that there was a sufficient overall quantity of open space in the Ryde LGA at the time of the study. Still, it projected a significant undersupply of open space by 2036, based on the forecast population increase of 50,000 people between 2016 and 2036.

The OSP Strategy focussed on accessibility, consistent with the NSW Government Architect's Draft Greener Places Guide, and found that, even with 28Ha of planned new open space acquisitions, there would still be many locales in the Ryde LGA (marked orange and red in [Figure 4](#)) without 400m walking access to a local park.

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Figure 4 - Accessibility of open space in the Ryde LGA  
(source: Ryde, 2021)



**2.2.2 Active Recreation**

The OSP Strategy also forecasts the following shortfalls out to 2036 in sport and recreation facilities (refer to [Table 4](#)).

Table 4 - Shortfalls in sport and recreation facilities within the Ryde LGA  
(source: CoR, 2021)

Facility type	Service gap 2036 - # Facilities
Full size outdoor field and oval – winter*	- 7
Indoor court	- 5
Golf	- 1
Swimming	- 697m <sup>2</sup>

The EIE’s proposed change in controls will add significantly to both the open space and recreation facility forecast shortfalls.

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This is illustrated in [Table 5](#), below, for existing controls and the 3 levels of proposed controls (i.e. Multi-dwelling housing +500m<sup>2</sup>/18m frontage; +600m<sup>2</sup>/12m frontage; manor houses), assuming 50% uptake and occupancy rate of 2.5 persons per dwelling.

*Table 5 - Increase in shortfalls for open space and recreational facilities in the Ryde LGA  
 (Source: CoR, 2024)*

Facility	Benchmark	Unit	Additional facility requirements			
			Qty			
			Population capacity <sup>[1]</sup> – existing controls (50% uptake)	Proposed increase in capacity – 50% uptake		
			4,253	11,515	21,768	53,863
<b>Industry benchmarks - Number of parks</b>						
Major/destination parks > 5ha <sup>[2]</sup>	1:20,000 people	No. of parks	-	-	1	2
District Parks (average size >5ha, minimum size 2ha) <sup>[3]</sup>	1:5,000 people	No. of parks	-	2	4	10
Local Parks (average size > 0.5ha, minimum size 0.15ha) <sup>[4]</sup>	1:2,500 people	No. of parks	2	5	8	21
<b>Sport/recreation facilities</b>						
Full size fields and ovals	1 per 3,400 people	No. of full-size fields and ovals	1	3	6	16
Junior/Mod fields and ovals	1 per 13,000 people	No. of junior/ mod fields and ovals	-	-	2	4
Outdoor court	1 per 1,800 people <sup>3</sup>	No. of outdoor courts	2	6	12	30
Indoor court	1 per 9,500 people	No. of indoor courts	-	1	2	6
Lawn bowls and croquet	1 per 21,000 people	No. of lawn bowls/ croquet facilities	-	-	1	2
Golf course	1 per 56,000 people	No. of 18-hole golf courses	-	-	-	-
Swimming	1,000 m <sup>2</sup> of pool space per 38,000 people <sup>3</sup>	m <sup>2</sup> of pool space	112	303	573	1,417

<sup>[1]</sup> Based on Place Strategy residential occupancy rate of 2.5 persons

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<sup>iii</sup> GA Greener Places: Open Space for Recreation Guide: Draft for Discussion 2020

These additional facility demands will significantly increase the forecast future facility shortfalls, as illustrated in [Table 6](#) for sport and recreation facilities.

*Table 6 - Sport and recreation facility shortfalls  
(Source: CoR, 2024)*

Facility type	Forecast service gap at 2036 (# facilities)			
	Current controls	Proposed controls - well-located areas (R2 zone)		
		Multi-dwelling housing (attached) +500m <sup>2</sup> /18m frontage	Multi-dwelling housing +600m <sup>2</sup> /12m frontage	Manor houses
Full size outdoor field and oval – winter*	- 7	-10	-13	-23
Outdoor court	+ 16	+10	+4	-14
Indoor court	- 5	-6	-8	-11
Golf	- 1	-1	-1	-1
Swimming	- 697m <sup>2</sup>	-1,000	-1,270	-2,144

The shortfall for full-size outdoor sports fields/ovals, for example, would increase from 7, under existing controls, to 23 under the proposed Manor House controls.

**2.3 Adverse Heritage Impacts**

The combination of the EIE's new allowances and the use of Non-refusal Standards will lead to negative impacts on heritage, which will erode local character alongside the historical and cultural fabrics of local communities.

The EIE's impacts on heritage will be irreversible, leading to a loss of heritage values and community identity.

CoR foresees that the EIE will result in adverse impacts to heritage items and conservation areas. Housing development around stations and town centres is based on early land grants and railway line expansion at different eras. They represent most heritage items, heritage conservation areas, potential heritage items and locations for Aboriginal heritage sites.

Across the Ryde LGA, there are 196 heritage items, eight heritage conservation areas and four archaeological sites. Around 110 heritage items are within 'well-located' areas, representing more than 50% of the heritage items in the Ryde LGA. Moreover, seven heritage conservation areas are completely within 'well-located areas'. The remaining heritage conservation area, Brush Farm Park, is in close proximity to the 'well-located areas' in Eastwood.

[Table 7](#) summarises the number of heritage items and total number of properties within each heritage conservation area in 'well-located areas'. It shows that a total of 463 properties are within these heritage conservation areas.

Lastly, two archaeological sites (item number A143B and A345 in Ryde LEP 2014) are also located within 'well-located areas'. As a result, a significant number of heritage properties within the Ryde LGA are potentially affected by the EIE.



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*Table 7 - Heritage Conservation Areas in 'well-located areas'  
(source: CoR, 2024)*

Heritage Conservation Areas	Number of Heritage Items	Number of Properties (excluding heritage items)
Chatham Road, Denistone	0	160
Darvall Estate, Denistone	9	119
Eastwood House Estate, Eastwood	1	58
Gladesville Shopping Centre	5	27
Maxim Street, West Ryde	2	20
Ryedale Road, West Ryde	0	34
Tyrell Street, Gladesville	2	45

The EIE's proposed Non-refusal Standards will apply to manor houses, multi-dwelling housing (terraces), multi-dwelling housing, residential flat buildings and shop-top housing within the 'station and town centre precincts' and dual occupancies across the R2 zone. Thus, all heritage items within the Ryde LGA are potentially affected by the EIE, as it is likely that heritage items will be surrounded by higher-density development that complies with the Non-refusal Standards.

Assessing development with Non-refusal Standards will undermine the ability to avoid negative impacts on the heritage items. It will prevail over the statement of heritage significance (needed in the current development assessment process) and CoR's rights to assess the impacts of development on lands the vicinity of heritage items and heritage conservation areas (stipulated in Clause 5.10 of *Ryde LEP 2014*).

The EIE will not only have detrimental impacts on heritage landscapes but also compromise Ryde LEP 2014's objective '*To identify, conserve and promote Ryde's natural and cultural heritage as the framework for its identity, prosperity, liveability and social development*'.

As a demonstration of the potential negative impact of Non-refusal Standards on heritage, staff have included the following image ([Figure 5](#)) of an undesirable outcome approved under non-merit-based assessment permitted under current *SEPP (Exempt and Complying Development Codes) 2008*.

139 Tennyson Road (on the left) is a heritage item listed in Ryde LEP 2014. The development on 137 Tennyson Road (on the right), which was approved under SEPP (Exempt and Complying Development Codes) 2008, visually erodes the heritage setting and has a detrimental impact on the view of the heritage item from the street.

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Figure 5 - 137 & 139 Tennyson Road, Tennyson Point  
(source: CoR, 3 June 2023)



The EIE proposes 'All other applicable planning controls in LEPs and DCPs such as heritage and environmental considerations will continue to apply to the extent they are not inconsistent with these new standards'<sup>1</sup>. It is unclear how the legislation will apply to heritage properties. The following clarifications are required:

- The status of Clause 5.10 evaluation under the LEP for development that meets the Non-refusal Standards on heritage items or properties within heritage conservation areas, given that the Non-refusal Standards proposed under the EIE appear to prevail over heritage considerations.
- Inclusion or exclusion of state and local heritage items from the EIE.
- Inclusion or exclusion of heritage conservation areas. If they are not excluded, the Non-refusal Standards will apply to the 463 properties within heritage conservation areas. Council would not be able to refuse developments that have detrimental impacts on heritage items within the heritage conservation areas and/or on the heritage landscape if they comply with the Non-refusal Standards.
- Inclusion or exclusion of heritage vicinity areas identified by Council. If heritage vicinity areas are not excluded, the EIE will lead to standalone heritage items being surrounded by higher density development. For example, a small heritage cottage in the vicinity of a residential flat building of 6 storeys high. This is undesirable for heritage streetscape.
- How 'not inconsistent' is defined.

<sup>1</sup> EIE, p.32

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- Inclusion or exclusion of potential heritage items from the EIE.
- Inclusion or exclusion of identified and potential Aboriginal heritage sites.
- Inclusion or exclusion of heritage items or heritage conservation areas adjoining the 'station and town centre precinct'.
- Inclusion or exclusion of archaeological sites. 2 archaeological sites within the 'well-located areas' are on land zoned as R2 or MU1; these sites could be potentially developed into development permitted under the EIE, thus undermining the conservation of these sites.
- Clear definitions of what heritage properties will be included or excluded from this EIE.

The EIE will potentially lead to double standards in assessing development on heritage properties. For example:

- If heritage conservation areas and heritage vicinity areas are not excluded from the EIE and non-refusal standards prevail over Clause 5.10 of Ryde LEP 2014, CoR could not evaluate the heritage impacts for development within the 'station and town centre precincts'.
- However, Clause 5.10 under Ryde LEP 2014 evaluation will continue to apply for development in heritage conservation areas and heritage vicinity areas outside the 'station and town centre precincts'. Thus, this creates inconsistency in how CoR evaluates heritage impacts across the LGA.

### 2.4 The EIE will negatively impact streetscapes and local character

The EIE proposes to enable low and mid-rise housing in low-density areas without due consideration for local character.

The increase in dwelling typologies could lead to a deterioration of the streetscape and climate resilience, replacing spaces for trees and gardens with spaces for concrete driveways, adding to heat island effects.

The EIE will also lead to a disruption of visual and spatial harmony, leading to a loss of unique aesthetics and architectural character that defines many lower-density neighbourhoods.

The blanket-based approach to increasing dwelling densities in the R2 zone will erode CoR's suburban streetscape and local character.

The EIE proposes to make manor houses, multi-dwelling housing (terraces) and multi-dwelling housing permitted with consent across R2 zones in 'station and town centre precincts', which are currently prohibited under Ryde LEP 2014.

Council's *Local Strategic Planning Statement (LSPS)*, *Planning Ryde 2020*, identifies the distinct identities for each town centre in Ryde LGA, including Ryde, Eastwood, West Ryde, Gladesville, and Shepherds Bay in Meadowbank, based on their history and community.

The blanket approach to increasing denser dwelling forms in the R2 zone without a nuanced consideration of the area's unique characteristics that are exhibited for each town centre will diminish the unique attributes of each neighbourhood. The development of the proposed typologies under the EIE will disrupt the visual and spatial harmony of the area, leading to a



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loss of the unique aesthetic and architectural character that defines many lower-density neighbourhoods.

The EIE proposes even smaller minimum site sizes and widths for low-rise housing than the current *Ryde Development Control Plan 2014*. The reduced minimum lot size for low-rise housing development results in more vehicle entries accessed from the street. The EIE does not align with the council's vision to create walkable and sustainable communities around the station and town centres.

CoR supports higher-density dwelling typologies in well-located areas in principle and as per its LSPS and Local Housing Strategy. However, the broad-based rezoning approach proposed by the EIE eliminates CoR's ability to further assess the nuance and character of each locality to determine further character areas to protect or appropriate built-form controls that can architecturally integrate higher-density dwelling typologies with lower-density areas.

The implementation of an upzoning approach without conducting a nuanced urban design study is incongruent with contemporary urban planning practices. These studies provide vital insights into the specific needs, characteristics, and potential impacts on various communities and locales. Forgoing such a study in the upzoning process overlooks the complexity and diversity inherent in urban environments, which is a fundamental consideration under the *Environmental Planning and Assessment Act 1979* (the **EP&A Act**). This approach will lead to outcomes that are not aligned with good planning practice.

Furthermore, the EIE purports to "*want to enable more diverse, well-designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport*", design – and a commitment to good design in particular. However, this is conspicuously absent from the proposed changes. The EIE states that "*the consent authority must consider the Low Rise Housing Diversity Design Guide for development applications.*" This change requires clarification, as it is not clear what impact this has on CoR's ability to set locally-specific development controls through its Development Control Plan.

The wholesale application of the Low Rise Housing Diversity Design Guide threatens to undermine CoR's ability to control development in ways that maintain and enhance the character of local areas. While CoR fundamentally objects to the EIE, if it is approved, CoR requests that a high-quality design code accompany the proposal to mitigate adverse impacts to character. This design guide should have higher statutory weight than a typical design guide, similar to the current *Apartment Design Guide*.

### 2.5 The EIE will negatively impact existing residents

The EIE will lead to greater conflicts between existing and new developments, with existing neighbours needing to face the challenges of new development – such as managing overshadowing, water run-off, noise and privacy.

The use of Non-refusal Standards harms the democratic processes existing residents have followed to guide the future of the places they live and work.

The EIE states that "*all other applicable planning controls in Local Environmental Plans and Development Control Plans will continue to apply to the extent they are not inconsistent with these new provisions.*" The implication of this statement is that CoR's Development Control Plan's (**DCP**) controls, such as setbacks and maximum storeys, which indirectly affect the Gross Floor Area (**GFA**) that a development can achieve, will be overruled by the non-refusal clauses that are proposed.

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CoR's development controls currently offer a critical mechanism for mediating the impacts of new development on existing residents. In reducing the range of development controls available to CoR to mediate development impacts, this proposal will result in development that negatively impacts existing residents, resulting in poor amenity, sustainability and public health outcomes.

The EIE also fails to protect dwelling amenity for existing residents, especially with regards to privacy, water run-off, and overshadowing/solar access. The health and energy benefits of good solar access are well understood. Solar access has been a core aspect of development controls to protect good public health outcomes.

Under the EIE, CoR's ability to protect neighbour amenity is severely reduced. Lots adjacent to new development risk losing access to sunlight where locally specific setbacks, landscape areas, and solar access controls constrain GFA and height. The effect of this proposal is to shift the cost of amenity protection from developers to existing residents. These costs include:

- 1) an increase in power demand for heating in winter to compensate for reduced solar heat gain, and
- 2) burdening existing residents with the cost of adapting their properties to overcome poor outcomes due to the poorly controlled development of neighbouring lots.

Given the current costs of construction and the costs of living, the EIE will likely result in severe social inequities as existing residents bear the risk of adjacent development. Few in the community may be able to cope with these costs, while many others will see significant impacts on their cost of living and quality of life.

Constraining CoR's ability to mediate development impacts will inevitably reduce the quality of development within the Ryde LGA. It is, therefore, imperative that local approval authorities' ability to assess development against locally-specific development controls is protected to ensure development is 'better placed', considerate of neighbours and their needs, and leads to positive resource and public health outcomes.

### 2.6 The EIE reduces the ability to negotiate good planning outcomes

The EIE's Non-refusal Standards will diminish the CoR's ability to negotiate with developers to ensure quality planning outcomes are achieved. This limitation could lead to developments that do not respond to local needs or standards, potentially resulting in sub-optimal urban design and planning outcomes.

CoR is concerned that the implementation of Non-refusal Standards for medium and high-density development will erode Council's ability to negotiate good planning outcomes. The EIE will introduce Non-refusal Standards for developments of dual occupancies, manor houses, multi-dwelling housing (terraces) and multi-dwelling housing, shop top housing and residential flat buildings wherever they are permitted within 'station and town centre precincts' (except for residential flat buildings in the R2 zone). If a development complies with the non-refusal standards (such as height and FSR), CoR '*must not refuse consent on those grounds*'<sup>2</sup>. Thus, this non-merit-based 'tick the box' process will diminish the incentive for developers to adhere to other merit-based controls, including design excellence, open space provisions, and sustainability outcomes.

<sup>2</sup> EIE, p.28

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As the Non-refusal Standards will apply to all lots within 'station and town centre precincts' that meet the criteria, regardless of site localities and constraints, important site-specific planning considerations are likely to be ignored, such as overshadowing, privacy between neighbours, preservation of important views across properties, and landscaping and stormwater management. These elements contribute to quality of living standards which are regulated under a merit-based assessment process. However, the predominant emphasis on increasing housing supply has overshadowed key design and planning elements that are essential for enhancing amenity and liveability.

**2.6.1 Adverse impacts on tree canopy, soft landscaping and urban heat**

The EIE has the potential to significantly reduce deep soil areas, which are essential for on-lot planting and achieving the NSW Government's tree canopy targets. Historical feedback from Councils to the NSW Government during canopy and greening workshops has highlighted private properties as vital, yet increasingly vulnerable, spaces for promoting tree canopy. The EIE, as it stands, is likely to accelerate the removal of the existing canopy due to the reduced lot sizes and frontages medium density development, further exacerbating biodiversity loss, reducing canopy coverage, and intensifying localised urban heat effects.

Moreover, the State's own urban heat island and canopy mapping tools have not been adequately leveraged to assess the cumulative impacts of the proposed housing developments on urban heat, tree loss, and other critical issues such as overland flow and flooding. This oversight suggests a lack of due diligence in understanding the broader environmental implications of increased housing density.

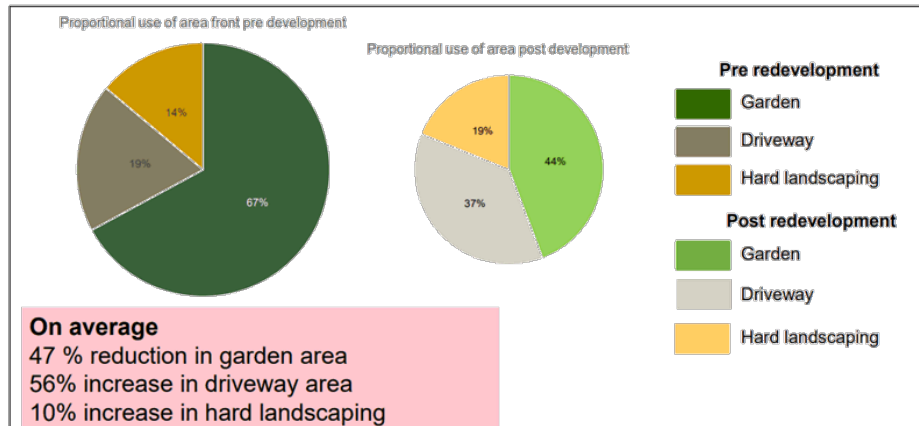
The shift towards smaller, on-lot developments, while aiming to increase housing supply, is also leading to a substantial increase in the footprint of dwellings across urban areas. For example, Macquarie University undertook an analysis of development in the R2 – Low Density zones in the City of Ryde LGA, comparing dwellings in 2018 and 2023. The analysis demonstrated that with increasing dwelling sizes and densities (such as dual occupancies), total soft landscaping and vegetation have been reduced. This is demonstrated in [Figure 6](#).

This trend has resulted in the increased loss of critical and protected vegetation communities, despite existing policies like biodiversity conservation DCP and the LEP ostensibly protecting these areas. In practice, the lure of property development is driving illegal vegetation removal, undermining efforts to preserve endangered ecological communities (EEC) and biodiversity.

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Figure 6 - Total garden area comparing development in the R2 zone (2018 versus 2023) in Ryde LGA (source: Macquarie University, 2023)



The incentives provided by the current policy framework risk further accelerating this loss, underscoring the need for more robust policy controls that prioritize vegetation retention and expansion. The EIE, with reduced minimum lot sizes for multi-dwelling housing and dual occupancies, will exacerbate the loss of soft landscaping and vegetation.

Additionally, the EIE fails to address the consequences of reducing permeable surface ratios due to the larger cumulative footprint of low- to mid-rise developments. The evolution of housing sizes and typologies has led to a rapid decline in pervious surface areas within urban environments. This reduction not only exacerbates overland flow issues during flash rain events but also places undue stress on local stormwater management systems. With climate data indicating an increase in both the frequency and intensity of such events, the proposed policy changes risk overwhelming these systems more frequently, pushing water management challenges into public spaces and surrounding communities.

**2.7 The EIE will deliver poorer design outcomes for dual occupancies and multi-dwellings**

The EIE's proposal to enable dual occupancies and multi-dwelling housing on reduced lot sizes and frontages, compared to the Ryde LEP 2014's development standards, will result in less building separation, poorer landscaping outcomes, a reduction in climate change resilience, and public safety (privacy and passive surveillance).

CoR is concerned that controls under the Non-refusal Standards for dual occupancies are less stringent compared to controls in *Ryde LEP 2014* (see [Table 8](#)).

The Non-refusal Standards would allow the development of dual occupancies on lots with a smaller site area, which would have been prohibited under Ryde LEP 2014. This will lead to reduced private open space and landscaping and the ability for effective stormwater management that is essential for recreation and water-sensitive urban design outcomes.

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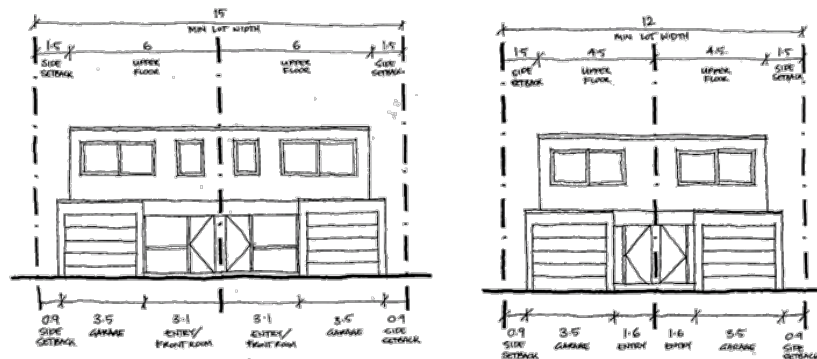
Table 8 - Comparison of controls between Ryde LEP 2014 and proposed refusal standards  
(source: CoR, 2024)

Typologies	Standards	Controls under Ryde LEP 2014	Non-refusal standards under EIE
Dual Occupancies (attached)	Minimum lot area	580m <sup>2</sup>	450 m <sup>2</sup>
	Minimum lot width	15m	12m
	Maximum FSR	0.5:1	0.65:1
	Maximum Building Height	9.5m	9.5m

Vegetated verges will also be eroded by the increase in driveways, diminishing the tree canopy and further contributing to the urban heat island effect and stormwater run-off. Given that garages and driveways are unable to be reduced in size, relaxing minimum lot widths for dual occupancies will also lead to development with less active frontages as it reduces the scope to provide windows within the front façade.

CoR's current 15 metre frontage requirement was adopted to improve outcomes such as streetscape presentation, increased space for soft landscaping and provision of rooms and windows to promote active frontages. The Non-refusal Standards will lead to diminished architectural, urban design and sustainability outcomes, as demonstrated in Figure 7.

Figure 7 - Street elevation study comparing the existing minimum lot width (left) to the proposed reduced minimum lot width (right). All dimensions in metres.  
(source: CoR, 2024)



The diagram above illustrates the impact of the proposed changes to minimum lot widths on the street-facing elevation of typical attached dual occupancy developments. Reducing the minimum lot width from 15m to 12m will have the following built-form impacts:

- The reduced lot width eliminates the possibility of habitable spaces facing the public domain. This change will impact public safety by reducing passive surveillance of the public domain.
- The proportion of the frontage taken up by garages increases from approx. 46% to approx. 59% of the front façade under the proposed change to minimum lot width.
  - Subsequently, driveway widths as a proportion of front gardens and kerbs will increase from 40% to 50% of the lot width.

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- This results in a 25% increase in hardscaping, contributing to greater run-off (increasing the load on existing stormwater infrastructure), erosion of vegetated verges, and urban heat island issues.
- Front gardens will also be narrower as a proportion of the lot width to accommodate closer driveways. This means less permeable surfaces for run-off, less vegetated areas providing passive cooling, and fewer opportunities for street-facing private open spaces.
- The reduced minimum lot width also reduces the number of rooms that can be accommodated on the first floor. A 6m wide first floor can accommodate a bedroom and a study (or possibly a smaller second bedroom), whereas a 4.5m wide upper floor will only accommodate one of these two uses.
  - Given that the number of residents working from home has increased, reducing the possibility of multiple users facing the street risks reduced passive surveillance of the street at different times of the day.

It is clear from this simple design study that the changes to minimum lot sizes for dual occupancy developments will inevitably result in built-form outcomes that directly contradict the EIE's objectives to create "well-designed housing and climate resilient, vibrant communities".

Changes to the controls governing dual occupancy development need to incorporate more rigorous design studies to demonstrate impacts on landscape, building form, and the public domain. The current proposal does little to advance the Government Architect NSW's 'Better Placed' design objectives or ensure development outcomes do not compromise the character, safety, and climate resilience of the Ryde LGA.

CoR's concerns regarding dual occupancy development also apply to the inclusion of multi-dwelling housing in the R2 zone, which is currently not a permitted use. Uncoordinated terrace house development, in particular, risks drastically changing the character of existing local areas where this building type has not been seen. Terrace houses with driveways fronting the street also exacerbate the issues raised above regarding dual occupancies.

**2.8 The EIE does not consider Flood Prone Areas properly, increasing the risk of owners living without insurance or paying increased premiums**

The EIE lacks adequate consideration for flood planning, raising serious concerns about public safety and community resilience during flood events.

The disregard for due diligence on flood planning could lead to situations whereby new residents may not be able to afford high insurance premiums. Furthermore, it could lead to situations where lives are put at unnecessary risk.

To ensure flood risk is appropriately managed, the EIE states that flood planning controls will continue to apply to all developments where the low and mid-rise reforms are proposed. However, the EIE lacks information about how CoR's flood planning controls will be assessed under the non-refusal standards.

CoR is concerned that, if its flood planning controls aren't considered, developments will be allowed in areas that may increase the risk of flooding to the development and its surroundings. This, in turn, may lead to a broader increase in insurance premiums and the affordability of housing beyond the initial purchase.



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The EIE proposes to exclude areas with particularly 'high flood risk'<sup>3</sup>, such as the Hawkesbury/Nepean Valley; however, the EIE does not provide a definition of a 'high flood risk' area. CoR is concerned that the lack of a clear definition may lead to new developments in areas where CoR, the NSW Government, and insurers have a different interpretation of flood risk.

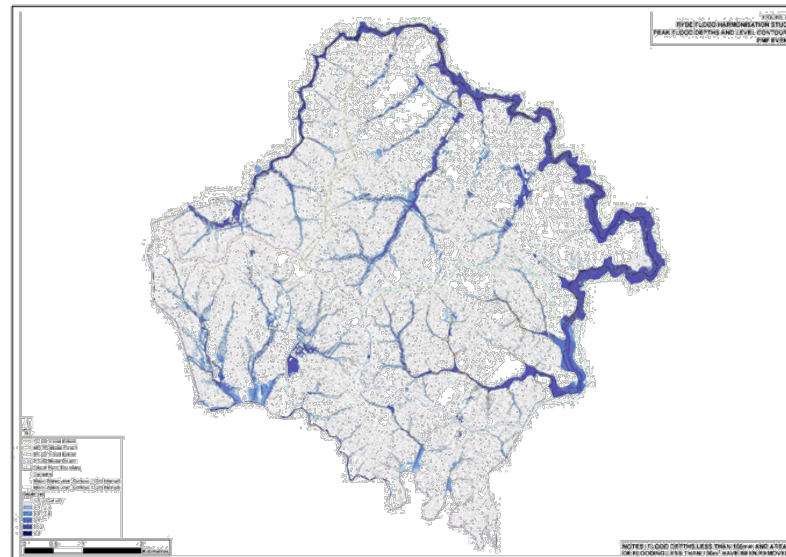
In 2023, the CoR completed the *City of Ryde Draft Flood Study 2023*, which was prepared in accordance with the NSW Government's *Flood Prone Land Policy*<sup>4</sup>. CoR's Flood Study utilises the latest *Australian Rainfall and Runoff 2019 (ARR19)* guidelines, flood model, and data.

Importantly, CoR's study captures the following critical information:

- 1) Flood Study – Establishing the characteristics of flood behaviour within the Ryde LGA.
- 2) Floodplain Risk Management Study – Evaluation of management options for floodplains within the Ryde LGA.
- 3) Floodplain Risk Management Plan – A formulated plan of action for floodplain management within the Ryde LGA.

CoR's Flood Study also considers the 2021 requirements of Section 10.7 of the EP&A Act, which allows the application of flood-related development controls to land within a Flood Planning Area (FPA) and Probable Maximum Flood (PMF) extents, where previously no allowance was made for PMF under Section 10.7 of the planning certificate. The application of flood-related development controls will include parts of 'well-located areas' within the Ryde LGA. The EIE should not permit higher-density development in these areas without a comprehensive assessment of flooding issues to minimise further risk to life and property.

Figure 8 - Draft Peak Flood Depths during Probable Maximum Flood Event in the City of Ryde



<sup>3</sup> EIE, p.34

<sup>4</sup> <https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-manual>

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In addition to the above, consideration needs to be given to the capacity of the existing stormwater network to service the additional development, particularly with the increase of non-permeable surfaces and the increase in FSR proposed as part of the EIE.

CoR is seeking to work collaboratively with the Department of Planning, Housing and Industry to understand the impact of these additional dwellings on the existing stormwater network, particularly due to the significant volume of work CoR has recently completed its harmonisation of flood studies with an updated flood risk management plan to be followed.

Given that stormwater infrastructure constitutes a significant portion of the CoR's asset base, it is necessary to ensure that it is sufficiently equipped to handle the augmented demands resulting from proposed developments. This entails a detailed understanding of the implications, as well as strategic planning to uphold the capacity and functionality of the stormwater infrastructure.

### 2.9 The EIE will lead to adverse impacts on the transport network

For the Ryde LGA, many of the 'well-located areas' are areas within existing areas with a high dependency on private motor vehicles. There are many factors to this dependency, including topography and travel destinations; however, many of the centres in the Ryde LGA suffer from a lack of efficient mass-transit solutions that get people where they want to go in a timely, reliable, and cost-effective manner.

Increasing density without improving the transport network will only exacerbate these existing issues.

CoR's existing growth is planned to take place in line with the Ryde LEP, with population growth occurring mostly within town centres in places that are genuinely accessible to shops, services and quality public transport.

The proposal outlined in the EIE is additional to this forecast and could lead to an extra 107,725 residents in the LGA. This change alone could see an increase in population 63% greater than that which CoR's *Integrated Transport Strategy* has planned for. This represents a significant change in the requirements of the transport system and will dramatically alter the density profile of the LGA.

#### 2.9.1 Growth should be informed by evidence-based integrated transport planning

The planned population growth of the Ryde LGA will mostly occur in town centres and the Macquarie Park Innovation District, places with a high degree of local amenities and quality rail-based transport links to the rest of Sydney. Despite the EIE's intention to build housing in 'well-located areas', much of the land earmarked for growth is in highly suburban parts of the Ryde LGA that are not within a suitable walking distance to shops, services or quality transport connections. New residents to these neighbourhoods will likely use private motor vehicles, which will exacerbate pressure on parking and the road network.

Reliable, frequent, fast and accessible public transport within the Ryde LGA is provided by Sydney Trains and Sydney Metro services through the Northern and Western parts of the LGA. Outside of these areas, buses provide a basic service that is generally not competitive with private vehicle use. [Figure 9](#) demonstrates the public transport connections servicing the existing population of the Ryde LGA.

Centres including Putney, Boronia Park and Cox's Road (North Ryde) are served by buses that run infrequently and do not provide a useful transport connection that is competitive with using a car. Public transport usage in these areas is low and without meaningful investment

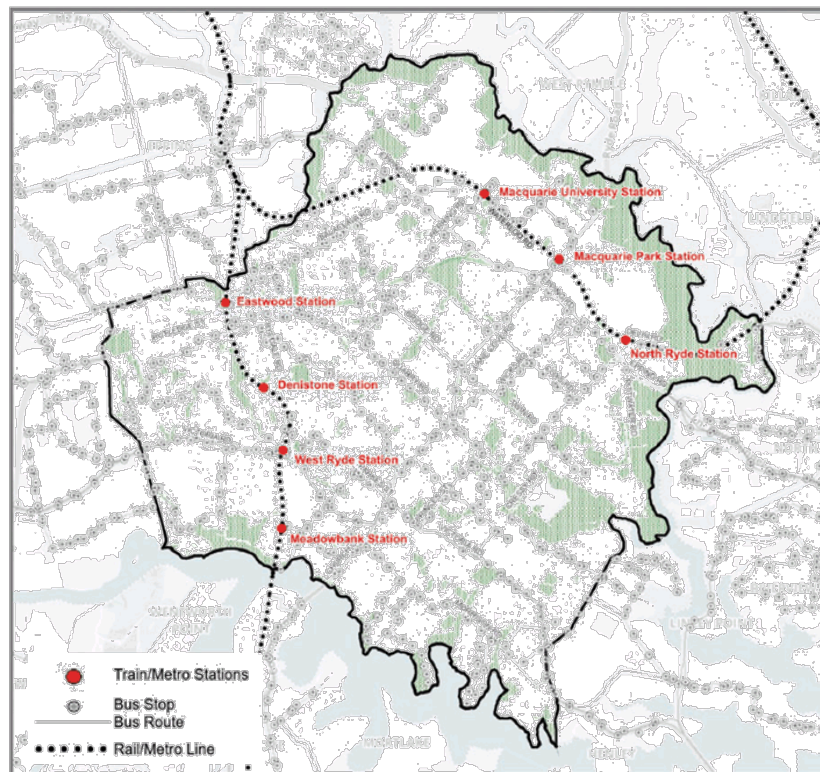


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across integrated transport service planning, bus services will remain uncompetitive with private car use. Where footpaths and bike lanes exist, they are generally ad-hoc and prioritise vehicle movements. Active and public transport mode shares for existing residents are low and there is no reason to assume that new residents in these areas would behave differently. This will lead to increased car dependency, congestion and pressure on parking supply.

Figure 9 - Public transport connections within the Ryde LGA  
(Source: Ryde Integrated Transport Strategy, 2041)



Currently, there is no NSW Government proposal to significantly improve active or public transport services within the Ryde LGA, nor is there a broader commitment to ensuring the 'well-located areas' receive improved services and infrastructure. This can be changed, however, through long-term, integrated transport planning between CoR and the NSW Government.

Any plan to significantly upzone large areas should be supported by considered scenario modelling, a comprehensive traffic study, walkability assessment and active/public transport improvement plans that explain how residents and visitors will effectively get around these neighbourhoods after a significant increase in population.

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**2.9.2 The proposed 800m catchment will not deliver housing that is ‘well located’ or ‘transport-oriented’**

The EIE sets out the intention to provide more housing in areas that are “within walking distance of supermarkets, restaurants, and good public transport” (pg. 12). The proposal refers to this style of densification as ‘transport-oriented development’ (TOD) which is a misuse of the term.

The NSW Government’s Planning website defines TOD as “a land use planning approach that encourages sustainable and mixed-use development around transport and aims to create vibrant and walkable communities<sup>5</sup>.”

Increasing housing density is only one component of this development approach. Genuine TOD should deliver residential uplift hand in hand with comprehensive place-based planning strategies that include significant walkability and public transport infrastructure improvement.

The proposed 800m walking distance catchment around any transport hub or neighbourhood shopping precinct is arbitrary and does not align with the built environment reality of the Six Cities region. Many of the lots that may be effectively rezoned by this proposal lack basic walking facilities such as footpaths, safe crossing points, tree coverage or direct walking routes to the centre that they are near.

For example, Gladesville shops is an MU1 zone that includes a wide range of businesses aligning with those set out by the EIE. This MU1 zone stretches along Victoria Road in a linear manner for over 1km. Businesses, services and community facilities are not spread uniformly throughout the zone. The area is also unfavourable to pedestrians, being centred around a 6-lane arterial road with up to 500m between safe crossing points. Being within 800m of any given part of the zone does not imply being within walking distance of a wide range of goods and services, let alone quality public transport, as specified by the EIE.

A site-specific town centre approach would allow local factors such as these to be considered. Consideration should be given to reducing the walking distance catchment as well as a redefinition of ‘well-located areas’.

**2.9.3 The lack of public transport and low parking requirements will overburden on-street parking supply**

The minimum car parking requirements proposed under the non-refusal standards in the EIE for manor houses, multi-dwelling housing (terraces) and multi-dwelling housing are less than required under Ryde DCP 2014. (see [Table 9](#)).

*Table 9 - Comparison of minimum car parking requirements between Ryde DCP 2014 and proposed non-refusal standards (source: CoR, 2024)*

Typologies	Controls under Ryde DCP 2014	Non-refusal standards under EIE
Dual Occupancies	1 space/dwelling	1 space/dwelling
Manor Houses are a sub-category of Residential Flat Buildings under the Standard LEP Instrument.	0.6 spaces/ 1-bedroom dwelling 0.9 spaces/ 2-bedroom dwelling 1.4 spaces/ 3-bedroom dwelling	0.5 spaces/ dwelling
Multi-dwelling housing (terraces)	1 space/ 1 or 2-bedroom dwelling 2 spaces/ 3+ bedroom dwelling	0.5 spaces/dwelling

<sup>5</sup> <https://www.planning.nsw.gov.au/policy-and-legislation/housing/transport-oriented-development-program>

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	1 visitor space/ 4 dwellings	
Multi-dwelling housing	1 space/ 1 or 2-bedroom dwelling 2 spaces/ 3+ bedroom dwelling 1 visitor space/ 4 dwellings	1 space/ dwelling

In principle, CoR supports reduced parking rates in areas within proximity to good public transport services as per CoR's LSPS.

However, reducing parking rates in places that do not have well-developed active and public transport networks will ensure future residents are car-dependent but lack anywhere to store their private vehicles. This will further exacerbate the negative externalities associated with high levels of private vehicle use, including health, safety and congestion concerns, as well as increased competition for limited on-street parking spaces supplied by CoR.

**2.10 The EIE undermines the legislative responsibility of Council to undertake a holistic and long-term approach to strategic planning.**

The EIE contradicts the CoR's long-term strategic planning objectives, which aim to create a balanced and sustainable approach to growth and urban development.

If the blanket approach of the EIE was designed by a Council, the NSW Planning System would not allow its implementation without sufficient strategic planning, community consultation, and evidence that it could deliver this growth strategically. The NSW Government should meet the same expectations it sets for local government.

The EIE conflicts with and undermines the NSW strategic planning framework for local government, specifically the preparation of the LSPS as the Integrated Planning and Reporting (IP&R) Framework.

These strategic processes enable local governments to plan, deliver, and maintain the infrastructure and services that their communities rely upon. Furthermore, they build on the community's vision for the future and define the values that guide each council's efforts.

**2.10.1 Integrated Planning and Reporting Framework**

Coming into practice in 2009, the IP&R Framework changed the way in which local governments in NSW planned, documented and reported on their plans for the future. The success of the IP&R Framework can be linked to its requirement to begin with an understanding of the community's aspiration for the next 10+ years. Building on this vision, local governments are required to deliver a suite of integrated plans and strategic actions that help realise this vision.

According to the NSW Office of Local Government's 2021 *Integrated Planning and Reporting Handbook*<sup>6</sup>:

*Local councils operate in an increasingly complex environment, with responsibilities under more than 50 different pieces of legislation and direct relationships with over 20 NSW and Commonwealth Government agencies. The IP&R framework allows all local councils to navigate these complexities in a meaningful and purposeful way to:*

- *Integrate community priorities into council strategies and plans*
- *Support community and stakeholders to play an active role in shaping the future of their community*

<sup>6</sup> <https://www.olg.nsw.gov.au/wp-content/uploads/2021/11/Integrated-Planning-Reporting-Handbook-for-Local-Councils-in-NSW.pdf>

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- *Articulate the community's vision and priorities*
- *Assign resourcing to support delivery of the vision and priorities, while also balancing aspirations with affordability*
- *Maintain accountability and transparency by regular monitoring and reporting.*

The EIE's potential impact on housing supply within the Ryde LGA is significant enough that it would undermine the IP&R Framework, disrespecting the aspirations of local communities and the democratic processes they followed to shape them.

Due to local government elections in 2024, local governments will be evaluating their various IP&R documents and preparing 'State of our City' reports. Local governments will also be working on the next iteration of IP&R documents, some of which are required within three (3) months of the local government election.

CoR recommends the NSW Government consider the timing of the changes to create low and mid-rise housing, aligning it with the development of the next round of local government IP&R documents as well as the next LSPS.

### 2.10.2 Local Strategic Planning Statement

In March 2018, amendments to the EP&A Act introduced new requirements for councils to prepare and make an LSPS, setting out:

- The 20-year vision for land use in the local area
- The special characteristics which contribute to local identity
- Share community values to be maintained and enhanced, and
- How growth and change will be managed into the future.

CoR's LSPS was developed in 2020 and, as per the EP&A Act, will be reviewed and revised after seven years (i.e., 2027).

Like its IP&R documents, CoR views the LSPS as a generational document – with each iteration building on the last, responding to current and emerging social, environmental and economic factors. Each iteration of the LSPS also informs the development of Master Plans, which in the case of the CoR, includes the current development of Master Plans for West Ryde-Meadowbank and Eastwood.

If the EIE were to proceed, the NSW Government would be undermining its own strategic land use planning processes. Instead, CoR recommends a more collaborative approach whereby the Department of Planning, Housing and Industry provide funding and resources to local governments to bring forward the revision of their LSPS to 2024/25. With appropriate funding, the CoR could bring forward the development of its LSPS and the next iterations of its supporting documents (e.g., Local Housing Strategy) to 2025. Timing would also coincide with the revision of Council's IP&R documents, ensuring a holistic and integrated approach is taken to delivering an increase in housing supply sustainability – with access to appropriate open space, infrastructure, services, education, and employment opportunities.

As it is, the EIE conflicts with the EP&A Act and the NSW Government's guidelines for making Planning Proposals. Local governments are required to address environmental, social, and economic impacts when amending the LEP. This is assessed through technical considerations and studies including (but not limited to):

- Flooding (as discussed earlier in the submission)
- Heritage



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- Infrastructure Investigations
- Land Use and Infrastructure Implementation Plan
- Urban Design
- Impacts on environmental sustainability outcomes
- Site contamination
- Traffic and Transport
- Economic
- Established views, and
- Bushland and bushfire risk

The EIE has not stated how the above considerations are going to be considered and addressed. The EIE has the potential to cause irreversible social, economic, and environmental degradation without considering the above impacts.

CoR is willing to work with the NSW Government to address the housing crisis. Should any amendments in the strategic planning framework be required, this should be done through a revision of CoR's *LSPS* and *Local Housing Strategy* to enable a holistic planning assessment of environmental impacts rather than a blanket-based rezoning approach.

### **2.11 Increasing Housing approvals will not automatically lead to more affordable housing**

The EIE's approach, particularly the use of Non-refusal Standards, seeks to bypass local communities in order to increase the volume of housing approvals. Public messaging surrounding the EIE focussed on the potential for increased housing supply to reduce the cost of housing.

Increasing housing approvals is unlikely to address housing affordability unless the NSW Government can resolve other issues such as the availability of public housing, location and access to essential services, cost of construction materials, and labour.

Australia, not just NSW, is in a housing crisis. CoR is concerned that the NSW Government is only focussing on the housing supply chain. While supply is a considerable factor, there are many other factors influencing housing affordability, some of which are outlined below.

In accordance with affordable housing expert, Gurrán (2023)<sup>7</sup>, housing prices are influenced by several factors including:

- Fuelled demand because of tax investor incentives, such as negative gearing and capital gains tax discounts, increases demand for dwellings which reduces supply.
- High construction costs that reduce market incentive for development
- Cost and availability of finance, reducing investment in housing development
- Developer yields: as commercial housing developers need a return a profit for investment risk, they release new properties at times where they can optimise sales prices, rather than where sales prices are lower because of factors such as reduced

<sup>7</sup> Gurrán, N. (2023). Why building more won't make housing affordable. *University of Sydney*. Available at: [Why building more won't make houses affordable - The University of Sydney](#)

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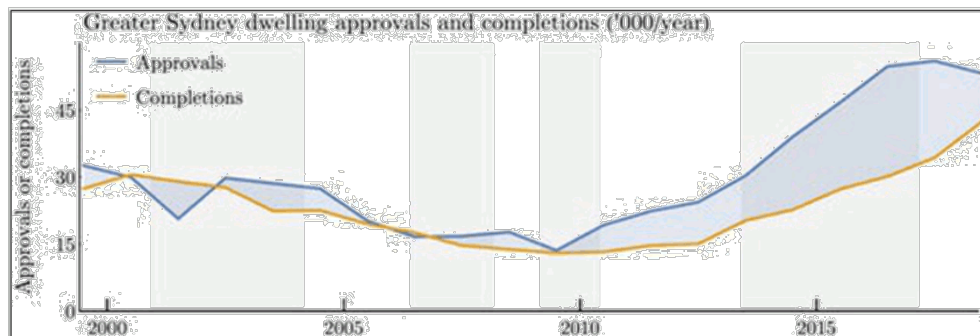
demand/excess housing supply. Developers also will not oversupply the market as it can lead to reduced product value, affecting profits.

State and Federal Governments need to take a role in delivering more affordable housing and improving housing affordability. Gurran (2023) suggests governments could direct subsidies toward affordable housing supply and fund the difference between capital costs of new construction and amount paid by target groups, rather than focussing on supporting rental investment. Additionally, State and Federal Governments need to invest in delivering increased social housing.

Nonetheless, the NSW Government should be aware that the number of dwellings approved has been far exceeding the number of dwellings completed in Greater Sydney for most of the time over the last two decades (see [Figure 10](#)).

This suggests that changing the planning controls to allow more dwellings to be delivered would not accelerate housing supply in the shorter to mid-term. It also demonstrates that Councils are limited in their scope to increase housing supply beyond development application and Council-led Complying Development Certificate approvals.

Figure 10 - Dwelling approvals and completions comparison in Greater Sydney (source: Murray, 2019<sup>8</sup>)



In addition to the above, CoR staff recommend the NSW Government consider the potential role of the State Government to supply housing (e.g., public housing). As an Australia-wide crisis, it may be too much to ask the private sector and community housing providers to be the only sectors providing housing.

The NSW Government should review the roles of organisations such as Government-owned development corporations and Homes NSW to determine whether there is a role for them to provide more public housing. Staff hypothesise that the Government’s focus on delivering social, environmental, and economic outcomes alongside a cost recovery model (rather than profit) could deliver not only public housing but also affordable housing. It could also act as a barometer for house prices, placing greater pressure on the private sector to reduce their prices.

<sup>8</sup> Murray, C.K. (2019). The Australian housing supply myth. *Australian Planner*, 57(1), 1-12. <https://doi.org/10.1080/07293682.2021.1920991>



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**2.12 It is not clear how the EIE will be applied, particularly with regard to its relationship to other state and local government planning instruments**

The EIE lacks clarity regarding its enforcement and its relationship to other state and local planning instruments. As such, the EIE poses challenges in understanding how the proposed changes will be implemented, leading to confusion and inconsistent planning decisions across the NSW.

It is unclear from the EIE of how the proposed permissibility changes and non-refusal standards will be enforced. Further clarification is sought from the Department of Planning, Housing and Industry regarding how the EIE will interact with other planning instruments, including whether the proposals will be enforced through the Standard LEP, SEPP or other means.

**2.13 The EIE will be a catalyst event for waste management across Greater Sydney**

The EIE lacks consideration of the anticipated rise in waste generation and, therefore, the necessary infrastructure and service expansions that will be required to manage waste.

The EIE will lead to more complex waste management logistics, leading to additional costs to ratepayers. This may also lead to additional street design issues whereby large garbage trucks will need to be used on small local streets – removing the capacity for on-street parking.

If implemented, the EIE could potentially be a catalytic event for waste management across Greater Sydney. The EIE's introduction does not allow local government the time it needs to properly plan for and fund waste management.

The EIE highlights several critical areas that require immediate attention to ensure the sustainability and efficiency of waste collection services in response to the anticipated population growth. These areas include:

- **Increased Waste Generation:** the introduction of additional mid-rise residential buildings is expected to result in a significant rise in waste production. This encompasses not only household refuse but also recyclable materials and potentially organic waste. The projected increase necessitates a thorough reassessment of waste management practices to cope with the growing demand. With the proposed EIE to impact all Sydney Councils, the demand for regional waste facilities will significantly increase. Currently, there is no infrastructure planning for the upgrades for regional waste facilities or services. This may lead to a detrimental impact on local government's ability to provide adequate waste services for residents.
- **Infrastructure and Collection Services:** To effectively manage the increased volume of waste, there may be a requirement to either expand the current waste management infrastructure or enhance its efficiency. This could involve the procurement of additional collection vehicles to handle the higher workload. Furthermore, the strategic placement of adequate collection points, waste disposal facilities, and recycling centres will be crucial to accommodate the needs of the enlarged population.
- **Educational Programs:** The population surge underscores the need for comprehensive educational initiatives aimed at promoting awareness of proper waste disposal methods, recycling protocols, and the benefits of minimising waste

**ITEM 1 (continued)**

**ATTACHMENT 1**

generation. These programs are essential for fostering a community-wide commitment to sustainable waste management practices.

- **Waste Collection Logistics:** The logistics surrounding waste collection will need to be meticulously reevaluated to ensure that services remain efficient and environmentally friendly. This includes revisiting the scheduling of collection routes to optimise efficiency and minimise the carbon footprint. Additionally, the increased traffic congestion, the prevalence of parked vehicles and reduced lot sizes and frontages may pose challenges to collection vehicle access, necessitating innovative solutions to maintain service standards.

Given the above considerations, the EIE is likely to have adverse impacts on waste collection services. CoR has not had time to consider or prepare an updated waste management strategy to respond to the potential population increase.