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## MAYORAL MINUTE

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### LETTER FROM THE MINISTER FOR PLANNING AND PUBLIC SPACES

Yesterday on Thursday 9th November, Ku-ring-gai Council staff and the Mayor received a letter from the Minister for Planning and Public Spaces The Hon Paul Scully MP (dated 30/10/2023, see attachment 1).

In summary, this letter states that:

- As part of the National Housing Accord, the NSW Government is committed to commence the construction of 377,000 new homes by 2029;
- There is a 'limitation' in 33 out of 35 Greater Sydney Local Environment Plans (LEPs) that prevents terraces, townhouses, and residential flat buildings (i.e. manor houses) from being built in R2 Low Density Residential Zones;
- There is a 'limitation' in 53% of Greater Sydney LEPs that prevents residential flat buildings (i.e. apartments) from being built in R3 Medium Density Residential Zones;
- All Councils are called to immediately play their part in identifying locations which permit more low and mid-rise homes; and
- The letter be tabled at the next Council meeting so that the State government's intentions are clear to Councillors.

The letter is ambitious and given the timing of the next Council meeting (with registrations to speak at the public forum due 5pm Monday 13th November), I thought it would be important to make this letter available to the public as soon as possible by way of Mayoral Minute so that residents can consider and make representations regarding the letter.

It is my understanding that Council staff may provide more detailed commentary as a late item to the November Ordinary Meeting of Council or as an item for the December Meeting. In the interim, I will provide my initial thoughts below:

- I believe that any change to local zoning and/or any changes to what is permitted to be built within a zone should go through a public consultation process. Our residents want to have a say in what should be built and where.
- I have concerns about what we are seeing in other Local Government Areas (LGAs) where the residents and the Council have formed a view on what can be supported within a particular area, only for the state government to override and impose greater density.

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- I recognise that there is demand with some residents of Ku-ring-gai for townhouses as a downsizer's housing option. We have residents who do not require large gardens or large homes, but do not want to live in a small apartment either. As a Council, we should consider whether the preference for townhouses can be sympathetically accommodated, however I do not think allowing townhouses in R2 Low Density Zones is the right solution.
- Ku-ring-gai's current approach is for standalone houses in R2 Low Density, multiple homes including townhouses in R3 Medium Density, and apartments in R4 High Density. This approach is intuitive for residents and easy to apply. I therefore have concerns about the hinted-at proposal to put townhouses in R2 Low Density Residential Zones and apartments in R3 Medium Density Residential zones. It is a shifting of the goalposts that will have unintended consequences such as:
  - o Significantly increasing Ku-ring-gai's human population without necessarily the funding for or provision of adequate infrastructure (transport, stormwater, education and recreation) to support the increase.
  - o A significant loss of tree-canopy in Ku-ring-gai, which is vital to protecting our biodiversity as well as to support our climate-change resilience.
  - o A permanent change in the character of our LGA, including potential impacts to our heritage conservation areas.
- From an achievability perspective, it will be difficult for councils to undertake such a rezoning program on short notice. Each program requires significant unbudgeted resourcing (financial and human capital), and there are already industry-wide shortages of town planners and other people with relevant capabilities (with many seeking higher pay in the private sector or State Government).
- Further down the supply chain, there is also a similar industry-wide bottleneck for appropriately skilled people to assess Development Applications as well as bottlenecks with sourcing the right skills and equipment to commence construction of these homes up to an acceptable standard by 2029. The activity may fuel further inflation.
- Council has previously explored options for additional housing diversity through the Local Strategic Planning Statement and Local Housing Strategy, however, there needs to be appropriate public consultation before any of these elements are revisited.
- It appears ambitious to expect Council to effectively implement these changes in a short 2 year 9 month Council term (and with caretaker mode commencing in 9 months' time on 16 August 2024). The reality is that most of the relevant decisions may have to be made by a new set of Councillors in early 2025 at a time when they are not adequately familiarised with the situation or with industry terms.

As Mayor, I do have these concerns plus much more. My suggestion is that we should wait for further feedback from Council staff before taking the next step, and in the meanwhile we should be open to public feedback on this matter.

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**RECOMMENDATION:**

- A. That Council notes this mayoral minute and awaits further feedback and recommendations from Council staff on the implications of the Planning and Public Spaces Minister's letter.
- B. That following the feedback from Council staff, the Mayor writes to the Planning Minister to outline Council's concerns on the feasibility of what is proposed.

Councillor Sam Ngai  
Mayor

**Attachments:** A1 Letter from the Minister for Planning and Public Spaces, The Hon Paul Scully MP - housing strategy 2023/361968