

December 9, 2016

Director, Codes and Approval Pathways
NSW Department of Planning and Environment
GPO Box 39,
SYDNEY NSW 2001

Dear Sir/Madam,

RE: Consultation – Draft Medium Density Design Guide – Waste Management

I refer to the recent consultation released by the Department of Planning & Environment in regard to proposals to expand the complying planning provisions to include various types of low-rise medium density development. This letter supplements the overarching strategic objections identified in NSROC's submission in response to the consultation, as well as submissions made by individual councils in this region.

The consultation sets out the Department's proposal to expand complying development under *State Environmental Planning Policy (Exempt and Complying Codes) 2008* (the SEPP) to cover the 'missing middle', provide a consistent State-wide approach for medium density housing forms and assist in the delivery of housing and housing diversity, along with some design guidance with the Medium Density Design Code.

NSROC facilitates a Waste Advisory Group made up of technical experts in waste management from the staff of each member council. As Chair of the Waste Advisory Group I am writing to express the Group's concerns with specific aspects of the consultation paper.

While the intention to provide design guidance is supported, as is the inclusion of waste management in some elements of the document, the draft Medium Density Design Guide fails to properly consider the importance of waste and some other operational issues in the planning. Waste management is one of the key services a council provides for its residents (our communities still seek the three R's of Local Government delivery - Roads, Rates and Rubbish) and it is important that planning for residential development properly considers the services and functions that are critical to the amenity and livability of a neighborhood. Good planning must consider how a dwelling is used and provide for the needs of its residents for the whole of its life, and not just focus on its presentation when first established. For example, the draft Design Guide limits setback requirements for terrace dwellings without sufficient consideration of the impacts. Narrow lots with limited front setback means that dwellings within the row of terraces may need to bring garbage bins out to the street frontage through living areas. (See Figure 2 on page 18). This is a very real consideration, as evidenced by the many terrace dwellings in places like Paddington where bins are stored on front verandahs. Surely in 2016 we can offer a greater level of amenity than that.

Good development planning should also consider the interaction of a development with its local neighborhood. Councils provide a collection service for residents' putrescible waste and recycling and deliver it to waste facilities (which may be landfills, processing facilities or transfer stations). In metropolitan Sydney there are a limited number of facilities where waste can be taken and this means that travel times can be significant. Councils aim to make the collection and transfer as efficient as possible which relies on using larger waste collection vehicles. However, the Draft Design Guide focuses on a site centric view which prioritizes the individual development site at the expense of its role in the community. For example, in Section 2Z both design criteria 4 and 7 call for the smallest possible vehicle size for waste collection to reduce the impact on the site, without regard to the significant increase in costs for transport and disposal of the waste. Furthermore being complying development that can occur anywhere across a permissible zone, the guidelines do not even allow councils to plan strategically for co-locating medium density dwellings which could then allow the establishment of local transfer station to aggregate loads from smaller trucks.

Councils in this region are also concerned that for complying development, the guidelines leave too much flexibility in the hands of private certifiers and there is a significant risk that the laudable Aims of the draft design guide will not be achieved. The result will be unsatisfactory solutions governed more by a profit motive than good design and a functional development. All medium density development needs to consider its community impact and hence is not well suited to being treated as complying development where the controls and certification are site centric.

While the above examples highlight the more significant waste management issues, I have also attached a list of concerns about specific design guidelines, to highlight some of the many shortcomings of the draft document.

Overall, from a waste perspective, the Draft Medium Density Design Guidelines do not provide a sufficiently robust document to serve as a standard for complying development. With appropriate modification it could present a useful guide for good development, but approval of buildings comprising the "missing middle" should remain as a merits based assessment by local councils.

If you have any further questions or require clarification, please do not hesitate to contact NSROC's Waste Management Coordinator, John Carse, on telephone (02) 9911 3595 or JCarse@lanecove.nsw.gov.au in the first instance.

Yours sincerely



Barry Smith
Chairman – NSROC Waste Advisory Group

Encl: