

Mayoral Minute

(Item MM2/24) Heritage and Governance – Transport Orientated Development Program (TOD) – Croydon Precinct

File No: 24/8491

Mayoral Minute by Cr John Faker (Mayor)

Summary

The NSW Government's Transport Oriented Development Program (TOD), was released in December 2023 and proposes to fast track the rezoning of land within 400m of Croydon railway station to allow for 6 storey residential flat buildings. The TOD SEPP program is a State Government initiative established in response to the Federal Housing Accord and need for housing supply.

As we all know, our Council was not involved in the selection of Croydon as a Tier 2 location under the proposed TOD SEPP, and since December we have been working tirelessly to understand the intent of the proposed changes, to engage with our community and to make submission and representation on behalf of our residents.

Following the initial Notice of Motion endorsed by Council on 12 December 2023, we negotiated a meeting with the Minister for Planning and Public Spaces on 19 February, sent letters to the Premier of NSW, created an information section on our website, ran a petition between December and January that collected close to 800 signatures, we lodged an interim submission, followed by a report to Council on 13 February and then lodgement of a formal submission, we invited Department representatives to brief our Councillors on 22 February, our staff met with senior Department representatives on 1 March and continue to liaise with the Department at all available levels.

On Thursday last week I met with the Minister for Planning and Public Spaces the Hon. Paul Scully again, together with our State Member and Council's General Manager, Director City Strategy and Manager City Planning. Together, we reiterated Burwood Council's positive track record in working with our community, our historical strategic planning position of concentrating density in our town centre, and our willingness to work with the State Government to achieve a pragmatic solution to the housing plans.

I have personally been engaging with community on this matter since December, and I think I can confidently say that while our residents have shown a great degree of maturity in discussing the housing crisis currently being experienced in Sydney, they have concerns around the process followed by the NSW Government in announcing planning changes without consultation, and around the protection Malvern Hill Estate Heritage Conservation Area.

Council is dedicated to safeguarding the character of Croydon and the Malvern Hill Estate Heritage Conservation Area, and I would like to commend the work of Council staff in commencing a planning analysis, with the aim of identifying alternate planning options to that proposed under the TOD SEPP for the Croydon Precinct, so as to achieve the protection of the conservation area.

Nevertheless, following my ongoing conversations with our residents, I feel it is important to explore two areas in more detail:

- We should confirm the legal / planning framework under which the NSW Government would be able to implement TOD SEPP changes overriding the councils' local planning framework
- We should investigate which options might be available to Council and our residents to enhance protection of conservation areas such as the Malvern Hill Estate

Operational Plan Objective

C.3 An urban environment that maintains and enhances our sense of identity and place

I therefore move that:

- a) The Council confirms its continued objection to the Croydon TOD SEPP.
- b) The General Manager, via the Southern Sydney Regional Organisation of Councils (SSROC) or LGNSW, seeks confirmation of the legal / planning framework under which the NSW Government would be able to implement TOD SEPP changes overriding councils' local planning framework, and report the information back to Council.
- c) The General Manager seeks clarification on whether SEPP provisions as outlined would override heritage controls
- d) The General Manager investigates available options to best engage with the community in the Croydon area, and in particular residents and owners of properties in the Malvern Hill Estate Conservation Area, to gauge interest in possible detailed heritage studies for increased heritage measures, and report the information back to Council.
- e) The Mayor and staff continue to notify and consult with the community on the Croydon TOD SEPP matter.

Attachments

1 [↓](#) TOD SEPP - Council actions taken to date



Council Actions

-  **7 Dec**
TOD Program announced by the State Government
-  **12 Dec**
Mayoral Minute resolved
-  **19 Dec**
Meeting with Minister for Planning & Public Spaces
-  **21 Dec**
Letter sent to the Premier of NSW
-  **22 Dec**
Letter sent to the Minister for Planning & Public Spaces & online petition launched on Participate Burwood
-  **31 Jan**
Council's interim submission submitted to Department of Planning Housing and Infrastructure



Council Actions



8 Feb

Meeting with Minister for Planning and Public Spaces



13 Feb

Report to Council on the TODD SEPP and interim submission



22 Feb

DPHI Briefing to Councillors



1 Mar

Staff meet Director with Acting Deputy Secretary



Mar

Meeting with Minister for planning schedule to take place mid – late March 2024