



Advocating for the people of Western Sydney

SUBMISSION:

Response to One Part of the 'Missing Middle'

Volume 1- Discussion Paper November 2015

**Options for Low Rise Medium Density Housing as
Complying Development**

February 2015

Representing the councils of Western Sydney

About Western Sydney councils

The Western Sydney Regional Organisation of Councils (WSROC), representing ten councils in Western Sydney, has reviewed the waste and resource recovery components of the discussion paper. These councils are Auburn City Council, Blacktown City Council, Blue Mountains City Council, Fairfield City Council, Hawkesbury City Council, Holroyd City Council, Liverpool City Council, Parramatta City Council, Penrith City Council and The Hills Shire Council (WSROC).

The Western Sydney region sits at the forefront of Sydney's future challenges and opportunities. Formed in 1973, WSROC represents Western Sydney councils and provides a strong voice for the residents of Western Sydney to improve quality of life. WSROC was established at a time of massive development in the region to advocate on behalf of the local councils and residents to ensure a voice in the planning process at the time.

These 10 participating councils represent a significant geographical portion of the Sydney metropolitan region, covering over 5000 square kilometers and containing a mix of regional centres and large cities. It stretches from the heavily urbanised, multicultural areas of Auburn and Parramatta in the east, to the greenfield growth centres around The Hills, Blacktown and Liverpool, the semi-rural areas of Hawkesbury and the World Heritage listed areas of the Blue Mountains.

Our region has a population of just over 1,600,000 spread across an area of 5,000 square kilometers. Approximately 20 per cent of the region's population lives in the Blacktown LGA. Together the six councils of The Hills, Blacktown, Fairfield, Liverpool, Parramatta and Penrith represent 80 per cent of the region's total population. The least densely populated local government area (LGA) is Hawkesbury, which has the largest area (2,776 km²) and the smallest population (64,000).

The Draft Metropolitan Strategy for Sydney forecasts that 70 per cent of Sydney's population growth to 2031 will be in Western Sydney; with nearly 1 million people settling in the region over the next 16 years. The North West Growth Centre alone, stretching through The Hills, Blacktown and Hawkesbury, aims to develop 70,000 new dwellings in the region. The South West Growth Centre includes a number of new and existing suburbs within the Liverpool LGA.

It is anticipated that a significant proportion of housing growth will come from the development of multi-unit dwellings which need to be accounted for when considering waste infrastructure and services, and should be elevated as a key item for consideration as part of any planning reforms.

Regional waste and resource recovery projects

In 2014, the NSW Environment Protection Authority (EPA) funded WSROC to develop the *Western Sydney Regional Waste Avoidance and Resource Recovery Strategy* and to work towards fulfilling strategy projects. The strategy was developed to outline future directions for resource recovery practices across Western Sydney, and explore options for addressing waste management challenges faced by councils in the region.

The regional strategy focuses on increasing recycling, reducing waste to landfill and combatting illegal dumping and littering across Western Sydney. As this region sits at the forefront of Sydney's future challenges and opportunities, this strategy ensure Western Sydney's future direction maximises waste avoidance and resource recovery outcomes for the significant and growing population of the region.

By working together, councils are committed to improving regional cooperation and identifying opportunities to improving recycling and resource recovery practices across the region. A key action in this strategy addresses the linkages between the planning system and provision of waste services to the community.

As part of the regional waste initiative, WSROC seeks to ensure that the issues detailed in the Discussion Paper maintain community amenity and safety, provide scope for waste diversion and resource recovery, and ensure there is no negative impact on the requirement of councils to provide waste services to their community.

Balancing NSW state priorities

WSROC supports the NSW Government's commitment to planning reforms and improving access to housing supply and housing choice. Housing affordability is a significant issue facing Western Sydney. It is recognised that expanding the Complying Code (the Code) is a reasonable approach in improving time frames for housing approval and increasing housing supply.

On this basis, there is in principle support to the future extension to the Complying Code in response to promoting increased housing supply and housing choice for the residents of Western Sydney.

However, this in principle support is on the basis that the extension to the Complying Code delivers sound and sustainable planning outcomes and the provides adequate provisions which responds to the complexity involved in integrating waste management within the planning process.

While WSROC is supportive of providing increased housing choice and supply to Western Sydney residents as a further element of the government's continual planning reforms, the approach needs to be balanced and be aligned with other state priorities as identified within NSW 2021: A plan to make NSW number one. This includes the NSW Government's waste reforms.

The NSW Waste Avoidance and Resource Recovery Strategy 2014-2021 (NSW Waste Strategy) provides a clear framework for waste management and aligns with NSW 2021 to encourage resource recovery and prevent unnecessary waste. Targets are provided within the strategy that each council within NSW is required to achieve and include:

- Increase recycling: By 2021-22 increase recycling rates for municipal solid waste from 52% to 70%; and
- Divert more waste from landfill: By 2021-22 increase the waste diverted from landfill from 63% to 75%.

Western Sydney councils have strived to achieve and implement innovative methods to achieve the targets set by the NSW Waste Strategy and develop both regional and individual council waste strategies that are also consistent with waste reforms which form part of NSW 2021.

These regional and individual council strategies not only promote waste avoidance and waste reduction but also significantly influence councils' operational and servicing methods for waste management.

It is our view that having a strong understanding of our councils' waste and resource recovery collection systems and the challenges that councils are facing in servicing medium density developments is essential in moving forward in the planning reforms and creating liveable communities and cleaner environments.

Understanding waste and resource recovery collection systems

All WSROC member councils provide residual waste and recycling collection services in their urban areas. However collection methods and operational requirements vary across our member councils.

The waste collection services provided by our councils can include:

- Residual garbage waste: 120L-240L mobile garbage bins collected weekly/fortnightly;
- Co-mingled recycling: 140L-240L bins collected weekly/fortnightly;
- Organic waste: 240L bins collected weekly/fortnightly; and
- Bulk garbage waste services in high density dwellings: 660L-1100L bins collected weekly/fortnightly.

In addition to the standard bin allocation (bin size and type) and servicing frequency, councils also have varying approaches in the method of collection. Western Sydney councils have a combination of council staff and external contractors to carry out the collection of the various waste streams.

The methods used by Western Sydney councils to service medium density developments include:

- Kerbside collection: Bins presented to a nominated kerbside collection point for servicing;
- Collect and return collection: Bins collected from a nominated bin storage point on site to be accessed by council staff/contractors and returned to the site after collection; and
- On-site collection: Council/contractor waste vehicle enters site for waste collection.

The varying nature of council operational and collection services and the absence of a uniformed approach across member councils for medium density developments presents a significant hurdle to overcome and should be explored further prior to proceeding with a Complying Code for this development type.

The absence of requirements that understand waste and resource recovery servicing and recognise the challenges faced by councils has the potential to result in developments where waste is unable to be collected by council. Targeted consultation with WSROC, council Resource Recovery Managers and the NSW EPA is strongly recommended.

Waste and resource recovery requirements contained within a Complying Code need to be specific, measurable and deliverable in order for the benefits of this approval pathway to be realised and deliver housing supply and options with faster approval times.

Providing waste services to medium density housing

The provision of appropriate waste facilities in medium density developments presents challenges for councils. Our experience has shown that waste management planning within multi-unit developments is commonly an after-thought for the developer.

Many amenity issues arise as a consequence of ill-considered waste management facilities in regards to visual intrusion, odour, hygiene and noise. Broader public health and safety issues are also experienced as a direct impact of poorly designed waste management facilities within medium density developments.

In addition, space for waste management facilities, which may include waste storage and collection areas, is often competing against developer costs and financial returns. This results in waste management facilities that do not provide adequate amenity and failure to incorporate systems that encourage waste stream separation, recycling and prevent kerbside dumping.

This often results in increased operational costs for councils, and ultimately residents, through the price they pay for their waste service. This outcome is contrary to what councils in Western Sydney and state-wide are trying to achieve by committing to align council practices and operational standards with NSW 2021 and NSW Waste Strategy targets.

Western Sydney councils recognise that this is a significant and broader waste and planning issue. However, progressing the discussion paper and expanding the Complying Code must recognise the complexity councils face in balancing providing increased housing supply and choice and ensuring liveable dwellings with the essential basic service of waste removal provided.

The Code must include specific standards that align with and recognise other state and council priorities such as waste management. Additionally, poorly designed and inadequate waste management facilities in new developments will directly impact upon council and state commitments to achieving NSW Waste Strategy targets by 2021.

Challenges for low rise medium density developments as complying development

Pressures for waste planning in medium density developments

As canvassed earlier, medium density developments face a number of competing pressures for the effective and efficient provision of waste management facilities. Balancing broader (and often competing) planning requirements at the development stage with key developer influences such as increasing land and construction costs can often result in waste management facilities being neglected and undervalued within developments.

Furthermore, the provision of appropriate and well-designed waste management facilities within developments can often be viewed as just an additional financial imposition for the

developer with reduced consideration of the needs of the residents and how the council will service the development for the life of the dwelling.

Not providing appropriate waste storage and collection areas within medium density developments can result in less desirable design outcomes where developments will offer poor amenity for future occupants and will fail to meet the ongoing needs of the occupier.

Where waste is neglected at a design and planning phase it can also result in developments which are extremely difficult for councils (and their contractors) to service at an operational level. This can often lead to increases to broader operational costs as well as increased risks to operational staff and contractor health and safety.

Integrating and elevating waste management

One of the challenges as part of this approach for addressing “the missing middle” and expanding the Code is how to successfully integrate and elevate waste management as a consideration and essential requirement for medium density developments to adhere to as part of this approval pathway.

The experience of our councils has shown where there is a lack of guidance for waste management facilities (including both storage and collections areas) for medium density developments and it can often translate to poorly designed facilities that are difficult, costly, timely to service and can often compromise resident, staff and contractor safety.

Our experience has shown where developers are aware of the specific requirements which can be measured they are more likely to successfully integrate waste management provisions within their development.

Given the above, councils are concerned with the lack of design and amenity standards within the discussion paper for waste storage and waste collection areas. Consideration of incorporating design and amenity standards is strongly recommended in moving forward with the discussion paper.

It is WSROC’s view that it is essential, in expanding the Code for these development types, to incorporate responsive planning, design and amenity requirements that can be measured and delivered. These requirements should ensure sustainable outcomes and good design is achieved. This includes mandating new developments provide appropriate facilities for both the storage and collection of waste.

Again, our experience has shown that inadequate provisions can result in issues associated with increased dumping, odour and public health (vermin and hygiene).

Recommendations to explore

To respond to this challenge, the discussion paper and options for the relevant development types will need to consider exploration of the following:

- Promote waste planning considerations to occur early in the design phase of the development process. Simply requiring the certifier to consult with council as part of the complying development process is problematic as it encourages waste management planning to be considered at the end stage of the development process and not conducive to achieving sound planning and environmental outcomes;

- Specify and/or provide a stronger (enforceable) link to the standard waste collection services that will be provided by the relevant council (or their contractor). This could be incorporated within the primary standards for each development type; and
- Establish specific and deliverable parameters, which are to be met regarding the provision of on-site waste management facilities for both waste storage and collection areas. This should include occupant amenity, sustainable design and ensuring safe access at an operational level to service the development. This could be incorporated within the design standards for each development type.

Primary standards (waste management) and the complying development pathway

The complying development pathway promotes a fast tracked and streamlined form of planning and construction approval. It is understood that this pathway is meant to be straight forward (translating to time and cost savings to the developer and future home owner) where developments can only be undertaken if prescribed controls and requirements are entirely satisfied.

While WSROC welcomes the inclusion of waste management requirements, they need to be structured so that they are both measurable and deliverable.

Incorporating requirements for the certifier to assess the development against relevant council Development Control Plans and consult with council does not streamline the approval process as it provides additional steps in the approval process.

WSROC considers it inappropriate for the Certifying Authority to be responsible for ensuring councils' planning controls are adhered to. Given the importance of the linkage to they provide to councils' operational and servicing requirements and achieving WARR targets, this is not feasible.

Issues with obtaining written advice

WSROC is concerned with the requirement for the certifier to undertaken written consultation with the relevant council regarding waste storage requirements. Not only are waste collection methods currently ignored but this presents a high level of uncertainty to significant stakeholders including council, the developer and the certifier as the requirements are not clear and they are unable to be appropriately measurable.

In addition, this approach may present opportunities for the certifier to satisfy this primary standard by simply obtaining the advice with no clear deliverable. The standard does not address should the written advice from the council identify the design is unsuitable.

Furthermore, the suitability of any proposed waste storage and collection area identified at this stage in the process is likely to face opposition from the developer should significant and costly amendments be required. Western Sydney councils maintain that it should not be council that compromise service and operational standards to respond to poorly designed and inadequate waste management facilities.

There is also no detail regarding the timing of this advice or when this advice should be sought particularly given the prescribed timeframes for the determination of Complying Development Certificates.

Should this primary standard be maintained, further exploration should be undertaken regarding establishing a clear and transparent process. This could include exploration of a process requiring the developer to obtain approval from the relevant council (within a specified time frame) at a pre-planning (prior to CDC application) stage.

This approach is considered to address the issue concerning the inconsistency between different councils servicing of medium density developments and removes the requirement for consultation with the relevant council as part of the complying development approval pathway.

This approach can also assist in elevating the consideration of waste planning earlier in the design and planning process and remove the issue where significant (and costly) design amendments and delays could be experienced as part of the complying development process.

Protecting residential amenity and ensuring the development can be successfully integrated with the relevant council's standard waste services should be key deliverables. However, strict parameters need to be incorporated into this approach and implications on the complying development approval need to be carefully considered.

Comments on points of discussion for low rise medium density developments

The following comments are made in response to the nominated points of discussion for each relevant development type:

Development resulting in two dwellings (dual occupancies)	
<p>General comments:</p> <ul style="list-style-type: none"> • This form and density of development is considered to be appropriate for expansion within the Code given that specific standards can be provided that can be measured and delivered. • The Code should include specific primary, design and amenity standards regarding waste bin storage area for individual dwellings. • Specific requirements are needed to address waste bin storage areas (to accommodate mobile garbage bins), location of waste bins (behind main building line or where they can be screened and nominating a suitable kerbside collection point). • Illustrations to be provided that reflect desired outcomes. Current document presents inconsistencies between standards and illustrations i.e. bin storage located within the front setback 	
Discussion paper	WSROC comments
Should the minimum frontage be reduced to 14m so that the construction of two dwellings on a single lot can be carried out as complying development on more existing lots?	<p>From a waste management perspective, providing appropriate site frontages that are of sufficient width is essential in ensuring that suitable kerbside collection points are identified.</p> <p>Minimum frontage requirements within the Code need to be responsive to ensuring a suitable kerbside collection point can be accommodated.</p>

	<p>As a minimum, the frontage for each dwelling will need to incorporate a kerbside collection point that is 2m in width to accommodate the mobile garbage bins.</p> <p>This 2m is to be separated to not interfere with driveways (provide a 1m separation), street trees, street furniture and any services/infrastructure (bus stops, light poles etc.).</p>
<p>Development resulting in 3-4 dwellings (manor homes)</p>	
<p>General comments:</p> <ul style="list-style-type: none"> • This form and density of development is considered to be appropriate for expansion within the Code given that specific standards that can be measured and delivered can be provided regarding both waste storage and waste collection areas. • The Code should include specific primary, design and amenity standards regarding waste bin storage area for individual dwellings. This issue becomes problematic where individual dwellings on the first floor cannot be provided with space to accommodate their mobile garbage bins. • Specific requirements are needed to address waste bin storage area (to accommodate mobile garbage bins), location of waste bins (behind main building line or where they can be screened) and nominating a suitable kerbside collection point. • To ensure that the process can be streamlined and that the Code can be drafted to provide measurable standards and specifications, consideration should be given to removing the ability for dwellings to be provided on the first floor where dwellings will not have the ability to accommodate their own mobile garbage bin which can be manoeuvred for kerbside collection. • Illustrations to be provided that reflect desired outcomes. Current document presents inconsistencies between standards and illustrations i.e. bin storage located within the front setback 	
<p>Discussion paper</p>	<p>WSROC comments</p>
<p>Should manor homes only be permitted on corner lots or lots with dual street access?</p>	<p>Incorporating primary standards to this effect would allow all mobile garbage bins to be presented kerbside for collection.</p>
<p>Instead of council certification of On-Site Stormwater Detention (OSD) and waste, could certification by appropriately qualified specialists be provided?</p>	<p>WSROC strongly disagrees within this approach.</p> <p>It is considered appropriate for council to maintain this role. Given that it is council who has the responsibility for servicing developments from a waste management perspective this role should remain with council.</p> <p>Issues are also likely to arise as there is currently no accreditation body (or similar) for waste professionals.</p>

Development resulting in 3-10 dwellings (townhouses/terraces)

- This form and density of development is considered to be appropriate for expansion within the Code only when specific standards, which can be measured and delivered, can be provided.
- This may require a refinement of the density type and configuration of built form to only allow for townhouses/villas/terraces to be provided where each individual dwelling have their own street frontages.
- Alternatively the built form could be expanded if individual dwellings can accommodate individual bin storage and ensure they can accommodate kerbside collection.
- The Code should include specific primary, design and amenity standards regarding waste bin storage area for individual dwellings.
- Specific requirements are needed to address waste bin storage area (to accommodate mobile garbage bins), location of waste bins (behind main building line or where they can be screened and nominating a suitable kerbside collection point). The path of travel for residents carting the bin to the kerbside collection point should also be incorporated into amenity standards within the Code. This should align with industry best practice guidelines, and ensure waste bins do not require transport through dwellings.
- In considering an appropriate frontage for this development type, consideration is to be given to ensuring that the frontage can accommodate all required mobile garbage bins for collection and bulky waste collection services.
- A minimum of 2m should be provided for each dwelling to ensure kerbside collection. On this basis, a development providing 10 townhouses/villas/terraces will need to have a frontage width that exceeds 20m, just for waste collection. Kerbside collection points needs to be free from obstacles and not obstruct driveways, street trees, street furniture and services/infrastructure.
- Where densities or built form cannot satisfy on-site collection requirements, these developments should be removed from the Code. These developments require more detailed merit assessment, particularly as council may be required to access the site for on-site collection. It is unlikely that specific standards and measureable requirements could be provided within the Code to adequately respond to this issue and minimise risk to council.
- Illustrations to be provided that reflect desired outcomes. Current document presents inconsistencies between standards and illustrations i.e. bin storage located within the front setback

Instead of council certification of On-Site Stormwater Detention (OSD) and waste, could certification by appropriately qualified specialists be provided?

WSROC strongly disagrees within this approach.

It is considered appropriate for council to maintain this role. Given that it is council who has the responsibility for servicing developments from a waste management perspective this role should remain with council.

Issues are also likely to arise, as there is currently no accreditation body (or similar) for waste professionals.

Waste management (general)	
<p>Development for lower density development, such as single dwellings and dual occupancy development can readily accommodate storage for waste and recycling facilities consistent with the requirements of any development control plan applicable to the locality.</p>	<p>Specific standards pertaining to planning, design and amenity that can be measured and delivered should be incorporated into the Code.</p> <p>These requirements should ensure sustainable outcomes and good design is achieved and aligns with current industry best practice guidelines. This includes mandating new developments provide appropriate facilities for both the storage and collection of waste.</p> <p>It is not considered appropriate for a certifier to be required to complete an assessment against council planning controls. This provides no certainty for council that the agreed planning objectives and outcomes are achieved.</p> <p>Development Control Plans should not be relied upon to form part of a consideration for the complying development approval pathway. This approach is considered contrary to the broader intent of the complying development process, which was to provide measurable requirements, and a streamlined approval process.</p> <p>It is recommended that specific planning, design and amenity standards are provided. It is considered appropriate that standard requirements for this density type can be accommodated within the Code.</p>
<p>Waste management becomes a more complicated issue when considering development comprising over three dwellings.</p> <p>It is suggested that such development will be required to comply with the waste storage requirements of the relevant council DCP.</p>	<p>Agree. As density of the development increases waste management becomes a more complicated issue.</p> <p>Balancing the provision of increased housing while providing high level design and ensuring local residential amenity is protected is difficult. Adding to the complexity is the non-uniformed approach to how councils service housing forms beyond the traditional single dwelling.</p> <p>The varying approaches by councils regarding waste storage and collection requirements are difficult to overcome within the complying development pathway.</p> <p>It is recognised that this is the likely driver behind the requirement for an assessment against councils' DCPs for waste storage requirements.</p> <p>By over complicating this approval pathway not only can there be increased risk of poor outcomes, the</p>

	<p>broader objective of a streamlined approach is not achieved.</p> <p>Furthermore, the requirement for certifiers to assess the development against provisions within the relevant council DCP is not considered appropriate. It does not provide any certainty for council or the broader community that agreed planning objectives and outcomes would be achieved.</p> <p>It is not considered appropriate for the Certified Authority to be required to complete a merit-based assessment against DCP requirements as part of the complying development process.</p>
<p>Developments of less than 10 dwellings typically do not require garbage trucks to enter a site for waste collection, with bins collected from the street.</p>	<p>The assumption within the discussion paper that council can service all of these development types through kerbside collection is incorrect.</p> <p>This assumption can result in poor development outcomes for both council and future occupants. It can result in end developments being difficult or unable to be integrated with the relevant council's standard waste service compromising residential amenity, safety and public health.</p> <p>Concern is raised in that no primary standard for waste collection is provided.</p>
<p>To avoid multiple bins on the street, it may be necessary to mandate common holding areas accessible from the street where a dwelling in a development does not include a ground floor level (e.g. in manor homes). Default conditions and requirements will need to be implemented.</p>	<p>WSROC recommends that where the development cannot accommodate standard kerbside collection, consideration should be given to removing the development type from the Code.</p> <p>A merit assessment will be required to be undertaken for these development types in order to provide appropriate consideration of competing issues such as council servicing requirements and amenity for residents.</p>
<p>In the case of townhouse forms, it is important that designs include bin enclosure areas that are not located within the building setback areas for bin storage.</p>	<p>WSROC recommends that where development cannot accommodate individual bin storage for each dwelling consideration should be given to removing the development from the Code.</p> <p>Council requirements regarding waste storage areas vary and as detailed in the submission, the method in which councils service these developments varies.</p> <p>There are also amenity and public health issues that need to be considered which are more appropriate</p>

	to be dealt with as part of a merit assessment process.
Discussion is warranted to ensure that the scale of development proposed can satisfactorily manage the implementation of waste and recycling storage facilities utilising this approach.	Pressures and challenges regarding this density type have been explored and detailed in the submission.
Conditions of consent	
Should there be any other matters addressed as part of conditions of consent	WSROC recommends exploring conditions of consent, which ensure developments, can be integrated with councils' standard waste services.

Comments on primary, design and amenity standards for low rise medium density developments

The following comments are made in response to the relevant primary, design and amenity standard for each relevant development type:

Development resulting in two dwellings (dual occupancies)	
Discussion paper	WSROC comments
2.1.1 Primary standards	<p>Concern is raised that there are no specific primary standards regarding waste management for this development type.</p> <p>Primary standards should be provided which require:</p> <ul style="list-style-type: none"> • The development to accommodate individual bin storage for all required mobile garbage bins • The development to nominate a kerbside collection point of a minimum width of 2m for each dwelling. • The kerbside collection point for each dwelling is to provide separation from driveways, street trees, street furniture and any servicing/infrastructure. <p>Consideration to be given to ensuring that sufficient frontage for "battle axe blocks" where they are serviced by an access handle must be provided so mobile garbage bins can be presented kerbside for collection without extending past the boundary for the development in question and onto adjoining lots.</p>
2.1.2 Design standards	Concern is raised that there are no specific design standards regarding waste management for this development type.

	<p>Design standards should be provided which require:</p> <ul style="list-style-type: none"> • The development to nominate the path of travel and bin carting distance from storage point to kerbside collection point. • The path of travel should not require the bin to be carted through the main dwelling. This is an issue for attached housing form of development.
<p>2.1.3 Amenity standards</p>	<p>Concern is raised that there are no specific amenity standards regarding waste management for this development type.</p> <p>Amenity standards should be provided which:</p> <ul style="list-style-type: none"> • Require bins to be stored behind the building line or screened; • Require bins to be located to protect residential amenity regarding noise, odour and hygiene. <p>Sufficient frontage for battle-axe blocks must be provided so bins can be placed at the kerbside for servicing (for all lots at the rear) without extending past the boundary for the development in question and onto adjoining lots.</p>
<p>Development resulting in 3-4 dwellings (manor homes)</p>	
<p>2.1.1 Primary standard – minimum frontage</p> <p>15m</p>	<p>From a waste management perspective, providing appropriate site frontages that are of sufficient width is essential in ensuring that suitable kerbside collection points are identified.</p> <p>Minimum frontage requirements within the Code need to be responsive to ensuring a suitable kerbside collection point can be accommodated.</p> <p>As a minimum, the frontage for each dwelling will need to incorporate a kerbside collection point that is 2m in width to accommodate the mobile garbage bins.</p> <p>This 2m is to be separated to not to interfere with driveways (provide a 1m separation), street trees, street furniture and any services/infrastructure (bus stops, light poles etc.).</p> <p>On this basis, a frontage, which can allow for unimpeded 8m (based on maximum four dwellings) for kerbside collection is to be provided.</p>
<p>2.1.1 Primary standard – waste facilities</p>	<p>Balancing providing increased housing while providing high level design and ensuring local</p>

<p>Before a manor home can be undertaken as complying development, it is proposed that adequate provision for waste storage must be required in accordance with council's development control plan. It is also proposed that written advice must be obtained from council as to the suitability of the proposed waste storage arrangements.</p>	<p>residential amenity is protected is difficult. Adding to the complexity is the non-uniformed approach to how councils service housing forms beyond the traditional single dwelling.</p> <p>The varying approaches by councils regarding waste storage and collection requirements are difficult to overcome within the complying development pathway.</p> <p>It is recognised that this is the likely driver behind the requirement for an assessment against council DCPs for waste storage requirements.</p> <p>By over complicating this approval pathway not only can there be increased risk of poor outcomes, the broader objective of a streamlined approach is not achieved.</p> <p>Furthermore, the requirement for certifiers to assess the development against provisions within the relevant councils' DCP is not considered appropriate. It does not provide any certainty for councils or the broader community that agreed planning objectives and outcomes would be achieved.</p> <p>It is not considered appropriate for the Certified Authority to be required to complete a merit-based assessment against DCP requirements as part of the complying development process.</p>
<p>Any waste storage would not be permitted forward of the front building alignment and must also comply with the side and rear boundary setback controls.</p>	<p>Agree.</p>
<p>2.1.2 Design standard</p>	<p>Concern is raised that there are no specific design standards regarding waste management for this development type.</p> <p>Design standards should be provided which require:</p> <ul style="list-style-type: none"> • The development to nominate the path of travel and bin carting distance from storage point to kerbside collection point. • The path of travel should not require the bin to be carted through the main dwelling. This is an issue for attached housing form of development.

<p>2.1.3 Amenity standard</p>	<p>Concern is raised that there are no specific amenity standards regarding waste management for this development type.</p> <p>Amenity standards should be provided which:</p> <ul style="list-style-type: none"> • Require bins to be stored behind the building line or screened; • Require bins to be located to protect residential amenity regarding noise, odour, and hygiene.
<p>Development resulting in 3-10 dwellings (townhouses/terraces)</p>	
<p>2.3.1 Primary standards – minimum frontage</p> <p>18m</p>	<p>From a waste management perspective, providing appropriate site frontages that are of sufficient width is essential in ensuring that suitable kerbside collection points are identified.</p> <p>Minimum frontage requirements within the Code need to be responsive to ensuring a suitable kerbside collection point can be accommodated.</p> <p>As a minimum, the frontage for each dwelling will need to incorporate a kerbside collection point that is 2m in width to accommodate the mobile garbage bins.</p> <p>This 2m is to be separated to not to interfere with driveways (provide a 1m separation), street trees, street furniture and any services/infrastructure (bus stops, light poles etc.).</p> <p>On this basis, a frontage, which can allow for unimpeded 20m (based on maximum 10 individual dwellings) for kerbside collection is to be provided.</p> <p>Where the development cannot demonstrate that kerbside collection can be facilitated, consideration should be given to removing the development type from the complying development pathway.</p>
<p>2.3.1 Primary standards – waste facilities</p> <p>Waste storage would be required to be provided in accordance with a council's development control plan and written advice be obtained from council as to the suitability of the proposed waste storage arrangements.</p>	<p>Balancing providing increased housing while providing high level design and ensuring local residential amenity is protected is difficult. Adding to the complexity is the non-uniform approach to how councils service housing forms beyond the traditional single dwelling.</p> <p>The varying approaches by councils regarding waste storage and collection requirements are difficult to overcome within the complying development pathway.</p>

	<p>It is recognised that this is the likely driver behind the requirement for an assessment against council DCPs for waste storage requirements.</p> <p>By over complicating this approval pathway not only can there be increased risk of poor outcomes, the broader objective of a streamlined approach is not achieved.</p> <p>Furthermore, the requirement for certifiers to assess the development against provisions within the relevant council DCP is not considered appropriate. It does not provide any certainty for council or the broader community that agreed planning objectives and outcomes would be achieved.</p> <p>It is not considered appropriate for the Certified Authority to be required to complete a merit-based assessment against DCP requirements as part of the complying development process.</p> <p>In addition, WSROC does not support the requirement to obtain written advice from council as part of the complying development approval pathway.</p>
<p>Any waste storage would not be permitted forward of the front building alignment and must also comply with the side and rear boundary setback controls.</p>	<p>Agree.</p> <p>A primary standard to require each individual dwelling to accommodate all required mobile garbage bins should also be considered.</p>
<p>2.3.2 Design standard</p>	<p>Concern is raised that there are no specific design standards regarding waste management for this development type.</p> <p>Design standards should be provided which require:</p> <ul style="list-style-type: none"> • The development to nominate the path of travel, path gradient and bin carting distance from storage point to kerbside collection point. • The path of travel should not require the bin to be carted through the main dwelling. This is an issue for attached housing (terraces) form of development.
<p>2.3.3 Amenity standard</p>	<p>Concern is raised that there are no specific amenity standards regarding waste management for this development type.</p>

	<p>Amenity standards should be provided which:</p> <ul style="list-style-type: none">• Require bins to be stored behind the building line or screened;• Require bins to be located to protect residential amenity regarding noise, odour, and hygiene.
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Summary and looking forward

Western Sydney councils support the state government's commitment to delivering faster approvals and the efficient delivery of housing supply and choice for residents of Western Sydney.

While WSROC supports in principle the expansion of the Code to assist in alleviating housing supply and housing affordability pressures experienced by our residents and community, it needs to ensure that any future implementation for Code expansion ensures new developments deliver sustainable and sound planning and environmental outcomes. Our councils will not compromise living standards and amenity for future occupants and advocates to protect broader local amenity within our community.

In addition, consideration and implementation beyond the discussion paper needs to recognise and be balanced against other state priorities as identified within NSW 2021: A Plan to make NSW Number One which includes waste reforms and ambitious waste recycling and waste diversion from landfill targets.

As detailed within our submission, a number of challenges have been identified for expanding the code to include low-level medium density developments. In summary these challenges relate to:

- Difficulty in ensuring medium density developments can incorporate effective and efficient waste management facilities to enable councils to provide a waste collection service, let alone achieving NSW Waste Strategy targets and incorporation of industry best practice;
- The varying nature of councils' standard service delivery and operational requirements for these development types. There is no uniform standard on how councils service these development types from a waste management perspective; and
- Consideration of waste management issues need to be elevated to occur earlier in the design and planning phase of the development.

WSROC commends the Department of Planning and Environment for continuing to move forward with planning reforms. However there are a number of shortcomings with the current approach as identified within this submission. In summary, these include:

- The absence of clear standards and specifications which can be measured. The nature of the primary standards relating to waste management within the draft document will not provide councils, the broader community, nor the developer with any certainty as part of this approval pathway, as it relies on the certifier undertaking an assessment against a council's individual Development Control Plan;
- The requirement for written advice to be obtained as part of the Complying Development Certificate process is problematic. Again no certainty for council is

provided and end development can result in dwellings which cannot be or are difficult to service. Councils should not be burdened with increased risks and costs associated with ineffective and ill-planned waste management facilities;

- The absence of clear parameters around the written consultation has the potential to result in poor planning and environmental outcomes;
- The requirement for DCP assessment and consultation with council as part of the Complying Development Certificate process does not align with the broader objectives of this approval pathway in streamlining the process and providing for the timely assessment of applications; and
- The absence of design and amenity standards that can be measured and delivered for the development types.

Looking forward and responding to challenges

In looking forward, the following recommendations and matters for consideration have been provided to assist in overcoming the challenges identified:

- Target stakeholder consultation regarding waste and resource recovery with relevant local government managers to understand the complexity and varying nature of each council's operational and servicing requirements;
- Retain Option 1 within the Code for dual occupancy developments provided that specific standards which can be measured for design and amenity are provided;
- Amend Option 2 within the code for manor homes to ensure primary standards require all dwellings to accommodate individual waste bin storage and where kerbside collection can be accommodated;
- Amend Option 2 within the code for manor homes to ensure specific standards which can be measured for design and amenity are provided;
- Amend Option 3 within the code for townhouses/terrace houses to ensure primary standards to require all dwellings to accommodate individual waste storage areas and where kerbside collection can be accommodated.
- Amend Option 3 within the code for townhouses/terrace houses to ensure minimum frontage requirements aligns with requirements to facilitate kerbside collection; and
- Amend Option 3 within the code for townhouses/terrace houses to ensure specific standards that can be measured for design and amenity are provided.

WSROC would like to thank you again for the opportunity to comment on *Options for Low Rise Medium Density Housing as Complying Development – Discussion Paper*. WSROC looks forward to working collaboratively with the Department of Planning and Environment to ensure sound planning and waste management outcomes are achieved as part of this planning initiative.