

7 June 2024

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To whom it may concern

Draft Guild to Transport Impact Assessment

Urban Taskforce Australia welcomes a long-overdue review of the 2002 Guide to Traffic Generation Developments and recognises the need to provide greater guidance to local planning authorities in making consistent yet appropriate transport impact decisions.

Urban Taskforce recognises the intention of the Draft Guide to bring in contemporary practices while simplifying the DA process for housing delivery. Overall, there are many aspects that appear to show an improvement from the current 2002 Guide.

The NSW Government has undertaken a range of reforms to promote housing supply. These include the introduction of new Transport Oriented Development "TOD 2" areas as well as new higher yield TOD 1 precincts.

In addition, new affordable housing bonus provisions have been adopted along with new low and medium density housing reforms.

Nonetheless, we find ourselves in the midst of a genuine housing supply crisis. A range of steps have been taken to improve assessment and approval times, but the area of greatest concern from our members has consistently been obtaining concurrence for a DA to proceed from Transport for NSW.

The issues range from Council staff using TfNSW as an excuse for not progressing a DA, to frustration with multiple TfNSW representatives turning up to meetings with conflicting agendas and no-one delegated to speak for the organisation and make a final call.

For too long, TfNSW has been a planning bottle neck. In a very real sense, this has been a significant factor in creating the housing supply crisis we now face. A cultural change must be driven through the organisation to see that

housing supply is a public good, and on occasion, this will mean there is competition between public goods – the efficient operation of the road network and housing for our growing population. Over the past two decades, TfNSW has gotten this balance wrong.

With those introductory comments made, generally, the Draft Guide could benefit from reduced length, complexity, and less prescriptive elements. The role of Government guidance documents in setting planning metrics when Councils update their LEPs or DCPs is also significant. This is where TfNSW and Council staff need guidance on balancing the need for housing supply with other public policy imperatives. The dial must surely be shifted towards housing supply.

This submission addresses key issues relevant to development proponents and offers recommendations to enhance the effectiveness of the Draft Guide within the planning context.

TfNSW's Question: *What do developers want? More parking to encourage sales? Less parking to save costs?*

Answer: When it comes to housing and apartment development, Urban Taskforce advocates for a less regulatory and prescriptive approach. The number of cars in a dwelling does not determine the number of peak hour journeys. Access to public transport, on the other hand, has a big impact. However, such access should not mandate a reduced car parking regulation. To do so, as some Councils have, directly discriminates against trade-based employees, shift workers (including police, nurses, ambulance officers, train and bus drivers, cleaners and hospitality employees). Well located apartment developments should not be the preserve of white-collar office workers whose workplaces are located along transport corridors.

Shopping Centre Reference Rates

Effective parking management is crucial for shopping centres' functionality and viability. The Draft Guide proposes substantial parking rate reductions compared to the current, with some categories seeing up to 60% cuts. These new rates do not align with current industry practices or consumer needs and fail to consider actual accessibility and usage patterns of shopping centres.

Our members advise that their analyses show the new approach of context-based categorisation of parking provision for shopping centres is not aligned

with the most important and logical metrics vital for a working shopping centre. Other members have advised that retailers have expressed concern over the reduction of rates, as they are likely to filter through to Council controls and thereafter, necessitate a constant fight for more parking.

Restricting parking access at shopping centres is detrimental to community interests. Consumers need convenient access to retail, and retailers rely on customer flow. The proposed reductions, particularly in Category 1, risk rendering centres dysfunctional.

The market reflects consumer demand, with parking needs varying by zone and usage. Inflexible mobility options crush amenity. Placing restrictions on shopping centres, central community hubs, contradicts TfNSW's goals. Reduced parking disproportionately affects families, the elderly, tradespeople, and essential workers.

Furthermore, these reductions clash with community shopping habits and retail viability. Assuming public transport or walking is always viable for grocery shopping is unrealistic. Shopping centre usage varies, and public transport isn't always suitable.

The new reference rates risk becoming arbitrary, failing to optimize customer usage. Historically, guide rates often become de facto council standards, limiting development. Shopping centres are engineered for community amenity; councils and planners should prioritize community access and consumer experience.

Recommendation 1: TfNSW Guidelines should adopt a more liberal approach to reference rates which:

- **Return to site- and project-specific size ratios**
- **Guidelines must consider shopping centre' functionality**
- **Outputs must be requirement-based parking provisions**
- **Considers community access and retail requirements**
- **Reinforces recourse to contextual analysis & bespoke understandings**

***TfNSW's Question:** Partnership approach between LC and Government agencies... what about development proponents.*

***Answer:** Simple data-backed collaboration for bespoke outcomes is preferable.*

Developers respond to market demand to supply accurate parking

The property development industry is a sophisticated sector with operators who respond to market demand with decisions that are thoroughly analysed in real time through feedback from the real estate staff. With the substantial cost involved with the delivery of a residential, commercial and industrial developments, developers undertake considerable market research and adhere to best practice for parking usage and provision. This is tailor-made and engineered for each site with focus on consumer experience, retail requirements.

Developers must work within risk tolerances otherwise they cannot acquire funding for projects. There is, by its nature, inherent risk in such a project. Placing additional pressure on developers to deliver parking that does not align with the complex, site-specific, product-engineered analyses adds further risk and will reduce functionality of the shopping centres. Alternatively, limiting parking can render those centres dysfunctional.

Industry practitioners respond to demand and provide optimal parking, engineered to meet forecast customer demand, community access and the requirements of retailers. Property development proponents should be able to deliver their product to market demand and asset functionality.

A meaningful framework mechanism that prioritises coordination of the deep understandings and analytics of developers site and project, with planning and consent authorities would produce the best result for community, council and developers.

Recommendation 2: that TfNSW Guidelines use of a framework mechanism for developers, planning proponents & consent authorities to coordinate & use data-based analyses to forge the best-for-community outcomes.

Over-Conservative Short-Cut Method for Traffic Generation

Chapter 5 of the Draft Guide notes that the shortcut method for traffic generation reflects a degree of caution, potentially due to the need to reduce the multiple site-specific factors to one shortcut rate. The extent of this conservatism is problematic as the Traffic Impact Assessment already consists of planned buffers for traffic generation.

Instead of adopting the average trip generation from TfNSW surveys, the shortcut method for traffic generation appears to use the 85th percentile, and assessments appear to be based on the busiest time of the day of the busiest days in the year.

Combined, these buffers tend to multiply outcomes. It is excessive to further fold in additional conservatism in the form of the shortcut rate being far higher than the average rate. This manifests in a huge and unsubstantiated impediment for developments.

To use an example: in **Table 5.6. Medium density residential sample summary** under **Vehicle trips (vehicle trips/dwelling)** the average is 5.28 and the Shortcut rate is 9.53. This is an increase of 80% to the average.

The issue here is not only excessive development requirement, but workability. As the Shortcut method's conservatism bring results so far from a workable result, it makes this method impractical. There seems to be an assumption that developers will simply use the Benchmarking or First-Principles methodologies.

There is concern from our members that these numbers will set a tacit or explicit benchmark, from which council traffic engineers will justify over estimated developer requirements. There is also the possibility, as has been the case with other planning policy, that local councils will simply default to these shortcut rate standards. This must be avoided.

Recommendation 3: that the short-cut method be removed as it does not equate to the realities of actual traffic generation from developments and could be taken by council or DPHI staff as a standard.

Recommendation 4: if such a tool is to remain, Urban Taskforce recommends that TfNSW establishes a level of redundancy with shortcut rates that are closer to the average rate.

Currency of Draft Guide

It was twenty years since the current 2002 Guide to Traffic Generation Developments was adopted. The certainty of documentation for development purposes is emphasised, however guides need to be reactive to ensure their result matches their purpose. For at least 14 years, the guidelines have constrained housing supply and contributed to the present crisis.

Councils handling enforcement of draft guides can also alter their intended effect. Likewise, future trends placed in a document cannot capture customer demand, changing industry practice, fluctuating economy, retail pivots or mobilities innovation.

Recommendation 5: TfNSW should commitment to regular reviews with industry engagement to ensure the Draft Guide stays current. Updates should be planned every 5 years.

Clear definitions on Area of influence

Urban Taskforce members have advised of frequent issues with the determination of the 'area of influence' being a highly subjective process with TfNSW and Local Councils. This leads to Consent Authorities frequently requesting excessively large 'study areas' that substantially increases the costs (e.g. additional surveys and complicated modelling approaches) and the excessive time required to undertake, complete and review TIA's.

This undertaking is not a shared process with Transport for NSW and Local Councils and therefore key agencies dictate the area of influence of development projects without any flexibility.

While, **Chapter 3.3.1, Step 2** provides insight into the 'area of influence' for TIA's to determine how extensive the study area should be, it does not adequately address the 'area of influence' of development projects which still relies heavily on 'subjective judgement' from Consent Agencies and their subject matter experts without any justifiable evidence.

A full review of the scoping and pre-lodgement meeting process is also required to provide a truly co-led design and collaborative process with development proponents in determining how extensive the 'area of influence' should be.

Recommendation 6: TfNSW should provide further guidance for determining 'area of influence' for development projects with limits based on the size, type, transport environment, meetings and trip-producing characteristics of different development types or land uses at an appropriate level of detail.

Trip generation data overestimating road network infrastructure

The trip generation summaries and rates in **Chapter 5.6** are a critical aspect to be considered in determining the future requirements of the transport and road network and overall development impacts.

Our members have raised concern that the current trip generation rates for 'high density' and 'medium density' are now nearly 10 years old and do not reflect current travel patterns, trip characteristics and influence of work-from-

home post-COVID. This is critical given the TOD SEPP allowance for high-density development within 400m and 800m from key transport interchanges.

More recent TIA data collected by our members have clearly shown an overall reduction of trip rates (up to 30%) applied for high density residential developments from the 2013 data within walkable catchments to key transport interchanges.

The use of out-dated trip survey data shown in the Draft Guide leads to the over-provision of road network infrastructure adding unnecessary road network infrastructure costs. This is due to the overestimation of the trip generation potential particularly for high-density residential developments close to public transport and active transport networks.

The experience from COVID is that the public will respond and adapt as required. If traffic is bad, many will choose to work from home. Others will leave for work later or earlier to avoid traffic. With the public transport system improving, this also provides choice for many. Creating congestion per se should not be seen as a problem. People will adapt.

Recommendation 7: TfNSW revise the current 'high density' and 'medium density' 2013 trip generation rates with new survey data and a review of previously approved trip rates for already approved TIA developments on metro and heavy rail network recently approved by Transport for NSW.

Developer Contributions

Section **6.5.1 Developer contributions, agreement and deeds** of The Draft Guide, makes allowance for councils to levy contributions stipulated under **Part 7 Division 7.1** of the EP&A Act 1979, towards main roads in the precinct that the contribution covers.

Urban Taskforce Members have advised that councils, dependant on TfNSW for road funding in their areas, follow these suggestions to the letter, lest not doing so impact these grants.

However, Regional Infrastructure Contributions have main roads under their scope and therefore, should handle such cases.

Circumventing the role and responsibility of the Regional Infrastructure Contributions in handling these works is unfair and exceeds the extent of which developments should be involved.

This is a case of Government "double dipping" and it's not the first time this mechanism has been used. It directly hampers the feasibility and therefore the production of housing supply.

In traffic studies undertaken by our members, it appears developers immediately adjoining a main road have been required to pay for intersections giving access to multiple other owners. Moreover, these works have been previously listed in the Draft Special Infrastructure Contributions before it was abandoned and the Regional Infrastructure Contributions was introduced.

Members also expressed concerns that the Draft Guide also reinforces Councils placing conditions in DAs that works on main roads are to be paid for by the developer where a Regional Infrastructure Contribution is in place, but makes no provision for these costs to be offset against Regional Infrastructure Contributions.

Recommendation 8: that TfNSW explicitly and unequivocally delineate the scopes of Regional Infrastructure Contributions and Development Contributions as set out in the Draft Guide.

Recommendation 9: the TfNSW ensure these Developer Contributions are acquired and distributed fairly and that contributions relate directly to works undertaken as a result of the development who are paying out.

TfNSW's Question: What is the difference between market demand for parking vs the LC's perspective?

Answer: This depends on the LC. But developers respond to demand to reduce sales risk and be able to convince banks to fund the development. Prescriptive parking rates leads to fewer project and more dysfunctional parking.

Residential Parking Rates

Urban Taskforce acknowledges and welcomes the Draft Guide allowing for no minimum and no maximum parking rates.

Not every car parking place houses a car. Not every parked car translates into a journey. The notion that more parking equates to more traffic has been discredited by traffic engineers and experts. Mode shift for journeys has to be taken into consideration, as does, part-time vehicle usage.

Within the context of the housing crisis, project viability and therefore, fundability, relies on two things: Responding the market demand for car

parking provision, and allowing the flexibility to provide as many parking places as demand required without affecting gross lettable area.

Urban Taskforce members have advised that in previous projects they were able to demonstrate that:

1. Parking provision has little relationship to peak travel demand in areas serviced well by public transport.
2. People who had cars chose to travel by public transport during peak hours but required access to a private vehicle for travel outside of peak times where public transport had inadequate coverage, accessibility or frequency.
3. Undersupply of parking would generate broader issues with higher demand for street parking, inefficient solutions, etc.
4. Parking supply is best driven by market demand
5. Oversupply is unlikely due to higher construction costs.

There are prevailing DCP stipulations that act within each LGA, however as a Guide, the development reality of parking provision should be represented.

Recommendation 10: that TfNSW include within the Draft Guide:

- **the importance of flexibility of car parking provision in the viability and thus delivery of residential projects.**
- **that data-driven narratives, not ideology, should be used when dealing with the relationship between parking and traffic at peak hours.**
- **that market-driven parking provision is recognised as a response to the complexity of parking provision extent**

Multimodal Transport Network Design and Assessment

Urban Taskforce members have raised concern that they see no point in the Travel Plans. Perhaps they attempt to implement contemporary practices, however they are heavily numerically focused and have the potential to be complex. It is feared that they will be expensive, time-consuming and simply an extra hoop to jump through, without anything being achieved.

Every additional regulatory hoop adds time, expense and risk to every project. When viabilities don't meet finance requirement, banks stop lending and projects halt. The benefit of each planning mechanism should be weighed up against the impediment to housing supply or social infrastructure.

A perspective to seriously deliver housing should be fostered across all planning proponents and LGAs through its incorporation into this Draft Guide.

Recommendation 11: the TfNSW Guidelines must enable a mechanism for merit-based flexibility which balances housing supply delivery with any planning control with a view to removing any extraneous hurdles that impact application assessment streamlining and maximising housing supply.

Appropriate Footpath Widths

It is understood that the **Site Access and Design** Section is in line with other previously existing document, the **2020 Walking Space Guide: Towards Pedestrian Comfort and Safety**.

While the intent of these parameters in the Draft Guide isn't lost on our members, they have raised concerns, which are supported by Urban Taskforce that these provisions are excessive to a point of dysfunctionality.

This section of the Draft Guide states the appropriate footpath widths in subdivisions. **Section 7.4.3** states: As a general principle, footpaths should be provided on both sides of all streets. The narrowest width, for the lowest activity streets, is given as 2m. A local footpath with high activity or a main street footpath with medium activity should be 3.2m wide. A grassy verge for street planting is also required between the road pavement and footpath.

Taking into consideration Local Government's demands that no services can be located below, will create widths from the traditional 3.5m to at least 5.5 and up to 6.7 m without further demand for trees or grey water reticulation.

From a development point of view, these provisions will eat into the developable land for a subdivision site, limiting the development potential, reducing viability and stopping financing. Other negative externalities involve increased impervious ground area and urban heat issues.

The requirement for paved footpaths should be based housing density and whether it is on a major pedestrian corridor. Our members note that cul de sacs and streets with less than 15 homes require no footpaths. To avoid arbitrary application of widths, a graduated scale approach could be adopted that begins with zero paths to one path at 1.2m and move up to two paths at 3.2m.

Guides are never just guides. Mechanisms should be altered to allow intelligent application of such provisions and heterogeneous sidewalk design that can support project viability and housing delivery.

With most of Government expending efforts to align towards a combined push to counter The Housing Crisis through streamlining supply, it is disappointing to see what appears to be directly transferred provisions from

one document to another that don't consider the large effect on housing supply.

Updating Traffic Impact Assessment Guidelines involves updating the problems of the times and this included the necessity to delivery housing.

Recommendation 12: that TfNSW update the Appropriate Footpath Widths to match a 2024 outlook with an understanding of the realities of development and subdivision in the current climate. This should take the form of a graduated scale approach, based on density and road capacity that moves from zero paths to two paths at 3.2m.

***TfNSW's Question:** Does a view to maximise active transport help housing development?*

***Answer:** No, providing transport infrastructure to growth areas and getting out of the way of housing delivery proponents when attempting to deliver market-demand-based housing helps housing development.*

A guide is never just a guide

The Draft Guide states that local requirements, set by local Council prevail over the DCPs. When unavailable, guidance is provided by the Draft Guide in the form of provisions and reference rates that attempt to avoid setting prescriptive maximum or minimum requirements.

However, left unchanged these Guidelines could be used prescriptively to affirm ideology-based decisions with unfair results for development proponents and negative externalities for communities. The key to delivering housing supply is flexibility. A merit-based approach which explicitly recognises the public benefit of housing supply must be a core theme of the guidelines.

Section 5.2 Principles and requirements, provides an accurate disclaimer for the importance using professional analysis and judgement, greater contexts, more data, etc. These things are clearly preferable but weighing up the rest of the document with their rates and prescriptions, the Key Principles found in **Section 5.2** feel like they will be read once and never again referred to.

The Department should emphatically reinforce notions such as prescriptive elements of the Guide being limited based on their scope of data and that professional judgement is preferred as a means of assessment.

Recommendation 13: that provisions are introduced into the TfNSW Guidelines that support accurate facilitation of development within the context of the housing crisis and restrict the ability of Consent Authorities to inhibit housing through rigid prescriptions that make viability impossible.

Recommendation 14: Training and instruction should be provided to local planning authorities to ensure its use and results remains as intended.

Reducing the burden of application

Currently, not every part of the 2002 Guide is applied to DAs. This will have to be the case for the Draft Guide to as if every requirement of the guidelines were utilised DAs would take double the time and cost.

The Draft Guide presents a shift of focus from traffic to transport. This should be accompanied by an appropriately sophisticated toolset that removes this substantial increase in complexity.

Property development is critical to the growth of the economy of the State. With an excess of 300,000 workers employed under this sector, it accounts for a tenth of NSW's industry output.

Over the last two decades, applicants have had to deliver copious volumes of data to appease planning processes (not least traffic planners from TfNSW), which stifles the delivery of much needed housing. This Draft Guide should lessen the burden placed upon the applicant and assist the delivery of housing.

The new guide should refine and streamline the practicality aspects of its operations and mesh with current industry practice. It should encourage flexibility in how decisions are arrived at, with an understanding of geographical, site and land-use variations.

Recommendation 15: that the Draft Guide further simplify and lessen the burden of the application through simpler and less requirements.

The Housing Supply Crisis is undisputed

Many of the themes that the Draft Guide deals with are overshadowed by the socioeconomic and socio-spatial effects that are demonstrably occurring right now. The update of such a document should bring in contemporary practices, but with it, reflect contemporary problems.

The current paradigm places the onus of proof on the applicant to show that the proposed development doesn't burden infrastructure. The practical results of this approach to housing and amenity delivery, is less delivery.

It is only with a meaningful paradigm shift in favour of housing supply and its acknowledgement as a public good in its own right, where Consent Authorities begin to ask the question: 'can infrastructure support housing?' that we will make headway into remedying The Housing Crisis.

The Draft Guide needs to also reflect a practical supply side approach that sets a mood for Consent Authorities to understand and follow.

Recommendation 16: that the Draft Guide lead a paradigm change by recontextualising the problem and providing a practical supply side approach to Traffic Impact Assessment and housing delivery.

***TfNSW's Question:** What is better for Developers? Informational guidance or normative guidance?*

***Answer:** Both. Set standards and expectations AND the provision of understandings backing that normative guidance is important. More important still, is logical guidance that references the site and project and allows flexibility.*

Conclusion

Urban Taskforce welcomes the efforts of TfNSW to update this guide.

With a new focus on housing and an understanding of the requirements of development proponents, this Draft guide, once finalised, could play an important role in leading council staff and assessment authorities to streamlining traffic impact assessments for developments. Most important is the need to drive greater flexibility with a view to supporting housing supply.

Should you wish to discuss this matter further, please call our Head of Policy, Planning and Research, Benjamin Gellie on 0461566807 or via email benjamin@urbantaskforce.com.au

Yours sincerely



Stephen Fenn
Acting Executive Officer

Urban Taskforce Recommendations:

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- Guidelines must consider shopping centre' functionality
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- that market-driven parking provision is recognised as a response to the complexity of parking provision extent

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