

Improving apartment design and affordability



Frequently Asked Questions

WHAT IS THE RESIDENTIAL FLAT DESIGN POLICY?

- The residential flat design policy – State Environmental Planning Policy No. 65 Design Quality of Residential Flat Buildings – known as SEPP 65, is the NSW Government policy that promotes better apartment design across the state.
- SEPP 65 was introduced in 2002 and applies to apartment buildings that are three or more storeys high and have four or more dwellings.
- It applies to new apartment buildings, substantial redevelopments or refurbishments of existing buildings and conversions of existing buildings.
- The policy requires apartment buildings to be designed by registered architects. It sets 10 principles to guide good design. These principles are translated in a practical guide in the accompanying *Residential flat design code*.
- The policy must be considered by councils when assessing development applications for apartments.

WHAT IS THE GOVERNMENT PROPOSING FOR THE RESIDENTIAL FLAT DESIGN POLICY?

- The NSW population is growing, both in Sydney and in regional centres. At the same time, population changes mean that a higher proportion of people are aged over 65 and there are more households with one or two occupants.
- These and other changes are driving a growing demand for apartments that are affordable.
- With these changes taking place, it is important for both people living in apartments and for whole neighbourhoods that they are well designed, affordable, and located close to public transport and services.
- The SEPP 65 policy led to a marked improvement in apartment design since its introduction in 2002. A major review of the original policy occurred to identify areas where apartment design can improve further and account for population changes and the growing demand for housing that is more affordable.
- The review has been informed by both technical and qualitative research.
- Following the review, a number of changes are now proposed which have the potential to further improve apartment design.

WHAT AM I BEING INVITED TO COMMENT ON?

- The Department of Planning & Environment wants to know what you think about the proposed changes to the SEPP 65 policy and the *Residential flat design code*, which is renamed the *Apartment design guide*.
- The changes are outlined in documents that are now on exhibition. The documents are called *Overview: Proposed amendments to SEPP 65 and the Residential flat design code* and the draft *Apartment design guide*.
- You can provide your feedback at: www.planning.nsw.gov.au/proposals until 31 October 2014.

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WHAT CHANGES ARE BEING PROPOSED TO THE SEPP 65 POLICY?

- The proposed changes to the policy will lead to a more consistent approach to design across the state, provide more certainty for councils, architects and applicants, and support greater housing diversity and design innovation. They:
 - extend the policy so it now applies to mixed use development and shop top housing of three or more storeys
 - give councils the ability to appoint design review panels and to determine who is on the panel (previously, the Minister appointed panels)
 - make certain design criteria in the *Apartment design guide* prevail over council requirements, to promote certainty and consistency
 - add a car parking standard that removes or reduces car parking requirements for new apartment developments located in metropolitan Sydney and some regional centres. A council would not be able to refuse a development if it complies with this standard (similar standards already apply to minimum ceiling heights and apartment sizes).
 - confirm that apartment buildings being assessed under SEPP 65 also need to comply with BASIX (the building sustainability index).

WHAT CHANGES ARE BEING PROPOSED TO THE RESIDENTIAL FLAT DESIGN CODE?

- The code has been renamed the *Apartment design guide* to reflect a more flexible approach to design and to encourage more innovation, while ensuring that apartment buildings continue to incorporate the principles of good design. The changes introduce:
 - specific criteria and solutions for good design outcomes
 - greater flexibility for applicants to propose alternative design solutions in areas such as deep soil and open space, balconies, and apartment layout, to suit the needs of a particular development
 - a minimum size of 35 square metres for studio apartments (other minimum apartment sizes are already specified)
 - greater flexibility for applicants to reduce or remove car parking spaces, where there is good access to public transport and there is market demand to do so.
 - criteria and solutions for managing external noise and for limiting noise transfer between apartments, buildings and their private open spaces.

WHAT CONSULTATION HAS OCCURRED SO FAR DURING THE REVIEW?

- Extensive stakeholder consultation has already taken place on the SEPP 65 policy and proposed changes. Initial consultation occurred in May to June 2011 with local government, peak industry bodies, state agencies and professional associations. It featured working groups and workshops.
- In November 2011, the SEPP 65 review discussion paper was released for public comment, resulting in over 200 submissions.
- In late 2012 a forum was held for approximately 100 local government, practitioner and industry stakeholders, which looked at the changes suggested in public submissions and stakeholder workshops.
- From July to November 2013, another phase of stakeholder consultation was conducted around the proposed changes.

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WHY ARE THERE MINIMUM APARTMENT SIZES?

- The *Residential flat design code* already includes minimum sizes for one, two and three bedroom apartments. The proposed changes introduce a minimum size for studio apartments to encourage more affordable housing.
- If a development meets these standards then a development application cannot be refused on these grounds. This means there is greater certainty for practitioners, applicants and councils.
- Developers can still provide bigger apartments in areas where there is consumer demand.
- The minimum apartment sizes are based on actual living requirements and real floor layouts, ensuring that apartments have functional spaces with opportunities for storage.

WILL THESE CHANGES ADD TO THE COST OF BUILDING AND BUYING APARTMENTS?

- No, the intent of the changes is to potentially decrease the cost of building apartments and therefore improve affordability.
- The proposed new car parking requirements in accessible locations are estimated to reduce the purchase cost by at least \$50,000.
- Developers recognise that design and affordability are key factors for home buyers.
- By introducing more flexibility into the design process, architects and applicants have greater opportunities to innovate, to satisfy consumer demand.

WILL THE CHANGES INCREASE THE NUMBER OF APARTMENTS BEING BUILT OR ALLOW THEM IN PARTICULAR LOCATIONS?

- No, the changes are about improving the experience of living in an apartment, and the design of apartment developments. The policy will not direct the location of new housing.

WHY IS CAR PARKING PART OF THE REVIEW?

- Car parking can be a significant cost in an apartment development and is passed on to buyers in purchase costs.
- A growing number of apartment residents are taking advantage of public transport and/or walking or cycling to their destinations. Data from the NSW Bureau of Transport Statistics presents a marked reduction in licence-holding among those aged 35 years and younger (the percentage of 25 year olds holding a licence dropped from 84 per cent in 1998 to 74 per cent in 2009). Fewer licence holders are associated with higher levels of public transport use, walking and cycling.
- Reduced car parking improves local traffic management, and has the potential to generate health benefits.
- For these reasons it is proposed to have consistent minimum car parking requirements in apartment developments where there is good access to public transport.

DOES THIS MEAN THAT APARTMENT BUILDINGS LOCATED NEAR TRAIN STATIONS WON'T PROVIDE PARKING?

- The new *Apartment design guide* does not set a minimum requirement for new apartment developments located in inner and middle metropolitan Sydney that are located within 400 metres of a railway station or light rail stop.

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- For sites located within 400m of a railway station or light rail stop in the remainder of metropolitan Sydney, the relevant requirement set out in the Roads and Maritime Services' *Guide to traffic generating development* or the council's requirements will apply, whichever is less.
- For sites located within 400m – 800m of a railway station or light rail stop, the relevant requirement set out in the Roads and Maritime Services' *Guide to traffic generating development* or the council's requirements will apply, whichever is less.
- Where there is consumer demand, applicants can still provide more car parking space than the minimum requirements identified in the guide, subject to council consideration.

WHICH AREAS FALL WITHIN THE DEFINITION OF INNER AND MIDDLE METROPOLITAN SYDNEY?

- The councils of Ashfield, Auburn, Bankstown, Botany Bay, Burwood, Canada Bay, Canterbury, City of Sydney, Hurstville, Kogarah, Lane Cove, Marrickville, Leichhardt, North Sydney, Parramatta (City Centre), Randwick, Rockdale, Ryde, Strathfield, Waverley, Willoughby and Woollahra.

HOW CAN I COMMENT ON THE PROPOSED CHANGES?

- To comment on the changes you can visit www.planning.nsw.gov.au/proposals to make a submission.
- If you cannot lodge your submission online you can write to the Acting Director, Local Plans, Codes and Development Guides, The Department of Planning and Environment, GPO Box 39 Sydney, NSW 2001.
- Before making a submission, please read our privacy statement at: www.planning.nsw.gov.au/privacy
- All submissions received will be made public in line with the Department's objective of promoting an open and transparent planning system.
- If you would like the Department to remove your personal information before publication, please make this clear at the top of your submission.

WHAT HAPPENS NEXT?

- Once the exhibition concludes submissions will be reviewed and the Department will provide a report to the Minister for Planning.
- Subject to the Minister's agreement, changes may be made to the SEPP 65 policy and the *Apartment design guide*.

FURTHER INFORMATION

To find out more visit our website: www.planning.nsw.gov.au/proposals

Telephone: 1300 305 695