

30 October 2014

Department of Planning and Environment
23-33 Bridge Street
Sydney NSW 2000

To whom it may concern,

**Queanbeyan City Council Submission – Review of State Environmental Planning
Policy No. 65 Design Quality of Residential Flat Development**

Thank you for the opportunity to comment on the proposed amendments to the State Environmental Planning Policy No. 65 Design Quality of Residential Flat Development (SEPP 65).

There are two specific Clauses which are proposed to be included in SEPP 65, that are of concern to Queanbeyan City Council. These relate to Clause 30(c) car parking and Clause 6A - Development Control Plans cannot be inconsistent with Apartment Design Guidelines.

In accordance with the proposed Clause 30 (c) car parking, Queanbeyan is nominated as a regional centre and therefore the controls in Part 3J of the Apartment Design Guide apply. The following table compares Councils Controls from the Queanbeyan Development Control Plan 2012 and the controls in the RTA (RMS) Guide to Traffic Generating Development.

Land Use	Council Control	RMS Control (2002)
Residential flat buildings	<ul style="list-style-type: none"> 1 space per 1 bedroom and with a Gross Floor Area (GFA) of not more than 60m² of GFA 2 spaces per dwelling for all other dwellings up to 4 bedrooms Visitor Parking: 1 space per 4 dwellings 	<p>High density (20+ dwellings)</p> <ul style="list-style-type: none"> 0.6 spaces per 1 bedroom 0.9 spaces per 2 bedroom 1.4 spaces per 3 bedroom 1 visitor car space per 5 units. <p>Medium density</p> <ul style="list-style-type: none"> 1 space per unit + 1 space for every 5 x 2 bedroom units + 1 space for every 2 x 3 bedroom unit + 1 space for every 5 units (visitor parking).
Shop-top housing	As above	Not specifically defined by RMS – assuming medium density controls outlined above.
Mixed use developments	As above for residential element	Not specifically defined by RMS – assuming medium density controls outlined above for residential element.

As can be seen above, the RMS controls result in far less parking than Council's current controls. Council is concerned that development of residential flat buildings, shop-top housing and mixed use developments will proceed in Queanbeyan under the provisions of the SEPP with what we believe to be is insufficient car parking for this location. Council will have no grounds to require parking that is appropriate for Queanbeyan developments nor refuse such development applications.

Parking is a significant issue for the Queanbeyan community and has resulted in the regular review of parking controls to ensure that they are adequate and meet the expectations of the community and Council. It must be noted that there is limited public transport opportunities for Queanbeyan and a significant percentage of the population work in Canberra and rely on private vehicle transport. As such providing adequate parking is important in maintaining the amenity and functionality of the streets in Queanbeyan's medium and high density residential zones.

In June 2012 Council resolved to amend the car parking controls in the DCP relating to Dual Occupancies, Multi Dwelling Housing and Residential Flat Buildings following an independent traffic study and public exhibition. Council's local road capacity had reduced in some areas of the city where on-street car parking had increased from unit developments. The resulting car parking controls were then included in the 2012 Comprehensive DCP that is relied upon today.

As the current controls we rely on are the result of a recent study and Council resolution it is believed these controls will better service the future needs of the residents of Queanbeyan, more so than the standard RMS controls dating from 2002.

As such it is requested the Department reconsider its reliance on the RMS controls and grant more weight to Council's DCP controls. Alternatively we request you eliminate Queanbeyan as being listed as a nominated regional centre.

Queanbeyan Council is also concerned by the inclusion of Clause 6A - Development Control Plans cannot be inconsistent with Apartment Design Guidelines. These controls, while they may be applicable to major urban centres, are not relevant in regional areas such as Queanbeyan. Queanbeyan City Council has assessed many developments under SEPP 65 and, where applicable, have relied on our own DCP controls, which in some cases are more stringent than those in SEPP 65. We have found, in our local context, developers have been able to successfully comply with the controls set out in our DCP. Any alternative to these controls would only impact the amenity experienced by future residents and the surrounding community.

A specific example of this relates to solar and daylight access. Under Council's DCP 80% of all dwellings within the development must receive a minimum of 3 hours direct sunlight on 21 June. Under the provisions of the proposed SEPP 65 this would be reduced to 70%. Council feels this loss of 10% represents an unnecessary loss of amenity for future residents in such developments in Queanbeyan.

Open space provided in residential flat building would also be impacted in Queanbeyan via the inclusion of Clause 6A. At present Council requires 24m² with a minimum dimension of 4m for ground floor apartments. This would be reduced to 16m² with a 3m minimum dimension under the proposed SEPP 65. Queanbeyan Council requires 12m² to be provided for all other apartments, regardless of the number of bedrooms. This too would be reduced under the proposed SEPP 65.

Clause 6A should be refined to only apply to Metropolitan Sydney and to exclude all other Council areas. These controls do not respond to the needs of regional areas and therefore should not apply. Their inclusion will only result in controls that will impact the amenity experienced by future residents and the surrounding community.

In summary the following changes to the reviewed SEPP 65 are strongly recommended:

- 1. That Queanbeyan's Parking Controls contained in the Queanbeyan DCP 2012 be applicable for residential flat buildings, shop-top housing and mixed use developments in Queanbeyan Local Government area and not the RMS guidelines as stipulated in Clause 30(c).**
- 2. That Clause 6A be amended to exclude Queanbeyan given the acceptance of the development controls by the community and developers and the higher amenity outcomes that are achieved.**

We commend your efforts in undertaking this review and encourage you to consider the impact of applying blanket controls over regional centres like Queanbeyan which do not have the same issues as the metropolitan areas of NSW.

Yours sincerely,



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Sustainability and Better Living