

**Submission re: *Proposed Amendment to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) – the Planning Report***

Summary

The Planning Report dated November 2015 in Section 2.1 has proposed changes to the Minimum lot size control for semi-detached dwellings. I am writing to request a change to the minimum lot size control proposed in the Planning Report for semi-detached dwellings in 15dw/ha to 175m2.

The Planning Report proposes to reduce the minimum lot size control from 300m2 to 200m2 and I am recommending that it be reduced from 300m2 to 175m2, as per the table below.

Minimum density	Current lot size (m2)	Proposed lot size (m2) per Planning Report	My proposed lot size (m2)	Original intention (m2)
15 dw/ha	300	200	175	150

I note that the original intention for 15 dw/ha was a minimum lot size of 150m2, therefore my recommendation is half way between what is currently being proposed and the original intention.

Reasons for recommendation

I have provided below the reasons why I recommend this change:

- 1) I purchased a 350m2 block of land in the 'Riverstone Precinct' where the minimum density is 15 dw/ha. The "Explanation of Intended Effect State Environmental Planning Policy to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006" that was available indicated that the minimum size required for a semi-detached dwelling would be 150m2 (Attachment 1). When the "Amending Development Control Plan (No 1) 2014" ("the DCP") was issued in August 2014 the minimum lot size for semi-detached dwellings did not accurately reflect the intention. I contacted the Department of Planning in late 2014 to clarify this, and I was informed that this matter was being looked into and an amendment would be prepared to correct this. Over the course of the past 16 months I have followed up the Department of Planning and I was disappointed to learn that instead of the minimum being corrected to 150m2, it is now proposed to be 200m2 (in 15 dw/ha). This now prohibits my ability to build two semi-detached dwellings.
- 2) The minimum lot size in the 15 dw/ha area is 300m2 (Dwelling House) and the majority of land being subdivided by developers is under 400m2 (in the 15 dw/ha area). Therefore with land being subdivided into blocks under 400m2 and with lot frontages under 14m, it will be quite rare to find a block of land that will meet the criteria for the further development of two semi-detached dwellings. Reducing to 175m2 (total original lot size of 350m2) will increase the ability for some more land in the area to incorporate semi-detached dwellings. Whilst the Planning Report's amendments are to correct the legislation, the change proposed for 15 dw/ha is going to make it difficult for semi-detached dwellings to be constructed, and therefore the amendment will not achieve the desired outcome.
- 3) The Planning Report suggests that if the minimum lot size was less than 200m2 it will be "inconsistent with the character of the 15dw/ha" area. As there is a requirement for each semi-detached dwelling to have a frontage of 7m, changing the size of the land from a minimum of 200m2 to 175m2 will not necessarily impact the street appeal and character of the dwellings on a particular street – rather the depth of the blocks of land could potentially be the main difference.

- 4) In the 15 dw/ha area a 300m<sup>2</sup> corner block of land could have the potential to incorporate a dwelling house and a strata titled studio – effectively two separate dwellings on 300m<sup>2</sup>. It would seem more practical and appropriate to have two semi-detached dwellings on 350m<sup>2</sup> (175m<sup>2</sup> each), rather than a Dwelling House and a Studio on 300m<sup>2</sup>.
- 5) The Planning Report says that reducing the lot size in the 15 dw/ha area below 200m<sup>2</sup> will be inconsistent with the character of the 15 dw/ha area. I note that a semi-detached dwelling can only be constructed as a front accessed dwelling if the minimum frontage of each semi-detached dwelling is 7m or more. There have been many subdivisions of land in the Riverstone Precinct (in the 15 dw/ha area) and the majority have lot frontages of 9m to 13m. Therefore it is unlikely that many semi-detached dwellings will be constructed in this area (as they are unlikely to meet the minimum frontage criteria of 14m) hence the risk is low that a “flood” of these types of dwellings will be constructed, that will result in development that will be inconsistent with “the character” of other development in the area.
- 6) Despite the minimum lot size area controls, the standard controls regarding minimum distance to boundaries, site coverage, garage and car parking, private open space area, etc need to be met. Therefore reducing from 200m<sup>2</sup> to 175m<sup>2</sup> will not have an impact on the overall character of the area, as there are other controls that need to be adhered to that will dictate the overall size of the semi-detached dwellings.
- 7) In 20 dw/ha area it is my understanding that a ‘dwelling house with a building envelope plan’ can be constructed on a 225m<sup>2</sup> block, and a semi-detached dwelling on a 150m<sup>2</sup> block. There is a 75m<sup>2</sup> difference here. Therefore based on the above if in a 15 dw/ha area a dwelling house with a building envelope plan can be constructed on a 250m<sup>2</sup> block, it would be appropriate to have a 75m<sup>2</sup> difference (to 175m<sup>2</sup>) for semi-detached dwellings.

<b>Minimum density target</b>	<b>10 dw/ha</b>	<b>15 dw/ha</b>	<b>20 dw/ha</b>
Dwelling House (DH) with building envelope plan <b>(A)</b>	360	250	225
Semi-detached (proposed) <b>(B)</b>	300	200	150
Semi-detached (recommendation) <b>(C)</b>	300	175	150
Difference between “A” and “B”	60	50	75
Difference between “A” and “C”	60	75	75

Under the Planning Report proposal a difference of 50m<sup>2</sup> is small, and bringing to 75m<sup>2</sup> would not be inconsistent with other controls.

- 8) In the Dwelling Density Guide (dated July 2014), on Page 22 and 27 the typical characteristics of residential net densities are the same for 15 dw/ha and 20 dw/ha, therefore it would be appropriate to have the minimum lot size for semi-detached dwelling closer to the requirements in the 20 dw/ha area (rather than the 12.5 dw/ha and 10 dw/ha areas).
- 9) As per Attachment 2, the minimum lot size controls in the 15 dw/ha and 20 dw/ha are fairly similar (e.g. dual occupancy controls), therefore controls for semi-detached dwellings should be more consistent between these two density areas.

- 10) Overall the minimum area for a dwelling house is the same between the 15-25 dw/ha areas, being 300m<sup>2</sup>. A semi-detached dwelling in 20 dw/ha will now be allowed on 150m<sup>2</sup>, this is 50% less than the dwelling house target. Therefore reducing to 175m<sup>2</sup> in 15 dw/ha, compared to 300m<sup>2</sup> for a dwelling house in 15 dw/ha is more consistent to the approach taken in 20 dw/ha.

Minimum density target	15 dw/ha	20 dw/ha
Dwelling House (DH)	300	300
Semi-detached (proposed)	200	150
Semi-detached (my recommendation)	175	150

- 11) A semi-detached dwelling, as per the definition is “on its own lot of land and is attached to only one other dwelling, but does not including a studio dwelling”. A maximum of only two can be attached on any one site, therefore it is unlikely that an influx of these dwellings will be built in a “row”, such that it will impact the character of the area. This would only result from:
- a) A developer subdividing all blocks with a frontage of 14m or more (which is uncommon in a 15 dw/ha area); or
  - b) A developer subdividing all blocks as per 11 (a) above and then engaging a building to construct 2 semi-detached houses on each of them.
- 12) Housing affordability and supply is a popular topic in Sydney. Reducing the minimum lot size for semi-detached dwellings in 15 dw/ha to 175m<sup>2</sup> will open the opportunity for individual land holders, such as myself, to appropriately develop their land and provide different housing types and more choice. The housing diversity package announced by the Government was to increase housing choice and affordability in the Growth areas, the changes were aimed to “increase the supply of housing, reduce the costs of developing small lot housing and provide a greater range of housing choices for new residents in Western Sydney” (Quote taken from NSW Planning and Government Website). It is important that when making these changes to the minimum lot size for semi-detached dwellings that the changes are relevant and can be applied to the land, and hence I believe it is important for the minimum lot size to reduce to 175m<sup>2</sup>.
- 13) Reducing the minimum size to 175m<sup>2</sup>, rather than 200m<sup>2</sup> will also increase the affordability for buyers of semi-detached dwellings – allowing them to purchase these dwellings at a lower cost (due to smaller land) and provide buyers with more choice.

minimum density of 25du/h which is proposed to be 125m<sup>2</sup> (where a single development application for subdivision and the erection of dwelling houses on those lots is made). The proposed minimum lot sizes are illustrated in the table below:

**Table 3: - Proposed Minimum Lot Size table to be identified in Clause 4.1A**

Minimum Lot Size (m <sup>2</sup> )	Dwelling Type	Minimum Net Residential Density Target (dwellings/ha)							
		10	12.5	15	20	25	30	40	45
	Dwelling House	240	240	225	200*	125*	125*	125*	125*
	Secondary Dwelling	♣	♣	♣	♣	♣	♣	♣	♣
	Dual Occupancy	600 (300)	600 (300)	600 (300)	500 (250)	400 (200)	300 (150)	250 (125)	250 (125)
	Semi Detached Dwelling	600 (300)	600 (300)	300 (150)	300 (150)	250 (125)	250 (125)	250 (125)	250 (125)
	Attached Dwelling	-	375 (125)	375 (125)	375 (125)	375 (125)	375 (125)	375 (125)	375 (125)
	Multi Dwelling Housing	-	-	1,500	600	375	375	375	375
	Residential Flat Buildings	-	-	-	2,000	2,000	1,000	1,000	1,000

- ♣ Secondary dwellings must be accommodated within the minimum allotment size of the principal dwelling type  
( ) Indicates average end lot size but does not preclude smaller or larger lots, provided that other relevant objectives and controls can be met  
\* For these minimum lot sizes to apply the development application must be a single development application for both the subdivision of land and the erection of dwelling houses on those lots – see discussion further below under the heading Integrated Housing Approval. Where this is not the case the minimum lot size for dwelling houses will be 225m<sup>2</sup>.

Through the inclusion of varied minimum lots sizes for development relative to the existing minimum density targets established for the rezoned Precincts, it will be necessary for people using the Growth Centres SEPP to first confirm the range of permissible uses in the zone (from the Land Use Table) and then also confirm the applicable minimum density control by referring to clause 4.1B of the Precinct Plan and the associated Residential Density Map. Clause 4.1A can then be used to determine the appropriate minimum lot size for the relevant form of residential development on the land.

The following table presents both the existing and proposed new minimum lot sizes for residential development for each rezoned Precinct.

Table 3: Minimum lot size by density bands in R2 Low Density Residential Zone

R2 Low Density Residential									
Minimum Net Residential Target (dwellings/Ha)	Marsden Park Industrial	10	11	12.5	15	20	25	30	
Dwelling House (base control)	300	360	360	300	300	300	300	300	
With BEP	250	360	360	300	250	225	225	225	
As Integrated DA	250	360	360	300	250	200	125	125	
Location Criteria (BEP or Integrated)	225	N/A	N/A	N/A	225	N/A	N/A	N/A	
Studio Dwelling		No minimum lot size as strata development not subject to minimum lot size controls							
Secondary Dwelling	450	450	450	450	450	450	450	450	
Dual Occupancy	500	600	600	600	500	500	400	300	
Semi Detached Dwelling	300	600	600	600	300	300	250	250	
Attached Dwelling	Not permissible	Not permissible	Not permissible	Not permissible	Not permissible	375	375	375	
Location criteria*	1,500	N/A	N/A	N/A	1,500	N/A	N/A	N/A	
Multi Dwelling Housing	Not permissible	Not permissible	Not permissible	Not permissible	Not permissible	1,500	375	375	
Location criteria**	1,500	N/A	N/A	N/A	1,500	N/A	N/A	N/A	
Manor Homes	Not permissible	Not permissible	Not permissible	Not permissible	Not permissible	600	600	600	
Residential Flat Buildings	Not permissible	Not permissible	Not permissible	Not permissible	Not permissible	Not permissible	Not permissible	Not permissible	
DCP control applies to:	Blacktown (Marsden Park Industrial)	North Kellyville Liverpool	Blacktown (Marsden Park)	Blacktown (Alex Avenue and Riverstone)	Blacktown (Alex Avenue and Riverstone, Area 20) Liverpool Camden Campbelltown The Hills	Blacktown (Alex Avenue and Riverstone, Area 20) Liverpool Camden	Blacktown (Schofields) Liverpool	Blacktown (Schofields)	

\* On land zoned R2 Low Density Residential, the minimum development lot size for the purposes of:

- a dwelling house can be varied to 225m<sup>2</sup> and multi dwelling housing can be varied to 375m<sup>2</sup>, in places that satisfy one of the following locational criteria:

- adjoining land set aside for open space or recreation or is separated from that land only by a public road;
- adjoining land in Zone B1 Neighbourhood Centre, Zone B2 Local Centre or Zone B4 Mixed Use or land that is separated from land within Zone B1 Neighbourhood Centre, Zone B2 Local Centre or is separated from that land only by a public road;
- land is within 400m of land in Zone B1 Neighbourhood Centre or Zone B2 Local Centre and the lot and adjoining land that is set aside for drainage or educational purposes, or is separated form that land only by a public road.

\*\* On land zoned R2 Low Density Residential with a dwelling density of 15 dwellings per hectare, attached dwellings and multi dwelling housing are permissible in places that satisfy one of the following locational criteria:

- adjoining land set aside for open space or recreation or is separated from that land only by a public road;
- adjoining land in Zone B1 Neighbourhood Centre, Zone B2 Local Centre or Zone B4 Mixed Use or land that is separated from land within Zone B1 Neighbourhood Centre, Zone B2 Local Centre or is separated from that land only by a public road;
- land is within 400m of land in Zone B1 Neighbourhood Centre or Zone B2 Local Centre and the lot and adjoining land that is set aside for drainage or educational purposes, or is separated form that land only by a public road.