Submission to Options for Low Rise Medium Density Housing as Complying Development

I am a consultant town planner having about 35 years’ experience. I have worked in an advisory capacity, previously, on the General Housing Code and the Exempt and Complying Code both externally (in conjunction with Architectus) and at the Department of Planning. While at North Sydney Council (as a town planner and later as a consultant), I dealt with many medium density and small lot subdivision applications, when the Council was regarded as having the most progressive Council planning regime in NSW, enabling widespread medium density development and controls that allowed small lot subdivision and construction of detached additional or secondary dwellings on residential lots, some as small as 150m² (1986-2010).

In order to generate wide public acceptance the proposed controls need to demonstrate reasonable outcomes, but necessarily set against the need to produce a significant, steady and long term supply of efficient and high quality housing, especially the most popular form of housing...single dwelling houses. This is why I focus mainly on the dual occupancy aspect of the proposed policy, since I believe that it will have the widest appeal, be the most easily implemented and produce the fastest result in terms of supply of separate single dwelling houses (with the least overall impact).

Generally, I strongly support the kinds of intervention proposed as they are well justified and long overdue. Council’s, left to their own designs, are often politically hamstrung to effect a significant change to either residential development standards or densities within their local areas. The resulting highly conservative, low density development has been the bane of town planning in Sydney and elsewhere in NSW (within major cities and suburbs, at least) as long as I have been involved with the profession – leading to unnecessary housing supply problems throughout middle and even outer ring suburbs and excessive costs of, and access to, infrastructure both immediate (electricity, water and sewer etc.), and long term (schools, transport, public facilities). It is now widely accepted that the one dimensional high rise–apartment solution to the housing supply problem is not adequate...and never can be. Increasing the density capacity of low/medium densities areas through dual occupancy strategies can make better use of existing infrastructure and give more confidence to encourage more investment by infrastructure providers to address any shortfall. It is appropriately called the “missing middle”.

Notably, the dwelling house construction industry abounds with very affordable, yet high quality, project homes well suited for dual occupancy development.

However, multi occupancy proposals comprising 3-10 dwellings, will attract much attention in this debate, especially if there is no explicit process of quality control measures, such as an environmental design hurdle to test the development, and the potential for these to be constructed in the hitherto sacrosanct R2 zone. The proposed design guide therefore may need to be strengthened with a design review process.

Many councils have incorporated a design review panel to provide it with independent design advice. Perhaps this evaluation can be inserted into the most ambitious form of complying development (the 3-10 dwellings on one lot) process by its design architect presenting to a design
panel after a compliance check has been made (in order to get refinement comments and a “pass”, prior to a complying development certificate being issued.

The exclusion of certain “sensitive” areas from application of the proposed complying development code should not also operate as a prohibition for any form of medium density development in those sensitive areas. It should be explicit that such medium density development (especially dual occupancy) that is incorporated in the policy is enabled but is required to be properly considered within the framework of a development application (taking into account the proposed code), where any such sensitivities can be addressed by design or by other means of mitigation. The minimum standards adopted for complying development should still apply and all other prohibiting controls in an LEP be deemed inconsistent where they render such development “not permissible”. This ability to have such development considered is particularly relevant to dual occupancy development that could be subdivided to create additional dwellings without causing any significant impact on sensitive areas, but are necessarily subject to a development application. It would be an unintended side effect of the policy to give too much weight to sensitive areas by allowing the policy to also act as a prohibiting element, even if only by inference. This kind of influence may also foster the creation of sensitive areas by Councils who may seek to quarantine areas of questionable sensitivity, unnecessarily from application of the policy.

In respect of the various questions raised in the discussion paper, and other sections that warrant a comment, I have prepared responses as follows:

**Dual Occupancy**

At the outset it should be made clear throughout the policy that dual occupancy development is permissible development on any lot within any R1, R2 or R3 zone, irrespective of local LEP provisions, although it may require consideration of a development application if the complying development code does not apply, due to provisions in the code that otherwise exclude application of the code or result in any non-compliance with a development standard in the code.

**Should the development of dual occupancies on a single lot as complying development be permitted in R1, R2 and R3 zones?**

Yes, dual occupancy development has the potential to provide for a substantial additional to separate single dwellings throughout the state – particularly low density areas in and around major cities. This form of development does not require the high capital investment that is normally associated with other existing forms of medium density residential investment, hence there will be far more participants... e.g. existing dwelling owners (e.g. in my example below, possibly retired) who wish to construct a purpose built dwelling that is more suited to their retirement status on their own existing dwelling allotment and then to sell the existing house that, in many cases, has become unsuitable through having 2 storeys or has difficult access, whose garden is too hard to manage, or too large, or requiring extensive modernisation. This would allow people to age in place, adding a much needed additional dimension to the housing choices available to retirees and putting suitable single dwelling houses on to the market for either purchase or rental. A major benefit is that, in all cases, an investor is able to live in the existing house while the new (second) house is constructed –
followed by the ability, then, to live in the new house while the existing house is renovated or replaced. All these circumstances would provide very real and significant stimulus to home building and the supply of dwellings with a reasonable level of assessment and with the least amount of red tape.

Notably, the General Housing Code provides many standards that can also apply to dual occupancy dwellings. It may even prove easier to amend the NSW Housing Code to better and more widely cater for dual occupancy type of development than to place this category (which is mainly concerned with semis, duplexes and detached houses) into a medium density code.

**Should the minimum frontage be reduced to 14m so that the construction of 2 dwellings on a single lot can be carried out as complying development on more existing lots?**

Yes, perhaps even reduce it further to 12.5 metres, but the term “frontage” should not be applied...it is the lot width where any new development is to be carried out that is the critical factor, the road frontage itself is not really relevant. Criteria for other lot types require more appropriate standards and consideration under the policy (e.g. double frontage lots, corner lots, pie slice shaped lots and battleaxe lots), too much focus on regular rectangular shaped allotments leaves too many “gaps” in the policy and will unnecessarily exclude too many lots that are well capable of accommodation a dual occupancy. Corner (or double frontage) lots should be afforded an even greater degree of flexibility/concession in the primary lot width standard as there will, usually, be no requirement for a vehicle access path down the side of an existing house as a corner or double frontage lot will provide direct separate access directly from a road or lane. The same can be said for double frontage lots with a rear lane access having car access from theroad frontage and the laneway. A minimum lot width of as low as 10 metres would be very adequate in such circumstances. I suggest that a matrix be used in the policy to account for lot widths that take into account the various types of allotment configurations, otherwise too many lots would be discriminated by the proposed policy standard. In the case of an existing battleaxe allotment (many of which exceed 1000m²) and those allotments that have boundaries that radiate from (say) the head of a cul de sac (splay shaped, like a piece of a pie), the criteria should be that there is a minimum unbuilt upon dimension on the lot of 14 metres in any direction - which translates roughly into a diameter of 14metres of unbuilt upon area, or at least 156m² – 196m² (14mx14m) well large enough upon which to construct a dwelling, especially 2 storey, while maintaining setbacks, access passage etc. (even easier if a strata subdivision is used) – this 14mx14m dimension appears in several iterations of the General Housing Code and the Affordable Housing SEPP. Other criteria in the policy will determine the ability construct a dwelling of a certain size or configuration, and whether or not a strata or Torrens subdivision is appropriate. The lot width criteria merely provide a starting point to ensure that lots are capable of siting an additional dwelling. While I agree with the basic standard for single frontage lots, I would urge that the following more detailed matrix (supplemented with some explanatory diagrams) be considered so that as many allotment types as possible can lie comfortably within the framework of the proposed policy:
<table>
<thead>
<tr>
<th>Lot type</th>
<th>Minimum width</th>
<th>Minimum dimension</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single frontage lots</td>
<td>12 metres</td>
<td>N/A</td>
<td>*For semi-detached dwellings (side by side)</td>
</tr>
<tr>
<td></td>
<td>14 metres*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Double road frontage (primary, secondary,</td>
<td>10 metres (attached or</td>
<td>N/A</td>
<td>Each dwelling to access a different road unless direct access is</td>
</tr>
<tr>
<td>laneways and corner lots)</td>
<td>detached)</td>
<td></td>
<td>prohibited (whereupon single frontage lot criteria apply)</td>
</tr>
<tr>
<td>Battleaxe lots and radial (pie slice shaped) lots</td>
<td>N/A</td>
<td>14 metres</td>
<td>Measured in any direction (for attached or detached dwellings).</td>
</tr>
</tbody>
</table>

I acknowledge that the above table would act as a “Primary” standard and that other standards and criteria will also act as a filter for determining the suitability of a lot for dual occupancy development.

Note also that there are many houses that have been set back (for various reasons – topographic, access to a view, avoidance of traffic noise, suitable level ground for slab on ground) from a primary road to such an extent (20 metres or more!) that incorporating a new dwelling in the front yard represents a feasible and, in some cases, a very desirable outcome. The policy provisions should not act to deter or prevent this utilisation of land by setting an average setback criteria based on adjoining lots, unless it is to allow a setback that is less than the stated minimum in the controlling DCP (not making for a greater setback than the DCP provides for). It has also been long accepted that compliance with a stated measured development standard (such as a setback) cannot be used as a means for refusing a development application that complies with that measurement.

**Should the height be limited to 8.5m?** Yes. This is a proven control. If there is justification to depart from it on a case by case basis (such as steeply sloping lots), it can be considered under a development application. However, the control should not apply to an existing house that is to form part of the dual occupancy. Other criteria in the policy can adequately deal with any potential privacy issues.

**Should attic rooms be permitted?** Attic rooms in a roof space (max 8.5m height) should be allowed when they are not used for habitable purposes (e.g. store room, where all skylight windows are translucent). They should always be permissible within the second storey, where a design may propose living space that is within a roof space but that this roof space comprises the second level (rather than a third level). The single storey house with a couple of bedrooms and an en-suite in the roof space and dormer windows is recognised as universally popular and provides a low cost, design suited to small lots that helps to minimise overshadowing, view loss and privacy impacts by minimising the second storey (there are many example of this type on small lots in the North Sydney LGA, a product of the small lot policies which previously applied).
Should 2.7m floor to ceiling heights be imposed? This is not necessary for single dwelling houses or semi-detached dwellings of this type. The 2.7 metre floor to ceiling height came about from controls (Sydney City Council, circa 1995) that were aimed at improving high density apartment amenity, where there was not much opportunity to gain access to light from more than one or two sides (or roof, above) of apartment buildings. Since this is clearly not the case for semis or detached dwelling houses, where window access is adequate and skylights can provide for added daylight. The MINIMUM should not be 2.7 metres for these types of dwellings, especially dwelling houses…it adds unnecessarily to the cost of housing (as well as heating/cooling costs) with no significant benefit. The current BCA minimums are adequate…it would, however, be entirely appropriate to allow the proponent to choose a higher ceiling height within the 8.5 metre height limit. Town houses and manor houses, on the other hand, would be better served by a 2.7 metre ceiling height, because of inherent limited window access design constraints associated with terrace, row or single orientation designs- other than when conversion of an existing building dictates otherwise.

Design Standard – Front setback. It would be extremely inconsistent with other controls that specify a minimum setback from a road frontage that allows a numerical standard to apply for a new single dwelling (under a DCP) but then adds another conceptual dimension that requires an average setback based on neighbouring existing dwellings especially if the adjoining setbacks would require a greater setback than the numerical standard. The additional survey work by a surveyor will add to the costs. More “legal” interpretation is also required…is the setback proportional to the width of the adjoining lots? Are the existing adjoining buildings about to also undergo redevelopment (i.e. be demolished, perhaps subject to a development consent that alters its setback based on the minimum allowable dimension in the DCP), if so where is the sense in maintaining an irrelevant front setback? What about corner lots or lots adjoining a public reserve? For complying development per se, a minimum numerical standard is both easier to manage by a certifier and provides for more efficient land use if the option to use either is prefaced by “whichever provides for the lesser” between the average and the minimum numerical setback. Otherwise an unwarranted level of conservatism is being introduced into this intervention for little, if any, gain while adding to cost. The best approach is to ensure that the minimum dimension is an easily measurable dimension and one which is stated rather than determined by other external factors. I have yet to see such an approach lead, by itself, to better urban design outcomes. It is far more important to get the landscaping, access and articulation of the built form “right” than to blend setbacks via a notional average. It really is a nonsense formula.

Design Standard – Garage/parking setback. The control need only apply to garages and carport structures. Any control of parking by cars in front of the building line on a driveway (for example) would be futile (who will police this?) and is unnecessary. It is more important to ensure that there is some form of off street parking for every dwelling, than to attempt to control where every car can be parked…the words “No car parking should be provided forward of the building line as shown in Figure 4” should be deleted so that the controls is appropriately targeting the disallowing of structures such as garages or carports (proponents can lodge a DA for these if they want to build such structures) in the front setback area. Even so, if a minimum setback line is nominated in a local
instrument (DCP) that allows such development to be constructed in front of a building line then it would be unwarranted for the policy to restrict structures that could otherwise be permissible under the local controls. However, this aspect could be the subject of a separate development application.

**Design Standard – Rear setback.** The setback is not appropriate for dual frontage lots (e.g. fronting a laneway) or battleaxe allotments (where there is no readily apparent rear boundary). Again, a matrix or table approach is warranted. The rear setback should be set, sensitively, to facilitate this sort of development, not constrain it. The minimum should be set at 6.0 metres unless a lesser setback is warranted or appropriate, such as when there is a shorter average side boundary length than 24 metres and it is scaled to match single storey or single storey with attic. See the suggested table below:

<table>
<thead>
<tr>
<th>Lot type</th>
<th>Rear setback</th>
<th>Other setback</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single road frontage</td>
<td>6.0m (2 storey) or 25% of average side boundary length, whichever is the lesser.#</td>
<td>N/A</td>
<td>Does not apply to battleaxe lots. # but never less than 3.5 metres (14/4metres) for single storey + attic only.</td>
</tr>
<tr>
<td>Double frontage, or corner lot</td>
<td>N/A</td>
<td>Side boundary setbacks to apply to all boundaries of adjoining lots</td>
<td>Refer also to primary road frontage setbacks and setbacks to secondary roads.</td>
</tr>
<tr>
<td>Existing battleaxe lot</td>
<td>N/A</td>
<td>Minimum of 6.0 metres for 2 storey to one existing boundary#. Side boundary setbacks apply to all other boundaries*</td>
<td>#but never less than 3.5 metres (14/4metres) for single storey + attic only. *including any new subdivision boundary within the lot,</td>
</tr>
</tbody>
</table>

Setbacks to secondary roads and laneways (for double frontages and corner lots), do not need to be substantial nor do they need to be averaged in relation to adjoining dwellings. These type of lots have been long recognised as representing the best types to accommodate dual occupancy and small lot subdivision. Large battleaxe lots also usually provide generous land area (often more than 1000m²) to make the innocuous siting of a dual occupancy dwelling a simple task.

To place sterilising factors on lots that could be developed for dual occupancy (being the most innocuous form of density increase in low density areas) is to reduce the effectiveness of the policy and its main outcome, being to sustainably maximise supply of additional dwelling houses.

An existing approved building should also be exempt from all setback requirements of this code, but should apply only to any new changes to the building.
Should eaves and roof overhangs be required to comply with the envelope control? For new buildings or new development, yes. For an existing building (approved, or deemed approved) no.

Would the application of a 1.2m setback and no building envelope be easier to implement? For new buildings or new development, yes. For an existing building (approved, or deemed approved) no.

In both cases above, the adaptation of existing buildings to dual occupancy would be quite severely compromised by any requirement to comply with new setback rules. There are simple methods to ensure that amenity is maintained for say a conversion of an existing building into a dual occupancy by setting higher sill heights to existing second storey windows or avoiding other privacy impacts (existing overshadowing would not change in a material way, if the existing building was to be adapted). This seems to have been satisfactorily addressed in the recent amendments to the granny flat SEPP (see State Environmental Planning Policy (Affordable Rental Housing) 2009) where the code requirements only apply to new buildings or new additions to existing buildings. For an existing approved dwelling house it should not be necessary to comply with the new controls unless they are directly relevant to the new, secondary dwelling. E.g. adding a separate second dwelling house to a lot should not require the existing house to comply with all development standards relating to built form, setbacks etc. if there is no change to be made to the existing house. Only those built form changes that are consequential to implementing the dual occupancy for the new house and any subdivision should be required to be complied with.

Design Standard – Minimum driveway setback. The minimum driveway setback is excessive. 0.5 metres is adequate for most circumstances. It will be noted from the developers of these lots that to undertake less than 1.5 metres means that there will be a penalty by not being able to count the space as landscaped area. This alone is enough incentive where there is a tight configuration, but would cause some difficulty when applied to driveways that also traversed to the rear lot of an existing or new battleaxe lot configuration, making for a virtual 3.5 metre requirement rather than a 3 metre wide clear space between an existing building and a side boundary when the driveway width access space is added. In a practical sense this landscaped setback area needs only to apply to the area in front of the building line anyway, especially if the side boundary is also fenced, and does not need to apply to the site at all if the side boundary is a public reserve or road/laneway boundary (fenced or unfenced), as the ability to landscape within these areas is often able to be undertaken by the adjoining landowner, with the Council’s blessing.

Amenity Standard – Building articulation. Preface the controls with “Other than for a dwelling located on a battleaxe lot”…There is no real street frontage for battleaxe lots, either existing or as created by subdivision under the policy therefore a requirement to face the street, while notionally possible, even for battleaxe lots, seems unnecessary. An alternative might be to have a front door that is visibly located on an elevation closest to the access arrival point on the battleaxe lot.
**Amenity Standard – Drainage.** In order to clarify this requirement, it would be prudent to add… “for the purposes of this policy, any existing drainage system that is currently in use that provides for drainage access to a public drainage system shall be deemed to satisfy the drainage requirements for that dual occupancy development.” This simple concession will avoid the need for expert analysis since any new building will be automatically fitted with a detention system that will by its nature delay stormwater run-off from the new building into the existing system, without overloading it.

There are many informal communal drainage systems in operation that provide suitable drainage connection to the public system. When the redevelopment of a site is required to provide for detention storage for any new building (which will be the case under the NSW Housing Code) as well as the EXISTING building, then it is most likely that the overall stormwater footprint of the development will be reduced to less than it is before the policy commences. When developing a new battleaxe lot or when a strata subdivision is proposed to facilitate the dual occupancy, the stormwater arrangements will be either between adjoining landowners or become part of the common property, often merely requiring piped connection from the OSD. This will also be consistent with the concept of building the dual occupancy development first and then subdividing it afterwards (either Torrens or Strata). It will make the building certifier’s job much easier to merely have to inspect the plumbing arrangements of the stormwater to be satisfied that it is connected and operational.

**Should Torrens title subdivision of 2 dwellings on a single lot be permitted as complying development?** Yes. Subdivision is a routine matter for registered surveyors. Any Registered Surveyor should be allowed to certify a subdivision, Torrens or Strata. An interim certificate could be a good idea, to ensure that Torrens subdivision compliance is achievable (strata subdivision should not be withheld for any reason).

**Should subdivision be permitted only after the buildings are completed?** Yes. Although, there could be circumstances where a dual occupancy is not subdivided straight away (indeed, if at all), merely occupied by members of the same family for example, or rented out. This was the basis of previous dual occupancy legislation where subdivision was not permitted at all (but will now, thankfully, become permissible under the policy).

It may be useful to provide for an INTERIM subdivision certificate, one that will enable a construction certificate to be issued and construction to commence but not permit formal subdivision and sale or lease until construction is completed. This would be most useful in the situation where 2 adjoining owners who wish to create an access between their existing dwelling houses, when each would otherwise not have sufficient width on their respective lots to accommodate their new vehicle access to the rear (e.g. where the existing house and its side garage takes up most of the width of the lot, but there is 1.8 or so metres available as a side setback or a width that is less than the required standard ). This will allow the creation of a battleaxe driveway from the combined space side setback space between dwellings and free up the rear yards of both dwellings in order to create a new lot behind each or one lot from 2 combined backyards.
It would also be useful to expand the existing provisions in the Strata Titles Act to allow for a “dual occupancy lot management statement” similar to the existing “Building Management Statement” which can provide requirements to be met such as maintenance of landscaping, stormwater systems, driveways garbage storage areas, water and electricity mains, swimming pool, garages etc. It would be most useful to develop a generic document that can be adopted “off the shelf” in the strata scheme approval and avoid the need for copious conditions in a Complying Development Certificate.

Furthermore, a Dual Occupancy Design Manual could canvas numerous examples of different layouts and opportunities to illustrate how such dual occupancy development may be configured via Torrens and Strata arrangements. All of the lot types I have discussed and various configurations can be illustrated...double frontage, corner , battleaxe, irregular shaped, existing lots with large front setbacks (meaning that a front yard dual occupancy is possible) and others such as 2 lots contributing land to overcome an access constraint. A building certifier or surveyor charged with certifying such proposals would find the process much easier to manage armed with a comprehensive set of examples, especially in the policy’s infancy as well as to encourage desirable outcomes.

**Control:** Standard Minimum subdivision lot size 200m² (excluding any access handle in a battle axe subdivision) and must front a public road.

It is only necessary for a dual occupancy to have a legal vehicular access to a public road. Indeed, some of the lots that will be created through subdivision, will have only a 3 metre wide access handle to front a road. Furthermore, it is not quite accurate to say that a lot must “front” a public road, as some existing lot access arrangements for allotments are via Rights of Carriageway or an Easement for Access. It would be unwise to exclude such lots from dual occupancy development. Only the access handle needs to be excluded for Torrens Title subdivision purposes.

**Development resulting in 3-4 dwellings – manor home.**

At the outset it should be made clear throughout the policy that manor house development is permissible development on any lot within any R1, R2 or R3 zone, irrespective of local LEP provisions, although it may require consideration of a development application if the complying development code does not apply, due to provisions that exclude application of the code or result in any non-compliance with a development standard in the code.

**Design Standard – Building height.** The policy should be capable of applying to existing buildings so that an existing building may be adapted to provide for a manor home without the need to comply with an arbitrary height limit. Large homes (mansions), former squash courts, any large building, warehouse that is currently within a residential zone, should be rendered permissible development under the policy and capable of being dealt with as complying development, provided the adapted
building does not increase the overall height of the building (being substantially within the same existing height).

Note that my previous comments about setbacks and height are also applicable to this form of development. However, for an existing building proposed to be adapted as a Manor House, the floor to ceiling heights should be relaxed so as to comply with the BCA where the complying ceilings are already established (I would anticipate that most existing buildings likely to be adapted would be large homes, with BCA compliant ceiling heights).

There is opportunity to provide Manor Homes via adaptive reuse of other existing large buildings. Such other concessions in setbacks, car parking (where approved parking for previous uses is already located in front of the building line, for example) would facilitate this form of development without the need to reconsider the building envelope or discount the potential for a complying adaptive use altogether. There is a need to cater for adaptation of existing buildings in the code. Toorak (Melbourne) is one area that has many homes that have classic similarities to Manor Homes under the proposed policy. Many of these homes were large houses or mansions, adaptively divided up into 2, 3 or 4 apartments. The policy/code needs to better cater for such adaptive conversion of existing buildings with flexible controls, where existing buildings are involved.

**Is up-front certification by council for On-Site Stormwater Detention (OSD) appropriate?** This is not necessary, in particular for dual occupancy development. Indeed, inspection and approval of the standard single house detention system should form part of the building certifiers role, if there is an existing inter-allotment drainage system physically available. Consideration might be given to requiring any existing dwelling to also comply with the NSW Housing Code’s OSD requirement in providing for certification of dual occupancy as a fail-safe method of ensuring a good stormwater outcome without the need for expert input. Multi unit dwellings comprising 3 or more would require expert stormwater analysis, unless they involve adaptive re-use of existing building that already has access to adequate drainage, which can be verified by a building certifier.

**Is it acceptable to have independent certification of OSD against council's policies?** Yes. Appropriately qualified engineers can provide this certification. This is best expressed as an option rather than a requirement e.g. EITHER the Council or a certified engineer. It is not necessary to provide such certification for dual occupancy development where there is existing access to a public stormwater system and where a standard detention system is being installed on a new dwelling that connects to it.

**In which zones should the development of 3-10 dwellings be permitted?** This is one of the most contentious aspects of the proposed policy. It is clear that the R1 and R3 zones already make such development permissible, so this type of development should be enabled under the complying provisions. However, to allow this form of development in the R2 zone could lead to possible character transformation of some current R2 zones. Either a major re-examination of all R2 zones is required to determine what areas could accommodate this type of medium density or a separate
discriminating criteria should be applied to the R2 zones. This discriminating criteria might define those R2 zones within say 500 metres of a major Neighbourhood Centre or having frontage and vehicular access to a major classified road, as being equivalent to the R1 zone for the purposes of this proposed policy. This will escape the potential for what many would see as inappropriate scale of medium density development in otherwise low density areas, leading to an ill-considered character transformation.

Should the proposed car parking controls be consistent with the requirements of the Guide to Traffic Generating Development? Yes. The standards are based on appropriate and empirical research. Council controls are often historically or politically consensus based.

Overall, the proposal to enable development of the missing middle is overdue by 10 years, at least. The best approach to take in promoting the outcomes is to demonstrate the real life outcomes with real examples. Defining the design potential of Dual Occupancy and how it would work through a design manual represents the best way forward. Perhaps inviting submission of examples of how this can be achieved on various lot configurations, for inclusion in the manual might tease out opportunities and provide a more comprehensive guidance.

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