



Our Reference: F2016/00024

Contact: Kevin Kuo
Telephone: 9806 5834

Director, Codes and Approval Pathways
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

16 December 2016

Dear Sir/Madam

Submission on draft Medium Density Design Guide and draft Medium Density Housing Code

I refer to the Department of Planning and Environment's (DP&E) public exhibition of the draft Medium Density Design Guide and proposed amendments to the Codes SEPP to encourage more low rise medium density housing to be built in NSW, providing great housing choice, more housing affordability and better quality design. It is noted that the DP&E have agreed to accept Council's submission by the 16 December 2016 to take account of Council's scheduled meeting date on the 12 December 2016 which considered the above matter.

As it meeting on the 12 December 2015, Council resolved to endorse the submission to the draft Medium Density Design Guide, as well as request a meeting between Council officers and the DP&E to flag the community's significant objection to the proposed changes as well as discuss the issues raised in its submission.

Council's full resolution is detailed as follows:

- (a) *That Council note the significant resident feedback it has received in relation to the Draft Medium Density Design Guide and note the community's strong objections to the proposed changes which will expand Complying Development to include some forms of Medium Density Development. A copy of all submissions received by Council should accompany Council's submission as an appendix.*
- (b) *That Council highlight the following key concerns regarding the NSW Department of Planning and Environment's Draft Medium Density Design Guide:*
- i. *With the exception of dual occupancies, the Complying Development process is not considered appropriate for assessing most forms of medium density development because tailored design responses to site conditions are required.*
 - ii. *Manor houses or vertical dual occupancy (where there is a separate unit on the first and second floor) are only considered appropriate in R4 High Density Residential zones. This is due to the amenity and privacy impacts inherent in having primary living areas above one another in lower density areas.*
 - iii. *Given the content of the Design Guide and the need in some cases to make subjective design decisions, the certification of design principles should be undertaken by a Registered Architect.*

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- iv. *If the NSW Government resolves to continue with the current range of housing typologies proposed as Complying Development, Council recommends the introduction of a maximum threshold of six (6) consecutive terrace houses that can be delivered via certification be applied before they must be lodged and assessed as a Development Application (DA).*
- v. *Some of the proposed Complying Development standards (eg inadequate minimum lot sizes for terrace housing, excessive floor space ratio for small sites, small side setback controls, lack of provisions for private open space, landscaped areas and deep soil zones) are not appropriate to the City of Parramatta Council context.*
- vi. *The lack of community consultation for complying development is inappropriate given the intensity of the proposed medium density development typologies envisaged in the Design Guide and the associated impacts on privacy and amenity of adjoining residents.*
- (c) ***That Council adopts the submission provided at Attachment 5 of the Design Guide and it be forwarded to the NSW Department of Planning and Environment for their consideration.***
- (d) ***That Council requests a meeting between Council officers and the DP&E to flag the community's significant objection to the proposed changes as well as to discuss the issues raised in its submission, with a particular focus on the workability of the controls to achieve the desired design outcomes for the Parramatta local government area (LGA).***
- (e) ***Further, that Council write to the Minister for Planning and all local members of Parliament in the LGA advising of the potential impact and of Council's concerns and suggested improvements.***

Find attached the following:

- Attachment 1 – Council's submission
- Attachment 2 – Report to Council – Submission on the Draft Medium Density Design Guide (12 December 2016)
- Attachment 3 – Community Submissions

Should you have any queries in relation to this matter or wish to arrange a meeting referred to in the above Council resolution, please contact the undersigned on 9806 5834.

Yours sincerely

Kevin Kuo

Team Leader - Land Use Planning