



16 June 2017

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

Dear Sir/Madam

COMPLYING CODE SEPP –PROPOSED GREENFIELD HOUSING CODE

Allam Homes Pty Ltd is a well established builder / developer that construct residential housing on land it has developed. Allam offers a range of the housing products in its projects throughout northern and south western Sydney, and soon in the Illawarra and Hunter regions. This vertical integration between our land development and housing construction activities provides a unique perspective on the planning approval hurdles to bringing these housing products to market in a timely and cost efficient manner.

We consider that the extension of the Code SEPP to deal specifically with Greenfields residential development could be beneficial to speeding up the delivery of housing in tandem with subdivision works.

Applicability of Code SEPP to integrated land and housing developers

The major issue for Allam Property Group in all housing forms is the inability to utilise the Complying Code SEPP until its land is registered. Allam's business model is to design its land subdivision projects with the final housing forms concurrently. After subdivision approval and civil works reaching the agreed trigger phase, different by LGA, we seek to commence housing construction as soon as practicable, usually when roads have the sub base installed and the kerb and gutter installed. Noting some major services, but not all services have been laid behind the kerb. We therefore always need to use the development application process for detached homes, dual occupancy dwellings as well as small medium density or integrated housing. We support an amendment to the Code SEPP as it applies to projects where the land development and housing construction is controlled by the same "parent entity", to permit its application to our projects. We believe a number of our competitors would also benefit from this amendment.

If the Code SEPP could be used prior to linen registration it would expedite the construction start dates for our housing. Currently need DA and CC approval for each dwelling before we commence works. There are also time delays and costs incurred as we need to lodge manually and can not utilise the eHousing portals as the land is unregistered.

We believe it is possible to put safeguards in place to mitigate the risks to the builder, Government and the final purchasers of building on unregistered land. Specifically, the residential subdivision needs CC approval, and civil works need to be sufficiently complete to allow clear definition of the future lot boundaries and safe access within the site for building construction activity.

Generally our ability to obtain “Early Release” of housing DA & CCs subject to meeting the following criteria:

- Where the applicant is both the developer responsible for the subdivision of the land and the builder responsible for the construction of the subject dwelling; or
- Where the applicant is a developer responsible for the subdivision of the land and enters into an arrangement with one or more builders / building companies for the construction of dwellings; or
- Where the applicant is both the developer responsible for the subdivision of the land and is organising the construction of exhibition homes for the purposes of an exhibition village.

The lodgement of a DA/CC on unregistered land will only be accepted on the basis it meets the following criteria:

- If the application is for the construction of a dwelling, the subdivision works as approved must have been substantially completed and the following has occurred:
 - Road subgrade and drainage construction is completed for the subject lot and road access is provided;
 - Final lot levels have been completed for the subject lot; and
 - Lot staking has been set out for the subject lots by a registered surveyor and the lot numbers have been marked on site either on the survey pegs or on the curb; and
 - Installation of service provider’s infrastructure has occurred.

Please refer to the Liverpool City Council Fact Sheet

<http://www.liverpool.nsw.gov.au/trim/documents?RecordNumber=075770.2016>

Specific Comments on Specific Provisions in the Explanation of Intended Effect

Allam are only providing specific comments related to the products fit within the definitions of either dual occupancy/semi detached dwellings that we currently develop. Development Standards	
Response	
Built Form – Table 1 (page 15 EIE)	
Site Coverage (upper level)	It is noted that there is a conflict between the Greenfields Code and the Growth Centres SEPP & DCP. We consider the 10 – 15 metre lot width control of 35% upper level site coverage is too low. Allam prefer the GCDPC control that applies to lots of these widths not less than 375 sqm in lot area should be 40% rather than 35%.
Minimum setbacks – dwelling; articulation zone and garage	All other setbacks agreed as reasonable
Landscape Controls – Table 4 (page 17 EIE)	
Landscaped Areas	Check
Provision of Trees	Agree that trees are important elements, but concerned about the size of the trees; Suggest the rear yard trees need to have mature height 3-5 metres. Also street trees provided in the subdivision and located to avoid services infrastructure can provide the same shading and ecological benefit as those located in front yards. Larger trees and their roots have significant impacts on local services infrastructure such as inter allotment drainage often located in rear yards and potentially to house slabs and



	footings, as canopy cover is matched by root systems.
Amenity Controls – Table 5 (page 17 EIE)	
Windows, doors and openings on walls parallel to side boundaries	BCA controls over openings on walls parallel to boundaries should be adopted. Refer to BCA NCC 2016 Volume 2 Figure 3.7.1.1. Current wording implies that windows and openings in walls perpendicular to the boundary are also precluded. Copy attached.
Min floor to ceiling heights	2.4 minimum ceiling heights meet BCA; and proposal to lift to 2.7 m is an issue for housing costs and affordability.
All projects to be designed as if separate title is possible, i.e. meet all BCA separation issues	Agreed, this should be the default design position for Code SEPP.
Definitions – dual occupancy & Semi detached	All controls should be identical, including BCA requirement for fire separation of new dual occupancies. Only difference should be that Semis are intended to be Torrens titled.

From our experience the customer prefers Torrens title dwellings, so we therefore request that the Code SEPP treat dual occupancy and semi detached projects identically.

▪ **Certainty of Controls across the state**

The major benefit for residential building companies such as Allam Property group is that the controls applicable to these dwelling types will be consistent across the whole state. At the moment our design and building efficiency is hampered by the minor variations in controls between LGAs and often adjoining urban release areas within a single LGA.

We support the Department's decision to review the extension of the Code SEPP to improve housing DA and CC approval time frames in greenfields areas and look forward to reviewing the draft legislation in the near future.

Yours faithfully

A handwritten signature in black ink, appearing to read "C Osborne", is written over a light blue horizontal line.

Carmen Osborne
Development Manager
Allam Property Group

FIRE SAFETY

Figure 3.7.1.1

WALLS AT RIGHT ANGLES TO THE BOUNDARY

Notes:

1. No protection *required* for the wall at right angles or more to the boundary.
2. For protection of encroachments refer 3.7.1.7.

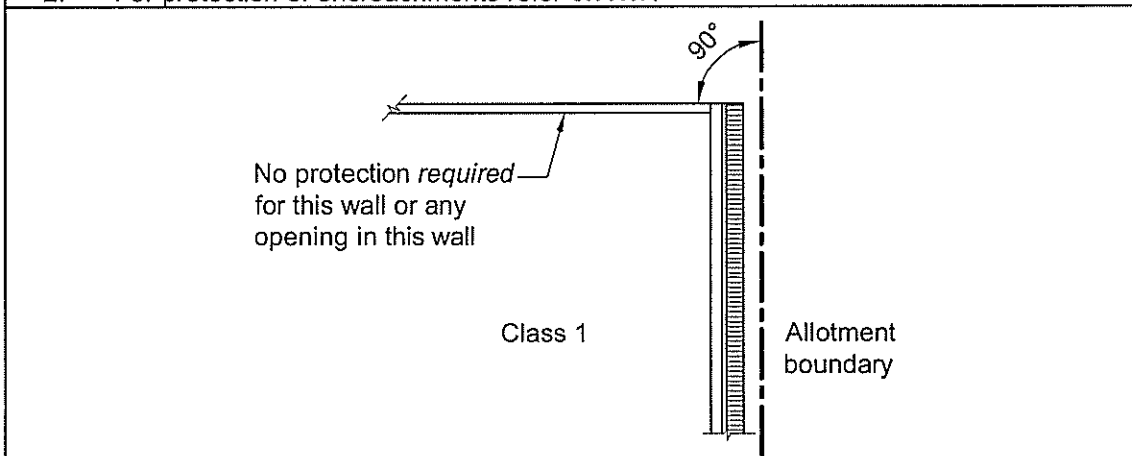


Figure 3.7.1.2a

MEASUREMENT OF DISTANCES (Plan view)

Diagram a. Full wall protection

