

05 July 2017

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

Dear Sir/Madam

### **Submission - Review of Complying Development in Greenfield Areas**

Campbelltown City Council has reviewed the Background Paper and Explanation of Intended Effects for a proposed new Greenfield Housing Code, and provides the following comments:

#### **1. Codes SEPP Amendments**

The documentation exhibited by the Department outlines a discussion of possible amendments to the Codes SEPP to promote an increased uptake of complying development in greenfield areas. As such, this submission is provided on the basis that the proposed amendments to the Codes SEPP will be released for consideration and comment by Council prior to any amendments to the Policy taking place.

#### **2. Reducing Complexity**

Council supports the broad objective of reducing complexity in the planning system by consolidating SEPPs in order to make the planning system easier to navigate. It is therefore questionable why new stand-alone provisions to promote complying development in Greenfield areas are required, given that:

- a) the same amenity and design quality considerations apply to greenfield development and established residential areas.
- b) relaxed development standards for residential development in greenfield areas does not address the greater potential for amenity impacts between adjacent residences on reduced lot sizes given the more compact nature of development.
- c) an increased uptake of Complying Development in greenfield areas would potentially result in a replication of standardised housing products and monotonous built form for new suburbs.
- d) the proposed Code relies upon a new definition of 'greenfield areas', which introduces additional complexity given the requirement for users to interpret the E.P & A. Regulations and other SEPPs.







For these reasons, Council raises concerns that the proposed policy changes may be inconsistent with the broad objective of simplifying the operation of the Codes SEPP and promoting better design outcomes for new residential areas.

### **3. Development Controls**

The Background Paper states that the proposed development standards for building envelopes will ensure that the setbacks, building depths, widths and heights provide the appropriate scale and massing to the streetscape and preserve amenity considerations such as solar access.

Whilst Council agrees with the intent of these controls, it is considered that the proposed numerical standards would likely result in diminished design and amenity outcomes having regard to the following concerns:

#### **a) Solar Access / Setbacks**

The proposed building setbacks from boundaries, including zero boundary setbacks, do not account for orientation of buildings and associated potential for overshadowing. This is considered a critical factor that needs to be accounted for in the formulation of these controls, particularly having regard to the compact nature of residential development resulting from reduced lot sizes. For this reason, it is considered that the Department should only consider relaxing setback requirements for the northern boundaries of a site, and/or where an acceptable level of solar access is attained for respective properties.

#### **b) Rear setback**

The cumulative negative impact of undersized rear yards is a major concern in the development of new neighbourhoods given the close proximity of buildings on smaller lot sizes. As such, the proposed 3m rear setback is considered insufficient considering the important function of this space to provide for landscaping, mature vegetation, solar access, ventilation and private open space. For these reasons, the Department is requested to consider increased rear setback controls to restore the important function of backyards in the urban landscape for new neighbourhoods.

#### **c) Exempt Development**

The Code does not account for the impacts of exempt development, such as garden sheds and pathways. As such, concerns are raised that the design outcomes envisaged by the proposed standards, such as private open space and landscaped areas, will not be attained in practice.

#### **d) Trees**

Council agrees in principle with the requirement to plant trees for new developments, however there needs to be a correlation between the size of the tree planted and the size of the space that it is planted within. In this respect, strong concerns are raised that the limited space available within yards will be insufficient to accommodate any substantial planting given the potential negative impacts resulting from overshadowing, displacement of limited private open space, dropping of branches, and invasiveness of root systems.

e) **Garages**

Concerns are raised that permitting double garages on narrow lots (less than 15m) will adversely impact upon the built form and design quality of the streetscape, reduce casual surveillance opportunities to the streetfront, displace on-street parking availability, increase hard surfaces and stormwater runoff, and diminish green space along the streetfront that may be available for tree planting. Additionally, it is considered that where double garages are permitted, the maximum double garage door width should be restricted to 6 metres.

For the reasons outlined above, Council requests the Department to review the proposed changes to the Codes SEPP to ensure good design and amenity outcomes for new neighbourhoods are not compromised for faster approval times.

Thank you for the opportunity to make this submission and if you require any further information or explanation please contact Jeff Burton, Senior Strategic Planner on (02) 4645 4842.

Yours sincerely



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