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Ms Elizabeth Kinkade
Executive Director, Managing Policy Reform
NSW Department of Planning & Environment
Via email Elizabeth.Kinkade@planning.nsw.gov.au

Subject: Submission to the Department of Planning and Environment on the proposed changes to the Greenfield Housing Code

Dear Ms Kinkade,

Thank you for the opportunity to provide this submission to the Department's Greenfield Housing Code, which we support as part of the government's focus on unlocking housing supply.

Stockland has over \$6 billion invested across NSW, with much of our investment in western Sydney where we are creating sustainable, inclusive places that meet the needs of growing communities. We have a proud history of partnering with government over more than 60 years to create affordable homes, quality retirement living communities, vibrant shopping centres and commercial properties.

We welcome the NSW Government's focus on fast-tracking housing supply in Sydney to improve affordability and diversity as the city grows. We are delivering over 8,000 homes across our three major masterplanned communities in the south-west and north-west growth centres. Our experience across these developments highlights the need for greater resourcing of councils, and more streamlined processes, to unlock housing supply in key areas of the city.

We have made some detailed comments in our submission to improve outcomes in this regard. As active members of the Urban Development Institute and Property Council of Australia, we also support and have provided input to submissions by our industry groups.

We would like to highlight the following key points from our submission:

- While we support the Code, we note that the controls require more refinement to better align with the Housing Diversity Development Control Plan for Sydney's Priority Growth Areas, and reduce potential impacts on housing affordability.
- We would support controls to permit Complying Development for smaller lot sizes, in line with the approach taken in other States. Due to subdivision planning controls applying to the majority of greenfield areas, Complying Development is unlikely to be able to be used in the majority of cases, and therefore may have a limited impact on housing supply.
- In line with this, we believe the Department should investigate opportunities to amend subdivision development controls and approval pathways in greenfield areas. This would allow smaller sized lots to be created and allow greater use of the Greenfield Housing Code.

We would be very happy to meet with you to discuss our submission at a suitable time, to provide further practical insight in relation to our experiences delivering housing in the growth centres of Sydney.

Yours sincerely,



Richard Rhydderch
General Manager, NSW Residential
Stockland

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1.0 Introduction

To help increase housing supply and opportunities for more affordable land and housing, the Department of Planning and Environment has been driving a series of policy interventions for greenfield development. Amendments to legislation and policy is a significant economic lever the Department can utilise to help stimulate increases in housing supply by improving the approval timeframes. The Department can also use legislation reform to provide for more affordable product by setting appropriate development controls where local provisions fail to achieve this outcome.

The Housing Diversity package that was implemented in 2014 for Sydney's North West and South West Priority Growth Areas has had a significant impact by empowering industry to deliver more affordable land. More recently, the 'Missing Middle' package that was placed on exhibition by the Department, if progressed, has the opportunity to improve the timeframes developers can contribute to housing supply whilst delivering diverse and quality housing product. Whilst not specifically directed towards greenfield housing, the Missing Middle package could save up to 8 months on average in the approval times for small lot housing. We note our previous submission to the Department on the Missing Middle and suggested changes, including to the minimum lot sizes specified, to improve affordability.

The proposed amendments to State Environmental Planning Policy (Exempt and Complying Codes) 2008 to establish a specific Greenfield Housing Code is the next step in a suite of policy reform to provide opportunities for more timely approvals of single dwellings. In principle, Stockland is supportive of this initiative and alignment of controls with the Housing Diversity package. The Greenfield Housing Code has the potential to benefit our partner builders and most importantly, our customers.

In this regard, our submission provides specific commentary on the provisions of the Greenfield Housing Code to improve the controls, increase take up by home builders and purchasers and ensure the controls do not add additional cost to the construction of new homes, and in turn affect housing affordability.

This submission highlights the case for amending the controls to further support the NSW Government's initiatives to increase housing supply and affordability in greenfield areas. It provides specific commentary on the provisions of the Greenfield Housing Code as currently drafted. The submission details further opportunities the Department can pursue to encourage greater adoption of the Greenfield Housing Code and improve approval and delivery timeframes for new land and housing in greenfield release areas.

2.0 The case for change

This section of the submission details the case for change to support the Greenfield Housing Code and drive further reform that can make meaningful impacts on housing supply and affordability in greenfield areas.

2.1 Housing supply

Stockland currently has three major greenfield communities underway, specifically Willowdale in the south west and Altrove and Elara in the north west. Combined, these projects will comprise more than 8,000 homes – including more than 4,000 lots to be delivered over the coming years – making a significant contribution to the supply of new housing in Western Sydney.

One of the most significant challenges for Stockland to further increase housing supply in the growth centres is the time required to obtain development approvals.

- In the North West, approvals for subdivision within our communities take on average 9 months and in some circumstances up to 18 months. For house and land approvals, these take on average 9 months and up to 11 months.
- A similar situation is occurring within our communities in the South West, with subdivisions taking on average 5 months and house and land approvals taking 7 months.

A significant cause for delay in obtaining approvals is the limited number of staff Councils have available to assess the volume of applications they are receiving. Given current market conditions and significant focus from all levels of government to increase supply, Priority Growth Area Councils continue to receive a significant volume of applications without additional resources to process them.

From our experience, Development Applications in the Priority Growth Areas also incur significant delays when regional infrastructure has not yet been delivered by Councils, or where developers propose to deliver these facilities on Council's behalf. We believe the Department needs to investigate ways to assist Councils in the Priority Growth Areas to expedite the design, approval and delivery of enabling local infrastructure ahead of, or at least in sequence with, housing development.

The Greenfield Housing Code may assist in making the approval process for individual dwellings more efficient for home builders and purchasers, however, it does not directly address the underlying issue of the length of time it takes to deliver new lots to build on. As part of the Department's and Minister for Planning's commitment to increasing housing supply, greater intervention and resourcing is required to improve approval timeframes, for subdivisions in particular.

2.1.1 Recommendations

To improve housing supply in Sydney's greenfield areas, the Department needs to target reform to improve subdivision approval timeframes.

Opportunities to improve these timeframes could include:

- *Preparation of a **Complying Development Code for subdivision** that does not involve regional infrastructure such as stormwater management or higher order roads.*
- *Identifying a funding regime to provide additional staff or consultant resources to expedite the assessment of subdivision development applications and processing of subdivision certificates.*
 - *This could either be a funding grant from State Government or alternatively, establish probity and payment regime to allow developers to pay Council's additional fees to employ additional resources to expedite assessments similar to other Government departments.*

- *Work with Councils to identify priorities for regional infrastructure funded by Section 94 Contributions and establish seed funding for the design and delivery of this infrastructure in line with development.*

2.2 Housing affordability

Stockland delivers communities across Australia, and has completed an analysis of the impact of lot sizes on housing affordability in Sydney, and the impact of reducing lot sizes this would have on prices. As illustrated below (see **Table 1**), we are able to offer house and land packages to new home buyers in other states for nearly \$300,000 lower than in NSW. Changes to development control plans could unlock homes in Sydney for around \$500,000

Table 1. A home in Sydney for under \$500,000

House and Land Package Details	VIC (Highlands)	WA (Vale)	QLD (North Lakes)	NSW
Lot Frontage (m)	7.5	6.0	8.5	10.0
Lot Area (m ²)	188	150	213	250
Package Price	\$351,378	\$359,000	\$365,500	\$630,000
Land Price	\$140,000	\$122,000	\$200,000	\$343,000
Land Price @ NSW land values (~\$1,400/m ²)	\$262,200	\$210,000	\$298,000	\$343,000
Estimate Package Price @ NSW land values	\$473,578	\$447,000	\$463,500	\$630,000

Setting aside that the value of land in New South Wales' greenfield areas is more expensive, we are able to deliver well-designed, affordable product in other states as their planning controls encourage greater housing diversity and smaller lot sizes. In Sydney's Priority Growth Areas, the smallest lot that conventional house and land packages can be delivered on is 250m² with a minimum width of 9m compared to Victoria and Queensland that permit similar housing to be delivered on lots between 188m² to 213m².

Assuming Elara's land values, if we could deliver smaller lots in line with other states, this would enable savings of between \$170,000 to \$180,000 just on land. This would also enable house and land packages to be delivered for around \$500,000. The Greenfield Housing Code as currently proposed would establish best practice planning controls that would allow dwellings to be built on lots down to 200m² and with widths for conventional homes down to 7m.

In Sydney's greenfield areas, standard planning controls do not allow developers to directly subdivide lots down to 200m² or with widths narrower than 9m. To obtain approvals for lots of this size, it is necessary for development applications to be lodged for both subdivision and construction of dwellings at the same time. For our communities in the North West, approvals for these types of developments on average take 9 months and 7 months in the South West. This is significantly longer than the 1 month approval process that the Greenfield Housing Code would provide.

The ability to deliver lots of this size is also heavily restricted and can only occur in medium density areas, or in select locations within low density areas. This means that the full extent of the dwelling diversity proposed in the Greenfield Housing Code, and potential increased use of the code, is not able to be realised with the Code in its current form.

As the Greenfield Housing Code establishes controls for dwellings based on best practice and the Housing Diversity package, the Department needs to pursue greater reform of subdivision controls to enable smaller lots to be created without concurrent built form. This will allow for greater utilisation of the Greenfield Housing Code and make the approval process more efficient for more affordable house and land packages.

Finally, we believe the Department should also reconsider the caps on density proposed as part of the North West Priority Growth Area Implementation Plan. This policy, if adopted, will reduce the ability to deliver housing diversity in low density areas and will also constrain the ability to deliver affordable housing product by increasing average lot sizes.

2.2.1 Recommendations

To improve opportunities for the use of the Greenfield Housing Code and increase opportunities to delivering more affordable housing in Sydney's greenfield areas, the Department needs to consider amending planning controls to increase the ability to deliver smaller lots through conventional subdivision Development Applications. Opportunities could include:

- *Reviewing approval pathways and lot size controls within State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and associated Housing Diversity Development Control Plan would allow smaller lots to be created without being tied to concurrent dwelling construction*
- *Progress the adoption of the 'Missing Middle' Medium Density Housing Code and broaden its application to allow suitable housing diversity (such as dual occupancies and semi-detached dwellings) in low density zones*
- *Preparation of a Complying Development Code for subdivision that does not involve regional infrastructure such as stormwater management or higher order roads*
- *Removing the proposed caps on residential densities detailed within the Department's North West Priority Growth Area Implementation Plan that is currently on exhibition.*

3.0 Greenfield Housing Code

In principle, Stockland is supportive of the Greenfield Housing Code and the alignment of controls to be consistent with the Housing Diversity Development Control Plan that applies to Sydney's Priority Growth Area.

However, in some instances, the proposed controls do not go far enough to match the Housing Diversity controls, and this may restrict take up and utilisation of the Greenfield Housing Code. In other instances, differing development standards may also add substantial costs to dwelling construction, and this will erode the affordability of new homes using the Greenfield Housing Code. These situations, and opportunities to improve them are highlighted below:

3.1 Interpretation

There needs to be consistency in the terminology used between planning policies and the way different building conditions are being described. For instance, side setbacks are described in Table 1 of the Explanation of Intended Effect (EIE). Where this setback is 0m, this is known throughout the industry as a zero lot line. This is also conveyed by developers to home buyers. However, Figure 10 of the EIE that provides a diagrammatic representation of the development controls describes this situation as 'Attached'. This is confusing and misleading. Attached implies a common wall located along a common boundary as per the Attached Dwellings that are discussed at great length within the Department's 'Missing Middle' Medium Density House Code.

Figure 5 of the EIE should include reference to Battle-Axe Lots as per the explanation. In greenfield release areas, it is uncommon for dwellings to benefit from dual frontages to roads unless the road at the rear is a laneway. It is suggested that the term parallel road is amended to reflect either a road at the rear or a laneway.

Figure 6 of the EIE illustrates front setbacks for Battle Axe lots. However, given the other setbacks controls, this figure would also benefit from more detail to define the application of rear and side setbacks.

Despite the above, we welcome the Department's focus on rationalising the extent of controls within the Greenfield Housing Code as well as the simplification of development controls. State Environmental Planning Policy (Exempt and Complying Codes) 2008 is often identified by industry as one of the most confusing pieces of legislation to interpret. Improvements to the wording and interpretation of policy would be welcomed.

3.1.1 Recommendation

The terminology for zero lot lined walls, abutting walls and lots with rear vehicular access should be clarified and made consistent with the Housing Diversity Development Control Plan that applies to the North West and South West Priority Growth Area.

3.2 Development standards

Since adoption in 2014, project home builders have come to embrace the development controls for dwellings in the Housing Diversity Development Control Plan. The majority of home builders have a suite of products, and iterations of products, that can now be readily approved by Councils in shorter timeframes due to demonstrated compliance.

Whilst the Greenfield Housing Code has been inspired in part by the Housing Diversity Development Control Plan, there are instances where the proposed controls deviate. Some development standards in the Greenfield Housing Code are more flexible or of minor consequence. Other discrepancies however, are more significant and will require redesign from what have become standard designs. The need to redesign dwellings may reduce the adoption of the Greenfield

Housing Code by project home builders as Council's are often facilitating approval of dwellings before lots are registered and more streamlined approvals for project home builders that regularly do business within the Council area. The following sections discuss instances where controls in the Greenfield Housing Code deviate from the Housing Diversity Development Control Plan.

3.2.1 Recommendation

Wherever possible, the Greenfield Housing Code should adopt the same provisions as the Housing Diversity Development Control Plan to limit the need to redesign existing complaint dwellings to encourage greater utilisation of the Greenfield Housing Code.

3.3 Minimum lot sizes and dimensions

The Greenfield Housing Code seeks to encourage Complying Development on lots down to 200m². It would also facilitate Complying Development on narrower lots down to 7m where garages are at the front of the house and down to 6m where garages are at the rear. However, most greenfield release areas do not allow lots below 250m² (in some instances 225m²) or narrower than 9m to be created unless the development application includes the construction of the dwellings.

As such, these controls for Lots less than 250m² and narrower than 9m in the Greenfield Housing Code will not be able to be readily utilised. As discussed earlier, the Department needs to consider amending planning controls to increase the ability to deliver smaller lots via conventional subdivision development applications.

Assuming this issue can be resolved, minimum lot depths proposed in the Greenfield Housing Code are likely to be too restrictive to encourage industry to innovate and create more affordable small lot housing product when the Housing Diversity Development Control Plan provides greater flexibility. It is suggested a shallower minimum lot depth of 20m is adopted in the Greenfield Housing Code to encourage industry to innovate more compact and affordable housing types.

In addition, the application of 200m² minimum lot size for Complying Development will also limit opportunities that 6m product with rear garages will utilise the Greenfield Housing Code. This is because industry, and the Housing Diversity Development Control Plan, adopts standard lot depths of between 28m and 30m for rear loaded product to ensure suitable dwellings can be accommodated. As lot depths are established in the initial subdivision of a site with these lot depths, 6m wide product will not be able to be permissible as Complying Development as they would not achieve the minimum lot size. Alternatively, should a developer want to comply with this control, lots would have to be 33m deep. This is unlikely to be feasible as developers are also typically providing an additional 8m wide laneway reserve to allow garages at the rear of the dwellings.

As such, it is suggested that the Greenfield Housing Code adopts a lower minimum lot size of between 150m² and 180m² for rear loaded dwellings.

3.3.1 Recommendation

The Greenfield Housing Code should adopt a shallower minimum lot depth of 20m to encourage innovation in dwelling design.

The Greenfield Housing Code should adopt a lower minimum lot size for dwellings that have garages and access at the rear in the order of 150m² to 180m².

3.4 Site coverage

The proposed upper floor site coverage controls do not fully align with the Housing Diversity Development Control Plan and may limit utilisation of the Greenfield Housing Code. The site coverage controls for the Housing Diversity Development Control Plan were based on lot sizes and

analysis of available project home designs. Adopting different site coverage regimes will force home builders to redesign their current suite of products to comply with the Greenfield Housing Code or to continue to rely on the Housing Diversity Development Control Plan.

Depending on whether garages are at the front or rear of lots, the maximum site coverage for 7m wide lots varies from 40% to 50%. Greater consistency should be provided at this width with maximum site coverage gradually stepped down as lots become wider in line with the Housing Diversity Development Control Plan.

3.4.1 Recommendation

The maximum upper floor site coverage controls should be aligned with the Housing Diversity Development Control Plan.

3.5 Landscaped areas

What constitutes landscaped area needs to be more clearly defined. The Greenfield Housing Code requires 75% of the front setback of lots between 7m and 10m to be landscaped (excluding articulation zones). Given the area of driveways in the front setback (approximately 11m² for single garages and 23m² for double garages on 10m wide lots), this requirement may be too onerous and limit the application of the Greenfield Housing Code versus the Housing Diversity Development Control Plan which does not include a similar requirement. It is also not evident how the dwelling arrangements in Figure 10 of the EIE are able to comply with this requirement.

3.5.1 Recommendation

Landscaped areas should be clearly defined.

The Department should further investigate the function and intent of the requirement for 75% of the front setback area of dwellings on 7m to 10m wide lots and the ability for dwellings with front garages and driveways to achieve this requirement.

3.6 Tree planting specifications

Whilst the benefits of additional tree planting within front setbacks are noted, given the proposed widths of dwellings that the Greenfield Housing Code will apply to, it may be difficult for trees of 3m to 5m heights to adequately be accommodated within the front setback areas on narrower lots. It will also likely confuse the streetscape in new release areas.

Street trees are required within road verge in most greenfield area development control plans. The requirement for the planting of street trees is enforced by conditions of consent and provides for a coordinated streetscape. The inclusion of additional trees within front setbacks of narrower lots (i.e. 10m or less) can clutter streetscapes and are unlikely to be coordinated to match the original street tree planting. It may also compromise opportunities for casual surveillance of the public domain as encouraged by the principles of Crime Prevention Through Environmental Design.

Again, the benefits of requiring tree planting in the rear of lots is appreciated and generally supported. However, the requirement for 8m to 10m trees within the rear of lots maybe overly onerous on narrower lots. Due to large root spans, there is potential that inter-allotment drainage lines, typically located at the rear of lots will be impacted. This may also lead to increased neighbourly disputes if trees impact on fence lines or are prone to shedding leaves. Figure 11 of the EIE also fails to demonstrate how a tree of this size can be reasonably accommodated within the rear of the lot.

3.6.1 Recommendation

The requirement for tree planting in front setbacks of lots 10m wide or less should be removed.

The tree size specified for the rear of lots should be reduced to 3m to 5m.

3.7 Side setbacks

Assuming the issue regarding the ability to approve the subdivision of lots less than 250m² and narrower than 9m wide is resolved, the inclusion of the ability to construct abutting zero lot lined walls for rear loaded lots is supported.

3.8 Rear setbacks

The proposed rear setbacks to dwellings proposed in the Greenfield Housing Code are more flexible than the Housing Diversity Development Control Plan and are supported.

3.9 Building heights and ceiling heights

Living rooms need to be clearly defined so that the impact of mandating 2.7m can be properly assessed. In principle, the mandating of 2.7m high ceiling heights is not supported. From consultation with our building partners, we understand that this requirement can add between \$6,000 to \$8,000 onto the cost of construction of new homes. This cost is ultimately passed on to purchasers and reduces the affordability of housing.

The Greenfield Housing Code will apply a maximum height of 8.5m. Generally, the controls within Sydney's Priority Growth Areas permit up to 9m for single dwellings. In addition, the EIE implies that habitable attics are permissible. However, if the ceilings heights of between 2.7m needs to be adhered to, given typical roof pitches, habitable attics are unlikely to be accommodated within the 8.5m height limit.

3.9.1 Recommendation

The maximum ceiling height of 2.7m should be removed.

The maximum building height in the Greenfield Housing Code should be increased to 9m.

3.10 Depth of habitable rooms

The maximum depth of habitable rooms from primary windows is considered to be overly onerous. This is not required by the Housing Diversity Development Control Plan and will potentially limit the utilisation of the Greenfield Housing Code. Adoption of this will prevent the opportunity to stack living and dining areas that is accepted by the market and would likely increase the cost of construction.

3.10.1 Recommendation

The requirement for maximum room depths from primary windows should be removed.

3.11 Double garages on 10m wide lots

The ability to deliver dwellings with double garages on lots down to 10m wide is supported. This is considered to reflect best practice that has been adopted by Blacktown City Council, The Hills Shire Council and Campbelltown City Council inside and out of the Priority Growth Areas. In adopting this position, these Councils typically require a degree of articulation of the dwellings to ensure the garage is not a dominate feature of the façade. The articulation elements include:

- (a) Upper floor or roof element is projected forward of the garage for at least 1m;
- (b) Colour and texture of the garage door is recessive to the materials used for the dwelling;
- (c) Verandah or pergola is provided along the length of the garage door opening;
- (d) Vertical elements, such as posts or fin walls are incorporated into the design; and
- (e) The main building façade extends 1m forward of the garage.

3.11.1 Recommendation

The Department should consider including additional controls requiring a degree of articulation to ensure garage dominance of dwelling facades is minimised on lots narrower than 12m.

3.12 Zero lot lines

For lots 10m wide or less, the Greenfield Housing Code proposes greater limitations on the lengths that zero lot line walls can be used compared to the Housing Diversity Development Control Plan where dwellings will have garages at the front of the lot. This is because the proposed control is linked to the lot depth, rather than the lot depth as per the Housing Diversity Development Control Plan. Assuming a lot depth of 25m, this would use a maximum zero lot line of 12.5m under the Greenfield Housing Code compared to 15m in the Housing Diversity Development Control Plan.

3.12.1 Recommendation

The maximum length of zero lot lines for lots between 7m to 10m wide that have garages at the front of the dwelling should be increased to 15m in line with the Housing Diversity Development Control Plan.

3.13 Amenity standards

To ensure privacy between dwellings that utilise zero lot lined walls, the Greenfield Housing Code restricts the ability for walls within 0.9m of a boundary from containing doors or openings. However, this may unnecessarily preclude perpendicular walls to the boundary on ground floor from containing doors or windows to obtain solar penetration to the dwelling (See Figure below). This situation is unlikely to create a privacy concern as there is typically 1.8m high boundary fencing provided that would screen the door or window from having any views between dwellings.

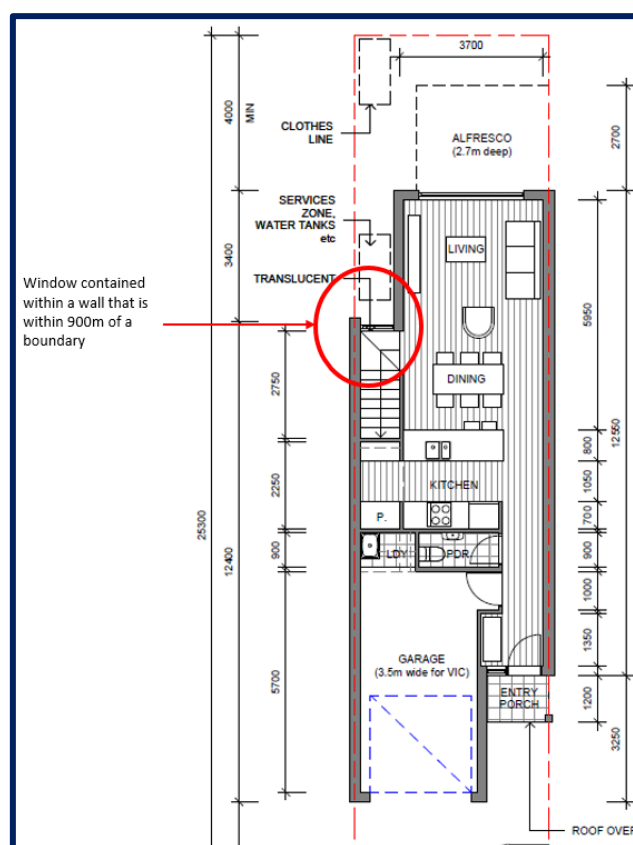


Figure: Standard Stockland medium density product showing a perpendicular wall to a zero lot boundary that contains a window.

Where zero lot lines are used, the Greenfield Housing Code requires an upper floor setback of 1.5m. However, there is no limitation on the inclusion of windows on this façade as they are greater than 0.9m from the boundary. This may lead to potential privacy issues.

3.13.1 Recommendation

The development standards that prevent windows or doors within 0.9m of a boundary should be amended to allow doors or windows on the ground floor in this situation if they are perpendicular to the property boundary.

It may be necessary to include additional development standards to require raised sill heights or privacy screens for windows on upper floors of dwellings that utilise a zero lot line.

3.14 Complying Development on unregistered land

In principle, the ability to obtain Complying Development Certificates on unregistered land is supported. This would ensure the use of the Greenfield Housing Code is able to be as competitive as the development application process that many Councils offer.

Implementation of this arrangement however does require a higher degree of coordination by the developer with home builders and purchasers to ensure dwellings are sited and designed to respond to the subdivision that has yet to be completed. This is necessary to avoid impacts on:

- approved vehicle cross overs
- approved locations of zero lot lines

- local road drainage infrastructure such as pits and lintels
- location of utility services like communication and electricity pillars
- street trees

To do this, Stockland prepares a 'Lot Plan' for each lot we sell that we provide to prospective purchasers and home builders to clearly identify these constraints so dwellings can be positioned accordingly. An example of a 'Lot Plan' is provided at **Appendix A**.

3.14.1 Recommendation

Should the ability to obtain Complying Development Certificates on unregistered land be pursued, it is suggested the Department prepares a best practice guide for this process.

3.15 Pre-Approval Notification

The Greenfield Housing Code suggests that prior to the issue of a Complying Development Certificate, builders/home buyers will have to notify adjoining property owners. Stockland has a strong focus on consultation with the community throughout the development process. Where lots are registered, this is a reasonable request. However, if Complying Development Certificates on unregistered lots are pursued, this would be particularly complex to administer as the developer would still be the owner of the land. Given Councils already have unregistered land policies for development applications for dwellings that don't require notification, this requirement seems onerous in the Greenfield Housing Code and should be abandoned.

3.15.1 Recommendation

The requirement for Pre-Approval notification of neighbours should be removed for Complying Development Certificates issued on unregistered land.

3.16 Roads Act approvals

Roads Act approvals are required for new driveway crossings for dwellings and can only be issued by local councils. There are no mandated performance timeframes for Council to issue these approvals. This requires coordination of the approval to avoid delays in obtaining an Occupation Certificate.

Most developers of large estates consider driveway crossings as part of the subdivision that will create individual lots, often as part of the coordination and placement of zero lot lines, garages, services drainage pits. Driveway locations are typically shown on 'Lot Plans' (see **Appendix A**). When considering Complying Development Certificates on unregistered lots, this information needs to be conveyed to lot purchasers and builders to properly coordinate the dwelling design in relation to future services.

As per the Background Paper, Councils should be mandated to adopt similar approaches to Camden Council for subdivision stage endorsement of driveway crossings. Provided a Complying Development Certificate for the dwelling is consistent with this approval, Councils should be able to expedite these approvals. Where a Complying Development Certificate varies from the approved driveway locations in the subdivision, a normal Roads Act approval process would then be followed.

3.16.1 Recommendation

A Practice Note should be prepared for Councils to guide how the Roads Act Approval process should work for Complying Development Certificates on unregistered land.

The Department could investigate an amendment to the Environmental Planning and Assessment Act and Regulations to include performance timeframes for the issue of Roads Act Approvals (i.e. deemed approvals) should delays of Roads Act Approvals be considered a significant issue.

3.17 Subdivision Guide

The preparation of Subdivision and Masterplan Guidelines is not considered necessary. Many of the principles discussed in the draft are already engrained within the Housing Diversity Development Control Plan and process used by the Department and Councils to prepare masterplans for new release areas. Its application to subdivisions also fails to consider the differences between development of large landholding estates such as Altrove and Elara versus how fragmented land subdivisions are designed.

Greater focus should be applied to standardising development controls for subdivision in greenfield areas to make it easier for developers to operate in multiple Council areas. Adoption of the Housing Diversity Development Control Plan as the baseline development controls for neighbourhood and subdivision design should be encouraged. Further attention should also be paid to amending subdivision development controls to allow smaller lots to be created so that the Greenfield Housing Code can be more broadly utilised.

3.17.1 Recommendation

The Subdivision and Masterplan Guidelines are not an essential component of the Greenfield Housing Code.

The Department should further investigate the development of a best practice development control plan that facilitates greater housing diversity and affordable product and encourage Councils to adopt it for new release areas.

Appendix A – Example Lot Plan

