



Australian
Institute of
Architects

Review of
Complying
Development in
Greenfield Areas

Submission to Department of
Planning & Environment

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SUBMISSION BY

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PURPOSE

This submission is made by the NSW Chapter of the Australian Institute of Architects (the Institute) to the Department of Planning & Environment in response to the Background Paper: A Review of Complying Development in Greenfield Areas.

At the time of the submission the office bearers of the NSW Chapter are:

Andrew Nimmo (President), Shaun Carter (Immediate Past-President), Sarah Aldridge, Callantha Brigham, Jacqui Connor, Sam Crawford, Steven Donaghey, Ashley Dunn, Monica Edwards, Tricia Helyar, Chris Jenkins, Peter Kemp, Alex Kibble, Phuong Le, Kathlyn Loseby, Howard Smith, Peter Smith, Michael Tawa.

The Executive Director of the NSW Chapter is Joshua Morrin. This paper was prepared by the Chapter's Built Environment Committee for Chapter Council.

INFORMATION

Who is making this submission?

- The Australian Institute of Architects (the Institute) is an independent voluntary subscription-based member organization with approximately 11,553 members who are bound by a Code of Conduct and disciplinary procedures.
- The Institute, incorporated in 1929, is one of the 96 member associations of the International Union of Architects (UIA) and is represented on the International Practice Commission.
- The Institute's New South Wales Chapter has 3,348 members, of which 1,951 are registrable architect members – representing 43% of all registered architects in NSW.

Where does the Institute rank as a professional association?

- At 11,553 members, the RIAA represents the largest group of non-engineer design professionals in Australia.
- Other related organisations by membership size include: The Design Institute of Australia (DIA) - 1,500 members; the Building Designers Association of Australia (BDAA) - 2,200 members; the Australian Institute of Landscape Architects (AILA) - 1,435 members; and the Australian Academy of Design (AAD) - 150 members.



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1. INTRODUCTION

The Institute welcomes the opportunity to comment on this review. We recognise that the Department is endeavouring to respond to the Government's housing approval targets through the proposed code. We also acknowledge that development in the North West and South West growth areas is a Government priority. Nevertheless, the Institute's view is that greenfield development should constitute a decreasing percentage of total new detached or low density housing in the Greater Sydney region.

The Institute supports the complying development process through the recently gazetted simplified Housing Code (referred to in the Background Paper as the Draft Housing Code) and the Medium Density Housing Code currently being prepared by the Department. These codes should be sufficient to provide complying development guidance for most small-scale housing developments.

The Institute acknowledges, however, that they apply to existing residential areas where the street layout and vegetation have been established. The controls in these codes therefore focus on retaining the quality and amenity of the local context.

2. DRAFT GREENFIELD CODE

By definition, the new code applies to new subdivisions where this context has not yet been established. It is therefore important, in our view, that the code sets high but reasonable design quality and amenity standards and therefore helps to establish successful new precincts. There must be a balance between decreasing development approval times, market needs, simplicity and design quality.

We therefore strongly support the statement on Page 4 of the Background Paper:

'In addition to simplifying complying development, the NSW Government recognises that it is critical that new release areas (greenfield areas) are well designed to create distinct and attractive places for people which are environmentally, economically and socially sustainable.'

3. SUBDIVISION AND MASTERPLAN GUIDELINES

We also welcome the subdivision and masterplan guidelines included in the Background Paper, which aim to encourage better design and amenity in new greenfield subdivisions. The guidelines recognise the importance of 'including accessibility to services, amenities and other centres' and responding to environmental conditions such as hotter temperatures and existing landscape and tree cover.

The Institute welcomes and endorses the universal urban design principles presented in the document and the benefits summarised on pp 18-19 as applied to a single

subdivision. A problem arises, however, when these individual subdivisions are aggregated into a precinct or suburb. Strategic planning is needed at the local council level to achieve a rational and equitable distribution of schools, playing fields, parks, cycle paths, shops and other local amenities throughout the new precincts.

The guidelines correctly acknowledge that laneways are an important ingredient in subdivision planning, particularly in dense neighbourhoods. But they need to address the problems created by monotonous runs of a single typology, particularly large houses meeting the minimum setback requirements, as demonstrated in the aerial photograph used as Fig 8 on Page 20 of the Background Paper. The urban design importance of corner lots also needs to be addressed.

The proposed lot orientation appears to be driven by solar concerns rather than network armatures or natural topography. The alignment of streets should be driven by their relationship to the built and natural context; building design can resolve most orientation issues.

The following comments on key elements of the proposed code are presented in accordance with the three over-arching design quality principles of built form, landscape and amenity summarised on Page 35 of the Background Paper.

4. BUILT FORM

One of the benefits of the proposed code is the allowance of zero setback party walls, which will assist in resolving title and easement issues.

The lack of site cover and FSR controls in the proposed code, however, is likely to result in excessively bulky buildings. A site cover control is essential in the absence of an FSR control.

The Housing Code restricts building length, but only where the building is within 0.09m of the boundary. The proposed code would allow the construction of a 5.5 metres high solid wall 0.095m from a side boundary from the front setback line to the rear boundary setback line. A restriction on building length should be adopted, but without the 0.09m setback concession. The proposed code should also address maximum block length between streets, lanes and walkways.

The minimum lot size for any CDC home under the proposed code is 200 sqm. This is considered quite a large lot, especially for a 6 metre frontage, which is permitted (6.0 m x 33.3 m deep).

The landscape setbacks of min 3.0m front and rear and 0 to 0.9m side will have the beneficial effect of preventing large front yards. On the other hand, they could also encourage maximum site coverage with smaller upper levels; the upper level site coverage control is difficult to understand and could have a further amplifying effect.

While the control requiring blocks up to 7 metre frontage to provide rear-loaded parking is a positive benefit of the proposed code, an unintended consequence could be the poor laneway amenity created by rows of adjoining garages. This could be mitigated by design solutions, including gateways and pergolas.

Another problem with rear garages is that there is no 3m setback required. This could result in a 1.5 metre gap between the dwelling and rear garage. The code should specify an eave line to eave line gap of at least 4 metres.

Narrow lot typologies should anticipate households with both employment and family vehicles. Permitting relatively narrow front-loaded 7 – 12 metre lots with single garages with a minimal setback will result in large amounts of driveway. Because most households in greenfield areas (which are generally poorly served by public transport) will have at least two cars, it is reasonable to expect that there will be a second car parked in front of the garage. Cars are therefore likely to dominate the streetscape on adjoining lots with 3 metre setbacks. The closely spaced driveways will also provide very little on-street parking for visitors.

We note that the photographic illustrations in the Background Paper show lots at least 12 metres in width, but this is not what the proposed new standard will deliver; this material is therefore somewhat misleading. The Example House type Plans also show 500m² lots, which is not representative of the size of built form proposed by the Background Paper. Good examples of 200m² lots should be shown. Images of narrow front-loaded lots compliant with the proposed controls should be used.

The Institute recommends maintaining the Housing Code controls with regards to site cover as well as streetscape. A building length control should also be adopted.

5. LANDSCAPE

One of the most laudable objectives of the proposed code is to create a green environment in both the public and private domain. The emphasis on the importance of the Green Grid is particularly welcome.

Streets with high pedestrian amenity are crucial in encouraging more active transport, one of the stated aims of the Background Paper. Consistent street trees with verges in the public domain are the most important green elements. There is no certainty that trees will be planted in the private domain, especially with minimal front setbacks, despite the Government's provision of free trees to residents.

The public domain must be green; street trees are fundamental to achieving this outcome. It should be mandatory for local councils to provide and maintain them.

To encourage the planting of large street trees the street must not be dominated by driveway crossings. The Housing Code restricts double garages to lots over 12 metres wide, but the Background Paper proposes to delete this standard. This could result in narrow lots 7 – 12 metres wide with double garages, minimal space for street trees

and very little verge area. Allowing double garages on these narrow lots will result in a streetscape dominated by garages and driveway crossings. Examples of narrow front-loaded lots should demonstrate how driveway crossings, verges and street trees will work to produce a high-quality outcome in both the public and private domain.

The Department should consult with the Australian Institute of Landscape Architects on the requirement to accommodate a medium sized tree in a rear yard. If the space is too small, or requires the tree to be planted too close to the house, the occupant will not plant a tree, as it could pose a safety hazard. In this case the key objective of a tree in every rear yard will not be achieved. The Institute recommends using the Housing Code controls for a minimum principal private outdoor area.

High front fences negate the objective of 'green' frontages, but there do not appear to be any controls on this element. The new code should provide them, including restricting high fences on corner lots.

The Institute recommends retaining the Housing Code requirements relating to double garages and a simple control for front fences.
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6. AMENITY - HOUSING DIVERSITY

The Institute encourages medium density developments and a diversity of housing types in greenfield areas to support a diversity of families and age ranges.

The Background Paper and proposed code appear to prioritise detached dwellings over attached, which encourages developers to chase lower yields through a simpler pathway to approval. There is no reference to the value of medium density housing or mixed use development.

The proposed controls also seem to incentivise a single type of subdivision pattern and discourage other types, such as courtyard house lot types or semi-detached types.

Studio apartments should be encouraged above double garages. This would encourage dwellings housing multi-generational households and more affordable sub-lettings, while also enabling the activation of rear lanes with pedestrian entry doors.

In this regard a combination of both envelope control and FSR control would provide for more diverse and expressive built form. Providing space to move within the prescribed envelope (e.g. the prescribed envelope fits 125% of the maximum allowed GFA) will provide the opportunity to modulate the built form and afford more diverse typologies within that envelope. For example, a house with a generous central courtyard would not be able to 'maximise return' on the land if the control is envelope-based only.

7. CONCLUSION

The Institute welcomes the clear and helpful diagrams in the newly gazetted Housing Code. It is not clear why these standards are not all incorporated into the draft greenfield code. We question why it is considered that these areas require a lesser standard.

The Institute recommends maintaining the Housing Code controls, with the additional recommended controls, including building length and fences, recommended above.