

Attachment C: Medium Density Housing Areas – LEP Clause Amendments

(Extract from Stage 2 Planning Proposal)

Background

The current floor space ratio (FSR) for medium density within the R3 Medium Density Residential zone is 0.45:1. This FSR is the same as the FSR for the R2 Low Density Residential zone, which means that in certain areas there has been little incentive to develop medium density development.

To address the need for ‘missing middle’ development and to provide greater housing choice and dwelling diversity, an independent review was undertaken of the R3 Medium Density Residential zone FSR as part of the Accelerated LEP Review Program.

The review recommended a ‘sliding scale’ FSR in the R3 Medium Density Residential zone (0.5:1 to 0.65:1) to encourage amalgamation and amenity of existing and future residents. The ‘sliding scale’ of FSR is determined by the width of the street frontage, with an additional bonus FSR (0.15:1) also if basement car parking is provided.

Pursuant to Actions and objectives of the Fairfield LSPS and draft Local Housing Strategy it is proposed to restrict the above increased FSR allowances to the eastern areas of the City that has a higher level of access to public transport services. In addition, land zoned R3 Medium Density located below the flood planning area (1 in 100 year flood + 500mm freeboard) has been excluded from the provisions of the clause as shown in Appendix E.

Proposed Clause

Council is proposing to adopt an existing model clause 4.4B as follows:

4.4B Exceptions to maximum floor space ratio in Zone R3 Medium Density Residential

- (1) This clause applies to land in Zone R3 Medium Density Residential (shown as Area B on the floor space ratio map).
- (2) Despite clause 4.4, the maximum floor space ratio for a building on land to which this clause applies is as follows—
 - (a) if the building has a street frontage of less than 22 metres—0.5:1, or
 - (b) if the building has a street frontage of at least 22 metres—0.65:1.
- (3) Despite clause 4.4, a floor space ratio bonus of up to 0.15:1 may be permitted if all car parking for the development is provided in a basement.

Associated Map Changes

To reflect the changes in the proposed new Clause 4.4B, map amendments are required on the Floor Space Ratio Map, with an additional “Area B” identified areas zoned R3 Medium Density Residential (**Refer to: Medium Density LEP Map Amendments**).

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R3 Medium Density Residential – Maximum Building Height

Background

To support the above medium density FSR controls, Council is proposing to permit a 10 metre maximum building height limit (which equates to approx. three (3) storeys) for development on corner sites in certain areas zoned R3 Medium Density Residential. This will allow for better place making in these locations and development of more diverse dwelling form.

As with the proposed floor space concessions, the proposed additional height allowance on corner sites in the R3 zone are restricted to the eastern areas of the City and will not apply in R3 areas located below the 1 in 100 year flood planning level.

Proposed Clause

Council is proposing to adopt an existing model LEP clause 4.3A as follows:

4.3A Exceptions to maximum height of building in Zone R3 Medium Density Residential

- (1) This clause applies to land in Zone R3 Medium Density Residential (shown as Area A on the height of building map).
- (2) Despite clause 4.3, the maximum height for a building on land to which this clause applies is 10 metres (3 storeys) if—
 - (a) the building is located on a corner site that consists of at least 2 street frontages; and
 - (b) the primary and secondary street frontages for the site are at least 22 metres; and
 - (c) all car parking for the development is provided in a basement.

Associated Map Changes

To reflect the changes in the proposed new Clause 4.3A, map amendments are required to the Height of Buildings Map, with an additional “Area “B” identified for certain areas zoned R3 Medium Density Residential (**Refer to: Medium Density LEP Map Amendments**).

IMPORTANT NOTE:

The draft proposed clauses in this Planning Proposal are indicative only, final drafting will be subject review by the NSW Parliamentary Counsel’s Office and may be altered under this process.