

Strathfield Local Planning Panel Advice (dated 02 August 2024)

Background

The Strathfield Local Planning Panel (**Panel**) has been asked to provide advice to Strathfield Council on whether the planning proposal to implement the Strathfield Medium Density Housing Strategy (Planning Proposal) should be forwarded by Council to the Minister for Planning and Public Spaces for a gateway determination.

The Panel has had the benefit of a high quality and comprehensive report prepared by Council staff which is supported by a number of studies addressing relevant issues including urban design, economic feasibility and community attitudes to increasing density in the Strathfield Local Government Area (**SLGA**). The Panel also had the benefit of two comprehensive briefings from Council staff on the Planning Proposal. The Panel commends the staff for the high quality of their work on this Proposal which has significantly assisted us to understand fully what is proposed.

The Planning Proposal is to amend current planning controls Strathfield Local Environmental Plan to permit medium density housing in areas where only low density housing is currently permitted. The amendments proposed include to reduce the minimum lot size and allow dual occupancy, manor houses and multi dwelling house including terraces in areas zoned R2 (low density residential) and R3 (medium density residential).

SLPP Advice to Council

The SLPP considers that the planning proposal has significant merit and should proceed to a gateway determination as it will enable a diversity of building types and choice to cater for the needs of different household types in SLGA. It will also help to address the current housing crisis by encouraging land to be used more efficiently to enable more dwellings to be built. The Panel notes that the community's views on increasing density have been sought and that there is general support for medium density development such as dual occupancy dwellings, terrace houses and town houses and manor houses.

The Panel's strong view is that it is essential for the changes that will allow medium density development to **only** come into effect when detailed development controls in a development control plan have been created that will ensure that the density is not delivered at the expense of amenity for residents and neighbours, landscaping (including canopy trees) and preservation or enhancement of the character of existing neighbourhoods.

The urban design study supporting the proposal identifies the need for the existing tree canopy in SLGA to be preserved and enhanced in that canopy trees need to be retained and increased in

streets, front gardens and back gardens to create a continuous canopy that affords shade, habitat and general amenity.

Strong controls that need to be in place before the medium density options are permitted include, minimum lot size and frontage, floor space, building height, building setbacks, separation and envelopes, over-shadowing, site coverage and landscaped area including soft landscaping and deep soil areas, street, front and back yard canopy trees, privacy, outlook, private open space, access, parking, driveways and garages and streetscape. The Panel noted that driveways to dual occupancy dwellings should be shared, where practicable, to avoid multiple driveways which produces excess hard surfaces, loss of street parking and insufficient space in front gardens for canopy trees.

The Panel also provided detailed advice and comments on the Planning Proposal which is set out below.

LEP	Panel feedback summary	Council comment
FSR & Density	<ol style="list-style-type: none"> <li data-bbox="523 884 919 1429">1. Test neighbouring LGAs' outcomes so as not to seemingly have arbitrary density variation across separating roads. This may be a valid planning decision in isolation, but it is advisable to test the controls' compatibility with adjoining streets in neighbouring LGAs. This will also allow Council to have a sound position if challenged on this point. <li data-bbox="523 1464 919 1928">2. If a 2-storey + attic architectural outcome is generally sought, it would be of value to increase the maximum FSR controls (approx. 0.8:1) to reflect this outcome to avoid unnecessary Clause 4.6 variation requests for FSR under the future controls. 	<p data-bbox="1038 884 1129 920">Noted</p> <p data-bbox="1038 1137 1129 1173">Noted</p>

<p>Landscaped area</p>	<p>1. Avoid overstating the minimum % area. One of the issues that can arise is that the landscaped area control was drafted for the purpose of general landscaped areas including some hardstand paving (more of a private open space control) – thus it has minimum requirements for 15-20% plus a 60% maximum site coverage control.</p> <p>However, the Standard Instrument Dictionary definition is <i>“landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.”</i></p> <p>So, in practice, it is very difficult to comply with the LEP control as drafted, and we see a lot of Clause 4.6 variation requests for this. If a landscaped area control is to be pursued, it might have different % for different typologies (e.g. dual occupancies, manor houses) that acknowledge the reduced ability to deliver genuine landscaped area for a dual occupancy compared to a dwelling house etc.</p>	<p>Noted – to be discussed</p>
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Clause 4.6	1. Removing the ability to vary standards under Clause 4.6(8) unlikely to be supported	Noted and removed
DCP.		
Dwelling design	<ol style="list-style-type: none"> <li data-bbox="523 398 887 629">1. Critical analysis/stress test planning /housing options to remove any gaps. For example, to ensure that no gun barrel solutions result. <li data-bbox="523 667 887 857">2. Remove image of gun barrel solution from cover of document- as this sends the wrong message. <li data-bbox="523 896 887 1556">3. Services locations for housing – address the growing need for additional ancillary infrastructure such as large and multiple condenser units, batteries, HWU and controls together with pool plant rooms, in areas other than side setback zones. Aim to control loss of this zone and its negative impact on acoustic and heat load to subject and neighbours’ property. Resulting impact is reduction in landscape area as well as negative acoustic and environmental outcomes. <li data-bbox="523 1865 887 2022">4. DCP controls that would support additional FSR could include a 2-storey DCP control (noting that 	Noted

	<p>attics are excluded from being defined as a storey) and pitched roof/wall height.</p> <p>Whilst this DCP control would not have the same weight as the height and FSR LEP controls, there is a strong caselaw basis for building height in metres (LEP Clause) being read in conjunction with a building storeys control (DCP) and the two controls being read together.</p>	
Tree retention/planting	<p>4. Testing for new/replacement canopy tree planting i.e. tree canopy guide recommendations for two at front and one in rear garden can be achieved.</p> <p>Dual occupancies - two paths, and two driveways may preclude the ability to comply.</p>	Noted
Wall lengths in side boundary walls.	<p>5. Control maximum length to avoid long narrow side setbacks without relief. This will have the benefit of changing scale on larger 2 storey buildings by introducing some articulation in the side walls which, apart from the positive visual impact, also potentially allows for windows and courtyard outlooks from the dwellings.</p>	