
PE6 **STRATHFIELD MEDIUM DENSITY HOUSING STRATEGY PLANNING PROPOSAL - DUAL OCCUPANCY REVIEW**

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RECOMMENDATION

1. That Council write to the Department of Planning, Housing & Infrastructure (DPHI), requesting the withdrawal of the Planning Proposal for the Implementation of the Strathfield Medium Density Housing Strategy, dated 18 September 2024 (PP-2024-2100), in accordance with DPHI advice.
2. That Council endorse the indicative boundary for alternate development standards for dual occupancy development, as outlined in Figure 5 (Large Lot Area) in the body of this report
3. That Council endorses the preparation of a new Planning Proposal to implement the Strathfield Medium Density Housing Strategy by amending the Strathfield Local Environmental Plan 2012. The revised draft Planning Proposal to include:
 - a. the identification of alternate development standards for minimum lot size and lot frontage for the Large Lot Area; and
 - b. a review of the dual occupancy development standards for the rest of the LGA, including on corner sites
4. That Council write to the Department of Planning, Housing and Industry to request a deferral from the application of the proposed Low and Mid-Rise Housing Reform on the basis that:
 - a. Council is committed to the provision of capacity for additional and diverse housing through changes to local planning controls
 - b. Council will be submitting a new Planning Proposal in early 2025 for the Implementation of the Strathfield Medium Density Housing Strategy.
5. That a further report be brought back to Council in early 2025 to seek endorsement for the submission of the Planning Proposal to the Department of Planning, Housing & Infrastructure for a Gateway Determination

PURPOSE OF REPORT

In response to Council resolution of 26 November 2024 this report outlines the methodology used to identify the indicative boundary for the 'Large Lot Area' for dual occupancy development.

REPORT

BACKGROUND

Council, at its meeting on 13 August 2024 considered a report on a Planning Proposal for the implementation of the Strathfield Medium Density Housing Strategy (the MDHS) 2024.

The objective of the Planning Proposal was to amend the SLEP 2012 to create capacity for additional and diverse housing across the residential zones of the Strathfield LGA, as well as:

- Encourage greater housing supply in the form of medium density residential development and address

housing shortages

- Support public infrastructure by allowing for a moderate increase in density in urban areas where existing infrastructure is in place
- Improve land use efficiency of established low-density residential areas

In summary, the intended outcome of the Planning Proposal was as follows:

1. In the R2 Low Density Residential zone (R2 zone), introduce dual occupancy (attached and detached), manor houses, multi-dwelling housing and terraces as permissible land uses and amend the objectives to reflect that these provisions facilitate the delivery of diversity of housing in the R2 zone.
2. In the R3 Medium Density Residential zone (R3 zone), introduce manor houses and terrace as permissible land uses and amend the objectives to reflect that these provisions facilitate the delivery of diversity of housing in the R3 zone.
3. In the R2 zone, introduce a minimum lot size of 560sqm and a minimum lot frontage of 15m for dual occupancy development.
4. In the R2 and R3 zones, introduce a minimum lot size of 560sqm and a minimum lot frontage of 18m for manor houses and multi dwelling housing.
5. In the R2, R3 and R4 zones, introduce a minimum lot size of 840sqm and a minimum lot frontage of 21m for multi-dwelling housing (terraces).
6. Permit the subdivision of dual occupancy development, manor houses, multi-dwelling housing and terraces.
7. In the R2 and R3 zone, include a minimum subdivision lot size for dual occupancies of 280sqm.
8. In the R2 zone, introduce a maximum FSR of 0.65:1 for dual occupancy (attached and detached), manor houses, multi-dwelling housing and terraces to offer greater development yield and greater development incentive.
9. In the R2 zone, introduce a minimum landscape LEP provision for dual occupancy, multi-dwelling housing, manor houses and terraces to ensure that the landscape character of the low-density residential zone is protected and that the tree canopy is maintained and enhanced.
10. Repeal Schedule 1 – Additional Permitted Uses, Section 1 – Use of certain and at Greenacre and associated mapping.
11. Update the Dictionary to insert in alphabetical order manor house and multi-dwelling housing (terraces).

Council, at its meeting on 13 August 2024 resolved in relation the Planning Proposal, the following (215/24):

1. *That Council notes the advice provided by the Strathfield Local Planning Panel on 1 August 2024 regarding the drafting of a Planning Proposal in relation to the Strathfield Medium Density Housing Strategy.*

2. *That Council supports the intent of proposed amendments to the Strathfield Local Environmental Plan 2012 to facilitate medium density housing consistent with the NSW Low and Mid-Rise Housing Policy and Council's Medium Density Housing Strategy, as outlined in the body of the report and resolves to incorporate the proposed amendments into a Planning Proposal.*
3. *That Council endorses the draft Planning Proposal **Attachment 1** for lodgement with the Department of Planning, Housing and Infrastructure for Gateway determination.*
4. *That Council delegates authority to the General Manager to make necessary amendments to the Planning Proposal and supporting documents arising from a Gateway Determination and prior to public exhibition.*
5. *That should a Gateway Determination be issued which enables public exhibition, a further report is to be presented to Council following the exhibition period. The report is to address any submissions received. A further update on the progress of the Planning Proposal is to be provided at that time.*
6. *That the Strathfield Development Control Plan (DCP) be reviewed and updated concurrently with the Planning Proposal to ensure consistency with the objectives and controls contained in the Planning Proposal.*
7. *That a report be presented to Council which outlines the proposed amendments to the DCP prior to public exhibition.*
8. *That a further report be brought back to Council to seek endorsement of the proposed amendments to the Strathfield Local Environmental Plan 2012 and the adoption of amendments to the Strathfield Development Control Plan, following public exhibition.*

Subsequent to the endorsement of the Planning Proposal and in accordance with (3) of the above resolution, the Planning Proposal was submitted to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination on 19 September 2024 (PP-2024-2100).

At the Council meeting on 22 October 2024, a Notice of Recission was submitted by Councillors Blackmore, Baladi and Reddy with respect to the above resolution (Resolution 215/24).

The Councillors were concerned that some of the changes proposed in the Planning Proposal would have the potential to result in adverse impacts on the streetscape and landscape character of certain areas of the Strathfield LGA, and which are highly valued by the community and residents.

Subsequently, Council resolved the following (255/24):

1. *A Councillor Workshop be held in November 2024 to discuss finding alternative solutions which increases the Medium Density Housing Supply in Strathfield but does not destroy the Strathfield moniker of "Oasis in the West".*

2. *That if any planning proposal that has been lodged with NSW Planning it be withdrawn and an alternate proposal be prepared after feedback from the Councillor Workshop.*
3. *That the new plan be prepared to meet any deadline that the NSW Planning has given to Council.*

In accordance with resolution 255/24, a Councillor Workshop was held on 12 November 2024 to discuss options for encouraging greater housing diversity across the LGA, while ensuring the protection of those areas that have a unique character and contribute to the identification of Strathfield as the “Oasis in the West”.

Council, at its meeting on 26 November 2024 considered a report on a way forward with respect to a review of the proposed dual occupancy development standards to ensure the protection of those areas that have a unique character of large lots with grand dwellings, while ensuring that there is capacity across the LGA for dual occupancy development and greater housing diversity. In this regard, Council resolved the following:

1. *That Council endorse the commencement of a review to be undertaken by the Planning & Place Team of the existing Planning Proposal (PP-2024-2100) relating to the Strathfield Medium Density Housing Strategy with the aim of encouraging greater housing diversity across the Local Government Area (LGA), while ensuring the protection of those areas that have a unique character.*
2. *That Council staff advise the Department of Planning, Housing and Industry of the proposed review of PP-2024- 2100 and advise that an amended Planning Proposal will be submitted once the review has been completed.*
3. *That Council staff recommence the review of the Strathfield Development Control Plan as it relates to the Medium Density Housing Strategy to ensure controls will complement proposed changes to the Strathfield Local Environmental Plan 2012 and that these amendments be reported to a future Councillor Workshop and meeting for consideration, prior to public exhibition.*
4. *That Council be provided with information, at the 10 December 2024 Ordinary Council Meeting, including an indicative boundary and a methodology for establishing an evidence base, in relation to the introduction of ‘Unique Character Areas’ (UCA) into the Strathfield Local Environmental Plan 2012.*
5. *That Council engage with the Department of Planning, Housing and Industry in relation to draft minimum lots sizes for dual occupancy development and seek a pause on the implementation of Complying Development Certificate provisions until such time that the Medium Density Housing Strategy Planning Proposal can be endorsed by Council.*

PLANNING PROPOSAL (PP-2024-2100)

As outlined above, following Council’s resolution of 13 August 2024, the Planning Proposal for the Implementation of the Strathfield Medium Density Housing Strategy, dated 18 September 2024 (PP-2024-2100) was submitted to DPHI for a Gateway Determination on 19 September 2024.

Following the Notice of Recission on 22 October 2024, Council officers contacted the DPHI and requested that further consideration of PP-2024-2100 be paused to allow further consideration of the dual occupancy provisions in accordance with Council's resolution.

DISCUSSIONS WITH THE DEPARTMENT OF PLANNING, HOUSING AND INFRASTRUCTURE

A meeting was held with officers of the DPHI on 22 November 2024 to provide an update on the proposed process for review, as outlined in the report to the November Council meeting and seeking approval to amend the current PP-2024-2100. At this meeting, officers of the Department advised that they had no objection to Council undertaking further work to refine the dual occupancy provisions, including having differentials for the minimum lot sizes and frontage widths.

The key criteria that Council needs to be mindful of is the Departments' requirement of 50% of R2 – Low Density Residential zoned land having the capacity to accommodate dual occupancy development. The Department has advised that their preference would be for Council to withdraw the existing planning proposal while undertaking the review and lodging a new planning proposal in early 2025. This was confirmed via email dated 25 November 2024.

Based on the advice received from the Department, it is recommended that PP-2024-2100 be formally withdrawn and that a new planning proposal be prepared following consideration by Council of the proposed amendments to the dual occupancy provisions.

Council officers also discussed the timing of the introduction of the State Government Reforms and verbally requested consideration of a pause or deferral of the implementation of the Reforms and the introduction of the Complying Development Certificate provisions until such time that the Medium Density Housing Strategy Planning Proposal can be endorsed by Council. It is recommended that this request be followed up in writing.

IDENTIFICATION OF INDICATIVE BOUNDARY

A Planning Proposal must be prepared to incorporate provisions into Strathfield LEP 2012 that will facilitate additional and diverse housing, including dual occupancy development.

The preparation of a Planning Proposal will demonstrate Council's commitment to create capacity for additional and diverse housing through changes to local planning controls in lieu of the blanket controls proposed by the Low and Mid-Rise Housing Reform.

Council is committed to addressing the urgent need for increased housing capacity and diversity across the Strathfield LGA. However, there is a need to strive for balance between providing additional dwellings and the preservation of existing values such as local heritage, the local character of the LGA's residential suburbs, landscaping and tree canopy cover.

Key to this review is ensuring that any proposed changes to the draft dual occupancy provisions encourage housing diversity, while being sympathetic to the valued characteristics of those areas in the LGA that are distinctive and contribute to the identity of place.

These characteristics include:

- Preserving the character of places where there are large lot sizes, homes and backyards.
- Acknowledgement of how the dwelling presents within a streetscape.
- Landscaping of a site and how it contributes to the streetscape and character of the area.
- Minimising driveway crossovers.
- Retaining the existing tree canopy and vegetation, and minimising loss of the “green, leafy setting” that reflects Strathfield’s character.
- Ensuring that development controls respond to and deliver a positive contribution to streetscape.

Aim

The aim of this review is to:

- retain the diversity of large dwelling on large blocks within landscaped settings and protect existing tree canopy
- ensure that incompatible development does not occur to the rear of allotments (overlooking into rear yards),
- ensure the existing Heritage Conservation Area (HCAs) are retained and protected from incompatible development

Methodology

An initial review to determine a draft boundary that ensures the protection of the valued characteristics identified above has been undertaken. In doing so, the following methodology has been identified:

1. Desktop analysis - Identify and map streets within the LGA where large lots (>800m²) are a dominant feature (subdivision character).
2. Overlay Heritage item and Heritage Conservation Area mapping.
3. Random selection of sites identified in (1) to undertake further analysis to determine minimum frontage
4. Visual assessment to determine the quality of the existing housing stock, landscape character, tree canopy etc
5. Desktop analysis to confirm work undertaken in (4) above
6. Identify draft boundary based on 1-5 above – this area will be identified as a map in the SLEP 2012 (Dual Occupancy Application Map)
7. Calculate the number of properties within the draft area and the number of lots where dual occupancy would be permitted, based on a minimum lot size and minimum lot frontage. This would be calculated to ensure that the 50% target is achieved.

Figure 1 below identifies the lot size concentration (by sqm) across the Strathfield local government area(LGA). This indicates that the concentration of large lots is situated in the northern part of the LGA

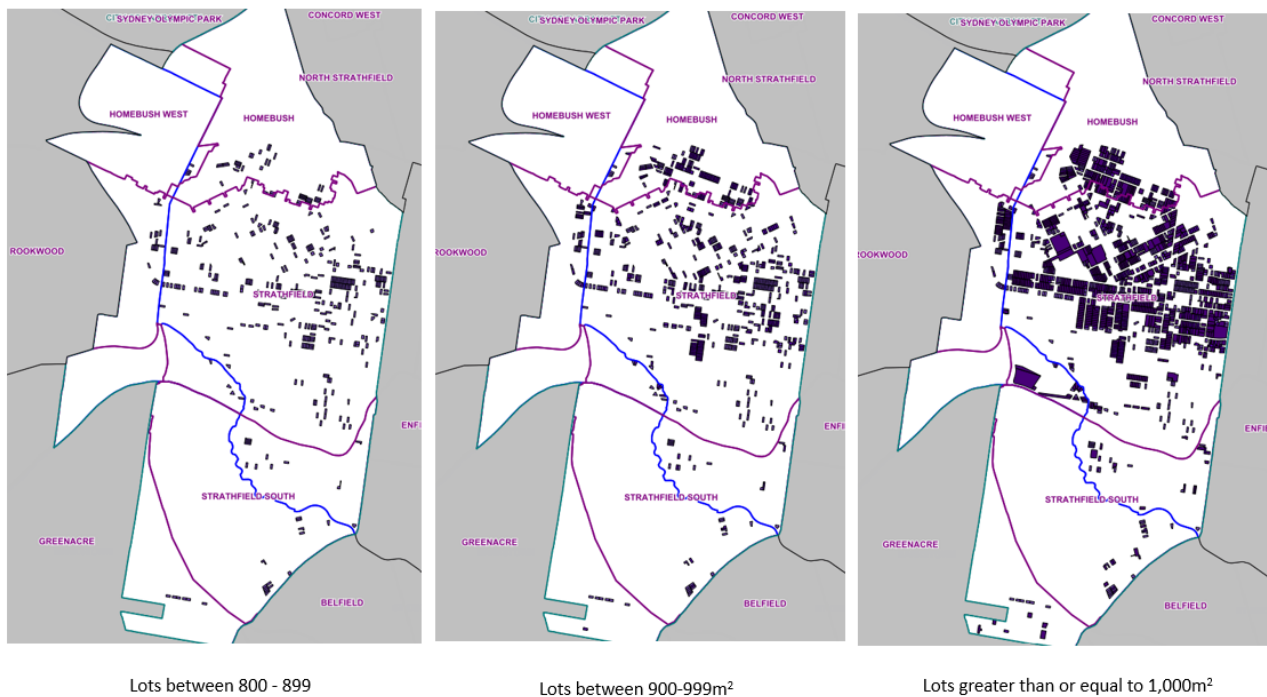


Figure 1: Lot size concentration >800m²

For the area where there is a concentration of large lots (referred to as the Large Lot Area), the heritage layers (Heritage items and HCAs) were then overlayed.

This analysis identified that there are a number of HCAs in the Large Lot Area, namely:

- Abbotsford Road HCA (C2)
- Churchill Avenue Conservation Area, Federation houses group (C10)
- Homebush Road Conservation Area (C11)
- Merley Road Conservation Area, Inter-war bungalow style group (C13)
- Vernon Street Conservation Area (C16)

There are also a number of Heritage items within this area. This analysis is helpful because it will assist in refining objectives and controls for developments adjacent to heritage items and will form part of the Development Control Plan which will be presented to Council in early 2025.

Figures 2 and 3 show the extent of HCAs and heritage items scattered amongst the large lots.

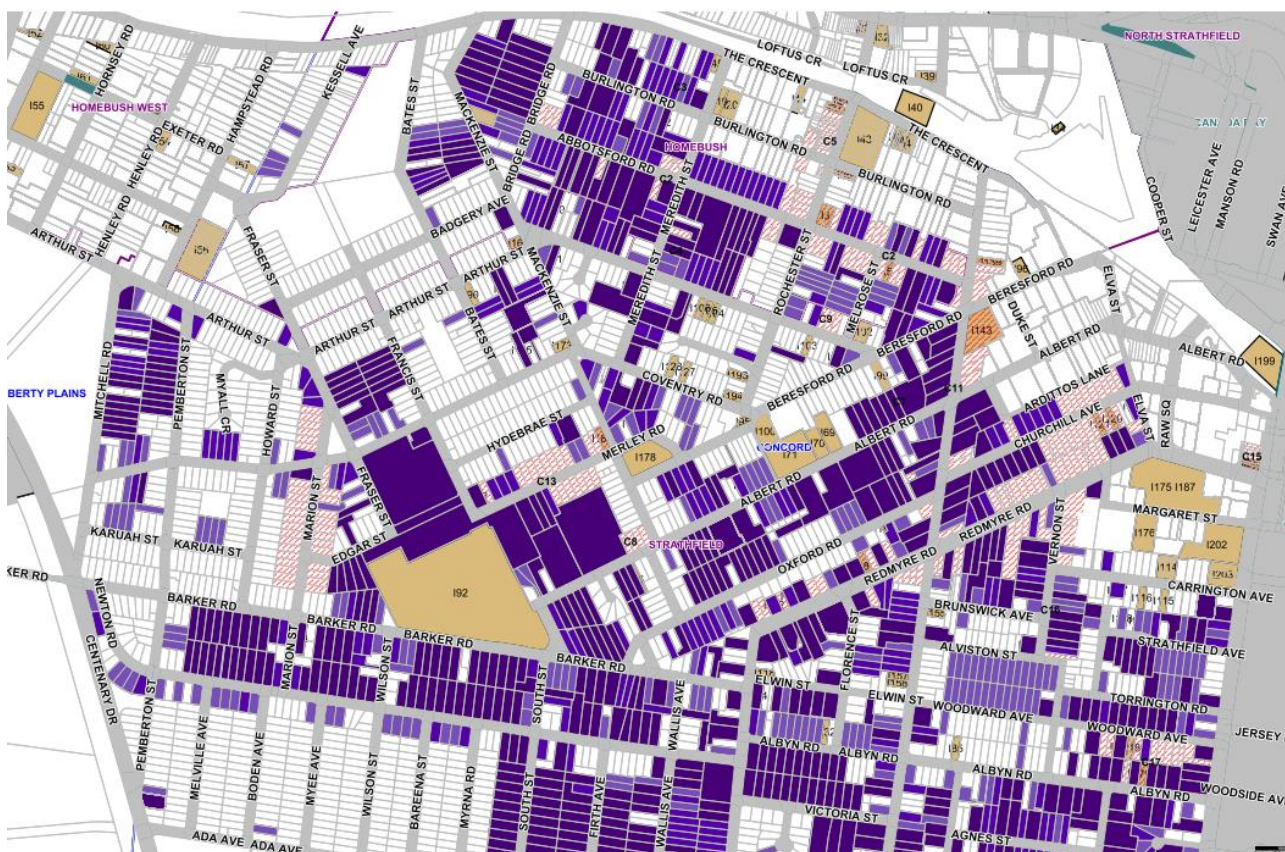


Figure 2: Heritage items and HCAs – northern part of LGA



Figure 3: Heritage items and HCAs – northern part of LGA

An analysis has also been undertaken to identify the variables in the lot frontages of sites within the Large Lot Area, with the following observations:

- generally, lots across the LGA have a minimum frontage width of 15m;
- there are concentrations of sites within the Large Lot Area that have a minimum frontage width of >18m;
- the larger minimum frontage, coupled with the larger lot size contributes to the “grand” setting of dwellings which are predominantly located in Barker Road, Newton Road, Albyn Road, Llandilo Avenue and in the pocket north of Broughton Road.

Those lots within the Large Lot Area that have a minimum lot width >18m are identified as purple in Figure 4 below:

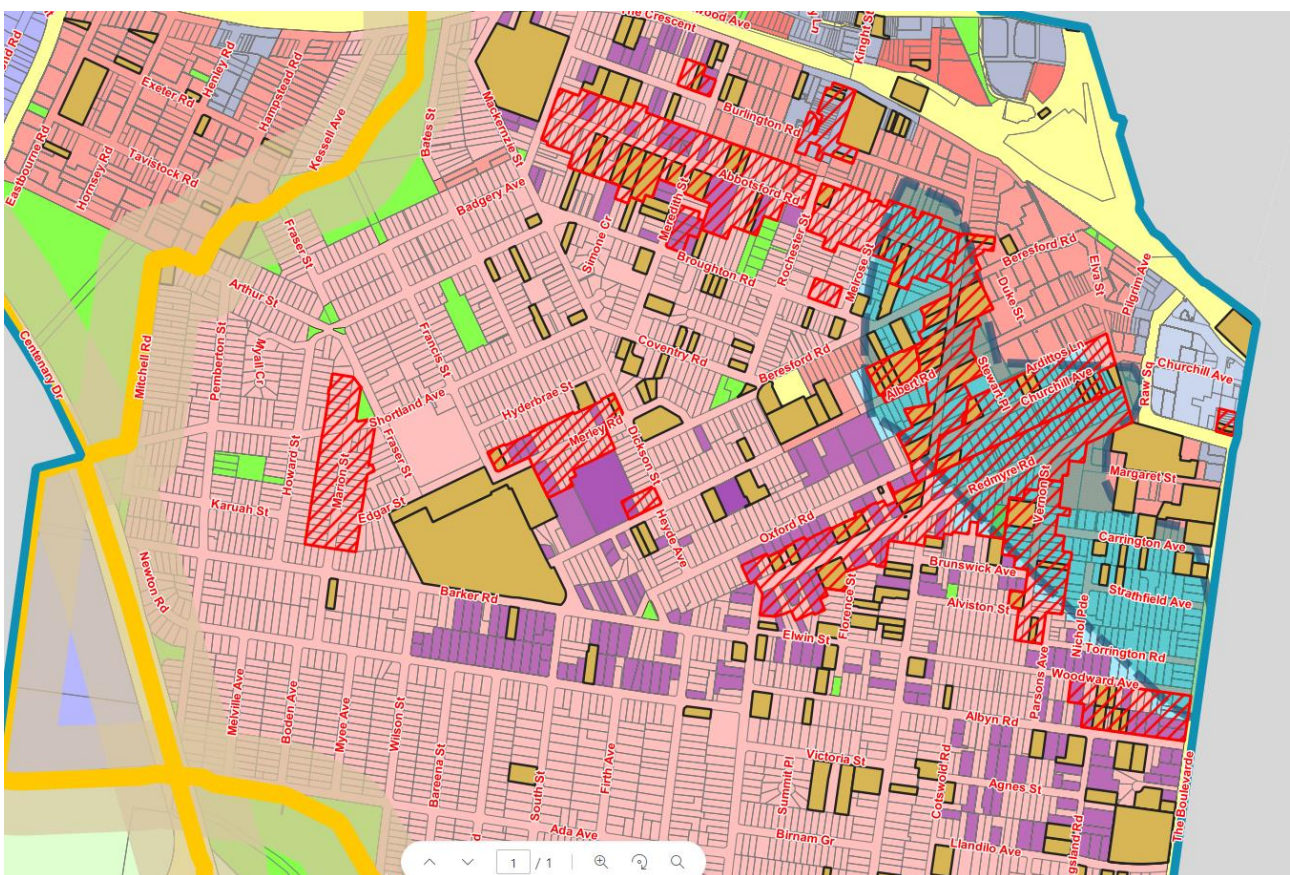


Figure 4: Identification of lots with >18m frontage in areas with concentration of blocks with >800m² minimum lot size

The area identified in blue within 800m of Strathfield Town Centre where dual occupancy will be mandated on lots with a minimum lot size of 450m² and a minimum site frontage of 12m. DPHI refers to areas such as this as a *local housing area*,

This may be subject to change as Council has been advised that the Department is currently reviewing the criteria for the *local housing areas*. Council has also advised the Department that work will be shortly commencing on the Strathfield Town Centre Masterplan. An update in this regard will be provided to Council in early 2025.

Identification of Indicative Boundary – Alternate Development Standards for Dual Occupancy

Based on the above analysis, Figure 5 below identifies an indicative boundary (outlined in black) for consideration of alternate development standards (minimum lot size and minimum frontage) for dual occupancy development.

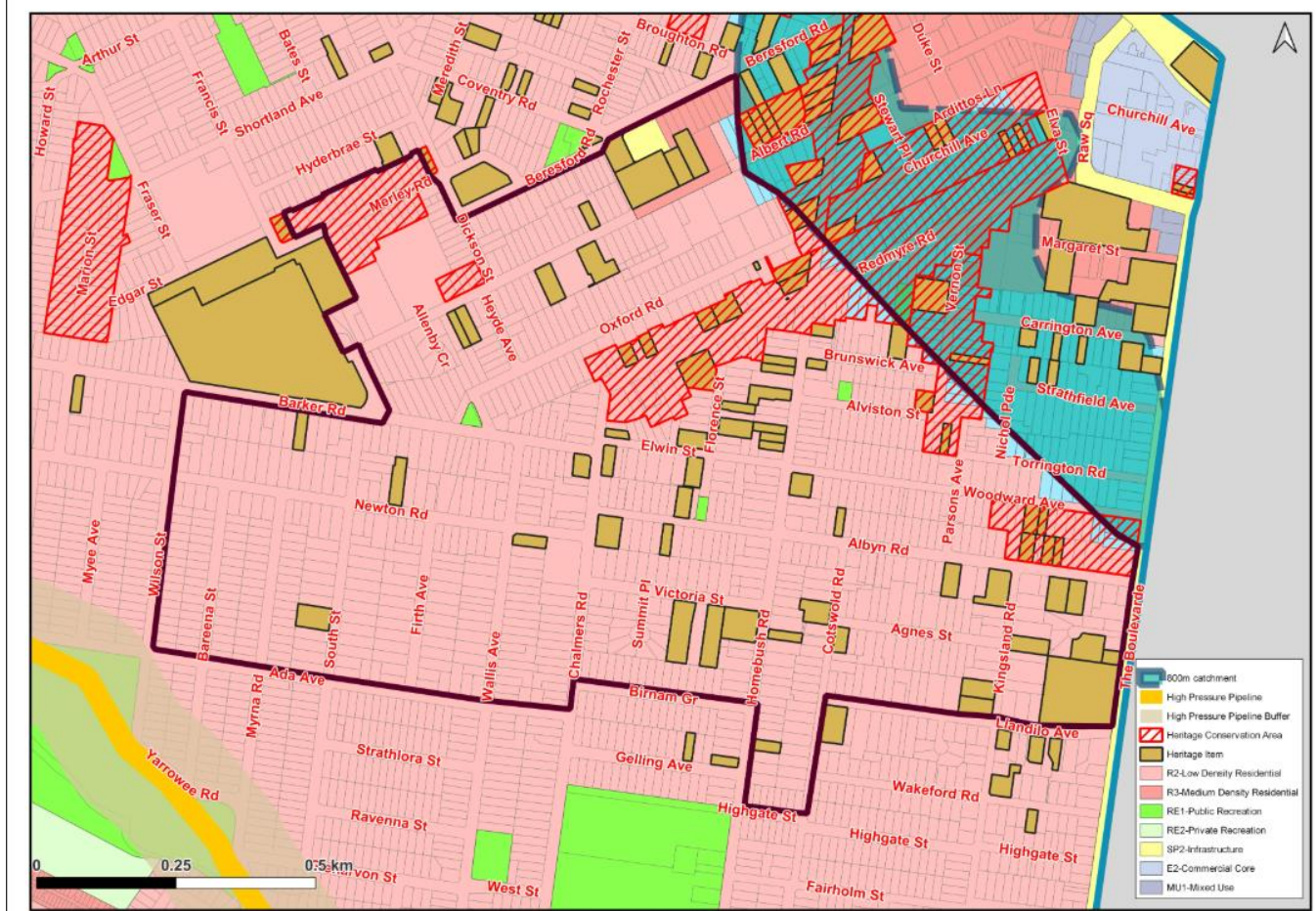


Figure 5: Indicative Boundary - Alternate development standards (minimum lot size and minimum frontage) for dual occupancy development

Should Council endorse this indicative boundary, further work will be undertaken in accordance with point 7 of the methodology to determine an appropriate minimum lot size and minimum site frontage. Initial analysis indicates that a minimum lot size of between 800m² – 900m² and a minimum site frontage of 18m will assist in protecting the large lot character of the area identified in Figure 5. A further review will also be undertaken with respect to corner sites and identifying an appropriate minimum lot size and frontage to ensure that dual occupancy development can occur without impacting on overall character and residential amenity.

The development standards (minimum lot size and minimum lot frontage) will be supported by clear objectives to ensure:

- housing diversity is encouraged without adversely affecting residential amenity,
- that lots for residential accommodation are of sufficient size to accommodate proposed dwellings, setbacks to adjoining residential land, private open space and landscaped areas, driveways and vehicle manoeuvring areas,

- that dual occupancies in Zone R2 Low Density Residential retain the general low-density scale and subdivision character of existing single dwelling development,
- development of dual occupancy is prohibited on battle-axe blocks

The report to the November 2024 Council meeting referred to the identification of a Unique Character Area. Following discussions with the Department, they have advised that they have no objections to the inclusion of differing minimum lot size and frontage requirements for dual occupancy developments but suggested that these should not be framed as “special” or “unique character” areas.

It is proposed to identify this area as a ‘Large Lot Area – Dual Occupancy’ for the purposes of the new Planning Proposal.

Other Proposed Amendments – Dual Occupancy Development

As part of this review, it is also proposed to review the development standards (minimum lot size and minimum frontage) for dual occupancy development for the remainder of the LGA to ensure that we are providing opportunities for dual occupancy development equally throughout the remainder of the LGA

This review may result in minor amendments to the minimum lot size, as proposed in the Planning Proposal endorsed by Council on 13 August 2024 (minimum lot size: 560m² and minimum frontage: 15m). This review will seek to align recommended controls with adjoining Council requirements and ensure that we are creating the capacity to meet our 50% target.

As part of the preparation of the objectives and controls for dual occupancy development in the DCP, it is also recommended that we prioritise the review of the mapping of properties within the HCAs (contributory, neutral and intrusive). This will assist in ensuring the retention and protection of those properties which contribute to the HCA.

NEXT STEPS

Should Council endorse the indicative boundary for the alternate development standards for dual occupancy, further work will be undertaken over December/January to develop draft objectives and controls, which will then form part of the new Planning Proposal.

The Direction from the Minister for Planning and Public Spaces, under s 9.1 of the Environmental Planning and Assessment Act 1979 specifies that Planning Proposals are to be referred to the Local Planning Panel (LPP) before it is forwarded for Gateway Determination. It is proposed that the new Planning Proposal be referred to the Strathfield Local Planning Panel in February 2025.

Depending on the timing of the LPP, a presentation on the proposed Planning Proposal will be made to a Councillor Workshop in February 2025. The aim of the briefing will be to provide the Councillors with an overview of the new Planning Proposal prior to reporting to Council. A report will then be presented to Council seeking endorsement of the new Planning Proposal for submission to the DPHI for a Gateway Determination.

CONCLUSION

Housing supply is a major issue as reinforced by the Commonwealth Government's National Housing Accord of building one million new well-located homes over 5 years from mid-2024 and the NSW Government's target of delivering 314,000 new homes by 2029 across NSW.

The Strathfield Medium Density Housing Strategy has been prepared to respond to the current housing crisis as well as the Low and Mid-Rise Housing proposal released by the DPHI and the unintended effects of the blanket 'one-size-fits-all' nature of the State Government reforms which will adversely impact the local character of the LGA's low density suburbs.

If a Planning Proposal to implement the medium density housing strategy is not progressed there will be unintended consequences as the blanket approach proposed by the State Government is likely to impact existing character such as local heritage, the local character of the LGA's residential suburbs, landscaping and tree canopy cover.

It is recommended that Council endorse the indicative boundary for alternate development standards for dual occupancy development as outlined in Figure 5 (Large Lot Area). This will mean Council staff can commence work on the new draft Planning Proposal and present it back to Council in early 2025.

FINANCIAL IMPLICATIONS

There are no financial implications.

ATTACHMENTS

There are no attachments for this report.