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Planning Services
Victorian Planning Authority

sent via email to: communications@vpa.vic.gov.au

Dear Project Team

RE: SMALL LOT HOUSING CODE STAGE 2 STANDARDS REVIEW – HUME CITY COUNCIL SUBMISSION

Council officers welcome the opportunity to provide comments on the proposed changes to the Small Lot Housing Code (SLHC) Stage 2 Standards Review.

Officers have generally supported the use and refinement of the SLHC since its introduction in 2011. In this time officers have gained considerable experience in the merits and challenges of SLHC housing product from the initial subdivision design and planning stages through to managing and servicing the community living within SLHC housing neighbourhoods.

As our early Precinct Structure Plans (PSPs) which utilised the SLHC have matured, we have witnessed concerning development trends emerge, particularly around the intersection of medium density housing and the SLHC. Included as an attachment to this submission is a case study of the Craigieburn R2 PSP to illustrate these issues.

It is in light of these trends that officers are concerned that the increasing uptake of the SLHC within growth areas will result in the unintended creation of lower quality and lower amenity housing and neighbourhoods. Unfortunately, we do not believe that the current SLHC review or the proposed changes to the SLHC standards are suitable to address these issues.

In this submission officers discuss the development and neighbourhood outcomes produced under the SLHC to highlight the need for a comprehensive review of the SLHC system.

We also highlight the challenges arising from the proposed changes to the SLHC and provide recommendations on how they might be addressed.

The challenges of the SLHC

Housing diversity

Officers support the aspirations of the Victorian Planning Authority (VPA) to explore ways to facilitate the delivery of medium density housing within the growth areas, which we understand is one of the objectives behind the introduction of SLHC Type C housing.

Ninety percent of housing in Hume is 3 bedroom or greater, reflecting the lack of such housing in previous eras of Melbourne's growth.

However, it is not considered that the SLHC is effective in achieving a diversity of medium density housing in PSP areas and is potentially making it harder for decision makers to achieve the mixed medium density housing aspired to by State and local policy.

In our experience, the subdivision response for PSP areas identified for medium density housing is to simply provide smaller lot sizes taking advantage of the SLHC. Whilst this might meet the PSP's density targets, the dominant housing typology on these lots remain relatively large detached and semi-detached houses with 3 or more bedrooms.

There is no evidence we have seen that demonstrates that the SLHC is creating the diversity of housing choice that are achieved in low rise strata developments or apartments in inner and middle metropolitan areas, which are needed in our growth areas.

Indeed, we suggest that the approval regime (i.e. no planning permit) of the SLHC incentivises the development of small lots over these other more diverse typologies which requires a detailed response and assessment to meet Clause 55 ResCode objectives.

As detailed in the Craigieburn R2 PSP case study, only 17% of the medium density housing target has been met and the housing typologies delivered in Craigieburn R2 are limited in their diversity:

- One apartment building (providing 43 dwellings);
- 20 standalone terrace/townhouse developments (225 dwellings, the majority of which provide three or more bedrooms); and
- Approximately 6,250 standard detached or semi detached houses.

Further, the majority of these terrace and townhouse developments in Craigieburn R2 have consisted of SLHC Type B housing that has in many cases created detrimental public realm outcomes (see further discussion below).

Based on this case study and others across our multiple PSPs, officers consider that the SLHC is not supporting the diverse housing outcomes sought either in quantum or mix as intended.

Impacts to streets and public realm amenity

In the growing spread of SLHC housing across Hume's growth areas, officers have witnessed an increasing number of developments that detract from the public realm, particularly for terrace and townhouse Type B housing.

Specifically, officers observe that SLHC housing is more likely to:

- Have limited or no street tree planting or nature strip landscaping.
- Create streetscapes dominated by garage doors and without passive surveillance of streets from ground level rooms.
- Have compromised safety and amenity for pedestrians with footpaths regularly interrupted by/shared with driveways and subject to reversing vehicles.
- Exacerbate urban heat and storm water runoff due to concentrated amounts of impervious hard paving for driveways.
- Not create safe, attractive streets contrary to walkability and 20-minute city principles.

It is considered particularly unacceptable that the SLHC is compromising objectives for canopy cover in the northern and western areas given these areas are already highly vulnerable to urban heat and the affects of climate change due to a lack of vegetation and tree cover¹.

Below is the example of a townhouse development at 158-162 Fairways Blvd Craigieburn allowed by the SLHC. Due to the extent of the development's driveways and underground infrastructure there is no capacity for street tree planting and minimal landscaping. The ground level frontage of these 8 homes is made up entirely of double car garage doors and front doors with no windows to habitable rooms making the public realm hostile to pedestrians.



The attached case study for Craigieburn R2 PSP (Appendix 1) further details the prevalence of these issues.

¹ DELWP Urban Vegetation, Urban Heat Islands and Heat Vulnerability Assessment in Melbourne 2018).

The need for a comprehensive SLHC review

Officers believe that the limited and potentially detrimental impacts on housing diversity, and the poor public realm and tree canopy outcomes outlined above are endemic to the current SLHC system and a comprehensive review of the SLHC is therefore required rather than this update.

Incentivising medium density through reduced planning process has some merit to support medium density housing. However, continuing a policy approach that is not delivering on this objective and impacting the achievement of other critical planning objectives does not make sense.

Officers strongly encourage the VPA to conduct a review into the intended and actual outcomes of the SLHC system and consider contemporary community needs, standards and expectations before progressing any changes to the SLHC.

Such an assessment should evaluate how the SLHC is achieving and contributing:

- To housing diversity and density targets in each of the growth areas, including how the SLHC effects the delivery of:
 - different housing typologies such as apartments; and
 - one and two bedroom dwellings.
- To requirements and objectives for the creation of healthy and sustainable neighbourhoods around contemporary standards of:
 - Livability.
 - Environmentally sustainable design.
 - Climate resilience.
- To long term housing affordability.

And, importantly, how it might be detrimentally impacting achieving these.

This evaluation should then inform a full review of the requirements in the SLHC.

The proposed SLHC changes

Officers are concerned that the proposed changes to the SLHC will further exacerbate the poor outcomes for housing diversity, public realm, liveability and sustainability raised above.

We believe that the comprehensive review requested above should occur before any of the proposed changes are advanced any further. Nonetheless we have sought to provide comments on the proposed changes and make recommendations to assist the VPA should you proceed with the project.

A summary of our comments against specific standards is included in Attachment 2, but these should be read in conjunction with the commentary below.

SLHC Type C housing impact on housing diversity

As outlined above, the impact of the SLHC on meeting housing diversity objectives is challenged by the streamlined approval process offered by the SLHC.

Specifically in relation to the introduction of Type C standards, officers are concerned that Type B and C housing will become the default form of medium density housing that is proposed by developers. This would compromise the achievement of alternative forms of medium or higher density development, such as apartments and low-rise strata developments, and continue to result in a lack of diversity.

To address this, officers recommend that a maximum provision rate of SLHC code product should be introduced in areas that are identified for medium or high density housing in PSPs. This would help to curb the prevalence of SLHC Type B and C housing in high-amenity areas, and incentivise other medium density housing typologies.

We recommend this maximum should be 20% but the comprehensive review should explore this further and take into account housing needs.

To realise improved housing diversity outcomes, officers recommend that if updates to the SLHC are progressed that it:

- Include guidance and standards to achieve a greater diversity of one and two bedroom dwellings and different housing typologies including apartments and integrated unit developments.
- Support a diversity of medium density typologies to be expressed as a ratio, such as no more than 20% of the medium density provision of a subdivision can be achieved through Type C housing, the remaining 80% should comprise apartment or different low-rise strata title development.

How to comply with these requirements should form part of SLHC guidance material the VPA are preparing.

Further, there needs to be a requirement at the permit stage of the parent subdivision of the intended use of SLHC to ensure density and diversity quotas are being achieved.

Type C housing impacts on streets and public realm amenity

Officers understand that Type C housing is intended to rely on “borrowed” amenity from the public realm, such as for open space, landscaping and daylight, and hence the reduced standards for these elements to be provided on site.

The reliance on the public realm to provide for private amenity and landscaping is not supported where development doesn’t positively give back to the amenity and role of the public realm.

Officers are concerned that Type C housing will exacerbate the already poor public realm outcomes created by current SLHC housing and will provide

insufficient space for street trees, poor passive surveillance and public realm outcomes as discussed above.

Additionally, Hume City Council's engineering standards do not accept individual lot frontages of less than 7.5 metres in width unless they are rear loaded dwellings. This is the minimum space required to allow for the provision of the cross over and on-street car parking required to be provided at Clause 52.06 of the Hume Planning Scheme.

The extent to which Type C housing other than rear loaded dwellings will be practicably achieved in Hume could therefore be highly limited.

To address these issues, new standards that require dwellings on narrow lots be rear loaded should be introduced into the SLHC.

It is recommended that updates to the SLHC provide requirements that:

- Subdivisions must nominate where Type C housing, or any SLHC housing with a frontage less than 7.5 metres, is proposed and show:
 - Vehicle access from a rear laneway.
 - Opportunities for tree planting at a rate of one tree per dwelling, for example by providing wider road widths with nature strips sufficient for tree planting.
 - Require Type C housing to have a minimum of one habitable room window with clear sightlines to the adjacent footpath.

Further, there needs to be a requirement at the permit stage of the parent subdivision of the intended use of SLHC to ensure the streetscape outcome will be appropriate.

Proposed car parking changes

Officers are concerned that the reduction of carparking provisions for Type A and B housing, and minimal carparking requirements for Type C housing do not appreciate the realities of car ownership needs within growth areas.

The prevalence of multigenerational families and large household sizes within Hume, like many growth areas, mean that multiple car households are the norm. Likewise, many of our growth areas are not well serviced by public transport.

Parking issues are regularly provided as feedback received during the consultations for Local Area Traffic Management studies across Hume and are a disproportionate and significant cause of frustration felt by the Hume community.

In principle, officers agree with the desire to encourage reduced car ownership, however the combination of reduced ability to provide on street parking due to the narrow frontages of SLHC housing and the proposed reduction in on-site car parking provisions will undoubtedly further exacerbate these local parking issues and conflict at a neighbourhood scale.

Ensuring that SLHC housing is appropriately located within growth areas will be crucial to manage its potential for neighbourhood scale traffic and congestion issues.

Traffic and car parking impacts of SLHC housing must be considered and assessed as part of the parent subdivision. Without considering these impacts at a neighbourhood scale it is likely that the surrounding road network and wider on-street parking provision will struggle to accommodate the parking needs of those within SLHC housing and the wider community.

In order to assess this in the parent subdivision officers will need to understand:

- The proposed on-site car parking provision in proposed SLHC housing;
- The type of access required for on-site car parking (ie. front driveway, rear garage, etc);
- The impact on road cross sections and on-street car parking adjoining the site and throughout the wider neighbourhood; and
- The culminative road, traffic, and car parking impacts of the proposed SLHC housing across the neighborhood.

It is recommended that any updates to the SLHC and the supporting guidance material:

- Set criteria for appropriate locations for SLHC, including:
 - To be within the walkable catchments identified in a PSP; and
 - To be no more than 400 metres actual walking distance from a bus capable road (not an “as the crow flies” radius).
- Require the application of the parent subdivision that will create SLHC lot to include assessments and details for the housing in order to allow officers to understand and assess its impact on the public realm and street network. This includes information regarding:
 - The proposed on-site car parking provision in proposed SLHC housing;
 - The type of access required for on-site car parking (ie. front driveway, rear garage, etc);
 - The impact on road cross sections and on-street car parking adjoining the site and throughout the wider neighbourhood; and
 - The culminative road, traffic, and car parking impacts of the proposed SLHC housing across the neighborhood.

Internal amenity and environmentally sustainable design

Officers are concerned that the proposed changes to the SLHC will create homes with poor internal amenity that will compromise the liveability and increase the running costs of new dwellings.

Proposed standards for Type C housing exempt compliance with their corresponding Building Standards if adjoining other proposed or established SLHC housing, including:

- Daylight to existing habitable room windows (section 22).
- Solar access to existing north-facing windows (section 23).
- Fences and daylight to windows in existing building (section 34).
- Fences and solar access to existing north facing habitable room windows (section 35); and
- Fences and overshadowing of secluded private open space (section 36).

Many of these standards also relate to environmentally sustainable development (ESD) principles, such as daylight and solar access. Exempting such basic considerations will undermine the sustainability principles that underpin many of the objectives in the PSP Guidelines and under the state-wide VC216 amendment, which seeks:

- to create healthy and sustainable neighbourhoods,
- to promote ESD and climate resilient outcomes.

Officers appreciate that the proposed Type C housing standards are intended to address housing affordability by reducing the approval process and standardising design standards. However, this intended benefit (if actually real) is limited to the initial purchase price.

It is considered that this is not sufficient benefit compared to securing environmentally sustainable and resilient housing which have much more enduring and significant benefit on affordability. .

It is strongly recommended that the VPA review and amend the Type C standards outlined above and introduce requirements to meet ESD standards.

The inclusion of Roof reflectivity standards (section 37) that sets reflectivity standards and discourages dark roofing is noted and supported by officers. This standard should also be introduced for Type A and B housing.

It is recommended that updates to the SLHC:

- Maintain standards for internal amenity (including SLHC sections 22, 23, 34, 35 and 36) for all SLHC housing.
- Require best practice sustainability standards by introducing requirements to meet ESD standards.
- Include locational criteria to facilitate dwellings to incorporate north facing open space and primary living room windows.
- Include roof reflectivity standards for Type A and B housing.

Other comments

The updated drafting of the Type A and B standards is considered to be clearer and more concise than the current SLHC drafting. This will allow more defined design outcomes to be achieved.

It is also recommended that Type A and B standards include the similar articulation of third storey massing and repetition of façade standards that is proposed for Type C housing. These standards apply equally to Type A and B housing proposed to a height of three storeys.

Next steps

Hume officers are concerned that many of the changes proposed to the SLHC will result in low quality, unsustainable medium density developments and that this typology will become the singular or predominant response to achieving medium density outcomes across Melbourne's growth areas.

It is crucial that objectives for sustainability, liveability and quality amenity and public realm experience be the founding principles for new housing. This should not be compromised through exemptions to approval processes that would otherwise enable and ensure meaningful assessment of these outcomes.

This is all the more pressing into the future as digital innovations continue to be explored in the Victorian planning system. Through projects such as the Digital Twin Victoria, we will likely see SLHC and other assessments becoming increasingly digitised.

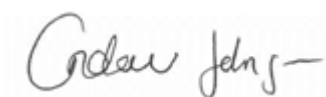
In our view any changes to the SLHC cannot be supported without significantly more work. The starting point of this work should be a holistic review into the efficacy of the SLHC system.

If the proposed changes to the SLHC are to be pursued, they should not be introduced without the accompanying guidance material to support their delivery.

Officers would be happy to work in collaboration with VPA to ensure that the aspirations outlined in this letter are understood and ultimately achieved.

Should you wish to discuss this letter please contact David Hajzler on 9205 2489 or via email at davidha@hume.vic.gov.au.

Yours faithfully



ANDREW JOHNSON
MANAGER STRATEGIC PLANNING

Attachment 1: Case Study: Craigieburn R2 PSP medium density typologies and SLHC developments

Attachment 2: Specific SLHC standards summary

Attachment 1: Case Study: Craigieburn R2 PSP medium density typologies and SLHC developments

PSP Future Urban Structure

Medium density housing in hatched lines around schools, open space, activity centres

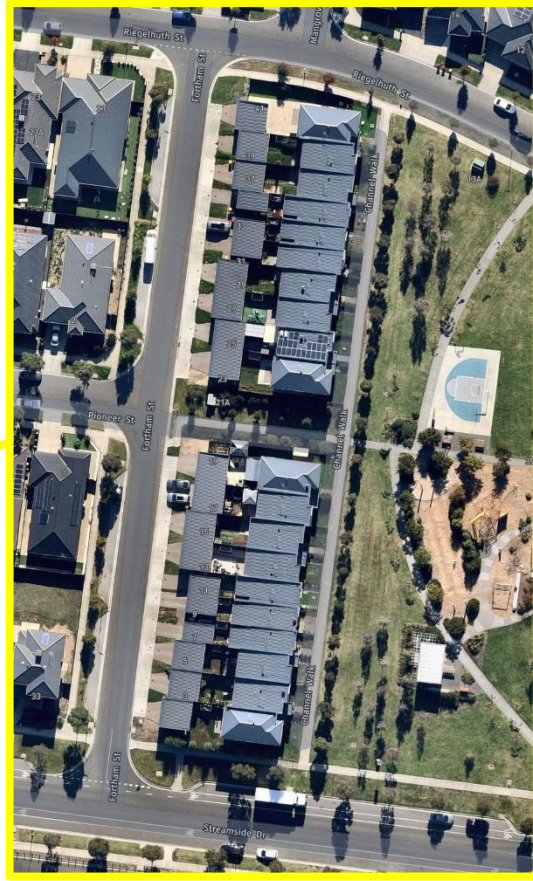


Developed PSP May 2022

Medium density developments in red (excluding detached or semi-detached dwellings)



Typology	Number of developments	Total dwellings in July 2022	Proportion of housing stock in R2	R2 PSP dwelling target	Dwellings delivered of PSP target
Apartment Building	1	43 dwellings	1%	62 high density dwellings	69% target of high density target as apartments
Terrace / townhouse	20	225 dwellings	3%	1,352 medium density dwellings	17% target of medium density target as terrace / townhouse
Detached / semi-detached houses		6,250 dwellings (approx.)	96%	3,862 conventional density dwellings	162% target as detached / semi detached
TOTAL		6,518		5,276	



REAR-LOADED MEDIUM DENSITY TERRACES/TOWNHOUSES

1-41 Fortnam Street, Craigieburn

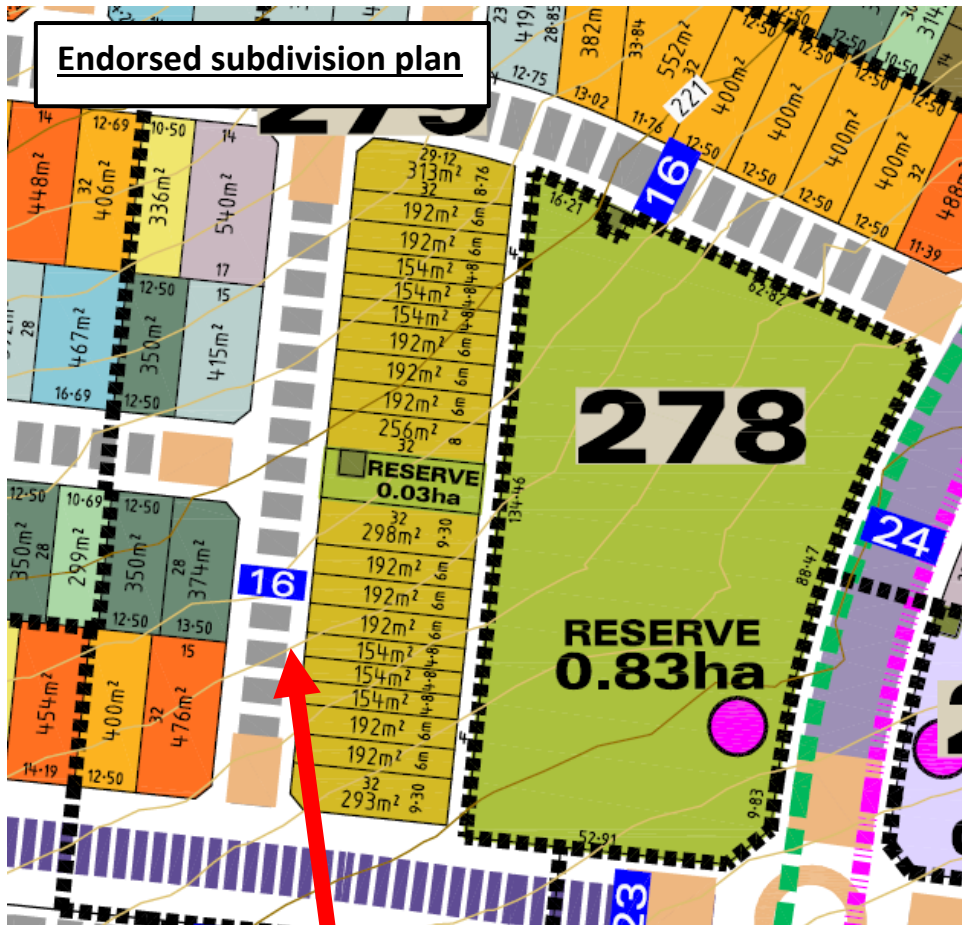
Average lot size: 194m² – (largest 298m², smallest 153m²)

Average frontage: 6m² – (largest 9.3m, smallest 4.8m)

Poor public realm and amenity on rear street characterised by:

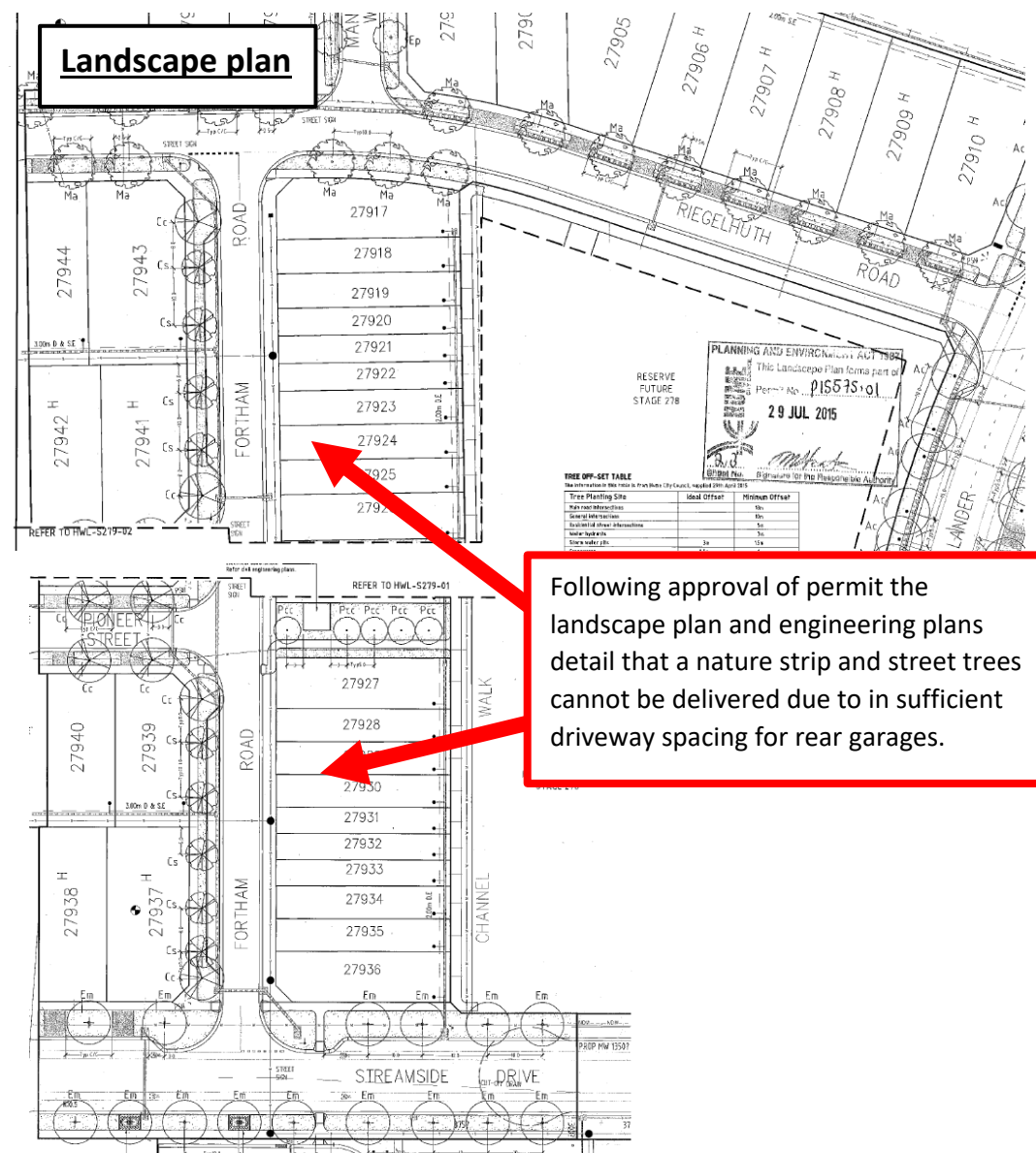
- Large amounts of concrete and hard surfaces for driveways
 - Little opportunity for street tree planting or landscaping
 - Exacerbates urban heat island
 - Increased stormwater runoff
- Cars parked on nature strip
- Dead frontages due to wall of rear garages
 - Lack of passive surveillance
 - Pedestrian safety concerns



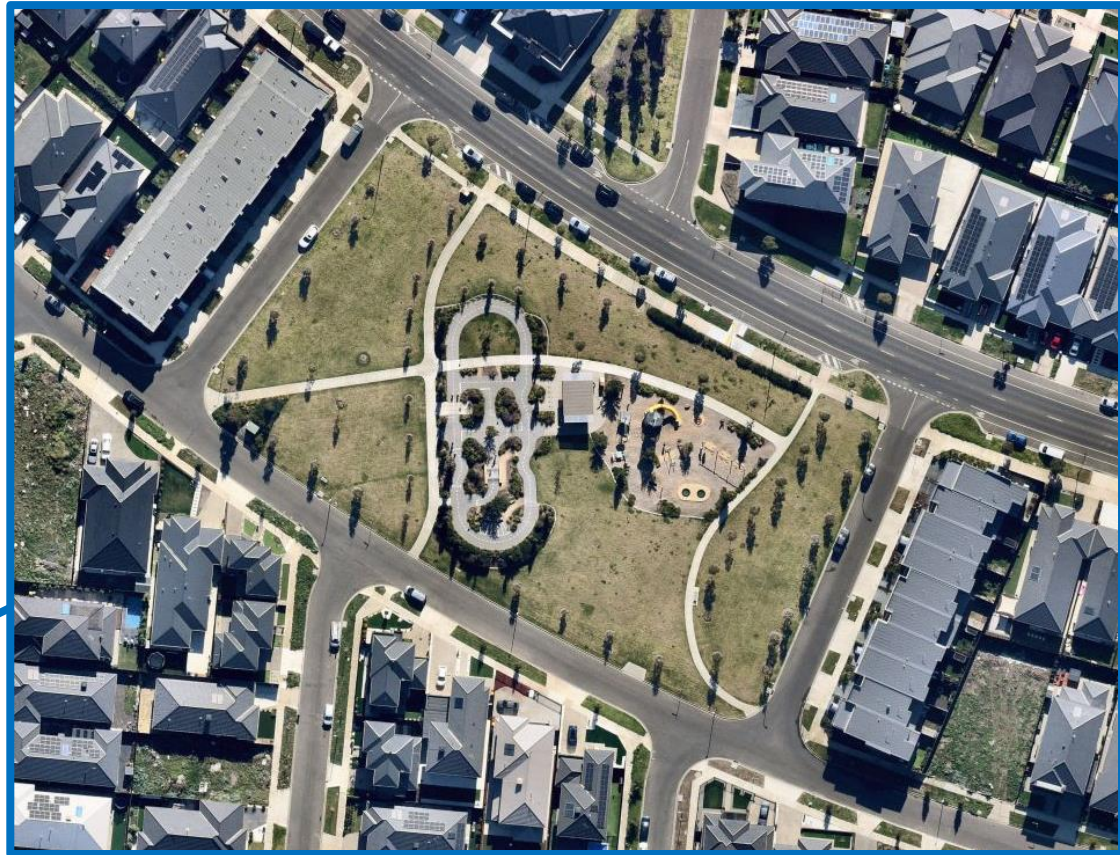


Lack of detail in planning permit subdivision plans. 16m access level 1 street proposed that would normally accommodate car parking and two 2.85m wide nature strips suitable for medium to large canopy trees.

16m Access Street Level 1 required for access and waste services to properties to the west, demonstrating the need for neighbourhood scale assessments of the impacts of SLHC.



FRONT GARAGE MEDIUM DENSITY TERRACES/TOWNHOUSES



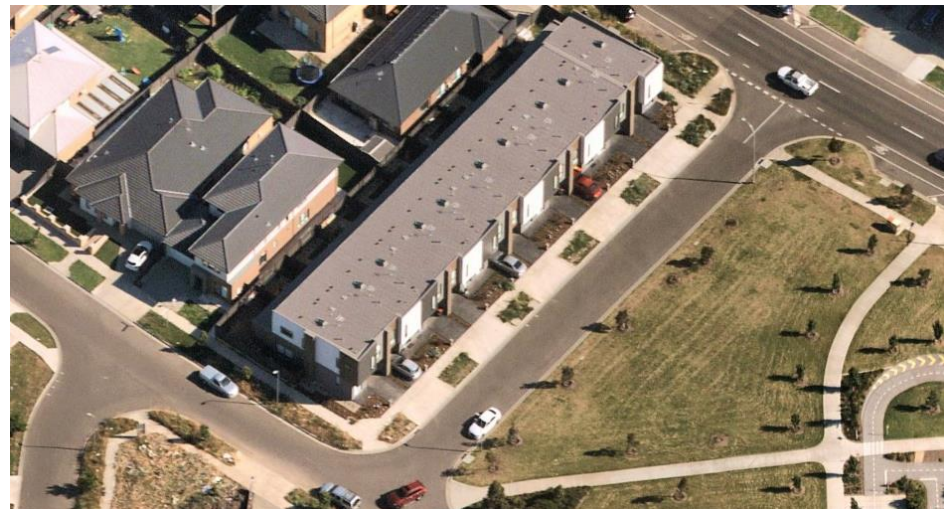
1-19 Century Way and 2-20 Abbington Street, Craigieburn

Average lot size: 147m² – (largest 184m², smallest 138m²)

Average frontage: 6.45m – (largest 8.9m, smallest 6m)

Poor public realm and amenity on front street characterised by:

- Large amounts of concrete and hard surfaces for driveways
 - Little opportunity for street tree planting or landscaping
 - Exacerbates urban heat island
 - Increased stormwater runoff
- poor frontages due to walls of garage doors and front doors



Endorsed subdivision plan

Lack of detail in planning permit subdivision plans. 14m access level street. Cross section reduced to 14m typical where adjacent to open space

Stage 32
PASSIVE OPEN SPACE
0.80ha

Stage 29

Lack of detail in planning permit subdivision plans. 14m access level 1 street. Cross section reduced to 14m typical where adjacent to open space.

Landscape plan

• 3M FROM CROSSOVER
• 2M FROM SERVICE CROSSINGS
• 2M FROM A PIT
• 4M FROM STREET LIGHTS

BE CONFIRMED ON SITE
TION AND INSTALLATION.

PROPOSED ACACIA IMPLEXA
(LIGHTWOOD)
➤ REFER TO PLANT SCHEDULE L1
& DETAIL 1 - L5

ABBINGTON STREET

2976
2975
2974
2973
2972
2971
2970
2969
2968
2967

AVENUE

PROPOSED PYRUS CALLERYANA
'CHANTICLEER' (ORNAMENTAL PEAR)
➤ REFER TO PLANT SCHEDULE L1 &
DETAIL 1 - L5

MATCHLINE ➤ REFER TO DRAWING ON LEFT

EXTENT OF WORKS

SERVICE LOCATION
➤ TO BE CONFIRMED ON SITE

Landscape plan anticipated street trees to be planted on at medium density frontage.

After the development was completed, it was found to be insufficient space for street trees due to limited nature strip space and the presence of utilities.

Landscape plan anticipated street trees to be planted on at medium density frontage.

After the development was completed, it was found to be insufficient space for street trees due to limited nature strip space and the presence of utilities.



Attachment 2: Specific SLHC standards summary

SLHC Standard	Summary of comment
Type A and B Standards	
2a – inclusion of sidelight window or viewing panel	Whilst the aspiration to improve the streetscape and activation through this requirement is noted –it is not considered that this can meaningfully be addressed through sidelight windows or viewing panels.
6.1 – reduction of minimum car parking requirements	The removal of minimum car parking requirements for Type A and B housing is not support. See main body of the submission for further discussion.
6.2 – rear access requirement	Council engineering standards require rear access to a property if the lot is less than 7.5 metres rather than the 6
9.1 - Daylight to existing habitable room windows	Exempting SLHC from ensuring daylight to any SLHC habitable room windows is contrary to liveability and sustainability objectives – this exemption should be removed.
10.1 - Solar access to existing north-facing windows	As above – this exemption should be removed.
20.1 - Fences and daylight to windows in existing building	As above – this exemption should be removed.
21.1 - Fences and solar access to existing north facing habitable room windows	As above – this exemption should be removed.
22.1 - Fences and overshadowing of secluded private open space	As above – this exemption should be removed.
Roof reflectivity	Requirements for roof reflectivity as proposed for Type C housing should be included for Type A and B housing.
Articulation massing and materials	Requirements around massing and façade articulation through materials that was proposed for Type C housing (standards 11 and 12) should also be made a requirement for Type A and B housing.
Type C Standards	
5.1 – Type C2 Setbacks	It is unclear how the Type C2 setbacks can be applied. They rely on 1.5 metre landscape buffers within open space and provide a 0.5 m landscape strip, this could create conflict between council and landowners over maintenance requirements. If this landscape buffer is to be provided it must be part of the residential lot.
10.2 – inclusion of sidelight window or viewing panel	Again it is understood that the inclusion of at least one window is attempting to address concerns of passive surveillance and activation, it is not considered that this can be meaningfully done with sidelight windows or viewing panels in doors. These should be removed from the requirement.

15.1 – car parking	This requirement should be revised for clarity. It reads that if a dwelling is rear-loaded it does not need to provide a car park on site – it should be updated to clarify that a rear-loaded product will still provide a car park, but obviously in the rear garage.
22.1 - Daylight to existing habitable room windows	Exempting SLHC from ensuring daylight to any SLHC habitable room windows is contrary to liveability and sustainability objectives – this exemption should be removed.
23.1 - Solar access to existing north-facing windows	As above – this exemption should be removed.
34.1 - Fences and daylight to windows in existing building	As above – this exemption should be removed.
35.1 - Fences and solar access to existing north facing habitable room windows	As above – this exemption should be removed.
36.1 - Fences and overshadowing of secluded private open space	As above – this exemption should be removed.
26.1 – garage storage	Requirement should be amended to specify that if 2.5 cubic metres of storage is nominated to be provided in the garage – that this must be provided outside of car parking space.
27.1	Requirement should be amended to specify that if the bin storage is nominated to be provided in the garage – that this must be provided outside of car parking space.
37.1 – roof reflectivity	Support the inclusion of light reflectivity values of greater than 50% as a means to address urban heat. Increasing the maximum value to greater than 50% is also encouraged.
New Standards for all SLHC Type A, B and C housing	
Lot widths	Standards should be introduced to specify that properties providing lot of less than 7.5 metres in width must be rear loaded.