

Small Lot Housing Code

Stage 2 - Standards Review (SLHC2)

lendlease

Joint submission in partnership with:



Victorian Planning Authority
Level 25, 35 Collins Street
MELBOURNE VIC 3000
via email communications@vpa.vic.gov.au



ATTN: Mr. Morris Edwards

**SMALL LOT HOUSING CODE - STAGE 2 STANDARDS REVIEW
SUBMISSION**

We write in regard to the Small Lot Housing Code Stage 2 (SLHC2) Standards Review currently being advertised for public comment, to conclude on the 22 August 2022. The following submission has been prepared and coordinated by Lendlease Communities in collaboration with the following Builder Partners:

- ABN Group
- Burbank (Burbank Urban)
- Metricon
- Porter Davis Homes
- SOHO Living

We note our general support for the intent of the SLHC2 Review, being to further evolve and refine the provisions applicable to Type A and B typology in addition to the introduction of provisions for a Type C lot typology. From our collective review however, we have identified a number of key areas and provisions which we consider require further review and consideration.

In this regard there are a number of modifications suggested to the Type A and B Standards which comprise a refinement of provisions which have been subject to interpretation issues from the previous code, additional consideration of provisions to enable greater product diversity and minor clarifications. The Type C provisions however, we consider need further detailed review and refinement to ensure a lot typology which is suitable for the growth area market and encourages, rather than discourages innovation in design.

For ease of reference, we have structured this submission into three main parts being:

- Part 1 - Commentary on key changes and more broader strategic concerns,
- Part 2 - Detailed analysis and commentary on specific provisions, and
- Part 3 - A schedule of items for suggested minor amendment.

Whilst this submission does not specifically address the impending NCC changes, we note our concern that current provisions may lack consistency in future development outcomes to be applied under NCC.

We trust this submission provides valuable feedback to support your review and we would welcome any further opportunity to discuss this submission or any specific items with the VPA in further detail to facilitate finalisation of the SLHC2.

Should you have any queries or require any clarification, please do not hesitate to contact the undersigned.

Regards,

A handwritten signature in black ink, appearing to read "Anne Jolic".

ANNE JOLIC
Head of Victoria, Communities

A handwritten signature in black ink, appearing to read "Anthony Lillis".

ANTHONY LILLIS
National Housing Product Manager

Builder Partners

A handwritten signature in black ink, appearing to read "Oscar Stanley".

Oscar Stanley
General Manager Development
ABN Group Victoria

A handwritten signature in black ink, appearing to read "David Taranto".

David Taranto
Senior Development Manager
ABN Group Victoria

A handwritten signature in black ink, appearing to read "Tom Trevaskis".

Tom Trevaskis
CEO Property
Burbank

A handwritten signature in black ink, appearing to read "James Maniatakis".

James Maniatakis
BU Design Manager
Burbank Urban

A handwritten signature in black ink, appearing to read "Gian Barbieri".

Gian Barbieri
General Manager
Metricon Homes

A handwritten signature in black ink, appearing to read "David Richardson".

David Richardson
Planning and Design Manager
TownLiving by Metricon

A handwritten signature in black ink, appearing to read "Sebastian Catalfamo".

Sebastian Catalfamo
General Manager - Design, Development
and Projects Porter Davis

A handwritten signature in black ink, appearing to read "Sam Murphy".

Sam Murphy
Head of Development
Porter Davis

A handwritten signature in blue ink, appearing to read "Nathan Jenkinson".

Nathan Jenkinson
Director
SOHO Living

A handwritten signature in black ink, appearing to read "John Alexander".

John Alexander
Design Manager
SOHO Living

PART 1

Strategic Matters

The following provides commentary on changes to key provisions which are captured in SLHC2, as well as highlights strategic concerns which we suggest the VPA should provide further consideration to as part of finalisation.

Type A and B Lot Typology Provisions

We note and support the following changes proposed in relation to key provisions for Type A and Type B typologies, being:

- Removal of the maximum setback (Standard 1.1) which has been unnecessarily restrictive in the current version of SLHC.
- The review of parking provisions (Standard 6.1), the reduction of which we consider will provide flexibility to enable product development by builders, delivering greater diversity of product in market for a wider variety of household types. We note this flexibility also supports the transition away from sole private vehicle reliance to multi-modal transport options in appropriate locations.
- Removal of balcony width restriction of 80% (Standard 2.5 b.iv.), of which has previously limited design approaches to facades and balcony inclusions, restricting activation opportunities to the streetscape.
- General clarification of definitions (refer to Part 3 of this submission for further detailed commentary).

Given the opportunity to review provisions, we have identified an additional four key areas being minimum street setback, articulation, side and rear setbacks and wall on boundary provisions which we suggest should be subject to further consideration. Part 2 of this submission provides a more detailed analysis on these specific provisions.

Type C Lot Typology Provisions

The Type C Lot Typology has been widely anticipated by the development industry for inclusion in SLHC in order to facilitate the delivery of a 'micro' lot product and we support the VPA's efforts to standardise the typology.

In reviewing the provisions, a number of key concerns have however been highlighted which we consider are fundamental to the success of the Type C typology. As the provisions currently stand, we suggest that compliant product is

unlikely to be commercially viable and therefore we will see limited delivery to market.

Whilst two storey product is not precluded under Type C, the provisions appear to be heavily focused on the delivery of three storey product. We note that while three storey micro lot pilot projects have been successful in middle ring/ established areas such as Lightsview (SA) or ENVI Micro Urban Village (QLD), three storey product in Victorian growth areas is still limited in its commercial viability due to raft of construction limitations and costs. Therefore, two storey micro lot product similar to that piloted in Aurora – Yoyo (VIC), Ellenbrook (WA) and Fitzgibbon Chase (QLD) projects, is likely to be a more commercially viable 'first step' on a path to developing a viable three storey micro lot product.

In this regard, we note the provisions for Type C for two storey dwelling are generally more onerous than those stipulated under Type B, specifically around items such as:

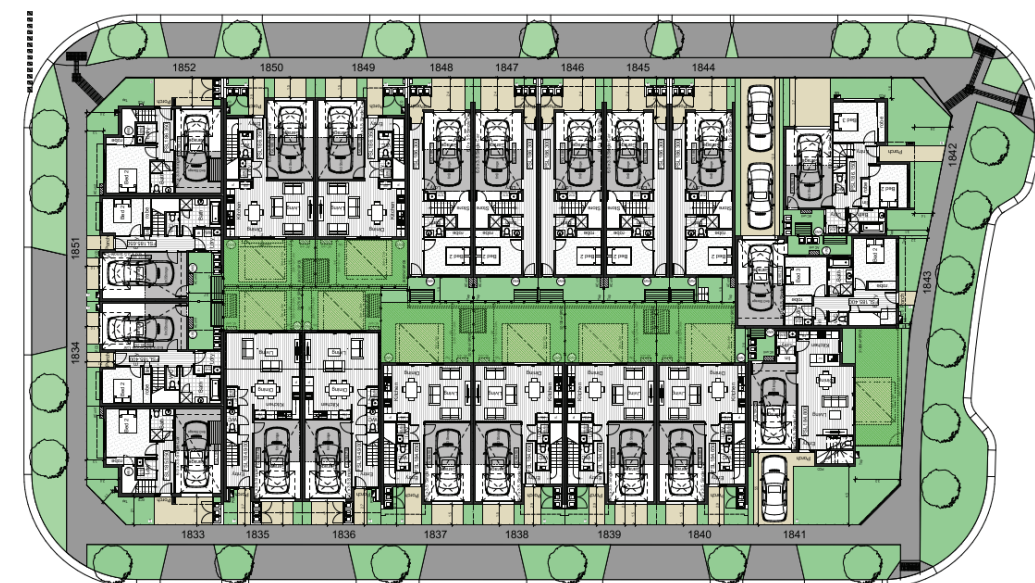
- Front setbacks - 2.5m under Type C vs. 1.5m under Type B,
- Rear setbacks for front accessed lots - 4m under Type C vs. circa 2m under Type B, and
- Side setback profiles - 1.5m under Type C for a corner vs. 1m under Type B.



Now Living - Ellenbrook Micro Lots



YOYO by Rivergum at Aurora



YOYO at Aurora - Built Form Layout

PART 1

Strategic Matters

The Type C provisions are also considered to heavily favor rear accessed lot typologies, with lots accessed via a street frontage imposed with building envelopes which are not sufficient for viable design outcomes. If we consider a 80m² micro lot typology, applying 'standard' medium density frontages ranging from 6m through to 8m (noting some Council's will seek a minimum frontage of 7- 7.5m for front accessed dwellings), the setback requirements as identified in Figure 1 will preclude the delivery of front loaded product from two key perspectives - the buildability of the remaining ground floor envelope and the inability for the envelope to deliver a depth to the garage in accordance with the proposed Standard 15.4 provisions.

When considering a 100m² micro lot typology, there is the ability to deliver a front loaded dwelling, however as can be seen in Figure 2 and 3 which provide a comparison between Type C and Type B provisions, Type C provisions are more onerous with less ground floor area available.

Figure 2 also highlights that for Type C product the wider the frontage, the greater the impact to the buildability of the lot. This is considered counter intuitive to the design principle of reducing garage dominance through wider frontages, which is a key growth area concern with SLHC product and inherently directs design outcomes to pursue narrower lot widths in order to minimise setback impacts and improve the buildability of the lot.

Given the setback provisions alone, it is unlikely the industry will seek to deliver product under Type C and instead continue to apply Type B provisions, noting that even for three storey product Type B would provide greater flexibility.

Other provisions of concern which we suggest require further consideration are listed below.

Standard 10.3 - Articulation – Entrance to the dwelling

Garage design of current rear loaded product in market, allows for access to the dwelling via a door internally from the garage. Similarly, the design of the garage allows for waste bins to be stored and accessed via the garage door to the laneway. By including an additional door to the laneway as a requirement, the design outcome is heavily prescribing lot widths which are inefficient in terms of their land component. As detailed in further discussion below, provisions need to be cognisant that the laneway is a servicing environment only and the desire to manage garage dominance to this façade is considered excessive given the impacts to efficiency and design it imposes.

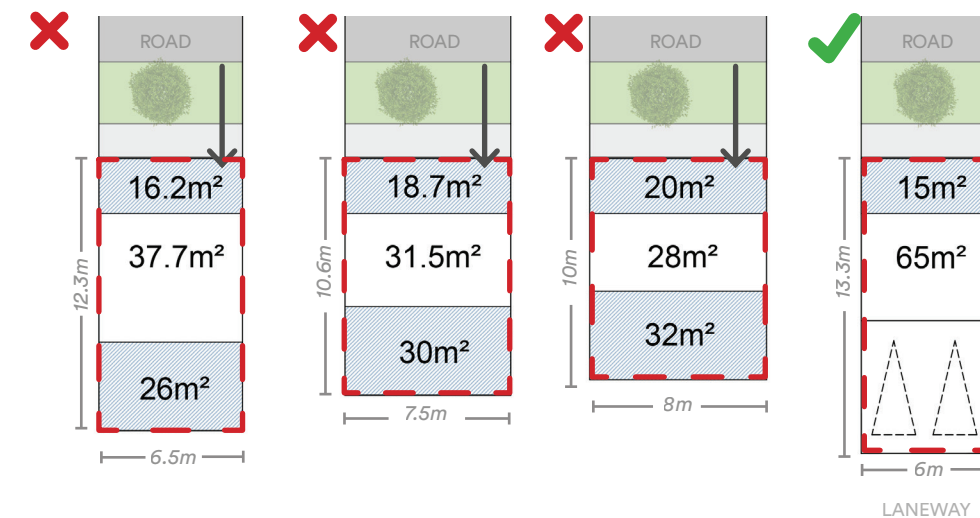


Figure 1 - Type C Setbacks vs. Buildable Footprint 80m² Lot.
Front loaded typologies precluded by setbacks and buildable envelope.

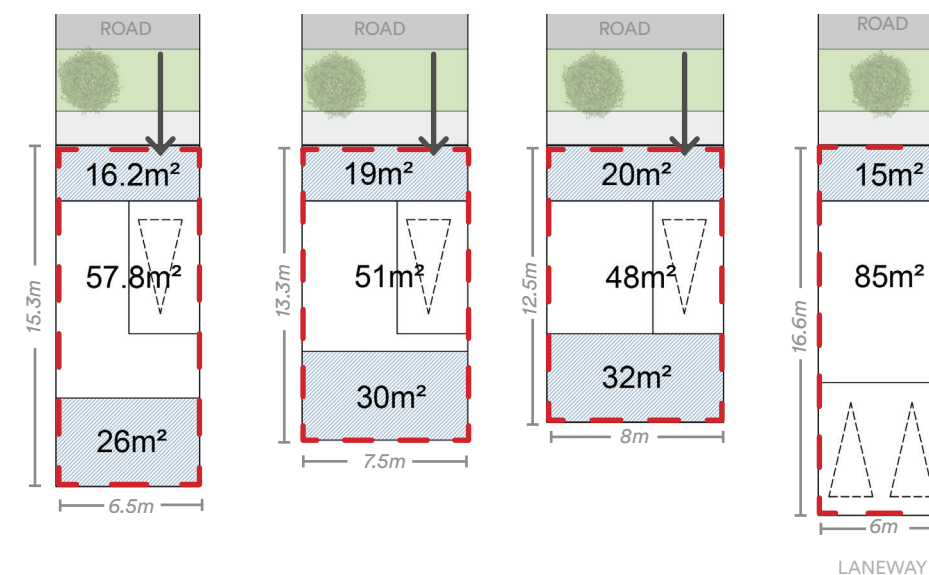


Figure 2 - Type C Setbacks vs. Buildable Footprint 100m² Lot.
Ground floor footprint less than Type B opportunity.

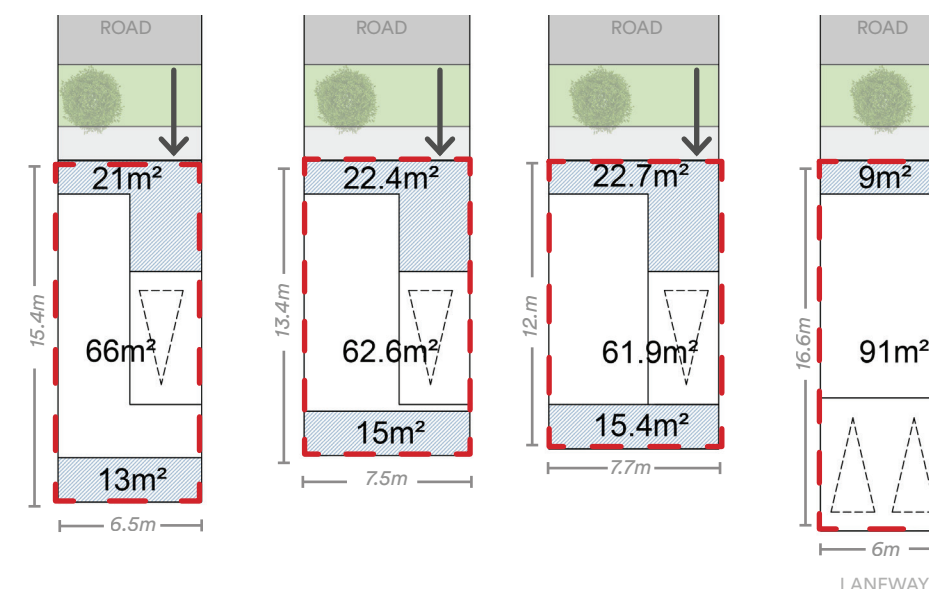


Figure 3 - Type B Setbacks vs. Buildable Footprint 100m² Lot

PART 1

Strategic Matters

Standard 11 – Articulation - Massing

Currently the Type B provisions (Standard 2.2 Table 2) requires ‘no less than 25% of the area of the front façade of a building must be setback at least an additional 300mm’. Type C however requires for two storey dwellings ‘between 25% and 75% of its area recessed by an additional 600mm’. As with the provisions detailed above, the Type C provisions are again more onerous than the current Type B provisions.

We also generally note that a micro lot dwelling typology, which locationally should be positioned in more urban/ higher amenity areas, should be allowed greater flexibility to present a more urbanised form.

Standard 20 – Deep Soil Zone

We note the intent of Standard 20 to assist with streetscape amenity, screening and urban heat island benefits, does not adequately consider the urban dwelling typology. Items to note with both the deep soil zone specifically, however also the intent of front setbacks and the resulting landscape areas as identified through Figure 5 in the Practice Note:

- There are additional construction costs to the inclusion of a deep soil zone within the front setback of a dwelling, both in the construction of deep root zone as well as the piercing requirements for a dwelling to avoid slab heave.
- There will need to be more thorough understanding of what species and how effective a canopy tree within the lot can be accommodate within a 1.5m area – as discussed in following sections of this submission this is similar to the experience of tree planting in laneways currently occurring in growth areas.
- The Type C2 diagram under Figure 5 of the Practice Note entertains a non-standard cross section and Councils would need to be encouraged to consider these variations and take on maintenance of these areas, given in practice MD owner occupiers will not maintain additional verge.

The above highlights the inherent need to consider both the surrounding road network and the lot to understand holistically how this typology is delivered.

The only benefit identified in which the Type C provisions present over Type B is the reduction of the garage setback to 2.5m (Std 9.1a). Whilst this flexibility is supported, we suggest its overly prescriptive and appears to seek to restrict a tandem car space to the front of the garage which could assist in providing visitor parking in the streetscape or be provided as a secondary parking area on lot. As detailed in further discussion below we

consider this limitation should be reviewed in light of likely EDCM/ Council requirements which will be applied to the surrounding street network.

In regard to three storey dwellings, the additional setback and articulation provisions to the upper floor again disregard the construction methodology and efficiencies in which need to be considered in growth areas to ensure a commercially viable and affordable product option. As such, the Type C provisions appear to more appropriately reflect design guidance for middle ring town home development. The controls applied to three storey form will not encourage builders to innovate beyond Type B as was originally envisaged for Type C. Type B two storey development will remain more enticing and commercially viable approach to be taken by most builders.

Whilst we acknowledge the key principles in which the provisions are trying to achieve (minimising garage dominance, greater variety in form, articulation and reduce massing) the approaches to these controls are not considered to be cognisant of the market nor the construction methodology applicable to growth area MD product. We therefore suggest more relaxed controls should apply to Type C which are not guided by predetermined lot and dwelling forms, to allow the industry to innovate and design to reflect efficient land, servicing, and construction costs. We would welcome the opportunity to work with the VPA more collaboratively on refining the provisions to ensure a suitable framework is applied.



1m Front Setback with roofed balcony projection and double garage



Urban interface with urban street cross section



1m Front Setback with roofed balcony projection to 0m lot boundary

PART 1

Strategic Matters

General Commentary – Limitations on Constructability and Affordability

Medium Density (MD) product within growth areas has evolved since the inception of the SLHC and as such, a number of key lessons have been learnt by the industry around the delivery of this product to ensure affordability is achieved whilst providing diversity and a range of dwelling typologies.

While the industry continues to innovate and find solutions as it matures, we note there can often be a disparity between development controls proposed and how these impact development outcomes. Often this is an understanding of key construction methodology and principles of the volume home building industry, which are critical to ensuring the continuation of affordable product to market.

Similarly, the SLHC's relationship to the Engineering Design and Construction Manual (EDCM) and the absence of coordination between the two frameworks has historically restricted the delivery of MD product. With changing provisions, we suggest there needs to be more thorough coordination of outcomes.

Both of the above two issues are inherently linked to the success of delivering diverse and affordable MD product to market. We therefore consider these two matters provide additional context to our concerns and should be subject to further consideration and discussion prior to the finalisation of the SLHC2.

Project Home Builder Construction Methodology

Whilst similarities can be drawn from MD product being delivered in inner and middle ring areas, there are a number of key construction methodology and principles which underpin the volume home builder's ability to deliver product at an affordable price point for growth area markets. These key principles include, but are not limited to, the following:

- 'Box on Box' construction - Whilst articulation is currently reflected in home designs, limiting significant articulation and offsets between floors enables builders to minimise structural costs. For example, larger articulation elements will require the inclusion of additional structure which can equate to circa \$15,000 - \$25,000 of additional costs to the build (utilising a 6m terrace product as an example). Articulation alternatively, can often be been more efficiency delivered through architectural features or balcony elements which project beyond the basic 'Box on Box' construction.
- 'Box on Box' construction also enables efficiencies in scaffolding and site costs.

- Limiting areas of water proofing (such as unroofed balconies) over habitable rooms minimises additional costs and limits ongoing maintenance requirements to the purchaser.
- When considering a semi or fully attached/abutting typologies, ensuring a general consistency in built form (albeit with form and material variations) to ensure efficiencies in the delivery of 'runs'.
- Consideration of landscaping and species on lot - larger trees are generally minimised within proximity to slabs as they require additional piercing to avoid slab heave issues. As a general guide additional costs associated with piercing can range from \$8,000- \$12,000 on a lot that would otherwise not require piercing (based on a lot which has <0.5m of fill). This cost would increase where fill is also present.
- Fire Rating of Walls, prescribing differences in heights between dwellings, such as steps between two and three storey, can add additional costs for fire rated walls.

Engineering Design and Construction Manual (EDCM)

As experienced with the current SLHC, particular 'as of right provisions' often conflict with engineering design requirements. Some of which are consistent across growth area Councils, others, applicable only to specific areas.

We suggest solely considering the 'in lot' solution only, does not adequately respond to delivery efficiencies and ensuring affordability. The built form outcome can be heavily influenced by servicing and the surrounding road network for access, parking and landscape outcomes, which if not considered concurrently, can severely limit the intent of the SLHC.

Where we have encountered variations and onerous application of engineering standards, we see outcomes such as:

- Ambiguity and uncertainty – the subdivision process becomes a quasi-development approval process, whereby SLHC product is required to be 'proved up' through a subdivision approvals process, or Functional Layout Plans (FLP) need to be prepared ahead of permit approval.
- Restrictions and controls to the built form being applied through subsequent design guidelines to control outcomes which are otherwise entertained under SLHC.
- Additional servicing/ land costs being attributed to MD lot areas - a lot area comprises all costs associated with the land being serviced, this entails the more traditional services of water, electricity etc. but also those portions of the adjacent road network which provide vehicle access and parking. Councils fundamentally prefer rear accessed product, but in addition, also seek to apply greater



PART 1

Strategic Matters

requirements to the road network given the restrictions of on lot parking areas and landscape. This additional area and costs are ultimately borne by the purchaser through land pricing and which therefore puts additional pressure on the ability to deliver efficient and affordable product to the market.

In terms of specific areas of concern with the EDCM framework and its impacts to SLHC outcomes, the below provides an overview of those most commonly presented.

Minimum Lot Frontage of 6m

Both the current and proposed provisions under (Standard 6.2) prescribe where a lot is proposed with a frontage of less than 6m it must be accessed via the rear of the lot. In practice however, some Growth Areas are stipulating they will not accept a lot at subdivision permit stage with a frontage of less than 7- 7.5m, unless accessed via the rear.

Driveway pairing/ width, street tree placement and on street parking are key issues raised to justify this additional layer of control. Whilst we appreciate there are unavoidable conflicts and site specific requirements which may need to be considered on a site by site basis, we are concerned that this has become blanket approach to MD product in some Growth Areas.

Notwithstanding, there are examples of where flexibility has been applied and variations considered to elements such as driveway design (narrower crossovers/ reverse tapers), servicing and/ or parking variations to achieve the design intent. We suggest that these options for variation should be clearly articulated in both the EDCM and/ or the Practice Note as appropriate outcomes for consideration rather than being achieved on a limited case by case basis.

Width of Laneways

Whilst the EDCM notes a minimum pavement width of 7m applicable to laneways, some Growth Areas are however applying laneway widths of up to 10m. We understand the primary driver is often to achieve additional landscaping and softening of these areas.

We acknowledge and support the importance of additional tree canopy and reducing urban heat island impacts in growth areas, however laneways are inherently a servicing environment and their incidental transition to being considered more as a street cross section has become problematic from a land take and cost perspective.

Under the EDCM an Access Place can utilise a 5.5m pavement which is suitable for garbage collection and works for traffic volumes up to 1000vpd. Should the industry be seeking to improve laneway environments, the EDCM should consider a reduced pavement option to ease the burden of land to service MD product, allowing for reduce costs which are apportion to the lot area, thereby allowing for greater investment in the built form and streetscape outcome.

We also note from our experience with landscaping in laneways, tree species and size are heavily restricted by the limited planting area. As such, we see very limited improvement in the laneway streetscape and no real benefit in additional tree canopy given the small size of trees which are acceptable in this environment by Councils.

On Street Visitor Parking

In the context of the new provisions being considered, we have significant concerns with how Growth Areas will consider visitor parking provisions. Currently the road network is heavily burdened by 1:1 parking ratio being applied to MD product regardless of product type. For example, a Type A product with a double garage to the street and a garage setback of 5m is not considered to provide an on lot visitors bay and is treated similarly to a rear accessed terrace product with no on lot visitor parking solution. Whereas in practice, this area will always be used by the home as an additional parking area.

Whilst we support the revised parking provisions under SLHC2 we anticipate that through the approval framework for subdivision and FLP's, more onerous parking provisions will be applied to address the reduced on lot provision. We note that with greater densities and more urbanised forms, there is a greater need for road cross sections which adequately consider traffic, landscape, and parking for MD product. We however suggest further rigor needs to be applied to determine these relevant road cross sections to ensure consistency and certainty in approvals across Growth Areas.

In light of the above, we suggest its critical for VPA to concurrently consider EDCM updates to align the outcomes of both documents.

Locational Attributes for Typologies

We note the VPA's commentary on the website around providing Councils with guidance on the locational attributes for typologies. We support this approach however we consider it is also critical for the development industry to review and understand this framework for the application of typologies.

As has been previously discussed, locational attributes and placement of product types is critical to ensuring the appropriate design response both in lot, as well as the surrounding road network. By ensuring correct context for typology allocation, we consider should assist in providing additional flexibility to the Type C typology, providing Councils with comfort around the intent and delivery.

In this regard we suggest it would be appropriate to designate Type C to:

- 800m from the boundary of MAC, NAC or train station.
- 400m from the boundary of a LAC or high frequency bus route.
- 200m from an open space reserve.



PART 2

Specific Provisions - Type A and Type B

Standard 2.1 Minimum Street Setbacks

Clarification of side setback interface to rear splay laneway typologies in accordance with previous interpretation provisions by VPA.

Suggested Amendment

- Provide additional note and two diagrams to Standard 2.1 Practice Notes/Code that clearly articulate side setback offset alignments for corner rear loaded laneway lots, with or without rear splay truncations.
- Side setback to be permitted to run directly into rear splay interface to provide consistency for all rear loaded laneway lot typologies in line with current Practice Note - Diagram 3 (Standard 2.1).
- For allotments that directly abut or side a public reserve, Standard 2.1 (Table 1) side setbacks are to apply.

Rationale

- Rear loaded laneway lot typologies differ across Councils with some requiring rear splay truncations whilst others don't.
- This can result in differing requirements depending on interpretation which ultimately results in significant discrepancy in corner lot size and design impacting consistency between municipal areas and creating disparity in affordability for 'like for like' corner product.
- This amendment will assure consistency in the application of the 'Standard' irrespective of municipal areas.
- It further maintains affordability by assuring the most efficient corner lot design possible for both lot scenarios and importantly facilitates delivery of standardised product to 'like for like' lot typologies.
- For 'runs' of lots which directly abut a reserve, side setbacks should be treated consistent with existing corner lot controls applied to streets, given there is no neighbouring lot amenity to consider or detrimental outcomes to the public realm interface.

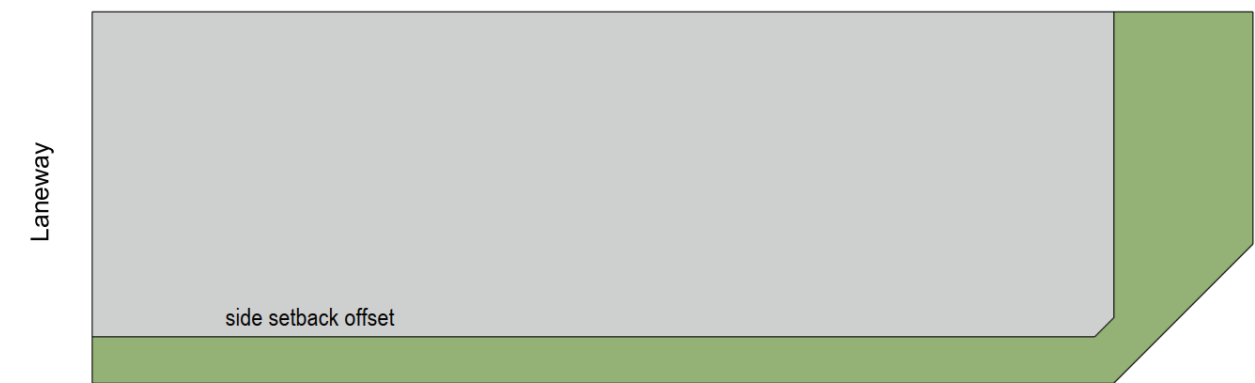


Figure 4 - Typical Rear Loaded Laneway with No Rear Splay

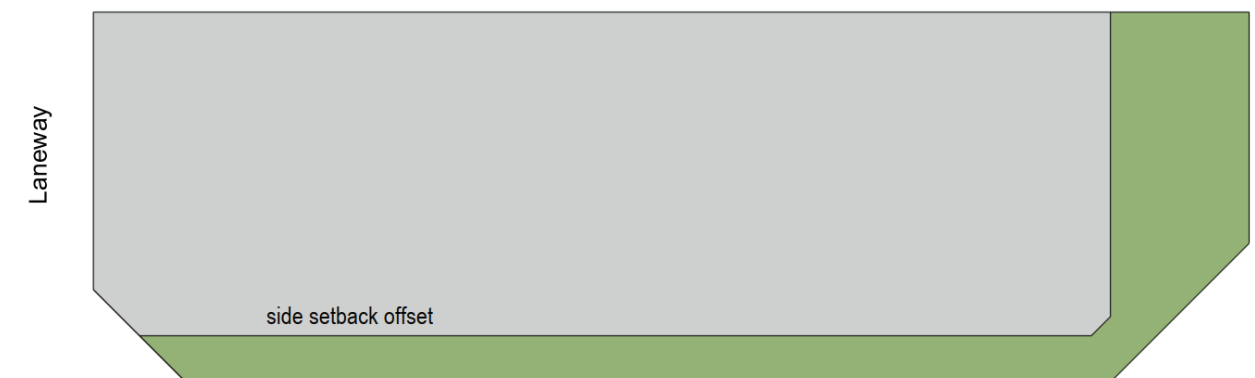


Figure 5 - Typical rear loaded Laneway Lots with 2m rear Splay

PART 2

Specific Provisions - Type A and Type B

Standard 2 Articulation: 2.4 and 2.5

Consolidate encroachments and allowances for articulation design elements.

Suggested Amendment

- Include piers, blade wall, porch, pergola and verandahs, including supporting structure and/ or walls into Standard 2.4(a) encroachments.
- Remove reference to verandahs in 2.5(a), to be independent of porch and pergola controls.
- Porches and pergolas to project a minimum 800mm from front wall. Remove reference to 1.5m projection off front wall as this is controlled by revised 2.4(a) noted above.
- Within sub provision 2.5(c) add reference to 'window shroud'.
- Include new sub provision 2.5(d) permitting full width verandah elements which are not required to be open on two sides.
 - Verandahs to project a minimum 800mm from front wall.

Note - Articulation elements including piers, blade walls, verandahs, porches and pergolas including supporting wall structure to be exempt from provisions of 'Standard 7' side and rear setback profiles forward of front walls.

Rationale

- The above amendments standardise and simplify setback encroachment provisions for articulation elements by referencing into Standard 2.4 (i.e. piers, blade walls, pergolas, porches, verandahs).
- We note whilst minimum depth requirements are important for pergolas, porches and verandahs to assure useability, maximum depth requirements need only be controlled by front setback encroachment allowance.
- Verandahs are considered to provide strong articulation tools providing amenity for the resident and contribute to improving façade design, streetscape outcomes and community interactions. They are effective elements that can be adapted to essentially any design style providing depth and diversity to façades. They can be used to great effect with front loaded product in minimising garage dominance.
- Articulation elements encourage activation of frontage, providing useable amenity that promotes interaction with the public realm interface and broadens articulation delivery opportunities providing additional design diversity.

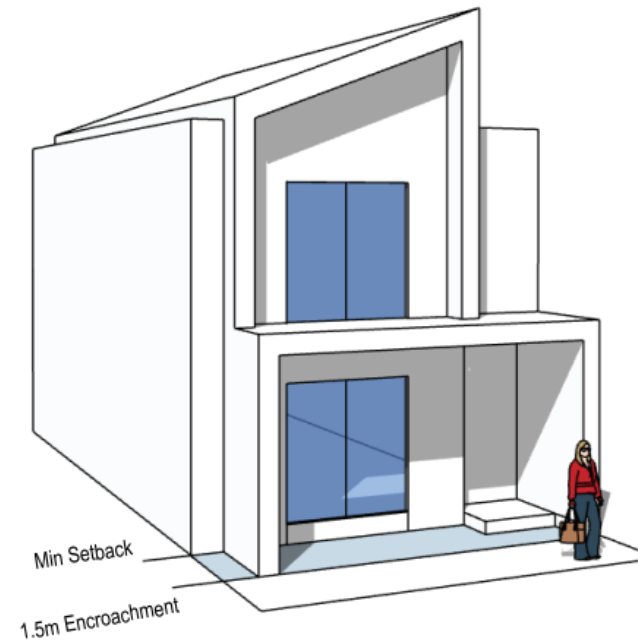


Figure 6 - Integrated Wide Verandah

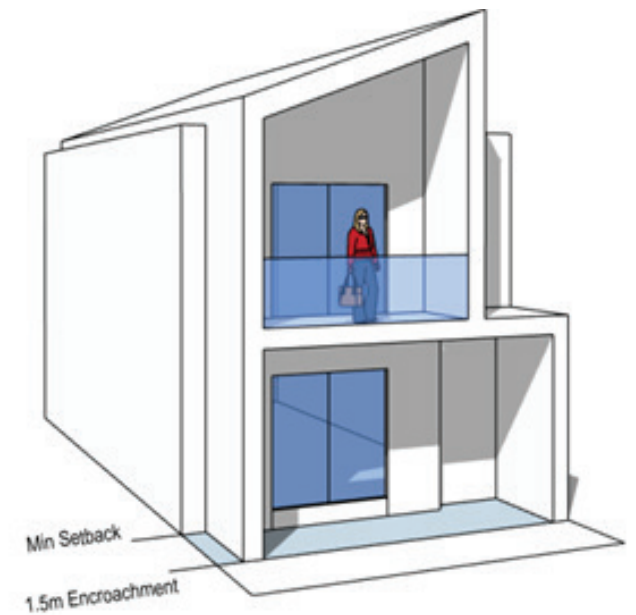


Figure 7 - Example Roofed Balcony and Wide Balcony

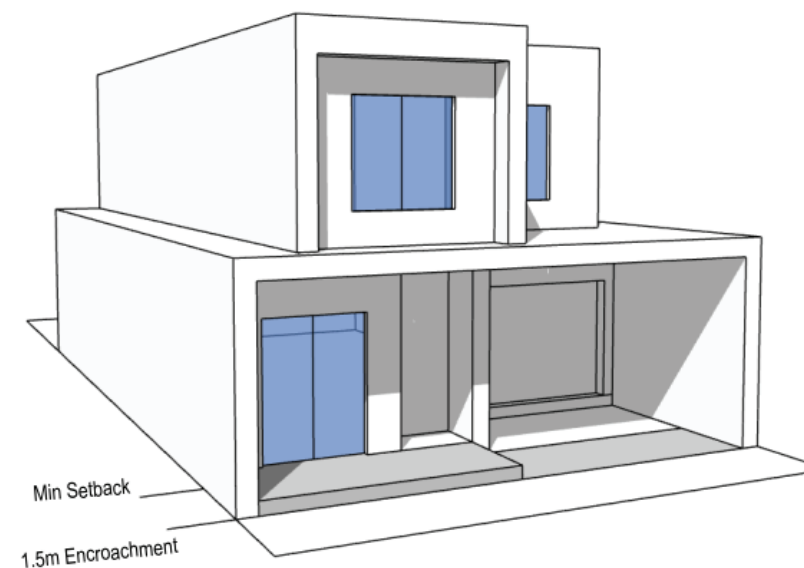


Figure 8 - Full Verandah on Front Loaded Dwelling

PART 2

Specific Provisions - Type A and Type B

Standard 2.5(b)

Remove reference to roofed or unroofed balconies and simplify projection allowances to encourage balcony elements.

Suggested Amendment

- Remove reference and controls to roofed or unroofed balconies and projections in 2.5(b). Allowing balconies whether roofed or unroofed to project up to 1.5m into front setback (as per other articulation elements in revised 2.4a).
- Balconies to project a minimum 800mm from front wall. Remove reference to projection no more than 1.5m forward of front wall as this is controlled by revised 2.5(b) noted above.
- Balcony elements including supporting structure and/ or walls can encroach into the front setback as specified in revised 2.5(b) and are to be exempt from 'Standard 7' Side and Rear setback provisions.

Rationale

- Balcony elements are a very effective articulation tool providing amenity to the resident and can significantly contribute to improved façade design and streetscape outcomes. Where balconies are proposed, the standard should encourage and incentivise these designs by streamlining and simplifying controls.
- Current controls discourage and penalise built form that adopts a balcony, particularly for roofed balconies. A roofed balcony improves practical amenity and integration of façade design resulting in a lift in built-form quality and streetscape, outweighing any massing concerns that appear to underpin current provision controls.
- Application of Standard 7 Side and Rear setback controls is also onerous to balcony structure particularly with simultaneously approved or 'row' housing significantly constraining design flexibility and façade diversity.
- Incorporating wall on boundary projection forward of the front facade is currently required to ensure standard 7 is not applied to balconies, otherwise significant side setbacks are applied. This provides limited flexibility and counterintuitive to, delivering design diversity.
- Modifying projection controls will increase ability to deliver balconies in a more consistent, practical and cost effective manner. Holistically, the changes proposed when combined with suggested revision Standards 7 and 8 will promote, simplify and provide greater capacity for designers/builders to deliver product and facade diversity.

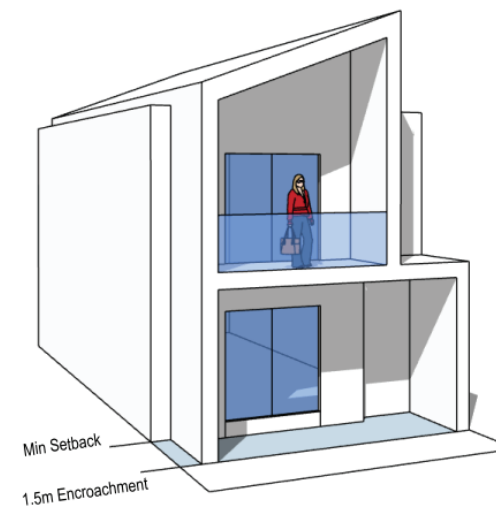


Figure 9 - Example with roofed balcony Element. Greater amenity for resident and stronger built form to streetscape.

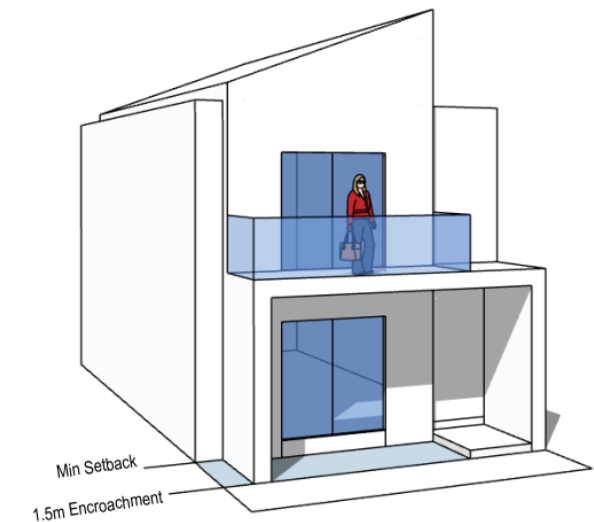


Figure 10 - Example with unroofed balcony. Reduced amenity for resident and streetscape.

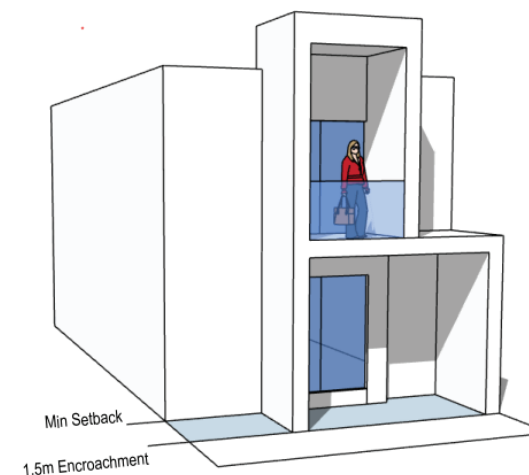


Figure 11 - Impact to design and balcony amenity when Standard 7 setback is applied to balcony offset from both side

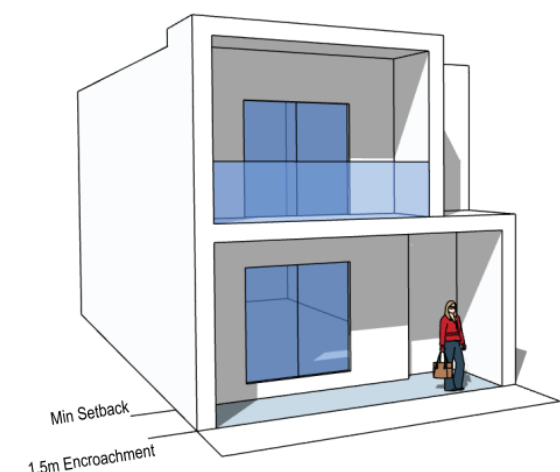


Figure 12 - Typical balcony design when Standard 7 isn't applied to balcony offset.

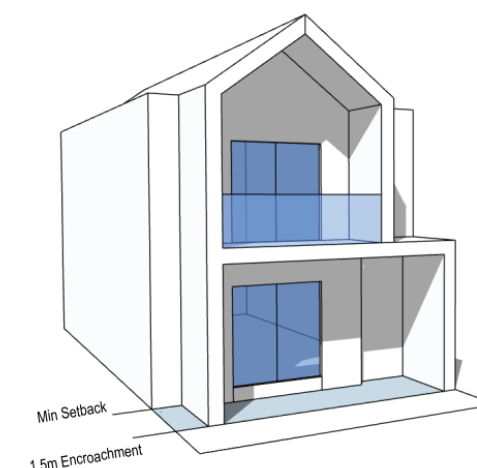


Figure 13 - Relaxed Controls

Relaxing encroachment and Standard 7 side setback controls to balconies and other articulation elements provides greater design flexibility to deliver greater facade diversity and streetscapes in addition to improved amenity for the resident.

PART 2

Specific Provisions - Type A and Type B

Standard 7 Side and Rear Setback

Provide reduced side setback allowance to facilitate a conditional 1m minimum side setback for wall heights up to 6.9m.

Suggested Amendment

- Provide a sub provision to Standard 7.1(a) (and/or add to table 6) – A reduced side setback of 1m for walls up to 6.9m in height can be applied provided the adjacent lot also adopts the matching setback profile to assure a 2m separation to upper floor walls between dwellings is achieved (Refer to Figure 14).
- Side setback controls to not apply to articulation elements such as balconies, verandahs, porches, pergolas and blade walls may be located anywhere within revised building envelope profile and can encroach into the front setback by 1.5m.
- Consider for simultaneously approved dwellings the ability for roof form to extend above envelope profile provided effective wall height at ceiling level is under 6.9m for two store dwellings, this will provide greater opportunity for design and roof form variation.

Rationale

- Current controls are onerous and essentially penalise SLHC designs that adopt upper floor side setbacks imposing 'ResCode' type side setbacks. This encourages boundary to boundary upper floor development a reduces opportunities for product amenity to upper floors. This will also assist with proposed NCC changes.
- Proposed changes will encourage and facilitate an increase in semi detached and detached housing typologies, which will also facilitate streetscape outcomes with reduced massing, relief and diversity in built form (Refer to Figure 15).
- The proposed butterflyed 1m side setbacks from each lot boundary would provide an adequate 2m minimum wall separation for urban product as well as provide 'clear to sky' allowance to windows, similar to what is currently entertained at a ground floor.
- Overlooking provisions would still be applicable assuring privacy standards is maintained.
- Removal of the application of Standard 7 to articulation elements to provide improved flexibility and delivery of façade diversity. This will eliminate current practice of poor build to boundary wall projection that don't integrate with design and which are being used/required to get around Standard 7 side setback profile controls being applied to balcony structures or articulation elements greater than 3.6m in height.

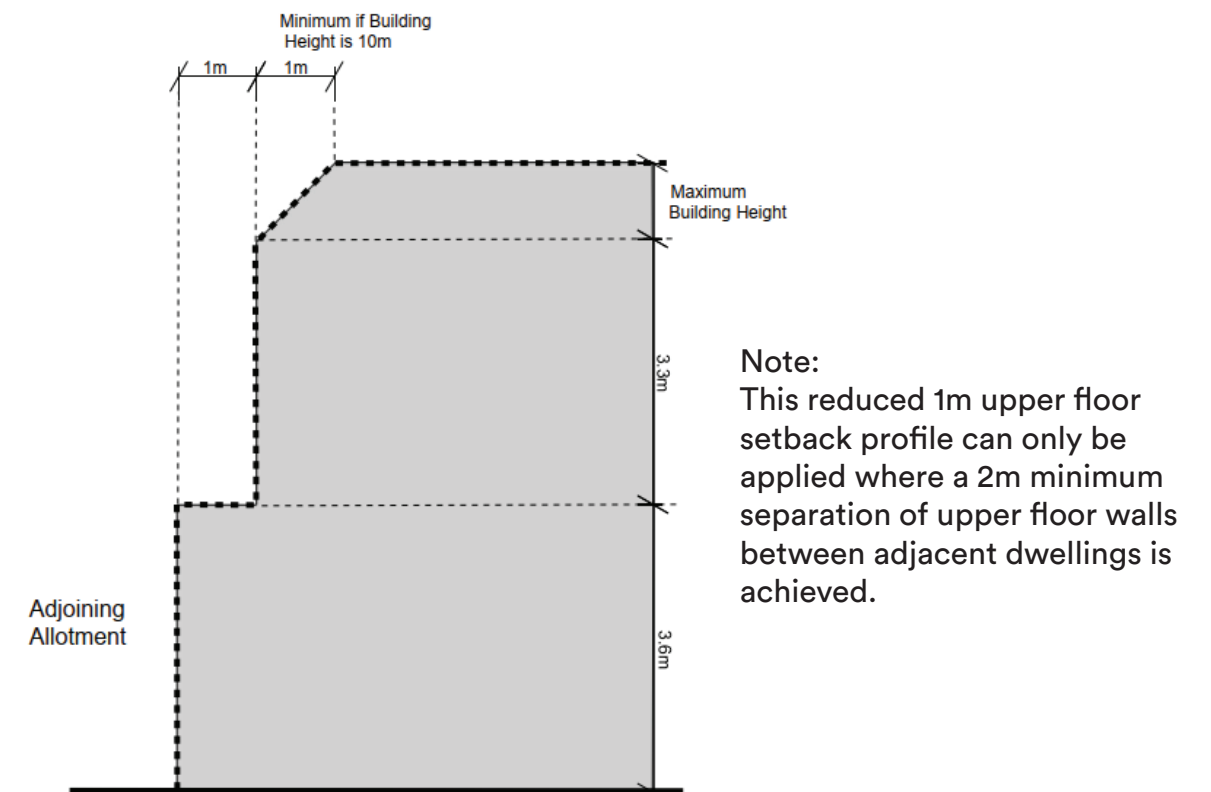


Figure 14 - Revised Diagram 11b - Standard 7 Reduced Side and Rear Setback Profile

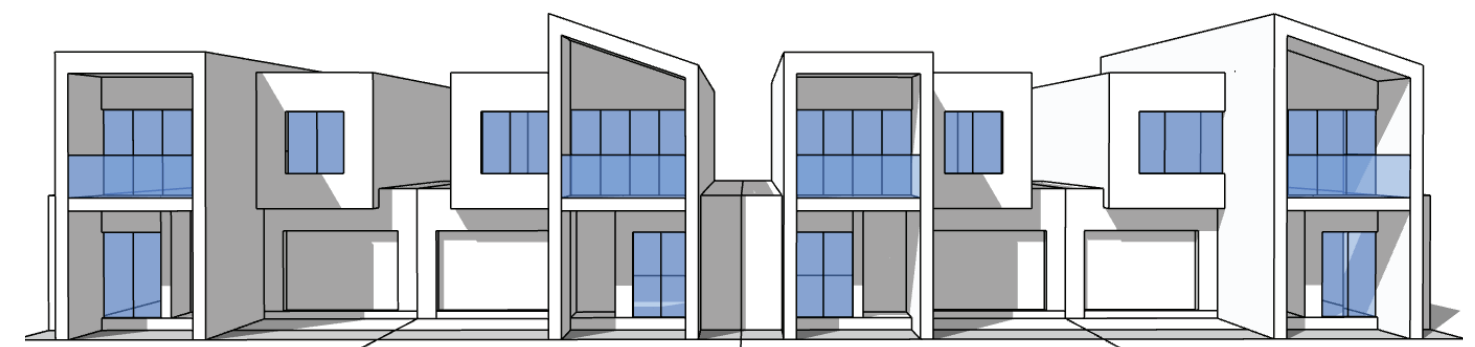


Figure 15 - Example of 1m side setback allowance for walls up to 6.9m high provided adjacent lot also applies the same profile to achieve a minimum 2m wall separation between dwellings.

PART 2

Specific Provisions - Type A and Type B

Standard 8 - Wall On Boundary

Amendments to wall on boundary provisions.

Suggested Amendment

- Reinstate 0-200mm allowance for wall on boundary (definition).
- Revised side setback envelope profiles for walls on boundary (Diagram 12) noting the 1m upper floor setback can only be applied where the adjacent lot also adopts the matching setback profile to assure a 2m separation of upper floor walls between dwellings is achieved.
- Side setback profiles to not apply to articulation elements such as balconies, verandas, porches, pergolas and blades walls (Standard 2) and may be located anywhere within the building envelope profile and can encroach into the front setback by up to 1.5m.

Rationale

- Reinstating 0-200mm wall on boundary allowance allows for individual abutting wall construction methodology (which requires a small gap between adjacent buildings) and facilitates gutter on boundary construction methodology utilised by the majority of builders on detached or semi detached product.
- This also provides for additional flexibility when building adjacent to side boundary retaining – consider allowing 350mm offset from side boundary where side retaining walls are present.
- This profile is suggested to apply to any row housing and simultaneously approved dwellings with abutting walls, permitting roof forms, balcony, verandas, porches, pergolas and other articulation elements to be located anywhere within this building envelope profile/ zone. This provides improved design flexibility, product identity and encourages façade diversity.
- Proposed Standard 7.1.1 - Diagram 11b and revised Standard 8 - Diagram 12 will supersede existing Diagram 12 in Practice Notes.

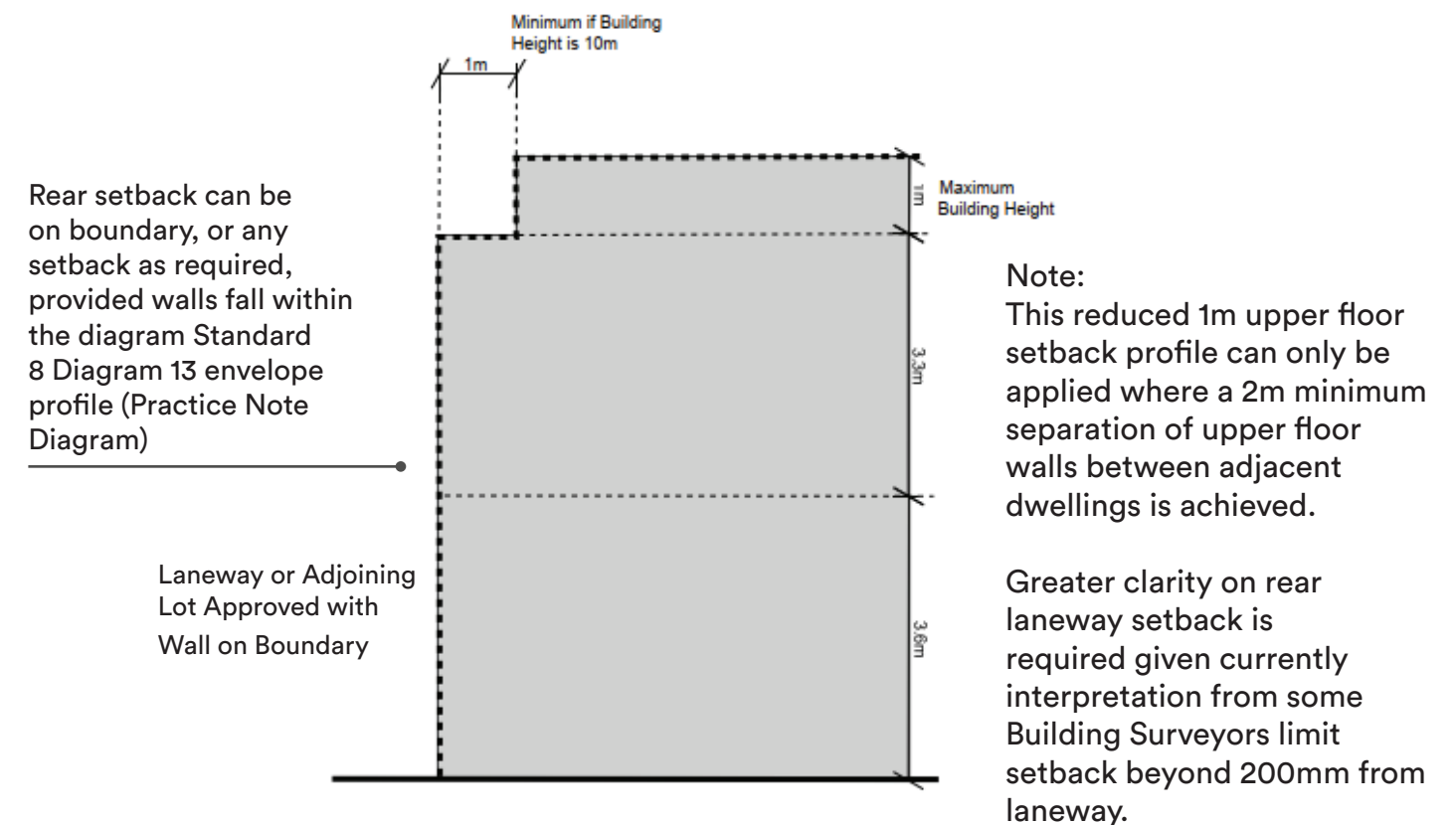


Figure 16 - Revised Diagram 12 - Standard 8
Side and Rear Setback Profile - Where a laneway or adjoining lot is approved on boundary
Type A and B

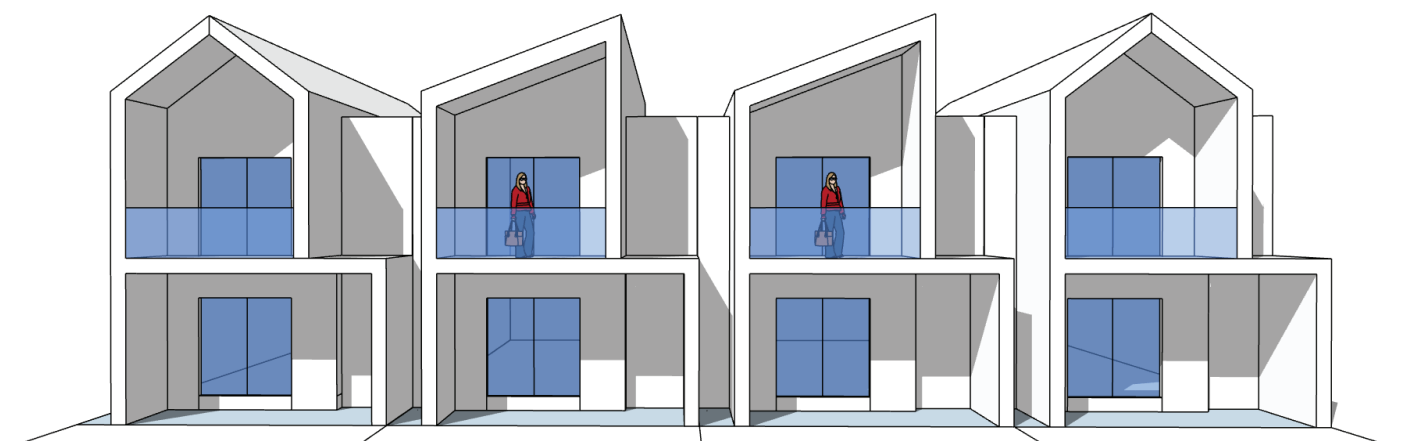


Figure 17 - Abutting/ Attached row terraces with no side setback controls to balcony and verandah articulation elements. This provides the ability for improved identify, variation to form and improved useability for residents.

PART 3

Schedule of Minor Amendments

Standard	Commentary	Suggested Amendment
Definitions – Wall on Boundary	The deletion of the a) and b) components of the definition should be reinstated. The 0-200mm setback in particular is critical for abutting walls, where there is retaining between lots or gutter overhangs need to be accommodated.	Reinstate a) and b) of the Walls on boundary definition.
Definitions – Eaves	Building Surveyors often calculate the width of the eaves utilising different methods. Clarification over what constitutes an eave for clarity.	Definition of eave to specify it is 500mm to the fascia only. If fascia and gutter was include the minimum would need to be 600mm.
Definitions - Fin	Fin is not included within the listed Definitions.	Inclusion of Fin definition for consistency.
Definition - Verandah	Verandah is not included within the listed Definitions.	Inclusion of Verandah definition for consistency.
2.2 Wall Articulation Table 2 Type A and Type B	Both rows stipulate the same provisions. Is the duplication an oversight or is a change in provisions between rows proposed.	Clarification on duplication or removal of one row.
2.4 and 2.5 Encroachments Type A and Type B	As per Part 2, over complicates the encroachment provisions.	Simplify and review the Encroachment provisions in line with Part 2 of this submission.
8.2 Sunhood and Sunshade Projections Type C	<p>Noting these built form elements are permissible to encroach into public reserve – we query whether this is covered under the Subdivision Act 1988 via Section 12.2 (c) which allows for implied rights for support, shelter, or protection.</p> <p>It is our understanding that a notification on title would still however be required to capture this.</p>	Clarification on encroachment in public reserve implications.



PART 3

Schedule of Minor Amendments

12. Articulation – Facades through Materials Type C	Noting this provision is seeking to ensure variation to facades, it looks standardise the simplest aspect of façade design being materiality. There are extensive examples of a simple and limited materials palette which create high quality built form outcomes, however, are partnered with diversity in roof forms and architectural elements. We suggest Type C should provide greater design flexibility but be coupled with principles around architectural language and form.	Remove the 75% and consider provisions which encourage greater variation to the building form. Provisions should encourage through additional dispensation rather than mandate a minimum, to allow for the flexibility for builders to innovate.
27 - Bin Storage Type C	Provisions are too prescriptive and need to provide greater flexibility and options for bin storage solutions.	Refine to allow for bins to be located within the garage or rear yard where there is direct access to the street network, or within an enclosure where bins are screened from the public realm.

