This planning circular has been ARCHIVED
This circular is no longer current but provides historical information and advice on planning system matters.

NSW GOVERNMENT

Planning circular

PLANNING SYSTEM

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Related	nil

Low Rise Medium Density Design Guide for Development Applications

This circular provides guidance to councils, applicants and practitioners on how and where the Low Rise Medium Density Design Guide for Development Applications (DAs) applies.

Introduction

An amendment has been made to the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (**Codes SEPP**) to include the Low Rise Medium Density Housing Code (**Code**).

This Code allows for the fast track approval of one and two storey dual occupancies, manor houses and terraces as complying development in the R1, R2, R3 and RU5 zones, where medium density development is already permitted under a council's Local Environmental Plan (**LEP**).

It also introduces definitions for the new housing types (manor houses and terraces), and allows for these housing types to be assessed as either complying development or as a development application (**DA**) by council where the proposals exceed the controls specified in the Code.

Recent Changes

Temporary Deferral

Many councils are commencing with implementation of the Code on 6 July 2018, The Code was amended to temporarily defer its commencement in some local government areas until 1 July 2019. Further information on the deferral can be found at: https://www.planning.nsw.gov.au/policy-and-legislation/housing/medium-density-housing.

For those council areas where a deferral has been granted, the council's planning controls will remain unchanged until 1 July 2019. For example, if a deferred council area permits multi dwelling housing in their R3 Medium Density Residential zone, an applicant will still be able to lodge a DA for multi dwelling housing in this zone, but they would not be able to carry out manor houses or terraces under a DA.

In non-deferred council areas, the Code commences on 6 July 2018 and applicants will be able to apply for a complying development certificate or lodge a DA for dual occupancies, terraces and manor houses provided medium density housing is permitted in a council's LEP.

Changes to the Environmental Planning and Assessment Regulation 2000 (Regulation)

To support councils in areas where the Code commences on 6 July 2018, the Regulation now requires councils to consider a new Low Rise Medium Density Design Guide for Development Applications (**Design Guide for DAs**) when they are assessing DAs for these new housing types until development controls for these new housing types are in place.

Design Guide for DAs

The Design Guide for DAs provides design guidance for various forms of medium density housing including townhouses, villas, dual occupancies, terraces and manor houses. It has been developed to assist:

1. applicants in preparing their DAs for the medium density housing; and
2. councils when they are assessing them where they do not have local development controls in place for assessing this type of housing.

It includes best practice design standards and will ensure these developments are well-designed and fit into the local character of an area.

Until councils have appropriate controls in place in their DCPs, they are required to consider the Design Guide for DAs when they are assessing a DA for this type of housing.

In developing appropriate controls for their LGA, councils have the option of adopting the Design Guide for DAs in full, or in part, as part of a new or an existing DCP.

Once a council has planning controls in place for manor houses and terraces, they will no longer be required to consider the Design Guide for DAs.

A copy of the Design Guide for DAs is available on the Department's website at:
https://www.planning.nsw.gov.au/policy-and-legislation/housing/medium-density-housing

Further Information

For further information please contact Service NSW on 13 77 88 or email codes@planning.nsw.gov.au.

Department of Planning and Environment circulars are available at:
planning.nsw.gov.au/circulars

Authorised by:

Marcus Ray
A/Secretary

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