

Department of Planning, Housing and Infrastructure

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Low-and Mid-Rise Housing Policy Refinement Paper

Version 1.0 Prepared by DPHI LMR Policy team

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Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Introduction

1.1 Purpose of this paper

This paper outlines the key policy issues, makes recommendations for policy refinements, and presents an approach to engage with councils.

1.2 Principles guiding the policy refinement

The purpose of refining the policy is to ensure it effectively achieves its objectives, particularly in relation to consideration of local contexts. This principle will guide all changes to the policy. The objectives of the policy are below.

The objectives are to:

- Encourage well-located, well-designed, low and mid-rise housing
- Increase housing supply
- Contribute to the National Housing Accord housing supply commitments.

1.3 Policy refinements will not reduce estimated dwellings

The Department has estimated that the policy will result in an additional 112,000 new dwellings by mid-2029 (the Accord Period). This estimate is conservative and factors-in that key policy refinements will be made to remove inappropriate outcomes such as upzoning in high-risk flood areas, mid-rise development in inappropriate contexts, and areas with poor infrastructure.

Policy refinement

This section outlines the key issues with the policy which were raised in submissions and provides recommendations to address them. Each key issue is addressed by one or more policy recommendations, some of which include direct one-on-one engagement with councils to finalise a policy position. The refinement process has been guided by an analysis of the submissions and continuing policy development work.

2.1 Summary of policy refinements

Refinement 1. Collaborate with councils to remove unsuitable stations and town centres

Refinement 2. Do not apply the standards in employment zones (E1, E2, MU1 zones)

Refinement 3. Collaborate with councils to address concerns in the R1 zone

Refinement 4. Note that the main heritage concerns are addressed by Refinement 2 and 3

Refinement 5. Exclude land affected by high-risk flooding

Refinement 6. Exclude land affected by high-risk bushfire

Refinement 7. Exclude land affected by other high-risk hazards

Refinement 8. Recalibrate the FSR and height for the mid-rise standards

Refinement 9. Do not make changes to the Apartment Design Guide

2.2 Issue 1 – Unsuitable station and town centre precincts

Refinement 1. Collaborate with councils to remove unsuitable station and town centre precincts

Prior to the council workshops, the Department will provide each council with an initial list of potentially suitable stations and town centres in their area and request feedback on any further exclusions (or inclusions). The Department will then assess proposed exclusions against the 'criteria for further exclusions' outlined in Section 2.2.3.

Any proposed exclusion that the Department does not support following feedback from councils will be discussed at the workshop. The workshop agenda will primarily address these contentious stations and town centres, ultimately resulting in the development of a final list by the Department.

2.2.1 Background to the EIE proposal

The Explanation of Intended Effect (EIE) proposed to increase housing density within 'Station and Town Centre Precincts' to achieve the objective of the policy for 'well-located' housing. These precincts are where the proposals for multi-dwelling housing and residential flat buildings would apply. The proposals for dual occupancies, however, are not associated with these precincts.

The precincts are areas within an 800-metres walking distance from all train stations (heavy/metro/light) and key town centres across the Greater Sydney, Hunter, Central Coast, and Illawarra regions. These precincts cover a significant portion of the Sydney metro area and surrounding regions.

As anticipated through the exhibition of the EIE, many stations and town centres may not be suitable for the proposed density levels.

2.2.2 What DPHI heard about this issue in the submissions

Many submissions expressed support for the overarching aim of promoting increased housing in well-located areas.

However, concerns were raised regarding the suitability of some stations across greater Sydney and surrounding regions for the proposed levels of density outlined in the Explanation of Intended Effect. These concerns stemmed from factors such as limited service frequency, distance from major hubs, and insufficient nearby amenities.

Additionally, many stakeholders voiced support for the idea of encouraging more housing within walking distance of high quality town centres. They believed that situating new housing near

supermarkets, shops, and services could reduce reliance on cars and contribute to the development of more liveable communities.

A key issue revolved around identifying which town centres are suitable for increased housing. Many lower-order town centres (zoned E1 Local centre and MU1 Mixed use) were considered unsuitable for various reasons, including a lack of shops, insufficient services, and inadequate public transport. Submitters argued that in such areas, town centres would fail to adequately meet the daily needs of new residents and provide convenient access to employment opportunities.

2.2.3 Criteria for further exclusions of station and town centres

The Department will assess the evidence provided by councils for proposed further exclusions of stations and town centres from the initial lists. These initial lists are intended to be preliminary screenings designed to eliminate the most unsuitable stations and centres, focusing on location and service levels without considering other factors.

The factors that the Department will consider for further station and town centre exclusions will include, but are not limited to, the following:

- **Essential infrastructure:** These concerns should be critical and urgent, rather than general issues that can be addressed over time. Essential infrastructure includes water, sewage, stormwater, and electricity.
- **Road infrastructure:** These issues should be critical and urgent, rather than general issues that can be addressed over time. General traffic management is not considered a critical issue.
- **Quality of train service:** DPHI have already screened for frequencies, distance to major hubs, and co-location with town centres, so the remaining issues may relate to capacity and reliability.
- **Quality of bus services in town centres:** DPHI have only done a basic bus service screening for town centres, the remaining issues may relate to capacity, reliability, and frequency.
- **Level of service of town centres:** DPHI have screened for major supermarkets to predict the level of service of a centre, however there may be some centres with major supermarkets that do not also have a range of other frequently needed goods and services.
- **Land constraints and environmental risks within the precincts** will be dealt with separately via direct land exclusions in Recommendations 5-7.

2.2.4 Initial list of stations

The Department conducted a review of all 350 stations in the Greater Sydney, Hunter, Central Coast, and Illawarra regions. From this review, an initial list was developed based on criteria aimed at excluding the least suitable stations – those with inadequate service levels and significant distance from major centres.

These criteria were developed through an analysis of submissions, consultation with Transport for New South Wales (TfNSW), and DPHI's research. The inclusion criteria are:

1. **Service Frequency:** Sydney metro area less than 15-minute; outside the metro less than 30 minutes.
2. **Proximity to Major Centres:** train travel time of less than 30 minutes to major centres (Sydney CBD, North Sydney, Parramatta, Penrith, Liverpool, Campbelltown, Chatswood, Gosford, Wollongong, and Newcastle).
3. **Co-location with Town Centres:** Stations outside the metro area must be situated within 400 metres of a town centre to remove isolated regional stations.

Excluded stations are mainly located far from major centres, such as Cessnock and Shoalhaven, where train services are infrequent, and travel times to major centres are lengthy. These exclusions align with stations identified as unsuitable in the submissions.

2.2.5 Initial list of town centres

Consistent with the EIE, all town centres zoned E2 'commercial centre' are proposed for inclusion as triggers for the 'station and town centre precincts'. The E2 zones are designed to be significant town centres that include a diverse range of goods, services, and public transport. There is a total of 66 E2 town centres across the Greater Sydney, Hunter, Central Coast, and Illawarra regions. Examples include Maroubra Junction and Dee Why.

In line with the EIE, DPHI will engage with councils to determine which town centres zoned E1 Local Centre and MU1 Mixed Use should also be included as triggers for the 'station and town centre precincts'. The Department is looking for centres that offer a wide range of frequently needed goods and services, including a full-line supermarket, shops, and restaurants.

More than 800 'reasonably sized' E1/MU1 zones across the specified regions have been reviewed and an initial list of E1/MU1 town centres has been developed, guided by criteria aimed at excluding the least suitable centres. The inclusion criteria was:

1. **Full-Line Supermarket:** Supermarkets with a retail floor area exceeding 2,000 square meters offering a wide and deep range of groceries. Our research indicates that full-line supermarkets are the best single predictor of a well-serviced town centre, indicating the presence of various other goods and services such as medical facilities, fitness centres, retail outlets, eateries, parks, and community amenities.
2. **Regular Bus Service:** A bus service operating at a frequency of at least one bus per hour, aligning with the bus service requirements for Affordable Housing provisions in the State Environmental Planning Policy. This standard serves as an initial benchmark, with councils expected to provide further information on higher service standards.

2.3 Issue 2 – Application of standards in employment zones and heritage areas

2.3.1 Background to the EIE proposal

The EIE proposed to apply the non-refusal standards within ‘any zone’ the development is permitted. The intent of the ‘any zone’ approach was to also capture zones that are ‘higher-order’ than the target R2 low density and R3 medium density residential zones.

The mid-rise standards were designed for the R3 medium density residential zone, and the intention was to also apply the standards in higher-order zones – because if the standards are appropriate in R3, it then follows that they are also appropriate in zones designated for higher density residential (ie. R4 zones). To achieve this intent, the EIE stated that the mid-rise standards would apply in ‘any zone (except R2) that residential flat buildings are permitted’.

The issue with this approach is that zones that are not ‘equal or higher order’ than the R3 zone, such as the employment zones, and the general residential zone, will get mid-rise standards (RFBs are permitted in these zones). This has created the unintended outcome of the mid-rise standards applying in out of context zones. These zones are the only circumstances in the policy where a single storey low density area would be upzoned to a 6-storey residential area.

2.3.2 What DPHI heard about this issue in the submissions

The most significant concern with the application of the standards were in places where the proposals would lead to a 1 or 2 storey neighbourhood being upzoned to allow 21m high apartments. There was concern this would create jarring development outcomes and issues such as overshadowing, overlooking, and congestion. The main circumstances that this outcome would occur would be in the R1 General residential zone and the employment zones (E1, E2 and MU1). They were concerned that these zones were not intended for 6-storey apartments, and they have highly varied characters, densities, and objectives. The inner-city councils also pointed out that many of these zones are already densely populated in a low-rise form and are not suitable for mid-rise due to narrow lots and narrow street widths.

Most councils were also concerned that the standards applying in the employment zones would undermine the employment status of these zones and also undermine master planning in these areas. They noted that many of their centres already had suitable controls for 3 to 6 storey development and are already delivering housing. They were concerned that the proposals would undermine these place-based controls and produce poor outcomes within the town centres.

2.3.3 Issues with the standards applying in employment zones and master planned areas

Refinement 2 – Do not apply the standards in employment zones (E1, E2, MU1, SP5 zones)

The standards will not apply within the employment/town centre zones themselves (E1, E2, MU1 and SP5 zones).

It is important to note that the standards will apply in the residential zones surrounding the town centres (within the 800m walking catchments) if that town centre is selected for inclusion.

The key reasons for this refinement are:

- there is little benefit in applying the standards in the employment/town centre zones, as they generally have comparable or higher FSRs/heights (ave. 2.16:1 and 20m)
- these zones only account for a small portion of the land where the standards apply (approx. 5.5%).
- it generally addresses concerns about standardised provisions undermining master planned areas, as these zones represent the main locations for master planning.
- it will avoid the unintended consequence of disrupting areas already delivering housing.
- it will avoid the unintended consequence of detracting from the employment and service function of these zones.
- this refinement alleviates some of the main heritage concerns, as a significant portion of these zones, approximately 35%, are heritage, and these zones are where existing low-rise heritage contexts can intersect with the 6 storey mid-rise provisions.

The primary zones within town centres and most Council master planning areas are zoned:

- E1 – Local Centre
- E2 – Commercial Centre
- MU1 – Mixed Use
- SP5 – Metropolitan Centre (exclusive to the Sydney CBD)

Most town centres have undergone master planning, incorporating a range of height and floor space ratio (FSR) controls tailored to achieve specific outcomes that capitalise on contextual opportunities and address constraints. Master planning achieves place-based outcomes such as sunlight provision to parks and public spaces, increased building heights at corners, and the dedication of land for open space land. Figure 1 illustrates an example of a master planned area featuring diverse heights and FSRs.

Across Greater Sydney, the Hunter, Central Coast, and Illawarra regions, the average height and FSR controls within these zones is 20.4 meters and 2.16:1, facilitating a built form of 5-6 storeys. This already aligns with the policy intent of 4-6 storeys. Moreover, these zones only represent approximately 5.5% of the lots where the policy standards were proposed to apply, totalling around 38,000 lots out of 694,000 lots within the station/town centre precincts.

Implementing a standardised height and FSR control in these areas would yield minimal benefits for housing supply while posing risks to place-based outcomes and the employment/service focus of these zones.

By refraining from applying the standards in these zones, any ongoing Council master planning or planning proposals utilising these zones will remain unaffected by the policy. It is noted that master planning or planning proposals within the R2, R3, and R4 zones will be subject to the policy as proposed in the EIE. This differentiation is justified, as LMR proposals were specifically designed for these residential zones, representing a manageable increase in residential density consistent with the density objectives of the respective zones (ie. low-rise proposals for R2 and mid-rise proposals for R3 and R4). Additionally, master planning in purely residential areas tends to be less common and less nuanced.



Figure 1. Example of a master planned town centre (FSR/Height controls) – Northbridge town centre (zoned E1)

2.3.4 Issues in the R1 General Residential Zone

Refinement 3 – Collaborate with councils to address concerns in the R1 general residential zone

The Department will collaborate with the main councils which use the R1 zone to develop refined standards that better align with the varied contexts in which this zone is used. A preliminary refinement that will serve as the basis for collaboration with councils has been developed.

The objective of the R1 General Residential zone is to accommodate various housing types and densities. While many councils do not utilise this zone, it does cover large parts of the inner-city, inner-west, and regional towns like Maitland. All residential typologies, including residential flat buildings, are permitted in this zone as per the Standard Instrument. [Appendix A](#) provides a summary of the R1 zone across Local Environmental Plans (LEPs), including average Floor Space Ratios (FSRs) and heights.

The Explanation of Intended Effect (EIE) proposed to apply the non-refusal standards within 'any zone' where the development type is permitted. This means that the R1 zone within 'station/centre precincts' would be subject to the 6-storey mid-rise controls, as residential flat buildings are permitted in this zone. However, this results in a larger than intended increases for many R1 areas, which typically consist of 1-2 storey low-rise housing. It also poses an issue for heritage areas, where 1-2 storey heritage properties clash with the 6-storey controls. Approximately 24% of all R1 lots are heritage listed or conservation.

The R1 zone does not inherently represent a 'higher order' residential zone compared to the R3 zone for which the mid-rise controls were designed. Consequently, applying mid-rise standards in this zone poses the highest risk within the policy framework. The City of Sydney and Inner West councils have expressed concerns about the potential impact of mid-rise standards in these zones.

Possible Refinements

Most of the concerns raised with the mid-rise standards in the R1 zone could be resolved with one of the following refinements:

Option 1 – Applying only the low-rise standards in the R1 zone (no mid-rise standards)

Option 2 – Applying the low-rise standards to R1 zones that are used for low-rise purposes; and the mid-rise standards to R1 zones that are used for mid-rise purposes, specifically:

- If the R1 zone currently enables +3 storeys (represented by controls for height >10m or FSR>0.8:1), then the 4-6 storey mid-rise provisions will apply.
- If the R1 zone currently enables 1-2 storey (represented by controls for height <10m or FSR <0.8:1), then the 2-3 storey low-rise provisions will apply.

These refinements are consistent with the objectives of the policy to ensure new housing is 'well-designed' and 'well-located', as it avoids jarring transitions from 1 storey to 6 storeys and maintains a more compatible level of density for the local context.

2.3.5 Heritage concerns

Refinement 4 – Note that the main heritage concerns are addressed by Refinements 2 and 3

The Department does not recommend any specific changes to the policy relating to heritage. However, it is noted that refinement 2 and 3 address the greatest concerns for heritage in the policy as they remove the situation of 6-storey mid-rise standards applying in 1-2 storey heritage contexts.

The primary concern regarding heritage is in heritage conservation areas (HCA) that are characterised by 1 or 2 storey dwellings where the 6-storey controls would apply – this scenario occurs in the R1, MU1, E1, and E2 zones, which are often used for low-rise/low-density purposes and the mid-rise standards would apply. However, this scenario does not occur in R2 zones, which will get the low-rise provisions, nor in R3 and R4 zones, which get the mid-rise provisions however this is aligned with the medium/high density objectives of the zone.

While heritage provisions in Local Environmental Plans (LEPs) and Development Control Plans (DCPs) will remain in force, they will only apply to the extent that they do not conflict with the height and Floor Space Ratio (FSR) standards in the State Environmental Planning Policy (SEPP). Consequently, heritage considerations related to the height and form of an area may have limited weight in the assessment of Development Applications (DA).

Refinement 2 and 3 aim to prevent the unintended consequence of upzoning a single-storey heritage area to 6 storeys. This resolves the main heritage concerns and aligns with the policy objective of ensuring new housing is 'well-designed' and 'well-located' by avoiding abrupt transitions between 1 storey and 6 storeys, thus maintaining a more compatible level of density for the local context.

2.4 Issue 3 – Flooding, Bushfire and other hazard risks

2.4.1 What DPHI heard about these issues in the submissions

Many submissions, particularly those from councils on the city fringes and in more rural areas, were concerned about how the policy would address natural hazards and risks, such as bushfires and flooding.

The sentiment was that certain natural hazards and evacuation risks cannot be managed effectively at the development application stage. They advised that once an area has been upzoned, there is little that can be done at the development application stage to manage the risks of major floods and bushfires. These issues must be addressed strategically or in the proposed policy. They were also concerned that the availability of the complying development pathway for low-rise housing would mean that there would be little consideration of major flood and bushfire risks.

Many of these submissions also raised concern about the risks of increased density within evacuation areas. For example, in areas with limited or constrained evacuation routes, respondents recommended carefully planning any increases in density as part of a strategic process to ensure risk is managed.

Refinement 5 – Exclude land within the maximum flood zone in high risk catchments

The policy will not apply on land below the Probable Maximum Flood (PMF) level in the Hawkesbury-Nepean Valley and the Georges River catchments. The Department will advise councils of this prior to the workshops and collaborate to develop the appropriate exclusion areas. This land is mostly not well located, being in peri-urban areas and environmentally sensitive. It represents a small portion of LMR land.

DPHI will also work with relevant councils to manage evacuation risks where they cannot be properly managed at DA stage.

Refinement 6 – Exclude high-risk bushfire land

The policy will not apply on category 1 bush fire prone land. The Department will advise councils of this prior to the workshops and collaborate on any outstanding bushfire issues at the workshop.

DPHI will work with relevant councils to manage evacuation risks where they cannot be properly managed at DA stage.

Refinement 7 – Exclude land is that affected by other hazards that are high-risk

The Department has investigated other hazards including coastal management, contaminated lands, acid sulfate soils, land slip, pipelines and dangerous industries.

The Department considers that these risks can generally be managed at DA stage however there may be circumstances that councils advise are high risk and can be excluded.

2.4.2 Key reasons for refinements 5, 6 and 7

The EIE proposals apply to all land affected by flooding, bushfire and other hazards. Some of this land is high-risk and cannot be properly managed at the DA stage. DPHI recommends excluding high risk lands because:

- It is consistent with the LMR policy objective to ensure new housing is 'well located', as it will avoid upzoning in high-risk locations.
- Ministerial directions 4.1 to 4.6 effectively prevent increases in residential densities in areas affected by hazards unless technical studies demonstrate risks are mitigated.
- The DA process cannot adequately limit the density of an area once it has been upzoned.
- Higher risk areas are mostly at the fringes of the city or in regional settings. that are mostly not suitable for LMR due to a variety of other factors including lack of public transport, distance to major centres, agricultural land uses, and environmental issues
- It accounts for a small proportion of LMR land.

2.5 Issue 4 – Other issues

There are a number of other issues that warrant policy refinement that are mostly technical in nature which are not appropriate for one-on-one council consultation. There are many submissions from Councils and other stakeholders that contained detailed analysis of these issues which have been used as part of the analysis and refinements.

2.5.1 What DPHI heard about these issues in the submissions

Councils and many industry representatives claimed there was a mismatch between the proposed floor-space ratio and building height provisions. Many councils provided analysis that the floor-space ratio was too high for the intended 4 to 6-storey outcomes. They advised that to achieve the floor-space allowance within a 4 to 6-storey height limit, the buildings would have to be bulky and built to the site boundaries with minimal landscaping.

Some councils also analysed the proposed changes to the Apartment Design Guide, concluding that the changes would reduce amenity and worsen issues for waste collection.

2.5.2 FSR and Height mid-rise standards

Refinement 8 – Recalibrate the FSR and Height mid-rise standards

- For 6 storey mid-rise, change FSR to 2.2:1, height to 22m for residential flat buildings and 24m for shop top housing and introduce a maximum of 6 storeys
- For 4 storey mid-rise, change FSR to 1.5:1, height to 17.5m and introduce a maximum of 4 storeys

The key reasons for these standards are:

- analysis show 6-storeys typically has an FSR between 1.8 and 2.2:1.
- 2.2:1 is recommended as it will accommodate smaller sites and shop top housing developments which need more floor space.
- The FSR is lower than TOD because TOD mandates affordable housing, so if the FSRs are the same, LMR would essentially be more permissive than TOD.
- LMR will only apply in residential zones which need more setbacks and landscaping.
- analysis show 6-storeys typically requires a height between 21-23m for residential flat buildings and up to 24m for shop top housing.
- the heights accommodate compliant ceiling heights, a raised ground floor level, higher ceilings for ground floor shops, and lift overruns/roof access. 24m covers shop top and 22m covers RFBs.

- a maximum 6 storey control is proposed to ensure the additional height is used to achieve ceiling heights, rather than a 7th storey.

The proposed mid-rise FSR and height standards were intended to enable a well-designed 4 to 6 storey apartment buildings. The standards proposed in the EIE were:

- 0-400m to station/centre: 3:1 FSR and 21m height (intended to be 6 storeys)
- 401-800m to station/centre: 2:1 FSR and 16m height (intended to be 4 storeys)

Further policy development and analysis provided in the submissions have revealed that these controls will produce bulky development that will not be well designed. The main issue is the FSR which is too high to fit within the intended 4 to 6 storey outcome. The only way to achieve it would be having no setbacks to the front and side boundaries, leaving minimal space for landscaping and separation, or to provide 8-10 storeys. This was not the intention.

The Department has used the analysis provided in the submissions and internal design advice to recommend a refined FSR and height provision which is detailed with justification in the tables below.

Standard	EIE	Recommendation	Analysis and Justification
0-400M FROM STATIONS/TOWN CENTRES			
FSR	3:1	2.2:1	<ul style="list-style-type: none"> Councils and internal analysis show 6-storeys typically has an FSR between 1.8 and 2.2:1. The ADG recommends an FSR of 2:1 for 6-7 storeys. The LMR landscaping controls cannot be achieved at 3:1. 2.2:1 is recommended as it will accommodate smaller sites and shop top housing developments which need more floor space. The FSR should be lower than TOD because: <ul style="list-style-type: none"> TOD mandates affordable housing, so if the FSRs are the same, LMR would essentially be more permissive than TOD which applies in the best transport locations across the Six Cities, LMR will only apply in residential zones which need setbacks and landscaping, unlike employment zones.
Height	21m	24m for shop top housing 22m for residential flat buildings	<ul style="list-style-type: none"> Councils and internal analysis show 6-storeys typically requires a height between 21-23m for residential flat buildings and up to 24m for shop top housing. These heights accommodate ADG compliant ceiling heights, a raised ground floor level, higher ceilings for ground floor shops, and lift overruns/roof access. 24m is recommended for shop top and 22m for RFB. A maximum 6 storey control is proposed below to ensure the additional height is used to achieve ceiling heights, rather than for a 7th storey.
Storeys	None	Max 6 storeys	<ul style="list-style-type: none"> Ensures the additional height provided is used to achieve ceiling heights and amenity, rather than a 7th storey. Ensures the intent of 6 storey mid-rise housing is achieved.

Standard	EIE	Recommendation	Analysis and Justification
401-800M FROM STATIONS/TOWN CENTRES			
FSR	2:1	1.5:1	<ul style="list-style-type: none"> Councils and internal analysis show 4-storeys typically has an FSR between 1.2 and 1.6:1. The ADG recommends an FSR of 1:1 for 3 storeys. The LMR landscaping controls cannot be achieved at 2:1. 1.5:1 is recommended as it will accommodate smaller sites and shop top housing developments which need more floor space.
Height	16m	17.5m	<ul style="list-style-type: none"> Councils and internal analysis show 4-storeys typically requires a height between 15.5-16.5 m for residential flat buildings. These heights accommodate ADG compliant ceiling heights, a raised ground floor, and lift overruns/roof access. 17.5m is recommended to cover both RFB and shop top housing to allow for higher ceilings for ground floor shops. A 4 storey maximum control is proposed below. This prevents the extra height being used for a 5th storey rather than for amenity.
Storeys	None	Max 4 storeys	<ul style="list-style-type: none"> Ensures the additional height provided is used to achieve ceiling heights and amenity, rather than a 5th storey. Ensures the intent of 4 storey mid-rise housing is achieved.

2.5.3 Changes to the Apartment Design Guide

Refinement 9 – Do not make changes to the Apartment Design Guide

The EIE proposed several modifications to the Apartment Design Guide (ADG), primarily aimed at reducing requirements to promote mid-rise apartments. These included decreases in building separation for the 5th and 6th storeys, reductions in communal open space, and reducing the need for garbage truck access to sites.

Many council submissions and key group submissions provided commentary and detailed analysis indicating that the proposed changes were unnecessary and would result in negative outcomes, such as diminished amenity and waste management issues. Therefore, it is recommended that no changes are made to the ADG.

While the proposed landscaping controls for low- and mid-rise development in the EIE were intended to be implemented through modifications to the ADG and the low-rise design guide, DPHI will pursue these changes through an alternative mechanism. Feedback from submissions largely supported appropriate landscaping provisions. Internal assessments have indicated that it may be challenging for development to achieve the landscaping controls and to achieve a Floor Space Ratio (FSR) near to the maximum allowance; however, the proposed reduction in FSR to 2.2:1 may alleviate this issue. To ensure flexibility, the landscaping controls will be drafted as guidance-level provisions rather than strict development standards.

Council Engagement Approach

3.1 Workshop format

Workshops will be conducted with each of the 49 councils that submitted feedback to the Explanation of Intended Effect (EIE). This includes all of the six cities councils (44) and 5 outside the six cities.

The attendees from the Department of Planning, Housing and Infrastructure (DPHI) at these workshops should comprise:

- 1 key decision maker from the LMR policy division, such as a Director or Executive Director.
- 1-3 LMR technical planning officers, including a team leader, with one designated as the note taker.
- 1 representative from the regional team to provide local council knowledge.

The attendees from each council at the workshops should include:

- 1 key decision maker with delegation, such as a Planning Manager or Director.
- 1-3 technical planning officers.

3.2 Preparation for workshops and agenda

The primary objective of the workshops is to establish a consensus on a list of suitable station and town centre precincts for each council, as outlined in **Refinement 1**.

Ahead of the workshops, each council will be provided with an initial list of potentially suitable stations and town centres and feedback will invited on any further exclusions (or inclusions) a council may deem necessary. The Department will evaluate council feedback against the 'criteria for further exclusions' outlined in Section 2.2.3. Any proposed exclusions that the Department disagrees with will be subject to discussion during the workshop. The workshop agenda will focus on these specific stations and town centres, culminating in the development of a final list by the Department.

Some councils will also be directly engaged on **Refinements 3, 4, 5, 6, and 7**, as they relate to issues that are unique to certain councils such as those pertaining to the R1 zone, heritage, or natural hazards.

Follow-up meetings will be minimised unless they are essential for resolving technical issues that may arise.

Appendix A – R1 Zone Analysis

Council	R1 Lots	Height of Buildings Control Average	FSR Control Average
Maitland	32612	10m	0.9:1
Central Coast	22581	9.5m	0.6:1
Inner West	19557	13.1m	0.5:1
Sydney	18899	9.8m	1.3:1
Camden	17657	13.5m	N/A
Shoalhaven	7603	8.7m	N/A
Liverpool	6855	9.6m	0.7:1
Northern Beaches	4503	8.7m	0.6:1
Penrith	4022	11.6m	N/A
Campbelltown	1654	9.8m	N/A
Shellharbour	1531	9m	N/A
Cessnock	1256	N/A	N/A
Wollongong	1155	21.3m	1.5:1
Burwood	905	12.1m	1.4:1
Fairfield	890	9m	0.5:1
Blacktown	819	12.6m	N/A
Randwick	613	10.6m	0.7:1
Lake Macquarie	605	10.8m	N/A
The Hills Shire	574	11.8m	1.5:1
Blue Mountains	473	7.5m	0.5:1
Hawkesbury	306	12m	N/A

Council	R1 Lots	Height of Buildings Control Average	FSR Control Average
Canada Bay	239	12m	0.75:1
Ryde	156	16.6m	2.3:1
Ku-Ring-Gai	47	10.5m	0.45:1
City Of Parramatta	31	17.1m	0.9:1
Port Stephens	10	9m	N/A
TOTAL	145,553	Average = 10.9m Mode = 8.5m Median = 9.5m	Average = 0.82:1 Mode = 0.5:1 Median = 0.6:1