

Dual Occupancy Subdivision - Update July 2009

There was a Councillor briefing on the issue of Dual Occupancy Subdivision on **Thursday 16/7/09**. The briefing was also attended by the development consultants and invitations went to CCBs who had made submissions on the issue. Huskisson, Hyams and Vincentia CCBs accepted the invitation. Council is revising the policy and a draft proposal can be seen in the papers for the Development Committee of 7th April 2009, on Council's website..

The policy does not apply throughout the Shoalhaven, the reasons for which are not clear although when asked why Berry was not included Clr Ward stated it was a 'political decision'. A list of those 'included' and those 'not included' is below.

The key issues discussed were;

- **Lot size** – proposed to reduce the size of a lot that can be subdivided from 800 sqm to 700sqm and the minimum lot size resulting to be 350 sqm. The consultants suggested the minimum lot size should be 250 sqm.
- **Set backs** – the proposal requires the front set back to match the streetscape, which in most cases is 7.5 m, but consultants requested this be reduced to 5 m. The rear setback was to be 4 m but the consultants requested this to be negotiable i.e. generally less than 4 m.
- **Floor space ratio** – It is proposed to increase the density of construction from 0.4:1 to 0.5:1 plus 50 sqm for a garage. For a 700 sqm lot this means the allowable building size goes from 280 sqm to 400 sqm an increase of 43%. By comparison under DCP 71 for medium density development on a similar size block the density allowed would be less than 0.4:1. The lower density originally set for dual occupancy and medium density was to allow for the extra driveways, paths etc. required in such developments.
- **Landscaped area** - currently 40% of the site area to be reduced to 30%. This means 70% of the site can be covered in concrete. So much for stormwater control.
- **Car parking** – basically one on site car park per unit, but 2 per unit required for 3 bedroom units or in a cul-de-sac.
- **Adaptable Housing** – the second unit to be designed for wheelchair access etc, but not to the full standard of Adaptable Housing required by Australian Standard 2499. This is not expected to add significantly to the cost. Previously Adaptable Housing was only "encouraged"..
- **Clustering of developments** – it is proposed to strengthen the language to discourage the clustering of Dual Occupancy Subdivision in a street or locality. However, Council admitted that once this policy is in place, legally Council cannot stop clustering and any lot that meets the requirements can be subdivided.

- **Location** – the previous bonus for locating near a shopping centre is deleted. Dual Occupancy Subdivision can be anywhere in the nominated villages. In the case of Vincentia this could be up to 6 Km from the District Centre. This is at odds with normal planning practise where increased density is concentrated near facilities.

- **Construction** – The requirement that building of the dual occupancy must be underway before the lot may be subdivided is retained although consultants had requested that the subdivision take place before the building commenced.

Dual occupancy developments without subdivision are not that common the reason being that the house owner has to find the money to build the second dwelling. However, Dual Occupancy Subdivision allows the owner to sell the second property which during construction they can finance by a loan from a bank or a builder. It dramatically changes the attractiveness of dual occupancy developments. However not all owners will want another dwelling in the back yard and the main push for this type of development will come from developers who will buy a property, demolish the existing home, build two houses and subdivide the land into minimum 350 sqm lots. The policy was adopted in November 2006 but due to the downturn in the Real Estate market its full impact has not yet been felt. As the market picks up we will see an increasing number of DA's for this type of development.

Dual Occupancy Subdivision was introduced by the NSW Government in 1992 and was such a disaster that it was abandoned in 1995. It did not produce the Granny flats as hoped, but proved to be a bonanza for developers who bulldozed existing homes and gardens and built two new expensive houses on the site.

The policy is most unfair to residents who bought property in an area zoned for single dwellings, who could over time, find themselves surrounded by Dual Occupancy Subdivisions with a density greater than that allowed in the usual medium density zones. We believe this policy should not apply in areas zoned 2 (a1) designed for detached housing with gardens.

Council staff are now preparing a final proposal for consideration by Council, which will then go on public exhibition. However, I urge you to consider the affects of this policy on your village and make your representations to your Councillors, before they approve the draft. Please call me if you would like to discuss the issue further.

Brian Saunders

President,

Vincentia Ratepayers and Residents Association Inc.
July 2009

Attached table under.

Localities for Dual Occupancy Subdivision - Shoalhaven

Included

North

Bomaderry
North Nowra
Nowra
South Nowra
West Nowra
Worrigeer

Central

Callala Bay
Callala Beach
Culburra Beach
Greenwell Point
Huskisson
Sanctuary Point
Shoalhaven Heads
St Georges Basin
Sussex Inlet
Vincentia

South

Milton
Mollymook
Mollymook Beach
Ulladulla

Not Included

Berry
Camberwarra
Kangaroo Valley
Nowra East

Woollamia
Currarong
Erowal Bay
Hyams Beach
Old Erowal Bay
Orient Point
Tomerong
Worowong Heights
Wrights Beach
Basin View

Bendalong
Dolphin Point
Manyana
Narrawalle

APPLIES to zones

2(a1), 2(c), 2(e), 2(b1), 2(b2)

1(a), 1(b), 1(d), 1(c1), 1(c2), 1(c3)