

## Draft Wilton Housing Complying Development Code

### General Questions

#### What is the Department of Planning, Industry and Environmentally exhibiting?

The Department has worked with Wollondilly Shire Council, State agencies and the housing and development industry to prepare the concept for the draft Wilton Housing Complying Development Code (the draft Code to apply to low density residential development in the Wilton Growth Area).

#### What is “complying development”?

Complying development provides a faster approval pathway for straightforward development that can be determined through a fast-track assessment by a council or private certifier. If proposed development meets the complying development criteria, you can obtain a Complying Development Certificate which removes the need to lodge a Development Application with Council.

The existing Greenfields Housing Code (GHC) applies to most growth areas in Western Sydney and allows 1 and 2 storey homes, alterations and additions to be carried out under the faster complying development approval pathway, saving homeowners time and money.

However, the GHC does not apply to land zoned ‘Urban Development Zone’ (UDZ) – which is the zoning used in much of the Wilton Growth Area.

#### Why is a site-specific Housing Complying Development Code being prepared for Wilton and where will it apply?

To provide a complying development pathway for low density residential development in the Wilton Growth Area, a Wilton-specific Code is proposed to achieve similar benefits to the GHC.

The draft Code will initially apply to North and South East Wilton precincts in the Wilton Growth Area which have been rezoned.

The draft Code will function in a similar way to the GHC, adapted to enhance and reinforce the vision and landscape character of Wilton as well as building resilient new urban areas in the Wilton Growth Area.

To ensure mitigation of impacts on conservation areas and future residences, the draft Code will not apply to UDZ land that is:

- located within 30m of land identified for environmental conservation purposes, or
- located within 100m of arterial roads or the Maldon-Dombarton rail corridor.

The draft Code will seek to achieve the vision established in Wilton 2040 and the draft Wilton Growth Area Development Control Plan (DCP). The DCP promotes a new low-density housing model to better match the Wilton Growth Area’s environmental sensitivity and future desired character.

#### What will the draft Code contain?

The draft Code will contain built form, landscape and amenity development standards.

- The *Built Form Development Standards* include maximum building height; maximum gross floor area of all buildings on a lot; minimum front, side and rear setbacks; maximum rear garage height and width; maximum garage door width; and maximum driveway width.

## Frequently asked questions

- *Landscape Development Standards* include minimum principal private open space, minimum landscape area; and provision of a tree to the front and rear garden.
- The *Amenity Development Standards* include no windows and doors to be located within a wall less than 900m from a boundary; and privacy screens for windows to a habitable room located close to side or rear boundaries.
- The draft Code will also generally contain the same standard conditions of approval that apply to complying development approved under the GHC.

## Some more technical questions ...

### What are the key differences of the draft Code from the Greenfield Housing Code?

The proposed controls will align to development standards for low density residential in the Wilton Growth Area DCP rather than those in the Greenfield Housing Code.

- Driveways are proposed to be limited to 3m wide and garages can only have a zero lot setback if the dwelling has a zero lot setback. Detached dwellings will require detached garages.
- The minimum landscaping requirements in the GHC range between 10% to 45% of the lot area based on a range of lot sizes starting from 200 m<sup>2</sup>. The draft Code will promote new minimum landscape area requirements which range between 15% to 50% of the lot area.
- The GHC does not contain principal private open space requirements as they form a component of landscaping. However, the draft Code will include various minimum area and dimension requirements for providing principal private open space.
- The Wilton Growth Area DCP promotes more nuanced ground and upper level setback requirements for both conventional detached and zero lot line dwellings to those contained within the GHC. The draft Code will generally adopt the alternate setback requirements of the Wilton DCP.
- The Hume Motorway, Picton Road and the Maldon-Dombarton freight rail corridor traverse the North Wilton and South East Wilton precincts, potentially resulting in significant amenity impacts on future residents. Unlike the GHC which has no buffer exclusions, areas within 100 metres of these transport corridors are not proposed to be included in the draft Code.
- The GHC provides for excavation ranging between 1m and 3m, depending upon the distance of the land cut from the development. The Department recognises that bulk earthworks will have already been carried out at the subdivision stage. So, the draft Code for dwelling houses and associated detached development will promote reduced earthworks ranging between 500mm and 2m, resulting in less potential for sedimentation into local waterways.

### What other changes are being proposed?

The making of amendments to the Growth Centres SEPP to include the draft Code will also result in the need for amendment to the EP&A Regulations. Schedule 4 of the EP&A Regulations specifies the matters that must be included on a s10.7 planning certificate, including provision of advice concerning whether a property may or may not benefit from complying development.

The EP&A Regulations references only the complying and non-complying land provisions in the Codes SEPP that may or may not enable land to benefit from a complying development approval pathway. An amendment to the EP&A Regulations is proposed to expand the Regulations by referencing the new complying and non-complying land provisions proposed to be inserted into the Growth Centres SEPP.

## Frequently asked questions

### **What Exempt and Complying Development Codes apply in the Wilton Growth Area?**

The Exempt Development Codes and the General Development, Container Recycling Facilities, Subdivisions, Demolition and Fire Safety Codes of the Codes SEPP apply to the Wilton Growth Area.

### **Why are lighter colours and building materials required?**

Research has shown that the choice of material and its colour affects how much heat is absorbed by houses, with the darker colours absorbing more sunlight and getting warmer faster than lighter colours. The lighter colours reflect more of the sun's radiant energy, so they remain cooler in the sunlight.

The Department is developing a colour palette for Wilton that will promote the use of lighter colours for external finishes on the main parts of dwellings and lighter coloured roofs. This will help combat urban heat, improve sustainability and increase the resilience of new urban areas. While lighter colours are required for the complying development pathway, if you want to use darker colours then you will need to get development approval.

### **What is included in the exhibition material?**

The exhibition material includes the draft Wilton Housing Complying Development Code Explanation of Intended Effect (EIE), the s10.7 Planning Certificate notation and this FAQ.

### **What will the duration of the exhibition be?**

The exhibition will run for 4 weeks, commencing on 23 August and closing 20 September 2021.

### **What is the Wilton Housing Complying Development Code EIE?**

The Explanation of Intended Effect has been prepared under section 3.30 of the Environmental Planning and Assessment Act 1979 (EP&A Act), which requires the Minister to consider exhibiting an EIE of the proposed instrument and to seek and consider submissions from the public.

The EIE explains the intended effect of the proposed amendments to Growth Centres SEPP and provide an overview to amendments that are also required to the Environmental Planning and Assessment Regulations 2000 (EP&A Regulations).

### **How can I have my say?**

We would like to receive your feedback on the Wilton Housing Complying Development Code EIE's and invite you to make a submission by completing the online feedback form at:

[www.planningportal.nsw.gov.au/draft-wilton-growth-area-housing-complying-development-code](http://www.planningportal.nsw.gov.au/draft-wilton-growth-area-housing-complying-development-code)

The Department will publish a response to submissions following the close of the exhibition period.