

Dual occupancy constraints analysis

Technical Paper
December 2019

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Document versions

No.	Author	Version
1.	City of Parramatta Council	Pre-Gateway report to Local Planning Panel and Council
2.	City of Parramatta Council	Minor updates to maps to incorporate additional areas proposed to be rezoned from R3 Medium Density Residential to R2 Low Density Residential. No other map changes made. An addendum has been added, as well as additional commentary in Section 3, relating to the option to prohibit dual occupancies in additional parts of Carlingford, Eastwood and Epping, east of Marsden Road.

1. Background

1.1. Purpose of this report

This report documents the detailed analysis that has been undertaken to inform the identification of areas suitable for dual occupancy development across the council area. This analysis supports the planning proposal for consolidation of the various local environmental plans applying to the City of Parramatta Local Government Area (LGA).

1.2. What is a dual occupancy

A dual occupancy (sometimes referred to as a duplex) is defined as two dwellings built on the same lot of land. Dual occupancies can take a variety of forms and are categorised as either detached (no shared walls) or attached (either side by side, one in front of the other or one above the other). Once built, dual occupancies can be subdivided so that one can be sold separately from the other – provided this is allowed by the relevant planning controls applying to the site.

Figure 1 below illustrates the different types of dual occupancy housing.

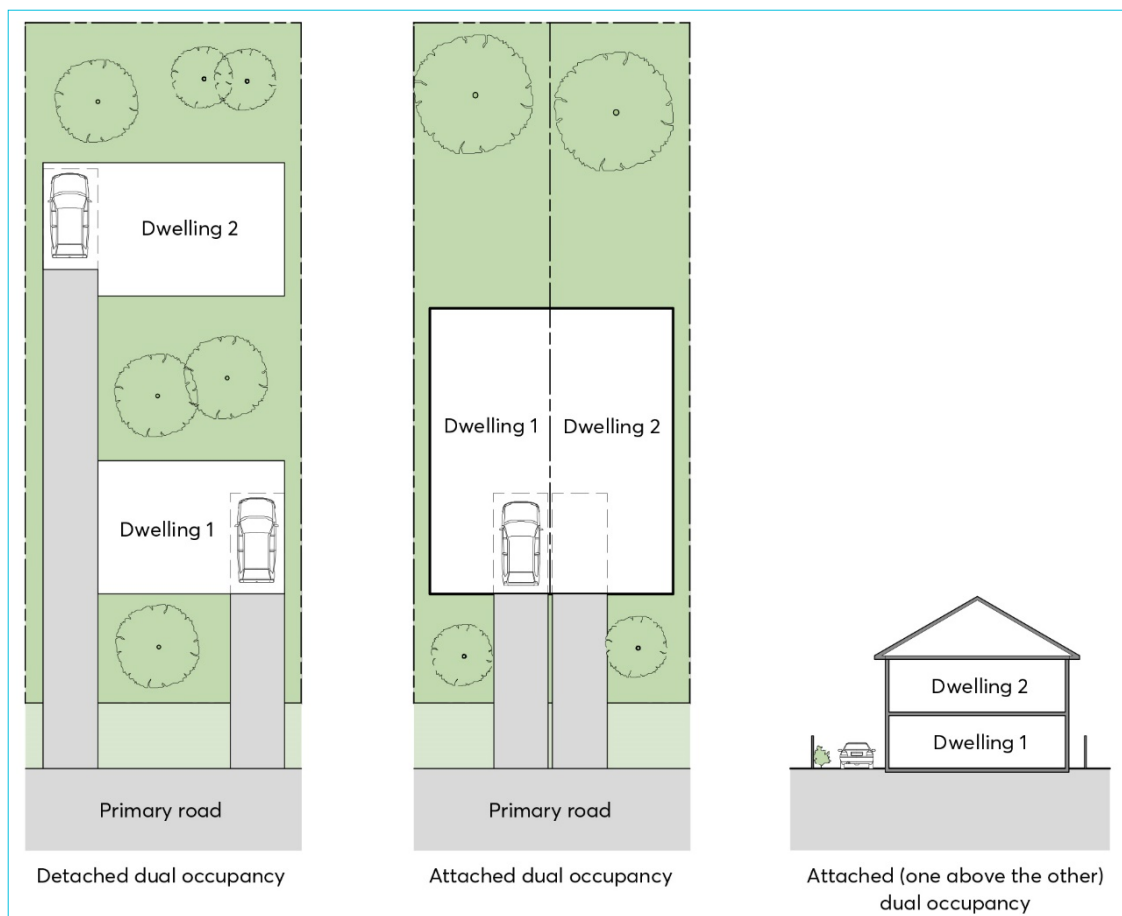


Figure 1 – Types of dual occupancy development

1.3. Current planning controls for dual occupancy development

As a result of State Government changes to Council boundaries in May 2016, there are currently different rules applying to dual occupancy development in different parts of the City of Parramatta LGA. These are summarised below in Table 1 and also in Figure 2.

Table 1 – Summary of different dual occupancy controls applying in the LGA

	Where permitted	Subdivision policy	Min. lot size required
Auburn LEP	R2 and R3 zones	Only Strata Title or Community Title subdivision is permitted	Not specified in LEP. (DCP requires 450sqm for attached and 600sqm for detached dual occupancies)
Holroyd LEP	R2 and R3 zones	Permitted	Not specified in LEP. (DCP requires 450sqm in R3 zones & 500sqm in R2 zones)
Hornsby LEP	Prohibited in all zones	N/A	N/A
Parramatta LEP	R2, R3 and R4 zones, except areas identified on <i>Dual Occupancy Prohibition Map</i>	Permitted, except in South Parramatta Conservation Area, where Torrens Title subdivision is prohibited	600sqm
The Hills LEP	R1, R2, R3, R4 and E4 zones	Prohibited	600sqm for attached and 700sqm for detached dual occupancies (R2 & R3 zones), 1,800sqm (R1 & R4 zones), 2,000sqm (E4 zone)

The Parramatta LEP includes a *Dual Occupancy Prohibition Map* which identifies locations in which dual occupancies are prohibited, despite any other provisions of the LEP (including the zoning). Areas currently mapped include parts of Epping, Eastwood, Northmead, North Parramatta and Winston Hills, which coincide with heritage conservation areas or special character areas (identified within Parramatta DCP). These prohibition areas were put in place to protect the character of these areas.

Parramatta LEP also includes a provision restricting dual occupancy development to attached forms in the R2, R3 and R4 zones unless the site contains a heritage item or at least two street frontages, in which case detached forms of dual occupancy are also permitted.

The prohibition of dual occupancy development under Hornsby LEP was introduced to address concerns over the potential impact on local character. Likewise, the prohibition on subdivision of dual occupancies under The Hills LEP was introduced to protect the character of low density neighbourhoods, which are characterised by larger lots. A consequence has been that very few sites have been redeveloped for dual occupancies in the R2 zone under The Hills LEP.

1.4. Harmonising our land use planning framework – Discussion Paper

In January 2019 Council published the *Land Use Planning Harmonisation Discussion Paper*. The Discussion Paper summarised the key differences between land use plans applying in the LGA and made suggestions for how these differences could be resolved to create a single LGA-wide local environmental plan (LEP) and development control plan (DCP).

The following options were suggested for where dual occupancy development should be allowed:

Low Density Residential Zones	<p><u>Option 1</u></p> <p>Dual occupancies would continue to not be allowed in locations where they are currently not allowed under Parramatta LEP, plus on R2 zoned land in the former Hornsby and The Hills LGAs, where restrictions on dual occupancies are currently in place. Some additional parts of Oatlands and Winston Hills were also suggested to be included in the prohibition areas. See Figure 3 for an illustration of this option.</p>
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Alternative option 1 – larger dual occupancy prohibition areas

This option included the prohibition areas suggested above, plus additional R2 zoned land in parts of Carlingford, Dundas, Eastwood, Epping and Rydalmere where dual occupancies are currently allowed. Land fronting Marsden, Kissing Point, and Victoria Roads would not be included in the suggested prohibition areas. See Figure 4 for an illustration of this option.

Alternative option 2 – fewer dual occupancy prohibition areas

Feedback was sought on the potential for having fewer prohibition areas, and allowing dual occupancies in more locations, such as in parts of the former Hornsby or The Hills LGAs. Feedback was invited on the areas that could be allowed to have dual occupancies.

Medium and high density residential zones (R3 and R4 zones). It was proposed to permit dual occupancies, along with other forms of housing, in the R3 and R4 zones across the LGA to provide opportunity for housing diversity in these locations.

Feedback on the above suggestions is outlined in the Discussion Paper Consultation Report. A range of views were expressed by those in support of and against prohibiting dual occupancy development in certain areas.

Common concerns raised with dual occupancies included incompatibility with the character and streetscape of low density areas. Other concerns raised included traffic and on-street parking impacts, and the loss of trees.

Those in support of dual occupancy development argued that dual occupancies provided more housing choice and flexibility and are an efficient use of land, particularly in locations near transport and centres. They expressed concern that the suggested prohibition areas were unfairly applied.

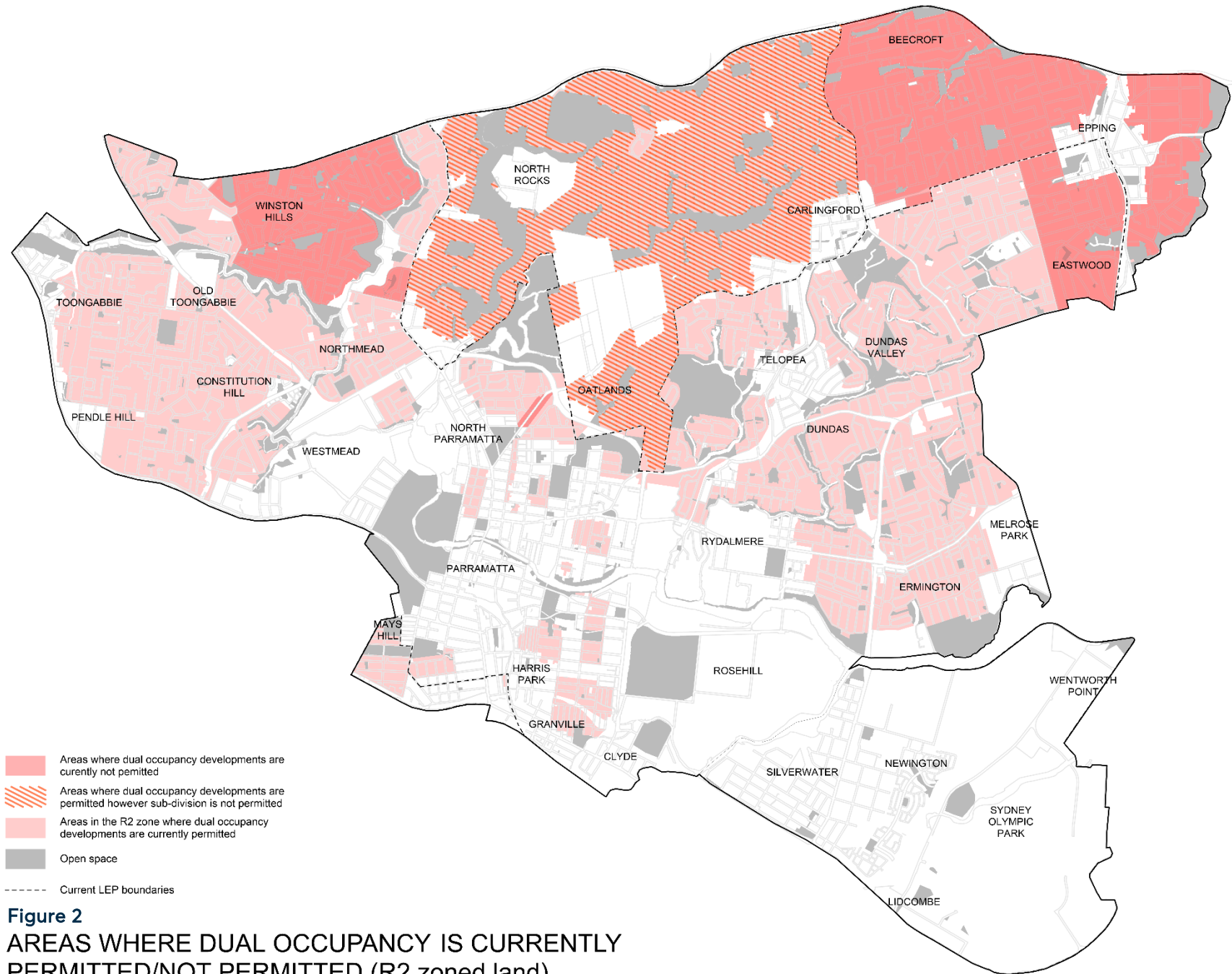
Some submissions made suggestions for how dual occupancy prohibition areas could be defined, such as based on proximity to transport and services, topography, street-widths and opportunities for housing renewal.

1.5. State Government planning policy

The State Government recently introduced changes to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) that allow for certain types of dual occupancies (side by side or one on top of the other) to be built through the complying development pathway, provided it meets the requirements of the *Low Rise Medium Density Housing Code* and any minimum lot size controls set out in a LEP.

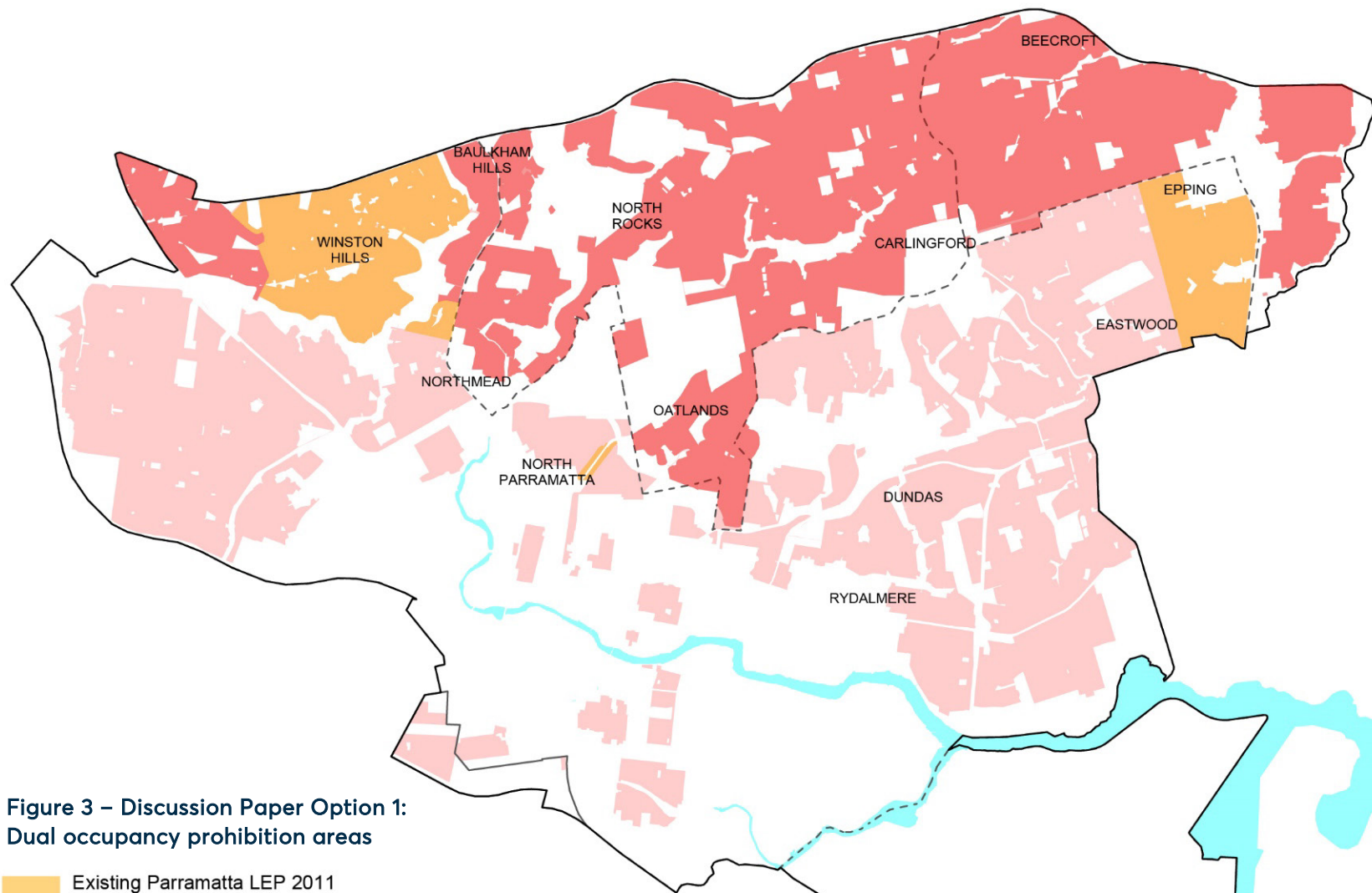
These provisions do not currently apply in the City of Parramatta LGA and are currently not due to come into effect until July 2020, though it is noted that Council has formally requested an extension of the deferral until July 2021 to enable Council to undertake further strategic planning work including preparation of a Local Housing Strategy and consolidation of the LEP.

When the new Codes SEPP provisions do come into effect in the LGA, they will only apply to areas where dual occupancies are permitted under an LEP. In areas where they do apply, the Codes design requirements will override any local planning controls. This means complying development under the Code is not required to meet any LEP and DCP requirements, with the exception of minimum lot size requirements.



- Areas where dual occupancy developments are currently not permitted
- Areas where dual occupancy developments are permitted however sub-division is not permitted
- Areas in the R2 zone where dual occupancy developments are currently permitted
- Open space
- Current LEP boundaries

Figure 2
AREAS WHERE DUAL OCCUPANCY IS CURRENTLY PERMITTED/NOT PERMITTED (R2 zoned land)

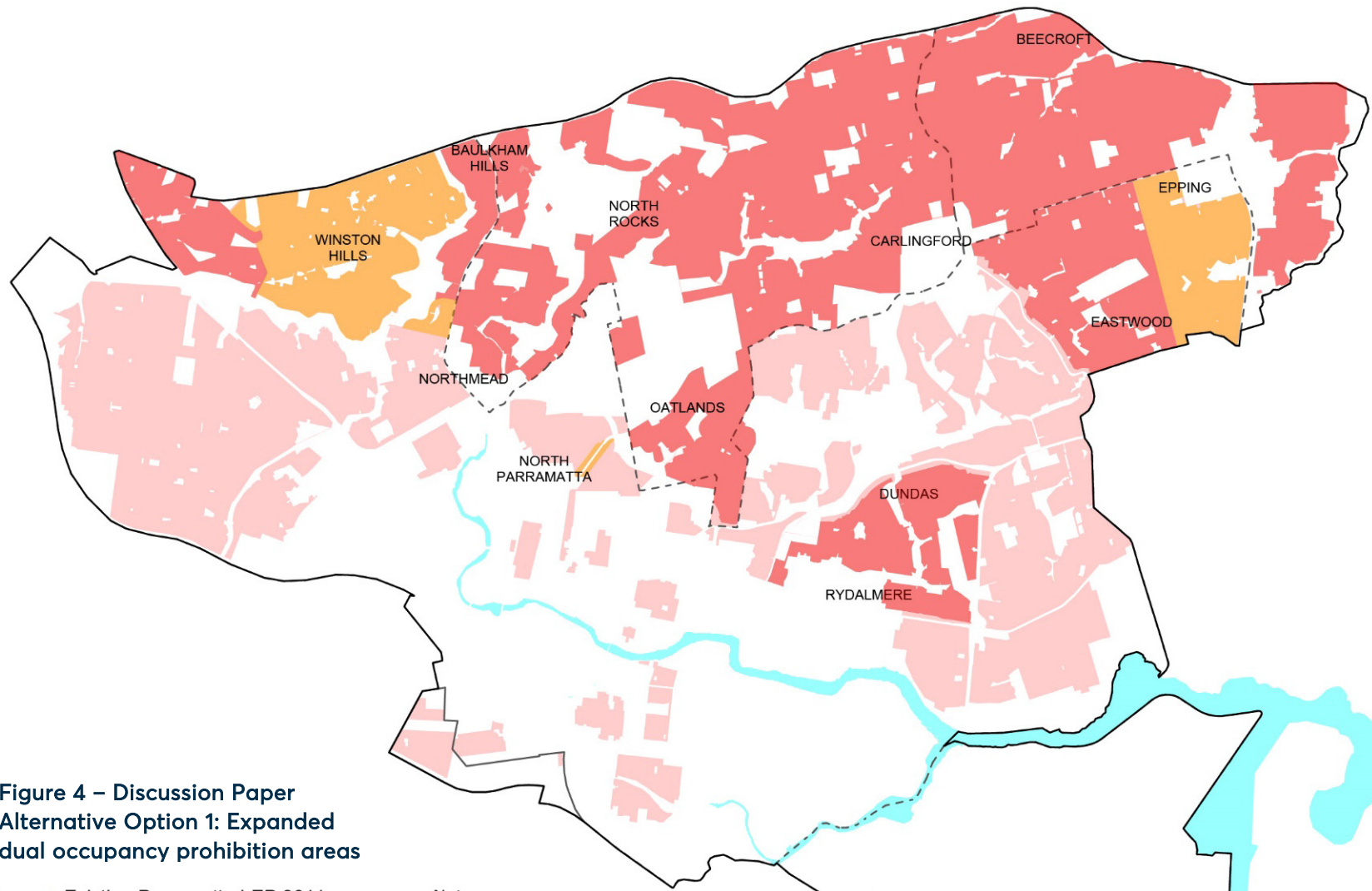


**Figure 3 – Discussion Paper Option 1:
Dual occupancy prohibition areas**

- Existing Parramatta LEP 2011 dual occupancy prohibition areas
- Proposed additional dual occupancy prohibition areas
- Areas in the R2 zone where dual occupancy will continue to be permitted
- Current LEP boundaries
- City of Parramatta Council LGA

Note

Under this option the proposed dual occupancy prohibition areas include parts of Oatlands and Winston Hills where dual occupancies are currently permitted under Parramatta LEP. This will avoid creating isolated pockets of land where different planning controls apply, taking into account natural barriers, such as main roads and large open spaces, and areas of contiguous local character.



**Figure 4 – Discussion Paper
Alternative Option 1: Expanded
dual occupancy prohibition areas**

- Existing Parramatta LEP 2011 dual occupancy prohibition areas
- Proposed additional dual occupancy prohibition areas
- Areas in the R2 zone where dual occupancy will continue to be permitted
- Current LEP boundaries
- City of Parramatta Council LGA

Note

Under this option the proposed dual occupancy prohibition areas will be extended to include additional parts of the LGA where dual occupancies are currently permitted under Parramatta LEP, including parts of Carlingford, Dundas, Eastwood, Epping and Rydalmere – with the exception of land fronting Marsden, Kissing Point and Victoria Roads. This reflects concerns with the cumulative impacts of dual occupancy development on these low density areas.

2. Methodology

While dual occupancies can help contribute to housing supply and diversity, it is important to ensure that development occurs in the right locations. To provide a consistent basis for identifying appropriate locations further analysis has been undertaken to map, at a finer grain, the various constraints that exist to dual occupancy development across the council area.

The following constraints have been included in the analysis:

- Special local character
- Narrow streets
- Impermeable street pattern
- Poor public transport accessibility
- Concentrations of tree coverage
- Bushfire hazard

The constraints relate to concerns that have been raised in the feedback received from the community, and are considered to be environmental factors that would contribute most to creating negative impacts from dual occupancy development, particularly in areas where multiple constraints overlap and where dual occupancies could significantly increase the concentration of housing over time. They are also constraints for which consistent data is available for land across the LGA and is able to be mapped.

The mapping undertaken is included in this report at Figures 5 to 13. Commentary on each of the constraints that have been mapped is provided below.

It is noted that the focus of this analysis is on low density residential land where the potential for negative impacts from dual occupancy development is greatest and across which the Discussion Paper identified several options for applying prohibition areas.

2.1. Areas with special character

A key objective of Council's draft Local Housing Strategy (LHS) is that the City of Parramatta's low density residential neighbourhoods retain their local character, provide housing diversity (through preservation of low density housing stock) and preserve future housing opportunity. Goal 6 of the draft LHS states: "Where appropriate, maintain existing character and Heritage Conservation Areas and preserve future housing opportunity."

The constraints analysis has mapped areas which have a strong and consistent local character which is not considered compatible with dual occupancy development. These include:

- **Existing heritage conservation areas** (*with the exception of South Parramatta Conservation Area, where special local provisions have recently been applied through a site-specific rezoning process*). The heritage value of a conservation area lies not just with the heritage significance of individual buildings, but with other factors, including landform, subdivision and the history of development. For many areas the changes to the streetscape and subdivision as a result of dual occupancy development would not be compatible with the heritage significance of these areas.
- **Existing Special Character Areas:** these are identified in Parramatta DCP 2011, which outlines area-specific controls for new development to protect the local character. Several of these

character areas, in particular Winston Hills and Sylvia Garden are currently identified as dual occupancy prohibition areas under Parramatta LEP 2011.

- **Beecroft:** The part of the suburb of Beecroft within the City of Parramatta Council area has an established garden setting and a consistent style of housing, being predominantly medium sized detached brick dwellings on blocks with modest to large well established gardens. This consistency of housing together with the established front gardens and abundance of trees make this area a candidate for further investigation as a Special Character Area. It is noted that the area shares characteristics with the parts of the suburb north of the M2 Motorway, which is designated a heritage conservation area under Hornsby LEP 2012. Allowing dual occupancy development in this area would risk loss of the garden setting that characterises it and impact on the consistency in housing scale and styles.
- **Epping (*east of the town centre*):** This part of Epping has a consistent established character, being predominantly medium-sized detached brick homes on lots with large well established front and rear gardens. This area contains several heritage conservation areas. While the whole area is not covered by a heritage conservation area designation, the consistency of character makes it a candidate for further investigation as a Special Character Area. Allowing dual occupancy development in this area would risk loss of the garden setting that characterises it and detract from the consistency in housing scale and styles.

Areas with special character are mapped on Figure 5.

It is noted that as part of *Planning Circular PS 18-001* the State Government has indicated its intention to amend the *Standard Instrument LEP* to allow councils to establish local character overlays in local environmental plans. Local character overlays would consist of a map layer in LEPs and an associated clause to establish additional assessment requirements for identified areas. Council intends to undertake the necessary work to investigate potential special character areas and the inclusion of local character overlays through a future LEP update.

2.2. Narrow streets

Traffic and parking congestion was a common concern raised in feedback on the Discussion Paper. Dual occupancies will have some impact on local traffic as they are replacing one house with two, which over time could double the number of homes in low density suburbs that were not originally planned for medium density housing.

While a range of factors can contribute to local traffic and parking issues, the potential for negative impacts can be made worse when certain characteristics are present in an area, such as concentrations of narrow streets and when there are few through-roads into and out of an area.

On roads less than 7.5 metres wide there is potential for congestion from parked vehicles. This is because such roads do not have enough space for two vehicles to pass each other unimpeded when cars are parked on either side of the road. Access could also be particularly difficult for larger vehicles such as garbage and fire trucks.

Long, narrow streets with dead-ends can be particularly problematic, especially when they occur in street patterns that provide poor access for through traffic and a lack of opportunity for cars to park elsewhere, such as on side-streets.

Traffic problems can also occur on curvilinear streets, which are typical of street patterns from the 1950s. Curved streets provide poor site lines for moving cars, which can be made worse by parked cars if they are narrow.

Figure 6 illustrates areas considered to have higher potential for traffic and parking issues to arise from increased densities, due to the presence of a combination of the factors outlined above.

Narrow roads have been mapped based on road segment widths recorded on Council's road network survey database.

2.3. Areas lacking permeability

Areas with a street pattern characterised by large blocks and concentrations of long curvilinear streets with dead-ends and fewer direct pedestrian links encourage car use over walking as they often require residents to walk relatively long distances along indirect routes to get to anywhere. This acts as a barrier to accessing local shops, services, transport and neighbours. These are not ideal locations for higher density development.

This is a principle recognised by the State Government's Low Rise Medium Density Design Guide, which states that medium density housing generally requires a much finer grain street network (such as a grid pattern) than lower density single dwelling housing.

Battle-axe lots do not provide good amenity for residents. Houses built on these lots do not have a proper street address and are usually accessed from long narrow driveways. They also provide a poor outlook for occupants, which usually consists of looking at the rear and side fences of their neighbours. Two storey dwellings in battle-axe lots can also impact on surrounding residents as a result of overshadowing and overlooking. Battle-axe lots are therefore not considered ideal locations for dual occupancy development.

Battle-axe lots and areas lacking permeability for pedestrians have been mapped at Figure 7.

2.4. Transport accessibility

Areas with good access to public transport are more suited to intensification. Good access to frequent public transport will help reduce traffic on local roads and can reduce levels of car ownership and therefore the number of cars parking on streets. Using public transport can also have health benefits as it encourages walking.

A key objective of Council's draft Local Housing Strategy (LHS) is that housing delivery is aligned and sequenced with existing transport capacity improvements. Goal 4 of the draft LHS states: "Deliver 90% of new housing within the walking catchments of existing or committed public transport and deliver active transport networks, promoting modal shift, throughout the LGA."

Areas lacking access to frequent public transport services are shown on Figure 8.

These have been mapped using the latest timetable data from Transport for NSW. Walking catchments of 800 metres to railway stations and 400 metres to light rail and bus stops have been used. These are walking distances that are typically used in land use planning across the State.

All railway stations and light rail stops have been included. Only bus stops which are served by at least 180 bus services a week have been mapped – representing a level of service of approximately four buses an hour between 7am and 7pm, 5 days a week.

2.5. Tree coverage

Trees provide a number of benefits to the local area. They provide shade and reduce urban heat, provide habitat and add to the pleasant character of many areas. A key objective of Council's draft Local Housing Strategy (LHS) is to optimise the environmental performance of low density residential neighbourhoods. This links to a key priority of Council's draft Local Strategic Planning Statement, which is to protect and enhance our green infrastructure and increase tree canopy.

Intensification of development in low density areas can place pressure on established trees. Allowing dual occupancy development in an area could incentivise the redevelopment of more modestly-sized single dwellings. Dual occupancy development can also take up more of a site than single detached housing as it is replacing one home with two. It is also noted that under the *Low Rise Medium Density Housing Code*, floor area allowances for dual occupancy development are higher than for single dwellings. This can make trees vulnerable to removal. Dual occupancy development can also negatively impact street trees, as additional driveway crossings are often required.

Blocks and streets with high concentrations of established trees are identified in Figures 9 and 10. These areas have been identified using the latest NSW Urban Vegetation Cover mapping from the State Government, supplemented with a visual assessment against the latest aerial photography.

2.6. Bushfire hazard

A key priority of Council's draft Local Strategic Planning Statement is to increase resilience of people and infrastructure against natural and urban hazards. Land that is prone to hazards such as bushfires is not considered the most ideal location for increasing housing densities. This land tends to be located adjoining bushland reserves.

2.7. Availability of sites for dual occupancy development across the LGA

A minimum lot size of 600sqm is recommended for dual occupancy development. This is the minimum site area required to achieve sufficient landscaping, private open space and to limit amenity impacts on neighbours. The availability of lots over 600sqm varies across the LGA. In some areas there is a much higher concentration than in others.

The potential for negative impacts arising from dual occupancy development will be higher in areas where there is a higher concentration of sites of 600sqm or more. If a site is large enough it could be built for both dual occupancy development and secondary dwellings (granny flats).

For example, Sites greater than 900sqm would be large enough to accommodate two dual occupancy dwellings, and if subdivided into individual 450sqm lots, a separate granny flat could also be built on each lot. This is because under the *State Government's Affordable Rental Housing SEPP*, detached secondary dwellings can be built on lots as small as 450sqm. This further increases the potential for negative impacts associated with significant environment constraints.

Table 2 below summarises the proportion of lots over 600sqm and 900sqm in suburbs across the LGA. Figure 11 illustrates this geographic distribution of lot sizes across the LGA.

Table 2 – Lot sizes by suburb

Suburb	Total lots (zoned R2)	Average lot size	% lots over 600sqm	% lots over 900sqm
Beecroft	823	899sqm	95%	58%
Carlingford	5422	793sqm	91%	27%
Constitution Hill	970	666sqm	43%	7%
Dundas	1019	641sqm	68%	7%
Dundas Valley	1405	660sqm	68%	12%
Eastwood	1020	697sqm	66%	26%
Epping	4780	796sqm	84%	25%
Ermington	2864	649sqm	56%	17%
Granville	232	544sqm	40%	7%
Harris Park	199	507sqm	37%	13%
North Parramatta	903	621sqm	46%	8%
North Rocks	2190	794sqm	99%	18%
Northmead	2278	690sqm	71%	9%
Oatlands	1321	849sqm	89%	40%
Old Toongabbie	986	620sqm	35%	5%
Rosehill	234	565sqm	32%	20%
Rydalmere	1425	607sqm	55%	3%
Telopea	648	706sqm	79%	26%
Toongabbie	1874	640sqm	41%	8%

Suburb	Total lots (zoned R2)	Average lot size	% lots over 600sqm	% lots over 900sqm
Wentworthville / Pendle Hill	1238	718sqm	66%	18%
Winston Hills	3987	643sqm	55%	5%
Parramatta	648	529sqm	29%	5%

Note. The data excludes sites that have been strata titled or are part of schools or other large pieces of infrastructure and therefore would not be expected to be developed for dual occupancy development.

2.8. Layering of constraints

In order to determine the degree to which different parts of the LGA are affected, the constraints outlined above have been overlaid onto a single map. Each constraint has been allocated a score of between 1 and 3 to reflect how much of a barrier to dual occupancy development it is considered to be, as follows:

- Heritage conservation areas/special character: 3
- 40% or more tree cover: 2
- 30%-40% tree cover: 2
- Battle-axe lot: 2
- Higher potential for traffic problems: 2
- 20%-30% tree cover: 1
- High concentration of street trees: 1
- Lack of pedestrian permeability: 1
- Infrequent public transport: 1
- Bushfire prone: 1

Dual occupancy development is not considered to be compatible with the character of most heritage conservation areas because of the impact on character and historic subdivision patterns. As such, this constraint has been allocated the highest score of 3.

By contrast, lower levels of tree coverage, lack of access to frequent public transport, bushfire risk or lower levels of pedestrian permeability have been allocated a score of 1. It is considered that the presence of one of these constraints on their own, although not ideal, may not be sufficient to rule out dual occupancy development. For example, on sites with lower levels of tree coverage it may be possible to avoid tree loss through careful design. However, if there were multiple overlapping constraints, it would be increasingly difficult to avoid negative impacts.

The results of the layering and scoring of constraints is illustrated at Figure 12. Figure 13 shows the same data, but only applied to sites of 600sqm or more.

Areas with the highest concentration of the constraints (with a score of three or more) are shown red. Areas with a score of 2 are shown orange. Areas identified as relatively unencumbered by the constraints examined in this study are shown pink.

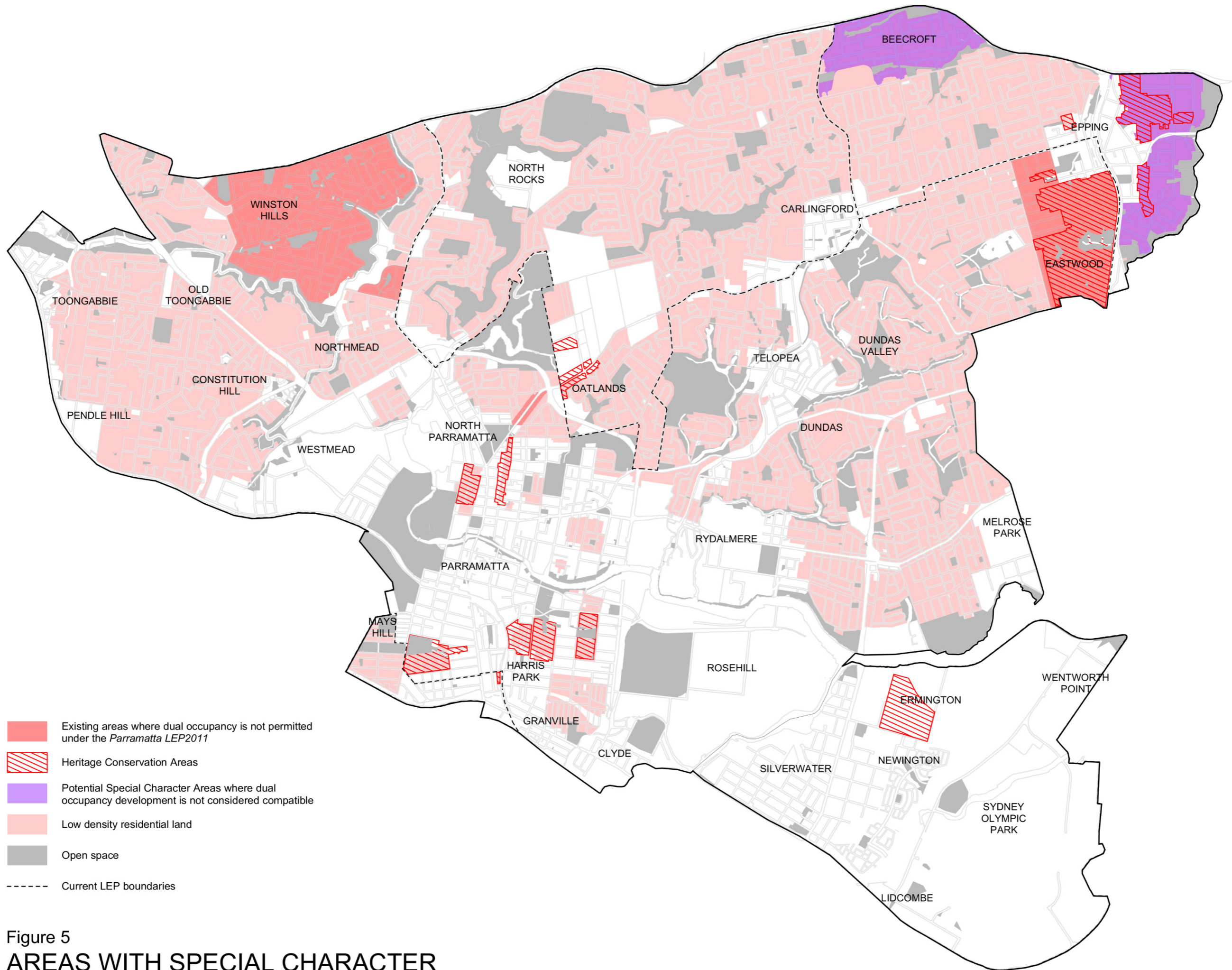


Figure 5
AREAS WITH SPECIAL CHARACTER

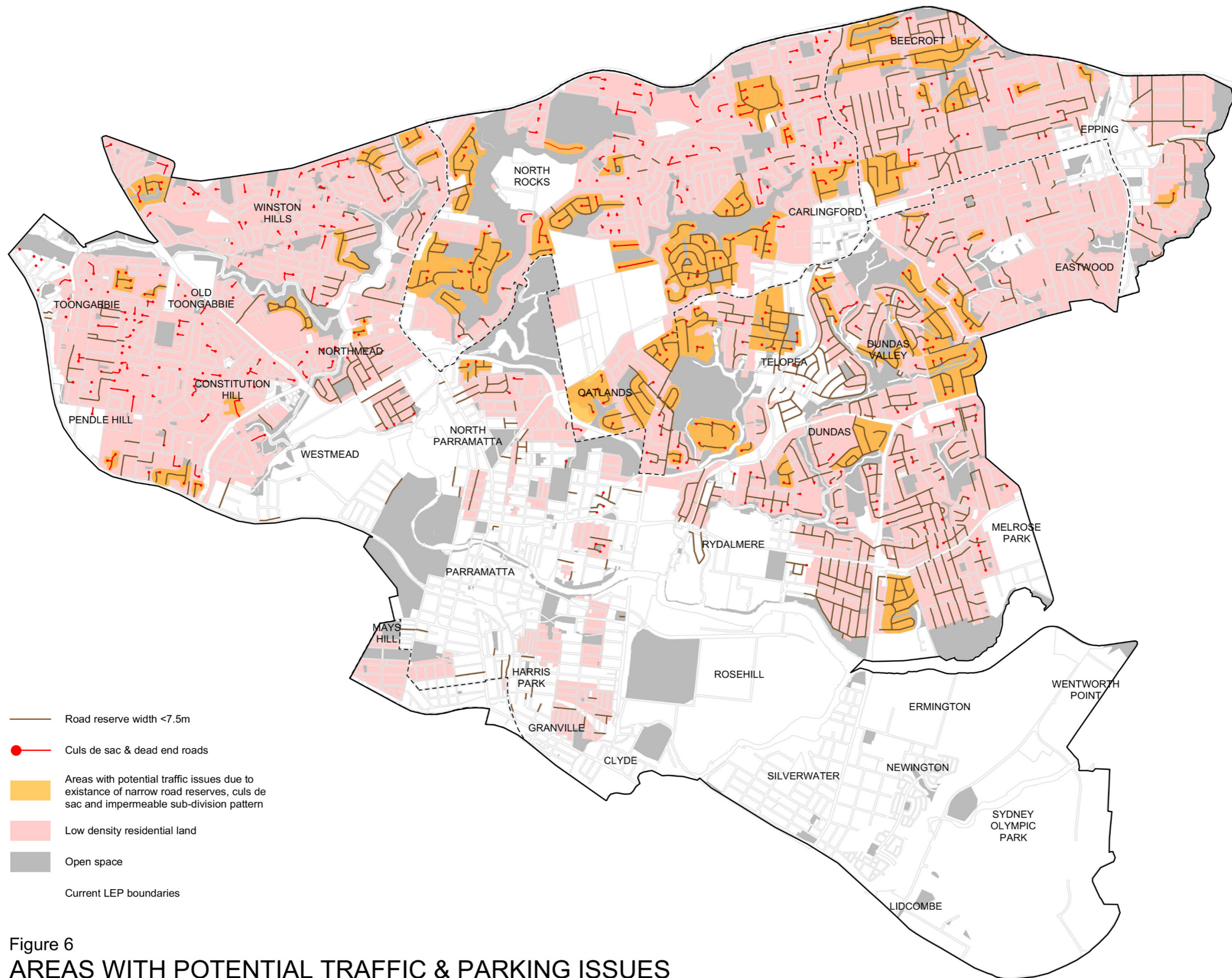


Figure 6
AREAS WITH POTENTIAL TRAFFIC & PARKING ISSUES

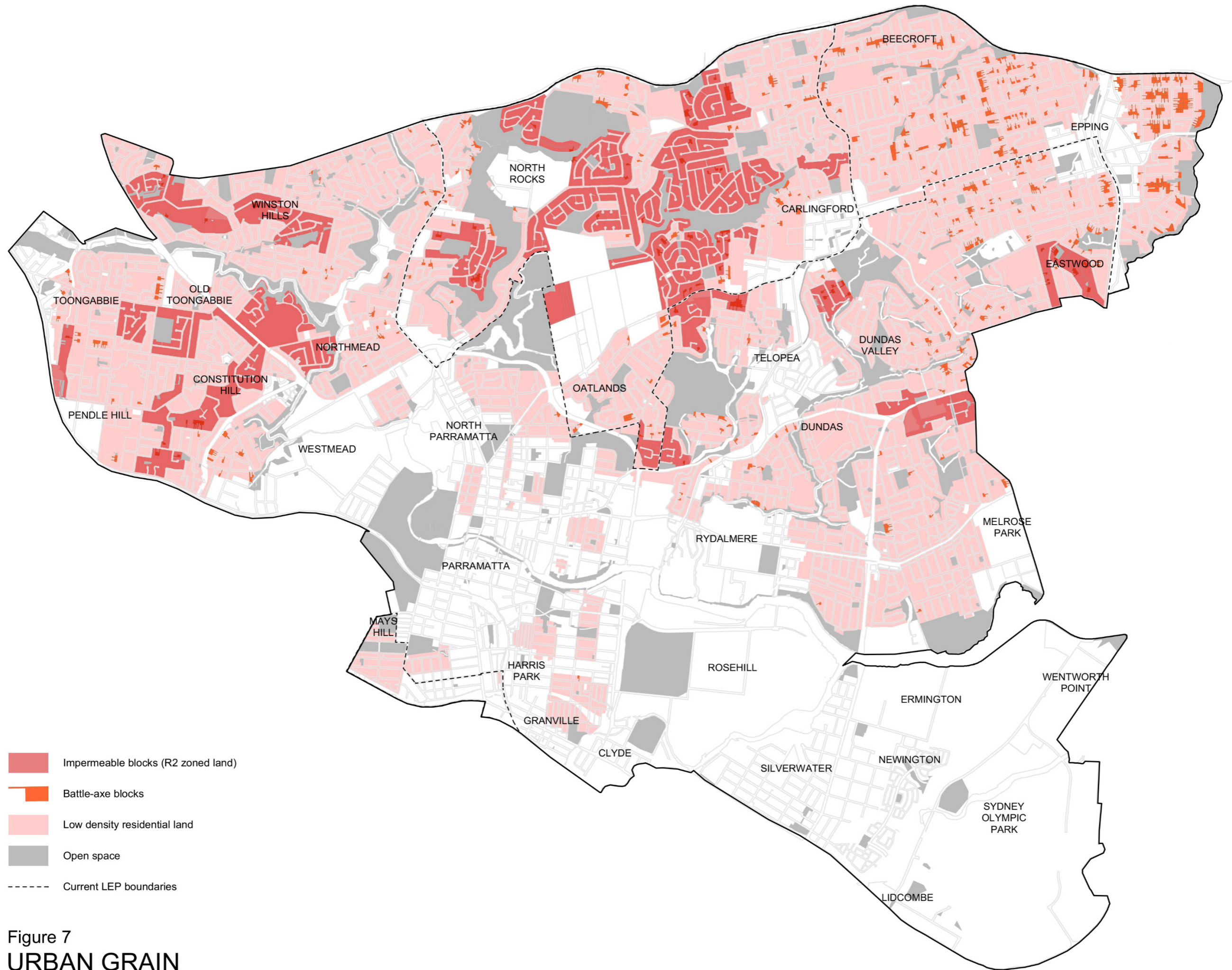


Figure 7
URBAN GRAIN

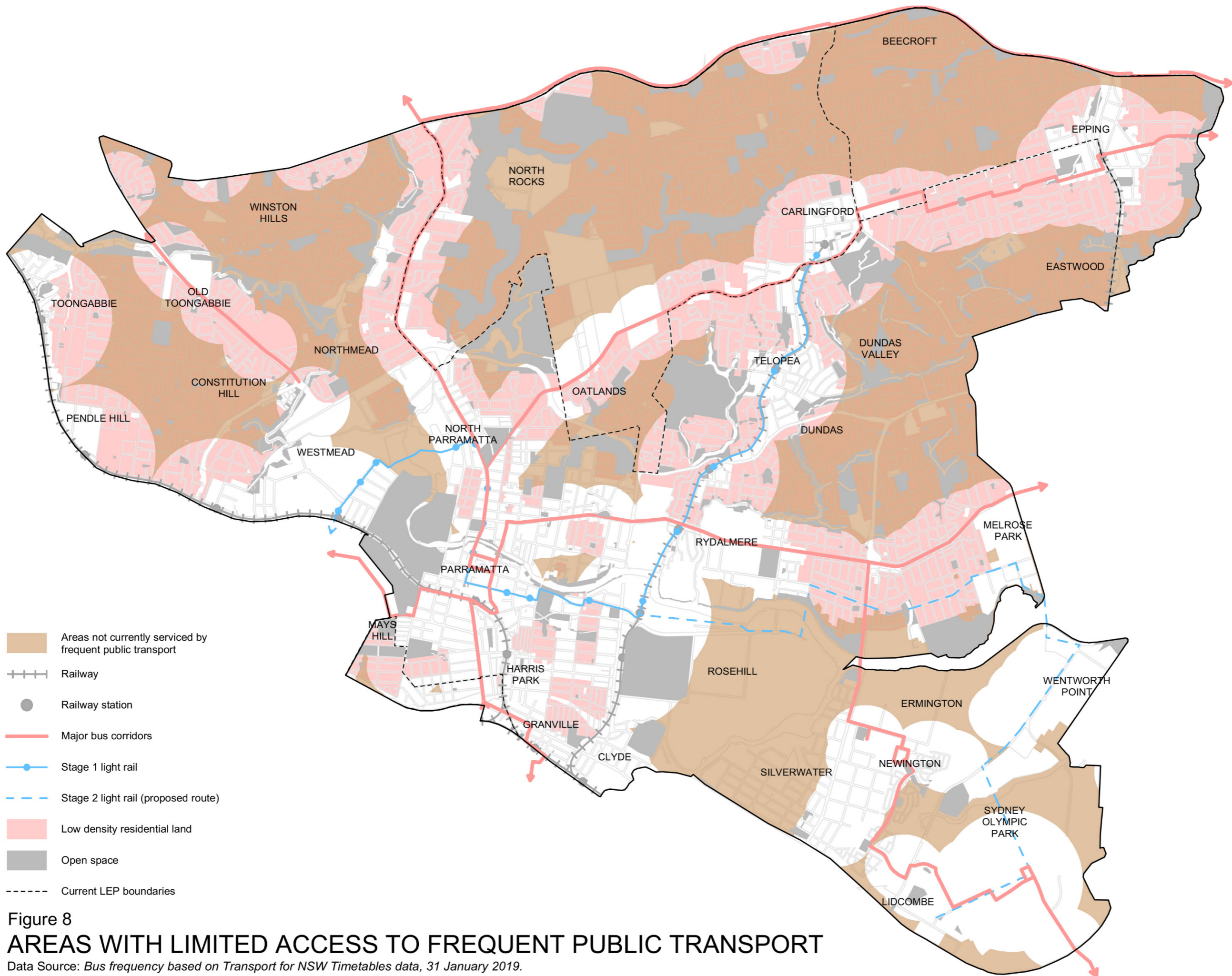


Figure 8
AREAS WITH LIMITED ACCESS TO FREQUENT PUBLIC TRANSPORT

Data Source: Bus frequency based on Transport for NSW Timetables data, 31 January 2019.
 Available from: <https://opendata.transport.nsw.gov.au/dataset/timetables-complete-gtfs>

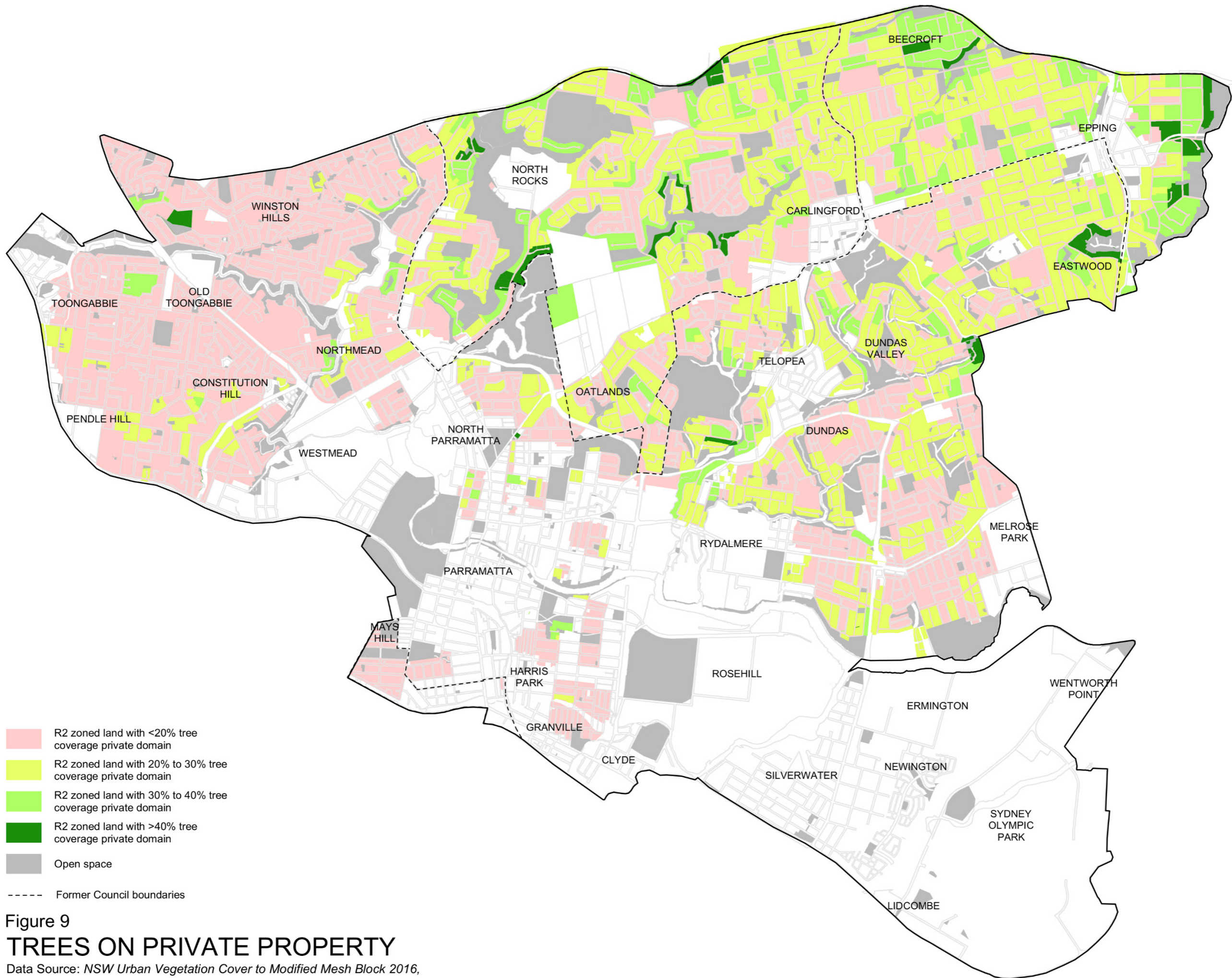


Figure 9
TREES ON PRIVATE PROPERTY

Data Source: NSW Urban Vegetation Cover to Modified Mesh Block 2016,
 State Government of NSW

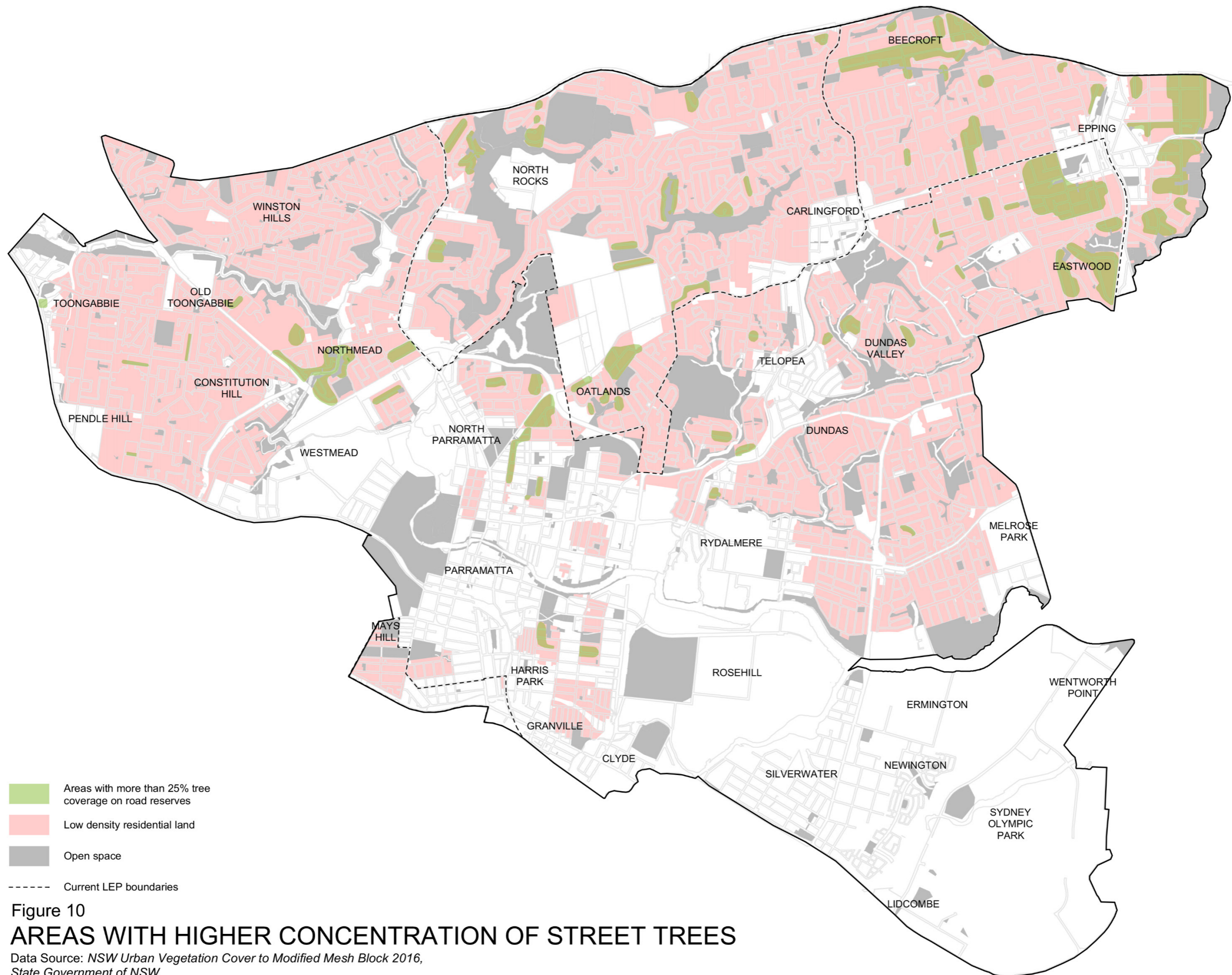


Figure 10
AREAS WITH HIGHER CONCENTRATION OF STREET TREES

Data Source: NSW Urban Vegetation Cover to Modified Mesh Block 2016,
 State Government of NSW
 and visual assessment against aerial photography - Nearmap

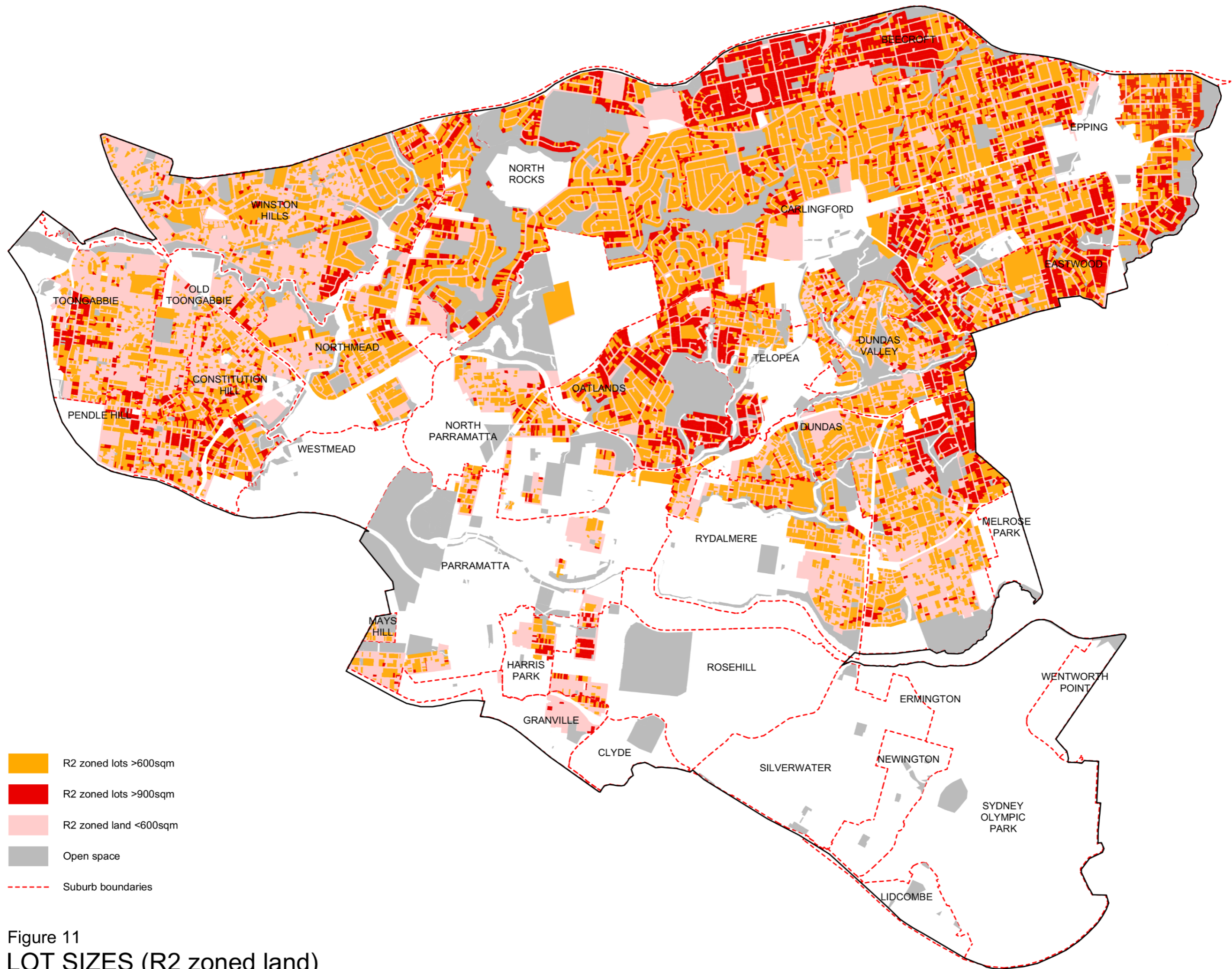
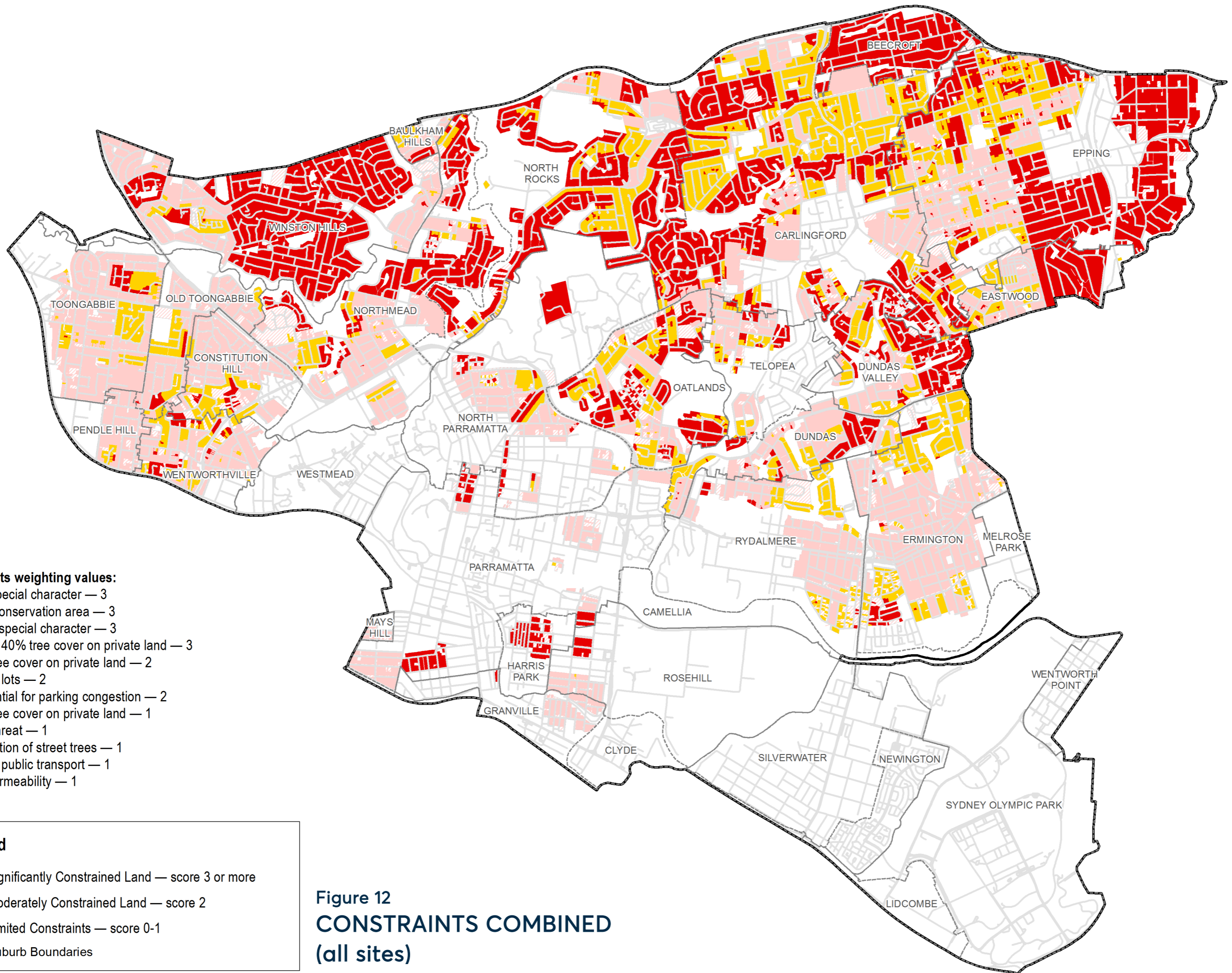


Figure 11
 LOT SIZES (R2 zoned land)



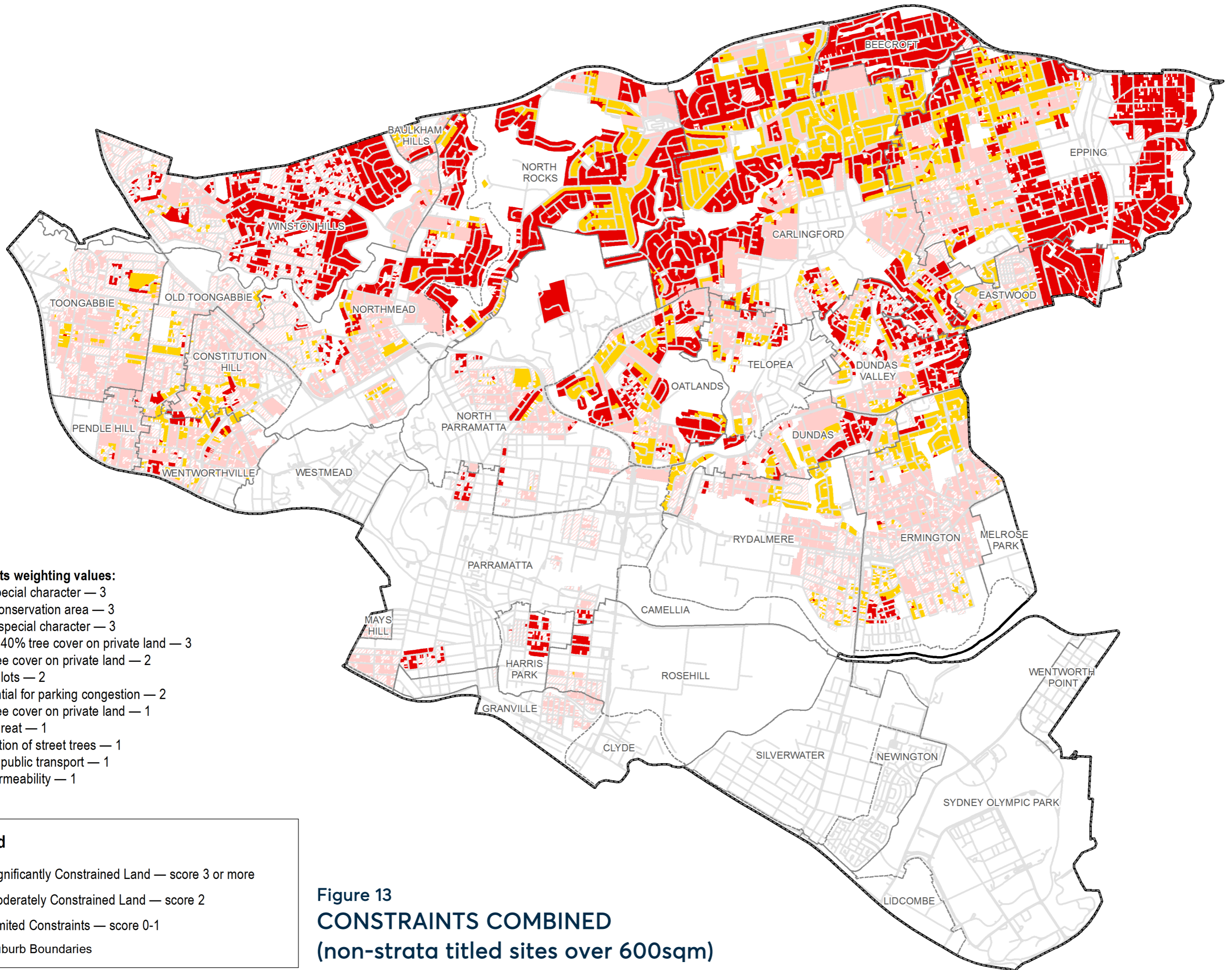
Constraints weighting values:

- Existing special character — 3
- Heritage conservation area — 3
- Proposed special character — 3
- More than 40% tree cover on private land — 3
- 30-40% tree cover on private land — 2
- Battle-axe lots — 2
- High potential for parking congestion — 2
- 20-30% tree cover on private land — 1
- Bushfire threat — 1
- Concentration of street trees — 1
- Infrequent public transport — 1
- Lack of permeability — 1

Legend

- Significantly Constrained Land — score 3 or more
- Moderately Constrained Land — score 2
- Limited Constraints — score 0-1
- Suburb Boundaries

Figure 12
CONSTRAINTS COMBINED
(all sites)



- Constraints weighting values:**
- Existing special character — 3
 - Heritage conservation area — 3
 - Proposed special character — 3
 - More than 40% tree cover on private land — 3
 - 30-40% tree cover on private land — 2
 - Battle-axe lots — 2
 - High potential for parking congestion — 2
 - 20-30% tree cover on private land — 1
 - Bushfire threat — 1
 - Concentration of street trees — 1
 - Infrequent public transport — 1
 - Lack of permeability — 1

Legend

- Significantly Constrained Land — score 3 or more
- Moderately Constrained Land — score 2
- Limited Constraints — score 0-1
- Suburb Boundaries

Figure 13
CONSTRAINTS COMBINED
 (non-strata titled sites over 600sqm)

3. Conclusions

Recommendations are provided below for the application of potential dual occupancy prohibition areas to different parts of the LGA. These recommendations have been informed by the results of the constraints analysis. Consideration has also been given to:

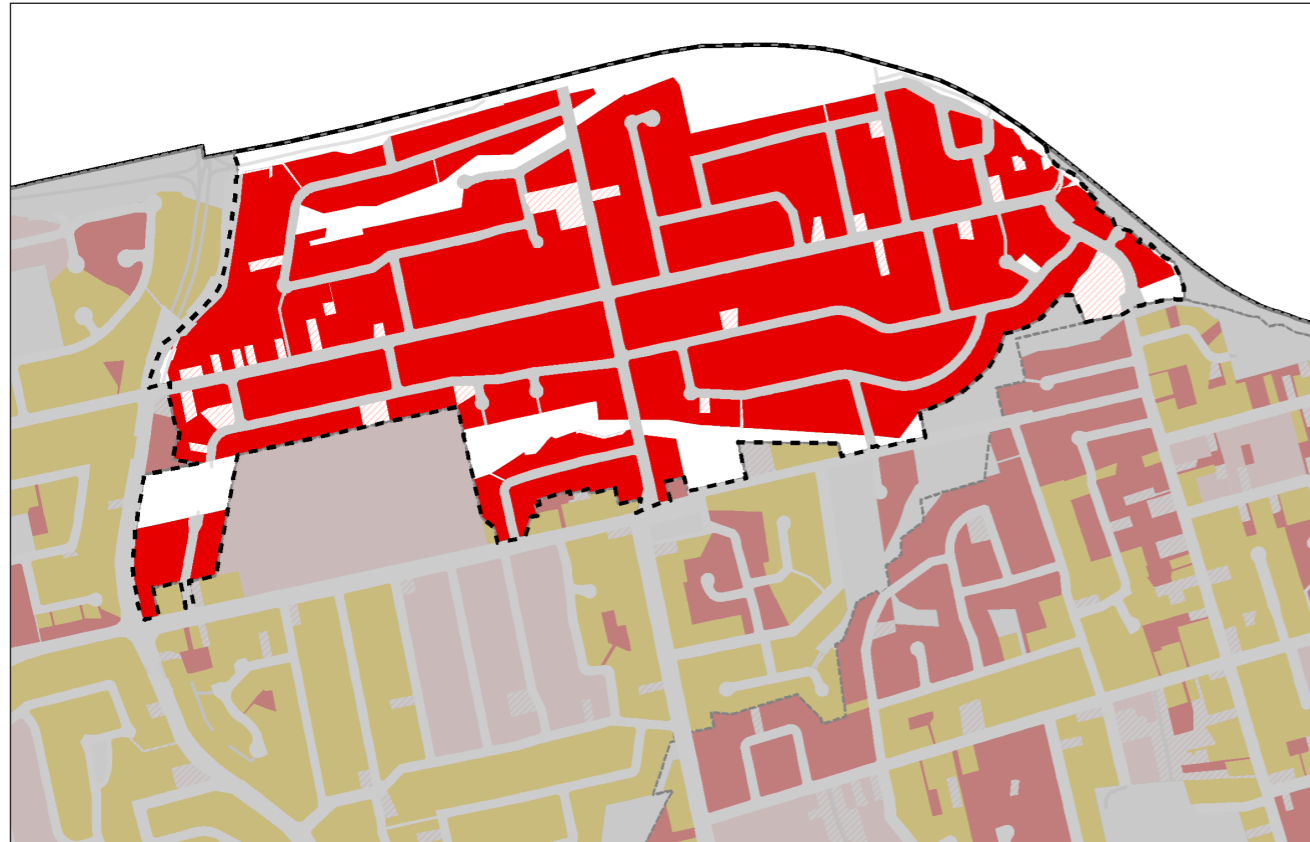
- Avoiding creating isolated pockets of land where different rules apply. As such, recommendations should be applied based on suburb or heritage conservation area boundaries where possible. Where this is not appropriate because there are large contiguous areas with few constraints, natural barriers, such as major roads, large parks or school sites, waterways, or bushland corridors, are recommended as the basis of prohibition area boundaries.
- Local controls will not apply to dual occupancies carried out through complying development. This means that once the *Low Rise Medium Density Housing Code* comes into effect in the LGA, Council will be limited in its ability to impose local controls on dual occupancy development to address some of the identified constraints. For example, by imposing additional car parking, landscaping, floor space or design requirements. In this context, prohibiting dual occupancy in areas where there are multiple overlapping constraints provides the most certainty in terms of protecting low density residential areas from inappropriate development.
- State Government Planning Directions, which state that changes to LEPs cannot include provisions that reduce the permissible residential density of land, unless this can be justified through a relevant study or is of minor significance. This means that restricting dual occupancy development in areas where it is currently allowed is unlikely to be supported by the State Government unless there is a sufficiently strong strategic planning justification, as articulated in this technical analysis.

Recommendations

- Retain existing prohibition areas under Parramatta LEP, including Winston Hills, Sylvia Gardens (Northmead) and parts of Epping. These areas generally have significant constraints.
- Continue to prohibit dual occupancies on R2 zoned land in the former Hornsby council area (Beecroft and parts of Epping). The constraints analysis identified most of the land in this area as being moderately or significantly constrained.
- Apply prohibition to R2 zoned land in the former The Hills council area (North Rocks, parts of Carlingford and parts of Northmead). The constraints analysis identified most of the land in this area as being moderately or significantly constrained. It is noted that while dual occupancy development is currently permitted in this area under The Hills LEP, development approvals data indicates this restriction is acting as a pseudo-prohibition.
- The analysis has also found that there are contiguous clusters of significantly constrained land in areas where dual occupancies are currently permitted under Parramatta LEP, including heritage conservation areas and parts of Carlingford, Dundas, Dundas Valley and Oatlands. The extent of the constraints in these areas could support the introduction of dual occupancy prohibition.
- Within the above areas, it is recommended to allow dual occupancies on land fronting major road corridors such as Carlingford Road, Pennant Hills Road and Windsor Road. These locations offer more direct access to transport and services and generally do not have the same character constraints associated with low density areas.

Detailed commentary on the findings of the constraints analysis for different suburbs are provided on the following pages.

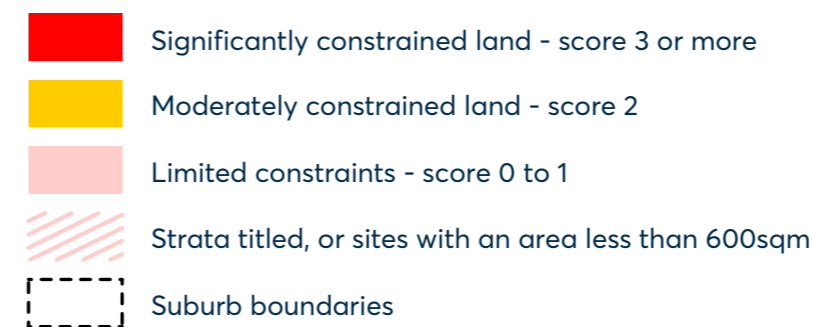
Beecroft



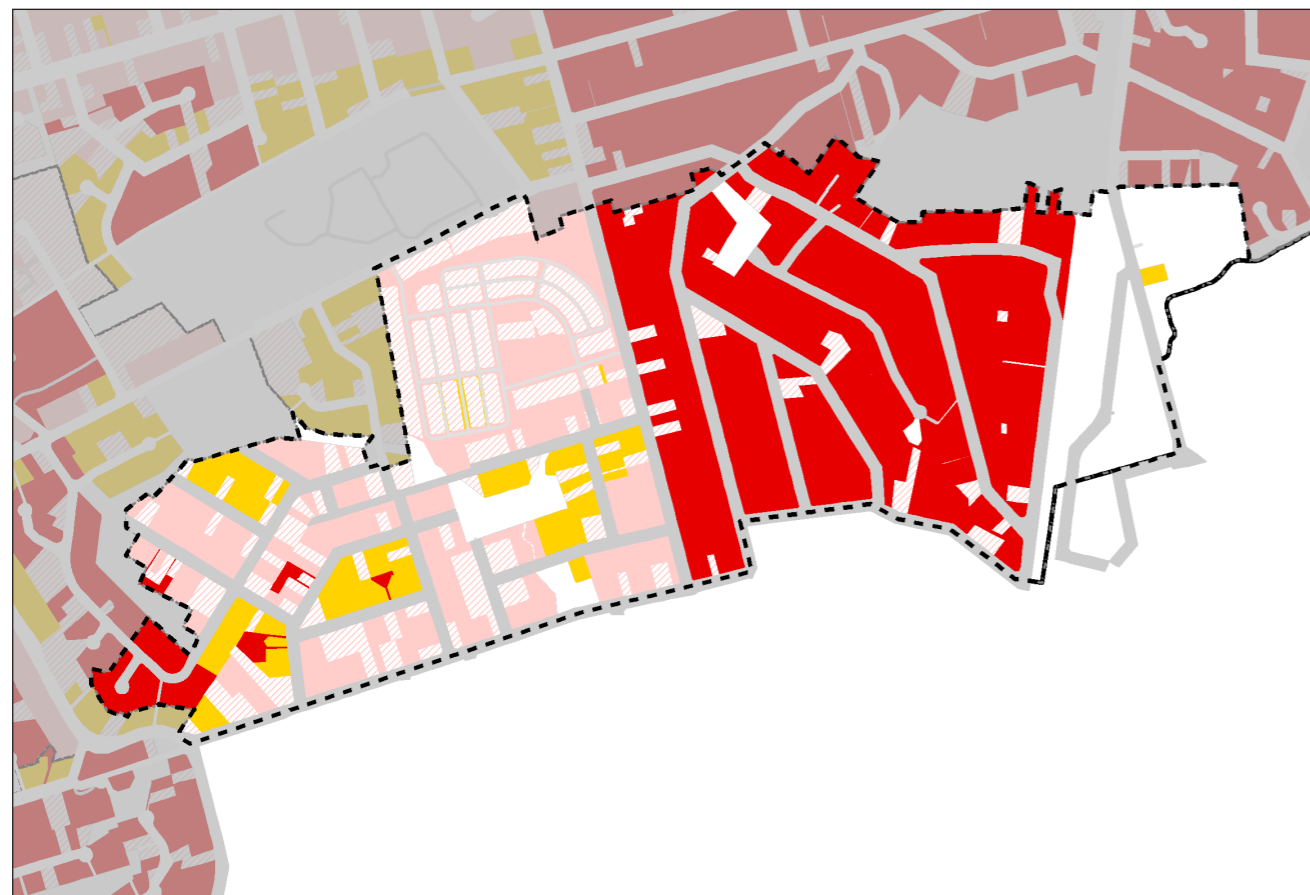
Commentary

- As outlined in Section 2.1, Beecroft has been identified as having a consistent style of housing within an established garden setting, and is a candidate for further investigation as a Special Character Area. Allowing dual occupancy development in this area would risk loss of the garden setting that characterises it and impact on the consistency in housing scale and styles.
- In addition, other constraints have been identified in the area, including significant tree canopy cover and long, narrow streets, which could result in traffic and parking issues if the area is intensified.
- Almost all the lots in this area (approximately 95% of R2 zoned sites) are over 600sqm, meaning there is significant potential for population densities to increase and for associated impacts to be compounded over time.
- It is noted that dual occupancies are currently prohibited in this area under Hornsby LEP.

Legend



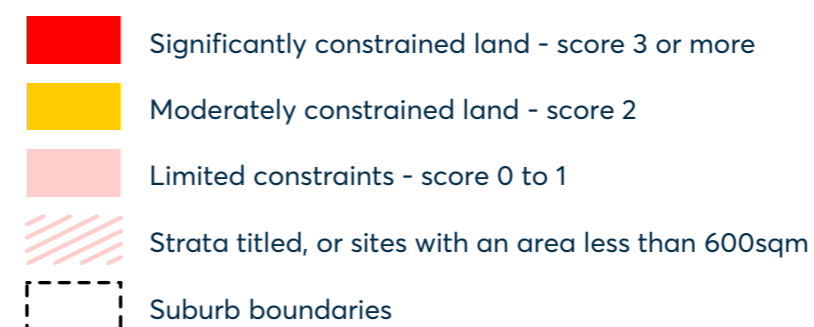
Eastwood



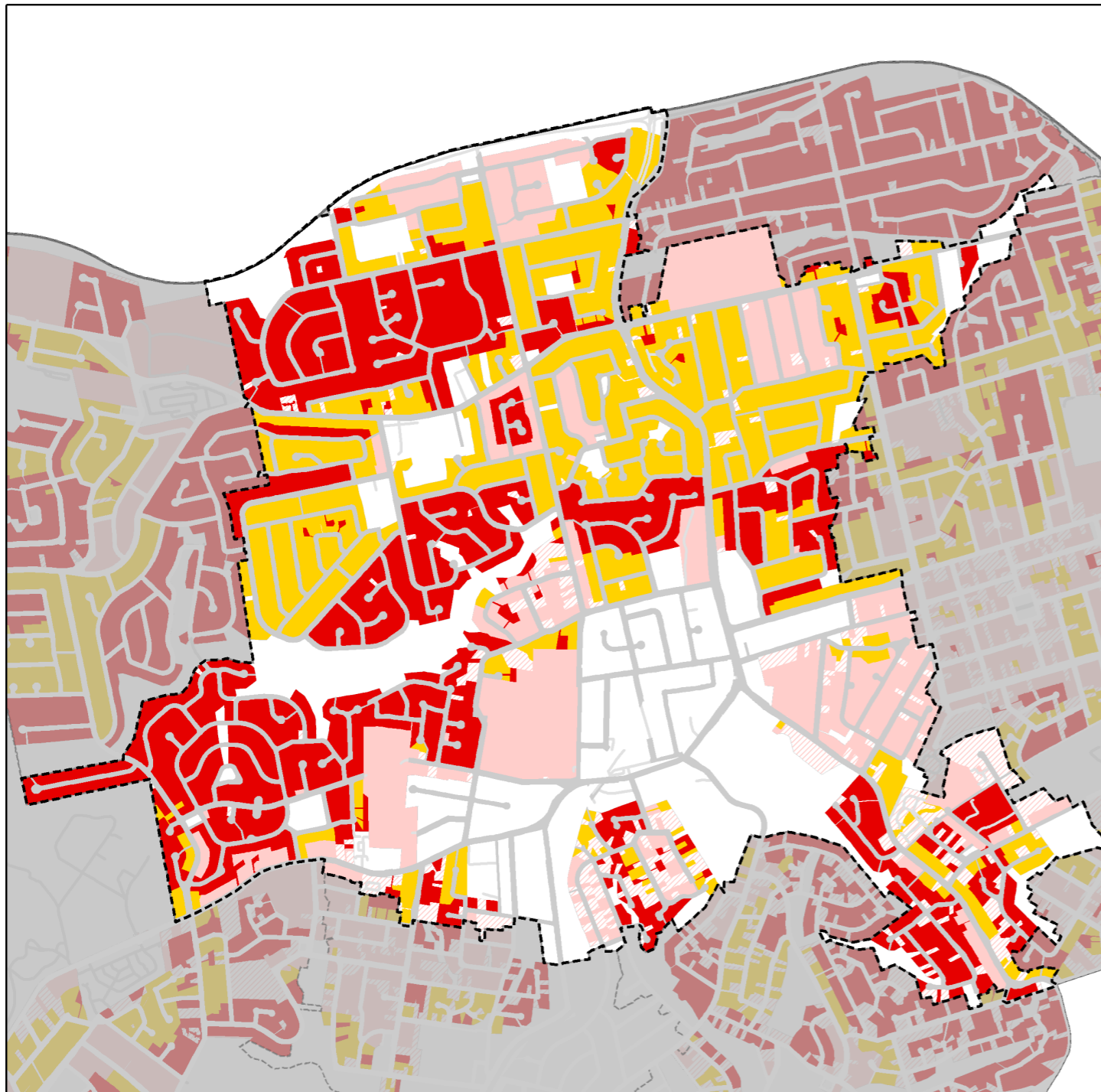
Commentary

- Land east of Midson Road is within a heritage conservation area. Dual occupancy development is not considered appropriate in this area and it is already identified as a Dual Occupancy Prohibition Area under Parramatta LEP. There is also a higher concentration of street trees and some large impermeable blocks on this area.
- While much of the land west of Midson Road has not been identified as having a high level of constraints, some pockets of moderately or significantly constrained land exist. Dual occupancies are already permitted in this area, however there is some merit in extending the prohibition area boundary to cover this land. This would assist in achieving policy consistency across all parts of the suburb within the LGA, as well as within the broader topographically contiguous area bounded by the major barriers of Marsden Road and the Epping railway line.

Legend



Carlingford



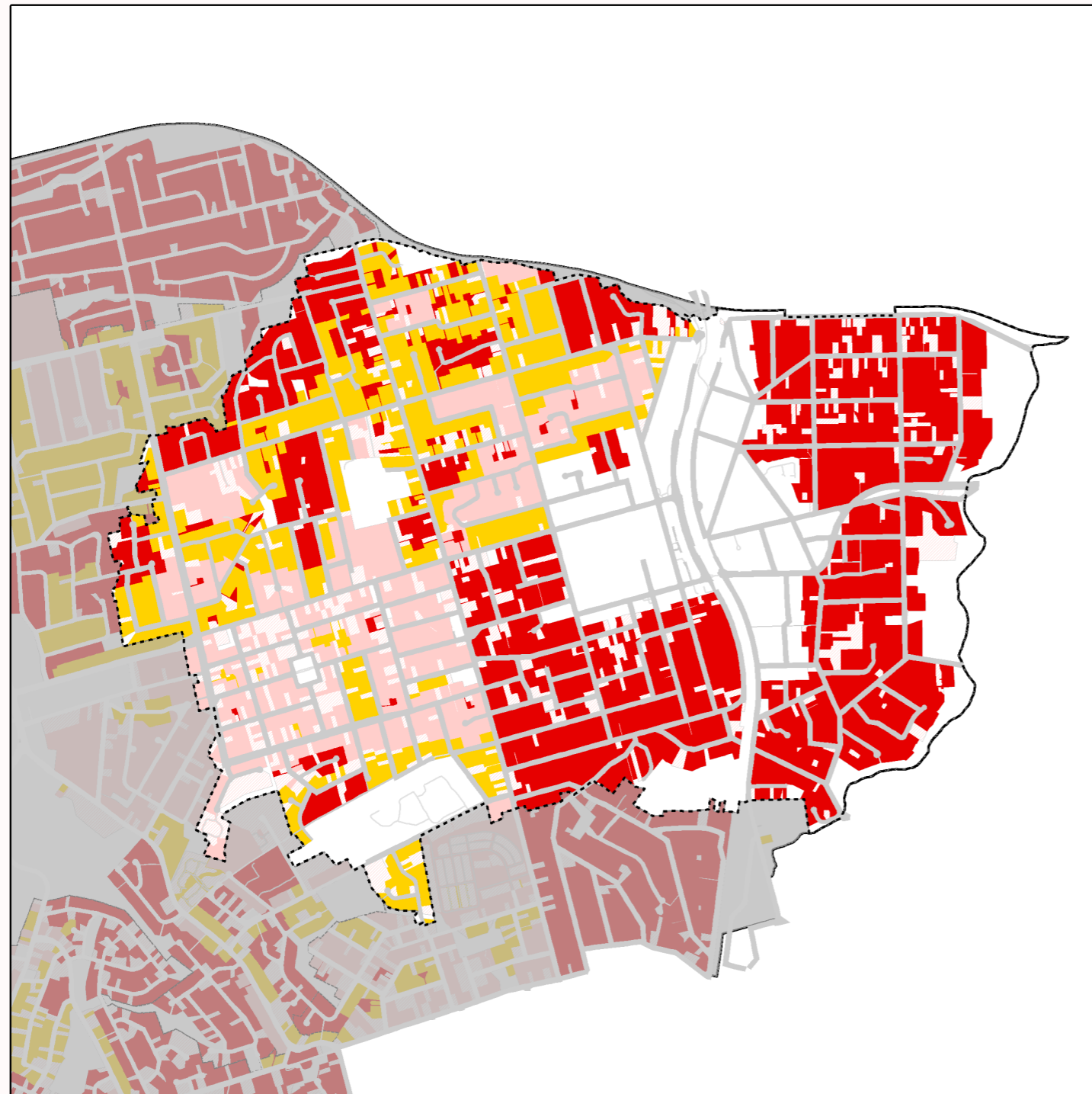
Legend

- Significantly constrained land - score 3 or more
- Moderately constrained land - score 2
- Limited constraints - score 0 to 1
- Strata titled, or sites with an area less than 600sqm
- Suburb boundaries

Commentary

- Low density areas north of Pennant Hills Road/Carlingford Road have been identified as having multiple overlapping constraints. This area is characterised by a street pattern that is less suited to medium density housing - having large blocks with a closed street-network and poor pedestrian links. There are also concentrations of long, narrow-streets and dead ends. Over time this could lead to traffic and parking issues from intensification of development.
- Much of this area also has poor access to frequent public transport, with the exception of land in Carlingford town centre (much of which is already zoned for higher densities) and land along the Pennant Hills Road and Epping Road bus corridors. There is also a higher level of tree canopy cover compared to other parts of the LGA. It is noted that dual occupancy development is currently restricted in this area under Hornsby LEP (prohibited outright) and The Hills LEP (subdivision is prohibited).
- Land in the south-east of the suburb has also been identified as being heavily constrained. This land has a concentration of narrow streets and culs-de-sac, poorer access to frequent public transport and moderate levels of tree cover. While dual occupancy development is currently allowed in this area under Parramatta LEP, there still remains a relatively large number of undeveloped sites over 600sqm.
- Most lots in Carlingford (approximately 91% of R2 zoned sites) are over 600sqm, meaning there is significant potential for population densities to increase and for the impacts of additional dwellings to be compounded over time.
- The outcomes of the constraints mapping should be considered in the context of the several major roads and bushland reserves that intersect the suburb. On this basis there would be some merit including all land east of Marsden Road in a prohibition area, even though not all of it has been identified as having significant constraints. Such an approach would assist in achieving policy consistency across the broader topographically contiguous area bounded by Marsden Road and the Epping railway line.
- Notwithstanding the above, dual occupancy development could be permitted on sites fronting the major road corridors of Carlingford Road, Marsden Road and Pennant Hills Road, subject to meeting the relevant criteria for development along major roads including providing larger front setbacks. These sites offer more direct access to transport and services and generally do not have the same character constraints associated with low density areas.

Epping



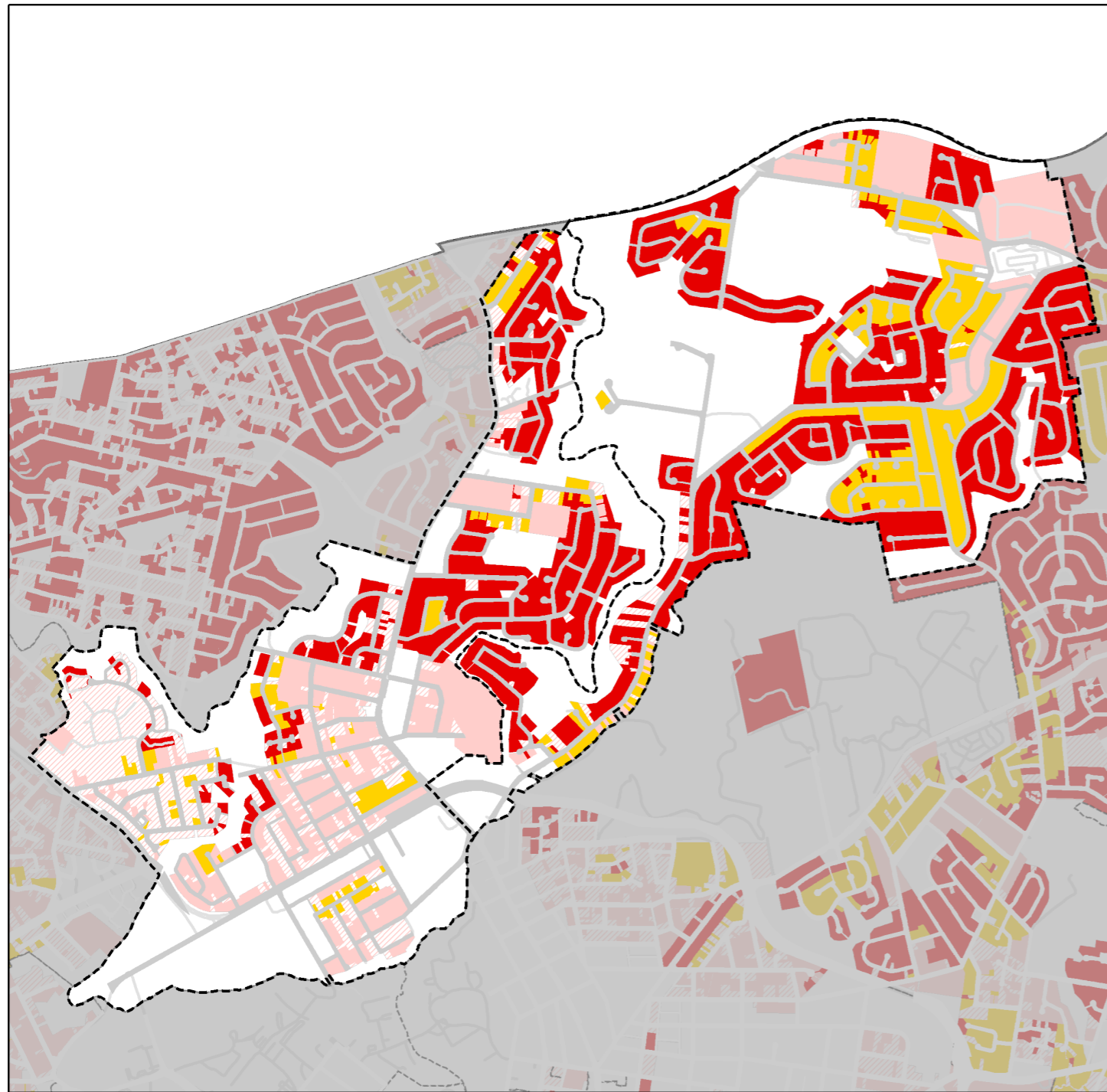
Legend

- Significantly constrained land - score 3 or more
- Moderately constrained land - score 2
- Limited constraints - score 0 to 1
- Strata titled, or sites with an area less than 600sqm
- Suburb boundaries

Commentary

- Large parts of the suburb have been identified as having multiple overlapping constraints, including large blocks with a closed street-network and poor pedestrian links that are less suited to medium density development. There are also some clusters of long narrow-streets with poor access for cars. This street pattern could lead to traffic and parking issues if there is an increase in housing in the area over time.
- Much of the suburb also has been identified as having poor access to frequent public transport, with the exception of land around Epping town centre (much of which is already zoned for higher densities) and land along the Carlingford Road bus corridor. There is also a higher level of tree canopy cover compared to other low density neighbourhoods and a concentration of battle-axe lots, which are generally not considered suitable for dual occupancy development.
- As outlined in Section 2.1, land to the east of Epping town centre has been identified as having a consistent style of housing within an established garden setting, and is a candidate for further investigation as a Special Character Area. Part of this land is currently identified as within heritage conservation areas under Hornsby LEP. Land south of Epping Road is also identified as within heritage conservation areas under Parramatta LEP. Allowing dual occupancy development in this area would risk loss of the garden setting that characterises it and impact on the consistency in housing scale and styles.
- Within the parts of the suburb that have overlapping constraints, approximately 90% of sites are over 600sqm, meaning there is significant potential for population densities to increase over time and for the impacts of additional dwellings to be compounded.
- It is noted that dual occupancy development is currently restricted across most of the suburb under Hornsby LEP (prohibited outright), The Hills LEP (subdivision is prohibited) and Parramatta LEP (land east of Midson Road is identified as a Dual Occupancy Prohibition Area).
- Dual occupancy development is currently allowed in the part of the suburb west of Midson Road and south of Carlingford Road. This analysis has identified a low level of constraints in this area, though there are pockets of moderately or significantly constrained land. There is some merit in extending the prohibition area boundary to cover this land. This would assist in achieving policy consistency across the whole of the suburb as well as within the broader topographically contiguous area bounded by the major barriers of Marsden Road and the Epping railway line.
- Notwithstanding the above, dual occupancy development could be permitted on sites fronting Carlingford Road, subject to meeting the relevant criteria for development along major roads including providing larger front setbacks. These sites offer more direct access to transport and services and generally do not have the same character constraints associated with low density areas.

North Rocks and Northmead



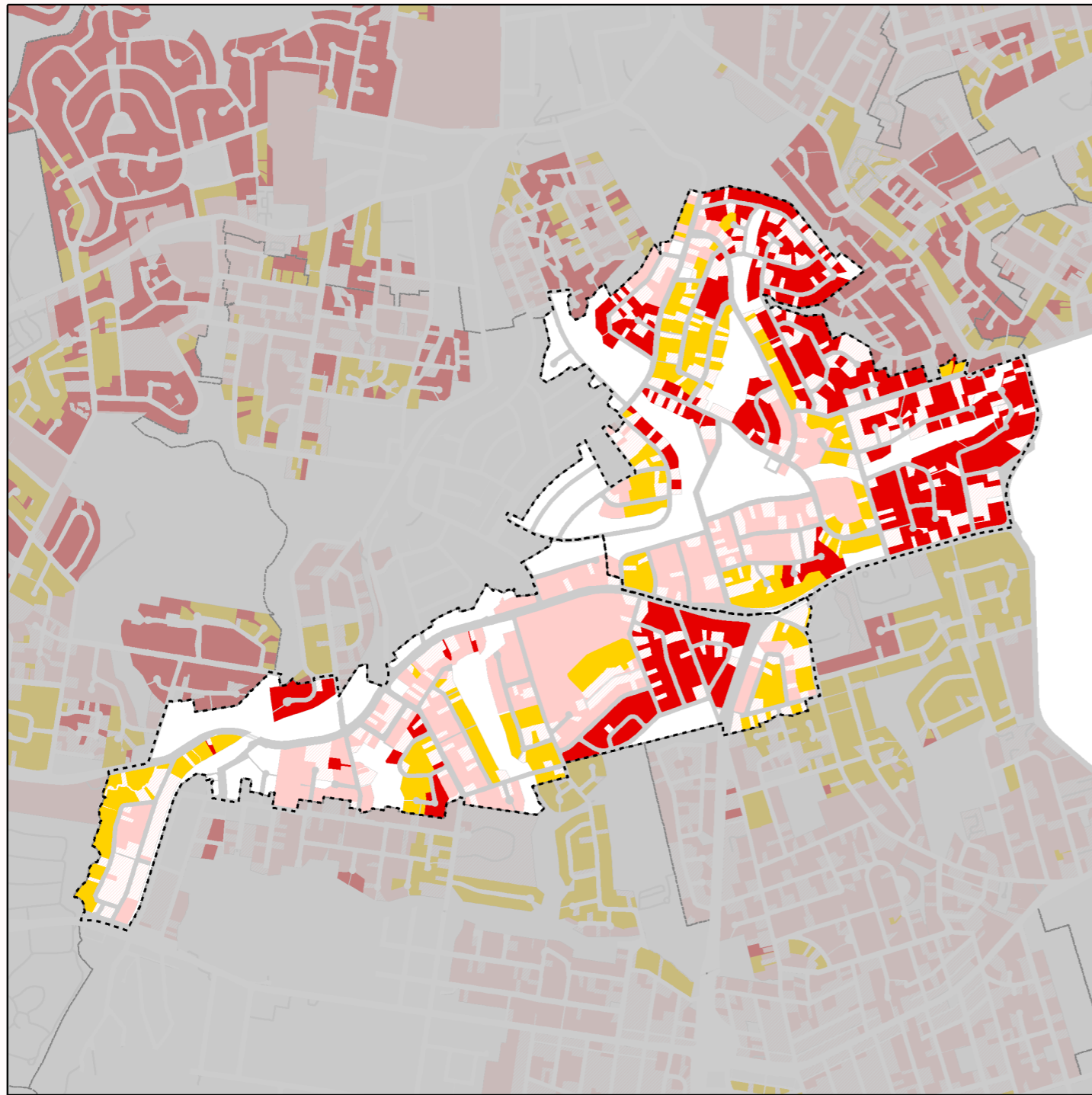
Legend

- Significantly constrained land - score 3 or more
- Moderately constrained land - score 2
- Limited constraints - score 0 to 1
- Strata titled, or sites with an area less than 600sqm
- Suburb boundaries

Commentary

- These suburbs share many constraints, particularly land east of Windsor Road. Large parts of this area have been mapped as having a street pattern that is less suited to medium density housing - having large blocks with a closed street-network and poor pedestrian links. There are also blocks with a concentration of long narrow-streets and/or dead ends, which over time could result in traffic and parking issues from additional dwellings.
- Much of the area has also been identified as having relatively poor access to frequent public transport, although it is noted some local services are provided at the North Rocks shopping centre and land in the vicinity of Windsor Road has access to regular bus services.
- There is also established tree canopy cover over much of the area, and sites adjoining bushland reserves are subject to bushfire hazard.
- A significant proportion of lots in the area are over 600sqm, particularly in North Rocks where approximately 99% of sites zoned R2 are big enough to accommodate a dual occupancy. This would significantly increase the potential for negative impacts associated with the identified constraints as a result of an increase in people and dwellings in the area over time.
- It is noted that dual occupancy development is currently restricted in North Rocks and Northmead (east of Windsor Road) under The Hills LEP, which prohibits subdivision.
- Dual occupancy development could be permitted on sites fronting Windsor Road, subject to meeting the relevant criteria for development along major roads including providing larger front setbacks. These sites offer more direct access to transport and services.
- Dual occupancy development is currently allowed in parts of Northmead west of Windsor Road - with the exception of the Sylvia Gardens Special Character Area, which is identified as a Dual Occupancy Prohibition Area under Parramatta LEP. Outside of Sylvia Gardens, some sites have been identified as having constraints, though these are considered to be relatively small/isolated pockets and/or the constraints are moderate.

Dundas and Dundas Valley



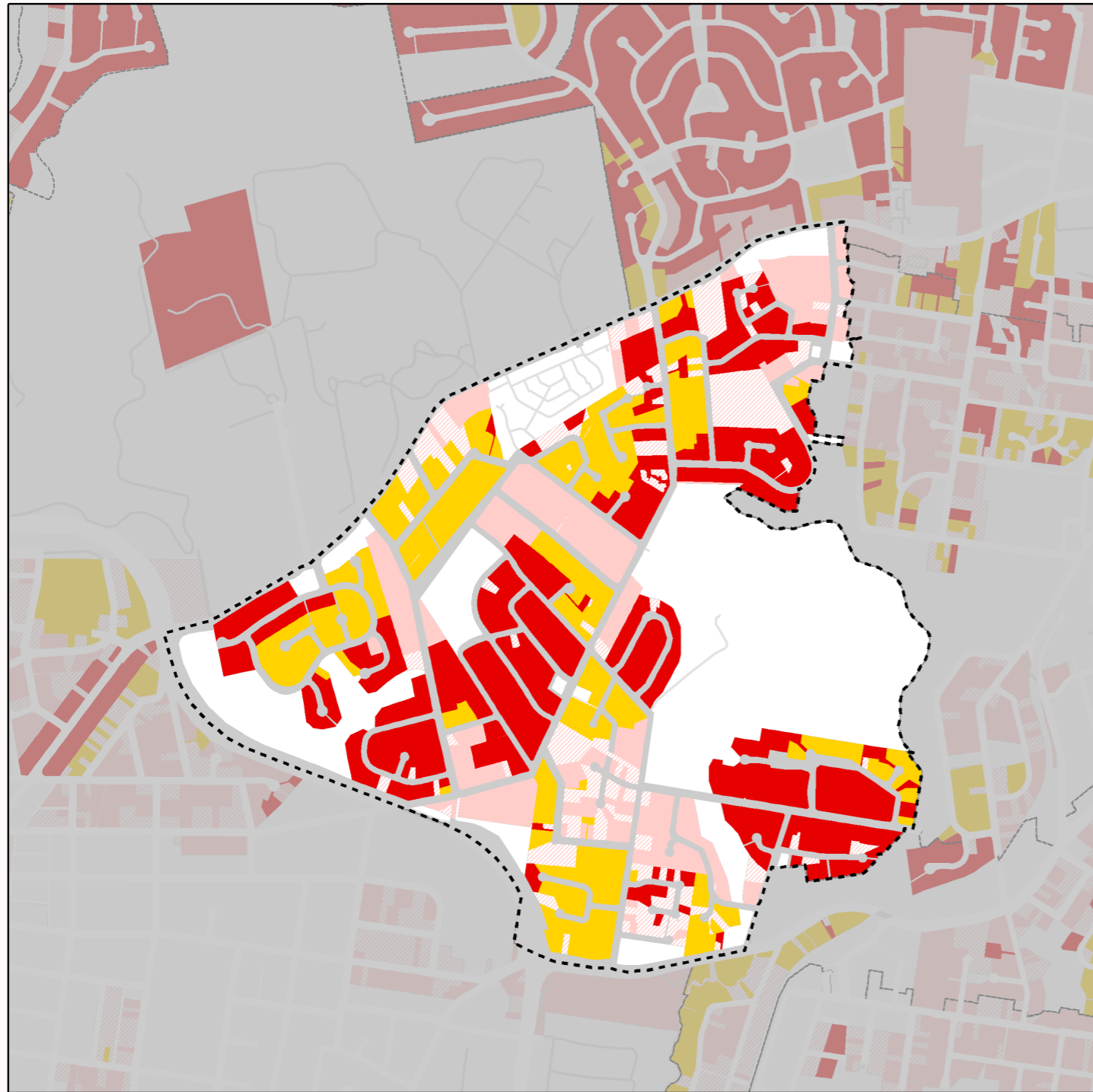
Legend

- Significantly constrained land - score 3 or more
- Moderately constrained land - score 2
- Limited constraints - score 0 to 1
- Strata titled, or sites with an area less than 600sqm
- Suburb boundaries

Commentary

- Dual occupancy development is currently permitted in Dundas and Dundas Valley under Parramatta LEP. However, Dundas was identified as a potential Dual Occupancy Prohibition Area in the Discussion Paper (refer to Figure 4).
- This constraints analysis has identified the most constrained land is in the eastern portion of Dundas, which has a cluster of long narrow streets and poor levels of access to frequent transport. As a result, continued dual occupancy development in this area could lead to traffic and parking impacts. The remaining parts of Dundas have been identified as having a lower level of constraints.
- Land within Dundas Valley shares the above constraints, particularly the land east of the Ponds Creek corridor. Much of this land also has tree canopy cover of 20%-30%. The remaining land in the western portion of Dundas Valley generally has fewer constraints.
- Within both these suburbs, more than two thirds of sites (approximately 68% of R2 zoned lots) are over 600sqm, creating the potential for a substantial increase in density over time if dual occupancy development continues.
- Notwithstanding the above, dual occupancy development could be permitted on sites fronting Marsden Road, subject to meeting the relevant criteria for development along major roads including providing larger front setbacks. These sites offer more direct access to transport and services and generally do not have the same character constraints associated with low density areas.

Oatlands



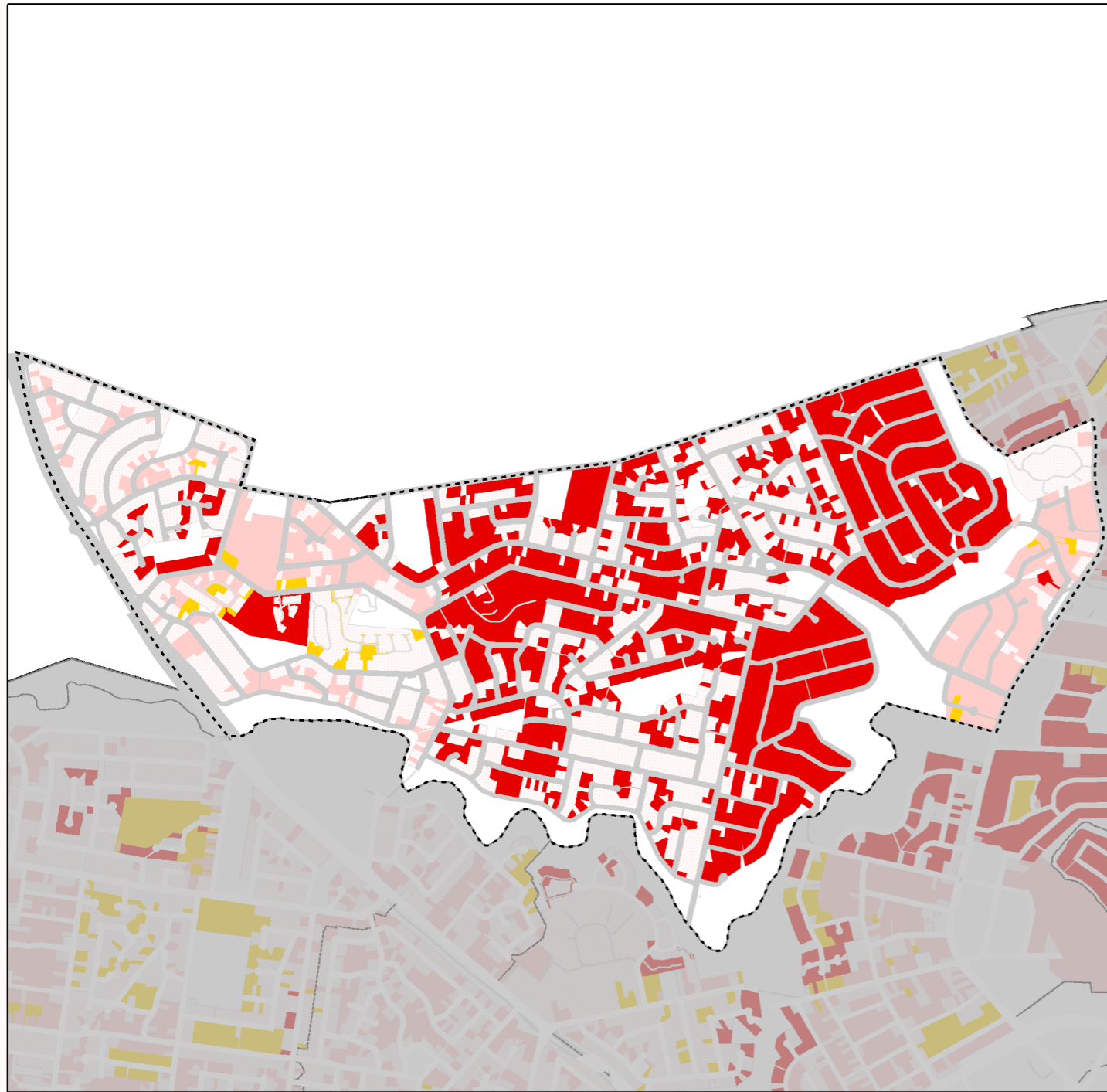
Legend

- Significantly constrained land - score 3 or more
- Moderately constrained land - score 2
- Limited constraints - score 0 to 1
- ▨ Strata titled, or sites with an area less than 600sqm
- Suburb boundaries






Commentary

- Dual occupancy development is currently allowed in the parts of Oatlands subject to Parramatta LEP. Under The Hills LEP dual occupancy can be carried out, but subdivision is prohibited. The Discussion Paper suggested to prohibit dual occupancies in the part of the suburb that was formerly in The Hills council area, in addition to land fronting Niblick Crescent (refer to Figure 3).
- The constraints analysis has identified overlapping constraints across the suburb including on land that was formerly within the Parramatta City council area. Constraints identified include concentrations of long narrow-streets and/or cul-de-sac. Parts of the suburb also have large blocks with a closed street-network and poor pedestrian links.
- Other constraints that have been identified in this suburb include poor transport accessibility and a concentration of tree canopy cover of predominantly 20%-30%.
- Oatlands has a high concentration of sites large enough for a dual occupancy development, with approximately 89% of R2 zoned lots being 600sqm or more. This creates the potential for a significant increase in density in this area and for the impacts of additional dwellings to be compounded over time.
- Notwithstanding the above, dual occupancy development could be permitted on sites fronting Pennant Hills Road, subject to meeting the relevant criteria for development along major roads including providing larger front setbacks. These sites offer more direct access to transport and services and generally do not have the same character constraints associated with low density areas.

Winston Hills



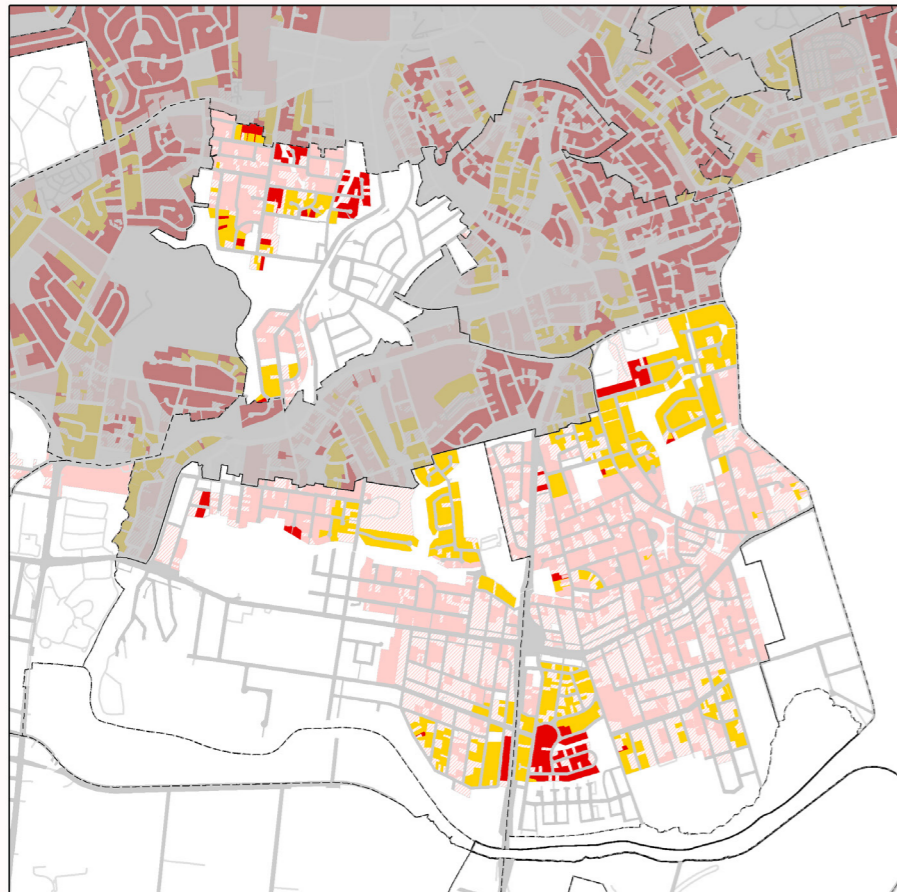
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-  Significantly constrained land - score 3 or more
-  Moderately constrained land - score 2
-  Limited constraints - score 0 to 1
-  Strata titled, or sites with an area less than 600sqm
-  Suburb boundaries

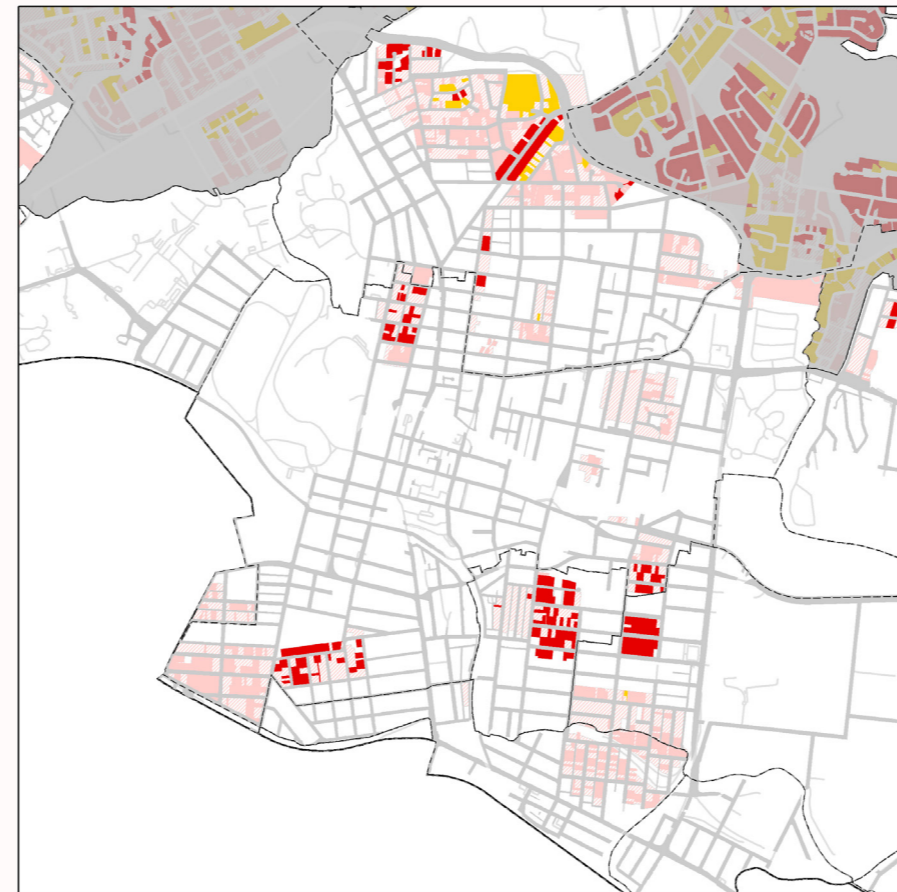
Commentary

- As outlined in Section 2.1, Winston Hills is identified as a Special Character Area in Parramatta DCP and dual occupancies are prohibited in this area under Parramatta LEP as they are not considered compatible with the area's character.
- Outside of the Special Character Area, there are only isolated pockets of sites over 600sqm with significant constraints.

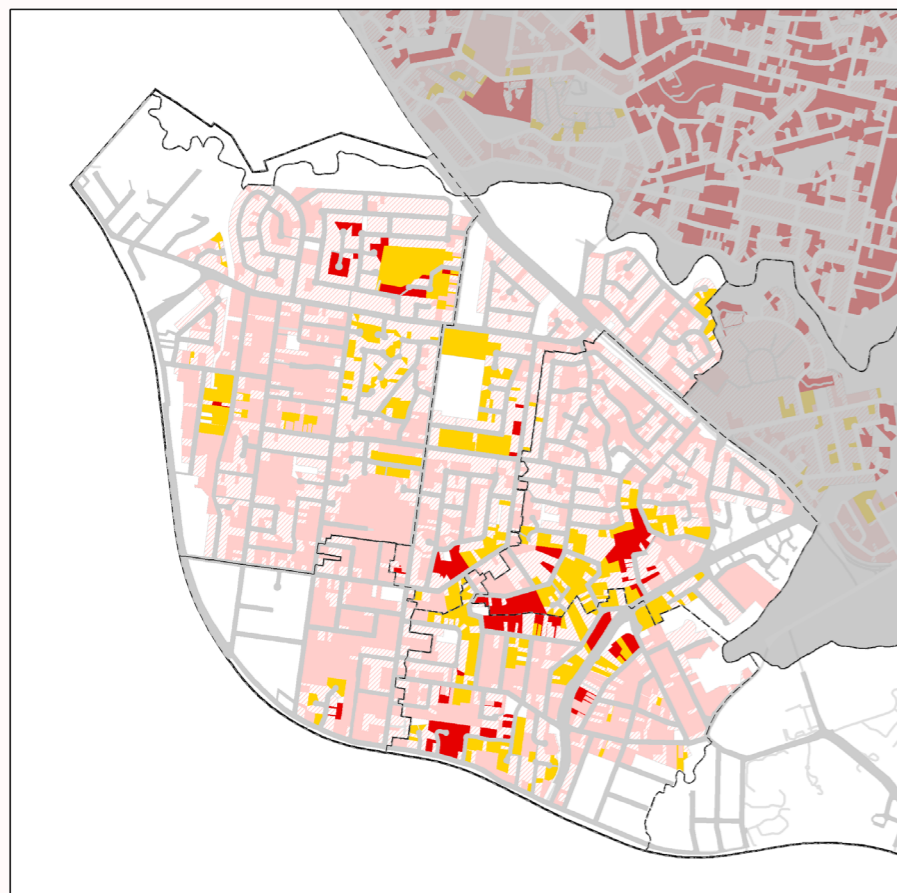
Other low density areas



Telopea, Ermington and Rydalmere



Harris Park, Parramatta, North Parramatta and Rosehill



Toongabbie, Old Toongabbie,
Constitution Hill, Pendle Hill
and Wentworthville

Legend

- Significantly constrained land - score 3 or more
- Moderately constrained land - score 2
- Limited constraints - score 0 to 1
- Strata titled, or sites with an area less than 600sqm
- Suburb boundaries

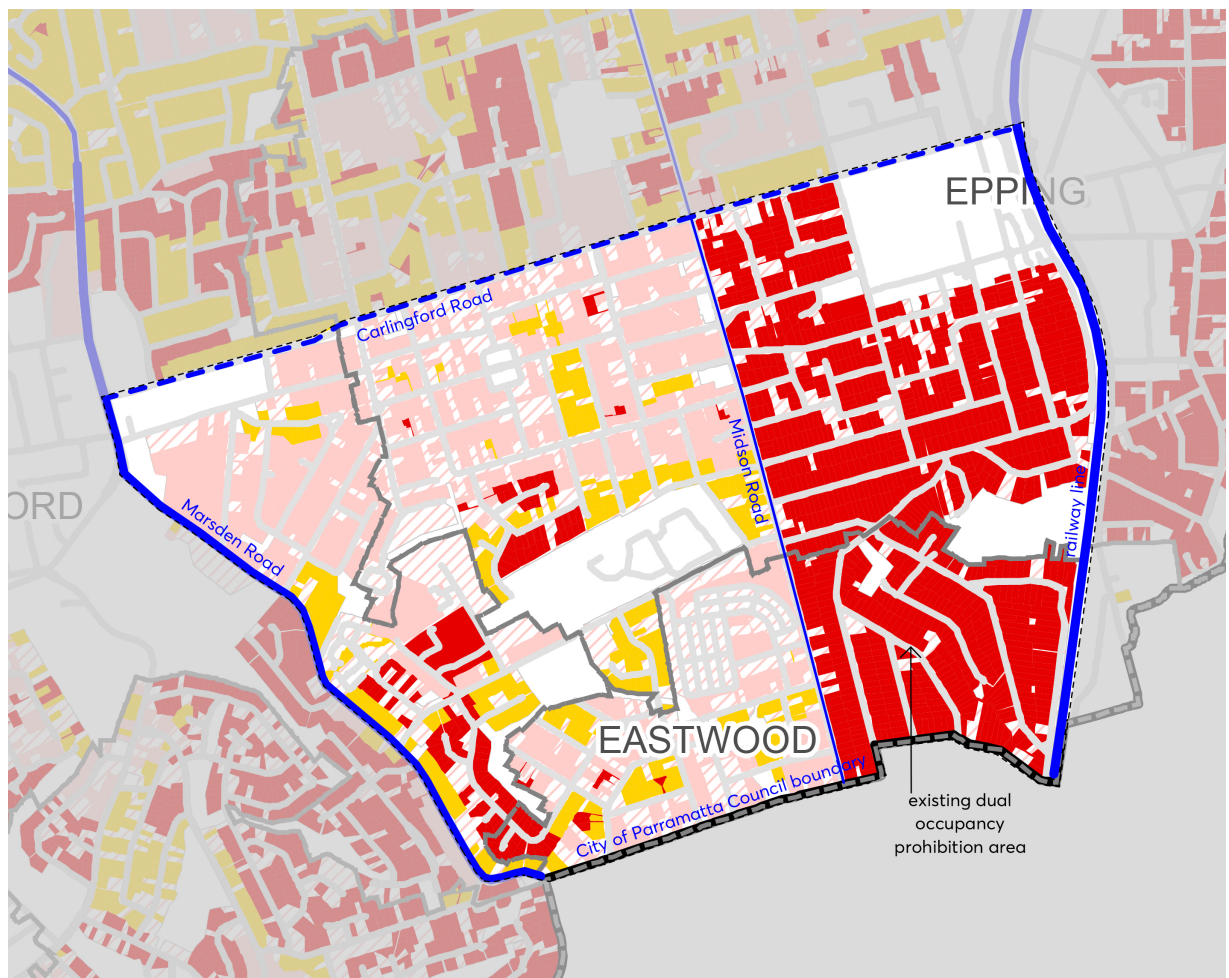
Commentary

- Within the remainder of the low density areas in the LGA, there is a relatively lower proportion of sites available for dual occupancy development. While some of these sites have been identified as having constraints, these sites are considered too small/ isolated or the constraints not severe enough to justify introducing a prohibition, particularly in light of State Government Policy Directions against reducing currently permissible densities.
- The exception to the above is in heritage conservation areas which are not considered suitable for dual occupancy development, as outlined in Section 2.1.

Addendum

At its meeting of 11 November 2019, Council resolved to endorse the Planning Proposal to consolidate the local environmental plans applying in the City of Parramatta LGA, subject to a number of amendments. These included amending to Dual Occupancy Prohibition Map to include all R2 Low Density Residential Zoned land between Marsden and Midson Roads.

The subject area is illustrated in the figure below.



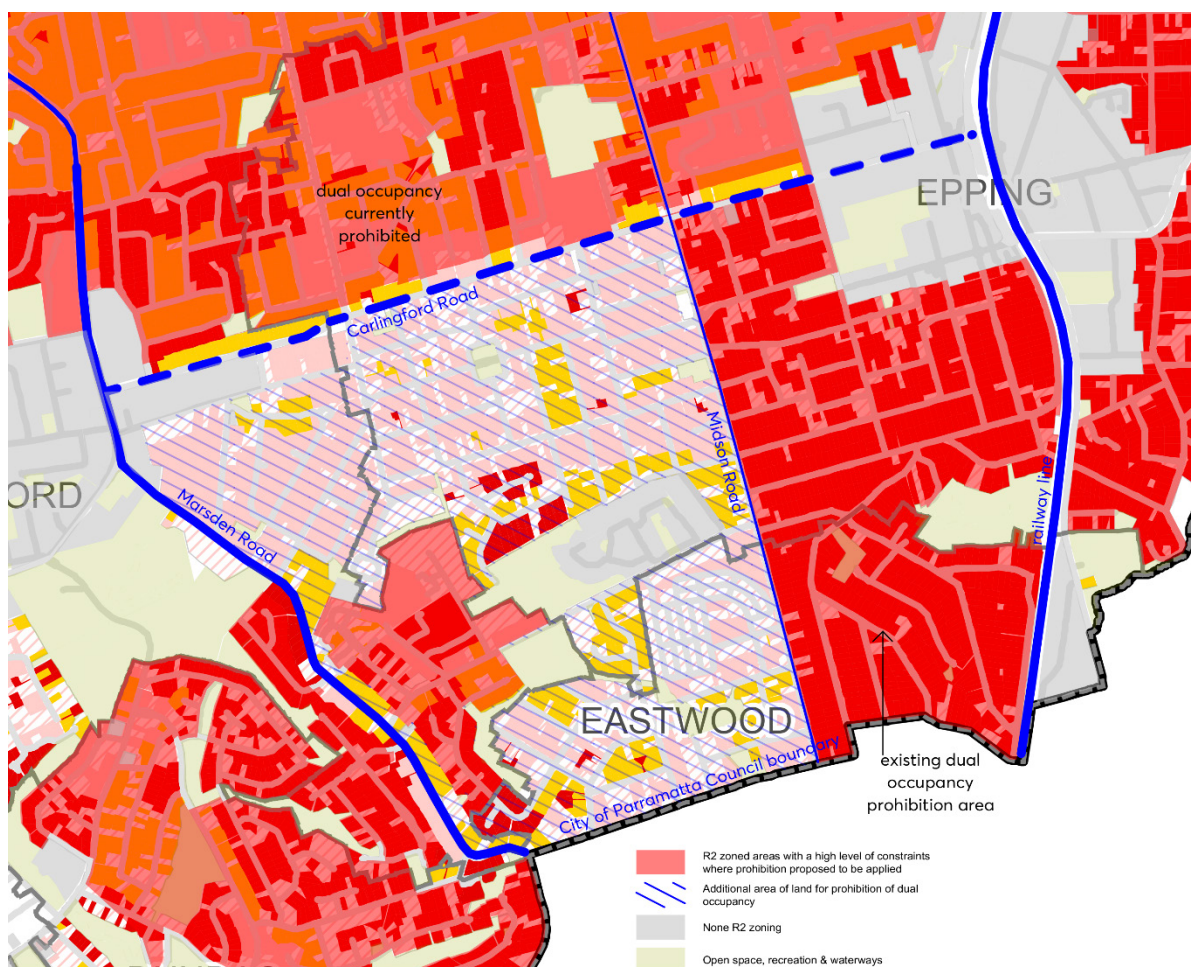
While this constraints analysis identified the subject area as having limited constraints overall, there is some merit in extending the dual occupancy prohibition area boundary to include all low density land between Midson Road and Marsden Road. Reasons in support of this include:

- The technical analysis did identify some pockets of moderately or significantly constrained land in the subject area. Parts of the area are encumbered by:
 - Higher levels of tree coverage - several blocks have a concentration of trees of more than 20%, with some having concentrations over 30%. There are also some streets which a relatively high concentration of street trees.
 - Much of the area is not serviced by frequent public transport.
 - Some narrow roads and impermeable blocks/battle-axe lots exist in the area.

- Topographically, land in the subject area is contiguous with the low density residential area to the east of Midson Road, where dual occupancy development is already prohibited. While the extent and concentration of constraints may not be as significant as in other areas, extending the prohibition area boundary would assist in achieving policy consistency across the broader low density residential area bounded by the major barriers of Marsden Road and the Epping railway line (refer to figure below).

It is also noted that prohibition is proposed across the remainder of the Epping suburb to the north of Carlingford Road and east of the railway line, parts of Dundas valley to the immediate west across Marsden Road as well as land in the former the Hills Council area to the immediate north-west of the subject area.

Extending prohibition to the subject area is therefore consistent with the recommendations of this analysis to avoid creating isolated pockets of land where different rules apply by using suburb or other logical natural boundaries, such as major roads, to define prohibition areas.



- There is a relatively high number of sites over 600sqm in the area – approximately 84% of all R2 zoned sites across the suburb of Epping and 56% in the subject area alone. This creates the potential for a significant increase in density in this area and for the impacts of additional dwellings to be compounded over time.

Several submissions were received in response to the exhibition of the Discussion Paper that raised general concerns with overdevelopment in the LGA, in particular in the nearby precincts of Epping and Carlingford Town Centres, and the strain this is placing on local infrastructure. These echo sentiments that have been expressed by the community through the Epping Planning Review as well as through recent consultation on the draft Local Strategic Planning Statement and draft Local Housing Strategy. Continued dual occupancy development in this area will place further strain on local infrastructure.