

Mosman
COUNCIL

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- FAQs will be provided on Council's website

Low and Mid-Rise Housing Policy

Overview of presentation

Context

General Manager

Outline of the changes as we know it

Team Coordinator Urban Planning

Next steps

Team Coordinator Urban Planning

Q&A

Closing

Mayor

Context

- **National Housing Accord 2022 - 377,000 (NSW)**
- **Housing targets - 500 (Mosman)**
- **Recent State Government planning reforms**

In-fill affordable housing	December 2023
Stage 1 Low and Mid-Rise housing	July 2024
Transit oriented development	November 2024
Stage 2 Low and Mid-Rise housing	February 2025

Legislation overview

State Environmental Planning Policy (Housing) Amendment
(Low and Mid-Rise Housing) 2025 – in effect from 28 February 2025

- Aim - to encourage the development of low and mid-rise housing in areas that are well located with regard to goods, services and public transport

Chapter 6 - State Environmental Planning Policy Housing 2021

The policy is expected to deliver up to 112,000 homes across NSW over the next 5 years

What do the LMR changes mean for Mosman?

- New forms of development are permissible within the R2 Low Density Residential zone including dual occupancies, terraces, townhouses and two storey residential flat buildings
- New controls apply to land zoned R2 Low Density Residential and R3 Medium Density Residential within 800m walking distance of nominated town centres



What do the LMR changes mean for Mosman?

- New controls override Council's LEP and DCP planning controls and allow higher and denser development than is currently permitted
- Land within 800m walking distance of nominated town centres is known as the housing area
 - Inner housing area – land within 400m walking distance of a town centre
 - Outer housing area – land within 400-800m walking distance of a town centre

Spit Junction Town Centre

Only designated town
centre located within
Mosman LGA

Town Centres Map

NSW Planning Portal
Spatial Viewer



Cremorne Town Centre

Within North Sydney LGA

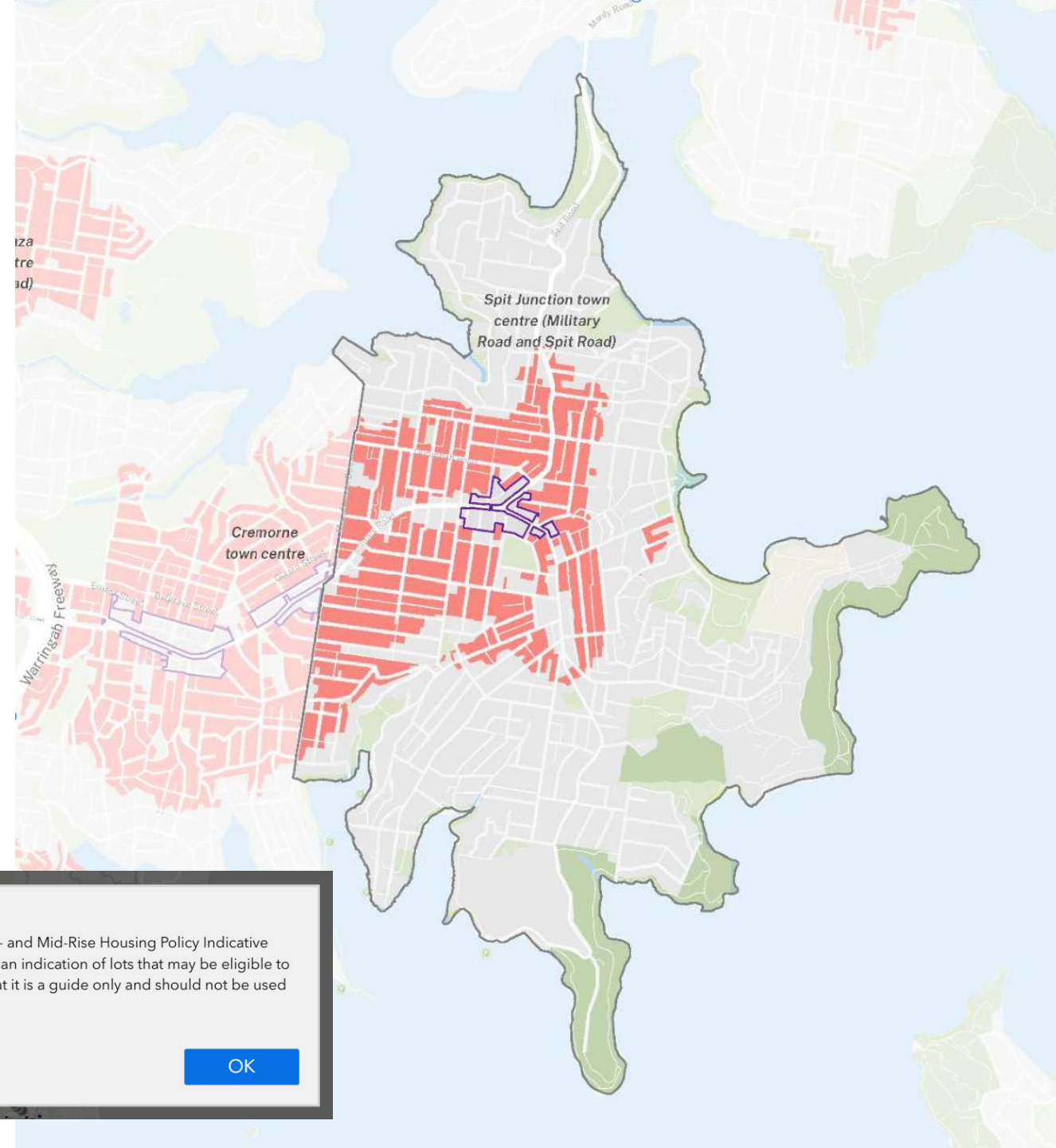
Town Centres Map

NSW Planning Portal
Spatial Viewer



LMR Housing Policy Indicative Map

- Developed using walking distance software
- The map includes a disclaimer that it is a guide only and should not be used to inform planning decisions
- The map does not factor in individual property constraints and local walking networks
- Land is shown shaded even though it is excluded from the policy



Disclaimer

Thank you for visiting the Low- and Mid-Rise Housing Policy Indicative Map. While the maps provide an indication of lots that may be eligible to use the policy, please note that it is a guide only and should not be used to inform planning decisions.

Don't show this again

OK

Walking distance

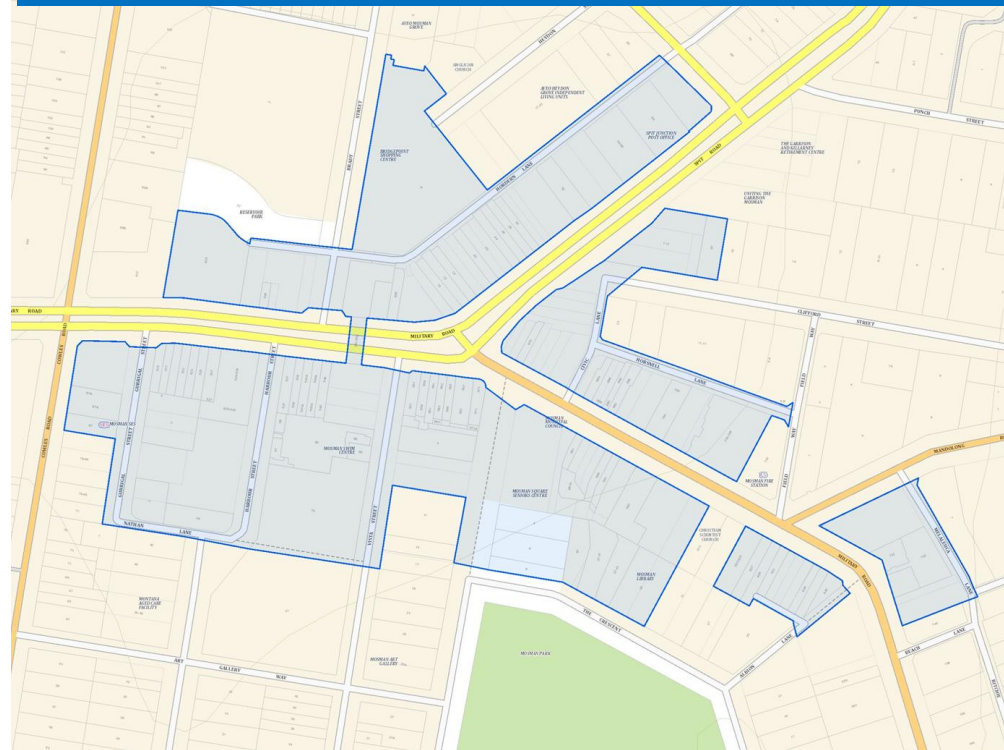
Housing area is land within 800m walking distance of either the Spit Junction Town Centre or Cremorne Town Centre

Walking distance is measured from the nearest edge of the mapped town centre along a publicly accessible walking route

The applicant will need to demonstrate how their land meets the walking distance requirement as part of the DA

For some sites it may be necessary for a surveyor to precisely calculate walking distances

Walking distance:
the shortest distance between 2 points measured along a route that may be **safely walked** by a pedestrian using, as far as reasonably practicable, public footpaths and pedestrian crossings



LMR application in Mosman

- SEPP Housing identifies land exclusions. Relevant to Mosman land exclusions include:
 - heritage items
 - bushfire-prone land
 - coastal wetlands, littoral rainforest and the coastal vulnerability area
- Not apply to Employment zones or in the C4 Environmental Living zone
- Applies to heritage conservation areas



A new type of planning control for Mosman

Non-discretionary development standard, also known as a non-refusal standard

Provide consistent development standards for matters like building height, floor space ratio and lot size

Overrule a LEP or DCP standard, depending on what is the more permissive

If the proposed development complies with the non-discretionary development standard, the consent authority cannot refuse the application on the grounds of the standard



Dual occupancies

Two dwellings
on one lot of
land, attached
or detached

Stage 1 permitted dual occupancy State-wide in the R2 zone.

Non-refusal standards within housing area in the R2 & R3 zone:

- Lot size: min 450m²
- Lot width: min 12m
- FSR: max 0.65:1
- Height: max 9.5m
- Car parking: 1 space / dwelling
- Subdivision: min 225m² / 6m width per lot

Council's LEP and DCP controls apply outside housing area.



DUAL OCCUPANCY



Multi-dwelling housing (terraces)

Three or more dwellings:

- Each dwelling has a frontage to a public road
- The dwellings are located side by side, with no part of a dwelling located above another dwelling.

Permits this form of development in the R2 zone for the first time within the housing area only.

Non-refusal standards within housing area in the R2 & R3 zone:

- Lot size: min 500m²
- Lot width: min 18m
- FSR: max 0.7:1
- Height: max 9.5m
- Car parking: 0.5 space / dwelling
- Subdivision: min 165m² / 6m width per lot



TERRACE



Multi-dwelling housing

Three or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building

Permits this form of development in the R2 zone for the first time within the housing area only.

Non-refusal standards within housing area in the R2 & R3 zone:

- Lot size: min 600m²
- Lot width: min 12m
- FSR: max 0.7:1
- Height: max 9.5m
- Car parking: 1 space / dwelling





Residential flat
buildings and shop
top housing

Council control
R2 zone

LMR control
R2 Zone

Permissible in zone

Prohibited

Permitted

Min lot size

Nil

500m²

Min frontage

Nil

12m

Height

Prohibited in R2

9.5m

FSR

Prohibited in R2

0.8:1



Residential flat buildings and shop top housing

Council control R3 zone

LMR control R3 Zone

Permissible in zone

Permitted

Permitted

Min lot size

Nil

Nil

Min frontage

Nil

Nil

Height

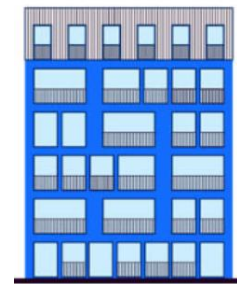
8.5m to 11m locational

Inner Housing Area: 6 storeys or fewer
22m – residential flat building
24m - shop top housing
Outer Housing Area: 17.5m – 4 storeys or fewer

FSR

0.6:1 to 1:1 locational

Inner Housing Area: 2.2:1
Outer Housing Area : 1.5:1



In-fill affordable housing

Do the in-fill housing bonuses apply to development under the Low and Mid-Rise Housing Policy?

The existing in-fill affordable housing bonus provisions will continue to apply to land where the Low and Mid-Rise Housing Policy applies.

This means the bonus provisions will apply on top of the non-discretionary standards. This is to encourage affordable housing to be delivered in the local low and mid-rise housing areas.

Built form bonuses of up to 30% are available for developments that provides at least 10% affordable housing, based on a proportion of affordable dwellings being provided.

Affordable housing means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument

How will LMR housing policy applications be assessed and determined?

- Where Council is the consent authority:
 - DA documentation will be available on the Application Tracker for the public to view
 - DAs will be notified in accordance with the Mosman Community Participation Plan and there will be opportunity to make a submission
 - Most DAs will be referred to the Mosman Local Planning Panel for determination




Apartment Design Guide

Tools for improving the design of residential apartment development

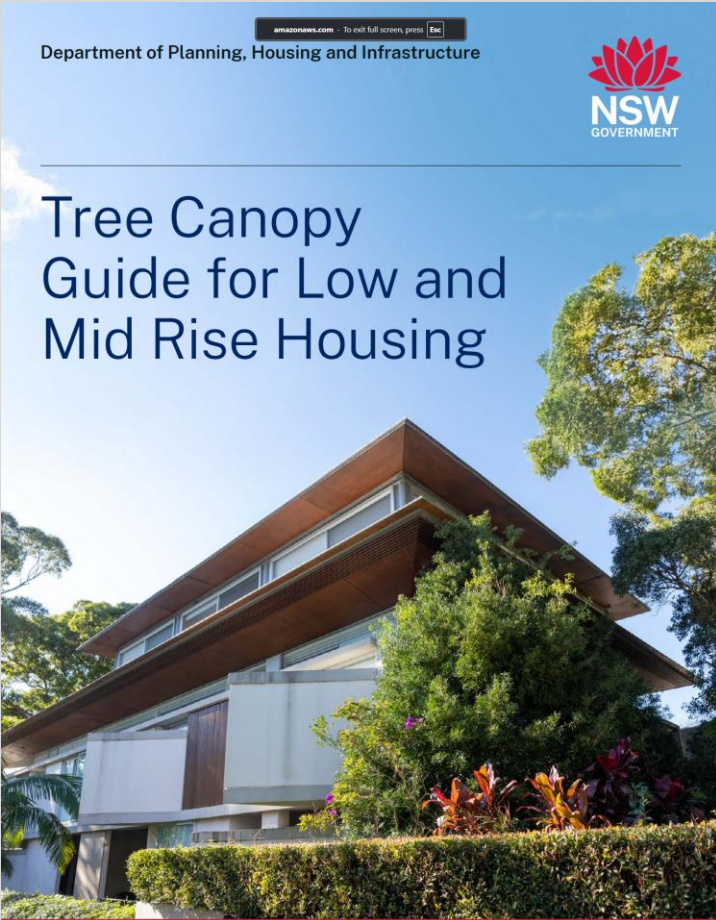


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Department of Planning, Housing and Infrastructure



Tree Canopy Guide for Low and Mid Rise Housing





February 2025 dphi.nsw.gov.au



dcp

Residential Development Control Plan



Residential Development Control Plan

Questions

1. Will owners be notified if their site is within the 800m housing area?
2. What is the impact of this new policy on view sharing and overshadowing? Can a developer can now put up a 6 storey building on a site and block the harbour views and solar access enjoyed by others?
3. How quick is the approval process for development under the LMR?
4. How will Council protect heritage buildings within the LMR area?

Questions

5. What considerations have been made regarding expanding / managing our local infrastructure with the proposed higher density living in the area?
6. How will building setbacks be established?
7. If a property is in the LMR zone but is also within a Scenic Protection Area under the LEP, does this override or limit the LMR planning rules applicable to this property
8. Have any LMR DAs been lodged in Mosman yet?

Discussion Paper – NSW Housing Pattern Book Planning Pathways

The Department is currently seeking feedback on 8 low-rise housing designs and the following streamlined pathways for low-rise patterns in the NSW Housing Pattern Book.

1. Complying Development pathway:

This pathway requires more detailed upfront documentation by a qualified designer and needs certification that the development meets the pattern book standards.

2. Streamlined Development Assessment pathway:

This pathway requires less upfront documentation for a qualified designer and needs development approval from the consent authority.

Open for feedback from 31 March until Thursday 17 April 2025.

Email pattern.book.housing@planning.nsw.gov.au

to give feedback on the Pattern Book.

Next steps

What we are doing

Planning Advisor – book a session via Council’s website or visit mosman.nsw.gov.au/form/pa-booking-calendar



Book it

Actions arising from March Council meeting

Question Time

Council Resolution – March 2025

1. Assertively advocate to the State Planning Minister and the Premier, the need to excise the Balmoral upzoning in the R3 zone.
2. Explore actions such as injunctions, court actions, and mediation in order to achieve the above, noting that the R3 zoning is the historical zoning in what is currently a C4 area and is the gateway to the entrance of Sydney Harbour.
3. Seek to accommodate the State's targets in areas of Mosman Council's choosing.

Closing

Thank you for attending this community forum

Simply scan the QR code to access a small questionnaire to provide feedback on your experience.

To learn more about the LMR changes you are invited to book a session with Council's Development Advisor.

Bookings can be made via Council's website or via a link in the questionnaire.

