



Planning circular

PLANNING SYSTEM

Planning Systems; Low Rise Housing Diversity Code

Circular	PS 21-027
Issued	2 December 2021 ¹
Related	Replaces PS 18-007

Low Rise Housing Diversity Design Guide for Development Applications

This circular provides guidance to councils, applicants and practitioners on how and where the Low Rise Housing Diversity Design Guide for Development Applications (DAs) applies.

Introduction

The Low Rise Housing Diversity Code (formerly known as the Low Rise Medium Density Housing Code) is contained within Part 3B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP).

The Low Rise Housing Diversity Code became operational across all local government areas on 1 July 2020.

The Low Rise Housing Diversity Code enables the fast track approval of one and two storey dual occupancies, manor houses and terraces as complying development in the R1, R2, R3 and RU5 zones, where this type of development is already permitted under a council's Local Environmental Plan (LEP).

The Codes SEPP also contains definitions for the additional housing types (manor houses and terraces).

Where proposals exceed the development controls specified in the Code, they can be assessed as a development application (DA) by the relevant council.

Design Guide for DAs

Section 61(4) of the *Environmental Planning and Assessment Regulation 2021* requires councils to consider the *Low Rise Housing Diversity Design Guide for Development Applications* (Design Guide for DAs) when they are assessing DAs for manor houses and terraces, until development controls are in place for these new housing types within their Development Control Plan (DCP).

The Design Guide for DAs provides design guidance for various forms of low rise housing including dual occupancies, manor houses, terraces, townhouses and villas.

It includes best practice design standards and is intended to ensure these developments are well-designed and fit into the local character of an area.

The Design Guide for DAs is a tool used by councils to assess low rise housing developments. Councils can choose to either adopt the Design Guide for DAs fully or in part into their DCP.

Once council has a DCP in place with development controls for manor houses and terraces, they will no longer be required to consider the Design Guide for DAs.

Further information

A copy of the Design Guide for DAs is available on the Department's website at:

<https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Policy-and-legislation/Housing-Diversity-DA-A-2020-10.pdf>

Further information regarding Low Rise Housing Diversity is available at:

<https://www.planning.nsw.gov.au/Policy-and-Legislation/Housing/Low-Rise-Housing-Diversity-Code>

For further information please contact Service NSW on 13 77 88.

¹ Revised 10 August 2023 to include updated references to the *Environmental Planning and Assessment Regulation 2021* and address outdated provisions.

Department of Planning and Environment circulars are available at: <https://www.planning.nsw.gov.au/policy-and-legislation/planning-system-circulars/>

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Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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