

## ATTACHMENT 2 – ADVERSE PLANNING CHANGE CONSIDERATION

The assessment has considered whether an adverse planning change has occurred in accordance with S.30(2) of the *Planning Act*:

*‘An adverse planning change is a planning change that reduces the value of an interest in premises.’*

Section 30(4) (f) of the *Planning Act* states that an adverse planning change does not include a planning change that:

*‘is about the relationships between, the location of, or the physical characteristics of, buildings, works or lots, if the yield achievable is not substantially different from the yield achievable before the change;’*

Under Section 30(7) of the *Planning Act* yield means:

*‘(a) for buildings and works—the gross floor area, the density of buildings or persons, or the plot ratio, achievable for premises; or  
(b) for reconfiguring a lot—the number of lots in a particular area of land.’*

Under the RPS and City Plan the anticipated development outcomes vary and hence the yield as per the respective planning scheme needs to be investigated. An indicative breakdown of the likely yield under RPS V7.2 and City Plan is outlined below, making assumptions on the likely highest and best use of the subject site under both planning schemes.

RPS- Highest and Best Use	City Plan- Highest and Best Use
Urban Residential Zone	Low Density Residential Zone
<ul style="list-style-type: none"> <li>Multiple dwellings (5 or 6 dwelling units)</li> </ul> *indicative	<ul style="list-style-type: none"> <li>Two dual occupancies (4 dwelling units)</li> <li>Reconfiguring a lot (3 lots)</li> </ul> *indicative

**Table 1: indicative breakdown**

To meet outcomes under the RPS the building will need to be designed so that the scale of the building is compatible with the surrounding dwelling houses. To do this may require dividing the units into two separate buildings, with each building therefore being at a dwelling house scale. Conversely, the applicant may use articulation and modulation in the development design to reduce the bulk and scale of the building and retain the units in a single building.

In this regard, it is likely that either five (5) or six (6) dwelling units would be approved under the RPS.

Under the City Plan, multiple dwelling would like be refused in any form, as the overall outcome in the low density residential zone contains strong wording to discourage any multiple dwellings being approved. The highest and best use would likely be either a three lot residential subdivision, each containing dwelling houses; or two dual occupancies, comprising four dwelling units on two standard format lots. While these dual occupancies would not meet the deemed to comply solution regarding density, it would likely that they could be designed to meet performance outcome PO2, which states:

*'...dual occupancies occur on larger lots and in a form that is consistent with the low density, open and low-rise character of the locality.'*

