



# **Canterbury Bankstown Development Control Plan 2021**

## **Chapter 5 Residential Accommodation**

### **5.1 Former Bankstown LGA**

DRAFT December 2020





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## SECTION 1–INTRODUCTION

### Explanation

*Connective City 2036* recognises the importance of providing housing choice to suit each life stage through a range of housing typologies. A key action of *Connective City 2036* is to provide high quality housing that meets the needs of the growing and changing population, while offering residents a high standard of amenity.

Canterbury Bankstown Local Environmental Plan 2021 and Canterbury Bankstown Development Control Plan 2021 combine to regulate effective and orderly development, consistent with *Connective City 2036*.

Canterbury Bankstown Local Environmental Plan 2021 is Council's principal planning document. It provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights.

Canterbury Bankstown Development Control Plan 2021 supports the LEP by providing additional objectives and development controls to enhance the function, design and amenity of residential accommodation. The development controls include storey limits, setbacks, building design and landscape to promote good design and amenity for residents.

Good design is important to achieve a scale, bulk and height appropriate to the desired character of the street and surrounding buildings. It achieves an appropriate built form that defines the public domain, provides internal amenity and considers neighbours' amenity.

Good design also recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive development with good amenity. Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, and providing deep soil zones for vegetation and urban heat/water management.

As part of the design process, applicants must note that a building envelope is not a building, but a three dimensional shape that may determine the bulk and siting of a building. After allowing for building articulation and other development controls, the achievable floor space of development is likely to be less than the building envelope.



## **Objectives**

- O1** To ensure development is compatible with the desired character of residential areas.
- O2** To ensure development is compatible with the prevailing suburban character and amenity of the low density residential area.
- O3** To achieve good design in terms of building form, bulk, architectural treatment, visual amenity and landscape.
- O4** To enhance the amenity for people who live in the residential accommodation.
- O5** To facilitate ecologically sustainable development.
- O6** To provide deep soil zones that allow for and support healthy plant and tree growth, and the management of urban heat and water.

## **Application of this Chapter**

Chapter 5.1 of this DCP applies to residential accommodation within the former Bankstown Local Government Area.

## **Desired Character**

The prevailing suburban character of residential areas includes the subdivision pattern, front and side building setbacks, off-street parking behind the front building line and the landscape of front yards with canopy trees and deep soil plantings. The desired character for the residential areas are:

### **C1 Low density residential areas**

The desired character is to have a low density residential environment in Zone R2 where the typical features are dwelling houses, dual occupancies and secondary dwellings within a generous landscaped setting. The site cover and building form of development must be compatible with the prevailing suburban character and amenity of this zone. This zone is also the most restrictive in terms of other permitted uses that are considered suitable. These are generally restricted to facilities and services that meet the day-to-day needs of residents.



## **C2 Medium density residential areas**

The desired character is to have a medium density residential environment in Zone R3 that generally acts as a transition between the high and low density residential areas. This transition area will enable a variety of medium density accommodation within a generous landscaped setting.

## **C3 High density residential areas**

The desired character is to have a high density residential environment in Zone R4 that provides high density housing (in the form of contemporary designed residential flat buildings) within a landscaped setting. Development should provide appropriate spaces between buildings, communal open spaces and deep soil zones to provide adequate amenity for residents.



## **SECTION 2–DWELLING HOUSES**

### **Objectives**

- O1** To ensure the building form, building design and landscape of dwelling houses are compatible with the prevailing suburban character of the residential areas.
- O2** To ensure the building form and building design of dwelling houses provide appropriate amenity to residents in terms of private open space, access to sunlight and privacy.
- O3** To ensure the building form and building design of dwelling houses do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.
- O4** To ensure the building form of dwelling houses in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.
- O5** To minimise the visual impact of off–street parking on the streetscape.

### **Development Controls**

#### **Storey limit (not including basements)**

- 2.1** The storey limit for dwelling houses is 2 storeys.
- 2.2** The siting of dwelling houses and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 2.3** Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:
  - (a) the dwelling house is required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or
  - (b) the fill is contained within the ground floor perimeter of the dwelling house to a height no greater than 1 metre above the ground level (existing) of the site.



### **Setback restrictions**

- 2.4** The erection of dwelling houses is prohibited within 9 metres of an existing animal boarding or training establishment.

### **Street setbacks**

- 2.5** The minimum setback for a building wall to the primary street frontage is:
- (a) 5.5 metres for the first storey (i.e. the ground floor); and
  - (b) 6.5 metres for the second storey.
- 2.6** The minimum setback to the secondary street frontage is:
- (a) 3 metres for a building wall; and
  - (b) 5.5 metres for a garage or carport that is attached to the building wall.

### **Side setbacks**

- 2.7** For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the site is 0.9 metre.
- 2.8** For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres. Council may vary this requirement where a second storey addition to an existing dwelling house demonstrates it must use the ground floor walls for structural support.
- 2.9** The basement level must not project beyond the ground floor perimeter of the dwelling house.

### **Private open space**

- 2.10** Dwelling houses must provide a minimum 80m<sup>2</sup> of private open space behind the front building line. This may be in the form of a single area or a sum of areas provided the minimum width of each area is 5 metres throughout.

### **Access to sunlight**

- 2.11** At least one living area must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.



- 2.12** At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.
- 2.13** A minimum 50% of the private open space required for the dwelling house and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.
- 2.14** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.

#### **Visual privacy**

- 2.15** Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:
- (a) offset the windows between dwellings to minimise overlooking; or
  - (b) provide the window with a minimum sill height of 1.5 metres above floor level; or
  - (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or
  - (d) use another form of screening to the satisfaction of Council.
- 2.16** Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:
- (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non–habitable room; or
  - (b) the window has a minimum sill height of 1.5 metres above floor level; or
  - (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or
  - (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower–level or adjoining dwelling.
- 2.17** Council may allow dwelling houses to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:
- (a) does not have an external staircase; and
  - (b) does not exceed a width of 1.5 metres throughout; and
  - (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.





**2.18** Council does not allow dwelling houses to have roof-top balconies and the like.

#### **Building design**

**2.19** The maximum roof pitch for dwelling houses is 35 degrees.

**2.20** Council may allow dwelling houses to have an attic provided the attic design:

- (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and
- (b) ensures the attic does not give the external appearance of a storey.

**2.21** The design of dormers must:

- (a) be compatible with the form and pitch of the roof; and
- (b) must not project above the ridgeline of the main roof; and
- (c) must not exceed a width of 2 metres; and
- (d) the number of dormers must not dominate the roof plane.

**2.22** Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).

#### **Building design (car parking)**

**2.23** Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:

- (a) comply with the road pattern shown in Appendix 2; and
- (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.

**2.24** Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space to locate forward of the front building line provided:

- (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and
- (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.



**2.25** Despite clause 2.24, Council may consider a single carport forward of the front building line of an existing dwelling house solely where:

- (a) there is no existing garage on the site;
- (b) there is no side or rear vehicle access to the site;
- (c) the site does not contain a heritage item or is not within a heritage conservation area or local character area;
- (d) the site is in the vicinity of existing, approved carports on adjacent sites that are forward of the front building line;
- (e) the maximum width of the single carport is 3 metres;
- (f) it is of a simple posted design, with no side panel infill;
- (g) there is no solid panel lift or roller shutter door proposed;
- (h) the carport is setback a minimum 1 metre from the primary and secondary street frontages;
- (i) the carport achieves a high quality design and has a roof design that is compatible with the dwelling house.

**2.26** Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.

**2.27** Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided:

- (a) the building is at least 2 storeys in height, and
- (b) the garage is architecturally integrated with the upper storey by:
  - (i) ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and
  - (ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof.

This clause prevails where there is a numerical inconsistency with another clause in this chapter of the DCP.

## **Landscape**

**2.28** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the dwelling house.



**2.29** Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury Bankstown (refer to the Landscape Guide for a list of suitable species):

- (a) a minimum 45% of the area between the dwelling house and the primary street frontage; and
- (b) a minimum 45% of the area between the dwelling house and the secondary street frontage; and
- (c) plant at least one 75 litre tree between the dwelling house and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury Bankstown); and
- (d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody.



## **SECTION 3—SECONDARY DWELLINGS**

### **Objectives**

- 01** To ensure secondary dwellings are established in conjunction with the principal dwelling on the same site.
- 02** To ensure the building form is subservient to the principal dwelling on the same site in terms of visual bulk and scale.
- 03** To ensure the building form and building design of secondary dwellings are compatible with the prevailing suburban character of the residential areas.
- 04** To ensure the building form and building design of secondary dwellings provide appropriate amenity to residents in terms of private open space, access to sunlight and privacy.
- 05** To ensure the building form and building design of secondary dwellings do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.
- 06** To ensure the building form of secondary dwellings in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.

### **Development Controls**

#### **Lot size**

- 3.1** A secondary dwelling is permissible on a site with a minimum lot size of 450m<sup>2</sup>.

#### **Site cover**

- 3.2** Council must not consent to development for the purpose of secondary dwellings unless:
  - (a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under an environmental planning instrument; and
  - (b) the total floor area of the secondary dwelling is no more than 60m<sup>2</sup> or, if a greater floor area is permitted in respect of a secondary dwelling on the land under an environmental planning instrument, that greater floor area.



### **Storey limit (not including basements)**

- 3.3** The storey limit for attached secondary dwellings is 2 storeys.
- 3.4** The storey limit for detached secondary dwellings is single storey and the maximum wall height is 3 metres.
- 3.5** The siting of secondary dwellings and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 3.6** Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:
- (a) the secondary dwelling is required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or
  - (b) the fill is contained within the ground floor perimeter of the secondary dwelling to a height no greater than 1 metre above the ground level (existing) of the site.

### **Setback restrictions**

- 3.7** The erection of secondary dwellings is prohibited within 9 metres of an existing animal boarding or training establishment.

### **Street setbacks**

- 3.8** The minimum setback for a building wall to the primary street frontage is:
- (a) 5.5 metres for the first storey (i.e. the ground floor); and
  - (b) 6.5 metres for the second storey.
- 3.9** The minimum setback to the secondary street frontage is:
- (a) 3 metres for a building wall; and
  - (b) 5.5 metres for a garage or carport that is attached to the building wall.

### **Side and rear setbacks**

- 3.10** For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side and rear boundaries of the site is 0.9 metre.
- 3.11** For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side and rear boundaries of the site is 1.5 metres.



### **Private open space**

- 3.12** Secondary dwellings must not result in the principal dwelling on the site having less than the required landscaped area and private open space.

### **Access to sunlight**

- 3.13** At least one living area must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.
- 3.14** At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.
- 3.15** A minimum 50% of the private open space required for the principal dwelling on the site and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.

### **Visual privacy**

- 3.16** Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:
- (a) offset the windows between dwellings to minimise overlooking; or
  - (b) provide the window with a minimum sill height of 1.5 metres above floor level; or
  - (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or
  - (d) use another form of screening to the satisfaction of Council.
- 3.17** Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:
- (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non–habitable room; or
  - (b) the window has a minimum sill height of 1.5 metres above floor level; or
  - (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or
  - (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower–level or adjoining dwelling.



**3.18** Council may allow attached secondary dwellings to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:

- (a) does not have an external staircase; and
- (b) does not exceed a width of 1.5 metres throughout; and
- (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.

**3.19** Council does not allow secondary dwellings to have roof-top balconies and the like.

### **Building design**

**3.20** The maximum roof pitch for attached secondary dwellings is 35 degrees.

**3.21** Council may allow attached secondary dwellings to have an attic provided the attic design:

- (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and
- (b) ensures the attic does not give the external appearance of a storey.

**3.22** The design of dormers must:

- (a) be compatible with the form and pitch of the roof; and
- (b) must not project above the ridgeline of the main roof; and
- (c) must not exceed a width of 2 metres; and
- (d) the number of dormers must not dominate the roof plane.

**3.23** The maximum roof pitch for detached secondary dwellings is 25 degrees. An attic or basement is not permitted as part of the dwelling.

**3.24** Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).

**3.25** The change of use of outbuildings to secondary dwellings must comply with the Building Code of Australia.

### **Building design (car parking)**

**3.26** Secondary dwellings must not result in the principal dwelling on the site having less than the required car parking spaces.



## **Landscape**

- 3.27** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the secondary dwelling.





## **SECTION 4–DUAL OCCUPANCIES**

### **Objectives**

- 01** To ensure the building form, building design and landscape of dual occupancies are compatible with the prevailing suburban character of the residential areas, particularly the single dwelling suburban character of the low density residential areas.
- 02** To ensure the building form and building design of dual occupancies provide appropriate amenity to residents in terms of private open space, access to sunlight and privacy.
- 03** To ensure the building form and building design of dual occupancies do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.
- 04** To ensure the building form of dual occupancies in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.
- 05** To minimise the visual impact of off–street parking on the streetscape.

### **Development Controls**

#### **Storey limit (not including basements)**

- 4.1** The storey limit for dual occupancies is 2 storeys.
- 4.2** The siting of dual occupancies, and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 4.3** Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:
  - (a) the dual occupancy is required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or
  - (b) the fill is contained within the ground floor perimeter of the dual occupancy to a height no greater than 1 metre above the ground level (existing) of the site.



### **Setback restrictions**

- 4.4** The erection of dual occupancies is prohibited within 9 metres of an existing animal boarding or training establishment.

### **Street setbacks**

- 4.5** The minimum setback for a building wall to the primary street frontage is:
- (a) 5.5 metres for the first storey (i.e. the ground floor); and
  - (b) 6.5 metres for the second storey.
- 4.6** The minimum setback to the secondary street frontage is:
- (a) 3 metres for a building wall; and
  - (b) 5.5 metres for a garage or carport that is attached to the building wall.

### **Side setbacks**

- 4.7** For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the site is 0.9 metre. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining site.
- 4.8** For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres.
- 4.9** The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like.
- 4.10** The basement level must not project beyond the ground floor perimeter of the dual occupancy.

### **Private open space**

- 4.11** Dual occupancies must provide a minimum 80m<sup>2</sup> of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5 metres throughout.



## **Access to sunlight**

- 4.12** At least one living area of each dwelling must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.
- 4.13** At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.
- 4.14** A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.
- 4.15** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.

## **Visual privacy**

- 4.16** Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:
- (a) offset the windows between dwellings to minimise overlooking; or
  - (b) provide the window with a minimum sill height of 1.5 metres above floor level; or
  - (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or
  - (d) use another form of screening to the satisfaction of Council.
- 4.17** Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:
- (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non–habitable room; or
  - (b) the window has a minimum sill height of 1.5 metres above floor level; or
  - (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or
  - (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower–level or adjoining dwelling.



**4.18** Council may allow dual occupancies to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:

- (a) does not have an external staircase; and
- (b) does not exceed a width of 1.5 metres throughout; and
- (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.

**4.19** Council does not allow dual occupancies to have roof-top balconies and the like.

### **Building design**

**4.20** Development for the purpose of dual occupancies must demolish all existing dwellings (not including any heritage items) on the site.

**4.21** The design of dual occupancies must ensure:

- (a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or
- (b) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and
- (c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and
- (d) the garage, driveway and front fence do not dominate the front of the building and front yard; and
- (e) the two dwellings on a corner site each face a different frontage.

**4.22** The maximum roof pitch for dual occupancies is 35 degrees.

**4.23** Council may allow dual occupancies to have an attic provided the attic design:

- (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and
- (b) ensures the attic does not give the external appearance of a storey.

**4.24** The design of dormers must:

- (a) be compatible with the form and pitch of the roof; and
- (b) must not project above the ridgeline of the main roof; and
- (c) must not exceed a width of 2 metres; and
- (d) the number of dormers must not dominate the roof plane.



- 4.25** Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).

**Building design (car parking)**

- 4.26** Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:
- (a) comply with the road pattern shown in Appendix 2; and
  - (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.
- 4.27** Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided:
- (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and
  - (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.
- 4.28** Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. Council does not permit internal stacked or tandem garages.
- 4.29** Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided:
- (a) the building is at least 2 storeys in height, and
  - (b) the garage is architecturally integrated with the upper storey by:
    - (i) ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and
    - (ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof.

This clause prevails where there is a numerical inconsistency with another clause in this chapter of the DCP.



## **Landscape**

- 4.30** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the dual occupancy.
- 4.31** Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury Bankstown (refer to the Landscape Guide for a list of suitable species):
- (a) a minimum 45% of the area between the dual occupancy and the primary street frontage; and
  - (b) a minimum 45% of the area between the dual occupancy and the secondary street frontage; and
  - (c) plant at least one 75 litre tree between the dual occupancy and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury Bankstown); and
  - (d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody.



## **SECTION 5—SEMI-DETACHED DWELLINGS**

### **Objectives**

- 01** To ensure the building form, building design and landscape of semi-detached dwellings are compatible with the prevailing suburban character of the residential areas, particularly the single dwelling suburban character of the low density residential areas.
- 02** To ensure the building form and building design of semi-detached dwellings provide appropriate amenity to residents in terms of private open space, access to sunlight and privacy.
- 03** To ensure the building form and building design of semi-detached dwellings do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.
- 04** To ensure the building form of semi-detached dwellings in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.
- 05** To minimise the visual impact of off-street parking on the streetscape.

### **Development Controls**

#### **Storey limit (not including basements)**

- 5.1** The storey limit for semi-detached dwellings is 2 storeys.
- 5.2** The siting of semi-detached dwellings and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 5.3** Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:
  - (a) the semi-detached dwellings are required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or
  - (b) the fill is contained within the ground floor perimeter of the semi-detached dwellings to a height no greater than 1 metre above the ground level (existing) of the site.



### **Setback restrictions**

- 5.4** The erection of semi-detached dwellings is prohibited within 9 metres of an existing animal boarding or training establishment.

### **Street setbacks**

- 5.5** The minimum setback for a building wall to the primary street frontage is:
- (a) 5.5 metres for the first storey (i.e. the ground floor); and
  - (b) 6.5 metres for the second storey.
- 5.6** The minimum setback to the secondary street frontage is:
- (a) 3 metres for a building wall; and
  - (b) 5.5 metres for a garage or carport that is attached to the building wall.

### **Setbacks to the side boundary**

- 5.7** For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the site is 0.9 metre. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining site.
- 5.8** For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres.
- 5.9** The minimum setback between semi-detached dwellings and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like.
- 5.10** The basement level must not project beyond the ground floor perimeter of the semi-detached dwellings.

### **Private open space**

- 5.11** Semi-detached dwellings must provide a minimum 80m<sup>2</sup> of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5 metres throughout.





## **Access to sunlight**

- 5.12** At least one living area of each dwelling must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.
- 5.13** At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.
- 5.14** A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.
- 5.15** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.

## **Visual privacy**

- 5.16** Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:
- (a) offset the windows between dwellings to minimise overlooking; or
  - (b) provide the window with a minimum sill height of 1.5 metres above floor level; or
  - (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or
  - (d) use another form of screening to the satisfaction of Council.
- 5.17** Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:
- (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non–habitable room; or
  - (b) the window has a minimum sill height of 1.5 metres above floor level; or
  - (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or
  - (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower–level or adjoining dwelling.



**5.18** Council may allow semi-detached dwellings to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:

- (a) does not have an external staircase; and
- (b) does not exceed a width of 1.5 metres throughout; and
- (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.

**5.19** Council does not allow semi-detached dwellings to have roof-top balconies and the like.

### **Building design**

**5.20** Development for the purpose of semi-detached dwellings must demolish all existing dwellings (not including any heritage items) on the site.

**5.21** The design of semi-detached dwellings must ensure:

- (a) the street facade of semi-detached dwellings adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or
- (b) the street facade of semi-detached dwellings incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and
- (c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and
- (d) the garage, driveway and front fence do not dominate the front of the building and front yard; and
- (e) the two dwellings on a corner site each face a different frontage.

**5.22** The maximum roof pitch for semi-detached dwellings is 35 degrees.

**5.23** Council may allow semi-detached dwellings to have an attic provided the attic design:

- (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and
- (b) ensures the attic does not give the external appearance of a storey.

**5.24** The design of dormers must:

- (a) be compatible with the form and pitch of the roof; and
- (b) must not project above the ridgeline of the main roof; and
- (c) must not exceed a width of 2 metres; and
- (d) the number of dormers must not dominate the roof plane.



- 5.25** Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).

**Building design (car parking)**

- 5.26** Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:
- (a) comply with the road pattern shown in Appendix 2; and
  - (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.
- 5.27** Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided:
- (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and
  - (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.
- 5.28** Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.
- 5.29** Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development and may allow the garage provided:
- (a) the building is at least 2 storeys in height, and
  - (b) the garage is architecturally integrated with the upper storey by:
    - (i) ensuring the garage does not project more than 3 metres forward of the upper storey street facade; and
    - (ii) designing a covered balcony, rooms or other architectural features of the upper storey to extend over the garage roof.

This clause prevails where there is a numerical inconsistency with another clause in this chapter of the DCP.



## **Landscape**

**5.30** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the semi-detached dwellings.

**5.31** Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury Bankstown (refer to the Landscape Guide for a list of suitable species):

- (a) a minimum 45% of the area between the semi-detached dwellings and the primary street frontage; and
- (b) a minimum 45% of the area between the semi-detached dwellings and the secondary street frontage; and
- (c) plant at least one 75 litre tree between the semi-detached dwellings and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury Bankstown); and
- (d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody.



## **SECTION 6—ATTACHED DWELLINGS**

### **Objectives**

- O1** To ensure the building form, building design and landscape of attached dwellings are compatible with the suburban character of the medium and high density residential areas.
- O2** To ensure the building form and building design of attached dwellings provide appropriate amenity to residents in terms of private open space, access to sunlight and privacy.
- O3** To ensure the building form and building design of attached dwellings do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.
- O4** To minimise the visual impact of off-street parking on the streetscape.

### **Development Controls**

#### **Storey limit (not including basements)**

- 6.1** The storey limit for attached dwellings is 2 storeys.
- 6.2** The siting of attached dwellings and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 6.3** Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:
  - (a) the attached dwellings are required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or
  - (b) the fill is contained within the ground floor perimeter of the attached dwellings to a height no greater than 1 metre above the ground level (existing) of the site.



### **Street setbacks**

- 6.4** The minimum setback for a building wall to the primary street frontage is:
- (a) 5.5 metres for the first storey (i.e. the ground floor); and
  - (b) 6.5 metres for the second storey.
- 6.5** The minimum setback to the secondary street frontage is:
- (a) 3 metres for a building wall; and
  - (b) 5.5 metres for a garage or carport that is attached to the building wall.

### **Side setbacks**

- 6.6** For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the site is 0.9 metre.
- 6.7** For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres.
- 6.8** The minimum setback for a driveway to the side and rear boundaries of the site is 1 metre.

### **Private open space**

- 6.9** Attached dwellings must provide a minimum 60m<sup>2</sup> of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5 metres throughout.

### **Access to sunlight**

- 6.10** At least one living area of each dwelling must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.
- 6.11** At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.



**6.12** A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.

**6.13** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.

### **Visual privacy**

**6.14** Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:

- (a) offset the windows between dwellings to minimise overlooking; or
- (b) provide the window with a minimum sill height of 1.5 metres above floor level; or
- (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or
- (d) use another form of screening to the satisfaction of Council.

**6.15** Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:

- (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or
- (b) the window has a minimum sill height of 1.5 metres above floor level; or
- (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or
- (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.

**6.16** An upper floor balcony to attached dwellings may require screening where the open space overlooks more than 50% of the private open space of a lower level or neighbouring dwelling. The screening must be in the form of a permanent fixed structure such as:

- (a) a solid translucent screen or perforated panel that is:
  - (i) durable and designed to blend in with the development; and
  - (ii) the sum of the perforated panel openings do not exceed 25% of the total surface area; or
- (b) another form of screening to the satisfaction of Council.

**6.17** Council does not allow attached dwellings to have roof-top balconies and the like.



## **Building design**

**6.18** Development for the purpose of attached dwellings must demolish all existing dwellings (not including any heritage items) on the site.

**6.19** The design of attached dwellings must:

- (a) ensure a street facade incorporates architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and
- (b) ensure the front porch and one or more living area or bedroom windows to the dwelling face the street; and
- (c) ensure any garage, driveway and front fence do not dominate the front of the dwelling and front yard.

**6.20** The maximum roof pitch for attached dwellings is 35 degrees.

**6.21** Council may allow attached dwellings to have an attic provided the attic design:

- (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and
- (b) ensures the attic does not give the external appearance of a storey.

**6.22** The design of dormers must:

- (a) be compatible with the form and pitch of the roof; and
- (b) must not project above the ridgeline of the main roof; and
- (c) must not exceed a width of 2 metres; and
- (d) the number of dormers must not dominate the roof plane.

## **Building design (car parking)**

**6.23** Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection.

Despite this clause, Council may allow one car parking space per dwelling to locate forward of the front building line provided:

- (a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and
- (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary street frontages.





- 6.24** Where development proposes a garage with up to two car parking spaces per dwelling facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.

### **Landscape**

- 6.25** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the attached dwellings.
- 6.26** Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury Bankstown (refer to the Landscape Guide for a list of suitable species):
- (a) a minimum 45% of the area between the attached dwellings and the primary street frontage; and
  - (b) a minimum 45% of the area between the attached dwellings and the secondary street frontage; and
  - (c) plant at least one 75 litre tree between the attached dwellings and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury Bankstown).



## **SECTION 7–MULTI DWELLING HOUSING**

### **Explanation**

This section applies to multi dwelling housing and multi dwelling housing (terraces).

### **Objectives**

- O1** To ensure multi dwelling housing provides a suitable visual transition between high density residential areas and low density residential areas.
- O2** To ensure multi dwelling housing has regard to local amenity for residents and neighbouring sites in terms of access to sunlight and privacy.
- O3** To require landscape as a key characteristic in the development.
- O4** To minimise the visual impact of off–street parking on the streetscape.

### **Development Controls**

#### **Isolation of sites**

- 7.1** Council must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land with an area of less than 1,200m<sup>2</sup> and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

#### **Storey limit (not including basements)**

- 7.2** The storey limit for multi dwelling housing is 3 storeys. Council does not allow attics.

#### **Street setbacks**

- 7.3** The minimum setback for a building wall to the primary and secondary street frontages is 5.5 metres.



### **Side setbacks**

- 7.4** The minimum setback for a building wall to the side boundary is 0.9 metres except for east–west orientated sites of land where the minimum side setback to the southern boundary is 3 metres. The intended outcome of the 3 metre setback is to minimise overshadowing on adjoining sites.

### **Private open space**

- 7.5** Multi dwelling housing must provide a minimum 50m<sup>2</sup> of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5 metres throughout.

### **Density**

- 7.6** The site area per dwelling (excluding the area of access handles or rights of way for access) must not be less than 175 square metres.

### **Access to sunlight**

- 7.7** At least one living area of each dwelling must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.
- 7.8** At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.
- 7.9** A minimum 50% of the private open space required for each dwelling and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.

### **Visual privacy**

- 7.10** Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:
- (a) offset the windows between dwellings to minimise overlooking; or
  - (b) provide the window with a minimum sill height of 1.5 metres above floor level; or



- (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or
- (d) use another form of screening to the satisfaction of Council.

**7.11** Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:

- (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or
- (b) the window has a minimum sill height of 1.5 metres above floor level; or
- (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or
- (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.

**7.12** Council does not allow multi dwelling housing to have roof-top balconies and the like.

#### **Building design (car parking)**

**7.13** Multi dwelling housing must provide:

- (a) a minimum 1 car space per dwelling with 2 or less bedrooms; and
- (b) a minimum 2 car spaces per dwelling with 3 or more bedrooms; and
- (c) must locate the car parking spaces behind the front building line.

#### **Landscape**

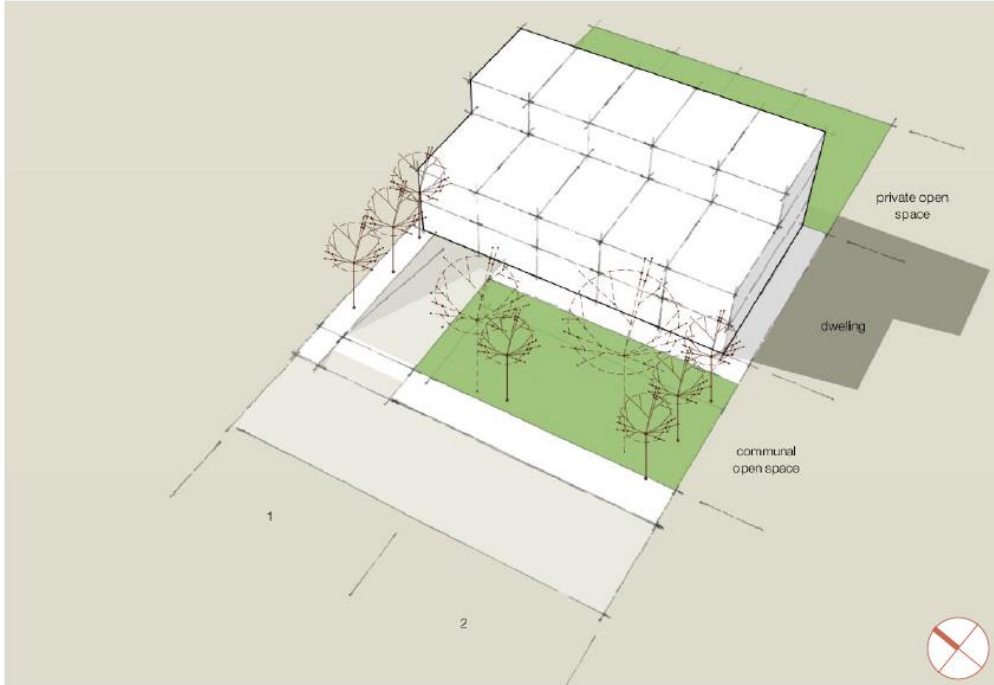
**7.14** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the multi dwelling housing.

**7.15** Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury Bankstown (refer to the Landscape Guide for a list of suitable species):

- (a) a minimum 45% of the area between the multi dwelling housing and the primary street frontage; and
- (b) plant at least one 75 litre tree between the multi dwelling housing and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury Bankstown).



**Figure 7a:** Concept of multi dwelling housing



**Figure 7b:** Concept of basement car parking layout





## SECTION 8—RESIDENTIAL FLAT BUILDINGS AND SHOP TOP HOUSING IN ZONE R4

### Objectives

- 01** To ensure the building form, building design and landscape of residential flat buildings and shop top housing are compatible with the suburban character of the high density residential areas.
- 02** To ensure the building form and building design of residential flat buildings and shop top housing provide appropriate amenity to residents in terms of access to sunlight and privacy.
- 03** To ensure the building form and building design of residential flat buildings and shop top housing do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.
- 04** To minimise the visual impact of off-street parking on the streetscape.
- 05** To ensure the building design and materials reduce the opportunities for vandalism and graffiti.

### Development Controls

#### **Isolation of sites**

- 8.1** Council must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land with an area of less than 1,200m<sup>2</sup> and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

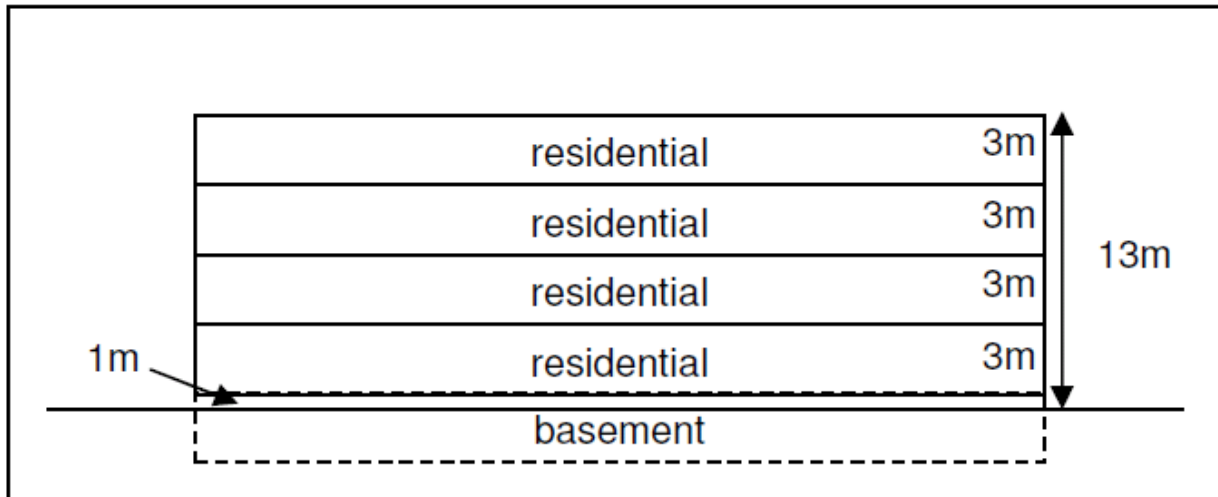
#### **Storey limit (not including basements)**

- 8.2** Development must comply with the storey limit that corresponds with the maximum building height shown for the site on the Height of Building Map as follows:

| Maximum building height as shown on the Height of Buildings Map (Canterbury Bankstown LEP 2021) | Storey limit (not including basements) |
|---|--|
| 13 metres   | 4 storeys (no attic)                   |
| 16 metres   | 5 storeys (no attic)                   |
| 19 metres   | 6 storeys (no attic)                   |
| 25 metres   | 8 storeys (no attic)                   |



**Figure 8a:** Storey limit and maximum building height



**8.3** The siting of residential flat buildings, shop top housing and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.

**8.4** Any reconstituted ground level on the site must not exceed a height of 600mm above the natural ground level of an adjoining site except where:

- (a) the residential flat building or shop top housing is required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or
- (b) the fill is contained within the ground floor perimeter of the residential flat building or shop top housing to a height no greater than 1 metre above the natural ground level of the site.

### Street setbacks

**8.5** The minimum setback for a building wall to the primary street frontage is:

- (a) 3 metres for the sites at 1–9 Leonard Street and 74–80 Restwell Street in Bankstown; and
- (b) 6 metres for all other sites.

**8.6** The minimum setback for a building wall to the secondary street frontage is 6 metres.

### Side and rear setbacks

**8.7** For a single or 2 storey building, the minimum setback to the side and rear boundaries of the site is 0.6 multiplied by the wall height.



- 8.8** For a building with 3 or more storeys, the minimum setback to the side and rear boundaries of the site is 4.5 metres provided the average setback is 0.6 multiplied by the wall height.
- 8.9** Residential flat buildings and shop top housing (including basements) must provide a minimum 5 metre setback to Ruse Park for the purposes of deep soil landscaping.
- 8.10** The minimum setback for a basement level to the side and rear boundaries of the site is 2 metres.
- 8.11** The minimum setback for a driveway to the side and rear boundaries of the site is 1 metre.

#### **Private open space**

- 8.12** Development must locate the private open space behind the front building line. This clause does not apply to any balconies where it is used to provide articulation to the street facade.

#### **Building design**

- 8.13** Council applies State Environment Planning Policy No. 65—Design Quality of Residential Apartment Development and the Apartment Design Guide to residential flat buildings and shop top housing. This includes buildings that are two storeys or less, or contain less than four dwellings.
- 8.14** Development for the purpose of residential flat buildings and shop top housing must demolish all existing dwellings (not including any heritage items) on the site.
- 8.15** The maximum roof pitch for residential flat buildings and shop top housing is 35 degrees.
- 8.16** Council may allow residential flat buildings (up to 3 storeys) and shop top housing (up to 3 storeys) to have an attic provided the attic design:
- (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and
  - (b) ensures the attic does not give the external appearance of a storey.





**8.17** The design of dormers must:

- (a) be compatible with the form and pitch of the roof; and
- (b) must not project above the ridgeline of the main roof; and
- (c) must not exceed a width of 2 metres; and
- (d) the number of dormers must not dominate the roof plane.

**8.18** Council does not allow residential flat buildings and shop top housing with 4 or more storeys to have attics.

**8.19** Council does not allow residential flat buildings and shop top housing to have roof-top balconies and the like.

**8.20** The siting of a plant room, lift motor room, mechanical ventilation stack, exhaust stack, and the like must:

- (a) integrate with the architectural features of the building to which it is attached; or
- (b) be sufficiently screened when viewed from the street and neighbouring sites.

**Building design (car parking)**

**8.21** Development must locate the car parking spaces behind the front building line.

**Landscape**

**8.22** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the residential flat building and shop top housing.

**8.23** Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury Bankstown (refer to the Landscape Guide for a list of suitable species):

- (a) a minimum 45% of the area between the building and the primary street frontage; and
- (b) a minimum 45% of the area between the building and the secondary street frontage; and
- (c) plant more than one 75 litre tree between the building and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury Bankstown); or
  - (i) if the site adjoins the Hume Highway and the minimum setback to the Hume Highway is less than 20 metres, the development must plant a row of 75 litre trees at 5 metre intervals along the length of the Hume Highway boundary and must select the trees from the Landscape Guide; or



- (ii) if the site adjoins the Hume Highway and the minimum setback to the Hume Highway is 20 metres, the development must plant two rows of 75 litre trees at 5 metre intervals along the length of the Hume Highway boundary and must select the trees from the Landscape Guide.

## **Security**

**8.24** Where the site shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence or car park on the site should, wherever practical, be setback a minimum 1.5 metres from that boundary. The setback distance must be:

- (a) treated with hedging or climbing vines to screen the building, solid fence, or car park when viewed from the railway corridor or open stormwater drain; and
- (b) the hedging or climbing vines must be planted prior to the completion of the development using a minimum 300mm pot size; and
- (c) the planter bed area must incorporate a commercial grade, sub-surface, automatic, self-timed irrigation system; and
- (d) the site must be fenced along the boundary using a minimum 2 metre high chain-wire fence; and
- (e) the fence provides an appropriate access point to maintain the landscaping within the setback area; and
- (f) where a car park adjoins the boundary, hedging or climbing vines must also be planted along the sides of any building or solid fence on the site that face the railway corridor or open stormwater drain.

If a setback for landscaping under this clause is not practical, other means to avoid graffiti must be employed that satisfies Council's graffiti minimisation strategy.

## **Shop top housing (ground floor retail premises and business premises)**

**8.25** The sum of the gross floor area of all the ground floor retail premises and business premises must not exceed 100m<sup>2</sup>.

**8.26** Development must provide an active street frontage and may include large, transparent windows on the street elevation that enable the perception of indoor activity to be obtained from the public domain. Council does not permit solid roller doors and shutters.

**8.27** Council may limit the hours of operation of the ground floor retail premises and business premises from 6.30am to 6.00pm seven days a week.



**8.28** Council must consider the following matters to ensure development for the purposes of the ground floor retail premises and business premises has a minimal impact on the amenity of adjoining dwellings and neighbouring sites:

- (a) the likely number of vehicle, delivery and visitor movements;
- (b) the size of delivery vehicles associated with the proposed development;
- (c) whether any goods, plant, equipment and other material used in carrying out the proposed development will be stored or suitably screened from dwellings;
- (d) whether noise generation from fixed sources or motor vehicles associated with the proposed development will be effectively insulated or otherwise minimised; and
- (e) whether the proposed development will otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting, vibration, fumes, gases, smoke, dust or odours, or the like.

**8.29** All loading and unloading is to be undertaken on-site. The loading and unloading areas should locate behind the front building line.

**8.30** Development must provide waste storage areas inside every food premises and inside any shop that is capable of accommodating a food premises.



## **SECTION 9—BOARDING HOUSES**

### **Explanation**

This section applies to boarding houses and co-living housing.

### **Objectives**

- O1** To ensure the building form, building design and landscape of boarding houses are compatible with the suburban character of the residential areas.
- O2** To ensure the building form and building design of boarding houses provide appropriate amenity to residents in terms of access to sunlight and privacy.
- O3** To ensure the building form and building design of boarding houses do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.
- O4** To minimise the visual impact of off-street parking on the streetscape.
- O5** To require landscape as a key characteristic in the development.

### **Development Controls**

#### **Isolation of sites**

- 9.1** Council must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land with an area of less than 1,200m<sup>2</sup> and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

#### **Storey limit (not including basements)**

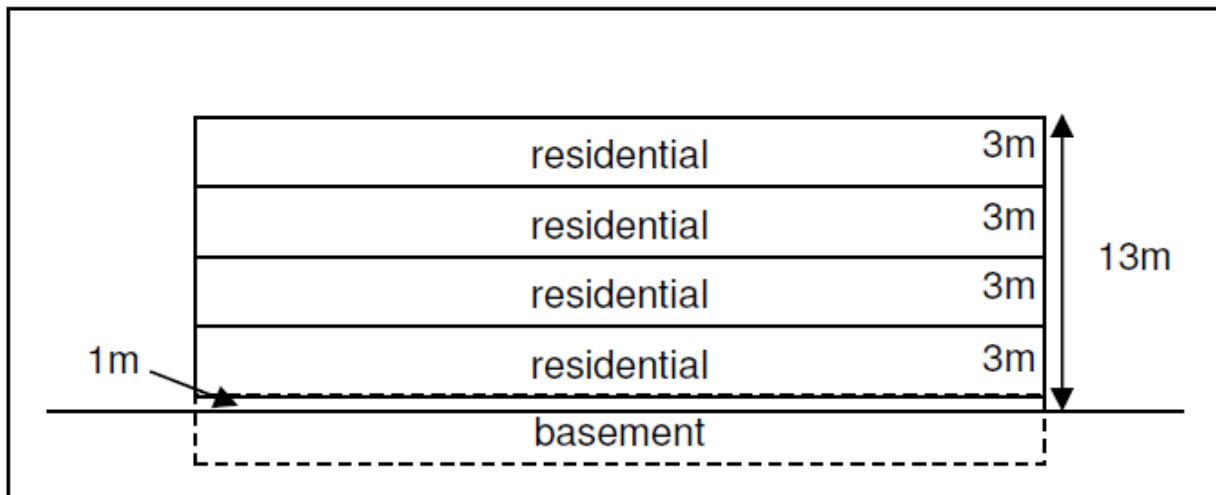
- 9.2** The storey limit for boarding houses in Zone R2 is 2 storeys for a dwelling (including boarding rooms) facing a road and single storey for all other dwellings (including boarding rooms) at the rear of the lot.



- 9.3** Development in Zones R3 and R4 must comply with the storey limit that corresponds with the maximum building height shown for the site on the Height of Building Map as follows:

| Maximum building height as shown on the Height of Buildings Map (Canterbury Bankstown LEP 2021) | Storey limit (not including basements) |
|---|--|
| 10 metres   | 3 storeys (no attic)                   |
| 13 metres   | 4 storeys (no attic)                   |
| 16 metres   | 5 storeys (no attic)                   |
| 19 metres   | 6 storeys (no attic)                   |
| 25 metres   | 8 storeys (no attic)                   |

**Figure 9a:** Storey limit and maximum building height



- 9.4** The siting of boarding houses, and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 9.5** Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:
- boarding houses are required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or
  - the fill is contained within the ground floor perimeter of boarding houses to a height no greater than 1 metre above the ground level (existing) of the site.



### **Setback restrictions**

- 9.6** The erection of boarding houses is prohibited within 9 metres of an existing animal boarding or training establishment.

### **Setbacks in Zone R2**

- 9.7** The minimum setback for a building wall to the primary street frontage is:
- (a) 5.5 metres for the first storey (i.e. the ground floor); and
  - (b) 6.5 metres for the second storey.
- 9.8** The minimum setback to the secondary street frontage is:
- (a) 3 metres for a building wall; and
  - (b) 5.5 metres for a garage or carport that is attached to the building wall.
- 9.9** For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the site is 0.9 metre.
- 9.10** For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres.
- 9.11** The basement level must not project beyond the ground floor perimeter of boarding houses.

### **Setbacks in Zones R3 and R4**

- 9.12** The minimum setback for a building wall to the primary street frontage is 6 metres.
- 9.13** The minimum setback for a building wall to the secondary street frontage is 6 metres.
- 9.14** For a single or 2 storey building, the minimum setback to the side and rear boundaries of the site is 0.6 multiplied by the wall height.
- 9.15** For a building with 3 or more storeys, the minimum setback to the side and rear boundaries of the site is 4.5 metres provided the average setback is 0.6 multiplied by the wall height.
- 9.16** The minimum setback for a basement level to the side and rear boundaries of the site is 2 metres.
- 9.17** The minimum setback for a driveway to the side and rear boundaries of the site is 1 metre.



## **Private open space**

### **9.18** Boarding houses must provide:

- (a) one area of at least 20m<sup>2</sup> with a minimum dimension of 3 metres for the use of the lodgers; and
- (b) if accommodation is provided on site for a boarding house manager, one area of at least 8m<sup>2</sup> with a minimum dimension of 2.5 metres is provided adjacent to that accommodation.

### **9.19** Development must locate the private open space behind the front building line. This clause does not apply to any balconies where it is used to provide articulation to the street facade.

## **Access to sunlight**

### **9.20** At least 70% of boarding rooms must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.

### **9.21** Where the development provides for one or more communal living rooms, at least one of those rooms must receive a minimum of 3 hours direct sunlight between 8.00am and 4.00pm at the mid–winter solstice.

### **9.22** At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.

### **9.23** A minimum 50% of the private open space required for boarding houses and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.

### **9.24** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.



## **Visual privacy**

- 9.25** Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:
- (a) offset the windows between dwellings to minimise overlooking; or
  - (b) provide the window with a minimum sill height of 1.5 metres above floor level; or
  - (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or
  - (d) use another form of screening to the satisfaction of Council.
- 9.26** Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:
- (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or
  - (b) the window has a minimum sill height of 1.5 metres above floor level; or
  - (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or
  - (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.
- 9.27** Council may allow boarding houses in Zones R2 and R3 to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:
- (a) does not have an external staircase; and
  - (b) does not exceed a width of 1.5 metres throughout; and
  - (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.
- 9.28** Council does not allow boarding houses to have roof-top balconies and the like.

## **Building design**

- 9.29** Council applies the design quality principles of State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the Apartment Design Guide to boarding houses. This includes buildings that are two storeys or less, or contain less than four dwellings.





**9.30** Boarding houses must satisfy each of the following:

- (a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided; and
- (b) if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least:
  - (i) 12m<sup>2</sup> in the case of a boarding room intended to be used by a single lodger, or
  - (ii) 16m<sup>2</sup> in any other case; and
- (c) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25m<sup>2</sup>; and
- (d) no boarding room will be occupied by more than 2 adult lodgers; and
- (e) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger; and
- (f) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager; and
- (g) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.

**9.31** The maximum roof pitch for boarding houses is 35 degrees.

**9.32** Council does not allow boarding houses to have attics.

**9.33** The siting of a plant room, lift motor room, mechanical ventilation stack, exhaust stack, and the like must:

- (a) integrate with the architectural features of the building to which it is attached; or
- (b) be sufficiently screened when viewed from the street and neighbouring sites.

**9.34** Development for the purpose of boarding houses must demolish all existing dwellings (not including any heritage items) on the site.

**9.35** Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).

**Building design (car parking)**

**9.36** Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:

- (a) comply with the road pattern shown in Appendix 2; and
- (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.



- 9.37** The design and siting of car parking structures and driveways must ensure vehicles can leave the site in a forward direction.
- 9.38** Development must locate the car parking spaces behind the front building line.
- 9.39** Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.

### **Landscape**

- 9.40** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of boarding houses.
- 9.41** Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury Bankstown (refer to the Landscape Guide for a list of suitable species):
- (a) a minimum 45% of the area between the boarding house and the primary street frontage; and
  - (b) a minimum 45% of the area between the boarding house and the secondary street frontage; and
  - (c) plant more than one 75 litre tree between the boarding house and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury Bankstown); or
    - (i) if the site adjoins the Hume Highway and the minimum setback to the Hume Highway is less than 20 metres, the development must plant a row of 75 litre trees at 5 metre intervals along the length of the Hume Highway boundary and must select the trees from the Landscape Guide; or
    - (ii) if the site adjoins the Hume Highway and the minimum setback to the Hume Highway is 20 metres, the development must plant two rows of 75 litre trees at 5 metre intervals along the length of the Hume Highway boundary and must select the trees from the Landscape Guide; and
  - (d) for development in the foreshore protection area (refer to map in Appendix 1), the development must plant native trees with a mature height greater than 12 metres adjacent to the waterbody.



## Security

**9.42** Where the site shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence or car park on the site should, wherever practical, be setback a minimum 1.5 metres from that boundary. The setback distance must be:

- (a) treated with hedging or climbing vines to screen the building, solid fence, or car park when viewed from the railway corridor or open stormwater drain; and
- (b) the hedging or climbing vines must be planted prior to the completion of the development using a minimum 300mm pot size; and
- (c) the planter bed area must incorporate a commercial grade, sub-surface, automatic, self-timed irrigation system; and
- (d) the site must be fenced along the boundary using a minimum 2 metre high chain-wire fence; and
- (e) the fence provides an appropriate access point to maintain the landscaping within the setback area; and
- (f) where a car park adjoins the boundary, hedging or climbing vines must also be planted along the sides of any building or solid fence on the site that face the railway corridor or open stormwater drain.

If a setback for landscaping under this clause is not practical, other means to avoid graffiti must be employed that satisfies Council's graffiti minimisation strategy.



## **SECTION 10—GROUP HOMES**

### **Objectives**

- 01** To ensure the building form, building design and landscape of group homes are compatible with the suburban character of the residential areas.
- 02** To ensure the building form and building design of group homes provide appropriate amenity to residents in terms of access to sunlight and privacy.
- 03** To ensure the building form and building design of group homes do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.
- 04** To provide adaptable group homes to cater for the needs of senior residents and residents with disabilities.
- 05** To minimise the visual impact of off-street parking on the streetscape.
- 06** To require landscape as a key characteristic in the development.

### **Development Controls**

#### **Storey limit (not including basements)**

- 10.1** The storey limit for group homes in Zone R2 is 2 storeys.
- 10.2** The storey limit for group homes in Zone R3 is 3 storeys.
- 10.3** The siting of group homes and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 10.4** Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:
  - (a) group homes are required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or
  - (b) the fill is contained within the ground floor perimeter of group homes to a height no greater than 1 metre above the ground level (existing) of the site.



### **Setback restrictions**

- 10.5** The erection of group homes is prohibited within 9 metres of an existing animal boarding or training establishment.

### **Setbacks in Zone R2**

- 10.6** The minimum setback for a building wall to the primary street frontage is:
- (a) 5.5 metres for the first storey (i.e. the ground floor); and
  - (b) 6.5 metres for the second storey.
- 10.7** The minimum setback to the secondary street frontage is:
- (a) 3 metres for a building wall; and
  - (b) 5.5 metres for a garage or carport that is attached to the building wall.
- 10.8** For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the site is 0.9 metre.
- 10.9** For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres.
- 10.10** The basement level must not project beyond the ground floor perimeter of group homes.

### **Setbacks in Zone R3**

- 10.11** The minimum setback for a building wall to the primary street frontage is 6 metres.
- 10.12** The minimum setback for a building wall to the secondary street frontage is 6 metres.
- 10.13** For a single or 2 storey building, the minimum setback to the side and rear boundaries of the site is 0.6 multiplied by the wall height.
- 10.14** For a building with 3 or more storeys, the minimum setback to the side and rear boundaries of the site is 4.5 metres provided the average setback is 0.6 multiplied by the wall height.
- 10.15** The minimum setback for a basement level to the side and rear boundaries of the site is 2 metres.
- 10.16** The minimum setback for a driveway to the side and rear boundaries of the site is 1 metre.



## **Private open space**

### **10.17** Group homes must provide:

- (a) one area of at least 20m<sup>2</sup> with a minimum dimension of 3 metres for the use of the lodgers; and
- (b) if accommodation is provided on site for a group home manager, one area of at least 8m<sup>2</sup> with a minimum dimension of 2.5 metres is provided adjacent to that accommodation.

### **10.18** Development must locate the private open space behind the front building line. This clause does not apply to any balconies where it is used to provide articulation to the street facade.

## **Access to sunlight**

### **10.19** At least 70% of boarding rooms must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.

### **10.20** Where the development provides for one or more communal living rooms, at least one of those rooms must receive a minimum of 3 hours direct sunlight between 8.00am and 4.00pm at the mid–winter solstice.

### **10.21** At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.

### **10.22** A minimum 50% of the private open space required for group homes and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.

### **10.23** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.



## Visual privacy

- 10.24** Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:
- (a) offset the windows between dwellings to minimise overlooking; or
  - (b) provide the window with a minimum sill height of 1.5 metres above floor level; or
  - (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or
  - (d) use another form of screening to the satisfaction of Council.
- 10.25** Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:
- (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or
  - (b) the window has a minimum sill height of 1.5 metres above floor level; or
  - (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or
  - (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.
- 10.26** Council may allow group homes to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design:
- (a) does not have an external staircase; and
  - (b) does not exceed a width of 1.5 metres throughout; and
  - (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.
- 10.27** Council does not allow group homes to have roof-top balconies and the like.

## Building design

- 10.28** Group homes must satisfy each of the following:
- (a) if a group home has 5 or more boarding rooms, at least one communal living room will be provided; and
  - (b) if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least:
    - (i) 12m<sup>2</sup> in the case of a boarding room intended to be used by a single lodger, or
    - (ii) 16m<sup>2</sup> in any other case; and



- (c) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25m<sup>2</sup>; and
- (d) no boarding room will be occupied by more than 2 adult lodgers; and
- (e) adequate bathroom and kitchen facilities will be available within the group home for the use of each lodger; and
- (f) if the group home has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a group home manager; and
- (g) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.

**10.29** The maximum roof pitch for group homes is 35 degrees.

**10.30** Council does not allow group homes to have attics.

**10.31** Development for the purpose of group homes must demolish all existing dwellings (not including any heritage items) on the site.

**10.32** Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).

#### **Building design (car parking)**

**10.33** Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must:

- (a) comply with the road pattern shown in Appendix 2; and
- (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.

**10.34** The design and siting of car parking structures and driveways must ensure vehicles can leave the site in a forward direction.

**10.35** Development must locate the car parking spaces behind the front building line.

**10.36** Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.

#### **Landscape**

**10.37** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of group homes.





- 10.38** Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury Bankstown (refer to the Landscape Guide for a list of suitable species):
- (a) a minimum 45% of the area between the group home and the primary street frontage; and
  - (b) a minimum 45% of the area between the group home and the secondary street frontage; and
  - (c) plant more than one 75 litre tree between the group home and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury Bankstown); or
    - (i) if the site adjoins the Hume Highway and the minimum setback to the Hume Highway is less than 20 metres, the development must plant a row of 75 litre trees at 5 metre intervals along the length of the Hume Highway boundary and must select the trees from the Landscape Guide; or
    - (ii) if the site adjoins the Hume Highway and the minimum setback to the Hume Highway is 20 metres, the development must plant two rows of 75 litre trees at 5 metre intervals along the length of the Hume Highway boundary and must select the trees from the Landscape Guide; and
  - (d) for development in the foreshore protection area (refer to map in Appendix 1), the development must plant native trees with a mature height greater than 12 metres adjacent to the waterbody.

## Security

- 10.39** Where the site shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence or car park on the site should, wherever practical, be setback a minimum 1.5 metres from that boundary. The setback distance must be:
- (a) treated with hedging or climbing vines to screen the building, solid fence, or car park when viewed from the railway corridor or open stormwater drain; and
  - (b) the hedging or climbing vines must be planted prior to the completion of the development using a minimum 300mm pot size; and
  - (c) the planter bed area must incorporate a commercial grade, sub-surface, automatic, self-timed irrigation system; and
  - (d) the site must be fenced along the boundary using a minimum 2 metre high chain-wire fence; and
  - (e) the fence provides an appropriate access point to maintain the landscaping within the setback area; and
  - (f) where a car park adjoins the boundary, hedging or climbing vines must also be planted along the sides of any building or solid fence on the site that face the railway corridor or open stormwater drain.

If a setback for landscaping under this clause is not practical, other means to avoid graffiti must be employed that satisfies Council's graffiti minimisation strategy.



## SECTION 11–LIVABLE HOUSING

### Explanation

*Connective City 2036* encourages homes that enable the community to age-in-place and are easier to use for all occupants including seniors, people with temporary injuries, families with young children, and people with disabilities and their families. A key action is to provide a mix of housing products where the rooms and layout are of a size that are usable by a broader cross-section of the community. This section applies to the construction of new dwellings. It does not apply to modifications to existing dwellings.

### Objectives

- 01** To meet the changing needs of residents throughout their lifetime and to better enable residents to age-in-place.
- 02** To ensure dwellings are easy to enter, easy to navigate in and around, and be capable of easy and cost-effective adaption.

### Development Controls

**11.1** Development must comply with the Livable Housing Design Guidelines (Livable Housing Australia) as follows:

| Development types                               | Development controls   |
|---|--|
| Secondary dwellings and houses                  | New dwellings must achieve the Silver Standard.  |
| Dual occupancies and semi-detached dwellings    | At least one dwelling must achieve the Gold Standard; and the second dwelling must achieve the Silver Standard.  |
| Multi dwelling housing and attached dwellings   | A minimum 20% of new dwellings must achieve the Silver Standard; and a minimum 20% of new dwellings must achieve the Gold Standard.  |
| Residential flat buildings and shop top housing | A minimum 20% of new dwellings must achieve the Silver Standard; and a minimum 20% of new dwellings must achieve the Gold Standard. However, it is noted that shop top housing will not deliver dwellings at the ground floor as this would be inconsistent with the LEP definition. |
| Boarding houses                                 | A minimum 20% of new boarding rooms must achieve the Silver Standard.  |



**11.2** Despite clause 11.1, Council may vary the Livable Housing Design Guidelines (Design Element 1–Dwelling Access) if it is demonstrated to Council’s satisfaction that it is not possible to achieve step-free pathways on difficult and steeply sloping sites.



## **SECTION 12–ANCILLARY DEVELOPMENT (OUTBUILDINGS)**

### **Objectives**

- 01** To ensure an outbuilding is established in conjunction with the principal dwelling on the same site and is used solely for non-habitable purposes.
- 02** To limit the number and size of outbuildings on a site.
- 03** To ensure the building form is subservient to the principal dwelling on the same site in terms of visual bulk and scale.
- 04** To ensure the building form and building design of outbuildings do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.
- 05** To ensure the building form of outbuildings in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.

### **Development Controls**

#### **Restrictions**

- 12.1** Council allows a maximum of one outbuilding on a site.
- 12.2** The outbuilding must be established in conjunction with the principal dwelling on the same site and must ensure that:
  - (a) it is separate from the principal dwelling and any secondary dwelling on the same site, and
  - (b) it is not used as a separate dwelling, and
  - (c) it does not contain cooking facilities, toilet and shower, and
  - (d) it does not function or can be adapted to function for industrial purposes.

#### **Site cover**

- 12.3** The maximum site cover of the outbuilding is:
  - (a) 36m<sup>2</sup> where the site is less than 300m<sup>2</sup> in area
  - (b) 45m<sup>2</sup> where the site is 300m<sup>2</sup> to 600m<sup>2</sup> in area
  - (c) 60m<sup>2</sup> where the site is greater than 600m<sup>2</sup> in area.



For the purposes of this clause, site cover means the site area covered by the outbuilding and any attached roof, awning, balcony, deck, patio, pergola, terrace, verandah, carport, garage and the like.

- 12.4** The outbuilding must not result in the principal dwelling on the site having less than the required landscaped area and private open space.

### **Height**

- 12.5** The storey limit for the outbuilding is single storey. An attic or basement is not permitted in the outbuilding.
- 12.6** The maximum building height for the outbuilding is 4.5 metres above ground level (existing).
- 12.7** The siting of the outbuilding and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.

### **Street setbacks**

- 12.8** The outbuilding must locate behind the front building line.

### **Side and rear setbacks**

- 12.9** The minimum setback to the side and rear boundaries of the site is:
- (a) zero setback for carports or masonry walls that do not contain windows, eaves and gutters provided the structures comply with the Building Code of Australia; or
  - (b) 0.45 metre for non-masonry walls that do not contain a windows, eaves and gutters; or
  - (c) 0.9 metre for walls with windows.
- 12.10** The minimum setback to a dwelling, building, roof, awning, balcony, deck, patio, pergola, terrace, verandah, carport, garage and the like on the same site is 1.8 metres.

### **Building design**

- 12.11** The maximum roof pitch for the outbuilding is 25 degrees.



**12.12** Council does not allow the outbuilding to have roof-top balconies and the like.

#### **Landscape**

**12.13** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the outbuilding.



## **SECTION 13—ANCILLARY DEVELOPMENT (OUTDOOR STRUCTURES)**

### **Objectives**

- O1** To ensure outdoor structures are established in conjunction with the principal dwelling on the same site.
- O2** To ensure the building form and building design of outdoor structures are compatible with the prevailing suburban character of the residential areas.
- O3** To ensure the building form and building design of outdoor structures do not adversely impact on the amenity of neighbouring sites in terms of visual bulk and public health.
- O4** To ensure the building form of outdoor structures in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.

### **Development Controls**

#### **Front fences**

- 13.1** The maximum fence height for a front fence is 1.8 metres.
- 13.2** The external appearance of a front fence along the front boundary of the site or facing a classified road must ensure:
  - (a) the section of the front fence that comprises solid construction (not including solid piers) must not exceed a fence height of 1 metre above natural ground level; and
  - (b) the remaining height of the front fence must comprise open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design.

Despite this clause, the solid construction of a fence behind the front building line of dwelling houses and dual occupancies on corner sites may achieve a fence height up to 1.8 metres.

- 13.3** Council does not allow the following types of front fences:
  - (a) chain wire, metal sheeting, brushwood, and electric fences; and
  - (b) noise attenuation walls.



- 13.4** Where the ground level (existing) of the site (measured at the primary and secondary street frontages) rises more than 600mm above the public footway, the front fence on the site must:
- (a) not exceed a fence height of 1 metre if the fence is built with a zero setback to the primary and secondary street frontages; or
  - (b) may reach a fence height above 1 metre provided the fence is setback a minimum 1.5 metres from the primary and secondary street frontages.

#### **Dividing fences**

- 13.5** Dividing fences require development consent where the average fence height exceeds 1.8 metres.

#### **Retaining walls**

- 13.6** Retaining walls are not permitted along the riverbank or where the foreshore is in its natural state except in exceptional circumstances as determined by Council.

#### **Boatsheds**

- 13.7** Boatsheds must have a direct relationship with the water with the openings and access facing the water.
- 13.8** Boatsheds must solely be used for the storage and/or maintenance of boats. Boatsheds intended or used for any other purpose or which include cooking facilities or habitable rooms are not permitted.
- 13.9** The maximum storey limit for boatsheds is single storey. An attic and basement is not permitted.
- 13.10** The perimeter of boatsheds must not exceed a length of 8 metres and a width of 4 metres.
- 13.11** The external materials of boatsheds must consist of solid materials such as timber. Glass elevations or excessive windows and openings are not permitted.

#### **Swimming pools and spas**

- 13.12** Swimming pools and spas must locate behind the front building line.
- 13.13** The minimum setback between the waterline of swimming pools/spas and the site boundary is 1 metre.





**13.14** Where Council allows swimming pools/spas within 30 metres of the high water mark of the Georges River and its tributaries:

- (a) the maximum height of the swimming pool/spa is 300mm measured above the ground level (existing); and
- (b) the swimming pool/spa fence must be an open style fence.

**Animal boarding or training establishments (stables)**

**13.15** The number of horses or animal boarding or training establishments permitted to be kept on the site must be determined by the area of the site and must not exceed a rate of 1 horse per 30m<sup>2</sup> of the area of the site.

**13.16** Animal boarding or training establishments, horse yard areas and manure bins must not be constructed, nor horses kept nearer than 9 metres from any existing or potential dwelling, school, industry, place of public worship or any commercial premises used for the manufacture, preparation or storage of food.

**13.17** Horse wash areas, horse roll areas and exercise pools must not locate within 9 metres of any existing dwelling or likely dwelling envelope.



## **SECTION 14–SITE FACILITIES**

### **Explanation**

Good design ensures sites facilities unify the development appearance and enhance the desired street character.

### **Objectives**

- O1** To ensure site facilities integrate into the overall building form and achieve good design in terms of architectural treatment and visual amenity.

### **Development Controls**

#### **Building design (utilities and building services)**

- 14.1** The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans.
- 14.2** Utilities and building services are to be integrated into the building design and concealed from public view.

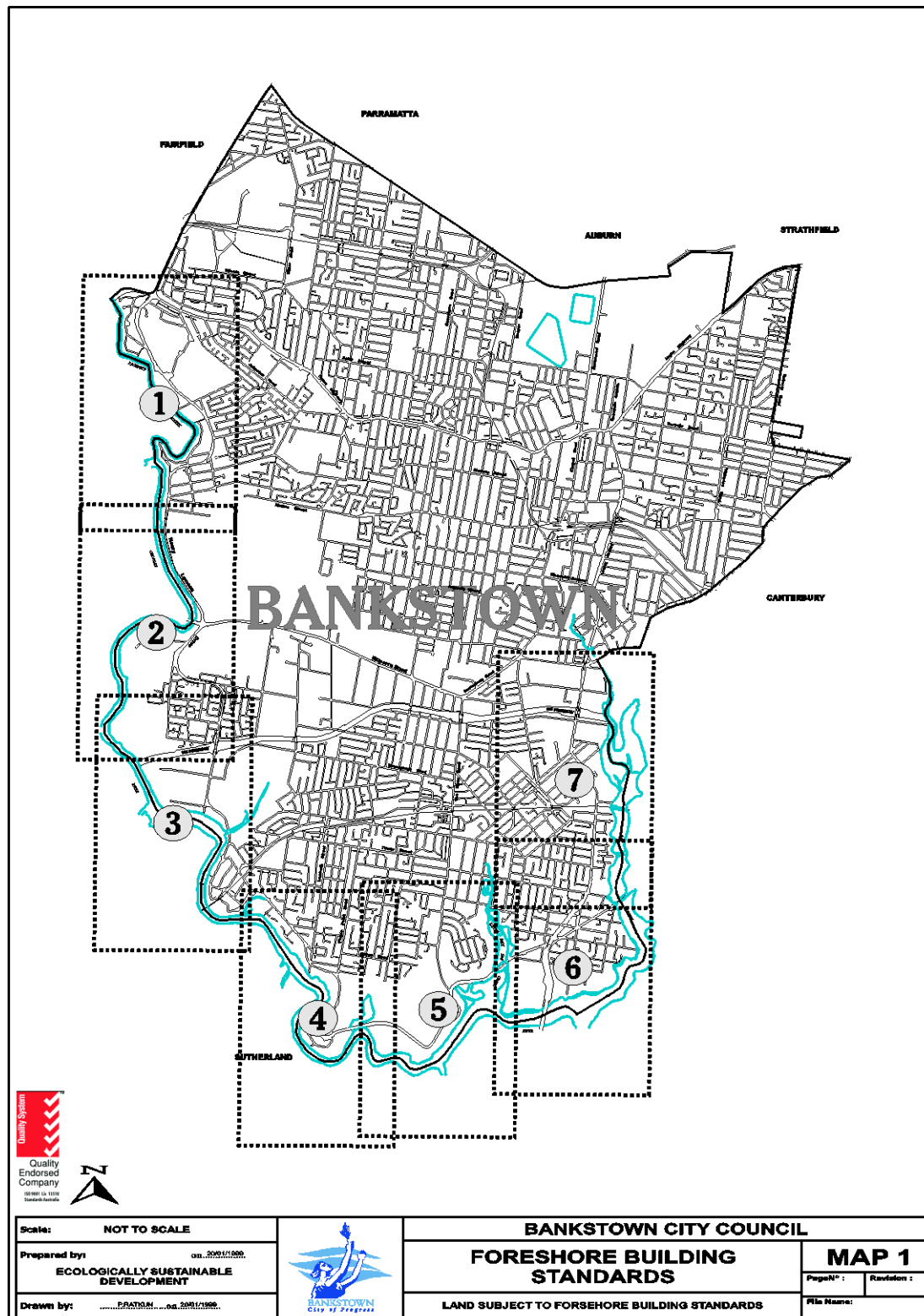
#### **Building design (substations)**

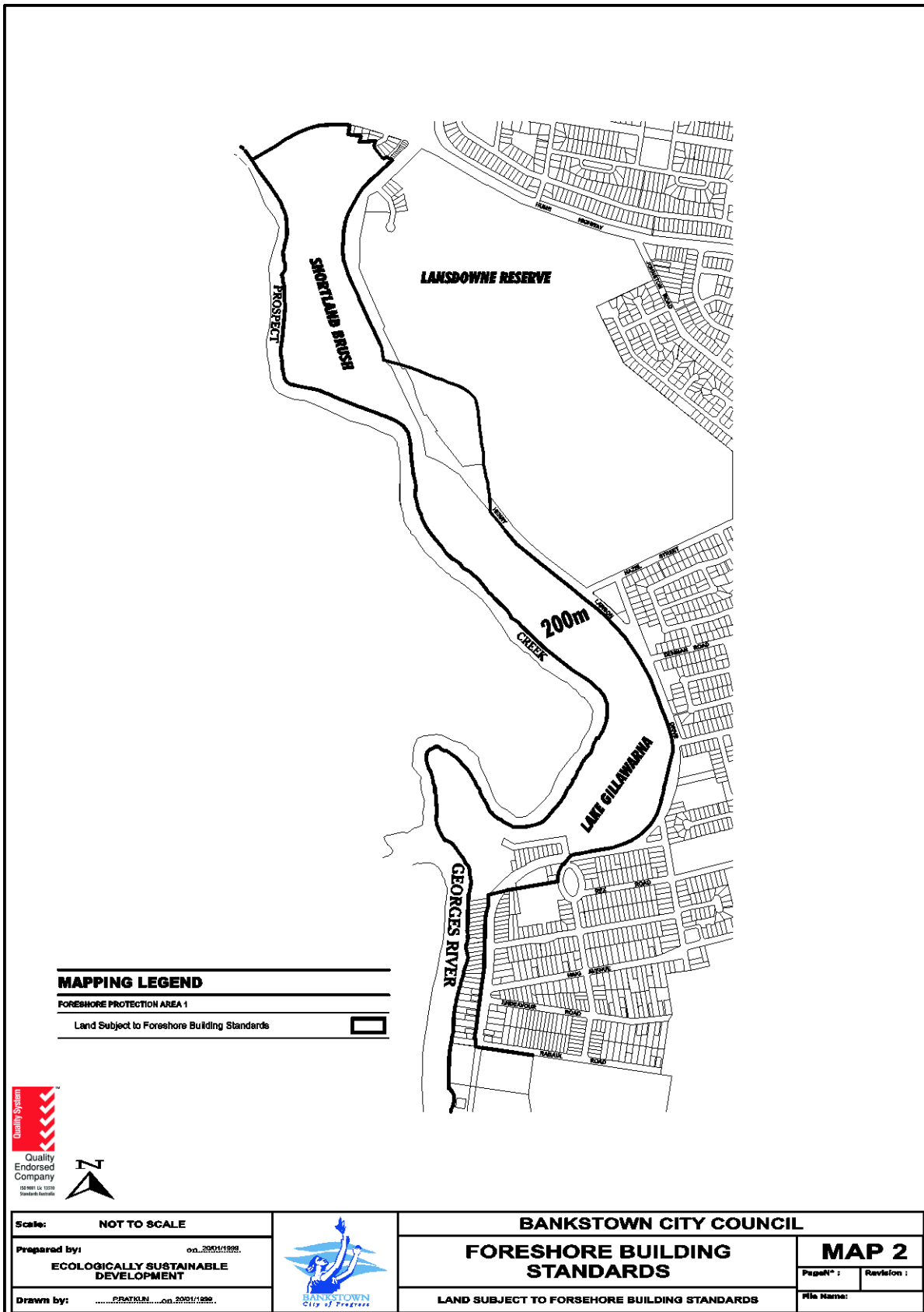
- 14.3** The location and design of substations must be shown on the plans.
- 14.4** Substations should locate underground. Where not possible, substations are to be integrated into the building design and concealed from public view.
- 14.5** Substations must not locate forward of the front building line.

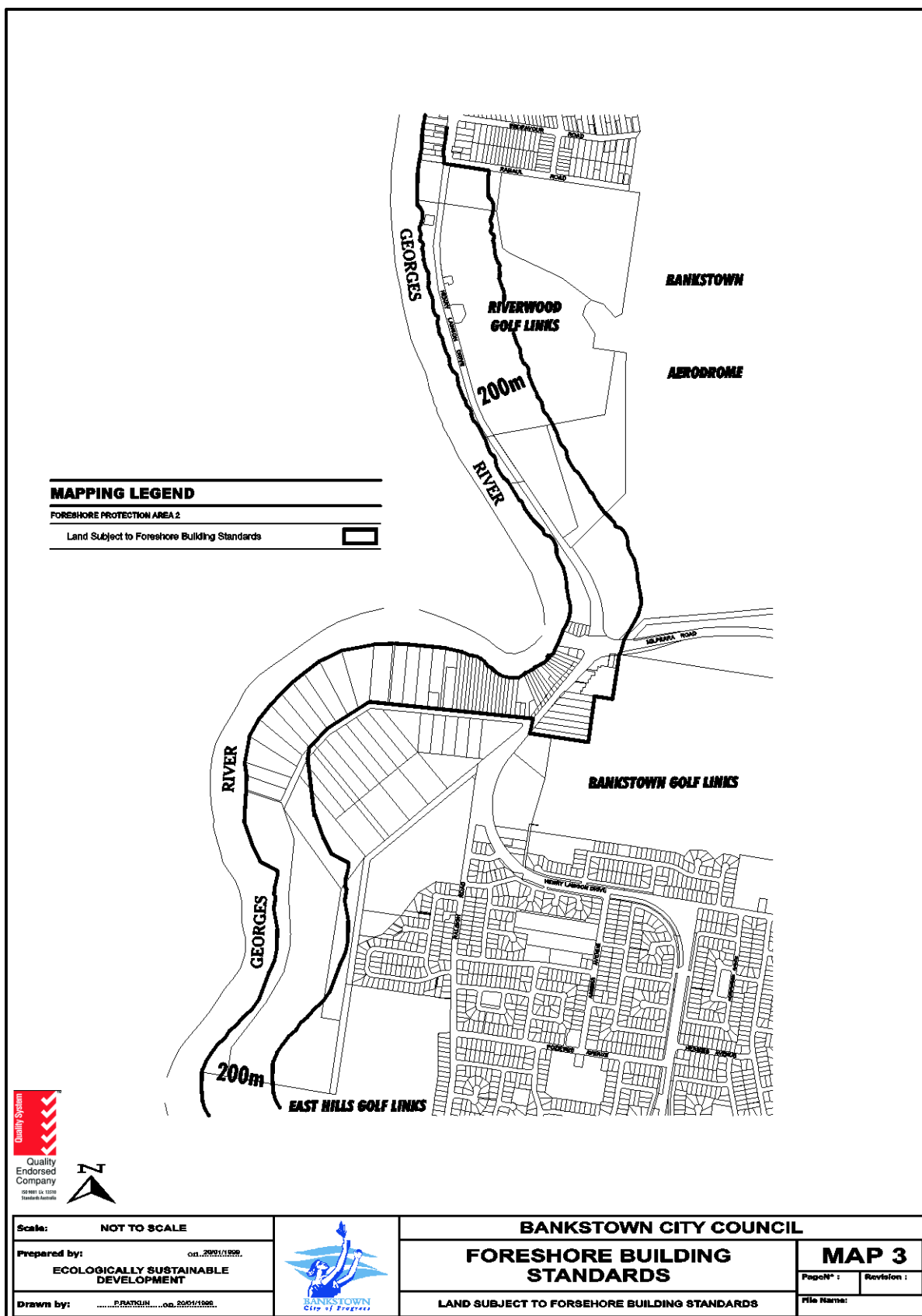


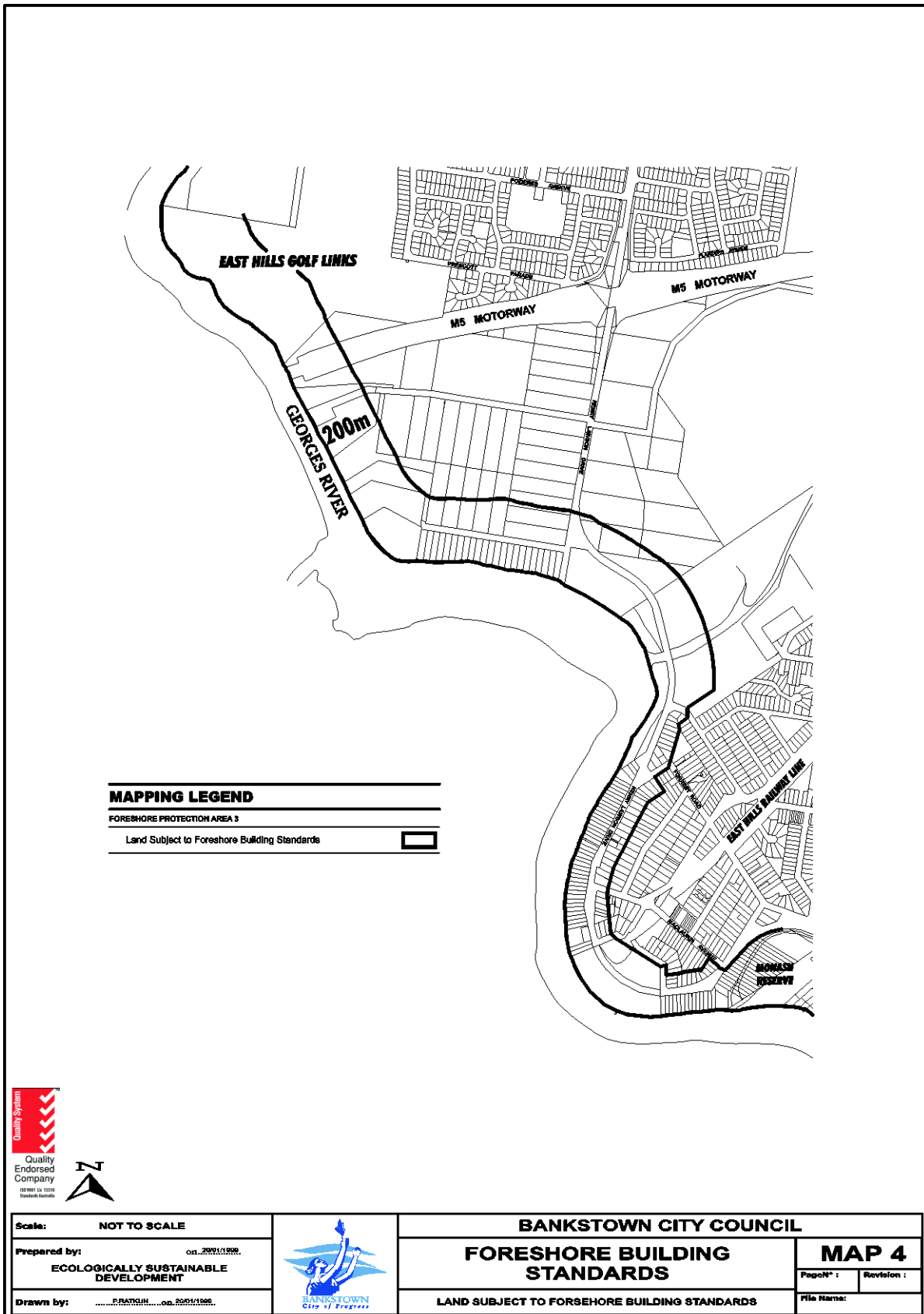
## APPENDICES

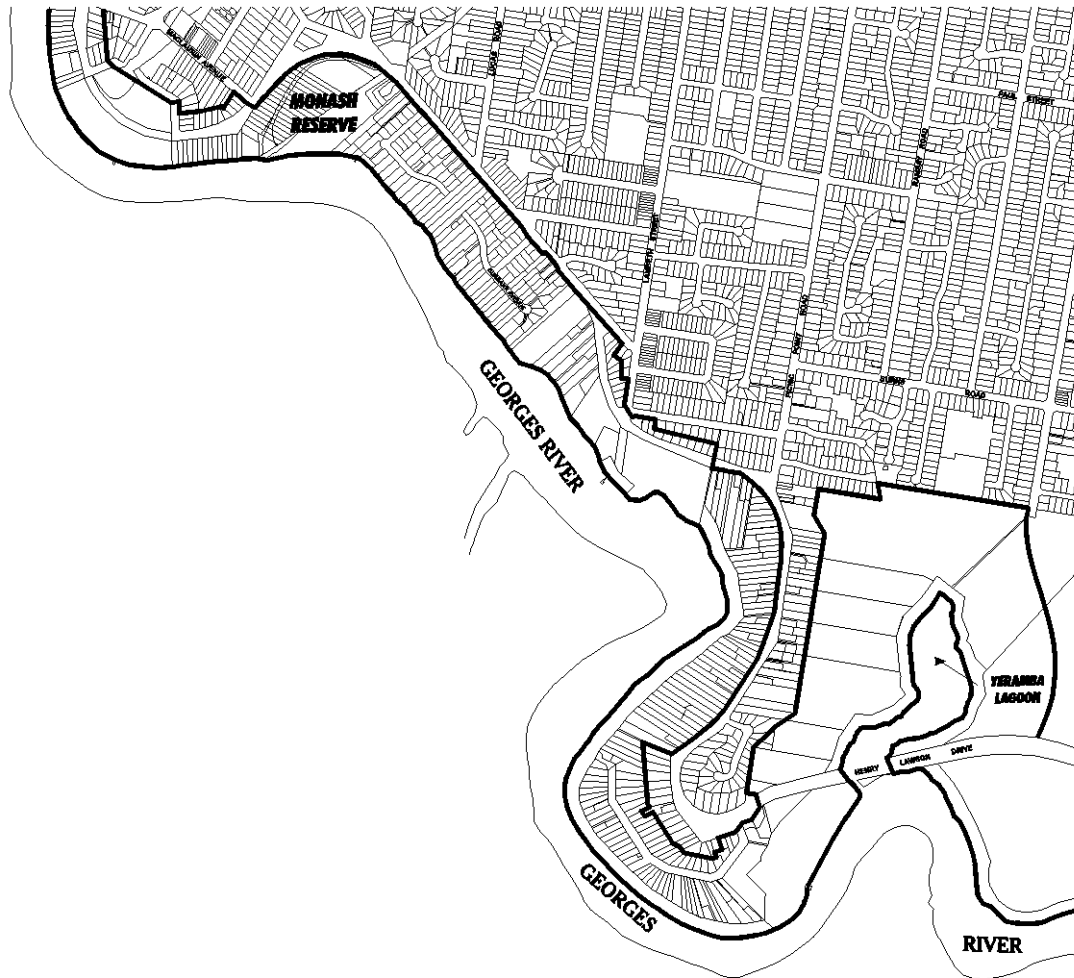
### Appendix 1–Foreshore Protection Area











#### MAPPING LEGEND

FORESHORE PROTECTION AREA 4

Land Subject to Foreshore Building Standards



**Scale:** NOT TO SCALE

**Prepared by:** ON 2020/1/1999  
ECOLOGICALLY SUSTAINABLE  
DEVELOPMENT

**Drawn by:** PRATON ON 2020/1/1999



**BANKSTOWN CITY COUNCIL**

**FORESHORE BUILDING  
STANDARDS**

LAND SUBJECT TO FORESHORE BUILDING STANDARDS

**MAP 5**

PageN° : Revision :

File Name:



#### MAPPING LEGEND

FORESHORE PROTECTION AREA 6

Land Subject to Foreshore Building Standards



|              |  |
|--------------|--|
| Scale:       | NOT TO SCALE   |
| Prepared by: | on 20/01/2020<br>ECOLOGICALLY SUSTAINABLE<br>DEVELOPMENT |
| Drawn by:    | PRATON on 20/01/2020                                     |



#### BANKSTOWN CITY COUNCIL

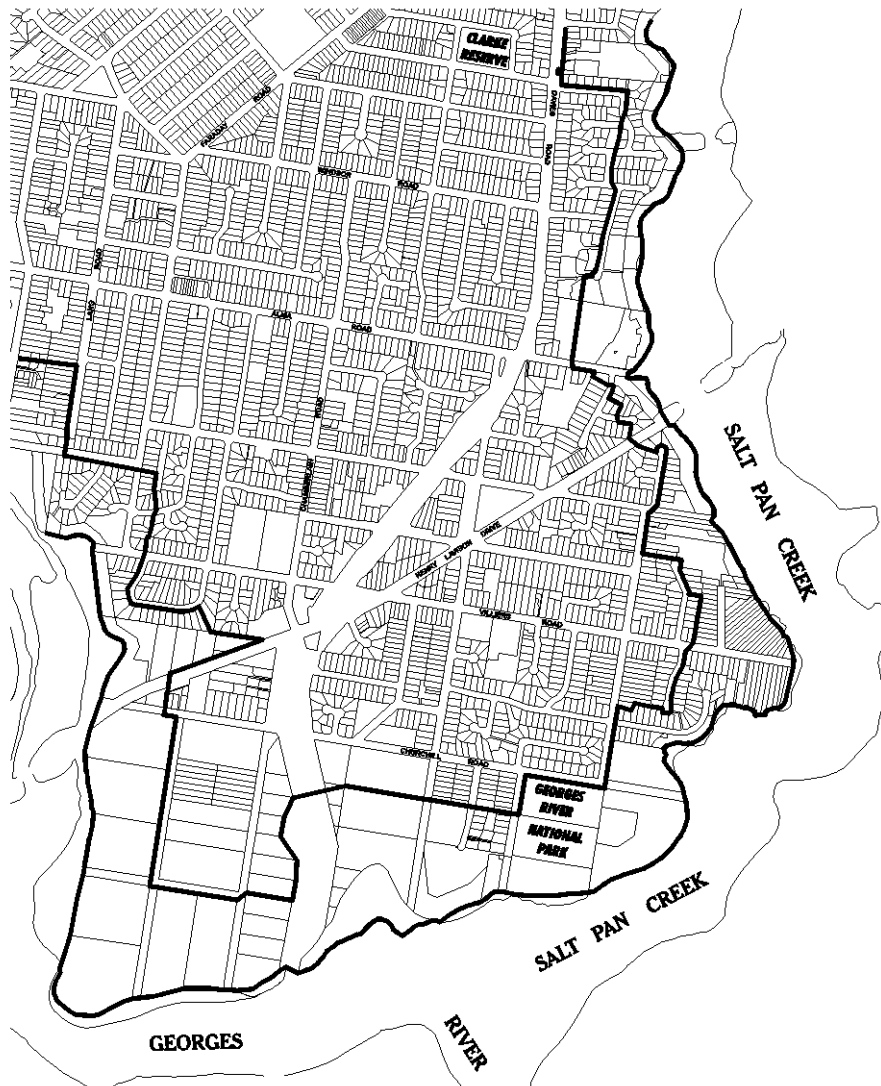
#### FORESHORE BUILDING STANDARDS

LAND SUBJECT TO FORESHORE BUILDING STANDARDS

#### MAP 6

|            |            |
|------------|------------|
| PageN° :   | Revision : |
| File Name: |            |





#### MAPPING LEGEND

FORESHORE PROTECTION AREA 1

Land Subject to Foreshore Building Standards



|              |   |
|--------------|---|
| Scale:       | NOT TO SCALE                            |
| Prepared by: | on 2020/1/1999                          |
|              | ECOLOGICALLY SUSTAINABLE<br>DEVELOPMENT |
| Drawn by:    | PRATON on 2020/1/1999                   |



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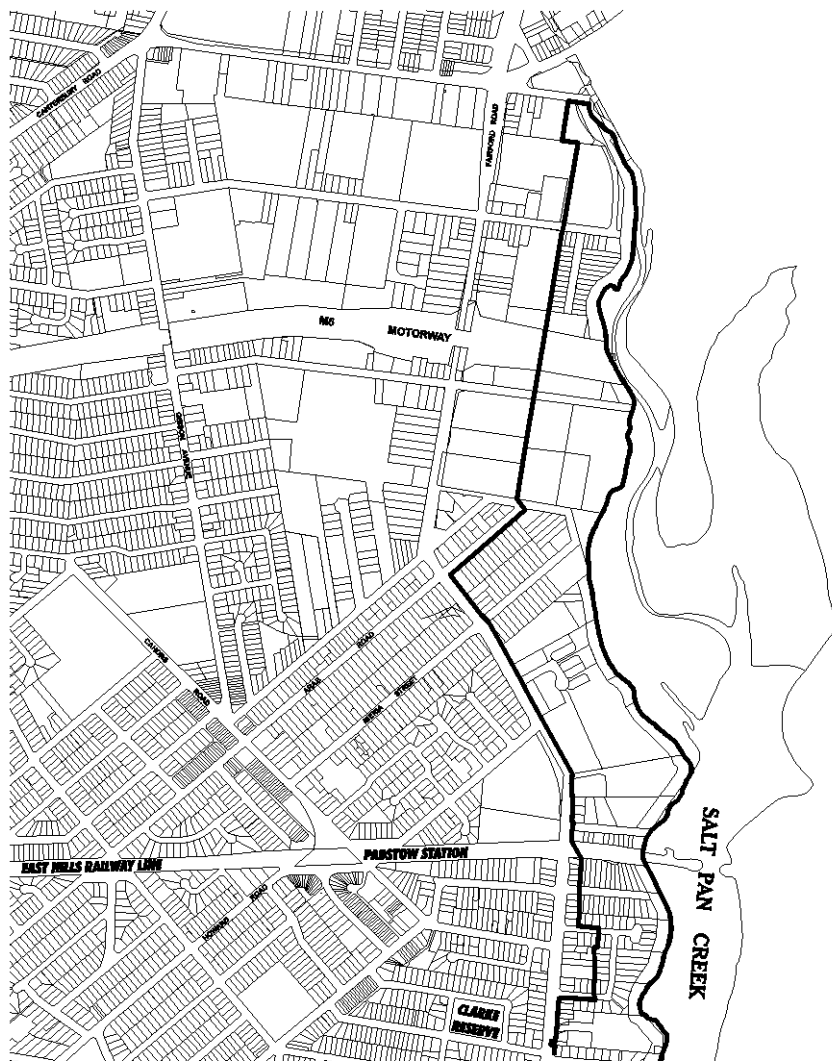
#### FORESHORE BUILDING STANDARDS

LAND SUBJECT TO FORESHORE BUILDING STANDARDS

#### MAP 7

PageN° : Revision :

File Name:



#### MAPPING LEGEND

FORESHORE PROTECTION AREA 7

Land Subject to Foreshore Building Standards



|              |                                      |
|--------------|--------------------------------------|
| Scale:       | NOT TO SCALE                         |
| Prepared by: | os. 2001/1999.                       |
|              | ECOLOGICALLY SUSTAINABLE DEVELOPMENT |
| Drawn by:    | P. PATRICK os. 2001/1999.            |



#### BANKSTOWN CITY COUNCIL

#### FORESHORE BUILDING STANDARDS

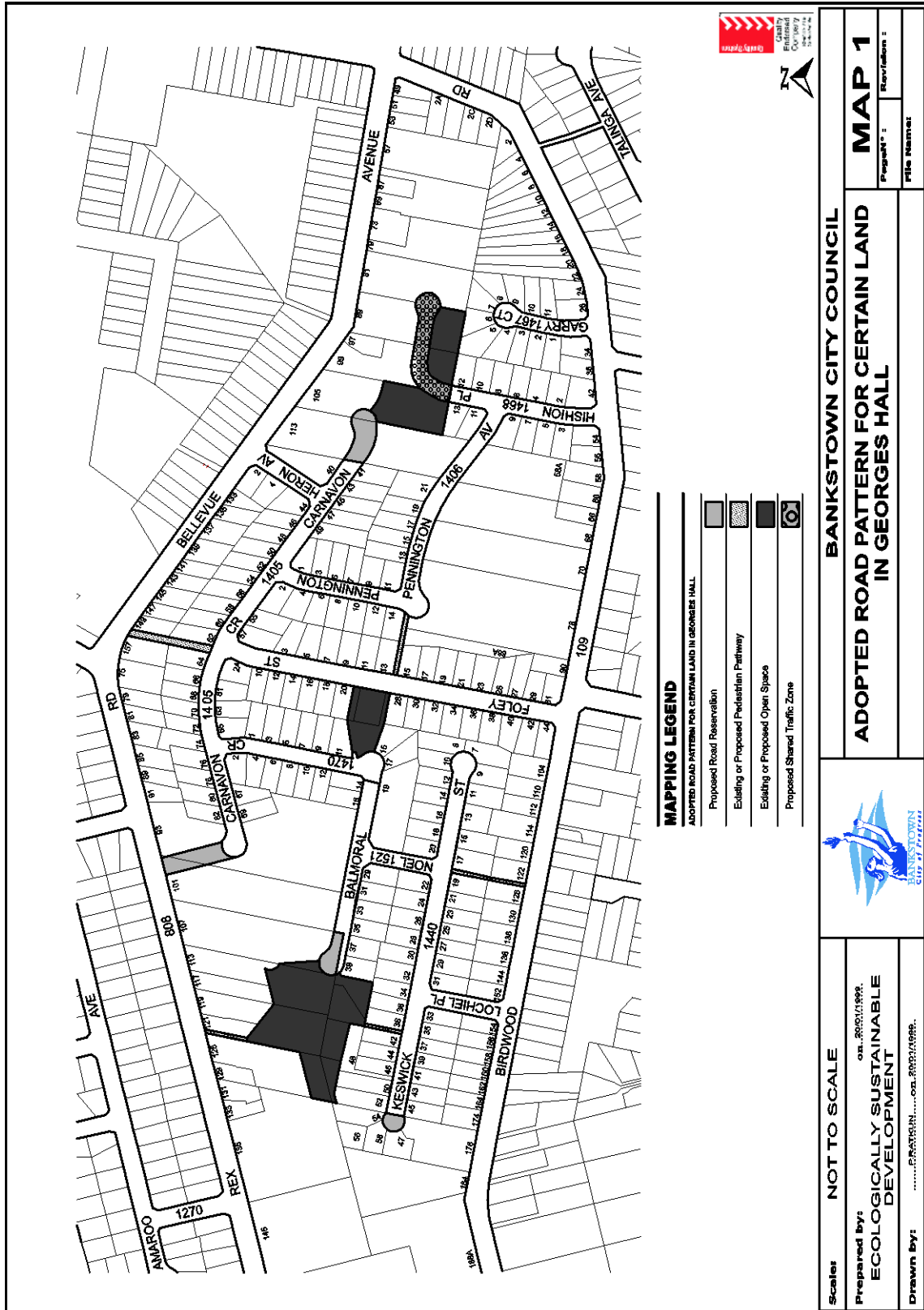
LAND SUBJECT TO FORESHORE BUILDING STANDARDS

#### MAP 8

|            |           |
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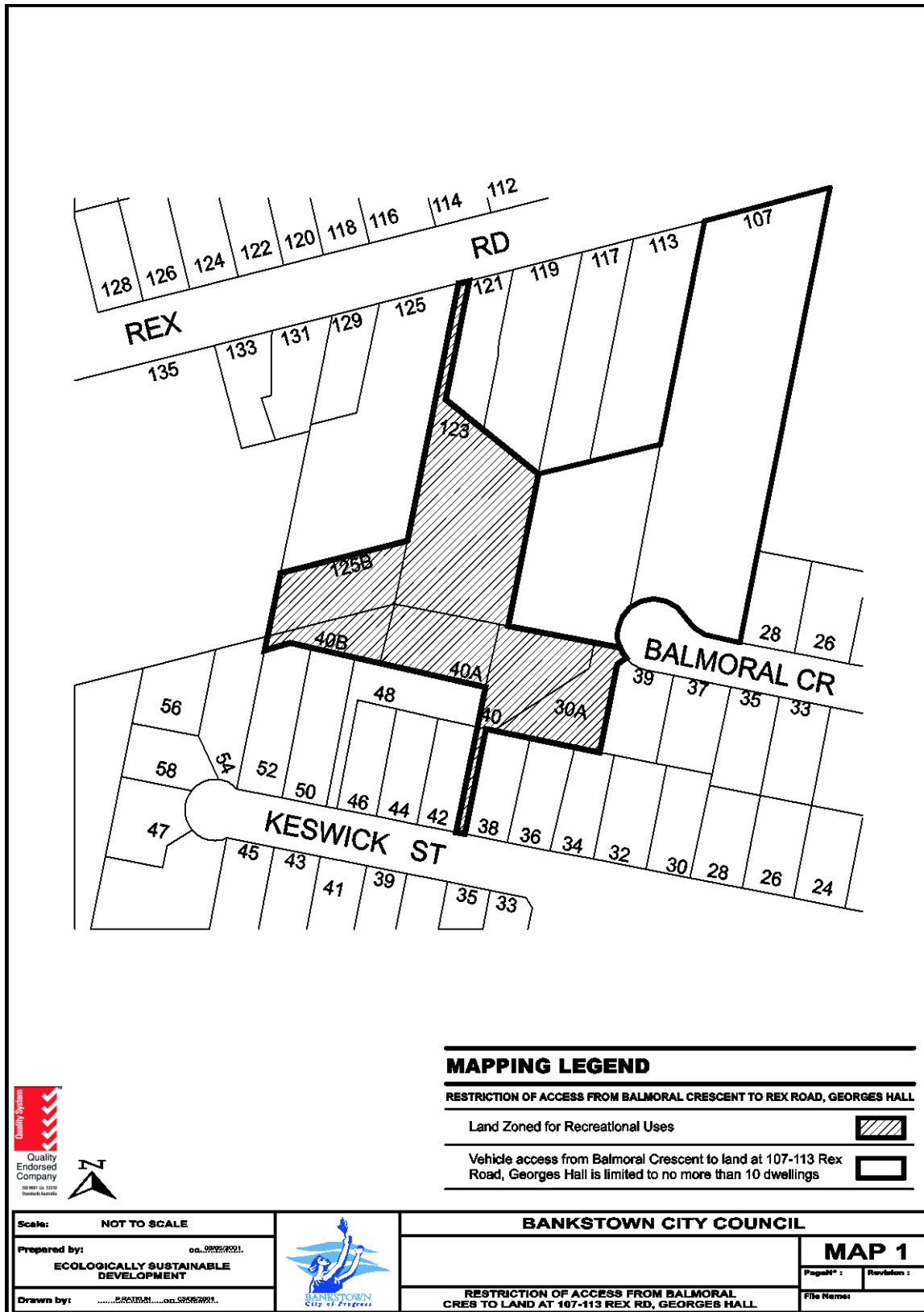


## Appendix 2–Adopted road pattern for certain land in Georges Hall





### Appendix 3–Restriction of access from Balmoral Crescent to Rex Road in Georges Hall





# **Canterbury Bankstown Development Control Plan 2021**

## **Chapter 5 Residential Accommodation**

### **5.2 Former Canterbury LGA**

DRAFT December 2020





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## SECTION 1–INTRODUCTION

### Explanation

*Connective City 2036* recognises the importance of providing housing choice to suit each life stage through a range of housing typologies. A priority is to provide high quality housing that meets the needs of the growing and changing population, while offering residents a high standard of amenity.

Canterbury Bankstown Local Environmental Plan 2021 and Canterbury Bankstown Development Control Plan 2021 combine to regulate effective and orderly development, consistent with *Connective City 2036*.

Canterbury Bankstown Local Environmental Plan 2021 is Council's principal planning document. It provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights.

Canterbury Bankstown Development Control Plan 2021 supports the LEP by providing additional objectives and development controls to enhance the function, design and amenity of residential accommodation. The development controls include storey limits, setbacks, building design and landscape to promote good design and amenity for residents.

Good design is important to achieve a scale, bulk and height appropriate to the desired character of the street and surrounding buildings. It achieves an appropriate built form that defines the public domain, provides internal amenity and considers neighbours' amenity.

Good design also recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, and providing deep soil zones for vegetation and urban heat/ water management.

As part of the design process, applicants must note that a building envelope is not a building, but a three dimensional shape that may determine the bulk and siting of a building. After allowing for building articulation and other development controls, the achievable floor space of development is likely to be less than the building envelope.



## **Objectives**

- O1** To ensure development is compatible with the desired character of the residential environments.
- O2** To ensure development is compatible with the prevailing suburban character and amenity of the low density residential environment.
- O3** To achieve good design in terms of building form, bulk, architectural treatment, visual amenity and landscape.
- O4** To enhance the amenity for people who live in the residential accommodation.
- O5** To facilitate ecologically sustainable development.
- O6** To provide deep soil zones that allow for and support healthy plant and tree growth, and the management of urban heat and water.

## **Application of this Chapter**

Chapter 5.2 of this DCP applies to residential accommodation within the former Canterbury Local Government Area.

## **Desired Character**

The prevailing suburban character of the residential zones includes the subdivision pattern, front and side building setbacks, off-street parking behind the front building line and the landscaping of front yards with canopy trees and deep soil plantings. The desired characters for the residential zones are:

### **C1 Low density residential environment**

To have a low density residential environment in Zone R2 where the typical features are dwelling houses and dual occupancies within a generous landscaped setting. The site cover and building form of development must be compatible with the prevailing suburban character and amenity of this zone. This zone is also the most restrictive in terms of other permitted uses that are considered suitable. These are generally restricted to facilities and services that meet the day-to-day needs of residents.





## **C2 Medium density residential environment**

To have a medium density residential environment in Zone R3 that generally acts as a transition between the high and low density residential environments. This transition area will enable a variety of medium density accommodation within a generous landscaped setting.

## **C3 High density residential environment**

To have a high density residential environment in Zone R4 that provides high density housing (in the form of contemporary designed residential flat buildings) within a landscaped setting. Development should provide appropriate spaces between buildings, communal open spaces and deep soil zones to provide adequate amenity for residents.



## **SECTION 2–DWELLING HOUSES AND OUTBUILDINGS**

### **Objectives**

- O1** To ensure all neighbourhoods are safe and comfortable.
- O2** To ensure a diversity of well-designed dwellings that are sympathetic to the density and function of each neighbourhood.
- O3** To ensure residential streets and yards are green and leafy, with substantial tree canopy.
- O4** To ensure buildings are adequately setback from existing structures to facilitate household activities and landscaping.
- O5** To ensure that development provides good amenity, solar access and privacy for occupiers of new and existing buildings.
- O6** To ensure that development is of a high quality design, appearance and performance.

### **2.1 Minimum Lot Size and Frontage**

#### **Objectives**

- O1** To ensure that land is of an adequate size and shape to accommodate development whilst providing adequate amenity for occupants of the site and surrounds.
- O2** To ensure there is adequate area for vehicle access and parking.
- O3** To ensure sites have sufficient dimensions to accommodate adequate landscaped open spaces.

#### **Development Controls**

- C1** The minimum primary street frontage width for dwelling houses is 15m.
- C2** Lots must be generally rectangular.
- C3** Internal and battle-axe blocks and lots with irregular dimensions or shallow depths must satisfy the objectives of the DCP.
- C4** The minimum width of access corridors serving internal or battle-axe lots is:
  - (a) 3m when serving single lot;
  - (b) 4m when serving two lots; and
  - (c) 5m when serving more than two lots.
- C5** A right-of-carriageway is only permitted over an access corridor to an internal or battle-axe lot.
- C6** The access corridor must be constructed in concrete, be unobtrusive in colour and be designed to enable vehicles to enter and leave the site in a forward direction:
  - (a) Where the access corridor serves only one lot, two concrete strips within the access corridor are permitted, each to be 1m wide and spaced 0.75m apart.
  - (b) Where the access corridor is to serve two or more lots, it must be constructed with kerb and gutter on at least one side, with sealed pavement and drainage



discharged.

- C7** Nothing in this section prevents Council giving consideration to the erection of a dwelling house on an allotment of land which existed as of 1/1/2013.

## **2.2 Site Coverage**

### **Objectives**

- 01** To ensure that the scale and mass of development achieves improved levels of residential amenity for new development and for existing dwellings.
- 02** To ensure there is adequate unbuilt upon areas to allow for private open space, substantial landscaped areas and deep soil planting capable of supporting large trees.

### **Controls**

- C1** All development must comply with the numerical requirements contained in the table below:

| Site Area                              | Maximum Area of Building Footprint | Maximum Floor Area of all Outbuildings | Maximum Site Coverage of all Structures on a Site |
|--|------------------------------------|--|---|
| Up to 449m <sup>2</sup>                | 300m <sup>2</sup>                  | 30m <sup>2</sup>                       | 60%   |
| 450m <sup>2</sup> to 599m <sup>2</sup> | 330m <sup>2</sup>                  | 45m <sup>2</sup>                       | 50%   |
| 600m <sup>2</sup> to 899m <sup>2</sup> | 380m <sup>2</sup>                  | 60m <sup>2</sup>                       | 40%   |
| 900m <sup>2</sup> or above             | 430m <sup>2</sup>                  | 60m <sup>2</sup>                       | 40%   |

Table C1.1: Maximum Building Footprint, Floor Area of Outbuildings and Site Coverage

## **2.3 Landscaping**

### **Objectives**

- 01** To ensure new development is appropriately landscaped to provide a pleasant outlook and contribute to the amenity of a property.
- 02** To minimise stormwater run-off by retaining deep soil areas that facilitate rainwater infiltration.



## Controls

**C1** Deep soil permeable areas must be provided in accordance with the table below:

| Site Area                              | Minimum Deep Soil Area (% of site area) |
|--|---|
| Up to 449m <sup>2</sup>                | 15%                                     |
| 450m <sup>2</sup> to 599m <sup>2</sup> | 20%                                     |
| 600m <sup>2</sup> or above             | 25%                                     |

Table C1.2: Minimum Deep Soil Areas

**C2** Deep soil areas must have a minimum dimension of 2.5m.

## 2.4 Layout and Orientation

### Objectives

- 01** To encourage a more sustainable urban environment where energy efficiency is incorporated into the design, construction and use of buildings.
- 02** To reduce consumption of energy from non-renewable sources, and reduced greenhouse gas emissions.

### Controls

- C1** Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.
- C2** Site the development to avoid casting shadows onto a neighbouring dwelling's primary living area, private open space and solar cells.
- C3** Coordinate design for natural ventilation with passive solar design techniques.
- C4** Site new development and private open space to avoid existing shadows cast from nearby buildings.
- C5** Site a building to take maximum benefit from cross-breezes and prevailing winds.
- C6** Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.

## 2.5 Height

The maximum permissible height of a building is prescribed in the LEP and varies across residential zones. The definition of height of building is defined under LEP. Operating in conjunction with the LEP height of building control, external wall height and storey provisions in this DCP prescribe the maximum height for the external enclosing walls of a building.



Note: Development adjacent to, or in the vicinity of, a heritage item may preclude achievement of maximum building heights.

## **Objective**

- 01** To ensure that development is of a scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.

## **Controls**

- C1** Development for the purposes of dwelling houses must not exceed the following numerical requirements:
- (a) A maximum two storey built form.
  - (b) A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m.
  - (c) A maximum external wall height of 8m where the maximum height of building standard under the LEP is 9.5m.
  - (d) Finished ground floor level is not to exceed 1m above the natural ground level.
- Note: Skillion and flat roof forms will be considered on merit.

### Basement and Sub-floor Projection

- C2** Any part of a basement or sub-floor area that projects greater than 1m above ground level comprises a storey.

### Attics and Roof Terraces

- C3** Attics and mezzanine floors do not comprise a storey.
- C4** Roof top terraces are not acceptable on any building or outbuilding in any residential zone.

### Basement and Sub-floor

- C5** Dwelling houses may provide basement or subfloor parking where site constraints warrant and it can be demonstrated that there will be no adverse impacts on amenity, streetscape or public domain.
- C6** Basement and sub-floor parking is only suitable where compliance with Chapter B1 Transport and Parking of this DCP can be demonstrated.

### Retaining Walls – Development Without Basement Parking

- C7** Walls that would enclose a sub-floor area:
- (a) Maximum 2m for steeply sloping land; and
  - (b) Maximum 1m for all other land.



- C8** Retaining walls that would be located along, or immediately adjacent to, any boundary:
- (a) Maximum 3m for steeply sloping land, but only to accommodate a garage that would be located at street level; and
  - (b) Maximum 1m for all other land.

#### Cut and fill – Development Without Basement Parking

- C9** Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.
- C10** No limit to cut below ground level where it will be contained entirely within the exterior walls of a building, however, excavated area is not to accommodate any habitable room that would be located substantially below ground level.
- C11** Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.
- C12** If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports.

## **2.6 Setbacks**

### **Objectives**

- 01** To establish the desired spatial proportions of the street and define the street edge.
- 02** To limit the scale and bulk of development by retaining landscaped open space around.
- 03** To contribute to the natural landscape by retaining adequate space for new trees and conserving existing visually prominent trees.
- 04** To provide sufficient separation between buildings and adjacent land to limit the visual, environmental and likely potential amenity impacts of new development.

### **Controls**

#### Front, Side and Rear Setbacks

- C1** Development, including basement and sub-floor areas, fronting a major road must have a minimum front setback of 9m.
- C2** Development must comply with the minimum front, side and rear setbacks as detailed in the following tables:



| Setback       | Controls  |
|---------------|---|
| Front Setback | <ul style="list-style-type: none"> <li>• Minimum setback of 5.5m from the front boundary.</li> <li>• Maximum 2m recess for the main entrance from the front building line.</li> <li>• Where the existing front setback is less than 5.5m, further encroachments by alterations and additions are not acceptable.</li> </ul> |
| Side Setbacks | <ul style="list-style-type: none"> <li>• Minimum setback of 900mm from side boundaries.</li> <li>• Alterations and additions may be in line with the existing ground level walls.</li> </ul>  |
| Rear Setbacks | <ul style="list-style-type: none"> <li>• Minimum setback of 6m from the rear boundary.</li> </ul>   |

Table C1.3: Dwelling Houses with frontage of 12.5m or less

| Setback       | Controls  |
|---------------|---|
| Front Setback | <ul style="list-style-type: none"> <li>• Minimum setback of 6m or the average of the existing setback of the nearest dwelling house to either side of the site.</li> <li>• Maximum 2m recess for the main entrance from the front building line.</li> </ul> |
| Side Setbacks | <ul style="list-style-type: none"> <li>• Minimum setback of minimum setback of 1m from side boundaries.</li> <li>• Corner lots: minimum setback of 2m from the secondary street frontage (the longer street boundary).</li> </ul>                           |
| Rear Setbacks | <ul style="list-style-type: none"> <li>• Minimum setback of 6m from the rear boundary.</li> </ul>   |

Table C1.4: Dwelling Houses with frontages widths of 12.5m or greater

| Setback       | Controls   |
|---------------|--|
| Side Setbacks | <ul style="list-style-type: none"> <li>• External wall height over 2.7m a minimum setback of 450mm from the side boundary.</li> <li>• External wall height not exceeding 2.7m may encroach into the minimum setback area.</li> </ul> |

Table C1.5: Outbuildings (including alterations and additions)

### Exceptions and Other Requirements

- C3** External walls that enclose rooms, storage areas and/or garages are not to encroach beyond the specified setbacks.
- C4** For first floor additions, front and side setbacks may match the ground floor wall



alignment of the existing dwelling for a depth of 10m or 50% of the length of the façade, whichever is the greater.

- C5** Minimum setback of 1m from any side or rear boundary for swimming pools and associated terraces. Landscaping shall be provided in the setback area to screen the pool from neighbours.
- C6** Swimming pools must not be located within any front setback.
- C7** One garage or carport may be constructed with a nil rear setback for sites that adjoin a rear laneway. The garage or carport must not comprise more than 50% of the rear boundary frontage to a lane and not be wider than 6m.
- C8** For a residential building that does not have basement parking lightweight carports may extend beyond the required side boundary setback.
- C9** Car parking structures must satisfy BCA requirements.
- C10** For existing dwelling houses, a single space carport may encroach beyond the minimum front setback, where it can be demonstrated that:
  - (a) there is no existing garage on the site;
  - (b) there is no side or rear vehicle access to the site;
  - (c) the site does not contain a heritage item or is not within a heritage conservation area or local character area;
  - (d) the site is in the vicinity of existing, approved carports on adjacent sites that are forward of the front building line;
  - (e) the maximum width of the single carport is 3 metres;
  - (f) it is of a simple posted design, with no side panel infill;
  - (g) there is no solid panel lift or roller shutter door proposed;
  - (h) the carport is setback a minimum 1 metre from the primary and secondary street frontages;
  - (i) the carport achieves a high quality design and has a roof design that is compatible with the dwelling house.
- C11** On land identified as having a height of 9.5m on the Map, the following parking structures may encroach beyond the minimum front or side setback:
  - (a) One carport that is not wider than 6m.
  - (b) On sites that rise from the street frontage, one garage that is not wider than 6m and no higher than 3m above street level.
- C12** The following minor building elements may project up to 1m into the minimum side setback area:
  - (a) Roof eaves, awnings, pergolas and patios;
  - (b) Stair or ramp access to the ground floor;
  - (c) Rainwater tanks; and
  - (d) Terraces above basement parking that are no higher than 1m above ground level (except dwelling houses, semi-detached dwellings and dual occupancy).
- C13** Elements that articulate a front elevation of a dwelling house, such as awnings, balconies, patios, pergolas, porches, porticoes and verandas, may project up to 1.5m into the required front setback articulation zone.





- C14** On steeply sloping land basements and basement parking are acceptable only if they:
- (a) Do not extend beyond the exterior walls or ground floor patios of the dwelling.
  - (b) Accommodate only entrance lobby, stairway, car parking or storage, but do not accommodate any habitable room.
  - (c) Are not capable of future alteration to accommodate any habitable room.

## **2.7 Building Separation**

### **Objectives**

- 01** To promote improved levels of residential amenity for new and existing development, including to preserve sunlight, privacy and general amenity for existing buildings.
- 02** To ensure that development is of a scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.

### **Controls**

- C1** The following controls apply to alterations and additions to dwelling houses:
- (a) The top storey of any two-storey building should be designed, as a series of connected pavilion elements.
  - (b) Pavilion elements shall have a depth between 10m to 15m.
  - (c) Articulate pavilion elements by an additional side boundary setback, and identified by separate roofs.

## **2.8 Building Design (General)**

### **Objectives**

- 01** To ensure that development is coordinated with, and complements, the public domain to enhance the character and the image of the streetscape.
- 02** To ensure that development provides good amenity for occupants of new and existing development, including reasonable solar access, privacy, and natural ventilation.
- 03** To ensure alterations and additions complement the architectural character of the existing building or is of a contemporary design that is appropriate in its context.
- 04** To facilitate positive interaction between the private and public domain.
- 05** To maximise passive surveillance to promote safety and security.
- 06** To encourage effective articulation of building design to reduce the appearance of scale, enhance visual interest and ensure a diversity of built form.
- 07** To ensure all elements of the façade and roof are integrated into the architectural form and detail of the building, and enhance streetscape appearance.
- 08** To encourage high standards of amenity through appropriate dimensions and configurations of habitable rooms.

### **Controls**



### Contemporary Built Form

- C1** Contemporary architectural designs may be acceptable if:
  - (a) A heritage listing does not apply to the existing dwelling or to its immediate neighbours.
  - (b) The proposed addition is not visually prominent from the street or from a public space.
  - (c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP.
- C2** New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.
- C3** Access to upper storeys must not be via external stairs.
- C4** All dwellings must contain one kitchen and laundry facility.
- C5** Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).
- C6** Contemporary roof forms may be acceptable on additions at ground floor level if concealed substantially behind the existing dwelling, and not visible from the street or other public space.

### Building Entries

- C7** Entries to residential buildings must be clearly identifiable.
- C8** The front door to a dwelling house may face a side boundary, or may be located beneath a carport, provided it is clearly identified by a porch or awning, and pathways.
- C9** A minimum of one habitable room must be oriented towards the street to promote positive social interaction and community safety.
- C10** Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures.

### Internal Dwelling Layout

- C11** Design interiors to be capable of accommodating the range of furniture that is typical for the purpose of each room.
- C12** The primary living area and principal bedroom must have a minimum dimension of 3.5m.
- C13** Secondary bedrooms must have a minimum dimension of 3m.
- C14** Provide general storage in addition to bedroom wardrobes and kitchen cupboards.

### Façade Treatment

- C15** Development on corner lots must address both street frontages through façade treatment and articulation of elevations.
- C16** Use non-reflective materials, do not randomly mix light and dark coloured bricks, and



treat publicly accessible wall surfaces with anti-graffiti coating.

- C17** Facade design should reflect the orientation of the site using elements such as sun shading devices, light shelves and bay windows.
- C18** Facades visible from the street should be designed as a series of articulating panels or elements.
- C19** The width of articulating panels should be consistent with the scale and rhythm characteristic of bungalows.
- C20** The width of articulating panels shall be in accordance with the numerical requirements below:

| Facade                       | Street Elevation | Side Elevation |
|------------------------------|------------------|----------------|
| Width of articulating panels | 4m to 6m         | 10m to 15m     |

Table C1.6: Width of articulating panels

- C21** Avoid long flat walls along street frontages - stagger the wall alignment with a step (not a fin wall of other protruding feature) of at least 0.5m for residential buildings.
- C22** Vary the height of modules so they are not read as a continuous line on any one street between 2 - 4 storeys, step-back to the middle component and again at the top.
- C23** Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.
- C24** Screen prominent corners with awnings, balconies, terraces or verandas that project at least 1 m from the general wall alignment.

#### Pavilions

- C25** The top storey of any two-storey dwelling should be designed as a series of connected pavilion elements to minimise scale and bulk.
- C26** Facades that exceed 25m in length shall be indented to create the appearance of multiple pavilion elements.
- C27** Pavilion elements shall have a depth between 10-15m.
- C28** Articulate upper storey pavilions with an additional side boundary setback, and identify by separate roofs.

#### Windows

- C29** Large windows should be located at the corners of a building and may be designed as projecting bay-windows.
- C30** Large windows should be screened with blinds, louvres, awnings or pergolas and be draft insulated.
- C31** Windows must be rectangular.



- C32** Square, circle and semi-circle windows are acceptable in moderation.
- C33** Vertical proportioned window openings can include multi-panel windows or multi-panel doors.
- C34** Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.
- C35** Dormer windows on buildings in the residential zone do not appear as additional storey must comply with the following design requirements:
  - (a) Individual dormers are no wider than 1.5m in width;
  - (b) Provide a minimum 2.5m separation between dormers; and
  - (c) Dormers do not extend encroach above the ridgeline of the building.

### Ventilation

- C36** Incorporate features to facilitate natural ventilation and convective currents - such as opening windows, high vents and grills, high level ventilation (ridge and roof vents) in conjunction with low-level air intake (windows or vents).
- C37** Where natural ventilation is not possible, energy efficient ventilation devices such as ceiling fans should be considered as an alternative to air conditioning. Explore innovative technologies to naturally ventilate internal building areas or rooms.

## **2.9 Roof Design and Features**

### **Objectives**

- 01** To ensure that roof design is compatible with the building style and does not visually dominate the building or other roofs in the locality.
- 02** To promote roof design that assists in regulating climate within the building.
- 03** To reduce the impact of large surfaces of roof when viewed from other buildings and public spaces.

### **Controls**

- C1** Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.
- C2** Avoid complex roof forms such as multiple gables, hips and valleys, or turrets.
- C3** Roof pitches are to be compatible and sympathetic to nearby buildings.
- C4** Parapet roofs that increase the height of exterior walls are to be minimised.
- C5** Use minor gables only to emphasise rooms or balconies that project from the body of a building.
- C6** Mansard roofs (or similar) are not permitted.
- C7** Pitched roofs should not exceed a pitch of 30 degrees.
- C8** Relate roof design to the desired built form and context.



- C9** Roofs with greater pitches will only be considered on merit taking into account matters such as streetscape, heritage value and design integrity.

## **2.10 Solar Access and Overshadowing**

### **Objectives**

- 01** To ensure habitable rooms have reasonable daylight access.
- 02** To minimise overshadowing of primary living areas , private open space and solar roof top systems.
- 03** To enable occupants to adjust the quantity of daylight to suit their needs.

### **Controls**

#### Solar Access to Proposed Development

- C1** Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.
- C2** Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.
- C3** Dwellings must comply with the following:
- (a) At least one living room window and at least 50% or 35m<sup>2</sup> with minimum dimension of 2.5m (whichever is the lesser), of ground level private open space.
  - (b) Receive a minimum of 3 hours sunlight between 8:00 am and 4:00 pm on 21 June.
  - (c) Where existing overshadowing by buildings and fences is already greater than this control, sunlight is not to be reduced by more than 20%.

#### Solar Access to Neighbouring Development

- C4** Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.
- C5** If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.
- C6** Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:
- (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.
  - (b) If a system currently receives less than 3 hours sunlight, then the proposed development must not reduce the existing level of sunlight.



- C7** Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.

#### Shading Devices

- C8** Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.
- C9** Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.
- C10** Provide horizontal shading to north-facing windows and vertical shading to east or west windows.
- C11** Use moveable shading devices on large windows facing east and west that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.
- C12** Avoid reducing internal natural daylight or interrupting views with shading devices.
- C13** Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.
- C14** Use high performance glass with a reflectivity below 20%.
- C15** Minimise external glare by avoiding reflective films and use of tint glass.
- C16** Use of draft insulation around windows and doors.



## **2.11 Visual Privacy**

### **Objectives**

- 01** To ensure reasonable levels of visual privacy is achieved for residents, inside a building and outside within the property, during the day and at night.
- 02** To ensure visual privacy is not compromised whilst maximising outlook and views from main living areas and private open space.
- 03** To promote passive surveillance of public and semi-public areas.

### **Controls**

- C1** Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.
- C2** Minimise direct overlooking of rooms and private open space through the following:
- C3** Provide adequate building separation, and rear and side setbacks; and
- C4** Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.
- C5** If living room windows or private open spaces would directly overlook a neighbouring dwelling:
- C6** Provide effective screening with louvres, shutters, blinds or pergolas; and/or
- C7** Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.
- C8** Screening of bedroom windows is optional and dimensions are not restricted.

## **2.12 Acoustic Privacy**

### **Objectives**

- 01** To ensure reasonable levels of acoustic privacy are available for residents, externally and internally, during the day and at night.
- 02** To minimise the effect of excessive ambient noise through siting and architectural design and detailing.
- 03** To minimise the impact of rail and road noise and vibration for dwelling occupants.
- 04** To protect new and existing dwellings from intrusive noise.

### **Controls**

- C1** Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring living areas.
- C2** Bedroom windows in new dwellings that would be located at or close to ground level are to be raised above, or screened from, any shared pedestrian pathway.
- C3** Screen balconies or windows in living rooms or bedrooms that would face a driveway or



basement ramp.

- C4** Address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline (2008)' published by the NSW Department of Planning.

### **2.13 Fences**

#### **Objectives**

- O1** To ensure that fences are integrated into the architectural form and detail of a building and present an appealing streetscape appearance.
- O2** To reduce the impact of large areas of fencing that detract from other buildings and fences in the area.
- O3** To facilitate positive interaction between private and public domain.

#### **Controls**

- C1** Provide boundary definition by construction of an open fence or hedge to the front street boundary.
- C2** Front fences within the front boundary setback are to be no higher than 1.2m.
- C3** Side fences may be 1.8m high to the predominant building line. Forward of the building line, side fences must taper down to the height of the front fence at a height no greater than 1.2m.
- C4** On corner sites where the façade of a building presents to two street frontages, fences are to be no higher than 1.2m.
- C5** Front fences shall not be taller than 1.2m.
- C6** Screens with a minimum of 50% transparency may be up to 1.8m high along the front boundary.
- C7** Landscaping should not include visually solid hedges that may conceal intruders.

### **2.14 Outbuildings and Swimming Pools**

#### **Objectives**

- O1** To ensure an outbuilding is established in conjunction with the principal dwelling on the same site and is used solely for non-habitable purposes.
- O2** To limit the number and size of outbuildings on a site.
- O3** To ensure the building form is subservient to the principal dwelling on the same site in terms of visual bulk and scale.
- O4** To ensure the building form and building design of outbuildings do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.





## Controls

### Outbuildings

- C1** Council allows a maximum of one outbuilding on a site.
- C2** The outbuilding must be established in conjunction with the principal dwelling on the same site and must ensure that:
- (a) it is separate from the principal dwelling and any secondary dwelling on the same site, and
  - (b) it is not used as a separate dwelling, and
  - (c) it does not contain cooking facilities, toilet and shower, and
  - (d) it does not function or can be adapted to function for industrial purposes.
- C3** The maximum site cover of the outbuilding is:
- (a) 36m<sup>2</sup> where the site is less than 300m<sup>2</sup> in area
  - (b) 45m<sup>2</sup> where the site is 300m<sup>2</sup> to 600m<sup>2</sup> in area
  - (c) 60m<sup>2</sup> where the site is greater than 600m<sup>2</sup> in area.
- For the purposes of this clause, site cover means the site area covered by the outbuilding and any attached roof, awning, balcony, deck, patio, pergola, terrace, verandah, carport, garage and the like.
- C4** The outbuilding must not result in the principal dwelling on the site having less than the required landscaped area and private open space.
- C5** The storey limit for the outbuilding is single storey. An attic or basement is not permitted in the outbuilding.
- C6** The maximum building height for the outbuilding is 4.5 metres above ground level (existing).
- C7** The outbuilding must locate behind the front building line.
- C8** The minimum setback to the side and rear boundaries of the site is:
- (a) zero setback for carports or masonry walls that do not contain windows, eaves and gutters provided the structures comply with the Building Code of Australia; or
  - (b) 0.45 metre for non-masonry walls that do not contain a windows, eaves and gutters; or
  - (c) 0.9 metre for walls with windows.
- C9** The minimum setback to a dwelling, building, roof, awning, balcony, deck, patio, pergola, terrace, verandah, carport, garage and the like on the same site is 1.8 metres.
- C10** The maximum roof pitch for the outbuilding is 25 degrees.
- C11** Council does not allow the outbuilding to have roof-top balconies and the like.
- C12** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the outbuilding.



## Swimming Pools

- C1** Swimming pools must not be located within any front setback.
- C2** Minimum setback of 1m from any side or rear boundary for swimming pools and associated terraces. Landscaping shall be provided in the setback area to screen the pool from neighbours.

## **2.15 Building Services**

### **Objectives**

- O1** To reduce impact of services and utilities through their integration with the design of landscaped areas and buildings.

### **Controls**

- C1** All letterboxes be installed to meet Australia Post standards.
- C2** Design and provide discretely located mailboxes at the front of the property.
- C3** Integrate systems, services and utility areas with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.
- C4** Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.
- C5** Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.
- C6** Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site:
  - (a) Screen air conditioning units behind balcony balustrades;
  - (b) Provide screened recesses for water heaters rather than surface - mounting them on exterior walls; and
  - (c) Locate meters in service cabinets.
- C7** Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.
- C8** Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.
- C9** Location and design of service areas should include:
  - (a) Screening of clothes drying areas from public places; and
  - (b) Space for storage that is screened or integrated with the building design.
- C10** Minimise visual impact of solar hot water systems by:
  - (a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;
  - (b) Using a colour that is consistent with the colour of roof materials;
  - (c) Designing solar panels, where possible, as part of the roof;



- (d) Setting the solar panels back from the street frontage and position below the ridgeline; and
- (e) Separate the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).



## **SECTION 3 – DUAL OCCUPANCIES AND SEMI-DETACHED DWELLINGS**

### **Objectives**

- O1** To ensure all neighbourhoods are safe and comfortable.
- O2** To ensure a diversity of well-designed dwellings that are sympathetic to the density and function of each neighbourhood.
- O3** To ensure residential streets and yards are green and leafy, with substantial tree canopy.
- O4** To ensure buildings are adequately setback from existing structures to facilitate household activities and landscaping.
- O5** To ensure that development provides good amenity, solar access and privacy for occupiers of new and existing buildings.
- O6** To ensure that development is of a high quality design, appearance and performance.

### **3.1 Minimum Lot Size and Frontage**

#### **Objectives**

- O1** To ensure that land is of an adequate size and shape to accommodate development whilst providing adequate amenity for occupants of the site and surrounds.
- O2** To ensure there is adequate area for vehicle access and parking.
- O3** To ensure sites have sufficient dimensions to accommodate adequate landscaped open spaces.

#### **Controls**

- C1** Dual occupancy and semi-detached dwellings must have a street frontage.
- C2** Minimum 15m width, measured at the street boundary. On corner lots, this means the short boundary.
- C3** Each dwelling is required to have a minimum frontage width of 7.5m.
- C4** On irregular blocks, the site width is measured at the required front setback.
- C5** Dual occupancy (detached) is acceptable only where each dwelling can face and have frontage to the street, such as on a corner site.

### **3.2 Private Open Space**

#### **Objectives**

- O1** To ensure that all residents have access to private and functional open space areas.
- O2** To ensure private open space is tailored to the dwellings, and opportunities for active and passive recreation are provided for within the development.
- O3** To ensure private open space is designed to take advantage of environmental



circumstances including solar access, views and prevailing breezes.

- O4** To promote the enjoyment of outdoor living.
- O5** To ensure private open space is located so that there is passive surveillance from main living areas of dwellings within a development.
- O6** To ensure new development is appropriately landscaped to provide a pleasant outlook and contribute to the amenity of a property.

## **Controls**

- C1** Semi-detached dwellings with a frontage of less than 7.5m must provide a minimum of 40m<sup>2</sup> of private open space.
- C2** Dual occupancy and semi-detached dwellings with a frontage of 7.5m or greater must provide a minimum of 50m<sup>2</sup> of private open space.
- C3** Dual occupancy and semi-detached dwellings must provide one area of private open space with a minimum dimension in any direction of 4m.
- C4** Dual occupancy and semi-detached dwellings must provide one area at least 2.5m x 2.5m suitable for outdoor dining facilities.
- C5** The design of private open space must satisfy the following criteria:
  - (a) Be located at ground level to the rear of an allotment behind the dual occupancy.
  - (b) Be located adjacent to the main living areas, such as a living room.
  - (c) Have a maximum gradient of 1:50.
  - (d) The principal area of open space for each dwelling may comprise a combination of privacy screens, sun-shading devices and landscaped areas.
  - (e) Be designed to prevent direct overlooking from a public place or from neighbouring buildings.
  - (f) Be designed to accommodate both recreation and service activities.
  - (g) Include a suitably screened area for clothes drying facilities.
  - (h) Be oriented to provide maximum exposure to midwinter sunlight whilst optimising privacy.
- C6** Ensure that balconies, verandas or pergolas do not encroach upon any required deep soil area.

## **3.3 Layout and Orientation**

### **Objectives**

- O1** To encourage a more sustainable urban environment where energy efficiency is incorporated into the design, construction and use of buildings.
- O2** To reduce consumption of energy from non-renewable sources, and reduced greenhouse gas emissions.



## **Controls**

- C1** Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.
- C2** Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.
- C3** Coordinate design for natural ventilation with passive solar design techniques.
- C4** Site new development and private open space to avoid existing shadows cast from nearby buildings.
- C5** Site a building to take maximum benefit from cross-breezes and prevailing winds.
- C6** Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.

### **3.4 Height**

#### **Objective**

- O1** To ensure that development is of a scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.
- O2** Parking structures do not detract from the appearance of green streetscapes and residential streets.

#### **Controls**

##### Height

- C1** Development for the purposes of dual occupancy and semi-detached dwellings must not exceed the following numerical requirements:
  - (a) A maximum two storey built form.
  - (b) A maximum external wall height of 7m where the maximum height of buildings standard under the LEP is 8.5m.
  - (c) A maximum external wall height of 8m where the maximum height of building standard under the LEP is 9.5m.
  - (d) Finished ground floor level is not to exceed 1m above the natural ground level.

##### Basement and Sub-floor Projection

- C2** Dual occupancy or semi-detached dwelling development must not include basement or subfloor parking (refer to Chapter 3.2 for further information).

##### Attics and Roof Terraces

- C3** Attics and mezzanine floors do not comprise a storey.



- C4** Roof top terraces are not acceptable on any building or outbuilding in any residential zone.

#### Retaining Walls

- C5** Walls that would enclose a sub-floor area:
- (a) Maximum 2m for steeply sloping land; and
  - (b) Maximum 1m for all other land.
- C6** Retaining walls that would be located along, or immediately adjacent to, any boundary:
- (a) Maximum 3m for steeply sloping land, but only to accommodate a garage that would be located at street level; and
  - (b) Maximum 1m for all other land.

#### Cut and fill

- C7** Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.
- C8** No limit to cut below ground level where it will be contained entirely within the exterior walls of a building, however, excavated area is not to accommodate any habitable room that would be located substantially below ground level.
- C9** Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.
- C10** If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports.

### **3.5 Setbacks**

#### **Objectives**

- O1** To establish the desired spatial proportions of the street and define the street edge.
- O2** To limit the scale and bulk of development by retaining landscaped open space around.
- O3** To contribute to the natural landscape by retaining adequate space for new trees and conserving existing visually prominent trees.
- O4** To provide sufficient separation between buildings and adjacent land to limit the visual, environmental and likely potential amenity impacts of new development.
- O5** To minimise stormwater run-off by retaining deep soil areas that facilitate rainwater infiltration.



## Controls

### Front, Side and Rear Setbacks

- C1** Development, including basement and sub-floor areas, fronting a major road must have a minimum front setback of 9m.
- C2** Development must comply with the minimum front, side and rear setbacks in the following tables:

| Setback       | Controls  |
|---------------|---|
| Front Setback | <ul style="list-style-type: none"><li>• Minimum setback of 5.5m from the front boundary.</li><li>• Maximum 2m recess for the main entrance from the front building line.</li><li>• Where the existing front setback is less than 5.5m, further encroachments by alterations and additions are not acceptable.</li></ul>   |
| Side Setbacks | <ul style="list-style-type: none"><li>• Minimum setback of 900mm from side boundaries.</li><li>• First floor alterations and additions may be in line with the existing ground level walls.</li><li>• For semi-detached dwellings, provide an unroofed light well, with minimum dimensions of 1m x 3m, by setting back part of the external side wall a minimum of 2m from the side boundary.</li><li>• For semi-detached dwellings, where a ground level addition to an existing dwelling is proposed, the external walls of the addition may be built to the same alignment as the common wall.</li></ul> |
| Rear Setbacks | <ul style="list-style-type: none"><li>• Minimum setback of 6m from the rear boundary.</li></ul>   |

Table C2.1: Semi-detached Dwelling less than 12.5m

| Setback       | Controls  |
|---------------|---|
| Front Setback | <ul style="list-style-type: none"><li>• Minimum setback of 6m from the front boundary.</li><li>• Maximum 2m recess for the main entrance from the front building line.</li></ul>                                |
| Side Setbacks | <ul style="list-style-type: none"><li>• Minimum setback of 1.2m from side boundaries.</li><li>• Corner lots: minimum setback of 3.5m from the secondary street frontage (the longer street boundary).</li></ul> |
| Rear Setbacks | <ul style="list-style-type: none"><li>• Minimum setback of 6m from the rear boundary.</li></ul>   |

Table C2.2: Dual Occupancy and Semi-detached 12.5m or greater





- C3** Front and rear setbacks are to be provided as deep soil areas. Driveways and footpaths may cross deep soil areas.

#### Exceptions and Other Requirements

- C4** Minimum setback of 1m from any side or rear boundary for swimming pools and associated terraces. Landscaping shall be provided in the setback area to screen the pool from neighbours.
- C5** Swimming pools must not be located within any front setback.
- C6** One garage or carport may be constructed with a nil rear setback for sites that adjoin a rear laneway. The garage or carport must not comprise more than 50% of the rear boundary frontage to a lane and not be wider than 6m.
- C7** Car parking structures must satisfy BCA requirements.
- C8** For existing dwellings one single space carport may encroach beyond the minimum front setback, where it can be demonstrated that vehicular access cannot be provided behind the building line given that side driveway access is less than 2.7m. Carports must not be wider than 3m.
- C9** On land identified as having a height of 9.5m on the Map, the following parking structures may encroach beyond the minimum front or side setback:
- (a) One carport that is not wider than 6m.
  - (b) On sites that rise from the street frontage, one garage that is not wider than 6m and no higher than 3m above street level.
- C10** The following minor building elements may project up to 1m into the minimum side setback area:
- (a) Roof eaves, awnings, pergolas and patios;
  - (b) Stair or ramp access to the ground floor;
  - (c) Rainwater tanks.

### **3.6 Building Depth**

#### **Objectives**

- O1** To promote improved levels of residential amenity for new and existing development, to preserve sunlight, privacy and general amenity for existing dwellings.
- O2** To ensure that development is of a scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.

#### **Controls**

- C1** Dual occupancy housing and semi-detached dwellings must not exceed a building depth of 25m.
- C2** An exception to C1 above applies where a dual occupancy (attached) is proposed on a



corner site and where one of the dwellings face the secondary (longest) street frontage. In that circumstance, a building depth requirement of 35m from the primary street frontage must not be exceeded.

### **3.7 Building Separation**

#### **Objectives**

- O1** To promote improved levels of residential amenity for new and existing development, including to preserve sunlight, privacy and general amenity for existing buildings.
- O2** To ensure that development is of a scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.

#### **Controls**

- C1** Where a detached dual occupancy is proposed and with each dwelling having a primary street frontage, a minimum building separation of 2.4m must be provided between the two dwellings (measured from the outer faces of the exterior wall of each dwelling). The 2.4m building separation must be shared equally in distance (i.e. 1.2m for each dwelling) between the two dwellings.
- C2** Garages or carports may be located in the separation area.

### **3.8 Building Design (General)**

#### **Objectives**

- O1** To ensure that development is coordinated with, and complements, the public domain to enhance the character and the image of the streetscape.
- O2** To ensure that development provides good amenity for occupants of new and existing development, including reasonable solar access, privacy, and natural ventilation.
- O3** To ensure alterations and additions complement the architectural character of the existing building or is of a contemporary design that is appropriate in its context.
- O4** To facilitate positive interaction between the private and public domain.
- O5** To maximise passive surveillance to promote safety and security.
- O6** To encourage effective articulation of building design to reduce the appearance of scale, enhance visual interest and ensure a diversity of built form.
- O7** To ensure all elements of the façade and roof are integrated into the architectural form and detail of the building, and enhance streetscape appearance.
- O8** To encourage high standards of amenity through appropriate dimensions and configurations of habitable rooms.



## **Controls**

### Contemporary Built Form

- C1** Contemporary architectural designs may be acceptable if:
  - (a) A heritage listing does not apply to the existing dwelling or to its immediate neighbours.
  - (b) The proposed addition is not visually prominent from the street or from a public space.
  - (c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP.
- C2** New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.
- C3** Access to upper storeys must not be via external stairs.
- C4** All dwellings must contain one kitchen and laundry facility.
- C5** Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).
- C6** Contemporary roof forms may be acceptable on additions at ground floor level if concealed substantially behind the existing dwelling, and not visible from the street or other public space.

### Building Entries

- C7** Entries to residential buildings must be clearly identifiable.
- C8** A minimum of one habitable room must be oriented towards the street to promote positive social interaction and community safety.
- C9** Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures.

### Internal Dwelling Layout

- C10** Design interiors to be capable of accommodating the range of furniture that is typical for the purpose of each room.
- C11** The primary living area and principal bedroom must have a minimum width of 3.5m.
- C12** Secondary bedrooms must have a minimum width of 3m.
- C13** Provide general storage in addition to bedroom wardrobes and kitchen cupboards.

### Façade Treatment

- C14** Development on corner lots must address both street frontages through façade treatment and articulation of elevations.
- C15** Use non-reflective materials, do not randomly mix light and dark coloured bricks, and



treat publicly accessible wall surfaces with anti-graffiti coating.

- C16** Facade design should reflect the orientation of the site using elements such as sun shading devices, light shelves and bay windows.
- C17** Facades visible from the street should be designed as a series of articulating panels or elements.
- C18** The width of articulating panels should be consistent with the scale and rhythm characteristic of bungalows.
- C19** The width of articulating panels shall be in accordance with the numerical requirements below:

| Facade                       | Street Elevation | Side Elevation |
|------------------------------|------------------|----------------|
| Width of articulating panels | 4m to 6m         | 10m to 15m     |

Table C2.3: Width of articulating panels

- C20** Avoid long flat walls along street frontages - stagger the wall alignment with a step (not a fin wall of other protruding feature) of at least 0.5m for residential buildings.
- C21** Vary the height of modules so they are not read as a continuous line on any one street between 2 - 4 storeys, step-back to the middle component and again at the top.
- C22** Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.
- C23** Screen prominent corners with awnings, balconies, terraces or verandas that project at least 1 m from the general wall alignment.

#### Pavilions

- C24** The top storey of any two-storey dwelling should be designed as a series of connected pavilion elements to minimise scale and bulk.
- C25** Facades that exceed 25m in length shall be indented to create the appearance of multiple pavilion elements.
- C26** Pavilion elements shall have a depth between 10-15m.
- C27** Articulate upper storey pavilions with an additional side boundary setback, and identify by separate roofs.

#### Windows

- C28** Large windows should be located at the corners of a building and may be designed as projecting bay-windows.
- C29** Large windows should be screened with blinds, louvres, awnings or pergolas.
- C30** Windows must be rectangular.
- C31** Square, circle and semi-circle windows are acceptable in moderation.
- C32** Vertical proportioned window openings can include multi-panel windows or multi-panel doors.
- C33** Windows and openings shall be appropriately located and shaded to reduce summer



heat load and maximise sunlight in winter.

- C34** Dormer windows on buildings in the residential zone must comply with the following design requirements:
- (a) Should not appear as an additional storey;
  - (b) Are no wider than 1.5m in width;
  - (c) Provide a minimum 2.5m separation between dormers; and
  - (d) Do not extend above the ridgeline of the building.

### Ventilation

- C35** Incorporate features to facilitate natural ventilation and convective currents - such as opening windows, high vents and grills, high level ventilation (ridge and roof vents) in conjunction with low-level air intake (windows or vents).
- C36** Where natural ventilation is not possible, energy efficient ventilation devices such as ceiling fans should be considered as an alternative to air conditioning. Explore innovative technologies to naturally ventilate internal building areas or rooms.

## **3.9 Roof Design and Features**

### **Objectives**

- O1** To ensure that roof design is compatible with the building style and does not visually dominate the building or other roofs in the locality.
- O2** To promote roof design that assists in regulating climate within the building.
- O3** To reduce the impact of large surfaces of roof when viewed from other buildings and public spaces.

### **Controls**

- C1** Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.
- C2** Avoid complex roof forms with multiple gables, hips and valleys, or turrets.
- C3** Roof pitches are to be compatible and sympathetic to nearby buildings.
- C4** Parapet roofs that increase the height of exterior walls are to be minimised.
- C5** Use minor gables only to emphasise rooms or balconies that project from the body of a building.
- C6** Mansard roofs (or similar) are not permitted.
- C7** Pitched roofs should not exceed a pitch of 30 degrees.
- C8** Relate roof design to the desired built form and context.
- C9** Roofs with greater pitches will be considered on merit taking into account matters such as streetscape, heritage value and design integrity.



**C10** Relate roof design to the desired built form and context.

### **3.10 Fencing**

#### **Objectives**

- O1** To ensure that fences are integrated into the architectural form and detail of a building and present an appealing streetscape appearance.
- O2** To reduce the impact of large areas of fencing that detract from other buildings and fences in the area.
- O3** To facilitate positive interaction between private and public domain.

#### **Controls**

- C1** Provide boundary definition by construction of an open fence or low hedge to the front street boundary.
- C2** Front fences within the front boundary setback are to be no higher than 1.2m.
- C3** Side fences may be 1.8m high to the predominant building line. Forward of the building line, side fences must taper down to the height of the front fence at a height no greater than 1.2m.
- C4** On corner sites where the façade of a building presents to two street frontages, fences are to be no higher than 1.2m.
- C5** Screen walls around private open spaces shall not be taller than 1.2m, although screens with 50% transparency may be up to 1.8m in height.

### **3.11 Building Services**

#### **Objectives**

- O1** To reduce impact of services and utilities through their integration with the design of landscaped areas and buildings.

#### **Controls**

- C1** All letterboxes be installed to meet Australia Post standards.
- C2** Design and provide discretely located mailboxes at the front of the property.
- C3** Integrate systems, services and utility areas with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.
- C4** Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.
- C5** Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.



- C6** Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site:
  - (a) Screen air conditioning units behind balcony balustrades;
  - (b) Provide screened recesses for water heaters rather than surface - mounting them on exterior walls; and
  - (c) Locate meters in service cabinets.
- C7** Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.
- C8** Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.
- C9** Location and design of service areas should include:
  - (a) Screening of clothes drying areas from public places; and
  - (b) Space for storage that is screened or integrated with the building design.
- C10** Minimise visual impact of solar hot water systems by:
  - (a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;
  - (b) Using a colour that is consistent with the colour of roof materials;
  - (c) Designing solar panels, where possible, as part of the roof;
  - (d) Setting the solar panels back from the street frontage and position below the ridgeline; and
  - (e) Separate the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).

### **3.12 Solar Access and Overshadowing**

#### **Objectives**

- O1** To ensure habitable rooms have reasonable daylight access.
- O2** To minimise overshadowing of primary living areas, private open space and solar roof top systems.
- O3** To enable occupants to adjust the quantity of daylight to suit their needs.

#### **Controls**

##### **Solar Access to Proposed Development**

- C1** Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.
- C2** Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.
- C3** Dwellings in or adjoining industrial zones must comply with the following:
  - (a) At least one living room window and at least 50% or 35m<sup>2</sup> with minimum



- (b) dimension of 2.5m (whichever is the lesser), of ground level private open space.
- (c) Receives a minimum of 3 hours sunlight between 8:00 am and 4:00 pm on 21 June.
- (d) Where existing overshadowing by buildings and fences is already greater than this, sunlight is not to be reduced by more than 20%.

#### Solar Access to Neighbouring Development

- C4** Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.
- C5** If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.
- C6** Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:
  - (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.
  - (b) If a system currently receives less than 3 hours sunlight, then proposed development must not reduce the existing level of sunlight.
- C7** Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.

#### Shading Devices

- C8** Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.
- C9** Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.
- C10** Provide horizontal shading to north-facing windows and vertical shading to east or west windows.
- C11** Use moveable shading devices on large windows facing east and west that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.
- C12** Avoid reducing internal natural daylight or interrupting views with shading devices.
- C13** Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.
- C14** Use high performance glass with a reflectivity below 20%.
- C15** Minimise external glare by avoiding reflective films and use of tint glass.





### **3.13 Visual Privacy**

#### **Objectives**

- O1** To ensure reasonable levels of visual privacy is achieved for residents, inside a building and outside within the property, during the day and at night.
- O2** To ensure visual privacy is not compromised whilst maximising outlook and views from main living areas and private open space.
- O3** To promote passive surveillance of public and semi-public areas.

#### **Controls**

- C1** Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.
- C2** Minimise direct overlooking of rooms and private open space through the following:
  - (a) Provide adequate building separation, and rear and side setbacks; and
  - (b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.
- C3** If living room windows or private open spaces would directly overlook a neighbouring dwelling:
  - (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or
  - (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.
- C4** Screening of bedroom windows is optional and dimensions are not restricted.

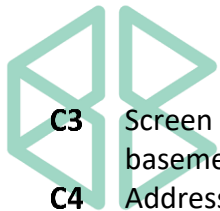
### **3.14 Acoustic Privacy**

#### **Objectives**

- O1** To ensure reasonable levels of acoustic privacy are available for residents, externally and internally, during the day and at night.
- O2** To minimise the effect of excessive ambient noise through siting and architectural design and detailing.
- O3** To minimise the impact of rail and road noise and vibration for dwelling occupants.
- O4** To protect new and existing dwellings from intrusive noise.

#### **Controls**

- C1** Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring living areas.
- C2** Bedroom windows in new dwellings that would be located at or close to ground level are to be raised above, or screened from, any shared pedestrian pathway.



- C3** Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.
- C4** Address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline (2008)' published by the NSW Department of Planning.



## **SECTION 4 – MULTI DWELLING HOUSING AND ATTACHED DWELLINGS**

### **Objectives**

- O1** To ensure all neighbourhoods are safe and comfortable.
- O2** To accommodate a mix of households in a diversity of well-designed dwellings that are sympathetic to the density and function of each neighbourhood.
- O3** To ensure residential streets and yards are green and leafy, with substantial tree canopy.
- O4** To ensure buildings are adequately separated to facilitate household activities and landscaping.
- O5** To ensure that development achieves good amenity, sunlight and privacy for occupants of new and existing buildings.
- O6** To ensure that development is of a high quality design, appearance and performance.

### **4.1 CBLEP Minimum Lot Sizes and Frontage**

#### **Objectives**

- O1** To ensure that land to be developed is of an adequate size and shape to accommodate development whilst providing adequate amenity for occupants of the site and surrounds.
- O2** To ensure there is adequate area for vehicle access and parking.
- O3** To ensure sites have sufficient dimensions to accommodate adequate landscaped open spaces.

#### **Controls**

- C1** Multi dwelling housing and attached dwellings must have a street frontage.
- C2** The minimum primary street frontage width for multi dwelling housing and attached dwellings is:
  - (a) 27m for development along major roads; or
  - (b) 20m for development any local road.

### **4.2 Isolated Sites**

#### **Objectives**

- O1** To ensure that land adjoining a development site is not left sterilised or isolated so that it is incapable of being reasonably developed under the applicable controls.
- O2** To encourage the development of existing isolated sites in a manner that responds to the sites, context and constraints and maintains high levels of amenity for future occupants and neighbours.



## **Controls**

- C1** Council must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land with an area of less than 1,200m<sup>2</sup> and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

### **4.3 Private Open Space**

#### **Objectives**

- O1** To ensure that all residents have access to private and functional open space areas.
- O2** To ensure private open space is tailored to the type of dwelling or dwellings, and provides opportunities for active and passive recreation within the development.
- O3** To ensure private open space is designed to take advantage of environmental circumstances including solar access, views and prevailing breezes.
- O4** To promote the enjoyment of outdoor living.
- O5** To ensure private open space is located so that there is passive surveillance from main living areas of dwellings within the development.
- O6** To ensure new development is appropriately landscaped to provide a pleasant outlook and contribute to the amenity of a property.
- O7** To ensure all residents have access to consolidated, semi-private and functional communal open space.

#### **Controls**

##### **General Design**

- C1** Attached Dwellings and Multi Dwelling Housing must provide 40m<sup>2</sup> of private open space per dwelling.
- C2** Private open space must include an area 2.5m by 2.5m suitable for outdoor dining facilities.
- C3** Private open space must be located adjacent to the main living areas, such as a living room, dining room or kitchen.
- C4** The principal area of open space for each dwelling may comprise a combination of privacy-screens, sun-shading devices and landscaped areas.
- C5** Be designed to prevent direct overlooking from a public space, communal place or from neighbouring buildings.
- C6** Be designed to accommodate both recreation and service activities.
- C7** Include a suitably screened area for clothes drying facilities.
- C8** Be oriented to provide maximum exposure to midwinter daylight whilst optimising privacy.
- C9** On corner sites, private open space is permitted to be provided in the front setback area



for dwelling(s) facing the primary street frontage.

- C10** On corner sites, private open space is not permitted to be provided within the front setback areas, facing the secondary street

#### Ground Level Design

- C11** Private open space at ground level must be a minimum of 4m in any direction for attached dwellings and multi dwelling housing.
- C12** Private open space at ground level shall have a maximum gradient of 1:50.
- C13** Ensure that balconies, verandas or pergolas do not encroach upon any required deep soil area.

#### Balconies

- C14** Design and detail the balcony to take advantage of local climate and context.
- C15** Where practical face balconies predominantly north, east or west to optimise solar access.
- C16** Orient balconies towards views of local neighbourhoods, prominent open spaces and district city skylines.
- C17** Use sun screens, pergolas, shutters and operable walls to control sunlight and wind.
- C18** Consider operable screens, or operable walls/sliding doors with a balustrade where noise or high winds exclude completely open balconies.
- C19** Consider cantilevered, partially cantilevered or recessed balconies in response to requirements for daylight access, wind protection, acoustic and visual privacy.
- C20** Where practical, limit the depth of a balcony so that it does not prevent sunlight entering the apartment below.
- C21** Design balustrades to allow views and passive surveillance of the street while providing for safety and visual privacy. Use a proportion of solid to transparent materials to address sight lines from the street, public domain or adjacent development.
- C22** Use screening devices to obscure seated persons, clothes drying areas, bicycle storage or air conditioning units from public view.
- C23** Provide additional amenity and choice with a secondary balcony or operable wall with balustrades adjacent to bedrooms.

#### **4.4 Layout and Orientation**

##### **Objectives**

- O1** To encourage a more sustainable urban environment where energy efficiency is incorporated into the design, construction and use of buildings.
- O2** To reduce consumption of energy from non-renewable sources, and reduced greenhouse gas emissions.



### **Controls**

- C1** Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.
- C2** Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.
- C3** Coordinate design for natural ventilation with passive solar design techniques.
- C4** Site new development and private open space to avoid existing shadows cast from nearby buildings.
- C5** Site a building to take maximum benefit from cross-breezes and prevailing winds.
- C6** Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.

## **4.5 Height**

### **Objective**

- O1** To ensure that development is of a scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.

### **Controls**

- C1** Development for the purposes of multi dwelling housing must not exceed the following numerical requirements:
  - (a) Maximum height of one storey where the building is located more than 20m (in addition to the required front setback) or a distance of 65% of the total length of the allotment, as measured from the front boundary (whichever is the greater).
  - (b) Maximum height of two storeys except in locations stated in (a) above.
  - (c) Two (2) storey dwellings may be permitted at the rear of an allotment in R3 zones only where that part of the site faces an industrial development, a road, a railway line or an area of open space.
  - (d) Maximum external wall height of 3.8m where the one storey restriction applies.
  - (e) Maximum external wall height of 7m where two storeys are permitted and the height of buildings under the LEP is 8.5m.
- C2** Development for the purposes of attached dwellings must not exceed the following numerical requirements:
  - (a) Maximum of two (2) storeys and 7m maximum external wall height, where the height of buildings under the LEP is 8.5m.
  - (b) Maximum three (3) storeys and 10m maximum external wall height, where the height of buildings under the LEP is 11.5m.



### Basement and Sub-floor Projection

- C1** Any part of a basement or sub-floor area that projects greater than 1m above ground level comprises a storey.

### Attics and Roof Terraces

- C2** Attics and mezzanine floors do not comprise a storey.  
**C3** Roof top terraces are not acceptable on any building or outbuilding in any residential zone.

### Basement and Sub-floor

- C4** Attached dwelling development must not include basement or subfloor parking.  
**C5** Basement and sub-floor parking is suitable in the R4 High Density Residential Zone under the LEP for multi dwelling housing.  
**C6** The provision of basement parking for multi dwelling housing in the R3 Medium Residential Zone of the LEP may be considered where site constraints warrant and it can be demonstrated that there will be no adverse impacts on amenity, streetscape or public domain.  
**C7** Basement and sub-floor parking is only suitable where compliance with Chapter B1 Transport and Parking of this DCP can be demonstrated.  
**C8** Any part of a basement or sub-floor area that projects greater than 1m above ground level comprises a storey.

### Retaining Walls – Development Without Basement Parking

- C9** Walls that would enclose a sub-floor area:  
(a) Maximum 2m for steeply sloping land; and  
(b) Maximum 1m for all other land.  
**C10** Retaining walls that would be located along, or immediately adjacent to, any boundary:  
(a) Maximum 3m for steeply sloping land, but only to accommodate a garage that would be located at street level; and  
(b) Maximum 1m for all other land.

### Cut and fill – Development Without Basement Parking

- C11** Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.  
**C12** No limit to cut below ground level where it will be contained entirely within the exterior walls of a building, however, excavated area is not to accommodate any habitable room that would be located substantially below ground level.



- C13** Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.
- C14** If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports.

#### **4.6 Setbacks**

##### **Objectives**

- O1** To establish the desired spatial proportions of the street and define the street edge.
- O2** To limit the scale and bulk of development.
- O3** To contribute to the natural landscape by retaining adequate space for new trees and conserving existing visually prominent trees.
- O4** To provide sufficient separation between buildings and adjacent land to limit the visual, environmental and likely potential amenity impacts of new development.
- O5** To minimise stormwater run-off by retaining deep soil areas that facilitate rainwater infiltration.

##### **Controls**

- C1** Development, including basement and sub-floor areas, fronting a major road must have a minimum front setback of 9m.

##### **Setbacks in the R3 Zone**

- C2** Multi dwelling housing and attached dwelling development must comply with the minimum setbacks as follows:
- (a) A minimum setback of 6m from the front boundary.
  - (b) A minimum setback of 3m from the rear boundary where the building the subject of the setback, is single storey.
  - (c) Minimum 3m or 5m width of deep soil along the front and rear boundaries based on setback requirements.
  - (d) On corner lots a minimum of 5.5m from the longer street frontage.
- C3** Multi dwelling housing development must comply with the following side setbacks:
- (a) A minimum of setback of 1.5m from the side boundaries for dwellings that would be fronting the street or front setback.
  - (b) A minimum setback of 2.5m from the side boundaries for building that does not front the street or front setback.
  - (c) A minimum of 1m width of deep soil along side boundaries.





### Setbacks in the R4 Zone

- C4** Multi dwelling housing development must comply with the minimum setbacks as follows:
  - (a) A minimum setback of 6m from the front and rear boundary.
  - (b) A minimum setback of 4m from the side boundaries.
- C5** Attached dwelling development must have a 6m setback from front and rear boundaries.
- C6** A minimum 2m width of deep soil along side boundaries and minimum of 5m wide along front/rear boundaries must be provided in the setback areas.

### Exceptions and Other Requirements

- C7** External walls that enclose rooms, storage areas and/or garages are not to encroach beyond the specified setbacks.
- C8** Minimum setback of 1m from any side or rear boundary for swimming pools and associated terraces. Landscaping shall be provided in the setback area to screen the pool from neighbours.
- C9** Swimming pools must not be located within any front setback.
- C10** One garage or carport may be constructed with a nil rear setback for sites that adjoin a rear laneway. The garage or carport must not comprise more than 50% of the rear boundary frontage to a lane and not be wider than 6m.
- C11** For a residential building that does not have basement parking lightweight carports may extend beyond the required side boundary setback.
- C12** Car parking structures must satisfy BCA requirements.
- C13** For existing dwellings one single space carport may encroach beyond the minimum front setback, where it can be demonstrated that vehicular access cannot be provided behind the building line given that side driveway access is less than 2.7m. Carports must not be wider than 3m.
- C14** The following minor building elements may project up to 1m into the minimum side setback area:
  - (a) Roof eaves, awnings, pergolas and patios;
  - (b) Stair or ramp access to the ground floor;
  - (c) Rainwater tanks; and
  - (d) Terraces above basement parking that are no higher than 1m above ground level (except dwelling houses, semi-detached dwellings and dual occupancy).

## **4.7 Building Depth**

### **Objectives**

- O1** To promote improved levels of residential amenity for new and existing development, to preserve sunlight, privacy and general amenity for existing dwellings.
- O2** To ensure that development is of a scale that is visually compatible with adjacent buildings,



character of the area, and the objectives of the zone.

### **Controls**

- C1** Building depth must not exceed a maximum of 25m.
- C2** The building depth may be increased to 35m in the R4 Zone provided facades incorporate deep soil courtyards that are:
  - (a) Parallel to front or rear boundaries (or that have an orientation which is
  - (b) generally parallel to those boundaries) provided that the adjacent deep soil setbacks each accommodate at least three major canopy trees; or
  - (c) Parallel to side boundaries (or have an orientation that is generally parallel to side boundaries) provided that the facades will incorporate deep soil courtyards that each have a minimum area 6m by 6m and will each accommodate at least one major canopy tree.

## **4.8 Building Separation**

### **Objectives**

- O1** To ensure reasonable solar access and privacy is available to residents in new buildings and residents in existing buildings.
- O2** To ensure taller buildings provide greater separation to buildings on adjoining land facilitating spatial relationships that are proportional to the heights of buildings.

### **Controls**

- C1** Multi dwelling housing must provide a minimum 5m separation between buildings that are on one site (measured from the outer faces of the exterior wall of each building).
- C2** In the separation area:
  - (a) Deep soil or private open spaces are permitted as well as communal open space.
  - (b) Driveways, walkways and building lobbies are permitted (driveways should have planted verges at least 1m wide comprising canopy trees, along both sides).
  - (c) Garages, carports or outdoor parking are not permitted.

## **4.10 General Design**

### **Objectives**

- O1** To ensure that development is coordinated with, and complements, the public domain to enhance the character and the image of the streetscape.
- O2** To ensure that development provides good amenity for occupants of new and existing development, including reasonable solar access, privacy, and natural ventilation.



- O3** To ensure alterations and additions complement the architectural character of the existing building or is of a contemporary design that is appropriate in its context.
- O4** To facilitate positive interaction between the private and public domain.
- O5** To maximise passive surveillance to promote safety and security.
- O6** To encourage effective articulation of building design to reduce the appearance of scale, enhance visual interest and ensure a diversity of built form.
- O7** To ensure all elements of the façade and roof are integrated into the architectural form and detail of the building, and enhance streetscape appearance.

## **Controls**

### Contemporary Built Form

- C1** Contemporary architectural designs may be acceptable if:
  - (a) A heritage listing does not apply to the existing dwelling or to its immediate neighbours.
  - (b) The proposed addition is not visually prominent from the street or from a public space.
  - (c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP.
- C2** New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.
- C3** Access to upper storeys must not be via external stairs.
- C4** All dwellings must contain one kitchen and laundry facility.
- C5** Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).
- C6** Contemporary roof forms may be acceptable on additions at ground floor level if concealed substantially behind the existing dwelling, and not visible from the street or other public space.

### Building Entries

- C7** Entries to residential buildings must be clearly identifiable.
- C8** A minimum of one habitable room per dwelling must be oriented towards the street to promote positive social interaction and community safety.
- C9** Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures.
- C10** In multiple unit development, face at least one habitable room or private open space area towards a communal space, internal driveway or pedestrian way.
- C11** Ground level private terraces located within the front setback must be setback at least 1m from the street boundary to accommodate a landscape strip which should remain in communal ownership.



- C12** Landscaping of street setbacks should not include continuous visually-solid hedges that would block sight lines from dwellings or conceal intruders.
- C13** Screen walls around private open spaces shall not be taller than 1.2m, although screens with 50% transparency may be up to 1.8m in height.
- C14** The combined width of front fencing is not to occupy more than 50% of the frontage of the site.
- C15** Dwellings that face the street must have private entrances direct from the street footpath.

#### Facade Treatment

- C16** Development on corner lots must address both street frontages through facade treatment and articulation of elevations.
- C17** Use non-reflective materials, do not randomly mix light and dark coloured bricks, and treat publicly accessible wall surfaces with anti-graffiti coating.
- C18** Facade design should reflect the orientation of the site using elements such as sun shading devices, light shelves and bay windows.
- C19** Facades visible from the street should be designed as a series of articulating panels or elements.
- C20** The width of articulating panels should be consistent with the scale and rhythm characteristic of bungalows.
- C21** The width of articulating panels shall be in accordance with the numerical requirements below:

| Facade                       | Street Elevation | Side Elevation |
|------------------------------|------------------|----------------|
| Width of articulating panels | 4m to 6m         | 10m to 15m     |

Table C3.1: Width of articulating panels

- C22** Avoid long flat walls along street frontages - stagger the wall alignment with a step (not a fin wall of other protruding feature) of at least 0.5m for residential buildings.
- C23** Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.
- C24** Screen prominent corners with awnings, balconies, terraces or verandas that project at least 1 m from the general wall alignment.

#### Pavilions

- C25** The top storey of any two-storey dwelling should be designed as a series of connected pavilion elements.
- C26** Facades that exceed 25m in length shall be indented to create the appearance of multiple pavilion elements.



- C27** Pavilion elements shall have a depth between 10-15m.
- C28** Articulate upper storey pavilions with an additional side boundary setback, and identify by separate roofs.
- C29** Separate pavilion elements in multi dwelling housing by courtyards that are at least 6m wide.

#### Windows

- C30** Large windows should be located at the corners of a building and may be designed as projecting bay-windows.
- C31** Large windows should be screened with blinds, louvres, awnings or pergolas.
- C32** Windows must be rectangular.
- C33** Square, circle and semi-circle windows are acceptable in moderation.
- C34** Vertical proportioned window openings can include multi-panel windows or multi-panel doors.
- C35** Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.
- C36** Dormer windows on buildings in the residential zone do not appear as additional storey must comply with the following design requirements:
  - (a) Individual dormers are no wider than 1.5m in width;
  - (b) Provide a minimum 2.5m separation between dormers; and
  - (c) Dormers do not extend encroach above the ridgeline of the building.

#### Ventilation

- C37** Incorporate features to facilitate natural ventilation and convective currents - such as opening windows, high vents and grills, high level ventilation (ridge and roof vents) in conjunction with low-level air intake (windows or vents).
- C38** Where natural ventilation is not possible, energy efficient ventilation devices such as ceiling fans should be considered as an alternative to air conditioning. Explore innovative technologies to naturally ventilate internal building areas or rooms.

### **4.11 Roof Design and Features**

#### **Objectives**

- O1** To ensure that roof design is compatible with the building style and does not visually dominate the building or other roofs in the locality.
- O2** To promote roof design that assists in regulating climate within the building.
- O3** To reduce the impact of large surfaces of roof when viewed from other buildings and public spaces.



## Controls

- C1** Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.
- C2** Avoid complex roof forms with multiple gables, hips and valleys, or turrets.
- C3** Roof pitches are to be compatible and sympathetic to nearby buildings.
- C4** Parapet roofs that increase the height of exterior walls are to be minimised.
- C5** Use minor gables only to emphasise rooms or balconies that project from the body of a building.
- C6** Mansard roofs (or similar) are not permitted.
- C7** Pitched roofs should not exceed a pitch of 30 degrees.
- C8** Relate roof design to the desired built form and context.
- C9** Roofs with greater pitches will be considered on merit taking into account matters such as streetscape, heritage value and design integrity.
- C10** Relate roof design to the desired built form and context.

## 4.12 Dwelling Layout & Mix

### Objectives

- O1** To encourage high standards of amenity through appropriate dimensions and configurations of habitable rooms.
- O2** To ensure a variety of dwelling types are provided, capable of accommodating diverse housing needs.

### Controls

- C1** Design interiors to be capable of accommodating the range of furniture that is typical for the purpose of each room.
- C2** The primary living area and principal bedroom must have a minimum width of 3.5m.
- C3** Secondary bedrooms must have a minimum width of 3m.
- C4** Provide general storage in addition to bedroom wardrobes and kitchen cupboards.
- C5** The minimum amount of storage required is 6m<sup>3</sup> for one bedroom dwellings 8m<sup>3</sup> for two bedroom dwellings, or 10m<sup>3</sup> for dwellings with three or more bedrooms.
- C6** Stairwells should be designed to receive natural daylight and ventilation.



#### **4.13 Solar Access and Overshadowing**

##### **Objectives**

- O1** To ensure habitable rooms have reasonable daylight access.
- O2** To minimise overshadowing of primary living areas, private open space and solar roof top systems.
- O3** To enable occupants to adjust the quantity of daylight to suit their needs.

##### **Controls**

##### Solar Access to Proposed Development

- C1** Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.
- C2** Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.
- C3** Dwellings must comply with the following:
  - (a) At least one living room window and at least 50% or 35m<sup>2</sup> with minimum dimension of 2.5m (whichever is the lesser), of ground level private open space.
  - (b) Receives a minimum of 3 hours sunlight between 8:00 am and 4:00 pm on 21 June.
  - (c) Where existing overshadowing by buildings and fences is already greater than this, sunlight is not to be reduced by more than 20%.

##### Solar Access to Neighbouring Development

- C4** Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.
- C5** If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.
- C6** Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:
  - (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.If a system currently receives less than 3 hours sunlight, then proposed development must not reduce the existing level of sunlight.
- C7** Clothes drying areas on adjoining residential properties must receive a minimum of 2 hours of sunlight on 21 June.



### Shading Devices

- C8** Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.
- C9** Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.
- C10** Provide horizontal shading to north-facing windows and vertical shading to east or west windows.
- C11** Use moveable shading devices on large windows facing east and west, that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.
- C12** Avoid reducing internal natural daylight or interrupting views with shading devices.
- C13** Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.
- C14** Use high performance glass with a reflectivity below 20%.
- C15** Minimise external glare by avoiding reflective films and use of tint glass.

#### **4.14 Visual Privacy**

##### **Objectives**

- O1** To ensure reasonable levels of visual privacy is achieved for residents, inside a building and outside within the property, during the day and at night.
- O2** To ensure visual privacy is not compromised whilst maximising outlook and views from main living areas and private open space.
- O3** To promote passive surveillance of public and semi-public areas.

##### **Controls**

- C1** Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.
- C2** Minimise direct overlooking of rooms and private open space through the following:
  - (a) Provide adequate building separation, and rear and side setbacks; and
  - (b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.
- C3** If living room windows or private open spaces would directly overlook a neighbouring dwelling:
  - (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or
  - (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.
- C4** Screening of bedroom windows is optional and dimensions are not restricted.





#### **4.15 Acoustic Privacy**

##### **Objectives**

- O1** To ensure reasonable levels of acoustic privacy are available for residents, externally and internally, during the day and at night.
- O2** To minimise the effect of excessive ambient noise through siting and architectural design and detailing.
- O3** To minimise the impact of rail and road noise and vibration for dwelling occupants.
- O4** To protect new and existing dwellings from intrusive noise.

##### **Controls**

- C1** Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring living areas.
- C2** Bedroom windows in new dwellings that would be located at or close to ground level are to be raised above, or screened from, any shared pedestrian pathway.
- C3** Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.
- C4** Address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline (2008)' published by the NSW Department of Planning.

#### **4.16 Fences**

##### **Objectives**

- O1** To ensure that fences are integrated into the architectural form and detail of a building and present an appealing streetscape appearance.
- O2** To reduce the impact of large areas of fencing that detract from other buildings and fences in the area.
- O3** To facilitate positive interaction between private and public domain.

##### **Controls**

- C1** Provide boundary definition by construction of an open fence or low hedge to the front street boundary.
- C2** Front fences within the front boundary setback are to be no higher than 1.2m.
- C3** Side fences may be 1.8m high to the predominant building line. Forward of the building line, side fences must taper down to the height of the front fence at a height no greater than 1.2m.
- C4** On corner sites where the façade of a building presents to two street frontages, fences are to be no higher than 1.2m.



- C5** Screen walls around private open spaces shall not be taller than 1.2m, although screens with 50% transparency may be up to 1.8m in height.

#### **4.17 Building Services**

##### **Objectives**

- O1** To reduce impact of services and utilities through their integration with the design of landscaped areas and buildings.

##### **Controls**

- C1** All letterboxes be installed to meet Australia Post standards.
- C2** Design and provide discretely located mailboxes at the front of the property.
- C3** Integrate systems, services and utility areas (such as plant rooms, hydrants, equipment and the like) with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.
- C4** The location and design of substations must be shown on the plans.
- C5** Substations should be located underground. Where not possible, substations are to be integrated into the building design and concealed from public view.
- C6** Substations must not be located forward of the front building line.
- C7** Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.
- C8** Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.
- C9** Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site:
- (a) Screen air conditioning units behind balcony balustrades;
  - (b) Provide screened recesses for water heaters rather than surface- mounting them on exterior walls; and
  - (c) Locate meters in service cabinets.
- C10** Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.
- C11** Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.
- C12** Location and design of service areas should include:
- (a) Screening of clothes drying areas from public and semi-public places; and
  - (b) Space for storage that is screened or integrated with the building design.
- C13** Minimise visual impact of solar hot water systems by:
- (a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;



- (b) Using a colour that is consistent with the colour of roof materials;
- (c) Designing solar panels, where possible, as part of the roof;
- (d) Setting the solar panels back from the street frontage and position below the ridgeline; and
- (e) Separate the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).



## **SECTION 5—RESIDENTIAL FLAT BUILDINGS**

The controls are separated into the following sections:

- General Objectives
- Section 5.2 - SEPP 65 Applications - Three Storeys or Greater with Four or More Dwellings
- Section 5.3 Non SEPP 65 Applications

### **General Objectives**

- 01** To ensure all neighbourhoods are safe and comfortable.
- 02** To accommodate a mix of households in a diversity of well-designed dwellings that are sympathetic to the density and function of each neighbourhood.
- 03** To ensure residential streets and yards are green and leafy, with substantial tree canopy.
- 04** To ensure buildings are adequately separated to facilitate household activities and landscaping.
- 05** To ensure that development achieves good amenity, sunlight and privacy for occupants of new and existing buildings.
- 06** To ensure that development is of a high quality design, appearance and performance.



## SECTION 5.2 - SEPP 65 Applications

### Three Storeys or Greater with Four or More Dwellings

This section of the DCP provides controls for applications to which *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65) applies. SEPP 65 applies to residential flat buildings three storeys or greater with four or more Dwellings.

Note: The controls in Section 5.3 of this chapter apply to applications to which SEPP 65 does not apply.

#### 5.2.1 Minimum Lot Sizes and Frontage

##### Objectives

- O1** To ensure that land to be developed is of an adequate size and shape to accommodate development whilst providing adequate amenity for occupants of the site and surrounds.
- O2** To ensure there is adequate area for vehicle access and parking.
- O3** To ensure sites have sufficient dimensions to accommodate adequate landscaped open spaces.

##### Development Controls

- C1** Residential flat buildings must have a street frontage.
- C2** The minimum primary street frontage width for attached dwellings, multi dwelling housing and residential flat buildings up to 3 storeys is:
  - (c) 27m for development along major roads; or
  - (c) 20m for development along any local road.
- C3** The minimum primary street frontage width for residential flat buildings 4 storeys or greater is 30m.

#### 5.2.2 Isolated Sites

##### Objectives

- O1** To ensure that land adjoining a development site is not left sterilised or isolated so that it is incapable of being reasonably developed under the applicable controls.
- O2** To encourage the development of existing isolated sites in a manner that responds to the sites, context and constraints and maintains high levels of amenity for future occupants and neighbours.



## **Development Controls**

- C1** Council must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land with an area of less than 1,200m<sup>2</sup> and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

### **5.2.3 Open Space**

#### **Objectives**

- O1** To ensure dwellings provide appropriate sized balconies to enhance residential amenity.
- O2** To ensure primary balconies are appropriately located to enhance liveability for residents.
- O3** To ensure balcony design is integrated into and contributes to the overall architectural form and detail of the building.
- O4** To ensure private balconies and communal open space are designed to maximise safety.
- O5** To ensure an adequate area of communal open space is provide to enhance residential amenity and to provide opportunities for landscaping.
- O6** To ensure communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.
- O7** To ensure open space is designed to maximise safety.

#### **Development Controls**

##### Balconies

- C1** Section 6A of SEPP 65 states that a DCP cannot be inconsistent with the provisions of the ADG made under that SEPP in relation to balconies and developments to which the SEPP relates. The ADG therefore sets the objectives and controls for balconies in the LGA for residential flat buildings to which SEPP 65 relates. Refer to the objectives, design criteria and design guidance outlined in 4E Private Open Space and Balconies of the ADG.

##### Communal Open Space

- C2** Residential flat buildings must provide communal open space areas equivalent to at least 25% of the open space on a site that is created by the required setbacks and building separations.
- C3** Communal open space may be provided on podiums, terraces, or in any deep-soil setback or separation between buildings in residential flat buildings.
- C4** At least one side must have a minimum 6m length for each area of communal open space.



- C5** Consolidate communal open space into recognisable areas with reasonable area, facilities and landscape for the uses it will accommodate, and design to generate a variety of visible pedestrian activity.
- C6** Consolidate communal open space into recognisable areas with reasonable area, facilities and landscape for the uses it will accommodate, and design to generate a variety of visible pedestrian activity.
- C7** Provide communal open space in locations that are sunny, and are adjacent to, as well as visible from, the main building lobby.
- C8** Provide windows that overlook communal open space and approaches to the building to generate a variety of visible pedestrian activity in the main building lobby.
- C9** Screen walls surrounding any communal area are no higher than 1.2m, although screens with 50% transparency may be up to 1.8m high.

#### **5.2.4 Layout and Orientation**

##### **Objectives**

- O1** To encourage a more sustainable urban environment where energy efficiency is incorporated into the design, construction and use of buildings.
- O2** To reduce consumption of energy from non-renewable sources, and reduced greenhouse gas emissions.

##### **Development Controls**

- C1** Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.
- C2** Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.
- C3** Coordinate design for natural ventilation with passive solar design techniques.
- C4** Site new development and private open space to avoid existing shadows cast from nearby buildings.
- C5** Site a building to take maximum benefit from cross-breezes and prevailing winds.
- C6** Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.



### 5.2.6 Height

#### Objective

- O1** To ensure that development is of a scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.

#### Development Controls

##### Height

- C1** Development for the purposes of residential flat buildings must not exceed the following numerical requirements:
- (a) Maximum three storeys and 10m maximum external wall height, where the height of buildings under the LEP is 11.5m.

##### Basement and Sub-floor Projection

- C2** Any part of a basement or sub-floor area that projects greater than 1m above ground level comprises a storey.

##### Attics and Roof Terraces

- C3** Attics and mezzanine floors do not comprise a storey.

##### Basement and Sub-floor

- C4** Basement parking may be suitable for residential flat buildings provided that compliance with Chapter B1 Transport and Parking of this DCP can be demonstrated.

##### Retaining Walls – Development Without Basement Parking

- C5** Walls that would enclose a sub-floor area:
- (a) Maximum 2m height for steeply sloping land; and
  - (b) Maximum 1m height for all other land.
- C6** Retaining walls that would be located along, or immediately adjacent to, any boundary:
- (a) Maximum 3m height for steeply sloping land, but only to accommodate a garage that would be located at street level; and
  - (b) Maximum 1m height for all other land.





### Cut and fill – Development Without Basement Parking

- C7** Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.
- C8** No limit to cut below ground level where it will be contained entirely within the exterior walls of a building, however, excavated area is not to accommodate any habitable room that would be located substantially below ground level.
- C9** Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.
- C10** If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports.

### **5.2.7 Setbacks**

#### **Objectives**

- O1** To establish the desired spatial proportions of the street and define the street edge.
- O2** To limit the scale and bulk of development by retaining landscaped open space around.
- O3** To contribute to the natural landscape by retaining adequate space for new trees and conserving existing visually prominent trees.
- O4** To provide sufficient separation between buildings and adjacent land to limit the visual, environmental and likely potential amenity impacts of new development.
- O5** To minimise stormwater run-off by retaining deep soil areas that facilitate rainwater infiltration.

#### **Development Controls**

##### Front, Side and Rear

- C1** Development, including basement and sub-floor areas, fronting a major road must have a minimum front setback of 9m.
- C2** Development must comply with the minimum setbacks as follows:
  - (a) A minimum setback of 6m from the front and rear boundary.
  - (b) A minimum setback of 4m from the side boundaries.
  - (c) All buildings shall provide a building form comprising a podium base element and an upper element which provides an additional setback in accordance with the table below:

| Total Number of Storeys | Podium Base Element | Upper Storey Elements |
|-------------------------|---------------------|-----------------------|
| 4 storey                | 3 storey            | 1 storey              |
| 5 storey                | 3 storey            | 2 storey              |
| 6 storey                | 4 storey            | 2 storey              |

Table C4.3: Upper Storey Setbacks



- C3** A minimum width of deep soil along side boundaries of 2m and minimum of 5m wide along front/rear boundaries.

#### Exceptions and Other Requirements

- C4** External walls that enclose rooms, storage areas and/or garages are not to encroach beyond the specified setbacks.
- C5** Minimum setback of 1m from any side or rear boundary for swimming pools and associated terraces. Landscaping shall be provided in the setback area to screen the pool from neighbours.
- C6** Swimming pools must not be located within any front setback.
- C7** One garage or carport may be constructed with a nil rear setback for sites that adjoin a rear laneway. The garage or carport must not comprise more than 50% of the rear boundary frontage to a lane and not be wider than 6m.
- C8** For a residential building that does not have basement parking lightweight carports may extend beyond the required side boundary setback.
- C9** Car parking structures must satisfy BCA requirements.
- C10** The following minor building elements may project up to 1m into the minimum side setback area:
- (a) Roof eaves, awnings, pergolas and patios;
  - (b) Stair or ramp access to the ground floor;
  - (c) Rainwater tanks; and
  - (d) Terraces above basement parking that are no higher than 1m above ground level (except dwelling houses, semi-detached dwellings and dual occupancy).

### **5.2.8 Building Depth**

#### **Objectives**

- O1** To promote improved levels of residential amenity for new and existing development, to preserve sunlight, privacy and general amenity for existing dwellings.
- O2** To ensure that development is of a scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.

#### **Development Controls**

- C1** Building depth must not exceed a maximum of 25m.
- C2** The building depth may be increased to 35m in the R4 Zone provided facades incorporate deep soil courtyards that are:
- (a) Parallel to front or rear boundaries (or that have an orientation which is generally parallel to those boundaries) provided that the adjacent deep soil setbacks each accommodate at least three major canopy trees; or
  - (b) Parallel to side boundaries (or have an orientation that is generally parallel to side boundaries) provided that the facades will incorporate deep soil courtyards that each have a minimum area 6m by 6m and will each accommodate at least one



major canopy tree.

#### **5.2.9 Building Separation**

- C1** Section 6A of SEPP 65 states that a DCP cannot be inconsistent with the provisions of the ADG made under that SEPP in relation to visual privacy (building separation) to which the SEPP relates. The ADG therefore sets the objectives and controls for building separation in the LGA for residential flat buildings to which SEPP 65 relates. Refer to 3F Visual Privacy of the ADG for objectives, design criteria and design guidance.

#### **5.2.10 Floor To Ceiling Heights**

- C1** Refer to 4C Ceiling Heights of the ADG made under SEPP 65 for objectives, design criteria and design guidance in relation to minimum ceiling heights.

#### **5.2.11 General Design**

##### **Objectives**

- O1** To ensure that development is coordinated with, and complements, the public domain to enhance the character and the image of the streetscape.
- O2** To ensure that development provides good amenity for occupants of new and existing development, including reasonable solar access, privacy, and natural ventilation.
- O3** To ensure alterations and additions complement the architectural character of the existing building or is of a contemporary design that is appropriate in its context.
- O4** To facilitate positive interaction between the private and public domain.
- O5** To maximise passive surveillance to promote safety and security.
- O6** To encourage effective articulation of building design to reduce the appearance of scale, enhance visual interest and ensure a diversity of built form.
- O7** To ensure all elements of the façade and roof are integrated into the architectural form and detail of the building, and enhance streetscape appearance.

##### **Development Controls**

##### Contemporary Built Form

- C1** Contemporary architectural designs may be acceptable if:
- (a) A heritage listing does not apply to the existing dwelling or to its immediate neighbours.
  - (b) The proposed addition is not visually prominent from the street or from a public space.



(c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP.

- C2** New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.
- C3** Access to upper storeys must not be via external stairs.
- C4** All dwellings must contain one kitchen and laundry facility.
- C5** Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).
- C6** Contemporary roof forms may be acceptable on additions at ground floor level if concealed substantially behind the existing dwelling, and not visible from the street or other public space.

#### Building Entries

- C7** Entries to residential buildings must be clearly identifiable.
- C8** Provide the main common entry and separate private ground floor apartment entries where it is desirable to activate the street edge or reinforce a rhythm along the street.
- C9** A minimum of one habitable room per dwelling must be oriented towards the street to promote positive social interaction and community safety.
- C10** Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures.
- C11** Ground level private terraces located within the front setback must be setback at least 1m from the street boundary to accommodate a landscape strip which should remain in communal ownership.
- C12** Private open spaces accessed from the street must be clearly articulated.

#### Facade Treatment

- C13** Development on corner lots must address both street frontages through façade treatment and articulation of elevations.
- C14** Facade design should reflect the orientation of the site using elements such as sun shading devices, light shelves and bay windows.
- C15** Facades visible from the street should be designed as a series of articulating panels.
- C16** Width of articulating panels should be consistent with the scale and rhythm characteristic of bungalows.
- C17** The width of articulating panels shall be in accordance with the numerical requirements below:



| Development Type                                       | Street Elevation Facades | Side Elevation Facades |
|--|--------------------------|------------------------|
| Residential Flat Buildings up to three (3) storeys     | 4m to 6m                 | 10m to 15m             |
| Residential Flat Buildings four (4) storeys or greater | 6m to 8m                 | 10m to 15m             |

Table C4.1: Articulating panels numerical requirements

- C18** Avoid long flat walls along street frontages - stagger the wall alignment with a step (not a fin wall of other protruding feature) of at least 0.5m for residential buildings.
- C19** Vary the height of modules so they are not read as a continuous line on any one street between 2 - 4 storeys, step-back to the middle component and again at the top.
- C20** Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.
- C21** Screen prominent corners with awnings, balconies, terraces or verandas that project at least 1 m from the general wall alignment.
- C22** For residential flat buildings, layer and step facades in order to avoid building forms that are bland, bulky or over scaled by:
  - (a) Complying with base and upper element setback controls; and
  - (b) Incorporating balconies, staggered alignments for exterior walls and through contrasting design elements.

### Pavilions

- C23** The top storey of any two-storey dwelling should be designed as a series of connected pavilion elements to minimise scale and bulk.
- C24** Facades that exceed 25m in length shall be indented to create the appearance of multiple pavilion elements.
- C25** Pavilion elements shall have a depth between 10-15m.
- C26** Articulate upper storey pavilions with an additional side boundary setback, and identify by separate roofs.
- C27** Residential flat buildings up to three (3) storeys facades that would be wider than 25m should be indented so that the new building would appear like a cluster of pavilion elements:
  - (a) Width of each pavilion should be between 10-12m
  - (b) Pavilion elements should be separated by courtyards that are less than 6m wide.
- C28** Residential flat buildings four (4) or more storeys:
  - (a) Facades should be layered and stepped in order to avoid building forms that are bland, bulky and over scaled.



- (b) Layering of facades should incorporate the base and upper storey elements.
- (c) Layering of facades should incorporate the base and upper storey elements.
- (d) Stepping of facades should be provided by balconies, staggered alignments for exterior walls and by contrasting design elements.

### Windows

- C29** Large windows should be located at the corners of a building and may be designed as projecting bay-windows.
- C30** Large windows should be screened with blinds, louvres, awnings or pergolas.
- C31** Windows must be rectangular.
- C32** Square, circle and semi-circle windows are acceptable in moderation.
- C33** Vertical proportioned window openings can include multi-panel windows or multi-panel doors.
- C34** Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.
- C35** Dormer windows on buildings in the residential zone do not appear as additional storey must comply with the following design requirements:
  - (a) Individual dormers are no wider than 1.5m in width;
  - (b) Provide a minimum 2.5m separation between dormers; and
  - (c) Dormers do not extend encroach above the ridgeline of the building.

## **5.2.12 Roof Design and Features**

### **Objectives**

- O1** To ensure that roof design is compatible with the building style and does not visually dominate the building or other roofs in the locality.
- O2** To promote roof design that assists in regulating climate within the building.
- O3** To reduce the impact of large surfaces of roof when viewed from other buildings and public spaces.

### **Development Controls**

#### Building three storeys or less

- C1** Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.
- C2** Avoid complex roof forms with multiple gables, hips and valleys, or turrets.
- C3** Roof pitches are to be compatible and sympathetic to nearby buildings.
- C4** Parapet roofs that increase the height of exterior walls are to be minimised.



- C5** Use minor gables only to emphasise rooms or balconies that project from the body of a building.
- C6** Mansard roofs (or similar) are not permitted.
- C7** Pitched roofs should not exceed a pitch of 30 degrees.
- C8** Relate roof design to the desired built form and context.
- C9** Roofs with greater pitches will be considered on merit taking into account matters such as streetscape, heritage value and design integrity.
- C10** Relate roof design to the desired built form and context.

#### Building four storeys or greater

- C11** Roofs must not exceed a pitch of 10 degrees.
- C12** Emphasise building articulation with the shape and alignment of the roof.
- C13** Emphasise corner apartments or prominent balcony structures with raised roof elements.
- C14** Relate roof design to the size and scale of the building, the building elevations and three dimensional building forms – including the design of any parapet or terminating elements, and the selection of roof materials.
- C15** Respond to the orientation of the site, for example, by using eaves and skillion roofs to respond to sun access.
- C16** Integrate service elements into the design of the roof - including lift over-runs, service plant, chimneys, vent stacks, telecommunication infrastructure, gutters, downpipes and signage.

#### **5.2.14 Solar Access and Overshadowing**

Section 6A of SEPP 65 states that a DCP cannot be inconsistent with the provisions of the ADG made under that SEPP in relation to solar and daylight access (solar access and overshadowing in this DCP) and development to which the SEPP relates. The ADG therefore sets the objectives and controls for solar access and overshadowing in the LGA for residential flat buildings to which SEPP 65 relates. Refer to 4A Solar and Daylight Access of the ADG for objectives, design criteria and design guidance.

Refer to an additional control below regarding common circulation areas including lift wells.

#### **Objectives**

- O1** To ensure habitable areas have reasonable daylight access.
- O2** To minimise overshadowing of primary living areas, private open space and solar roof top systems.



### **Development Controls**

- C1** Daylight is to be provided to all common circulation areas (including lift wells) that are above ground.

### **Solar Access to Neighbouring Development**

- C2** Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.
- C3** If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.
- C4** Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:
- (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.
  - (b) If a system currently receives less than 3 hours sunlight, then proposed development must not reduce the existing level of sunlight.
- C5** Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.

### **5.2.15 Acoustic Privacy**

#### **Objectives**

- O1** To ensure reasonable levels of acoustic privacy are available for residents, externally and internally, during the day and at night.
- O2** To minimise the effect of excessive ambient noise through siting and architectural design and detailing.
- O3** To minimise the impact of rail and road noise and vibration for dwelling occupants.
- O4** To protect new and existing dwellings from intrusive noise.

#### **Development Controls**

- C1** Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring living areas.
- C2** Above ground access to new dwellings must not include communal balconies that would be located immediately next to a bedroom window.
- C3** Bedroom windows in new dwellings that would be located at or close to ground level are to be raised above, or screened from, any shared pedestrian pathway.





- C4** Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.
- C5** Address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline (2008)' published by the NSW Department of Planning.

#### **5.2.15 Fences**

##### **Objectives**

- O1** To ensure that fences are integrated into the architectural form and detail of a building and present an appealing streetscape appearance.
- O2** To reduce the impact of large areas of fencing that detract from other buildings and fences in the area.
- O3** To facilitate positive interaction between private and public domain.

##### **Development Controls**

- C1** Provide boundary definition by construction of an open fence or low hedge to the front street boundary.
- C2** Front fences within the front boundary setback are to be no higher than 1.2m.
- C3** Side fences may be 1.8m high to the predominant building line. Forward of the building line, side fences must taper down to the height of the front fence at a height no greater than 1.2m.
- C4** On corner sites where the façade of a building presents to two street frontages, fences are to be no higher than 1.2m.
- C5** Screen walls around private open spaces shall not be taller than 1.2m, although screens with 50% transparency may be up to 1.8m in height.

#### **5.2.16 Building Services**

##### **Objectives**

- O1** To reduce impact of services and utilities through their integration with the design of landscaped areas and buildings.

##### **Development Controls**

- C1** All letterboxes be installed to meet Australia Post standards.
- C2** Design and provide discretely located mailboxes at the front of the property.
- C3** Integrate systems, services and utility areas (such as plant rooms, hydrants, equipments and the like) with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.
- C4** Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.



- C5** The location and design of substations must be shown on the plans.
- C6** Substations should be located underground. Where not possible, substations are to be integrated into the building design and concealed from public view.
- C7** Substations must not be located forward of the front building line.
- C8** Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.
- C9** Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site:
  - (a) Screen air conditioning units behind balcony balustrades;
  - (b) Provide screened recesses for water heaters rather than surface- mounting them on exterior walls; and
  - (c) Locate meters in service cabinets.
- C10** Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.
- C11** Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.
- C12** Location and design of service areas should include:
  - (a) Screening of clothes drying areas from public and semi-public places; and
  - (b) Space for storage that is screened or integrated with the building design.
- C13** Minimise visual impact of solar hot water systems by:
  - (a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;
  - (b) Using a colour that is consistent with the colour of roof materials;
  - (c) Designing solar panels, where possible, as part of the roof;
  - (d) Setting the solar panels back from the street frontage and position below the ridgeline; and
  - (e) Separate the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).

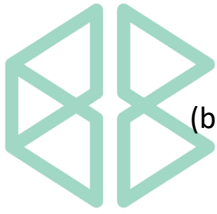
#### **5.2.17 Parking and Access**

##### **Development Controls**

- C1** A development must have regard to the objectives, design criteria and design guidance of the Apartment Design Guide (ADG) under *State Environmental Planning Policy No. 65 – Quality of Residential Apartment Development* (SEPP). Under clause 30 of the SEPP, a development application cannot be refused based on car parking if the development complies with the minimum amount of car parking specified in Part 3J of the ADG.

Under Part 3J of the ADG:

- (a) The minimum amount of car parking for residents and visitors for the shop top housing component of a development on sites that are within 800 metres of a



(b) railway station, is set out in the Roads and Maritime's Guide to Traffic Generating Developments, or the car parking requirement prescribed in Section B1.3 of this DCP, whichever is the lesser.

(c) The minimum amount of car parking for residents and visitors for shop top housing component of a development on sites located further than 800m from a railway station is as per Section B1.3 of this DCP.

**C2** The minimum amount of car parking required under Part 3J is reiterated above as it was included in the ADG at the time that this DCP came into effect. Applicants are requested to review the ADG on the Department of Planning and Environment's website to confirm the minimum amount of car parking required in the ADG. Applicants are also requested to refer to the Guide for Traffic Generating Developments as provided on the Roads and Maritime's website.

**C3** Refer to the controls in this section of the DCP for engineering and technical requirements in relation to transport and parking.



### **SECTION 5.3 NON SEPP 65 APPLICATIONS**

This section of the DCP provides controls for applications to which *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65) does not apply.

Note: SEPP 65 applies to residential flat buildings three storeys or greater with four or more Dwellings. The controls in C4.2 of this chapter apply to SEPP 65 applications.

#### **5.3.1 Minimum Lot Sizes and Frontage**

##### **Objectives**

- O1** To ensure that land to be developed is of an adequate size and shape to accommodate development whilst providing adequate amenity for occupants of the site and surrounds.
- O2** To ensure there is adequate area for vehicle access and parking.
- O3** To ensure sites have sufficient dimensions to accommodate adequate landscaped open spaces.

##### **Development Controls**

- C1** Residential flat buildings must have a street frontage.
- C2** The minimum primary street frontage width for attached dwellings, multi dwelling housing and residential flat buildings up to 3 storeys is:
  - (a) 27m for development along major roads; or
  - (b) 20m for development along any local road.
- C3** The minimum primary street frontage width for residential flat buildings 4 storeys or greater is 30m.

#### **5.3.2 Isolated Sites**

##### **Objectives**

- O1** To ensure that land adjoining a development site is not left sterilised or isolated so that it is incapable of being reasonably developed under the applicable controls.
- O2** To encourage the development of existing isolated sites in a manner that responds to the sites, context and constraints and maintains high levels of amenity for future occupants and neighbours.

##### **Development Controls**

- C1** Council must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land



with an area of less than 1,200m<sup>2</sup> and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

### **5.3.3 Open Space**

#### **Objectives**

- O1** To ensure that all residents have access to private and functional open space areas.
- O2** To ensure private open space is tailored to the type of dwelling or dwellings, and provides opportunities for active and passive recreation within the development.
- O3** To ensure private open space is designed to take advantage of environmental circumstances including solar access, views and prevailing breezes.
- O4** To promote the enjoyment of outdoor living.
- O5** To ensure private open space is located so that there is passive surveillance from main living areas of dwellings within the development.
- O6** To ensure new development is appropriately landscaped to provide a pleasant outlook and contribute to the amenity of a property.
- O7** To ensure all residents have access to consolidated, semi-private and functional communal open space.

#### **Development Controls**

##### General Design

- C1** Provide one or more balconies, or terraces, to each dwelling, that have a combined area of at least:
  - (a) For one bedroom dwellings – 9m<sup>2</sup>
  - (b) For two bedroom dwellings – 12m<sup>2</sup>
  - (c) For dwellings with three or more bedrooms – 16m<sup>2</sup>
- C2** Provide communal areas equivalent to at least 15% of the open space on a site that is created by the required setbacks and building separations.
- C3** Private open space must include an area 2.5m by 2.5m suitable for outdoor dining facilities.
- C4** Private open space must be located adjacent to the main living areas, such as a living room, dining room or kitchen.
- C5** The principal area of open space for each dwelling may comprise a combination of privacy-screens, sun-shading devices and landscaped areas.
- C6** Be designed to prevent direct overlooking from a public space, communal place or from neighbouring buildings.
- C7** Be designed to accommodate both recreation and service activities.



- C8** Include a suitably screened area for clothes drying facilities.
- C9** Be oriented to provide maximum exposure to midwinter daylight whilst optimising privacy.

#### Ground Level Design

- C10** Private open space at ground level shall have a maximum gradient of 1:50.
- C11** Ensure that balconies, verandas or pergolas do not encroach upon any required deep soil area.

#### Balconies

- C12** Design and detail the balcony to take advantage of local climate and context.
- C13** Where practical face balconies predominantly north, east or west to optimise solar access.
- C14** Orient balconies towards views of local neighbourhoods, prominent open spaces and district city skylines.
- C15** Use sun screens, pergolas, shutters and operable walls to control sunlight and wind.
- C16** Consider operable screens, or operable walls/sliding doors with a balustrade where noise or high winds exclude completely open balconies.
- C17** Consider cantilevered, partially cantilevered or recessed balconies in response to requirements for daylight access, wind protection, acoustic and visual privacy.
- C18** Where practical, limit the depth of a balcony so that it does not prevent sunlight entering the apartment below.
- C19** Design balustrades to allow views and passive surveillance of the street while providing for safety and visual privacy. Use a proportion of solid to transparent materials to address sight lines from the street, public domain or adjacent development.
- C20** Use screening devices to obscure seated persons, clothes drying areas, bicycle storage or air conditioning units from public view.
- C21** Provide additional amenity and choice with a secondary balcony or operable wall with balustrades adjacent to bedrooms.

#### Communal Open Space

- C22** Residential flat buildings must provide communal open space areas equivalent to at least 15% of the open space on a site that is created by the required setbacks and building separations.
- C23** Communal open space may be provided on podiums, terraces or in any deep-soil setback or separation between buildings in residential flat buildings.
- C24** At least one side must have a minimum 6m length for each area of communal open space.
- C25** Consolidate communal open space into recognisable areas with reasonable area,



facilities and landscape for the uses it will accommodate, and design to generate a variety of visible pedestrian activity.

- C26** Consolidate communal open space into recognisable areas with reasonable area, facilities and landscape for the uses it will accommodate, and design to generate a variety of visible pedestrian activity.
- C27** Provide communal open space in locations that are sunny, and are adjacent to, as well as visible from, the main building lobby.
- C28** Provide windows that overlook communal open space and approaches to the building to generate a variety of visible pedestrian activity in the main building lobby.
- C29** Screen walls surrounding any communal area are no higher than 1.2m, although screens with 50% transparency may be up to 1.8m high.

#### **5.3.4 Layout and Orientation**

##### **Objectives**

- O1** To encourage a more sustainable urban environment where energy efficiency is incorporated into the design, construction and use of buildings.
- O2** To reduce consumption of energy from non-renewable sources, and reduced greenhouse gas emissions.

##### **Development Controls**

- C1** Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.
- C2** Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.
- C3** Coordinate design for natural ventilation with passive solar design techniques.
- C4** Site new development and private open space to avoid existing shadows cast from nearby buildings.
- C5** Site a building to take maximum benefit from cross-breezes and prevailing winds.
- C6** Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.

#### **5.3.5 Height**

##### **Objective**

- O1** To ensure that development is of a scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.



## Development Controls

### Height

- C1** Development for the purposes of residential flat buildings must not exceed the following numerical requirements:
- (a) Maximum of two-storeys and 7m maximum external wall height, where the height of buildings under the LEP is 8.5m.
  - (b) Maximum three storeys and 10m maximum external wall height, where the height of buildings under the LEP is 11.5m.

### Basement and Sub-floor Projection

- C2** Any part of a basement or sub-floor area that projects greater than 1m above ground level comprises a storey.

### Attics and Roof Terraces

- C3** Attics and mezzanine floors do not comprise a storey.
- C4** Roof top terraces are not acceptable on any building or outbuilding in any residential zone.

### Basement and Sub-floor

- C5** Basement parking may be suitable for residential flat buildings provided that compliance with Chapter B1 Transport and Parking of this DCP can be demonstrated.

### Retaining Walls – Development Without Basement Parking

- C6** Walls that would enclose a sub-floor area:
- (a) Maximum 2m for steeply sloping land; and
  - (b) Maximum 1m for all other land.
- C7** Retaining walls that would be located along, or immediately adjacent to, any boundary:
- (a) Maximum 3m for steeply sloping land, but only to accommodate a garage that would be located at street level; and
  - (b) Maximum 1m for all other land.

### Cut and fill – Development Without Basement Parking

- C8** Maximum 1m cut below ground level where it will extend beyond an exterior wall of the building.





- C9** No limit to cut below ground level where it will be contained entirely within the exterior walls of a building, however, excavated area is not to accommodate any habitable room that would be located substantially below ground level.
- C10** Maximum 600mm fill above ground level where it would extend beyond an exterior wall of a building.
- C11** If proposed cut and fill, or a retaining wall, would be deeper or higher than 1m, structural viability must be confirmed by suitably qualified engineers' reports.

### 5.3.6 Setbacks

#### Objectives

- O1** To establish the desired spatial proportions of the street and define the street edge.
- O2** To limit the scale and bulk of development by retaining landscaped open space around.
- O3** To contribute to the natural landscape by retaining adequate space for new trees and conserving existing visually prominent trees.
- O4** To provide sufficient separation between buildings and adjacent land to limit the visual, environmental and likely potential amenity impacts of new development.
- O5** To minimise stormwater run-off by retaining deep soil areas that facilitate rainwater infiltration.

#### Development Controls

##### Front, Side and Rear

- C1** Development, including basement and sub-floor areas, fronting a major road must have a minimum front setback of 9m.
- C2** Development must comply with the minimum setbacks as follows:
  - (a) A minimum setback of 6m from the front and rear boundary.
  - (b) A minimum setback of 4m from the side boundaries.
  - (c) All buildings shall provide a building form comprising a podium base element and an upper element which provides an additional setback in accordance with the table below:

| Total Number of Storeys | Podium Base Element | Upper Storey Elements |
|-------------------------|---------------------|-----------------------|
| 4 storey                | 3 storey            | 1 storey              |
| 5 storey                | 3 storey            | 2 storey              |
| 6 storey                | 4 storey            | 2 storey              |

Table C4.3: Upper Storey Setbacks

- C3** A minimum width of deep soil alongside boundaries and minimum of 5m wide along



front/rear boundaries.

#### Exceptions and Other Requirements

- C4** External walls that enclose rooms, storage areas and/or garages are not to encroach beyond the specified setbacks.
- C5** Minimum setback of 1m from any side or rear boundary for swimming pools and associated terraces. Landscaping shall be provided in the setback area to screen the pool from neighbours.
- C6** Swimming pools must not be located within any front setback.
- C8** One garage or carport may be constructed with a nil rear setback for sites that adjoin a rear laneway. The garage or carport must not comprise more than 50% of the rear boundary frontage to a lane and not be wider than 6m.
- C9** For a residential building that does not have basement parking lightweight carports may extend beyond the required side boundary setback.
- C10** Car parking structures must satisfy BCA requirements.
- C11** For existing dwellings one single space carport may encroach beyond the minimum front setback, where it can be demonstrated that vehicular access cannot be provided behind the building line given that side driveway access is less than 2.7m. Carports must not be wider than 3m.
- C12** The following minor building elements may project up to 1m into the minimum side setback area:
  - (a) Roof eaves, awnings, pergolas and patios;
  - (b) Stair or ramp access to the ground floor;
  - (c) Rainwater tanks; and
  - (d) Terraces above basement parking that are no higher than 1m above ground level (except dwelling houses, semi-detached dwellings and dual occupancy).

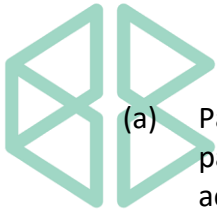
#### **5.3.7 Building Depth**

##### **Objectives**

- O1** To promote improved levels of residential amenity for new and existing development, to preserve sunlight, privacy and general amenity for existing dwellings.
- O2** To ensure that development is of a scale that is visually compatible with adjacent buildings, character of the area, and the objectives of the zone.

##### **Development Controls**

- C1** Building depth must not exceed a maximum of 25m.
- C2** The building depth may be increased to 35m in the R4 Zone provided facades incorporate deep soil courtyards that are:



- (a) Parallel to front or rear boundaries (or that have an orientation which is generally parallel to those boundaries) provided that the adjacent deep soil setbacks each accommodate at least three major canopy trees; or
- (b) Parallel to side boundaries (or have an orientation that is generally parallel to side boundaries) provided that the facades will incorporate deep soil courtyards that each have a minimum area 6m by 6m and will each accommodate at least one major canopy tree.

### 5.3.8 Building Separation

#### Objectives

- O1** To ensure reasonable solar access and privacy is available to residents in new buildings and residents in existing buildings.
- O2** To ensure taller buildings provide greater separation to buildings on adjoining land facilitating spatial relationships that are proportional to the heights of buildings.

#### Development Controls

- C1** Minimum 6 m between buildings on one lot.
- C2** Less than five storeys - at least 12m between windows and/or balconies so as to provide a 6m setback from the boundary to the building.
- C3** Five or six storeys - at least 18m between windows and/or balconies.
- C4** Setback unscreened windows facing side or rear boundaries, at least half of the separation distance that is specified above.
- C5** In the separation area:
  - (a) Deep soil or private open spaces are permitted in the separation area as well as communal open space.
  - (b) Driveways, walkways and building lobbies are permitted driveways should have planted verges at least 1m wide comprising canopy trees, along both sides.
  - (c) Garages, carports or outdoor parking are not permitted.

### 5.3.9 Building Design

#### Objectives

- O1** To ensure that development is coordinated with, and complements, the public domain to enhance the character and the image of the streetscape.
- O2** To ensure that development provides good amenity for occupants of new and existing development, including reasonable solar access, privacy, and natural ventilation.
- O3** To ensure alterations and additions complement the architectural character of the existing building or is of a contemporary design that is appropriate in its context.
- O4** To facilitate positive interaction between the private and public domain.
- O5** To maximise passive surveillance to promote safety and security.
- O6** To encourage effective articulation of building design to reduce the appearance of scale, enhance visual interest and ensure a diversity of built form.



- 07** To ensure all elements of the façade and roof are integrated into the architectural form and detail of the building, and enhance streetscape appearance.

## **Development Controls**

### Contemporary Built Form

- C1** Contemporary architectural designs may be acceptable if:
- (a) A heritage listing does not apply to the existing dwelling or to its immediate neighbours.
  - (b) The proposed addition is not visually prominent from the street or from a public space.
  - (c) Extensive remodelling of existing facades is proposed in accordance with controls of this DCP.
- C2** New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.
- C3** Access to upper storeys must not be via external stairs.
- C4** All dwellings must contain one kitchen and laundry facility.
- C5** Retain and extend prominent elements of the existing roof (such as gables, hips or longitudinal ridges that run parallel to a street boundary).
- C6** Contemporary roof forms may be acceptable on additions at ground floor level if concealed substantially behind the existing dwelling, and not visible from the street or other public space.

### Building Entries

- C7** Entries to residential buildings must be clearly identifiable.
- C8** Provide the main common entry and separate private ground floor apartment entries where it is desirable to activate the street edge or reinforce a rhythm along the street.
- C9** A minimum of one habitable room per dwelling must be oriented towards the street to promote positive social interaction and community safety.
- C10** Sight lines to the street from habitable rooms or entrances must not be obscured by ancillary structures.
- C11** Ground level private terraces located within the front setback must be setback at least 1m from the street boundary to accommodate a landscape strip which should remain in communal ownership.
- C12** Private open spaces accessed from the street must be clearly articulated.

### Façade Treatment

- C13** Development on corner lots must address both street frontages through façade treatment and articulation of elevations.
- C14** Facade design should reflect the orientation of the site using elements such as sun



- C15** shading devices, light shelves and bay windows.
- C16** Facades visible from the street should be designed as a series of articulating panels.
- C17** Width of articulating panels should be consistent with the scale and rhythm characteristic of bungalows.
- C18** The width of articulating panels shall be in accordance with the numerical requirements below:

| Development Type                                       | Street Elevation Facades | Side Elevation Facades |
|--|--------------------------|------------------------|
| Residential Flat Buildings up to three (3) storeys     | 4m to 6m                 | 10m to 15m             |
| Residential Flat Buildings four (4) storeys or greater | 6m to 8m                 | 10m to 15m             |

Table C4.4: Articulating Panels Numerical Requirements

- C19** Avoid long flat walls along street frontages - stagger the wall alignment with a step (not a fin wall of other protruding feature) of at least 0.5m for residential buildings.
- C20** Vary the height of modules so they are not read as a continuous line on any one street between 2 - 4 storeys, step-back to the middle component and again at the top.
- C21** Incorporate contrasting elements in the facade - use a harmonious range of high quality materials, finishes and detailing.
- C22** Screen prominent corners with awnings, balconies, terraces or verandas that project at least 1 m from the general wall alignment.
- C23** For residential flat buildings, layer and step facades in order to avoid building forms that are bland, bulky or over scaled by:
  - (a) Complying with base and upper element setback controls; and
  - (b) Incorporating balconies, staggered alignments for exterior walls and through contrasting design elements.

### Pavilions

- C24** The top storey of any two-storey dwelling should be designed as a series of connected pavilion elements to minimise scale and bulk.
- C25** Facades that exceed 25m in length shall be indented to create the appearance of multiple pavilion elements.
- C26** Pavilion elements shall have a depth between 10-15m.
- C27** Articulate upper storey pavilions with an additional side boundary setback, and identify by separate roofs.
- C28** Residential flat buildings up to three (3) storeys facades that would be wider than 25m should be indented so that the new building would appear like a cluster of pavilion elements:



- (a) Width of each pavilion should be between 10-12m
- (b) Pavilion elements should be separated by courtyards that are less than 6m wide.

**C29** Residential flat buildings four (4) or more storeys:

- (a) Facades should be layered and stepped in order to avoid building forms that are bland, bulky and over scaled.
- (b) Layering of facades should incorporate the base and upper storey elements.
- (c) Layering of facades should incorporate the base and upper storey elements.
- (d) Stepping of facades should be provided by balconies, staggered alignments for exterior walls and by contrasting design elements.

Windows

**C30** Large windows should be located at the corners of a building and may be designed as projecting bay-windows.

**C31** Large windows should be screened with blinds, louvres, awnings or pergolas.

**C32** Windows must be rectangular.

**C33** Square, circle and semi-circle windows are acceptable in moderation.

**C34** Vertical proportioned window openings can include multi-panel windows or multi-panel doors.

**C35** Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.

**C36** Dormer windows on buildings in the residential zone do not appear as additional storey must comply with the following design requirements:

- (a) Individual dormers are no wider than 1.5m in width;
- (b) Provide a minimum 2.5m separation between dormers; and
- (c) Dormers do not extend encroach above the ridgeline of the building.

**5.3.10 Roof Design and Features**

**Objectives**

- O1 To ensure that roof design is compatible with the building style and does not visually dominate the building or other roofs in the locality.
- O2 To promote roof design that assists in regulating climate within the building.
- O3 To reduce the impact of large surfaces of roof when viewed from other buildings and public spaces.

**Development Control**

Building three storeys or less

- C1** Use a simple pitched roof that accentuates the shape of exterior walls, and minimises bulk and scale.



- C2** Avoid complex roof forms with multiple gables, hips and valleys, or turrets.
- C3** Roof pitches are to be compatible and sympathetic to nearby buildings.
- C4** Parapet roofs that increase the height of exterior walls are to be minimised.
- C5** Use minor gables only to emphasise rooms or balconies that project from the body of a building.
- C6** Mansard roofs (or similar) are not permitted.
- C7** Pitched roofs should not exceed a pitch of 30 degrees.
- C8** Relate roof design to the desired built form and context.
- C9** Roofs with greater pitches will be considered on merit taking into account matters such as streetscape, heritage value and design integrity.
- C10** Relate roof design to the desired built form and context.

#### Building four storeys or greater

- C11** Roofs must not exceed a pitch of 10 degrees.
- C12** Emphasise building articulation with the shape and alignment of the roof.
- C13** Emphasise corner apartments or prominent balcony structures with raised roof elements.
- C14** Relate roof design to the size and scale of the building, the building elevations and three dimensional building forms – including the design of any parapet or terminating elements, and the selection of roof materials.
- C15** Respond to the orientation of the site, for example, by using eaves and skillion roofs to respond to sun access.
- C16** Integrate service elements into the design of the roof - including lift over-runs, service plant, chimneys, vent stacks, telecommunication infrastructure, gutters, downpipes and signage.

### **5.3.11 Dwelling Layout & Mix**

#### **Objectives**

- O1** To encourage high standards of amenity through appropriate dimensions and configurations of habitable rooms.
- O2** To ensure a variety of dwelling types are provided, capable of accommodating diverse housing needs.

#### **Development Controls**

- C1** Design interiors to be capable of accommodating the range of furniture that is typical for the purpose of each room.
- C2** The primary living area and principal bedroom must have a minimum width of 3.5m.
- C3** Secondary bedrooms must have a minimum width of 3m.



- C4** Provide general storage in addition to bedroom wardrobes and kitchen cupboards.
- C5** The minimum amount of storage required is 6m<sup>3</sup> for one bedroom dwellings 8m<sup>3</sup> for two bedroom dwellings, or 10m<sup>3</sup> for dwellings with three or more bedrooms.
- C6** Stairwells should be designed to receive natural daylight and ventilation.

### **5.3.12 Solar Access and Overshadowing**

#### **Objectives**

- O1** To ensure habitable rooms have reasonable daylight access.
- O2** To minimise overshadowing of primary living areas, private open space and solar roof top systems.
- O3** To enable occupants to adjust the quantity of daylight to suit their needs.

#### **Development Controls**

##### Solar Access to Proposed Development

- C1** Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.
- C2** Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.
- C3** Dwellings in or adjoining industrial zones must comply with the following:
  - (a) At least one living room window and at least 50% or 35m<sup>2</sup> with minimum dimension of 2.5m (whichever is the lesser), of ground level private open space.
  - (b) Receives a minimum of 3 hours sunlight between 8:00 am and 4:00 pm on 21 June.
  - (c) Where existing overshadowing by buildings and fences is already greater than this, sunlight is not to be reduced by more than 20%.
- C4** Daylight is to be provided to all common circulation areas (including lift wells) that are above ground.

##### Solar Access to Neighbouring Development

- C5** Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.
- C6** If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.
- C7** Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:
  - (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.





- (b) If a system currently receives less than 3 hours sunlight, then proposed development must not reduce the existing level of sunlight.

**C8** Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.

#### Shading Devices

**C9** Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.

**C10** Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.

**C11** Provide horizontal shading to north-facing windows and vertical shading to east or west windows.

**C12** Use moveable shading devices on large windows facing east and west, that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.

**C13** Avoid reducing internal natural daylight or interrupting views with shading devices.

**C14** Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.

**C15** Use high performance glass with a reflectivity below 20%.

**C16** Minimise external glare by avoiding reflective films and use of tint glass.

### **5.3.13 Visual Privacy**

#### **Objectives**

**O1** To ensure reasonable levels of visual privacy is achieved for residents, inside a building and outside within the property, during the day and at night.

**O2** To ensure visual privacy is not compromised whilst maximising outlook and views from main living areas and private open space.

**O3** To promote passive surveillance of public and semi-public areas.

#### **Development Controls**

**C1** Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.

**C2** Minimise direct overlooking of rooms and private open space through the following:

- (a) Provide adequate building separation, and rear and side setbacks; and
- (b) Orient living room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.

**C3** If living room windows or private open spaces would directly overlook a neighbouring dwelling:



- (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or
  - (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.5m above the associated floor level.
- C4** Screening of bedroom windows is optional and dimensions are not restricted.

#### **5.3.14 Acoustic Privacy**

##### **Objectives**

- O1** To ensure reasonable levels of acoustic privacy are available for residents, externally and internally, during the day and at night.
- O2** To minimise the effect of excessive ambient noise through siting and architectural design and detailing.
- O3** To minimise the impact of rail and road noise and vibration for dwelling occupants.
- O4** To protect new and existing dwellings from intrusive noise.

##### **Development Controls**

- C1** Protect sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring' living areas.
- C2** Above ground access to new dwellings must not include communal balconies that would be located immediately next to a bedroom window.
- C3** Bedroom windows in new dwellings that would be located at or close to ground level are be raised above, or screened from, any shared pedestrian pathway.
- C4** Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.
- C5** Address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline (2008)' published by the NSW Department of Planning.

#### **5.3.15 Fences**

##### **Objectives**

- O1** To ensure that fences are integrated into the architectural form and detail of a building and present an appealing streetscape appearance.
- O2** To reduce the impact of large areas of fencing that detract from other buildings and fences in the area.
- O3** To facilitate positive interaction between private and public domain.

##### **Development Controls**

- C1** Provide boundary definition by construction of an open fence or low hedge to the front



street boundary.

- C2** Front fences within the front boundary setback are to be no higher than 1.2m.
- C3** Side fences may be 1.8m high to the predominant building line. Forward of the building line, side fences must taper down to the height of the front fence at a height no greater than 1.2m.
- C4** On corner sites where the façade of a building presents to two street frontages, fences are to be no higher than 1.2m.
- C5** Screen walls around private open spaces shall not be taller than 1.2m, although screens with 50% transparency may be up to 1.8m in height.

### **5.3.16 Building Services**

#### **Objectives**

- O1** To reduce impact of services and utilities through their integration with the design of landscaped areas and buildings.

#### **Development Controls**

- C1** All letterboxes be installed to meet Australia Post standards.
- C2** Design and provide discretely located mailboxes at the front of the property.
- C3** Integrate systems, services and utility areas (such as plant rooms, hydrants, equipments and the like) with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.
- C4** Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.
- C5** Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.
- C6** The location and design of substations must be shown on the plans.
- C7** Substations should be located underground. Where not possible, substations are to be integrated into the building design and concealed from public view.
- C8** Substations must not be located forward of the front building line.
- C9** Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site:
  - (a) Screen air conditioning units behind balcony balustrades;
  - (b) Provide screened recesses for water heaters rather than surface- mounting them on exterior walls; and
  - (c) Locate meters in service cabinets.
- C10** Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.
- C11** Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.



**C12** Location and design of service areas should include:

- (a) Screening of clothes drying areas from public and semi-public places; and
- (b) Space for storage that is screened or integrated with the building design.

**C13** Minimise visual impact of solar hot water systems by:

- (a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;
- (b) Using a colour that is consistent with the colour of roof materials;
- (c) Designing solar panels, where possible, as part of the roof;
- (d) Setting the solar panels back from the street frontage and position below the ridgeline; and
- (e) Separate the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).



## **SECTION 6 – SHOP TOP HOUSING**

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The controls are separated into the following sections:

- General Objectives
- Section 6.2 - SEPP 65 Applications - Three Storeys or Greater with Four or More Dwellings
- Section 6.3 Non SEPP 65 Applications

### **General Objectives**

- O1** To encourage lively business centres capable of accommodating a mix of retail, commercial and community activities, that caters to the community, relative to their size and intended function.
- O2** To ensure long-term social and economic viability of business centres is maintained and they remain significant to the community for their individual character, ease of access, and urbane appeal.
- O3** To maintain commercial activity at ground level to promote pedestrian activity and contribute to lively streets in centres.
- O4** To maintain facades in business centres where they contribute to the character of the streetscape.
- O5** To ensure frontages are appropriate for the location and will maximise activity at the public/private interface, and provides weather protection for pedestrians.
- O6** To minimise impacts of commercial activities on adjacent residential properties.



## **SECTION 6.2 SEPP 65 Applications**

### **Three Storeys or Greater with Four or More Dwellings**

This section of the DCP provides controls for applications to which *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65) applies. SEPP 65 applies to shop top housing three storeys or greater with four or more Dwellings.

Note: The controls in C5.3 of this chapter apply to applications to which SEPP 65 does not apply.

#### **6.2.1 Isolated Sites**

Isolation of sites occurs where a property that adjoins a development site would be narrower or smaller than required to be developed under Canterbury Bankstown LEP. Consequently the isolated site would be incapable of accommodating the form of redevelopment envisaged by the planning controls.

#### **Objectives**

- O1 To ensure that land adjoining a development site is not left sterilised or isolated so that it is incapable of being reasonably developed under the applicable controls.
- O2 To encourage the development of existing isolated sites in a manner that responds to the sites, context and constraints and maintains high levels of amenity for future occupants and neighbours.

#### **Controls**

- C1 Council must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land with an area of less than 1,200m<sup>2</sup> and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

#### **6.2.2 Landscaping**

Refer to Chapter 3.7 of this DCP for objectives and controls relating to landscaping and tree preservation.

#### **6.2.3 Balconies and Communal Open Space**

#### **Objectives**

- O1 To ensure dwellings provide appropriate sized balconies to enhance residential amenity.
- O2 To ensure primary balconies are appropriately located to enhance liveability for residents.



- O3** To ensure balcony design is integrated into and contributes to the overall architectural form and detail of the building.
- O4** To ensure private balconies and communal open space are designed to maximise safety.
- O5** To ensure an adequate area of communal open space is provide to enhance residential amenity and to provide opportunities for landscaping.
- O6** Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.
- O7** To ensure open space is designed to maximise safety.

## **Development Controls**

### Balconies

The ADG sets the objectives and controls for balconies in the LGA for shop top housing to which SEPP 65 relates. Refer to the objectives, design criteria and design guidance outlined in 4E Private Open Space and Balconies of the ADG.

### Communal Open Space

- C1** Provide a minimum of 15% of the site area for the purposes of communal open space on redevelopment sites larger than 500m.
- C2** Communal open space may be provided on podiums-terraces, or in any deep-soil setback or separation between buildings. Roof top terraces will only be permitted in circumstances where there will be no adverse impacts to adjoining properties in terms of visual and acoustic privacy.
- C3** Each area of communal open space must have a minimum dimension of 6m and larger developments should consider greater dimensions.
- C4** Provide consolidated areas of communal open space with reasonable area, facilities and landscape for the uses it will accommodate and design to generate a variety of visible pedestrian activity.
- C5** Provide communal open space in locations that are sunny, and are adjacent to, as well as visible from, the main building lobby.
- C6** Provide windows that overlook communal open space and the approaches to the main building lobby to generate a variety of visible pedestrian activity.
- C7** Screen walls surrounding any communal area are to be no higher than 1.2m, although screens with 50% transparency may be up to 1.8m high.
- C8** Provision of child play areas within communal open space is encouraged.
- C9** Indoor recreation areas such as gyms are encouraged and will count towards communal open space requirements.

Note: In addition to the above controls, developments must demonstrate how the design criteria and design guidance of the ADG in relation to communal open space is being met.



#### **6.2.4 Layout and Orientation**

##### **Objectives**

- O1** To encourage a more sustainable urban environment where energy efficiency is incorporated into the design, construction and use of buildings.
- O2** To reduce consumption of energy from non-renewable sources, and reduced greenhouse gas emissions.

##### **Development Controls**

- C1** Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.
- C2** Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.
- C3** Coordinate design for natural ventilation with passive solar design techniques.
- C4** Site new development and private open space to avoid existing shadows cast from nearby buildings.
- C5** Site a building to take maximum benefit from cross-breezes and prevailing winds.
- C6** Do not compromise the creation of active street frontage or casual surveillance of the street, communal space and parking areas, through the required orientation.

#### **6.2.5 Floor to Ceiling Height**

- C1** Refer to 4C Ceiling Heights of the ADG made under SEPP 65 for objectives, design criteria and design guidance in relation to minimum ceiling heights.

#### **6.2.6 Setbacks**

##### **Objectives**

- O1** To establish the desired spatial proportions of the street and define the street edge.
- O2** To minimise building size and bulk by setting back upper storeys.
- O3** To minimise amenity impacts on adjoining properties.

##### **Controls**

- C1** A minimum side boundary setback of 4.5m is required in the B5 zone. SEPP 65 separation requirements will apply for buildings with height of 4 storeys and above.

#### **6.2.7 Building Depth**

The ADG sets the objectives and controls for building depth in the LGA for shop top housing to which SEPP 65 relates. Refer to 4B Natural Ventilation of the ADG for objectives, design criteria and design guidance.





### **6.2.7 Building Separation and Visual Privacy**

The ADG sets the objectives and controls for building separation in the LGA for shop top housing to which SEPP 65 relates. Refer to 3F Visual Privacy of the ADG for objectives, design criteria and design guidance.

### **6.2.8 Built Form**

#### **Objectives**

- O1** To protect features of existing buildings that influence streetscape and local character.
- O2** To ensure alterations and additions complement the architectural character of the existing building.
- O3** To facilitate positive interaction between the private and public domain.
- O4** To encourage passive surveillance of streets and other publicly accessible places, and promotion of safety and security.
- O5** To encourage articulated building design to reduce the appearance of scale, enhance visual interest and ensure a diversity of built form.
- O6** To ensure all elements of the façade and roof are integrated into the architectural form and detail of the building.
- O7** To achieve an appealing streetscape appearance.

#### **Controls**

##### Building Entries

- C1** Provide accessible entries for all potential use such as the transporting of furniture.
- C2** Face habitable rooms towards the street, private open space, communal space, internal driveway or pedestrian ways in order to promote positive social interaction and community safety.

##### Façade Treatment

- C3** Refer to Chapter 7 of this DCP for objectives and controls relating to façade treatment for shop top housing development.

### **6.2.9 Roof Design and Features**

#### **Objectives**

- O1** To ensure roof design and features are compatible with the building style and use.



## **Development Controls**

### Roof-Top Terraces

- C1** Roof terraces are permitted with consent in all business zones except the B1 Zone.
- C2** A management strategy is required, and must be approved by Council as part of the development application, for any proposed roof terrace.
- C3** Supplement open space on roof terraces by providing space and appropriate building systems to support the desired landscape design, incorporating shade structures and windscreens to encourage use of roof top open space.
- C4** Demonstrate that roof terrace has been designed so as to protect the privacy, solar access and amenity of adjoining buildings. Measures to minimise overlooking of adjoining properties include screening or planting between properties, and preventing rooftop users from standing at the edge of roof terraces that look into adjoining properties through planting and screens.
- C5** Allow for views and passive surveillance of streets and public open space from roof terraces.

## **6.2.11 Building Services**

### **Objective**

- O1** To reduce the impact of services and utilities through their integration with the design of landscaped areas and buildings.

### **Development Controls**

- C1** All letterboxes be installed to meet Australia Post standards.
- C2** Design and provide discretely located mailboxes at the front of the property.
- C3** Integrate systems, services and utility areas (such as plant rooms, hydrants, equipments and the like) with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.
- C4** The location and design of substations must be shown on the plans.
- C5** Substations should be located underground. Where not possible, substations are to be integrated into the building design and concealed from public view.
- C6** Substations must not be located forward of the front building line.
- C7** Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.
- C8** Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.
- C9** Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site:
  - (a) Screen air conditioning units behind balcony balustrades;



- (b) Provide screened recesses for water heaters rather than surface- mounting them on exterior walls; and
- (c) Locate meters in service cabinets.

**C10** Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.

**C11** Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.

**C12** Location and design of service areas should include:

- (a) Screening of clothes drying areas from public and semi-public places; and
- (b) Space for storage that is screened or integrated with the building design.

**C13** Minimise visual impact of solar hot water systems by:

- (a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;
- (b) Using a colour that is consistent with the colour of roof materials;
- (c) Designing solar panels, where possible, as part of the roof;
- (d) Setting the solar panels back from the street frontage and position below the ridgeline; and
- (e) Separate the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).

#### **6.2.11 Amenity**

This section of the DCP contains amenity provisions for solar access and overshadowing, acoustic privacy. Visual privacy and ventilation objectives and controls are provided in section C5.2.2.5 Building Separation and Visual Privacy of this chapter of the DCP.

#### **6.2.12 Solar Access and Overshadowing**

The ADG sets the objectives and controls for solar access and overshadowing in the LGA for shop top housing to which SEPP 65 relates. Refer to 4A Solar and Daylight Access of the ADG for objectives, design criteria and design guidance.

Refer to an additional control below regarding common circulation areas including lift wells.

#### **Objectives**

**O1** To ensure habitable areas have reasonable daylight access.

#### **Development Controls**

**C1** Daylight is to be provided to all common circulation areas (including lift wells) that are above ground.



### Solar Access to Neighbouring Development

- C2** Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.
- C3** If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.
- C4** Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:
  - (a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.
  - (b) If a system currently receives less than 3 hours sunlight, then proposed development must not reduce the existing level of sunlight.
- C5** Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.

### **6.2.13 Acoustic Privacy**

#### **Objectives**

- O1** To ensure reasonable levels of acoustic privacy are available for residents, externally and internally, during the day and at night.
- O2** To minimise the effect of excessive ambient noise through siting and architectural design and detailing.
- O3** To minimise the impact of rail and road noise and vibration for building occupants.
- O4** To protect new and existing dwellings from intrusive noise.

#### **Development Controls**

- C1** Locate sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring living areas.
- C2** Above ground access to new dwellings must not include communal balconies that would be located immediately next to a bedroom window.
- C3** Bedroom windows in new dwellings that would be located at or close to ground level are to be raised above, or screened from, any shared pedestrian pathway.
- C4** Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.
- C5** On land adjoining railway or busy roads, address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline' which has been published by the NSW Department of Planning and Environment.
- C6** Design the layout of lower levels facing the road or rail to:



- (a) The position of windows facing the noise source and ensure that total unprotected window area is minimal so as to limit the amount of airborne noise entering the built fabric;
- (b) Ensure that the detailing of the window types addressing the corridors are designed and constructed to attenuate excessive noise - (double and triple glazing and insulated to manufacturers standards); and
- (c) Ensure that balcony parapet walls are constructed of solid masonry or materials of similar sound attenuating qualities.

**C7** When designing the public spaces fronting busy roads and the rail corridor at ground level, consider the use of elements such as moving water and screens to achieve sound attenuation.

#### **6.2.13 Parking and Access**

**C1** A development must have regard to the objectives, design criteria and design guidance of the Apartment Design Guide (ADG) under *State Environmental Planning Policy No. 65 – Quality of Residential Apartment Development* (SEPP). Under clause 30 of the SEPP, a development application cannot be refused based on car parking if the development complies with the minimum amount of car parking specified in Part 3J of the ADG.

Under Part 3J of the ADG:

- The minimum amount of car parking for residents and visitors for the shop top housing component of a development on sites that are within 800 metres of a railway station, is set out in the Roads and Maritime's Guide to Traffic Generating Developments, or the car parking requirement prescribed in Section B1.3 of this DCP, whichever is the lesser.
- The minimum amount of car parking for residents and visitors for shop top housing component of a development on sites located further than 800m from a railway station is as per Section B1.3 of this DCP.

**C2** The minimum amount of car parking required under Part 3J is reiterated above as it was included in the ADG at the time that this DCP came into effect. Applicants are requested to review the ADG on the Department of Planning and Environment's website to confirm the minimum amount of car parking required in the ADG. Applicants are also requested to refer to the Guide for Traffic Generating Developments as provided on the Roads and Maritime's website.

**C3** Refer to the controls in this section of the DCP for engineering and technical requirements in relation to transport and parking.



## Section 6.3 Non SEPP 65 Applications

This section of the DCP provides controls for applications to which *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65) does not apply.

Note: SEPP 65 applies to residential flat buildings three storeys or greater with four or more Dwellings. The controls in C5.2 of this chapter apply to SEPP 65 applications for shop top housing.

### 6.3.1 Isolated Sites

Isolation of sites occurs where a property that adjoins a development site would be narrower or smaller than required to be developed under Canterbury Bankstown LEP. Consequently the isolated site would be incapable of accommodating the form of redevelopment envisaged by the planning controls.

#### Objectives

- O1 To ensure that land adjoining a development site is not left sterilised or isolated so that it is incapable of being reasonably developed under the applicable controls.
- O2 To encourage the development of existing isolated sites in a manner that responds to the sites, context and constraints and maintains high levels of amenity for future occupants and neighbours.

#### Controls

- C1 Council must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land with an area of less than 1,200m<sup>2</sup> and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

### 6.3.2 Landscaping

- C1 Refer to Chapter 3.7 of this DCP for objectives and controls relating to landscaping and tree preservation.

### 6.3.3 Balconies and Communal Open Space

#### Objectives

- O1 All residents have access to private and functional open space on their land, such as private yards, courtyards and balconies or roof top terraces.
- O2 All residents in multiple dwelling buildings have access to consolidated, semi-private and functional communal open space on their land.



**O3** Private and communal open space is:

- (a) Tailored to the type of dwelling or dwellings, or tailored to the use if not residential, and provides residents and other users with active and passive recreation opportunities;
- (b) Designed to take advantage of environmental circumstances such as solar access, views and prevailing breezes;
- (c) Designed to promote the enjoyment of outdoor living;
- (d) Located and landscaped to provide a pleasant outlook and contribute to the pleasant appearance of a property; and
- (e) Located so that there is passive surveillance from residences and other premises.

**O4** Public and semi-public outdoor space is provided in the centres and other non-residential zones.

### **Development Controls**

#### Balconies and private courtyards

- C1** Provide primary and secondary balcony/private open space, with a combined area of at least 10% of the dwelling floor space, for apartments with two or more bedrooms.
- C2** Provide minimum area of 8m<sup>2</sup> for a primary balcony for one-bedroom apartment.
- C3** Provide minimum area of 12m<sup>2</sup> for primary balcony for apartments with two or more bedrooms.
- C4** Provide minimum depth of 2m for primary balcony.

#### Private open space design

- C5** In shop top housing, open space may include a balcony or garden terrace on a podium level.
- C6** Provide privacy to the principal area of private open space – locate or screen to prevent direct overlooking from a public or communal place, or from neighbouring buildings.
- C7** Locate the principal open space adjacent to the main living areas, such as living room, dining room or kitchen, to extend the living space of the dwelling, and provide:
  - (a) Direct access from a living room, dining room or a family room;
  - (b) One area at least 2.5m by 2.5m which is suitable for outdoor dining and can accommodate a dining table and two to four chairs; and
  - (c) One additional area that is suitable for outdoor clothes drying, and is concealed by shutters, screens, fences or tall opaque balustrades.
- C8** Design open space to accommodate a variety of activities.
- C9** For dwellings with a single open space, irregular “L” or “U” shapes are preferred in order to separate recreation and service activities,
- C10** If more than one open space is provided for any dwelling, each space should be designed for specific recreation and service activities.
- C11** Design the principal area of open space for each dwelling as an ‘outdoor room’ that has:
  - (a) A combination of privacy-screens, sun-shading and green backdrops that are provided by pergolas or shrubs and trees,
  - (b) Orientation that provides maximum exposure to midwinter sunlight as well as



optimising privacy,

- (c) Location immediately next to principal indoor living areas.

#### Balconies design

- C12** Provide additional amenity and choice with a secondary balcony (such as Juliet balcony) or operable wall with balustrades, adjacent to bedrooms.
- C13** Design and detail the balcony to take advantage of local climate and context. This may be achieved by:
  - (a) Facing predominantly north, east or west to optimise solar access,
  - (b) Facing towards views of local neighbourhoods, prominent open spaces and district city skylines,
  - (c) Using sun screens, pergolas, shutters and operable walls to control sunlight and wind,
  - (d) Using operable screens, or operable walls/sliding doors with a balustrade where noise or high winds exclude completely open balcony,
  - (e) Using cantilevered, partially cantilevered or recessed balcony in response to requirements for daylight access, wind protection, acoustic and visual privacy; and
  - (f) Limiting the depth of a balcony so that it does not prevent sunlight entering the apartment below.
- C14** Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include:
  - (a) Using a proportion of solid to transparent materials to address sight lines from the street, public domain or adjacent development; and
  - (b) Providing screening from the public, for example, for a person seated looking at a view, clothes drying areas, bicycle storage or air conditioning units.

#### Communal Open Space

- C15** Provide a minimum of 15% of the site area for the purposes of communal open space on redevelopment sites larger than 500m.
- C16** Communal open space may be provided on podiums terraces, or in any deep-soil setback or separation between buildings. Roof top terraces will only be permitted in circumstances where there will be no adverse impacts to adjoining properties in terms of visual and acoustic privacy.
- C17** Each area of communal open space must have a minimum dimension of 6m and larger developments should consider greater dimensions.
- C18** Provide consolidated areas of communal open space with reasonable area, facilities and landscape for the uses it will accommodate and design to generate a variety of visible pedestrian activity.
- C19** Provide communal open space in locations that are sunny, and are adjacent to, as well as visible from, the main building lobby.
- C20** Provide windows that overlook communal open space and the approaches to the main building lobby to generate a variety of visible pedestrian activity.





- C21** Screen walls surrounding any communal area are to be no higher than 1.2m, although screens with 50% transparency may be up to 1.8m high.
- C22** Provision of child play areas within communal open space is encouraged.
- C23** Indoor recreation areas such as gyms are encouraged and will count towards communal open space requirements.
- C24** Note: In addition to the above controls, developments must demonstrate how the design criteria and design guidance of the ADG in relation to communal open space is being met.

#### **6.3.4 Layout and Orientation**

##### **Objectives**

- O1** To encourage a more sustainable urban environment where energy efficiency is incorporated into the design, construction and use of buildings.
- O2** To reduce consumption of energy from non-renewable sources, and reduced greenhouse gas emissions.

##### **Controls**

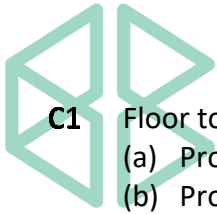
- C1** Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.
- C2** Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.
- C3** Coordinate design for natural ventilation with passive solar design techniques.
- C4** Site new development and private open space to avoid existing shadows cast from nearby buildings.
- C5** Site a building to take maximum benefit from cross-breezes and prevailing winds.
- C6** Do not compromise the creation of active street frontage or casual surveillance of the street, communal space and parking areas, through the required orientation.

#### **6.3.5 Floor to Ceiling Height**

##### **Objectives**

- O1** New buildings have a scale that is visually compatible with adjacent buildings and heritage buildings, where this may require height of new development to lower than the permitted height.
- O2** Transition in scale and bulk from highest in the middle of centres to lower at the interface with residential zones and residential buildings.
- O3** Greater guidance as to the required built form through the provision of maximum storeys controls.
- O4** Floor to ceiling height is adequate for the operation of the intended and potential use.
- O5** Good residential amenity within buildings and externally, including natural light access for dwellings.

##### **Development Controls**



- C1** Floor to Ceiling heights must:
  - (a) Provide a minimum 3.3m floor to ceiling height for the ground floor.
  - (b) Provide a minimum 2.7m floor to ceiling height for residential floors.
- C2** A floor to ceiling height of 3m per storey is required in the B6 Zone Enterprise Corridor.
- C3** The floor to ceiling height may need to be increased to meet the requirements of the intended use, however, the maximum building height will still need to be complied with.

#### **6.3.6 Setbacks**

##### **Objectives**

- O1** To establish the desired spatial proportions of the street and define the street edge.
- O2** To minimise building size and bulk by setting back upper storeys.
- O3** To minimise amenity impacts on adjoining properties.

##### **Development Controls**

- C1** A minimum side boundary setback of 4.5m is required in the B5 zone. SEPP 65 separation requirements will apply for buildings with height of 4 storeys and above.

#### **6.3.8 Building Depth**

##### **Objectives**

- O1** Natural daylight is available in all parts of the building so that artificial light is not necessary during daylight hours.
- O2** Narrow cross-section buildings on upper levels are appropriate width to allow for dual aspect apartments, natural ventilation and daylight access.

##### **Development Controls**

- C1** Maximum 18m depth from glass line to glass line.
- C2** Light source is not to include a light well when calculating the 18m depth.
- C3** Upper levels are setback to limit the depth of residential floors above deeper commercial or retail floors.

#### **6.3.9 Building Separation**

##### **Objective**

- O1** Separation between buildings promotes improved levels of residential amenity in new development, and preserves reasonable sunlight, privacy and general amenity for residents of existing dwellings.



## Development Controls

- C1** As a minimum provide the separation, specified in the following table, between buildings on adjoining sites, or on the same site.

| Storey          | Habitable room /balcony to habitable room/balcony | Habitable room /balcony to non-habitable room | Between non-habitable rooms |
|-----------------|---|---|-----------------------------|
| Up to 3         | 6   | 4   | 3                           |
| Fourth          | 12  | 9   | 6                           |
| Fifth to eighth | 18  | 13  | 9                           |
| Ninth +         | 24  | 18  | 12                          |

Table C5.2: Building Separation for non SEPP 65 developments

- C2** Provide an unobstructed separation and ensure that the two ends are open – do not use walls at the end of the separation, do not cover the building separation with any roof or structures, do not use internal light wells as the separation.
- C3** If the building separation is above a podium, it may accommodate residential terraces and courtyards (whether private or communal).
- C4** Residential windows may face into a building separation, but only if the separation is completely open.
- C5** When the building set back creates a terrace, the building separation distance for the floor below applies across the terrace.
- C6** Zero building separation can be used in appropriate contexts, such as in a main street, to maintain a street wall building type with party walls.

### 6.3.10 Built Form

#### Objectives

- O1** To protect features of existing buildings that influence streetscape and local character.
- O2** To ensure alterations and additions complement the architectural character of the existing building.
- O3** To facilitate positive interaction between the private and public domain.
- O4** To encourage passive surveillance of streets and other publicly accessible places, and promotion of safety and security.
- O5** To encourage articulated building design to reduce the appearance of scale, enhance visual interest and ensure a diversity of built form.
- O6** To ensure all elements of the façade and roof are integrated into the architectural form and detail of the building.
- O7** To achieve an appealing streetscape appearance.



## **Development Controls**

### Building Entries

- C1** Provide accessible entries for all potential use such as the transporting of furniture.
- C2** Face habitable rooms towards the street, private open space, communal space, internal driveway or pedestrian ways in order to promote positive social interaction and community safety.

### Façade Treatment

- C3** Refer to Chapter 7 of the DCP for objectives and controls relating to façade treatment for shop top housing development.

## **6.3.11 Roof Design and Features**

### **Objectives**

- O1** To ensure roof design and features are compatible with the building style and use.

## **Development Controls**

### Roof-Top Terraces

- C1** Roof terraces are permitted with consent in all business zones except the B1 Zone.
- C2** A management strategy is required, and must be approved by Council as part of the development application, for any proposed roof terrace.
- C3** Supplement open space on roof terraces by providing space and appropriate building systems to support the desired landscape design, incorporating shade structures and windscreens to encourage use of roof top open space.
- C4** Demonstrate that roof terrace has been designed so as to protect the privacy, solar access and amenity of adjoining buildings. Measures to minimise overlooking of adjoining properties include screening or planting between properties, and preventing rooftop users from standing at the edge of roof terraces that look into adjoining properties through planting and screens.
- C5** Allow for views and passive surveillance of streets and public open space from roof terraces.

## **6.3.12 Dwelling Layout**

### **Objectives**

- O1** Adequate room sizes and storage areas are provided for new dwellings.



### **Development Controls**

- C1** Dimension and design interiors to accommodate the range of furniture that is typical for the purpose of each room.
- C2** Each living area and principal bedroom has a minimum width of 3.5m.
- C3** Secondary bedroom has a minimum width of 3m.
- C4** Provide general storage in addition to bedroom wardrobes and kitchen cupboards is provided in each dwelling and/or as lockable spaces within parking areas.
- C5** The minimum amount of storage required is 6m<sup>3</sup> for one bedroom dwellings 8m<sup>3</sup> for two bedroom dwellings, or 10m<sup>3</sup> for dwellings with three or more bedrooms.
- C6** These volumes may be accommodated by simple measures such as deep cupboards or increasing the depth of required parking spaces.

### **6.3.13 Building Services**

#### **Objective**

- O1** To reduce the impact of services and utilities through their integration with the design of landscaped areas and buildings.

### **Development Controls**

- C1** All letterboxes be installed to meet Australia Post standards.
- C2** Design and provide discretely located mailboxes at the front of the property.
- C3** Integrate systems, services and utility areas (such as plant rooms, hydrants, equipments and the like) with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.
- C4** The location of substations is to be shown on plans.
- C5** Substations should be provided underground where possible. Where not possible, substations are to be concealed and incorporated into the overall building design.
- C6** Substations located at ground level must be setback as far from the street frontage as possible, not be located in between the building form and the street frontage, and must be screened with landscaping.
- C7** Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.
- C8** Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.
- C9** Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site:
  - (a) Screen air conditioning units behind balcony balustrades;
  - (b) Provide screened recesses for water heaters rather than surface- mounting them on exterior walls; and
  - (c) Locate meters in service cabinets.
- C10** Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts



and other like structures so they are not visible on the street elevation.

**C11** Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.

**C12** Location and design of service areas should include:

- (a) Screening of clothes drying areas from public and semi-public places; and
- (b) Space for storage that is screened or integrated with the building design.

**C13** Minimise visual impact of solar hot water systems by:

- (a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;
- (b) Using a colour that is consistent with the colour of roof materials;
- (c) Designing solar panels, where possible, as part of the roof;
- (d) Setting the solar panels back from the street frontage and position below the ridgeline; and
- (e) Separate the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).

#### **6.3.14 Amenity**

This section of the DCP contains amenity provisions for solar access and overshadowing and acoustic privacy. Visual privacy and ventilation objectives and controls are provided in section C5.3.2.5 Building Separation of this chapter of the DCP.

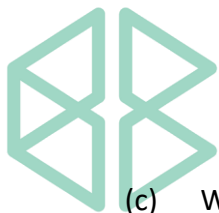
#### **6.3.15 Solar Access and Overshadowing**

##### **Objectives**

- O1** To ensure habitable rooms have reasonable daylight access.
- O2** To minimise overshadowing of primary living areas, private open space and solar roof top systems.
- O3** To enable occupants to adjust the quantity of daylight to suit their needs.

##### **Solar Access to Proposed Development**

- C1** Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.
- C2** Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.
- C3** Dwellings in or adjoining industrial zones must comply with the following:
  - (a) At least one living room window and at least 50% or 35m<sup>2</sup> with minimum dimension of 2.5m (whichever is the lesser), of ground level private open space.
  - (b) Receives a minimum of 3 hours sunlight between 8:00 am and 4:00 pm on 21 June.



(c) Where existing overshadowing by buildings and fences is already greater than this, sunlight is not to be reduced by more than 20%.

**C4** Daylight is to be provided to all common circulation areas (including lift wells) that are above ground.

#### Solar Access to Neighbouring Development

**C5** Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and to 50% of the principal private open space.

**C6** If a neighbouring dwelling currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.

**C7** Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:

(a) Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.

(b) If a system currently receives less than 3 hours sunlight, then proposed development must not reduce the existing level of sunlight.

**C8** Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.

#### Shading Devices

**C9** Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.

**C10** Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.

**C11** Provide horizontal shading to north-facing windows and vertical shading to east or west windows.

**C12** Use moveable shading devices on large windows facing east and west, that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.

**C13** Avoid reducing internal natural daylight or interrupting views with shading devices.

**C14** Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.

**C15** Use high performance glass with a reflectivity below 20%.

**C16** Minimise external glare by avoiding reflective films and use of tint glass.

### **6.3.16 Acoustic Privacy**

#### **Objectives**

**O1** To ensure reasonable levels of acoustic privacy are available for residents, externally and internally, during the day and at night.

**O2** To minimise the effect of excessive ambient noise through siting and architectural



design and detailing.

- O3** To minimise the impact of rail and road noise and vibration for building occupants.
- O4** To protect new and existing dwellings from intrusive noise.

#### **Development Controls**

- C1** Locate sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring living areas.
- C2** Above ground access to new dwellings must not include communal balconies that would be located immediately next to a bedroom window.
- C3** Bedroom windows in new dwellings that would be located at or close to ground level are to be raised above, or screened from, any shared pedestrian pathway.
- C4** Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.
- C5** On land adjoining railway or busy roads, address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline' which has been published by the NSW Department of Planning and Environment.
- C6** Design the layout of lower levels facing the road or rail to:
  - (a) The position of windows facing the noise source and ensure that total unprotected window area is minimal so as to limit the amount of airborne noise entering the built fabric;
  - (b) Ensure that the detailing of the window types addressing the corridors are designed and constructed to attenuate excessive noise - (double and triple glazing and insulated to manufacturers standards); and
  - (c) Ensure that balcony parapet walls are constructed of solid masonry or materials of similar sound attenuating qualities.
- C7** When designing the public spaces fronting busy roads and the rail corridor at ground level, consider the use of elements such as moving water and screens to achieve sound attenuation.





## **SECTION 7     SECONDARY DWELLINGS**

Secondary dwelling is defined under LEP. Secondary dwellings can be carried out under *State Environmental Planning Policy (Affordable Rental Housing) 2009* and the LEP. Where a development application is required, an assessment of the relevant provisions of the Affordability SEPP and LEP will be undertaken.

### **7.1     Minimum Frontage**

Minimum frontage controls in this DCP supplement the LEP provisions to ensure only sites with suitable dimensions capable of providing adequate residential amenity are developed.

#### **Objectives**

- O1** To ensure that land to be developed is of an adequate size and shape to accommodate development whilst providing adequate amenity for occupants of the site and surrounds.
- O2** To ensure there is adequate area for vehicle access and parking.
- O3** To ensure sites have sufficient dimensions to accommodate adequate landscaped open spaces.

#### **Development Control**

- C1** Where a development application to Council is made for a secondary dwelling, the minimum frontage required for secondary dwellings will be considered on merit taking into consideration compliance with Canterbury City Council's Secondary Dwelling (Granny Flat) Policy (adopted on 15 October 2009 by CDC Minute 295).
- C2** All development applications for secondary dwellings will be assessed against schedule 1 of the ARH SEPP 2009.



## **SECTION 8     BOARDING HOUSES**

### **Objectives**

- O1** To encourage the provision of high quality boarding houses within the Canterbury Local Government Area (LGA).
- O2** To ensure an acceptable level of amenity in boarding house premises to meet the needs of the residents.
- O3** To ensure that all boarding houses are compatible with the scale and character of the surrounding built form.
- O4** To ensure the building form, building design and landscaping of boarding houses are compatible with the suburban character of the residential areas.
- O5** To ensure the building form and building design of boarding houses do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.

### **8.1     Minimum Lot Sizes and Frontage**

Minimum lot size and frontage controls are contained in the LEP. Minimum frontage controls in this DCP supplement the LEP provisions to ensure only sites with suitable dimensions capable of providing adequate residential amenity are developed.

### **Objectives**

- O1** To ensure that land to be developed is of an adequate size and shape to accommodate development whilst providing adequate amenity for occupants of the site and surrounds.
- O2** To ensure there is adequate area for vehicle access and parking.
- O3** To ensure sites have sufficient dimensions to accommodate adequate landscaped open spaces.

### **Development Controls**

- C1** New development shall comply with the relevant minimum lot size and site frontage controls prescribed in the LEP.
- C2** Boarding houses are not permitted on battle-axe allotments.

### **8.2 Isolated Sites**

Isolation of sites occurs where a property that adjoins a development site would be narrower or smaller than required to be developed under Canterbury Bankstown LEP. Consequently the isolated site would be incapable of accommodating the form of redevelopment envisaged by the planning controls.

### **Objectives**

- O3** To ensure that land adjoining a development site is not left sterilised or isolated so that it is incapable of being reasonably developed under the applicable controls.



- O4 To encourage the development of existing isolated sites in a manner that responds to the sites, context and constraints and maintains high levels of amenity for future occupants and neighbours.

### **Development Controls**

- C1 Council must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land with an area of less than 1,200m<sup>2</sup> and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

## **8.3 Layout and Orientation**

### **Objectives**

- O1 To encourage a more sustainable urban environment where energy efficiency is incorporated into the design, construction and use of buildings.
- O2 To reduce consumption of energy from non-renewable sources, and reduced greenhouse gas emissions.

### **Controls**

- C1 Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.
- C2 Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.
- C3 Coordinate design for natural ventilation with passive solar design techniques.
- C4 Site new development and private open space to avoid existing shadows cast from nearby buildings.
- C5 Site a building to take maximum benefit from cross-breezes and prevailing winds.
- C6 Do not compromise the creation of casual surveillance of the street, communal space and parking areas, through the required orientation.
- C7 Consider opportunities for the provision of private open space for individual rooms where it will not result in a visual or acoustic privacy impact upon neighbouring properties.



## 8.4 Building Envelope - Floor Space Ratio, Height, Building Depth

### Development Controls

- C1** New development shall comply with the relevant height and floor space ratio controls prescribed in the LEP.
- C2** New boarding houses (including alterations and additions) shall comply with the building envelope controls of this DCP (unless specified in this chapter) for comparable predominant building type in the relevant zone provided in the table below:

| Zone in which boarding house development is proposed                                       | Chapter in DCP  | Relevant Building Envelope Control |
|--|---|------------------------------------|
| <b>R2 Low Density Residential</b>  | Part C1 Dwelling Houses and outbuildings              | C1.3                               |
| <b>R3 Medium Density Residential</b>   | Part C3 Multi Dwelling Housing and Attached Dwellings | C3.3                               |
| <b>R4 High Density Residential</b>   | Part C4 Residential Flat Buildings                    | C4.3.2                             |
| <b>B1 Neighbourhood Centre</b><br><b>B2 Local Centre</b><br><b>B5 Business Development</b> | Part D Business Centres                               | D1.3                               |

Table C7.3: Envelope controls for boarding houses

## 8.5 Setbacks for boarding houses

### Objectives

- O1** To establish the desired spatial proportions of the street and define the street edge.
- O2** To limit the scale and bulk of development by retaining landscaped open space around.
- O3** To contribute to the natural landscape by retaining adequate space for new trees and conserving existing visually prominent trees.
- O4** To provide sufficient separation between buildings and adjacent land to limit the visual, environmental and likely potential amenity impacts of new development.
- O5** To minimise stormwater run-off by retaining deep soil areas that facilitate rainwater infiltration.



## Development Controls

**C1** The following setbacks apply to boarding houses in the relevant zone:

| Setbacks         | R2 and R3  | R4   | B1, B2, B5  |
|------------------|--|--|---|
| <b>Front</b>     | <ul style="list-style-type: none"> <li>Minimum setback of 6m</li> <li>On a major road: a minimum setback of 9m from front boundary</li> </ul>                            | <ul style="list-style-type: none"> <li>Minimum setback of 6m</li> <li>On a major road: a minimum setback of 9m from front boundary</li> </ul>                          | Refer to D.1.3. 4 for setbacks for boarding houses in the B1, B2 and B5 zones.<br>Refer to C5.3.2.3, C1 for side setbacks in B5 zone. |
| <b>Side</b>      | <ul style="list-style-type: none"> <li>Minimum setback of 2.5m</li> <li>Corner lots: minimum of 5.5m from the secondary frontage (the longer street boundary)</li> </ul> | <ul style="list-style-type: none"> <li>Minimum setback of 4m</li> <li>Corner lots: minimum of 5.5m from the secondary frontage (the longer street boundary)</li> </ul> |   |
| <b>Rear</b>      | <ul style="list-style-type: none"> <li>Minimum setback of 6m</li> </ul>  | <ul style="list-style-type: none"> <li>Minimum setback of 6m</li> </ul>  |   |
| <b>Deep soil</b> | <ul style="list-style-type: none"> <li>Minimum of 5m width of deep soil along the front and rear boundary based on the setback requirement.</li> </ul>                   | A minimum setback of deep soil along the side boundaries of 2m and minimum of 5m wide along the front/rear boundaries.   |   |

Table C7.3.2: Setback requirements for boarding houses

Note: If there is any inconsistency between the setback controls for boarding houses in this chapter and other chapters of the DCP, the setback controls in this chapter will prevail.

## 8.5 Building Design

### Objectives

- O1** To ensure boarding houses complement the local character and streetscape and meet the objectives of the land use zone.
- O2** To ensure development is of a scale and form that is compatible with the character and quality of streetscapes.

### Development Controls

- C1** New boarding houses (including alterations and additions) shall comply with the relevant building design controls of this DCP (unless specified in this chapter) for



comparable predominant building type in the relevant zone provided in the table below:

| Zone in which boarding house development is proposed                           | Chapter in DCP | Relevant Building Design control |
|--|----------------|----------------------------------|
| <b>R2 Low Density Residential</b>  | Chapter 5.2    |                                  |
| <b>R3 Medium Density Residential</b>   | Chapter 5.2    |                                  |
| <b>R4 High Density Residential</b>   | Chapter 5.2    |                                  |
| <b>B1 Neighbourhood Centre<br/>B2 Local Centre<br/>B5 Business Development</b> | Chapter 7      |                                  |

Table C7.4.1: Building design requirements for boarding houses

Note: The design principles of State Environmental Planning Policy No 65–Design Quality of Residential Apartment Development and the Apartment Design Guide do not apply to boarding houses.

## 8.6 Car Parking

**C1** Boarding houses shall comply with the B1 parking and transport controls of this DCP.

## 8.7 Solar Access and Overshadowing

### Objectives

- O1** To ensure habitable rooms have reasonable daylight access.
- O2** To minimise overshadowing of primary living areas and private open space.
- O3** To enable occupants to adjust the quantity of daylight to suit their needs.

### Development Controls

#### Solar Access to Proposed Development

- C1** Boarding houses should be located so that solar access to at least 50% of the communal open space areas and to communal living windows is achieved for at least 3 hours of sunlight between 8.00am and 4.00pm on 21 June.
- C2** Where site orientation permits boarding rooms must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June.
- C3** Principle areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area.
- C4** All habitable rooms are to have access to natural ventilation through an external window.



- C5** Natural light is to be available from an external window or from a light well – not from a skylight. Access to light is to be provided by way of a window or door with a minimum floor area of the room of 10%. Note: Skylight as a sole source of light is not permitted.

#### Solar Access to Neighbouring Development

- C6** Proposed development must retain a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June for existing primary living areas and communal rooms and to 50% of the principal private open space.
- C7** If a neighbouring dwelling or a boarding house currently receives less than 3 hours of sunlight, then the proposed development must not reduce the existing level of solar access to that property.
- C8** Sunlight to solar hot water or photovoltaic systems on adjoining properties must comply with the following:
- a. Systems must receive at least 3 hours of direct sunlight between 8.00am and 4.00pm on 21 June.
  - b. If a system currently receives less than 3 hours sunlight, then proposed development must not reduce the existing level of sunlight.
- C9** Clothes drying areas on adjoining residential properties must receive a minimum of 3 hours of sunlight on 21 June.

#### Shading Devices

- C10** Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.
- C11** Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.
- C12** Provide horizontal shading to north-facing windows and vertical shading to east or west windows.
- C13** Use moveable shading devices on large windows facing east and west that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.
- C14** Avoid reducing internal natural daylight or interrupting views with shading devices.
- C15** Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.
- C16** Use high performance glass with a reflectivity below 20%.
- C17** Minimise external glare by avoiding reflective films and use of tint glass.

### **8.8 Visual Privacy**

#### **Objectives**

- O1** To ensure reasonable levels of visual privacy is achieved for residents, inside a building and outside within the property, during the day and at night.



- O2** To ensure visual privacy is not compromised whilst maximising outlook and views from main living areas and private open space.
- O3** To promote passive surveillance of public and semi-public areas.

#### **Development Controls**

- C1** Locate and orient new development to maximise visual privacy between buildings, on and adjacent to the site.
- C2** Minimise direct overlooking of rooms, common rooms and private open space through the following:
  - (a) Provide adequate building separation, and rear and side setbacks; and
  - (b) Orient living room and communal room windows and private open space towards the street and/or rear of the lot to avoid direct overlooking between neighbouring residential properties.
- C3** If living room windows or communal room windows of private open spaces would directly overlook a neighbouring dwelling:
  - (a) Provide effective screening with louvres, shutters, blinds or pergolas; and/or
  - (b) Use windows that are less than 600mm wide or have a minimum sill height of at least 1.6m above the associated floor level.
- C4** Screening of bedroom windows and boarding room windows will be considered on merit and dimensions are not restricted based on potential privacy impacts.

### **8.9 Acoustic Privacy**

#### **Objectives**

- O1** To ensure reasonable levels of acoustic privacy are available for residents, externally and internally, during the day and at night.
- O2** To minimise the effect of excessive ambient noise through siting and architectural design and detailing.
- O3** To minimise the impact of rail and road noise and vibration for dwelling occupants.
- O4** To protect new and existing dwellings from intrusive noise.

#### **Development Controls**

- C1** Protect sensitive rooms, such as bedrooms and boarding rooms, from likely sources of noise such as major roads and neighbouring living areas.
- C2** Bedroom windows and boarding room windows in new developments that would be located at or close to ground level are to be raised above, or screened from, any shared pedestrian pathway.
- C3** Screen balconies or windows in living rooms, communal rooms, bedrooms or boarding rooms that would face a driveway or basement ramp.
- C4** Address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline (2008)' published by the NSW Department of Planning.





## **8.10 Fences**

### **Objectives**

- O1** To ensure that fences are integrated into the architectural form and detail of a building and present an appealing streetscape appearance.
- O2** To reduce the impact of large areas of fencing that detract from other buildings and fences in the area.
- O3** To facilitate positive interaction between private and public domain.

### **Development Controls**

- C1** Provide boundary definition by construction of an open fence or low hedge to the front street boundary.
- C2** Front fences within the front boundary setback are to be no higher than 1.2m.
- C3** Side fences may be 1.8m high to the predominant building line. Forward of the building line, side fences must taper down to the height of the front fence at a height no greater than 1.2m.
- C4** On corner sites where the façade of a building presents to two street frontages, fences are to be no higher than 1.2m.
- C5** Screen walls around private open spaces shall not be taller than 1.2m, although screens with 50% transparency may be up to 1.8m in height

## **8.10 Building Services**

### **Objectives**

- O1** To reduce impact of services and utilities through their integration with the design of landscaped areas and buildings.

### **Development Controls**

- C1** All letterboxes be installed to meet Australia Post standards.
- C2** Design and provide discretely located mailboxes at the front of the property.
- C3** The location and design of substations+ must be shown on the plans.
- C4** Substations should be located underground. Where not possible, substations are to be integrated into the building design and concealed from public view.
- C5** Substations must not be located forward of the front building line.
- C6** Integrate systems, services and utility areas with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.
- C7** Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.
- C8** Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.



- C9** Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site:
- a. Screen air conditioning units behind balcony balustrades;
  - b. Provide screened recesses for water heaters rather than surface- mounting them on exterior walls; and
  - c. Locate meters in service cabinets.
- C10** Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.
- C11** Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.
- C12** Location and design of service areas should include:
- (a) Screening of clothes drying areas from public and semi-public places; and
  - (b) Space for storage that is screened or integrated with the building design.
- C13** Minimise visual impact of solar hot water systems by:
- (a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;
  - (b) Using a colour that is consistent with the colour of roof materials;
  - (c) Designing solar panels, where possible, as part of the roof;
  - (d) Setting the solar panels back from the street frontage and position below the ridgeline; and
  - (e) Separating the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).



## SECTION 9–LIVABLE HOUSING

### Explanation

*Connective City 2036* encourages homes that enable the community to age-in-place and are easier to use for all occupants including seniors, people with temporary injuries, families with young children, and people with disabilities and their families. A key action is to provide a mix of housing products where the rooms and layout are of a size that are usable by a broader cross-section of the community. This section applies to the construction of new dwellings. It does not apply to modifications to existing dwellings.

### Objectives

- O1** To meet the changing needs of residents throughout their lifetime and to better enable residents to age-in-place.
- O2** To ensure dwellings are easy to enter, easy to navigate in and around, and be capable of easy and cost-effective adaption.

### Development Controls

- C1** Development must comply with the Livable Housing Design Guidelines (Livable Housing Australia) as follows:

| Development types                               | Development controls   |
|---|--|
| Secondary dwellings and houses                  | New dwellings must achieve the Silver Standard.  |
| Dual occupancies and semi-detached dwellings    | At least one dwelling must achieve the Gold Standard; and the second dwelling must achieve the Silver Standard.  |
| Multi dwelling housing and attached dwellings   | A minimum 20% of new dwellings must achieve the Silver Standard; and a minimum 20% of new dwellings must achieve the Gold Standard.  |
| Residential flat buildings and shop top housing | A minimum 20% of new dwellings must achieve the Silver Standard; and a minimum 20% of new dwellings must achieve the Gold Standard. However, it is noted that shop top housing will not deliver dwellings at the ground floor as this would be inconsistent with the LEP definition. |
| Boarding houses                                 | A minimum 20% of new boarding rooms must achieve the Silver Standard.  |



- C2** Despite clause C1, Council may vary the Livable Housing Design Guidelines (Design Element 1–Dwelling Access) if it is demonstrated to Council’s satisfaction that it is not possible to achieve step-free pathways on difficult and steeply sloping sites.