



Bankstown Development Control Plan 2015



PART B1

RESIDENTIAL DEVELOPMENT

Exhibition version – March 2019

Note:

Changes to the DCP are show as:

- ~~Double strike through~~ is deleted text.
- *Italics & underlined* is added text

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SECTION 1–INTRODUCTION

Bankstown Local Environmental Plan 2015 is Council's principal planning document to regulate effective and orderly development in the City of Bankstown. The LEP provides objectives, zones and development standards such as lot sizes and floor space ratios.

Part B1 of Bankstown Development Control Plan 2015 supplements the LEP by providing additional objectives and development controls to enhance the liveability and appearance of residential development in the City of Bankstown. The development controls include storey limits, setbacks, building design, private open space and landscaping.

Part B1 generally applies to land within the rural and residential zones in the City of Bankstown under the provisions of Bankstown Local Environmental Plan 2015.

Applicants must note:

- (a) Certain development may need to comply with Parts A1 to A3 of this DCP. These parts provide more detailed development controls for centres, corridors and key development sites in the residential zones. The development controls include storey limits, setbacks, landscape buffer zones and access. If applicable to a development application, the development controls of Parts A1 to A3 will prevail if there is an inconsistency with any development controls in Part B1.
- (b) 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 residential flat buildings, shop top housing, serviced apartments, boarding houses and mixed use development (containing dwellings). This includes buildings that are two storeys or less, or contain less than four dwellings.
- (c) 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, the achievable floor space of a development is likely to be less than the building envelope.

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:

- (a) To have a low density residential environment in Zone R2 where the typical features are dwelling houses, dual occupancies and multi dwelling housing 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.

- (b) 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.
- (c) 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.
- (d) To have development that is compatible with the prevailing suburban character and amenity of the residential environments.
- (e) To have development that achieves good urban design in terms of building form, bulk, architectural treatment and visual amenity.
- (f) To have development that provides adequate amenity to people who live in, work in and visit the local area.

SECTION 2–DWELLING HOUSES

Objectives

The objectives are:

- (a) To ensure lot sizes provide adequate space for dwellings, setbacks to adjoining residential land, landscaped areas, open space, driveways, vehicle manoeuvring areas and the like.
- (b) To ensure the building form, building design and landscaping of dwelling houses are compatible with the prevailing suburban character of the residential areas.
- (c) 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.
- (d) To ensure the building form and building design of dwelling houses do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.
- (e) 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.
- (f) To minimise the visual impact of off–street parking on the streetscape.

Development controls

The development controls to achieve the objectives are:

Subdivision

2.1 ~~The subdivision of land must not create more than 4 battle–axe lots.~~

Council may allow the subdivision of land to create not more than 4 battle–axe lots, provided that the average area of the lots, exclusive of any access corridor, is not less than 450m², and each lot contains a rectangle with sides of 10 metres and 15 metres behind the setbacks of the proposed dwelling house.

2.2 Where the subdivision of land is creating:

- (a) a single battle–axe lot, the minimum width of an access handle is 3.5 metres; or
- (b) 2 or more battle–axe lots, the minimum width of an access handle is 3.5 metres plus a passing bay at 30 metre intervals.

- (c) access to battle-axe lots, ensure the access is provided via access handles, and not right-of-way.

Storey limit (not including basements)

2.3 The storey limit for dwelling houses is 2 storeys.

In addition, dwelling houses in the foreshore protection area (refer to map in Appendix 1) must ensure the wall height does not exceed 7 metres and the building height does not exceed 9 metres.

2.4 The siting of dwelling houses and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.

2.5 Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:

- (a) the dwelling house is required to be raised to achieve a suitable freeboard in accordance with Part B12 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 allotment.

Setback restrictions

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

Setbacks to the primary and secondary road frontages

2.7 The minimum setback for a building wall to the primary road frontage is:

- (a) 5.5 metres for the first storey (i.e. the ground floor); and
- (b) 6.5 metres for the second storey.

2.8 The minimum setback to the secondary road 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

- 2.9** 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 allotment is 0.9 metre.
- 2.10** 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 allotment 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.
- 2.11** The basement level must not project beyond the ground floor perimeter of the dwelling house.

Private open space

- 2.12** Dwelling houses must provide a minimum 80m² 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

- 2.13** 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.
- 2.14** At least one living area of a dwelling on an adjoining allotment 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.
- 2.15** 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 allotment 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 allotment, the development must not result with additional overshadowing on the affected private open space.
- 2.16** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.

Visual privacy

2.17 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.

2.18 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.

2.19 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.

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

Building design

2.21 The maximum roof pitch for dwelling houses is 35 degrees.

2.22 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.

2.23 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.

2.24 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).

Building design (car parking)

2.25 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 Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.

2.26 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 frontages.

2.27 Despite clause 2.26, Council may allow an existing dwelling house (approved prior to 21 October 1997) to erect a carport forward of the front building line solely where:

- (a) two car parking spaces behind the front building line is not possible due to the side boundary setbacks being less than 3 metres; and
- (b) the carport achieves a high quality design with a pitched roof that complements the dwelling house; and
- (c) the carport is setback a minimum 1 metre from the primary and secondary frontages.

2.28 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.

2.29 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 Part B1 of this DCP.

Landscaping

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

2.31 Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):

- (a) a minimum 45% of the area between the dwelling house and the primary road frontage; and
- (b) a minimum 45% of the area between the dwelling house and the secondary road frontage; and

- (c) plant at least one 75 litre tree between the dwelling house and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway); 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

The objectives are:

- (a) To ensure secondary dwellings are established in conjunction with the principal dwelling on the same allotment.
- (b) To ensure the building form and building design of secondary dwellings are compatible with the prevailing suburban character of the residential areas.
- (c) 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.
- (d) To ensure the building form and building design of secondary dwellings do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.
- (e) 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

The development controls to achieve the objectives are:

Subdivision

3.1 The subdivision of secondary dwellings is prohibited.

Lot size

~~**X.X**~~ ~~*A secondary dwelling is permissible on an allotment with a minimum lot size of 450m².*~~

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 60m² 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.

In addition, attached secondary dwellings in the foreshore protection area (refer to map in Appendix 1) must ensure the wall height does not exceed 7 metres and the building height does not exceed 9 metres.

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 landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. 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 allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:

- (a) the secondary dwelling is required to be raised to achieve a suitable freeboard in accordance with Part B12 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 allotment.

Setback restrictions

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

Setbacks to the primary and secondary road frontages

3.8 The minimum setback for a building wall to the primary road 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 road 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 and rear boundaries

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 allotment 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 allotment is 1.5 metres.

Private open space

3.12 Secondary dwellings must not result in the principal dwelling on the allotment 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 allotment 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 allotment and a minimum 50% of the private open space of a dwelling on an adjoining allotment 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 allotment, 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 allotment having less than the required car parking spaces.

Landscaping

3.27 Development must retain and protect any significant trees on the allotment and adjoining allotments. 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

The objectives are:

- (a) To ensure lot sizes provide adequate space for dwellings, setbacks to adjoining residential land, landscaped areas, open space, driveways, vehicle manoeuvring areas and the like.
- (b) To ensure the building form, building design and landscaping 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.
- (c) 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.
- (d) To ensure the building form and building design of dual occupancies do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.
- (e) 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.
- (f) To minimise the visual impact of off–street parking on the streetscape.

Development controls

The development controls to achieve the objectives are:

Subdivision

- 4.1** The two dwellings forming a dual occupancy (attached) may be subdivided to a minimum lot size of 250m² per dwelling.
- 4.2** The two dwellings forming a dual occupancy (detached) may be subdivided to a minimum lot size of 350m² per dwelling.
- 4.3** For development that establishes a dual occupancy and a secondary dwelling on the same allotment, the two dwellings forming the dual occupancy may be subdivided provided the minimum lot size is 450m² per dwelling.

Storey limit (not including basements)

- 4.4** The storey limit for dual occupancies is 2 storeys.

In addition, dual occupancies in the foreshore protection area (refer to map in Appendix 1) must ensure the wall height does not exceed 7 metres and the building height does not exceed 9 metres.

- 4.5** The siting of dual occupancies, and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 4.6** Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:
 - (a) the dual occupancy is required to be raised to achieve a suitable freeboard in accordance with Part B12 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 allotment.

Setback restrictions

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

Setbacks to the primary and secondary road frontages

- 4.8** The minimum setback for a building wall to the primary road frontage is:
 - (a) 5.5 metres for the first storey (i.e. the ground floor); and

- (b) 6.5 metres for the second storey.

4.9 The minimum setback to the secondary road 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

- 4.10** 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 boundary of the allotment 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 property.
- 4.11** 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 allotment is 1.5 metres.
- 4.12** 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.
- 4.13** The basement level must not project beyond the ground floor perimeter of the dual occupancy.

Private open space

- 4.14** Dual occupancies must provide a minimum 80m² 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

- 4.15** 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.

- 4.16** At least one living area of a dwelling on an adjoining allotment 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.
- 4.17** 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 allotment 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 allotment, the development must not result with additional overshadowing on the affected private open space.
- 4.18** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.

Visual privacy

- 4.19** 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.
- 4.20** 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.
- 4.21** 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.

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

Building design

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

4.24 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 allotment each face a different frontage.

4.25 The maximum roof pitch for dual occupancies is 35 degrees.

4.26 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.

4.27 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.

4.28 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)

4.29 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 Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.

4.30 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 frontages.

4.31 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.

4.32 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 Part B1 of this DCP.

Landscaping

4.33 Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the dual occupancy.

4.34 Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):

- (a) a minimum 45% of the area between the dual occupancy and the primary road frontage; and
- (b) a minimum 45% of the area between the dual occupancy and the secondary road frontage; and
- (c) plant at least one 75 litre tree between the dual occupancy and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway); 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

The objectives are:

- (a) To ensure lot sizes provide adequate space for dwellings, setbacks to adjoining residential land, landscaped areas, open space, driveways, vehicle manoeuvring areas and the like.
- (b) To ensure the building form, building design and landscaping 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.
- (c) 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.
- (d) To ensure the building form and building design of semi-detached dwellings do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.

- (e) 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.
- (f) To minimise the visual impact of off-street parking on the streetscape.

Development controls

The development controls to achieve the objectives are:

Storey limit (not including basements)

5.1 The storey limit for semi-detached dwellings is 2 storeys.

In addition, semi-detached dwellings in the foreshore protection area (refer to map in Appendix 1) must ensure the wall height does not exceed 7 metres and the building height does not exceed 9 metres.

5.2 The siting of semi-detached dwellings and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. 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 allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:

- (a) the semi-detached dwellings are required to be raised to achieve a suitable freeboard in accordance with Part B12 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 allotment.

Setback restrictions

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

Setbacks to the primary and secondary road frontages

5.5 The minimum setback for a building wall to the primary road 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 road 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 allotment 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 property.

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 allotment 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 80m² 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 allotment 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 allotment 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 allotment, 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 allotment and neighbouring properties.

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 allotment.

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 allotment 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 Nos. 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 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 Part B1 of this DCP.

Landscaping

- 5.30** Development must retain and protect any significant trees on the allotment and adjoining allotments. 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 allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):
- (a) a minimum 45% of the area between the semi-detached dwellings and the primary road frontage; and
 - (b) a minimum 45% of the area between the semi-detached dwellings and the secondary road frontage; and
 - (c) plant at least one 75 litre tree between the semi-detached dwellings and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway); 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

The objectives are:

- (a) To ensure the building form, building design and landscaping of attached dwellings are compatible with the suburban character of the medium and high density residential areas.
- (b) 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.

- (c) To ensure the building form and building design of attached dwellings do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.
- (d) To minimise the visual impact of off-street parking on the streetscape.

Development controls

The development controls to achieve the objectives are:

Storey limit (not including basements)

- 6.1** The storey limit for attached dwellings is 2 storeys.
- 6.2** The siting of attached dwellings and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. 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 allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:
 - (a) the attached dwellings are required to be raised to achieve a suitable freeboard in accordance with Part B12 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 allotment.

Setbacks to the primary and secondary road frontages

- 6.4** The minimum setback for a building wall to the primary road 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 road 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

- 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 allotment 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 allotment is 1.5 metres.
- 6.8** The minimum setback for a driveway to the side and rear boundaries of the allotment is 1 metre.

Private open space

- 6.9** Attached dwellings must provide a minimum 60m² 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 allotment 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 allotment 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 allotment, 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 allotment and neighbouring properties.

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 allotment.

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 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.

Landscaping

6.25 Development must retain and protect any significant trees on the allotment and adjoining allotments. 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 allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):

- (a) a minimum 45% of the area between the attached dwellings and the primary road frontage; and
- (b) a minimum 45% of the area between the attached dwellings and the secondary road frontage; and
- (c) plant at least one 75 litre tree between the attached dwellings and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway).

SECTION 7–MULTI DWELLING HOUSING IN ZONE R2

Objectives

The objectives are:

- (a) To ensure the building form, building design and landscaping of multi dwelling housing are compatible with the prevailing suburban character of the

residential areas, particularly the single dwelling suburban character of the low density residential areas.

- (b) To ensure the building form and building design of multi dwelling housing provide appropriate amenity to residents in terms of private open space, access to sunlight and privacy.
- (c) To ensure the building form and building design of multi dwelling housing do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.
- (d) To ensure the building form of multi dwelling housing in the foreshore protection area preserves the existing topography, land and rock formations, and the unique ecology of natural bushland and mangrove areas.
- (e) To provide adaptable dwellings to cater for the needs of senior residents and residents with disabilities.
- (f) To minimise the visual impact of off-street parking on the streetscape.
- (g) To ensure the building form and building design of multi dwelling housing are arranged without long lengths of walls in a straight line.

Development controls

The development controls to achieve the objectives are:

Storey limit (not including basements)

- 7.1** The storey limit for multi dwelling housing is 2 storeys for front dwellings facing the street and single storey for the remaining dwellings at the rear.
- 7.2** Despite clause 7.1, Council may allow the dwellings at the rear to have up to 2 storeys provided the allotment is located at Nos. 81–83 and 105 Wattle Street in Punchbowl.
- 7.3** The siting of multi dwelling housing and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 7.4** Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:
 - (a) the multi dwelling housing are required to be raised to achieve a suitable freeboard in accordance with Part B12 of this DCP; or

- (b) the fill is contained within the ground floor perimeter of the multi dwelling housing to a height no greater than 1 metre above the ground level (existing) of the allotment.

Setback restrictions

- 7.5** The erection of multi dwelling housing is prohibited within 9 metres of an existing animal boarding or training establishment.

Setbacks to the primary and secondary road frontages

- 7.6** The minimum setback for a building wall to the primary road frontage is:

- (a) 5.5 metres for the first storey (i.e. the ground floor); and
- (b) 6.5 metres for the second storey.

- 7.7** The minimum setback to the secondary road frontage is:

- (a) 4.5 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 and rear boundaries

- 7.8** The minimum setback to the side and rear boundaries of the allotment is:

- (a) 5 metres for a building wall that contains a living area window or glass sliding door; and
- (b) 2 metres for a building wall that does not contain a living area window or glass sliding door; and
- (c) subject to Council's satisfaction, 0.9 metre for a garage or carport that is attached to the building wall.

Despite this clause, Council may allow the front dwelling to multi dwelling housing to achieve the same minimum setback to the side boundary as dwelling houses provided the front dwelling gives the appearance of a dwelling house or a dual occupancy (attached) when viewed from the street.

- 7.9** The minimum setback for a driveway to the side and rear boundaries of the allotment is 1 metre.

Private open space

- 7.10** Multi dwelling housing must provide a minimum 60m² 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.

Despite this clause, Council may allow the private open space to a front dwelling of multi dwelling housing to project forward of the front building line provided:

- (a) the allotment has a single road frontage and that road frontage is orientated to the north; and
- (b) in Council's opinion, the development will not achieve the minimum requirement for solar access should the private open space to a front dwelling be located behind the front building line; and
- (c) the area of the private open space forward of the front building line does not exceed 30% of the site area between the front dwelling and the street; and
- (d) the private open space is setback a minimum 3 metres from the primary frontage; and
- (e) the appearance of any external fence surrounding the private open space ensures:
 - (i) the section of the fence that comprises solid construction does not exceed a fence height of 1 metre above natural ground level; and
 - (ii) the remaining height of the fence comprises an open style construction (such as spaced timber pickets or wrought iron) that enhances and unifies the building design.

Access to sunlight

7.11 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.

7.12 At least one living area of a dwelling on an adjoining allotment 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.

7.13 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 allotment 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 allotment, the development must not result with additional overshadowing on the affected private open space.

- 7.14** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.

Visual privacy

- 7.15** 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.

- 7.16** 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.

- 7.17** An upper floor balcony to multi dwelling housing 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.

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

Building design

7.19 Development for the purpose of multi dwelling housing must demolish all existing dwellings (not including any heritage items) on the allotment.

7.20 The design of the front dwellings to multi dwelling housing 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.

7.21 The maximum roof pitch for multi dwelling housing is 35 degrees.

7.22 Council may allow multi dwelling housing 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.

7.23 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.

7.24 Multi dwelling housing with 10 or more dwellings must provide one adaptable dwelling per 10 dwellings in accordance with AS 4299–Adaptable Housing.

7.25 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)

7.26 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 Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.

7.27 The design and siting of car parking structures and driveways must ensure vehicles can leave the allotment in a forward direction. This clause does not apply to a front dwelling to multi dwelling housing provided the dwelling is designed to give the appearance of a dwelling house or a dual occupancy (attached) when viewed from the street.

7.28 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 of a front dwelling to multi dwelling housing 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 frontages.

7.29 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.

Landscaping

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

- 7.31** Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):
- (a) a minimum 45% of the area between the multi dwelling housing and the primary road frontage; and
 - (b) a minimum 45% of the area between the multi dwelling housing and the secondary road frontage; and
 - (c) plant at least one 75 litre tree between the multi dwelling housing and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway); 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 8–MULTI DWELLING HOUSING IN ZONES R3 AND R4

Objectives

The objectives are:

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

Development controls

The development controls to achieve the objectives are:

Isolation of allotments

- 8.1** The consent authority 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 1,200m² 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** The storey limit for multi dwelling housing is 3 storeys. Council does not allow attics.

Setbacks to the primary and secondary frontages

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

Setbacks to the side boundaries

- 8.4** The minimum setback for a building wall to the side boundary is 0.9 metres except for east–west orientated allotments 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 properties.

Private open space

- 8.5** Multi dwelling housing must provide a minimum 50m² 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

- 8.6** 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

- 8.7** 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.
- 8.8** At least one living area of a dwelling on an adjoining allotment 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.
- 8.9** 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 allotment 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 allotment, the development must not result with additional overshadowing on the affected private open space.

Visual privacy

- 8.10** 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.

8.11 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.

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

Building design (car parking)

8.13 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.

Landscaping

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

8.15 Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):

- (a) a minimum 45% of the area between the multi dwelling housing and the primary frontage; and
- (b) plant at least one 75 litre tree between the multi dwelling housing and the primary frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown or Appendix 6 for allotments that adjoin the Hume Highway).

Illustration: Concept of multi dwelling housing

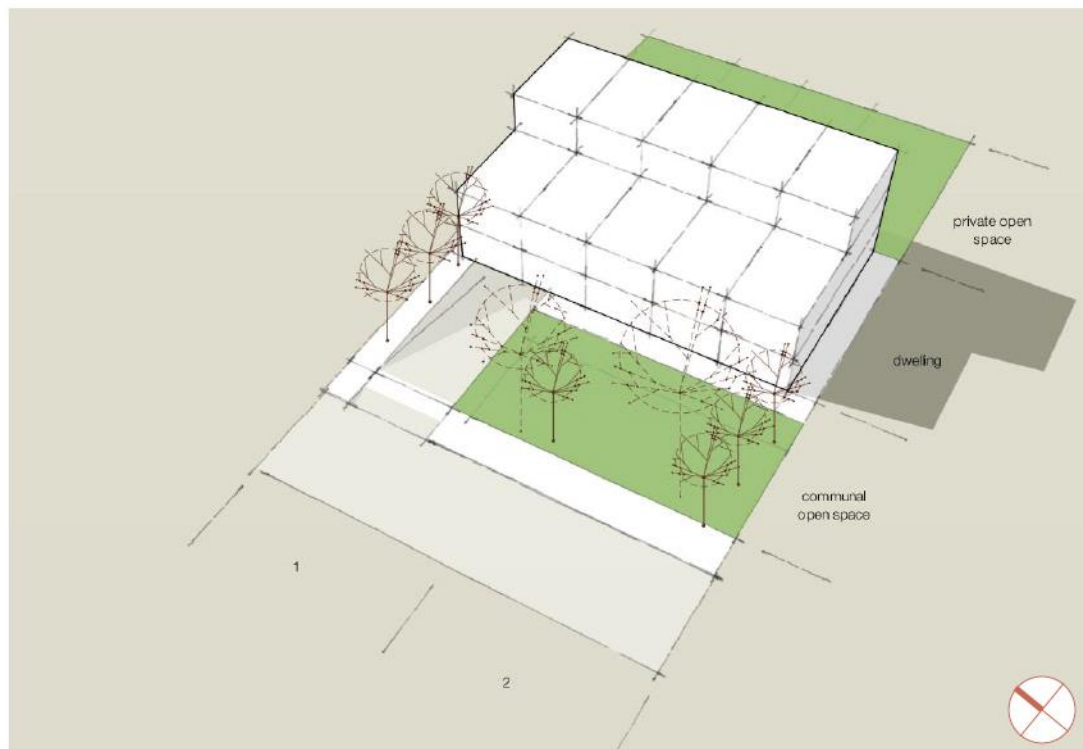
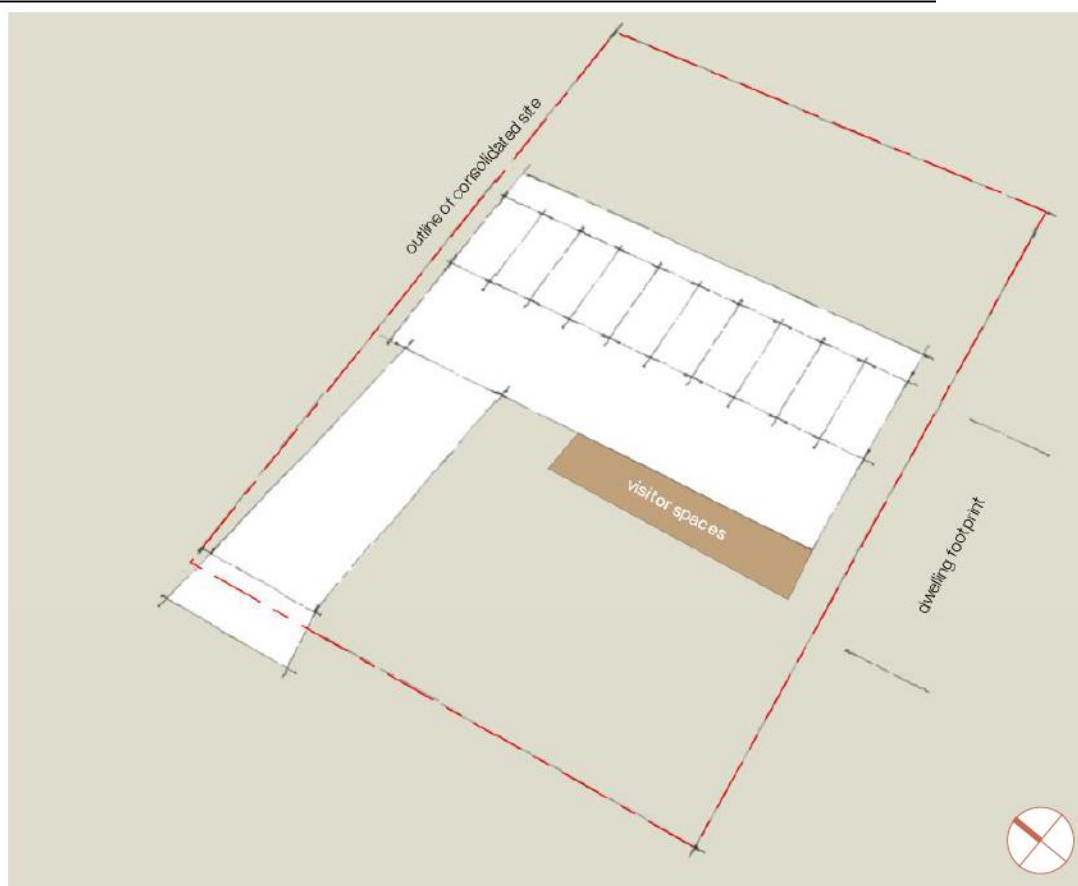


Illustration: Concept of basement car parking layout



SECTION 9—RESIDENTIAL FLAT BUILDINGS, SERVICED APARTMENTS AND SHOP TOP HOUSING

Objectives

The objectives are:

- (a) To ensure the building form, building design and landscaping of residential flat buildings, serviced apartments and shop top housing are compatible with the suburban character of the high density residential areas.
- (b) To ensure the building form and building design of residential flat buildings, serviced apartments and shop top housing provide appropriate amenity to residents in terms of access to sunlight and privacy.
- (c) To ensure the building form and building design of residential flat buildings, serviced apartments and shop top housing do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.
- (d) To provide adaptable dwellings to cater for the needs of senior residents and residents with disabilities.
- (e) To minimise the visual impact of off-street parking on the streetscape.

- (f) To ensure the building design and materials reduce the opportunities for vandalism and graffiti.

Development controls

The development controls to achieve the objectives are:

Isolation of allotments

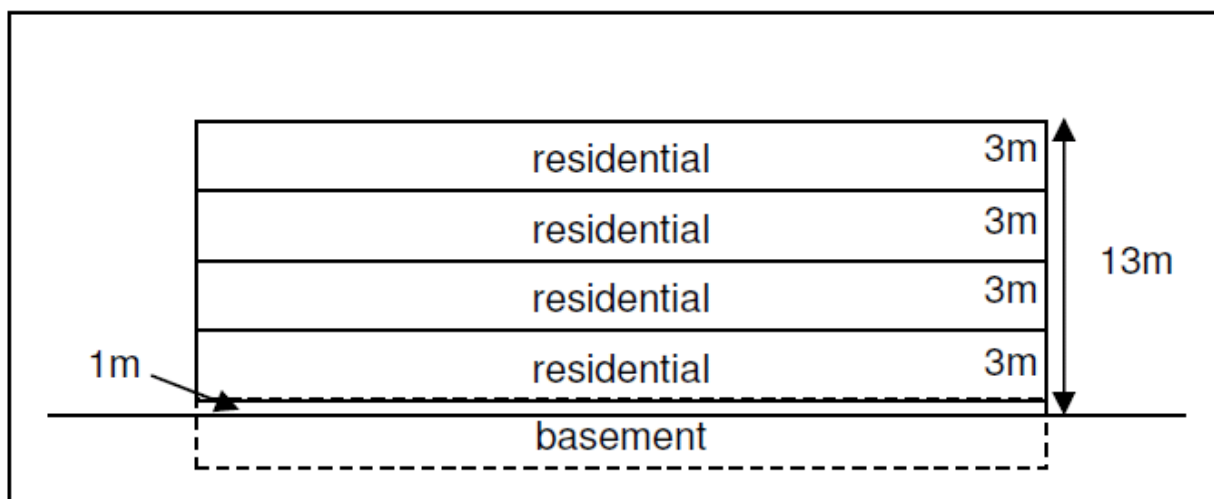
- 9.1** The consent authority must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land with an area of less than 1,200m² and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

Storey limit (not including basements)

- 9.2** 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 (Bankstown LEP 2015)	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)

Illustration: Storey limit and maximum building height



- 9.3** The siting of residential flat buildings, serviced apartments, shop top housing and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 9.4** Any reconstituted ground level on the allotment must not exceed a height of 600mm above the natural ground level of an adjoining property except where:
- (a) the residential flat building, serviced apartments or shop top housing is required to be raised to achieve a suitable freeboard in accordance with Part B12 of this DCP; or
 - (b) the fill is contained within the ground floor perimeter of the residential flat building, serviced apartments or shop top housing to a height no greater than 1 metre above the natural ground level of the allotment.

Setbacks to the primary and secondary frontages

- 9.5** The minimum setback for a building wall to the primary frontage is:
- (a) 3 metres for the allotments at Nos.1–9 Leonard Street and Nos. 74–80 Restwell Street in Bankstown; and
 - (b) 6 metres for all other allotments.
- 9.6** The minimum setback for a building wall to the secondary frontage is 6 metres.

Setbacks to the side and rear boundaries

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

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

Private open space

- 9.12** 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

- 9.12A** Council applies the design quality principles of State Environment Planning Policy No. 65–Design Quality of Residential Apartment Development and the Apartment Design Guide to residential flat buildings, serviced apartments and shop top housing. This includes buildings that are two storeys or less, or contain less than four dwellings.
- 9.13** Development for the purpose of residential flat buildings, serviced apartments and shop top housing must demolish all existing dwellings (not including any heritage items) on the allotment.
- 9.14** Residential flat buildings, serviced apartments and shop top housing with 10 or more dwellings must provide at least one adaptable dwelling plus an adaptable dwelling for every 50 dwellings in accordance with AS 4299–Adaptable Housing.
- 9.15** The maximum roof pitch for residential flat buildings, serviced apartments and shop top housing is 35 degrees.
- 9.16** Council may allow residential flat buildings (up to 3 storeys), serviced apartments (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.

9.17 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.

9.18 Council does not allow residential flat buildings, serviced apartments and shop top housing with 4 or more storeys to have attics.

9.19 Council does not allow residential flat buildings, serviced apartments and shop top housing to have roof-top balconies and the like.

9.20 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 properties.

Building design (car parking)

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

Building design (substations)

X.X *The location and design of substations must be shown on the plans.*

X.X *Substations should be located underground. Where not possible, substations are to be integrated into the building design and concealed from public view.*

X.X *Substations must not be located forward of the front building line.*

Building design (utilities and building services)

X.X *The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans.*

X.X Utilities and building services are to be integrated into the building design and concealed from public view.

Landscaping

9.22 Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the residential flat building, serviced apartments and shop top housing.

9.23 Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):

- (a) a minimum 45% of the area between the building and the primary frontage; and
- (b) a minimum 45% of the area between the building and the secondary frontage; and
- (c) plant more than one 75 litre tree between the building and the primary frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown); or
 - (i) if the allotment 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 list in Appendix 6; or
 - (ii) if the allotment 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 list in Appendix 6.

Security

9.24 Where the allotment shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence or car park on the allotment 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 allotment 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 allotment 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)

9.25 The sum of the gross floor area of all the ground floor retail premises and business premises must not exceed 90m².

9.26 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.

9.27 Business identification signs must comply with the following controls:

- (a) Council permits only one sign per retail premises and business premises;
- (b) the total sign area must not exceed 1.2 metre x 0.6 metre;
- (c) the sign is to be located on or behind the building line;
- (d) the sign is to be located at or below the awning level. Where there is no awning to the building, the sign is solely permitted below the window sill of the second storey windows;
- (e) if the sign is painted or attached to a building, the sign must not screen windows and other significant architectural features of the building;
- (f) the sign is to be non-illuminated; and
- (g) Council does not permit flashing signs, flashing lights, signs which incorporate devices which change colour, signs where movement can

be recognised by a passing motorist, signs that are not permanently fixed to the site, and signs made of canvas, calico or the like.

9.28 Corporate colours, logos and other graphics must achieve a high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape.

9.29 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.

9.30 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 properties:

- (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.

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

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

SECTION 10–BOARDING HOUSES

Objectives

The objectives are:

- (a) To ensure the building form, building design and landscaping of boarding houses are compatible with the suburban character of the residential areas.

- (b) To ensure the building form and building design of boarding houses provide appropriate amenity to residents in terms of access to sunlight and privacy.
- (c) 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.
- (d) To provide adaptable boarding rooms to cater for the needs of senior residents and residents with disabilities.
- (e) To minimise the visual impact of off-street parking on the streetscape.
- (f) To require landscape as a key characteristic in the development.

Development controls

The development controls to achieve the objectives are:

Isolation of allotments

- 10.1** The consent authority 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 1,200m² 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)

- 10.2** 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.
- 10.3** The storey limit for boarding houses in Zone R3 and boarding houses in Zone R4 is 3 storeys. Despite this clause, Council may allow boarding houses to have up to 4 storeys provided the allotment is located within:
- (a) the area bounded by Rookwood Road, Davis Lane, and school land (also known as Nos. 11–31 Rookwood Road, Yagoona, but not including No. 27C Rookwood Road; or
 - (b) the area bounded by The Boulevarde and Kearns Lane (also known as Nos. 1–7 The Boulevarde and 1 Kearns Lane, Yagoona) subject to the provision of a two storey buffer along The Boulevarde street frontage.
- 10.4** The siting of boarding houses, and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.

10.5 Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:

- (a) boarding houses are required to be raised to achieve a suitable freeboard in accordance with Part B12 of this DCP; or
- (b) 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 allotment.

Setback restrictions

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

Setbacks in Zone R2

10.7 The minimum setback for a building wall to the primary road frontage is:

- (a) 5.5 metres for the first storey (i.e. the ground floor); and
- (b) 6.5 metres for the second storey.

10.8 The minimum setback to the secondary road 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.

10.9 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 allotment is 0.9 metre.

10.10 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 allotment is 1.5 metres.

10.11 The basement level must not project beyond the ground floor perimeter of boarding houses.

Setbacks in Zones R3 and R4

10.12 The minimum setback for a building wall to the primary road frontage is 6 metres.

10.13 The minimum setback for a building wall to the secondary road frontage is 6 metres.

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

10.15 For a building with 3 or more storeys, the minimum setback to the side and rear boundaries of the allotment is 4.5 metres provided the average setback is 0.6 multiplied by the wall height.

10.16 The minimum setback for a basement level to the side and rear boundaries of the allotment is 2 metres.

10.17 The minimum setback for a driveway to the side and rear boundaries of the allotment is 1 metre.

Private open space

10.18 Boarding houses must provide:

- (a) one area of at least 20m² 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 8m² with a minimum dimension of 2.5 metres is provided adjacent to that accommodation.

10.19 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

10.20 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.

10.21 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.

10.22 At least one living area of a dwelling on an adjoining allotment 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.

10.23 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

allotment 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 allotment, the development must not result with additional overshadowing on the affected private open space.

- 10.24** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.

Visual privacy

- 10.25** 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.

- 10.26** 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.

- 10.27** 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.

10.28 Council does not allow boarding houses to have roof-top balconies and the like.

Building design

10.29 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.

10.30 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) 12m² in the case of a boarding room intended to be used by a single lodger, or
 - (ii) 16m² 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 25m²; 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.

10.31 The maximum roof pitch for boarding houses is 35 degrees.

10.32 Council does not allow boarding houses to have attics.

10.33 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 properties.

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

10.35 Boarding houses with 10 or more boarding rooms must provide at least one adaptable boarding room plus an adaptable boarding room for every 50 boarding rooms in accordance with AS 4299–Adaptable Housing.

10.36 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)

10.37 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 Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.

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

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

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

Landscaping

10.41 Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of boarding houses.

10.42 Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):

- (a) a minimum 45% of the area between the boarding house and the primary frontage; and
- (b) a minimum 45% of the area between the boarding house and the secondary frontage; and
- (c) plant more than one 75 litre tree between the boarding house and the primary frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown); or
 - (i) if the allotment 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 list in Appendix 6; or
 - (ii) if the allotment 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 list in Appendix 6; 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

10.43 Where the allotment shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence or car park on the allotment

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 allotment 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 allotment 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–GROUP HOMES

Objectives

The objectives are:

- (a) To ensure the building form, building design and landscaping of group homes are compatible with the suburban character of the residential areas.
- (b) To ensure the building form and building design of group homes provide appropriate amenity to residents in terms of access to sunlight and privacy.
- (c) To ensure the building form and building design of group homes do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.
- (d) To provide adaptable group homes to cater for the needs of senior residents and residents with disabilities.
- (e) To minimise the visual impact of off-street parking on the streetscape.
- (f) To require landscape as a key characteristic in the development.

Development controls

The development controls to achieve the objectives are:

Storey limit (not including basements)

- 11.1** The storey limit for group homes in Zone R2 is 2 storeys. In addition, group homes in the foreshore protection area (refer to map in Appendix 1) must ensure the wall height does not exceed 7 metres and the building height does not exceed 9 metres.
- 11.2** The storey limit for group homes in Zone R3 is 3 storeys.
- 11.3** The siting of group homes and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 11.4** Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:
 - (a) group homes are required to be raised to achieve a suitable freeboard in accordance with Part B12 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 allotment.

Setback restrictions

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

Setbacks in Zone R2

11.6 The minimum setback for a building wall to the primary road frontage is:

- (a) 5.5 metres for the first storey (i.e. the ground floor); and
- (b) 6.5 metres for the second storey.

11.7 The minimum setback to the secondary road 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.

11.8 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 allotment is 0.9 metre.

11.9 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 allotment is 1.5 metres.

11.10 The basement level must not project beyond the ground floor perimeter of group homes.

Setbacks in Zone R3

11.11 The minimum setback for a building wall to the primary road frontage is 6 metres.

11.12 The minimum setback for a building wall to the secondary road frontage is 6 metres.

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

11.14 For a building with 3 or more storeys, the minimum setback to the side and rear boundaries of the allotment is 4.5 metres provided the average setback is 0.6 multiplied by the wall height.

11.15 The minimum setback for a basement level to the side and rear boundaries of the allotment is 2 metres.

11.16 The minimum setback for a driveway to the side and rear boundaries of the allotment is 1 metre.

Private open space

11.17 Group homes must provide:

- (a) one area of at least 20m² 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 8m² with a minimum dimension of 2.5 metres is provided adjacent to that accommodation.

11.18 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

11.19 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.

11.20 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.

11.21 At least one living area of a dwelling on an adjoining allotment 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.

11.22 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 allotment 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 allotment, the development must not result with additional overshadowing on the affected private open space.

11.23 Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.

Visual privacy

11.24 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.

11.25 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.

11.26 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.

11.27 Council does not allow group homes to have roof-top balconies and the like.

Building design

11.28 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) 12m² in the case of a boarding room intended to be used by a single lodger, or
 - (ii) 16m² 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 25m²; 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.

11.29 The maximum roof pitch for group homes is 35 degrees.

11.30 Council does not allow group homes to have attics.

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

11.32 Group homes with 10 or more boarding rooms must provide at least one adaptable boarding room plus an adaptable boarding room for every 50 boarding rooms in accordance with AS 4299–Adaptable Housing.

11.33 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)

11.34 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 Nos. 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in Appendix 3.

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

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

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

Landscaping

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

11.39 Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):

- (a) a minimum 45% of the area between the group home and the primary frontage; and
- (b) a minimum 45% of the area between the group home and the secondary frontage; and
- (c) plant more than one 75 litre tree between the group home and the primary frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown); or
 - (i) if the allotment 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 list in Appendix 6; or

- (ii) if the allotment 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 list in Appendix 6; 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

11.40 Where the allotment shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence or car park on the allotment 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 allotment 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 allotment 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 12–HOUSING ESTATES

Objectives

The objectives are:

- (a) To ensure the subdivision of land provides adequate space for dwellings, landscaping, open space and access.
- (b) To ensure the subdivision of land provides appropriate amenity to residents.

Development controls

The development controls to achieve the objectives are:

Subdivision

12.1 In assessing proposals for residential subdivisions, Council places major emphasis on the ease with which future dwellings with good solar access can be erected on the proposed lots. In general, this condition is best fulfilled when the side boundaries of the majority of the lots are on or near a north–south axis; however, there may be other solutions. It is important to consider the subdivision beyond the subdivision stage and strive for a future residential area in which the great majority of dwellings can achieve good solar access.

12.2 The standard width for public roads is 17 metres. This comprises a 10 metre wide carriageway and a 3.5 metre wide footpath on each side of the carriageway.

Setback for No. 105 Wattle Street in Punchbowl

12.3 The minimum building setback to the northern boundary of Nos. 91–103 Wattle Street in Punchbowl is 10 metres, with preference given to deep soil planting within the setback.

Security

12.4 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 13—ANCILLARY DEVELOPMENT (OUTBUILDINGS)

Objectives

The objectives are:

- (a) To ensure outbuildings are established in conjunction with the principal dwelling on the same allotment.
- (b) To ensure the building form and building design of outbuildings are compatible with the prevailing suburban character of the residential areas.
- (c) To ensure the building form and building design of outbuildings do not adversely impact on the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy.
- (d) 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

The development controls to achieve the objectives are:

Site cover

- 13.1** The sum of the gross floor area of all the outbuildings on the allotment must not exceed 60m².
- 13.2** Outbuildings must not result in the principal dwelling on the allotment having less than the required landscaped area and private open space.

Height

- 13.3** The storey limit for outbuildings is single storey. An attic or basement is not permitted in outbuildings.
- 13.4** The maximum building height for outbuildings is 4.8 metres and the maximum wall height for outbuildings is 3 metres.
- 13.5** The siting of outbuildings and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.

13.6 Any reconstituted ground level on the allotment must not exceed a height of 600mm above the ground level (existing) of an adjoining property except where:

- (a) the outbuilding is required to be raised to achieve a suitable freeboard in accordance with Part B12 of this DCP; or
- (b) the fill is contained within the ground floor perimeter of the outbuilding to a height no greater than 1 metre above the ground level (existing) of the allotment.

Setbacks to the primary and secondary road frontages

13.7 Outbuildings must locate behind the front building line.

Setbacks to the side and rear boundaries

13.8 The minimum setback to the side and rear boundaries of the allotment 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, or outbuildings that are or are intended to be used for recreation purposes.

Building design

13.9 Outbuildings must not function as self-contained dwellings, and must not function or be adapted to function for industrial purposes.

13.10 The design of outbuildings is limited to the following facilities:

- (a) a half bowl sink; and
- (b) a maximum cupboard length of 1.8 metres; and
- (c) a toilet and shower with external access only; and
- (d) no cooking facilities or excessive number of large windows.

13.11 The maximum roof pitch for outbuildings is 25 degrees.

13.12 Council does not allow outbuildings to have roof-top balconies and the like.

Landscaping

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

SECTION 14—ANCILLARY DEVELOPMENT (OUTDOOR STRUCTURES)

Objectives

The objectives are:

- (a) To ensure outdoor structures are established in conjunction with the principal dwelling on the same allotment.
- (b) To ensure the building form and building design of outdoor structures are compatible with the prevailing suburban character of the residential areas.
- (c) To ensure the building form and building design of outdoor structures do not adversely impact on the amenity of neighbouring properties in terms of visual bulk and public health.
- (d) 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

The development controls to achieve the objectives are:

Front fences

- 14.1** The maximum fence height for a front fence is 1.8 metres.

- 14.2** The external appearance of a front fence along the front boundary of an allotment 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 allotments may achieve a fence height up to 1.8 metres.

- 14.3** Council does not allow the following types of front fences along a classified road:

- (a) chain wire, metal sheeting, brushwood, and electric fences; and
- (b) noise attenuation walls.

14.4 Where the ground level (existing) of the allotment (measured at the primary and secondary frontages) rises more than 600mm above the public footway, the front fence on the allotment must:

- (a) not exceed a fence height of 1 metre if the fence is built with a zero setback to the primary and secondary road 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 road frontages.

Dividing fences

14.5 Dividing fences require development consent where the average fence height exceeds 1.8 metres.

Retaining walls

14.6 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

14.7 Boatsheds must have a direct relationship with the water with the openings and access facing the water.

14.8 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.

14.9 The maximum storey limit for boatsheds is single storey. An attic and basement is not permitted.

14.10 The perimeter of boatsheds must not exceed a length of 8 metres and a width of 4 metres.

14.11 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

14.12 Swimming pools and spas must locate behind the front building line.

14.13 The minimum setback between the waterline of swimming pools / spas and the allotment boundary is 1 metre.

14.14 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

14.15 The number of horses or animal boarding or training establishments permitted to be kept on a site must be determined by the area of the site and must not exceed a rate of 1 horse per 30m² of the area of the site.

14.16 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.

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

SECTION 15–HOME BUSINESSES

Objectives

The objectives are:

- (a) To allow residents to carry out home businesses within a limited area of dwellings and outbuildings.
- (b) To ensure home businesses have a minimal impact on the amenity of adjoining properties.

Development controls

The development controls to achieve the objectives are:

General restrictions on development

- 15.1** Council prohibits the registration of home businesses as factories or similar uses under the requirements of WorkCover NSW.

Floor area

- 15.2** Home businesses may occupy up to 30m² of gross floor area in an outbuilding provided the home business does not reduce the required off-street parking spaces for the dwelling.
- 15.3** Home businesses may occupy up to 30m² of gross floor area in a dwelling provided the home business is restricted to a single room.

Amenity

- 15.4** Council must consider the following matters to ensure home businesses have a minimal impact on the amenity of adjoining properties:
- (a) the likely number of vehicle, delivery, and visitor movements;
 - (b) the size of delivery vehicles associated with the home business;
 - (c) the siting of loading activities behind the front building line;
 - (d) the type of equipment or machinery to be used by the home business;

- (e) the need for an acoustic report where the home business is likely to generate significant noise levels;
- (f) the need to control any odours or emissions; and
- (g) whether the hours of operation are within 8.00am to 6.00pm Monday to Saturday and not at any time on a Sunday or public holiday.

Building design (signage)

15.5 Business identification signs must comply with the following controls:

- (a) Council permits only one sign per allotment;
- (b) the total sign area must not exceed 1.2 metre x 0.6 metre;
- (c) the sign is to be located on or behind the building line;
- (d) the sign is to be located at or below the awning level. Where there is no awning to the building, the sign is solely permitted below the window sill of the second storey windows;
- (e) if the sign is painted or attached to a building, the sign must not screen windows and other significant architectural features of the building;
- (f) the sign is to be non-illuminated; and
- (g) Council does not permit flashing signs, flashing lights, signs which incorporate devices which change colour, signs where movement can be recognised by a passing motorist, signs that are not permanently fixed to the site, and signs made of canvas, calico or the like.

15.6 Corporate colours, logos and other graphics must achieve a high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape.

SECTION 16–NEIGHBOURHOOD SHOPS AND LIVE–WORK ENTERPRISES IN ZONES R3 AND R4

Objectives

The objectives are:

- (a) To ensure neighbourhood shops and live–work enterprises enable the co–location of appropriate business and residential uses.
- (b) To ensure neighbourhood shops and live–work enterprises make a positive contribution to the visual character of the streetscape.
- (c) To ensure the building form and function of neighbourhood shops and live–work enterprises are compatible with the prevailing suburban character of the residential areas.
- (d) To ensure the building form and function of neighbourhood shops and live–work enterprises do not adversely impact on the amenity of adjoining dwellings and neighbouring properties.

Development controls

The development controls to achieve the objectives are:

Building design (neighbourhood shops)

- 16.1** A maximum one neighbourhood shop is permitted on an allotment.
- 16.2** The neighbourhood shop must locate on the ground floor.
- 16.3** A stand–alone neighbourhood shop must comply with the storey limit and setback controls applicable to attached dwellings in Zone R3 or residential flat buildings in Zone R4.

Building design (live–work enterprises)

- 16.4** A maximum one dwelling may be used for the purposes of live–work enterprise on an allotment. The live–work enterprise component of the dwelling must locate on the ground floor.
- 16.5** The predominant use of the dwelling must be for residential purposes.

- 16.6** The residential component of the dwelling must locate above or behind the live-work enterprise floor area.
- 16.7** The residential and live-work enterprise components of a dwelling must not be subdivided as part of a strata plan or community title scheme.
- 16.8** The live-work enterprise component must connect with the residential component of a dwelling via internal stairs so that the residential component is not sub-let but is used by the tenants/owners of the live-work enterprise.
- 16.9** The residential component of the dwelling must comply with Part B1 of this DCP to provide acceptable levels of amenity and address access to sunlight and visual privacy.

Building design (general)

- 16.10** Development must achieve a high standard of architectural design and visual quality including:
- (a) facade modulation;
 - (b) high quality materials including variation in texture and colour;
 - (c) landscaping within the front boundary setback; and
 - (d) vehicle access, parking and manoeuvring not being visually dominant when viewed from the street.
- 16.11** 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.

Building design (signage)

- 16.12** Business identification signs must comply with the following controls:
- (a) Council permits only one sign per allotment;
 - (b) the total sign area must not exceed 1.2 metre x 0.6 metre;
 - (c) the sign is to be located on or behind the building line;
 - (d) the sign is to be located at or below the awning level. Where there is no awning to the building, the sign is solely permitted below the window sill of the second storey windows;
 - (e) if the sign is painted or attached to a building, the sign must not screen windows and other significant architectural features of the building;

- (f) the sign is to be non-illuminated; and
- (g) Council does not permit flashing signs, flashing lights, signs which incorporate devices which change colour, signs where movement can be recognised by a passing motorist, signs that are not permanently fixed to the site, and signs made of canvas, calico or the like.

16.13 Corporate colours, logos and other graphics must achieve a high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape.

Amenity

16.14 Council must consider the following matters to ensure development for the purposes of neighbourhood shops and live-work enterprises has a minimal impact on the amenity of adjoining dwellings and neighbouring properties:

- (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 residential development;
- (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.

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

16.16 Council may limit the hours of operation of neighbourhood shops and live-work enterprises from 7.00am to 7.00pm Monday to Saturday and 9.00am to 6.00pm on a Sunday and not at any time on a public holiday.

Waste storage areas

16.17 Neighbourhood shops must provide waste storage areas inside every food premises and inside any shop that is capable of accommodating a food premises.

16.18 Neighbourhood shops must locate waste storage areas inside the building or adjacent to a lane where it is:

- (a) convenient and safe for residents, tenants, and waste collection trucks to access the waste storage area; and
- (b) the location and floor level are to the satisfaction of Council.

16.19 With any waste storage area:

- (a) the wall height must ensure people can walk into the waste storage area and the lid of a waste bin can be opened with ease; and
- (b) Council may increase the minimum dimensions for a commercial waste storage area depending on the likely use of the business and retail premises and the frequency of collection services.

SECTION 17–HEALTH CONSULTING ROOMS

Objectives

The objectives are:

- (a) To have health consulting rooms that provide services to meet the day to day needs of residents.
- (b) To have health consulting rooms that are compatible with the prevailing suburban character and amenity of the residential areas.

Development controls

The development controls to achieve the objectives are:

Parking

- 17.1** Development must provide a minimum 3 off–street car spaces for the purposes of the health consulting rooms and 2 off–street parking spaces for the dwelling house. At least one of the spaces must be suitable for people with disabilities.

All patient car parking must locate forward of the dwelling house/health consulting rooms, whilst the resident or practitioner’s spaces may locate to the rear or side of the development.

- 17.2** Development may provide the 2 off–street car spaces for the dwelling house in a stacked or tandem manner behind the front building line.

The remaining 3 off–street car spaces for the purposes of the health consulting rooms must be directly accessible and available for use by patients at all times, therefore stacked parking in this regard is not acceptable. Access to patient parking should not be via any carport, drive–through garage or similar structure.

Acoustic privacy

- 17.3** Health consulting rooms must operate within the hours of 7.00am to 7.00pm Monday to Saturday and 9.00am to 6.00pm on a Sunday and not at any time on a public holiday.

- 17.4** Use of the consulting rooms outside the above hours will be permitted only in emergencies.

Business identification signs

- 17.5** Business identification signs must comply with the following controls:

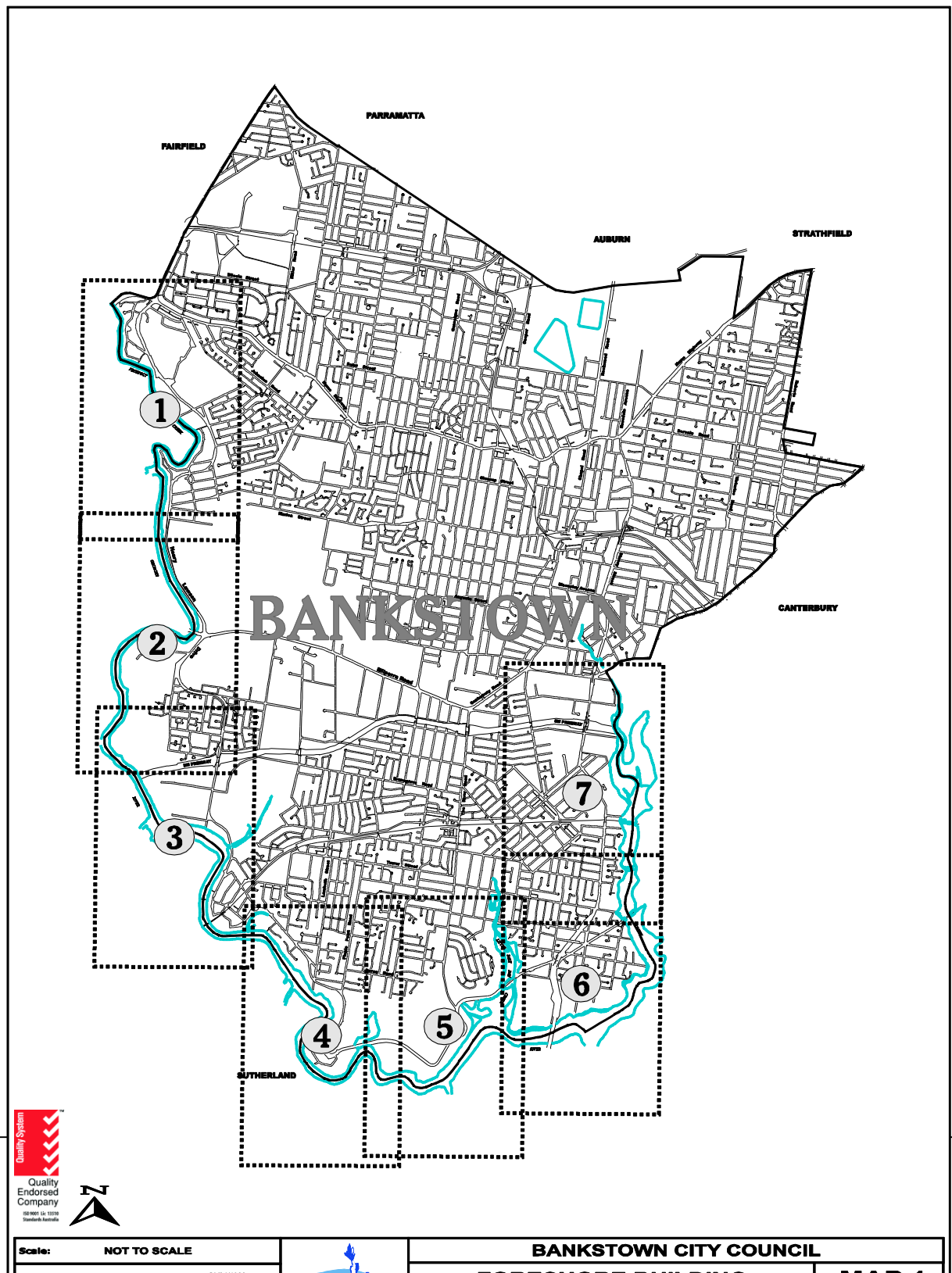
- (a) Council permits only one sign per allotment;
- (b) the total sign area must not exceed 0.65 metre x 0.65 metre;
- (c) sign is to be affixed either to the building or front fence;
- (d) if the sign is painted or attached to a building, the sign must not screen windows and other significant architectural features of the building;
- (e) the sign is to be non-illuminated;
- (f) Council does not permit flashing signs, flashing lights, signs which incorporate devices which change colour, signs where movement can be recognised by a passing motorist, signs that are not permanently fixed to the site, and signs made of canvas, calico or the like; and
- (g) Council may allow standard doctors' and dentists' signs.

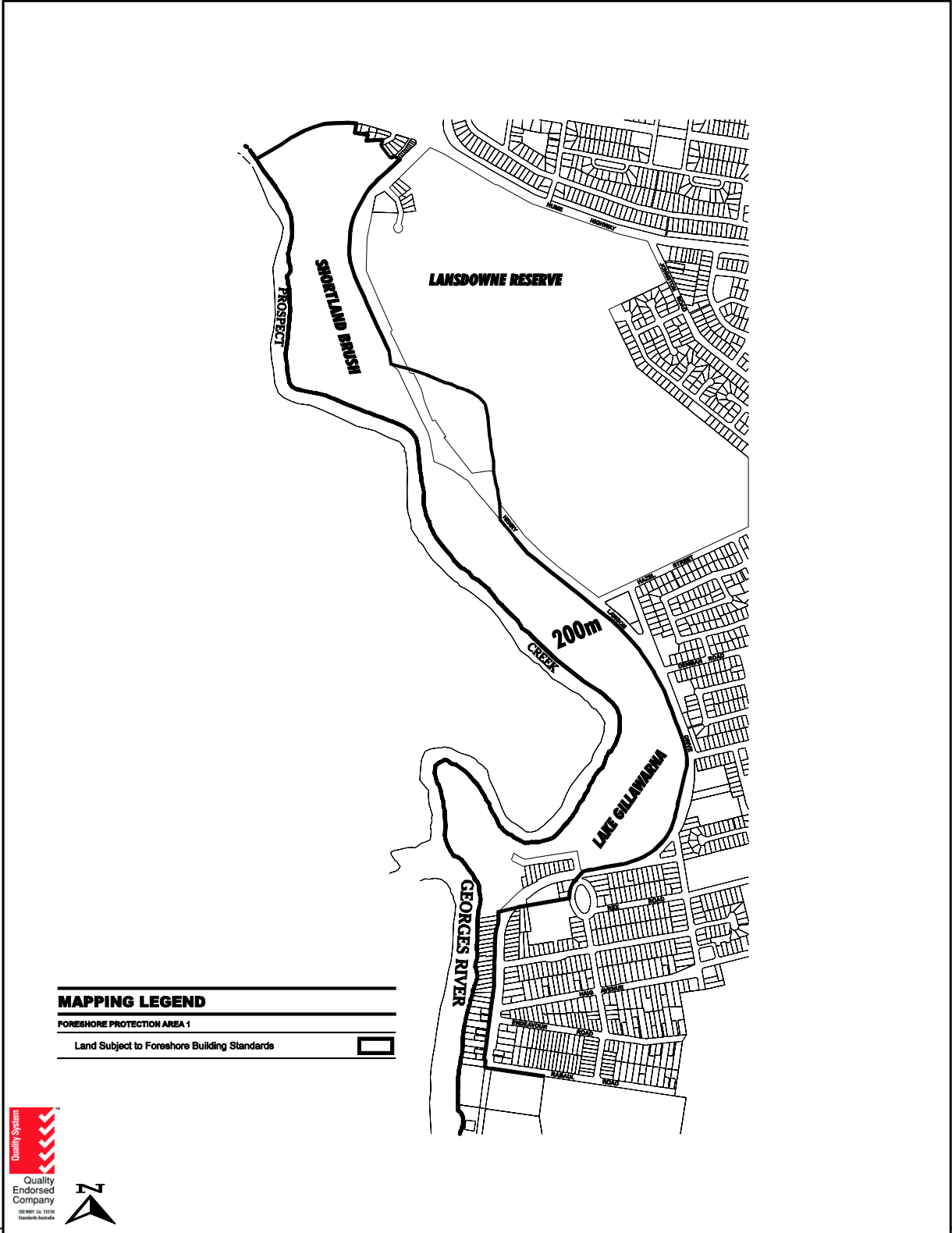
Waste storage areas

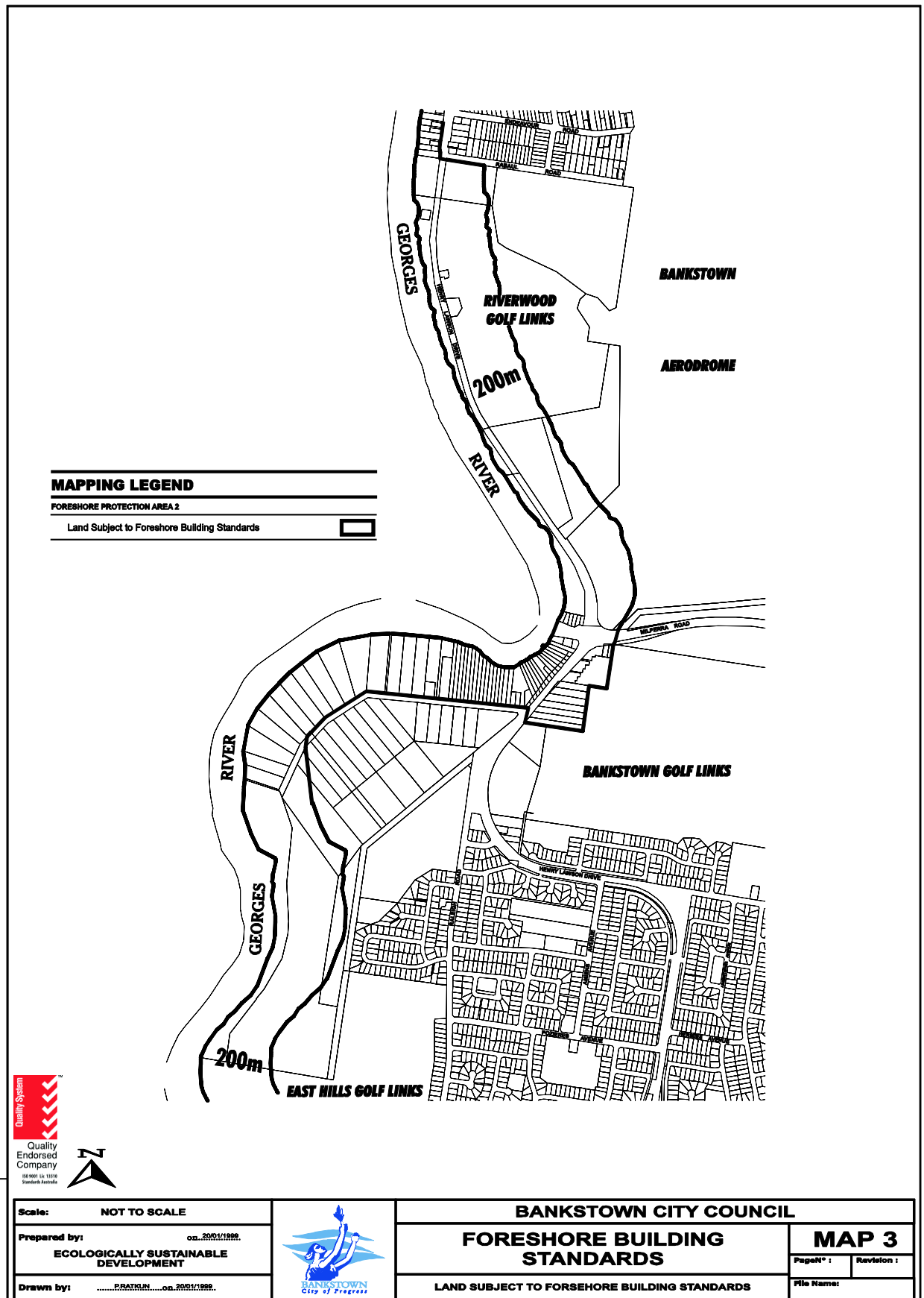
- 17.6** The design, location and screening of the waste storage areas must be to the satisfaction of Council.
- 17.7** Health consulting rooms must dispose medical wastes in accordance with the NSW Ministry of Health requirements.

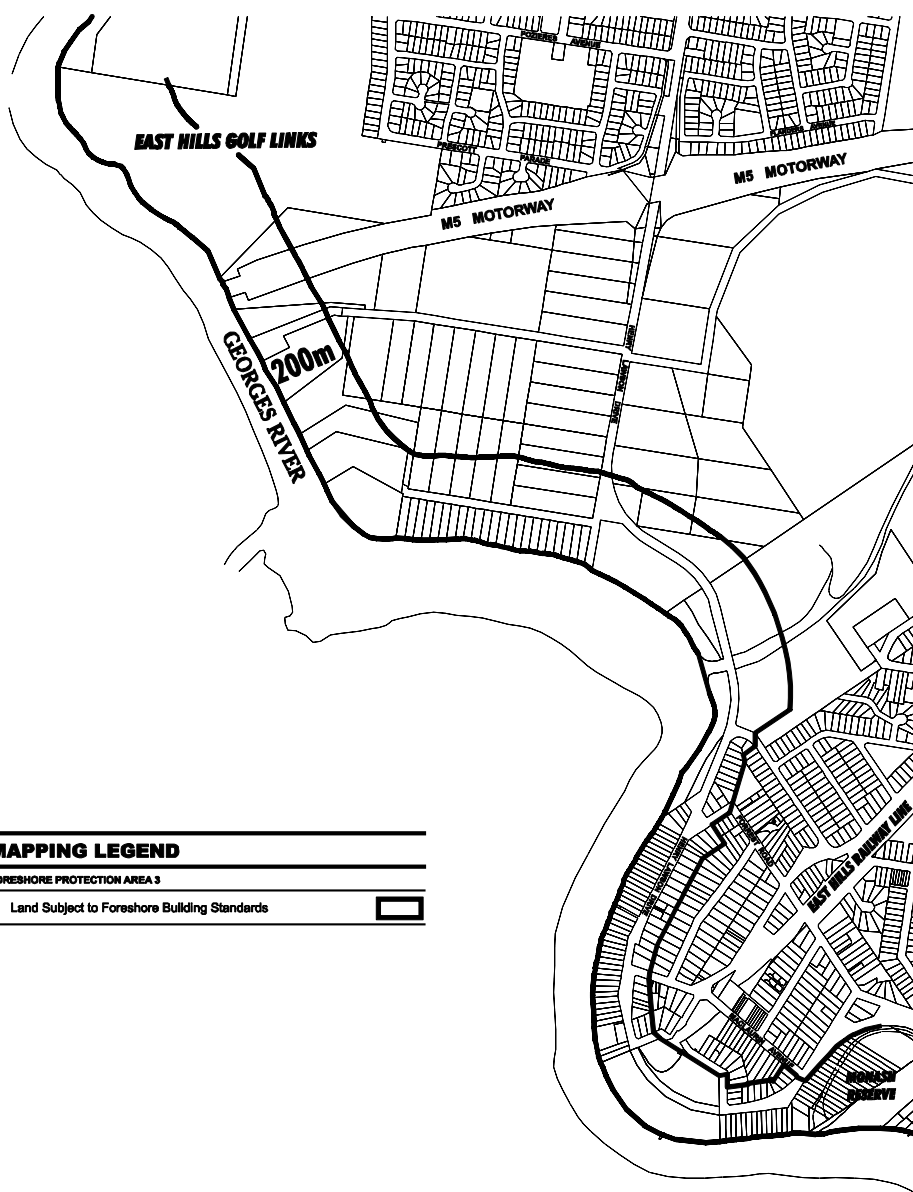
APPENDICES

Appendix 1–Foreshore Protection Area









MAPPING LEGEND

FORESHORE PROTECTION AREA 3

Land Subject to Foreshore Building Standards



Scale: NOT TO SCALE

Prepared by: on 20/1/1999
**ECOLOGICALLY SUSTAINABLE
 DEVELOPMENT**

Drawn by:PRATKUN.....on 20/1/1999



BANKSTOWN CITY COUNCIL

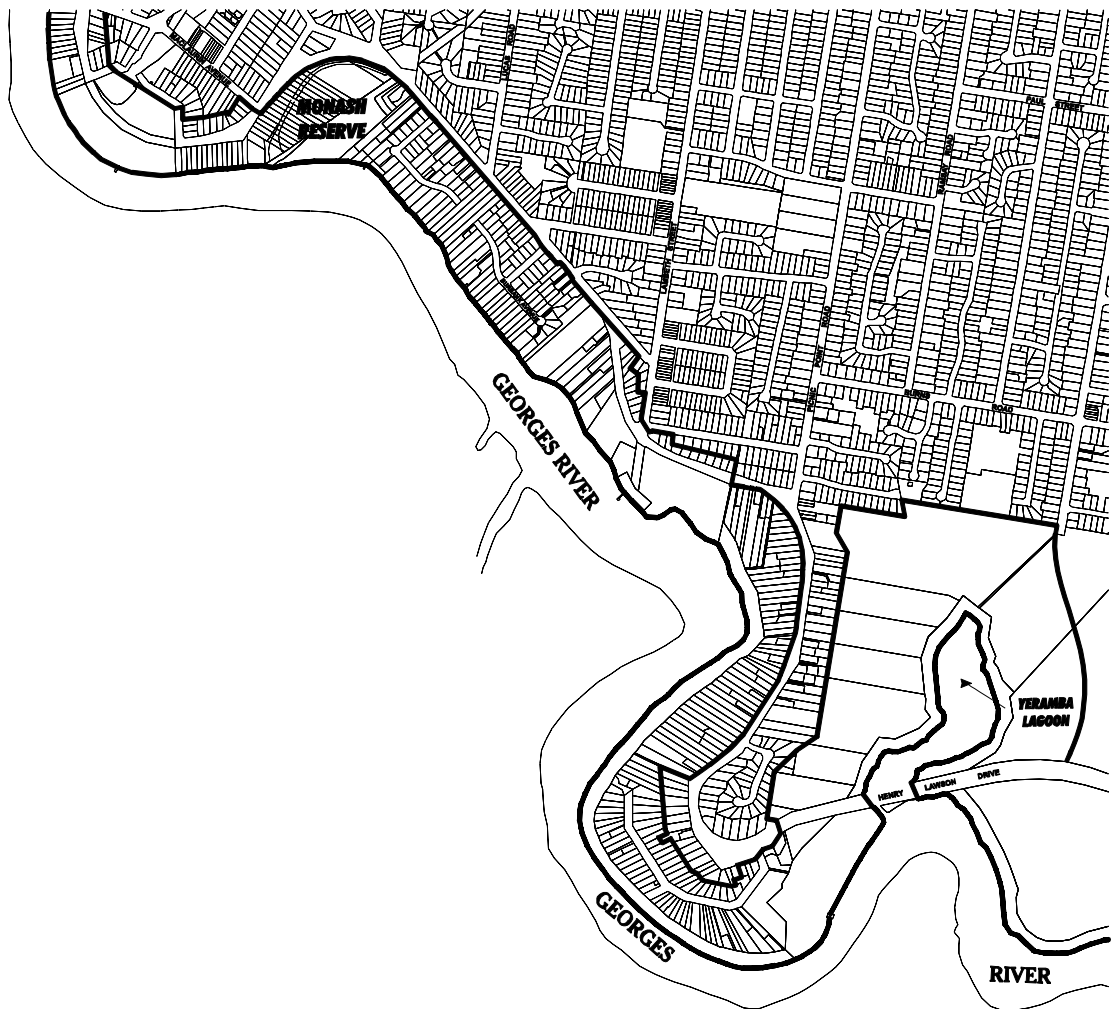
**FORESHORE BUILDING
 STANDARDS**

LAND SUBJECT TO FORSEHORE BUILDING STANDARDS

MAP 4

PageN° : Revision :

File Name:



MAPPING LEGEND

FORESHORE PROTECTION AREA 4

Land Subject to Foreshore Building Standards



Scale: NOT TO SCALE

Prepared by: on: 20/01/1999.
ECOLOGICALLY SUSTAINABLE
DEVELOPMENT

Drawn by: on: 20/01/1999.



BANKSTOWN CITY COUNCIL

FORESHORE BUILDING
STANDARDS

LAND SUBJECT TO FORESHORE BUILDING STANDARDS

MAP 5

PageN° : Revision :

File Name:



MAPPING LEGEND

FORESHORE PROTECTION AREA 8

Land Subject to Foreshore Building Standards



Scale: NOT TO SCALE

Prepared by: on 20/01/1999.
ECOLOGICALLY SUSTAINABLE
DEVELOPMENT

Drawn by: on 20/01/1999.



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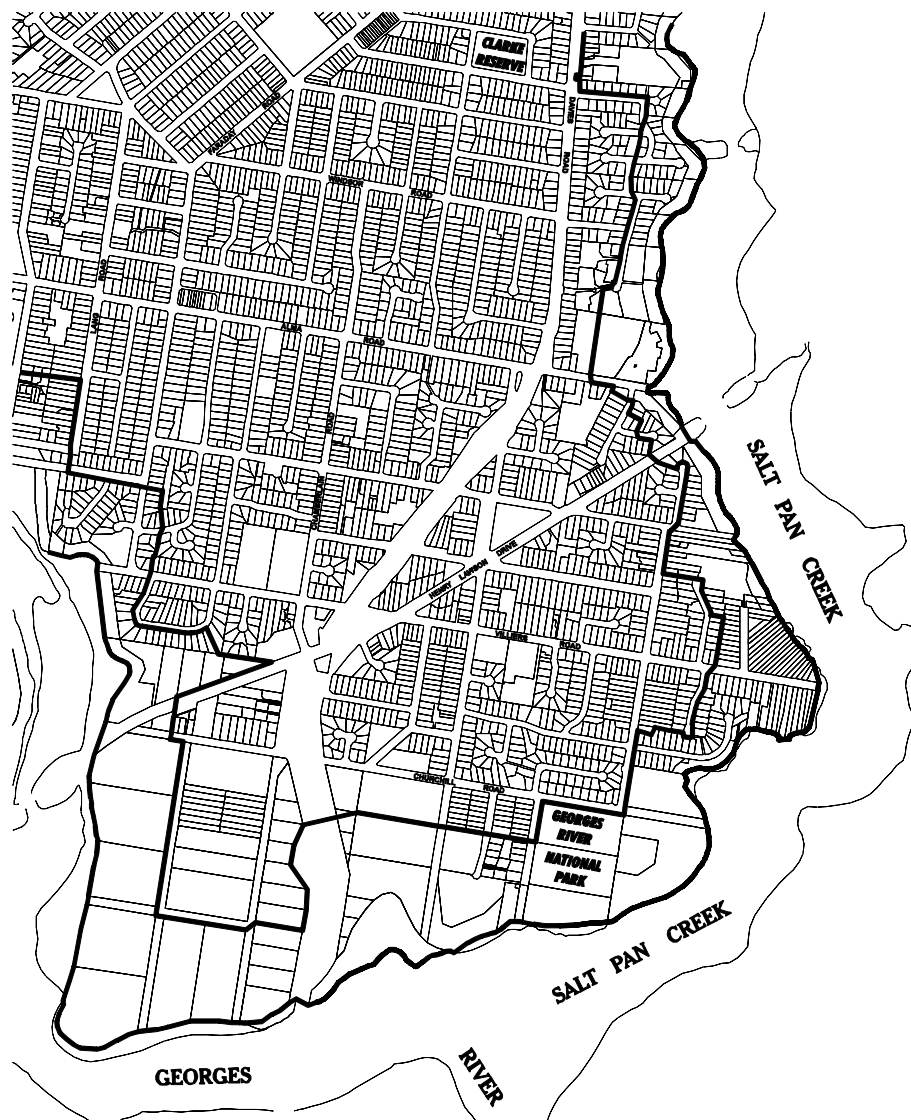
FORESHORE BUILDING
STANDARDS

LAND SUBJECT TO FORESHORE BUILDING STANDARDS

MAP 6

PageN° : Revision :

File Name:



MAPPING LEGEND

FORESHORE PROTECTION AREA 6

Land Subject to Foreshore Building Standards



Scale: NOT TO SCALE

Prepared by: on 20/01/1999.
ECOLOGICALLY SUSTAINABLE
DEVELOPMENT

Drawn by: on 20/01/1999.



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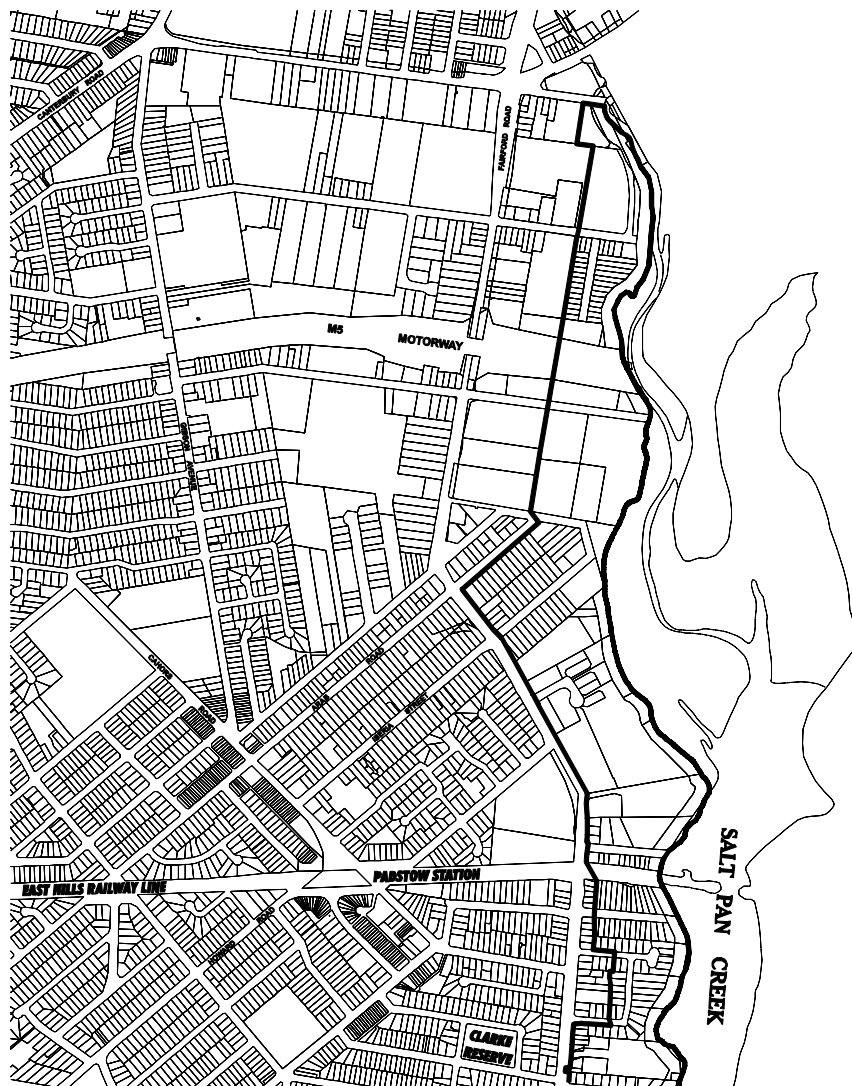
FORESHORE BUILDING
STANDARDS

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: on 20/01/1999.
ECOLOGICALLY SUSTAINABLE
DEVELOPMENT

Drawn by: on 20/01/1999.



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FORESHORE BUILDING
STANDARDS

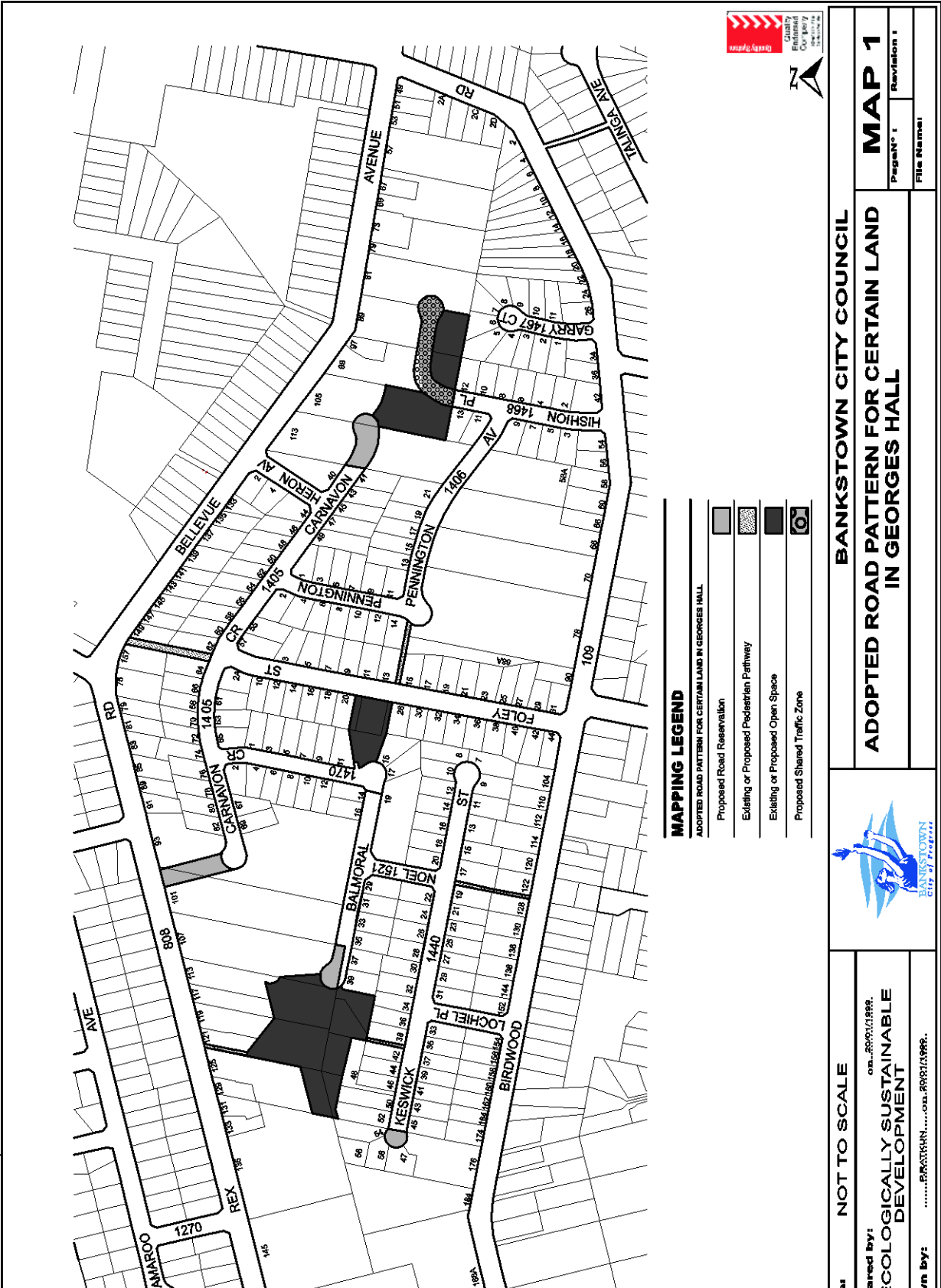
LAND SUBJECT TO FORESHORE BUILDING STANDARDS

MAP 8

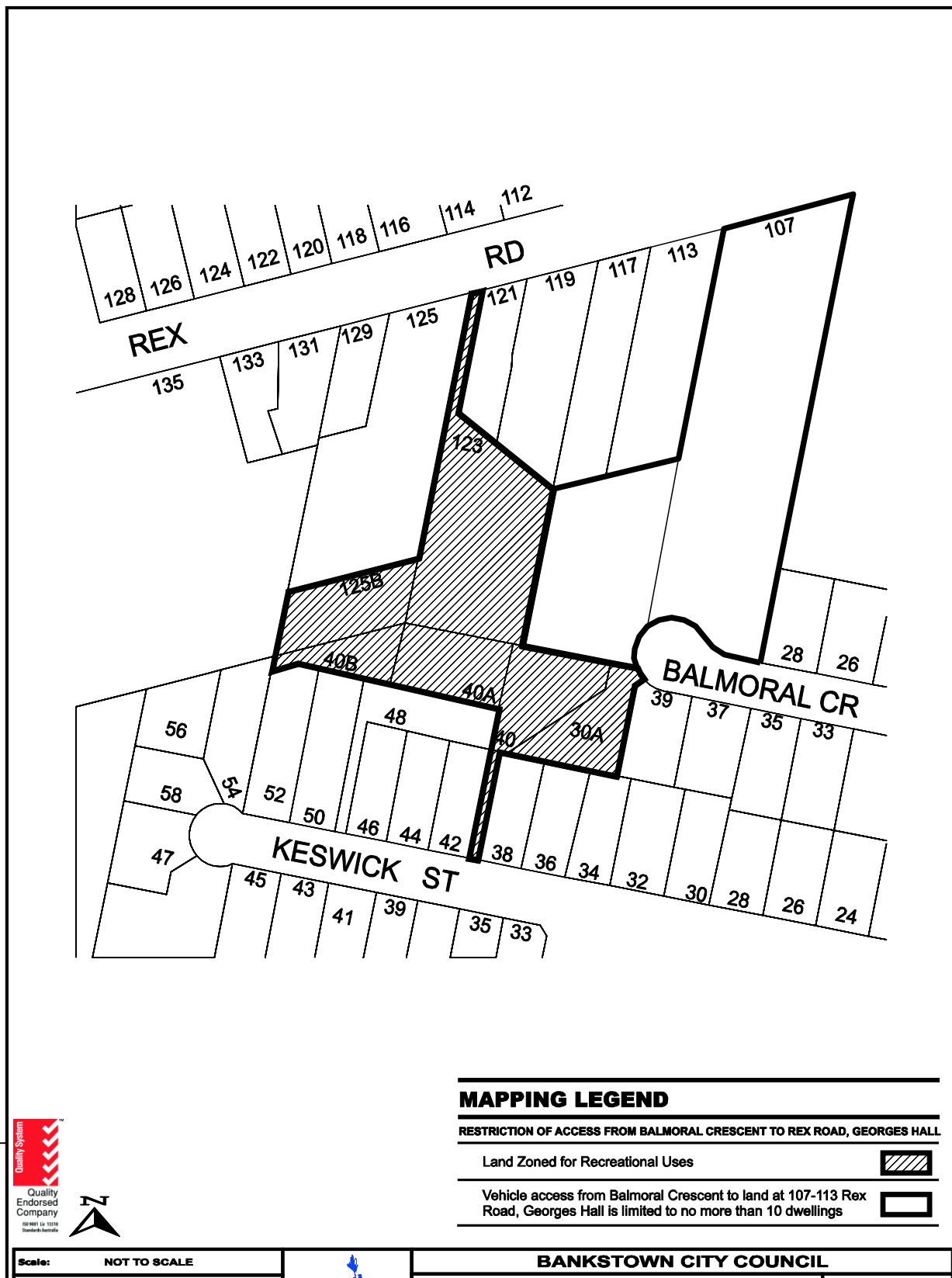
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Appendix 2–Adopted road pattern for certain land in Georges Hall



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



Appendix 4–Suggested species for native landscaping purposes

Local Indigenous Species	Common Name	Preferred Soil
<i>Acacia falcata</i>	Sickle Wattle	Sand
<i>Acacia longifolia</i>	Sydney Golden Wattle	Sand
<i>Acacia suaveolens</i>	Sweet Scented Wattle	Sand
<i>Acacia terminalis</i>	Sunshine Wattle	Clay
<i>Acacia ulicifolia</i>	Prickly Moses	Sand
<i>Billardiera scandens</i>	Climbing Apple Berry	Sand
<i>Breynia oblongifolia</i>	Coffee Brush	Sand
<i>Bursaria spinosa</i>	Blackthorn	Clay/Sand
<i>Callistemon linearis</i>	Narrow-leaf Bottlebrush	Clay
<i>Callistemon salignus</i>	Willow Bottlebrush	Clay/Sand
<i>Carex appressa</i>	Tussock Sedge	Sand
<i>Clematis aristata</i>	Old Man's Beard	Sand
<i>Clematis glycinoides</i>	Traveller's Joy	Sand
<i>Clerodendrum tomentosum</i>	Hairy Clerodendrum	Alluvial
<i>Correa reflexa</i>	Common Correa	Sand
<i>Crinum pedunculatum</i>	Swamp Lily	Alluvial
<i>Danthonia tenuior</i>	Wallaby Grass	Sand
<i>Dianella caerulea</i>	Paroo Lily	Clay
<i>Dianella longifolia</i>	Pale Flax Lily	Sand
<i>Dianella revoluta</i>	Black-anther Flax Lily	Sand
<i>Dichelachne micrantha</i>	Short-hair Plume Grass	Sand
<i>Dodonaea triquetra</i>	Common Hop Bush	Sand
<i>Echinopogon caespitosus</i>	Hedgehog Grass	Sand
<i>Einadia hastata</i>	Saloop Saltbush	Clay
<i>Eragrostis brownii</i>	Brown's Lovegrass	Sand
<i>Eriostemon myoporoides</i>	Long-leaf Wax Flower	Sand
<i>Eustrephus latifolius</i>	Wombat Berry	Sand
<i>Gonocarpus teucrioides</i>	Raspwort	Sand
<i>Goodenia bellidifolia</i>	Rocket Goodenia	Sand
<i>Grevillea sericea</i>	Pink Spider Flower	Clay/Sand
<i>Hakea sericea</i>	Silky Hakea	Sand
<i>Hardenbergia violacea</i>	Purple Twining Pea	Clay/Sand
<i>Hibbertia aspera</i>	Rough Guinea-flower	Sand/Shale
<i>Imperata cylindrica</i>	Blady Grass	Sand
<i>Indigofera australis</i>	Native Indigo	Sand/Shale
<i>Juncus usitatus</i>	Tussock Rush	Alluvial
<i>Kennedia rubicunda</i>	Dusty Coral Pea	Clay
<i>Kunzea ambigua</i>	Tick Bush	Sand
<i>Leptospermum polygalifolium</i>	Yellow Tea Tree	Sand
<i>Leptospermum trinervium</i>	Flaky-barked Tea Tree	Sand
<i>Lomandra longifolia</i>	Spiny-headed Mat-rush	Clay/Sand
<i>Melaleuca nodosa</i>	Ball Honey Myrtle	Sand
<i>Melaleuca thymifolia</i>	Claw Honey Myrtle	Sand
<i>Microlaena stipoides</i>	Weeping Meadow Grass	Sand
<i>Oplismenus imbecilis</i>	Basket Grass	Sand
<i>Ozothamnus diosmifolius</i>	White Dogwood	Sand
<i>Pandorea pandorana</i>	Wonga Wonga Vine	Clay
<i>Persicaria decipiens</i>	Slender Knotweed	Alluvial
<i>Persicaria lapathifolia</i>	Pale Knotweed	Alluvial

Petrophile pulchella	Conesticks	Sand
Pimelea linifolia	Slender Rice Flower	Sand
Plectranthus parviflorus	Cockspur Flower	Sand
Polyscias sambucifolia	Elderberry Panax	Sand
Pomax umbellata	Pomax	Sand
Pultenaea villosa	Bronze Bush Pea	Sand
Rubus parviflorus	Native Raspberry	Clay
Triglochin striatum	Streaked Arrowgrass	Alluvial
Triglochin procerum	Water Ribbons	Alluvial
Viola hederacea	Native Violet	Sand

Appendix 5–Suggested trees for native landscaping purposes

Australian Native Species	Common Name	Preferred Soil
Acacia binervia	Myall Wattle	Sand/Clay*
Acmena smithii	Lilli Pilli	
Angophora costata	Smooth Barked Apple	
Backhousia citriodora	Lemon Scented Myrtle	
Backhousia floribunda	Flowering Myrtle	
Banksia serrata	Old Man Banksia	Sand*
Brachychiton populneum	Kurrajong	
Callistemon citrinus	Crimson Bottlebrush	
Callistemon pinifolius	Green Bottlebrush	
Callistemon viminalis	Weeping Bottlebrush	
Ceratopetalum gummiferum	Christmas Bush	
Elaeocarpus reticulatus	Blueberry Ash	Sand*
Eucalyptus eugenioides	Thin Leaf Stringybark	Clay*
Eucalyptus fibrosa	Broad Leaf Ironbark	Clay*
Eucalyptus gummifera	Red bloodwood	Sand*
Eucalyptus haemastoma	Scribbly Gum	Sand*
Eucalyptus longifolia	Woollybutt	Clay*
Eucalyptus moluccana	Grey Box	Clay*
Eucalyptus resinifera	Red Mahogany	Sand/Clay*
Eucalyptus sideroxylon	Mugga Ironbark	Clay*
Eucalyptus tereticornis	Forest Redgum	Clay*
Flindersia australis	Australian Teak/ Crows Ash	
Glochidion ferdinandii	Cheese Tree	
Harpullia pendula	Tulipwood	
Hymenosporum flavum	Native Frangipani	
Leptospermum petersonii	Lemon Scented Tea Tree	Sand/Clay*
Lophostemon conferta	Brushbox	
Melaleuca decora	White Feather Honey Myrtle	Clay*
Melaleuca linariifolia	Narrow Leaf Paperbark	Clay*
Pittosporum revolutum	Yellow/ Rough Fruit Pittosporum	
Pittosporum rhombifolium	Diamond Leaf Pittosporum	
Podocarpus elatus	Illawarra Plum	
Stenocarpus sinuatus	Queensland Firewheel Tree	
Syncarpia glomulifera	Turpentine	Sand/Clay*
Syzygium luehmannii	Small Leaf Lilli Pilli	
Syzygium paniculatum	Brush Cherry	
Syzygium oleosum	Blue Lilli Pilli	
Tristanopsis laurina	Water Gum	
Waterhousia floribunda	Weeping Lilli Pilli	

* Asterix denotes plant species native to Bankstown area. **NOTE:** Plants listed will benefit from improved garden soil conditions, irrigation and ongoing maintenance. The above plant list is not exhaustive, additional species may be considered. Planting to be determined with concession to site conditions, aspect, exposure, drainage and surrounding vegetation.

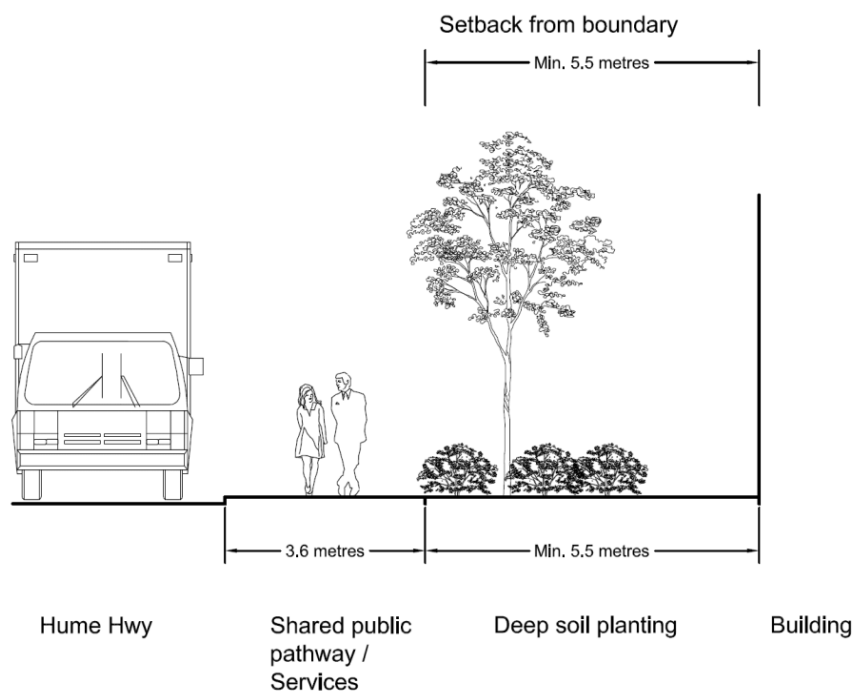
Appendix 6–Suitable trees on the Hume Highway

Australian Native Species	Common Name	Preferred Soil
		sand / clay Improved soil conditions composted garden soil
<i>Acmena smithii</i>	Lilli Pilli	
<i>Angophora costata</i>	Smooth Barked Apple	
<i>Brachychiton acerifolius</i>	Illawarra Flame Tree	
<i>Cupaniopsis anarchoides</i>	Tuckeroo	
<i>Elaeocarpus reticulatus</i>	Blueberry Ash	s*
<i>Eucalyptus beaureana</i>	Blue Box	
<i>Eucalyptus haemastoma</i>	Scribbly Gum	s*
<i>Eucalyptus maculata</i>	Spotted Gum	
<i>Eucalyptus moluccana</i>	Grey Box	c*
<i>Flindersia australis</i>	Australian Teak/ Crows Ash	
<i>Harpullia pendula</i>	Tulipwood	
<i>Leptospermum petersonii</i>	Lemon Scented Tea Tree	s/c*
<i>Lophostemon conferta</i>	Brushbox	
<i>Stenocarpus sinuatus</i>	Queensland Firewheel Tree	
<i>Syncarpia glomulifera</i>	Turpentine	s/c*
<i>Syzygium luehmannii</i>	Small Leaf Lilli Pilli	
<i>Tristania laurina</i>	Water Gum	
* Asterix denotes plant species native to Bankstown area. NOTE: Plants listed will benefit from improved garden soil conditions, irrigation and ongoing maintenance. The above plant list is not exhaustive, additional species may be considered. Planting to be determined with concession to site conditions, aspect, exposure, drainage and surrounding vegetation.		

Non–Native Species	Common Name	Preferred Soil– Improved Organic
<i>Gordonia axillaris</i>	Gordonia	
<i>Jacaranda mimosaeifolia</i>	Jacaranda	
<i>Koelreutaria paniculata</i>	Pride Of China	
<i>Lagerstroemia indica</i>	Crepe Myrtle	
<i>Liriodendron tulipifera</i>	Tulip Tree	
<i>Magnolia grandiflora</i>	Bull Bay Magnolia	
<i>Platanus cuniata</i>	Cut–Leaf Plane	
<i>Platanus x hybrida</i>	London Plane	
<i>Pyrus calleryana</i>	Callery Pear	
<i>Pyrus ussuriensis</i>	Manchurian Pear	

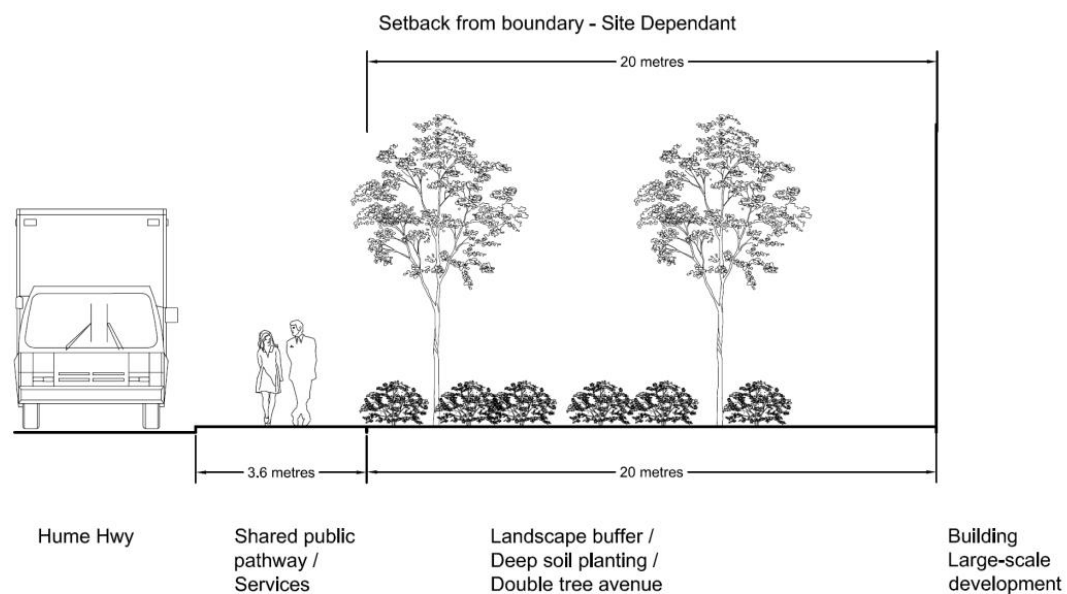
Sapium sebiferum	Chinese Tallowood	
Ulmus parvifolia	Chinese Elm	
Zelkova serrata	Japanese Elm, Keyaki	

Illustration: Typical cross-section of setback with single row of trees along the Remembrance Driveway landscape corridor. This setback relates to dwelling houses, dual occupancies, attached dwellings, multi dwelling housing and boarding houses.



HUME HIGHWAY
TYPICAL SETBACK PROFILE

Illustration: Typical cross-section of setback with two rows of trees along the Remembrance Driveway landscape corridor. This setback relates to residential flat buildings and landscape buffer zones.



HUME HIGHWAY
TYPICAL SETBACK PROFILE