

FREQUENTLY ASKED QUESTIONS

What are Council's current controls for multi dwelling housing in the low density residential areas?

Council currently permits multi dwelling housing (also known as villas) in the low density residential areas (zoned R2 land) in the former Bankstown Local Government Area, subject to development consent.

Clause	Development controls that currently apply to multi dwelling housing within Zone R2 Low Density Residential under Bankstown Local Environmental Plan 2015	
4.1B	Minimum site area	1,200m ²
4.1B	Minimum site width	20 metres
4.3	Maximum building height	9 metres for a dwelling facing a road and 6 metres for all other dwellings at the rear
4.3	Maximum wall height	7 metres for a dwelling facing a road and 3 metres for all other dwellings at the rear
4.4	Maximum floor space ratio	0.5:1

How does the NSW Government's Medium Density Housing Code affect residential areas?

The NSW Government is introducing the Medium Density Housing Code, which will allow private certifiers to approve higher density developments, such as larger dual occupancies, manor houses and terraces in residential areas.



Under the Code, manor houses and terraces may occur wherever Council permits multi dwelling housing.


The Planning Proposal summarises Council's concerns with the Medium Density Housing Code.

The tables below provide a brief comparison between the Medium Density Housing Code and Council's development controls in relation to manor houses and terraces in the low density residential areas (zoned R2 land) in the former Bankstown Local Government Area.

For more information about the NSW Government's Medium Density Housing Code, you can visit the NSW Department of Planning's website at:

<https://www.planning.nsw.gov.au/Policy-and-Legislation/Housing/Medium-Density-Housing>

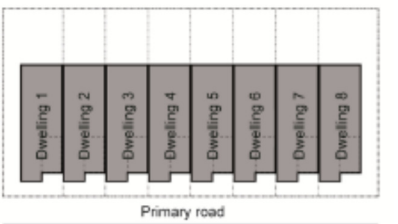
Manor houses

Definition under the Medium Density Housing Code	<p>Manor house means a building containing 3 or 4 dwellings, where:</p> <ul style="list-style-type: none"> (a) each dwelling is attached to another dwelling by a common wall or floor, and (b) at least 1 dwelling is partially or wholly located above another dwelling, and (c) the building contains no more than 2 storeys (excluding any basement). <p>Note. Manor houses are a type of <i>residential flat building</i>—see the definition of that term in this Dictionary.</p>	
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Development controls	Medium Density Housing Code (Manor houses)	Bankstown LEP 2015 & DCP Zone R2 (Multi dwelling housing)
Location	Must be permitted where a LEP permits multi dwelling housing	Multi dwelling housing permitted with consent
Minimum lot size	600m ² (15 metre lot width)	1,200m ² (20m lot width)
Maximum floor space ratio	25% of lot area + 150m ² , to a maximum of 400m ²	0.5:1
Maximum building height	8.5 metres (2 storeys)	6–9 metres (1–2 storeys + attic)
Maximum wall height	No requirement	3–6 metres
Minimum front setback	Classified road = 9 metres Other = Average of 2 nearest houses or dual occupancies	5.5–6.5 metres

Development controls	Medium Density Housing Code	Bankstown LEP 2015 & DCP
		Zone R2 (Multi dwelling housing)
Minimum side setback	1.5 metres	2–5 metres
Minimum rear setback	Single storey = 6–10 metres 2 storeys = 10–15 metres	2–5 metres
Minimum private open space	8m ² per dwelling (1 bedroom) 12m ² per dwelling (2 bedrooms) 16m ² per dwelling (3 bedrooms) (at least 3 metres wide)	60m ² per dwelling (at least 5m wide)
Building design	Must be consistent with the Medium Density Design Guide	Must be consistent with DCP
Minimum landscaped area	50% of lot area minus 100m ² (at least 1.5 metres wide) 50% within front setback	45% within front setback
Communal open space	Active communal open space is at least 5% of site area	n/a
Solar access to dwellings	75% of dwellings to receive 3 hours between 9am–3pm (winter solstice)	3 hours between 8am and 4pm (winter solstice)
Solar access to neighbours	2 hours between 9am and 3pm (winter solstice)	3 hours between 8am and 4pm (winter solstice)
Minimum car parking spaces	1 space per dwelling	1 space per 1 bdm dwelling, or 1.5 spaces per 2 bdm dwelling, or 2 spaces per 3 or more bdm dwelling + 1 visitor space per 5 dwellings
Subdivision	Strata	Strata

Terraces

Definition under the Medium Density Housing Code	<p>Multi dwelling housing (terraces) means multi dwelling housing where all dwellings are attached and face, and are generally aligned along, 1 or more public roads.</p> <p>Note. Multi dwelling housing (terraces) are a type of multi dwelling housing—see the definition of that term in this Dictionary.</p>	
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Development controls	Medium Density Housing Code (Terraces)	Bankstown LEP 2015 & DCP Zone R2 (Multi dwelling housing)
Location	Must be permitted where a LEP permits multi dwelling housing	Multi dwelling housing permitted with consent
Minimum lot size	1,200m ²	1,200m ² (20m lot width)
Maximum floor space ratio	60% of lot area	0.5:1
Maximum density	n/a	1 dwelling per 300m ² site area
Maximum building height	9 metres (2 storeys)	6–9 metres (1–2 storeys + attic)
Maximum wall height	No requirement	3–6 metres
Minimum front setback	Classified road = 9 metres Other = Average of 2 nearest houses or dual occupancies	5.5–6.5 metres
Minimum side setback	1.5 metres	2–5 metres
Minimum rear setback	Single storey = 3–10 metres 2 storeys = 8–15 metres	2–5 metres
Min private open space	16m ² per dwelling (at least 3 metres wide)	60m ² per dwelling (at least 5m wide)
Building design	Must be consistent with the Medium Density Design Guide	Must be consistent with DCP
Dwelling configuration	Each dwelling must face a public road (at least 6 metres wide)	Front dwellings must face the street
Min landscaped area	30% of lot area	45% within front setback

Solar access to dwellings	2 hours between 9am and 3pm (winter solstice)	3 hours between 8am and 4pm (winter solstice)
Solar access to neighbours	3 hours between 9am and 3pm (winter solstice)	3 hours between 8am and 4pm (winter solstice)
Minimum car parking spaces	1 space per dwelling, 1 visitor space per 5 dwellings where basement serves more 10 dwellings	1 space per 1 bdm dwelling 1.5 spaces per 2 bdm dwelling 2 spaces per 3 or more bdm dwelling, 1 visitor space per 5 dwellings
Subdivision lot size	Torrens = 200m ² (6 metre lot width) Strata (ground level) = 180m ²	Strata

Why is Council exhibiting a Planning Proposal?

To protect your quality of life, Council is proposing to change its planning rules, to stop the NSW Government's intention to allow multi-dwelling manor houses and terraces in the low density residential areas.

We have now secured approval from the NSW Department of Planning, to publicly exhibit our change, which is to prohibit multi dwelling housing from low density residential areas (R2 zoned land) in the former Bankstown Local Government Area.

What happens after the exhibition?

Council will consider submissions and report the Planning Proposal to a Council Meeting for determination.

Council's decision will be forwarded to the NSW Department of Planning, who will make a final determination on the Planning Proposal.

This process must be completed before 1 July 2019, which is when the Medium Density Housing Code is expected to commence.

How does the Planning Proposal affect development applications for multi dwelling housing?

The Planning Proposal includes a saving transition clause, which means the proposed change to Council's planning rules is not intended to apply to development applications lodged before the LEP Amendment comes into effect.

The Planning Proposal will apply to development applications lodged on or after the date the LEP Amendment comes into effect.