Potts Hill Residential Design Controls

For: Landcom
Date: 31st October, 2012

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Introduction

Land Application Map

Purpose

The Potts Hill Residential Design Controls have been prepared to guide the development of the Potts Hill precinct to ensure that high quality built form and urban design outcomes is realized within the approved subdivision layout for the Western Residential Precinct. They aim to achieve a generally consistent built form across the precinct.

These controls apply to residential development for detached dwellings, attached dwellings, apartments and community housing development that are identified within specific areas shown on the Land Application Map. They do not apply to exempt and complying development.

For key terms refer to the Glossary at **Appendix A**.

Background

The intention has been to create controls that complement, and not duplicate, relevant statutory controls. They have been developed with consideration of the following policies, statutory controls and guidelines:

- NSW Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008;
- 'Infill Housing Guidelines' in the State Environmental Planning Policy (Affordable Rental Housing) 2009;,
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development;
- Residential Flat Design Code;
- Bankstown Local Environmental Plan;
- Bankstown Development Control Plan;
- Key principles in the Landcom Built Form Guidelines; and
- Potts Hill Concept Plan Design Guidelines, which were part of the approved Concept Plan, and the Bankstown DCP 2005.

Other applicable policies and controls

This document is intended to comprise a complete stand-alone suite of controls for the precinct, with the exception of statutory controls under relevant state policies and local environmental plans.

Apartment buildings at Potts Hill will be required to comply with the maximum building height and floor space ratio controls specified in the Bankstown LEP. Apartments will also be required to adhere to SEPP 65 and the Residential Flat Design Code. Additional controls have been created for minimum setbacks of apartment buildings to adjacent conservation areas and stands of significant trees are also included.

Introduction

For consistency of built form, and for simplicity, where ever possible the building envelope controls within the Potts Hill Design Guidelines relating to detached and attached dwellings are based directly on the NSW Housing Code controls or the Bankstown DCP and LEP. This approach will ensure that houses at Potts Hill are built within the same development control framework regardless of the method of approval sought. It will provide overall consistency for minimum setbacks and landscaped area, as well as maximum site coverage, building height and garage door width controls, for example.

Controls have been included for attached dwelling lots less than 6 metres wide and/or less than 200m2 in area as these are not covered by the NSW Housing Code.

The Bankstown Council 'Development Engineering Standards' (amended version June 2009) apply to development the subject of these Potts Hill Design Controls, with the exception of Section 10 - On-site detention systems. The Potts Hill Residential Precinct has been designed to accommodate precinct-wide on-site stormwater detention, located at various locations across the precinct. Accordingly, individual lot on-site detention is not required.

Section 1 - Detached houses

This section refers to detached dwellings at Potts Hill.

Introduction

Purpose

This section applies to all detached houses with the exception of detached dual occupancies and exempt and complying development sought under the NSW Housing Code or elsewhere under the SEPP.

The land where detached dwellings can be developed is shown on the Land Application Map.

Background

The development of the controls for detached houses has been guided by the controls in the NSW Housing Code and the Exempt and Complying SEPP.

The controls at Potts Hill are based on these planning instruments in order to achieve a consistent built form across the estate, regardless of whether the home owner is using the NSW Housing Code for approval or submitting a Development Application with Council. It also aims to reduce confusion with conflicting or different controls applying to lots at Potts Hill Residential Development depending on the method of approval sought.

Other applicable policies and controls

Building height controls are set out in Bankstown LEP.

Privacy controls are as per Bankstown DCP, Part D2, Section 8 (refer to **Appendix B**).

In addition, all development applications subject to these controls under this section must also comply with the Bankstown Council 'Development Engineering Standards' policy (amended version June 2009), with the exception of Section 10 of the Development Standards.

Section 1 - Detached houses

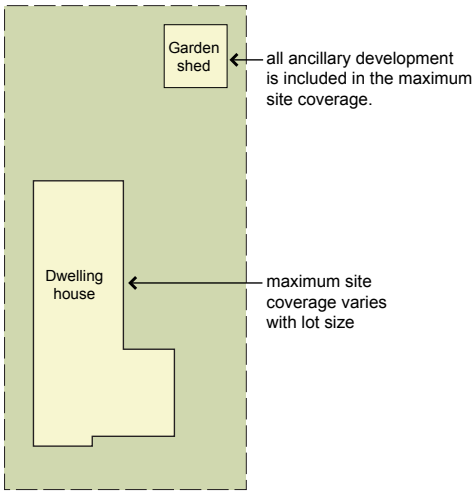


Fig. 1: Site Coverage

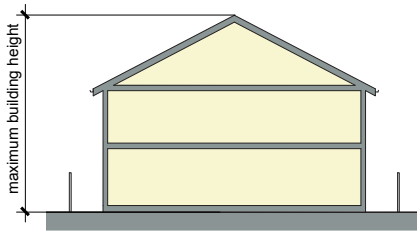


Fig. 2: Maximum building height

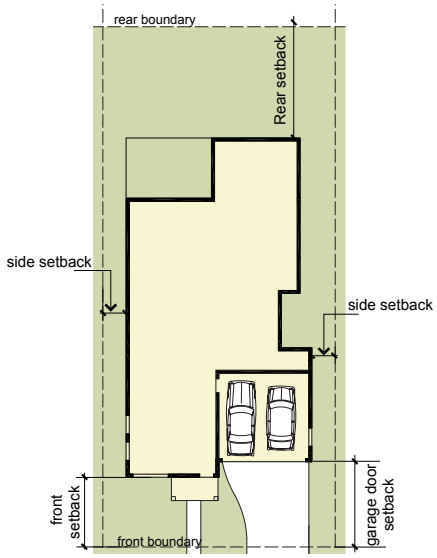


Fig. 3: Typical location of setbacks

1. Site Requirements

a. Site Coverage (Figure 1)

• Lots 450m^2 and over: 50% max. for two storey homes, 60% max. for single storey homes

• Lots over 320m^2 but less than 450m^2: 60% max.

b. Maximum Floor Area

• 330m^2 for all lots

2. Maximum Building Height (Figure 2)

• Maximum building height 9m measured from existing ground level as per the Bankstown LEP

3. Setbacks (Figure 3)

a. Front Setback

• 4.5m minimum

b. Articulation Zone (Figure 4)

• 1.5m beyond front building line and a maximum 25% of building width

Section 1 - Detached houses

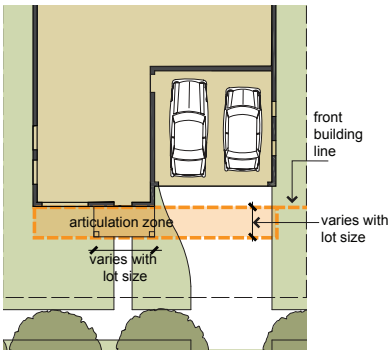


Fig. 4: Articulation Zone

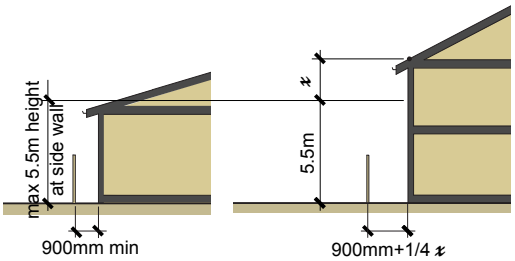


Fig. 5: Side setbacks varies with building height at side wall

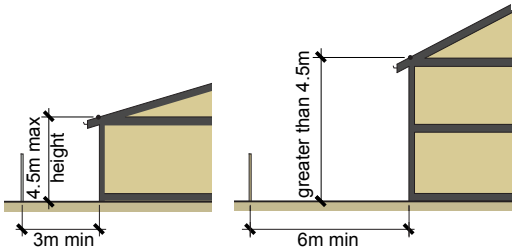


Fig. 6: Rear setback controls

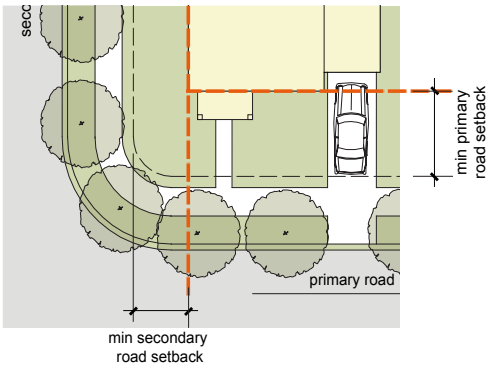


Fig. 7: A corner lot has a minimum setback to both street frontages

Setbacks (continued)

c. Side Setbacks (Figure 5)

• Lots up to 18m wide: 0.9m to 5.5m in height then above that height 0.9m plus 1/4 the height over 5.5m

• Lots over 18m wide: 1.5m to 5.5m in height then above that height 1.5m plus 1/4 the height over 5.5m

d . Rear Setbacks (Figure 6)

• Detached front access house lots: 3m min. setback for single storey with a rear wall height of up to 4.5m high, otherwise 8m min.

• Detached front access house lots less than 30m deep at any point perpendicular to the front boundary: 3m min. setback for single storey with a rear wall height up to 4.5m high, otherwise 6m min.

• Rear setbacks for lots along the western boundary of the precinct: An additional 3m in the form of the 'landscaped zone' results in rear setbacks for these lots being 6m min. for single storey with a rear wall of up to 4.5m high and 11m min. otherwise.

• Rear access lots: 1m min. setback to rear lane for garages and accessory dwellings if applicable.

e. Secondary Road Setbacks (Figure 7)

• Detached house corner lots: 3m min. setback to secondary street boundary.

• Dual frontage lots: 4.5m setback to secondary street boundary.

Section 1 - Detached houses

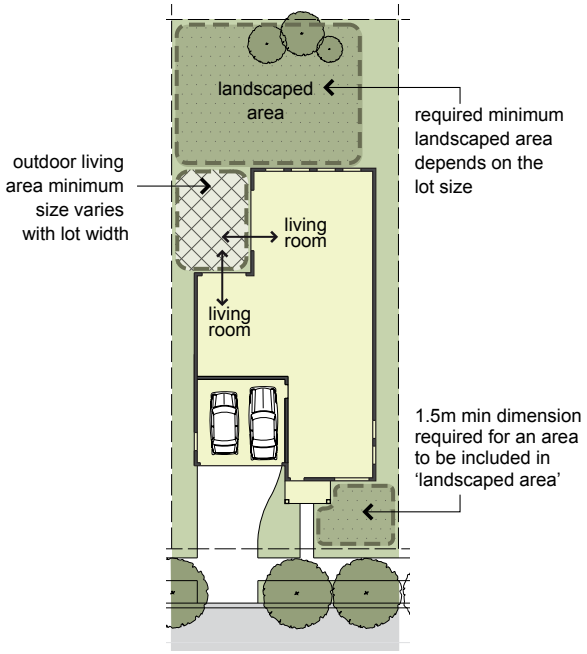


Fig. 8: Minimum landscaped area

4. Landscaping (Figure 8)

a. Landscaped Area

• 'Landscaped area' is as defined in the Glossary provided at **Appendix A**.

• Lots 300-450m^2: Minimum 15% of total lot.

• Lots 450-600m^2: Minimum 20% of total lot.

• Lots 600-900m^2: Minimum 30% of total lot.

• Minimum dimension of landscaped area is 1.5m.

• At least 50% of the landscaped area is to be located behind the front building line.

• For lots less than 18m wide at least 25% of the area to the front of the building line must be landscaped.

• For lots at least 18m wide at least 50% of the area to the front of the building line must be landscaped.

b. Outdoor Living Area (Principal private open space)

• A minimum area of 24m^2, at least 4m wide, flat and directly accessible from a living room.

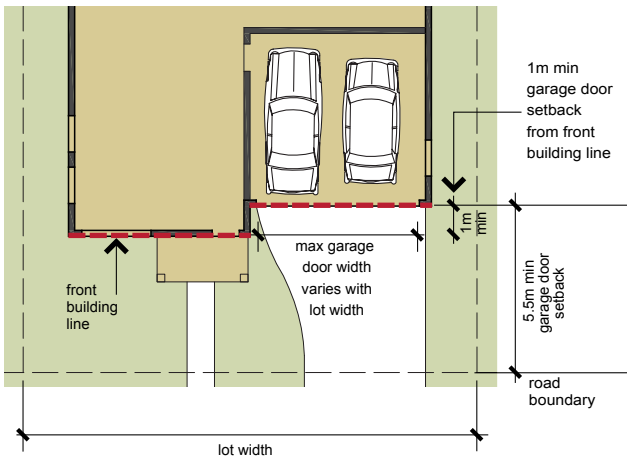


Fig. 9: Minimum garage setbacks and maximum garage door sizes

5. Car Parking and Access (Figure 9)

a. Car Parking

• All dwelling houses are to provide at least one off-street car parking space.

• A car parking space may comprise of a garage, car port or open car parking space.

• Front access car parking spaces are required to be setback at least 5.5m from the road boundary.

• Front access car parking spaces are required to be setback at least 1m behind the front building line.

• Rear access car parking spaces require 1m setback from the rear lane boundary.

• On corner lots, side access car parking spaces are required to be setback at least 3m from the secondary street boundary.

• On double frontage lots the car parking can be located on either frontage but not on both.

b. Maximum Garage Door Width

• Maximum garage door width varies with lot size :

8-12m lot width : 3.2m

Over 12m lot width : 6m

• Corner lots and dual frontage lots with car parking access from secondary street to have a maximum garage door width of 6m.

6. Earthworks and drainage

• Excavation for basements:

- Excavation permitted under the building footprint to provide a basement.

- Maximum floor area for basement is 45m2.

• Excavation outside the building footprint:

- The maximum depth of excavation on a site outside the building footprint is 1m and must not extend more than 2m beyond the external wall of the dwelling house or ancillary development.

- Excavation associated with swimming pools must not exceed the depth of the pool structure.

• Fill:

- Fill associated with the dwelling or garage must be contained within the external walls of the building or by a retaining wall with a height no greater than 1500mm above existing ground level.

• Retaining walls:

- Retaining walls to be no greater than 1m high.

- Retaining walls not associated with the cut and fill from a dwelling or garage must have a height above or below existing ground level not exceeding 0.6m if located less than 0.5m from a side or rear boundary, or 1.0m if located at least 1.0m from a boundary.

• Drainage:

- For all drainage requirements refer to Bankstown Council's 'Development Engineering Standards' Adopted: June 2006, Amended: June 2009, with the exception of Section 10 of these Development Standards.

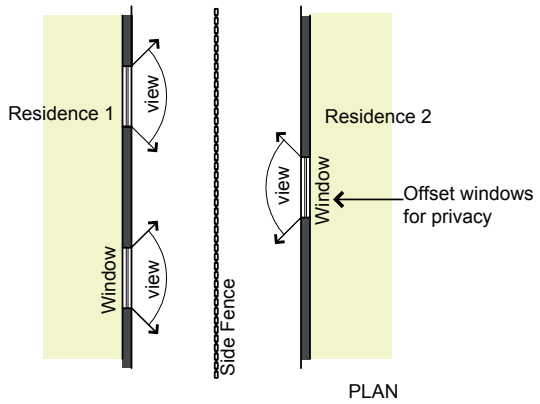


Fig. 10: Offset windows for privacy

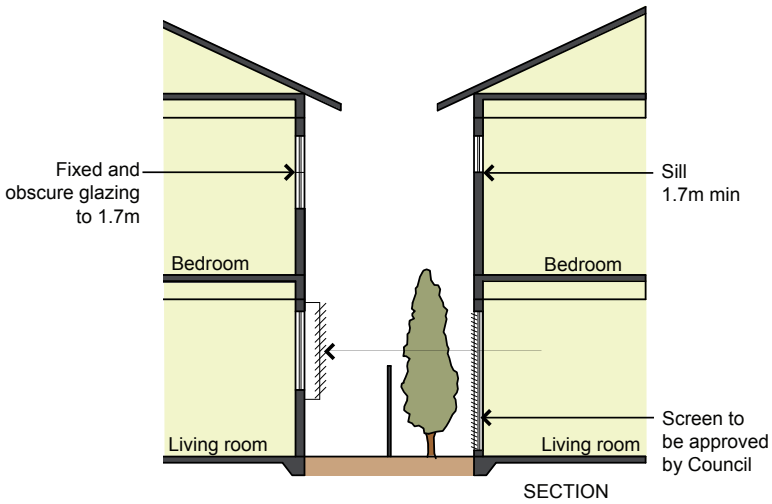


Fig. 11: Other visual privacy options when required

7. Visual & Acoustic Privacy (Figure 10 & 11)

• Development must comply with the visual and acoustic privacy objectives and controls of the Bankstown Development Control Plan 2005 - Part D2, Section 8 (see Appendix B).

8. Fences

Note - as per Figure 17

• A front fence is to be provided on all detached dwelling lots.

• Fences in the front setback area from a primary road are to be maximum 1.2m high and of 50% open construction.

• Other fences to be maximum 1.8m high.

• The maximum height permitted for the fence is to be calculated from ground level at that point.

• Front side fences to extend 2m back from the front building line, and should match the front fence height and design.

• On corner lots, the front fencing is to continue around the corner to the secondary street frontage for a minimum 30% of the lot length.

• Metal fencing not permitted.

9. Eaves

• Eaves are required on all external walls.

• Eaves to be at least 450mm from the fascia.

10. Passive Surveillance

• A habitable room must be located so as to look over the primary street to provide passive surveillance.

• The main pedestrian entry of the dwelling is to be visible from the street.

11. Subdivision

• Subdivision of detached dwelling lots not permitted.

Section 2 - Attached houses

This section refers to attached houses including dual occupancy dwellings and terrace houses at Potts Hill.

Introduction

Purpose

This section applies to all attached houses including attached dual occupancy dwellings and terrace houses. These controls apply to the individual dwelling lot.

It does not apply to exempt and complying development sought under the NSW Housing Code or elsewhere under the Exempt and Complying SEPP.

The land where attached dwellings can be developed is shown on the Land Application Map and at Figure 18.

Background

The controls vary depending on the lot size or the dwelling type which they apply to.

The development of the controls for attached houses has been guided by the controls contained in the NSW Housing Code and the Exempt and Complying Development SEPP .

Other applicable policies and controls

Building height controls are set out in Bankstown LEP.

Privacy controls are as per Bankstown DCP, Part D2, Section 8 (refer to **Appendix B**).

A 'terrace house' at Potts Hill is is in accordance with the definition for 'attached dwelling' referred at **Appendix A**. A maximum of 6 terraces attached in a group are permitted at Potts Hill.

For the purposes of this section, a 'dual occupancy' dwelling is as per the definition at **Appendix A**.

Section 2 - Attached houses - dual occupancy dwellings and terraces

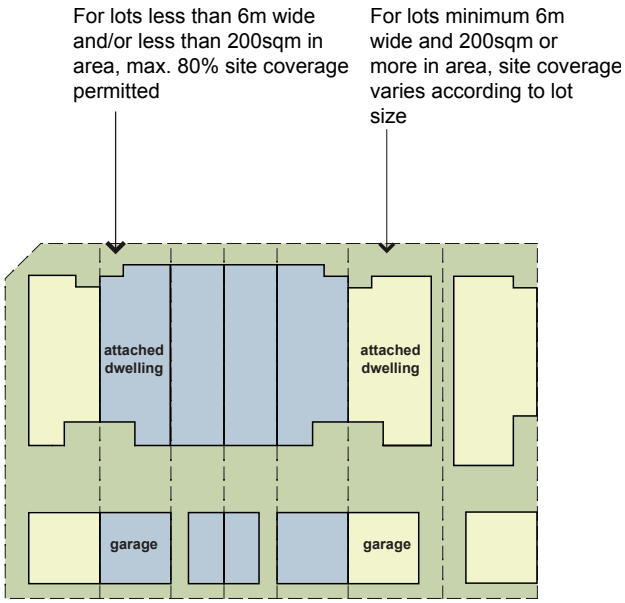


Fig. 12 : Site Coverage

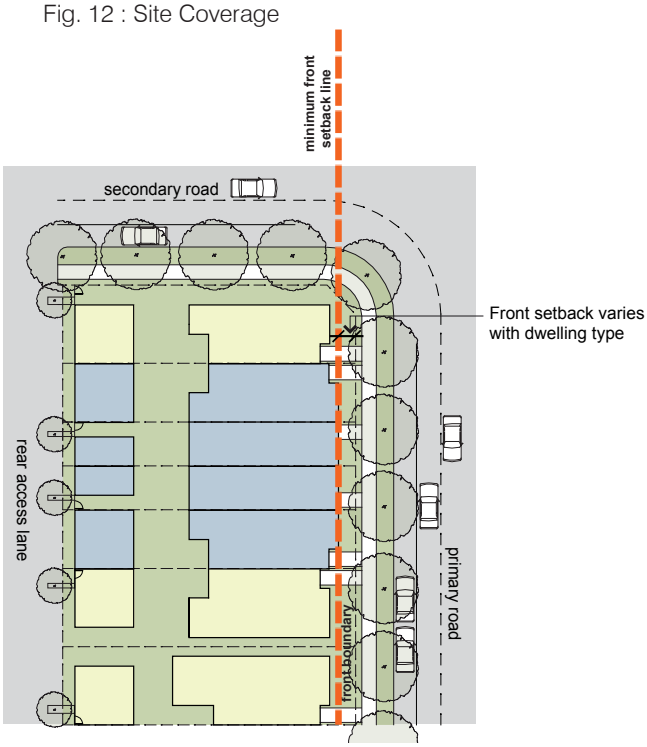


Fig. 13 : Front Setback

Lot Type

May seek approval with NSW Housing Code or with D.A.* using Potts Hill guidelines

Lots require approval with D.A.* using Potts Hill guidelines

* D.A. - Development Application with Bankstown Council

1. Site Requirements

a. Subdivision

i) Dual occupancy lots:

- Dual occupancy lots are to be subdivided into two attached dwelling lots.

ii) Terraces:

- No subdivision permitted.
- Terrace houses to be attached in groups as shown in the attached and community housing lot location plan, **Appendix C.**

b. Site Coverage (Figure 12)

i) For lots a minimum 6m wide and 200m2 or more in area:

- Maximum site coverage varies with lot size:

200-250m2 : 65%

250-300m2 : 60%

300-450m2 : 55%

ii) For lots less than 6m wide and/or less than 200m2 in area:

- Maximum 80% permitted as long as other controls, such as landscape requirements, are met.

c. Maximum Floor Area

i) For lots a minimum 6m wide and 200m2 or more in area:

- Maximum floor area varies with lot size:

200-250m2 : 90%

250-300m2 : 85%

300-450m2 : 270m2

ii) For lots less than 6m wide and/or less than 200m2 in area:

- No specified maximum floor area applies as long as other controls are met.

2. Maximum Building Height

- 9m measured from existing ground level as per the Bankstown Local Environment Plan (LEP).

3. Setbacks

a. Front Setback (Figure 13)

i) Dual occupancy dwelling: minimum 4.5m

ii) Terrace house: minimum 2m

Section 2 - Attached houses - dual occupancy dwellings and terraces

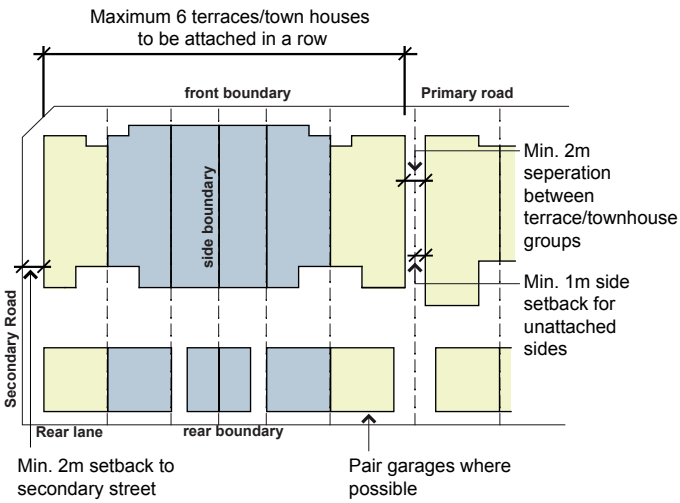


Fig. 14 : Side setbacks of townhouse/terrace lots

Lot Type

May seek approval with
NSW Housing Code or with
D.A.* using Potts Hill guidelines

Lots require approval with
D.A.* using Potts Hill guidelines

* D.A. - Development Application with Bankstown Council

b. Articulation Zone

i) Dual occupancy dwelling:

• Within the front setback of a new dual occupancy dwelling an 'articulation zone' may be incorporated.

• This zone is a notional area projecting 1.5m forward of the front building line within which additional building elements such as entry features and porticos, balconies, decks, verandahs and bay windows may be built.

• Up to 25% of the articulation zone, when viewed from above, may include building elements. An awning or other feature over a window and a sun shading feature are not included in the maximum area of the building element in the articulation zone.

ii) Terrace houses:

• No articulation zone is permitted.

iii) For all lots:

• A new dwelling must have a window to a living room or a bedroom (i.e. a 'habitable room') facing the primary road (and the secondary road if on a corner lot).

• A new dwelling must have a front door facing the primary road (and/or the secondary road if on a corner lot).

• Lots facing pedestrian link should have a front door facing the public open space.

c. Side Setbacks

i) Dual occupancy dwelling:

• Up to 4.5m building height : 0.9m

• Over 4.5m building height : 0.9m + 1/4 height above 4.5m

• Option to build to one side boundary with full height zero setback as long as it either matches adjacent property boundary wall or is a maximum 3.3m high. The maximum length of the boundary wall to be the lesser of 20m or 50% of lot depth, or match adjoining built to boundary wall.

ii) Terrace houses (Figure 14):

• Option to build to one or both side boundaries with full height zero setback as long as it either matches adjacent property boundary wall or is a maximum 3.3m high. The maximum length of the boundary wall to be the lesser of 20m or 50% of lot depth, or match adjoining built to boundary wall.

• 2.0m minimum separation between terrace house groups.

• 1.0m minimum side setback on unattached sides.

Section 2 - Attached houses - dual occupancy dwellings and terraces

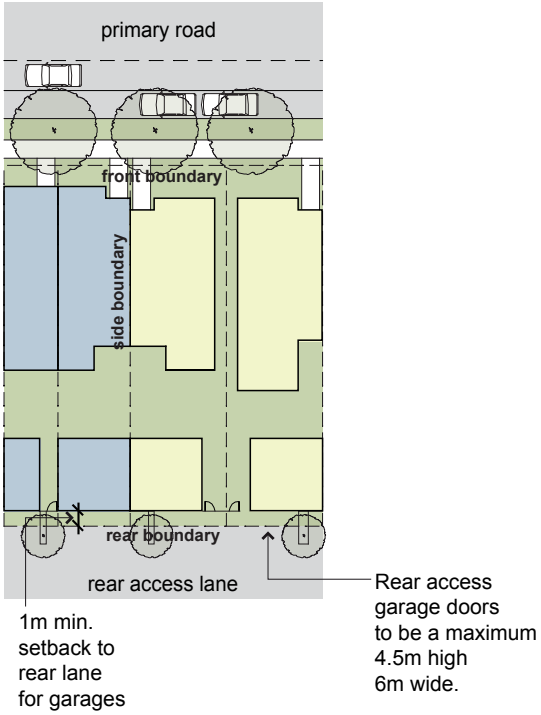


Fig. 15 : Rear setbacks for rear access lots

Lot Type

May seek approval with
NSW Housing Code or with
D.A.* using Potts Hill guidelines

Lots require approval with
D.A.* using Potts Hill guidelines

* D.A. - Development Application with Bankstown Council

d . Rear Setbacks

i) Dual occupancy dwellings:

• Minimum rear setback varies with lot size:

200-300m2 up to 4.5m building height : 3m

200-300m2 above 4.5m building height : average of rear setbacks of adjoining dwelling houses or 3m, whichever is the lesser

300-600m2 up to 4.5m building height : 3m

300-600m2 above 4.5m building height : 8m

ii) Terrace houses (Figure 15):

• 1m minimum setback to rear lane for garages and secondary dwellings.

e. Secondary Road Setbacks

• A dwelling house on a corner lot must be set back a minimum 2m setback from the secondary street boundary.

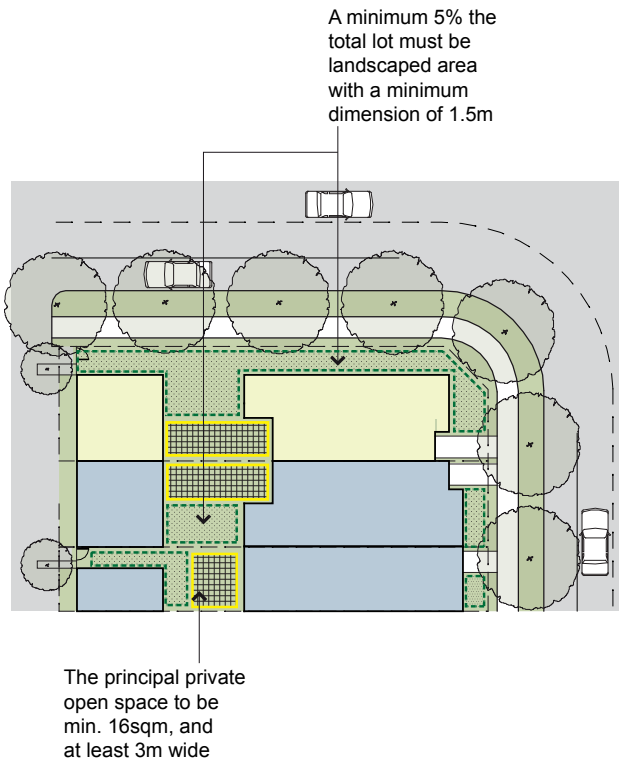


Fig. 16 : Minimum landscaped area and private open space requirements for terraces

Lot Type

May seek approval with NSW Housing Code or with D.A.* using Potts Hill guidelines

Lots require approval with D.A.* using Potts Hill guidelines

* D.A. - Development Application with Bankstown Council

4. Landscaping

a. Landscaped Area

• 'Landscaped area' is as defined in the Glossary provided at **Appendix A**.

• Minimum dimension of landscaped area is 1.5m.

i) Dual occupancy dwellings:

• Minimum landscaped area varies with lot size:

200-300m2 : 10%

300-450m2 : 15%

450-600m2 : 20%

•At least 50% of landscaped area must be located behind the front building line.

ii) Terrace houses (Figure 16):

• Minimum 5% of the total lot area must be landscaped area.

b. Outdoor living area

• Outdoor living areas should be directly accessible from a living room.

i) Dual occupancy dwellings:

• Minimum private open space requirement varies with lot size and width:

200-300m2 : 16m2

300-600m2 : 24m2

6-10m wide lot : Minimum 3m wide

Over 10m wide lot : Minimum 4m wide

ii) Terrace houses:

• A minimum area of 16m2 and a minimum 3m wide

5. Car Parking and Access

a. Car Parking

• All dwelling houses to provide at least one off-street car parking space.

• A car parking space may comprise of a garage, car port or open car parking space.

• Front access car parking spaces are required to be setback at least 5.5m from the road boundary.

• Front access car parking spaces are required to be setback at least 1m behind the front building line.

• All lots with rear lane access are to locate the car parking accessed directly from that lane.

b. Maximum Garage Door Width

i) Dual occupancy dwellings:

• Maximum garage door width varies with lot width :

8-12m lot width : 3.2m

Over 12m lot width : 6m

ii) Terrace houses:

• Garage doors on rear access lots to have a maximum width of 6m.

iii) Corner lots with car parking access from secondary street to have a maximum garage door width of 6m.

6. Earthworks and drainage

• Excavation for basements:

- Excavation permitted under the building footprint to provide a basement.

- Maximum floor area for basement varies with lot width:

Lots 10m wide or less: 25m2

Lots over 10m wide: 45m2

• Excavation outside the building footprint:

- The maximum depth of excavation on a site outside the building footprint is 1m and must not extend more than 2m beyond the external wall of the dwelling house or ancillary development.

- Excavation associated with swimming pools must not exceed the depth of the pool structure.

• Fill:

- Fill associated with the dwelling or garage must be contained within the external walls of the building or by a retaining wall with a height no greater than 600mm above existing ground level.

• Retaining walls:

- Retaining walls to be no greater than 1m high.

- Retaining walls not associated with the cut and fill from a dwelling or garage must have a height above or below existing ground level not exceeding 0.6m if located less than 0.5m from a side or rear boundary, or 1.0m if located at least 0.5m from a boundary.

• Drainage:

- For all drainage requirements refer to Bankstown Council's 'Development Engineering Standards' Adopted: June 2006, Amended: June 2009, except Section 10 of these Development Standards.

7. Facade Design

• The design of a dual occupancy must adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street.

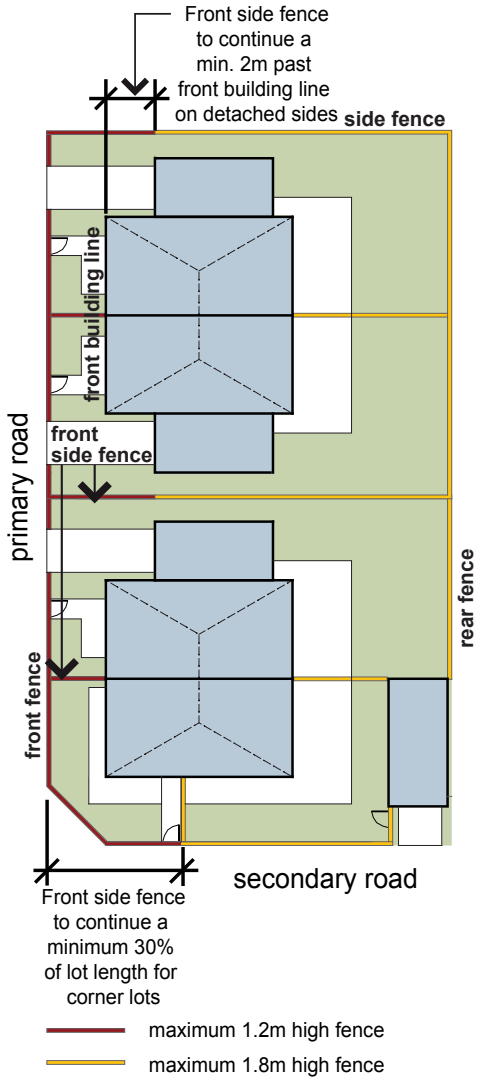


Fig. 17 : Fence requirements for attached dwelling lots

8. Visual & Acoustic Privacy

• Development must comply with the visual and acoustic privacy objectives and controls of the Bankstown Development Control Plan 2005 - Part D2 December 2005 - Section 8, see Appendix B.

9. Fences (Figure 17)

• A front fence is to be provided on all attached dwelling lots.

• Fences in the front setback area from a primary road are to be maximum 1.2m high and of 50% open construction, other fences to be maximum 1.8m high. The maximum height permitted for the fence is to be calculated from the finished ground level

• Front side fences on detached sides to extend 2m back from the front facade, and should match the front fence height and design.

• On corner lots, the front fencing is to continue around the corner to the secondary street frontage for a minimum 30% of the lot length.

• Metal fencing not permitted.

Section 3 - Apartments

This section refers to apartment developments at Potts Hill.

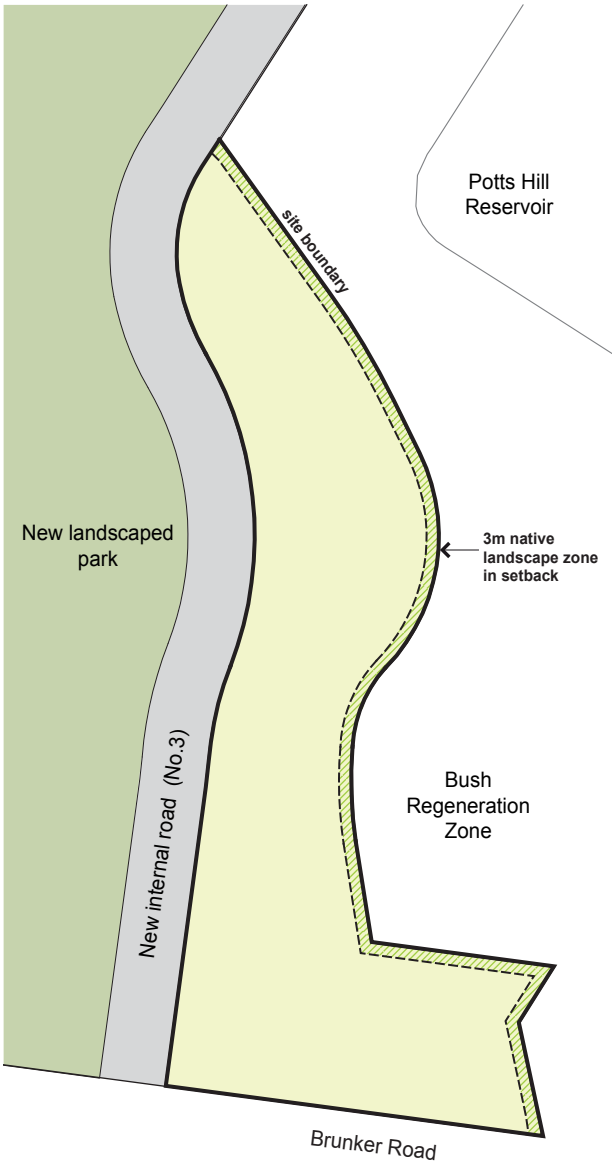


Fig. 18 : Built Form Control Plan - Brunker Road Apartments

Introduction

Purpose

The following controls apply to all apartment buildings at Potts Hill.

Apartments are defined as 'Residential Flat Buildings' at **Attachment A**.

The land where apartments can be developed is shown on the Land Application Map and at Figures 18 and 19.

Other applicable policies and controls

In general, the controls defer to SEPP 65 and the Residential Flat Design Code.

Under SEPP65 apartments built at Potts Hill are requires to demonstrate consistency with the 10 design principles included in SEPP 65. These principles concern the building's context; scale; built form; density; resource, energy and water efficiency; landscape; amenity; safety and security; social dimensions and housing affordability; as well as aesthetics.

These rules of thumb provide guidance in over 45 areas relating to quality apartment building design as well as designing with consideration for local context as well as site design and amenity.

Apartments built at Potts Hill are also expected to show consistency with the Residential Flat Design Code 'rules of thumb' standards.

Building height controls are set out in Bankstown LEP.

These controls also include additional controls which provide minimum required setbacks to adjacent environmental areas and the retention of identified significant trees where possible.

1. Maximum Building Height

- As per the Bankstown Local Environment Plan (LEP).

2. Brunker Road Apartment Site Setbacks (Figure 18)

- Minimum 3m native landscape setback along the rear of the lot adjacent to the bush regeneration zone.

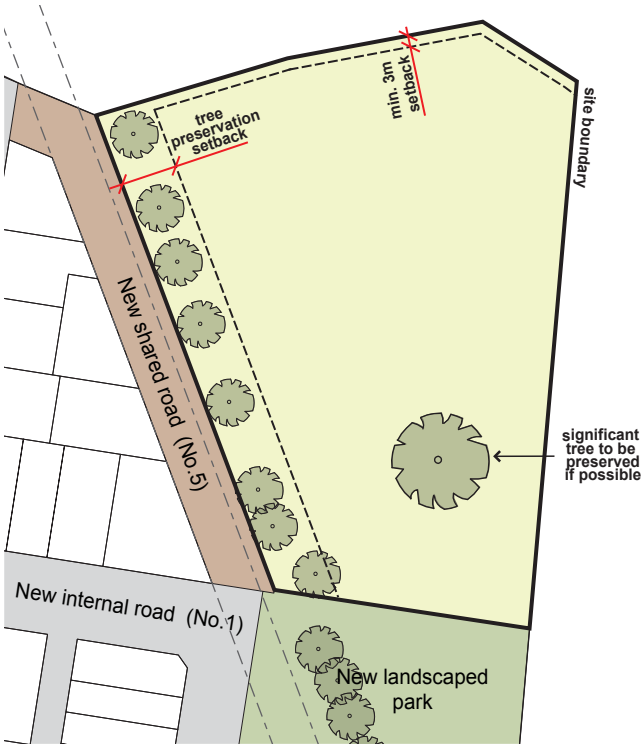


Fig. 19 : Built Form Control Plan - North East Apartment site

3. North East Apartment Site Setbacks (Figure 19)

• Minimum 3m native landscape setback along the northern boundary of the lot adjacent to the bush regeneration zone.

• A tree preservation setback to the new shared road (No. 5) to the west to protect and maintain the street frontage trees.

4. Tree Preservation (Figure 20)

• Street frontage trees are to be retained, except where required for driveway access.

• Significant tree identified in Figure 20 is to be retained if possible.

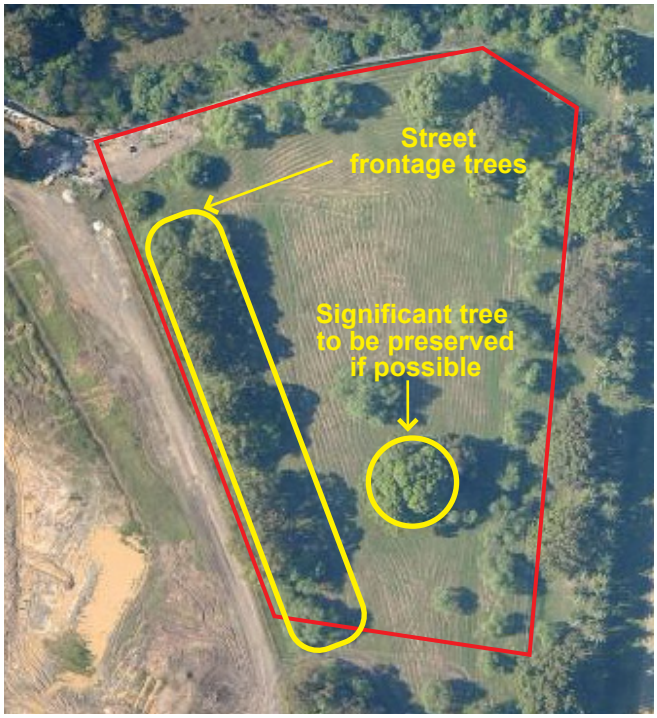


Fig. 20 : Aerial photograph of North-East Apartment Site outlining street frontage trees to be retained. Site boundary is indicative only.

Section 4 - Community Housing

This section refers to Community Housing Projects only

Introduction

Purpose

The following section applies to community housing projects which means they are developed by a registered community housing provider as defined under the *Housing Act 2001*.

The land where community housing can be developed is shown on the Land Application Map and at Figure 18.

Background

The Affordable Rental Housing SEPP provisions for 'Infill development' have been used as the basis for these controls.

The following provisions have been adapted from the Affordable Rental Housing SEPP provisions for 'Infill Development':

• Affordable housing management: The affordable rental housing component is to be secured via restriction on title for a minimum of 10 years and managed by a registered Community Housing Provider (CHP).

• Character of the local area: A requirement that proposals are designed to be compatible with the character of the local area.

• Proportion of affordable housing: 100% of gross floor area of the development.

The controls have been developed to provide built form and other design controls which the SEPP development standards do not provide.

Section 4 - Community Housing

1. Subdivision

• Subdivision is permissible with consent, generally in accordance with the attached draft plan of subdivision detail, see **Appendix C**.

2. Height

• 9m, as specified in the Bankstown LEP.

3. Minimum dwelling sizes

- 35m2 for a bedsitter or studio
- 50m2 for a 1 bedroom dwelling
- 70m2 for a 2 bedroom dwelling
- 95m2 for a 3 or more bedroom dwelling

4. Minimum parking requirements for CHPs

- 0.4 car spaces per 1 bedroom dwelling
- 0.5 car spaces per 2 bedroom dwelling
- 1 car space per 3 or more bedroom dwelling

5. Landscaped area

• Minimum 35m2

• 'Landscaped area' is as defined in the Glossary provided at **Appendix A**.

6. Solar access

• Living rooms and open spaces of 70% of the dwellings require a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.

• Corner allotments open space may be provided within the secondary street setback.

7. Minimum setbacks

- Front: 3m
- Side: 0m
- Secondary street frontage: 2m
- Rear Boundary: 2m
- Rear Lane: 1m

8. Deep soil zones

• Minimum of 15% of the site area

Section 4 - Community Housing

9. Fences

• A front fence is to be provided on all Community Housing lots.

• Fences in the front setback area from a primary road are to be maximum 1.2m high and of 50% open construction, other fences to be maximum 1.8m high. The maximum height permitted for the fence is to be calculated from the finished ground level

• Front side fences on detached sides to extend 2m back from the front facade, and should match the front fence height and design.

• On corner lots, the front fencing is to continue around the corner to the secondary street frontage for a minimum 30% of the lot length.

• Metal fencing not permitted.

10. Earthworks and drainage

• Fill:

- Fill associated with the dwelling or garage must be contained within the external walls of the building or by a retaining wall with a height no greater than 600mm above existing ground level.

• Retaining walls:

- Retaining walls to be no greater than 1.2m high.

- Retaining walls not associated with the cut and fill from a dwelling or garage must have a height above or below existing ground level not exceeding 0.6m if located less than 0.5m from a side or rear boundary, or 1.2m if located at least 0.5m from a boundary.

• Drainage:

- For all drainage requirements refer to Bankstown Council's 'Development Engineering Standards' Adopted: June 2006, Amended: June 2009, except Section 10 of these Development Standards.

11. Secondary dwellings

• Secondary dwellings are permissible on community housing lots.

• Rear lane setback - Minimum 1.0m

• Side setbacks - may be built to common side boundary.

Note. See clause 22(3) of the SEPP (Affordable Housing) 2004 for controls relating to the total floor area of secondary dwellings.

Appendix A
Glossary

The following definitions are from the Standard Instrument LEP.

Glossary

The following definitions are from the Standard Instrument LEP.

Articulation Zone -

Means an area within a lot within which building elememts are or may be located, that consists of that part of the setback area from a primary road that is measured horizontally for a distance of 1.5m from:

(a) the foremost edge of the building line, or

(b) a gable or roof parapet having a surface area of more than 10m2

Attached dwelling -

Attached dwelling means a building containing 2 or more dwellings, where:

(a) each dwelling is attached to another dwelling by a common wall, and

(b) each of the dwellings is on its own lot of land, and

(c) none of the dwellings is located above any part of another dwelling.

Basement-

The space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing). NB. A basement is counted as a storey.

Building Line (or setback)-

The horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and:

(a) a building wall, or

(b) the outside face of any balcony, deck or the like, or

(c) the supporting posts of a carport or verandah roof, whichever distance is the shortest.

Building Height (or height of building)-

The vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Dual-occupancy (attached or detached) -

Dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

Floor Area -

The sum of the areas of each storey of the dwelling house and carport, garage, balcony, deck, patio, pergola, terrace, verandah, measured at a height of 1.4m above each floor level, where the area is taken to be the area within the outer face of:

(a) the external walls of the dwelling house, and

(b) the walls of the carport, garage, balcony, deck, patio, pergola, terrace or verandah,

but excluding any of the following:

(c) any part of an awning, blind or canopy that is outside the outer wall of a building,

(d) an eave,

(e) a lift shaft,

(f) a stairway,

(g) a void above a lower storey.

Habitable Room -

Any room or area used for normal domestic activities including living, dining, family, lounge, bedrooms, study, kitchen, sun room and play room.

Landscaped Area -

'Landscaped area' is defined as the part of the site used for growing plants, grasses and trees, but does not include any area that contains a building, structure, hard paved area or swimming pool.

Secondary dwelling -

A self-contained dwelling that:

(a) is established in conjunction with another dwelling (the principal dwelling), and

(b) is on the same lot of land as the principal dwelling, and

(c) is located within, or is attached to, or is separate from, the principal dwelling.

Site Coverage -

The proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

(a) any basement,

(b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,

(c) any eaves,

(d) unenclosed balconies, decks, pergolas and the like.

Storey -

A space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

(b) a mezzanine, or

(c) an attic.

Appendix B
Bankstown DCP

Section 8 - Visual and Acoustic Privacy

Bankstown DCP, Section 8

Bankstown City Council Development Control Plan 2005

– Part D2 December 2005

SECTION 8 – VISUAL AND ACOUSTIC PRIVACY

Objectives

The objectives are:

a) To minimise the overlooking of a living area and private open space of a dwelling;

b) To maximise privacy between buildings; and

c) To ensure the design and siting of a building provide acoustic privacy for residents and neighbours in their dwellings.

Performance criteria

The performance criteria to achieve the objectives are:

a) The privacy of a dwelling (particularly a living area) and a private open space should be protected through:

   i) The building layout and setbacks

   ii) The location and design of windows, balconies, terraces and the like; and

   iii) Landscaping and screening;

a) The building design should minimise overlooking in preference to a screening device, high sills, or obscure glass. Where used, these elements should integrate with the building design and have a minimal impact on the amenity of neighbouring properties;

b) The siting of a noise sensitive room and private open space should be away from a noise source (such as an active recreational area, driveway and parking area, service equipment area, pool filter/pump, air conditioning unit, and burglar alarm) in addition to appropriate noise-shielding techniques; and

c) The siting and construction of a development should:

   i) Reduce the reflection of noise onto other buildings;

   ii) Minimise the infiltration of noise into a building;

   iii) Minimise sound transmissions through a building structure and common walls; and

   iv) Provide an acoustic barrier to provide for communal open spaces.

Development controls

The development controls to achieve the objectives and performance criteria are:

Visual privacy

8.1 Where a development proposes a window that directly looks into the living area or bedroom window or 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 1.7 metres above floor level; or

   c. Ensure the window cannot open and has obscure glazing to a minimum height of 1.7 metres above floor level; or

   d. Use another form of screening to the satisfaction of Council.

8.2 Where a 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 1.7 metres above floor level; or

c) the window has translucent glazing to a minimum height of 1.7 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 of an adjoining dwelling

8.3 Council may allow an upper floor balcony to a dwelling house, dual occupancy, and family housing solely where the design and siting of the balcony:

a) Takes advantage of a vista or provides appropriate privacy screening devices; and

b) Is not accessible from a living area or hallway; and

c) Does not have an external staircase; and

d) Does not exceed a width of 1.5 metres throughout; and

e) Is partially recessed into the building

8.4 An upper floor balcony to rowhouses and villas 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

8.5 Council does not allow roof-top balconies and the like on an outbuilding, dwelling house, family housing, and a multi-unit development.

Acoustic privacy

8.6 Where an allotment adjoins an arterial road, a development must ensure the siting and design of any dwellings:

a. Comply with AS 3671 – Acoustics – Road Traffic Noise Intrusion;

b. Consider a combination of acoustic treatments such as building design , dual aspect dwellings, setbacks, and landscaping; and

c. Council does not allow the erection of a noise attenuation wall

8.7 Where an allotment is located 60 metres or less to a railway corridor, the erection of a dwelling must incorporate noise and vibration attenuation measures in accordance with the State Rail document 'Interim Guidelines for Applicants – consideration of rail noise and vibration in the planning process'.

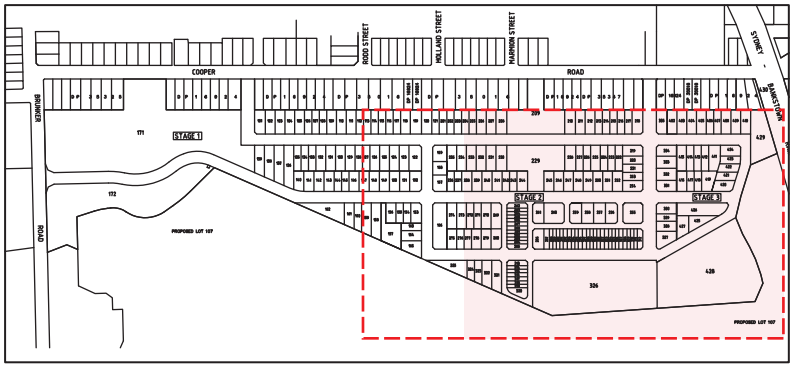
8.8 Where an allotment is in the vicinity of the Bankstown Airport, a development must comply with Clause 24 of Bankstown Local Environmental Plan 2001.

8.9 A shared common wall between dwellings must comply with the noise transmission and insulation requirements of the Building Code of Australia.

Appendix C
Attached houses

Attached and community housing lot plan

Appendix C - Attached and community housing lot plan



PROPOSED LOT 107

- Terrace Housing (Attached)
- Duplex Housing (Attached)
- Community Housing Project
- Open Space
- Indicative subdivision lines
- Terrace groupings