PART A3

KEY INFILL DEVELOPMENT SITES
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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 A3 of Bankstown Development Control Plan 2015 supplements the LEP by providing additional objectives and development controls to enhance the function and liveability of key infill development sites in the City of Bankstown. The development controls include storey limits, setbacks and building design.

Applicants must note:

(a) Development must comply with the other development controls of this DCP. However, if applicable to a development application, the development controls of Part A3 will prevail if there is an inconsistency with any other development controls in this DCP.

(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.

Objectives

The objectives of Part A3 of this DCP are:

(a) To have development that is compatible with the desired character of the particular key infill development site.

(b) To have development that achieves good urban design in terms of building form, bulk, architectural treatment and visual amenity.

(c) To have development that provides adequate amenity to people who live in the particular key infill development site.

(d) To have transitional areas that are compatible with the prevailing suburban character and amenity of neighbouring residential environments.
SECTION 2–NOS. 330–368 THE RIVER ROAD IN PICNIC POINT

Desired character objective

To have infill residential development at the site known as Nos. 330–368 The River Road in Picnic Point that is compatible with the character of Zone R2 Low Density Residential and the riparian zone along Morgan’s Creek.

Development controls

The development controls to achieve the desired character objective are:

Dwelling yield

2.1 The maximum number of dwellings permissible on the site is 58 based on site constraints.

2.2 Development on the site must be consistent with the following information submitted with the initial residential development application:

(a) The contamination report detailing how the site is to be made suitable for residential use. Construction works for any proposed residential development must not commence until an accredited site auditor advises Council that the land is suitable for residential use.

(b) The detailed assessment of the cliff face prepared by a practising Geotechnical Engineer as the stability of the cliff face may pose a potential safety hazard unless properly managed. In addition, the site has been filled up to 5 metres in some areas and normal foundation systems may be inappropriate.

(c) The geotechnical report recommending suitable footing designs required for proposed dwellings, and a setback distance from the bank of Morgan’s Creek so as to protect buildings from bank instability caused by natural erosion within the watercourse.

(d) The detailed tree survey to retain existing significant trees and trees within the landscape protection area facing Thomas Street identified on Figure 1 as part of the communal open space for the development along with the cliff top area. The site also contains vegetation that is typical of a Sydney sandstone gully forest community. Development will need to protect this vegetation (consistent with the need to remediate the site and to reconsolidate past land filling).
Figure 1: Site known as Nos. 330–368 The River Road in Picnic Point.
(e) The traffic study assessing the impact on the existing road system including traffic safety in Thomas Street and at the intersection of Thomas Street and The River Road. The final development is to incorporate traffic calming measures in Thomas Street where required by Council, and must allow for the installation of measures if it requires the dedication of part of the site to accommodate greater carriageway capacity. All costs associated with the provision of traffic calming devices and carriageway widening must be borne by the applicant.

(f) The Environmental Management Plan detailing the extent to which development will impact on the site both during construction and after occupation.

Riparian zone

2.3 The site must establish a riparian zone along Morgan’s Creek with the following intended outcomes:

(a) Council is to landscape the riparian zone with original tree, shrub and groundcover species propagated from local genetic stock.

(b) Development is to be excluded within the riparian zone, including the construction of buildings, flood detention basins, water quality treatment controls, utilities, recreational facilities and where possible public access pathways. Such development should locate at the outside edge of the riparian zone (furthest from the creek) or beyond it.

2.4 Development on the site must include evidence that it will not have an adverse impact on the water quality of the Morgan’s Creek, the stability of the creek banks or the vegetation that grows along the creek bank. In particular, stormwater discharging from all internal sealed areas to the Creek must be directed through continuous deflection separators, non–scouring oil and sediment separators, sand filters or an artificial wetland to a design accepted by Council.

2.5 All buildings must be setback a minimum 10 metres from the boundary of the site (as shown in Figure 1) where it adjoins Morgan’s Creek. The use of the land within this setback must be limited to (public or private) open space and landscaping works. All landscaping within this area must be carried out in accordance with a landscape plan approved by Council. This plan must specify planting that is indigenous to the Morgan’s Creek corridor.

Access

2.6 The applicant of the initial residential development application must provide a pedestrian path approximately 650 metres in length, linking The River Road to Thomas Street within the site (as shown in Figure 1) as a condition of consent. This path is required to allow public access from residential areas east of The River Road to the Morgan’s Creek open space area to the south–west of the site.
2.7 Vehicle access must be limited to a driveway or roadway adjacent to the land known as No. 112 Thomas Street. Access into the site for Council waste vehicles must be provided via either a public road or an internal driveway system. If an internal driveway is used, adequate turning area and protection for any liability caused by waste vehicles damaging road pavements must be provided and referred to in the articles of association of any strata plans.

Infrastructure

2.8 Given existing problems with sewer overflows and water pressure, development on the site must satisfy Council that it will not adversely affect existing service levels for neighbouring residents.
SECTION 3–NO. 80 MILLER ROAD IN VILLAWOOD

Desired character objective

To have infill residential development at the site known as No. 80 Miller Road in Villawood that is compatible with the character of Zone R2 Low Density Residential while allowing smaller lots in some areas.

Development controls

The development controls to achieve the desired character objective are:

Setbacks and open space

3.1 Where the lot size is a minimum 200m², the following controls apply:

(a) the minimum setback for a building wall to the primary road frontage is 5.5 metres;

(b) the minimum setback for a building wall to the side boundary of a lot is 1.5 metres with the exception of central lots which may have a zero setback to the side boundary;

(c) the minimum setback for a building wall to the rear boundary of a lot is 5 metres; and

(d) the minimum private open space per dwelling is 60m², with the minimum dimension of 5 metres x 5 metres within one area located behind the front setback, and should be contiguous with a major living area of the dwelling. The remaining of the open space may be located within the front setback area provided that all courtyard fences within the setback are of open style.

3.2 Where the lot size is a minimum 250m², the following controls apply:

(a) the minimum setback for a building wall to the primary road frontage is 5.5 metres;

(b) the minimum setback for a building wall to the side boundary is 1.5 metres to one side boundary and zero setback to the other side boundary;

(c) the minimum setback for a building wall to the rear boundary of a lot is 5 metres; and

(d) the minimum private open space per dwelling is 60m², with the minimum dimension of 5 metres x 5 metres within one area located behind the front setback, and should be contiguous with a major living area of the dwelling.
The remaining of the open space may be located within the front setback area provided that all courtyard fences within the setback are of open style.

3.3 Where the lot size is a minimum 350m², the following controls apply:

(a) the minimum setback for a building wall to the primary road frontage is 5.5 metres;

(b) the minimum setback for a building wall to the side boundary is 2 metres;

(c) the minimum setback for a building wall to the rear boundary of a lot is 5 metres; and

(d) the minimum private open space per dwelling is 80m², with the minimum dimension of 5 metres x 5 metres within one area located behind the front setback, and should be contiguous with a major living area of the dwelling. The remaining of the open space may be located within the front setback area provided that all courtyard fences within the setback are of open style.

Open space network

3.4 The site must provide a network of open space and pedestrian pathways as shown in Figure 3–Open Space Network and must ensure:

(a) the minimum area of open space in Zone R2 Low Density Residential is not less than 8,500m²; and

(b) the site provides a main area of open space forming a village green and featuring as a focal point along the central north–south axis.

3.5 Development must ensure fences comply with the following:

(a) Miller Road–metal palisade fence with masonry piers 1.5 metres high.

(b) Village Green frontage to residences–metal palisade fence with masonry piers 1.2 metres high.

(c) Along the industrial access road and to the commercial/industrial precinct perimeter–security fencing, nominally 1.8 metres high.

(d) Endangered ecological community area–timber posts and wire fencing, 0.9 metre high.

(e) Remaining fences–mixture of metal palisade and lapped and capped paling fences as per the requirements of Part B1 of this DCP.
(f) No solid fence will be allowed within the front setback area. Any privacy fence to enclose private open space within the front yard is to be of open style as stipulated above.

3.6 Development must retain the remnant vegetation/endangered ecological community area (known as the Cooks River/Castlereagh Ironbark Forest) in the south–east corner of the site and must:

(a) fence the community area with a log barrier or low fence following construction to Council’s satisfaction to minimise disturbance to this area; and

(b) comply with the Community Management Plan for the future management and maintenance of the community area.

Acoustic privacy and contamination

3.7 Development must incorporate the following to mitigate potential noise impacts:

(a) a 130 metre buffer zone along the southern boundary of the subdivision;

(b) a 3 metre high acoustic screen barrier constructed along the industrial boundary or a barrier incorporated in the building design in Zone B5 Business Development;

(c) purpose built housing and building noise control treatments for dwellings exposed to the industrial land to the south; and

(d) noise control treatments for dwellings exposed to Miller Road.

3.8 Development must comply with the Site Audit Statement confirming that the site is suitable for the intended use.

Access

3.9 Vehicular egress and ingress to the Zone R2 Low Density Residential part of the site is to be from Miller Road as shown in Figure 4. The ownership and maintenance of all future roads will be the responsibility of future landowners.

3.10 The design of internal road widths and manoeuvring paths must accommodate large vehicles, including emergency vehicles, garbage and delivery vehicles. All internal road reserves must also accommodate footpaths, on street visitor parking, street tree planting and services.

3.11 A roundabout is to be constructed at the intersection of Curtis Road and Miller Road and entry to the site to accommodate anticipated traffic flows and to slow traffic in general.
**Figure 1:** Development concept plan.

**Figure 2:** Landscape plan.
Figure 3: Open space network.

Figure 4: Access to site.
SECTION 4–NOS. 30–46 AUBURN ROAD IN REGENTS PARK

Desired character objective

To have infill residential development at the site known as Nos. 30–46 Auburn Road in Regents Park that is compatible with the character of the neighbouring Zone R2 Low Density Residential and railway corridor.

Development controls

The development controls to achieve the desired character objective are:

Dwelling yield

4.1 The maximum number of dwellings permissible on the site is 85.

Storey limit (not including basements)

4.2 The storey limit is 3 storeys with the exception of the dwellings fronting Auburn Road where the storey limit is 2 storeys, generally in accordance with Figure 1.

4.3 Development may contain attics provided:

(a) the attic does not give the external appearance of a storey; and

(b) the pitch of the roof creating the space does not exceed 35 degrees; and

(c) the external enclosing walls do not exceed a height of 300mm measured vertically from the floor level of the attic, but does not include gabled end walls; and

(d) there is no balcony, terrace, and the like forming part of the attic; and

(e) the attic accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and an ensuite plus an internal link to the storey below; and

(f) the gross floor area of the attic does not exceed 60% of the gross floor area of the storey immediately below; and

(g) one or more dormers may form part of the attic.

4.4 The design of dormers must:

(a) must be compatible with the scale, 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.

**Setbacks**

4.5 Development must achieve the following minimum setbacks subject to appropriate acoustic treatment:

(a) minimum 1 metre setback to the railway boundary; and

(b) minimum 10 metre setback for dwellings to the northern boundary. The setback area must be common facilities only, including road, driveway or open space.

**Access**

4.6 Vehicular egress and ingress on the site must be from Auburn Road and be facilitated by traffic management devices to minimise the impact upon the existing Auburn Road traffic flow and appropriately accommodate traffic flows from the site into Auburn Road. All costs associated with the provision of pedestrian protection measures and traffic management devices must be borne by the applicant.

**Acoustic privacy**

4.7 The consent authority must be satisfied that mitigation measures to control road and rail noise and vibration have been incorporated into the development so that the development complies with the following:

(a) AS/NZS 2107:2000, Acoustics—Recommended design sound levels and reverberation times for building interiors,

(b) AS 3671—1989, Acoustics—Road traffic noise intrusion—Building siting and construction,

(c) BS 6472:1992, Guide to evaluation of human exposure to vibration in buildings (1 Hz to 80 Hz),

(d) Environmental criteria for road traffic noise (an Environment Protection Authority document published in May 1999),

Figure 1: Site known as Nos. 30–46 Auburn Road in Regents Park.
SECTION 5–POTTS HILL RESERVOIRS SITE

Desired character objective

To guide the development of the Potts Hill Reservoirs site to ensure that high quality built form and urban design outcomes is realised within the approved subdivision layout for the Western Residential Precinct. The development controls aim to achieve a generally consistent built form across the precinct.

This section applies to residential development for dwelling houses, dual occupancies, attached dwellings, residential flat buildings and community housing development that are identified within specific areas shown on the Land Application Map.
Development controls

The development controls to achieve the desired character objective are:

**Dwelling houses**

**Site coverage** (Figure 1)

- Lots 450m² and over:
  Maximum 50% for two storey dwelling houses, maximum 60% for single storey dwelling houses.

- Lots less than 450m²:
  Maximum 60%.

**Maximum floor area**

- Maximum 330m² for all lots.

**Storey limit** (Figure 2)

- Maximum two storey limit.

**Front setback** (Figure 3)

- Minimum 4.5 metres.

**Articulation zone** (Figure 4)

- 1.5 metres beyond front building line and a maximum 25% of building width.
Side setbacks (Figure 5)

- Lots up to 18 metres wide:
  0.9 metre to 5.5 metres in height then above that height 0.9 metre plus 1/4 the height over 5.5 metres.

- Lots over 18 metres wide:
  1.5 metres to 5.5 metres in height then above that height 1.5 metre plus 1/4 the height over 5.5 metres.

Rear setbacks (Figure 6)

- Detached front access house lots: Minimum 3 metres for single storey with a rear wall height of up to 4.5 metres high, otherwise a minimum 8 metres applies.

- Detached front access house lots less than 30 metres deep at any point perpendicular to the front boundary: Minimum 3 metre setback for single storey with a rear wall height up to 4.5 metres high, otherwise a minimum 6 metres applies.

- Rear setbacks for lots along the western boundary of the precinct: An additional 3 metres in the form of the ‘landscaped area’ results in rear setbacks for these lots being a minimum 6 metres for single storey with a rear wall of up to 4.5 metres high, otherwise a minimum 11 metres applies.

- Rear access lots: minimum 1 metre setback to rear lane for garages and accessory dwellings if applicable.

Secondary Road Setbacks (Figure 7)

- Detached house corner lots:
  Minimum 3 metre setback to the secondary street boundary.

- Dual frontage lots:
  Minimum 4.5 metre setback to the secondary street boundary.
Landscaping (Figure 8)

- The minimum landscaped area is:
  (a) Lots 300–450m²:
    Minimum 15% of total lot.
  (b) Lots 450–600m²:
    Minimum 20% of total lot.
  (c) Lots 600–900m²:
    Minimum 30% of total lot.

- The minimum dimension of a landscaped area is 1.5 metres.
- At least 50% of the landscaped area is to be located behind the front building line.
- For lots less than 18 metre wide at least 25% of the area to the front of the building line must be landscaped.
- For lots at least 18 metre wide at least 50% of the area to the front of the building line must be landscaped.

Private open space

- The minimum area for the principal private open space is 24m², at least 4 metres wide, flat and directly accessible from a living room.

Car Parking and Access (Figure 9)

- 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 5.5 metres from the road boundary.
- Front access car parking spaces are required to be setback at least 1 metre 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 3 metres from the secondary street boundary.
- On double frontage lots the car parking can be located on either frontage but not on both.
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Maximum Garage Door Width

- Maximum garage door width varies with lot size:
  (a) 8–12m lot width: 3.2 metres.
  (b) Over 12 metre lot width: 6 metres.

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

Earthworks and drainage

- Excavation for basements:
  (a) Excavation permitted under the building footprint to provide a basement.
  (b) Maximum floor area for basement is 45m².

- Excavation outside the building footprint:
  (a) The maximum depth of excavation on a site outside the building footprint is 1 metre and must not extend more than 2 metres beyond the external wall of the dwelling house or ancillary development.
  (b) Excavation associated with swimming pools must not exceed the depth of the pool structure.

- 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:
  (a) Retaining walls to be no greater than 1 metre high.
  (b) 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 0.6 metre if located less than 0.5 metre from a side or rear boundary, or 1 metre if located at least 1 metre from a boundary.

- For drainage requirements refer to the Bankstown Development Engineering Standards Policy, with the exception of Section 10 of these Development Standards. The Potts Hill Residential Precinct is 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.

Fences

- 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 1.2 metres high and a minimum 50% open construction.
• Other fences to be maximum 1.8 metres high.

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

• Front side fences to extend 2 metres 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 forward of the front building line.

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**Eaves**

• Eaves are required on all external walls.

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

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**Passive Surveillance**

• A living area 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.

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**Subdivision**

• Subdivision of detached dwelling lots not permitted.
Dual Occupancies and Attached Dwellings

**Site coverage** (Figure 10)

- For lots a minimum 6 metres wide and 200m$^2$ or more in area:
  Maximum site coverage varies with lot size:
  - 200–250m$^2$: 65%
  - 250–300m$^2$: 60%
  - 300–450m$^2$: 55%

- For lots less than 6 metres wide and/or less than 200m$^2$ in area:
  Maximum 80% permitted as long as other controls, such as landscape requirements, are met.

**Maximum floor area**

- For lots a minimum 6 metres wide and 200m$^2$ or more in area:
  Maximum floor area varies with lot size:
  - 200–250m$^2$: 90%
  - 250–300m$^2$: 85%
  - 300–450m$^2$: 270m$^2$

- For lots less than 6 metres wide and/or less than 200m$^2$ in area:
  No specified maximum floor area applies as long as other controls are met.

**Storey limit**

- Maximum two storey limit.

**Front setback** (Figure 11)

- Dual occupancy dwelling: minimum 4.5 metres.

- Attached dwelling: minimum 2 metres.
Articulation Zone

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 1.5 metres 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.

Attached dwelling:
- No articulation zone is permitted.

For all lots:
- A new dwelling must have a window to a living room or a bedroom 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.

Side Setbacks (Figure 12)

Dual occupancy dwelling:
- Up to 4.5m building height: 0.9 metre.
- Over 4.5m building height: 0.9 metre + 1/4 height above 4.5 metres.
- 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 3.3 metres high. The maximum length of the boundary wall to be the lesser of 20 metres or 50% of lot depth, or match adjoining built to boundary wall.

Attached dwelling (Figure 12):
- 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 3.3 metres high. The maximum length of the boundary wall to be the lesser of 20 metres or 50% of lot depth, or match adjoining built to boundary wall.
- 2 metre minimum separation between terrace house groups.
- 1 metre minimum side setback on unattached sides.
Rear Setbacks (Figure 13)

- Dual occupancy dwellings:
  Minimum rear setback varies with lot size:
  200–300m² up to 4.5m building height: 3 metres
  200–300m² above 4.5m building height: average of rear setbacks of adjoining dwelling houses or 3 metres, whichever is the lesser
  300–600m² up to 4.5m building height: 3 metres
  300–600m² above 4.5m building height: 8 metres

- Attached dwelling:
  1 metre minimum setback to rear lane for garages and secondary dwellings.

Secondary Road Setbacks

- A dwelling house on a corner lot must be set back a minimum 2 metres from the secondary street boundary.

Landscaping

- Minimum dimension of landscaped area is 1.5 metres.

- 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.

- Attached dwelling (Figure 14):
  Minimum 5% of the total lot area must be landscaped area.
Outdoor living area

- Outdoor living areas should be directly accessible from a living area.

- Dual occupancy dwellings:
  Minimum private open space requirement varies with lot size and width:
  200–300m\(^2\): 16m\(^2\)
  300–600m\(^2\): 24m\(^2\)
  6–10m wide lot: Minimum 3 metres wide
  Over 10m wide lot: Minimum 4 metres wide

- Attached dwelling:
  A minimum area of 16m\(^2\) and a minimum 3 metres wide.

Car Parking and Access

- 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.

Maximum Garage Door Width

- Dual occupancy dwellings: Maximum garage door width varies with lot width:
  8–12m lot width: 3.2 metres
  Over 12m lot width: 6 metres

- Attached dwelling: Garage doors on rear access lots to have a maximum width of 6 metres.

- Corner lots with car parking access from the secondary street to have a maximum garage door width of 6 metres.
Earthworks and drainage

- Excavation for basements:
  (a) Excavation permitted under the building footprint to provide a basement.
  (b) Maximum floor area for basement varies with lot width:
    - Lots 10 metres wide or less: 25m$^2$
    - Lots over 10 metres wide: 45m$^2$

- Excavation outside the building footprint:
  (a) The maximum depth of excavation on a site outside the building footprint is 1 metre and must not extend more than 2 metres beyond the external wall of the dwelling house or ancillary development.
  (b) Excavation associated with swimming pools must not exceed the depth of the pool structure.

- 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:
  (a) Retaining walls to be no greater than 1 metre high.
  (b) 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 0.6 metre if located less than 0.5 metre from a side or rear boundary, or 1 metre if located at least 0.5 metre from a boundary.

- For drainage requirements refer to the Bankstown Development Engineering Standards Policy, with the exception of Section 10 of these Development Standards. The Potts Hill Residential Precinct is 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.

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.
**Fences** (Figure 15)

- 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 1.2 metres high and a minimum 50% open construction, other fences to be maximum 1.8 metres 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 2 metres 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 forward of the front building line.

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**Subdivision**

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

- Attached dwellings: No subdivision permitted. Attached dwellings to be attached in groups as shown in the attached and community housing lot location plan (Figure 16):
Residential flat buildings

Brunker Road Apartment Site Setbacks (Figure 17)

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

North East Apartment Site Setbacks (Figure 18)

- Minimum 3 metre 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.

Tree Preservation (Figure 19)

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

- Significant tree identified in Figure 19 is to be retained if possible.
Community housing

Purpose

The following section applies to community housing projects which mean 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.

Background

The Affordable Rental Housing SEPP provisions for ‘infill development’ have been used as the basis for these controls including:

- 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.

Storey limit

- Maximum two storey limit.

Minimum dwelling sizes

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

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

Landscaped area

- Minimum 35m$^2$
Solar access

- Living areas and open spaces of 70% of the dwellings require a minimum of 3 hours direct sunlight between 8.00am and 4.00pm at the mid-winter solstice.
- Corner allotments open space may be provided within the secondary street setback.

Minimum setbacks

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

Deep soil zones

- Minimum of 15% of the site area

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 1.2 metres high and a minimum 50% open construction, other fences to be maximum 1.8 metres 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 2 metres 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 forward of the front building line.
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 1.2 metres 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 0.6 metre if located less than 0.5 metre from a side or rear boundary, or 1.2 metres if located at least 0.5 metre from a boundary.

Drainage:
- For drainage requirements refer to the Bankstown Development Engineering Standards Policy, with the exception of Section 10 of these Development Standards. The Potts Hill Residential Precinct is 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.

Secondary dwellings

- Secondary dwellings are permissible on community housing lots.
- Rear lane setback: minimum 1 metre.
- 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.

Subdivision

Subdivision is permissible with consent, generally in accordance with the attached draft plan of subdivision detail.
SECTION 6–RIVERLANDS GOLF COURSE SITE

Introduction

The intended outcome of this section is to ensure the subdivision and development of the site (known as the Riverlands Golf Course site in Milperra) achieves high quality urban design and built form outcomes consistent with the environmental characteristics and ecological values of the site.

This section applies to the site shown in the Land Application Map (Figure 1).

Applicants must note development must comply with the other development controls of this DCP including Part B1 (Residential Development). However if applicable to a development application, the development controls of Part A3 will prevail if there is an inconsistency with any other development controls in this DCP.

Figure 1–Land Application Map
Desired character objectives

The desired character objectives for the site are:

(a) To have development that integrates with the landform, vegetation, overland flow path and landscape of the site.

(b) To have development that protects and conserves the ecological and habitat values of the site including the ecological communities and areas, riparian and biodiversity corridors, native vegetation and hollow bearing trees, and the ecological processes necessary for their continued existence.

(c) To have development that avoids or minimises the adverse impacts of urban stormwater on the site, adjoining properties, native vegetation, wetlands and waterways.

(d) To have development that protects and improves the scenic and cultural heritage values of the site, waterways and riparian corridors.

(e) To have development that fully responds to the flood risks, land contamination, acid sulfate soils, bush fire risks and other environmental constraints that affect the site.

(f) To have mostly dwelling houses or a balanced mix of dwelling houses and dual occupancies on the site that is compatible with the character, amenity and built form of the established Milperra neighbourhood area.

(g) To have development that incorporates landscape as a key characteristic.

(h) To have a legible access network within the site that is conducive to walking, and connects to the road, pedestrian and cycle networks of the established Milperra neighbourhood area.

(i) To have appropriate infrastructure that enhances the quality of life and safety of the community.
Development controls

The development controls to achieve the desired character objectives are:

Subdivision

6.1 Development that proposes the subdivision of land must submit a concept subdivision plan, landscape plan and detailed tree survey to the satisfaction of Council. These plans must be prepared by suitably qualified persons in the field of town planning, architecture and landscape architecture.

6.2 The intended outcomes of the concept subdivision plan, landscape plan and detailed tree survey are:

(a) to identify the overall strategic vision and guiding principles to the subdivision and development of the site;

(b) to demonstrate the opportunities and constraints of the site;

(c) to contribute to the sustainable growth of the city; and

(d) to respond and contribute to the local context and the urban structure of the city.

6.3 The concept subdivision plan, landscape plan and detailed tree survey must consist of a written statement (supported by plans or illustrations) explaining how the design and layout of the streets, lots and subsequent development on the site have regard to the following:

(a) Design principles

The design and layout of the streets, lots and subsequent development must have regard to the design principles drawn from the site analysis and local context including:

(i) Context and character studies.

(ii) Visual assessment of the site and the local context.

(iii) Survey of the site and neighbouring buildings.

(iv) Survey of the topography, stormwater and drainage systems, trees, vegetation and landscape.
(b) The studies which informed the planning proposal

The design and layout of the streets, lots and subsequent development are to conform to the studies and their recommendations which informed the planning proposal (PP_2011_BANKS_001) for the site including:


(iii) The ‘Fauna Investigation and Tree Retention Advice’, dated June 2015, prepared by NGH Environmental.

(iv) The ‘Riverlands Flood Study and Evacuation Plan’, dated April 2012, prepared by BMT WBM.

(v) The ‘Bushfire Assessment’, dated 30 April 2012, prepared by Eco Logical Australia.


This includes the need for subdivision development to undertake additional archaeological investigations in accordance with relevant statutory requirements and guidelines.

(vii) The ‘Phase 2 Environmental Site Assessment–Riverlands Environmental Site Assessment’, dated July 2015, prepared by Environmental Strategies.

(viii) The ‘Acid Sulfate Soil Preliminary Site Investigation’, dated December 2011, prepared by Sydney Environmental & Soil Laboratory.


(x) The Riverlands Golf Course voluntary planning agreement and corresponding vegetation management plan.
(c) **Sustainability and energy efficiency outcomes**

The design and layout of the streets, lots and subsequent development must have regard to the sustainability and energy efficiency outcomes through design including:

(i) The integration of the streets and development with the topography, stormwater, biodiversity and riparian corridors, native vegetation and hollow bearing trees, and landscape of the site.

(ii) Lot orientation. 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 strive for a future residential area in which the great majority of dwellings can achieve good solar access.

(iii) The provision of deep soil zones and landscaping.

(iv) Passive surveillance.

(d) **Built form and character**

The design and layout of the streets, lots and subsequent development must:

(i) Provide for mostly dwelling houses or a balanced mix of dwelling houses and dual occupancies on the site that is compatible with the character, amenity and built form of the established Milperra neighbourhood area.

(ii) Provide for a variety of lot widths other than 15 metres to encourage a diversity of house and dual occupancy designs.

(e) **Traffic and access**

The design and layout of the streets, lots and subsequent development must have regard to traffic and access including:

(i) The links between the site and the surrounding pedestrian, cycle, public transport and road access and circulation networks.

This includes details of the internal and external movement networks, the public transport access routes, the pedestrian and cycle paths, linkages to external networks and pedestrian through–site links. The internal street network should avoid cul–de–sac roads.
(ii) The links to the road access to the site being Keys Parade, Pozieres Avenue and Prescott Parade. Road access is not to be provided through Martin Crescent.

(iii) The pedestrian / cycle link between the site and the public open space on the foreshore.

(iv) The evacuation routes for residents during flooding.

(f) Infrastructure and stormwater management

The design and layout of the streets, lots and subsequent development must have regard to infrastructure and stormwater management including:

(i) The works to be undertaken in accordance with the Riverlands Golf Course voluntary planning agreement and corresponding vegetation management plan.

(ii) The minimum 17 metre road width for public roads. This comprises a 10 metre wide carriageway and a 3.5 metre wide footpath on each side of the carriageway.

(iii) Access for Council’s waste trucks and emergency vehicles.

(iv) The integration of the streets and development with the overland flow paths shown in Figure 2.

(v) The incorporation of water sensitive urban design principles in the street and development design to attenuate runoff and promote water quality. Consideration may be given to treating stormwater runoff from the site by establishing wetlands, or installing bioswales or bio–retention basins prior to surface discharge.

(vi) The siting of the electricity power lines and telecommunication lines underground in accordance with the bushfire assessment, and urban design and streetscape guidelines.
Figure 2–Overland flow paths
Development – general requirements

6.4 In deciding whether to grant development consent, Council must be satisfied that development on the site conforms to the concept subdivision plan, landscape plan and detailed tree survey approved by Council.

6.5 Development on the site must provide for mostly dwelling houses on the site, or a balanced mix of dwelling houses and dual occupancies on the site that is compatible with the character, amenity and built form of the established Milperra neighbourhood area.

6.6 Development on the site must locate the electricity power lines and telecommunication lines underground.

6.7 Development on the site must submit an Environmental Management Plan detailing the extent to which the development will impact on the site during construction in accordance with the flora and fauna studies which informed the planning proposal (PP_2011_BANKS_001) for the site and the Bankstown Demolition and Construction Guidelines.

Biodiversity protection

6.8 In deciding whether to grant development consent, Council must be satisfied that development on the site conforms to the studies which informed the planning proposal (PP_2011_BANKS_001) for the site including:

(a) The ‘Flora Assessment: Updated Study of the approximately 82 ha site of the Riverlands Golf Course site at Milperra’, dated 23 January 2012, prepared by Anne Clements and Associates.

(b) The ‘Fauna Habitat & Species Constraints to Potential Redevelopment of the Riverlands Golf Course, Milperra’, dated 22 January 2012, prepared by Ambrose Ecological Services.

(c) The ‘Fauna Investigation and Tree Retention Advice’, dated June 2015, prepared by NGH Environmental.

(d) The Riverlands Golf Course voluntary planning agreement and corresponding vegetation management plan.
Figure 3–Hollow bearing trees to be protected

Habitat Tree Rankings
- 1 Most Valuable
- 2 Second Most Valuable
- 3 Third Most Valuable
- 4 Fourth Most Valuable

Notes:
- Field data collected by ngnhenvironmental field staff (Date: 15/04/2015)
- Base layer sourced from ArcMap 10.0

Riverlands Golf Course
Author: CR

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6.9 Development on the site must protect the hollow bearing trees shown in Figure 3 in accordance with the ‘Fauna Investigation and Tree Retention Advice’, dated June 2015, prepared by NGH Environmental.

In deciding whether to grant development consent, Council must be satisfied that the development is designed, and will be sited and managed, to avoid any potentially adverse environmental impact or, if a potentially adverse environmental impact cannot be avoided:

(a) the development minimises disturbance and adverse impacts on the native vegetation and habitat; and

(b) measures have been considered to maintain native vegetation and habitat in parcels of a size, condition and configuration that will facilitate biodiversity protection and native flora and fauna movement through biodiversity corridors; and

(c) measures have been considered to achieve no net loss of significant native vegetation or habitat.

In this clause, biodiversity corridor means an area that facilitates the connection and maintenance of native fauna and flora habitats and, within the urban landscape, includes areas that may be broken by roads and other urban elements and may include remnant trees and associated native and exotic vegetation.

Stormwater and water sensitive urban design

6.10 Development on the site must submit a Water Management Plan that provides the following details:

(i) the stormwater management methods during construction and post construction; and

(ii) how the water sensitive urban design methods will be used to meet the stormwater reduction targets set out in the Botany Bay and Catchment Water Quality Improvement Plan for greenfield development / large redevelopment.

6.11 In deciding whether to grant development consent to development on the site, Council must be satisfied that:

(a) water sensitive urban design principles are incorporated into the design of the development; and

(b) riparian, stormwater and flooding measures are integrated; and
(c) the stormwater management system includes all reasonable management actions to avoid any adverse impacts on the land to which the development is to be carried out, adjoining properties, native bushland, waterways and groundwater systems; and

(d) if a potential adverse environmental impact cannot be feasibly avoided, the development minimises and mitigates the adverse impacts of stormwater runoff on adjoining properties, native bushland, waterways and groundwater systems.

For the purposes of this clause, the water sensitive urban design principles are:

(i) protection and enhancement of natural waterways;

(ii) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments;

(iii) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes;

(iv) integration of stormwater management systems into the landscape in a manner that provides multiple benefits, including water quality protection, stormwater retention and detention, biodiversity / habitat provision, public open space, and recreational and visual amenity;

(v) retention, where practical, of on–site stormwater for use as an alternative supply to mains water, groundwater or river water;

(vi) reduce peak flows through storage and infiltration.