Contents

4B.1 Introduction

4B.1.2 Land to which this Part Applies

This Part applies to multi dwelling housing where three (3) or more dwellings are located on a single lot of land. Multi dwelling housing includes development commonly known as townhouses and villas. Botany Bay Local Environmental Plan 2013 defines multi dwelling housing as:

> *'3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential apartment building.'*

Whilst SEPP No. 65 – Design Quality of Apartment Buildings, and the Apartment Design Guide, does not directly apply to multi dwelling housing, it is advised that applicants make themselves familiar with the controls and advice available in the **Apartment Design Guide** to inform best practice development.

4B. 1.2 General Objectives

O1 To ensure development is compatible and complementary to the streetscape and consistent with the Desired Future Character of the area;
O2 To provide detailed objectives and controls that encourage innovative design that positively contributes to the character and context of the locality;
O3 To maintain and encourage compatible architectural styles within residential areas;
O4 To encourage residential development which creates a high standard of residential amenity, promotes a safe living environment; and makes better use of existing infrastructure;
O5 To ensure that development employs the principles of ecologically sustainable development (ESD);
O6 To provide for a range of housing types and forms to accommodate a diverse and changing population; and

Note:
This Part may direct applicants to sections of the Apartment Design Guide for reference, however Multi Dwelling Housing development is to comply with the provisions contained within this Part of the DCP.

4B.2 Site Design

4B.2.1 Design Excellence

Botany Bay Local Environmental Plan 2013 aims "*to create a highly liveable urban place, through promotion of design excellence in all elements of the built environment and public domain*."

As such, all new development is required to achieve excellence in urban design, as detailed in the objectives and controls in this Part.

Objectives

O1 To encourage innovative design that positively responds to the character and context of the locality;
O2 To create a highly liveable urban place, through promotion of design excellence in all elements of the built environment and public domain; and
O3 To encourage well designed buildings that minimise the bulk and scale of the built form.

Controls

C1 To achieve excellence in urban design, development will:

(i) Take into consideration the characteristics of the site and adjoining development by undertaking a thorough site analysis;
(ii) Utilise innovative design which positively responds to the character and context of its locality;
(iii) Provide a design which employes a number of ESD principles and best practice;
(iv) Enhance the streetscape character of the locality;
(v) Ensure development is consistent in height and scale with surrounding development;
(vi) Maintain established setbacks;
(vii) Design buildings to minimise impacts on neighbours by maintaining appropriate levels of solar access and privacy;
(viii) Ensure any development utilises materials and finishes which complement the locality;
(ix) Design for acoustic and visual privacy;
(x) Ensure dwellings and open space areas achieve good solar access, and are energy efficient;
(xi) Ensure building entries address the street and are clearly visible from the street or footpaths;
(xii) Design development that provides good quality landscaping;
(xiii) Consider the relatonship of private open space to the layout of the dwelling; and
(xiv) Use design techniques which promote safety and discourage crime.

4B.2.2 Local Character

The City of Botany Bay's residential areas contain a range of housing styles from high density centres around Mascot Railway Station, to low density residential dwelling houses. An important factor in managing the desired future character of the City is understanding that all areas have their unique qualities and these qualities are to be maintained. **Part 8 - Character Precincts** provides a description of each character precinct within the City and identifies and defines the existing and Desired Future Character.

Objective

- **O1** To ensure that building design responds to the existing characteristics and constraints of a site; and
- **O2** To ensure that Council's Desired Future Character of its Precinct is achieved.

Controls

- **C1** Development is to respond to the opportunities and constraints identified in the Site Analysis Plan prepared in accordance with **Part 4B.2.1 - Site Analysis**.
- **C2** Development will comply with the relevant Desired Future Character Statements (refer to **Part 8 - Character Precincts**).

4B.2.3 Site Analysis

Objectives

O1 To ensure that development:
   a. Is sensitive to its environment;
   b. Positively contributes to the context;
   c. Minimises adverse impacts on adjoining properties.

O2 To facilitate an acceptable siting and scale of development with an acceptable relationship with neighbouring dwellings and the wider street context.

O3 To ensure applicants can accurately identify the opportunities and constraints of the site;

O4 To identify the existing site conditions and location of buildings on adjoining site; and

O5 To identify the existing streetscape and a development response that enhances the streetscape.

Control

C1 A Site Analysis Plan prepared in accordance with the **Apartment Design Guide** is to be submitted with development for Mutli Dwelling Housing.

4B.2.4 Streetscape Presentation

The term streetscape refers to buildings, setbacks, street and landscape design features, and the way in which new developments interact with adjacent buildings, landscaping and fencing, traffic treatments, paths, driveways, street surfaces and utility services. The spatial arrangement of these components and their visual appearance determine the streetscape character of an area.

New development is to be compatible with the characteristic development in a street and be designed to relate to the pattern of buildings in the street.

Objectives

- **O1** To ensure that development recognises predominant streetscape qualities (i.e. setbacks and design features);
- **O2** To achieve design excellence; and
- **O3** To ensure development complements the height, scale and architectural style found in the immediate vicinity, particularly where this has a clearly established character (refer to Desired Future Character statements within **Part 8 - Character Precincts**).

Figure 3 - Streetscape Continuity

Controls

General

C1 Development is to reflect the relevant Desired Future Character in **Part 8 - Character Precincts**.

C2 New development will be compatible in building bulk and scale with adjoining residential developments and reflect the patterns of buildings in the streetscape.
Note: This can be achieved through consideration of building setbacks; building height and treatment of the building facades (refer to **Figure 3**).

C3 The maximum length of any building is 24 metres.

C4 Façades are to be articulated and use materials and finishes that enhance the character of the streetscape.

C5 The minimum internal width of dwellings is to comply with **Table 1**.

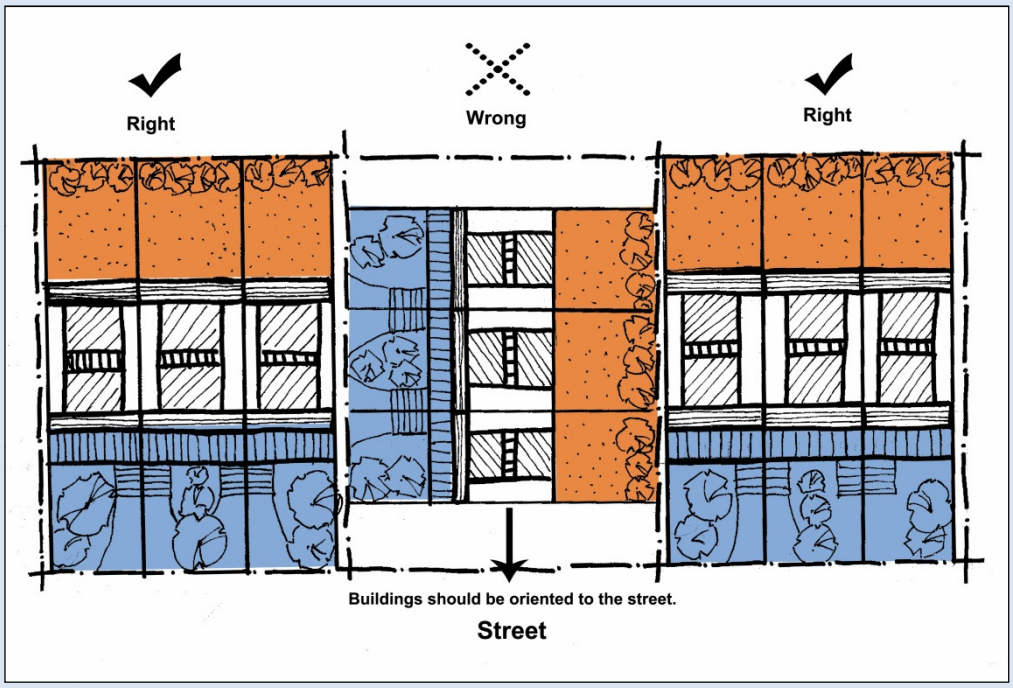
Table 1 - Internal Width of Dwellings

Type of Dwelling	Minimum Internal Unit Width measured face to face
Single level dwelling	6 metres (excluding garage)
Town houses	5 metres (excluding garage)
Townhouses (single rooms in width)	4.7 metres (excluding garage)

Street Presentation

C6 Buildings are to be sited to address the street and relate to neighbouring buildings.
C7 Developments on sites with two or more frontages are to address both frontages.
C8 Street corners are to be addressed appropriately by giving visual prominence to parts of the building façade, such as a change in building articulation, materials, colour, roof form or height.

Figure 4 - Ensure That New Development is Oriented Towards the Street.



4B.2.5 Height

Objectives

O1 To limit the height and scale of buildings so that they do not dominate the streetscape;
O2 To ensure that new development complements the scale, massing and design of adjoining development; and
O3 To limit visual impact, loss of privacy, loss of views or overshadowing within new development or on neighbouring properties.

Controls

C1 The proposed height of buildings is not to exceed the maximum permissible height of a site.
C2 Council may require a reduction in permissible height where a building built to the permissible height would have unacceptably adverse impacts in regards to:
(i) The overshadowing of a dwelling, private open space or public open space;
(ii) An inappropriate transition in built form and land use intensity;
(iii) The design excellence of a building;
(iv) View loss; or
(v) The Obstacle Limitation Surface.
C3 The maximum number of storeys will not exceed the maximum number of storeys identified in the relevant character precinct as set out in **Part 8 - Character Precincts**. If the maximum number of storeys is not identified in Part 8, development is to be consistent with the characteristic building height set by the immediate context.
C4 Basements more than 1.2 metres above ground level will be counted as a storey.
Note: The calculation is taken from natural ground level to the underside of the floor construction.
C5 The building height and bulk of developments is to be distributed on the site to ensure that there is no significant loss of amenity to adjacent sites, open space and public streets.
C6 Habitable rooms are encouraged within an attic where the applicant can demonstrate that the resulting development will not detrimentally affect the amenity of the area due to:
(i) An unacceptable loss of sunlight to adjacent properties and public spaces;
(ii) A reduced level of privacy to adjacent properties; and
(iii) Unacceptable view loss from adjacent properties and surrounding areas.
C7 The height of buildings will comply with the requirements of the Civil Aviation Safety Authority (CASA).

4B.2.6 Floor Space Ratio (FSR)

Objectives

O1 To provide for bulk and scale of development that does not detract from the amenity of the streetscape and minimises impacts on adjoining residential properties; and

O2 To prevent the over-development of land and ensure that an adequate balance of private open space and landscaping are provided for each dwelling.

Controls

Achieving FSR

C1 Not all site developments may be able to achieve the maximum permissible FSR, due to particular site characteristics, such as:

(i) The size, shape and topography of the land;

(ii) The presence of existing buildings on site, required to be retained;

(iii) The need to reduce adverse impacts on neighbouring sites; and

(iv) Not being able to satisfy Council's traffic, parking and vehicular access requirements.

C2 In determining an appropriate FSR, applicants are to demonstrate to Council, in their Development Application, that the bulk and scale of development is acceptable and will not result in adverse impacts on adjoining dwellings or the streetscape in terms of:

(i) Loss of Privacy;

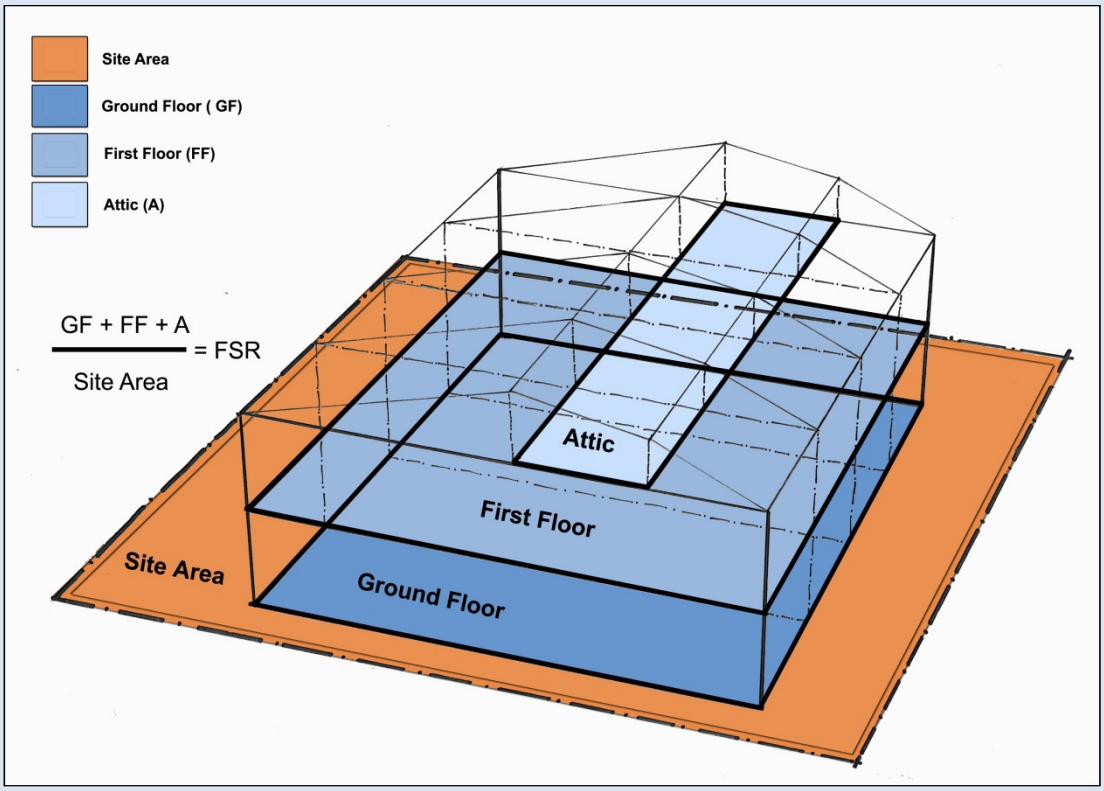
(ii) Overshadowing/loss of natural light;

(iii) Loss of views;

(iv) Visual Amenity (Bulk and Scale); and

(v) Increased traffic generation.

Figure 5 - Measuring Floor Space Ratio



4B.2.7 Site Coverage

Objectives

O1 To ensure that new development is consistent with the Desired Future Character of the area;
O2 To ensure site coverage creates a development that provides a balance between built form, landscaped area and private open space; and
O3 To control site density.

Controls

C1 Refer to **Part 3L.1.4 – Definitions.**
C2 Development will not exceed site coverage of 45%.
C3 Site coverage of development will be assessed with consideration of the following:

(i) Bulk of the proposed/existing development;
(ii) Impacts on adjoining land and buildings;
(iii) Setbacks;
(iv) Overshadowing and privacy;
(v) Streetscape considerations (visual bulk and scale);
(vi) Parking and landscape requirements;
(vii) Existing views & sightlines;
(viii) Impact to significant trees on site;
(ix) The provision of private open space on site; and
(x) Site topography and allotment size.

4B.2.8 Landscaped Area and Deep Soil Planting

Objectives

O1 To increase tree and landscape coverage within the City of Botany Bay through the retention of existing vegetation and provision of substantial new plantings and landscaping;
O2 To effectively ameliorate development and its impact within and to the streetscape and adjoining properties through site responsive, appropriate and strategic landscaping;
O3 To provide well designed, located and functional open space areas through the site;
O4 To increase natural stormwater filtration and decrease impervious surfaces and runoff; and
O5 To enhance the public domain at the edges of new development.

Controls

General

C1 Landscaping will comply with **Part 3L – Landscaping and Tree Management**.
C2 Existing street trees are to be retained.
Note: Council trees are not to be utilised as the sole means of ameliorating a development. Trees are required in setbacks.
C3 Development will comply with **Table 2**.
C4 A plan is to be submitted which clearly identifies how landscaped areas and unbuilt upon areas have been calculated (refer to Council's **Development Application Guide** and definitions above).
C5 Energy efficient landscaping practices and Ecologically Sustainable Development (ESD) principles are to be incorporated during the design phase of the development (refer to **Part 3H - Sustainable Design and Part 10 - Landscape Technical Guidelines for Development Sites**).
C6 Siting of buildings, ancillary structures, and hard landscaping is to preserve existing trees, including street trees and trees on adjoining properties (refer to **Part3L – Landscaping and Tree Management**).
C7 Development applications are to identify what measures are proposed to protect existing trees during construction (refer to **Part 3L – Landscaping and Tree Management**).
Note: An Arborist report is required.
C8 The majority of tree plantings are to be evergreen native species, particularly within setbacks. Deciduous trees are to be limited.
C9 Pervious surface materials are to be used as far as practical and paved areas drained to planter beds.
Note: They will however comply with standards for access for people with a disability.
C10 Landscaping in the public domain is required and is to reinforce existing streetscape planting themes and patterns.
Note: Council may require street tree planting and paving in the public domain and this is to be included on the landscape plan.
C11 Stormwater inlet pits or piping is not to be located within the drip line of existing or proposed trees and be consistent with Councils Stormwater Management Technical Guidelines (refer to **Part 10 -** Stormwater **Management Technical Guidelines**).

C12 Underground OSD detention tanks or infiltration trenches are not to be located within setbacks or landscaped areas. They are to be located under paved areas, e.g. at grade car parks or driveways or within a basement car park structure.

C13 Driveways and pathways are to be located at least 1.5 metres from common boundaries to allow for continuous landscaped buffer boundaries and a significant landscaped setting for all paved areas. The landscape strip is to contain tall screen planting that retains foliage to the ground.

C14 Landscaping over a basement car park will contain an adequate number of small and medium sized trees for screening, softening and shading. Accordingly, planter bed dimensions are to provide adequate soil planting volumes (refer to **Part 10 - Landscape Technical Guidelines** for planted box on podium depths and dimensions).

C15 Any planter bed shall be a minimum of 1 metre in width, unless otherwise stipulated for setbacks.

C16 Landscaped areas will be effectively distributed on the site to minimise the dominance of buildings, structures and paving when viewed from the street, public places and surrounding properties.

C17 Trees are to be selected so that the height and width of the tree is in scale with the size of the building. A list of suitable trees and plants for residential sites can be found in **Part 10 - Landscape Technical Guidelines for Development Sites**.

C18 Green roofs and walls are encouraged but are in addition to the minimum landscaping requirement for the site. Refer to **Part 3L – Landscaping and Tree Management**.

Setbacks

C19 The front landscape setback area is to be set aside exclusively for soft landscaping and is required to be deep soil (refer to **Part 3L – Landscaping and Tree Management**).

C20 Trees in the front setback shall attain a height of at least 10 metres at maturity to ameliorate buildings and contribute to the streetscape.

C21 Front setbacks shall be fully planted with a layered approach using a variety of decorative and feature trees and shrubs at different heights.

C22 Planting is to be provided alongside rear and side boundaries and between driveways, patios and side boundaries. Trees are to be provided for each dwelling.

C23 Not more than one-third of the front landscaped setback shall be paved (including driveways and pathways to individual dwellings).
Note: This is to enable sufficient landscaping to soften and ameliorate the development and reduce its impact upon the streetscape. This may necessitate an alteration of design and/or layout, shared or reduced width driveways and a reduced amount of access pathways.

C24 The front setback shall be on one level (grade) or an even, slightly battered grade, not terraced or stepped or containing narrow planter boxes, so as to allow adequate lateral root space and volume for medium to large canopy trees.

Deep Soil Planting

C25 A minimum of 35% of a site is to comprise a deep soil planting area (refer to **Table 2** and **Figure 6**), of which:

(i) A minimum of 50% of this area is to be located at the rear of the site. For sites with dual or rear lane frontages, this area may be relocated to allow buildings to address the secondary frontage or provide for rear lane carparking access;

(ii) A minimum of 30% of this area is to be located within the front setback;

(iii) A minimum 1.5 metre wide strip of landscaping is to be located along side and rear boundaries; and

(iv) Where building height is greater than 7 metres, a minimum 3 metres wide landscape planter bed for the purposes of dense, layered landscape screening is to be located on both the side and rear boundaries.

Note: Deep soil planting may be constrained by the provision of basement carparking. Constraints are to be demonstrated and justification is required if C19 cannot be met.

C26 Communal open space is to be deep soil (not over a podium or car parks) (refer to **Figure 7**).

C27 Basement car parks, where permitted, will not extend to the site boundaries and excavation for any associated garages, car parking, plant rooms or ancillary storage will not exceed 65% of the site area. Underground parking is to be set back off boundaries and located under the building footprint to allow for deep soil zones along the front landscaped setback, side and rear boundaries and in the communal open space.

Table 2 - Site Coverage

Requirement	Control
Site Coverage	Maximum of 45%
Soft landscaped area (includes deep soil area)	Minimum of 35%
Hard landscaped area	Maximum of 20%

Figure 6 - Calculating Site Coverage, Soft Landscaped Area and Hard Landscaped Area

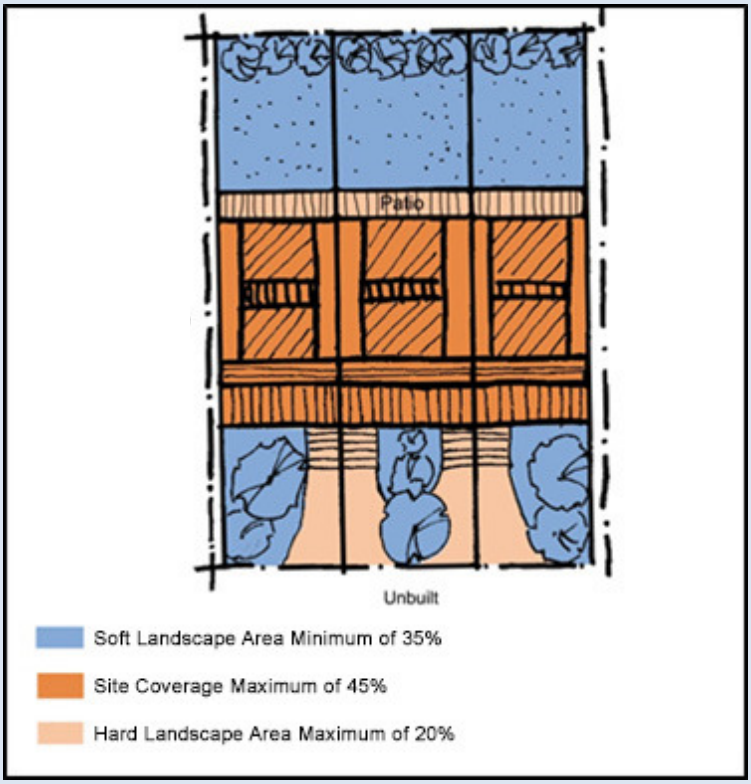
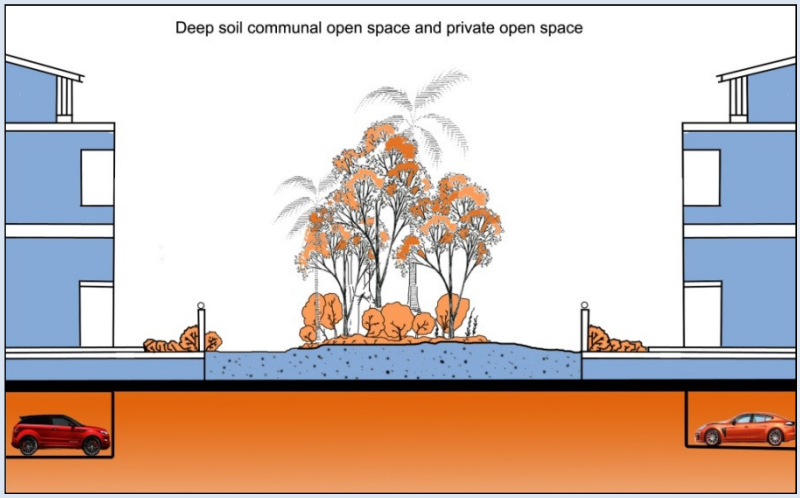


Figure 7 - Example of Deep Soil Planting



4B.2.9 Private and Communal Open Space

Objectives

- **O1** To ensure residents are provided with quality usable communal and private outdoor living areas;
- **O2** To ensure that private open space is designed for privacy, solar access, and is well integrated with living areas;
- **O3** To ensure the adequate provision of accessible communal open space for residents for passive and active recreation opportunities; and
- **O4** To ensure the provision of functional, useable and liveable communal open space for residents and to encourage social interaction.

Controls

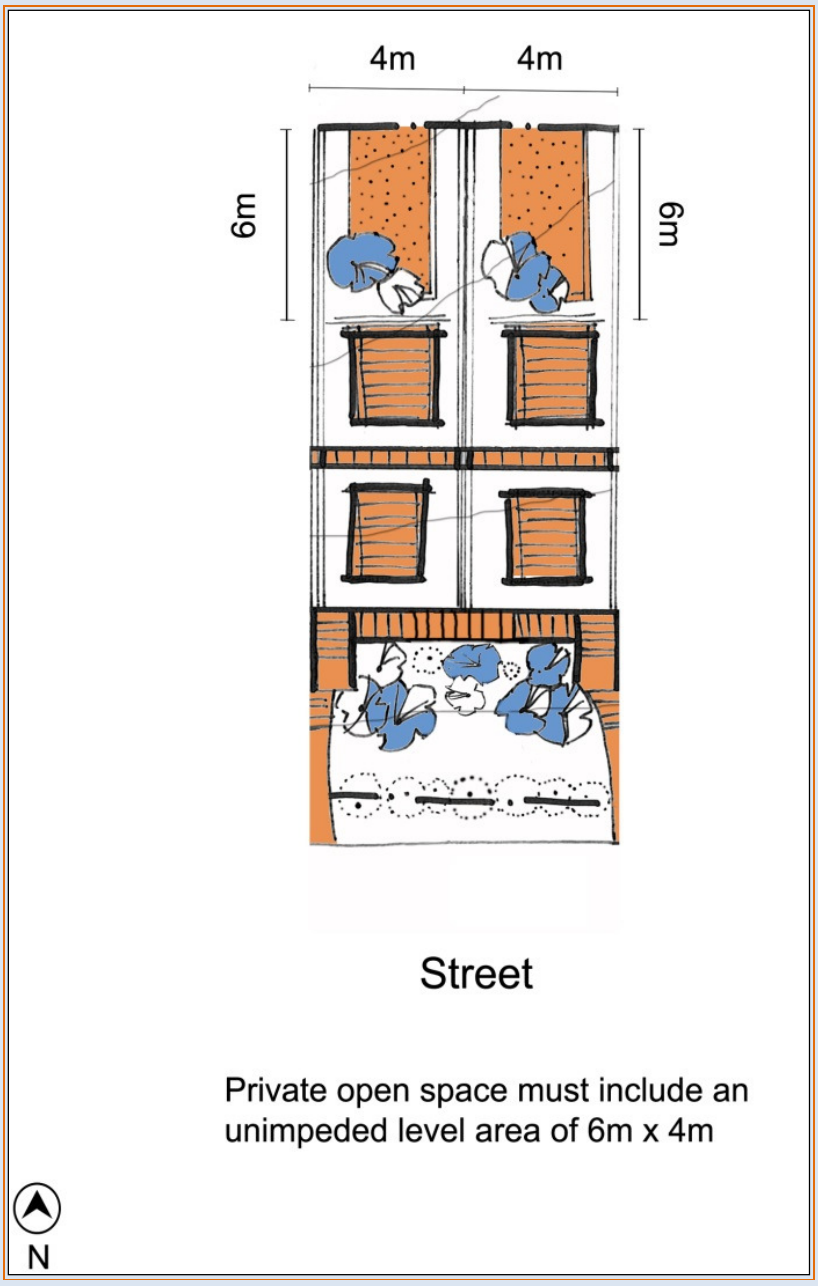
Private Open Space

- **C1** Private open space is to comply with **Table 3**.
  Note: Areas defined as 'unbuilt upon area' (refer to **Part 4B.2.7 - Landscape Area and Deep Soil Planting)** such as driveways and car parking areas are not considered private open space.
- **C2** Each dwelling is to have an area of private open space attached to it at ground level that contains an unimpeded level space no steeper than 1:10.
  Note: Unimpeded means it does not include clotheslines or planter beds or the like.
- **C3** Private open space will have minimum dimensions of 6 metres x 4 metres (refer to **Figure 8**).
- **C4** Private open space is to be designed as an extension of the main living areas at the rear of each dwelling (i.e. kitchens, living rooms and dining areas).
- **C5** Where possible private open space is to be located on the northern portion of the site to maximise privacy and solar access.
- **C6** Where private open spaces adjoin other dwellings within the development, landscaping or screening shall be used to provide visual privacy and shade to private open spaces.
- **C7** The front of each townhouse is to be landscaped and include a small tree for amenity, privacy and shade.

Table 3 - Private Open Space

No of Bedrooms	Private Open Space Required per Dwelling
Studio	24.5 m²
1 bedroom	24.5 m²
2 bedrooms	35 m²
3 bedrooms	45.5 m²
4 bedrooms	56 m²

Figure 8 - Private Open Space



Communal Open Space

C8 For sites with 15 dwellings or more, the communal open space shall comply with **Table 4**.
Note: Communal open space is to be considered early on during site planning to provide a visual focus for the development and enable preservation of existing trees and ensure siting for solar access (refer to **Figure 10**).
Note: Utility areas, driveways and areas with a dimension of less than 3 metres (i.e. access and pathways) are not considered communal open space.

C9 Communal open space shall be designed to :
- (i) Encourage positive outlook, respite and attractive views within the development;
- (ii) Provide building separation and achieve a balance between open space and built form;
- (iii) Provide visual and acoustic privacy and an area of good solar access for recreational purposes;
- (iv) Provide natural stormwater infiltration;
- (v) Encourage use of rooftop gardens in addition to the 35% soft landscaping requirement;
- (vi) Locate linkages to public open spaces where possible;
- (vii) Include medium and large canopy trees; and
- (viii) Provide functional, usable and liveable spaces for a mix of recreational activities.

C10 Communal open space areas will receive at least 3 hours of direct sunlight between 9:00am and 3:00pm on 21st June.

C11 Communal open spaces are to be deep soil zones (i.e. not to be located over suspended slabs, sub surface car parks or stormwater detention tanks).

C12 Communal open spaces shall be appropriately landscaped and may provide active and passive recreational facilities (for example BBQ area, seating, children's play area, vegetable gardens, landscape features or the like).

C13 All communal open spaces areas are to be shown on the detailed landscape plan to be submitted with the development application.

C14 Communal open space shall be functional, accessible and designed in conjunction with pedestrian links through the site.

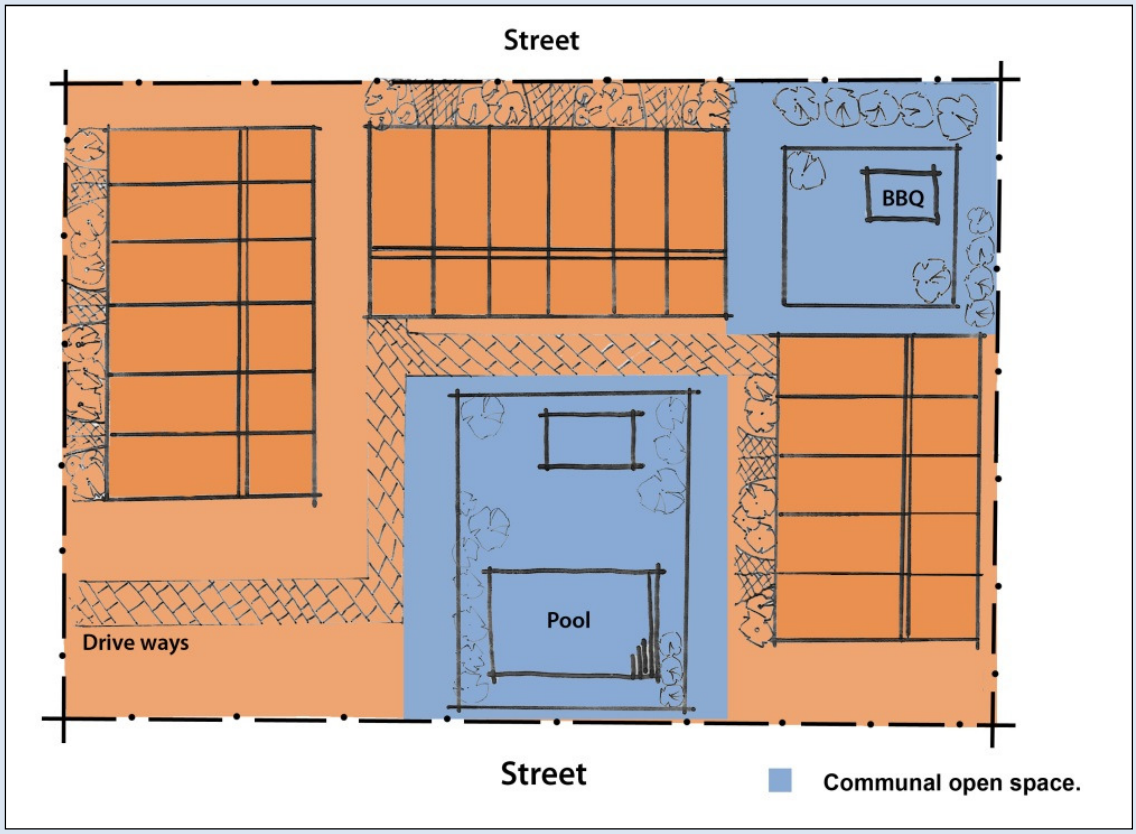
C15 Communal open space is to be clearly defined and free from encroachment from residential units, car parking, driveways or roadways, carwash bays and access ways.
Note: Separation between buildings can only be considered communal open space if it has sufficient length and width to make the space usable and permits tree planting and adequate solar access.
Note: Communal open spaces are to be easily accessible for all dwellings and not form any part of an individual dwelling's private open space.

C16 A garden maintenance and storage area which is efficient and convenient to use and is connected to water and drainage is to be provided.

Table 4 - Communal Open Space

Development type	FSR	Minimum Communal Open Space required
Villas and Townhouses	Up to 0.5:1	10% site area
	0.5:1 to 1:1	15% site area
	1:1 and over	20% site area

Figure 9 - Communal Open Space



4B.2.10 Setbacks, Building Frontage and Separation

Objectives

O1 To reinforce the characteristic pattern of setbacks;
O2 To improve local character and streetscape qualities by reinforcing existing alignments and setbacks;
O3 To ensure adequate space for landscaping while establishing an attractive streetscape;
O4 To provide separation between buildings and ensure adequate space for landscaping; and
O5 To preserve the amenity of existing dwellings and provide amenity to new dwellings in terms of shadowing, privacy, views, ventilation and solar access.

Controls

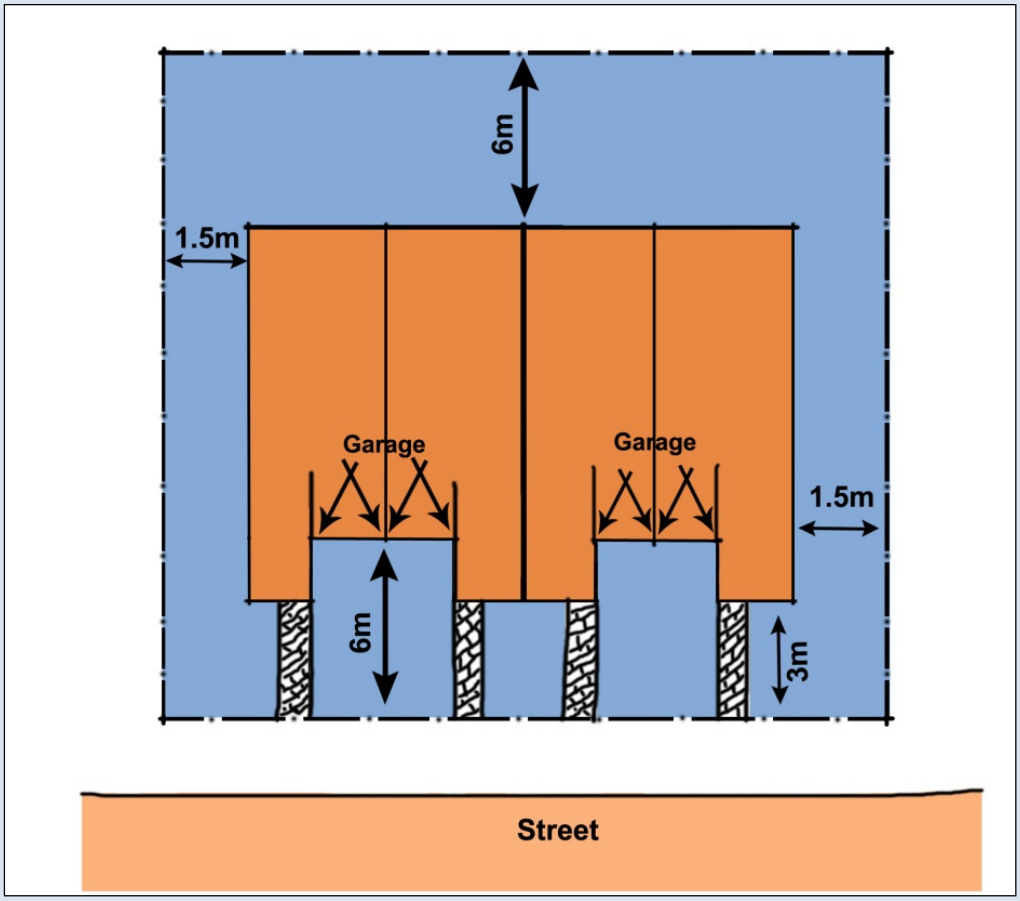
General

C1 All setbacks are to allow adequate landscaping and allow sufficient space for the retention of existing trees.
C2 Development is to be designed to create spatial separation between the buildings to:
(i) Minimise bulk and scale of the building;
(ii) Ensure adequate exposure to sunlight and ventilation; and
(iii) Create a buffer for visual and acoustic privacy.
C3 No part of a building or structure is to encroach into the front, side or rear setbacks.
C4 Setbacks are to be deep soil zones (refer to **Part 3L – Landscaping and Tree Management** for Definition).
C5 Setbacks are to maximise the retention of existing trees and their root systems and may need to be variable to achieve this (includes trees on adjoining properties).
C6 Awnings, verandas, pergolas and the like;
(i) along classified roads are to be set back a minimum of 1.5 metres from the kerb;
(ii) along local roads that intersect with classified roads are to be set back a minimum of 1.5 metres from the kerb for a distance of up to 100 metres from the intersection with the classified road; and
at any signalised intersections (on local roads or classified roads), are to be set back a minimum of 1.5 metres from the kerb for a distance of up to 100 metres from the signalised intersection.

Front Setbacks

C7 Building setbacks from the existing front boundary are to match the characteristic setback of adjoining properties, but are to be a minimum of 3 metres (or 4 metres if fronting a classified (SP2 Zoned) road).
C8 All garages are to be setback a minimum of 6 metres from the front boundary if the garage fronts the street (refer to **Figure 10**).
C9 Garages fronting a rear laneway are to have a 1 metre minimum setback from the lane.

Figure 10 - Front Setback for Two Storey Development



Side Setbacks

C10 The following side boundary setbacks apply (refer to **Figure 10**):

(i) A minimum setback of 900mm for single storey development (for buildings up to 4 metres in height);

(ii) A minimum setback of 1.5 metres for two storey development (for buildings up to 7 metres in height);

(iii) A minimum setback of 3 metres (for buildings greater than 7 metres in height); and

(iv) A minimum setback of 3 metres where a site adjoins a business or industrial property.

C11 Side setbacks shall ensure that adequate solar access is retained to adjoining properties.

C12 The side setback can be reduced by a maximum of 1 metre for 30% of the length of the boundary, only when the setback is increased by an equal amount elsewhere along the same boundary.

Rear Setback

C13 Rear building setbacks are to match the characteristic setback on adjoining properties. Where the adjoining properties are not characteristic a minimum rear boundary setback of 6 metres is required.

Setbacks Following Land Dedication

C14 Where land dedications are required resulting in a new boundary line all setbacks will be provided from this new boundary line, including basement car parking setbacks.

Variations to Setbacks

C15 The following elements may encroach into the setback area:

(i) Eaves;

(ii) Sunshading devices; and

(iii) Columns.

Building Frontage and Separation

C16 The maximum length of building frontage along the street is 20 metres (refer to **Figure 11**).

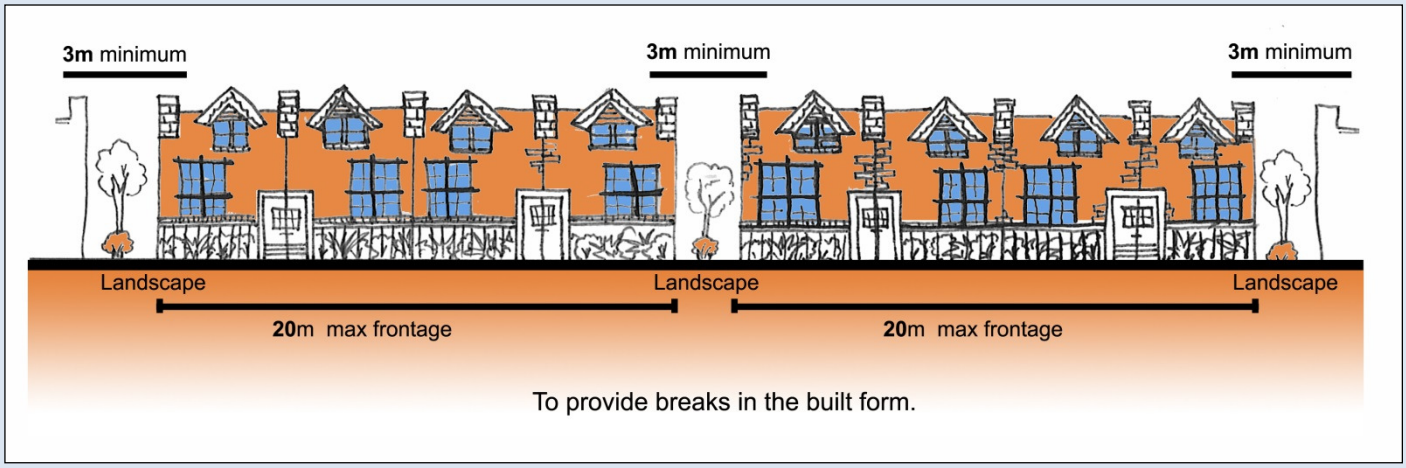
C17 A minimum separation of 3 metres between developments along the street is required.
Note: Where this space is proposed to be used as part of the outdoor area associated with a dwelling, fencing and landscaping is to be designed to address any privacy needs for that space and also to address the streetscape presentation of the development.

C18 In addition to the building frontage controls in C18 to 19 above, developments are required to provide adequate separation between habitable rooms, balconies and non-habitable rooms, in order to achieve appropriate sunlight access, natural ventilation and privacy for outdoor spaces (refer to **Part 4B2.8 - Private and Communal Open Space** and **Part 4B.5.5 – Solar Access**).

Corner Allotments:

C19 New developments on corner lots that present to one primary street and a secondary street are to provide a minimum secondary street setback of 3 metres at the second street frontage.

Figure 11 - Maximum Building Frontage



4B.2.11 Through Site Links and View Corridors

Objectives

- **O1** To incorporate pedestrian links through new developments, at points where they are most legibly and safely connected to the existing street and pedestrian network;
- **O2** To optimise visual and physical access to open space areas, pocket parks, buildings with public uses and important connecting streets; and
- **O3** To support the creation of and enhance existing vegetation and wildlife corridors.

Controls

- **C1** Existing significant views are to be retained and integrated into any new development.
- **C2** Building footprints are to take into account the requirement for consolidated open space as well as for view corridors.
- **C3** If a site has a frontage to two (2) or more streets with a boundary length greater than 25 metres, then one through site link to the other street/s is to be provided (refer to **Figure 12**).

Figure 12 - Site Links and View Corridors

4B.2.11 Heritage

Control

C1 If a development site is in the vicinity of a Heritage Item or a Heritage Conservation Area, or the subject site contains a Heritage Item, or is located within a Heritage Conservation Area, compliance with **Part 3B - Heritage** is required.

C2 Demolition of heritage listed properties is not permitted.
Note: Refer to Heritage Map within Botany Bay Local Environmental Plan 2013 to see if the site is identified as a Heritage Item or within a Heritage Conservation Area.

4B.2.12 Consideration of Isolated Sites

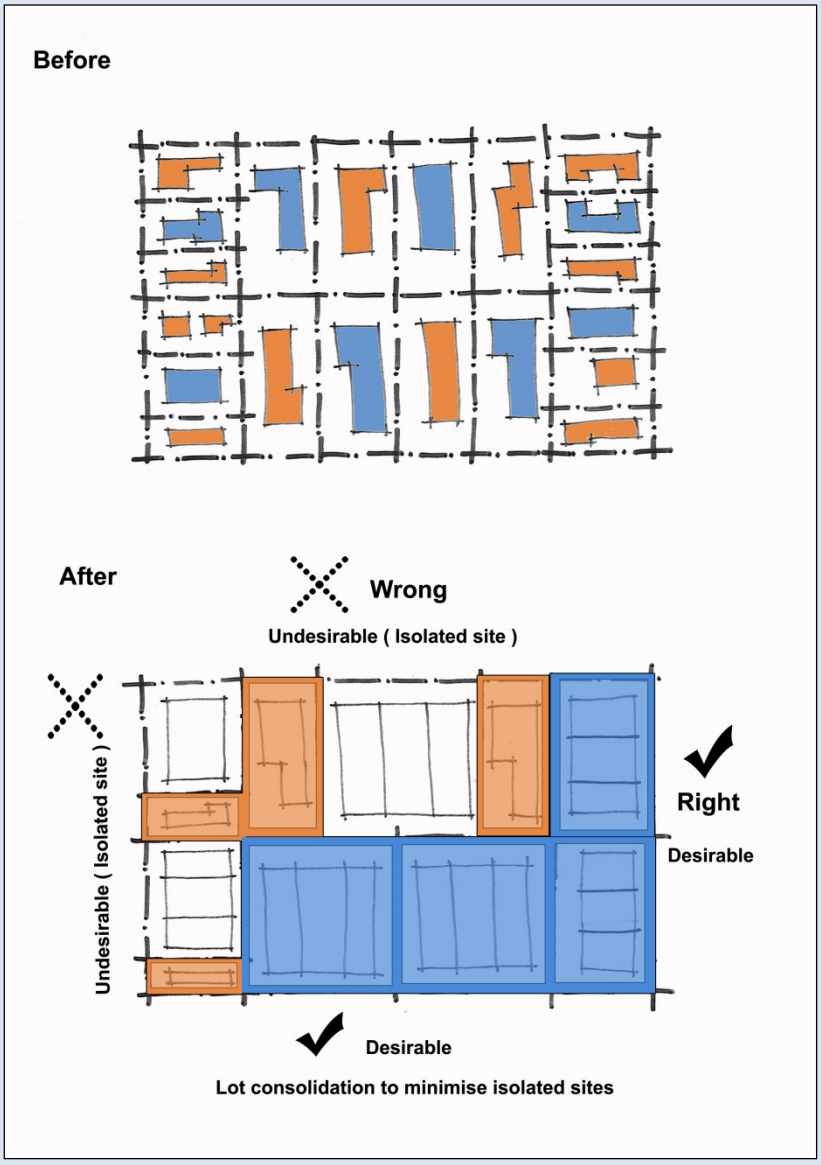
Objectives

- **O1** To promote the efficient use of land;
- **O2** To encourage the amalgamation of land parcels into larger development sites for medium density housing developments;
- **O3** To ensure allotment size is sufficient for development and associated provision of landscaping, parking, vehicular and pedestrian access;
- **O4** To maintain amenity by having sufficient separation between buildings; and
- **O5** To ensure sites are not restricted in their development potential as a direct result of adjoining developments.

Controls

- **C1** Applicants are to demonstrate to Council's satisfaction that adjoining parcels not included in their development site will be capable of being economically developed.
  Note: This will include establishing appropriate separation distances between adjoining buildings.
- **C2** The development will not result in isolated sites which are inconsistent with character of the streetscape and will achieve a satisfactory level of residential amenity for adjoining allotments (refer to **Figure 13**).
- **C3** Where it is demonstrated by an applicant (with written documentation) that attempts have been made to address a potentially isolated site (e.g. an offer to acquire the isolated site and reply from the owner of that site) the proposed development will be assessed on its merits.
- **C4** Where adjacent sites are developing concurrently, site planning options for development as an amalgamated site are to be explored.
- **C5** Developments which will result in potential isolated sites are required to address the Land and Environment Court Principles on isolation of site by redevelopment of adjacent site(s) (refer to http://www.lec.lawlink.nsw.gov.au/lec/principles/planning_principles.html).

Figure 13 - Example of a Potential Isolated Site



4B.3 Building Design

Controls

General

- **C1** Balcony types that respond to the street context, building orientation and residential amenity are encouraged. Partially recessed completely recessed or Juliet balconies will all create different façade profiles.
- **C2** The use of recessed balconies and deep windows is encouraged to create articulation and define shadows thereby adding visual depth to the façade.
- **C3** Balustrades are to be detailed to reflect the type and location of the balcony and its relationship to the façade detail and material.
- **C4** A variety of window types to create rhythm or express the building uses are encouraged (e.g. to express the difference between a bathroom window and living room window).
- **C5** Facades are to be designed to reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the façade orientation.
- **C6** All building elements including shading devices, awnings and louvres are to be integrated with the overall building design.
- **C7** Emphasis is to be given to important street corners by giving visual prominence to parts of the façade, for example a change in building articulation, material or colour and/or roof expression.
- **C8** Building services such as drainage pipes are to be integrated within the overall façade and balcony design of the building.
- **C9** Alterations and additions to multi dwelling housing is to reflect the architectural design and materials and finishes of the existing dwellings within the site.

4B.3.1 Building Entries

Objectives

O1 To encourage entrances that provide orientation for the visitor;
O2 To provide safe and secure access for residents; and
O3 To contribute positively to the streetscape and building façade design.

Controls

C1 Each building entry is to be clearly defined from the street. Each dwelling shall be designed to have an individual identity from the street (refer to **Figure 14**).
C2 Entrances to individual dwellings are to be well-lit, provide shelter and a safe space to enter the building for residents and visitors. The front door is to be orientated to the street and have direct access to the street.
C3 Developments will demonstrate clear lines of transition between the public street, the shared communal open space, circulation space and the private open space of individual dwellings (i.e. landscaping, paving and fencing can used to define different areas within the development).
C4 Street numbering and mailboxes are to be clearly visible from the primary street.
C5 A main pedestrian entry is to be provided where three (3) or more dwellings are proposed within a development, and not all dwellings have direct access to the street. The entry is to be separate from car parks or car entries.
C6 Disabled access through the primary entrance to the building will be provided in accordance with **Part 3C - Access and Mobility**.

Figure 14 - Example of Building Entry Addressing the Street

4B.3.2 Materials & Finishes

Objectives

O1 To ensure that new development reflects the existing and Desired Future Character;
O2 To ensure that the choice of external materials, colour schemes and building details on new development reinforces existing development in the locality and enhances the streetscape;
O3 To encourage the use of energy efficient building materials;
O4 To ensure that the building and the site can be cleaned and maintained easily; and
O5 To maximise the life of buildings to reduce energy costs in demolition, reconstruction and recycling.

Controls

General

C1 New development is to incorporate architectural relief and modulation of facades to avoid a bulky appearance. Architectural elements will provide visual interest to the built form.
C2 A Schedule of Finishes and a detailed Colour Scheme for the building facade shall accompany all Development Applications involving building works (refer to Council's **Development Application Guide**).
C1 The Schedule of Finishes shall consist of samples of materials and corresponding manufacturer's details and product codes. Applicants are to use illustrated elevations to document the location and composition of materials.
C3 Materials, colours, architectural details and finishes are to be consistent with those that are identified in the relevant character precinct (refer **to Part 8 - Character Precincts**). If not identified in the character precinct natural colours and muted tones and finishes are to be used.
C4 Reflectivity from building materials used on the facades of new buildings shall not exceed an increment level of 20%.
C5 Roof materials are to be consistent with the character of the area.
C6 Face brickwork is to be used only where this is common in the immediate vicinity of the proposed development. Bricks shall be of a uniform colour, without mottle or wire cut. The use of white pale, cream or manganese bricks is not acceptable.
C7 No expansive use of white, light or primary colours which dominate the streetscape are permitted. Primary colours are only to be used for small design features and accents to the building.
C8 Buildings are to incorporate a higher proportion of masonry to glass.
C9 Any solar panels are to be integrated into the design of a building.
C10 Developments are to be constructed using building materials that maximise energy efficiency and comply with **Part 3H - Sustainable Design**.

Maintenance

C11 Materials and design detailing will ensure long life and ease of maintenance. In particular:

(i) Treated timber or metal hinged shutters such as plantation shutters;
(ii) Glass balustrades;
(iii) Solar powered venetian blinds;
(iv) Sliding translucent screens to balconies;
(v) Adjustable horizontal louvers attached to pergolas;
(vi) Operability and location of windows to allow ease of cleaning; and
(vii) Retractable blinds.

C12 Windows are to be designed to enable cleaning from inside the building.

C13 Manually operated systems such as blinds, sun shades, pergolas and curtains are preferable to mechanical systems.

C14 Where mechanical systems are selected care is to be taken to ensure that wherever possible they could be also manually operated.

4B.3.3 Roof Forms and Top Floor Design

Objectives

O1 To ensure the provision of a characteristic roof though the use of similar pitch and materials; and
O2 To ensure that the top floor of buildings minimises visual bulk.

Controls

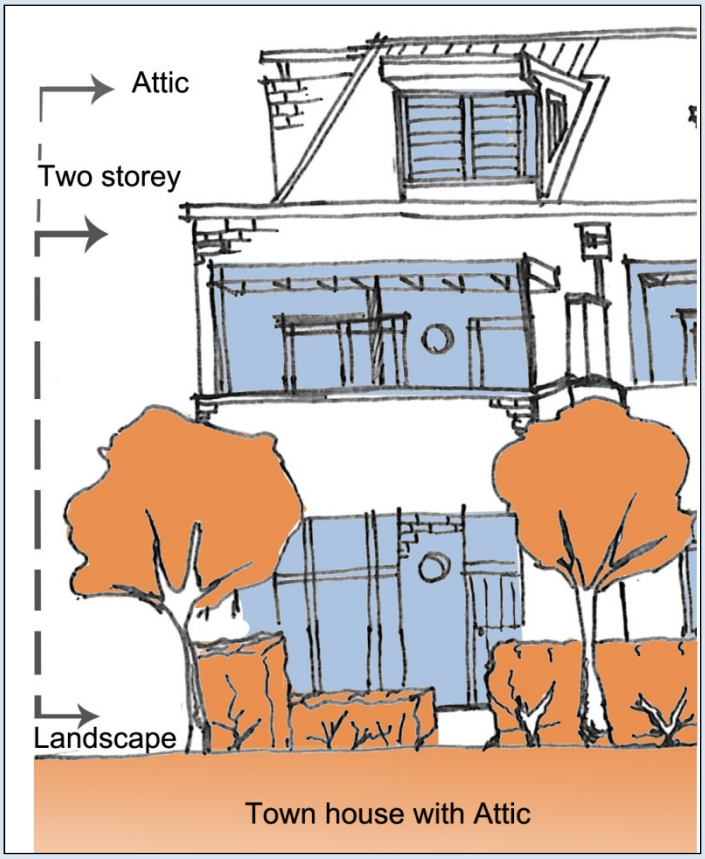
General

C1 Buildings should incorporate a pitched roof, except where another roof form is identified in a Character Precinct (refer **to Part 8 - Character Precincts**), or another roof form is more compatible with the existing characteristic roof forms in the street.
C2 Pitched rooves should are to be between 22.5 degrees and 40 degrees.
C3 Eaves are to be a minimum of 450mm.
C4 Any exposed structures including plant rooms, air conditioning, ventilation and exhaust systems, are to be suitably screened and integrated with the building in order to ensure an integrated overall appearance. If a site adjoins another residential development all site facilities are to be located away from the development façade fronting the adjoining residential property.

Attics/Dormers

C5 Attics are permitted provided they comply with the definition contained within Botany Bay Local Environmental Plan 2013 (refer to **Figure 15**).
C6 Any proposed dormer will:
(i) not exceed a height of 1.5 metres from the base of the dormer to the ridge;
(ii) not comprise more than one third of the width of the roof plane;
(iii) not exceed a maximum roof pitch of 30 degrees where the roof meets the external wall;
(iv) not comprise more than $^{1}/_{3}$ of the width of the roof plane upon which they are placed; and
(v) be designed so that bedrooms or living areas located in the roof cavity have a minimum head height of 2.4 metre over $^{2}/_{3}$ of the floor area; and
C7 Balconies are not generally permitted off dormers. The only instance where Council may consider a balcony off a dormer is if the balcony is a 'Juliet' balcony and where there are no privacy impacts.
C8 An attic is to be contained wholly within a roof space above the ceiling line of the storey immediately below, except for minor elements such as dormer windows.

Figure 15 - Townhouses with Attics



4B.3.4 Fences

Objectives

O1 To define the edges and interface between public and private land;
O2 To ensure that front fences contribute to a characteristic pattern of fences;
O3 To enable casual surveillance of the public domain and provide security;
O4 To provide visual and acoustic privacy where required;
O5 To contribute positively to the public domain; and
O6 To allow passive visual surveillance of the public domain by not providing high solid walls.

Controls

General

C1 Fences are to:
(i) Provide privacy and security while not eliminating views, outlook, light and air;
(ii) Be visually permeable at the front of developments and will not obscure views of the building and garden areas from the street;
(iii) Be designed in proportion to the height and size of the building; and
(iv) Use the designs and materials suitable for the Desired Future Character of the area (refer to **Part 8 - Character Precincts**).

C2 Decorative timber or metal slat/batten/picket and/or masonry walls are permitted on the street frontage. Colourbond fencing is not permitted.

C3 Retaining walls across street boundaries shall be no more than 1 metre in height and shall be located to allow site responsive tree planting within the setback (i.e. shall not restrict planter bed dimensions).

C4 Fences will not obstruct the existing overland flow path or stop or redirect surface waters so as to cause a nuisance.

C5 Where the fence/side returns are to be erected on or adjacent to the common allotment boundary, the written consent of the adjacent property owner(s) is required.

C6 Provision is to be made for access to public utility installations.

Height

C7 Front fences and dividing fences located within the front setback shall be a maximum height of 1.2 metres.

C8 Fences must provide a solid base with a maximum height of 400mm, and the top section is to be 50% transparent through the use of spaced timber or metal pickets (or the like). The length of fence/wall is to be divided into segments not exceeding 5 metres.

C9 Fences fronting a classified road are permitted to be 1.5m in height.

C10 Fences along a secondary street frontage and which adjoin the private open space of a dwelling can have a maximum height of 1.8 metres to provide privacy. The height of the fence is to taper down to meet the front fence from the building line.

C11 The design of fencing over 1 metre in height will take into consideration sightline issues where

adjoining a vehicular access. The design of the fence can be modified by setbacks or by using splays at least 1 metre x 1 metre in size.

C12 Screen walls or fences which enclose private open space are to be at least 1.8 metres high to maximise privacy.

Fencing that Addresses the Street

C13 Fences are to be designed and constructed with materials similar to those identified in the relevant character precinct (refer to **Part 8 - Character Precincts**) or if not specified consistent with scale, material and character of the surrounding fences.

C14 Any post tops and paling tops visible from the street are to be shaped or tuned in a decorative manner that complements the development.

C15 On busy roads manually operated gates are to be setback a minimum of 5.5 metres from the kerb line to allow a vehicle to stand fully off the road. These roads include Botany Road, Beauchamp Road, Bunnerong Road, Coward Street, Denison Road, Gardeners Road, O'Riordan Street; Robey Street; Wentworth Avenue; and Stephen Road

C16 Access gates are to be hung so that the direction of swing is inward.

C17 All fencing is to be designed to highlight entrances, and be compatible with buildings, letterboxes and garbage storage areas.

Internal Fencing

C18 Internal fencing is to be designed with landscaping and gardens to reduce the visual impact of dwelling walls and in keeping with streetscape and neighbourhood character.

C19 Internal fencing is to be of timber, brushwood or masonry construction, and the tops are to be decoratively treated. Walls are to be in segments of no more than 5 metres.

C20 Walls and fences are to be divided into segments no longer than 5 metres, at which point there will be a change in façade plan, a pilaster feature or an expressed column. Details of wall and fence treatment are to be submitted with the Development Application.

C21 Open style fencing is required where the property is affected by flooding or by an overland flow.

C22 The maximum height of side or rear fences is 1.8 metres. Front fences and side fences located between the street frontage and its respective building line are not to exceed 1 metre in height.

4B.4 Site and Building Amenity

4B.4.1 Dwelling Mix, Room Size and Layout

Objectives

O1 To ensure that dwellings are efficient, have high standards of amenity for residents and satisfy environmental performance criteria, such as ventilation and access to natural light;
O2 To be flexible to suit the occupant's requirements;
O3 To ensure residential development contains a mix of residential types (based on the number of bedrooms) to increase the potential for a balanced population;
O4 To ensure adequate provision, design and location of internal facilities; and
O5 To provide adequate amenity for building occupants in terms of access to sunlight and natural ventilation.

Controls

C1 Development is to comply with the following minimum dwelling sizes:
- Studio: 60m²
- 1 bedroom: 75m²
- 2 bedrooms: 100m²
- 3 bedrooms: 130m²
- 4 bedrooms: 160m²

Note: Dwelling size refers to the area inside the enclosing walls of a dwelling but excludes wall thickness, vents, ducts, staircases and lift wells.

C2 Development having ten (10) or more dwellings shall provide a mix of dwelling sizes and layouts.
C3 The combined total number of one-bedroom and studio dwellings shall not exceed 25% of the total number of dwellings.
C4 Laundry, food preparation and sanitary facilities are to be provided in a convenient location within a dwelling (or a building containing a number of dwellings) and be built appropriately according to the function and use of the dwelling.
C5 Bathrooms and bedrooms are to be separated from living and kitchen areas where possible.

4B.4.2 Building Depth

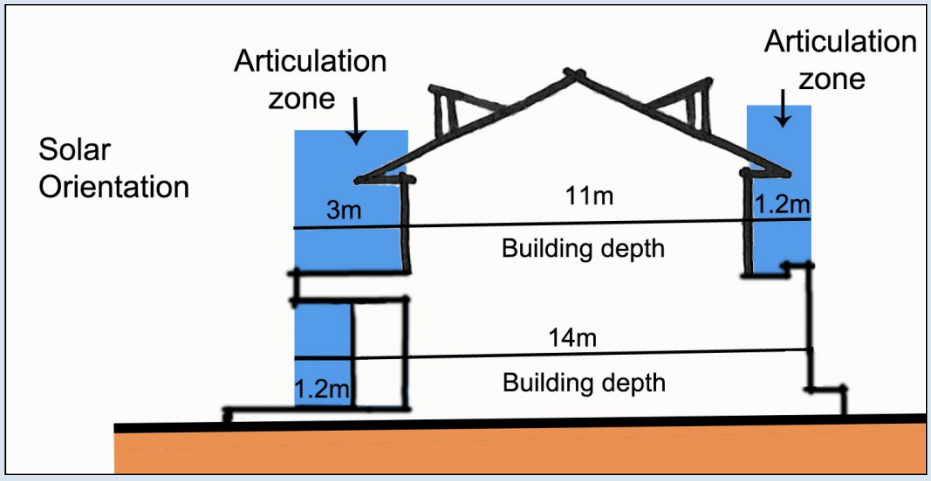
Objective

O1 To provide adequate amenity for building occupants in terms of solar access and natural ventilation.

Control

C1 The maximum building depth of any development will comply with **Figure 17**.
Note: The arrangement of these permissible components may vary; for example an 11 metre wide building could have balconies extending into the articulation zone on both sides.
Note: Adequate building depth in combination with other controls in this Part is required to ensure adequate amenity for building occupants. For example a deeper floor plan may be acceptable where higher floor to ceiling heights allow solar access or where apartments have a wider frontage.

Figure 16 - Building Depth and Articulation



4B.4.3 Ceiling Heights

Objectives

O1 To facilitate natural daylight and ventilation throughout the apartment;
O2 To increase the sense of space in apartments; and
O3 To allow the buildings elevations to respond to the street context.

Control

C1 High ceilings are encouraged to allow high windows, and greater solar access penetration within dwellings.
C2 High ceilings are encouraged to facilitate natural ventilation through operable high-level windows.
C3 On lower levels, ceiling heights will not preclude the building from being adapted for a range of uses including retail or commercial uses, subject to the permissibility in the zoning of the site.
C4 Ceiling heights affect façade articulation. Variation in ceiling heights provides opportunities for better articulation in the façade. This is particularly important where new buildings are to relate to older or heritage buildings within a streetscape.
C5 High ceilings enable the effectiveness of light shelves in enhancing daylight distribution into interiors.
C6 High ceilings provide greater opportunities for sloped ceilings to improve daylight penetration into the centre of a dwelling.
C7 Development is to comply with the minimum ceiling heights identified in **Table 5**.

Table 5 - Minimum Clear Ceiling Heights

Area	Minimum Height
In locations where there is potential for future ground floor shop use	3 metres
Habitable rooms	2.7 metres
Dwelling entries	2.4 metres
Attic space	2.4 metres over 2/3 of the floor area.
Minimum wall heights in attics	1.5 metres

4B.4.4 Solar Access

Objectives

O1 To ensure that all dwellings enjoy reasonable access to daylight and sunlight to improve amenity and energy efficiency;
O2 To ensure that the design of development enhances solar access; and
O3 To ensure that development does not unreasonably diminish sunlight to neighbouring properties and within the development site.

Controls

C1 Development is to be designed and sited to minimise the extent of shadows such that solar access at the winter solstice (21 June) provides a minimum of 3 hours sunlight between the hours of 9.00am and 3.00pm to:

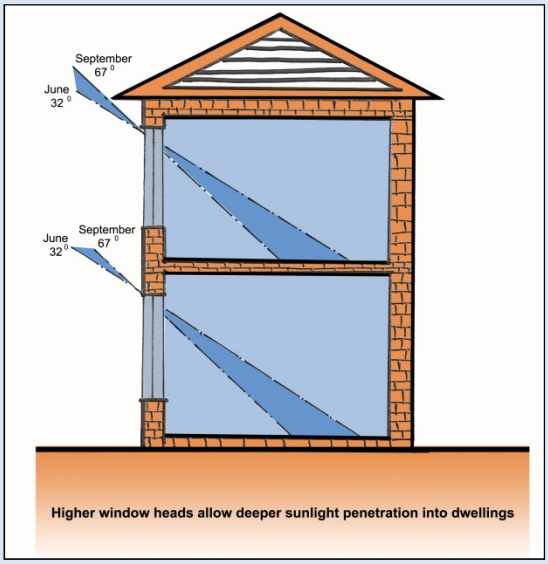
(i) Private and communal open space within the development;
(ii) Private and communal open space of adjoining dwellings;
(iii) Public open space such as parkland;
(iv) Solar collectors of adjoining development; and
(v) Habitable rooms within the development and in adjoining residential developments.

C2 Where the level of solar access to adjoining properties is already below the requirement in C1 above, the solar access will not be further reduced.

C3 Developments are to be designed to enhance solar access by incorporating the following principles:

(i) Living areas of dwellings such as kitchens and family rooms are to be located on the northern side of dwellings and service areas such as laundries and bathrooms to the south or west;
(ii) Buildings will be sited to reduce overshadowing on adjoining properties by increasing setbacks, staggering of design, variations in roof form and/or reducing building bulk and height;
(iii) Building setbacks may need to be increased to maximise solar access and to minimise overshadowing from adjoining buildings;
(iv) Building heights may also need to be stepped to maximise solar access;
(v) Landscaping is to provide shade in summer without reducing solar access in winter;
(vi) All rooms are to contain an external window to provide direct light and ventilation. Exceptions may be considered for non-habitable rooms where this cannot be achieved practicably and mechanical ventilation can be provided;
(vii) Building elements such as operable louvers and screens, pergolas, blinds etc are to be used to modify environmental conditions where required, such as maximizing solar access in winter and provide shading in summer; and
(viii) Higher window heads enhance sunlight penetration into dwellings (refer to **Figure 17**).

Figure 17 - Design to Enhance Solar Access



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Shadow Diagrams

C4 Shadow diagrams are to be submitted with Development Applications to illustrate the impact on adjoining properties and/or the public domain. The diagrams should are to provide information relating to the effect of the proposed development at 9 a.m., 12 p.m. and 3 p.m. on (refer to **Figure 19** and **Figure 20**):

(i) 21 June (mid-winter);

(ii) 21 December (mid-summer); and

(iii) 21 March/September (equinox).

Note: The extent of shadows is to take into account the range of factors that impact on solar access, including the slope of the land, aspect, existing and proposed vegetation and the height and position of existing buildings and structures, including fences.

Note: Developments which seek to vary from the minimum standards must are to demonstrate how site constraints and orientation prohibit the achievement of these standards.

Note: Refer to Land and Environment Court Principles on Sunlight.

C5 Council may request the applicant to provide Elevational Shadow Diagrams at hourly intervals demonstrating any potential impact on the windows and doors of neighbouring dwellings (refer to **Figure 25**).

Figure 18 - Example Shadow Diagram Required for Proposed Development

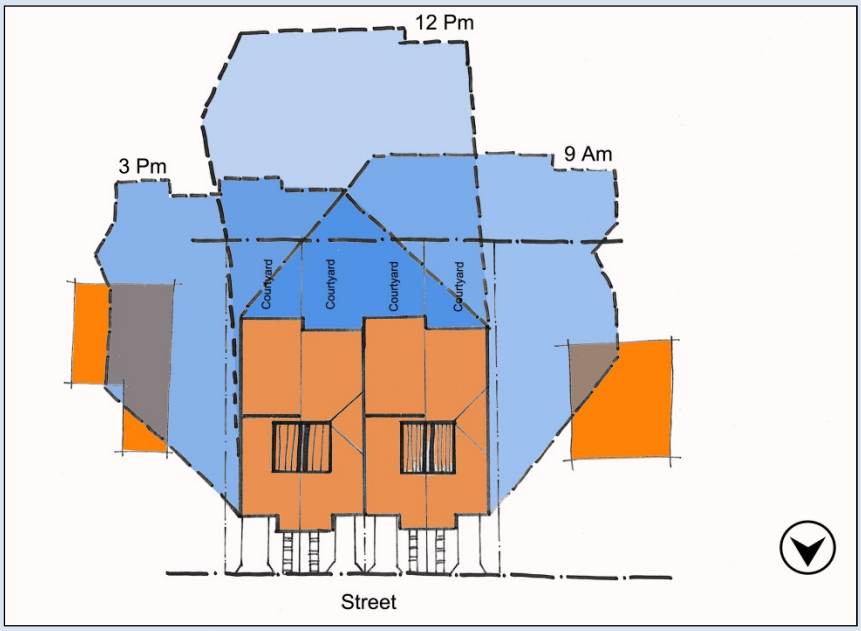
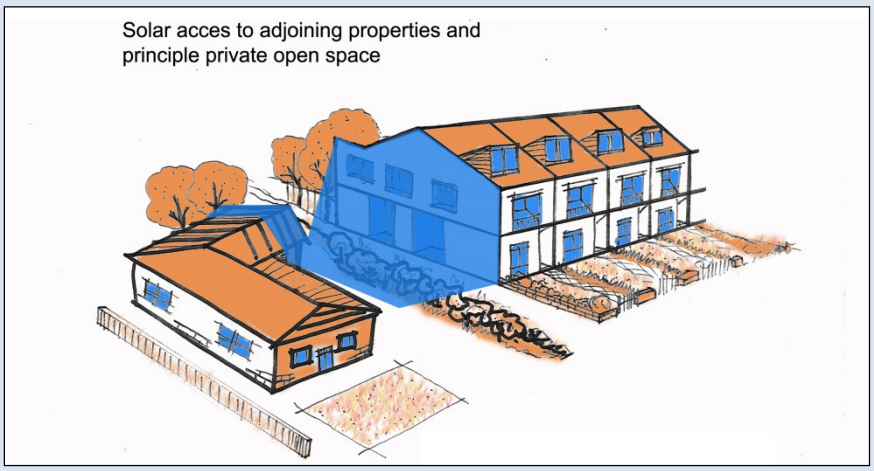


Figure 19 - Example Solar Access to Adjoining Properties and Principal Private Open Space



4B.4.5 Visual Privacy

Objectives

O1 To ensure that development results in a reasonable level of visual privacy for existing and future residents; and

O2 To ensure that visual privacy is provided both within a development and between a development and its neighbours.

Control

For windows:

C1 Windows are to be located so they do not provide direct or close views into the windows of other dwellings, particularly those of living areas.

C2 Attic windows are not to allow overlooking of adjacent dwellings or their private open spaces.
Note: The incorporation of high level windows can minimise overlooking (refer to **Figure 20**).
Note: An outlook to the street is to be provided from attic windows where appropriate.

C3 The number of windows directly overlooking adjacent dwellings is to be kept to a minimum. Where windows unavoidably overlook adjacent properties, they will have high sills (1500mm is suggested), frosted glazing, be screened or use some other method to maximize privacy;

C4 Facing windows closer than 9 metres require privacy measures such as those suggested in **Figure 21**.

For decks and balconies:

C5 Balconies and decks will minimise overlooking of living areas and private open spaces of adjoining dwellings;

C6 Screening devices are to be incorporated on decks and balconies greater than 1 metre above ground level, to mitigate potential loss of privacy;

C7 Upper floor balconies or roof terraces may not be permitted where overlooking of private open space of adjacent dwellings may occur.

Figure 20 - Attic Windows Designed to Enhance Privacy

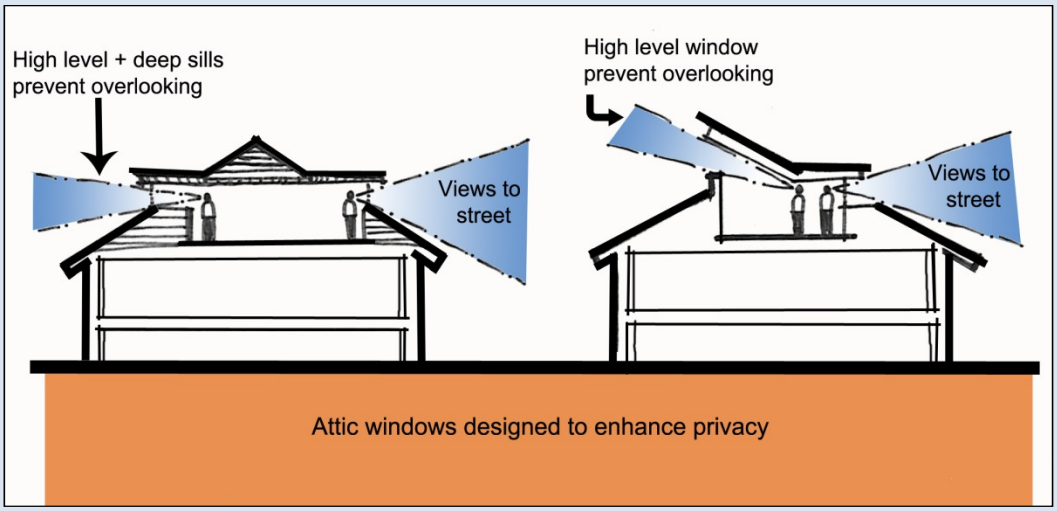
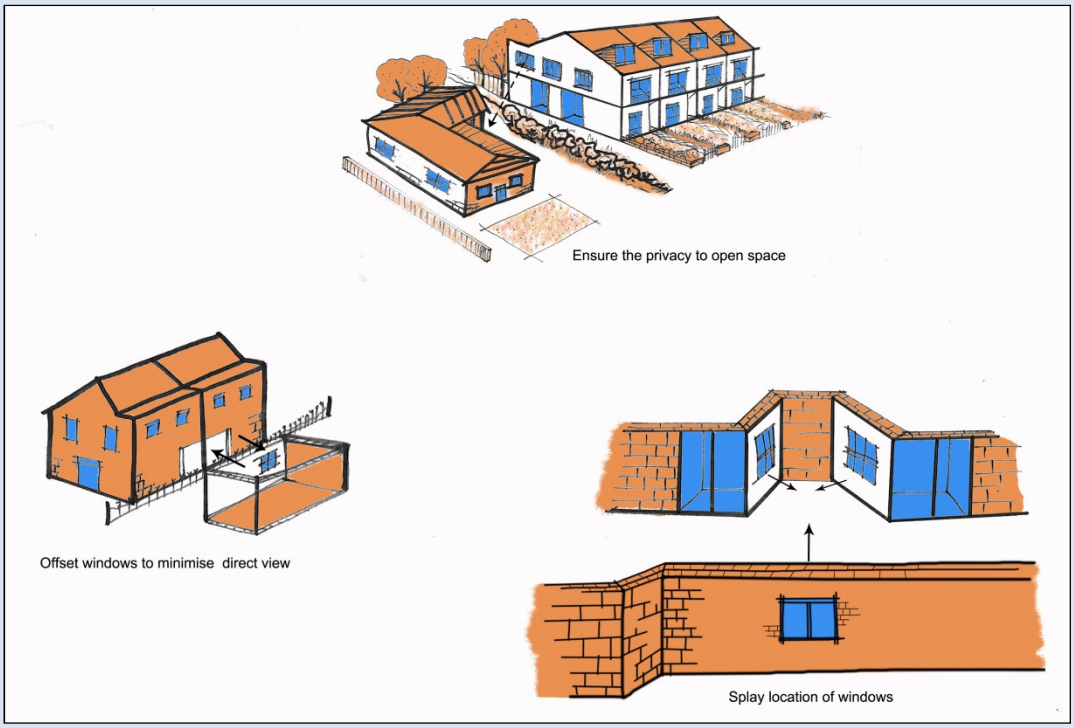


Figure 21 - Examples of Privacy Measures



4B.4.6 Acoustic Privacy

Objective

O1 To ensure that all residents are provided with a reasonable level of acoustic privacy.

Controls

General

C1 An acoustic report prepared by a certified acoustic consultant is to be submitted with the Development Application addressing the requirements detailed in Controls C2, C3 and C4.

C2 New dwellings shall be designed and constructed to comply with the criteria specified in **Table 6** for all noise intrusion from external noise sources (including mechanical services noise from within the development itself).

C3 Where:

a. the height of the proposed development is higher than the existing height of the localised building stock; and

b. the proposed development has a direct line of sight to the seaport and/or the airport;

an acoustic assessment by an accredited acoustic consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport

C4 Where multiple dwellings are provided within the same building, the building shall be designed and constructed to comply with the requirements of the BCA regarding acoustic insulation and noise transmission of walls and floors. In order to meet these requirements, the following design measures are to be incorporated in the development:

(i) Buildings are to be designed and rooms positioned to reduce noise transmission within and between dwellings;

(ii) Bedrooms are to be designed so that wardrobes act as sound buffers between rooms or dwellings;

(iii) Windows and doors will be located away from external noise sources, or buffers used where separation cannot be achieved;

(iv) Materials with low noise penetration properties will be used where practical;

(v) Locate bedrooms and private open spaces away from noise sources such as garages, driveways, mechanical equipment and recreational facilities (such as swimming pools, tennis courts or play equipment); and

(vi) Mechanical equipment, such as pumps, lifts or air conditioners will not be located adjacent to bedrooms or living rooms of dwellings on adjoining properties.

Table 6 - External Noise Intrusion Criteria

Internal area	Time	Repeatable Maximum Laeq (1 Hour) with closed windows and doors	Repeatable Maximum Laeq (1 Hour) with open windows and doors
Living areas	Day or Night	< 40 dBA	<50dBA
Sleeping Areas	Day or Night	< 40 dBA	<50dBA

Aircraft Noise

C5 New dwellings on land within the Australian Noise Exposure Forecast (ANEF) Contour 20 or higher shall be designed and constructed in accordance with current Australian Standard AS 2021 (Acoustic Aircraft Noise Intrusion-Building siting and Construction) and **Part 3J - Development Affecting Operations at Sydney Airport**.
Note: Details to be included in the Development Application submission.

C6 New or higher density residential development which, in the opinion of Council is considered to be aircraft noise sensitive will be permitted where the property is located within the 30+ ANEF contour.

C7 The introduction of noise abatement measures to achieve compliance with the current AS 2021 will be designed in a manner that does not compromise the architectural design of a building or impact on the character of an existing streetscape.

Road and Rail Noise

C8 In accordance with cl.87 (3) and cl.102 (3) of SEPP (Infrastructure) 2007, an acoustic report prepared by a certified acoustic consultant will be submitted at development application stage to demonstrate compliance with this Guideline. Development on land which is on or is within 100 metres of a railway corridor, a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) will consider the requirements of the Development Near Rail Corridors and Busy Intersections – Interim Guideline (19 December 2008).

C9 Where dwellings are located on busy/classified roads the following are to be incorporated into the design of the development to reduce traffic noise within the dwelling:

(i) Cavity brick walls;
(ii) Double glazing;
(iii) Solid core doors;
(iv) Concrete floors; and
(v) Recessed balconies.

4B.4.7 Vibration & Excavation

Objective

O1 To ensure that dwellings are not adversely impacted upon by vibrations from railways and roadways.

Control

C1 In accordance with Clause 87 of SEPP (Infrastructure) 2007 any proposed excavation exceeding 2 metres in depth on land within or above a rail corridor or within 25 metres from (measured horizontally) of a ground or below ground rail corridor will consider the requirements of the *Development Near Rail Corridors and Busy Intersections – Interim Guideline* (19 December 2008).

C2 Any excavation adjacent to RMS infrastructure will comply with the requirements of the Technical Direction (GTD 2012/001) – Excavation Adjacent to RMS Infrastructure. A copy of this Technical Direction can be downloaded via the following link: http://www.rms.nsw.gov.au/doingbusinesswithus/engineeringpolicies/technicaldirections.html

4B.4.8 Storage

Objectives

O1 To provide secure storage for sporting, leisure, fitness and hobby equipment; and
O2 To provide storage for everyday household items within easy access of the dwellings living areas.

Controls

C1 At least 50% of the storage provided within the dwelling is to be accessible from either the hall or living area. The remaining 50% of the storage may be located in the basement car park and allocated to the individual dwelling.
C2 Accessible and adequate storage facilities are to be provided at the following minimum rates:
- Studios: 6m³
- 1 bedroom dwelling: 8m³
- 2 bedroom dwellings: 10m³
- 3+ bedroom dwellings: 12m³

C3 The storage area separate from the dwelling is to be secured within the garage car parking area.
C4 Storage areas are to have a minimum height of 1.5 metres.

4B.4.9 Site Facilities

Objectives

O1 To ensure that adequate provision is made for site facilities, such as clotheslines and storage areas, in the design of the development;
O2 To ensure that site facilities are accessible to all residents;
O3 To ensure that site facilities are thoughtfully integrated into development and are unobtrusive; and
O4 To maximise opportunities for use of solar energy and natural ventilation for clothes drying.

Controls

General

C1 Development is not to be carried out on the land until arrangements satisfactory to Sydney Water have been made for the provision to the land of water and sewerage services.
C2 The name and address of the premises shall be displayed in a position that is clearly visible from the street and / or service lane to assist identification and deliveries.
C3 Mailboxes shall be provided in accordance with Australia Post's requirements.
C4 Adequate and appropriate unit numbering is to be provided.
C5 Garbage storage and collection points are to comply with the provisions of **Part 3M - Waste Minimisation and Management**.
C6 Satellite dishes where they are situated in rear courtyards, etc. are to be less than 1.8 metres above ground or not visible above any fence surrounding the site.
C7 One (1) telecommunications/TV antenna will be permitted for each building.
C8 The existing above ground electricity and telecommunication cables within the road reserve and within the site shall be replaced, at the applicant's expense, by underground cable and appropriate street light standards, in accordance with the Energy and Communication Provider's guidelines. The applicant shall bear the cost of the new installation and the first 12 months of additional street light charges.
C9 Any electrical kiosk, fire booster assembly or similar utilities are to comply with the provisions of **Part 3L - Landscaping**.
C10 New foot paths shall be appropriately located within the street with consideration for obstruction caused by electrical pillar associated with the undergrounding of mains power.

Air Conditioners

C11 Air conditioning units will not be installed on the front façade of a building, and are not to be visible from the street.
C12 Air conditioning units will not be installed within window frames or otherwise obscure a window.
C13 The noise level from air conditioning systems is not to exceed the LAeq 15 minute by 5dBA, measured at the property boundary.

Drying Facilities

C14 Sunlight is required to be available to clothes drying facilities for at least 3 hours on June 21 to a plane 1 metre above finished ground level under the drying lines.

C15 Open air, secure clothes drying facilities are to be provided in all housing developments.

C16 Clothes drying areas will be easily accessible by all residents and visually screened from public street and recreation areas.

4B.4.10 Safety and Security

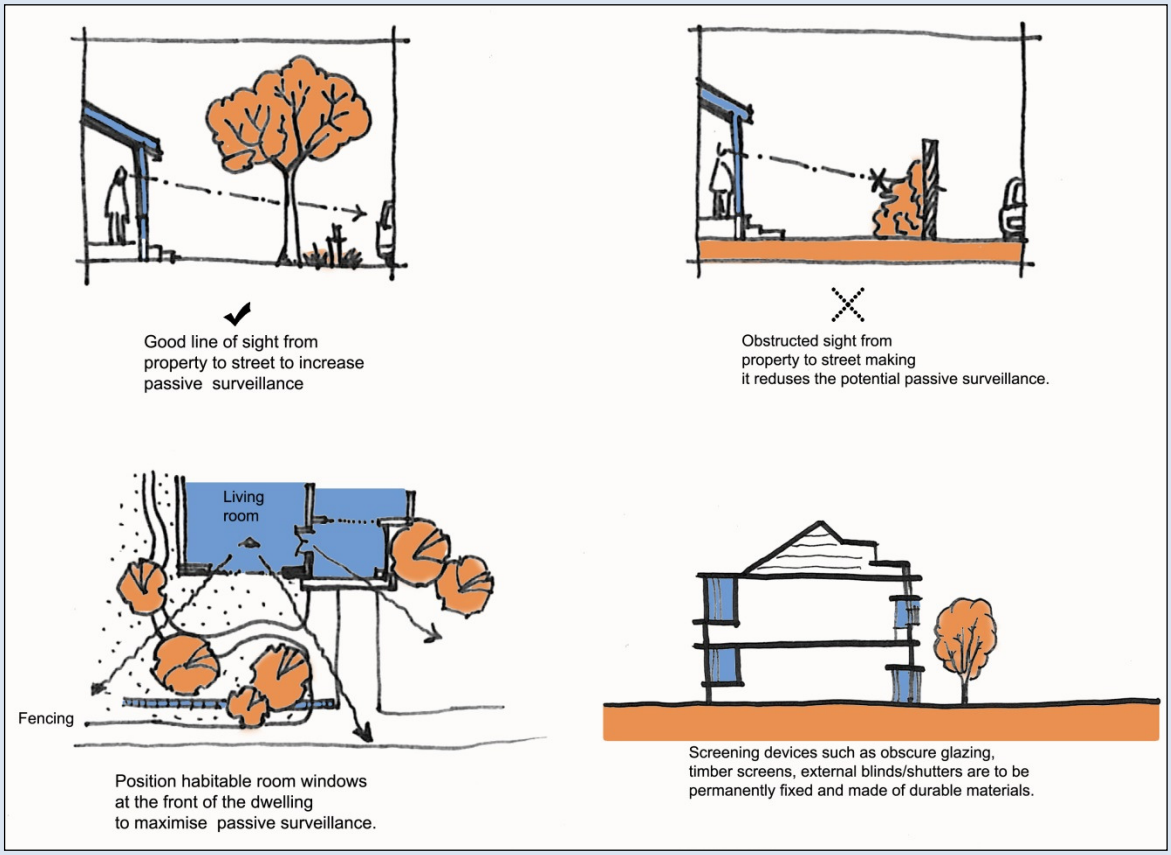
Objectives

O1 To reduce opportunities for crime through the use of natural surveillance, building design and siting; and
O2 To ensure a high level of personal safety for people who use or visit the building.

Controls

C1 Development will comply with **Part 3I - Crime Presentation, Safety and Security**.
C2 To enhance safety and security, developments will be designed to:
(i) Enable casual surveillance of streets, open space and entrances to buildings and communal areas (refer to **Figure 22**);
(ii) Minimise access between roofs, balconies and windows of adjoining developments;
(iii) Provide adequate lighting to communal areas, driveways, accessways, car park areas and open space. An internal lighting proposal is required;
(iv) Avoid blank walls addressing the street frontage and other public places. Where it is unavoidable, planting for screening purposes or anti-graffiti paint is to be used;
(v) Maintain sight lines along pathways (i.e. avoid blind corners or hiding places);
(vi) Use materials and features (such as street furniture, pavers, fencing and landscaping) to clearly distinguish between public, communal and private domains;
(vii) In public areas, use materials that discourage vandalism (i.e. non-porous surfaces such as glazed ceramics or treated masonry). Robust materials, anti-graffitti finishes and surface treatments are to be used;
(viii) Provide locks on doors and windows, and viewers to doors;
(ix) Provide lighting to communal areas (laundries, garbage storage, pathways, lobbies, car parking areas and stairwells); and
(x) Locate shared facilities in areas that are well lit and will be well located.
C3 Where security devices are required they shall be of a design that is consistent with the design of the development. They will be of a simple design that does not detract from the design or architectural features of the house.

Figure 22 - Passive Surveillance



4B.4.11 Car & Bicycle Parking and Vehicle Access

Objectives

O1 To provide for safe vehicle access to and from the site;

O2 To ensure the provision of adequate on-site car parking and vehicle access for circulation and manoeuvring of vehicles;

O3 To ensure that on-site car parking does not dominate or detract from the appearance of the development and the local streetscape;

O4 To ensure that parking areas and access routes are integrated within the landscape design;

O5 To ensure a high standard of surface finish;

O6 To minimize the visual impact of expansive driveway surfaces; and

O7 To ensure that traffic generated by a development does not have adverse impacts to the operation of surrounding road networks.

Controls

General

C1 Car parking areas are to be located and designed to:
- (i) Conveniently and safely serve users, including pedestrians, cyclists and vehicles;
- (ii) Enable the efficient use of car spaces and access ways, including adequate manoeuvrability for vehicles between the site and the street;
- (iii) Fit in with any street network hierarchy and the objectives of that hierarchy and with any other related local traffic management plans;
- (iv) Be cost-effective; and
- (v) Not dominate or detract from the appearance of the development and the local streetscape.

C2 All developments will comply with the car and bicycle parking rate requirements for residents and visitors within **Part 3A - Car Parking**.
Note: Small car parking bays are not permitted.

C3 Garages and carports are not to be the dominant feature of the building façade. These structures will be subservient in scale to the development, and integrated and compatible with the overall design in terms of height, form, materials, detailing and colour.

C4 Gun barrel driveways are to be avoided unless overtaking bays are provided every 30 metres along the driveway.

C5 Driveways are not to dominate the street. This can be achieved by using a single driveway crossing to serve multiple dwellings within the site.

C6 Landscaping is to be used to soften and screen car parking areas from adjoining properties and

the street and to provide shade for parked vehicles.

C7 Visitor's car parking spaces shall be labelled clearly and resident car parking shall be numbered to the relevant dwelling.

C8 For development with 20 or more dwellings, provision is to be made for furniture removalist vehicles to be able to park within the site. The size of furniture removalist vehicles shall be assumed to be a Medium Rigid Vehicle (MRV) as defined in AS2890.2

C9 Basement car parking will:

(i) not protrude further than 1.2 metres out of the ground when measured from natural ground to theunderside of the ground floor slab of the building;

(ii) be located under the building footprint of the dwellings;

(iii) not extend under dwelling balconies or landscaped areas;

(iv) be located under balconies or landscaped areas are to be included in site coverage calculations;

(v) be designed to have adequate vertical clearance for the largest vehicle accessing the basement car parking area; and

provide natural light and ventilation where practical.

C10 Stacked car parking is only permitted where the parking bays are allocated to one (1) dwelling.

C11 Development Applications which proposed 20 or more dwellings are required to submit a Traffic and Parking Impact Study.

C12 Vehicular access driveways and the top part of ramps visible from the street are to form part of the overall landscape design.

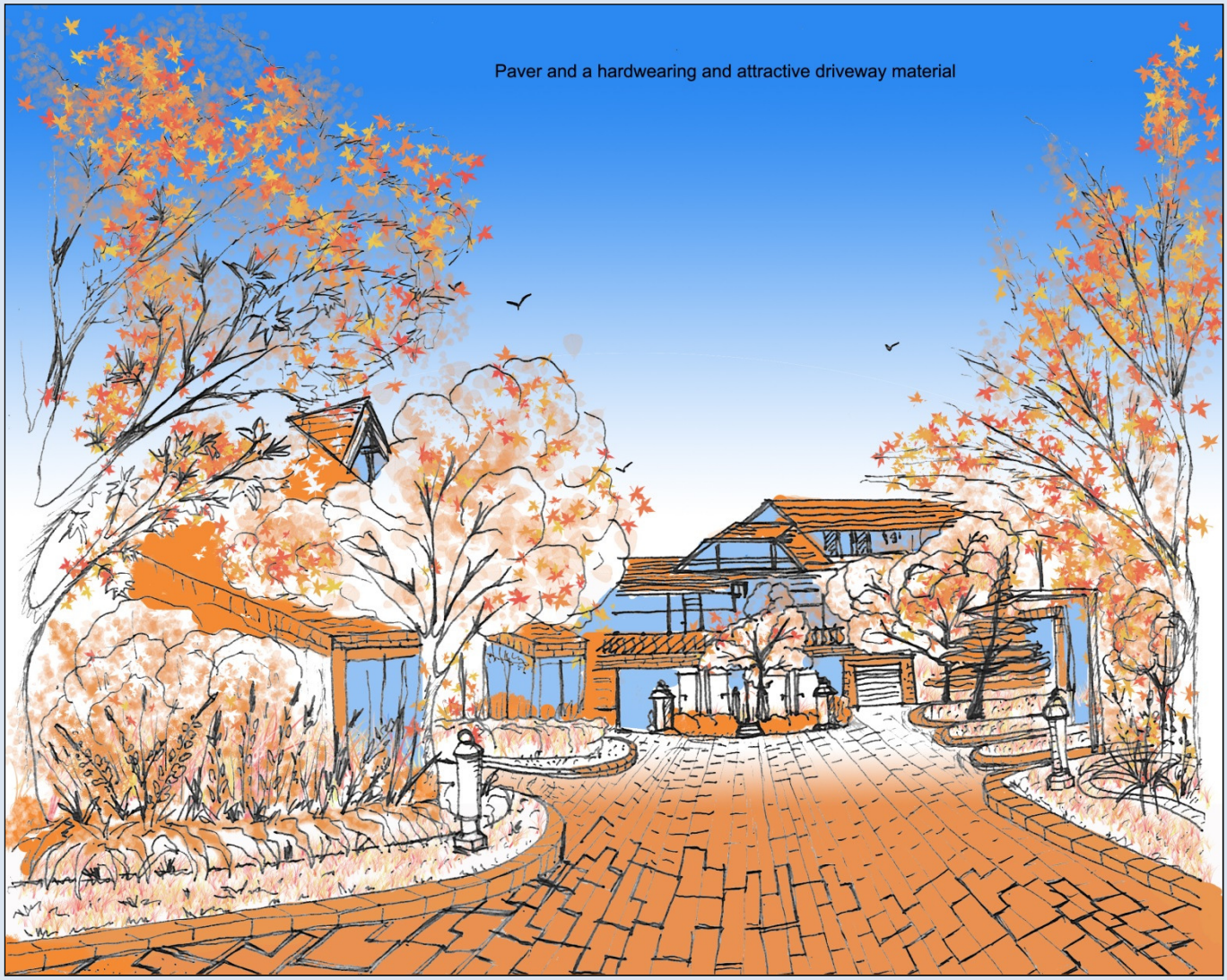
Material

C1 Stencilled concrete and exposed aggregate are unacceptable as they do not stand up well to the traffic movement and frequent turning common in multi-unit housing developments.

C2 Concrete is acceptable but is required to be broken up or given visual interest by incorporating unit paving and/or different concrete finishes. Large concrete expanses (plain or coloured) are to be limited, particularly in pedestrian areas (refer to **Figure 23**).

Note: If pavers are utilised they are to be laid on a concrete slab.

Figure 23 - Driveway Materials Must Be Attractive



4B.4.12 Access

Access for all residents and visitors will be considered in multi dwelling housing developments.

Objective

O1 Provide easy access for all, including people with prams and people that use wheelchairs or have walking difficulties or sight, hearing or intellectual impairment.

Controls

C1 All applications are to include a statement on how the development will comply with the provisions of the Disability Discrimination Act and comply with **Part 3C - Access and Mobility**.
C2 Multi-unit developments will have night lighting along all driveways and footpaths throughout the site.
C3 Ramps will have gradients not exceeding 1 in 14, and have an even, non-slip surface.
C4 Unnecessary barriers to direct access will be avoided.

4B.5 Social Considerations

4B.5.1 Adaptable Housing

Those who design, build, own, manage, lease, operate, regulate and use premises have responsibilities to comply with the *Disability Discrimination Act, 1992 (DDA)*. The DDA seeks to eliminate bias against people with disabilities and protect their rights. The DDA states that failure to provide equal access is unlawful, unless to do so would impose an unjustifiable hardship.

Objectives

O1 To provide housing for people with disabilities or mobility needs with the community; and
O2 To ensure the provision of equitable access to meet the housing demands of a cross section of people within the community.

Controls

C1 Development will comply with **Part 3C - Access and Mobility**.
C2 A statement from the architect or builder will be submitted with the development application certifying that the adaptable dwelling has been designed in accordance with the provisions of the Australian Standards AS 4299-1995 Adaptable Housing.

4B.6 Multi Dwelling Housing in Association with Neighbourhood Shops in Residential Zones

This Part applies to multi dwelling housing development proposed in association with neighbourhood shops. Shop top housing and mixed use development are to be prepared in accordance with Part 4C, SEPP 65 and the Apartment Design Guide.

Objectives

O1 To ensure that local shops located within residential development are compatible with and respectful to the character of the residential area in which they are sited;
O2 To ensure the design of the development distinguishes and separates the residential and non-residential functions of the building; and
O3 To minimise the conflicts between vehicular access, parking and pedestrian movement.

Controls

C1 The development is to comply with the provisions of Botany Bay Local Environmental Plan 2013.
C2 The shop component will be located at ground level.
C3 Adequate storage space is to be provided for the use of the shop.
C4 The residential component of the development will be integrated with the shop and not developed as separate enclaves within the site.
C5 Noise insulation measures are to be incorporated into the development with particular attention to shared ceiling/floors and walls.

Built Form and Appearance

C6 The building is to be designed to encourage uses that will enhance and promote active street front activities.
C7 The layout and design of the building ensures privacy for dwellings within the development.

Site Facilities

C8 Site facilities including storage, mailboxes, and garbage collection points, are to reflect the demands of both the residents and occupants of the dwellings and neighbourhood shops, and are to be conveniently located within the development.

Parking, Servicing and Access

C9 The design of parking areas and loading facilities takes into account the use of these areas by a range of activities and will minimise any conflicts that may arise as a result of the multiple use of these facilities.
C10 Visitor parking for the shop component shall be conveniently located, identified as such, and accessible to the general public. Visitor parking is not to be located behind any security grill or gate.

4B.7 Conversion of Existing Non-Residential Buildings to Multi Dwelling Housing

Clause 6.11 of BBLEP 2013 permits with prior Council consent the adaptive reuse of existing buildings and land for multi dwelling housing in Zone R2 Low Density Residential subject to a list of criteria, which includes consistency with the streetscape and in keeping with residential amenity.

Height and FSR are to comply with the provisions of the BBLEP 2013. Provided the impacts on the locality are considered reasonable, Council may permit non-compliances in some circumstances. However, in accordance with **Clause 4.6** of BBLEP 2013 the applicant will submit with a Development Application a written request that seeks to justify the contravention of any development standard by demonstrating:

(i) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and

(ii) That there are sufficient environmental planning grounds to justify contravening the development standard.

Objectives

O1 To provide for the adaptive reuse/conversion of existing buildings and sites to multi dwelling housing; and

O2 To provide for development that is compatible with the existing streetscape and respects residential amenity.

Matters for Consideration

C1 Before granting consent for development referred to in **Clause 6.11** of BBLEP 2013, Council is to take into consideration the following matters:

(i) The impact of the development on the scale and streetscape of the surrounding locality;
(ii) The suitability of the building or site for adaptive reuse;
(iii) The degree of modification of the footprint and façade of any existing buildings on the site;
(iv) The impact of the proposal on the scale and streetscape of the surrounding locality;
(v) The impact on surrounding properties, particularly in respect to overshadowing, loss of privacy, and visual intrusion;
(vi) The impact on the future residents of the building, caused by surrounding properties, from dust, odour and noise;
(vii) Noise attenuation of the building to comply with the relevant Australian Standards;
(viii) Sources of potential contamination;
(ix) The proximity and accessibility of the building and/or site to public transport;
(x) The impact on employment opportunities in the area;
(xi) The size and mix of dwellings; and
(xii) The impact on traffic and parking and the nature of the surrounding streets.

C2 Development is to comply with the provisions outlined in this Part. Where the development is unable to comply due to inherent site constraints, the Statement of Environmental Effects is to adequately address the non-compliance, and the application will be assessed upon its merits.

C3 Landscaping is to be provided in form of:

(i) Roof gardens or planter boxes (not pots) on balconies or landscaped terraces; and

(ii) At-grade deep soil landscaping within the front setback to the street.

Note: Council's street trees cannot be utilised as the sole source of screening or softening for a development of this type.