

Canterbury Bankstown DCP 2023 (last amended November 2024)

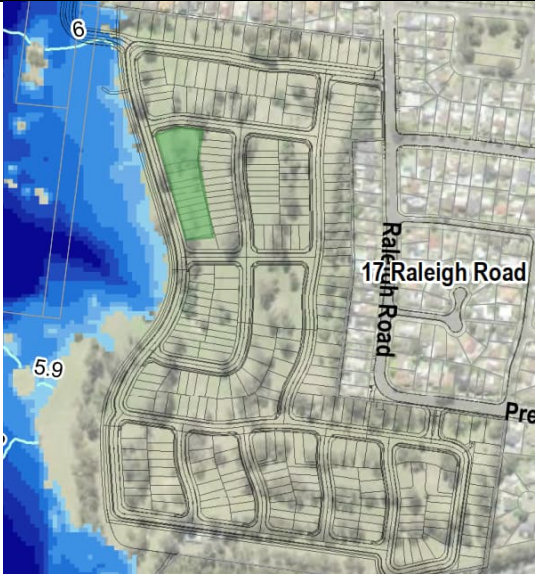
| Reference                            | DCP Control        | Assessment of compliance   |
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| <b>Chapter 2 Site considerations</b> |                    |  |
|                                      | Principles Context | <p>The proposal seeks the delivery of a portion of the development area approved under DA 4-2020. The proposed lot configuration and dwelling scale and types are consistent with the intended future character of the proposed Riverlands community and wider suburb of Milperra. There are no risks to the local environment as stormwater run-off is being treated per precinct wide WSUD elements approved under previous consents.</p> <p>The proposal is also in line with land use zoning objectives and the objectives of the previous approval that set the framework for the delivery of a residential community.</p> <p>The desired future character facilitated by Councils planning controls and LSPS consists of detached and dual occupancy dwelling types.</p> |
|                                      | Scale              | The proposed two-story scale and building siting are appropriate in that it will deliver development consistent with the desired   |


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|           |             | future character of the master planned community. The proposed dwellings maintain consistency with the scale of existing and permissible development throughout the wider Milperra suburb and across land zoned R2 across the Bankstown area.  |
|           | Built form  | The architecturally designed homes provide articulated elevations and consider the siting and design of future stages of home construction on adjoining lots. The overall subdivision is designed to ensure all subsequent housing proposals are in accordance with the DCP vision.  |
|           | Density     | The proposed density of housing is appropriate for the site and is consistent with the R2 land use zone objectives. The proposal achieves a positive balance in that it provides contemporary homes with access to private open space. The integrated nature of each development application ensures that each stage of development does not compromise the delivery of subsequent stages; both in architectural quality, character, density and layout. Lot and dwelling sizes achieve a balance of providing for contemporary accommodation needs whilst facilitating high levels of amenity for occupants and visitors. |

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|           | Resource, energy, and water efficiency | <p>The proposed dwellings are architecturally designed to ensure thermal massing, cross flow, strategically placed windows and shading devices promoting a reduced reliance on active cooling and heating methods.</p> <p>The reuse of stormwater is provided to each home via rainwater tanks and reticulation. The lot orientation and provision of soft landscaping and deep soil zones ensure vegetation reduces heat island effects.</p> <p>Basix and NatHERS certification have been provided for each home.</p> |
|           | Landscape                              | <p>All hard and softscape landscaping is delivered as part of the dwelling construction and completed prior to occupation of each dwelling. This ensures consistency in character, aesthetic quality, finishes and landscaped outcomes all contributing to amenity for occupants, meeting environmental objectives and quality of streetscape.</p> <p>On a precinct wide basis, higher order vegetation and biodiversity areas are being embellished under DA 4-2020 and subsequent consents.</p>                      |
|           | Amenity                                | <p>Amenity for occupants is enhanced through architecturally designed homes delivered under an integrated model i.e. they consider future dwelling construction on adjoining lots, and project wide objectives. Each home provides internal and external amenity</p>   |

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|           |                     | through appropriate sizing and location of windows, habitable area, open space and shading structures.   |
|           | Safety and security | <p>Each dwelling provides passive surveillance. Dwelling entries are orientated to public roads.</p> <p>Driveway access/egress to the proposed roads consider sight lines and manoeuvrability. Landscaping design have been designed to minimise blind spots for drivers while the absence of front yard fencing creates an open, transparent edge from private interface to the public domain.</p>  |
|           | Social dimensions   | <p>The needs of the local community in terms of lifestyles, affordability, and access to social facilities have been considered through previous consents (which designed road layout, foreshore access, pedestrian access etc). A community facility is being proposed under a separate DA which will further enhance the resident experience and create a destination for the community.</p> <p>The proposal contributes to housing mix across a range of price points for emerging communities.</p> |
|           | Aesthetics          | The proposed dwellings across the wider project deliver a consistent character whilst providing home buyers with options   |

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|  |  | regarding the design, size and orientation of dwellings. A variety of materials, colours and textures are incorporated into classic and modern façade choices.   |
| <b>DCP Chapter 2.2 Flood Risk Management</b> |  |  |
| Objectives 01-04                             | <p>O1 To reduce the risk to human life and damage to property caused by flooding through controlling development on land affected by potential floods.</p> <p>O2 To control development and other activity within each of the individual floodplains in Canterbury-Bankstown having regard to the characteristics and level of information available for each of the floodplains.</p> <p>O3 To assess applications for development on land that could be flood affected in accordance with the principles included in the Floodplain Development Manual, issued by the NSW Government.</p> <p>O4 To apply a 'merit-based approach' to all development decisions which takes account of social, economic and environmental as well as flooding considerations in accordance with the principles contained in the Floodplain Development Manual.</p> | <p>Flooding considerations are detailed in the Milperra Riverlands DA Flooding Assessment Subdivision July 2021 by GHD. The flooding consideration were required to aid the design and delivery of bulk earthworks and civil application (which has been approved). Works in line with DA 4-2020 have been completed and mitigate the flood risk for land subject to this proposal.</p> <p>Refer to images below – site indicated in green</p> |

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|           |             | <div></div> <p>Proposed Condition Scenario Flood Depth and Extent<br/>Riverine Flooding 1 in 100 AEP Event plus Climate Change (Figure B-05 GHD July 21)</p> |

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|           |             | <div></div> <p>Proposed Condition Scenario Flood Depth and Extent Local Flooding 1 in 100 AEP Event (Figure B-10 GHD July 2021)</p> <p>Flood depth and extent upto 0.5m equates to a Medium and Low Flood Risk for proposed lots 7A 131- 152. The report recommends floor levels for these homes are set in accordance with the DCP; being 1:100 ARI + climate change assumption + 500mm</p> |

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|           |             | <p>freeboard. Council may choose to condition the consent to ensure this objective is achieved.</p> <p>Flood hazard within the subject land is generally considered at H1-H2 which is deemed low risk and acceptable risk for residential land uses. A small section of land is mapped as H3, however considering the small area of the mapping, and limitation of finite grid mapping for modelling, the area is not considered to pose a risk not considered by the flood evacuation report; addressed in Mirvac Homes (NSW) Pty Ltd v Canterbury-Bankstown Council – Riverlands Flood Risk Assessment, Final (Molino Stewart, 2021) which concludes the following;</p> <p><i>'It is my opinion that the proposal can be developed without creating unacceptable flood risks to property or people. The whole development will be above the current flood planning level and would also be above the flood planning level if future climate change forecasts are realised.</i></p> <p><i>It satisfies every requirement of the Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment, Bankstown LEP 2015 and Bankstown DCP 2015.</i></p> <p><i>The development is consistent with the principles of the NSW Floodplain Development Manual.</i></p> |

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|                                    |  | <p><i>Application of the NSWSES Timeline Evacuation Model shows that there is ample time for the development to safely evacuate away from the floodplain without compromising the ability of existing populations to safely evacuate.</i></p> <p><i>Should residents fail to evacuate when told, it is possible for them to walk out on a continuously rising pedestrian access to areas above the PMF level a short distance from their homes. There are numerous homes and a public school in the vicinity where people could take shelter in extremis if they fail to reach the M5 before it is cut by flooding.</i></p> <p><i>I can see no grounds for this development application being rejected because of flood risks'</i></p> |
| <b>Chapter 2.3 Tree Management</b> |  |  |
| Objectives                         | <p>O1 To sustainably manage the tree resources to improve the visual, physical and environmental amenity of Canterbury-Bankstown.</p> <p>O2 To promote a healthy urban forest and urban tree canopy.</p> <p>O3 To promote the use of professional standards and best practices in tree management.</p> | <p>An assessment of significant trees has been undertaken with some tree removal completed in accordance with preceding approval DA 4-2020.</p> <p>Council may seek to impose tree protection measures for trees in the vicinity of works subject to this proposal.</p>  |

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|  | <p>O4 To list the controls for the pruning, removal and replacement planting of trees.</p> <p>O5 To protect trees that contribute to the heritage significance of places.</p> <p>O6 To protect trees from tree vandalism</p>   |   |
| <b>Chapter 3.1 Development Engineering Standards</b> |  |   |
|  | <p>Council is responsible for managing public infrastructure assets. The aim is to keep the maintenance of these assets to a high standard, to maintain public safety and amenity and to minimise the long-term cost of these assets. The Canterbury-Bankstown Development Control Plan 2023 supports this aim by providing objectives and development controls to protect the integrity of the City's infrastructure in situations where it is impacted upon by building and subdivision development. The Canterbury-Bankstown Development Control Plan 2023 must be read in conjunction with the Development Engineering Standards Guide. The Guide supports this DCP by providing additional development controls in relation to site civil engineering requirements, protection of Council infrastructure, vehicular and pedestrian access to development sites, stormwater management and conveyance, stormwater flooding and land subdivision.</p> | <p>Roads, drainage infrastructure and open space areas are provided as part of DA 4-2020 and other preceding approvals. Compliance with Council requirements are considering during engineering inspections and sign off and the land registration process which creates those public road reserves.</p> <p>Regarding onsite engineering requirements, driveway crossings, stormwater connections and utility infrastructure are to be delivered in accordance with Council specifications.</p> |

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| <b>Chapter 3.2 – Parking</b>  |   |   |
| 2.1   | <p>Parking requirements per the Off-Street Parking Schedule are as follows.</p> <p>Dual occupancies 1 car space per 2 or less bedrooms; or 2 car spaces per 3 or more bedrooms.</p> <p>Dwelling houses 2 car spaces</p> | <p>Complies.</p> <p>Each detached dwelling being delivered as part of a detached dual occupancy provide a minimum of two garage spaces.</p> <p>Attached dual occupancies/semi-detached dwelling: 1 space in lock up garage, one space within the driveway for each dwelling.</p> <p>All parking spaces have direct access to either Road No 1 and 6 constructed under preceding applications.</p> |
| 2.2   | <p>This provision sets out the rounding calculations for determining parking provision and whether or not a room is capable of being converted to a bedroom.</p>  | <p>The proposal complies with the required spaces stipulated in the Off-Street Parking Schedule.</p>  |
| 2.4   | <p>Car parking (and associated space such as access aisles) in excess of the Off-Street Parking Schedule will be counted as gross floor area.</p>   | <p>The proposal does not provide additional parking areas to that required in the DCP.</p>  |
| <b>Chapter 3.3 – Waste Management Section 3 – Residential Development</b> |   |   |
| 2.1   | <p>Bins to be allocated by Council based on dwelling type, i.e. 140L general waste, 240L recycling and 240L green waste</p>   | <p>Adequate provision has been made regarding the storage of garbage bins within side building setbacks behind the front building line.</p>   |

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| 3.1       | Council or its contractors are solely to provide the waste services to all residential development types   | Complies   |
| 3.2       | Each dwelling is to have a waste storage cupboard in the kitchen capable of holding two days waste and recycling and be sufficient to enable separation of recyclable materials.   | Complies.  |
| 3.3       | Development must provide a bin storage area. The bin storage area must be of adequate size to accommodate all allocated bins.  | Complies<br>Proposed bin storage is provided along the side building setback.  |
| 3.4       | The location of the bin storage area should not adversely impact on the streetscape, building presentation or amenity of occupants and adjoining dwellings.  | Complies.  |
| 3.5       | The location of the bin storage area should ensure this area:<br>(a) is screened or cannot be viewed from the public domain;<br>and (b) is away from windows of habitable rooms to reduce adverse amenity impacts associated with noise and odour.   | Complies. Proposed bin storage is provided along the side building setbacks. These locations are screened from public view via fencing and gates to be constructed under this proposal. Bins are located away from windows of habitable rooms. |
| 3.6       | The location of the bin storage area is to be convenient to use for the dwelling occupants, through reducing the bin travel distance from the bin storage area to the nominated kerbside collection point. The bin-carting route from the bin storage area to the collection point must not pass through any | Complies.<br>Convenient bin locations are outlined on the enclosed plans.  |

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|  | internal rooms of the dwelling and must avoid stairs or slopes.  |  |
| <b>Chapter 3.5 Section 3 Housing Estates</b> |  |  |
| 3.1  | In assessing proposals for residential subdivisions, Council places emphasis on the ease with which future dwellings with good solar access can be erected on the proposed lots. In general, this condition is best fulfilled when the side boundaries of the majority of the lots are on or near a north-south axis; however, there may be other solutions. It is important to consider the subdivision beyond the subdivision stage and strive for a future residential area in which the great majority of dwellings can achieve good solar access. | Complies.<br><br>The approved road layout sets the parent lot configuration for this proposal. Each proposed lot have adequate solar access with west facing backyards. The east west axis provides a longer building length to the north, providing the internal floorplate increase solar access to a larger component of the home when compared to lots with a north-south axis.<br>Solar access to living areas and open space for each home comply with the DCP requirements. |
| 3.2  | The minimum width for road reserves is 18m. This comprises an 11m wide carriageway and a 3.5m wide pathway on each side of the carriageway.  | Refer to site specific DCP chapter assessment provided in this table.  |
| <b>Chapter 3.7 Landscape</b>                 |  |  |
| 2.1  | New landscaping is to complement the existing street landscaping and improve the quality of the streetscape  | Complies. Landscaping and dwelling construction are integrated in that the proponent completes hard and softscape landscaping prior to occupation of each dwelling. This ensures consistency in  |

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|           |   | outcome and commits to aesthetic quality and amenity for occupants and the adjoining public domain.  |
| 2.2       | Development, including alterations and additions, is to minimise earthworks (cut and fill) in order to conserve site soil. Where excavation is necessary, the reuse of excavated soil on site is encouraged.  | Complies. Bulk earthworks are being completed in accordance with DA 4-2020. The proposal includes minor earthworks to set final slab benching and landscape levels.  |
| 2.3       | The landscape design is to contribute to and take advantage of the site characteristics.  | Complies. Landscaping design includes native tree species per Councils requirements. Precinct wide embellishment (not subject to this proposal) is also being undertaken to enhance the sites characteristics. There are no remnant trees located on the proposed lots.  |
| 2.4       | The landscape design is to improve the quality of the streetscape and communal open spaces by: (a) providing appropriate shade from trees or structures; (b) defining accessible and attractive routes through the communal open space and between buildings; (c) providing screens and buffers that contribute to privacy, casual surveillance, urban design and environmental protection, where relevant; Page 6 DCP 2023–Chapter 3.7 (Amended August 2024) (d) improving the microclimate of communal open spaces and hard paved areas; (e) locating plants appropriately in relation to their size including mature size; (f) softening the visual and physical | Complies. Landscaping and dwelling construction are integrated in that the proponent completes hard and softscape landscaping prior to occupation of each dwelling. This ensures consistency in outcome and commits to aesthetic quality and amenity for occupants and the adjoining public domain.<br>Streetscape integration of the development is enhanced with a soft edge, ie no front fencing is proposed.<br>Refer to enclosed landscape plans for vegetation details including tree pot sizes. |

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|           | impact of hard paved areas and building mass with landscaping that is appropriate in scale; (g) including suitably sized trees, shrubs and groundcovers to aid climate control by providing shade in summer and sunlight in winter   |   |
| 2.5       | The landscape of setbacks and deep soil zones must: (a) provide sufficient depth of soil to enable the growth of mature trees; (b) use a combination of groundcovers, shrubs and trees; (c) use shrubs that do not obstruct sightlines between the site and the public domain; and (d) where buffer or screen planting is required, use continuous evergreen planting consisting of shrubs and trees to screen the structure, maintain privacy and function as an environmental buffer | Complies. The proposed deep soil landscaping enables the growth of mature trees with an anticipated long-life expectancy. Refer to enclosed landscape plan which includes, shrubs, and groundcovers supporting two proposed trees (one each in the rear and front yards)  |
| 2.6       | Development must consider the retention of existing trees, including street trees, in the building design.   | Trees that were not able to be retained due to design matters or were of reduced retention value were considered and approved for removal as part of the civil and bulk earthworks undertaken DA 4-2020. Precinct wide biodiversity has been considered during the assessment of that proposal and include foreshore rehabilitation works, flora and fauna assessments against Councils policies, State and Federal legislative requirements. |
| 2.7       | Development must plant at least one canopy tree for every 12m of front and rear boundary width canopy trees are to be of a minimum 75 litre pot size. (b) Use deciduous trees in   | Complies.<br>Refer to landscape plan for details. To ensure the objectives are achieved, Mirvac complete all landscaping prior to the occupation  |

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|                            | small open spaces, such as courtyards, to improve solar access and control of microclimate. (c) Place evergreen trees well away from the building to allow the winter sun access. (d) Select trees that do not inhibit airflow. (e) Provide shade to large hard paved areas using tree species that are tolerant of compacted/deoxygenated soils. | of the dwelling (as opposed to relying upon each landowner to procure and instal landscaping per design plans)  |
| 2.8                        | Development must provide street trees that will contribute to the canopy where possible.  | Street trees are being installed and maintained in line with DA 4-2020.   |
| Section 3                  | Biodiversity  | Trees that were not able to be retained due to design matters or were of reduced retention value were considered and approved for removal as part of the civil and bulk earthworks undertaken DA 4-2020. Precinct wide biodiversity has been considered during the assessment of that proposal and include foreshore rehabilitation works, flora and fauna assessments against Councils policies, State and Federal legislative requirements. |
| <b>Chapter 4. Heritage</b> |   |   |
| 4.1 Introduction           | Adjacent means a place that shares a boundary with the property (usually a heritage item) under consideration or is directly opposite that property or is diagonally opposite that property (that is on the opposite side of the street). Adjacent  | The proposed dwellings will have no impact on the heritage significance of the nearby Milperra Soldier Settlement, which is illustrated as the road network/layout of several local streets including Pozieres Avenue. No works are being carried out to the  |

| Reference   | DCP Control  | Assessment of compliance  |
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|   | may also apply to a place that is across a side street from property. Complies. The subject site is not listed as containing heritage significance.  | heritage listed road reserves in this location, nor is there an intention to change the name of existing public roads.  |
| <b>Chapter 5.1 – Residential Accommodation – Former Bankstown LGA</b>               |  |   |
| <b>Section 2 – Dwelling houses</b>  |  |   |
| <b>Note: This section only applies to the detached dwelling (Lot 4-01 and 4-04)</b> |  |   |
| 2.1   | The storey limit for dwelling houses is two storeys.   | Complies.   |
| 2.2   | The siting of dwelling houses and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation. | Complies.<br><br>Minor benching is required to achieve a suitable platform for dwelling construction. No substantial earthworks are therefore proposed.                               |
| 2.3   | Any reconstituted ground level on the site within the ground floor perimeter of dwelling houses must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch   | Complies.<br><br>No significant cut and fill is required with only minor benching and retaining walls required to achieve suitable levels for construction of the proposed dwellings. |

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| 2.4       | Any reconstituted ground level on the site outside of the ground floor perimeter of dwelling houses must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch. | Complies   |
| 2.5       | Setback The erection of dwelling houses is prohibited within 9 metres of an existing animal boarding or training establishment.   | Complies   |
| 2.6       | Street setback<br>The minimum setback for a building wall to the primary street frontage is: (a) 5.5 metres for the first storey (i.e. the ground floor); and (b) 6.5 metres for the second storey.   | Complies.<br>A minimum setback of 5.5 and 6.5 metre setbacks are provided to the ground and first floor building line respectively.  |
| 2.7       | Side setback<br>The minimum setback to the secondary street frontage is: (a) 3 metres for a building wall; and (b) 5.5 metres for a garage or carport that is attached to the building wall.  | Lot 7A-142 incorporates a detached garage addressing Road No.6 which has been setback at 3m from the property boundary.<br>Although not in accordance with the 5.5m setback requirement, the proposal is deemed acceptable for the following reasons.<br>-The garage does not unduly inhibit sight lines for vehicles egressing the adjoining Lot 7A-151.<br>- The subject garage maintains adequate sight lines to the pedestrian pathway due to the absence of fencing along the driveway adjacent to lot 151. |

| Reference | DCP Control  | Assessment of compliance  |
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|           |  | <ul style="list-style-type: none"> <li>- The proposed garage and dwelling setback are consistent, presenting as a uniform streetscape across this allotment.</li> <li>- Setting the garage structure back at 5.5m can only be accommodated with a change in lot boundaries, resulting in an irregular lot configuration and open space area for Dwelling 7A-141.</li> </ul> |
| 2.8       | <p>Side setback</p> <p>For the portion of the building wall that has a wall height less than or equal to 7 metres, the minimum setback to the side boundary of the site is 0.9 metre.</p>  | Complies. All homes have been designed to wall height upto, however not exceeding 7 metres. All dwellings are setback to the side boundaries at a minimum of 920mm.   |
| 2.9       | For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the allotment is 1.5 metres. Council may vary this requirement where a second storey addition to an existing dwelling house demonstrates it must use the ground floor walls for structural support. | Complies. The proposed wall heights do not exceed 7m.   |
| 2.11      | Dwelling houses must provide a minimum 80m <sup>2</sup> of private open space behind the front building line. This may be in the   | Complies.<br>All dwellings provide private open space in excess of 80m <sup>2</sup> . Refer to enclosed Private Open Space and Permeable Area Plan.   |

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|           | form of a single area or a sum of areas provided the minimum width of each area is 5 metres throughout.  |   |
| 2.12      | At least one living area must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.   | Complies.<br>The living areas on the ground floor are predominately west facing and receive sunlight for more than 3 hours. Refer to Shadow and Solar Eye Study 21 June plans.  |
| 2.13      | At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.  | Complies. There is no impact upon the existing dwellings. Further, all proposed dwellings comply with the 3-hour requirement.<br>Refer to plans labelled Solar Eye Study 21 June.   |
| 2.14      | A minimum 50% of the private open space required for the dwelling house and a minimum 50% of the private open space of a dwelling on an adjoining allotment must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space. | Complies.<br>All proposed dwellings comply with the 3-hour requirement to a minimum of 50% of POS.<br>The dwellings are adequately setback from future allotments allowing adequate opportunity for compliance of proposed dwelling subject to future DA's.<br>Refer to plans labelled Solar Eye Study 21 June. |

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| 2.15      | Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.   | Complies. There is no impact upon the existing dwellings   |
| 2.16      | <p>Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must:</p> <p>(a) offset the windows between dwellings to minimise overlooking; or</p> <p>(b) provide the window with a minimum sill height of 1.5 metres above floor level; or</p> <p>(c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or</p> <p>(d) use another form of screening to the satisfaction of Council.</p> | <p>Complies.</p> <p>Complies with justification.</p> <p>Dwelling 151 and 152 and 0821 and 082; Bed 4 to Sitting area windows are direct facing. The sitting area windowsill height exceeds 1.5m and therefore provides an adequate impediment to overlooking.</p> <p>Bed 1 windows to dwellings 141 and 132 and 111 and 102 are only slightly offset. Although the opportunity for overlooking may be present, the proposal deemed adequate considering the proposed room uses are bedrooms, as opposed to living areas which have a higher order of sensitivity in terms of privacy. Further the windows are only 730mm wide and slightly offset from a similar sized window on the adjoining dwelling.</p> |

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| 2.17      | <p>Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where:</p> <p>(a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or</p> <p>(b) the window has a minimum sill height of 1.5 metres above floor level; or</p> <p>(c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or</p> <p>(d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.</p> | <p>Complies.</p> <p>The proposed first floor windows orientated towards private open space consist of bedrooms, bathrooms or circulation space. The windows are also a considerable distance from the subject POS.</p> <p>No screening or other privacy measures are required.</p> |
| 2.18      | <p>Council may allow dwelling houses to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design: (a) does not have an external staircase; and (b) does not exceed a width of 1.5 metres throughout; and (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.</p>   | <p>Complies.</p> <p>No first-floor balconies to the side or rear of the dwellings are proposed.</p>  |
| 2.19      | <p>Council does not allow dwelling houses to have roof-top balconies and the like.</p>   | <p>N/A.</p>  |

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| 2.20      | The maximum roof pitch for dwelling houses is 35 degrees.  | Complies.   |
| 2.21      | Council may allow dwelling houses to have an attic provided the attic design: (a) accommodates no more than two small rooms (for the purposes of a bedroom and/or study) and a bathroom plus an internal link to the storey below; and (b) ensures the attic does not give the external appearance of a storey.  | N/A.  |
| 2.22      | The design of dormers  | N/A   |
| 2.23      | Development in the foreshore protection area   | N/A   |
| 2.25      | <p>Building design (car parking)</p> <p>Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may allow one car parking space to be located forward of the front building line provided:</p> <p>(a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and</p> | <p>Complies.</p> <p>All detached dwellings contain 2 lock up garage spaces plus a driveway parking area.</p> <p>Attached dual occupancies provide one car space behind the building line for each home, while the driveway provides a stacked second car space in accordance with (a) and (b) of the control.</p> |

| Reference   | DCP Control  | Assessment of compliance  |
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|   | (b) the covered car parking space is setback a minimum 6 metres from the primary and secondary frontages.  |   |
| 2.26  | Despite clause 2.25, Council may consider a single carport forward of the front building line  | N/A   |
| 2.27  | Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. | <p>Complies.</p> <p>The proposed double garages do not dominate the streetscape as they are located on wider lots ensuring that the garage widths are a small component of the dwelling and lot width. Further, the proposed double garages are set back a minimum of 7.5m from the front property boundary.</p> <p>Dwelling 142 proposes a detached garage and thus does not dominate the dwelling façade.</p> |
| 2.28  | Where development proposes a garage with more than two car parking spaces facing the street, Council must consider the architectural merit of the development.   | <p>N/A.</p> <p>A maximum of 2 car spaces are proposed.</p>  |
| <p>Section 4 – Dual occupancies</p> <p>Note: These DCP provisions apply to the development of proposed lots</p> |  |   |
| Subdivision   |  |   |

| Reference    | DCP Control  | Assessment of compliance   |
|--------------|--|--|
| 4.1          | For development that establishes a dual occupancy and a secondary dwelling on the same allotment, the two dwellings forming the dual occupancy may be subdivided provided the minimum lot size is 450m <sup>2</sup> per dwelling.  | N/A.   |
| Storey Limit |  |  |
| 4.2          | The storey limit for dual occupancies is two storeys.  | Complies.  |
| 4.3          | The siting of dual occupancies, and landscaping works must be compatible with the existing slope and contours of the allotment and any adjoining property. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation. | Complies.<br>No significant cut and fill is proposed. With only minor benching and retaining walls (upto 500mm) proposed to achieve suitable levels for construction and drainage gradients. |
| 4.4          | Any reconstituted ground level on the site within the ground floor perimeter of dual occupancies must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch.   | Complies.<br>Proposed ground levels are not to exceed 1m in height from ground levels as designed under previous development consent or from the rear yard.                                  |
| 4.5          | Any reconstituted ground level on the site outside of the ground floor perimeter of dual occupancies must not exceed a height of 600mm above the ground level (existing) of an   | Complies.  |

| Reference            | DCP Control   | Assessment of compliance  |
|----------------------|---|---|
|                      | adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.   | Proposed earthworks will not result in an increase of ground levels above 600m from ground levels as designed under previous development consent. |
| Setback Restrictions |   |   |
| 4.6                  | The erection of dual occupancies is prohibited within 9 metres of an existing animal boarding or training establishment.  | Complies<br>There are no known animal boarding or training establishments within 9 metres of the proposed dwelling.                               |
| 4.7                  | The minimum setback for a building wall to the primary road frontage is:<br><br>(a) 5.5 metres for the first storey (i.e. the ground floor); and<br>(b) 6.5 metres for the second storey. | Complies.<br>Building lines setbacks comply with the stated DCP controls.   |

| Reference     | DCP Control   | Assessment of compliance  |
|---------------|---|---|
| 4.8           | The minimum setback to the secondary street frontage is: (a) 3 metres for a building wall; and (b) 5.5 metres for a garage or carport that is attached to the building wall.  | <p>Lot 7A-142 incorporates a detached garage addressing Road No.6 which has been setback at 3m from the property boundary. Although not in accordance with the 5.5m setback requirement, the proposal is deemed acceptable for the following reasons.</p> <ul style="list-style-type: none"> <li>-The garage does not unduly inhibit sight lines for vehicles egressing the adjoining Lot 7A-151.</li> <li>- The subject garage maintains adequate sight lines to the pedestrian pathway due to the absence of fencing along the driveway adjacent to lot 151.</li> <li>- The proposed garage and dwelling setback are consistent, presenting as a uniform streetscape across this allotment.</li> <li>- Setting the garage structure back at 5.5m can only be accommodated with a change in lot boundaries, resulting in an irregular lot configuration and open space area for Dwelling 7A-141.</li> </ul> <p>All other dwellings comply with the setback requirements.</p> |
| Site setbacks |   |   |
| 4.9           | The minimum setback for a building wall to the side boundary of the site is 0.9m. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining site. | <p>Complies.</p> <p>All dwellings are set back from side boundaries a minimum of 0.9m.</p>  |

| Reference          | DCP Control   | Assessment of compliance  |
|--------------------|---|---|
|                    |   | There are no trees within the subject land area.  |
| 4.10               | The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like.  | Complies with justification.<br>As illustrated on the site plans, at least one side setbacks to each dwelling allows a travel path around any fixed objects. In regards to the attached dual occupancies, bin placement can be conditioned within the consent to ensure compliance with this control. |
| Private Open Space |   |   |
| 4.12               | Dual occupancies must provide a minimum 80m2 of private open space per dwelling behind the front building line. This may be in the form of a single area or a sum of areas per dwelling provided the minimum width of each area is 5 metres throughout. | Complies.<br>All dwellings provide private open space in excess of 80m2. Refer to enclosed Private Open Space and Permeable Area Plan.  |
| Access to sunlight |   |   |
| 4.13               | At least one living area of each dwelling must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided                   | Complies.<br>The living areas on the ground floor are either north or east facing and receive sunlight for more than 3 hours. Refer to Shadow and Solar Eye Study 21 June plans.  |

| Reference             | DCP Control  | Assessment of compliance   |
|-----------------------|--|--|
|                       | these building elements are not the primary source of sunlight to the living areas.  |  |
| 4.14                  | At least one living area of a dwelling on an adjoining allotment must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.  | Homes proposed under subsequent stages are to be sited to consider the dwellings subject to this proposal.<br><br>The proposed setbacks and lot layout will ensure compliance can be achieved. |
| 4.15                  | A minimum 50% of the private open space required for the dwelling house and a minimum 50% of the private open space of a dwelling on an adjoining allotment must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining allotment, the development must not result with additional overshadowing on the affected private open space. | Complies.<br><br>The proposal exceeds the solar access requirements to POS.  |
| 4.16                  | Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the allotment and neighbouring properties.  | The proposal does not reduce solar access to existing dwellings or inhibit the potential for solar access compliance for future dwellings on neighbouring properties.                          |
| <i>Visual privacy</i> |  |  |

| Reference | DCP Control  | Assessment of compliance  |
|-----------|--|---|
| 4.17      | <p>Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5 metres above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5 metres above floor level; or (d) use another form of screening to the satisfaction of Council.</p>  | <p>Complies with justification.</p> <p>Refer to 2.16 of this table</p>                                    |
| 4.18      | <p>Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where: (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5 metres above floor level; or (c) the window has translucent glazing to a minimum height of 1.5 metres above floor level; or (d) the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.</p> | <p>Complies. Refer to 2.17 of this table.</p> <p>No screening or other privacy measures are required.</p> |
| 4.19      | <p>Council may allow dual occupancies to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design: (a) does not have an external staircase;</p>   | <p>N/A</p>  |

| Reference | DCP Control  | Assessment of compliance  |
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|           | and (b) does not exceed a width of 1.5 metres throughout; and (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.   |   |
| 4.20      | Council does not allow dual occupancies to have roof-top balconies and the like.   | N/A   |
| 4.22      | <p>The design of dual occupancies must ensure:</p> <p>(a) the street facade of dual occupancies (attached) adopt an asymmetrical design to provide each dwelling with an individual identity when viewed from the street; or</p> <p>(b) the street facade of dual occupancies (attached) or dual occupancies (detached) incorporate architectural elements that are compatible with the asymmetrical appearance of neighbouring dwelling houses, particularly where a pattern is established by a group of adjoining dwelling houses; and</p> <p>(c) the front porch and one or more living area or bedroom windows to each dwelling face the street; and</p> <p>(d) the garage, driveway and front fence do not dominate the front of the building and front yard; and</p> <p>(e) the two dwellings on a corner allotment each face a different frontage.</p> | <p>Complies.</p> <p>Each dual occupancy incorporates variations in roof design, materials, paint finishes and proportions.</p> <p>Each D.O dwelling contains a porch and a habitable room (media room or bedroom) facing the street to provide passive surveillance.</p> <p>The design of each dual occupancy ensures garages and driveways do not dominate the streetscape. This is achieved by siting double garage homes on wider lots so as not to dominate the building frontage. No front fences are proposed.</p> <p>e) Dwelling 142 and 141 are located on the corner of Road 1 and Road 6. Both dwellings are orientated towards Road 1.</p> |

| Reference                        | DCP Control  | Assessment of compliance  |
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|                                  |  | <p>There is limited value in re-orientating dwelling 142 considering the legibility of the sequential run of homes along this street frontage.</p> <p>Further, the proposed 3m secondary setback, limited building length of 11.3m and excess landscape area to the DCP requirements and provides a suitable presentation of this home to Road No. 6.</p> |
| 4.23                             | The maximum roof pitch for dual occupancies is 35 degrees.   | Complies.   |
| 4.25                             | The design of dormers  | N/A   |
| 4.26                             | Development in the foreshore protection area   | <p>N/A</p> <p>The subject land is not in the foreshore protection area.</p>   |
| Building design<br>(car parking) |  |   |
| 4.28                             | Development must locate the car parking spaces behind the front building line with at least one covered car parking space for weather protection. Despite this clause, Council may | <p>Complies.</p> <p>Each dwelling (detached dwelling and as part of a detached dual occupancy) provide a minimum of two spaces for each dwelling.</p>   |

| Reference | DCP Control  | Assessment of compliance  |
|-----------|--|---|
|           | <p>allow one car parking space per dwelling to locate forward of the front building line provided:</p> <p>(a) the car parking space forward of the front building line is uncovered and located in a stacked arrangement on the driveway in front of the covered car parking space; and</p> <p>(b) the covered car parking space is setback a minimum 6 metres from the primary and secondary frontages.</p> | <p>Attached dual occupancies/semi-detached dwelling: 1 space on lock up garage behind the building line as well as one space within driveway for each dwelling.</p> <p>Detached dual occupancies: Two spaces within lock up garage behind the building line</p> <p>All parking spaces have direct access to the roads constructed under preceding applications.</p>   |
| 4.29      | <p>Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. Council does not permit internal stacked or tandem garages.</p>  | <p>Complies.</p> <p>The garages integrate with the dwelling design and future streetscape character. The proposed double garages do not dominate the streetscape as they are located on wider lots ensuring that the garage widths are a small component of the dwelling and lot width. Further, the proposed double garages are set back a minimum of 7.5m from the front property boundary except for the garage on lot 142 which is setback 3m from the secondary road and does not dominate street façade considering it is detached from the corresponding dwelling.</p> |

| Reference   | DCP Control   | Assessment of compliance  |
|-------------|---|---|
| 4.30        | Where development proposes a garage with more than two car parking spaces facing the street   | N/A   |
| Landscaping |   |   |
| 4.31        | Development must retain and protect any significant trees on the allotment and adjoining allotments. To achieve this clause, the development may require a design alteration or a reduction in the size of the dual occupancy.  | The broader tree assessment and removal has been undertaken in accordance with preceding approval DA 4-2020.<br>Council may seek to impose tree protection measures for trees in the vicinity of works subject to this proposal where necessary.  |
| 4.32        | Development must landscape the following areas on the allotment by way of trees and shrubs with preference given to native vegetation endemic to the City of Bankstown (refer to Appendix 4 and Appendix 5 for a list of suitable species):<br>(a) a minimum 45% of the area between the dual occupancy and the primary road frontage; and (b) a minimum 45% of the area between the dual occupancy and the secondary road frontage; and (c) plant at least one 75 litre tree between the dual occupancy and the primary road frontage (refer to Appendix 5 for a list of suitable trees in the City of Bankstown (d) for development in the foreshore protection area (refer to map in Appendix 1), plant native trees with a mature height greater than 12 metres adjacent to the waterbody | Complies with justification<br><br>Proposed lots 081,082 122 do not comply with 45% landscaping within the front setback with a shortfall of 3.5% (2.7sqm) or less within each lot.<br><br>In each case compliance can be achieved via the deletion of the pedestrian pathway. Although pedestrian access may be obtained via the driveway, the deletion of the pathway is not considered a better outcome. The non-compliance should be supported based on the following.<br><br>- The scale of noncompliance is minor in nature and when viewed from the street at completion, the delineation of a compliant to non-compliant landscaping ratio would not be discernible |

| Reference   | DCP Control  | Assessment of compliance   |
|---|--|--|
|   |  | <ul style="list-style-type: none"> <li>- The overall front setback landscape ratio along the Road 1 streetscape under this DA well exceeds the 45% requirement</li> <li>- Adequate deep soil landscaping areas are provided</li> <li>- The non-compliance does not inhibit planting density per compliant front setback areas as illustrated in the landscape plan</li> <li>- The compromised front setback area is a result of slightly irregular lot geometry</li> </ul> <p>Please see numerical calculations contained within the architectural plans relating to landscape coverage.</p> <p>The proposed landscape plans include the embellishment front setback area with land with the planting of shrubs, a 100L pot size tree and feature landscaping (refer to enclosed landscape plan)</p> |
| <b>Chapter 11 – Key Development Sites</b>                           |  |  |
| <b>Chapter 11.5 – Former Riverlands Golf Course Site – Milperra</b> |  |  |
|   | This section applies to the proposal.  | <p>Complies</p> <p>The proposed development is located within the former Riverlands Golf Course Site.</p>  |
| 1.1   | Development that proposes the subdivision of land must submit a concept subdivision plan, landscape plan and | Complies   |

| Reference | DCP Control  | Assessment of compliance   |
|-----------|--|--|
|           | 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.  | The proposal seeks to develop eight residential lots approved under DA 4-2020. This assessment processed applied a stringent assessment of significant floor and fauna, life expectancy of existing trees, infrastructure design and required regrading/bulk earthworks and roads required to deliver the master planned subdivision. These works are to be completed prior to the construction of the proposed dwellings. |
| 1.2       | The intended outcomes of the concept subdivision plan, landscape plan and detailed tree survey are:<br>(a) to identify the overall strategic vision and guiding principles to the subdivision and development of the site;<br>(b) to demonstrate the opportunities and constraints of the site;<br>(c) to contribute to the sustainable growth of the city; and<br>(d) to respond and contribute to the local context and the urban structure of the city. | Complies<br>This provision relates to the subdivision (approved under DA 04-2020) which approved the parent lots subject to this proposal. The proposal complies with this requirement.  |
| 1.3       | 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 [matters outlined below].  | Complies<br>This provision relates to the subdivision (approved under DA 04-2020) which approved the parent lots subject to this proposal. The proposal complies with this requirement.  |

| Reference  | DCP Control   | Assessment of compliance  |
|--|---|---|
| (a) Design principles                                | <p>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:</p> <ul style="list-style-type: none"> <li>(i) Context and character studies.</li> <li>(ii) Visual assessment of the site and the local context.</li> <li>(iii) Survey of the site and neighbouring buildings.</li> <li>(iv) Survey of the topography, stormwater and drainage systems, trees, vegetation and landscape</li> </ul> | <p>Complies</p> <p>This provision relates to the subdivision (approved under DA 04-2020) which approved the parent lots subject to this proposal. This control primarily relates to the parent subdivision and development of the site approved under DA 04-2020. The proposal complies with this requirement.</p> <p>The proposed dwellings have been designed in an integrated manner by considering streetscape and dwelling siting of adjoining lots subject to future applications. The 'turkey' delivery model also ensures that the proposal delivers all the landscaping, driveways, services etc ensuring consistency in character and a cohesive streetscape. The site levels are set by bulk earthworks completed under the previous approvals, and ensures stormwater drainage, tree protection and landscape enhancement have all been considered on an estate wide basis.</p> |
| (b) The studies which informed the planning proposal | <p>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:</p> <ul style="list-style-type: none"> <li>(i) 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.</li> </ul>  | <p>The proposal does not contravene the recommendations contained in the listed studies.</p> <p>There are no remnant trees located within the subject land. The broader tree assessment and removal has been undertaken in accordance with preceding approval DA 4-2020.</p> <p>As proposed earthworks are minor in nature and result in a balanced cut and fill, there is no expectation of impact on</p>  |

| Reference | DCP Control   | Assessment of compliance   |
|-----------|---|--|
|           | <p>(ii) The 'Fauna Habitat &amp; Species Constraints to Potential Redevelopment of the Riverlands Golf Course, Milperra', dated 22 January 2012, prepared by Ambrose Ecological Services.</p> <p>(iii) The 'Fauna Investigation and Tree Retention Advice', dated June 2015, prepared by NGH Environmental.</p> <p>(iv) The 'Riverlands Flood Study and Evacuation Plan', dated April 2012, prepared by BMT WBM.</p> <p>(v) The 'Bushfire Assessment', dated 30 April 2012, prepared by Eco Logical Australia.</p> <p>(vi) The 'Aboriginal Heritage Study', dated May 2012, prepared by Archaeological &amp; Heritage Management Solutions. This includes the need for subdivision development to undertake additional archaeological investigations in accordance with relevant statutory requirements and guidelines.</p> <p>(vii) The 'Phase 2 Environmental Site Assessment– Riverlands Environmental Site Assessment', dated July 2015, prepared by Environmental Strategies.</p> <p>(viii) The 'Acid Sulfate Soil Preliminary Site Investigation', dated December 2011, prepared by Sydney Environmental &amp; Soil Laboratory.</p> <p>(ix) The 'River Bank Stabilisation Study', dated April 2014, prepared by National Project Consultants.</p> | <p>aboriginal heritage; no need for remediation or consideration of acid sulfate soils.</p> <p>The proposed floor levels are in accordance with the GHD flood assessment which incorporates climate change in completed modelling. If required, a certificate from a suitably qualified engineer can be requested via a condition of consent stating that the proposal complies with the recommendations provided in the Milperra Riverlands DA Flooding Assessment Subdivision Report prepared by GHD dated 23 March 2022.</p> <p>In many instances, subsequent reports have been carried out to those listed in this section which are considered relevant to the proposal and updated in line with legislative requirements.</p> <p>The proposal does not trigger any timing threshold requirements contained within the VPA.</p> |

| Reference  | DCP Control  | Assessment of compliance   |
|--|--|--|
|  | (x) The Riverlands Golf Course voluntary planning agreement and corresponding vegetation management plan   |  |
| (c)<br>Sustainability and energy efficiency outcomes | <p>The design and layout of the streets, lots and subsequent development must have regard to the sustainability and energy efficiency outcomes through design including:</p> <p>(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.</p> <p>(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.</p> <p>(iii) The provision of deep soil zones and landscaping.</p> <p>(iv) Passive surveillance.</p> | <p>Complies</p> <p>The proposal seeks to subdivide lots created under preceding approvals (including DA 04-2020). Civils works being carried out are in accordance with these approvals which have considered sustainability outcomes to the satisfaction to the consent authority.</p> <p>Dwelling and site landscaping:</p> <p>Refer to enclosed BASIX and NatHERS certificates which demonstrate compliance with sustainability and energy efficient requirements, adequate solar access and material selection to encourage sustainability in future building use. Low lying shrubs and strategic placement of trees ensures passive surveillance of public areas is provided.</p> |

| Reference                    | DCP Control   | Assessment of compliance   |
|------------------------------|---|--|
| (d) Built form and character | <p>The design and layout of the streets, lots and subsequent development must:</p> <p>(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.</p> <p>(ii) Provide for a variety of lot widths other than 15 metres to encourage a diversity of house and dual occupancy designs.</p> | <p>Complies</p> <p>The proposal road layout was designed and constructed under preceding approvals (including DA 04-2020). Civils works being carried out are in accordance with these approvals. The re-subdivision of the lots to deliver dual occupancies provides adequate amenity to occupants and future adjoining land subject to further applications to Council.</p> <p>The proposed lot widths ranges are in accordance with intended development pattern approved under DA 04-2020.</p> <p>The proposed dwelling designs have considered the existing and emerging development forms in the area (which consist of both hipped and flat roof forms) of various finishes. The precinct will establish its own character due to the scale of the neighbourhood (over 300 dwelling in total) which also provides opportunity to provide a mix of dwelling home styles.</p> <p>The dwellings do not overwhelm the existing dwellings located directly west.</p> |
| (e) Traffic and access       | <p>The design and layout of the streets, lots and subsequent development must have regard to traffic and access including:</p> <p>(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</p>  | <p>Complies</p> <p>In terms of the land subdivision, this provision relates to the subdivision (approved under DA 04-2020) and road upgrades consents which set the road layout and precinct wide movement networks.</p>   |

| Reference                                       | DCP Control  | Assessment of compliance  |
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|   | <p>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.</p> <p>(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.</p> <p>(iii) The pedestrian / cycle link between the site and the public open space on the foreshore.</p> <p>(iv) The evacuation routes for residents during flooding.</p> | <p>The proposed dwellings do not contravene the objectives of the development consent and will allow for the progression of path and landscaping directly associated with this portion of the subdivision.</p> <p>The proposed driveways comply with Councils engineering requirements.</p> <p>Precinct wide flood study concludes that all dwellings will have access to the pedestrian and public road network and flood evacuation routes. (refer to GHD and Molino flood assessments provided under preceding approvals for the site)</p>   |
| (f)<br>Infrastructure and stormwater management | <p>The design and layout of the streets, lots and subsequent development must have regard to infrastructure and stormwater management including:</p> <p>(i) The works to be undertaken in accordance with the Riverlands Golf Course voluntary planning agreement and corresponding vegetation management plan.</p> <p>(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.</p> <p>(iii) Access for Council's waste trucks and emergency vehicles.</p>                     | <p>Complies</p> <p>The lot and road layout relates to the overall precinct wide subdivision and road layout (approved under DA 04-2020).</p> <p>The proposal does not seek to amend the road layout as approved.</p> <p>The construction of Keys Parade under DA 108-2020 and local roads provide access to the district road network for residents. With regard to stormwater the proposed dwellings include a rainwater storage and reuse potential while overflow will be directed to the wider drainage network which will include WSUD measures per consent DA 4-2020 and other approvals. The</p> |

| Reference                                 | DCP Control  | Assessment of compliance   |
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|   | <p>(iv) The integration of the streets and development with the overland flow paths shown in Figure 2.</p> <p>(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.</p> <p>(vi) The siting of the electricity power lines and telecommunication lines underground in accordance with the bushfire assessment, and urban design and streetscape guidelines.</p> | proposed development complies with the runoff assumptions within the approved precinct wide drainage infrastructure design.  |
| <i>Development – general requirements</i> |  |  |
| 1.4                                       | 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.  | <p>Complies</p> <p>The proposed subdivision and landscaping comply with DA 04-2020. Landscaping on proposed individual lots comply as per the assessment provided within relevant parts of this table.</p> |
| 1.5                                       | 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   | <p>Complies</p> <p>The lot and road layout relates to the subdivision (approved under DA 04-2020) which approved the parent lots subject to this proposal.</p>   |

| Reference | DCP Control   | Assessment of compliance  |
|-----------|---|---|
|           | the character, amenity and built form of the established Milperra neighbourhood area.   | <p>The re-subdivision of the lots to deliver dual occupancies provides adequate amenity to occupants and future adjoining land subject to further applications to Council.</p> <p>Lot widths and configuration follow the intended development pattern approved under DA 04-2020.</p> <p>The proposed dwelling designs have considered the existing and emerging development forms in the area (which consist of both hipped and flat roof forms) of various finishes. The precinct will establish its own character due to the scale of the neighbourhood (over 300 dwellings in total) which also provides opportunity to provide a mix of dwelling home styles. Housing variety should be gauged by considering previous dwelling approvals within the site rather than this DA exclusively.</p> <p>The dwellings do not overwhelm the existing dwellings located directly west.</p> |
| 1.6       | Development on the site must locate the electricity power lines and telecommunication lines underground.  | <p>Complies</p> <p>All services are to be located underground.</p>  |
| 1.7       | 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. | <p>These considerations were addressed during the assessment of DA 4-2020.</p>  |

| Reference | DCP Control  | Assessment of compliance  |
|-----------|--|---|
| 1.8       | <p>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:</p> <p>(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.</p> <p>(b) The 'Fauna Habitat &amp; Species Constraints to Potential Redevelopment of the Riverlands Golf Course, Milperra', dated 22 January 2012, prepared by Ambrose Ecological Services.</p> <p>(c) The 'Fauna Investigation and Tree Retention Advice', dated June 2015, prepared by NGH Environmental.</p> <p>(d) The Riverlands Golf Course voluntary planning agreement and corresponding vegetation management plan.</p> | <p>These considerations were addressed during the assessment of DA 4-2020. The proposal does not contravene the recommendations contained in the listed studies.</p> <p>Land subject to this proposal does not contain remnant tree or vegetation and is not affected by flooding or bushfire.</p> <p>The proposal does not trigger any timing threshold requirements contained within the VPA.</p> |
| 1.9       | <p>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.</p>   | <p>Complies</p> <p>These considerations were addressed during the assessment of DA 4-2020.</p>  |

| Reference  | DCP Control   | Assessment of compliance   |
|--|---|--|
|  | <p>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:</p> <p>a-the development minimises disturbance and adverse impacts on the native vegetation and habitat; and</p> <p>(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</p> <p>c) measures have been considered to achieve no net loss of significant native vegetation or habitat.</p> |  |
| <i>Stormwater and water sensitive urban design</i> |   |  |
| 1.10   | <p>Development on the site must submit a Water Management Plan that provides the following details:</p> <p>(i) the stormwater management methods during construction and post construction; and</p> <p>(ii) how the water sensitive urban design methods will be used to meet</p>   | <p>Complies</p> <p>Stormwater will be connected to the precinct wide drainage network approved under DA 04-2020 which includes WSUD measures for water quality.</p> <p>The enclosed plans outline sediment control measures and stormwater design for each dwelling.</p> |

| Reference | DCP Control  | Assessment of compliance   |
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|           | <p>the stormwater reduction targets set out in the Botany Bay and</p> <p>Catchment Water Quality Improvement Plan for greenfield development / large redevelopment.</p>  |  |
| 1.11      | <p>In deciding whether to grant development consent to development on the site, Council must be satisfied that:</p> <p>(a) water sensitive urban design principles are incorporated into the design of the development; and</p> <p>(b) riparian, stormwater and flooding measures are integrated; and</p> <p>(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</p> <p>(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.</p> <p>For the purposes of this clause, the water sensitive urban design principles are:</p> <p>(i) protection and enhancement of natural waterways;</p> | <p>Stormwater will be connected to the precinct wide drainage network approved under DA 04-2020 which includes WSUD measures for water quality. This approval outlines temporary and finite stormwater treatment.</p> <p>The enclosed plans outline sediment control measures and stormwater design for each dwelling.</p> <p>Each proposed dwelling is provided with rainwater storage tanks in accordance with BASIX requirements. The proposed development complies with the runoff assumptions within the approved precinct wide drainage infrastructure design.</p> <p>Precinct wide drainage management considers the relevant DCP provisions.</p> |

| Reference | DCP Control  | Assessment of compliance |
|-----------|--|--------------------------|
|           | <p>(ii) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments;</p> <p>(iii) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes;</p> <p>(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;</p> <p>(v) retention, where practical, of on-site stormwater for use as an alternative supply to mains water, groundwater or river water;</p> <p>(vi) reduce peak flows through storage and infiltration.</p> |                          |

END