

STATEMENT OF ENVIRONMENTAL EFFECTS

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<u>n Dolan Dolan Dol</u> TO DEMOLISH THE EXISTING **DWELLING WITH ASSOCIATED STRUCTURES & CONSTRUCT A TWO-STOREY DUAL OCCUPANCY** (ATTACHED) DEVELOPMENT WITH TORRENS TITLE SUBDIVISION **117 REMLY STREET, ROSELANDS** (LOT 62 DP 11322) 31/3/2025

D-Plan Urban Planning Consultants Pty Ltd

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1. Compliance Table

1.0 EXECUTIVE SUMMARY

Canterbury Bankstown Council promotes well-designed residential development that does not intrude on the amenity of existing neighbourhoods. The proposed development satisfactorily achieves Council's objective in that it respects the characteristics of the immediate locality and incorporates best planning practice.

A trend for improvement is evident in the locality with older dwellings on large allotments being replaced with new development, including dual occupancies.

Dual occupancy development is an acceptable form of housing when good planning and urban design controls are established to guide the building industry. Council has comprehensive planning and urban design standards to ensure that this form of development complements existing residential areas.

Desired outcomes such as, large soft soil areas and streetscape amenity are more easily achieved with dual occupancy development than any other low to medium density form of housing.

The locality provides good opportunity for redevelopment because of existing infrastructure including the availability of shops, schools and public transport.

The proposed development incorporates thoughtful design and complies with Council's LEP and most DCP requirements, resulting in a high-quality development that will enhance the locality.

2.0 SITE/LOCALITY DESCRIPTION

The subject land, No. 117 (Lot 62 DP 11322) Remly Street, Roselands is located on the southwestern side of the road, between Moorefields Road and Rogers Street. The site is rectangular in shape, with a frontage of 15.24m, a length of 47.24m and comprises a total site area of 719.9m².

There is an aging single storey clad dwelling with associated structures currently on the site which will be demolished to make way for the proposed development.

The surrounding neighbourhood is characterised by:

- Detached single and two-storey dwellings with interspersed dual occupancy and multi dwelling housing development;
- Standard width road reserves with paved nature strips;
- Relatively consistent street tree planting theme along Remly Street;
- Mixture of front fencing styles and heights; and
- McCallums Hill Public School, located opposite the subject site, also influences the character of the locality.



Locality Map



Photo – Subject site



Photo – Streetscape (Note: the locality comprises a variety of building forms, including one and two-storey dwellings with interspersed dual occupancy and multi-dwelling housing development. A relatively consistent street tree planting theme contributes to the streetscape amenity)

3.0 THE PROPOSAL

The proposal is to demolish the existing dwelling with associated structures and construct a two-storey dual occupancy (attached) development with Torrens Title subdivision.



Front Elevation

4.0 RELEVANT PLANNING CONTROLS

4.1 <u>State Environmental Planning Policy (Resilience and Hazards) 2021</u>

Remediation of Land (Chapter 4)

A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Being in a well-established residential area it is unlikely that the site is contaminated. A Preliminary Site Investigation is not considered necessary under the circumstances.

4.2 <u>Canterbury-Bankstown Local Environmental Plan 2023</u> (LEP)

The subject site is within Zone R3 Medium Density Residential under Canterbury-Bankstown Local Environmental Plan 2023 (LEP). The proposed development is permissible with the consent of Council provided that the proposal complies with all relevant clauses in the LEP.

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



Zoning Map

Relevant Clause	Comment	√ /X
Clause 4.1A – Minimum lot size and special provisions for dual occupancy In Area 2, a minimum allotment size of 600m ² and width of 15m at the front building line is stipulated for dual occupancy development. In Area 2, the consent authority may grant development consent for the subdivision of: (a) a dual occupancy if the size of each lot to be created will be at least 300 square metres	The subject site comprises an area of 719.9m ² and a width of 15.24m at the front building line which satisfies the requirements of the clause. It is proposed to subdivide the development (Torrens Title) to create separate titles for each dwelling and the proposed lot areas are: • Lot 621– 360m ² • Lot 622 - 360m ² Both lots are identical in size and configuration and exceed the minimum lot size requirement.	\checkmark
Clause 4.3 – Height of Buildings The Height of Building Map categorises the site within the maximum <u>8.5m</u> building height limit.	The proposed development has a maximum height of <u>6.637m</u> which satisfies the requirements of the clause.	\checkmark
Clause 4.4 – Floor Space Ratio The FSR Map indicates a maximum FSR of <u>0.5:1</u> for the subject site.	The proposal complies with this clause, having an FSR of 0.48:1. Once subdivided each dwelling also occupies an FSR of less than 0.5:1 on their respective allotment.	\checkmark
Clause 4.6 – Exceptions to development standards Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument.	In this regard, NO variation requests are required as the proposal complies with all development standards contained in CBLEP 2023.	\checkmark
Clause 5.10 - Heritage Conservation	The subject site is not listed as a heritage item or located in the immediate vicinity of any heritage-listed items.	\checkmark
Clause 5.21 - Flood Planning	The site is not identified as being flood affected.	\checkmark
Clause 6.1 - Acid Sulfate Soils	According to the Acid Sulfate Soils Map, the subject site is not within any category which may limit excavation of the kind proposed (i.e., the site works would not affect the structural viability of the building due to the existing soil conditions).	\checkmark

Clause 6.2 - Earthworks	Standard slab on ground construction with minimal excavation, due to the crossfall of the site, is required to establish the building platform at the required levels. The Hydraulic Details Plan demonstrates that stormwater can be appropriately drained, as such, no detrimental impacts are envisaged. The proposal aims to achieve the highest and best use of the site, therefore, the future housing needs of the community are being accommodated for. Excavated material taken from the site is unlikely to be contaminated, therefore, reuse would be acceptable. The design of the proposed development takes into account the preservation of amenity to adjoining properties, particularly in relation to controlled stormwater drainage and reasonable ground floor levels.	~
	Being an established residential area, it is unlikely that any relics will be found on the site. There are no natural water courses in the immediate vicinity of the subject site.	
Clause 6.3 - Stormwater Management	The accompanying Hydraulic Details Plan, prepared by a suitably qualified practitioner, identifies the measures to be implemented so as to satisfy the considerations of this clause. Specific conditions of consent can be included to ensure compliance.	\checkmark
Clause 6.7 - Development in areas subject to aircraft noise	The subject site is not affected by aircraft noise.	\checkmark
Development consent must not be granted to development for the purposes of a dual occupancy on land in the vicinity of the Bankstown Airport where the ANEF contour exceeds 25.		

4.3 Canterbury-Bankstown DCP 2023

Chapter 2 - Site Considerations

Site Analysis

Site constraints and opportunities were carefully considered in the design of the development. It is evident that the design of the proposed development will not detract from the existing streetscape of Remly Street.

The composite streetscape comprises a variety of building forms. The bulk and scale of the proposed development is reduced by accommodating a clearly defined **base** element.

The following design principles were incorporated to ensure that the proposed development fits in with adjoining development, viz:

- Relatively consistent building line;
- Front doors face the street;
- Passive surveillance opportunities;
- Subservient car parking; and
- New landscaping.

The size and shape of the subject site easily accommodates the building form with adequate land for landscaping, access and parking, outdoor recreation and clothes drying. The design provides for a good relationship between the indoor and outdoor living spaces. A substantial portion of the site will remain as soft soil capable of accommodating landscaping.

Access to sunlight is available to the private open space areas of the proposed and adjoining dwellings in accordance with the DCP requirement. Existing microclimate conditions will not be significantly affected as a result of the proposed development.

Tree Management

The proposal does not involve the removal of any significant trees.

Formalised landscaping will enhance the future amenity of the site and locality, as indicated on the Landscape Plan.

Chapter 3 - General Requirements

Parking

One car parking space has been provided for each dwelling in the form of a single width garage in lieu of the 2 spaces required under the DCP. The main reason being that there is an existing pedestrian crossing positioned directly in front of the subject site, which prevents the provision of a new access point.

The nexus of the DCP requirement is based on the number of bedrooms (i.e., in this instance more than 2 bedrooms are proposed for each dwelling), therefore, a variation is sought based on the following:

- A turning area is provided for safe ingress and egress, with vehicles being able to enter and leave in a forward direction;
- The existing driveway access point will be utilized, avoiding any street interface changes;
- There are ample car parking opportunities in front of the school on the opposite side of the street (i.e., there are no residential properties on the opposite side of the street); and
- Remly Street forms the rear aspect of the school with the main parking area, drop off and pick up zones being from the front entry (i.e., McCallum Street), as such, the additional traffic generated by the proposed development will have a negligible impact on pedestrian safety, the existing traffic conditions and the servicing of intersections in the immediate locality.

Waste Controls

A Waste Management Plan accompanies this application. The plan adopts the principles of *Avoid Reuse Recycle and Dispose* to minimise landfill waste.

Sustainable Development

Consideration has been given to achieving ESD objectives at the design and development stages, viz:

- o A Waste Management Plan accompanies the application;
- Each dwelling has been designed to achieve a satisfactory energy efficiency rating through orientation and the use of building materials with thermal properties. The BASIX Certificates demonstrate that the design is satisfactory in terms of this consideration;
- Public transport is readily available (Bus/Rail links within walking distance);
- o Soft soil areas will be available to establish native landscaping; and
- Stormwater will be collected and disposed of in a manner that complies with Council's requirements.

Chapter 5 - Residential Accommodation

All relevant numeric DCP requirements have been tabulated and are provided as *Attachment 1 - Compliance Table*, with additional comments provided below:

Desired Character

The surrounding neighbourhood is characterised by a mixture of residential development including:

- Detached single and two-storey dwellings with interspersed dual occupancy and multi dwelling housing development;
- Standard width road reserves with paved nature strips;
- Relatively consistent street tree planting theme along Remly Street;
- Mixture of front fencing styles and heights; and
- McCallums Hill Public School, located opposite the subject site, also influences the character of the locality.

The proposed development will continue an already emerging trend for improvement with newer building forms and densities. The design incorporates contemporary architectural themes with articulation, boxed elements and window highlights, colours and textures and a complementary low-pitched (flat) roof design.

Garage dominance issues are addressed by:

- Limiting the width of the garage doors to less than 50% of the façade width;
- Emphasis on design features i.e., entry porticos, balconies and parapet finishes; and
- The use of subservient colouring.

The proposed development is two-storey construction with articulation and effective design features, including colours and textures. In terms of bulk and scale, it is compatible with adjoining and nearby development, whilst design elements provide articulation and new landscaping will enhance the amenity of the streetscape.

Dual Occupancies and Semi-Detached Dwellings

Lot Size and Frontage

In this regard, the LEP requires a minimum site area of 600m² for dual occupancy development, which the subject site easily complies with, comprising a site area of **719.9m²**.

It is proposed to subdivide the development (Torrens Title) and the resulting lot configurations are provided in the table below, viz:

Lot	Frontage	Area
621	7.62m	360m ²
622	7.62m	360m ²

The subject site exceeds the minimum 15m frontage width requirement and once subdivided each lot has a site width of more than 7.5m as required.

Private Open Space

The amount of open space available and the selection of planting nominated on the Landscape Plan will achieve the objectives outlined in the DCP as follows:

- Screening between adjoining properties;
- Softening the visual impact of hard surface areas and car parking spaces;
- Appropriate species selection for the climate; and
- > Enhancement of the streetscape amenity.

There will be sufficient space available for soft soil landscaping with native species of trees and shrubs to assist in microclimatic processes.

Private open space has been provided for each dwelling in excess of the DCP requirement (i.e., greater than 50m² - see *Attachment 1 – Compliance Table*) and is contained within a usable area, having dimensions greater than 5m with direct access from Family rooms.

Layout and Orientation

Appropriate measures have been implemented to ensure that internal habitable areas and private open spaces areas receive reasonable solar access.

Building Envelope

Floor Space Ratio - as mentioned earlier, the proposal equates to an FSR of <u>0.48:1</u> which complies with the requirements of the clause. In terms of bulk and scale, the proposed development is comparable to adjoining and nearby development and will not detract from the amenity of the neighbourhood.

Height - the DCP stipulates a maximum height of two-storeys with a maximum external wall height of 7m and overall maximum height (ridge) of 8.5m for dual occupancy development, as being appropriate in satisfying the abovementioned objective. The proposed two-storey development comprises a wall height of **6.498m** and maximum height of **6.637m** which complies with the controls.

Site works associated with the development are not considered excessive, with the maximum cut/fill level being less than 1m.

Setbacks

Front - the DCP requires a minimum front setback of 6m, which the proposal complies with, having a minimum setback of <u>7.5m</u>. Design features assist in garage subservience.

Side setbacks – side setbacks have been provided, taking into account the minimum stipulated in the DCP, being 1.2m, with side setbacks for the proposal being 1.205m and 1.205m.

Rear setback – the proposal provides a large rear setback (i.e., <u>16.71m)</u>, greater than the minimum prescribed by the DCP.

Building Depth - the proposed building depth does not exceed 25m.

Building Design

General Design - Council's guidelines for design of dual occupancies require the following issues to be considered:

- Reflect traditional features in contemporary designs.
- Design must be compatible to existing residential development.
- Front elevation of dwellings must address the street.
- Address both street frontages on corner sites.
- Promote passive surveillance opportunities by positioning habitable rooms to face the street.
- Building form and rooflines need to be considered.
- Garage structures must not dominate the street frontage.

Given that the subject site is located in a "mid-block" situation, a substantial soft soil zone at the rear of each dwelling has been provided which achieves the desired outcome of the DCP. The entry porches and front doors of each dwelling are clearly visible from the street which promotes safety and security. Thoughtful orientation of windows, doors and rooflines has produced an aesthetically pleasing façade to the development that contributes to the streetscape amenity. The opportunities and constraints of the site have been considered and an option for development has been selected that minimises any adverse impacts on adjoining properties as follows:

- Compliant boundary offsets have been provided;
- The proposed design incorporates the effective use of design elements and punctuations to articulate the building, which effectively minimises the bulk and scale of the development;
- The bulk and scale of the building is reduced through the provision of **base**, **middle** and **top** elements;
- A turning area has been provided to enable vehicles the enter and leave the site in a forward direction (Note: given the context of the site, i.e., being opposite a school and adjacent to a pedestrian crossing, safe ingress and egress was considered to be of paramount importance). Additional comment is provided further in the report.
- Appropriate landscaping has been provided to minimise the impact of hard surface areas within the front setback;
- The shadow diagrams demonstrate minimal impact on adjoining residences (see additional comments further in the Statement);
- Privacy concerns are overcome by minimising the number of first-floor window openings facing side boundaries, raised sill heights and opaque glazing where required, positioning low impacts rooms such as bedrooms and bathrooms on the first-floor level and separation. Boundary fencing and landscaping will effectively screen between adjoining properties;
- The development will be constructed in a variety of building materials with a low pitched roof which is complementary to other buildings in the locality; and
- Design elements contrast the development to be different but complementary to other dwellings in the locality.



Front Elevation

In terms of the streetscape, the locality is characterised by a mixture of residential building forms, including one and two-storey dwellings of various size and architectural style, interspersed dual occupancy and multi-dwelling housing development. The design respects the bulk and scale of adjoining and nearby development in the street. Formalised landscaping will enhance the streetscape amenity.

Internal Dwelling Space and Design – each principle living area and main bedroom of the dwellings must have a minimum width of 3.5m, whilst the secondary bedrooms are to have a minimum width of 3m. The proposed development provides adequately sized living areas and apart from the secondary bedrooms of each dwelling being slightly less than 3m wide (i.e., 15mm short), complies with the control. As seen from the plans, the width deficiency is compensated for in the length of the rooms. Overall, the proposed room sizes are considered adequate for this form of development.

Building Services

All services will be available to each dwelling. The location of garbage bins, TV antennae, satellite dishes etc. will be discrete and not highly visible from the public domain.

Amenity

Solar Access and Overshadowing - the DCP provides the rationale for assessing access to natural sunlight. In this regard, the design aims to achieve:

- To ensure habitable rooms have reasonable daylight access.
- To minimise overshadowing of primary living areas and private open space.
- To enable occupants to adjust the quantity of daylight to suit their needs.

The rooms in each dwelling have been appropriately orientated to receive access to natural sunlight, with exposure to habitable rooms. Likewise, the private open space area of each dwelling in the development will receive sunlight in accordance with the DCP requirement (see Shadow Diagrams).

A stout first-floor building form, increased offsets and single storey elements towards the rear portion of the development all assist in minimising the shadow impact on the adjoining development.

Visual and Acoustic Privacy – privacy concerns are addressed by:

- Minimising the number of first floor windows facing side boundaries;
- Raised sills and opaque glazing where required;
- Positioning low impact rooms such as, bedrooms and bathroom amenities on the upper floor level;
- Compliant offsets; and
- Landscaping.

Acoustic privacy is maintained by appropriately positioning the rooms in each dwelling, separation between adjoining development and the construction method of the party wall between the two dwellings.

4.4 Other Requirements

BASIX

The State Government introduced BASIX, which consolidates planning provisions relating to water consumption and greenhouse gas emissions. BASIX Certificates are provided for the development demonstrating the applicant's commitments in achieving the objectives of the state government's policy. Energy conservation principles will be achieved through the construction method and orientation of the building, together with thoughtful planting of trees and shrubs and the use of materials with thermal massing properties.

Dwelling Entry and Security

Design guidelines outlined in the Crime Prevention through Environmental Design (CPTED) were considered and incorporated as follows:

- Provision of clearly visible entry porches;
- Passive surveillance treatment has been provided through the provision of habitable room windows and first-floor balconies with outlook towards the street;
- Suitable landscaping will produce a defensible open space at the front, resulting in some interaction with the public domain beyond; and
- > Fencing will be provided to prevent intruders from accessing the rear courtyard areas.

Drainage

Council's goal is to develop long term improvements to the health of waterways, which in turn enhances the ecological integrity of the system, whilst balancing the need to manage flooding, waste water and stormwater. To achieve this goal the proposed development provides the following:

- > A Hydraulic Details Plan which demonstrates that stormwater will be collected, stored and discharged in a controlled manner;
- > Rainwater harvesting also assists in reducing direct runoff from the site; and
- > Erosion and sedimentation control measures will be implemented during construction.

4.5 <u>Non-Compliance</u>

Car parking

As mentioned earlier, one car parking space has been provided for each dwelling in the form of a single width garage in lieu of the 2 spaces required under the DCP. The main reason being that there is an existing pedestrian crossing positioned directly in front of the subject site, which prevents the provision of a new access point.

The nexus of the DCP requirement is based on the number of bedrooms (i.e., in this instance more than 2 bedrooms are proposed for each dwelling), therefore, a variation is sought based on the following:

- A turning area is provided for safe ingress and egress, with vehicles being able to enter and leave in a forward direction;
- The existing driveway access point will be utilized, avoiding any street interface changes;
- There are ample car parking opportunities in front of the school on the opposite side of the street (i.e., there are no residential properties on the opposite side of the street); and
- Remly Street forms the rear aspect of the school with the main parking area, drop off and pick up zones being from the front entry (i.e., McCallum Street), as such, the additional traffic generated by the proposed development will have a negligible impact on pedestrian safety, the existing traffic conditions and the servicing of intersections in the immediate locality.

The objectives behind the off-street parking requirements are:

- To ensure development meets the car, bicycle and service vehicle parking demands generated by various land uses – dual occupancy development in most instances/Council areas and when done under SEPP (E&CDC) 2008, requires only one space per dwelling to be provided. This is to reduce reliance on the motor car and encourage the use of public transport. The subject site is ideally located close to main roads and public transport links along Moorefields Road and King Georges Road to local and regional centres such as Roselands Shopping Centre and Bankstown Central. As such, the proposed car parking arrangement satisfies this objective, and the overall intent of the State Government.
- To minimise on-street car parking to ensure road safety and visual aesthetics in terms of on-street car parking, ample opportunity is currently available along Remly Street opposite the subject site (i.e., adjacent to the rear of McCallums Hill Public School). There are no road safety or visual aesthetics implications as a result of cars legally parking along Remly Street.

Given the special circumstances associated with the subject site and its context opposite McCallums Hill Public School, a variation to the car parking generation rate is considered to be justifiable.

Internal Room Sizes

As mentioned earlier, the proposed development provides adequately sized living areas and apart from the secondary bedrooms of each dwelling being slightly less than 3m wide (i.e., 15mm short), complies with the control. As seen from the plans, the width deficiency is compensated for in the length of the rooms. Overall, the proposed room sizes are considered adequate for this form of development and the miniscule shortfall is considered to be inconsequential to any planning outcome.

The heads of consideration under Section 4.15 (previously Section 79C) of the Environmental Planning and Assessment Act 1979 set out the assessment criteria for development applications and the approach that assessing authorities should take.

Sub clause (3A) states:

(3A) <u>**Development control plans</u></u> - If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:</u>**

- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and
- (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and
- (c) may consider those provisions only in connection with the assessment of that development application.

The proposed development mostly complies with the numeric requirements of the DCP and minor shortfalls should not be determining factors to the success of the application.

5.0 CONCLUSION

It is considered that the current strategy of Canterbury-Bankstown Council to promote a variety of housing choice in the locality is being achieved by the proposed development. Council's DCP requirements and good planning principles have been incorporated in the design, which has resulted in a quality development that will enhance the locality.

Consideration has been given to matters listed in Section 4.15 (previously Section 79C) of the Environmental Planning and Assessment Act 1979, concluding that the proposed development warrants approval.

David Bobinac Town Planner

ATTACHMENT 1

COMPLIANCE TABLE

Control	LEP/DCP Requirement	Development Proposal	Complies
Site Area	600m ²	719.9m ²	Yes
Frontage (Prior Sub)	15m	15.24m	Yes
Frontage	7.5m each lot where subdivision is involved	Lot 621 – 7.62m Lot 622 – 7.62m	Yes Yes
Subdivision Lot Size	300m² (min)	(Unit 1) Lot 621 – 360m ² (Unit 2) Lot 622 – 360m ²	Yes Yes
Floor Space Ratio	Max 0.5: 1	0.48: 1	Yes
Building Height	2-Storeys (max) Wall Height – 7m (max) Ridge – 8.5m (max)	2-Storeys 6.498m 6.637m	Yes Yes Yes
Depth/Footprint	25m (max)	< 25m	Yes
Setbacks Front (primary) Secondary Articulation Zone Side	6m (min) 3.5m (min) Encroachment 1m (max) 1.2m (min)	7.5m N/A N/A 1205mm & 1205mm	Yes N/A N/A Yes
Rear Separation	6m (min) 6m (min)	16.71m N/A	Yes N/A
Private Open Space	50m² (min)	Unit 1 – 113.78m² Unit 2 – 117.71m²	Yes Yes
Parking	1 to 2 Bed - 1 space 3+ Bed - 2 spaces	1 space per dwelling	No
Garage Door Width	Max 50% width of dwelling	37.5%	Yes
Cut Fill Finished Ground Level	1m (outside footprint) Max 600mm (outside footprint) 1000mm above NGL	< 1m < 600mm < 1000mm	Yes Yes Yes
Room Dimensions	Living & Main Bed – 3.5m (min) Other Bedrooms – 3m (min)	≻ 3.5m < 3m	Yes No
Storage	3+ Bed – 10m ³ (min)	provided	Yes