



Business Paper

Shire Planning Committee

Monday, 5 March 2018

6.30pm

**Council Chambers,
Level 2, Administration Building,
4-20 Eton Street, Sutherland**

SUTHERLANDSHIRE

ORDER OF BUSINESS

- 1. ACKNOWLEDGEMENT OF COUNTRY**
- 2. APOLOGIES**
- 3. DISCLOSURES OF INTEREST**
- 4. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS**
- 5. PRESENTATIONS**
- 6. REPORTS FROM OFFICERS**
PLN029-18 Results of Exhibition of SSDCP2015- Draft Amendment 2
- 7. QUESTIONS**
- 8. CONSIDERATION OF BUSINESS IN CLOSED SESSION**
- 9. CONFIDENTIAL REPORTS FROM OFFICERS**

PLN029-18 RESULTS OF EXHIBITION OF SSDCP2015- DRAFT AMENDMENT 2

Attachments: Appendix A, [Appendix B](#) and Appendix C

EXECUTIVE SUMMARY

- Sutherland Shire Development Control Plan 2015 (SSDCP2015) Draft Amendment 2 was publicly exhibited between 3 January and 31 January 2018. The draft contains a minor amendment to accommodate the recent subdivision at New Illawarra Road, Barden Ridge (Ridgeway Estate).
- The amendment is to reduce the minimum front setback for dwelling houses from 7.5m to 6m in order to preserve the amenity of rear yards and streamline the assessment of development applications.
- A single anonymous submission was received during this period. The submission did not specifically address the proposed amendment, but was a general objection to further development in the Sutherland Shire.
- Having considered the submission, it is recommended that Sutherland Shire Development Control Plan 2015 Amendment 2 be adopted as exhibited.

REPORT RECOMMENDATION

<p>That Sutherland Shire Development Control Plan 2015 - Amendment 2 be adopted as exhibited</p>
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PURPOSE

This report informs Council on the results of the recent exhibition of Sutherland Shire Development Control Plan 2015 (SSDCP2015) Amendment 2, and seeks endorsement for the amendment to be adopted as exhibited.

BACKGROUND

At its meeting on the 18 December 2017 (PLN025-18), Council resolved to exhibit Draft Amendment 2 to SSDCP2015, attached as Appendices A, B and C to this report. The minor amendment is required to accommodate the recent subdivision (Ridgeway Estate) at New Illawarra Road, Barden Ridge. The land is zoned E4 Environmental Living under Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015). Given the configuration of lots, a reduction of the front setback to 6m will enable greater amenity for residents by preserving sufficient space for rear yards.

The draft was publicly exhibited between 3 January 2018 and 31 January 2018. A single anonymous submission was received during this period. The submission did not specifically address the proposed amendment, but was a general objection to development in the Sutherland Shire.

DISCUSSION

Ridgeway Estate is an approved residential subdivision at 290 New Illawarra Road, Barden Ridge (Lot 3 DP 807482); being a Torrens Title subdivision of 1 lot into 3 super lots, and Community Title subdivision of Super Lot 1 into 133 residential lots, 2 lots for detention basins, 2 lots for neighbourhood parks, public and private roads and associated works. The development application for the subdivision, DA15/1448, was approved by Council in December 2016. The consent was subsequently modified in March 2017 (MA17/0048) and September 2017 (MA17/0376).

The residential subdivision is located within Zone E4 Environmental Living under Sutherland Shire Local Environment Plan 2015. The plan requires a minimum lot size of 550sq.m and minimum dimensions of 18m (wide) and 27m (deep). All 133 residential lots comply with the minimum lot sizes.

The E4 zone is applied to lots with special environmental qualities and constraints. Lots in the eastern parts of the Shire that are within the E4 zone have larger lot sizes of 700-850m². This is because they are located in environmentally sensitive waterfront locations and the larger lot size allows more of the natural qualities of the landscape to be retained. Lots in the western part of the Shire in the E4 zone have a smaller minimum lot size of 550m². Here the main environmental constraint to development is bush fire risk.

The development standards have resulted in smaller lots that are square rather than rectangular in shape. However, this shaped allotment pattern creates difficulties in accommodating standard project home designs. Standard designs are intended for rectangular lots 15m wide and typically have upper storeys that extend towards rear yards. Given the configuration of the smaller lots in the Barden Ridge

subdivision (Ridgeway), a reduced front setback of 6m for dwellings and secondary dwellings will allow for larger rear yards. This will allow more space for trees of scale, swimming pools and the like. Under the DCP provisions, dwellings must still comply with the maximum depth of two storey development which is only permitted on the front of an allotment and for a maximum 60% of the site depth.

Ridgeway is a new subdivision and it is likely that all dwellings will be built at the reduced 6m front setback. Hence adverse impacts on the streetscape are not likely. The new estates at Greenhills also employ a 6 metre front setback and the streetscape outcomes are acceptable. Significant street tree planting is a condition of Development Consent - indigenous street tree species are to be installed in accordance with the Ecologist Report prepared by Cumberland Ecology dated 12 July 2016.

RESOURCING STRATEGY IMPLICATIONS

Amendments to SSDCP2015 are the responsibility of the Strategic Planning Unit and will be carried out within existing resource allocation.

COMMUNITY ENGAGEMENT

Following a public notice in the St George and Sutherland Shire Leader and Liverpool Champion, Draft SSDCP2015 - Amendment 2 was on public exhibition between 3 January and 31 January 2018. Printed copies were available for public viewing in all Sutherland Shire libraries and in the foyer of council's Administration Building on Eton Street, Sutherland. The content was also available digitally on the Join the Conversation platform, accessible through council's website. Submissions could be made via Join the Conversation facility or by post. One submission on the amendment was received, which did not specifically comment on the amendment, but objected to development in the Sutherland Shire generally. It is not relevant to the issues at hand.

STRATEGIC ALIGNMENT

The DCP amendment is consistent with the following outcomes:

Community Strategic Plan Strategy	Delivery Program (2017-2021) Deliverables
1.1.1 Actively engage with the community to understand their views and aspirations	6B Manage new and existing development within a robust and effective framework.
1.4.1 Ensure a strong governance framework that provides transparency, accountability and sustainability.	
6.3.3 Provide streetscapes and public places that are cool, attractive and where people feel safe.	

POLICY AND LEGISLATIVE REQUIREMENTS

The draft amendments to SSDCP2015 were exhibited for public comment in accordance with legislative requirements (Environmental Planning and Assessment Regulation 2000).

CONCLUSION

During the public exhibition of Draft SSDCP2015 - Amendment 2, only one submission was received. The submission was a general objection to development in the Sutherland Shire, particularly in Kirrawee, and did not specifically refer to the proposed amendment. The submission is noted but is not relevant to Council's consideration of the amendment.

Sutherland Shire Development Control Plan 2015 – Amendment 2 is recommended to be adopted as exhibited.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this report is the Manager of Strategic Planning, Mark Carlon who can be contacted on 9710 0523.

File Number: 2017/281376

DCP CHAPTER 1

Introduction

1. DCP Origin

Original		
Action	Date	Reference
Council Endorse Plan	20/04/2015	DAP092-15
Exhibition Start	28/04/2015	
Exhibition Finish	26/05/2015	
Consideration of submissions	21/09/15	DAP026-16 CCL009-16 DAP030-16
Re-exhibition Start	29/09/2015	
Re-exhibition Finish	27/10/2015	
Consideration of submissions	14/12/2015 18/07/2016	EHR032-16 EHR005-17
Council Delegation to South Sydney Planning Panel (SSPP)	18/07/2017 21/11/2016 20/02/2017	EHR006-17 MOT015-07 MM009-17
SSPP Decision	25/07/2017	
Public Notice	2/08/2017	
In effect	2/08/2017	

2. Amendment 1

Minor amendments required to comply with recent changes to legislation and reflect more recent Council policy decisions.

Chapters Amended: 1, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 32, 35, 36, 39 and 42

Original		
Action	Date	Reference
Council Endorse Plan	16/10/2017	PLN016-18
Exhibition Start	8 November 2017	
Exhibition Finish	6 December 2017	
Consideration of submissions		
Public Notice		
In effect		

3. Amendment 2

Minor amendment for front setbacks to Ridgeway Estate, Barden Ridge.

Chapters Amended: 1, 2 and 3.

Original		
Action	Date	Reference
Council Endorse Plan		

DCP CHAPTER 1
Introduction

Sutherland Shire
COUNCIL



Exhibition Start		
Exhibition Finish		
Consideration of submissions		
Public Notice		
In effect		

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DCP CHAPTER 2 Dwelling Houses

2. Building Setbacks

Street Setbacks

Street setbacks establish a consistent front building line and create the proportions of the street. Setbacks contribute to the public domain by enhancing streetscape character and the continuity of building facades. Street setbacks can also be used to enhance the setting for the building by providing for landscaped areas, entries to the dwellings and deep soil zones suitable for planting of canopy trees.

Side and Rear Setbacks

The spatial relationship of buildings is an important determinant of urban form. Building separation affects the spatial continuity and the degree of openness in the street and between properties. Building separation is required to minimise adverse amenity impacts by providing opportunities for landscaping, access, privacy, solar access and private and shared open spaces.

2.1 Objectives

1. Establish the street proportions.
2. Encourage articulated building forms and ensure garages do not dominate the streetscape.
3. Enhance the setting for the building by providing opportunities for landscaping and infiltration of stormwater and protecting the landscape qualities and character of the locality.
4. Promote residential amenity for residents and neighbours including access to natural light and ventilation and both visual and acoustic privacy.
5. Provide adequate access for emergency services within the side setback in bush fire prone areas.
6. Alleviate the visual intrusion of building bulk on neighbouring properties.
7. Minimise view loss from adjoining or nearby properties.

2.2 Controls

1. Street, side and rear setbacks are measured perpendicular from the property boundary to the closest extent of the building, including balconies, awnings, podiums, sunscreens and the like (excluding eaves).

DCP CHAPTER 2 Dwelling Houses

Sutherland Shire
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2. The minimum setbacks required are set out in the table below:

Table 1: Setbacks

Setbacks	Minimum Distance
Front	
Primary street frontage	7.5m – except where the adjoining dwellings are setback greater than or less than 7.5m, in which case it is the established street setback*
	6.0m Greenhills Beach and the Estate known as Ridgeway (Barden Ridge)
Secondary street frontage	3.0m
Internal lot	4.0m
Side	1.5m
Rear	6.0m
Internal lot	4.0m

Note: The 7.5m street setback applies to the primary (narrowest) street frontage.

* The established street setback is the average distance of the setbacks of the nearest dwelling houses having the same primary road boundary and located within 40m of the lot on which the dwelling house is erected. Where the difference between the setbacks of the nearest dwelling houses is less than or equal to 2.0m, the greater or lesser setback may be applied.

DCP CHAPTER 3 Secondary Dwellings

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Figure 3: Established Street Setbacks