Draft Development Control Plan
Extract - Greenhills Beach
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a. Dwelling Houses in Greenhills Beach - E4 Environmental Living Zone

Greenhills Beach is a new suburb east of the established suburban Shire, located towards the Kurnell Peninsula, between Woolooware Bay and Bate Bay. The area is zoned E4 Environmental Living. This zone is the second tier of the environmentally sensitive residential zones within the Sutherland Shire. The zone applies to land with special environmental or scenic values due to its proximity to waterways, bushlands or areas with higher levels of environmental qualities where residential development can be accommodated.

The E4 Environmental Living zone also applies to land with a variety of risk types, in particular areas which are at risk from bushfire and areas where evacuation will be required during bushfires. The eastern parts of Greenhills Beach are subject to bushfire risk and development must be designed accordingly.

Development standards in SSLEP2015 apply to Greenhills Beach. This includes a maximum height of 9m, maximum floor space ratio of 0.55:1, and minimum landscaped area of 40%.

Development in this zone is to give priority to preservation of the particular environmental qualities of the land. Development needs to be sensitively designed and sited so that the natural and scenic qualities of the locality are maintained.

The controls for dwelling houses in this zone aim to deliver well designed homes that respond to natural landforms, minimise the visual impact of new development and protect and enhance the vegetated character of these areas. The controls also aim to ensure an appropriate balance between residential development and a high level of amenity for neighbouring residents.

The controls for secondary dwelling in this zone aim to deliver well designed homes that respond to natural landforms, minimise the visual impact of new development and protect and enhance the vegetated character of these areas. The controls also aim to ensure an appropriate balance between residential development and a high level of amenity for neighbouring residents.
1. Streetscape and Building Form

Streetscape is the urban environment created by the relationship of built elements to the public domain. In the E4 zone the relationship of the built form to the natural environment, is a key consideration. The quality and scale of architecture, landscape elements, natural elements and works in the public domain determine the streetscape character and scenic quality. Ancillary elements of development such as driveways, parking areas and fencing are important elements of the streetscape. To make a positive contribution to the streetscape, new development needs to be compatible with the scale and character of existing buildings and landscape elements.

Architectural quality contributes to the character and quality of both the streetscape and built form when viewed from the street and waterways. High architectural quality requires appropriate composition of building elements, textures, materials and colours and reflects the use, the natural landscape setting, internal design and overall structure of a development.

1.1 Objectives

1. Ensure that all elements of development visible from the street, waterways and public domain make a positive contribution to the foreshore, streetscape and natural features of the area.

2. Ensure development is compatible with the scale, character and landscape setting of the adjoining streetscape, natural setting and scenic quality.

1.2 Controls

1. New dwellings shall be sited so that there is minimal disturbance to the natural landscape.

2. Where a site is subject to bushfire risk, the dwelling should be located where risk factors are less severe.

3. Council may permit excavation for a basement where Council is satisfied that:

   a. The basement does not result in the building having an adverse visual impact when viewed from the public domain, waterway or open space; and

   b. The basement does not result in a building that is incompatible with the established scale or character of the immediate locality or adversely affect the amenity, streetscape and landscape setting.
Note:

**Basement** means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

If a basement construction protrudes more than 1m above ground level, it is no longer defined as a basement. Floor space in a basement may be counted as part of gross floor area. Refer to the definitions of gross floor area in SSLEP2015.

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**Figure1: Building stepping down a site**

5. Roof forms are to be designed to an appropriate size, mass and separation in order to be compatible with the scale and character of existing buildings and landscape elements.

6. Development must be designed and sited so that it addresses the primary street frontage ensuring that the main entry is clearly identifiable from the street.

7. Extensive use of highly reflective materials is not acceptable for roof or wall cladding.

8. Development must be sensitively designed so that it fully or in part maintains view corridors so that the amenity of neighbouring public and private property is balanced with the amenity afforded to the new development.

Note:
View corridors may be maintained by implementing the following measures:

a. stepping buildings down the site,
b. using only single storey elements,
c. avoiding steep roofs, and
d. breaking up the built form.

Note:

Specific controls for fencing are provided in Chapter 33.

12. Any third (3rd) storey component of a building is to be no greater than 50% of the total ground floor footprint of a building or 80m² in area, whichever is the least amount. A third storey is required to be setback a minimum of 1.0m from lower floors is required.

![Figure 2: Third Storey requirements in Greenhills Beach](image)

13. Secondary dwellings must not be located in the front yard of the primary dwelling unless they form an integral part of the façade of the primary dwelling.
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.

Articulation of side elevations reduces the visual intrusion and bulk of buildings on adjoining properties and creates a visually interesting façade. Increasing the setback of buildings as the height and length of the elevation increases further reduces the impact of the building while making provision for areas of meaningful landscaping.

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).

2. The minimum setbacks required are set out in the table below:
Table 1: Setbacks

<table>
<thead>
<tr>
<th>Setbacks</th>
<th>Minimum Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td></td>
</tr>
<tr>
<td>Primary street frontage</td>
<td>6m</td>
</tr>
<tr>
<td>Secondary street frontage</td>
<td>3.0m</td>
</tr>
<tr>
<td>Internal lot</td>
<td>4.0m</td>
</tr>
<tr>
<td>Side</td>
<td>1.5m</td>
</tr>
<tr>
<td>Rear - dwelling house</td>
<td>6.0m</td>
</tr>
<tr>
<td>Rear - secondary Dwelling</td>
<td>3.0m</td>
</tr>
<tr>
<td>Rear - Internal lot – dwelling house</td>
<td>4.0m</td>
</tr>
<tr>
<td>Rear - internal lot – secondary dwelling</td>
<td>3.0m</td>
</tr>
</tbody>
</table>

Note: The 6m street setback applies to the primary (narrowest) street frontage.

3. Where a proposed secondary dwelling exceeds a height of 5.4m, a rear setback of 6m is required.

4. A minimum 3m setback applies to the secondary street frontage. The secondary street frontage is the widest frontage.

5. Where a second storey wall adjacent to a side boundary exceeds 15m in continuous length, the side setback shall be increased by a further 500mm or more for that part of the wall. Where the scale of the side elevation results in significant overshadowing and/or visual intrusion due to building bulk to an adjoining dwelling, an increased building setback is to be employed.

6. Where an increased side setback for a part of a wall is employed for articulation, the roof line must follow the change in wall plane.
3. Landform

The natural topography and landform features of the E4 zone make up a fundamental part of the character and attractiveness of the Shire. Natural landforms provide for a variety of views and vistas, both local and distant, from public and private domains. Maintaining the natural landform should be an integral consideration for the design of new dwellings.

In order to contribute to the quality and identity of the area, new development must respect landform and natural settings. Development must be designed so that it minimises impacts to natural land forms and allows the natural qualities of the site to be the dominant elements of its setting.

Development on the steeper and more elevated areas is often more prominent, particularly when viewed from the lower areas. Well considered design ensures dwellings integrate with the streetscape and views from the waterways, and retain a consistent relationship to the natural topography. This relationship provides an important visual link between buildings in a streetscape, as well as reducing the impacts of new development on neighbouring lots.

Deep excavation, cut and fill or benching may alter the pattern of subsoil water flow and soil stability, which may adversely affect neighbouring properties and the natural environment. Alternatives to slab on ground construction are encouraged where the gradient and characteristics of the site would otherwise require major excavation or filling.

3.1 Objectives

1. Ensure that development utilises natural or existing building platforms so that steeply sloping land is not modified to create building platforms, making the land unstable.

2. Ensure that the building siting, design and construction method responds to the natural landform of the site and is appropriate for the site topography.

3. Minimise the visual impact of new development, particularly when viewed from waterways, bushland, open space and the public domain.

4. Minimise earthworks to maintain the existing landform and protect the integrity and stability of geological elements in the vicinity of the site.
3.2 Controls

1. Development is to be located so that a stable building footprint can be established that:
   
   i. does not rely on the use of cut or fill, or any other form of terracing.
   
   ii. avoids the location of buildings over slopes greater than 18 degrees or 33%.
   
   iii. uses, where practicable, a natural flat area.

2. The depth of cut or fill must not exceed 1m from ground level.

3. Despite the above, Council may consider a variation (cut or fill greater than 1m) only where:
   
   a. Alternative design solutions have been explored and presented to Council showing no feasible solution to excavation is available; and
   
   b. There is unlikely to be disruption, or detrimental effects on existing drainage patterns, vegetation, sedimentation and soil stability in the locality; and
   
   a. The design is a sensitive solution to the constraints of the site that does not exacerbate amenity impacts on the neighbouring dwellings.

4. The natural contours of the land must not be unduly altered. Developments should avoid any unnecessary earthworks by designing and siting buildings within the natural slope of the land. The building footprint must be designed to minimise cut and fill, allowing the building mass to step in accordance with the slope of the land.

5. Any excavation must not extend beyond the building footprint.

6. Basement car parking is not appropriate in the E4 Environmental Living zone.

7. On sloping sites, split level and pier foundation designs should be used to minimise the need for extensive excavation and/or under crofts, ensuring housing design steps with the natural topography of the land.

8. Earthworks must not alter ground water levels or surface stormwater flows to the extent that trees and bushland vegetation, water bodies or other property are adversely affected.

9. Natural ground level surrounding the development and at property boundaries must be retained or reinstated prior to the completion of works.
4. **Landscaping**

Good design recognises that landscape and buildings operate together as an integrated system, resulting in greater aesthetic quality and amenity for the occupants and neighbours and a more attractive public domain. High quality landscape design protects and builds on the site’s natural and cultural features to contribute to a development’s positive relationship to its context and site.

Sutherland Shire’s tree cover, areas of bushland and natural beauty are valued by its residents. Landscape design in new development must recognise that natural systems must be protected and enhanced by the retention of important landscape elements, appropriate planting, bush regeneration and by minimising urban runoff. Even in areas prone to bushfires, sensibly selected and sited trees can help reduce ember attack.

4.1 **Objectives**

1. Enhance opportunities for tree and bushland vegetation within and adjacent to the proposed development.

2. Contribute to streetscape character, local habitat and the amenity of the public domain by using indigenous planting and species which complement scale of the development.

3. Provide landscaping treatments which foster attractive outlooks, privacy and private recreation areas of high aesthetic quality.

4. Improve the microclimate within development.

5. Contribute to water and stormwater efficiency by integrating landscape design with stormwater management.

4.2 **Controls**

1. Hard surface areas within the street frontage shall be limited to a maximum of 50% of the area of the front setback, with the remaining 50% occupied by deep soil landscaping.

2. Development should be designed to provide for canopy trees in the vicinity of side, rear and front setbacks including on adjoining land.

3. A minimum of 4 trees are to be provided on all lots, including internal lots where access is by right of carriageway. A minimum of 2 indigenous canopy trees that will attain a minimum mature height of 5m must be planted within 3m of the front boundary and a minimum of 2 indigenous canopy trees that will attain a minimum mature height of 5m must be planted within 2m of the rear boundary or within the foreshore area (whichever is applicable). All indigenous tree species must be selected from Council’s *Native Plant Selector* available on Council’s website.
4. Landscape design and plant species selection should reduce the potential for invasive plant species to escape into bushland.

5. Housing on the ridgeline, as viewed from the water, should retain or provide a backdrop of trees to ensure the skyline is vegetated.

6. Street trees are only required on the side of the road where there are no continuous overhead power lines. A minimum number of one indigenous canopy tree that will attain a minimum mature height of 6m, must be planted at maximum spacing of 10m, at a minimum distance of 1 metre from the kerb and/or footpath, and/or masonry fence or retaining wall.

Note:

All indigenous tree species must be selected from Council’s Native Plant Selector available on Council’s website. The Native Plant Selector is a tool that recommends plants suitable for Sutherland Shire’s ecosystems based on the specific address of the site locality. The tool is available online at http://www.sutherlandshire.nsw.gov.au/My_Place/Trees/Native_Plant_Selector

For additional guidance on landscape design and implementation refer to the Sutherland Shire Environmental Specifications - Landscape 1-5. Applicants should also refer to the Greenweb map and controls in Chapter 38 Natural Resource Management. For development application submission requirements refer to Council’s DA Guide.
5. Building Layout, Private Open Space and Solar Access

Good design provides a building layout that maximises the natural attributes of the site. Carefully considered building layout and design also creates a higher level of amenity for occupants through enhanced visual and acoustic privacy, passive heating and cooling, attractive outlooks from living spaces, and flexible and useable indoor and outdoor spaces that meet the needs of occupants.

Quality private open space is critical to achieving good residential amenity. Open space of sufficient area and dimensions to enable recreational and outdoor use, landscaping and service functions is needed for all dwellings.

Ideally, solar access should be maximised in winter and controlled in summer. Daylight consists of both diffused light and direct light. Good levels of daylight in a dwelling improve amenity and reduce the need for artificial lighting. Good levels of daylight can be achieved through the careful consideration of window size, location and proportion.

5.1 Objectives

1. Ensure development provides opportunities for cross-ventilation and natural ventilation through the arrangement of external openings.

2. Ensure outdoor living areas are functional and responsive to the environment.

3. Provide privacy and solar access to principal private open space areas of a dwelling.

4. Ensure building design and location does the most to minimise adverse impacts of overshadowing of neighbouring buildings and private and public open spaces.

5.2 Controls

1. Orientate all new development and windows to maximise natural light penetration to indoor areas and reduce the need for mechanical heating and cooling.

2. A minimum of 3 hours of direct sunlight between 9am and 3pm in midwinter should be provided to a living area within the dwelling.

3. A dwelling is to provide an area of private open space at or near ground level that has a minimum area of 36m² (with a minimum dimension of 6m), of which 9m² must be paved. A secondary dwelling is to provide an area of private open space at or near ground level that has a minimum area of 12m², and minimum dimension of 4m.

4. The primary living area of each dwelling is to provide direct access to its private open space.
6. Private open space may be located within the front setback. In such instances a combination of fencing and hedging is to provide privacy for residents while also ensuring that the site makes a positive contribution to the landscaped character of the street. High solid fencing is unacceptable. Residents seeking to rely on the front setback for private open space must accept a lower level of privacy until landscaping matures. Front fencing must be in accordance with the provisions specified in Chapter 33 Ancillary Development: Fences.

7. For the proposed development:
   a. orientate the area of private open space to take advantage of the northern solar access;
   b. ensure 10m² of each private open space has 3 hours of solar access between 9:00am and 3:00pm at the winter solstice (21 June);
   c. overshadowing by vegetation should be ignored;
   d. overshadowing by fences, roof overhangs and changes in level should be taken into consideration.

8. For the neighbouring dwellings:
   a. ensure 10m² of private open space has 3 hours of solar access between 9:00am and 3:00pm at the winter solstice (21 June);
   b. ensure windows of living areas have 3 hours of solar access between 9:00am and 3:00pm at the winter solstice (21 June);
   c. consideration will be given to reduced solar access where the proposed dwelling is generally compliant with all development standards and controls, and the extent of impact is the result of orientation, site constraints, and or existing built forms;
   d. overshadowing by vegetation should be ignored;
   e. overshadowing by fences, roof overhangs and changes in level should be taken into consideration.
6. Visual and Acoustic Privacy

Building design must take into consideration aspects of visual privacy and noise sources and minimise their future impact on occupants. Amenity is enhanced by privacy and a better acoustic environment. This can be achieved by carefully considering the location of the building on the site, the internal layout, the building materials used, and screening devices. The consideration of privacy requires an understanding of the context of the adjacent site, site configuration, topography, the scale of the development and its layout.

Major roads and rail operations generate noise and vibration, and people living and working near major transport corridors can be adversely affected. Major roads can also impact on air quality due to their volume of traffic. Building design must take into consideration the noise, vibration and air quality effects of busy roads and rail corridors and minimise the amenity and health impacts on future occupants.

6.1 Objectives

1. Ensure a high level of amenity by protecting the acoustic and visual privacy of occupants within dwellings and their associated private open spaces.

2. Ensure dwellings are sited and designed so that visual and acoustic privacy and vibration from outside sources is controlled to acceptable levels, incorporating architectural and building elements to assist in protecting privacy.

3. Minimise direct overlooking of windows and private open space so that the amenity of neighbours and intended occupants is respected.

4. Recognise the outlook and views from principal rooms and private open space without compromising visual privacy of others.

6.2 Controls

1. Locate, orientate and design new development to ensure visual privacy between buildings and between buildings and adjacent private open space.

2. Use building design to increase privacy without compromising access to light and air.

3. Living room, dining room and kitchen windows with a direct outlook to living rooms, dining rooms and kitchens in an adjacent dwelling within 9m need to:
   a. offset the edge of one window to the edge of the other window by a sufficient distance to limit the views into the adjacent windows; or
   b. provide sill heights of at least 1.6m; or
   c. have fixed obscure glazing or glass blocks in any part of the window below 1.6m.
**Note:**

Visual privacy may be achieved by:

a. Designing the dwelling to maximise the separation distances from adjacent dwellings and private open spaces,

b. Directing the outlook from all living rooms, dining rooms, bedrooms, kitchens and studies where possible towards the street, private open space on the development site, public open spaces, and waterways.

c. Where overlooking of adjacent living rooms, dining rooms, bedrooms, kitchens and studies or private open space is unavoidable then screening elements such as louvres and obscured glass must be used to preserve reasonable visual privacy for neighbours.

Design elements to achieve privacy may include:

a. Offset windows in new development and windows of adjacent development

b. Recessed balconies and/or vertical fins between adjacent balconies,

c. Solid or semi-solid balustrades to balconies,

d. Louvres or screen panels to windows and/or balconies,

e. Fencing,

f. Vegetation as a screen between spaces,

g. Planter boxes in walls or balustrades,

h. Pergolas or shading devices to limit overlooking of lower level private open space.

4. All noise generating equipment such as air conditioning units, swimming pool filters, fixed vacuum systems and driveway entry shutters must be designed to protect the acoustic privacy of residents and neighbours. All such noise generating equipment must be acoustically screened. The noise level generated by any equipment must not exceed an $\text{L}_{\text{Aeq}}$ (15min) of 5dB(A) above background noise at the property boundary.

5. Residential development adjacent to a rail corridor or a busy road as identified on the Road and Rail Noise Buffer Map should be sited and designed to include noise and vibration attenuation measures to minimise noise and vibration impacts. Refer to State Environmental Planning Policy (Infrastructure) 2007 and the NSW Department of Planning’s *Development near Rail Corridors and Busy Roads –Interim Guideline.*
Note:
Compliance with the NSW Planning and Environment’s Development near Rail Corridors and Busy Roads – Interim Guidelines is mandatory for roads with an annual average daily traffic (AADT) volume greater than 40,000 and is best practice advice for roads with an AADT volume of 20,000 - 40,000 (based on the traffic volume data available on the website of the RTA).

The Guidelines apply to development:
- located up to 300m from the road kerb and with a direct line of sight to busy roads, and, or
- located within 80m of an operational rail track

The Guidelines require that noise levels in any such residential development not exceed:
- LA eq of 35dB (A) measured within any bedroom in the building at any time between 10pm-7am and
- LA eq of 40dB(A) measured within any bedrooms between 7am-10pm and anywhere else in the building (other than a garage, kitchen, bathroom or hallway) at any time.

Depending on the classification of a development using the screen tests in the Development near Rail Corridors and Busy Roads – Interim Guidelines, compliance with specified noise control treatments (Appendix C) may be required or an assessment by an acoustic consultant may be required.
7. **Vehicular Access, Parking and Circulation**

The location and layout of parking can have a significant impact on the design of new development. It will influence the layout and design of buildings and landscaping. All development must satisfy the demand for parking that it creates within its own site. The provision of sufficient parking must not compromise the safety of the on-street and off-street environment for vehicles, pedestrians or cyclists.

**7.1 Objectives**

1. Ensure vehicle access, garages, carports, and parking areas do not visually dominate either the development or the streetscape.

2. Ensure car parking spaces are designed to allow ease of access, egress and on-site manoeuvring.

3. Reduce reliance on street parking.

**7.2 Controls**

1. Two parking spaces per dwelling house are required. These spaces shall be behind the building line.

2. There is no additional requirement for car parking for a secondary dwelling.

3. Tandem spaces (i.e., stacked parking) may be provided for dwelling houses.

4. Only two single garage doors, each with a maximum of 3m width; or one double garage door, with a maximum width of 6m, is to face the street.

5. Car parking layout and vehicular access requirements and design are to be in accordance with the *Australian Standards*, in particular AS 2890.1-2004.

6. Design and site driveways to accommodate street gully pits and street trees, and maximise the availability of on-street parking.

7. Driveways should not exceed a maximum width of 3.5m at the front boundary.
8. Waste Management Requirements

The design of waste and recyclables storage areas within the property affects ease of use, amenity, and the efficiency of handling of waste for the life of the development.

8.1 Objectives

1. Ensure appropriate storage and collection of waste.
2. Minimise the environmental impacts associated with waste management.
3. Discourage illegal dumping.
4. Encourage on-site waste management facilities that are integrated with the design of a development and enable source separation, reuse and recycling.
5. Enable collection service providers to efficiently collect waste and recyclables with minimum disruption and impact on the community.

8.2 Controls

1. The development must be provided with a waste storage area capable of accommodating the following:
   a. 120 litre garbage bin
   b. 240 litre recycling bin
   c. 240 litre green waste bin.
2. The location of waste and recycling facilities must not impact on car parking or landscaping requirements of the development.
3. Developments must be designed so that bins do not need to be wheeled more than 75 metres.
4. The location and design of the waste storage area must not detract from the amenity and character of the streetscape.

Note:

Further details on Waste Management Plans including a template for a typical plan are available in the Sutherland Shire DA Guide and the Waste Management Information Guidelines.

Sutherland Shire Council provides a garbage and recycling collection to residential and commercial developments based on the pricing structure outlined in the Schedule of Fees and Charges for Goods and Services. The Council only has the infrastructure to services 120 litre and 240 litre mobile garbage bins. Services are available from private contractors who might use different collection vehicles and bin sizes to those used by the Council.

All garbage, recycling and garden waste bins are collected from the kerbside by Council collectors. It is the responsibility of residents to ensure the bins are placed at the collection point, usually between the kerbside and the road reserve, by 5am on the regular service day.