



Part 1

Dwelling Houses

Application

This Guideline applies to dwelling houses

This includes a new dwelling house such as a “knock down and rebuild” and alterations and additions to an existing dwelling houses.

This guideline applies to Heritage Items and Heritage Conservation areas only where specifically stated in this part. Primary controls for buildings which are Heritage Items or Heritage Conservation areas are in **Inner West LEP 2022** and **Chapter E – Heritage Conservation** part of the DCP. These include guidelines for building design, height and scale, pattern of development and site layout.

Using this Guideline

In using this Guideline reference should be made to **Section 1—Preliminary** at the front of this DCP.

Under the NSW planning system, development for a dwelling house that complies in full with the relevant provisions of **State Environmental Planning Policy (Exempt and Complying Development Codes) 2008** (the Codes SEPP) can be approved under as Complying Development. In this situation, assessment and determination under this DCP is not required. However, development that does not comply in full with the Codes SEPP must make a development application to council, and this development application will be assessed and determined against the **Inner West LEP 2022** and this **DCP**.

Unlike the Codes SEPP, this DCP is performance based. In this role, apart from certain matters such as FSR and height, this DCP has minimal numerical, prescriptive controls. This is appropriate as a key outcome for a dwelling house is to be compatible with existing streetscape and neighbourhood context. In a setting as diverse and complex as the LGA, context is often highly varied, and as such it is not possible or desirable to reduce this complexity to numerical controls

Purpose

- To ensure development is well designed and appropriately considers context, scale, built form, density and resource, energy and water efficiency, landscape, amenity, safety and security, social dimensions and aesthetics.

Performance Criteria and Design Solutions

Performance Criteria		Design Solution	
Context			
PC1.	Development: <ul style="list-style-type: none">is sympathetic with development prevailing in the streetreinforces and enhances the cohesiveness and character of the streetscapeis sympathetic to the aesthetics of development prevailing in the streetimplements aesthetics that have a high standard of architectural composition and create a visually attractive buildingtakes architectural cues from its surrounding contextenables flexibility in the style of development where the surrounding context is undesirable	DS1.1	Building style and form, proportion, façade composition of solid and void, materials, textures and colours are sympathetic with development prevailing in the street <i>Note: a sympathetic relationship may not be required if it can be demonstrated that the style of the context is inadequate or not worthwhile and that what is proposed is a better design outcome</i>
		DS1.2	Extensions to the upper parts of a dwelling house: <ul style="list-style-type: none">respect the scale and aesthetics of its contextare visually appropriate to the scale of the existing house And <ul style="list-style-type: none">are sympathetic or complementary in architectural style to the existing dwelling house <i>Note: Where the existing building has no discernible style, the addition may be approved if it achieves an appropriately high level of aesthetic design quality</i>
		DS1.3	Development that is inconsistent with the character of development prevailing in the street by employing present day forms, materials and detail may be considered if it exhibits a high level of architectural composition and is also sympathetic or appropriately complementary to its context
Heritage			
PC2.	Development does not detract from the heritage values of a heritage place or heritage conservation area	DS2.1	Development of a heritage item or within a heritage conservation area identified in the Inner West LEP 2022 is consistent with, Part E – Heritage of this DCP <i>Note: reflecting the importance of heritage to the LGA, Part E– Heritage takes precedence in the case of inconsistency with this part of the DCP</i>
Scale			
PC3.	Development site cover, height, width and length: <ul style="list-style-type: none">is compatible with that prevailing in the streetis sympathetic to neighbouring developmenthas minimal impact on neighbouring properties in terms of overshadowing and overlooking <i>Note: where neighbouring development is inconsistent with that prevailing in the street, development is not to use this as a reason to justify greater scale</i> <i>Note: This performance criteria may be varied where it can be demonstrated that the scale prevailing in the street is not appropriate to the desired future character of the neighbourhood and what is proposed is more</i>	DS3.1	In the R2 Low Density Residential zone, development has the appearance of a single, detached dwelling <i>Note: outbuildings in accordance with this DCP are permitted, and attached pavilions may be considered at the rear of the dwelling house</i>
		DS3.2	Site cover is compatible with that of adjoining lots, provides for a domestic scale and enables the achievement of setbacks, landscaped open space and on-site carparking in accordance with this DCP <i>Note: unless a prevailing pattern within the neighbourhood, site cover over 65% of the site is not supported</i>
		DS3.3	Maximum building height: <ul style="list-style-type: none">complies with the Inner West LEP 2022appears as 2 storeys

Performance Criteria	Design Solution
<i>consistent with this desired future character</i>	DS3.4 Maximum external wall height of 6 metres measured from the existing ground level (Refer to Figure 1)
	DS3.5 Minor variation to the maximum external wall height may be considered where it will result in a better outcome for the streetscape and where: <ul style="list-style-type: none"> • dwellings have traditional elevated floors off the ground and high existing ceilings providing that streetscape outcomes are achieved <p>And</p> <ul style="list-style-type: none"> • site constraints that make compliance difficult and streetscape outcomes are achieved
	DS3.6 Maximum roof pitch (slope) does not exceed the predominant roof pitch of existing dwelling houses in the street
	DS3.7 Building width has a traditional domestic scale and provides for adequate separation to boundaries <i>Note: also refer to minimum side boundary setbacks in this DCP</i>
	DS3.8 Building length achieve a balance between providing a useable internal floorplate while providing for adequate landscaped open space and minimizing opportunities for overshadowing or overlooking of rear yards <i>Note: also refer to minimum rear boundary setbacks in this DCP</i>

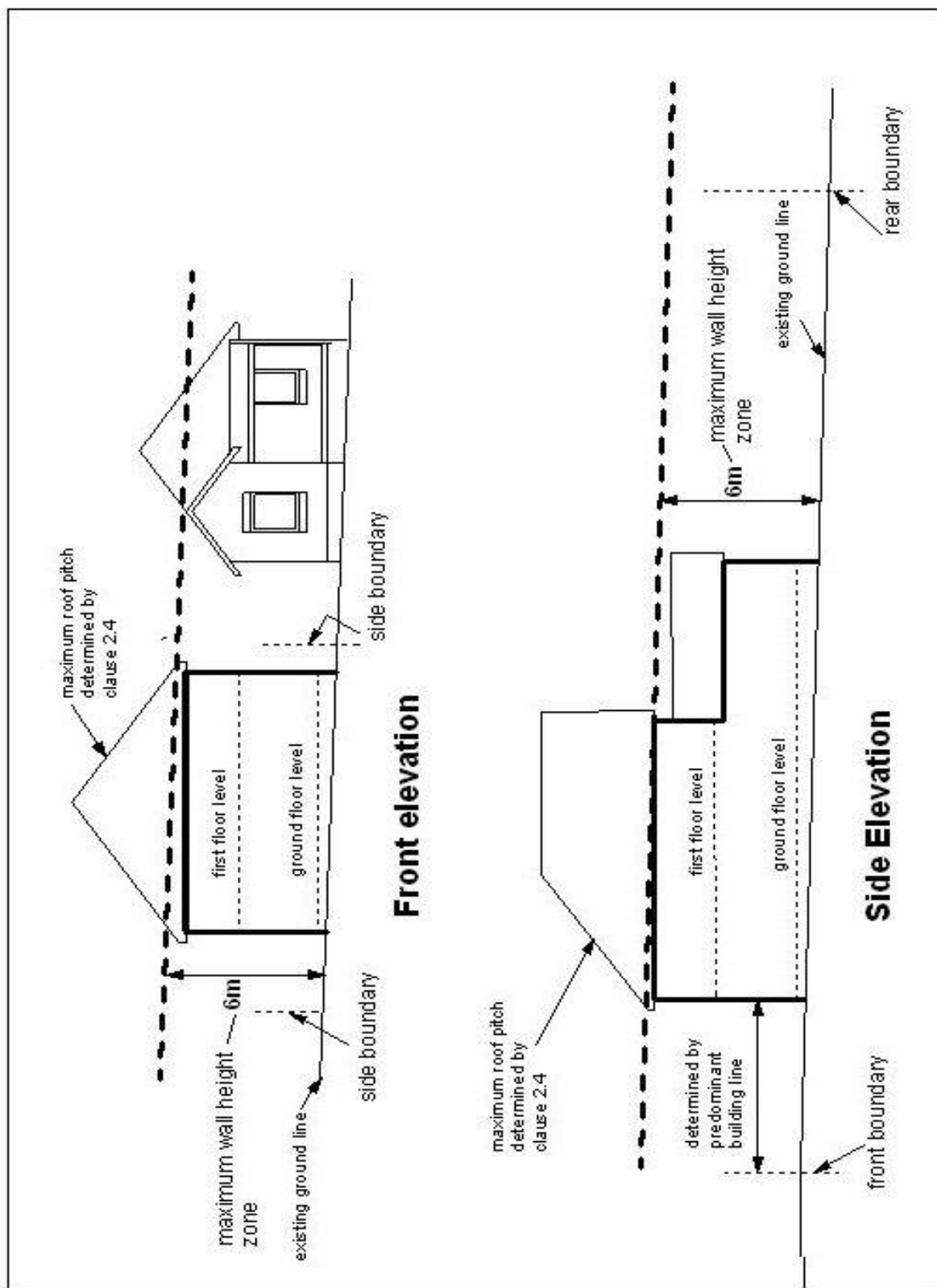


Figure 1 – Maximum wall height

Performance Criteria		Design Solution	
Building Setback			
PC4.	Building setbacks: <ul style="list-style-type: none">are consistent with that prevailing in the streetreduce the appearance of building bulk and scaleprovide adequate open space and vegetationprovide adequate visual and acoustic privacyprovide adequate solar accessprovide adequate penetration and circulation of desirable breezesprovide adequate access from the rear garden to the street for removal of garden waste, household waste and storage items	DS4.1	Front setbacks are consistent with the predominant building line established by adjoining and nearby houses <i>Note: Minor variations may be acceptable where the variation is sympathetic to the streetscape or enhances the architecture of a building</i>
		DS4.2	Front setbacks establish a front garden that has sufficient area and dimensions for ground cover vegetation and trees and have the location of pathways and driveways and their treatments in accordance with DS8.2
		DS4.3	Side setbacks are determined by compliance with the Building Code of Australia . Generally, Council requires a minimum side setback of 900mm for houses, and a minimum side setback of 450mm for outbuildings including garages and sheds.
		DS4.4	The minimum side setback is 900mm for the entire length of the building
		DS4.5	The minimum side setback for outbuildings, including garages and sheds, where not located between the main building and side boundary is 450mm
		DS4.6	Balconies, decks and other unenclosed, built recreation areas are setback sufficient distance from side and rear boundaries to minimise noise transmission and overlooking
		Façade treatment	
PC5.	Facades: <ul style="list-style-type: none">are of high aesthetic design qualityengage with and activate the adjoining public domainare sympathetic to their contextreduce the appearance of building bulk and provide visual interest	DS5.1	Facades that face a street include a transparent window to a habitable room
		DS5.2	The façade that faces the primary street includes a door to a habitable room
		DS5.3	Facades that face a street include decks, balconies, entry feature, sun shading device or other similar articulation feature
Garage, carports and driveway			
PC6.	Garages and carports: <ul style="list-style-type: none">Adequate car accommodation for residents of the siteComplement the design of the primary dwellingAre sympathetic to the scale and character of the streetscapeMinimise the visual impact of garages and carports	DS6.1	A minimum of one carparking is required per dwelling
		DS6.2	Garages and carports complement the scale, form and style of the primary dwelling and streetscape
		DS6.3	Garages and carports are setback a minimum of 1 metre from the house’s front building line
		DS6.4	A car space may be considered between the front boundary and the front building line where: <ul style="list-style-type: none">it has no roofis not possible to locate elsewhere on siteits floor pavement surface is sympathetic to the contexta sufficient amount of front landscape garden area

	is provided
DS6.5	Garages and carports which are accessed off a rear lane are setback a minimum of 1 metre from the rear boundary to allow sight lines that facilitate manoeuvring into and out of the garage
DS6.6	Basement garages, and driveway ramps to access those garages, which are visible from the street are not supported
DS6.7	Existing street trees are not removed to enable a driveway to a dwelling house
DS6.8	Maximum driveway crossover width at the site boundary is in accordance with council engineering standards

Boundary fences and gates

PC7.	Boundary fences and gates: <ul style="list-style-type: none"> • achieve an appropriate balance between providing for visual privacy and enabling the dwelling to activate and engage with the street • minimise the visual dominance of fencing forward of the front building line • where forward of the front building line complements the building and its context 	DS7.1	The maximum height of rear and a side boundary fence which does not extend forward of the predominant building line is 1.8m <i>Note: a maximum of 600 mm of lattice screening may be placed above 1.8m with the written agreement of all adjacent property owners</i>
		DS7.2	The maximum height of a front and side fence forward of the front building line is 1.2m
		DS7.3	New or replacement front fences and gates must be appropriate to the architecture of both the house and the streetscape.
		DS7.4	Driveway gates or pathways gates do not swing across council's footpath or driveway.

Landscaped area and site coverage

PC8.	Landscaped areas: <ul style="list-style-type: none"> • soften the visual impact of built form • are sympathetic to the existing character of the streetscape • reduces the bulk and scale of the dwelling 	DS8.1	A Landscape Concept Plan is to be prepared and submitted with the development application
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house

- provide adequate open space suitable for activities and recreation
- provide for adequate principal private open space and deep soil planting

DS8.2

Minimum landscaped area complies with the table below:

Site Area	Minimum Landscaped Area
601m ² and over	35 percent of site area
501-600m ²	35 percent of site area
401-500m ²	32 percent of site area
301-400m ²	28 percent of site area
201-300m ²	25 percent of site area
0-200m ²	Determined on merit subject to the principal private open space and front garden requirements of this DCP being achieved, and there being a minimum 20m ² courtyard with a minimum 3.5m width.

This clause applies to Heritage Items and sites within Heritage Conservation Areas, but does not include the Haberfield Conservation Area which has its specific controls in the Inner West LEP 2022.

DS8.3

Maximum site coverage complies with the table below:

Site Area	Maximum Site Coverage
601m ² and over	50 percent of site area
501-600m ²	50 percent of site area
401-500m ²	55 percent of site area
301-400m ²	60 percent of site area
201-300m ²	65 percent of site area
0-200m ²	Determined on merit subject to compliance with minimum landscape area.

This clause applies to Heritage Items and sites within Heritage Conservation Areas, but does not include the Haberfield Conservation Area which has its specific controls in the Inner West LEP 2022.

DS8.4

Variations to the minimum landscaped area requirements may be accepted in cases where it is necessary to meet heritage conservation criterion

Principal private open space

PC9.

Landscaped open space provide a contiguous area of principal private open space that is useable and has a high level of amenity

DS9.1

Principal private open space is:

- directly accessible from and at the same level as ground floor living area
- has a minimum area of 20 m²

		<ul style="list-style-type: none"> has a minimum dimension of 3.5 m <p>And</p> <ul style="list-style-type: none"> has an appropriate level of solar access, natural ventilation and privacy
Deep soil planting		
PC10.	Deep soil planting: <ul style="list-style-type: none"> accommodates deep root plants and trees allow sufficient area of deep soil to support infiltration purposes 	DS10.1 All landscaped area is required to be capable of deep soil planting. This clause also applies to Heritage Items and sites within Heritage Conservation Areas.
Front gardens		
PC11.	Development provides for a front garden that: <ul style="list-style-type: none"> has a sufficient landscaped area provides a landscaped transition between the house and the street enables the dwelling house to activate and engage with the street is compatible with the character of the streetscape 	DS11.1 Front gardens have an area and dimensions that provide sufficient soil area for ground cover, vegetation and trees DS11.2 Hard paved areas are minimised, and driveways have a maximum width of 3 metres. <i>Note: any increased width for the driveway only occurs behind the front building line</i> DS11.3 Front gardens for sites that have a maximum gradient fall of 500 mm across the site are level and do not contain any driveways which are excavated to access basement garages
Rear gardens		
PC12.	Rear gardens are provided that have sufficient landscaped area	DS12.1 Rear gardens have an area and dimensions that provide sufficient soil area for ground cover, vegetation and trees
Solar Access		
PC13.	Siting and design: <ul style="list-style-type: none"> provides an adequate amount of desirable sunlight to main living areas and adjoining private open space of the development and adjoining properties reduces the adverse impact of direct afternoon summer sun 	DS13.1 Sunlight to at least 50% (or 35 m ² with minimum dimension 2.5 m, whichever is the lesser area) of private open space areas of adjoining properties is not reduced to less than three (3) hours between 9 am and 3 pm on 21 June <i>Note: if existing solar access is already less than this standard it is not to be further reduced</i> DS13.2 Existing solar access is maintained to at least 40% of the glazed areas of any neighbouring north facing primary living area windows for a period of at least three (3) hours between 9 am and 3 pm on 21 June <i>Note: if existing solar access is already less than this standard it is not to be further reduced</i> DS13.3 Main living areas are located on the northern side of buildings where possible and subject to streetscape quality considerations DS13.4 Sun shading devices such as eaves, overhangs or recessed balconies minimise the amount of direct sunlight striking facades
Visual Privacy		
PC14.	Siting and design: <ul style="list-style-type: none"> provides an adequate level of visual privacy 	DS14.1 The number of windows to side elevations located above the ground floor is minimised

<ul style="list-style-type: none"> ensures windows located above the ground floor are positioned to minimise the likelihood of overlooking adjoining properties 	DS14.2 Where they are provided, windows on side elevations are: <ul style="list-style-type: none"> located a sufficient distance away from windows on adjoining development are positioned to not be in a direct line with windows on adjoining development have a reduced size include privacy devices such as fixed external screens, raised sill heights or opaque glazing
	DS14.3 Open space ground levels should match as closely as practicable neighbouring ground levels <i>Note: Where this is not practicable, boundary fences may incorporate 450mm double thickness lattice above the fence or advanced growth trees can be planted</i>
	DS14.4 For Heritage Items and Heritage Conservation Areas refer to Part E1 - Heritage
Tree Preservation	
PC15. Significant trees are retained	DS15.1 Significant trees that make a contribution to the landscape character, amenity or environmental performance of the site are retained
	DS15.2 Where retention of trees is impractical due to site constraints, tree removal trees or planting of new or replacement trees is to be consistent with the Tree Preservation Order within Part C4 – Tree Preservation and Management of this DCP
Ecologically Sustainable Development	
PC16. Sustainability measures are considered as part of the design of the proposal	DS16.1 Development complies with the Building Sustainability Index (BASIX) <i>Note: a BASIX Certificate is to be submitted with a development application</i> <i>Note: Information on environmentally sustainable design is given in Part C- Sustainability of this DCP and is to be considered when designing development. Council strongly encourages applicants to go beyond BASIX requirements and to take advantage of any available grant funding to install solar hot water systems, photovoltaic installations and rainwater tanks</i>
Telecommunications installations	
PC17. The visual impact of telecommunications installations such as satellite dishes and television antennas on the streetscape is minimised	DS17.1 Telecommunications installations are located to the rear roof or side (rear roof) of a dwelling or in the rear garden
Solar heating and photovoltaic installations	
PC18. The visual impact of solar heating and photovoltaic installation on the streetscape is minimised	DS18.1 Solar heating and photovoltaic installations are to be located to the rear roof or side/rear roof of a dwelling or in the rear garden of the building.
Stormwater disposal	
PC19. Stormwater systems:	DS19.1 Stormwater from roofs is discharged by gravity to street

- provide for the efficient and functional mitigation of stormwater impacts
- do not adversely affect adjoining or other properties
- do not detract from streetscape quality

gutter system

DS19.2 Where a site slopes away from the street, stormwater from roofs may be discharged to the street gutter system by charged lines subject to suitability

DS19.3 Where stormwater from dwelling and associated structure is unable to use a charged line, alternatives such as easements through adjoining properties are considered
Note: the written consent of the affected adjoining landowner/s is required for this type of stormwater system

DS19.4 Pump out systems are not generally supported
Note: pump out systems can often cause maintenance issues

DS19.5 Rainwater that falls on to paved surfaces does not flow directly onto downstream properties
Note: garden beds, bunding or other measures to direct and mitigate excessive runoff are to be incorporated into the proposal

Swimming pools

PC20. Swimming pools:

- maintain an adequate level of visual privacy
- limit impact of increased noise levels from water pumps

DS20.1 The requirements for swimming pool construction and various safety requirements are contained in the **Swimming Pools Act**.

DS20.2 Finished ground level areas around swimming pools shall not be raised as a result of sloping sites. In exceptional circumstances some increase in natural ground level may be considered where adequate screening devices are proposed. This clause also applies to Heritage Items and sites within Heritage Conservation Areas.

DS20.3 Pool pumps shall be either of a type that do not exceed 5dBA above average ambient noise levels, or provided within an acoustic enclosure.
This clause also applies to heritage Items and sites within Heritage Conservation Areas.

Solid fuel heating

PC21. Heating devices do not contribute to air pollution

DS21.1 New solid fuel heating devices are not supported

DS21.2 Existing solid fuel heating devices are replaced with a cleaner heating alternative
Note: Council is able make orders to control the use of solid fuel heating appliances where wood smoke pollution is a problem
This clause also applies to Heritage Items and sites within Heritage Conservation Areas

Laneway development

PC23.1 To provide controls for dwellings located off laneways, such as above garages

DS23.1 The external wall height of a laneway development building shall not exceed 3.6m and a maximum ridge roof height of 6 m.

PC23.2 To ensure bulk and scale, and form of laneway development does not have a detrimental impact on the established character of an area

DS23.2 Laneway development should incorporate pitched roofs and have a design which enhances or improves the visual character of the laneway.

PC23.3	To activate rear laneways through improved passive surveillance	DS23.3	External stairs are not supportable.
PC23.4	To maintain and improve the key function of a lane being the provision of access to and from a site	DS23.4	Privacy and amenity for neighbouring properties is to be maintained.
		DS23.5	Allowance is to be made for any carparking requirement of the DCP.
		DS23.6	Any single width garage doors are to incorporate an adjacent pass door for pedestrian use.