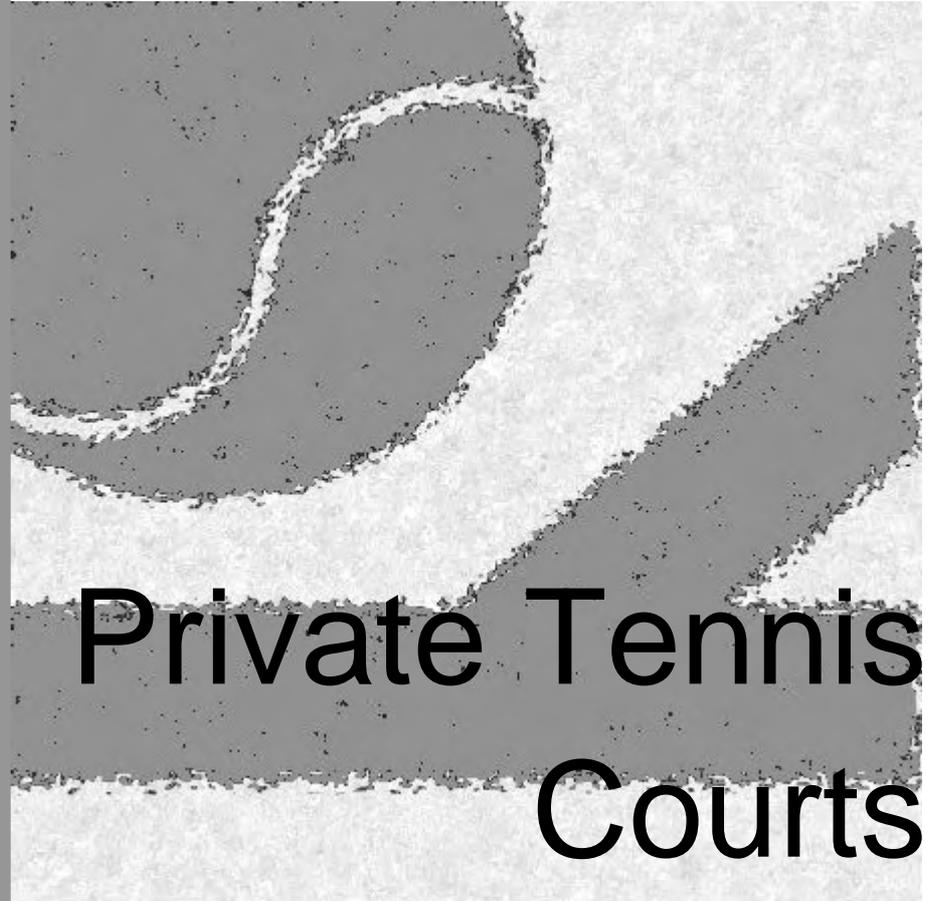


# Development Control Plan



## Private Tennis Courts

Sutherland  
Shire  
Council



9.2/03  
edition 3



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## 1. Where does the Plan apply?

This plan applies to private tennis courts on all residential land in the Shire to which the following plans apply:

- (a) Sutherland Shire Local Environmental Plan 2000,
- (b) Sutherland Shire Local Environmental Plan - Menai Town Centre 1992,
- (c) land at Sandy Point administered under the County of Cumberland Planning Scheme being Sandy Point Suspension Area, and
- (d) Sydney Regional Environmental Plan No.17 - Kurnell Peninsula (1989).

Commercial and illuminated courts are not permitted in residential areas.

## 2. What is the purpose of the Plan?

The purpose of this plan is to enable the reasonable enjoyment and use of residential land subject to maintaining the amenity of adjoining properties and the quality of the natural environment.

## 3. Can this Plan be varied?

Objectives and standards have been set for all aspects of the plan. Each application will be considered on the individual circumstances and merits of the case in terms of the achievement of the objective stated. The standards are the guidelines to achieving the stated objectives and an applicant may request a variation to any standard, provided the objectives are still achieved.

There are two types of standards:

**The Development Standard** required or contained in the Sutherland Shire Local Environmental Plan 2000 as amended.

Any proposal to vary those standards must be accompanied by a formal objection to the standard under the provisions of the State Environmental Planning Policy No.1.

**Other Standards** set out in this plan which are generally more detailed and not statutory.

Any variation to any of these standards must be supported by a statement demonstrating how the objectives are satisfied.

Any submission in support of a variation to a standard must be in writing and demonstrate an ability to achieve the objectives. (refer to Council's "Guideline to Seek a Variation to a Standard").

## 4. Making an application

After researching this document it is recommended that intending applicants consult directly with Council's Application Assessment Staff prior to preparing detailed development plans.

Pre-application consultation with staff can assist in the time taken to assess applications and reduce amendments required to plans. A prerequisite of consultation is the preparation of a Site Analysis and possibly a Development Concept Plan.

To submit a Development Application, you will need to complete a Development Application form and submit the following:

1. Five (5) copies of plans, elevations and sections, fully dimensioned and to scale (preferably 1:100), including the type of materials proposed to be used.
2. Five (5) copies of a written assessment of the proposal, addressing each section of this plan showing how the proposal meets the objectives of each section.
3. A detailed site analysis and declaration.
4. A full survey plan, prepared by a registered surveyor, indicating existing site levels at the corners of the proposed buildings, the site contours and the proposed floor levels using a fixed datum point related to Australian Height Datum.
5. Details of proposed site drainage and, where stormwater is required to drain through an adjoining property, written agreement from that landowner.
6. Five copies of shadow diagrams for 10 am and 2 pm in mid-winter, both existing and as would result from the proposal.
7. Fees
8. Notification Plans

Applicants are advised to use the services of an architect to prepare plans. The Development Application should take into account identified site constraints and objectives of the Development Control Plan.

**Note: Council will not accept a development application unless a site analysis is submitted with the application.**

## 5. Site and landscape analysis

All development requires perceptive and effective site planning. Good site analysis and design skills are therefore essential in achieving a pleasant living environment for occupants and minimising the impact on neighbours.

### Objectives:

To identify constraints and opportunities in relation to natural elements such as:

- Topography and slope;
- Geology and soils;
- Existing vegetation;
- Drainage pattern;
- Climatic conditions.

When any development is proposed to be built amongst existing dwellings, the design must take into account factors extending beyond the site including:

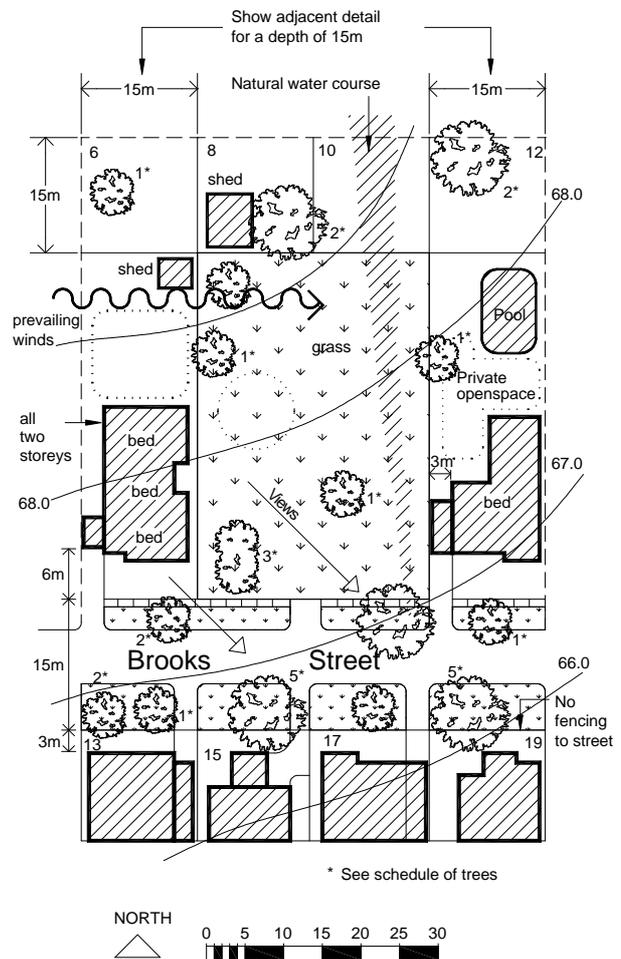
- The location and use of neighbouring sites;
- Potential constraints relating to overshadowing, overlooking, views, building bulk, landscaping and screening;
- Street character.

### Standards:

A plan of existing conditions is to be provided as a site analysis, for submission with a Development Application for any development, and should indicate:

- Location and uses of existing buildings on the land.
- Location and uses of adjacent buildings, locating window openings in the wall of adjacent buildings which face the site boundary.
- The height of adjacent buildings.
- Major trees on the site and street trees, identified by size and botanical names or common names.
- The fall of the land, showing contours at 1 m intervals and related to Australian Height Datum.
- Location of utility services and stormwater drainage lines and street crossings.
- North point.

The site analysis can be hand drawn but must be to scale, and must be accompanied by a declaration that the information provided is correct and true in every detail.



**Site analysis can improve design responses. This is an example of site analysis information for a small infill site.**

## 6. Public notification

Before considering an application for development, Council must advertise or notify in accordance with Council's adopted DCP for Notification of Development Applications. Council will advise adjoining property owners and those who, in the Council's opinion, may be affected by the proposed development should it proceed.

Those notified are invited to comment within 14 days, or 28 days if the advertising occurs during December.

Proposals must also be advertised in the local press for comment within the same 14 or 28 day period. An advertising fee is required to be paid at lodgement of development applications.

In assessing and determining an application, Council will take into account matters raised in any submission received.

## 7. Location

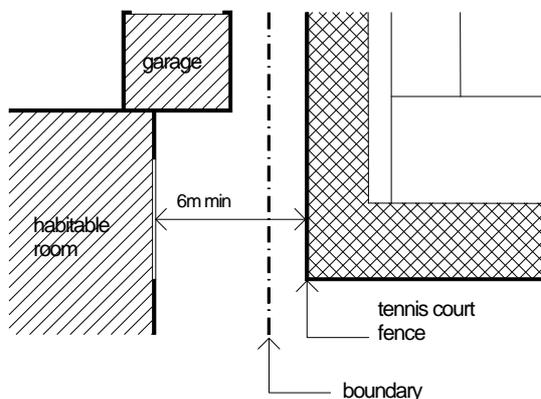
### Objectives:

- Minimum effect on the amenity of the adjoining development/ properties, from noise and loss of privacy;
- Development which has regard to the relationship with adjoining developments.

### Standards:

- A minimum separation of 6 m from the habitable rooms of adjoining dwellings to the tennis court;
- No lighting will be permitted.

### Setbacks



## 8. Design

### Objectives:

- Minimum visual impact on the adjoining and surrounding properties/land.

### Standards:

- A building line of 7.5 m to public roads as generally adopted throughout the Shire;
- Tennis courts in foreshore areas are to be located behind the Foreshore Building Line (refer to the Development Control Plan for Foreshore Development);
- The fencing is not to be solid; black plastic coated chain wire fencing is preferred, as it has a minimum visual impact.

## 9. Environmental impact

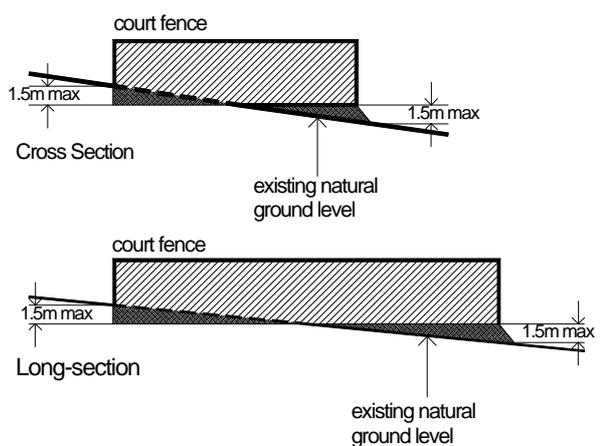
### Objectives:

- Minimum impact on the natural landform and general landscape;
- Minimum loss of vegetation.

### Standards:

- A maximum cut and fill of 1.5 m above existing natural ground level;
- The preservation of existing substantial trees and shrubs wherever possible.

### Cut and Fill



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## 10. Landscaping

### Objectives:

- a. Minimum visual impact on the adjoining and surrounding properties/land;
- b. Screen planting of a similar scale to the height and bulk of the tennis court fencing.

### Standards:

1. A minimum 1.5 m landscape setback along the site boundaries is to be provided to the tennis court;
2. The landscaping is to be of trees, shrubs and vigorous climbers to provide a dense screen.

A list of suitable plants follows:

### Suitable Plants (for narrow areas)

The plants listed are over 2 m tall but are only 1 m or less wide. Included are some which will grow a little wider but these have soft foliage and may be easily trimmed.

Acacia denticulosa  
Acacia stricta  
Baeckea virgata  
Callistemon pinifolius  
Callitris oblonga  
Grevillea sericea (pink spider flower)  
Grevillea speciosa  
Hakea saligna (willow leaf)  
Hibiscus diversifolus  
Hibiscus heterophyllus (native rosella)  
Leptospermum ellipticum  
Melaleuca armillaris (honey myrtle)  
Melaleuca erubescens  
Olearia teretifolia  
Westringia rubiaefolia

## 11. Drainage

### Objectives:

- a. The proper drainage of the site and the protection of adjoining sites from increased runoff from development.

### Standards:

1. All surface waters to be drained to a street by pipeline and discharged to Council's nearest piped stormwater system;
2. If the slope of the site is such that drainage through adjoining properties is required to connect to Council's stormwater system, then an interlot drainage easement shall be acquired prior to the release of the approved building plans;
3. A kerb or similar structure is to be provided along the lower side of the tennis court to collect and channel stormwater to a gully pit constructed to Council's satisfaction.

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## 12. Origin

**Reference:** DC 000/1/34

**Edition 1:**

Adopted by Council 4th November, 1985 (EPC Minute No. 366)

**Edition 2:**

Adopted by Council 3 November 1997 (EHC 136-98).  
In effect from 18 November 1997.

- (a) Amended to upgrade standard of presentation.
- (b) Minor alterations which make the document consistent with the Sutherland Shire Local Environmental Plan 1993 as amended and other Development Control Plans

**Edition 3:**

Minor alterations which make the document consistent with Sutherland Shire Local Environmental Plan 2000.

<b>Action</b>	<b>Date</b>
Council Endorse Plan	5 February 2001 (EHC 213-01)
Public Notice (draft)	20 February 2001
Exhibition - Start	20 February 2001
Exhibition - Finish	20 March 2001
Council Decision	30 April 2001
Public Notice (final)	8 May 2001
In Effect	8 May 2001