



**Armidale Dumaresq
Development Control Plan 2012**

Section 4 Residential Development Controls

**Chapter 4.1 Urban Residential Development
Single and Dual Occupancy Dwellings**

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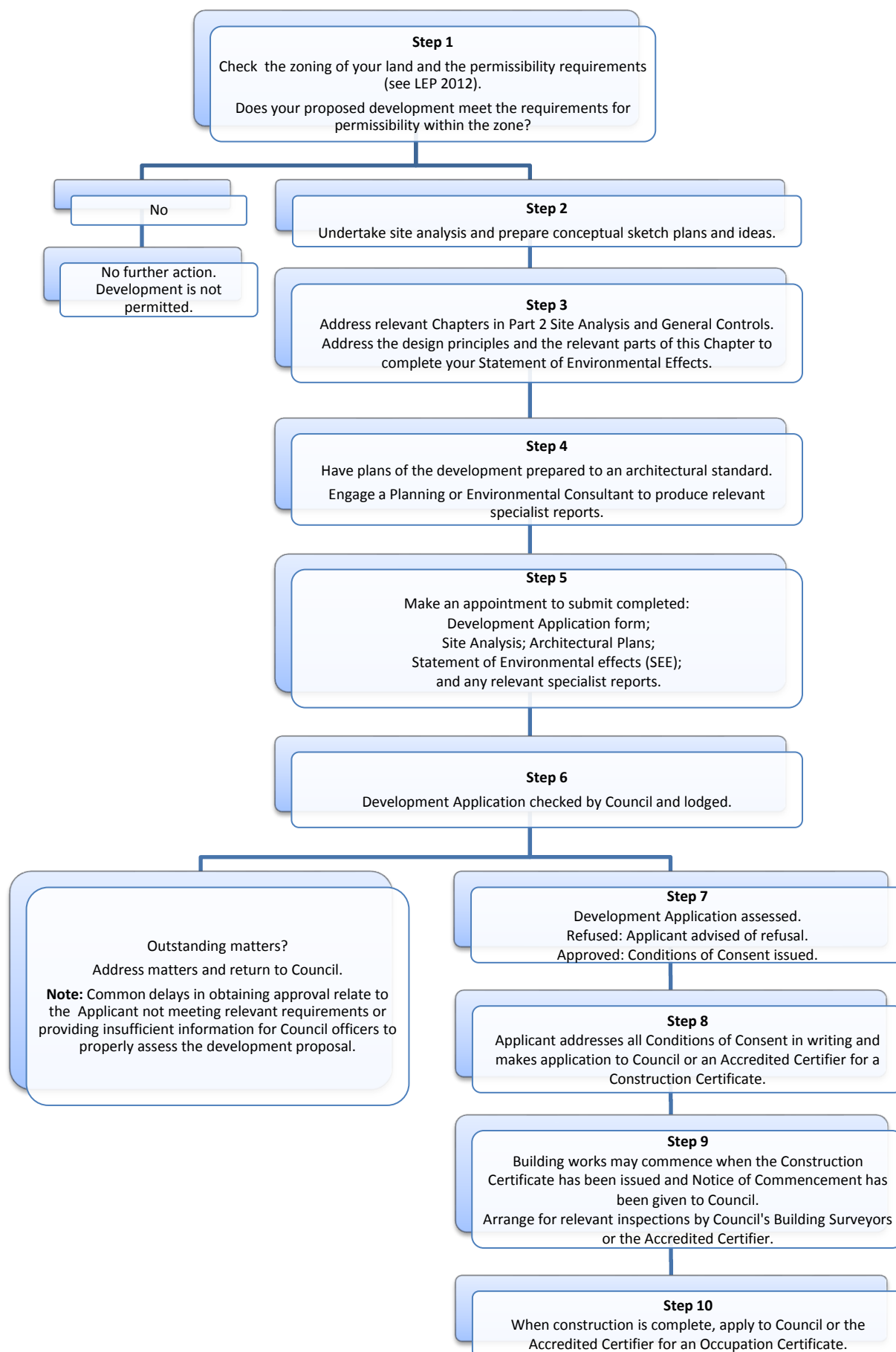
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Part 1 General provisions

1.1 Introduction

This chapter outlines the development controls for single dwellings, dual occupancy dwellings, secondary housing, and alterations and additions to these types of dwellings in the urban residential zones in the Armidale Dumaresq local government area.

The purpose of this chapter is to guide design and to promote innovative housing solutions that will provide a range of housing types and lot densities to meet a range of housing needs. In addition, this chapter includes development standards and controls that encourage housing design to improve solar access to buildings and energy efficiency over the long term. This is particularly relevant in designing dwellings to accommodate Armidale's cold climate.

This chapter is to be read in conjunction with all relevant chapters in Section 2 Site Analysis and General Controls. All relevant matters relating to the development must be addressed in the development application, the SEE and on site analysis plans and site plans. The site analysis process may highlight the requirement for specialist reports to be undertaken.

1.2 Objectives

The objectives of this chapter are:

- O.1 To encourage thoughtful internal and external building design that addresses Armidale's climate and provides a functional and cost effective living environment.
- O.2 To provide for a range housing styles and sizes that fit visually within the streetscape in relation to building alignments and proportions.
- O.3 To ensure that all development maximises the use of the site by using layouts that address site opportunities and constraints.
- O.4 To ensure buildings are positioned to provide maximum sunlight access and privacy to habitable rooms of dwellings and private open spaces, both within the lot and on adjacent developments.
- O.5 To provide controls that minimise the impact of development on adjoining neighbours and the streetscape.

1.3 Land to which this chapter applies

This chapter applies to land in the following zones:

R1	General Residential
R2	Low Density Residential
R5	Large Lot Residential
B4	Mixed Use

1.4 Types of development to which this chapter applies

This chapter applies to the following types of development:

- The erection of a new single or two storey dwelling;
- Alterations or additions to an existing single storey or two storey dwelling or the addition of a second storey to an existing single storey dwelling;
- The erection of a dual occupancy (attached or detached).
- The erection of a basement, either as part of a new dwelling house or as an addition or

alteration to an existing dwelling house.

- The erection of a roof terrace on the topmost roof of an existing or a new dwelling house; or, on an existing or a new outbuilding that is detached from a dwelling house;
- The erection of new ancillary development, or alterations or additions to existing ancillary development, is development specified in this chapter if the development is ancillary to a dwelling house. Please see the definitions for ancillary development at the end of this chapter.
- The erection of new detached outbuildings, or alterations or additions to existing detached outbuildings.
- The use of a dwelling as an Exhibition Home.

1.5 Addressing the guidelines in this chapter

The guidelines for single dwellings and dual occupancies are set out in this chapter. These are expressed in the form of objectives that need to be addressed for each development proposal. For each objective (O), 'acceptable solutions' (S) are provided which, if met, will ensure compliance. Alternative approaches may be proposed, provided these adequately address the relevant objectives and comply with legislation.

1.6 Developer contributions

Infrastructure contributions will be levied on physical and social infrastructure in accordance with Council's *Water Supply and Sewerage Development Servicing Plan; Section 94 Contributions Plan* and any other adopted Contributions Plan relevant to the site. This contribution may be a financial contribution, dedication of land and/or provision of a material public benefit be made by a developer to provide for or upgrade public services or facilities for which the development is likely to create a demand. Contributions that apply to development in rural and rural residential zones are outlined in the Council's adopted Contributions Plan and Water Supply and Sewerage Development Servicing Plan.

Depending upon the likely demand for public services or facilities that a development proposal is likely to generate, Council may also require preparation of a specific Contributions Plan or enter into a Planning Agreement with the developer prior to determining a particular development proposal.

Part 2 Site requirements, lot size and floor area controls

Objectives

- O.1 To provide sufficient area on the site to allow for a generous rear garden, a landscaped front garden, and space between neighbours.
- O.2 To minimise hard surface areas to allow for greater absorption of stormwater; and reduce impact on stormwater systems.

2.1 Lot size requirements for dwellings and dual occupancies

- S.1 There is no minimum lot size for the erection of a dwelling or a dual occupancy (attached or detached) in the zones specified in this chapter.

2.2 Floor area for dwellings

- S.2 There are no maximum floor area requirements for a dwelling house or dual occupancy; however, the minimum landscaping and private open space requirements outlined in this chapter must be met.

2.3 Maximum floor area for outbuildings in the R1 and R2 zones

- S.3 The floor area of an outbuilding on a lot in the R1 and R2 zones must not be more than the following:
- 40m², if the lot has an area of less than 500m²;
 - 50m², if the lot has an area of at least 300m² but less than 600m²;
 - 65m², if the lot has an area of at least 600m² but less than 900m²;
 - 100m², if the lot has an area of at least 900m².

2.4 Maximum floor area for outbuildings in the R5 zone

- S.4 The floor area of an outbuilding on a lot in the R5 zone must not be more than the following:
- 500m², if the only purpose of the outbuilding is for agricultural use only; or
 - 100m², in any other case.

Part 3 Lot and building design and external appearance**Objectives**

- To ensure buildings blend, rather than interrupt or contrast, with the existing and planned-for scenic values of the locality.
- To ensure design and siting of buildings provides adequate privacy and minimises overshadowing and overlooking for residents and other dwellings in the locality.
- To maximise solar access and passive heating and cooling principles to buildings and private open space.
- To encourage design that responds to the topographical features of the site.

- The design of the building and slope of the roof are to reflect the topography of the site (eg. split level houses can be an appropriate design on sloping sites) to minimise the need for cut and fill associated with dwellings, landscape and driveway construction.
- Buildings should be orientated for optimum sunlight to living rooms, ideally with living rooms to the north (living rooms include lounge, family, kitchen and dining rooms).
- Main living areas should open directly onto the private open space via large door openings, to allow adequate sunlight, natural light and ventilation into the house.
- Buildings should be designed to create cross ventilation, with well considered placement of windows to draw breezes through the house.
- Natural colours that blend with the colours of surrounding streetscape and vegetation and are non-reflective shall be used for external building materials and other structures.

Part 4 Building height, bulk and scale**Objectives**

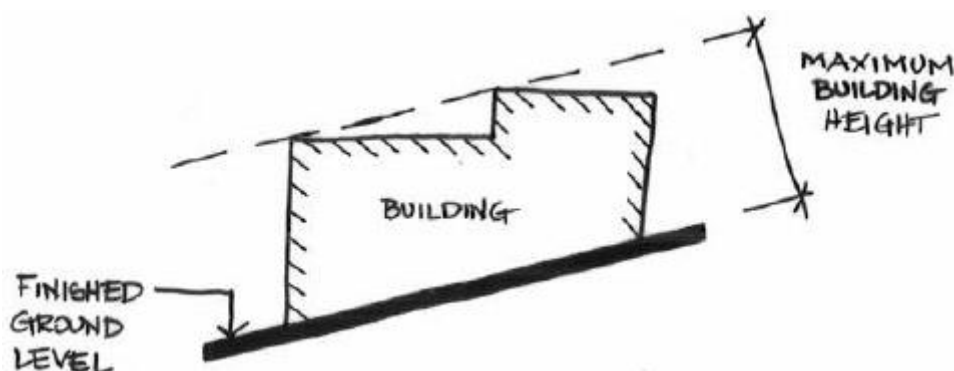
- To ensure that the height, bulk and scale of new buildings and outbuildings are not a dominant in the streetscape and that outbuildings are in proportion to the dwelling.
- To ensure the building design and materials contribute to the quality of the overall streetscape.
- To maximise solar access and cross ventilation to buildings, and prevent overshadowing.
- To reduce overlooking of open space areas.

4.1	Design of building height, bulk, scale and visual elements (including form, roofs and feature elements)
S.1	The front facade of the dwelling should be articulated so that the height, bulk and scale are appropriate to the prevailing scale of the street and the surrounding buildings.
S.2	The character of the street must not be detrimentally affected by buildings of a disproportionate size, bulk and scale, particularly in relation to adjacent dwellings.
S.3	The bulk and height of the building must be of an appropriate scale that suits the scale of the street and the surrounding buildings.
S.4	The height, bulk and scale of ancillary buildings or outbuildings must be proportional to the size of the dwelling.
S.5	Outbuildings are to be positioned so as not to be visible from the street or, if visible, not be more dominant than the dwelling.
S.6	In precincts undergoing a transition, proposed bulk and height must achieve the scale identified for the desired future character of the area.
S.7	The design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions and building type.
S.8	Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.
4.2	Extension of building elements above the gutter line
S.9	A building element on a dwelling (other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling) must not extend above the gutter line of the eaves of a single or double storey house.
4.3	Maximum height of dwellings and outbuildings
4.3.1	Relativity of height of building to ridgeline
S.10	The highest point of a dwelling house, the alterations and additions to an existing dwelling house and any outbuilding must be at least 5m below the highest ridgeline of any hill within 100m of the dwelling or alteration or outbuilding.
4.3.2	Building heights in the B4 zone
S.11	The height of a building in the B4 zone is determined by the Height of Buildings Map of the <i>Armidale Dumaresq LEP 2012</i> .
4.3.3	Building heights in the R1 and R2 zones
S.12	The height of a dwelling house, or the alterations and additions to an existing dwelling house in the R1 and R2 zones must not measure more than 8.5m from existing ground level to the highest point on the building roof.
S.13	The height of an outbuilding or the alterations and additions to an existing outbuilding on a lot must not measure more than 4.8m from existing ground level to the highest point on the building roof.
4.3.4	Building heights in the R5 zone
S.14	The height of a dwelling house, or the alterations and additions to an existing dwelling

house in the R5 zone that has an area of less than 4000m² must not measure more than 8.5m from existing ground level to the highest point on the building roof.

- S.15 The height of a dwelling house, or the alterations and additions to an existing dwelling house in the R5 zone that has an area of at least 4000m² must not measure more than 10m from existing ground level to the highest point on the building roof.
- S.16 The height of an outbuilding or the alterations and additions to an existing outbuilding on a lot must not measure more than 4.8m from existing ground level to the highest point on the building roof.

Note: Existing ground level is measured vertically from the ground to the highest point on the roof line.



4.4 Building on a boundary and height of a boundary wall

- S.17 The location of a building on a boundary may be considered by Council where the circumstances of the case warrant this design approach. A building setback of up to 150mm from a boundary is considered to be 'building on a boundary'.
- S.18 Building on a boundary is not permitted within a Heritage Conservation Area or where this approach would be inconsistent with other relevant controls or guidelines.
- S.19 The maximum height of a wall built on a boundary must not exceed an average of 3m in height with no part higher than 3.6m unless:
- abutting a higher existing or simultaneously constructed wall; or
 - where it can be demonstrated that the bulk height and scale of the wall will not impact on the amenity, solar access and private open space of the adjoining dwelling.

Note: Building on a boundary requires consent from the owner of the adjoining land.

Part 5 Building setbacks

Objectives

- O.1 To ensure buildings are positioned to provide maximum sunlight access and privacy to habitable rooms of dwellings and private open spaces, both within the lot and on adjacent developments.
- O.2 To ensure that setbacks define the boundary between private and public space, and contribute to the character of the immediate streetscape.
- O.3 To ensure buildings incorporate fire protection measures where setback requirements are reduced.
- O.4 To provide setbacks that ensure the design of the dwelling façade is dominant, with the garage or carport a recessive element on the street elevation.
- O.5 Where the dwelling is proximal to a classified road, to limit the impact of road noise on

	habitable rooms.
O.6	To reduce risks from potential fires in adjacent unmanaged vegetation.
5.1	Setbacks for garages and carports in all zones
S.1	A garage or carport is to be set back at least 1m behind the front façade of the dwelling.
5.2	Setbacks in the R1 and R2 zones
5.2.1	Front facade setbacks in the R1 and R2 zones
S.2	In the R1 zone, the front façade setback of the dwelling is to be a minimum of 4.5m, or
S.3	Where an adjoining front façade setback is less than 4.5m, the setback may be equal to or greater than that of an adjoining development.
S.4	In the R2 zone, the front façade setback of the dwelling is to be a minimum of 9m, or
S.5	Where an adjoining front façade setback is less than 9m, the setback may be equal to or greater than that of an adjoining development.
5.2.2	Corner lot site setbacks in the R1 and R2 zones
S.6	On the secondary street frontage, the setback is to be at least 4m from the side boundary.
S.7	Where an adjoining building setback is less than 4m, the setback is equal to or greater than that of the adjoining development.
5.2.3	Side and rear setbacks in the R1 and R2 zones
S.8	Any side or rear wall of a dwelling house, or any carport, garage, balcony, deck, patio, pergola, terrace or verandah that is attached to the dwelling house is to be setback a minimum of 0.9m from the boundary; or
S.9	Where side or rear setbacks are proposed to be less than 0.9m from the boundary, the relevant fire protection requirements of the BCA must be satisfied.
5.3	Setbacks in the R5 zone
5.3.1	Front facade setbacks for dwellings in the R5 zone
S.10	In the R5 zone, the front façade setback of any new building is to be a minimum of 20 metres from any public road.
S.11	A front façade setback greater than 20m may be required for land adjoining a classified road, if the noise assessment determines that this is necessary (See Chapter 2.1 Site Analysis and Land Constraints).
S.12	If any new dwelling is proposed to be constructed less than 50 metres from the boundary of an unsealed public road, the road shall be upgraded to a bitumen sealed road for a minimum distance of 100 metres.
5.3.2	Side setbacks for dwellings in the R5 zone
S.13	Where the lot has an area of less than 4000m ² , any side or rear wall of a dwelling house, or any carport, garage, balcony, deck, patio, pergola, terrace or verandah that is attached to the dwelling house is to be setback a minimum of 2.5m from the side boundary.
S.14	A dwelling house and all ancillary development must have a setback from a boundary with a secondary road that is not a classified road of at least the following:

	<ul style="list-style-type: none"> a) if the lot has an area of less than 4000m² - 5m, b) if the lot has an area of at least 4000m² - 10m.
S.15	A dwelling house and all ancillary development on a lot that has an area of less than 4000m ² must have a setback from a boundary with a parallel road that is not a classified road of at least 10m.
S.16	Where the lot has an area of at least 4000m ² , any side or rear wall of a dwelling house, or any carport, garage, balcony, deck, patio, pergola, terrace or verandah that is attached to the dwelling house is to be setback a minimum of 10m from the side boundary.
5.3.3	Rear setbacks for dwellings in the R5 zone
S.17	In the R5 zone, any dwelling house, or any carport, garage, balcony, deck, patio, pergola, terrace or verandah that is attached to the dwelling house is to be setback a minimum of 15m from the rear boundary.
5.3.4	Setbacks of outbuildings from side and rear boundaries in the R5 zone
	An outbuilding, or alterations and additions to an existing outbuilding, must have a setback from a side or rear boundary of at least: <ul style="list-style-type: none"> a) 10m, if the only purpose of the outbuilding is for agricultural use only; or b) 5m, in any other case.
5.4	Allowable encroachments into setbacks
S.18	Verandahs, porches and pergolas may encroach into the front setback to a depth of 2.4m.
S.19	Terraces, landings, steps or ramps not more than 1m in height may project into the setback area.
S.20	Eaves, fascias, gutters, downpipes, masonry chimneys, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services may project into the setback area provided that the distance to the boundary is greater than 0.5m. Such items may be located less than 0.5m from the boundary if relevant fire protection requirements of the BCA are satisfied.
S.21	Light fittings, electricity or gas meters, aerials or antennae, pergolas, screens or sun blinds may project into the setback area.
5.5	Setbacks from public reserves
S.22	A new dwelling house or outbuilding must have a setback of at least 3m from a boundary with a public reserve.
5.6	Setbacks from overhead electricity supply mains
S.23	Buildings must not be erected under existing overhead electricity supply mains. The minimum clearance measured horizontally from the vertical alignment of any overhead electricity supply conductor to the nearest part of the building shall be 15 metres. This requirement does not apply to an insulated overhead service which provides the electricity supply for the building.
5.7	Setbacks from unmanaged vegetation
S.24	Where land is not identified as bushfire prone, but is adjacent to unmanaged vegetation, a 10m asset protection zone is to be maintained in accordance with the requirements of the <i>Standards for Bushfire Protection 2006</i> .

- S.25 Where an asset protection zone is required and cannot be provided between the proposed development and any unmanaged vegetation, additional fire protection measures shall be required, and may include:
- a) Installation of a 1.8 metre high fence made of non-combustible materials between the development and any unmanaged vegetation. The bottom of the fence is to be in direct contact with the finished ground level or plinth; and
- S.26 Flooring systems (including frame, supporting posts, columns, stumps, piers and poles), windows, external doors, vents, weepholes, eaves, verandahs and decks being constructed in accordance with the requirements for Level 1 construction in the current Australian Standards (*AS 3959 Construction of buildings in bushfire-prone areas*).
- S.27 All developments on land that is designated as bush fire prone must meet the requirements of *Planning for Bush Fire Protection 2006* and *AS3959 Construction of buildings in bushfire-prone areas*.

Part 6 Articulation zones

Objectives

- O.1 To ensure that building elements in the articulation zone define the boundary between private and public space, and contribute to the character of the dwelling and the immediate streetscape.

6.1 What is an articulation zone?

An articulation zone is an area within a lot where building elements may be located. The articulation zone is located is measured horizontally forward from the foremost edge of the front façade of the building.

6.2 Building elements within the articulation zone

- S.1 The following building elements are permitted in the articulation zone:
- a) an entry feature or portico;
 - b) a balcony, deck, patio, pergola, terrace or verandah;
 - c) a window box;
 - d) a bay window or similar feature;
 - e) an awning or other feature over a window,
 - f) a sun shading feature.
- S.2 The maximum area of all building elements within the articulation zone, other than a building element listed in S.1 (e) or (f) above, must not be more than 30 per cent of the area of the articulation zone.

6.3 Verandahs and open porches within the articulation zone

- S.3 Elements such as entry features, a balcony, deck, patio, pergola, terrace or verandah may extend beyond the front façade by a maximum of 2.4m.

6.4 Window features, awnings and shade features within the articulation zone

- S.4 Feature elements such a window box; a bay window or similar feature; an awning or other feature over a window, or a sun shading feature may extend beyond the front façade by a maximum of 1.5m.

6.5	Extension of building elements above the gutter line
S.5	A building element on a dwelling (other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling) must not extend above the gutter line of that section of the building.
Part 7	Dwelling entry, privacy and surveillance
	Objectives
O.1	To ensure the entry to a dwelling is clearly identifiable.
O.2	To provide privacy and security for residents, and passive surveillance from dwellings over adjacent streets and public spaces.
O.3	To prevent external lighting from being a nuisance to surrounding properties.
O.4	To design for accessibility for people with disabilities where possible.
7.1	Dwelling entry
S.1	Entries to dwellings should be clearly visible from the street where the lot has street frontage, or from the internal driveway on a battleaxe lot so that visitors can easily identify the dwelling entrance.
S.2	House numbering is to be provided in a visible place on or near the entrance for the convenience of visitors, emergency services and postal services.
S.3	Entries are, or can be easily be adapted to be accessible at ground-floor level to people with disabilities.
S.4	Adequate entrance lighting is to be provided and positioned so as not to radiate into neighbouring properties.
7.2	Mail boxes
S.5	One mail box per dwelling is required.
S.6	Mail boxes are to be accessible and located at the front of the property, as close to the footpath as possible.
S.7	Mailboxes must be constructed from durable materials and be designed to blend in with the predominant style of the front fencing and the dwelling.
S.8	Mail boxes should be large enough to cater for A4 size envelopes, newspapers and other general mail.
7.3	Security and surveillance
S.9	The design of the dwelling shall provide for at least one habitable room overlooking the street so that general surveillance of the site and approaches to entries is possible from inside dwellings.
S.10	A window or peephole in the main door should allow visitors to be seen from inside the dwelling without requiring the resident to open a door.
7.4	Privacy
S.11	Outlook from windows, balconies, stairs, landings, terraces, and decks or other private areas within a development should be screened or obscured where a direct view is available into the private open space of an adjoining dwelling.
S.12	Where screening is used, the view of the area overlooked must be obscured within 9m and

beyond a 45° angle from the plane of the wall containing the opening, measured from a height of 1.6m above floor level.

- S.13 No screening is required if windows are to:
- bathrooms, toilets, laundries, storage rooms or other non-habitable rooms and have translucent glazing or sill heights of at least 1.5m; or
 - habitable rooms and have sill heights 1.5m or greater above floor level or translucent glazing to any window less than 1.5m above floor level; or
 - habitable rooms facing a property boundary where there is a visual barrier at least 1.5m high and the floor level of the room is less than 0.6m above the level of the ground at the boundary.
- S.14 A balcony, deck, patio, pergola, terrace or verandah (or any alterations to such) that overlooks a private open space area (except its own private space area) must have a privacy screen if:
- it has a setback of less than 3m from a side or rear boundary; and
 - it has a floor area more than 3m²; and
 - has a floor level more than 1 metre above ground level (existing).

Part 8 Private open space and landscaping

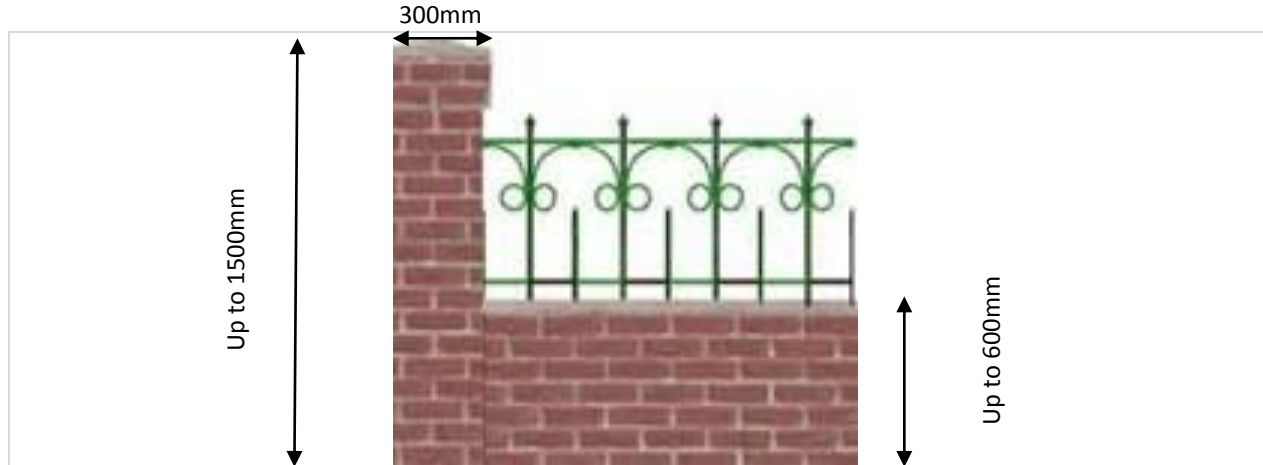
Objectives

- To create a street and landscape character by constructing well defined front gardens, street trees and the visibility of backyard trees beyond the dwelling.
- To ensure that private open space is designed and located to receive maximum sunlight and integrates with the living area(s) of a dwelling.
- To ensure the principal private open space areas are not overlooked by neighbouring properties.
- To provide adequate outdoor private open space for recreational, service and storage needs.
- For dual occupancies, to ensure that any communal areas are of benefit to all residents, and can be effectively maintained.

8.1 Private open space areas

- S.1 Each dwelling on a lot is to be provided with a principal private open space area that is:
- a minimum of 60m²;
 - is at least 6m wide;
 - is not steeper than 1:50 gradient; and
 - is directly accessible from, and adjacent to, one or more habitable rooms (other than a bedroom).
- S.2 A two storey dwelling must provide its principal private open space area at ground level.
- S.3 Private open space areas should be designed to have amenity, slope and dimensions that will make them functional and will be suited to likely residents.
- S.4 Any communal open space (dual occupancies) is to be appropriate for use by residents, cost-effective to manage, and designed to ensure the safety and security of residents.
- S.5 Outdoor spaces should be generously designed, rather than them being 'left over' spaces around the dwelling.
- S.6 Service spaces for rubbish and storage are to be screened or positioned to the side or rear of

	the building.
8.2	Sunlight to private open space
S.7	Buildings should be designed and positions so that they do not significantly overshadow main private open space areas, including main private open space areas on neighbouring properties.
S.8	At least half of the principle private open space should receive 3 hours or more of sunlight between 10am and 2pm on June 21 (winter solstice);
S.9	Overshadowing to the private open space on an adjoining property between the hours of 9.00am and 3.00pm on 21 June is to be no more than that caused by a 1.8 metre boundary fence or other existing obstructions (including trees).
8.3	Landscaping forward of the building line
S.10	If the lot has a width, measured at the building line, of at least 18m, at least 50% of the area forward of the building line to the primary road must be landscaped.
S.11	If the lot has a width, measured at the building line, of less than 18m, at least 25% of the area forward of the building line to the primary road must be landscaped.
S.12	Where the lot does not front a primary road (ie. a battleaxe lot), the area forward of the front façade of the dwelling must be landscaped as outlined above.
Part 9	Fences and retaining walls
	Objectives
O.1	To provide front fencing that compliments the dwelling design and is attractive in the streetscape.
O.2	To regulate the height of a front fence to encourage the use of the front garden, and increase surveillance and activation of the street.
9.1	Front fences in the R1, R2 and B4 zones
S.1	A front fence and any associated retaining wall must be located within the front setback area.
S.2	Front fences may be: <ul style="list-style-type: none"> a) be up to 1.2m above existing ground level, or 1.5m high if more than 50% transparent; b) be of open appearance; c) any brick or other solid portion of the fence above 600mm should not be more than 350mm wide and the remaining fence must be of open design.
S.3	Consideration of articulation of the fence, including insertions of plantings in the articulated space should be considered as a design alternative, especially on wide frontages.
S.4	Facilities in the frontage area such as gates, letter boxes, and garbage bin enclosures are to be compatible in design with the front fence, and the overall character and design of the development.
S.5	Front fencing, should be designed to look like part of the street, rather than an extension of the dwelling.



9.2 Fences in the R5 zone

- S.6 A stock proof fence must be constructed on all public road frontages and public open space areas in the R5 zone.
- S.7 To maintain the landscape values and rural residential character of the locality, such fencing is not to be metal panel fencing (of any height).

9.3 Fences on Heritage Items and/or in Heritage Conservation Areas

- S.8 In a Heritage Conservation Area, or on a Heritage Item, front fences must be designed and located in accordance with the provisions in Chapter 2.3 European Heritage.
- S.9 These provisions provide information on the materials, height, styles and streetscape considerations for heritage fence design and construction.

9.4 Fencing on corner lots

- S.10 On corner lots the front fence style and height should continue around the corner to the secondary street to a point level with the front facade of the dwelling.
- S.11 Fencing shall not be of a height that compromises sight distances, vehicle or pedestrian safety.
- S.12 Side fences on a corner lot are to be tapered from the height of the front boundary fence to a maximum height of 1.8m at the point level with the front facade of the dwelling.

9.5 Stepped front fencing on sloping sites

- S.13 The fence, or the fence and associated retaining wall, on a sloping site may be stepped.
- S.14 The height of each step must not be more than:
- 1.5m above ground level (existing) if it is located within a setback area from a primary road, or
 - 2.2m above existing ground level in any other case.

9.6 Construction and materials

- S.15 Solid panel fencing (eg. Colorbond®) and metal mesh fencing is not permitted for front fences.
- S.16 Barbed wire, jagged edging of sharp materials, and electric fencing is not permitted.
- S.17 Metal used in the construction of a fence must be low reflective and factory pre-coloured.
- S.18 Fencing materials shall compliment the dwelling and streetscape/landscape.

S.19	If the land is bush fire prone, the fence and any retaining wall must be constructed from non-combustible materials.		
9.7	Surface water flow		
S.20	A fence or retaining wall must not be constructed so that it redirects the overland flow of surface water onto any adjoining property.		
Part 10 Car parking			
Objectives			
O.1	To provide adequate and convenient parking for residents.		
O.2	To ensure a change of use of a garage or carport to a habitable room meets the BCA requirements.		
10.1	Car parking spaces per dwelling		
S.1	Each dwelling on the lot is to be provided with a minimum of one covered car space (garage or fixed carport).		
S.2	At least one covered car parking space per dwelling must be retained or provided in an alternative location where alterations and/or additions are proposed that remove the use of an existing car parking space/garage/carport for that purpose.		
S.3	Detached garages and carport parking spaces should be positioned to provide convenient access to the dwelling.		
Note: Compliance with the Building Code of Australia is required where alterations and/or additions to an existing garage or carport create a habitable room(s) within a dwelling.			
10.2	Car parking space size and design		
S.4	Size of car spaces within garages	Car spaces within garages or contained by walls must have minimum dimensions (measured internally) of:	
		Single garage space	Double garage space
		6.0m x 3.0m	6.0m x 5.5m
S.5	Size of car spaces for carports or uncovered	Car space sizes for carports or uncovered hard stand areas:	
		Single carport space	Double carport space
		5.4m x 2.6m	5.4m x 3.2m
		Car space sizes for carports or uncovered hard stand areas where access is from the side (parallel parking):	
		Single car space	Minimum access lane width
	at least 6.3m long and 2.1m wide	3.2m	
10.3	Projection of buildings into car spaces		
S.6	An adjoining building may project into the space if the projection is at least 2.1m above the car space.		

Part 11 Garages and carports**Objectives**

- O.1 To ensure the design of the dwelling façade is dominant, with the garage or carport a recessive element on the street elevation.
- O.2 To ensure that the position of the garage or carport on a lot allow the maximum solar access possible to the private open space and internal living areas of the dwelling.

11.1 Garage positioning to maximise solar access to dwelling

- S.1 Where site conditions allow, garages should be located on the southern side of east-west facing lots, and the western side of north-south facing lots.

11.2 Garage setbacks from the front façade of the building

- S.2 Garages must be set back at least 1m from the front façade of the dwelling.
- S.3 Where there are reduced setbacks, garages must be set back at least 5.5m from the front boundary.

11.3 Permitted number of garages for a single dwelling

- S.4 Single garages are permitted.
- S.5 Single fronted tandem garages (with one space behind the other) are permitted.
- S.6 Double garages are permitted on lots 12m wide or greater.
- S.7 Garages for three or more vehicles are not permitted except where:
 - a) they are constructed as an outbuilding;
 - b) the area of the garages do not exceed the maximum floor area for outbuildings; and,
 - c) the outbuilding is constructed so it is of minimum visibility from the street.

11.4 Garage door widths (external)

- S.8 The total external width of garage door openings must:
 - a) not exceed 50% of the width of the dwelling;
 - b) each be no wider than 6m.

Part 12 Vehicle access and driveways**Objectives**

- O.1 To ensure all development has legal and properly constructed access.
- O.2 To ensure property access is located with safe sight distances and adequate distances from corners.
- O.3 To minimise the extent of private access arrangements over adjoining land (rights-of-carriageway).
- O.4 To ensure that the standard of public roads is sufficient for traffic likely to be generated by a development.
- O.5 To minimise future costs to the community associated with road improvement and maintenance.
- O.6 To ensure that internal access roads are sited to minimise impacts on the environment and are constructed to a standard suitable to provide safe access for residents, employees and emergency services.

- O.7 To encourage design that responds to the topographical features of the site, and reduces the requirement for excavation and/or fill.

Note: All road and pavement construction, including roads, driveways, and kerb and gutter profiles are to comply with the requirements of Council's Engineering Code.

12.1 Road access in all zones

- S.1 A dwelling house or dual occupancy dwelling must have legally and properly constructed access to a public road.
- S.2 Land having frontage to an existing dedicated Public Road that is maintained by Council may obtain access from the road. Where the development is for a new dwelling, dual occupancy or the alterations and additions to an existing dwelling house or dual occupancy in the R5 zone, improvements to the existing public road will not be required.
- S.3 Where the lot or holding on which the development is proposed to be carried out has frontage to an existing Public Road that is unconstructed or is not maintained by Council, the full cost of upgrading that road to Council's specification is to be borne by the developer.
- S.4 Developments expected to generate significant traffic may require existing public roads to be upgraded to a suitable and safe standard for the use.

12.2 Access and roads in the R1 and R2 zones

12.2.1 Road standards in the R1 and R2 zones

- S.5 For new dwellings and dual occupancies in the R1 and R2 zones, a two lane sealed road is required in accordance with Council's Engineering Code.
- S.6 For unconstructed roads, a half road width of a sealed two lane road is required.

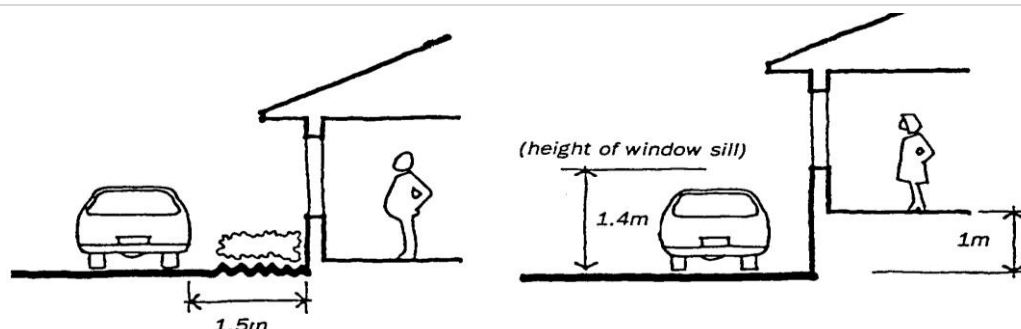
12.2.2 Driveways in the R1 and R2 zones

- S.7 Driveways are not to be less than 3m wide.
- S.8 At changes of direction or at intersections, the internal radius of the driveway must be at least 4m.
- S.9 Where the driveway is longer than 50m (eg battle-axe handles) provision for passing must be provided.
- S.10 The driveway should not be located within 6m of a road intersection.
- S.11 The driveway access point should be via the minor street where the site is bounded by a major and a minor road.
- S.12 The driveway access points should not to conflict with existing vehicle or pedestrian generators.
- S.13 The driveway must provide flood free vehicle access.
- S.14 Where the land adjoins an existing sealed public road, the driveway shall be sealed from the road shoulder to the boundary.
- S.15 Direct access to a classified road will not be permitted where another practical option exists.
- S.16 Driveway position must consider the location of utilities in road reserves and the position of street trees. Street trees may only be removed if no other options exist. For street tree provisions, including valuation of street trees, see the Urban Streetscape (Street Vegetation) Policy POL120 Urban Streetscape Plan.
- S.17 The driveway shall be located so as to minimise earthworks and removal of vegetation/street trees in the road reserve.

- S.18 Entrances shall be limited to one per lot unless approved otherwise by Council. The relocation of an existing entrance may require the complete removal of the existing entrance.
- S.19 Any new driveway on a classified road shall be located and constructed in accordance with the requirements of the relevant road authority.
- S.20 Lot design enables driveways on major collector streets and streets which carry more than 3000 vpd to be designed to promote forward movement of vehicles across the verge.
- S.21 Any new driveway on a local road shall have safe intersection sight distance in accordance with Table 3.2 of *Austrroads 2010*.

12.2.3 Shared driveways in the R1 and R2 zones

- S.22 Shared driveways, access ways and car parks of other dwellings should be set back a minimum of 1.5m from windows to habitable rooms of dwellings, unless the floor level of the dwelling is at least 1m above the driveway.
- S.23 The setback may be reduced to 1m when the driveway is bounded by a minimum fence height of 1.5m height.
- S.24 Where a dual occupancy is accessed via a shared driveway, the driveway is to be designed for vehicles to leave and enter the site in a forward direction.



12.2.4 Right-of-Carriageway in the R1 and R2 zones

- S.25 Access by right-of-carriageway is not allowed in the R1 and R2 zones.

12.3 Surface treatment of driveways

- S.26 To reduce the amount of hard surface and increase on-site stormwater infiltration, the amount of paved surface may be modified as follows:
- the paved length of 90° car spaces may be reduced from 5.4m to 5.1m where the additional 0.3m is provided as lawn or garden bed suitable for the overhang of vehicles
 - the paved width of access lanes for 90° parking may be reduced from 6.0m to 5.7m, provided that the accessway is at least 0.3m from a wall, fence or other solid barrier greater than 100mm high
 - paved widths in 3m wide driveways may be reduced to 2.6m, provided 0.2m either side remains unobstructed.
- S.27 Car spaces, accessways and driveways are to be formed, defined and drained to a Council drainage system, and surfaced with an all-weather seal such as concrete, coloured concrete, asphalt or mortared pavers; or a stable, smooth, semi-porous paving material (such as brick, stone or concrete pavers) laid to the paving standard for light vehicle use

12.4	Kerb or barrier in the R1 and R2 zones
S.28	A kerb 150mm high by at least 150mm wide or a barrier is to be provided where appropriate to prevent vehicles having access to the street other than by a crossover, or to prevent vehicles protruding beyond the site boundary.
12.5	Access and Roads in the R5 zone
12.5.1	Road standards in the R5 zone
S.29	A single lane sealed road to the nearest Council maintained public road is required.
12.5.2	Driveway location in the R5 zone
S.30	Provision of an adequate all weather access will generally require gravelling from the road shoulder to the boundary and in most cases will require the provision of a piped gutter crossing in accordance with Council's Engineering Code.
S.31	Where the land adjoins an existing sealed public road, the driveway crossover shall be sealed from the road shoulder to the boundary.
S.32	The driveway shall be located so as to minimise earthworks and removal of vegetation in the road reserve.
S.33	Entrances shall be limited to one per lot unless approved otherwise by Council. The relocation of an existing entrance may require the complete removal of the existing entrance.
S.34	Direct access to a classified road will not be permitted where another practical option exists.
S.35	Any new driveway on a classified road shall be located and constructed in accordance with the requirements of the relevant road authority.
S.36	Any new driveway on a local road shall have safe intersection sight distance in accordance with Table 3.2 of <i>Austroads 2010</i> .
12.6	Right-of-Carriageway in the R5 zone
S.37	Access by right-of-carriageway is not encouraged and will only be permitted in cases where no other practical alternative exists.
S.38	The right-of-carriageway shall only serve one lot or holding and must not be located on a lot containing an existing right-of-carriageway.
S.39	The right-of-carriageway shall have a width of not less than 20 metres.
12.7	Construction and dedication of a Crown Road as a Council Public Road
S.40	Where access is proposed via a Crown Road, the road is to be constructed by the developer to Council's specification and dedicated as a Council public road.
S.41	The applicant is to provide written agreement from the responsible authority (currently NSW Crown Lands) for the use of the Crown Road for access.
12.8	Undedicated roads
	Undedicated roads are roads that are not dedicated as Council or Crown Roads and include Forestry Roads, Rural Lands Protection Board reserves and Ministerial Roads.
S.42	The applicant is to provide written agreement from the responsible authority for the use of the road for access.

Part 13 Utility infrastructure**Objectives**

- O.1 To ensure that land within Council's Development Servicing Plan for Water and Sewerage is provided with services in accordance with that Plan.
- O.2 To ensure internal services are positioned for effective use of land and access by servicing authorities.
- O.3 To ensure that all development has adequate water supply to meet domestic/commercial, and fire fighting demands.
- O.4 To ensure that satisfactory provision is made for the safe and nuisance free disposal of effluent.
- O.5 To ensure that an adequate electricity supply is available for the intended use.

13.1 Water supply in the R1, R2 and B4 zones

- S.1 Development on land in the R1, R2 and B4 zones must connect to Council's reticulated water supply.

13.2 Water supply in the R5 zone

- S.2 Development on land in the R5 zone within the 'Water DSP Development Area' must connect to Council's reticulated water supply if the land is located within 225 metres of an existing water main.
- S.3 Development on land that is greater than 225 metres from an existing water main must connect to Council's reticulated water supply, except where the applicant can justify, to Council's satisfaction, that a reticulated supply is not required based on the criteria below:
 - a) the type and scale of the development relative to its proximity to the existing reticulated water supply system.
 - b) the sequence of infrastructure provision identified under the Development Servicing Plan for Water and Sewerage relative to the proposed development.
 - c) potential future development of nearby land, including type and timing of development(s).
 - d) the ability of on-site water supply to provide for domestic/commercial demands and a reliable fire fighting reserve.
 - e) the economic feasibility of connection to a reticulated water supply compared to providing on-site water storage. A cost benefit analysis is to be submitted, including the total cost to install, run and maintain an on-site water supply system compared to the cost of providing reticulated water supply over a substantial period being 20 years.
- S.4 Where the development will not be connected to Council's reticulated water supply, it will be required to have not less than 70,000 litres of domestic water storage per dwelling. Although not specifically required by Council, it is recommended that landowners consider providing a greater storage capacity.
- S.5 In addition to the minimum quantities of domestic water storage required above, a dedicated reserve for fire fighting purposes of not less than 20,000 litres shall be provided. For development on bush fire prone land as identified on Council's Bush Fire Prone Land Map certified by the Rural Fire Service, additional storage capacity may be required.
- S.6 The dedicated fire fighting water supply tank shall:
 - a) include a 65mm Storz fitting and ball or gate valve, or if the tank is in ground, it shall

	<p>be fitted with a 200mm x 200mm child proof access hole.</p> <p>b) provide for fire fighting appliances (i.e. trucks and tankers) to gain access to within 4 metres of the tank.</p> <p>c) include a minimum 3kW (5hp) petrol, diesel or generator powered pump, including appropriate fittings.</p>
13.3	Sewerage systems in the R1, R2 and B4 zones
S.7	Development on land within the R1, R2 and B4 zones must connect to Council's reticulated sewerage system.
13.4	Sewerage systems in the R5 zone
S.8	Development on land within the R5 zone and within the 'Sewer DSP Development Area' must connect to Council's reticulated sewerage system if the land is located within 75 metres of an existing sewer main.
S.9	Development on land within the R5 zone that is greater than 75 metres from an existing sewer main must connect to Council's reticulated sewerage system, except where the applicant can justify to Council's satisfaction, that connection to Council's sewerage system is not required based on the criteria below: <ul style="list-style-type: none"> a) The proposed on-site sewerage management system(s) must be able to demonstrate that it can satisfy Council's Policy POL 225 – Regulatory: Local Approvals Policy - On-site Waste Water Systems. b) The case for on-site waste management is consistent with the type and scale of the development relative to its proximity to the existing reticulated sewerage system. c) The sequence of infrastructure provision identified under the Servicing Plan relative to the proposed development. d) The case for on-site waste management considers potential future development of nearby land, including type and timing of development(s). e) A case for on-site waste management is consistent with and accounts for future development on the subject land with respect to the area of the land parcels, type of development and sensitivity of the environment. f) The economic feasibility of connection to Council's sewer compared to providing an on-site sewerage management system. A cost benefit analysis is to be submitted, including the total cost to install, run and maintain an on-site system compared to the cost of connecting to the sewer over a substantial period being 20 years.
13.5	Stormwater drainage
S.10	Stormwater drainage systems are to be designed in accordance with Chapter 2.7 Floodplain Protection and Stormwater Drainage.
13.6	Electricity supply
S.11	Electricity supply requirements are outlined in Chapter 2.1 Site Analysis.
13.7	Solar panels and solar heat pumps
S.12	Location and installation of all solar panels and solar heat pumps must comply with the provisions of the <i>State Environmental Planning Policy (Infrastructure) 2007</i> .
S.13	In a Heritage Conservation Area, or on a Heritage Item, solar panels must be designed and

located in accordance with the 'Solar and Wind Energy Installations' provisions in Chapter 2.4 European Heritage. These heritage provisions provide information on the materials, colour, height and streetscape considerations for solar installations.

Part 14 Earthworks

S.1 Where earthworks are required, including excavation, fill, retaining walls, batters and geotechnical investigations (including soil, slip and spring activity), the relevant provisions in *LEP 2012* Clause 6.1 Earthworks and Chapter 2.6 – Earthworks and Geotechnical Assessment must be applied.

Part 15 Open fireplaces

O.1 To protect the amenity and air quality of the region.

S.1 Open fire places are not permitted in any zone.

Part 16 Exhibition homes

Application may be made for the temporary use as an exhibition home for display purposes. Exhibition homes may be used to display and promote well designed housing and to market innovative housing solutions, technologies and construction methods and design materials.

Objectives

O.1 To allow dwellings to be used temporarily for exhibition or display purposes.

Where a dwelling is constructed or renovated with the intent of being temporarily used as an exhibition home, the following controls will be applicable:

- S.1 The term of the use as an exhibition home is to be a maximum of two years, after which time the premises must revert to use as a dwelling.
- S.2 The exhibition home hours of operation are restricted to 8.30am to 6.00pm.
- S.3 The exhibition home must include a room or suite of rooms that are capable of being occupied or used as a separate domicile.
- S.4 At least 2 onsite parking spaces must be provided. These parking spaces must meet the parking space requirements outlined in this chapter.
- S.5 Persons must not reside in the exhibition home during the period of its operation as an exhibition home.
- S.6 Access for persons with disabilities should be considered for the period of the use as an exhibition home.
- S.7 The use of signage and logos must comply with any relevant signage and advertising provisions. Signage will be permitted during the agreed term of use as an exhibition home only.
- S.8 The exhibition home must comply with all of the requirements for a dwelling as outlined in this chapter.

Part 17 Definitions

The following definitions are found in *LEP 2012* Dictionary.

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).

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

dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

The following definitions are found in SEPP (Exempt and Complying Development Codes (2008).

ancillary development means any of the following:

- a) access ramp;
- b) awning, blind or canopy;
- c) balcony, deck, patio, pergola, terrace or verandah that is attached to a dwelling house;
- d) carport that is attached to a dwelling house;
- e) detached studio;
- f) driveway, pathway or paving;
- g) fence or screen;
- h) garage that is attached to a dwelling house;
- i) outbuilding;
- j) rainwater tank that is attached to a dwelling house;
- k) retaining wall;
- l) swimming pool or spa pool and child-resistant barrier.

outbuilding means any of the following:

- m) balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house;
- n) cabana, cubby house, fernery, garden shed, gazebo or greenhouse;
- o) carport that is detached from a dwelling house;
- p) farm building;
- q) garage that is detached from a dwelling house;
- r) rainwater tank (above ground) that is detached from a dwelling house;
- s) shade structure that is detached from a dwelling house;
- t) a shed.

principal private open space means an area an area directly accessible from, and adjacent to, a habitable room (other than a bedroom); and, is not steeper than 1:50 gradient. Principal private open space may include an area of land, a terrace, a balcony or deck.