

Outline

Part 4 Urban residential development

Explanatory outline

Part 4 specifies outcomes, design guidelines and other requirements for all types of residential accommodation on land within urban residential areas.

There are separate sections for each of the following matters:

4a Urban dwellings

4b Ancillary residential structures & activities

This Part does not apply where approval is sought by way of a complying development certificate (under *SEPP (Exempt and Complying Development) Codes 2008*). In such cases, the criteria under that SEPP will apply instead.

4.1 Relevant planning instruments & legislation

The following environmental planning instruments or other legislation are relevant to development to which this Part applies:

- *Upper Hunter Local Environmental Plan 2013*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*
- *State Environmental Planning Policy (Housing) 2021*
- *Building Code of Australia*
- *Local Government Act 1993*
- *Roads Act 1993*

Further planning instruments and legislation may also be relevant. In the event of any inconsistency, the above listed instruments will prevail over requirements or criteria contained in this section.

4.2 Definitions

There may be words used in this Part that are defined in the *Environmental Planning and Assessment Act, 1979*, as amended, or within *Upper Hunter Local Environmental Plan 2013*, as amended. The Dictionary to this DCP provides additional definitions that are relevant to this Part, including the following:

- adaptable housing units
- building line or setback
- corner lots
- existing building line
- landscaped area
- multiple housing
- primary road frontage
- private open space
- relocated dwelling
- secondary road frontage
- living area

Note that this Part also references different **types of housing** that are already defined in *Upper Hunter Local Environmental Plan*.

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4.3 Objectives

The objectives of this Part are to ensure that:

1. site layout and building design responds to the existing characteristics, opportunities and constraints of the site and its context (being adjoining land and the locality)
2. the design of new buildings reflects and reinforces, or is complementary to, the existing character of the locality
3. the character and pattern of existing setbacks and building orientation within residential streets is reinforced
4. site facilities are unobtrusive, integrated into the proposal, provide for needs of residents and reduce the impact of development on the environment
5. the design and provision of public utilities, including sewerage, water, electricity, street lighting, telecommunications and gas services conform to the cost-effective performance measures of the relevant servicing authority
6. ancillary buildings do not dominate the streetscape and reflect the existing location of ancillary buildings within the streetscape
7. a range of housing forms are provided across the LGA that are able to be serviced by existing infrastructure capacity.

4.4 Supporting plans & documentation

Development applications that are subject to this Part should be supported by the following plans and documentation.

Applications subject to section **4b Ancillary residential structures & activities** may not need as higher level of detail to be provided as those subject to section **4a Urban dwellings**.

Item	When required	Plans or information to be provided
A. General requirements	All applications	Refer to Part 2 preparing & lodging a development application .
B. BASIX certificate	All applications where relevant	Refer to <i>UHSC Application Guide</i> regarding BASIX certificates and also to the on-line assessment tool at https://www.planningportal.nsw.gov.au/basix
C. Requirements of Low Rise Housing Diversity Design Guide for DAs	Dual occupancies, manor housing, multi dwelling housing, semi-detached dwellings	Any information required by the <i>Low Rise Housing Diversity Design Guide for DAs</i>
D. Requirements of Apartment Design Guide	Residential flat buildings	Any information required by the <i>Apartment Design Guide 2015</i> (or its subsequent update)
E. Zone MU1 Mixed Use Masterplan	Any application in Zone MU1 Mixed Use where residential development is proposed and: <ul style="list-style-type: none"> • a Masterplan has already been prepared for the site, or adjoining site (usually as part of a subdivision or a 	<p>An indicative plan must be prepared for the site, and any adjoining land in the same ownership, showing:</p> <ul style="list-style-type: none"> • likely future uses • location of future buildings and structures • proposed vehicular access <p>on each lot.</p> <p>If a Masterplan has previously been prepared as part of a subdivision or previous development on the site or adjoining</p>

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Item	When required	Plans or information to be provided
	<p>previous development); or</p> <ul style="list-style-type: none"> where the proposal is the first development proposed for the site as determined by Council 	<p>land, then that Masterplan, and any proposed changes to it, should be submitted to Council.</p> <p>Depending on the site and circumstances, Council may require other information to be provided in either of these Masterplans. This should be discussed early with Council officers.</p>
F. Shadow diagram	<p>Applications that potentially involve overshadowing of the proposed development, or of adjoining or nearby development</p> <p>Any development of two or more storeys</p>	<p>Prepare a plan illustrating:</p> <ul style="list-style-type: none"> extent of shadows cast by existing and proposed buildings, including buildings on adjoining land position of existing and proposed buildings on the site and adjoining land shadows cast by existing and proposed buildings at the winter solstice (22 June) for 9am, 12noon and 3pm.
G. High glare building materials	<p>Applications involving the use of high glare building materials</p>	<p>Prepare a report and accompanying plan showing the alternative options considered in the design process, orientation of the buildings/proposed material, the roof pitch, sun angles, the location of properties and public places that may be affected by glare either in the immediate vicinity or within a wider area likely to be affected, and any measure to be incorporated into the works to mitigate any potential impacts (for example, landscaping, screens and the like).</p>
H. Servicing strategy	<p>All applications where relevant</p>	<p>Demonstrate the availability and feasibility of providing the following services appropriate for the scale and nature of development:</p> <ul style="list-style-type: none"> reticulated water, including the size and location of water services, and any proposed fire service reticulated sewerage (R1 and R5 zones) on site wastewater management (where applicable) electricity telecommunications.
I. Vegetation (including trees) reports	<p>Applications affecting vegetation (including trees), as specified in section 11a Vegetation (including trees).</p>	<p>Applicable reports or plans, prepared by a suitably qualified person, as specified in section 11a Vegetation (including trees). These must be consistent with other elements of the development application, including Site plans, Bushfire assessment report and Landscaping plans. Depending on the site circumstances, these may include:</p> <ul style="list-style-type: none"> written description and plans arborist's report ecological report heritage report safety or biosecurity risk report
J. Biodiversity and native vegetation reports, plans or assessments	<p>Applications for which biodiversity and/or native vegetation reports, plans or assessments are required</p>	<p>Applicable reports, plans or assessments, prepared by a suitably qualified person, as specified in section 11b Biodiversity conservation. These may include:</p> <ul style="list-style-type: none"> Native vegetation clearing threshold report, and/or

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Item	When required	Plans or information to be provided
	<p>(refer to section 11b Biodiversity conservation)</p> <p>These will be required for development on land with high biodiversity values, or proposals that require significant disturbance to, or clearing of, native vegetation or potential habitat for native species.</p>	<ul style="list-style-type: none"> • Biodiversity (flora & fauna) assessment report, and/or • Biodiversity development assessment report (BDAR), and/or • Biodiversity management plan, and/or <p>Biodiversity offset information, strategy or plan</p>
K. Landscape plan & report	Applications for dual occupancies, secondary dwellings, semi-detached dwellings or multiple housing	<p>Plan and report, prepared by a suitably qualified professional, showing:</p> <ul style="list-style-type: none"> • description of ground preparation and on-going maintenance of landscaping • areas of private open space, proposed turf and areas of established gardens. • location and species of trees and shrubs to be retained or removed. • schedule of plantings, cross-referenced to the site plan indicating species, massing and mature height. • details of restoration and treatment of earth cuts, fills, mounds, retaining walls, fencing and screen walls.
L. Soil & water management plans or reports	Applications for which soil and water management plans or reports are required (refer to section 11f Soil & water management)	<p>Prepare applicable soil and water management plans or reports, as specified in section 11f Soil & water management. These could include:</p> <ul style="list-style-type: none"> • cut and fill details. • erosion and sediment control plan (ESCP) • erosion and sediment control strategy (ESCS) • soil and water management plan (SWMP) • comprehensive water cycle strategy (CWCS).
M. Geotechnical hazard & salinity assessment	Applications potentially subject to geotechnical hazards (refer to section 10c Geotechnical hazard)	Include the matters required under section 10c Geotechnical hazard .
N. Flooding information	Applications that relate to flood prone land	Include the matters required under section 10a Floodplain management .
O. Access & parking plans & reports	Applications for multiple housing	Include the matters required under section 12a Access & vehicle parking .
P. Traffic impact assessment	Applications likely to have a significant impact on traffic generation (such as, a substantial quantity of multiple unit housing)	Include the matters required under section 12a Access & vehicle parking . Actual requirements will depend on the expected level and type of traffic generation.
Q. Adaptable housing units	Applications for developments of 5 or more dwellings	Show the location of adaptable housing units on plans

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Item	When required	Plans or information to be provided
R. Site waste minimisation & management plan	All applications where relevant	<p>A Plan and report addressing the requirements outlined in Section 11h Waste minimisation & management, as well as:</p> <p>For single dwellings, dual occupancy and semi-detached dwellings, show the locations of:</p> <ul style="list-style-type: none"> an onsite waste/recycling storage area for each dwelling, that is of sufficient size to accommodate Council's waste, recycling and garden waste bins. <p>For multi-unit dwellings, show:</p> <ul style="list-style-type: none"> the location of individual waste/recycling storage areas (such as for townhouses and villas) or a communal waste/recycling storage room(s) able to accommodate Council's waste, recycling and garden waste bins. the location of any garbage chute/s and interim storage facilities for recyclable materials. the location of any service rooms (for accessing a garbage chute) on each floor of the building. the location of any waste compaction equipment. the on-site path of travel for collection vehicles (if collection is to occur on-site), taking into account accessibility, width, height and grade.
S. Heritage, aboriginal cultural heritage or archaeological plans & reports	<p>Applications that will potentially impact on land that is listed as or contains:</p> <ul style="list-style-type: none"> a heritage item a heritage conservation area an archaeological site an Aboriginal object an Aboriginal place of heritage significance. 	Include the matters required under section 9a Heritage conservation .
T. Bushfire assessment report	Applications that relate to Bush Fire Prone Land	Prepare a Bushfire Assessment Report in accordance with the current version of <i>Planning for Bush Fire Protection</i> , as specified in section 10b Bushfire risk .
U. Acoustic assessment report	Applications for land adjacent to a rail corridor or New England Highway and ANEF contour associated with Scone airport	The report should address and indicate measures to mitigate potential impacts from noise and vibration
V. 'Safer by design' information	Applications for multiple housing	An outline of the development's consideration of 'Safer by design' principles.
W. Relocated dwelling report	Applications for re-located dwellings	<p>A report and appropriate plans indicating:</p> <ul style="list-style-type: none"> a description of the dwelling to be moved the location of the dwelling at present and its age photographs of each elevation of the building at its current address dimensioned elevation drawings

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Item	When required	Plans or information to be provided
		<ul style="list-style-type: none"> • the location to which the building is to be moved • details and specifications of all new work including footings, repairs, alterations, renovations and the installation of services • details of termite protection, bracing and tie down • schedule of existing building materials and condition • A report from a qualified structural engineer: <ul style="list-style-type: none"> - certifying that the existing building is able to withstand the wind loads and specifying any additional wind bracing and tie-down necessary to ensure the structural integrity of the relocated dwelling. This is only required where the dwelling is to be relocated into an area of high wind velocity i.e. N2, N3, AS 4055-Wind Loads for Housing. - specifying the proposed method of rejoining the various sections of the structure. - specifying whether any dilapidated or rotted structural members or cladding is to be replaced. - specifying the method of support of any existing concrete floor/s within the building. - Certifying that the existing building is able to be relocated.

Explanatory outline

Section 4a outlines application requirements and design criteria for all types of dwellings within urban areas. The following matters are covered:

Design & siting:

- minimum site area and dimensions
- density
- site coverage ('floor space ratio')
- battle-axe lots
- front setbacks
- side and rear setbacks
- general design considerations
- multiple housing – general design
- building height and scale
- solar access
- building materials
- visual and acoustic privacy
- natural site features
- private open space and landscaping
- accessibility and adaptability
- heritage

Access & infrastructure:

- off street parking and access
- water
- sewerage
- electricity and telecommunications
- stormwater management
- waste minimisation and management
- clothes drying facilities
- numbering
- outdoor lighting
- mailboxes

4a Urban dwellings

- relocated dwellings

Note: these criteria do not apply where approval is sought by way of a complying development certificate under *SEPP (Exempt and Complying Development) Codes 2008*. In such cases, the criteria under that SEPP will apply instead.

4a Urban dwellings

4a.1 Application of this section

This section applies to development (as defined in *Upper Hunter Local Environmental Plan*) described in Column 1 when carried out on land described in Column 2. It does **not** apply to proposals for which a complying development certificate is sought under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Column 1: Type of development	Column 2: Applicable land
<ul style="list-style-type: none"> attached dwellings boarding houses co-living housing dual occupancies dwelling houses (including relocated dwellings) group homes hostels multi dwelling housing residential flat buildings* secondary dwellings semi-detached dwellings seniors housing shop top housing. 	Land within the following zones: <ul style="list-style-type: none"> R1 Residential R5 Large Lot Residential RU5 Village MU1 Mixed Use

* Note that the requirements of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* and the accompanying *Apartment Design Guide (2015)*, or its subsequent update **will apply to residential flat buildings**.

4a.2 Assessment criteria

A performance-based approach will be adopted in the assessment of development applications. Applications will be assessed according to the extent to which the outcomes specified in the left-hand column of the following table will be satisfied or achieved by the design, construction or operation of the proposal.

The design guidelines specified in the right-hand column indicate design and best practice solutions by which the required outcomes can be met. They do not preclude other solutions that may be suitable under particular local circumstances. All proposals will be considered on merit.

4a Urban dwellings

This section is structured in the following way:

Design & siting	
A	Density
B	General design considerations
C	Floor space ratio
D	Battle-axe lots
E	Building setbacks - front
F	Building setbacks - side & rear
G	Multiple housing – general design
H	Building height & scale
I	Solar access
J	Building materials
K	Visual & acoustic privacy
L	Natural site features
M	Vegetation (including trees)
N	Private open space & landscaping
O	Accessibility & adaptability
P	Heritage
Q	Relocated dwellings
Access & infrastructure	
R	Off street parking & access
S	Water
T	Sewer
U	Electricity & telecommunications
V	Stormwater management
W	Waste minimisation & management
X	Clothes drying facilities
Y	Numbering
Z	Outdoor lighting
Z1	Mailboxes



Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

Design & siting

A. Density

- Residential density for multiple housing must be no greater than one (1) bedroom for every 150 m² of site area, for example:
 - One (1) bedroom dwelling = 150 m²
 - Two (2) bedroom dwelling = 300 m²
 - Three (3) bedroom dwelling = 450 m²
 - Four (4) or more bedroom dwelling = 600 m².

B. General design considerations

- The site layout and building design responds to the site context and attributes and constraints of the site.
 - The design of dwellings relates to the slope of the land to minimise earthworks and the extent of cut and fill (refer to section 11f **Soil & water management**)
 - The building design is consistent with the dominant character of the local area.
 - The development enhances the existing streetscape and contributes to the creation of an attractive residential environment.
 - The design provides suitable amenity for the dwelling occupants and not adversely impact on the amenity of adjoining landowners.
 - Safe access is provided to dwellings and the design facilitates security for residents.
 - Buildings are designed to address street frontages. Entries to dwellings are readily apparent from the street and convey a sense of address.
 - The development incorporates appropriate buffer areas (refer to section 11i **Buffer areas**)
 - The development meets the requirements of section 4b **Ancillary residential structures & activities** relating to the siting and design of garages fronting the street.
- The development should respond to the attributes and constraints identified in the site analysis.
 - Windowless facades should not be provided at the street frontage.
 - Long stretches of unbroken wall should be avoided by articulation of wall planes, provision of openings, use of contrasting surface treatments or landscaping.
 - Create an address to the street or any public access-point by incorporating the front door or windows of habitable rooms in the façade facing the street or public access-point.
 - Provide an entry that is clearly identifiable from the street, has adequate lighting and has direct access to the street frontage – do not conceal or recess dwelling entries.
 - Use building materials/finishes which are 'textured' rather than bland, through the use of light and shade, diversity in materials and finishes and appropriate decorative treatments.
 - The dwelling design should respect nearby buildings' design details including the size, location and proportions of window and door openings, parapets, eaves and roofwater guttering detailing.

For Multi-Dwelling Housing

This element applies to all applications for 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building

- Dwellings are located on lots that are predominantly regular, rectangular or square in shape.

For dual occupancies and multi-dwelling housing:

- The application should follow the design principles and design guidance given in Department of Planning, Infrastructure & Environment (2021). *Low Rise Housing Diversity Design Guide for Development Applications*.



Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

- The development is designed and constructed in a form and scale that resembles the detached character of dwelling houses in the surrounding neighbourhood.
- Each dwelling is designed so that the access way to the front door is clearly identifiable from the public street.
- Each dwelling provides a ground level with at least one habitable room with an adjacent external living area located on the ground. A ground level comprising solely car parking is not acceptable.
- Buildings and sites are designed with consideration for the placement of windows, doors and fences so as to achieve best 'safer by design' practice.

For Residential Flat Buildings:

Refer to NSW Apartment Design Guide (2015) or its subsequent update.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

C. Floor space ratio

Note: floor space ratios for some areas in the LGA are specified in Upper Hunter LEP 2013 clause 4.4 and associated series of Maps 'Floor space ratio'.

D. Building height & scale

Note: building height controls are specified in Upper Hunter LEP 2013 clause 4.3 and associated series of Maps 'Height of Buildings'.

- The development provides continuity of character with local building height and scale.
- The dwelling design should respect nearby buildings' scale, including their roof mass to wall ratio, roof pitch and design and length of unbroken ridgelines.
- The amount and length of unbroken roof ridge lines, unpunctuated facades, fencing and repetitive form should be minimised.
- **For dual occupancies and multi-dwelling housing**, the application should follow the design principles and design guidance given in Department of Planning, Infrastructure & Environment (2021). *Low Rise Housing Diversity Design Guide for Development Applications*.

E. Building setbacks - front

- The building setback from the primary road frontage matches the alignment of the primary road frontage facades of existing adjoining buildings. Where different setbacks occur, consideration will be given to the average of the setbacks of those primary facades.
- Minimum building setbacks ('building lines') where there are no adjoining dwellings within 40 metres of the lot are in accordance with **Table 1 Minimum front building setbacks – urban residential development** and accompanying **Figure 1 Urban and village residential zones (R1 and**
- **For dual occupancies and multi-dwelling housing**, the application should follow the design principles and design guidance given in Department of Planning, Infrastructure & Environment (2021). *Low Rise Housing Diversity Design Guide for Development Applications*

4a Urban dwellings

Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

RU5) – minimum building setbacks to boundary (building lines) and Figure 2 Large lot residential zone (R5)– minimum building setbacks to boundary (building lines).

- Minimum building setbacks ('building lines') from a secondary road frontage on a corner lot are in accordance with **Table 1 Minimum front building setbacks – urban residential development** and accompanying Figure 1 Urban and village residential zones (R1 and RU5) – minimum building setbacks to boundary (building lines) and Figure 2 Large lot residential zone (R5)– minimum building setbacks to boundary (building lines)..
- Variation of the building setback will be considered on merit.
- New development establishes a characteristic setback pattern to provide a consistent and landscaped setback that reduces the visual impact of buildings on the public domain.
- The front setback provides a transitional zone from public to private space and allow for car parking and landscaping.
- The garage width on allotments does not exceed 50% of the site frontage, the remainder of which is to be landscaped.

F. Building setbacks - side & rear

- Adequate side and rear building setbacks are provided for landscaping, privacy, natural light and ventilation between dwellings.
 - Side and rear building setbacks are proportional to the height, scale and character of the proposed development.
 - Minimum side and rear setbacks of dwellings are to comply with Table 2 Minimum side and rear building setbacks – urban residential development and accompanying Table 3 Minimum access handle and sealed driveway widths for battleaxe lots
- Walls may be built to the side or rear boundaries where:
 - the maximum wall height is 3 m and there will be no impact on privacy, use of private open space and solar access to adjoining properties
 - any openings comply with the fire resistance levels of the Building Code of Australia and are in filled with translucent or opaque materials
 - the wall height and length match an existing or similarly constructed wall on the adjoining site
 - satisfactory arrangements are in place for the maintenance of the wall or gutters.
 - Separation fencing should be provided between development land and any adjoining rail corridor.

4a Urban dwellings

Outcomes to be achieved

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Design guidelines

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Table 1 Minimum front building setbacks – urban residential development

Street type	Residential development type	Minimum front building setback ('building line')
Local Street in Zones: R1 General Residential RU5 Village	Single dwellings, secondary dwellings, dual occupancies and semi detached dwellings	4.5 metres for primary road frontage 4.5 metres for secondary road frontage on a corner lot Minimum 5.5 metres to any garage or carport
	<i>(NB the following are applicable to R1 zone only):</i> Multi-dwelling housing, residential flat buildings and attached dwellings	6.0 metres for primary road frontage 6.0 m for secondary road frontage on a corner lot
Local Street in R5 Large Lot Residential Zone	All types of Residential Development	10 metres
Properties fronting New England Highway in any zone	All types of Residential Development	10 metres

Note: See figure on next page for graphic representation of these requirements.

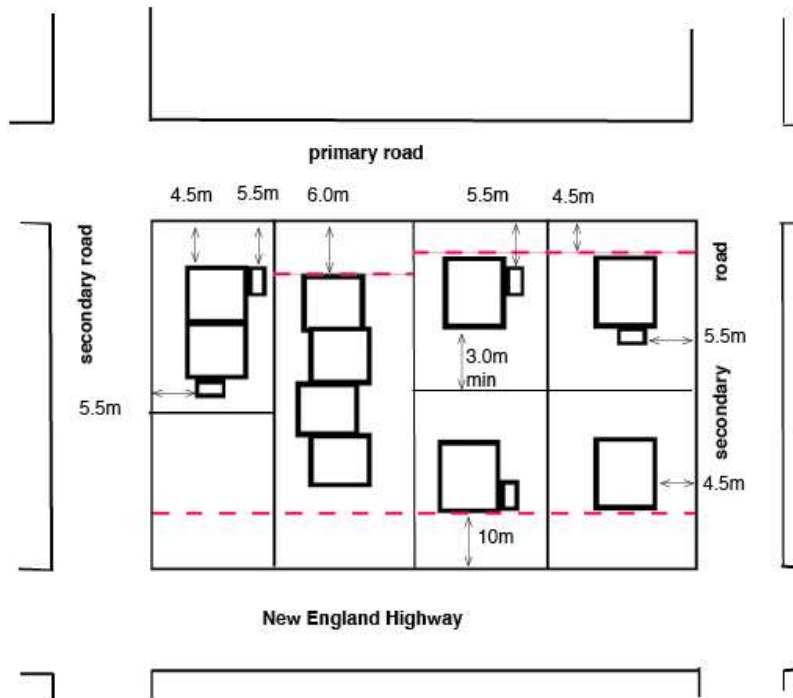
Table 2 Minimum side and rear building setbacks – urban residential development

Residential development type	Minimum side setback	Minimum rear setback
Single dwellings and secondary dwellings	1.0 metre single storey	3.0 metres
	1.5 metre two storey	
Dual occupancies and semi-detached dwellings	1.0 metres single storey	3.0 metres
	1.5 metres two storey	
Multi-dwelling housing, Residential flat buildings and attached dwellings	1.5 metres single storey	3.0 metres
	3.0 metres two storey	

Note: See figures following for graphic representation of these requirements

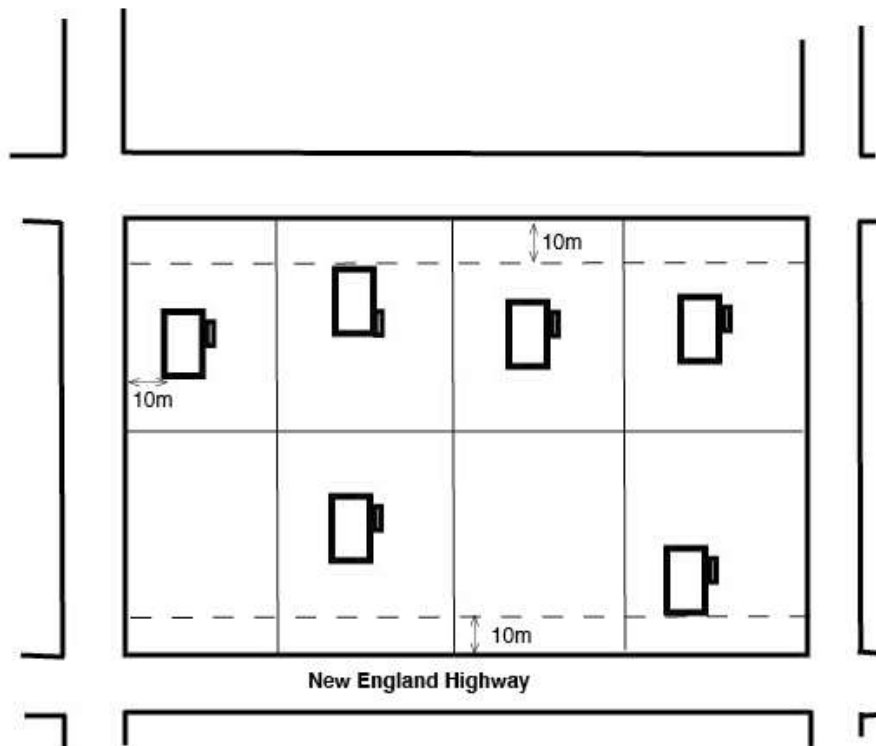
4a Urban dwellings

Figure 1 Urban and village residential zones (R1 and RU5) – minimum building setbacks to boundary (building lines)



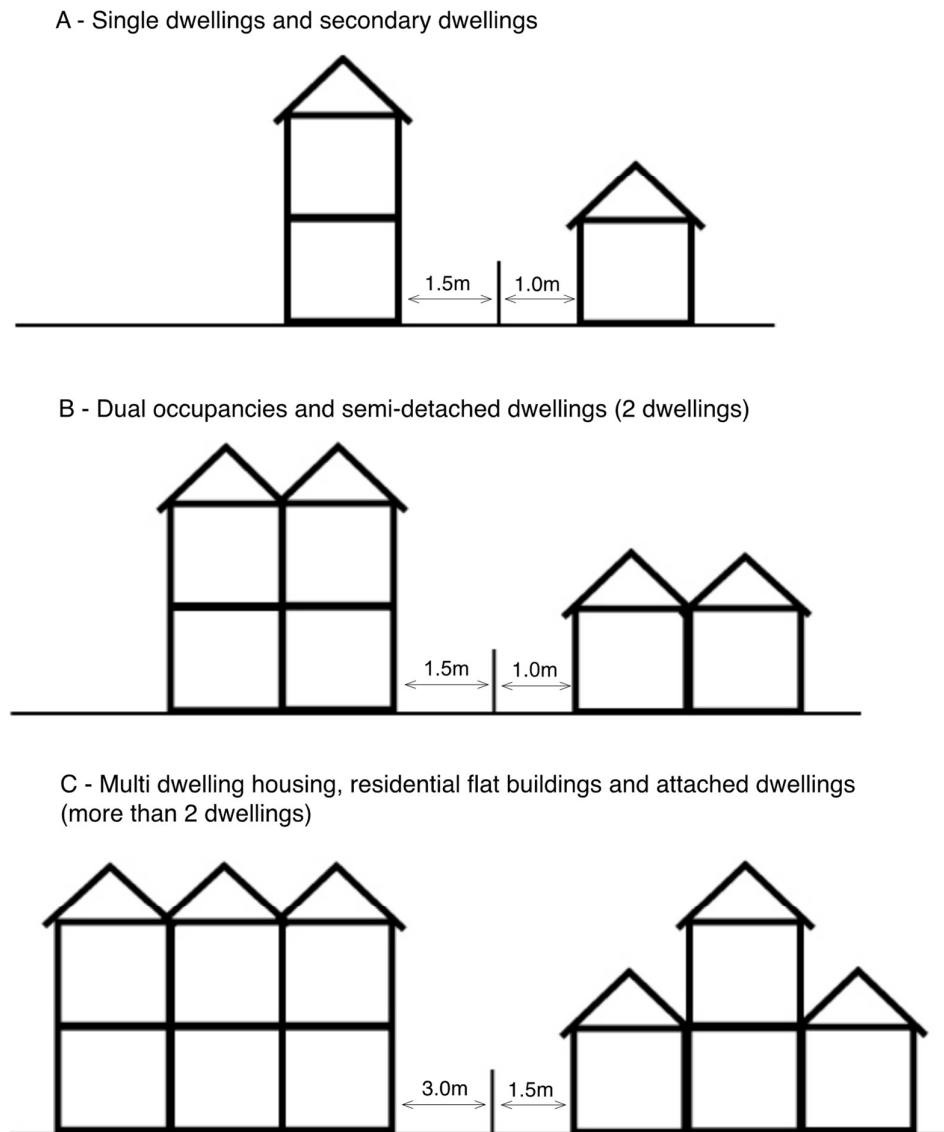
4a Urban dwellings

Figure 2 Large lot residential zone (R5)– minimum building setbacks to boundary (building lines)



4a Urban dwellings

Figure 3 Urban residential development - minimum building setbacks to side boundary



4a Urban dwellings

Outcomes to be achieved

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Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

G. Battle-axe lots

- Minimum access handle width, handle length and sealed driveway widths for residential developments proposed on battle-axe allotments are in accordance with Table 3 below.

Note: Vehicle cross-overs within the road reserve shall be constructed in accordance with Standard Vehicle Layback in the UHSC *Engineering Guidelines for Subdivisions and Development* as amended.

Table 3 Minimum access handle and sealed driveway widths for battleaxe lots

Number of dwelling units	Minimum access handle width	Minimum sealed driveway width	Maximum access handle length
1	4.0m	3.0 m	60 m
2	5 m + widening 2.5m	3.0 m + additional widening of 2.5m is required over the first 6m into the property to allow vehicles to pass so that an entering vehicle does not need to reverse back on to the road. Refer to AS2890.1. Additional width or passing bays may be required where access is to a major road.	
3	6m + widening 2.5m		

Outcomes to be achieved

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Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

H. Solar access

- Dwellings receive adequate daylight and natural ventilation to habitable rooms and adequate sunlight to private open spaces.
 - There is not significant overshadowing of habitable rooms and private open spaces on adjoining land.
 - The minimum hours of direct sunlight required for each dwelling must meet **Table 4: Solar access minimum requirements**.
 - The development minimises disruption to solar access to solar panels on adjoining properties
- The following measures may be required to reduce overshadowing:
 - the building resited or setbacks increased
 - reduced height
 - amended roof design
 - For dual occupancies and multi-dwelling housing**, the application should follow the design principles and design guidance given in Department of Planning, Infrastructure & Environment (2021). *Low Rise Housing Diversity Design Guide for Development Applications*.



Table 4: Solar access minimum requirements

Dwelling type	Minimum hours of direct sunlight* required between 9 am and 3 pm on the winter solstice (June 21)	The sunlight must reach the following area of the development:
Single dwelling	4	Principal area of ground level private open space. If existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%.
Dual occupancy	3	Principal private open space of each dwelling
Multi dwelling housing	2	Living room or private open space of each dwelling
Residential flat building	See <i>Apartment Design Guide 201</i>	
Any adjacent residential properties	4	Principal area of ground level private open space of each dwelling. If existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%.

* Direct sunlight is achieved when 1m² of direct sunlight on the glass is achieved for at least 15 minutes. To satisfy 2 hours direct sunlight, 8 periods of 15 minutes will need to be achieved - however the periods do not need to be consecutive

Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

I. Building materials

- Colours and materials used in new buildings:
 - respond positively to the existing character of the locality
 - do not result in adverse impacts to adjoining or nearby premises
 - does not result in glare nuisance.

Note: in the event of glare nuisance, Council will require materials to be treated.

- Use natural colours, muted and earth tones for major areas of the building, such as walls and roof, and restrict stronger colours to smaller features such as window frames, doors and decorative woodwork.
- Avoid use of highly reflective glass, highly reflective metal cladding (such as Zincalume and white Colorbond) and plastics on the exterior of buildings. Use factory pre-coloured materials with low reflective properties.
- Reflective materials should not be used.

J. Visual & acoustic privacy

- Visual and acoustic privacy is maintained for all residents, both of the proposed development and of adjoining or nearby properties.
- The proposal does result in adverse amenity impacts arising from noise generation.

For Dual Occupancies (Side by Side) and Multi-Dwelling Housing

- Visual and environmental impacts of car parking and garages do not dominate the streetscape and have an appropriate scale in relationship with the dwelling.

- Locate windows and outdoor spaces to avoid direct or close views into the windows, balconies or private open space of adjoining dwellings.
- Provide suitable permanent screening structures or mature planting to minimise overlooking from proposed dwellings to the windows, balconies or private open space of adjacent dwellings, or to windows, balconies or private open space of dwellings within the same development.
- Mechanical plant or equipment should be designed, located or enclosed to minimise noise nuisance.



Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

K. Natural site features

- The development protects natural features within or adjoining the site (refer to section **11b Biodiversity conservation**).
- The development minimises disturbance of natural ground levels, particularly in the vicinity of significant trees (refer to section **11f Soil & water management**).
- The development is consistent with any bushfire risk present at the site (refer to section **10b Bushfire risk**).
- The development is consistent with any flood risk present at the site (refer to section **10a Floodplain management**).
- The development is consistent with any geotechnical risk present at the site (refer to section **10c Geotechnical hazard** and the provisions of *UHSC Engineering Guidelines for Subdivisions and Developments*, as amended).

For Dual Occupancies (Side by Side) and Multi-Dwelling Housing

- The application should follow the design principles and design guidance given in Department of Planning, Infrastructure & Environment (2021). *Low Rise Housing Diversity Design Guide for Development Applications*
- Garages, carports and car parking spaces must be located behind the building line.

- Existing mature vegetation and trees outside the building footprint should be retained and measures are to be implemented to protect this vegetation during construction.

L. Vegetation (including trees)

- The development maximises the retention of vegetation, including trees.
- The development meets the provisions of part **11a Vegetation (including trees)**.

- Mature trees should be retained, particularly those along the boundary

M. Private open space & landscaping

- Sufficient and accessible open space is provided for the reasonable recreational needs of residents.
- Principal private open space and balconies are appropriately located to enhance liveability for residents.
- A minimum of 35% of the total site area is 'landscaped area'.
- The requirements of **Table 5: Private open space minimum requirements** are met.

- Private open space should not be broken up into small fragmented areas.
- Screening should be provided where necessary to maintain privacy.
- Landscaping should comply with **Table 6: Minimum Soil Standards for Plant Types and Sizes**
- The landscape plan is to provide for a combination of tree planting - for shade, mid height shrubs, lawn and ground covers.
- At least 50% of the overall number of trees and shrubs should be species native to the region



Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

- Private open space should meet the requirements for privacy of the user and adjoining properties, safety, access, outdoor activities and landscaping.
- The location of private open space should take account of natural features of the site, neighbouring buildings and the location of nearby public open space.
- Private open space provides a landscaped buffer between adjoining properties.
- Private open space is located to maximise the retention and absorption of surface drainage water on site. (refer to section 11f Soil & water management and the provisions of UHSC Engineering Guidelines for Subdivisions and Developments, as amended).
- Landscape design supports healthy plant and tree growth and provides sufficient space for the growth of medium sized trees.
- Existing natural features of the site that contribute to neighbourhood character are retained, and visual and privacy impacts on existing neighbouring dwellings are reduced.
- Landscape design contributes to a local sense of place and creates a micro climate.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

For Dual Occupancies and Multi-Dwelling Housing

- The application should follow the design principles and design guidance given in Department of Planning, Infrastructure & Environment (2021). *Low Rise Housing Diversity Design Guide for Development Applications*

Table 5: Private open space minimum requirements

Dwelling type	What type of space?	Minimum amount per dwelling	Minimum dimension of space	Other requirements (in addition to other requirements in this section)
Single dwelling	Principal private open space	50 sqm	3m	To be located behind the front building line, at or near ground level and be directly accessible from a living area of the dwelling
Dual occupancy	Principal private open space	30 sqm	3m	To be located behind the front building line, at or near ground level and be directly accessible from a living area of the dwelling 25% of the private open space is to be covered to provide shade and protection from rain At least 25% of the area forward of the building line is to be landscaped area. At least 50% of the required landscaped area must be behind the building line.

4a Urban dwellings

Dwelling type	What type of space?	Minimum amount per dwelling	Minimum dimension of space	Other requirements (in addition to other requirements in this section)
Multi dwelling housing at ground level	Principal private open space	30 sqm	1.5m	8m ² of the private open space should be covered to provide shade and protection from rain. 50% of the area forward of the building line is to be landscaped area.
Multi dwelling housing above ground level	Balcony	8sqm	2m	To have direct access from the main living area of the dwelling
Multi dwelling housing of more than 10 dwellings	Active communal open space	5% of the site area	8m	Located at least 3m from a habitable room of a dwelling on the lot. To receive at least 2hrs of direct sunlight between 9am and 3pm at the winter solstice (June 21) to 50% of the required area.
Residential flat building				See <i>Apartment Design Guide</i>

Table 6: Minimum Soil Standards for Plant Types and Sizes

Tree Size	Height	Spread	Min. Soil Area	Min. Soil Depth
Large Trees	>12m	>8m	10m x 10m	1.2m
Medium Trees	1.0m	8-12m	4-8m	6m x 6m
Small trees	5-8m	<4m	3.5 x 3.5m	0.8m
Shrubs	-	-	-	0.5-0.6m
Groundcover	-	-	-	0.3-0.45m
Turf	-	-	-	0.2m

Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

N. Accessibility & adaptability

This element only applies to multiple housing proposals.

- Adaptable housing designed generally in accordance with the provisions of AS4299 is provided at the minimum rate of 10% of dwellings for developments of 5 dwellings or more (rounded up to the nearest whole number).
- Adaptable housing units are designed with accessible features for people with disabilities, and incorporate level entries and wider doorways and corridors, slip

- The adaptable housing components should be integrated into the overall design of the dwellings – the design aspects should not be isolated or a different standard of materials and finishes used

4a Urban dwellings

Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

resistant surfaces, reachable power points, disabled toilet, and lever door handles and taps.

O. Heritage

- Potential impacts on the heritage significance of the nearby area are adequately managed (refer to section 9a Heritage conservation).

P. Relocated dwellings

- The appearance of a relocated dwelling is compatible with or complementary to the existing streetscape, character and standard of surrounding development in the area.
 - The appearance of a relocated dwelling is in keeping with the likely standard of future new development in the locality.
 - Relocated dwellings are in a sufficiently safe condition
- It may be necessary to add to the building or change the design of the proposed relocated dwelling. For example, a flat roof may have to be replaced with a pitched roof or a verandah/awning may be attached to enhance or add character to the relocated dwelling so that it is compatible with the existing streetscape or the character of an area.
 - External finishes are required to be compatible or complementary to surrounding development and the established character of the area. All external surfaces are to be repainted. Within areas predominantly brick veneer, finish with a tiled roof may be required.
 - Within Village or Residential Zones, sub-floor construction must be screened along the street frontage by the construction of a brick render wall erected along the front of the building with a minimum return of 1.8 metres along each side of the building.
 - Colorbond or painted finishes are required for buildings with a metal roof.
 - Prior to the building being relocated, all materials containing asbestos are to be removed and disposed of in accordance with AS2601-2001 *The Demolition of Structures*.
 - All zincalume or galvanised surfaces are to be removed or the sheets must be painted or replaced with corrugated Colorbond sheets.
 - Flat fibre cement sheeting is to be removed and replaced with an approved external cladding.
 - Any defective, deteriorated or otherwise damaged materials, structural components or cladding are to be replaced.
 - Where there is an existing concrete floor within the building, the slab is to be demolished
 - Rejoining local bearing structural members by use of a cleat or fish plate connection is unacceptable in most circumstances.
 - Existing water supply pipes, house drainage pipes and fittings may be reused provided that:-
 - the system complies with the current standards; and



4a Urban dwellings

Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

- a pressure test is carried out by a licensed plumber and any defective pipes and fittings are repaired or replaced prior to connection to the water supply or sewerage system.

Note: the installation of water tanks within the LGA is permitted and under certain conditions, Council approval in urban areas is not required subject to compliance with the Upper Hunter Council Local Approvals Policy. House water supply pipes connected to water tanks must comply with the requirements of this DCP.

Note: the applicant will be responsible for any damage occasioned to Council or private property and is to ensure that the building is placed on site and completed in accordance with the approval.

Note: the applicant is to ensure that all additional approvals, particularly relating to the transportation of the building, as required by other authorities are obtained prior to the relocation of the building. These authorities include Roads and Maritime Services, NSW Police and the relevant electricity supply authority.

Access & infrastructure

Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

Q. Off street parking & access

- Adequate on-site car parking is provided for residents, in accordance with Table 7 Minimum parking requirements for urban dwellings.
- Car parking, driveways and access are provided on site to a standard that ensures safe and convenient manoeuvring of vehicles (refer to section 12a Access & vehicle parking).
- The development is consistent with *UHSC Engineering Guidelines for Subdivisions and Developments*, as amended.

Multiple housing proposals

- Formed kerb and gutter is provided to the development, as specified in *UHSC Engineering Guidelines for Subdivisions and Developments*, as amended.

For Dual Occupancies and Multi-Dwelling Housing

- The application should follow the design principles and design guidance given in Department of Planning, Infrastructure & Environment (2021). *Low Rise Housing Diversity Design Guide for Development Applications*

4a Urban dwellings

Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section '**multiple housing**' means 3 or more dwellings in a development

- Access ways and driveways are designed to enable vehicles to:
 - enter the parking space or garage in a single turning movement
 - leave the parking space in no more than two turning movements
 - allow cars to enter and leave the site in a forward direction
 - avoid queuing on public roads
 - pass safely within the access way.
- The development complies with AS 1428 - Design for Access and Mobility where adaptable housing units is provided.
- Accessible parking is provided at a rate of 1 space for every adaptable housing unit in accordance with AS4299 Adaptable Housing.
- Separate driveway and pedestrian access are provided.
- Disabled and visitor car parking are designated as common property in any strata plan applying to the development.

Table 7 Minimum parking requirements for urban dwellings

Dwelling type	Gross Floor Area (GFA)/Bedrooms per dwelling	No of spaces per dwelling*	Visitor spaces	Other requirements
Single Dwelling	<125m ²	1	N/A	N/A
	>125m ²	2		
Dual Occupancy	<125m ²	1		
	>125m ²	2		
Multi-Dwelling Housing and Residential Flat Building	1 bed	1	1 per every 5 dwellings or part thereof	<i>Disabled parking</i> 1 space for every adaptable housing unit in accordance with AS4299 <i>Bicycles</i> Residents: Minimum 1 space per 5 units or part thereof Visitors: Minimum 1 space per 10 units or part thereof <i>Car Wash Bay</i>
	2 beds	1.5		
	3 beds or more	2.0		



Any development containing 10 dwellings or more shall provide a minimum of 1 car wash bay/area

***Note:** car spaces are to be separately accessible. Stack or tandem parking will not be included in the calculation of car parking requirements.

Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section 'multiple housing' means 3 or more dwellings in a development

R. Water

- Reticulated water is provided to all dwellings on land zoned (or proposed to be zoned) residential (R1 and R5) or as otherwise agreed with Council.
 - A suitable on site water supply is provided to all dwellings where a reticulated supply is not available, incorporating the following measures:
 - Each dwelling is provided with roof water storage tanks having a minimum capacity of 100,000 litres. This water may be used principally for domestic and potable use and must encompass water storage of a minimum of 20,000 litres for fire fighting purposes (if the dwelling is >90 metres from a hydrant) and relevant fire fighting equipment and fittings.
 - Developments shall not adversely impact on Council's water service infrastructure.
 - Easements (benefiting UHSC) shall be provided for all existing and proposed public water mains within the site.
 - Dwellings shall not be directly connected to the low-pressure reticulated main servicing allotments within the **Bakewell Circuit subdivision on Gundy Road, Scone**. Dwellings must be serviced by a water tank having a minimum capacity of 25,000 litres which is connected to the low-pressure reticulated water main. The tank shall incorporate backflow prevention in the form of an 'air-gap' together with a service cock for fire fighting.
- Compliance with Council policy: *Building Near Water and Sewer Services*.

S. Sewer

- Dwellings are connected to Council's reticulated sewerage system if the property is within 75 m of the system.
 - If the property is not within 75 m of a reticulated sewerage system, an appropriately designed and sized on site wastewater treatment system must be provided to the development (refer to section **11g On-site waste water management**).
 - Developments shall not adversely impact on Council's sewer service infrastructure.
 - Easements (benefiting UHSC) shall be provided for all existing and proposed public sewer mains within the site.
- Compliance with Council policy: *Building Near Water and Sewer Services*.



4a Urban dwellings

Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section ‘multiple housing’ means 3 or more dwellings in a development

Multiple housing proposals

- All dwellings are connected to the reticulated sewerage system.

T. Electricity & telecommunications

- Satisfactory arrangements are made with the relevant utility provider for the provision of underground electricity and telecommunications services.

Multiple housing proposals

- In order to minimise the amount of externally visible antennae, dwellings within a multiple housing development are provided with wiring or technology for a common technology system.

U. Stormwater management

- The development is consistent with applicable stormwater guidelines (refer to section 11f **Soil & water management** and *UHSC Engineering Guidelines for Subdivisions and Developments*, as amended).
- Easements (benefiting UHSC) shall be provided for all existing and proposed Council stormwater infrastructure within the site.

For Dual Occupancies and Multi-Dwelling Housing

- The application should follow the design principles and design guidance given in Department of Planning, Infrastructure & Environment (2021). *Low Rise Housing Diversity Design Guide for Development Applications*

V. Waste minimisation & management

This section aims to encourage source separation of waste, reuse, and recycling by ensuring appropriate storage and collection facilities for waste, and quality design of waste facilities.

- Waste storage facilities meet the needs of the residents, are easy to use and access and enable efficient collection of waste
- Waste containers are stored in a suitable location so as to avoid vandalism, nuisance and adverse visual impacts.
- The waste storage area is easily accessible and has unobstructed access to Council’s usual collection point.

- Waste management solutions should be taken into account early in the design process. Systems should be designed to maximise source separation and recovery of recyclables.
- The Department of Environment and Climate Change (2008) *Better Practice Guide for Waste Management in Multi-Unit Dwellings* (Website: <http://www.epa.nsw.gov.au/warr/BetterPracticeMUD.htm>) will provide advice for individual site solutions

Multi-Dwelling housing

- The following *minimum collection and storage facilities* are provided:
- Where a development site has limited street frontage (e.g., cul-de-sac, battle-axe lots, or higher density developments) and the area available for kerbside bin storage on collection day is limited, the



Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section 'multiple housing' means 3 or more dwellings in a development

provision of a communal waste/recycling storage facility may be required.

- For developments that include 5 or more dwellings, a communal facility in the form of a waste/recycling storage room/s is provided in accordance with the *Better Practice Guide for Waste Management in Multi-Unit Dwellings*.
- The following location and design criteria apply to collection and storage facilities:
 - In townhouse and villa developments with individual waste/recycling storage areas, such areas should be located and designed in a manner which reduces adverse impacts upon neighbouring properties and upon the appearance of the premises.
 - Where bins cannot be collected from a kerbside location or from a temporary holding area located immediately inside the property boundary, the development must be designed to allow for on-site access by garbage collection vehicles. In these instances, the site must be configured so as to allow collection vehicles to enter and exit the site in a forward direction and so that collection vehicles do not impede general access to, from or within the site. Access driveways to be used by collection vehicles must be of sufficient strength to support such vehicles.
 - Potential site impacts (eg relating to odour, early morning noise/lighting from garage truck) upon occupants of the proposed and adjacent developments are addressed in accordance with *Better Practice Guide for Waste Management in Multi Unit Dwellings*.
 - Should a collection vehicle be required to enter a property, access driveways and internal roads are designed in accordance with *Australian Standard 2890.2 Parking*



4a Urban dwellings

Outcomes to be achieved

If there is an inconsistency between any part of this section and SEPP 65 —Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide 2015 (or its subsequent update), SEPP 65 / Apartment Design Guide will prevail.

Design guidelines

In this section 'multiple housing' means 3 or more dwellings in a development

Facilities – Off-Street Commercial
Vehicle Facilities – 2002

W. Clothes drying facilities

- Open air clothes drying facilities are provided in a sunny location, which is adequately screened from streets and public places and receives no less than 2 hours of direct sun per day.
- Clothes drying areas should be located in the rear services or garden area of the development.

X. Numbering

- Each dwelling is clearly numbered.
- An adequate numbering system and signage is provided for multiple housing proposals.

Y. Outdoor lighting

- Adequate light is provided in multiple housing proposals to all pedestrian paths, shared areas, parking areas and building entries.

Z. Mailboxes

- A lockable mail box is provided for each dwelling, close to each ground floor dwelling entry, or a mail box structure located close to the major pedestrian entry to the site.
- Mailboxes comply with requirements of Australia Post.

4a.3 Supplementary guidance

The following documents or reference materials provide further advice or information that is relevant to this section.

- NSW Department of Planning & Environment (2015). *Apartment Design Guide*. Available at <https://www.planning.nsw.gov.au/Policy-and-Legislation/Housing/Apartment-Design-Guide>
- Department of Planning, Infrastructure & Environment (2021). *Low Rise Housing Diversity Design Guide for Development Applications*. Available at <https://www.planning.nsw.gov.au/Policy-and-Legislation/Housing/Low-Rise-Housing-Diversity-Code/Design-Guides-for-Low-Rise-Housing-Diversity>
- UHSC *Engineering Guidelines for Subdivisions and Developments*, as amended.
- Department of Environment and Climate Change (2008). *Better Practice Guide for Waste Management in Multi-Unit Dwellings*.



4b Ancillary residential structures & activities

Explanatory outline

Section 4b outlines assessment criteria for ancillary residential structures and activities. The following matters are covered:

- general design considerations
- outbuildings, carports and detached garages
- fences, screens and courtyard walls
- cut and fill including retaining walls and terracing

Note: these criteria do not apply where:

- the development is exempt development under *SEPP (Exempt and Complying Development) Codes 2008*; or
- approval is sought by way of a complying development certificate under *SEPP (Exempt and Complying Development) Codes 2008*.

In such cases, the criteria under that SEPP will apply instead.

4b Ancillary residential structures & activities

4b.1 Application of this section

This section applies to development described in Column 1 when carried out on land described in Column 2.

Column 1: Type of development	Column 2: Applicable land
<ul style="list-style-type: none"> • Ancillary developments or other minor structures associated with a dwelling – for example garages, sheds, retaining walls etc. • Activities undertaken within a dwelling or its associated outbuildings or curtilage. <p>Does not apply to exempt development or proposals for which a complying development certificate is sought under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	<p>Land within the following zones:</p> <ul style="list-style-type: none"> • R1 Residential • R5 Large Lot Residential • RU5 Village

4b.2 Assessment criteria

A performance-based approach will be adopted in the assessment of development applications. Applications will be assessed according to the extent to which the outcomes specified in the left-hand column of the following table will be satisfied or achieved by the design, construction or operation of the proposal.

The design guidelines specified in the right-hand column indicate design and best practice solutions by which the required outcomes can be met. They do not preclude other solutions that may be suitable under particular local circumstances. All proposals will be considered on merit.

4b Ancillary residential structures & activities

Outcomes to be achieved

Design guidelines

A. General design considerations

- The siting and design of ancillary residential structures takes into account possible impacts on adjoining and nearby dwellings and other development, including:
 - structural stability
 - visual impact
 - overshadowing
 - materials and colours
 - heritage considerations
 - impact on stormwater or flooding.

B. Outbuildings, carports & detached garages

- Garages shall have a minimum front setback of 5.5 metres to allow a motor vehicle to park in front of the garage without encroaching onto the footpath.
- The garage width on allotments does not exceed 50% of the site frontage
- Garages, carports, sheds and other ancillary structures are setback at least 450 mm from a side or rear boundary.

Note: the applicant is responsible for ensuring the development is within the boundaries of the land specified in the development application. Council may require a survey to be submitted to demonstrate this.
- Garages, carports and sheds visible from the street do not detract from the colour, pitch and roof form of the dwelling on that allotment.
- Structures are behind the building line, unless there is no other option. The location must be as far from the front boundary as possible.
- Open carports or part of a carport, less than 36 m² in roof area up to 6 m wide and no less than 1 metre from front boundary, may be built to the side boundary and forward of the established building line in any of the following circumstances:
 - there is an existing pattern of similarly located carports or garages in the street
 - the topography of the land is such that the carport can form a part of an existing slope or retaining wall
 - the topography of the land is such that the existing dwelling is significantly below the street level
 - the dwelling is located on a corner lot, and the carport is built to the secondary street
 - the existing dwelling's setback is significantly greater than other setbacks in the street
 - the allotment is irregular in shape.

C. Fences, screens & courtyard walls

Fencing

- Fence construction is compatible with the natural topography and landform, and minimises the amount of excavation required.
- Do not obscure views of the building and garden from the street with high front fences.



4b Ancillary residential structures & activities

Outcomes to be achieved

Design guidelines

- Front fences are designed so as to contribute to the character pattern of the streetscape.
- Front fences are well designed, do not dominate the street, and contribute to the garden setting.
- Semi-transparent front fences (with no more than 50% solid construction – e.g. open picket fences) are to be no higher than 1.5 m.
- Solid front fences (such as masonry, lapped and capped timber, brushwood) are to be no higher than 1.0 m.

Screens and courtyard walls

- The design of screen walls, courtyard walls or similar structures takes the following matters into account:
 - the purpose for which the fence or wall is required
 - position of the fence or wall in relation to allotment boundaries and building alignments
 - height, materials and design of the proposed structure
 - general scale and appearance of the proposal, relative to the general streetscape and amenity of the neighbourhood and the existence of similar structures in the area
 - structural stability
 - possible effects on traffic conditions on adjoining streets and roads and the safety of pedestrians
 - existing and proposed landscaping, and effects on the construction and embellishment of the proposal
 - possible impacts on overland flow and drainage
-

4b Ancillary residential structures & activities

D. Cut and fill works (including terracing or retaining walls)

- Any cut and fill, including retaining walls or terracing structures complies with part 11f **Soil and Water Management**, particularly section **C Structural stability including terracing or retaining walls**
- The structure must also be in accordance with Table 8: Requirements for cut and fill works and Figure 4: Cut and fill for a dwelling

Table 8: Requirements for cut and fill works

(This table should be read in conjunction with Figure 4: Cut and fill for a dwelling following)

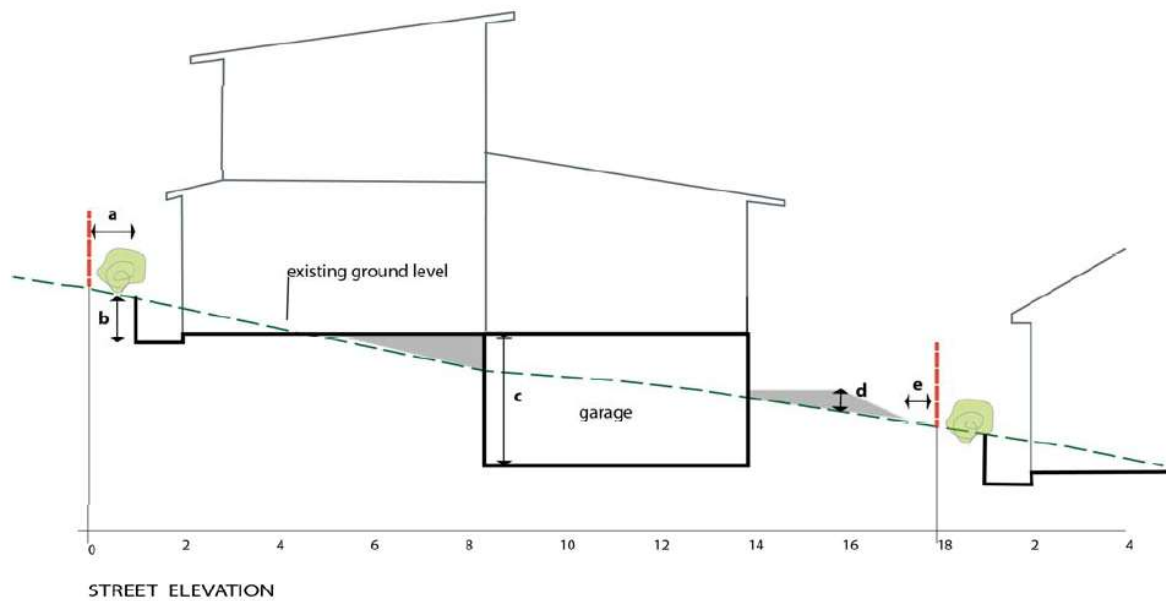
Location	Type of Works	Requirement	Other Requirements
Within building footprint	Cut and/or fill - retained	c =3 m max	
Outside building footprint	Cut and/or fill - retained	1.0m max	
In R5 zone Outside building footprint , where building is within 5m of a boundary	Cut and/or fill - unretained	1.0m maximum	Batter slope not to exceed 1 vertical to 4 horizontal
In R5 zone Outside building footprint , where building is more than 5m from a boundary	Cut and/or fill - unretained	1.0m, plus cut and/or fill may be increased by 250mm for each additional metre from the boundary in excess of 5.0m maximum to a maximum depth of 3.0m	Batter slope not to exceed 1 vertical to 4 horizontal
Near common boundary	Cut and/or fill - retained	a =450mm min* b =1m max	Landscape planting to area between boundary fence and retaining wall
Near common boundary	Fill – unretained batter	e= =450mm	Side and rear fences built on existing ground level
Remainder of site	Cut and/or fill - retained	1.0m max	Retaining walls on or near a front boundary do not exceed 1.0m.
All of site	Fill – unretained batter	d = 600mm max	Batter slope not to exceed 1 vertical 4 horizontal

Note *: distance to a boundary is measured from the face of the retaining wall

4b Ancillary residential structures & activities

Figure 4: Cut and fill for a dwelling

(This figure should be read in conjunction with Table 8: Requirements for cut and fill works above)



Source: Lake Macquarie DCP 2014 Part 3 – Development within Residential Zones, Revision 16 July 2017