Lithgow City Council

Development Control Plan 2021

Chapter 6:

Residential Development

including Ancillary Development such as Garages, Carports, Outbuildings, Sheds, Tanks & Pools

Table of Contents

Document Control

Version	Date in Force	Date Approved by Council	Notes
1.0	1 September 2021	26 July 2021	Commencement
1.1	17 November 2021	25 October 2021	Administrative changes to clarify the development controls integrated from the *Low Rise Housing Diversity Guidelines for Development Applications*.

Title Page: The picture on the title page is of existing residential development in South Bowenfels. (Top Source: www.realas.com/property/34-JAMES-O%27DONNELL-DRIVE-BOWENFELS-NSW-2790-14313028); (Bottom Source: www.domain.com.au/sale/south-bowenfels-nsw-2790)

6.1 Introduction

6.1.1 Application of this Chapter

This Chapter applies to development applications for a wide range of residential accommodation (dwelling) types and associated (ancillary) development like outbuildings, sheds etc. and alterations and additions to all of these buildings. This may include where dwellings form part of a mixed-use development. These development types may be permissible across a variety of zones, but are common particularly in residential ('R') zones in LLEP2014.

residential accommodation *means a building or place used predominantly as a place of residence, and includes any of the following:*

(a) attached dwellings,

(b) boarding houses,

(c) dual occupancies,

(d) dwelling houses,

(e) group homes,

(f) hostels,

(g) multi dwelling housing,

(h) residential flat buildings,

(i) rural workers' dwellings,

(j) secondary dwellings,

(k) semi-detached dwellings,

(l) seniors housing,

(m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

Please see the relevant section for definitions of these particular residential types below.

6.1.2 Other Relevant Chapters of this DCP

Please remember that this Chapter of the DCP is unlikely to contain ALL of the relevant controls for your development. Please see DCP *Chapter 1 – Introduction & Administration* to review the Section on *How to Use this DCP* including the *Structure of the DCP* (see table below) to determine what other Chapters may be relevant to your development.

IF YOU ARE UNSURE, PLEASE DISCUSS THIS WITH COUNCIL STAFF PRIOR TO LODGING YOUR APPLICATION.

We also recommend that you seek a Planning Certificate from Council that will detail most of the significant constraints or affectations on the property as different Chapters/Sections of this DCP are relevant where these affectations exist.

The DCP has the following Chapters:

Chapter 1:	Introduction & Administration
Chapter 2:	Site Requirements
Chapter 3:	Natural Environment & Hazards
Chapter 4:	Heritage & Cultural Conservation
Chapter 5:	Subdivision & Roads
Chapter 6:	Residential Development **(THIS CHAPTER)**
Chapter 7	Commercial, Community & Industrial Development (including Advertising/ Signage for all relevant land uses)
Chapter 8:	Rural & Other Land Uses
Chapter 9:	Pottery Estate Precinct

6.1.3 Exempt & Complying Development

Please note that *State Environment Planning Policy (Exempt and Complying Development Codes) 2008* (**Codes SEPP**) may permit certain development set out in that policy without requiring a development application to Council if it complies with the requirements of the **Codes SEPP**. Please discuss this with Council or visit the NSW Government Planning Portal.

6.1.4 Affordable Housing

Council encourages development applications for affordable housing in accordance with the *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

6.2 General Controls

6.2.1 Site Analysis & Potential Land Use Conflicts

Site analysis is essential in order to understand the site and its context. Site analysis and good site planning should be undertaken before the design of any development/building(s).

For development covered by this chapter, it is important to encourage this development in areas where they have the least conflict with existing or potential future higher-impact uses so that employment uses can grow without significant constraint to the benefit of the local economy and employment whilst protecting residential amenity.

Any development application covered by this chapter demonstrates that the proposal:

a) Complies with the Site Analysis requirements in DCP *Chapter 2 – Site Requirements* (including any other relevant chapters in this DCP & the DA Guide); and

b) Has responded to the Site Analysis to produce a high-quality design that minimises the potential for land use conflict and integrates with the surrounding site context.

6.2.2 Site Suitability

Site analysis and constraints (for individual sites) may indicate that even if a development meets the minimum lot size in *Clause 4.1A* LLEP2014 (where relevant), it may still not be suitable to support the proposed development or density. The applicant must ensure that the existing lot area is of sufficient size:

a) To meet the objectives of the relevant land use zone;

b) To cater for slope and minimise cut, fill and retaining (see *Chapter 2 – Site Requirements*);

c) To provide suitable areas (in accordance with this Chapter) of deep soil landscaped area and private open space areas for each dwelling with orientation for solar access and minimise the amount of site covered by buildings or impermeable/hardstand areas.

d) To provide a reasonable standard of amenity and functionality consistent with the area character.

6.2.3 Landscaping & Tree Protection

Landscape should be considered as part of site planning and design development and integrated with built form because it contributes strongly to amenity, character and environmental outcomes.

Please see DCP Chapter 3 – Natural Environment & Hazards when considering clearing of vegetation on a site or considering the impact of natural hazards on a development that may be modified by existing or additional landscape.

This Section sets out objectives that apply to all development types in this DCP and may require a Landscape Plan (see the DA Guide) to demonstrate how the development achieves those objectives. Generally, single dwellings or alterations and additions do not require a Landscape Plan.

Objective(s)

O1. **Retention:** To encourage the retention of trees and other significant vegetation and integration of these features into the design of buildings and open spaces, particularly where vegetation is outside the proposed building footprint and is of ecological, aesthetic or cultural significance.

O2. **Context:** To provide landscaping that responds to the context and character of the area, the land use zone, view lines and land-marks, any existing street or locality planting scheme, the local climate, and the site characteristics.

O3. **Amenity:** To integrate landscaping with site and building design so it enhances amenity, privacy, screening and solar access/shading (as required) outcomes for the site and adjoining sites and responds to the layout and scale of the proposed built form.

O4. **Arterial Roads:** To ensure development fronting an arterial road (especially highways and regional roads) is suitably landscaped to soften the visual impact of development when viewed from these key transport routes.

O5. **Screening:** To use landscaping to soften the visual impact of larger buildings, large hardstand / car parking areas, or screen service and storage areas from public view.

O6. **Safety:** To consider how landscaping is integrated with built form to address principles in DCP *Section 2.7 – Designing for Crime Prevention**.***

O7. **Stormwater:** To minimise stormwater run-off and hard paved areas and maximise water infiltration and **deep soil** landscaped area in accordance with *Stormwater Management* controls in this DCP.

O8. **Bushfire:** To manage landscaping so that it enhances environmental connectivity but does not increase the bush fire risk to properties.

O9. **Stability:** To use landscape to stabilise steeper slopes, earth mounds, and areas with erosion potential.

010. **Suitability:** To encourage landscaping and species selection that is native and non-invasive, low-maintenance, robust, suited to local soil and climatic conditions, and minimises water consumption.

011. **Longevity:** To ensure that development considers the long-term protection, maintenance, irrigation, and longevity of landscape to maximise chances of achieving the original design outcomes.

012. **Utilities:** To avoid planting locations and species that may impact on underground or above-ground utilities or buildings, including but not limited to: excavation, root penetration, water damage or ground-heave from irrigation or moisture levels, mature-height of species interfering with overhead power-lines, etc.

013. **Fencing:** To integrate fencing with landscape design.

014. **Biodiversity:** To consider how retention and enhancement of landscape can address the biodiversity policies of the NSW Government and Council and encourage sustainable development.

015. **Temperature:** To utilise landscaping to mitigate the increases in temperature associated with the 'heat island effect' of buildings and hard surfaces, particularly in denser urban areas.

Control(s)

Plan(s): Where required by Council's DA Guide, the application is accompanied by a Landscape (Concept) Plan (or a Site Plan for simpler applications such as single dwellings) that addresses the landscaping requirements in this Section of the DCP. See the landscape requirements for specific residential types in the Sections below.

6.2.4 Fencing

Some fences MAY be EXEMPT or Complying Development. See State Environmental Planning Policy (Exempt and Complying Codes) 2008 ('Code SEPP') for more details. Otherwise, a development application is required.

As fences must not be placed on neighbouring land or public road reserves Council may require a Survey Plan to identify the boundary or verification by a registered Surveyor of the location of the fence in relation to a boundary.

Objective(s)

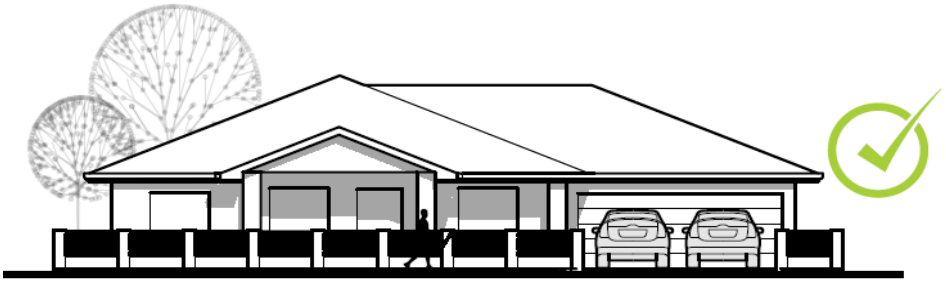
Fencing is located and designed:

O1. To be consistent with the existing (or desired future) character of the relevant land use zone and street, taking into account the prevailing fence types, solidity, and heights in the locality;

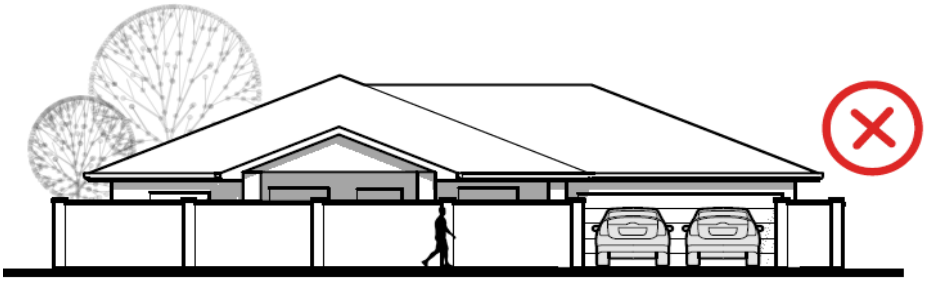
O2. If it is on, or in proximity to, a heritage item or in a heritage conservation area, to address any additional relevant requirements in DCP *Chapter 4 Heritage & Cultural Conservation*;

O3. To meet the security and privacy needs of a development whilst avoiding fencing that dominates the street or impacts significantly on casual surveillance to/from the street from building(s) on the lot;

O4. To ensure fencing provides adequate sight-lines for vehicle and pedestrian safety.



ACCEPTABLE DESIGN
Low fences are less intrusive and more complimentary to dwelling design



UNACCEPTABLE DESIGN
High walls are visually intrusive and limit passive surveilance

Acceptable & unacceptable fence designs (Source: Complete Concepts + Planning).

Control(s)

1) **Application:** All applications where new or altered fencing is proposed (that is not exempt development) provide details of fencing location, height and materials including Site Plan(s) and relevant Elevation(s).
2) **Code SEPP:** All fencing complies with the requirements of the Codes SEPP and addresses any potential impact(s). Where a variation is sought then the proposed fencing must address DCP *Section 1.6 Variations to DCP Controls* including the objectives of this Section.
3) **Solid Metal Fencing:** Metal (solid) fencing (e.g., Colorbond) is not to be installed in the following locations:
   a) Fences fronting any street (other than a rear lane where metal fencing already is present);
   b) Fences fronting a public open space or recreation area (unless it is setback and screened by significant landscaping); and
   c) On heritage items and in heritage conservation areas (unless permitted by the Codes SEPP).
4) **Sight Distances:** Fencing preserves safe sight distances for all vehicle entry and exit locations, including those on adjoining properties, especially on corner lots.
5) **Reflectivity:** If fencing is constructed of metal panels it is of low reflectivity, factory pre-coloured materials or galvanised iron.
6) **Surface Water:** Fencing does not redirect the flow of surface stormwater or floodwaters onto an adjoining property.
7) **Flood Prone Land:** If the land is affected by flood related development controls (see DCP *Chapter 3 – Natural Environment & Hazards*) the fence types are designed to allow flood conveyance and prevent additional flooding on adjacent properties.
8) **Landscaping:** Long fenced areas fronting public streets or internal driveways are softened with landscaping by setting back parts or all of the fence-line to allow for planting on the subject lot so the fence is partially screened from the street.

6.2.5 Sustainable Design

Residential development should seek to promote sustainable development that maximises residential amenity whilst minimising material, water and energy consumption. A BASIX Certificate may be required for certain development under *SEPP (BASIX) 2004* and is a starting point for sustainable development.

Example(s) of Sustainable Development Initiatives (Advisory only as BASIX takes precedence):

Overall: Dwellings are designed within the constraints of the existing lot orientation and dimensions to:

- *Maximise solar access to key living spaces during winter (to minimise heating requirements); and*
- *Minimise solar access and facilitate cross-ventilation of the building during summer (to minimise cooling requirements).*

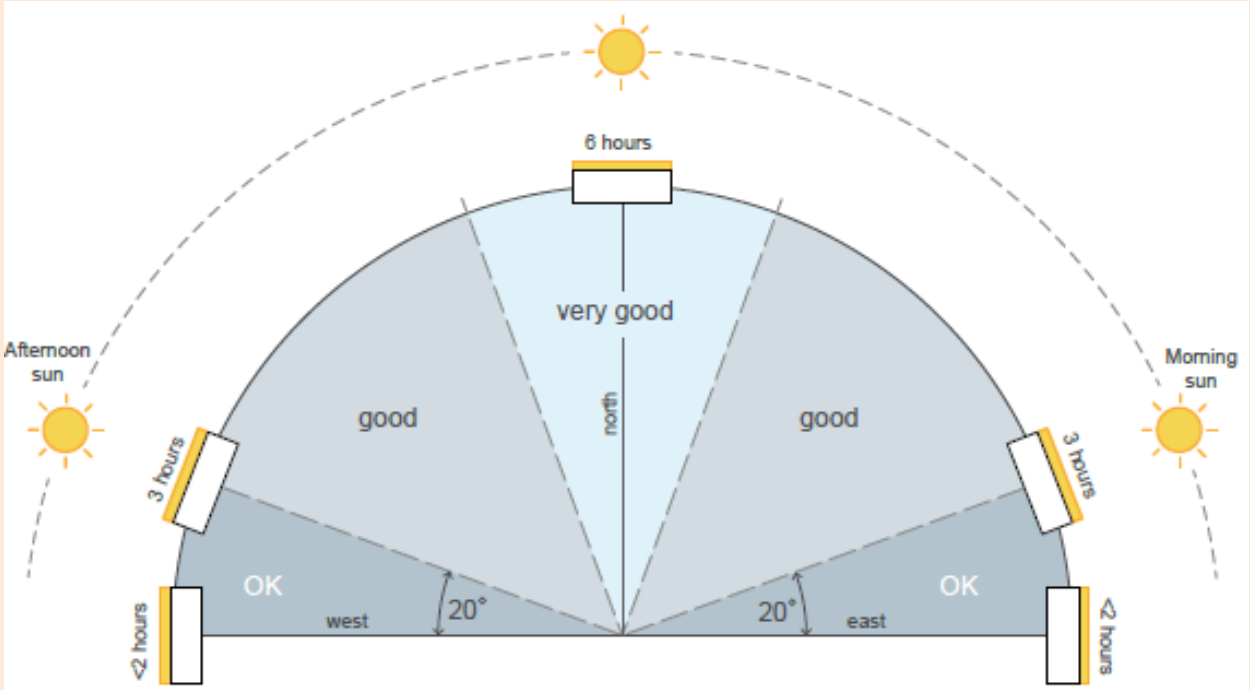


Figure 4A.1 The hours of sunlight that can be expected in mid winter are directly related to the orientation of the facade. This diagram shows the optimal orientation for habitable rooms and balconies

Activity Zones: Dwellings have separate living and bedroom zones to avoid having to heat or cool the entire dwelling when only part of the dwelling is in use during different parts of the day.

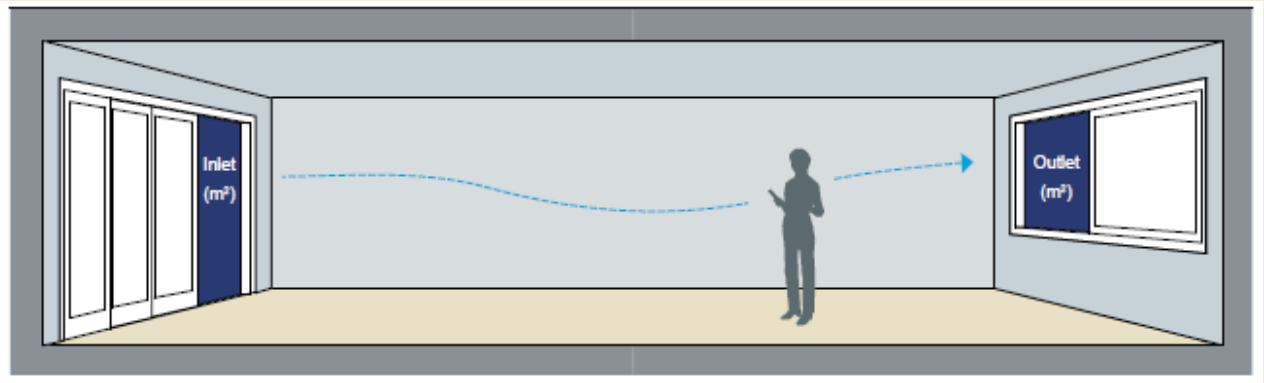
Layout: Living spaces are located on the north side of the dwelling to maximise solar access. Private open space areas are located in areas with good solar access to the majority of the area in mid-Winter.

***Windows:** Windows to primary living spaces face between 30° east of solar north or 20° west of solar north to maximise solar access.*

Shading: Shading devices are provided for windows (including eaves, awnings, balconies, pergolas, louvers and or deciduous plantings) that that will let in the lower winter sun but block the higher summer sun and minimise the need for additional heating/cooling.

Example of how shading can affect winter & summer sun (SEPP65/ADG).

Cross Ventilation: Building design facilitates natural cross ventilation (breezes) through a dwelling by minimising interruptions in air flow and providing suitably sized operable windows on opposite sides of the dwelling and key living spaces to capture cooling breezes in summer.



Effective cross-ventilation uses similar sized openings on opposite sides of buildings (SEPP65/ADG).

Insulation: The higher the insulation (R) values the greater the ability for the dwelling to stay warm in winter and cool in summer.

Solar Photovoltaic Panels: Roof orientation, design and pitch are designed to accommodate photovoltaic panels or other suitable locations with good solar access (now or in the future).

Landscaping: Landscape design is integrated with the site planning and building design to utilise perennial and deciduous species to provide wind barriers, privacy, shading in summer and solar access in winter, and water infiltration into the soil.

For more information see the Your Home - Australia's guide to environmentally sustainable homes for a range of other ways to make your house more sustainable at www.yourhome.gov.au.

6.3 Dwellings/Secondary Dwellings/Dual Occupancies (Large Lot Residential, Rural & Environmental Zones)

*This section applies to applications for a new **dwelling house, secondary dwellings** or **dual occupancies** (or alterations and additions to existing **dwelling houses** or **dual occupancies**) in certain large lot residential and **rural and/or environmental zones** including:*

a) Zone RU1 Primary Production and Zone RU2 Rural Landscape;

b) Zone E3 Environmental Management and Zone E4 Environmental Living;

c) Zone R5 Large Lot Residential (in rural areas) where existing/proposed land > 4000m^2 in area (if unclear, please confirm which controls apply with Council).

*LLEP2014 has controls for the minimum lot size required to erect a dwelling in some **rural and/or environmental zone(s)**.*

Any application for a dwelling on a lot without access to reticulated sewer will need to address the requirements in DCP Section 2.9.3 – On Site Sewage Management.

6.3.1 Siting & Setbacks

Objective(s)

O1. To adopt building siting & boundary setbacks that seeks to minimise land use conflicts with neighbouring land uses and natural hazards by:

a) Responding to site constraints & opportunities including, but not limited to: slope, drainage, retaining native vegetation, minimising road noise, dust and visual impact;

b) Maximising residential amenity and separation to dwellings and agricultural activities on adjacent lands and protecting the 'Right to Farm';

c) Allowing for suitable buffers (vegetated or otherwise) to minimise conflicts;

d) Minimising the visual impact of any new buildings and integrating them into the rural and landscape setting so they are less intrusive;

e) Avoiding or minimising the risk of natural hazards such as bush fire, flooding, drainage & stormwater, land-slip, or other environmentally sensitive areas.

Control(s)

1) **Dwelling Setbacks:** Dwellings (and attached ancillary buildings) are designed to meet the following minimum setbacks in metres (m) from the lot boundaries:
   a) Highway – 100m;
   b) Public road frontage – 20m;
   c) Secondary road frontage – 15m;
   d) Side or rear boundary for land less than or equal to 2ha in area – 10m;
   e) Side or rear boundary for land greater than 2ha in area – 20m.
2) **Additional Setbacks:** Additional setbacks may be required where there is a higher risk of land use conflict with neighbouring land uses including, but not limited to:
   a) Public roads/noise,
   b) Adjacent unsealed driveways/dust,

c) Proximity of other dwellings,

d) Buffers to intensive agriculture (noting the 'Right to Farm') or other likely higher-impact activities,

e) Watercourses and riparian buffers,

f) Bush fire prone areas, and/or

g) Other constraints discussed in this DCP.

Please also see the requirements in this DCP including:

- *Chapter 2 – Site Requirements* (including, but not limited to the *Amenity/Buffers to Sensitive Use* Section,
- *Chapter 3 – Natural Environment & Hazards,*
- *Chapter 4 – Heritage & Cultural Conservation.*

If additional setback/buffers distances cannot be met additional justification is submitted in support of the application that addresses how impacts will be minimised or mitigated.

3) Existing Trees:

a) Buildings are sited so as to minimise disturbance or removal of existing significant native trees (including for Asset Protection Zones (APZs) to minimise bush fire risk) unless alternatives are not available; and

b) Buildings are located outside the drip line of any retained trees to protect root structures or an Arborist Report is provided to demonstrate there is no impact on the tree(s).

6.3.2 Access & Building Clustering

Dual occupancies and Secondary dwellings are permitted with consent in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone E3 Environmental Management & Zone E4 Environmental Living.

Dual occupancies (by definition) must be located on the same lot (i.e., they cannot be on separate lots even if they are part of the same holding) or lots will be required to be consolidated.

Objective(s)

O1. Access driveways are limited to those essential for a single residential access as well as agricultural operations and shared for multiple users of the Site.

O2. Buildings, where possible, are clustered to minimise impacts on agriculture and share utilities and access.

Control(s)

Where there are multiple dwellings on a lot or holding, each dwelling, including a dual occupancy or secondary dwelling:

1) Utilises the same driveway access from a public road.

2) Is clustered within 250m of each other to minimise impacts on agricultural activities whilst still providing privacy.

6.3.3 Garages, Carports, Outbuildings & Sheds

This Section applies to detached garages, carports, outbuildings and sheds that are ancillary to a residential use. For Farm Building please see DCP Section 8.5.3 – Farm Buildings & Ancillary Structures.

Objective(s)

O1. To ensure that all garages, carports, sheds and outbuildings:

a) Do not dominate views of the site/dwelling(s) from the street or key public places;
b) Are in-keeping with the scale and setting of the relevant land use zone, locality and street character;
c) Integrate with the dwelling design, materials and landscaping;
d) Do not significantly impact on the amenity of neighbouring properties (e.g., shadow, noise);
e) Do not significantly impact on stormwater outcomes by increasing the overall site coverage of buildings and impermeable paved areas.

Control(s)

1) In Zone R5 Large Lot Residential areas where the Site has an area of 4,000m^2 or greater:
   a) All detached sheds, garages, and outbuildings will only be considered if there is an existing dwelling on the lot or the same application seeks concurrent approval for a dwelling on the same lot.
   b) Any detached garages, carports, outbuildings or sheds do not exceed a total cumulative floor area of 300m^2 and no one detached building exceeds a floor area of 150m^2.
   c) Where the dwelling is within 50m of a public road, the outbuilding(s)/shed(s) are located behind the front building line of any dwelling.
   d) All detached sheds/garages, and outbuildings are to have a maximum wall height of 4.2m and a maximum ridge height of 6m. In this control, ridge height is measured from the highest point of the building to the natural ground level immediately below.
   e) All detached sheds/garages, and outbuildings are to be setback from side and rear boundaries a minimum of 5m.
2) In rural and/or environmental zones(s), visual impacts will be considered where a structure is not ancillary to an agricultural use on the land and/or is on a visually prominent site (see DCP *Section 2.2.4 – Visually Prominent Sites*) or close to a public road.

6.4 Dwellings/Secondary Dwellings (Urban Areas)

This section applies to applications for a new single dwelling houses, semi-detached dwellings, attached dwellings and secondary dwellings (or alterations and additions to these residential types) in urban areas, including:

a) Zone R1 General Residential & Zone R2 Low Density Residential;

b) Zone RU5 Village (for the other settlements);

c) Zone R5 Large Lot Residential where existing/proposed lots are less than or equal to 4000m^2 in area.

***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.*

***Dwelling house** means a building containing only one dwelling.*

Attached dwelling means a building containing 3 or more dwellings, where—

(a) each dwelling is attached to another dwelling by a common wall, and

(b) each of the dwellings is on its own lot of land, and

(c) none of the dwellings is located above any part of another dwelling.

Semi-detached dwelling means a dwelling that is on its own lot of land and is attached to only one other dwelling.

***Secondary dwelling:** means a self-contained dwelling that:*

*a) is established in conjunction with another dwelling (the **principal dwelling**), and*

*b) is on the same lot of land as the **principal dwelling**, and*

*c) is located within, or is attached to, or is separate from, the **principal dwelling**.*

*A **secondary dwelling** is often referred to as a 'granny flat' and they may share facilities such as a laundry or car parking with the primary dwelling. **Clause 5.4 of LLEP2014** limits the size of **secondary dwellings**.*

6.4.1 Siting & Setbacks

Objective(s)

O1. To ensure that building setbacks and scale integrate with the existing (or desired future) character of neighbouring buildings, the street and the locality.

O2. To provide residential amenity for both the proposed dwelling(s) and adjacent dwelling(s) through appropriate building separations that minimise overshadowing, and maximise solar access to key living spaces, and acoustic & visual privacy.

O3. To provide variation in building wall setbacks to articulate long or less-articulated walls.

O4. To allow for parking of a car in the front driveway that is wholly within the lot boundaries.

O5. To encourage landscape outcomes to soften building form consistent with street character.

O6. To provide sufficient building separations or design mechanisms for fire protection in accordance with the **National Construction Code** (NCC).

O7. To ensure that building setbacks respond to individual site constraints and opportunities.

O8. To retain and protect existing significant trees near boundaries (on the lot and adjacent lots) and in rear yards, wherever possible.

Control(s)

1) **Dwelling setbacks:** Dwellings are designed to meet the minimum setbacks in metres (m) from the lot boundaries set out in:
   a) The National Construction Code (NCC); and
   b) The **SETBACK TABLE** below (noting DCP *Section 6.4.2 - Average Setback of Adjacent Dwellings*); or
   c) As otherwise set out in this Section.
2) **Classified Roads**: All dwellings in urban areas not associated with a commercial use (for example, 'shop top housing') are setback from a boundary of a classified road a minimum of:
   a) Great Western Highway – 10m;
   b) All other State & Regional Roads - 8m; and
   c) Subject to the recommendations of any Acoustic Report (when requested by Council) to achieve noise requirements subject to construction.
3) **Garage/Carport Setbacks:** All garages or carports are setback from public roads in accordance with DCP *Section 6.4.7 - Garages, Carports, Outbuildings & Sheds*.
4) **Additional Level(s):** The setback of the upper level of buildings progressively increase as the building and wall heights increase (i.e., for additional storeys/levels) – see *Height* control below.
5) **Site Response:** Additional setbacks may be required in accordance with DCP *Chapter 2 – Site Requirements*; *Chapter 3 – Natural Environment & Hazards*; or *Chapter 4 – Heritage & Cultural Conservation*, particularly if the Site Analysis response requires additional setbacks to protect significant native vegetation, minimise cut/fill/retaining in proximity to adjacent properties, or protect views to significant heritage items.
6) **Public Reserves:** Dwellings are designed to have a setback of at least 3m from a boundary with a public reserve.
7) **Existing Dwellings:** These setbacks do not apply to alterations and additions to an existing dwelling that does not meet these setbacks as long as the setbacks are not further reduced by the alterations and additions and National Construction Code (NCC) requirements are met.
8) **Variation to Setbacks:** Council may consider a setback reduction where:
   a) The shape of the lot and/or site constraints affect the placement of a building to produce a better outcome for the natural environment and/or neighbouring dwellings; and
   b) There is sufficient setback for privacy and amenity of neighbouring dwellings and no significant impact on the consistency of built form in the street or road functions; and
   c) Compliance with the National Construction Code including, but not limited to, fire rating; and
   d) *Section 1.5 – Variations to DCP Controls* in this DCP is addressed.

SETBACK TABLE				
Great Western Highway	• 10m			
Other Classified Roads	• 8m			
ZONE / USE	**Zone R1 & R2 Lots ≤800m²**	**Zone R1 & R2 Lots >800m²**	**Zone RU5**	**R5 Large Lot Residential ≤ 4000m² lot area**
PRIMARY STREET (FRONT) SETBACK (Not Classified Road)	4.5m or average setback of adjacent dwellings (whichever is greater). 5.5m to garage/ carport.	6.0m or average setback of adjacent dwellings (whichever is less).	8m	10m or average setback of adjacent dwellings (whichever is greater)
SECONDARY STREET SETBACK (CORNER LOTS)	2m	3m	4m	6m
REAR LANE	In accordance with desired character of rear lane determined by the lane width, average of adjacent dwelling setbacks, vehicle turning paths, and their servicing requirements.			
SIDE BOUNDARY SETBACK (Not road frontage)	1st storey = 900mm or NCC >1st storey = 1.5m			5m
REAR BOUNDARY SETBACK (Not road frontage)	3m (subject to private open space/landscape provision)	4m (subject to private open space/landscape provision)		6m (subject to private open space/landscape provision)

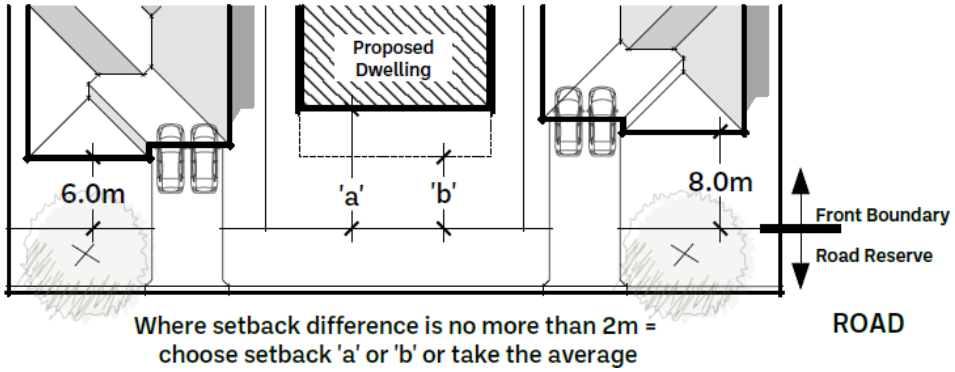
6.4.2 Average Setback of Adjacent Dwellings

In urban areas, where there is an existing pattern of setbacks along a street, single dwellings may be able to rely on the average setback of adjacent dwellings to determine the new setback and this may overrule the requirements in the SETBACK TABLE above.

When calculating setbacks based on the 'average setback of adjacent dwellings' the adjacent dwellings should be within 40m of the proposed site boundaries disregarding adjacent battle-axe lots (a lot that is accessed by an access handle rather than a full road frontage).

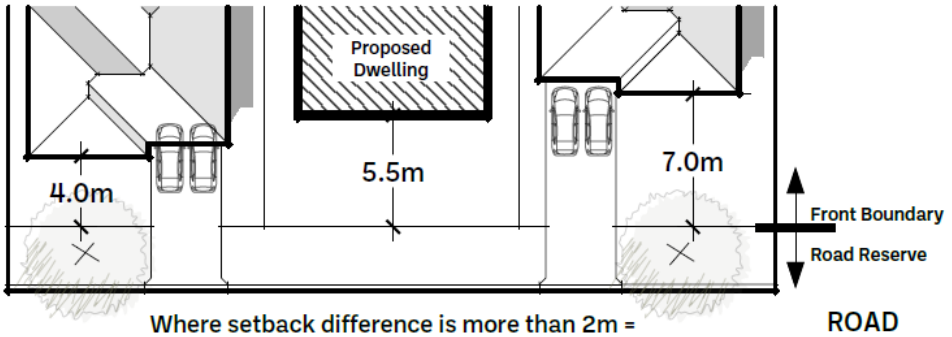
The scenarios in the diagrams below determine the setback of the new dwelling between the two adjacent dwellings.

SCENARIO NO. 1



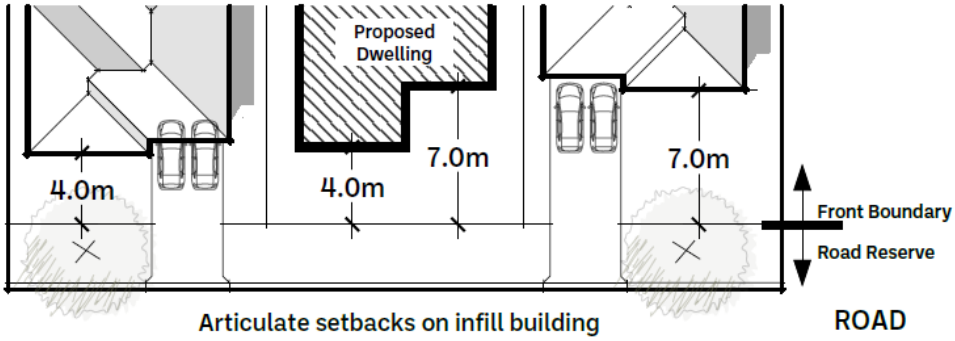
Where setback difference is no more than 2m = choose setback 'a' or 'b' or take the average

SCENARIO NO. 2



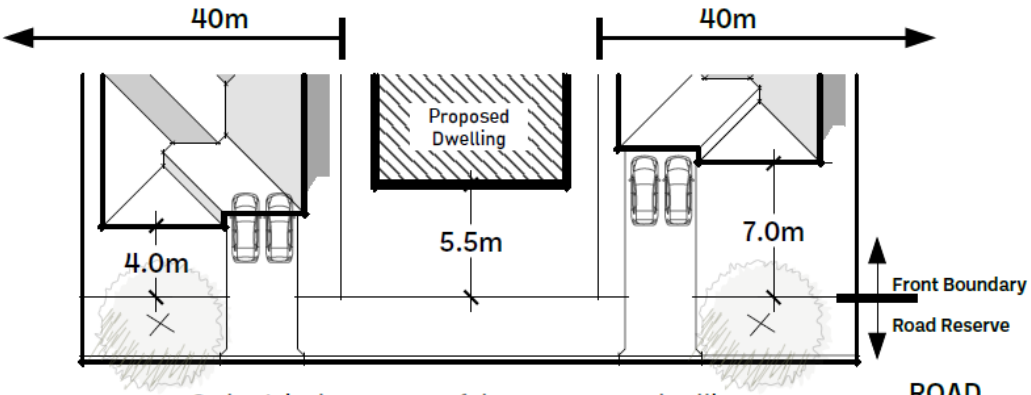
Where setback difference is more than 2m =

SCENARIO NO. 3



Articulate setbacks on infill building to match both existing buildings

SCENARIO NO. 4



Setback is the average of the two nearest dwellings within 40m that face the same primary road

6.4.3 Height, Scale & Solar Access

Objective(s)

To ensure that the height and scale of proposed dwellings and any ancillary buildings or structures:

O1. Responds to site topography (slope) by stepping building heights/floor levels to minimise cut and/or fill and not result in excessive scale or bulk.

O2. Minimises impact on key view-lines or appreciation of significant natural features or heritage items.

O3. Are sympathetic to or consistent with the existing and/or desired future character of the streets and adjacent buildings.

O4. Minimises overshadowing and impacts on views and privacy of adjacent dwellings and their private open space.

O5. Reduces building scale and bulk by increasing upper-level setbacks in response to increased building height.

Control(s)

1) Maximum Height: In *Zone R1 General Residential* and *Zone R2 Low Density Residential* all dwellings are to have:

   a) A maximum height above ground level (existing) (or natural ground level) demonstrated by Site Section and/or Elevation of;

      i) Wall height - 6.5m;

      ii) Building height - 8.5m; and

   b) The dwelling is within a building height plane - a plane projected at an angle of 45 degrees over the actual land to be built upon from a distance of 3.5m metres above ground level at the side boundaries of the site (see diagram below).

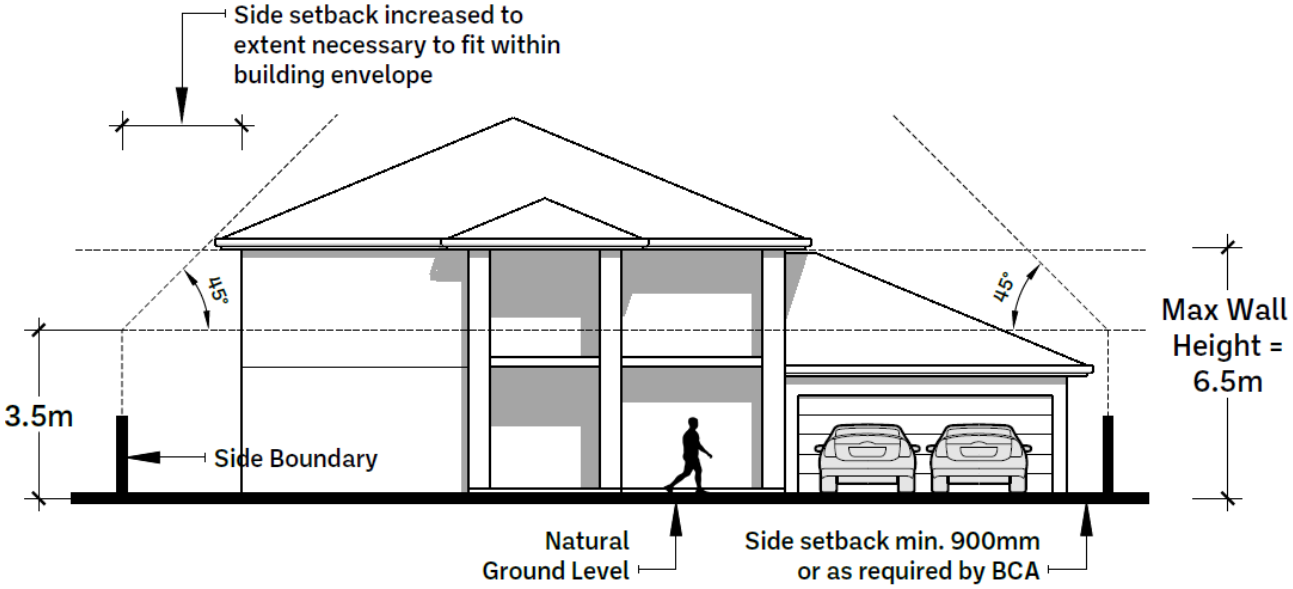


Illustration of building height plane and maximum wall height.

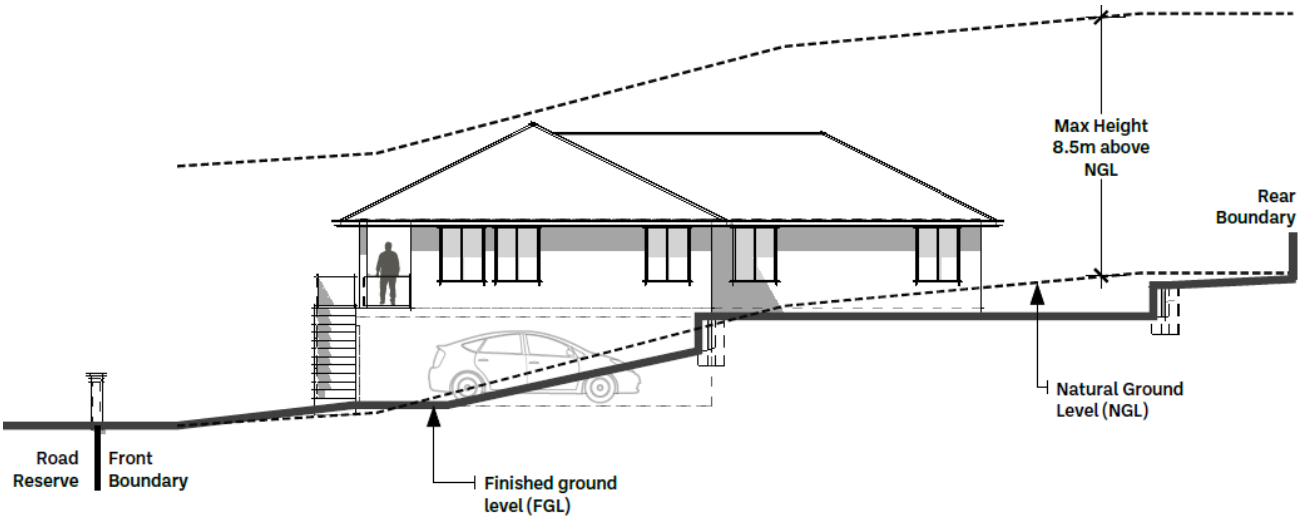


Illustration of maximum building height (Source: Complete Concepts + Planning).

2) Height Impacts: Where a dwelling is:

a) Greater than 6.5m in height and/or two storeys (measured from ground level (existing) to the highest point of the building - excluding antennae or chimneys or similar); or

b) Ground floor levels are higher than 800mm above the ground level (existing); or

c) Dwelling setbacks are less than the minimums prescribed above,

the design is to ensure it complies with:

- The objectives of this control;
- The visual and acoustic privacy requirements of this Section; and
- Demonstrate through the provision of **Shadow Diagrams** that there is at least 3 hours solar access to a living room and 50% of the principal private open space in each proposed and/or adjacent dwelling(s) between 9am and 3pm at the winter solstice (21 June).

6.4.4 Private Open Space & Landscaping

Objective(s)

See the primary Objective(s) in DCP Section 2.7 Landscaping & Tree Protection.

O1. Dwellings are provided with a suitable area of private open space that achieves the following:

a) promotes outdoor activity & recreation with a useable space;

b) is located with ease-of access from living spaces in the dwelling and with good solar access;

c) has sufficient privacy & separation from sensitive areas of adjacent dwellings;

d) maximises the landscaped area and **deep soil landscaped area** of the site and minimises large hard surfaced areas to promote water infiltration;

e) promotes other landscaping objectives & setbacks between buildings.

Control(s)

1) Area: A useable area of private open space is clearly defined on the Site Plan(s) and provide a minimum area for each dwelling of:

a) 100m^2 - *Zone R2 Low Density Residential*; or

b) 50m^2 - *Zone R1 General Residential*;

with a principal private open space of minimum 4m by 6m at ground level (24m^2).

2) Amenity: The principal private open space:

a) Is located close to or easily accessible from the living spaces of the dwelling;

b) Has a sufficient area that is permeable to water to promote stormwater infiltration by complying with the stormwater controls in this DCP;

c) Has at least 2 hours of solar access on 50% of the space from 9am to 3pm on the Winter Solstice (21 June);

d) Is located and suitably screened to minimise privacy and overlooking of adjacent dwellings;

e) Has suitable landscape to promote use of the space whilst providing some shade in summer and solar access in winter;

f) Is not located in the front setback, on parking and access areas, or include waste storage areas.

3) Landscaped Area: There is a minimum landscaped area of:

a) 35% for *Zone R2 Low Density Residential*; or

b) 20% for *Zone R1 Low Density Residential*.

4) **Site:** Landscape design is to comply with the requirements in DCP *Chapter 2 – Site Requirements* relating to Landscaping as well as that shown on the approved BASIX Certificate for the dwelling.

6.4.5 Noise (Acoustic) & Visual Privacy

Objective(s)

O1. To increase residential amenity for both the proposed dwelling and adjacent dwelling(s) through:

a) Appropriate separations of buildings from likely noise sources; and

b) Window alignments that minimise noise impacts and maximise privacy of primary living and open spaces.

Control(s)

1) **Visual Privacy:** Development that:

a) Is greater than one-storey in height (including habitable attic rooms with dormer windows); or

b) Where there is a risk of overlooking of adjacent properties due to floor levels above ground level (existing) and/or window sill levels higher than fences and/or adjacent properties; or

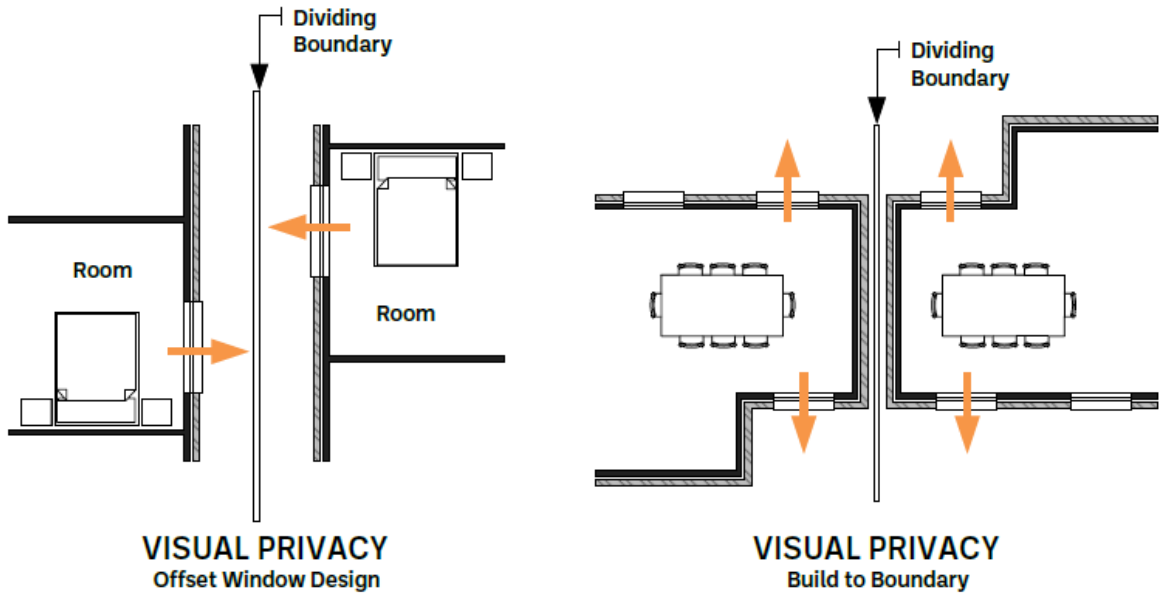
c) That does not meet the minimum building setbacks,

is designed to locate and size windows to habitable rooms or balconies to avoid looking directly into windows, balconies, courtyards, and primary private open space(s) of adjoining dwellings or demonstrate how overlooking will be minimised.

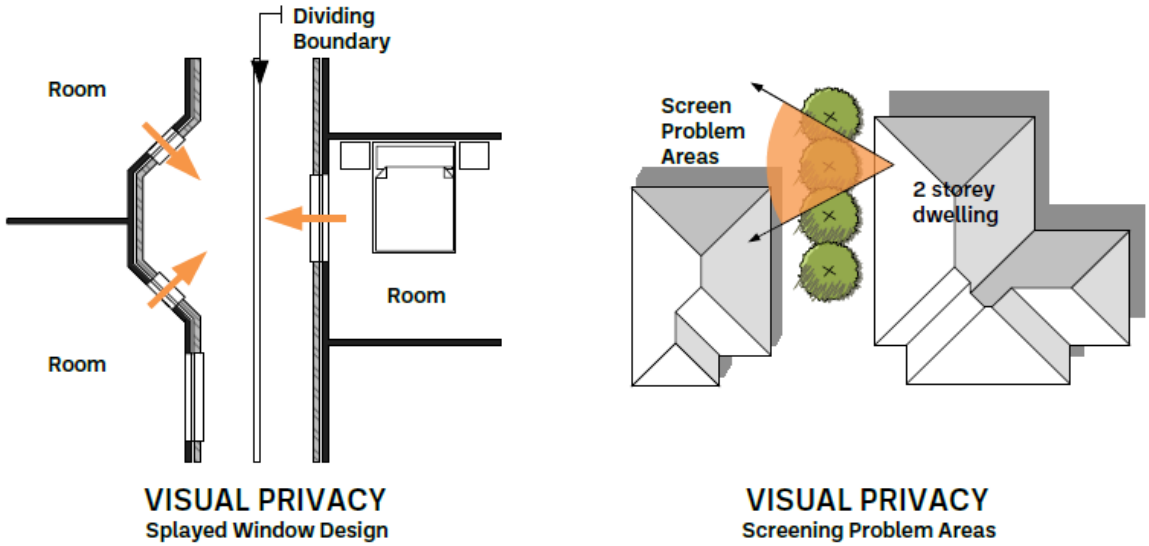
2) **Screening:** Buildings are designed to avoid and minimise privacy issues in preference to use of screening devices, high sills, obscure glass or landscaping (except for non-habitable rooms).

3) **Acoustic Privacy:** Buildings are designed to locate noise sensitive rooms (e.g., bedrooms) away from noise sources (e.g., driveways and parking areas, recreation and private open space areas, pools and equipment, air conditioning units) where possible.

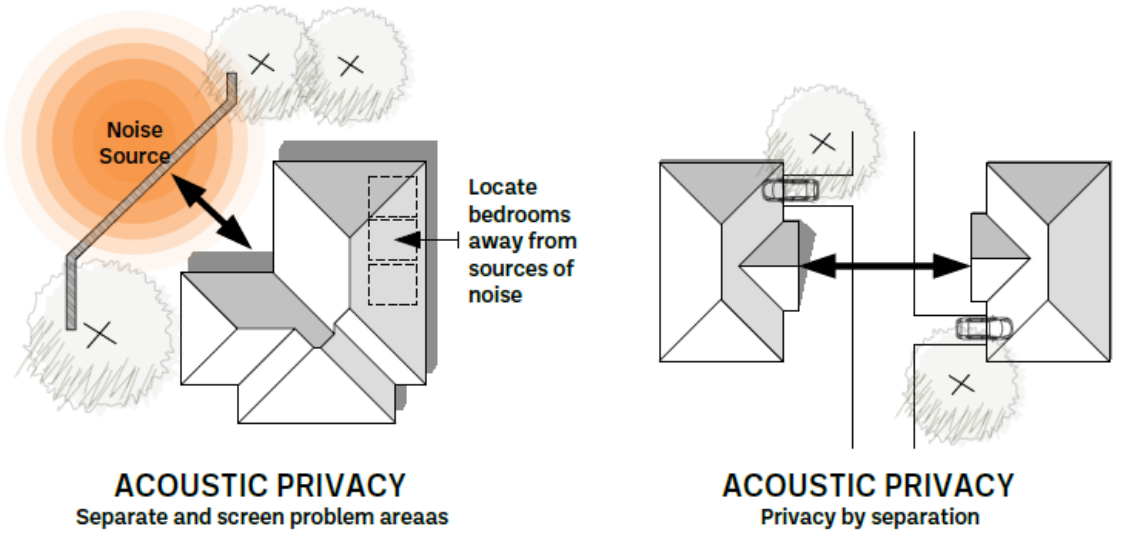
Techniques for visual privacy may include (but are not limited to) additional building setbacks, offsetting or splaying windows, adding privacy screens, opaque windows, raising the windowsill level, or landscaping / screening / fencing (see diagrams below). However, barriers to solar access to living rooms are not desirable. See additional controls in DCP Chapter 2 – Site Requirements relating to Noise & Vibration.

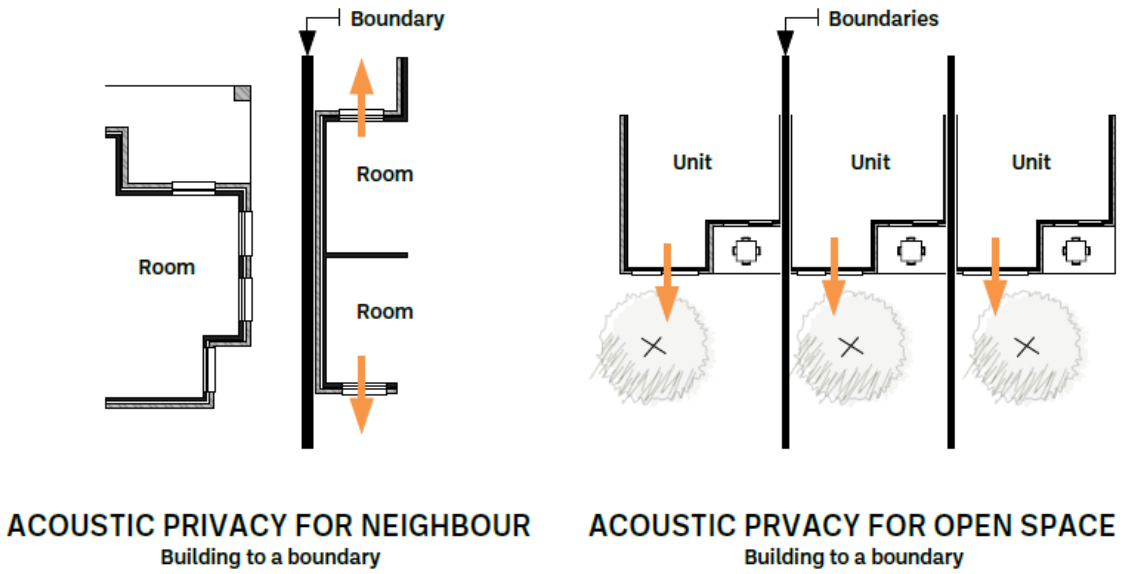


Visual privacy methods/options (Source: Complete Concepts + Planning – based on AMCORD 1995).



Visual privacy methods/options (Source: Complete Concepts + Planning – based on AMCORD 1995).





Acoustic privacy methods/options (Source: Complete Concepts + Planning – based on AMCORD 1995).

6.4.6 Building Articulation

Objective(s)

O1. To promote variations in building height, roof lines and elevations (particularly elevations facing street frontages) to:

a) Minimise the perceived bulk and scale of larger buildings;

b) Avoid large blank walls and facades and provide visual interest;

c) Encourage casual surveillance of the public domain for safety; and

d) Integrate with the desired character of the area and street.

Control(s)

1) **Blank Walls:** Building facades are designed to avoid areas of blank wall(s) (in excess of 5m to the street or 12m to a side boundary) and incorporate:

a) Window(s) to a habitable room facing the street to allow for casual surveillance of any street frontage;

b) Entrances/doors and/or recesses and variation of building setbacks;

c) Garages do not dominate the street frontage, especially when located forward of the building line *(see diagram below)*;

d) Varied roof lines;

e) Variation of materials and/or colours to define different levels or sections of buildings;

f) Any other articulation acceptable to Council.

2) **Corner Lots:** A dwelling on a corner lot is designed address both street frontages with the methods noted above.

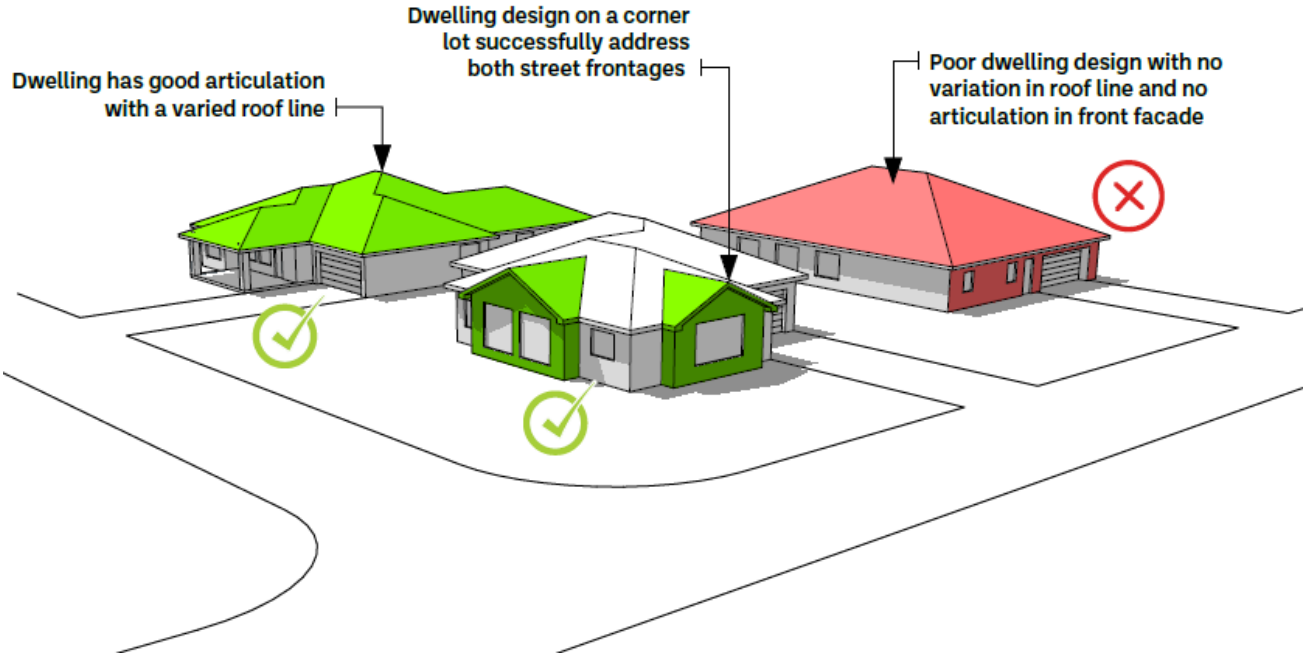


Illustration of preferred dwelling frontages on corner lots (Source: Complete Concepts + Planning).

6.4.7 Garages, Carports, Outbuildings & Sheds

Objective(s)

O1. To ensure that garages, carports, sheds and outbuildings:

a) Do not dominate views of the site/dwelling(s) from the street or key public places;
b) Are in-keeping with the scale and setting of the relevant land use zone, locality and street character;
c) Integrate with the dwelling design, materials and landscaping;
d) Do not significantly impact on the amenity of neighbouring properties (e.g., shadow, noise);
e) Allow for and protect significant trees, landscaping, and open space areas;
f) Do not unduly increase the overall site coverage of buildings and impermeable paved areas resulting in impacts on stormwater outcomes.

Control(s)

In ***urban areas and/or zones*** (e.g., Zone R1 /R2/ RU5 or Zone R5 (less than or equal to 4,000m^2 area), in addition to the visual impact/ amenity controls above, garages, carports, outbuildings and sheds must comply with the following:

1) **Land Use:** All detached sheds, garages, and outbuildings will only be considered if there is an existing dwelling on the lot or the same application seeks concurrent approval for a dwelling on the same lot.

Detached sheds and outbuildings need to be ancillary to a dwelling or have a specific land use nominated for them that is permissible with consent in the relevant land use zone.

2) **Cumulative Floor Area:** The maximum cumulative floor area of all detached garages/ carports/ sheds/ outbuildings on a lot is set out in the following table:

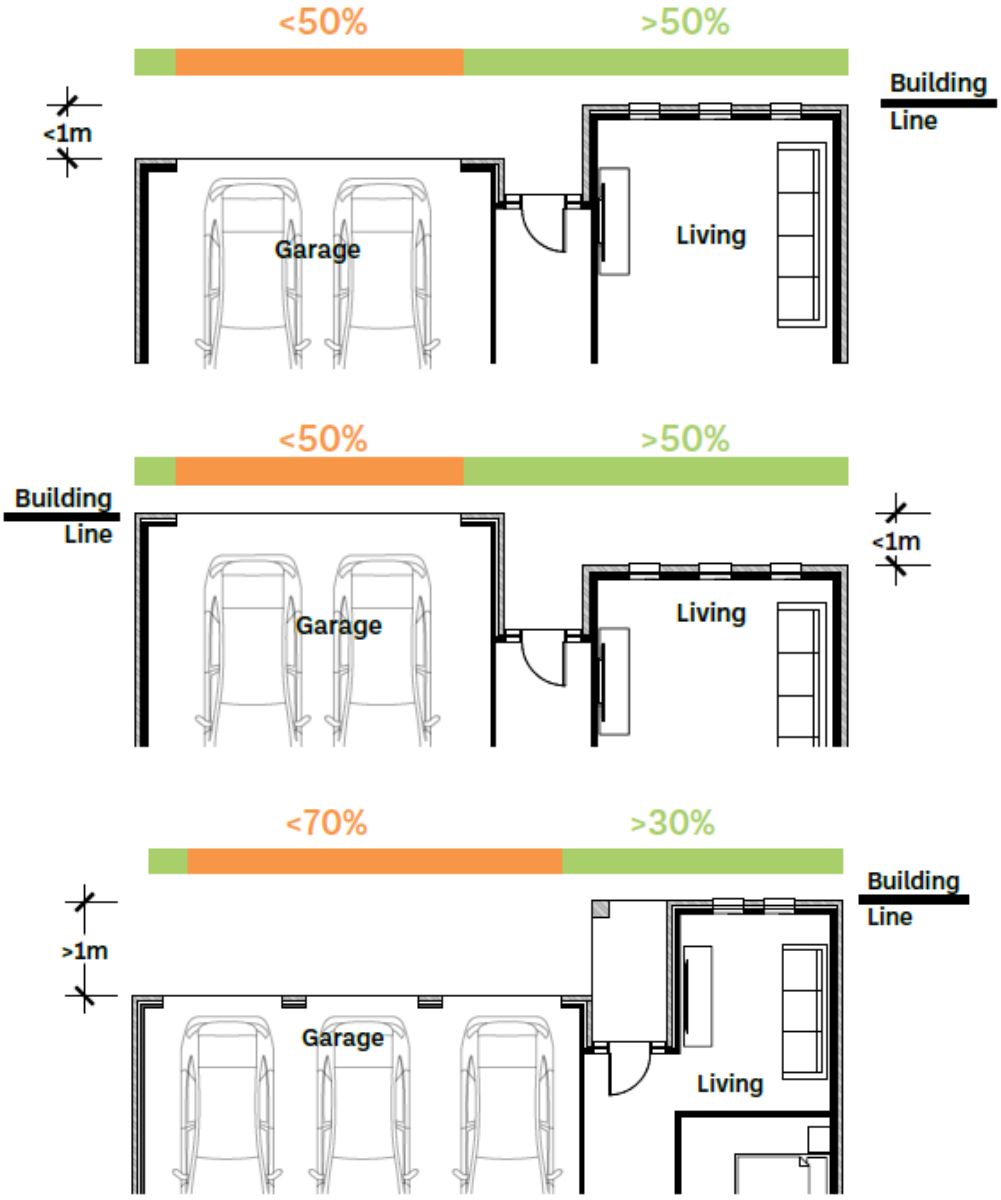
Lot Size	Floor Area Maximum
Lot < 900m^2	80m^2
900m^2 ≤ Lot ≤ 2000m^2	100m^2
Lot > 2000m^2	120m^2

3) **Amenity:** Building height and setbacks from boundaries consider the impacts on adjacent properties including, but not limited to: overshadowing, solar access, noise and visual amenity/privacy, colour and visibility, and the requirements of the National Construction Code (NCC) including, but not limited to, fire separation.

The maximum ridge height (as measured from the highest point on the building to the natural ground level immediately below) and minimum setbacks for all detached garages/carports/sheds/outbuildings on a lot is set out in the following table:

Zone/Lot Size	Maximum Ridge Height	Maximum Wall Height	Wall Height	Minimum Side and Rear Setback
R1	4.5m	3m	2.4m	600mm
			>2.4m – 2.7m	900mm
			>2.7m	1.2m
R2 Lot ≤ 2000m²	4.8m	3m	2.4m – 2.7m	900mm
			>2.7m	1.2m
R2 Lot > 2000m²	4.8m	3.3m	2.4m – 3m	1.2m
			>3m	1.5m
RU5	4.8m	3m	2.4m – 2.7m	900mm
			>2.7m	1.2m
R5 <4000m²	4.8m	3.6m	2.4-3m	1.2m
			>3m – 3.3m	1.5m
			>3.3m	1.8m

4) **Setbacks for Parking:** All enclosed car parking areas have the opening/garage doors setback a minimum of 5.5m from the front lot boundary of the street they connect to (rear lanes may have reduced setbacks depending on the desired character of the lane) to enable a single vehicle to be parked in the driveway entirely on the lot without interfering with the public domain/footpath and to avoid dominating the street.
5) **Garage Door Widths/Setbacks:** Garage doors facing a public road do not exceed (see diagrams above):
   a) 50% of the front elevation of the building where the garage doors are aligned with the front building line (or within 1m of the front building line); or
   b) 70% of the front elevation of the building where the garage doors are located greater than 1m behind the entry/living façade. **Garage within 1m of the building line (at least 5.5m from front lot boundary).**



Garage setbacks depending on proportion of building frontage (Source: Complete Concepts + Planning).

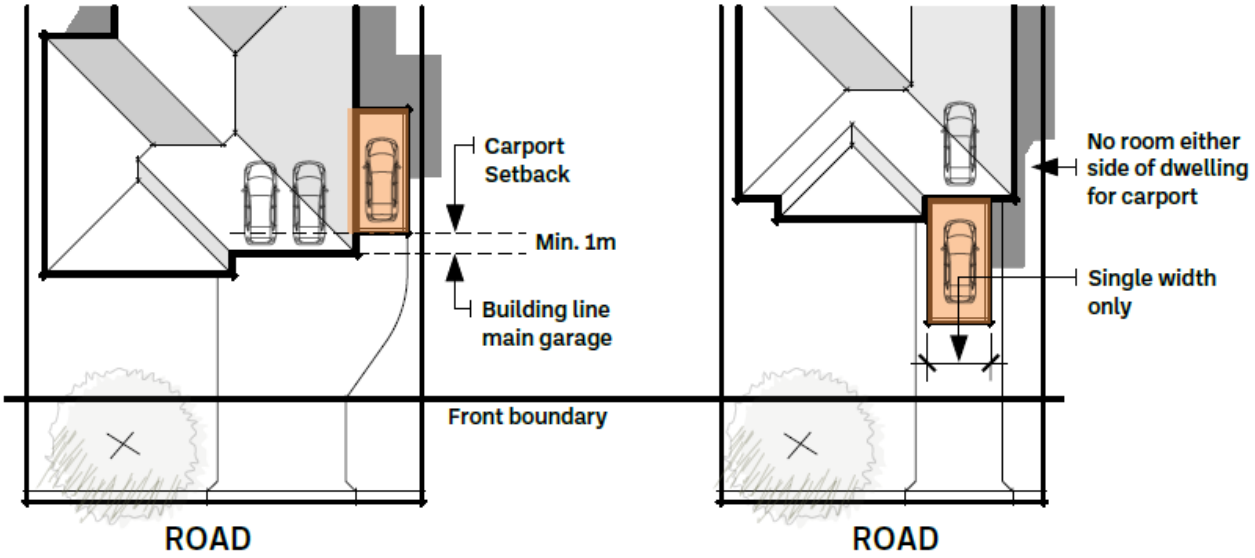
6) **Additional Carport:** In addition to the permitted garage widths facing a street, one (1) (open-sided) carport is permitted that is setback a further 1m behind the line of the other garages/ carports above (see diagram below).

7) **Carport in Front Setback:** A carport may be permitted in the front setback of an existing dwelling if (see diagram below):

   a) There is no potential to locate the carport to the side or rear of the dwelling;

   b) The carport is only for a single car space;

   c) The carport uses a light-weight structure with no walls that does not dominate the existing dwelling or streetscape.



Additional carport locations (Source: Complete Concepts + Planning).

8) **Colour/Materials:** Buildings comprising metal components that adversely affect visual amenity from adjacent residences, public spaces or heritage items/heritage conservation areas, are constructed using low-reflectivity/ factory pre-coloured external materials (or galvanised iron).

Please discuss visual impact/ colours/materials with Council if the site is in a heritage conservation area or is on or near a heritage item.

6.5 Medium to Higher Density Housing

*This Section applies to any application for **'medium to higher density housing'** in any zone where they are permitted with consent (in accordance with* LLEP2014 *(as amended)) including: dual occupancies; manor houses; **multi-dwelling housing** and **residential flat buildings** (see relevant sections for definitions below).*

As these applications are more complex and potentially have higher impacts on surrounding land uses, Council suggests that assistance is sought from development professionals to prepare the application and it is discussed with Council prior to lodging.

*Some types of Low-Rise Medium Density Housing may be permitted as complying development under SEPP (Exempt and Complying Codes) 2008 (*Codes SEPP*). Discuss this with Council before lodging your application.*

Objective(s)

O1. To ensure these planning controls are consistent with the State Planning Policies and regulatory provisions that apply to each particular type of residential accommodation.

O2. To promote higher dwelling densities in areas that are suited to higher densities without significantly compromising the amenity and character of our settlements.

O3. To ensure that lot size is of sufficient size to promote good site planning, vehicle access and parking, open space and landscaping, building separations and solar access, dwelling design, and street / visual amenity.

O4. To ensure that the height and scale of development integrates into the existing and desired streetscape and minimises impacts on adjacent properties from shadow, acoustic and visual privacy, and cut and fill.

O5. To ensure it is designed with suitable building setbacks and separations to provide good residential amenity to the proposed building and neighbours including:

a) Minimising noise impacts from adjacent roads & neighbouring land uses;
b) Maximising visual privacy;
c) Maintaining reasonable solar access to primary living spaces and open spaces & minimise overshadowing to/from other dwellings on the site and adjacent sites;
d) Promoting natural cross ventilation;
e) Encouraging useable private (and possibly communal) open spaces that are accessible from primary living spaces and capable of supporting some significant landscaping;
f) Providing opportunities for water and energy efficiency.

O6. To ensure the design of higher density or innovative and different building forms demonstrates how the building siting and driveway layout:

a) Promotes casual surveillance of the street;
b) Creates clear entrances and a sense of address for each dwelling;
c) Avoids blank walls to public or semi-public areas and create visual interest;
d) Promotes good orientation for solar access to living spaces and private open spaces;
e) Reduces visibility of maintenance areas and soften driveways with landscaping and screening

O7. To ensure the design of medium density housing incorporates an adequate level of outdoor private open space and landscaping areas:

a) To maximise amenity for each dwelling;
b) To maximise solar access to private open spaces and living areas.

O8. To encourage **deep soil landscaped areas** that can support significant landscaping to:

a) Retain and protect existing significant trees;
b) Allow for water infiltration and reduce stormwater issues;
c) Reduce the bulk and scale of larger developments and hardstand areas;
d) Improve privacy and shading whilst allowing solar access in winter;
e) Utilise species suitable to the climate with lower maintenance;
f) Assist in defining the boundary between public, semi-public, and private land and promote good sight-lines and safety.

O9. To ensure that solid waste management is integrated into the design of more complex developments and will provide:

a) Safe and efficient access for waste collection vehicles to the waste storage area;
b) Suitable locations and accessibility to promote effective waste management and recycling;
c) Appropriately sized waste storage areas for the potential waste generation of the development and collection periods;
d) Screening of waste storage areas to minimise visual and odour impacts.

O10.To require larger residential developments to provide a percentage of dwellings that are either universally designed and/or adaptable to meet changing needs of residents and the community.

Control(s)

6.5.1 Siting & Setbacks

All new medium to higher density housing is designed to meet the minimum setbacks from the lot boundaries as set out in the SETBACK TABLE below taking into account DCP *Section 6.4.2 – Average Setback of Adjacent Dwellings*.

SETBACK TABLE	
Location	**Building Setback**
Great Western Highway	• 10m
Other Classified Roads	• 8m
Front Setback to Primary Street (Zone R1 General Residential)	• 4.5m - single storey OR average setback of adjacent dwellings (whichever is greater) • 6.0m – two or more storeys OR average setback of adjacent dwellings (whichever is greater)
Front Setback to Primary Street (Zone R2 Low Density Residential)	• 6.0m – single storey or average setback of adjacent dwellings (whichever is greater) • 7.0m – two or more storeys OR average setback of adjacent dwellings (whichever is greater)
Garages fronting a Public Road	• 5.5m from the front boundary AND • 0.5m behind the front building line
Secondary Street (Corner Lots)	• 4m – single storey • 6m – two storeys or greater
Side Boundary	• 1.5m - single storey • 3m - two storeys or greater
Rear Boundary (no road frontage)	• 4.5m - single storey • 6m - two storeys or greater
Public Reserves	• 3m

6.5.2 Low Rise Medium Density Housing

The NSW Government (DPIE) has prepared the Low Rise Housing Diversity Design Guide for development applications *(July 2020) (*Design Guide for DAs*). This is found at: https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Policy-and-legislation/Housing-Diversity-DA-A-2020-10.pdf?la=en.*

This DCP utilises the Design Guide for DAs as the controls for all development that contains two or more dwellings and is no more than two storeys in height including (see definitions below):

- *Dual occupancies (including conversion of an existing dwelling house into a dual occupancy);*
- *Manor houses and 'one above the other' dual occupancies';*
- *Multi-dwelling housing (Terraces);*
- *Multi-dwelling housing (town houses and villas).*

Range of residential types the Design Guide for DAs applies to (Guide Figure 1-1).

*Use of the Design Guide for DAs ensures that there are consistent and in integrated controls for these development types. Applicants can choose to comply with the Complying Development requirements under the Codes SEPP (https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2008-0572#pt.3B) along with the Low-Rise Housing Diversity Design Guide (July 2020) (*HD Design Guide*).*

If they cannot meet the Complying Development controls then they can lodge a Development Application (DA) under the Design Guide for DAs.

Definitions:

***Dual occupancy:** means a dual occupancy (attached) or a dual occupancy (detached) (see examples on following page):*

- ***Dual occupancy (attached):** means two (2) dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling; and*
- ***Dual occupancy (detached):** means two (2) detached dwellings on one lot of land, but does not include a secondary dwelling.*

***Dual occupancies (side-by-side – either attached or detached)** are usually characterised by two dwellings on a corner lot with one dwelling facing the primary road and one facing the secondary road or two attached dual occupancies side-by-side facing the same road (see example on following page).*

***Manor houses:** means – a building containing 3 or 4 dwellings, where:*

a) Each dwelling is attached to another dwelling by a common wall or floor, and

b) At least 1 dwelling is partially or wholly located above another dwelling, and

c) The building contains no more than 2 storeys (excluding any basement).

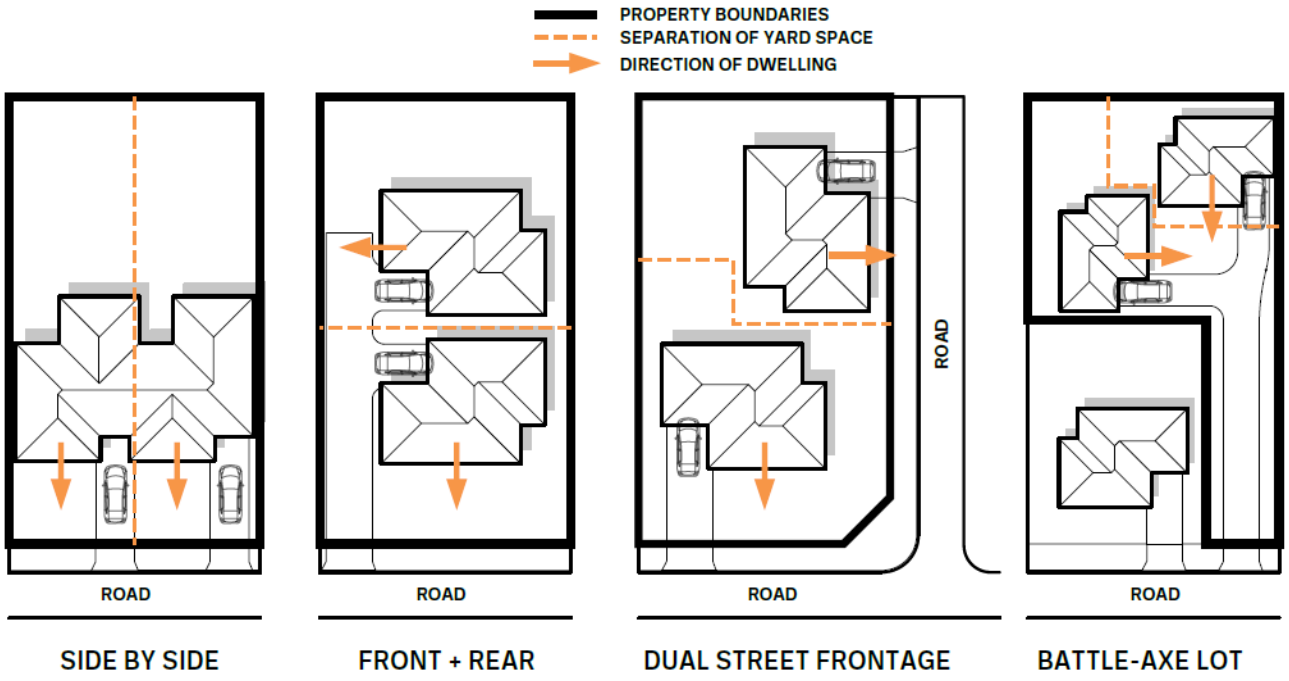
***Multi-dwelling housing (MDH):** means – 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.*

Multi-dwelling housing (Terraces) means 3 or more dwellings on one lot of land where:

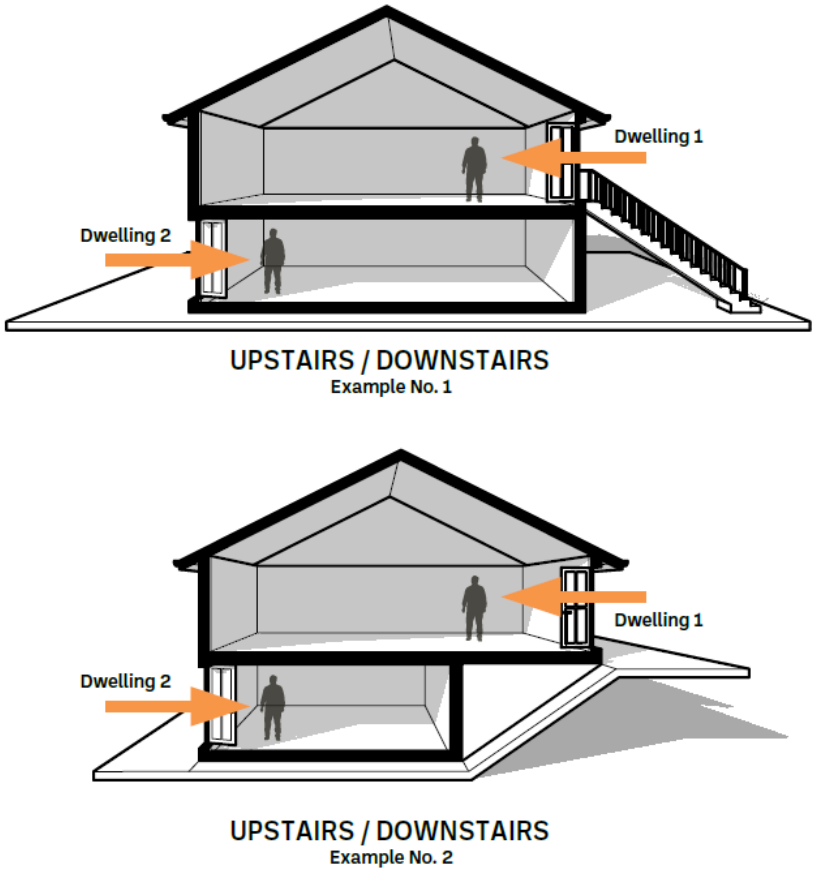
a) Each dwelling has access at ground level;

b) No part of a dwelling is above any part of any other dwelling, and,

***c)** Dwellings face, and generally follow, the alignment of one or more public roads.*



Examples of Dual Occupancy arrangements (Source: Complete Concepts + Planning).



Examples of Upstairs/Downstairs Dual-Occupancy arrangements (Source: Complete Concepts + Planning*).*

Example of Multi-Dwelling Housing (Source: Complete Concepts + Planning adapted from AMCORD 1995).

1) This DCP provides controls for the following aspects of Low-Rise Medium Density Housing:
   a) **General controls** – See DCP Section 6.2 including DCP *Chapter 2 – Site Requirements* and *Chapter 3 – Natural Environment & Hazards;*
   b) **Setbacks** – See DCP *Section 6.5.1 – Siting & Setbacks* above;
   c) **Local character and context** – where relevant in a heritage conservation area in *Chapter 4 – Heritage & Cultural Conservation* or *Chapter 9 – Location Specific Controls*.
2) In addition to the controls in this DCP listed in subclause (1), the residential accommodation types to which this Section applies demonstrate compliance with the relevant design principles, objectives, development standards and design criteria in the Design Guide for DAs. Where there is inconsistency, the controls in this DCP prevail

Section 6.5.3 to Section 6.5.6 has been adapted from the Low Rise Housing Diversity Design Guideline for Development Applications. Where references are made to other sections in the Design Criteria, please refer to the Low Rise Housing Diversity Design Guideline for Development Applications for clarification. The translation between Sections of the Low Rise Housing Diversity Design Guideline for Development Applications and the following tables are as follows:

- *6.5.3 = 2.1 Dual Occupancies (Side by Side and Rear)*
- *6.5.4 = 2.2 Manor Houses and Dual Occupancies (One Above the Other)*
- *6.5.5 = 2.3 Terraces*
- *6.5.6 = 2.4 Multi Dwelling Housing*

Development applications for Terraces or Multi-dwelling Houses are to be accompanied by a Design Verification Statement, prepared by a suitably qualified person to:

- *explain how the design quality principles are achieved;*
- *illustrate how the development is suited to its context; and*
- *demonstrate how the Objectives have been achieved using the Design Criteria as a measure.*

A template can be found in the appendices of the Low Rise Housing Diversity Design Guide for Development Applications.

6.5.3 Dual Occupancies (Side by Side and Rear)

6.5.3A Building Envelopes	
Objectives	Design Criteria
Objective 6.5.3A(1) ***The building height is consistent with the desired scale and character of the street and locality and provides an acceptable impact on the amenity of adjoining properties.***	The maximum building height for any building(s) is: • 8.5m, or • For detached dual occupancies in a battle-axe arrangement, the dwelling furthest from the street: 5.4m.
Objective 6.5.3A(2) ***The development provides a setback from the front boundary or public space that:*** • ***defines the street edge;*** • ***creates a clear threshold and transition from public to private space;*** • ***assists in achieving visual privacy to ground floor dwellings from the street;*** • ***contributes to the streetscape character and landscape; and*** • ***relates to the existing streetscape and setback pattern or the desired future streetscape pattern if different to the existing.***	The maximum number of storeys excluding basements is: • 2, or • For detached dual occupancies in a battle-axe arrangement, the dwelling furthest from the street: 1 Refer to Section 6.5.1 of this DCP for front setbacks.
Objective 6.5.3A(3) ***The development provides side boundary setbacks that reflects the character and separation of buildings within the surrounding area.***	Refer to Section 6.5.1 of this DCP for side setbacks.

Objective 6.5.3A(4) ***The development provides a rear boundary setback that provides opportunity to retain and protect or establish significant landscaping and trees in deep soil areas.***	Refer to Section 6.5.1 of this DCP for rear setbacks.

Notes:

1. When applying primary road, secondary road and rear setbacks – the lot area refers to the lot area prior to any subdivision.
2. The side setbacks only apply to the side boundaries of the lot prior to any subdivision.
3. Setbacks do not apply to the following: access ramps, down pipes, driveways or hard standard spaces, electricity or gas meters, fascias, fences, gutters, light fittings, pathways and paving, privacy screens fixed to the building.
4. If a dual occupancy on a corner lot has dwelling fronting different roads, the rear of each dwelling is to be treated as a side for the purposes of determining the setbacks required under this clause.
5. Refer to Section 3 of the *Low Rise Diversity Housing Code Design Guide for Development Applications* for an explanation of the application of setbacks.

6.5.3B Gross Floor Area/Floor Space Ratio	
Objectives	**Design Criteria**
Objective 6.5.3B(1) ***To ensure that the bulk and scale is appropriate for the context, minimises impacts on surrounding properties and allows for articulation of the built form.***	The following maximum gross floor area applies for all development on the site: **Lot Area (m²)** **Maximum GFA** 0 – 2000: 25% of lot area + 300m^2 >2000: 800m^2

6.5.3C Landscaped Area	
Objectives	**Design Criteria**
Objective 6.5.3C(1) ***To provide adequate opportunities for the retention of existing and provision of new vegetation that:*** ***- contributes to biodiversity;*** ***- enhances tree canopy; and*** ***- minimises urban runoff.***	The minimum landscaped area is: • 50% of the parent lot area minus 100m^2.
	The minimum dimension of any area to be included in the landscaped area calculation is 1.5m.
	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.

<table>
<tr><td rowspan="3">Objective 6.5.3C(2)
Landscape design supports healthy plant and tree growth and provides sufficient space for the growth of medium sized trees.</td><td>An ongoing maintenance plan is to be provided as part of the landscape plan.</td></tr>
<tr><td>Minimum soil standards for plant sizes are provided in accordance with the Table below:

<table>
<tr><th>Tree Size</th><th>Height</th><th>Spread</th><th>Min Soil Area</th><th>Min Soil Depth</th></tr>
<tr><td>Large trees</td><td>>12m</td><td>>8m</td><td>10 x 10m</td><td>1.2m</td></tr>
<tr><td>Medium trees</td><td>8-12m</td><td>4-8m</td><td>6 x 6m</td><td>1.0m</td></tr>
<tr><td>Small trees</td><td>5-8m</td><td><4m</td><td>3.5 x 3.5m</td><td>0.8m</td></tr>
<tr><td>Shrubs</td><td></td><td></td><td></td><td>0.5-0.6m</td></tr>
<tr><td>Groundcover</td><td></td><td></td><td></td><td>0.3-0.45m</td></tr>
<tr><td>Turf</td><td></td><td></td><td></td><td>0.2m</td></tr>
</table></td></tr>
<tr><td>The following tree plantings are to be provided:
Front: 1 tree with mature height of 5m if the primary road setback is greater than 3m.
Rear: 1 tree with mature height of 8m.</td></tr>
<tr><td>Objective 6.5.3C(3)
Existing natural features of the site that contribute to neighbourhood character are retained, and visual and privacy impacts on existing neighbouring dwellings are reduced.</td><td>Mature trees are to be retained, particularly those along the boundary, (except those where approval is granted by Council for their removal).</td></tr>
<tr><td>Existing Landscape features including trees and rock outcrops are to be retained where they contribute to the streetscape character or are located within the rear setback.</td></tr>
<tr><td rowspan="2">Objective 6.5.3C(4)
Landscape design contributes to a local sense of place and creates a microclimate.</td><td>The landscape plan proposes a combination of tree planting, for shade, mid height shrubs, lawn and ground covers.</td></tr>
<tr><td>The landscape plan indicates that at least 50% of the overall number of trees and shrubs are species native to the region.</td></tr>
</table>

6.5.3D Local Character and Context	
Objectives	**Design Criteria**
Objective 6.5.3D(1) ***The built form, articulation and scale relates to the local character of the area and the context.***	Provide a description in the Statement of Environmental Effects (SEE) of how the built form of the development contributes to the character of the local area, using the guidance in Section 3D Local Character and Context of the *Low Rise Housing Diversity Design Guide for Development Applications*.

6.5.3E Public Domain Interface	
Objectives	**Design Criteria**
Objective 6.5.3E(1) ***Provide activation and passive surveillance to the public streets.***	The front door of each dwelling is to be directly visible from the public street.
	Windows from habitable rooms are to overlook the public domain.
Objective 6.5.3E(2) ***Front fences and walls do not dominate the public domain instead they respond to and complement the context and character of the area (including internal streets).***	Private courtyards within the front setback are located within the articulation zones and / or behind the required front building line.
	Front fences: • Are visually permeable (no more than 50% of the allowable fence area will be solid masonry, timber or metal). • Average height no greater than 1.2m. • Have a consistent character with other front fences in the street. • Are not to be constructed of solid metal panels or unfinished timber palings.
	High solid walls are only used to shield the dwelling from the noise of classified roads. The walls are to have a maximum height of 2.1m and be setback at least 1.5m from the property boundary. Landscape planting is to be provided between the wall and the boundary, with a mature height of at least 1.5m.
	Retaining walls greater than 600mm within the front setback are softened by planting for a minimum depth of 600mm on the low side of the retaining wall.
Objective 6.5.3E(3) ***The secondary frontage of a development positively contributes to the public domain by providing an active edge and semi-transparency to the boundary treatment.***	Where the development adjoins public parks, open space, bushland, or is a corner site, the design positively addresses this interface using any of the following design solutions: • Habitable room windows facing the public domain. • Street access, pedestrian paths and building entries. • Paths, low fences and planting that clearly delineate between communal/private open space and the adjoining public open space.

	• Walls fronting the public spaces are to have openings not less than 25% of the surface area of the wall.

6.5.3F Pedestrian and Vehicle Circulation	
Objectives	**Design Criteria**
Objective 6.5.3F(1) ***Ensure there is adequate space for vehicle circulation and of-street parking.***	Vehicle circulation complies with AS2890.1.
	Where on street parking is currently available in front of the development, the proposed driveways are located so that at least one car space remains.
	Vehicular crossing is to have a maximum width of 3.5m at the street boundary.

6.5.3G Orientation, Siting and Subdivision	
Summary LEP Development Standards	
Minimum lot size for carrying out dual occupancy development.	The minimum lot size for carrying out dual occupancy development is specified in Clause 4.1A (2) of the Lithgow Local Environmental Plan 2014.
Minimum lot size resulting from the subdivision of a dual occupancy.	The minimum lot size resulting from the subdivision of a dual occupancy is specified in Clause 4.1 of the Lithgow Local Environmental Plan 2014.
Objectives	**Design Criteria**
Objective 6.5.3G(1) ***To achieve planned residential density consistent with the Lithgow LEP 2014.***	The minimum lot width is: • 12m measured at the building line where parking is provided from a secondary road, parallel road or lane, or • 15m measured at the building line where parking is accessible from a primary road.
Objective 6.5.3G(2) ***To ensure that lots created resulting from the subdivision of land have sufficient area for the dwelling, vehicle***	The ground floor footprint of the strata area is not less than 180m^2 for each dwelling.

access, landscaping, parking and amenity and are consistent with the desired future character of an area.	The minimum lot width of a lot created through the subdivision of a dual occupancy on R1, R2, & R5 zoned land is as follows: • Garages not fronting primary road – 6m • Garages fronting primary road – 7.5m
	A dwelling on a proposed battle-axe lot (whether strata or Torrens title) must be a part of a detached dual occupancy and have a lot with minimum dimensions of: • 4.5m wide access to the primary road • Minimum dimension of 18m x 18m.
Objective 6.5.3G(3) ***The built form, articulation and scale relates to the local character of the area and the context.***	The dwelling frontage is to be at least 5m.
	Each dwelling on a corner lot is to have a frontage to a different street.
Objective 6.5.3G(4) ***Reasonable solar access is provided to the living rooms and private open spaces of adjoining dwellings.***	A window that is more than 3m from the boundary to a living room of an adjoining dwelling is to receive more than 3 hours of direct sunlight between 9am and 3pm on the winter solstice (June 21). If the window currently receives less than 3hrs – direct sunlight is not reduced. **Note**: Direct sunlight is measured consistent with Design Criteria 51 of the *Low Rise Housing Diversity Design Guide for Development Applications* and is only required to one window serving the living room.
	Where the location of the living room windows of an adjoining dwelling cannot be verified, the proposed development is accommodated within a building envelope defined by a 35° plane springing from 3.6m above the boundary.
Objective 6.5.3G(5) ***The development responds to the natural landform of the site, reducing the visual impact and avoiding large amounts of cut and fill and minimises the impacts of retaining walls.***	Dwellings are located to step with the topography.
	Unless a dwelling is over a basement, the ground floor is not more than 1.3m above ground level, and no more than 1m below ground level.
Objective 6.5.3G(6) ***The development minimises impacts to vegetation on adjoining properties and allow for vegetation within the setbacks.***	Basement car parking should not be provided within the setbacks described in the table in Section 2.1A.

Objective 6.5.3G(7) ***Independent services and utilities are available to service each lot.***	All lots must have access to reticulated water, sewer, electricity, telecommunications and where available, gas.
Objective 6.5.3G(8) ***Provide adequate separation between buildings to allow for landscape, provide visual separation and daylight access between buildings***	For a dual occupancy (detached) the minimum separation between two dwellings that is 3m.

6.5.3H Solar and Daylight Access	
Objectives	**Design Criteria**
Objective 6.5.3H(1) ***To optimise sunlight received to habitable rooms and private open spaces. Solar access enables passive solar heating in winter and provides a healthy indoor environment.***	A living room or principal private open space in each dwelling is to receive a minimum of 3 hours direct sunlight between 9 am and 3 pm on the winter solstice (June 21). Note: Direct sunlight is achieved when 1m^2 of direct sunlight on the glass is received for at least 15 minutes. To satisfy 3 hours direct sunlight, 12 periods of 15 minutes will need to be achieved, however the periods do not need to be consecutive
Objective 6.5.3H(2) ***To provide good access to daylight suited to the function of the room, minimises reliance on artificial lighting, and improves amenity.***	Daylight may not be borrowed from other rooms, except where a room has a frontage to a classified road.
	No part of a habitable room is more than 8m from a window.
	No part of a kitchen work surface is more than 6m from a window or skylight
	Courtyards are to: • Be fully open to the sky; and • Have a minimum dimension of one third of the perimeter wall height, and an area of 4m^2.
	A window is visible from 75% of the floor area of a habitable room.

6.5.3I Natural Ventilation	
Objectives	**Design Criteria**
Objective 6.5.3I(1) ***All habitable rooms are naturally ventilated.***	All habitable rooms are naturally ventilated. Each dwelling is naturally cross ventilated.

6.5.3J Ceiling Height	
Objectives	**Design Criteria**
Objective 6.5.3J(1) ***Ceiling height achieves sufficient natural ventilation and daylight access and provides spatial quality.***	Minimum ceiling heights are: • 2.7m to ground floor habitable rooms. • 2.7m to upper level living rooms. • 2.4m to upper level habitable rooms (excluding living rooms). The ceiling height is measured from finished floor level to finished ceiling level.

6.5.3K Dwelling Size and Layout	
Objectives	**Design Criteria**
Objective 6.5.3K(1) ***The dwelling has a sufficient area to ensure the layout of rooms is functional, well organised and provides a high standard of amenity.***	Dwellings are to have the following minimum internal floor areas: • 1 bed: 65m^2 • 2 beds: 90m^2 • 3+ beds: 115m^2
	The minimum internal areas outlined above only include one bathroom. The minimum area of each additional bathroom is 5m^2 added onto the minimum dwelling area.
	The minimum area of any additional bedroom is 12m^2. The area of each additional bedroom is then added to the minimum internal floor area contained in Design Criteria 60.
	Kitchens are not part of a circulation space, such as a hallway.
Objective 6.5.3K(2)	One bedroom is to have a minimum area of 10m^2, excluding wardrobe space.
	Bedrooms have a minimum length and width of 3m, excluding wardrobe space.

Room sizes are appropriate for the intended purpose and number of occupants.	Combined living and dining rooms are to have a minimum area of: • 1 and 2 bed: 24m^2 • 3+ bed: 28m^2
	Living room or lounge rooms are to have a minimum length and width of 4m, excluding fixtures.

6.5.3L Principal Private Open Spaces	
Objectives	**Design Criteria**
Objective 6.5.3L(1) ***Dwellings provide appropriately sized private open space and balconies to enhance residential amenity.***	The area of principal private open space provided for each dwelling is at least 16m^2 with a minimum length and width of 3m.
Objective 6.5.3L(2) ***Principal private open space and balconies are appropriately located to enhance liveability for residents.***	The principal private open space is located behind the front building line.
	The principal private open space is located adjacent to the living room, dining room or kitchen to extend the living space.
	25% of the private open space is to be covered to provide shade and protection from rain.

6.5.3M Storage	
Objectives	**Design Criteria**
Objective 6.5.3M(1) ***Adequate, well-designed storage is provided in each dwelling.***	In addition to storage in kitchens and bedrooms, the following storage with a minimum dimension of 500mm is provided: • 1 bed: 6m^3 • 2 beds: 8m^3 • 3+ beds: 10m^3
	At least 50% of the required storage is located inside the dwelling.
	Storage not located in dwellings is secure and clearly allocated to specific dwellings, if in a common area.

6.5.3N Car and Bicycle Parking

Objectives	Design Criteria
Objective 6.5.3N(1) ***Car parking is provided appropriate for the scale of the development.***	A minimum of 1 off-street covered car parking space per dwelling for each dwelling is to be provided.
	Car parking spaces and circulation are to comply with AS 2890.1:2004.
Objective 6.5.3N(2) ***Parking facilities are provided for bicycles***	Covered space is to be provided for the secure storage of at least 1 bicycle per dwelling.
Objective 6.5.3N(3) ***Visual and environmental impacts of car parking and garages do not dominate the streetscape and have an appropriate scale in relationship with the dwelling.***	Basement car parking is not to protrude more than 1m above finished ground level except at the entrance to the car park.
	The maximum dimensions of any basement car park entry is to be 2.7m high by 3.5m wide.
	Where a driveway is adjacent to an existing tree, it is either outside the drip line or complies with the recommendations in a report prepared by a qualified arborist.
	The setback of a car space from a primary, secondary or parallel road is to be at least: **Setback of Dwelling from Road** — **Minimum Of-Street Parking Setback from Road** <4.5m — 5.5m 4.5m or more — 1m behind the building line
	The maximum width of all garage doors facing a primary, secondary or parallel road: **Lot Width** — **Maximum Width of Garage Door Openings** 12m - 15m — 3.2m >15m - 20m — 6m >20m — 9.2m >25m — 12m Note: Lot width refers to the completed Torrens title lot or in the case of a strata subdivision being the development site.

	The maximum width of all garage doors facing a parallel road: **Lot Width** — **Maximum Width of Garage Door Openings** 12m - 15m — 6m >15m - 20m — 9.2m >20m — 12m

6.5.3O Visual Privacy	
Objectives	**Design Criteria**
Objective 6.5.3O(1) ***The separation of windows and terraces, decks and balconies within a site and to adjoining existing or future buildings provide a degree of visual privacy without the reliance on fixed screening.***	Orientate living room windows, primary private open space to the street front or rear.
	At least one window for each habitable room is provided without the need for a privacy screen.
	A privacy screen is required when: **Distance from Boundary** — **Finished Floor Level Above Ground Level (Existing)** <3m — 1 - 3m <6m — >3m **Distance from Windows in Dwelling on Same Lot** — **Finished Floor level Above Ground Level (Existing)** <6m — 1 - 3m <12m — >3m Note: This does not apply to a habitable room with a floor level not more than 1m above ground level (existing), bedroom windows that have an area less than $2m^2$ or windows that have a frontage to a road or public open space.
	A privacy screen is required at the edge of that part of a terrace, deck, balcony or verandah that is parallel or faces towards a side or rear boundary.

	Distance from Boundary / **Finished Floor Level Above Ground Level (Existing)** <3m / 1 - 3m <6m / >3m **Distance from Windows in Dwelling on Same Lot** / **Finished Floor Level Above Ground Level (Existing)** <6m / 1 - 2m <12m / >2m Note: This does not apply to a terrace, deck, balcony or patio that has an area less than $3m^2$ or has a frontage to a road or public open space.
Objective 6.5.3O(2) ***Site and building design elements increase privacy without compromising access to light and air, and balance outlook and views from habitable rooms and private open space***	Where privacy screens are provided to windows, they must not cover part of the window required to meet the minimum daylight or solar access requirements or restrict ventilation.

6.5.3P Acoustic Privacy	
Objectives	**Design Criteria**
Objective 6.5.3P(1) ***Noise transfer is minimised through the siting of buildings and building layout.***	Electrical, mechanical, hydraulic and air conditioning equipment is housed so that it does not create an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* either within or at the boundaries of any property at any time of the day.

6.5.3Q Noise and Pollution	
Objectives	**Design Criteria**
Objective 6.5.3Q(1)	Any development within the 20 ANEF contour is to be constructed to comply with AS 2021:2015 Acoustics – Aircraft Noise Intrusion.

Ensure outside noise levels are controlled to acceptable levels in living and bedrooms of dwellings.	Dwellings that are within 100m of a classified road or 80m from a rail corridor are to have LAeq measures not exceeding: • In any bedroom: 35dB(A) between 10pm-7am. • Anywhere else in the building (other than a kitchen, garage, bathroom or hallway): 40dB(A) at any time. This is achieved by: • Providing a full noise assessment prepared by a qualified acoustic engineer; and • Complying with relevant noise control treatment for sleeping areas and other habitable rooms in Appendix C of RMS *Development Near Rail Corridors and Busy Roads - Interim Guideline.*
Note: Development that is on land immediately adjacent to a rail corridor and development that involves penetration of the ground to a depth of 2m within 25m of a rail corridor may be integrated development and *State Environmental Planning Policy (Infrastructure) 2007* applies.	

6.5.3R Architectural Form and Roof Design	
Objectives	**Design Criteria**
Objective 6.5.3R(1) ***The architectural form is defined by a balanced composition of elements. It responds to internal layouts and desirable elements in the streetscape.***	Provide in the Statement of Environmental Effects (SEE) a description as to how the architectural form reduces the visual bulk and provides a cohesive design response. **Note**: Refer to Section 3 of the *Low Rise Housing Diversity Design Guide for Development Applications*.
Objective 6.5.3R(2) ***The roof treatments are integrated into the building design and positively respond to the street.***	Provide in the Statement of Environmental Effects (SEE) how the roof design integrates harmoniously with the overall building form.
	Skylights and ventilation systems are integrated into the roof design.

6.5.3S Visual Appearance and Articulation	
Objectives	**Design Criteria**
Objective 6.5.3S(1) ***To promote well designed buildings of high architectural quality that contribute to the local character.***	Provide in the Statement of Environmental Effects (SEE) a description as to how the aesthetics and articulation contribute to the character of the local area. **Note**: Refer to Section 3 of the *Low Rise Housing Diversity Design Guide for Development Applications*.
	The development may have a primary road articulation zone that extends up to 1.5m forward of the minimum required setback from the primary road and a secondary road articulation zone that extends up to 1m forward of the minimum required setback from the secondary road. The following elements can be located in the articulation zone: • An entry feature or portico. • A balcony, deck, pergola, terrace or verandah. • A window box treatment. • A bay window or similar feature. • An awning or other feature over a window. • A sun shading feature. • An eave.

6.5.3T Pools and Detached Development	
Objectives	**Design Criteria**
Objective 6.5.3T(1) ***The location of swimming pools and spas minimise the impacts on adjoining properties.***	Swimming pools and spas are to have a maximum height above ground level (existing): • At the water line – 1.2m, • At the top of the coping - 1.4m, and • Where the coping is more than 300mm wide – 600mm.

<table>
<tr><td rowspan="2"></td><td>Swimming pools and spas are to be located in the rear yard with a minimum setback of 1m from any side or rear boundary.

The setback of a swimming pool from a secondary road must be consistent with the setback of a dwelling house from the secondary road boundary.</td></tr>
<tr><td>The swimming pool pump must be located in an enclosure that is sound proofed.</td></tr>
<tr><td rowspan="5">Objective 6.5.3T(2)
The location of the detached development minimises the impact on adjoining properties.</td><td>Maximum height above ground level (existing) - 4.5m.</td></tr>
<tr><td>A detached studio with a frontage to a rear lane or parallel road may have a height of 6m.</td></tr>
<tr><td>Maximum floor area for detached development:
generally: 45m^2
detached studios: 36m^2</td></tr>
<tr><td>Side setbacks are the same as for the dwelling (see Section 6.5.1) except for the following:
side setback: 0.9m, or
side setback with wall height less than 3.3m: 0m, and adjoining lot building is <0.9m from boundary and building wall is of masonry construction with no windows,
side setback of detached studio with frontage to a lane: 0m
side setback of detached studio without a frontage to a lane:
<table><tr><th>Lot Width at building line</th><th>Rear setback</th></tr><tr><td>0 - 18m</td><td>900mm</td></tr><tr><td>>18m</td><td>1.5m</td></tr></table></td></tr>
<tr><td>Rear setbacks for detached development are as followed:<table><tr><th>Lot Area</th><th>Rear setback</th></tr><tr><td>0 - 900m^2</td><td>900mm</td></tr><tr><td>>900-1500m^2</td><td>1.5m</td></tr><tr><td>>1500m^2</td><td>2.5m</td></tr></table></td></tr>
<tr><td>The maximum floor level of a detached deck, patio, pergola or terrace that is less than 0.9m from the side boundary is 0.6m above ground level (existing).</td></tr>
</table>

6.5.3U Energy Efficiency	
Objectives	**Design Criteria**
Objective 6.5.3U(1) ***The development incorporates passive environmental design.***	An outdoor area for clothes drying that can accommodate at least 16 lineal metres of clothesline is provided for each dwelling.
	Any clothes drying area are to be screened from public and communal areas.
Note: A DA for a dwelling is required to have a BASIX Certificate that applies a minimum energy consumption target.	

2.1V Water Management and Conservation	
Objectives	**Design Criteria**
Objective 6.5.3V(1) ***Flood management systems are integrated into site design.***	A stormwater system must: • Comply with requirements in the DCP that applies to the land. • Be approved (if required) under s.68 of the Local Government Act 1993.
	Detention tanks are to be located under paved areas, driveways or in basements.
Note: A DA for a dwelling is required to have a BASIX Certificate that applies a minimum water consumption target.	

6.5.3W Waste Management	
Objectives	**Design Criteria**
Objective 6.5.3W(1) ***Waste storage facilities meet the needs of the residents, are easy to use and access, and enable efficient collection of waste.***	Provide storage space for the type and number of bins designated in council's waste policy.
	Where waste storage is provided in a communal area, access to this waste area is to be provided for all residents without crossing a private lot.
	Where waste storage is provided in the basement car park, a maximum ramp gradient of 1:6 is to be provided to the waste collection point.
	Where a rear lane has provision for waste collection trucks used by council, the collection point is to be from the rear lane.

	Any communal waste area is to: • provide water supply for cleaning, • have a solid floor grated to a floor waste (connected to sewer), and • be designed to meet the requirements of council's waste policy.
	Despite any requirements in council's waste policy, onsite waste vehicle access is not required. **Note**: The waste collection point is typically located on the footpath.
	If a waste collection point is provided on-site and used for permanent storage of bins it is to: • be screened from view from the public domain, • have a height no greater than 1.3m if forward of the building line, • be less than 10m from the street boundary, • be located on a surface with a gradient less than 1:20, • not require access through a security door or gate (unless this is permitted by council's waste policy), and • have a path that connects the collection area to the street boundary with a gradient less than 1:8 and free of steps to all for the transfer of bins to the collection vehicle.
Objective 6.5.3W(2) ***Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents***	Storage areas for rubbish and recycling bins are to be provided: • Within garages; • In a screened enclosure that is part of the overall building design; or • In the basement car park.
	Communal waste areas are to be located at least 3m from any bedroom or living room window.

6.5.4 Manor Houses and Dual Occupancy (One Above the Other)

6.5.4A Building Envelopes	
Objectives	Design Criteria
Objective 6.5.4A(1) ***The building height is consistent with the desired scale and character of the street and locality and provides an acceptable impact on the amenity of adjoining properties.***	The maximum building height for any building(s) is 8.5m
Objective 6.5.4A(2) ***The development provides a setback from the front boundary or public space that:*** • ***defines the street edge;*** • ***creates a clear threshold and transition from public to private space;*** • ***assists in achieving visual privacy to ground floor dwellings from the street;*** • ***contributes to the streetscape character and landscape; and*** • ***relates to the existing streetscape and setback pattern or the desired future streetscape pattern if different to the existing.***	The maximum number of storeys excluding basements is 2. Refer to Section 6.5.1 of this DCP for front setbacks.
Objective 6.5.4A(3) ***The development provides side boundary setbacks that reflects the character and separation of buildings within the surrounding area.***	Refer to Section 6.5.1 of this DCP for side setbacks.
Objective 6.5.4A(4) ***The development provides a rear boundary setback that provides opportunity to retain and protect or establish significant landscaping and trees in deep soil areas.***	Refer to Section 6.5.1 of this DCP for rear setbacks.

Notes:

1. When applying primary road, secondary road and rear setbacks – the lot area refers to the lot area prior to any subdivision.
2. The side setbacks only apply to the side boundaries of the lot prior to any subdivision.
3. Setbacks do not apply to the following: access ramps, down pipes, driveways or hard standard spaces, electricity or gas meters, fascias, fences, gutters, light fittings, pathways and paving, privacy screens fixed to the building.
4. Refer to Section 3 of the *Low Rise Diversity Housing Diversity Design Guide for Development Applications* for an explanation of the application of setbacks.

6.5.4B Gross Floor Area / Floor Space Ratio	
Objectives	**Design Criteria**
Objective 6.5.4B(2) ***To ensure that the bulk and scale is appropriate for the context, minimises impacts on surrounding properties and allows for articulation of the built form.***	The following maximum gross floor area applies for all development on the site: 25% of lot area + 150m^2 to a maximum of 400m^2.

6.5.4C Landscaped Area	
Objectives	**Design Criteria**
Objective 6.5.4C(1) ***To provide adequate opportunities for the retention of existing and provision of new vegetation that:*** ***- contributes to biodiversity;*** ***- enhances tree canopy; and*** ***- minimises urban runoff.***	The minimum landscaped area is: • 50% of the parent lot area minus 100m^2.
	The minimum dimension of any area to be included in the landscaped area calculation is 1.5m.
	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.
Objective 6.5.4C(2) ***Landscape design supports healthy plant and tree growth and provides sufficient space for the growth of medium sized trees.***	An ongoing maintenance plan is to be provided as part of the landscape plan.
	Minimum soil standards for plant sizes are provided in accordance with the Table below:

Tree Size	Height	Spread	Min Soil Area	Min Soil Depth
Large trees	>12m	>8m	10 x 10m	1.2m
Medium trees	8-12m	4-8m	6 x 6m	1.0m
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
	The following tree plantings are to be provided: • Front: 1 tree with mature height of 5m if the primary road setback is greater than 3m. • Rear: 1 tree with mature height of 8m.
Objective 6.5.4C(3) ***Existing natural features of the site that contribute to neighbourhood character are retained, and visual and privacy impacts on existing neighbouring dwellings are reduced.***	Mature trees are to be retained, particularly those along the boundary, (except those where approval is granted by Council for their removal).
	Existing Landscape features including trees and rock outcrops are to be retained where they contribute to the streetscape character or are located within the rear setback.
Objective 6.5.4C(4) ***Landscape design contributes to a local sense of place and creates a microclimate.***	The landscape plan proposes a combination of tree planting, for shade, mid height shrubs, lawn and ground covers.
	The landscape plan indicates that at least 50% of the overall number of trees and shrubs are species native to the region.

6.5.4D Local Character and Context	
Objectives	**Design Criteria**
Objective 6.5.4D(1) ***The built form, articulation and scale relates to the local character of the area and the context.***	Provide a description in the Statement of Environmental Effects (SEE) of how the built form of the development contributes to the character of the local area, using the guidance in Section 3D Local Character and Context of the *Low Rise Housing Diversity Design Guide for Development Applications*.

6.5.4E Public Domain Interface	
Objectives	**Design Criteria**
Objective 6.5.4E(1) ***Provide high level activation and passive surveillance to the public streets.***	Pedestrian entries are to be directly visible from the public street.
	Windows from habitable rooms are to overlook the public domain.
	Direct visibility is provided along paths and driveways from the public domain to the front door.

Objective 6.5.4E(2) ***Front fences and walls do not dominate the public domain instead they respond to and complement the context and character of the area (including internal streets).***	Private courtyards within the front setback are only to be located within the articulation zones and / or behind the required front building line.
	Front fences: • Are visually permeable (no more than 50% of the allowable fence area will be solid masonry, timber or metal). • Average height no greater than 1.2m. • Have a consistent character with other front fences in the street. • Are not to be constructed of solid metal panels or unfinished timber palings.
	High solid walls are only used to shield a dwelling from the noise of classified roads. The walls are to have a maximum height of 2.1m and be setback at least 1.5m from the property boundary. Landscape planting is to be provided between the wall and the boundary, with a mature height of at least 1.5m.
	Retaining walls greater than 600mm within the front setback are softened by planting to a minimum depth of 600mm on the low side of the retaining wall.
Objective 6.5.4E(3) ***The secondary frontage of a development positively contributes to the public domain by providing an active edge and semi-transparency to the boundary treatment.***	Where development adjoins public parks, open space, bushland, or is a corner lot, the design positively addresses this interface using any of the following design solutions: • Habitable room windows facing the public domain. • Street access, pedestrian paths and building entries. • Paths, low fences and planting that clearly delineate between communal/ private open space and the adjoining public open space • Walls fronting the public spaces are to have openings not less than 25% of the surface area of the wall.

6.5.4F Pedestrian and Vehicle Circulation	
Objectives	**Design Criteria**
Objective 6.5.4F(1) ***Ensure there is adequate space for vehicle circulation and of-street parking.***	Vehicle circulation complies with AS2890.1.
	Vehicular crossing is to have a maximum width of 3.5m at the street boundary.
	Where a driveway services more than 3 dwellings, the driveway must be designed to ensure all vehicles must leave the site in a forward direction.
	Only one driveway cross-over is located on the same street frontage

6.5.4G Orientation, Siting and Subdivision	
Objectives	**Design Criteria**
Objective 6.5.4G(1) ***To achieve planned residential density consistent with the Lithgow LEP 2014.***	The minimum lot area is as follows: • Manor House: 600m^2 • Dual Occupancy (Attached): Refer to Clause 4.1A (2) of the Lithgow LEP 2014. • minimum lot width measured at the building line is: 15m
Objective 6.5.4G(2) ***The building is orientated to the street and provides opportunities for street surveillance and connectivity***	Dwellings orientate to the street or rear garden, not solely to the side boundary.
	The front door is visible from the public domain.
	Development is not located on a battle axe lot.
Objective 6.5.4G(3) ***Reasonable solar access is provided to the living rooms and private open spaces of adjoining dwellings.***	A window that is more than 3m from the boundary to a living room of an adjoining dwelling is to receive more than 3 hours of direct sunlight between 9am and 3pm on the winter solstice (June 21). If the window currently receives less than 3hrs – direct sunlight is not reduced. **Note**: Direct sunlight is measured consistent with Design Criteria 47 and is only required to one window serving the living room.
	Where the location of the living room windows of an adjoining dwelling cannot be verified, the proposed development is accommodated

	within a building envelope defined by a 35^0 plane springing from 3.6m above the boundary.
Objective 6.5.4G(4) ***The development responds to the natural landform of the site, reducing the visual impact and avoiding large amounts of cut and fill and minimises the impacts of retaining walls.***	The lowest level of the dwelling is not more than 1.3m above ground level, and no more than 1m below ground level.
Objective 6.5.4G(5) ***To minimise impacts to vegetation on adjoining properties and allow for vegetation within the setbacks.***	Basement car parking is not provided within the setbacks described in the table in Section 2.2A of the *Low Rise Housing Diversity Design Guide for Development Applications*.
Objective 6.5.4G(6) ***Independent services and utilities are available to service each lot.***	All lots must have access to reticulated water, sewer, electricity, telecommunications and where available, gas.

6.5.4H Solar and Daylight Access	
Objectives	**Design Criteria**
Objective 6.5.4H(1) ***To optimise sunlight received to habitable rooms and private open spaces. Solar access enables passive solar heating in winter and provides a healthy indoor environment.***	A living room or principal private open space in each dwelling is to receive a minimum of 3 hours direct sunlight between 9 am and 3 pm on the winter solstice (June 21). **Note**: Direct sunlight is achieved when $1m^2$ of direct sunlight on the glass is received for at least 15 minutes. To satisfy 3 hours direct sunlight, 12 periods of 15 minutes will need to be achieved, however the periods do not need to be consecutive
Objective 6.5.4H(2) ***To provide good access to daylight suited to the function of the room, minimises reliance on artificial lighting, and improves amenity.***	Daylight may not be borrowed from other rooms, except where a room has a frontage to a classified road.
	No part of a habitable room is more than 8m from a window.
	No part of a kitchen work surface is more than 6m from a window or skylight
	Courtyards are to: • Be fully open to the sky; and • Have a minimum dimension of one third of the perimeter wall height, and an area of $4m^2$.

	A window is visible from 75% of the floor area of a habitable room.

6.5.4I Natural Ventilation	
Objectives	**Design Criteria**
Objective 6.5.4I(1) ***All habitable rooms are naturally ventilated.***	All habitable rooms are naturally ventilated. Each dwelling is naturally cross ventilated.

6.5.4J Ceiling Height	
Objectives	**Design Criteria**
Objective 6.5.4J(1) ***Ceiling height achieves sufficient natural ventilation and daylight access, and provides spatial quality.***	Minimum ceiling heights are: • 2.7m to ground floor habitable rooms. • 2.7m to upper level living rooms. • 2.4m to upper level habitable rooms (excluding living rooms). The ceiling height is measured from finished floor level to finished ceiling level.

6.5.4K Dwelling Size and Layout	
Objectives	**Design Criteria**
Objective 6.5.4K(1) ***The dwelling has a sufficient area to ensure the layout of rooms are functional, well organised and provide a high standard of amenity.***	Dwellings are required to have the following minimum internal floor areas: • Studio: 35m^2 • 1 bed: 50m^2 • 2 beds: 70m^2 • 3+ beds: 90m^2
	The minimum internal areas outlined above only include one bathroom. The minimum area of each additional bathroom is 5m^2 added onto the minimum dwelling area.
	The minimum area of any additional bedroom is 12m^2. The area of each additional bedroom is then added to the minimum internal floor area contained in the minimum internal floor areas above.

	Kitchens are not to be part of a circulation space such as a hallway, except in studio apartments.
Objective 6.5.4K(2) ***Room sizes are appropriately sized for the intended purpose and number of occupants.***	One bedroom has a minimum area of $10m^2$ excluding space for a wardrobe.
	Bedrooms have a minimum length and width of 3m excluding wardrobe space.
	Combined living and dining rooms are to have a minimum area of: • 1 and 2 beds: $24m^2$ • 3+ beds: $28m^2$
	Living room or lounge rooms are to have a minimum length and width of 4m, excluding fixtures.

6.5.4L Principal Private Open Spaces	
Objectives	**Design Criteria**
Objective 6.5.4L(1) ***Dwellings provide appropriately sized private open space and balconies to enhance residential amenity.***	All dwellings are to have access to principal private open space with a minimum length and width of 3m: • 1 bed or studio: $8m^2$ • 2+ beds: $12m^2$ • Dwellings with living area at ground level: $16m^2$
Objective 6.5.4L(2) ***Principal private open space and balconies are appropriately located to enhance liveability for residents.***	The principal private open space is located behind the front building line.
	The principal private open space is located adjacent to the living room, dining room or kitchen to extend the living space.
	25% of the private open space is to be covered to provide shade and protection from rain.

6.5.4M Storage	
Objectives	**Design Criteria**
Objective 6.5.4M(1) ***Adequate, well-designed storage is provided in each dwelling.***	In addition to storage in kitchens and bedrooms, the following storage with a minimum dimension of 500mm is provided: • 1 bed: $6m^3$ • 2 beds: $8m^3$

	• 3+ bed 10m^3
	At least 50% of the required storage is located inside the dwelling.
	Storage not located in dwellings is secure and clearly allocated to specific dwellings, if in a common area.

6.5.4N Car and Bicycle Parking	
Objectives	**Design Criteria**
Objective 6.5.4N(1) ***Car parking is provided appropriate for the scale of the development.***	A minimum of 1 off-street covered car parking space per dwelling for each dwelling is to be provided.
	Car parking spaces and circulation are to comply with AS 2890.1:2004.
Objective 6.5.4N(2) ***Parking facilities are provided for bicycles***	Covered space is to be provided for the secure storage of at least 1 bicycle per dwelling.
Objective 6.5.4N(3) ***Visual and environmental impacts of car parking and garages do not dominate the streetscape and have an appropriate scale relationship with the dwelling.***	Basement car parking should not protrude more than 1m above finished ground level except at the entrance to the car park.
	The maximum dimensions of any basement car park entry will be 2.7m high by 3.5m wide.
	Where a driveway is adjacent to an existing tree, it is either outside the tree canopy or complies with the recommendations in a report prepared by a qualified arborist.
	The setback of a car space from a primary, secondary or parallel road is to be at least: **Setback of Dwelling from Road** — **Maximum Off-Street Parking Setback From Road** <4.5m — 5.5m 4.5m or more — 1m behind the building Line

	The maximum width of all garage doors facing a primary, secondary or parallel road: **Lot Width** — **Maximum Width of Garage Door Openings** 15m - 20m — 6m >20m - 25m — 9.2m >25m — 12m

6.5.4O Visual Privacy	
Objectives	**Design Criteria**
Objective 6.5.4O(1) ***The separation of windows and terraces, decks and balconies within a site and to adjoining existing or future buildings provide a degree of visual privacy without the reliance on fixed screening.***	Orientate living room windows, primary private open space to the street front or rear.
	At least one window for each habitable room is provided without the need for a privacy screen.
	A privacy screen is required when: **Distance from Boundary** — **Finished Floor Level Above Ground Level (Existing)** <3m — 1 - 3m <6m — >3m **Distance from Windows in Dwelling on Same Lot** — **Finished Floor level Above Ground Level (Existing)** <6m — 1 - 3m <12m — >3m **Note**: This does not apply to a habitable room with a floor level not more than 1m above ground level (existing), bedroom windows that have an area less than $2m^2$ or windows that have a frontage to a road or public open space.
	A privacy screen is required at the edge of that part of a terrace, deck, balcony or verandah that is parallel or faces towards a side or rear boundary.

	Distance from Boundary / **Finished Floor Level Above Ground Level (Existing)** <3m / 1 - 3m <6m / >3m **Distance from Windows in Dwelling on Same Lot** / **Finished Floor Level Above Ground Level (Existing)** <6m / 1 - 2m <12m / >2m **Note**: This does not apply to a terrace, deck, balcony or patio that has an area less than $3m^2$ or has a frontage to a road or public open space.
Objective 6.5.4O(2) ***Site and building design elements increase privacy without compromising access to light and air, and balance outlook and views from habitable rooms and private open space***	Where privacy screens are provided to windows, they must not cover part of the window required to meet the minimum daylight or solar access requirements or restrict ventilation.

6.5.4P Acoustic Privacy	
Objectives	**Design Criteria**
Objective 6.5.4P(1) ***Noise transfer is minimised through the siting of buildings and building layout.***	Electrical, mechanical, hydraulic and air conditioning equipment is housed so that it does not create an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* either within or at the boundaries of any property at any time of the day.

6.5.4Q Noise and Pollution	
Objectives	**Design Criteria**
Objective 6.5.4Q(1)	Any development within the 20 ANEF contour is to be constructed to comply with AS 2021:2015 Acoustics – Aircraft Noise Intrusion.

Ensure outside noise levels are controlled to acceptable levels in living and bedrooms of dwellings.	Dwellings that are within 100m of a classified road or 80m from a rail corridor are to have LAeq measures not exceeding: • In any bedroom: 35dB(A) between 10pm-7am. • Anywhere else in the building (other than a kitchen, garage, bathroom or hallway): 40dB(A) at any time. This is achieved by: • Providing a full noise assessment prepared by a qualified acoustic engineer; and • Complying with relevant noise control treatment for sleeping areas and other habitable rooms in Appendix C of RMS *Development Near Rail Corridors and Busy Roads - Interim Guideline.*
Note: Development that is on land immediately adjacent to a rail corridor and development that involves penetration of the ground to a depth of 2m within 25m of a rail corridor may be integrated development and *State Environmental Planning Policy (Infrastructure) 2007* applies.	

6.5.4R Architectural Form and Roof Design	
Objectives	**Design Criteria**
Objective 6.5.4R(1) ***The architectural form is defined by a balanced composition of elements. It responds to internal layouts and desirable elements in the streetscape.***	Provide in the Statement of Environmental Effects (SEE) a description as to how the architectural form reduces the visual bulk and provides a cohesive design response. **Note**: Refer to Section 3 of the *Low Rise Housing Diversity Design Guide for Development Applications*.
Objective 6.5.4R(2) ***The roof treatments are integrated into the building design and positively respond to the street.***	The roof design is integrated harmoniously with the overall building form.
	Skylights and ventilation systems are integrated into the roof design.

6.5.4S Visual Appearance and Articulation	
Objectives	**Design Criteria**
Objective 6.5.4S(1) ***To promote well designed buildings of high architectural quality that contribute to the local character.***	Provide in the Statement of Environmental Effects (SEE) a description as to how the aesthetics and articulation contribute to the character of the local area. **Note**: Refer to Section 3 of the *Low Rise Housing Diversity Design Guide for Development Applications*.
	The development may have a primary road articulation zone that extends up to 1.5m forward of the minimum required setback from the primary road. The following elements can be located in the articulation zone: • An entry feature or portico. • A balcony, deck, pergola, terrace or verandah. • A window box treatment. • A bay window or similar feature. • An awning or other feature over a window. • A sun shading feature. • An eave.

6.5.4T Pools and Detached Development	
Objectives	**Design Criteria**
Objective 6.5.4T(1) ***The location of swimming pools and spas minimise the impacts on adjoining properties.***	Swimming pools and spas are to have a maximum height above ground level (existing): • At the water line – 1.2m, • At the top of the coping - 1.4m, and • Where the coping is more than 300mm wide – 600mm.
	Swimming pools and spas are to be located in the rear yard with a minimum setback of 1m from any side or rear boundary. The setback of a swimming pool from a secondary road must

<table>
<tr><td></td><td>be consistent with the setback of a dwelling house from the secondary road boundary.</td></tr>
<tr><td></td><td>The swimming pool pump must be located in an enclosure that is sound proofed</td></tr>
<tr><td rowspan="5">Objective 6.5.4T(2)
The location of the detached development minimises the impact on adjoining properties.</td><td>Maximum height above ground level (existing) - 4.5m</td></tr>
<tr><td>A detached studio with a frontage to a rear lane or parallel road may have a height of 6m.</td></tr>
<tr><td>Maximum floor area for each dwelling:
• generally:
Lot Area (m²) — Maximum GFA
400 - 600 — 45m²
>600 - 900 — 60m²
>900 — 100m²
• detached studios: 36m²</td></tr>
<tr><td>Side setbacks are the same as for the dwelling except for the following:
• side setback: 0.9m, or
• side setback with wall height less than 3.3m: 0m, and adjoining lot building is <0.9m from boundary and building wall is of masonry construction with no windows,
• side setback of detached studio with frontage to a lane: 0m
• side setback of detached studio without a frontage to a lane:
Lot Width at building line — Rear setback
0 - 18m — 900mm
>18m — 1.5m</td></tr>
<tr><td>Detached development rear setbacks are as followed:
Lot Area — Rear setback
0 - 900m² — 900mm
>900-1500m² — 1.5m
>1500m² — 2.5m</td></tr>
<tr><td>The maximum floor level of a detached deck, patio, pergola or terrace that is less than 0.9m from the side boundary is 0.6m above ground level (existing).</td></tr>
</table>

6.5.4U Energy Efficiency	
Objectives	**Design Criteria**
Objective 6.5.4U(1) ***The development incorporates passive environmental design.***	Provide an outdoor area for clothes drying that can accommodate at least 8 lineal metres of clothes line for each dwelling.
	Any clothes drying area should be screened from public and communal areas.
Note: A development application for a dwelling is required to have a BASIX Certificate that applies a minimum energy consumption target.	

6.5.4V Water Management and Conservation	
Objectives	**Design Criteria**
Objective 6.5.4V(1) ***Flood management systems are integrated into site design.***	A stormwater system must: • Comply with requirements in the DCP that applies to the land. • Be approved (if required) under s.68 of the Local Government Act 1993.
	Detention tanks are located under paved areas, driveways or in basements

6.5.4W Waste Management	
Objectives	**Design Criteria**
Objective 6.5.4W(1) ***Waste storage facilities meet the needs of the residents, are easy to use and access and enable efficient collection of waste.***	Provide storage space for the type and number of bins designated in council's waste policy.
	Where waste storage is provided in a communal area, access to this waste area is to be provided for all residents without crossing a private lot.
	Where waste storage is provided in the basement car park a maximum ramp gradient of 1:6 is to be provided to the waste collection point.
	Where a rear lane has provision for waste collection trucks used by council, the collection point is to be from the rear lane.
	Any communal waste area is to: • provide water supply for cleaning,

	• have a solid floor grated to a floor waste (connected to sewer), and • be designed to meet the requirements of council's waste policy.
	Despite any requirements in council's waste policy, on-site waste vehicle access is not required. **Note**: The waste collection point is typically located on the footpath.
	If a waste collection point is provided onsite and used for permanent storage of bins it is to: • be screened from view from the public domain, • have a height no greater than 1.3m if forward of the building line, • be less than 10m from the street boundary, • be located on a surface with a gradient less than 1:20, • not require access through a security door or gate (unless this is permitted by council's waste policy), and • have a path that connects the collection area to the street boundary with a gradient less than 1:8 and free of steps to all for the transfer of bins to the collection vehicle.
Objective 6.5.4W(2) ***Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.***	Storage areas for rubbish and recycling bins are to be provided: • Within garages; • In a screened enclosure that is part of the overall building design; or • In the basement car park.
	Communal waste areas are to be located at least 3m from any bedroom of living room window.

6.5.4X Universal Design	
Objectives	**Design Criteria**
Objective 6.5.4X(1) ***Universal design features are included in dwelling design to promote flexible housing for all community members.***	At least one ground floor dwelling is to include the Silver Level Seven Core Liveable Housing Design Elements contained in the *Liveable Housing Design Guidelines.*

6.5.4Y Communal Areas and Open Space	
Objectives	**Design Criteria**
Objective 6.5.4Y(1) ***Communal areas are designed to enhance residential amenity and maximise safety and connectivity to the dwelling and promote social interaction between residents.***	Communal open spaces are visible from habitable rooms and private open space while maintaining visual privacy.
	Any communal open space is directly accessible from the building entry and common circulation.
	For manor houses the active communal open space is at least 5% of the site area and has a maximum grade of 1:50.
	Active communal open space is at least 3m from the habitable room of a dwelling on the lot
Objective 6.5.4Y(2) ***Common circulation spaces achieve good amenity with access to daylight and ventilation.***	Common circulation above ground is provided with natural daylight and ventilation.

6.5.5 Terraces

6.5.5A Building Envelopes	
Objectives	**Design Criteria**
Objective 6.5.5A(1) ***The building height is consistent with the desired scale and character of the street and locality and provides an acceptable impact on the amenity of adjoining properties***	The maximum building height for any building(s) is 8.5m. The maximum number of storeys (excluding basements) is 2.
Objective 6.5.5A(2) ***The development provides a setback from the front boundary or public space that:*** • ***defines the street edge;*** • ***creates a clear threshold and transition from public to private space;*** • ***assists in achieving visual privacy to ground floor dwellings from the street;*** • ***contributes to the streetscape character and landscape; and*** • ***relates to the existing streetscape and setback pattern or the desired future streetscape pattern if different to the existing.***	Refer to Section 6.5.1 of this DCP for front setbacks.
Objective 6.5.5A(3) ***The development provides side boundary setbacks that reflect the character and form intent of the area where is characterised by the separation of buildings.***	Refer to Section 6.5.1 of this DCP for side setbacks.
Objective 6.5.5A(4) ***The development provides a rear boundary setback that provides opportunity to retain and protect or establish significant landscape trees in deep planting areas.***	Refer to Section 6.5.1 of this DCP for rear setbacks.

Notes:

1. When applying primary road, secondary road and rear setbacks – the lot area refers to the lot area prior to any subdivision.
2. The side setbacks only apply to the side boundaries of the lot prior to any subdivision.
3. Setbacks do not apply to the following: access ramps, down pipes, driveways or hard standard spaces, electricity or gas meters, fascias, fences, gutters, light fittings, pathways and paving, privacy screens fixed to the building.
4. Refer to Section 3 for an explanation of the application of setbacks, and exceptions to the setbacks.

6.5.5B Gross Floor Area / Floor Space Ratio	
Objectives	**Design Criteria**
Objective 6.5.5B(1) ***To ensure that the bulk and scale is appropriate for the context, minimises impacts on surrounding properties and allows for articulation of the built form.***	The following maximum gross floor area applies to all buildings on a lot: • 60% of the lot area

6.5.5C Landscaped Area	
Objectives	**Design Criteria**
Objective 6.5.5C(1) ***To provide adequate opportunities for the retention of existing and provision of new vegetation that:*** • ***contributes to biodiversity;*** • ***enhances tree canopy; and*** • ***minimises urban runoff.***	The minimum landscaped area is: • The minimum area that must be provided for each resulting lot - 30% of lot area. Where no subdivision is proposed: • The minimum landscaped area that must be provided is 30% of the parent lot area of which at least 54m^2 is to be allocated to each dwelling.
	The minimum dimension of any area included in the landscaped area calculation is 1.5m.
	At least 25% of the area forward of the building line is to be landscaped area.
	At least 50% of the area behind the building line is to be landscaped.
Objective 6.5.5C(2) ***Landscape design supports healthy plant and tree growth and provides***	An ongoing maintenance plan is to be provided as part of the landscape plan.
	Minimum soil standards for plant sizes are provided in accordance with the Table below.

sufficient space for the growth of medium sized trees.	**Tree Size** / **Height** / **Spread** / **Min Soil Area** / **Min Soil Depth** Large trees >12m >8m 10 x 10m 1.2m Medium trees 8-12m 4-8m 6 x 6m 1.0m 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
	The following tree plantings are to be provided: • Front: 1 tree with mature height of 5m if primary road setback is greater than 3m. • Rear: 1 tree with mature height of 8m.
Objective 6.5.5C(3) ***Existing natural features of the site that contribute to neighbourhood character are retained, and visual and privacy impacts on existing neighbouring dwellings are reduced.***	Mature trees are to be retained, particularly those along the boundary, (except those where approval is granted by Council for their removal).
	Landscape features including trees and rock outcrops are retained where they contribute to the streetscape character or are located within the rear setback.
Objective 6.5.5C(4) ***Landscape design contributes to a local sense of place and creates a micro climate.***	The landscape plan proposes a combination of tree planting, for shade, mid height shrubs, lawn and ground covers.
	On grade parking should be provided with tree planting for canopy cover at a rate of 1 tree per 4 car spaces.
	The landscape plan indicates that at least 50% of the overall number of trees and shrubs are species native to the region.

6.5.5D Local Character and Context	
Objectives	**Design Criteria**
Objective 6.5.5D(1) ***The built form, articulation and scale relates to the local character of the area and the context.***	Provide a description in the Design Verification Statement how the built form of the development contributes to the character of the local area, using the guidance in Section 3D Local Character and Context.

6.5.5E Public Domain Interface	
Objectives	**Design Criteria**
Objective 6.5.5E(1) ***Provide activation and passive surveillance to the public streets.***	The front door of each dwelling is to be directly visible from the street.
	Each dwelling has a habitable room that faces the street or public space.
Objective 6.5.5E(2) ***Front fences and walls do not dominate the public domain instead they respond to and complement the context and character of the area (including internal streets).***	Private courtyards within the front setback are only located within the articulation zones and / or behind the required front building line.
	Front fences: • Are visually permeable (no more than 50% of the allowable fence area will be solid masonry, timber or metal). • Average height no greater than 1.2m. • Have a consistent character with other front fences in the street. • Are not to be constructed of solid metal panels or unfinished timber palings.
	High solid walls are only used to shield a dwelling from the noise of classified roads. The walls are to have a maximum height of 2.1m and be setback at least 1.5m from the property boundary. Landscape planting is to be provided between the wall and the boundary, with a mature height of at least 1.5m.
	Retaining walls greater than 600mm within the front setback are to be softened by planting for a minimum depth of 600mm on the low side of the retaining wall.
Objective 6.5.5E(3) ***The secondary frontage of a development positively contributes to the public domain by providing an active edge and semi-transparency to the boundary treatment.***	Where development adjoins public parks, open space or bushland, or is a corner site, the design positively addresses this interface using any of the following design solutions: • Habitable room windows facing the public domain. • Street access, pedestrian paths and building entries. • Paths, low fences and planting that clearly delineate between communal/private open space and the adjoining public open space.

	• Walls fronting the public spaces are to have openings not less than 25% of the surface area of the wall.

6.5.5F Pedestrian and Vehicle Circulation	
Objectives	**Design Criteria**
6.5.5F(1) ***Internal vehicle and pedestrian circulation should function like a street, minimise the dominance of the driveway, and minimise impact on habitable spaces.***	Vehicle circulation and parking complies with AS2890.1.
	All new internal streets and lanes are to be overlooked by windows from habitable rooms and or private open space.
	Where new streets or lanes are created: • Lanes: shared or pedestrian surfaces with a width of common area including landscape - minimum 6m • Streets: width of common area including landscape - minimum 12m.
	Where less than 20 car spaces are provided reduce carriageway width to 3.5m, with passing areas as required by AS 2890.1.
	Internal vehicle circulation must be: • at least 1m setback from a fences; • at least 1m setback from another dwelling; • at least 2.5m setback from a window in a habitable room if the window exceeds 1m^2; and • the setbacks should contain plants to soften edges.
	Terminate driveways and streets with trees, open space or the window of a dwelling - not a garage or car space.
	Streets to be designed to accommodate appropriate service vehicles likely to access the site.
	Where on street parking is currently available in front of the development, the proposed driveways are located so that at least one car space remains.

	Car parking not associated with a dwelling must be: • setback from a fence is to be at least 1m • setback from another dwelling is to be at least 1m • setback from a habitable room window is to be at least 3m if the window exceeds 1m^2. • the setbacks should contain plants.
	New streets and lanes: • maximum length of a dead end laneway - 40m. • minimum width between structures - 7m.
Objective 6.5.5F(2) ***Provide safe, connected environment for pedestrians.***	Provide safe shared spaces for vehicles, cyclists and pedestrians by including measures that reduce vehicle speeds such as changes in pavement texture at entries or key nodes, reduce demarcation between pedestrian and vehicle spaces.
	Pedestrian paths that are separated from an internal road or lane by a kerb or landscaped area are to be provided where there are more than 20 dwellings.
	Where pedestrian circulation is separated from vehicle circulation the paths are still to function like streets with pavement at least 1.5m wide, clearly identifiable dwelling entrances and clear lines of sight to create a legible and safe network.
	Roads and pedestrian spaces are to have lighting designed in accordance with A1158.3.1 that avoids light spill into private spaces.

6.5.5G Orientation, Siting and Subdivision	
Objectives	**Design Criteria**
Objective 6.5.5G(1) ***To achieve planned residential density consistent with the Lithgow LEP 2014.***	The minimum lot size for carrying out multi dwelling housing (terraces) is: • 600m^2 with a width measured at the building line of 18m.

Objective 6.5.5G(2) ***To ensure that lots created resulting from the subdivision of land have sufficient area for the dwelling, vehicle access, landscaping, parking and amenity and are consistent with the desired future character of the area.***	The minimum lot area for subdivision of a multi dwelling (terraces) is 200m^2 in R1 and R2 zoned land.
	The minimum width of a lot created through the subdivision of Multi-Dwelling Housing (Terraces) on R1, R2, zoned land is as follows: • Garages not fronting primary road - 6m • Garages fronting primary road - 7.5m.
Objective 6.5.5G(3) ***The dwelling is orientated to the street and provides opportunities for street surveillance and connectivity.***	Each dwelling has a frontage to a primary, secondary or parallel road. The road must be a public road as defined by the Roads Act 1993. The frontage of each terrace is to be at least 5m.
Objective 6.5.5G(4) ***Reasonable solar access is provided to the living rooms and private open spaces of adjoining dwellings.***	A window that is more than 3m from the boundary to a living room of an adjoining dwelling is to receive more than 3 hours of direct sunlight between 9am and 3pm on the winter solstice (June 21). If the window currently receives less than 3hrs - direct sunlight is not reduced. **Note**: Direct sunlight is measured consistent with Design Criteria 47 of the *Low Rise Housing Diversity Design Guide for Development Applications* and is only required to one window serving the living room.
	Where the location of the living room windows of an adjoining dwelling cannot be verified the proposed development is accommodated within a building envelope defined by a 35° plane at 3.6m above the boundary.
Objective 6.5.5G(5) ***The development responds to the natural landform of the site, reducing the visual impact and avoiding large amounts of cut and fill and minimises the impacts of retaining walls.***	Unless a dwelling is over a basement, the ground floor is not more than 1.3m above ground level, and no more than 1m below ground level.
	Dwellings are located to step with the topography.
Objective 6.5.5G(6) ***Independent services and utilities are available to service each lot.***	All lots must have access to reticulated water and sewer, electricity, telecommunications, and where available gas.
Objective 6.5.5G(7)	The minimum separation between two or more buildings containing dwelling on the same lot is 3m.

Provide adequate space between buildings to allow for landscape, provide visual separation, reduce visual bulk and daylight access between buildings.	**Note**: Greater separation may be required for privacy.
	Provide a break of 3m between buildings more than 45m long.

6.6.5H Solar and Daylight Access	
Objectives	**Design Criteria**
Objective 6.6.5H(1) ***To optimise sunlight received to habitable rooms and private open spaces. Solar access enables passive solar heating in winter and provides a healthy indoor environment.***	The living room or private open space in each dwelling is to receive a minimum of 2 hours direct sunlight between 9 am and 3pm on the winter solstice (June 21). **Note**: Direct sunlight is achieved when 1m^2 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.
Objective 6.5.5H(2) ***To provide good access to daylight suited to the function of the room, minimise reliance on artificial lighting and improve amenity.***	Daylight may not be borrowed from other rooms, except where a room has a frontage to a classified road.
	No part of a habitable room is more than 8m from a window.
	No part of a kitchen work surface is more than 6m from a window or skylight.
	Courtyards are to: • Be fully open to the sky; and • Have a minimum dimension of one third of the perimeter wall height, an area of 4m^2.
	A window is visible from 75% of the floor area of a habitable room.

6.5.5I Natural Ventilation	
Objectives	**Design Criteria**
Objective 6.5.5I(1) ***All habitable rooms are naturally ventilated.***	All habitable rooms are naturally ventilated.
	Each dwelling is naturally cross ventilated.

6.5.5J Ceiling Height	
Objectives	**Design Criteria**
Objective 6.5.5J(1) ***Ceiling height achieves sufficient natural ventilation and daylight access and provides spatial quality.***	Minimum ceiling heights are: • 2.7m to ground floor habitable rooms. • 2.7m to upper level living rooms. • 2.4m to upper level habitable rooms (excluding living rooms). The ceiling height is measured from finished floor level to finished ceiling level.

6.5.5K Dwelling Size and Layout	
Objectives	**Design Criteria**
Objective 6.5.5K(1) ***The dwelling has a sufficient area to ensure the layout of rooms are functional, well-organised and provide a high standard of amenity.***	Dwellings to have the following minimum internal floor areas: • 1 bed: 65m^2 • 2 beds: 90m^2 • 3+ beds: 115m^2
	The minimum internal areas outlined above only contain one bathroom. The minimum area of each additional bathroom is 5m^2 added onto the minimum dwelling area.
	The minimum area of any additional bedroom is 12m^2. The area of each additional bedroom is then added to the minimum internal floor area contained in Design Criteria 69 of the *Low Rise Housing Diversity Design Guide for Development Applications*.
	Kitchens are not part of a circulation space such as a hallway.
Objective 6.5.5K(2) ***Room sizes are appropriate for the intended purpose and number of occupants.***	One bedroom has a minimum area of 10m^2, excluding space for a wardrobe.
	Bedrooms have a minimum length and width of 3m in any direction, excluding wardrobe space.
	Combined living and dining rooms are to have a minimum area of: • 1 and 2 beds: 24m^2 • 3+ beds: 28m^2
	Living room or lounge rooms are to have a minimum length and width of 4m, excluding fixtures.

6.5.5L Principal Private Open Spaces	
Objectives	**Design Criteria**
Objective 6.5.5L(1) ***Dwellings provide appropriately sized private open space and balconies to enhance residential amenity.***	The area of principal private open space provided for each dwelling is at least 45m^2 with a minimum dimension of 4m.
Objective 6.5.5L(2) ***Principal private open space and balconies are appropriately located to enhance liveability for residents***	The principal private open space is located behind the front building line.
	The principal private open space is located adjacent to the living room, dining room or kitchen to extend the living space.
	25% of the private open space is to be covered to provide shade and protection from rain.

6.5.5M Storage	
Objectives	**Design Criteria**
Objective 6.5.5M(1) ***Adequate, well-designed storage is provided in each dwelling.***	In addition to storage in kitchens and bedrooms, the following storage with a minimum dimension of 500mm is provided: • 1 bed: 6m^3 • 2 beds: 8m^3 • 3+ beds: 10m^3
	At least 50% of the required storage is located inside the dwelling.
	Storage not located in dwellings is secure and clearly allocated to specific dwellings if in a common area.

6.5.5N Car and Bicycle Parking	
Objectives	**Design Criteria**
Objective 6.5.5N(1) ***Car parking is provided appropriate for the scale of the development.***	A minimum of 1 off-street enclosed car parking space for one- and two-bedroom units; and A minimum of 2 off-street (one enclosed) car parking spaces for units with 3 or more bedrooms.
	Visitor parking is provided in multi dwelling housing (terraces) that are strata titled where a basement car park serves more than 10

<table>
<tr><td rowspan="2"></td><td>dwellings. Provide 1 space per 5 dwellings/ units.</td></tr>
<tr><td>Car parking spaces and circulation are to comply with AS 2890.1:2004.</td></tr>
<tr><td>Objective 6.5.5N(2)
Parking facilities are provided for bicycles.</td><td>Covered space is to be provided for the secure storage of at least 1 bicycle per dwelling.</td></tr>
<tr><td rowspan="4">Objective 6.5.5N(3)
Visual and environmental impacts of car parking and garages do not dominate the streetscape and have an appropriate scale relationship with the dwelling.</td><td>Basement car parking should not protrude more than 1m above finished ground level except at the entrance to the car park.</td></tr>
<tr><td>The maximum dimensions of any basement car park entry are to be 2.7m high by 3.5m wide.</td></tr>
<tr><td>Where a driveway is adjacent to an existing tree, it is either outside the tree canopy or complies with the recommendations in a report prepared by a qualified arborist.</td></tr>
<tr><td>The setback of a car space from a primary, secondary or parallel road is to be at least:
<table><tr><th>Setback of Dwelling from Road</th><th>Maximum Of-Street Parking Setback from Road</th></tr><tr><td><4.5m</td><td>5.5m</td></tr><tr><td>4.5m or more</td><td>1m behind the building line</td></tr></table></td></tr>
<tr><td>The maximum width of all garage doors facing a primary or secondary road:
<table><tr><th>Lot Width</th><th>Maximum Width of Garage Door Openings</th></tr><tr><td>18m - 20m</td><td>6m</td></tr><tr><td>>20m - 25m</td><td>9.2m</td></tr><tr><td>>25m</td><td>12m</td></tr></table>
<u>Note</u>: Lot width refers to the completed Torrens title lot or in the case of a strata subdivision being the development site.</td></tr>
</table>

<table>
<tr><th colspan="2">6.5.5O Visual Privacy</th></tr>
<tr><th>Objectives</th><th>Design Criteria</th></tr>
<tr><td rowspan="3">Objective 6.5.5O(1)
The separation of windows and terraces, decks, and balconies within a site and to adjoining existing or future buildings provide a degree of visual privacy without the reliance on fixed screening.</td><td>Orientate living room windows, primary private open space to the street front or rear.</td></tr>
<tr><td>At least one window for each habitable room is provided without the need for a privacy screen.</td></tr>
<tr><td>A privacy screen is required when:
Distance from Boundary | Finished Floor Level Above Ground Level (Existing)
<3m | 1 - 3m
<6m | >3m
Distance from Windows in Dwelling on Same Lot | Finished Floor Level Above Ground Level (Existing)
<6m | 1 - 3m
<12m | >3m

<u>Note</u>: This does not apply to bedroom windows that have an area less than 2m^2 or windows that have a frontage to a road or public open space.</td></tr>
<tr><td></td><td>A privacy screen is required at the edge of that part of a terrace, deck, balcony, or verandah that is parallel or faces towards a side or rear boundary
Distance from Boundary | Finished Floor Level Above Ground Level (Existing)
<3m | 1 - 3m
<6m | >3m
Distance from Windows in Dwelling on Same Lot | Finished Floor Level Above Ground Level (Existing)
<6m | 1 - 2m
<12m | >2m

<u>Note</u>: This does not apply to a terrace, deck, balcony or patio that has an area less than 3m^2</td></tr>
</table>

	or has a frontage to a road or public open space.
Objective 6.5.5O(2) ***Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space.***	Where privacy screens are provided to windows, they must not cover part of the window required to meet the minimum daylight or solar access requirements or restrict ventilation.

6.5.5P Acoustic Privacy	
Objectives	**Design Criteria**
Objective 6.5.5P(1) ***Noise transfer is minimised through the siting of buildings and building layout.***	Electrical, mechanical, hydraulic and air conditioning equipment is housed so that it does not create an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* either within or at the boundaries of any property at any time of the day.

6.5.5Q Noise and Pollution	
Objectives	**Design Criteria**
Objective 6.5.5Q(1) ***Ensure outside noise levels are controlled to acceptable levels in living and bedrooms of dwellings.***	Any development within the 20 ANEF contour is to be constructed to comply with AS 2021:2015 Acoustics – Aircraft Noise Intrusion.
	Dwellings that are within 100m of a classified road or 80m from a rail corridor are to have LAeq measures that do not exceed: • In any bedroom: 35dB(A) between 10pm-7am. • Anywhere else in the building (other than a kitchen, garage, bathroom or hallway): 40dB(A) at any time. This is achieved by: • Providing a full noise assessment report prepared by a qualified acoustic engineer; and • Complying with relevant noise control treatment for sleeping areas and other habitable rooms in Appendix C of RMS *Development Near Rail Corridors and Busy Roads - Interim Guideline.*

Note: Development that is on land immediately adjacent a rail corridor and development that involves penetration of ground to a depth of 2m within 25m of a rail corridor may be integrated development. Refer to the *State Environmental Planning Policy (Infrastructure) 2007.*

6.5.5R Architectural Form and Roof Design	
Objectives	**Design Criteria**
Objective 6.5.5R(1) ***The architectural form is defined by a balanced composition of elements. It responds to internal layouts and desirable elements in the streetscape.***	Provide in the Design Verification Statement a description as to how the architectural form reduces the visual bulk and responds and provides a cohesive design response. **Note**: Refer to Section 3 of the *Low Rise Housing Diversity Design Guide for Development Applications*.
Objective 6.5.5R(2) ***The roof treatments are integrated into the building design and positively respond to the street.***	The roof design is integrated harmoniously with the overall building form.
	Skylights and ventilation systems are integrated into the roof design.

6.5.5S Visual Appearance and Articulation	
Objectives	**Design Criteria**
Objective 6.5.5S(1) ***To promote well designed buildings of high architectural quality that contribute to the local character.***	Provide in the Design Verification Statement a description as to how the aesthetics and articulation contribute to the character of the local area. **Note**: Refer to Section 3 of the *Low Rise Housing Diversity Design Guide for Development Applications*.
	The development may have a primary road articulation zone that extends up to 1.5m forward of the minimum required setback from the primary road. The following elements can be located in the articulation zone: • An entry feature or portico. • A balcony, deck, pergola, terrace or verandah. • A window box treatment. • A bay window or similar feature.

	• An awning or other feature over a window. • A sun shading feature. • An eave.

6.5.5T Pools and Detached Development	
Objectives	**Design Criteria**
Objective 6.5.5T(1) ***The location of swimming pools and spas minimise the impacts on adjoining properties.***	Swimming pools and spas are to have a maximum height above ground level (existing): • At the water line – 1.2m, • At the top of the coping - 1.4m, and • Where the coping is more than 300mm wide – 600mm.
	Swimming pools and spas are to be located in the rear yard with a minimum setback of 1m from any side or rear boundary. The setback of a swimming pool from a secondary road must be consistent with the setback of a dwelling house from the secondary road boundary.
	The swimming pool pump must be located in an enclosure that is sound proofed.
Objective 6.5.5T(2) ***The location of the detached development minimises the impact on adjoining properties.***	Maximum height above ground level (existing) - 4.5m
	A detached studio with a frontage to a rear lane or parallel road may have a height of 6m.
	Maximum floor area for each dwelling: • generally: 45m^2 • detached studios: 36m^2
	Side setbacks are the same as for the dwelling except for the following: • side setback: 0.9m, or • side setback with wall height less than 3.3m: 0m, and adjoining lot building is <0.9m from boundary and building wall is of masonry construction with no windows, • side setback of detached studio with frontage to a lane: 0m • side setback of detached studio without a frontage to a lane:

	Lot Width at building line / **Rear setback** 0 - 18m / 900mm >18m / 1.5m
	Rear setbacks for detached development are: **Lot Area** / **Rear setback** 0 - 900m^2 / 900mm >900-1500m^2 / 1.5m >1500m^2 / 2.5m
	The maximum floor level of a detached deck, patio, pergola or terrace that is less than 0.9m from the side boundary is 0.6m above ground level (existing).
Notes: 1. A child-resistant barrier must be constructed or installed in accordance with the requirements of the Swimming Pools Act 1992 2. Privacy and building separation and other Design Criteria still apply.	

6.5.5U Energy Efficiency	
Objectives	**Design Criteria**
Objective 6.5.5U(1) ***Development incorporates passive environmental design.***	Provide an outdoor area for clothes drying that can accommodate at least 16 lineal metres of clothes line for each dwelling.
	Any clothes drying area is screened from public and communal areas.
Note: A DA for a dwelling is required to have a BASIX Certificate that applies a minimum energy consumption target.	

6.5.5U Energy Efficiency	
Objectives	**Design Criteria**
Objective 6.5.5V(1) ***Flood management systems are integrated into site design.***	A stormwater system must: • Comply with requirements in the DCP that applies to the land. • Be approved (if required) under s.68 of the Local Government Act 1993.
	Detention tanks are to be located under paved areas, driveways or in basements.
Note: A DA for a dwelling is required to have a BASIX Certificate that applies a minimum water consumption target.	

6.5.5W Waste Management	
Objectives	**Design Criteria**
Objective 6.5.5W(1) ***Waste storage facilities meet the needs of the residents, are easy to use and access, and enable efficient collection of waste.***	Provide storage space for the type and number of bins designated in council's waste policy (or DCP).
	Where waste storage is provided in a communal area, access to this waste area is to be provided for all residents without crossing a private lot.
	Where waste storage is provided in the basement car park, a maximum ramp gradient of 1:6 is to be provided to the waste collection point.
	Where a rear lane has provision for waste collection trucks used by council, the collection point is to be from the rear lane.
	Any communal waste area is to: • provide water supply for cleaning, • have a solid floor grated to a floor waste (connected to sewer), and • be designed to meet the requirements of council's waste policy.
	Despite any requirements in council's waste policy, on-site waste vehicle access is not required where: • there are less than 20 dwellings, or • the development is Torrens title subdivided
	A communal on-site waste collection point is to be provided where: • there are 20 or more dwellings, and • the development is strata title subdivided.
	Where vehicle access is not provided to the site, any communal on-site collection point is to: • be less than 10m from the street boundary, • be located on a surface with a gradient less than 1:20 • not require access through a security door or gate (unless this is permitted by council waste policy).

	• have path that connects the collection area to the street boundary with a gradient less than 1:8 and free of steps for the transfer of bins to the collection vehicle
	If the waste collection point is used for permanent storage of bins, it is to be screened from view from the public domain and any structure to have height no greater than 1.3m, if forward of the building line.
Objective 6.5.5W(2) ***Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.***	Storage areas for rubbish and recycling bins are to be provided: • Within garages; • In a screened enclosure that is part of the overall building design; or • In the basement car park.
	Communal waste areas are to be located at least 3m from any bedroom or living room window.

6.5.5X Universal Design	
Objectives	**Design Criteria**
Objective 6.5.5X(1) ***Universal design features are included in dwelling design to promote flexible housing for all community members.***	30% of all dwellings will include the Silver Level Seven Core Liveable Housing Design Elements contained in the *Liveable Housing Design Guidelines.*

6.5.6 Multi-Dwelling Houses

6.5.6A Building Envelopes	
Objectives	**Design Criteria**
Objective 6.5.6A(1) ***The building height is consistent with the desired scale and character of the street and locality and provides an acceptable impact on the amenity of adjoining properties.***	The maximum building height for any building(s) is 8.5m. The maximum number of storeys (excluding basements) is 2. Any building(s) on the rear 40% of the site should not exceed 5.4m.
Objective 6.5.6A(2) ***The development provides a setback from the front boundary or public space that:*** • ***defines the street edge;*** • ***creates a clear threshold and transition from public to private space;*** • ***assists in achieving visual privacy to ground floor dwellings from the street;*** • ***contributes to the streetscape character and landscape; and*** • ***relates to the existing streetscape and setback pattern or the desired future streetscape pattern if different to the existing.***	Refer to Section 6.5.1 of this DCP for front setbacks.
Objective 6.5.6A(3) ***The development provides side boundary setbacks that reflect the character and form intent of the area where is characterised by the separation of buildings.***	Refer to Section 6.5.1 of this DCP for side setbacks.
Objective 6.5.6A(4) ***The development provides a rear boundary setback that provides opportunity to retain and protect or establish significant landscape trees in deep planting areas.***	Refer to Section 6.5.1 of this DCP for front setbacks.

Notes:

1. When applying primary road, secondary road and rear setbacks – the lot area refers to the lot area prior to any subdivision.
2. The side setbacks only apply to the side boundaries of the lot prior to any subdivision.
3. Setbacks do not apply to the following: access ramps, down pipes, driveways or hard standard spaces, electricity, or gas meters, fascias, fences, gutters, light fittings, pathways and paving, privacy screens fixed to the building.
4. For multi dwelling housing, parallel roads should be treated as primary roads and dwellings provide a frontage to them.
5. Refer to Section 3 of the *Low Rise Housing Diversity Design Guide for Development Applications* for an explanation of the application of setbacks, and exemptions to the setbacks.

6.5.6B Gross Floor Area / Floor Space Ratio	
Objectives	**Design Criteria**
Objective 6.5.6B(1) ***To ensure that the bulk and scale is appropriate for the context, minimises impacts on surrounding properties and allows for articulation of the built form.***	The following maximum gross floor area applies to all buildings on a lot: • 50% of lot area **Note**: For the purpose of this Design Criteria the lot area excludes any new street or lane.

6.5.6C Landscaped Area	
Objectives	**Design Criteria**
Objective 6.5.6C(1) ***To provide adequate opportunities for the retention of existing and provision of new vegetation that:*** • ***contributes to biodiversity;*** • ***enhances tree canopy; and*** • ***minimises urban runoff.***	The minimum landscaped area is to be 30%.
	The minimum dimension of any area included in the landscaped area calculation is 1.5m.
	At least 50% of the area forward of the building line is to be landscaped area.
Objective 6.5.6C(2) ***Landscape design supports healthy plant and tree growth and provides sufficient space for the growth of medium sized trees.***	An ongoing maintenance plan is to be provided as part of the landscape plan.
	Minimum soil standards for plant sizes are provided in accordance with the Table below.

Tree Size	Height	Spread	Min Soil Area	Min Soil Depth
Large trees	>12m	>8m	10 x 10m	1.2m
Medium trees	8-12m	4-8m	6 x 6m	1.0m

	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
	The following tree plantings are to be provided: • Front: 1 tree with mature height of 5m if primary road setback is greater than 3m. • Rear: 1 tree with mature height of 8m.
Objective 6.5.6C(3) ***Retain existing natural features of the site that contribute to neighbourhood character, and reduce visual and privacy impacts on existing neighbouring dwellings.***	Mature trees are to be retained, particularly those along the boundary, (except those where approval is granted by Council for their removal).
	Landscape features including trees and rock outcrops are retained where they contribute to the streetscape character or are located within the rear setback.
Objective 6.5.6C(4) ***Landscape design contributes to a local sense of place and creates a micro climate.***	The landscape plan is to provide for a combination of tree planting - for shade, mid height shrubs, lawn and ground covers
	The landscape plan indicates that at least 50% of the overall number of trees and shrubs are species native to the region.

6.5.6D Local Character and Context	
Objectives	**Design Criteria**
Objective 6.5.6D(1) ***The built form, articulation and scale relates to the local character of the area and the context.***	Provide in the Design Verification Statement a description how the built form of the development contributes to the character of the local area using the guidance in Section 3D Local Character and Context.

6.5.6E Public Domain Interface	
Objectives	**Design Criteria**
Objective 6.5.6E(1) ***Provide activation and passive surveillance to the public streets.***	The front door of each dwelling is directly visible from the street.
	Each dwelling has a habitable room that faces the street or public space.
Objective 6.5.6E(2)	Private courtyards within the front setback are only located within the articulation zones and / or behind the required front building line.

Front fences and walls do not dominate the public domain instead they respond to and compliment the context and character of the area (including internal streets).	Front fences: • Are visually permeable (no more than 50% of the allowable fence area will be solid masonry, timber or metal). • Average height no greater than 1.2m. • Have a consistent character with other front fences in the street. • Are not to be constructed of solid metal panels or unfinished timber palings.
	High solid walls are only used to shield a dwelling from the noise of classified roads. The walls are to have a maximum height of 2.1m and be setback at least 1.5m from the property boundary. Landscape planting is to be provided between the wall and the boundary, with a mature height of at least 1.5m.
	Retaining walls greater than 600mm within the front setback are to be softened by planting for a minimum depth of 600mm on the low side of the retaining wall.
Objective 6.5.6E(3) ***The secondary frontage of a development positively contributes to the public domain by providing an active edge and semi-transparency to the boundary treatment.***	Where development adjoins public parks, open space or bushland, or is a corner site, the design positively addresses this interface using any of the following design solutions: • Habitable room windows facing the public domain. • Street access, pedestrian paths and building entries. • Paths, low fences and planting that clearly delineate between communal/private open space and the adjoining public open space. • Walls fronting the public spaces are to have openings not less than 25% of the surface area of the wall.

6.5.6F Pedestrian and Vehicle Circulation	
Objectives	**Design Criteria**
Objective 6.5.6F(1) ***Internal vehicle and pedestrian circulation should function like a street,***	Vehicle circulation and parking complies with AS2890.1.
	Dwellings are to be connected by new internal streets and lanes which are overlooked by

minimise the dominance of the driveway, and minimise impact on habitable spaces.	windows from habitable rooms and or private open space.
	Where new streets or lanes are created: • Lanes: shared or pedestrian surfaces with a width of common area including landscape - minimum 6m. • Streets: width of common area including landscape - minimum 12m.
	Where less than 20 car spaces are provided reduce carriageway width to 3.5m, with passing areas as required by AS 2890.1.
	Internal vehicle circulation must be: • at least 1m setback from a fences; • at least 1m setback from another dwelling; • at least 2.5m setback from a window in a habitable room if the window exceeds 1m^2; and • the setbacks should contain plants to soften edges.
	Terminate driveways and streets with trees, open space or the window of a dwelling - not a garage or car space.
	Streets to be designed to accommodate appropriate service vehicles likely to access the site.
	Where on street parking is currently available in front of the development, the proposed driveways are located so that at least one car space remains.
	Car parking not associated with a dwelling must be: • setback from a fence is to be at least 1m • setback from another dwelling is to be at least 1m • setback from a habitable room window is to be at least 3m if the window exceeds 1m^2. • The setbacks should contain plants.
	New streets and lanes • maximum length of a dead end laneway - 40m.

	• minimum width between structures - 6m.
Objective 6.5.6F(2) ***Provide safe, connected environment for pedestrians.***	Provide safe shared spaces for vehicles, cyclists and pedestrians by including measures that reduce vehicle speeds such as changes in pavement texture at entries or key nodes, reduce demarcation between pedestrian and vehicle spaces.
	Pedestrian paths that are separated from an internal road or lane by a kerb or landscaped area are to be provided where there are more than 20 dwellings.
	Where pedestrian circulation is separated from vehicle circulation the paths are still to function like streets with pavement at least 1.5m wide, clearly identifiable dwelling entrances and clear lines of sight to create a legible and safe network.
	Roads and pedestrian spaces are to have lighting designed in accordance with A1158.3.1 that avoids light spill in to private spaces.
Objective 6.5.6F(3) ***Visual and environmental impacts of car parking are minimised***	Basement car parking not to protrude more than 1m above finished ground level except at the entrance to the car park.
	Basement car park entrances to have a maximum width of 3.5m where there are less than 10 dwellings being serviced by the car park.
	The maximum height of the car park entry is to be 2.7m.
	Where driveways are adjacent a tree, it is either outside the drip line or complies with the recommendations in a report prepared by a qualified arborist.
Note: Approval for a driveway crossing will be required under the Roads Act 1993, from Council. If the development has a frontage to a classified road, driveway frontages may be restricted and concurrence will be required from Roads and Maritime Services (RMS)	

6.5.6G Orientation, Siting and Subdivision ***Note: If the dwellings are proposed to be subdivided into individual Torrens title lots refer to Section 6.5.5G.***	
Objectives	**Design Criteria**
Objective 6.5.6G(1) ***To ensure that the development site area will have sufficient area for the dwelling, vehicle access, landscaping, parking and amenity and are consistent with the desired future character of the area.***	The minimum lot size for carrying out Multi-Dwelling housing is specified in Clause 4.1A (2) of Lithgow LEP 2014.
	The minimum lot width measured at the building line is to be 20m.
Objective 6.5.6G(2) ***The development responds to the streetscape and respect the privacy of adjoining single dwelling houses.***	Each dwelling is to have a frontage to an existing public street or new pedestrian or vehicle street or lane.
	The frontage measured at the building line is to be at least 5m.
	Dwellings should be orientated away from side boundaries and towards the front and rear
Objective 6.5.6G(3) ***Reasonable solar access is provided to the living rooms and private open spaces of adjoining dwellings.***	A window that is more than 3m from the boundary to a living room of an adjoining dwelling is to receive more than 3 hours of direct sunlight between 9am and 3pm on the winter solstice (June 21). If the window currently receives less than 3hrs - direct sunlight is not reduced. **Note**: Direct sunlight is measured consistent with Design Criteria 63 of the *Low Rise Housing Diversity Design Guide for Development Applications* and is only required to one window serving the living room.
	Where the location of the living room of an adjoining dwelling cannot be verified the proposed development is accommodated within a building envelope defined by a 35° plane springing from 3.6m above the boundary.
Objective 6.5.6G(4) ***The development responds to the natural landform of the site, reducing the visual impact and avoiding large amounts of cut and fill and minimise the impacts of retaining walls.***	Unless a dwelling is over a basement, the ground floor is not more than 1.3m above ground level, and no more than 1m below ground level.
	Dwellings are located to step with the Topography

Objective 6.5.6G(5) ***Independent services and utilities are available to service each lot.***	All lots must have access to reticulated water and sewer, electricity, telecommunications, and where available gas.
Objective 6.5.6G(6) ***To minimise impacts to vegetation on adjoining properties and allow for vegetation within the setbacks.***	Basement car parking should not be provided within the setbacks described in 2.4A.
Objective 6.5.6G(7) ***Provide adequate space between buildings to allow for landscape, provide visual separation, reduce visual bulk and daylight access between buildings.***	The minimum separation between two or more buildings containing dwelling on the same lot is 3m. **Note**: Greater separation may be required for privacy.
	Provide a break of 3m between buildings more than 45m long.

6.5.6H Solar and Daylight Access	
Objectives	**Design Criteria**
Objective 6.5.6H(1) ***To optimise sunlight received to habitable rooms and private open spaces. Solar access enables passive solar heating in winter and provides a healthy indoor environment.***	The living room or private open space in each dwelling is to receive a minimum of 2 hours direct sunlight between 9 am and 3pm on the winter solstice (June 21). **Note**: Direct sunlight is achieved when 1m^2 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.
Objective 6.5.6H(2) ***To provide good access to daylight suited to the function of the room and to minimise reliance on artificial lighting and improve amenity.***	Daylight may not be borrowed from other rooms, except where a room has a frontage to a classified road.
	No part of a habitable room is to be more than 8m from a window.
	No part of a kitchen work surface is to be more than 6m from a window or skylight.
	Courtyards are to be: • Be fully open to the sky; and • Have a minimum dimension of one third of the perimeter wall height, an area of 4m^2.

	A window is visible from 75% of the floor area of a habitable room.

6.5.6I Natural Ventilation	
Objectives	**Design Criteria**
Objective 6.5.6I(1) ***All habitable rooms are naturally ventilated.***	Natural ventilation is available to each habitable room.
	Each dwelling is to be naturally cross ventilated.

6.5.6J Ceiling Height	
Objectives	**Design Criteria**
Objective 6.5.6J(1) ***Ceiling height achieves sufficient natural ventilation and daylight access and provides spatial quality.***	Minimum ceiling heights are: • 2.7m to ground floor habitable rooms. • 2.7m to upper level living rooms. • 2.4m to upper level habitable rooms (excluding living rooms). The ceiling height is measured from finished floor level to finished ceiling level.

6.5.6K Dwelling Size and Layout	
Objectives	**Design Criteria**
Objective 6.5.6K(1) ***The dwelling has a sufficient area to ensure the layout of rooms are functional, well organised and provide a high standard of amenity.***	Dwellings are required to have the following minimum internal floor areas: • 1 bed: 65m^2 • 2 beds: 90m^2 • 3+ beds: 115m^2
	The minimum internal areas outlined above only contain one bathroom. The minimum area of each additional bathroom is 5m^2 added onto the minimum dwelling area.
	The minimum area of any additional bedroom is 12m^2. The area of each additional bedroom is then added to the minimum internal floor area contained in the table above.
	Kitchens should not be part of a circulation space such as a hallway.

Objective 6.5.6K(2) ***Room sizes are appropriately sized for the intended purpose and number of occupants.***	One bedroom has a minimum area of $10m^2$ excluding space for a wardrobe.
	Bedrooms have a minimum dimension of 3m in any direction (excluding wardrobe space).
	Combined living and dining rooms are to have a minimum area of: • 1 and 2 beds: $24m^2$ • 3+ beds: $28m^2$
	Living room or lounge rooms are to have a minimum width of 4m (excluding fixtures).

6.5.6L Principal Private Open Spaces	
Objectives	**Design Criteria**
Objective 6.5.6L(1) ***Dwellings provide appropriately sized private open space and balconies to enhance residential amenity.***	The area of principal private open space provided for each dwelling is at least $45m^2$ with a minimum dimension of 5m.
	Provide a consolidated paved area of $12m^2$ with minimum dimension of 3m.
Objective 6.5.6L(2) ***Principal private open space and balconies are appropriately located to enhance liveability for residents***	The principal private open space is located behind the front building line.
	The principal private open space is to be located adjacent to the living room, dining room or kitchen to extend the living space.
	$8m^2$ of the private open space should be covered to provide shade and protection from rain.

6.5.6M Storage	
Objectives	**Design Criteria**
Objective 6.5.6M(1) ***Adequate, well designed storage is provided in each dwelling.***	In addition to storage in kitchens, and bedrooms, the following storage with a minimum dimension of 500mm is provided: • 1 bed $6m^3$ • 2 beds: $8m^3$ • 3+ beds $10m^3$
	At least 50% of the required storage is to be located inside the dwelling.

	Storage not located in dwellings is secure and clearly allocated to specific dwellings if in a common area.

6.5.6N Car and Bicycle Parking	
Objectives	**Design Criteria**
Objective 6.5.6N(1) ***Car parking is provided appropriate for the scale of the development***	A minimum of 1 off-street enclosed car parking space for one- and two-bedroom units; and A minimum of 2 off-street (one enclosed) car parking spaces for units with 3 or more bedrooms.
	Visitor parking is to be provided where the development contains more than 5 dwellings. Provide 1 space per 5 dwellings.
	Car parking spaces and circulation are to comply with AS 2890.1:2004
Objective 6.5.6N(2) ***Parking facilities are provided for bicycles.***	Covered space is to be provided for the secure storage of at least 1 bicycle per dwelling.
Objective 6.5.6N(3) ***Visual and environmental impacts of car parking and garages do not dominate the streetscape and have an appropriate scale relationship with the dwelling***	Basement car parking is not to protrude more than 1m above finished ground level except at the entrance to the car park.
	The maximum dimensions of any basement car park entry are to be 2.7m high by 3.5m wide.
	Where a driveway is adjacent an existing tree, it is either outside the drip line or complies with the recommendations in a report prepared by a qualified arborist
	The setback of a car space from a primary, secondary or parallel road is to be at least: **Setback of dwelling from road** — **Maximum width of garage door openings** >4.5m — 1m behind the building line <4.2m — 5.5m
	The maximum width of all garage doors facing a primary or secondary road:

	Lot Width	**Maximum Width of Garage Door Openings**
	12m - 15m	3.2m
	>15m - 20m	6m
	>20m - 25m	9.2m
	>25m	12m

6.5.6O Visual Privacy	
Objectives	**Design Criteria**
Objective 6.5.6O(1) ***The separation of windows and terraces, decks, and balconies within a site and to adjoining existing or future buildings provide a degree of visual privacy without the reliance on fixed screening***	Orientate living room windows, primary private open space to the street or rear.
	At least one windows for each habitable room is provided without the need for a privacy screen.
	A privacy screen is required when: **Distance from Boundary** — **Finished Floor Level Above Ground Level (Existing)** <3m — 1 - 3m <6m — >3m **Distance from Windows in Dwelling on Same Lot** — **Finished Floor Level Above Ground Level (Existing)** <6m — 1 - 3m <12m — >3m **Note**: This does not apply to bedroom windows that have an area less than $2m^2$ or windows that have a frontage to a road or public open space.
	A privacy screen is required at the edge of that part of a terrace, deck, balcony or verandah that is parallel or faces towards a side or rear boundary **Distance from Boundary** — **Finished Floor Level Above Ground Level (Existing)** <3m — 1 - 3m <6m — >3m

	Distance from Windows in Dwelling on Same Lot / **Finished Floor Level Above Ground Level (Existing)** <6m / 1 - 2m <12m / >2m **Note**: This does not apply to a terrace, deck, balcony or patio that has an area less than $3m^2$ or has a frontage to a road or public open space.
Objective 6.5.6O(2) ***Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space***	Where privacy screens are provided to windows, they must not cover part of the window required to meet the minimum daylight or solar access requirements or restrict ventilation.

6.5.6P Acoustic Privacy	
Objectives	**Design Criteria**
Objective 6.5.6P(1) ***Noise transfer is minimised through the siting of buildings and building layout***	Electrical, mechanical, hydraulic and air conditioning equipment is housed so that it does not create an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 either within or at the boundaries of any property at any time of the day.

6.5.6Q Noise and Pollution	
Objectives	**Design Criteria**
Objective 6.5.6Q(1) ***Ensure outside noise levels are controlled to acceptable levels in living and bedrooms of dwellings***	Any development within the 20 ANEF contour is to be constructed to comply with AS 2021:2015 Acoustics – Aircraft Noise Intrusion.
	Dwellings that are within 100m of a classified road or 80m from a rail corridor are to have LAeq measures are not exceeding: • In any bedroom: 35dB(A) between 10pm-7am.

	• Anywhere else in the building (other than a kitchen, garage, bathroom or hallway): 40dB(A) at any time. This can be achieved by: • A full noise assessment prepared by a qualified acoustic engineer • Complying with relevant noise control treatment for sleeping areas and other habitable rooms in Appendix C of *Draft Guide to Infrastructure Development Near Rail Corridors Busy Roads.*
Note: Development that is on land immediately adjacent to a rail corridor and development that involves penetration of ground to a depth of 2m within 25m of a rail corridor may be integrated development. Refer to the *State Environmental Planning Policy (Infrastructure) 2007.*	

6.5.6R Architectural Form and Roof Design	
Objectives	**Design Criteria**
Objective 6.5.6R(1) ***The architectural form is defined by a balanced composition of elements. It responds to internal layouts and desirable elements in the streetscape.***	Provide in the Design Verification Statement a description as to how the architectural form reduces the visual bulk and responds and provides a cohesive design response. **Note**: Refer to Section 3 of the *Low Rise Housing Diversity Design Guide for Development Applications*.
Objective 6.5.6R(2) ***The roof treatments are integrated into the building design and positively respond to the street.***	The roof design is integrated harmoniously with the overall building form.
	Skylights and ventilation systems are integrated into the roof design.

6.5.6S Visual Appearance and Articulation	
Objectives	**Design Criteria**
Objective 6.5.6S(1) ***To promote well designed buildings of high architectural quality that contribute to the local character***	Provide in the Design Verification Statement a description as to how the aesthetics and articulation contribute to the character of the local area. **Note**: Refer to Section 3 of the *Low Rise Housing Diversity Design Guide for Development Applications*.

	The development may have a primary road articulation zone that extends up to 1.5m forward of the minimum required setback from the primary road. The following elements can be located in the articulation zone: • An entry feature or portico. • A balcony, deck, pergola, terrace or verandah. • A window box treatment. • A bay window or similar feature. • An awning or other feature over a window. • A sun shading feature. • An eave.

6.5.6T Pools and Detached Development	
Objectives	**Design Criteria**
Objective 6.5.6T(1) ***The location of the swimming pools and spas minimise the impacts of adjoining properties***	Swimming pools and spas are to have a maximum height above ground level (existing): • At the water line – 1.2m, • At the top of the coping - 1.4m, and • Where the coping is more than 300mm wide – 600mm.
	Swimming pools and spas are to be located in the rear yard with a minimum setback of 1m from any side or rear boundary.
	The swimming pool pump must be located in an enclosure that is sound proofed.
Objective 6.5.6T(2) ***The location of the detached development minimise the impacts of adjoining properties***	Maximum height above ground level (existing) - 4.5m
	A detached studio with a frontage to a rear lane or parallel road may have a height of 6m.
	Maximum floor area for each dwelling: • generally: 45m^2 • detached studios: 36m^2
	Side setbacks are the same as for the dwelling except for the following: • side setback: 0.9m, or • side setback with wall height less than 3.3m: 0m, and adjoining lot building is <0.9m from boundary and building wall

	is of masonry construction with no windows, • side setback of detached studio with frontage to a lane: 0m • side setback of detached studio without a frontage to a lane: **Lot Width at building line** — **Rear setback** 0 - 18m — 900mm >18m — 1.5m
	Rear setbacks for detached development are: **Lot Area** — **Rear setback** 0 - 900m^2 — 900mm >900-1500m^2 — 1.5m >1500m^2 — 2.5m
	The maximum floor level of a detached deck, patio, pergola or terrace that is less than 0.9m from the side boundary is 0.6m above ground level (existing).
Notes: 1. A child-resistant barrier must be constructed or installed in accordance with the requirements of the Swimming Pools Act 1992. 2. Privacy and building separation and other Design Criteria still apply.	

6.5.6U Energy Efficiency	
Objectives	**Design Criteria**
Objective 6.5.6U(1) ***Development incorporates passive environmental design***	Provide an outdoor area for clothes drying that can accommodate at least 16 lineal metres of clothes line for each dwelling.
	Any clothes drying area should be screened from public and communal areas.
Note: A DA for a dwelling is required to have a BASIX Certificate that applies a minimum energy consumption target.	

6.5.6V Water Management and Conservation	
Objectives	**Design Criteria**
Objective 6.5.6V(1) ***Urban stormwater is treated on site before being discharged to receiving waters***	A stormwater system is to: • Comply with requirements in the DCP that applies to the land. • Be approved (if required) under s.68 of the Local Government Act 1993).
Objective 6.5.6V(2) ***Flood management systems are integrated into site design***	Detention tanks are to be located under paved areas, driveways or in basements.
Note: A DA for a dwelling is required to have a BASIX Certificate that applies a minimum water consumption target.	

6.5.6W Waste Management	
Objectives	**Design Criteria**
Objective 6.5.6W(1) ***Waste storage facilities meet the needs of the residents, are easy to use and access and enable efficient collection of waste***	Provide storage space for the type and number of bins designated in council's waste policy.
	Where waste storage is provided in a communal area, access to this waste area is to be provided for all residents without crossing a private lot.
	Where waste storage is provided in the basement car park, a maximum ramp gradient of 1:6 is to be provided to the waste collection point.
	Where a rear lane has provision for waste collection trucks used by council, the collection point is to be from the rear lane.
	Despite any requirements in council's waste policy, on-site waste vehicle access is not required where: • there are less than 20 dwellings, or • the development is Torrens title subdivided
	Where vehicle access is not provided to the site, any communal on-site collection point is to: • be less than 10m from the street boundary,

	• be located on a surface with a gradient less than 1:20 • not require access through a security door or gate (unless this is permitted by council waste policy). • have path that connects the collection area to the street boundary with a gradient less than 1:8 and free of steps for the transfer of bins to the collection vehicle
	If the waste collection point is used for permanent storage of bins, it is to be screened from view from the public domain and any structure to have height no greater than 1.3m, if forward of the building line.
Objective 6.5.6W(2) ***Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents***	Storage areas for rubbish and recycling bins are to be provided: • Within garages; • In screened enclosure that is part of the overall building design; or • In the basement car park.
	Communal waste areas are to be located at least 3m from any bedroom of living room window

6.5.6X Universal Design	
Objectives	**Design Criteria**
Objective 6.5.6X(1) ***Universal design features are included in dwelling design to promote flexible housing for all community members***	All dwellings are to include the Liveable Housing Design Guideline's Silver level universal design features.

6.5.6Y Communal Areas and Open Space	
Objectives	**Design Criteria**
Objective 6.5.6Y(1) ***Adequate area for communal open space is provided that enhances residential amenity.***	Where more than 10 dwellings are proposed a communal space with minimum area of 5% of the site area with a minimum dimension of 8m is to be provided for active communal open space.

	The active communal open space is at least 3m from a habitable room of a dwelling on the lot.
	The active communal open space is to receive at least 2hrs of direct sunlight between 9am and 3pm at the winter solstice (June 21) to 50% of the required area.
Objective 6.5.6Y(2) ***Communal areas are designed to enhance residential amenity and maximise safety and connectivity to the dwelling and promote social interaction between residents***	Communal areas and open space are visible from habitable rooms and private open space while maintaining visual privacy.
	Where communal open space is provided, it has a direct connection to the internal street along the longest edge.
	Public through site links should have direct line of site between public streets.
Objective 6.5.6Y(3) ***Common circulation spaces achieve good amenity with access to daylight and ventilation***	Daylight and natural ventilation is provided to all common circulation above ground.
	Provide lighting to common spaces.

6.5.7 Residential Flat (Apartment) Buildings

State Environmental Planning Policy No.65 (Design Quality of Residential Apartment Development ('SEPP65') only applies to a building of 3 or more storeys and containing 4 or more dwellings.

1) This DCP provides controls for the following aspects of Low-Rise Medium Density Housing:
   a) **General controls** – See DCP Section 6.2 including DCP *Chapter 2 – Site Requirements* and *Chapter 3 – Natural Environment & Hazards;*
   b) **Setbacks** – See DCP *Section 6.5.1 – Siting & Setbacks* above;
   c) **Local character and context** – where relevant in a heritage conservation area in *Chapter 4 – Heritage & Cultural Conservation* or *Chapter 9 – Location Specific Controls*.
2) **SEPP65:** In addition to the controls in this DCP listed in subclause (1), all **residential flat buildings** where *SEPP No.65 (Design Quality of Residential Apartment Development)* applies address:
   a) The principles/development standards in that SEPP; and
   b) The relevant objectives and design criteria in the associated *Apartment Design Guide (ADG)*.

   If the proposal is a multi-level development and not a residential flat building (e.g., some shop top housing or smaller apartment buildings) they will be considered on their merits with regard to the principles of *SEPP No.65*, the *ADG*, and the controls in this DCP (see below).

6.5.8 Shop Top Housing/Mixed Use Developments

'***Shop top housing'*** *means one or more dwellings located above ground floor* ***retail premises*** *or* ***business premises****. It is permitted with consent in Zone B2 Local Centre, Zone R1 General Residential, and Zone RU5 Village.*

SEPP65 (Design Quality of Residential Apartment Development) applies to a building of 3 or more storeys and 4 or more dwellings including shop top housing or mixed-use developments.

Objective(s)

O1. To encourage mixed-use buildings in commercial areas that activate commercial areas.

O2. To ensure that shop top housing is designed to integrate with the associated commercial / retail function whilst providing suitable residential access and amenity.

O3. To ensure that any residential uses are designed so that commercial uses/ activities do not significantly impact on residential amenity.

O4. To ensure all units have good residential amenity, safety and security.

O5. To ensure residential and commercial uses have separate entrances and facilities to minimise conflict.

Control(s)

1) **Commercial Controls:** The commercial and/or retail element of any shop-top housing / mixed-use proposal is designed to address DCP *Chapter 7 – Commercial, Community & Industrial Uses*.

2) **Residential Setbacks:** If a dwelling is on top of, or attached to, a commercial component the same setbacks as the commercial component are adopted to the primary street as long as the building satisfies:
    a) The requirements of the National Construction Code and fire separation requirements;
    b) There is residential amenity for the proposed and adjacent (if any) dwellings in accordance with this DCP Chapter and subclause (4) below;
    c) Setbacks have minimised overshadowing of adjacent dwellings and their private open spaces;
    d) Upper-level units may need to be setback from street frontages to maintain street wall/parapet heights and not dominate the street.
3) **Residential Amenity:** The controls in DCP *Chapter 2 – Site Requirements* and this DCP Chapter/ NSW Government policy relating to residential amenity including, but not limited to:
    a) Noise & visual privacy;
    b) Solar access to living spaces,

    will generally be applicable to shop-top housing but the requirements may be varied on merit with justification.
4) **Mixed Use Impacts:** The applicant demonstrates that other uses on the site or on adjacent sites will not significantly impact on residential amenity or provide ways to mitigate any impacts.
5) **Design:** Council suggests the application addresses the principles in *State Environmental Planning Policy No.65 (Design Quality of Residential Apartment Development)* and the associated *Apartment Design Guide* (where relevant) as guidelines (though they do not strictly apply to shop-top-housing except where there are more than 4 units and 3 storeys).
6) **Separation:** Residential and commercial uses have separate:
    a) Entrances from the main street frontage;
    b) Car parking areas (possibly with additional security for residential parking);
    c) Waste storage areas;
    d) Communal space (if required).

6.6 Ancillary & Other Development

6.6.1 Water Tanks, Pools & Spas & Equipment

Objective(s)

O1. To ensure that water tanks, pools and spas are appropriately located and designed:

a) To minimise visual impacts from a street or public domain and integrate with the residential development;
b) To minimise impacts on a heritage conservation area or nearby heritage items (if applicable);
c) To minimise noise impacts from associated machinery or the use of pools/spas near sensitive areas of adjacent development;
d) To ensure that materials and colours are compatible with the surrounding character (if visible from a public domain).

Control(s)

Pools and spas MAY be either EXEMPT (not require an application) OR COMPLYING (have a fast-tracked application) under State Environmental Planning Policy (Exempt and Complying Codes) 2008 ('Code SEPP'). Otherwise, a development application is required.

Please also see the Swimming Pools Act 1992 and Regulations 2008 and AS1926- Swimming Pool Safety (as amended) that take precedence over these controls to the extent of any inconsistency.

1) **Considerations:** Council will consider any applications for water tanks, pools or spas on their merits (with regards to the relevant controls in the Codes SEPP and the visual impact / amenity objectives in this Chapter.
2) **Front Setback:** Water tanks, pools and spas in urban areas/zones are located behind the front building line
3) **Pools:** Pools are located in the rear yard and have a minimum setback of 1m from any side or rear boundary.
4) **Heritage:** In heritage conservation areas or on land containing heritage items, pools and spas are located behind the rear building line or where they are screened and not visible from the public domain.
5) **Noise:** Machinery (e.g., pumps, filtration equipment, generators, heat pumps or air-conditioners) are located away from sensitive areas of adjacent dwellings (e.g., bedrooms) or suitably shielded to meet standard noise requirements and may require timer switches to avoid operation during night-time hours.

6.6.2 Temporary Accommodation

Council will permit in limited circumstances for the owner of a site and their immediate family to erect or inhabit a temporary residence on the development site to live in during the construction of a proposed dwelling.

An alternative may be to seek development approval for a dual occupancy or secondary dwelling (where permitted) and to build one of the dwellings first to live in while the primary dwelling is being constructed. This would ensure that the smaller dwelling has a permanent approval and can be re-used.

Objective(s)

O1. To ensure temporary accommodation is appropriately constructed and serviced and only used for the limited time needed to construct the permanent dwelling.

Control(s)

1) **Permissibility:** Temporary accommodation (during construction) is only permissible on:
   a) Lots or holdings that are ≥4,000m^2; and
   b) Outside urban residential zone(s).
2) **Other Controls:** The building location and design for the temporary accommodation may need to comply with the other relevant controls in this DCP (particularly if it is to be retained at the end of the 'maximum period' (set out below). For example, any residential controls or natural hazards on the land including, but not limited to flooding and bush fire.
3) **Number of Buildings:** A temporary residence may consist of the following Council approved/ National Construction Code (NCC) compliant types:
   a) One (1) shed;
   b) One (1) Caravan (with or without annex); or
   c) A combination of one (1) shed and one (1) caravan.
4) **Visual & Acoustic Impact:** The temporary accommodation is sited and designed so it:
   a) Is not located within the street frontage setback of the proposed permanent dwelling;
   b) Minimises visual impact when viewed from any public domain/road;
   c) Minimises acoustic & visual impact on any dwelling on an adjacent lot, particularly if the building is to be retained after completion of any associated dwelling.
5) **Fixtures:** The temporary accommodation is provided with the following facilities installed in accordance with the NCC:
   a) Kitchen that includes cooking and dish-washing facilities with running water;
   b) Shower and toilet facilities;
   c) Points of connection for a clothes-washing machine;
   d) Smoke detectors.
6) **Residential Amenity:** The temporary accommodation meets the minimum requirements for habitable and non-habitable rooms to provide suitable residential amenity & safety.
7) **Prior to Occupation:** Temporary accommodation is not occupied until:
   a) Council has approved the development application and issued a Construction Certificate for the permanent dwelling on the site;
   b) Council has inspected the temporary accommodation (prior to occupation) to ensure it has been constructed / installed in accordance with the plans and specifications (shed) or Council has been given notice of intent to live on the site (caravan);
   c) All sewage/drainage for the temporary accommodation has been approved and connected to the town sewerage system or Council approved on-site waste management system (where applicable);
   d) A suitable water system has been provided and connected.
8) **Length of Use:** The maximum period that temporary accommodation may be used as a habitable building is (whichever is the shortest time of):
   a) 12 months from the date of issuing the Construction Certificate for the permanent dwelling; or

b) 3 months from the date of issuing the final Occupation Certificate for the permanent dwelling.

Council will only grant one six (6) month extension to the above timeframes that is supported with justification and a clear construction program agreed to by the builder.

9) **Finalisation:** At the end of the maximum period in subclause (8), the temporary accommodation must be:
   a) Completely demolished / removed and the area remediated; or
   b) The applicant has Council approval to extend the maximum period for the temporary accommodation; or
   c) There is a development approval for the building to remain either as:
      i) a permanent dwelling / dual occupancy; or
      ii) a shed / outbuilding (where the components that make it habitable have been removed).

6.6.3 Conversion/ Use of Non-Habitable Buildings

Generally, installation of a toilet, wash basin and/or shower in an outbuilding would NOT make these a 'habitable' room or dwelling. However, if a kitchen, bathroom and laundry are provided this would be considered a 'dwelling' and can only be approved if it is permissible in the land use zone and meets the relevant controls. Regardless, any building requiring a sewerage/waste-water connection will require at least a Section 68 Local Government Act approval from Council.

Objective(s)

O1. Outbuildings reflect their intended use as ancillary to an approved use on the site.

Control(s)

1) An application for an outbuilding should indicate the proposed use for the building and cannot include accommodation or kitchen facilities without approval from Council.
2) Facilities in outbuildings satisfy relevant water and wastewater servicing standards and approvals.
3) A kitchen and/or bathroom/laundry is provided in an outbuilding only where separate development consent is obtained to convert the outbuilding to a permissible form of residential accommodation.

6.6.4 Second Hand (Re-Sited/Relocated) Dwellings

Existing second-hand dwellings can be moved to the site and often placed on elevated footings. This does not include 'manufactured homes' or 'relocatable dwellings' or any other 'moveable dwelling' that may be approved under Section 68 of the Local Government Act outside of a caravan park (see next section below).

A Development Application (and possibly Construction Certificate if new work such as footings) will be required for a re-sited / second-hand dwelling. You will require Section 68 Application(s) for installation of the building, connection to utilities and on-site sewage management.

Second-hand dwellings must not be moved onto the site before development consent is issued for the use of the land. Council will issue a Final Occupation Certificate at the completion of the installation & any associated works. They will generally be required to complete their on-site installation and any associated works within a 6-month period from arrival at the site and Council may require a bond or bank guarantee.

A BASIX Certificate is NOT required as it is not within the definition of a 'building' under the EP&A Act.

If the land is bushfire prone land, additional assessment of bushfire risk and building construction may be required.

Objective(s)

O1. To ensure second-hand dwellings are safe for occupation and use prior to their delivery to the site.

O2. To ensure that second-hand dwellings are located and/or designed to reduce their visual impact and integrate with the surrounding area character.

Control(s)

1) **Other Controls:** The building location and design for the second-hand dwelling must comply with the other relevant controls in this DCP.
2) **Visible Locations:** In general, sites that have a frontage to an arterial road or a key public space or community facility must ensure that the second-hand building (once installed) will appear like a normal dwelling (i.e., a permanent structure) with enclosure of any footings, and good articulation and materials.
3) **Lodgement:** Applications for a second-hand dwelling must include:
   a) A Site Plan showing the proposed location in accordance with the setbacks in the relevant section of this DCP;
   b) A Floor Plan showing the existing/proposed room layout;
   c) Elevations (as it is to be re-constructed);
   d) A Structural Report prepared and/or certified by an accredited Structural Engineer certifying the structural soundness (including for travel) and design and certification of the footings;
   e) A Hazardous Building Material Survey prepared and/or certified by an accredited Occupational Hygienist/ Asbestos Assessor certifying that there is no asbestos or other hazardous material or it has been removed;
   f) Photographic evidence of the building (prior to its relocation to site) supported by a description of its condition prepared by a qualified consultant;
   g) Evidence of how the building will be transported to the site and any permits to ensure safe passage of the dwelling in accordance with the relevant acts / legislation (e.g., *Roads Act*);
   h) Evidence of proposed screening to obscure any elevated footings from public view, usually with a sub-floor 'curtain' around the base of the building.

6.6.5 Manufactured / Transportable Homes

Objective(s)

O1. To meet statutory requirements for manufactured / transportable home(s).

Control(s)

1) **Approval:** The installation of a manufactured or transportable home (outside a caravan park or manufactured housing estate) requires:
   a) Development consent for the residential use of the land; and
   b) Approval(s) under *Section 68* of the *Local Government Act* for the placement of the dwelling and any connections to reticulated sewer and water. This includes plans and specifications as set out in *Clause 79* of the *Local Government Regulations*.
2) **Screening of Footings:** The application must include evidence of screening to obscure any elevated footings from public view, usually with a sub-floor 'curtain' around the base of the building.
3) **Other Controls:** The building location and design for manufactured / transportable homes must comply with the other relevant controls in this DCP.

Under the Local Government Regulation 2005 - a 'relocatable home' is either a 'manufactured home' or any other 'moveable dwelling' (but does not include a tent, caravan or campervan or other moveable dwelling capable of being registered on the road).

This section does NOT apply to flat-pack / kit homes.

'Manufactured home' is defined in the Local Government Act as 'a self-contained dwelling (that is a dwelling that includes at least one kitchen, bathroom, bedroom and living area that also includes a toilet and laundry facilities)' that is built either in parts or as a whole off-site and then transported to site for installation. It and includes any associated structures that form part of the dwelling.

A construction certificate and/or occupation certificate is not required for the installation of the home.

A BASIX Certificate is NOT required as it is not within the definition of a 'building' under the EP&A Act.

If the land is bushfire prone land then additional assessment of bush fire risk and building construction will be required.

6.6.6 Exhibition Homes in Urban Residential Zones

Objective(s)

O1. To minimise or mitigate any conflict that may arise from the development of exhibition homes in **urban residential zones** and/or areas.

Control(s)

In addition to the relevant residential controls in this Chapter, development for the purpose of an exhibition home must comply with the following controls:

1) **Location:** Exhibition homes are only permitted in residential release areas in urban residential zones.
2) **Temporary:** Development consent will expire after twelve (12) months from the issue date of an Occupation Certificate. Twelve (12) month extensions to consent are considered on merit.
3) **Expiry:** Upon expiry of development consent the building shall revert to residential use.

4) **Parking:** Off-street car parking for a minimum of two vehicles shall be provided for exhibition homes. If the garage of the home is used as a sales office during its time as an exhibition home, two parking spaces are to be provided for on the driveway and signposted as such.
5) **Hours of Operations:** Exhibition homes can only be 'open for inspection' between 8am and 6pm daily.
6) **Signage:** One (1) advertising sign is permitted, which is to have a maximum area of 2 square metres.

6.6.7 Shipping Containers

Objective(s)

O1. To minimise the visual impact of shipping container(s) and ensure that, where visible from the public domain, they are appropriately integrated into the built environment to appear as a shed.

Shipping containers can have a significant visual impact & affect the character of an area, particularly in denser urban areas. Shipping containers are generally not accepted as a means of storage in urban zones and/or areas when other alternatives are available unless significant effort is made to reduce visual impact and/or make it appear like a standard shed.

Control(s)

1) Urban Zones and/or Areas:
   a) A lot or ownership holding contains no more than one stand-alone shipping container or, where multiple shipping containers are proposed, these are consolidated to appear as a single structure.
   b) Any shipping container is located behind the rear building line of the primary dwelling;
   c) Where visible from any public place, the shipping container is integrated into a shed structure, clad in shed materials, and/or painted to make it appear like a standard shed.
   d) Where located on land fronting a main (arterial) road, the shipping container is does not dominate views from the public domain.
   e) Where located within a heritage conservation area or on land containing a heritage item the shipping container does not dominate views from the public domain and does not visually detract from the heritage character of the site.
2) **Rural and/or Environmental Zone(s):** Unless there is a business on the land that moves goods by shipping containers, any shipping container(s) are well-setback from main roads, unobtrusive, suitably painted and/or their visual impact reduced through landscaping.