

# Camden Development Control Plan 2019



camden  
council

# Residential Dwelling Controls

4

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# RESIDENTIAL DWELLING CONTROLS

## 4.1 Introduction

### 4.1.1 Background

There are a range of zones in the Camden LGA to provide for a variety of residential accommodation types and densities, both within existing urban areas and urban release areas. This chapter establishes the objectives and controls which will guide the design of residential development in the Camden LGA zoned under the CLEP 2010. This excludes land zoned under *State Environmental Planning Policy (Sydney Region Growth Centres 2006)* where separate DCPs apply.

### 4.1.2 How to use this part?

Part 4 establishes the objectives and controls that guide residential development, including dwelling houses, secondary dwellings, dual occupancies and semi-detached dwellings, attached dwellings and multi-dwelling housing, residential flat buildings and shop top housing. Part 4 also covers residential amenity controls such as streetscape, safety, privacy and fencing.

### 4.1.3 What Chapters apply for my development?

Chapter 2 (below) provides general controls for residential development. Additional controls for specific development are also located in Chapters 3-6. In the event of any inconsistency between Chapter 2, controls in Chapters 3-6 prevail.

Controls for shop top housing (permitted within the R1, B1, B2 and B4 zones) are contained within Chapter 7. Chapter 7 also provides controls for residential flat building development. Additional controls for residential flat buildings and shop top housing may be contained in *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (SEPP 65)* or equivalent.

Chapter 9 provides controls for outbuildings (i.e. sheds, carports, decks etc.)

Table 4-1 Summary of Key Residential Dwelling Controls

Element	Control
Site Analysis	Provide a site analysis plan
Cut and Fill	Maximum cut 1m Maximum fill 1m
Streetscape / Architectural Elements	Two design features incorporated into the design
Front Setbacks	As per average setback

Architectural element front setback encroachment	<ul style="list-style-type: none"> <li>- Primary street frontage 1.5m (max)</li> <li>- Secondary frontage 0.5m (max)</li> </ul>	
Secondary Setback	<p>2m</p> <p>A greater secondary setback may be required if the proposed development does not positively address the secondary street and/or demonstrate a good level of amenity.</p>	
Side Setbacks	0.9m	
Rear Setbacks	Single storey 4m	Two storey component 6m
Garages and Carports (including garages on secondary setback)	<ul style="list-style-type: none"> <li>- Minimum 1m behind the building line of the dwelling and at least 5.5m from the road in accordance with Figure 4-2.</li> <li>- Garages on the secondary setback must be setback a minimum of 5.5m from the road in accordance with Figure 4-2.</li> </ul>	
Height	Maximum two storeys and consistent with CLEP 2010	
Site Coverage	<p>Less than 450m<sup>2</sup></p> <ul style="list-style-type: none"> <li>- Single storey development 60%</li> <li>- Two storey development 50% (ground floor) 35% (upper floor)</li> </ul>	<p>450m<sup>2</sup> and Greater</p> <ul style="list-style-type: none"> <li>- Single storey development 50%</li> <li>- Two storey development 50% (ground floor) 30% (upper floor)</li> </ul>
Landscaped Area	Minimum 30% of allotment area	
Principal Private Open Space	<p>Lot width 10m and less = 16m<sup>2</sup></p> <p>With a minimum dimension of 4m</p>	<p>Lot width greater than 10m = 24m<sup>2</sup></p> <p>With a minimum dimension of 4m</p>
Solar Access	<ul style="list-style-type: none"> <li>- Direct sunlight must reach at least 50% of the PPOS of both the subject dwelling and of any adjoining dwelling for not less than 3 hours between 9:00am and 3:00pm on 21 June.</li> <li>- Dwellings must be orientated to maximise solar access to living rooms having regard to future and existing site constraints.</li> <li>- At least one window to a living area of dwellings on neighbouring properties must receive a minimum of 3 hours of direct sunlight between 9am and 3pm on 21 June.</li> </ul>	



## 4.2 General Residential Development Controls

### 4.2.1 Site Analysis

Site analysis for each individual lot is an important part of the design process. Development proposals need to illustrate design decisions which are based on careful analysis of the site conditions and their relationship to the surrounding context. By describing the physical elements of the locality and the conditions impacting on the site, opportunities and constraints for development can be understood and addressed in the design.

The Site Analysis Plan should show the existing features of the site and its surrounding area, together with supporting written material. A Site Analysis Plan must show at least the following features:

- the position of the proposed building in relation to site boundaries and any other structures and existing vegetation and trees on the site;
- any easements over the land;
- the location, boundary dimensions, site area and north point of the land;
- location of existing street features adjacent to the property, such as trees, planting, street lights;
- contours and existing levels of the land in relation to buildings and roads and, whether the proposed development will involve any changes to these levels;
- location and uses of buildings on sites adjoining the land;
- a stormwater concept plan (where required); and
- For Battle-axe blocks, On-site Stormwater Detention (OSD) is to be designed in accordance with Council's Engineering Specifications.

### 4.2.2 Cut and Fill

#### Objectives

- a. To minimise the extent of cut and fill within residential allotments;
- b. To protect and enhance the aesthetic quality of the area by controlling the form, bulk and scale of land forming operations; and
- c. To ensure that the amenity of adjoining residents is not adversely affected by any land forming operation.

## Controls

1. Development Applications (DA's) are to illustrate where it is necessary to cut and/or fill land and provide justification for the proposed changes to the land levels.
2. The maximum amount of cut must not exceed 1m.
3. The maximum amount of fill must not exceed 1m.
4. Fill greater than 300mm within 1m of a property boundary must be fully contained by the use of deepened (drop) edge beam construction with no fill permitted outside of this building footprint.
5. The use of a deepened edge beam must not exceed 1m above natural ground level.

On steeply sloping sites, Council may consider deepened edge beams greater than 1 metre where it can be demonstrated that there will be no detrimental impacts on neighbouring properties, and can meet the objectives.

6. Council will consider permitting greater cut for basement garages, split level designed development and steeply sloping sites. Basement garages will be considered on steeply sloping sites where it can be demonstrated that:
  - a. a finished ground level slope equal to or more than 15% will be achieved; and
  - b. there will be no adverse impacts on the existing and future amenity of any adjoining land on which residential development is permitted.
7. Where excavation or filling is required alongside a driveway, it must be retained by a retaining wall.
8. Where the same builder or developer is developing adjoining sites, Council may vary Controls No. 2, 3 or 4 subject to a merit based assessment of the impacts upon each affected property.
9. All retaining walls (including associated footings and drainage etc.) are to be contained wholly within subject property boundaries. Excavations affecting adjoining properties are to be retained or shored immediately. All other approved retaining walls are to be in place prior to the issue of an occupation certificate.
10. Where retaining walls are proposed to be built on the boundary (on side and / or rear boundaries), an s88B Instrument stipulating a positive covenant is required on the lots affected by the retaining wall.
11. The maximum height of voids within individual allotments is 3m, as illustrated in Figure 4-1.

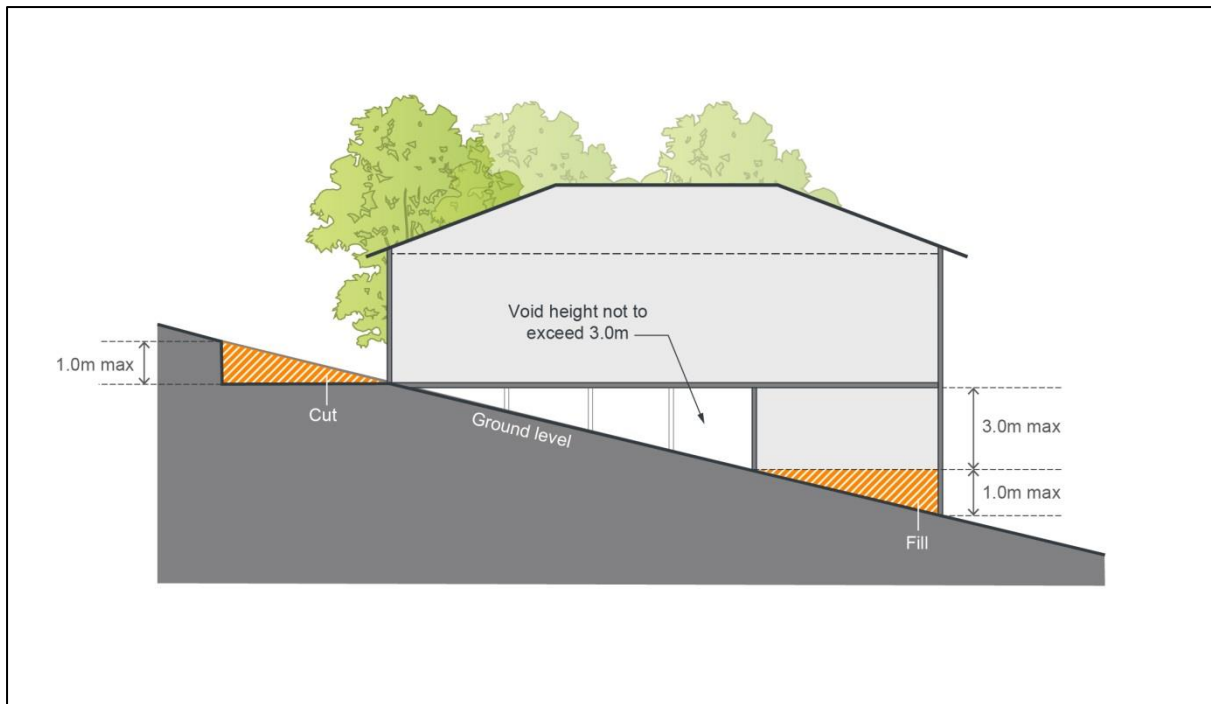


Figure 4-1: Maximum height of voids within residential lots

### 4.2.3 Streetscape and Architectural Design

#### Objective

- a. To encourage innovative and quality designs that enhances the built form and character of the neighbourhood;
- b. To encourage a diversity of built form design;
- c. To encourage casual surveillance of the street; and
- d. To encourage visual interest through articulation.

#### Controls

1. The primary street facade of a dwelling must address the street and incorporate a visible front entrance of the dwelling. At least two of the following design features are to be incorporated into the primary street façade:
  - entry feature or porch;
  - awnings or other features over windows;
  - balcony treatment to any first floor element;



- recessing or projecting architectural elements;
  - open verandah;
  - bay windows or similar features; or
  - verandahs, pergolas or similar features above garage doors.
2. Front facades are to feature at least one ground floor habitable room with a window facing onto the street.
  3. The secondary street facade for a dwelling on a corner lot should address the street and must incorporate at least two of the above design features.
  4. Modulation of the façade should be integral to the design of the building, rather than an unrelated attached element.
  5. Eaves must be provided. Eaves provide sun shading and protect windows and doors from extreme weather. Eaves also provide aesthetic interest. Except for walls built to the boundary, eaves should have a minimum of 450mm overhang (measured to the fascia board). Council will consider alternative solutions to eaves so long as appropriate sun shading is provided to windows and display a high level of architectural merit.
  6. The pitch of hipped and gable roof forms on the main dwelling house should be between 18 degrees and 35 degrees. Skillion roofs, roofs hidden from view by parapet walls, roofs on detached garages and ancillary buildings on the allotment are exempt from this control.
  7. On corner lots, garages are encouraged to be accessed from the secondary street or a rear lane.

#### **4.2.4 Setbacks**

##### **Objective**

- a. To minimise the impacts of development on neighbouring properties with regards to view, privacy and overshadowing;
- b. To ensure garages do not dominate the streetscape; and
- c. To ensure buildings on corner sites provide an appropriate secondary street setback and maintain sight lines for the safety of pedestrians and vehicles.

## Controls

1. The general numerical setback requirements for residential accommodation are listed in Table 4-2 below.

Note: These apply to all areas except where a specific setback control is provided for that area elsewhere in this DCP, or where a registered building envelope applies to the lot.

2. Setbacks must be measured between the principal wall closest to the boundary and the boundary line, excluding any architectural building design element encroachments as permitted by this DCP
3. Front setbacks on irregularly-shaped lots (e.g. those which are not perpendicular to the street) must be calculated in accordance with control 2 above.
4. Architectural building design elements on the front façade may encroach 1.5m into the prescribed front setback area where it can be demonstrated that such elements have a positive effect on the streetscape. For further information regarding architectural building elements refer to subsection 2.3 – Control 1.
5. Building elements such as eaves, fascias, gutters, down pipes, flues, light fittings, electricity or gas meters, rainwater tanks and hot water units may encroach upon the prescribed side boundary setbacks, provided they do not impact upon adjoining properties and achieve compliance with the National Construction Code (NCC).
6. 900mm side setbacks for awnings may be measured to the awning post, with awning overhangs beyond the post of up to 450mm permitted, consistent with the allowable overhangs for dwelling eaves, fascias, sun hoods, gutters, downpipes, flues, light fittings, electricity or gas meters, rainwater tanks and hot water units.
7. Walls along the side boundary setbacks must be articulated to avoid the appearance of excessively long walls. Articulation may be provided in the form of a window, wall return or architectural feature.
8. Where there is a large or potentially large tree in the road reserve or public open space adjacent to the site, a setback will be required that is sufficient to avoid damage to the tree or future problems with the development.
9. For steeply sloping sites the front setbacks specified in this clause may be inappropriate and may need to be varied. The siting of buildings on such sites must take into consideration the grade of the resultant access driveway and allow for the need to provide batters and/or retaining walls for any areas of cut and filling. Generally front boundary setbacks need to be increased for steeply sloping sites.
10. In exceptional circumstances, Council may consider a reduced rear setback on corner allotments where it can be demonstrated that there is no adverse impact on the adjacent properties, streetscape in general and lot coverage. The following factors will be taken into consideration, but are not limited to:
  - Bulk, mass and scale of the structure;
  - Privacy impact;
  - Overshadowing;
  - Streetscape and architectural treatment; and

- Provision of Private Open Space and landscaping requirements

Note: In the case of corner allotments, the primary street frontage is taken to be the boundary which is the shorter of both frontages. The rear setback is taken to be the opposite boundary to the primary frontage.

Table 4-2: Setbacks

Element	Control								
Front setback (min)	<p>The setback of a dwelling house and any attached development from a primary road must not be less than the average setback from the primary road of the 2 nearest dwelling houses on the same side of the primary road.</p> <p>If there are not 2 dwelling houses within 40m of the lot on the same side of the primary road, the dwelling house and any attached development must have a minimum setback from the primary road as shown in the following:</p> <table border="1"> <thead> <tr> <th>Lot size</th> <th>Minimum setback from primary road</th> </tr> </thead> <tbody> <tr> <td>&lt; or equal to 900m<sup>2</sup></td> <td>4.5m</td> </tr> <tr> <td>&gt;900m<sup>2</sup>–1,500m<sup>2</sup></td> <td>6.5m</td> </tr> <tr> <td>&gt;1,500m<sup>2</sup></td> <td>10m</td> </tr> </tbody> </table> <p>A reduced front setback of 3.5m where the development is fronting open space.</p>	Lot size	Minimum setback from primary road	< or equal to 900m <sup>2</sup>	4.5m	>900m <sup>2</sup> –1,500m <sup>2</sup>	6.5m	>1,500m <sup>2</sup>	10m
Lot size	Minimum setback from primary road								
< or equal to 900m <sup>2</sup>	4.5m								
>900m <sup>2</sup> –1,500m <sup>2</sup>	6.5m								
>1,500m <sup>2</sup>	10m								
Front setback for Battle-axe block (min)	3.5m applies only if the lot fronts an access denied street or open space as per Figure 4-3								
Secondary Setback	2m A greater secondary setback may be required if the proposed development does not positively address the secondary street and/or demonstrate a good level of amenity.								
Garages and carports (including garages on secondary setback)	Minimum 1m behind the building line of the dwelling and at least 5.5m from the road in accordance with Figure 4-2.								
Articulation									
<ul style="list-style-type: none"> <li>• Primary street frontage</li> </ul>	1.5m (max)								
Side setback	0.9m								
Rear setback – single storey dwelling or single storey portion of a two storey dwelling (min)	4m								
Rear setback – two storey portion of a two storey dwelling (min)	6m								

Rear lane setback (min)	<p>1m.</p> <p>Notwithstanding this, the rear lane setback can be reduced to 0.5m only if it can be adequately demonstrated to Council's satisfaction, that the development can facilitate waste collection in a safe and orderly manner.</p>
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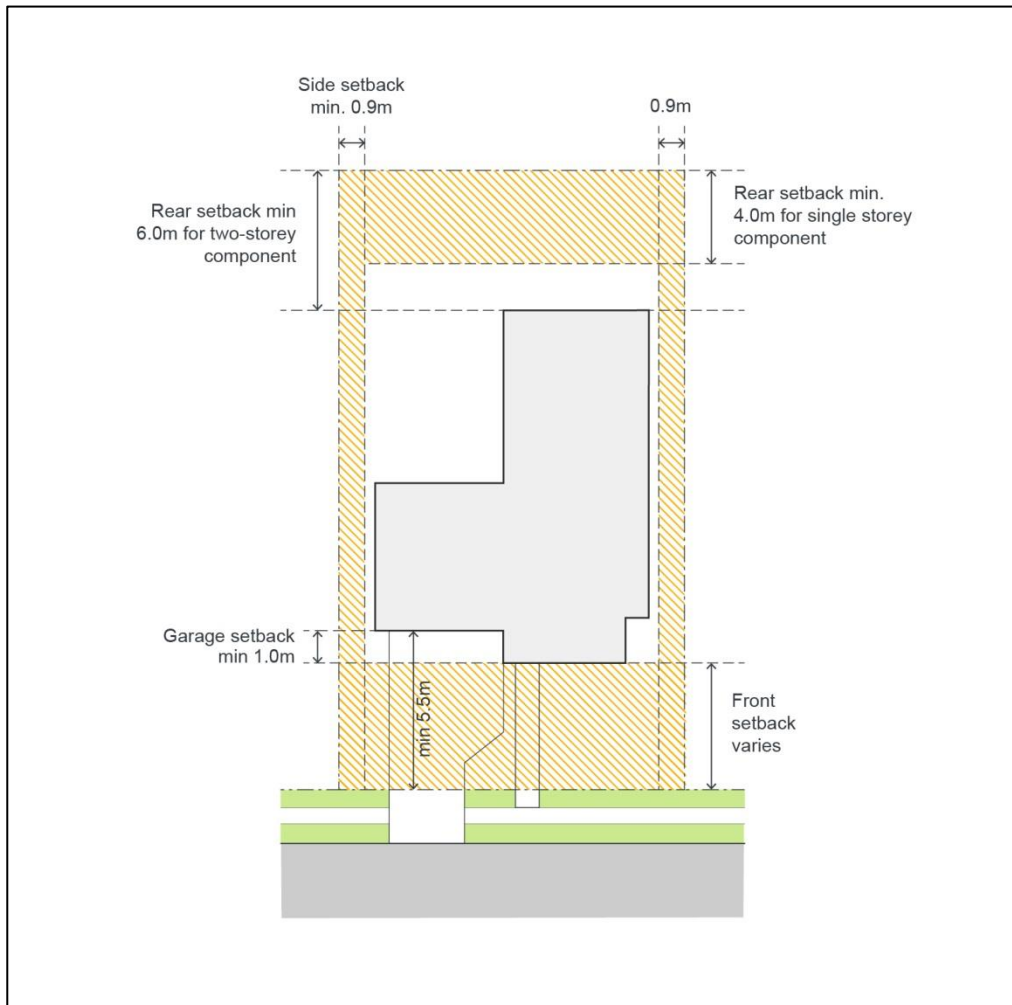


Figure 4-2: Setbacks

### Setbacks for Battle-axe Lots

#### Background

Due to an existing subdivision pattern, or a particular landform, there may be an opportunity to create an additional allotment known as a battle-axe lot. Dwelling houses on battle-axe lots have some different impacts from dwelling houses on lots that face the street. There is a need to be more sensitive to neighbouring properties in terms of privacy, overshadowing and built form.

## Objectives

- a. To ensure setbacks between neighbouring dwellings provide visual and acoustic privacy.

## Controls

1. Front setback of 3.5m only applies to battle axe blocks where the lot fronts an access denied street and/or open space in accordance with Figure 4-3.
2. Side and rear setbacks for battle-axe blocks are to be measured in accordance with Figure 4-3 (below).

NOTE: The garage can utilise the side setback control, while the remainder of the house must be setback as per the rear setback control.



Figure 4-3: Setbacks for Battle-axe blocks

## Zero Lot Line Development

### Background

To facilitate the most efficient use of land on smaller lots, a dwelling may be designed so that a side wall of the dwelling is built on or close to the side boundary. This is referred to as 'zero lot line' development.

**NOTE:** Zero lot line development has a zero lot line on one side boundary only. This is distinct to semi-detached dwellings or attached dwellings which may also be attached to other dwelling/s.

### Objectives

- a. Maximise the efficient use of small allotments where no adverse impact is created for adjoining properties.
- b. To ensure that the benefitted party can reasonably access and use the easement for its intended purpose.

### Controls

1. An easement for 'support and maintenance' (servicing, construction and maintenance) of the zero lot line wall (and any services along the side of the dwelling) is to be provided on the adjoining property, except where a 450mm side boundary setback is provided. Refer to Figure 4-4.
2. Projections will be permitted to encroach into zero lot line easements where:
  - a. the encroachment will not impede the benefitted party from reasonably using easement for its intended purpose;
  - b. the encroachment will not have adverse amenity impacts on the adjoining lot;
  - c. there is an unobstructed vertical clearance of 5m from the underside of any eave, to the finished ground level of the adjacent benefitted lot, whichever is higher; and
  - d. services will not impede the ability to undertake maintenance.
3. For single storey development, walls must not exceed 50% of the length of the boundary that the zero lot applies to.
4. For two storey development, walls must not exceed 30% of the length of the boundary that the zero lot applies to.



5. No section of a wall built on a side boundary (including walls setback 450mm) should be longer than 10 metres (i.e. an internal courtyard or light well will be required to achieve this standard).
6. Excavation is not permitted within an easement for 'support and maintenance' (servicing, construction and maintenance). All filling adjacent to an easement for 'support and maintenance' must be contained within the building footprint i.e. drop edge beams.
7. Access to the rear yard of zero lot line development must be provided via a minimum 0.9m metre side setback on the opposite side of the dwelling, or via a rear garage door provided as a 'drive through garage'.



Figure 4-4: Zero Lot Line Development

## 4.2.5 Height, Site Coverage and Siting

### Objectives

- a. To ensure development is of a scale appropriate to protect residential amenity; and
- b. To ensure building heights achieve built form outcomes that reinforce quality urban and building design.

## Controls

1. The highest point of a building containing residential accommodation must not exceed the height specified on the Height of Buildings Map in CLEP 2010. In those areas which have a maximum height of 9.5m under CLEP 2010, the height of a dwelling house must not exceed two storeys above existing ground level.
2. Attic rooms may be provided in the roof void where the roof pitch does not exceed 45 degrees. Such rooms are not considered a storey.
3. Sub-floor garages may be considered on sloping sites where it will achieve a better design outcome.
4. The ground floor level should be no more than 1m above finished ground level. Finished dwelling ground floor levels greater than 1m above natural ground level may be permitted where it can be demonstrated that there are no adverse impact on adjoining properties and the streetscape.
5. Dwellings must not exceed the site coverage as shown in Table 4-3 below.

Table 4-3: Site Coverage

Lot Size	Site Coverage (maximum)
<450m <sup>2</sup>	Single Storey development – ≤60%
	Two Storey Development – ≤50% (ground floor) ≤35% (upper floor)
≥450m <sup>2</sup>	Single Storey Development – ≤50%
	Two Storey Development – ≤50% (ground floor) ≤30% (upper floor)

### **Site Coverage Definition CLEP 2010**

*site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:*

- (a) any basement,*
- (b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,*
- (c) any eaves,*
- (d) unenclosed balconies, decks, pergolas and the like.*

## **4.2.6 Landscaped Area**

### **Objective**

- a. To ensure that each site has sufficient area for landscaping, including deep soil planting areas, to facilitate the establishment of attractive and functional streetscapes;
- b. To enhance the quality of the built environment by providing opportunities for landscaping; and
- c. To create the desired street character.

*Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.*

### **Controls**

- 1. A minimum of 30% of the site must consist of landscaped area (Figure 4-5).
- 2. Areas less than 1.5 metres in width are not to be included in the calculation of landscaped area.
- 3. A minimum of 40% of the front setback (as measured from the building line) must be landscaped area.
- 4. Plans submitted with the development application must include a landscape plan.

*Note: Synthetic or artificial grass is not to be included in landscaped area calculations. It is also noted that Council does not permit the use of artificial turf within public land adjacent to the road verge. Artificial turf can have detrimental impacts with regard to maintenance, access to utilities, natural drainage and offers no ecological or long term amenity benefits. It is an offence to install artificial turf on public land without the prior approval of Council. Council may pursue regulatory action in these instances, including requiring removal of any such installation.*

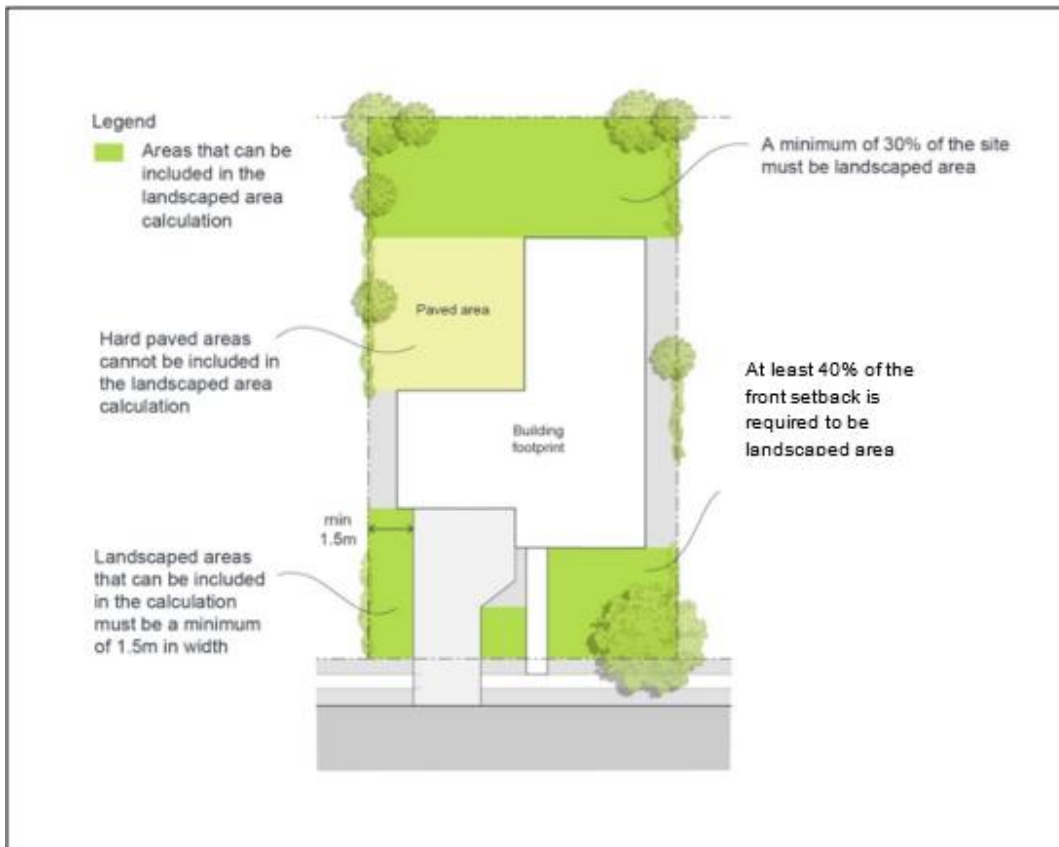


Figure 4-5: Landscaped Area

## 4.2.7 Principal Private Open Space

### Objective

- To provide a high level of residential amenity with opportunities for outdoor recreation and relaxation within the property.

### Controls

- The total area of Principal Private Open Space (PPOS) for each dwelling is to comply with Table 4-4 below.
- Each dwelling must be provided with quality, useable PPOS behind the building line.
- The PPOS must:

- a. be adequately screened for privacy from adjacent dwellings and passers-by;
- b. be directly accessible from, and adjacent to, a habitable room, other than a bedroom;
- c. be at least 4m wide and 4m deep, and
- d. not be steeper than 1:10 gradient.

Table 4-4: Principal Private Open Space

<b>Principal Private Open Space (Minimum)</b>	
<b>Lot width ≤10m</b>	≥16m <sup>2</sup> with a minimum dimension of 4m
<b>Lot width &gt;10m</b>	≥24m <sup>2</sup> with a minimum dimension of 4m

#### **4.2.8 Solar Access**

##### **Objective**

- a. To facilitate solar access to the living areas and private open spaces of the dwelling; and
- b. To ensure that dwellings are designed to minimise overshadowing of adjacent properties and to protect minimum standards of sunlight access to private outdoor living space of adjacent dwellings.

##### **Controls**

1. Dwellings must be orientated to maximise solar access to living rooms having regard to future and existing site constraints.
2. At least one living area must receive a minimum of 3 hours of direct sunlight between 9:00am and 3:00pm on 21 June.
3. Direct sunlight must reach at least 50% of the PPOS of both the subject dwelling and of any adjoining dwelling, for not less than 3 hours between 9:00am and 3:00pm on 21 June.
4. At least one window to a living area of dwellings on neighbouring properties must receive a minimum 3 hours of sunlight between 9:00am and 3:00pm on 21 June.

There may be circumstances where existing solar access on neighbouring properties will not be able to be retained due to:

- i. Existing living areas of neighbouring properties being inappropriately located regarding solar access;
- ii. Existing site topography;
- iii. Existing shadowing from other neighbouring dwellings, structures and trees; and
- iv. Orientation of existing lots.

## **4.2.9 Visual and Acoustic Privacy**

### **Objective**

- a. Locate and design dwellings to enhance visual and acoustic privacy, whilst minimising visual and acoustic impacts of development on adjoining properties.

### **Controls**

1. The internal layout of residential buildings, window openings, the location of outdoor living areas (i.e. courtyards and balconies) and building plant should be designed to minimise noise impact and transmission.
2. Direct overlooking of the main living areas and private open spaces of adjacent dwellings should be minimised through building layout, window and balcony location and design, and the use of screening devices, including landscaping. A privacy screen or fixed obscure glass must be provided for any part of a window (on the first floor) to a habitable room (excluding bedroom) that is less than 1.5m above the finished floor level of that room, if the room overlooks an adjacent dwelling window or the private open space of an adjacent dwelling.
3. Active recreation facilities (e.g. swimming pools) should be located away from the bedroom areas of adjoining dwellings.
4. First floor balconies or decks facing the side or rear boundaries are not permitted, unless it can be demonstrated that there will be no adverse privacy impacts to neighbouring properties. The depth of the first floor balcony or deck is not to exceed 2 metres.



## 4.2.10 Parking, Garages and Site Access

### Objectives

- a. Provide safe and secure onsite parking for residents and visitors;
- b. Reduce the visual impact of garages, carports and parking areas on the streetscape and improve dwelling presentation; and
- c. Ensure the design of garages do not dominate the frontage of the house.

### Controls

1. One to two (1-2) bedroom dwellings will provide at least 1 car space.
2. Three (3) bedroom or more dwellings will provide at least 2 car spaces.
3. At least one car parking space must be located behind the building line where the car parking space is accessed from the street on the front property boundary.
4. The width of garage doors must not be greater than:
  5. 60% of the dwelling's front elevation width on lots between 12.5m -15m, wide.
  6. 50% of the dwelling's front elevation width on lots greater than 15m wide.
7. Triple garages are not permitted on lots less than 12.5m in width.
8. For lots equal to or less than 7m, garages must be accessed from a rear lane.
9. Garages should not be a dominant feature of the building façade. The garage must be subservient in scale to the dwelling, and integrated and compatible with the overall design of the dwelling in terms of height, form, materials, detailing and colour.
10. Where a triple garage is proposed, the garage doors must not exceed 50% of the dwelling's front elevation and 1 garage must be setback a minimum of 1m behind the other garages.
11. Driveways are to have the smallest configuration possible (particularly within the road verge) to serve the required parking facilities. Driveway widths crossing the road verge, setbacks to existing infrastructure and surface gradients must comply with Council's Design and Construction Specification for Access Driveways.

12. Vehicle turning movements and gradients of internal driveways must comply with AS2890. Planting and walls adjacent to driveways must not block lines of sight for pedestrians, cyclists and motorists.
13. For Battle-axe blocks, vehicles are to enter and exit the site in a forward direction.

### **Corner Lots**

1. Driveway locations are not to conflict with utility services and street infrastructure.

### **Secondary Driveways**

1. Generally, only one driveway is permitted per residential property. Separate, specific Council approval (non-standard driveway approval) is necessary for any proposed additional driveways. In considering a request for a secondary driveway, the following is considered:
  2. A second crossing will not be considered where:
    - a. The properties total road frontage is less than 20 metres wide.
    - b. The proposal will cause an unacceptable reduction in the available room for on-street parking caused by the additional driveway is not desirable.
    - c. Sight distance for the new driveway is limited because of a crest or curve in the road.
    - d. The removal of one or more street trees is required.
    - e. The driveway is within 6 metres of the tangent point of the kerb return at intersections, as per AS/ NZS 2890.1:2004 and Council's Engineering Specifications.
    - f. The site is located on a classified road, and the NSW Department of Transport (or equivalent) have not consented to a second driveway.
    - g. The driveway is otherwise constrained or not considered appropriate, as determined by Council.
  3. A second crossing will only be considered where:
    - a. Sight distance for the existing driveway is restricted. In these instances, the existing driveway will likely have to be removed when creating the new driveway.
    - b. A second garage, carport or parking area has been approved by Council.

- c. The property has frontage to two roads.
- d. The property fronts a busy road/s, is located in a school area, or near a bus stops etc; and the purpose of the second driveway is to provide for access into and out of the site in a forward direction.

### **Double Garages on Narrow Lots equal to or greater than 10m and less than 12.5m**

Double Garages are permitted on lots equal to or greater than 10m and less than 12.5m, subject to the below.

#### **Objectives**

- a. To facilitate additional parking behind the building line on narrow allotments without reducing on street parking
- b. To reduce the visual impact of garages, carports, and parking areas on the streetscape.
- c. To ensure the dwelling is designed to provide casual surveillance of the street.
- d. To reduce the apparent bulk and scale of the dwelling.

#### **Controls**

1. Where a residential dwelling is proposed with a double garage on a lot with a frontage equal to or greater than 10 metres and less than 12.5 metres (measured at the building line);
  - a. It must be in conjunction with a 2 storey dwelling.
  - b. It must be demonstrated that there is no loss of on street parking, site plans must show:
    - i. an unencumbered area within the property line for on-street parking;
    - ii. driveway crossover (minimum 4m for double garage); and
    - iii. 500mm driveway setback (minimum) from the side boundary and demonstrate no conflict with services as per Council's Design and Construction Specification – Access driveways.
2. The floor plan must include a habitable room overlooking the street with a balcony incorporated into the design of the front façade.
3. The balcony must cover at least 50% of the width of the dwelling.
4. The double garage must be recessed from the main building.
5. To break up the bulk of the facade, the balcony element must be of a different finish to the main dwelling.
6. The front entrance must be visible from the street.

7. Non-habitable rooms are discouraged from being located at the front of the dwelling (apart from the front entrance).

#### **4.2.11 Fencing**

##### **Objectives**

- a. To ensure boundary fencing is of a high quality and does not detract from the streetscape.
- b. To encourage the active use of front gardens through provision of secure areas.
- c. To ensure that rear and side fencing will assist in providing privacy to private open space areas.
- d. To ensure that fence height, location and design will not affect traffic and pedestrian visibility at intersections.

##### **Controls**

1. Front fencing must have a maximum height of 1.2m above ground level (existing) and must be open style incorporating pickets, slats, palings or the like or lattice style panels with a minimum aperture of 25mm (refer to Figure 4-6).
2. Front fences and walls are not to impede safe sight lines for traffic.
3. Fences on corner lots facing the secondary street frontage, must have a maximum height of 1.8m to a point which is a minimum of 2m behind the primary building line (refer to Figure 4-6) . Any fencing forward of this point must comply with control 1, having a maximum height of 1.2m and incorporating an open style design (refer to Figure 4-6). The location of corner lot fencing must be shown in the submitted site plan or landscape plan.
4. All other fencing must comply with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Details of any fencing which does not meet this criteria must be provided and assessed as part of a development application.

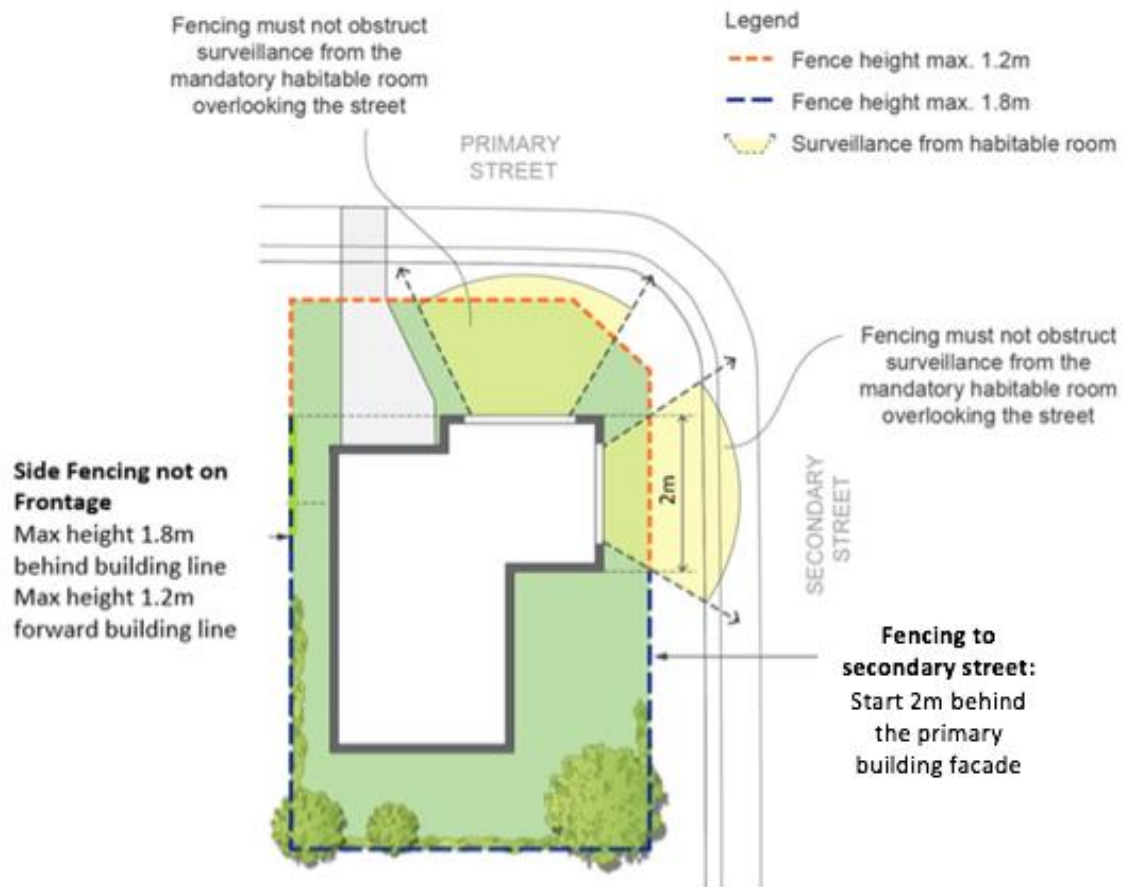


Figure 4-6: Fencing Controls

#### 4.2.12 Waste Storage Areas and Waste Collection Areas

##### Objectives

- a. To ensure efficient storage and collection of waste and quality design of facilities.
- b. To ensure that waste facilities are suitably located and designed so they do not detract from the streetscape and overall local amenity.

##### Controls

1. The number of bins to be provided must be calculated based on waste generation rates in Council's Waste Management Guidelines.
2. Waste storage and collection areas must be provided and shown on the landscape/architectural plans. Refer to Council's Waste Management Guidelines for more information.

3. Waste storage areas should be provided behind the main building line and must not be located inside garages.
4. Bin path of travel from storage to collection area must be smooth and unobstructed.
5. Waste bins should be presented at the front of the lot for collection.
6. In exceptional circumstances where waste bins cannot be presented at the front of the lot, Council may consider the provision of an alternate collection location within 50m of the lot boundary. Where alternate collection locations are proposed, the waste collection area:
  - a. should be a concrete waste bin pad/s (refer to Councils Waste Management Guideline for design requirements); and
  - b. must be designed to ensure that it does not detract from streetscape and local amenity.
7. For any proposed collection area:
  - a. the maximum number of bins to be presented together is 9 bins;
  - b. there must be no negative impacts on neighbouring properties, streetscape and/or local amenity; and
  - c. must not obstruct traffic flows on the road, vehicle entry to the property or pedestrian traffic in front of the property.



## 4.3 Secondary Dwellings

### Objectives

- a. To enable the development of a diversity of dwelling types;
- b. To contribute to the availability of affordable housing; and
- c. To promote innovative housing solutions that are compatible with the surrounding residential environment.

### Controls

1. Secondary dwellings must comply with the controls in Sections 4.2.1- 4.2.12 (General Residential Development Controls), except where the controls in this chapter differ, in which case the controls below prevail.
2. Site coverage of the principal dwelling, secondary dwelling and all ancillary development on a lot must not be more than 50% of the area of the lot,
3. Secondary dwellings must be designed to complement the design of the principal dwelling and be subservient to the principal dwelling in terms of visual bulk and scale.
4. Windows and private open spaces of secondary dwellings must not overlook the private open space of any adjacent dwellings.
5. No additional car parking or private open space area is required for secondary dwellings; however, provisions must be made for clothes drying facilities in a location with adequate solar access.
6. Any secondary dwelling must be setback behind the front building alignment of the principal dwelling.
7. The front entrance of a secondary dwelling may be located behind the primary street façade.
8. Internal fences separating the principal and secondary dwelling are not permitted.
9. Strata or Torrens title subdivision of secondary dwellings is not permitted.
10. The conversion of garages to a secondary dwelling may only be permitted if at least one car parking space is provided behind the front setback of the principal dwelling (in addition to one space in front of the building line)

## 4.4 Dual Occupancies and Semi Detached Dwellings

### Objectives

- a. Ensure dual occupancies and semi-detached dwellings are compatible with existing housing and do not adversely affect the local environment or the amenity of adjacent residents.
- b. Provide housing choice for the residents of the Camden LGA.

### Controls

1. Dual Occupancy and semi-detached dwelling development must comply with the controls in Sections 4.2.1- 4.2.12 (General Residential Development Controls), except where the controls in this section differ, in which case the controls in this chapter and Table 4.5 take precedence.
2. Dual occupancy and semi-detached development on corner lots must be designed to address both street frontages.
3. Each dwelling must provide a minimum storage area of 8m<sup>3</sup>. This space is to be provided exclusively for storage purposes and must be provided in addition to any garage space.
4. Mirror-reversed or replicated built form is not permitted. Forms of differentiation and interest must be provided to all dwellings.
5. The architectural treatment and building materials of both dwellings should be compatible.
6. Each dwelling should have a separate driveway.
7. Dual Occupancy development is not permitted on battle-axe lots.

**Note:** Dual occupancies and semi-detached dwellings are types of residential accommodation that are very similar in terms of built form (both consist of two dwellings). The distinction between the two is that dual occupancies are located on one lot of land and may only be strata subdivided, whereas semi-detached dwellings are located on their own lot of land (Torrens title). Accordingly, semi-detached dwellings are generally suitable for locations which have a smaller minimum lot size, and development consent must be sought for both semi-detached dwellings and Torrens title subdivision concurrently when lodging a development application in order to satisfy the CLEP definition.

Table 4-5: Controls for Dual Occupancies and Semi-Detached Dwellings

SITE REQUIREMENTS	
Lot size (min)	<p>≥600m<sup>2</sup></p> <p>For corner lots ≥800m<sup>2</sup></p>
<p>Lot width primary frontage (min)</p> <ul style="list-style-type: none"> <li>• For development where the dwellings are side by side</li> <li>• For development where one dwelling is directly behind the other (battle axe formation) –Figure 4-7</li> </ul>	<p>≥22m (at the building line)</p> <p>≥18m (at the building line)</p>
SETBACKS	
<p>Dual Occupancies</p> <p>Setbacks for Dual Occupancies where one dwelling is directly behind the other (battle axe formation)</p>	<p>Consistent with <b>4.2.4 Setbacks</b></p> <p>The setbacks for the rear dwelling in accordance with Figure 4-7.</p>
Secondary street setback (min)	≥4.5m
SITE COVERAGE	
Site coverage (max)	Single storey development - ≤60%
	Two storey development – ≤60% ground floor, ≤30% upper floor
GARAGE DESIGN	
Car parking Requirements	<p>1 car parking space for each dwelling with ≤2 bedrooms</p> <p>2 car parking spaces for each dwelling with ≥3 bedrooms</p>

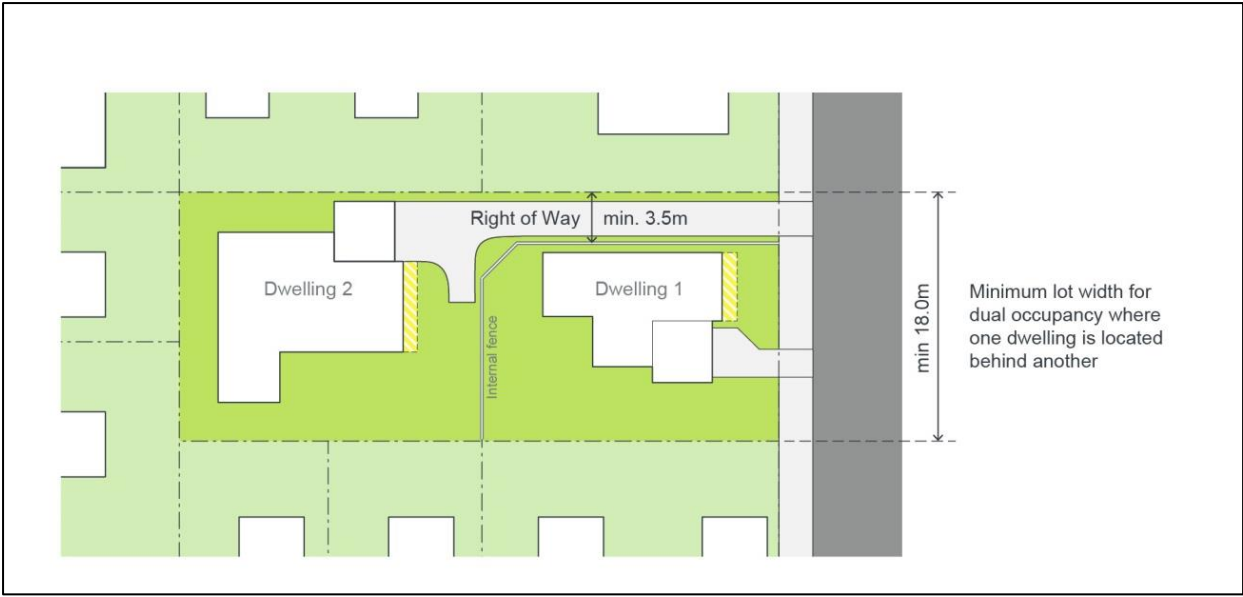


Figure 4-7: Dual Occupancy with 18 metre frontage

## 4.5 Attached Dwellings

### Objectives

- a. Encourage high quality residential developments which feature a high standard of urban design and provide a high level of amenity for residents;
- b. Ensure that development sites have sufficient site area to accommodate appropriate setbacks and open space areas, including areas for deep soil planting and natural site drainage;
- c. To ensure that each new dwelling provides a sufficient amount of storage for elements such as garden equipment and bicycles; and
- d. To ensure waste storage areas and waste collection areas are designed to be compatible with the streetscape, accessible, clean and safe for all users and collectors.

### Controls

1. Attached dwelling development must comply with the controls in Sections 4.2.1- 4.2.12 (General Residential Development Controls), except where the controls in this chapter differ, in which case the controls in this chapter and Table 4-6 take precedence.
2. Attached housing sites are to have direct frontage to a public road (i.e. not on battle-axe lots).
3. Subdivision of lots for Torrens title attached dwellings must take into account that construction will be in 'sets'. A 'set' is a group of attached dwellings built together at the same time that are designed and constructed independently from other dwellings.
4. The maximum number of attached dwellings permissible in a set is six.
5. The composition of sets needs to be determined in the subdivision design to take into account the lot width required for a side setback to the end dwellings in each set.
6. Attached dwellings should have a unified design for the whole development, a coordinated style and base colour palette. Individuality can be added as small details or accent colours, rather than strikingly different forms.
7. At least one habitable room is to be located at the front of each dwelling addressing the street and / or internal driveway.
8. PPOS must be directly accessible from the main living area.

9. Traffic calming measures should be provided to ensure a safer vehicle and pedestrian environment.
10. Driveways, manoeuvring areas, parking areas and garages are to be located away from bedrooms.
11. Internal driveways must be the smallest configuration possible while allowing for vehicle manoeuvrability and landscaping.
12. Internal driveways should avoid long gun barrel appearance. The alignment of driveways should:
  - a. be varied to avoid a straight gun barrel appearance, particularly when parking is at grade;  
and
  - b. be flanked by landscaped verges to soften development on either side.
13. Each dwelling must provide a minimum storage area of 8m<sup>3</sup>. This space is to be provided exclusively for storage purposes and must be provided in addition to any garage space.
14. Where possible, garages for attached dwellings should be located at the rear of the lot.

### **Image and legibility**

1. The proposed development should:
  - a. blend in with its surroundings and/or be in keeping with the character of the area.
  - b. be designed to be compatible with the streetscape and be attractive when viewed within the site.
  - c. create an appearance of a single or grouped dwellings that are separated by gardens and ancillary structures, with facades designed to incorporate a variety of materials and shading structures.
  - d. avoid repeating designs used in other developments, particularly those located in close proximity to the proposal. It is, however, recognised that there may be instances in a planned development where repetition of a design element is used to create a theme development. These proposals will be considered on the merit of the design. Forms of differentiation and interest are encouraged in all dwellings.

## Access and entries

1. The proposed development should:
  - a. minimise vehicular and pedestrian entry and exit points to the site.
  - b. provide a defined and well-lit pedestrian 'safe route' which can be clearly viewed by residents for passive surveillance.
  - c. consider site accessibility to people in wheelchairs and with lesser mobility.
2. The proposed development should be designed to comply with '[Safer By Design](#)' Guidelines.

## Waste Storage Areas and Collection

1. A detailed Waste Management Plan (WMP) must be submitted for the ongoing use of the site. A WMP must outline the waste that will be generated from the site, how the development proposes to manage the waste on site and collection.
2. Waste storage area/s must be provided for each dwelling in accordance with Section 4.2.12 Waste Storage Areas and Waste Collection Areas.
3. Bins must be presented kerbside, the total number of bins awaiting collection must not negatively impact on neighbouring properties, streetscape and/or local amenity. Where this control cannot be met, alternate collection locations may considered and must be compliant with the relevant provisions of Section 4.2.12 Waste Storage Areas and Waste Collection Areas (see control 6 and 7).

Table 4-6: Controls for Attached Dwellings

<b>SETBACKS</b>	
Front setback (min)	4.5m  or  In established areas, the front setback must be consistent with the prevailing setback established by adjacent development. The prevailing setback is calculated as being the average distance of the setbacks of the

	nearest two dwelling houses having a boundary with the same primary road.
Secondary street setback (min)	1.0m
Side setback	<p>Zero Lot or Attached Boundary</p> <p>Ground floor: 0m</p> <p>Upper floor: 0m</p> <p>Detached Boundary 0.9m</p> <p>If lot burdened by zero lot boundary side setback must be within easement: 0.9m (single storey zero wall)</p> <p>1.2m (double storey zero lot wall)</p>
Rear Lane setback (min)	<p>1m</p> <p>Can be reduced to 0.5m subject to the development demonstrating that it can facilitate waste collection.</p>
<b>SITE COVERAGE, LANDSCAPING AND PRINCIPAL PRIVATE OPEN SPACE</b>	
Site coverage (max)	Upper level no more than 35% of lot area
Landscaped Area (min)	Refer to 4.2.6 Landscaped Area
Principal private open space (PPOS) (min)	<p>16m<sup>2</sup> with a minimum dimension 4m</p> <p>or</p> <p>10m<sup>2</sup> with a minimum dimension of 2.5m as balconies</p>
<b>GARAGE DESIGN</b>	
Garage door width (min)	2.4m (single) and 4.8m (double)
Car parking Requirements	<p>1 car parking space for each dwelling with ≤2 bedrooms</p> <p>2 car parking spaces for each dwelling with ≥3 bedrooms</p>



## 4.6 Multi Dwelling Housing

### Objectives

- a. Encourage high quality residential developments which feature a high standard of urban design and provide a high level of amenity for residents;
- b. Ensure that development sites have sufficient site area to accommodate appropriate setbacks and open space areas, including areas for deep soil planting and natural site drainage;
- c. To ensure that each new dwelling provides a sufficient amount of storage for elements such as garden equipment and bicycles; and
- d. To ensure waste storage areas and waste collection areas are suitably located and designed to be compatible with the streetscape, accessible, clean and safe for all users and collectors.

### Controls

1. Multi dwelling housing must comply with the controls in Sections 4.2.1- 4.2.12 (General Residential Development Controls), except where the controls in this chapter differ, in which case the controls in this Chapter and Table 4-7 take precedence.
2. Multi-dwelling housing sites are to have direct frontage to a public road (i.e. not on battle-axe lots).
3. Multi dwelling housing should have a unified design for the whole development, a coordinated style and base colour palette. Individuality can be added as small details or accent colours, rather than strikingly different forms.
4. At least one habitable room is to be located at the front of each dwelling addressing the street and/or internal driveway.
5. PPOS must be directly accessible from the main living area (Figure 4-8).
6. PPOS is permitted within the front setback provided that:
  - a. the dwelling is of a two-storey construction which provides casual surveillance to the street from a first-floor balcony; and
  - b. the location of PPOS in the front setback is required to achieve compliant solar access.

7. Multi dwelling housing should provide a clear differentiation between private areas (open space, private front and side yard areas, private car parking spaces) and communal open space and car parking.
8. Controls for adaptable dwellings (requirement triggered by minimum number of dwellings in development located in 4.7 Residential flat buildings and shop top housing) also apply to multi-dwelling housing. Adaptable dwellings are preferably to be single level accommodation at ground level and be located on the street frontage.
9. Communal visitor and/or resident's parking areas should be located within view of residents to facilitate passive surveillance of these areas.
10. Traffic calming measures should be provided to ensure a safer vehicle and pedestrian environment.
11. Driveways, manoeuvring areas, parking areas and garages are to be located away from bedrooms.
12. Internal driveways must be the smallest configuration possible while allowing for vehicle manoeuvrability and landscaping.
13. Internal driveways should avoid long gun barrel appearance. The alignment of driveways should:
  - a. be varied to avoid a straight gun barrel appearance, particularly when parking is at grade; and
  - b. be flanked by landscaped verges to soften development on either side.
14. Each dwelling must provide a minimum storage area of 8m<sup>3</sup>. This space is to be provided exclusively for storage purposes and must be provided in addition to any garage space.

### **Image and legibility**

1. The proposed development should:
  - a. blend in with its surroundings and/or be in keeping with the character of the area.
  - b. be designed to be compatible with the streetscape and be attractive when viewed within the site.
  - c. create an appearance of a single or grouped dwellings that are separated by gardens and ancillary structures, with facades designed to incorporate a variety of materials and shading structures.

- d. avoid repeating designs used in other developments, particularly those located in close proximity to the proposal. It is, however, recognised that there may be instances in a planned development where repetition of a design element is used to create a theme development. These proposals will be considered on the merit of the design. Forms of differentiation and interest are encouraged in all dwellings.
- e. provide a clear differentiation between private areas (open space, private front and side yard areas, private car parking spaces) and communal open space and car parking.
- f. provide a minimum of 12m between front facades within the development so that the layout does not create gun-barrel vistas.
- g. clearly identify each unit, its entrance, visitor carparking to enable a visitor to easily understand the development's layout.

### **Access and entries**

1. The proposed development should:
  - a. minimise vehicular and pedestrian entry and exit points to the site.
  - b. provide a defined and well-lit pedestrian 'safe route' which can be clearly viewed by residents for passive surveillance.
  - c. consider site accessibility to people in wheelchairs and with lesser mobility.
  - d. The proposed development should be designed to comply with '[Safer By Design](#)' Guidelines.

### **Communal open space and landscaping**

1. A landscape plan is to be submitted with every application for multi dwelling housing.
2. Landscaping must take into account probable day and night use by residents, seating and the provision of shade. It should allow surveillance by residents i.e. the plants are either high (canopy trees) or low (ground covers).
3. Landscaping is to be provided to the side and rear boundary setback areas and along driveways to improve visual amenity.

4. If the area is fenced, the fence must be dark in colour and permeable to maximise passive surveillance of the area.
5. Communal open space landscaping must be designed to minimise water usage and maintenance requirements.
6. Communal open space should be provided in locations which help to retain existing trees wherever possible.

### **Waste Storage Areas and Collection**

1. A detailed Waste Management Plan (WMP) must be submitted for the ongoing use of the site. A WMP must outline the waste that will be generated from the site, how the development proposes to manage the waste on site and collection.
2. Bins must be presented kerbside for collection. The total number of bins awaiting collection must not exceed 50% of street frontage (driveways not included in street frontage). Variations to this control will be considered only if it can be demonstrated to Council's satisfaction that there are suitable arrangements for waste collection and no adverse impacts on neighbouring properties, streetscape and local amenity.
3. In exceptional circumstances where suitable arrangements for kerbside presentation cannot be practically achieved, Council may consider a collect and return service from an alternate collection point (may be either the communal waste storage area or a temporary bin holding area). The alternate collection point must:
  - a. be provided within 10m of the kerb;
  - b. be setback at least 3 metres from the front boundary;
  - c. be suitably screened or otherwise not visible from the street;
  - d. be a hardstand which is graded and drained appropriately to prevent pollution;
  - e. be designed as per Council's Waste Management Guideline;
  - f. enable a collect and return service to be provided conveniently and safely, via a concrete , unobstructed pathway with a minimum width of 1.6m between the temporary bin holding area and waste collection area;
  - g. allow for each bin to be readily accessed and manoeuvred in and out of the area (stacked bin arrangements are not acceptable);

- h. where the alternate collection point is a temporary bin holding area bins may be placed in this area no more than 24 hours prior to collection; and
  - i. have a floor area at least 20% larger than the size of the bins and/or equipment required.
- 4. Waste collection areas must not obstruct traffic flows on the road, vehicle entry to the property or pedestrian traffic in front of the property.
- 5. Where alternative collection arrangements are considered (i.e. collect and return service and alternate collection points), a communal waste storage area must be provided. Communal waste storage area must:
  - a. be suitably screened from the street frontage or otherwise not be visible from the street;
  - b. be well lit, built in accordance with the Building Code of Australia and well ventilated in accordance with AS 1668.4 (AS 1668.2 for buildings requiring mechanical ventilation)
  - c. have a smooth graded ground surface;
  - d. have a minimum ceiling height of 2.4m;
  - e. be protected from inclement weather conditions via a roof;
  - f. provide an external water tap adjacent to the storage area;
  - g. provide a drain in the bin storage area discharging to a sewer connection;
  - h. have doorways with a minimum width of 1.8m and unobstructed pathway with a minimum width of 1.6m between waste storage area and waste collection area;
  - i. allow for each bin to be readily accessed and manoeuvred in and out of the area (stacked bin arrangements are not acceptable);
  - j. have a floor area at least 50% larger than the size of the bins and/or equipment required; and
  - k. provide a minimum of 6m<sup>2</sup> additional floor space for bulky waste in the communal waste storage area.
- 6. Where a development is under a strata or community title the owners' corporation must take responsibility for the management of waste and recyclable materials generated upon the site as well as cleaning and maintenance of associated facilities. An ongoing waste management plan must be submitted to demonstrate that there are suitable arrangements in regards to the management, maintenance and cleaning of all waste/recycling management facilities.



Figure 4-8: Multi dwelling housing setbacks and PPOS

Table 4-7: Controls for Multi Dwelling Housing

SITE REQUIREMENTS	
Lot size (min)	1,500m <sup>2</sup>
Lot width primary frontage (min)	25m
SETBACKS	
Front setback (min)	4.5m

	<p>or</p> <p>In established areas, the front setback must be consistent with the prevailing setback established by adjacent development. The prevailing setback is calculated as being the average distance of the setbacks of the nearest two dwelling houses having a boundary with the same primary road.</p>
Secondary street setback (min)	2m
Side setback (min)	<p>Ground floor: 0.9m</p> <p>Upper floor: 4m</p>
Rear setback (min)	<p>Ground floor: 4m</p> <p>Upper floor: 6m</p>
<b>SITE COVERAGE, LANDSCAPING AND PRINCIPAL PRIVATE OPEN SPACE</b>	
Site coverage (max)	50%
Landscaped Area (min)	Refer to 4.2.6 Landscaped Area
Principal private open space (PPOS) (min)	<p>16m<sup>2</sup> with a minimum dimension of 4m at ground level</p> <p>or</p> <p>10m<sup>2</sup> with a minimum dimension of 2.5m as balconies.</p>
<b>GARAGE DESIGN</b>	
Garage door width (max)	Multi Dwelling Housing - 50% of front elevation of the width multi dwelling housing unit.
Car parking Requirements	<p>1 car parking space per dwelling, plus</p> <p>0.2 car parking spaces per 2-bedroom dwelling, plus</p> <p>0.5 car parking spaces per 3 or more-bedroom dwelling.</p> <p>1 visitor car parking space per 5 dwellings</p>

## 4.7 Large Lot Residential Areas (R5 Zones)

### Background

The Camden LGA features an R5 Large Lot Development residential zone which permits a specific type and density within the area. Dwelling houses within R5 zones must comply with the controls in Sections 2.1- 2.12, except where the controls in this chapter differ, in which case the controls in this chapter takes precedence.

### Objectives

- a. To provide controls for dwellings in R5 zones to ensure that it achieves a high standard of urban design and that it is compatible with the amenity and character of the R5 zone; and
- b. To provide a variety of attractive and cohesive streetscapes within the R5 zone.

Note: Additional objectives are listed in the detailed controls below.

### Unsewered Sites

#### Objective

- a. To ensure that unsewered sites are provided with appropriate effluent management.

#### Control

1. On unsewered sites, effluent and household waste water is to be disposed in accordance with Council's Sewage Management Strategy.

#### Setbacks

#### Controls

1. The general numerical setback requirements for dwellings in R5 development are listed in Table 4-8 below. These apply to all areas except where a specific setback control is provided for that area elsewhere in this DCP, or where a registered building envelope applies to the lot.
2. Notwithstanding the numerical setback requirements in Table 4-8, all setbacks must be consistent with the prevailing setback established by existing adjacent development to maintain the streetscape. The prevailing setback is calculated as being the average distance of the setbacks of the nearest two dwelling houses having a boundary with the same primary road.



3. Setbacks must be measured between the principal wall closest to the boundary and the boundary line, excluding any architectural building design element encroachments as permitted by this DCP.

Table 4-8: Dwelling Setback Controls for Large Lot Residential Lots

Front setback (min)	20m
Secondary setback	5m
Side setback	5m
Rear setback	5m

## Colours and Materials

### Objective

- a. To protect the rural setting by minimising impacts on environmentally sensitive locations and scenic quality.

### Control

1. Materials and colours for buildings (including ancillary structures) must adopt neutral / earthen colours such as tones or greys, grey-greens, blue-greys, browns or fawns. Bright colours, stark whites and blacks must be avoided.
2. Non-reflective materials for external use must be utilised.

## Fencing

### Objectives

- a. Ensure boundary fencing is of a high quality and constructed using materials and finishes which are consistent with the character of the locality and do not detract from the streetscape; and
- b. Permit appropriate fencing for the screening of courtyards and private open space areas.

## **Controls**

### **Front fences and dividing fences**

1. Front fences must have a maximum height of 1.5m and be of traditional picket, open post and wire, post and rail, or masonry utilising only brick or stone construction.
2. Dividing fences and returns to dividing fences must be a maximum of 1.5m in height and be open post and wire or post and rail in construction.
3. Front fences and dividing fences must be erected on the alignment of the common boundary of the land.
4. Front fences on corner lots must be designed to maintain adequate sight line distances for motorists.
5. Special feature entrances and special feature front fencing which does not comply with the above may be considered on a case-by-case basis and will be assessed on merit.
6. Continuous front and dividing fencing of masonry, paling, painted or unpainted or metal sheet, fibrous cement or the like in either part or full must not be used in the construction of a front fence or dividing fence.
7. Fences constructed over or adjacent to easements must include appropriate means of access (e.g. gates) to enable the servicing of the easements.
8. Fences constructed on land affected by drainage easements, watercourses or drainage waterways must be designed and constructed so as not to obstruct the free flow of stormwater.

### **Courtyard and screen fences**

1. Courtyard and screen fences must not be erected forward of the front building line.
2. On lots 4000m<sup>2</sup> or greater, courtyard and screen fences must not be erected within 3m of any side or rear boundary.
3. Courtyard and screen fences must have a maximum height of 2m.
4. Where courtyard and screen fences are constructed using painted, unpainted or metal sheet, the materials used must be a recognised fencing-grade product with a profile, design and colour which integrates with the surrounding development.

5. Courtyard fences which enclose a part or portion of the allotment of land must have a maximum internal area of 50m<sup>2</sup>.
6. The maximum length of any side of a court yard fence or screen fence must be 40 metres.
7. The exterior of all courtyard fences and screen fences must be provided with appropriate landscaping to minimise the impact on the adjoining premises and the area generally.

#### **Feature entrances and special feature front fencing**

1. Feature entrances and feature front fences are to be constructed of materials, and be a size, style and design to complement and be consistent with, the existing development on the site, are to impact minimally on the area generally.
2. Continuous brickwork incorporated in feature front fencing must be a maximum of 500mm above the natural ground surface beneath the fence.
3. Posts and/or columns incorporated in feature front fences must be maximum of 1.5 metres in height.
4. Fencing panels between the posts or columns in feature front fencing must be of the open, decorative type with the structure of the panel covering a maximum of 30% of the area of the panel.

## 4.8 Residential flat buildings and shop top housing

The controls in Sections 2.1- 2.12, do not apply to residential flat buildings and shop top housing, unless specifically referenced in the provisions that follow. The following clauses set out the controls for these types of housing. Additional controls for residential flat buildings and shop top housing may be contained in *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* (SEPP 65) or equivalent.

### Objective

- a. To establish a high quality residential environment where all dwellings have a good level of amenity;
- b. To encourage a variety of housing forms within residential areas; and
- c. To ensure the provision of housing that will, in its adaptable features, meet the access and mobility needs of any occupant.
- d. To ensure waste storage areas and waste collection areas are located and designed to be compatible with the streetscape, accessible, clean and safe for all users and collectors.

### Controls

1. All residential flat buildings and shop top housing are to be consistent with the design quality principles outlined in SEPP No. 65 and the objectives, design criteria and design guidance outlined in the Apartment Design Guide (or equivalent).
2. In addition to the controls in this section, the controls within Part 2 General Land Use Controls of this DCP must also be taken into consideration when preparing a development application for residential flat buildings.
3. Residential flat buildings are to be located on sites with a minimum street frontage of 30m and have direct frontage to an area of the public domain (including streets and public parks).
4. Residential flat buildings are not to adversely impact upon the existing or future amenity of any adjoining land upon which residential development is permitted with respect to overshadowing impact, privacy impact or visual impact.

5. A minimum of 10% of all residential flat building developments containing 10 dwellings or more, are to be designed to be capable of adaptation for access by people with all levels of mobility. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard ([AS 4299-1995](#)), which includes 'pre-adaptation' design details to ensure visitability is achieved.

Note The proportion of adaptable dwellings in a development should be rounded up to the nearest figure.

6. Where adaptable dwellings are proposed above the ground level, lift access must be provided. The lift access must provide access from the basement to allow access for people with disabilities.
7. The development application must be accompanied by certification from a suitably qualified (and experienced) Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995).
8. Car parking and garages allocated to adaptable dwellings must comply with the requirements of Australian Standards for disabled parking spaces.
9. The proposed development should be designed to comply with 'Safer By Design' Guidelines.
10. Each dwelling must be provided with a separate secure storage space of 8m<sup>3</sup>. This space is to be provided exclusively for storage purposes and must be provided in addition to any garage space.

### **Access and entries**

1. The proposed development should:
  - a. minimise vehicular entry and exit points to the site.
  - b. provide a defined and well-lit pedestrian 'safe route' which can be clearly viewed by residents for passive surveillance.
  - c. consider site accessibility to people in wheelchairs and with lesser mobility.

### **Building height, bulk and scale**

1. The maximum height of buildings is established by Clauses 4.3A, 4.3B and 4.3C of CLEP 2010 and the associated Height of Buildings Map.

2. Residential flat buildings may be designed with flat roof forms in order to maximise the number of storeys within a building. However, such buildings must feature a high level of architectural design and incorporate appropriate treatments to minimise the visual bulk and scale of the building.
3. Basement car parks that do not exceed more than 1m above natural ground level are not considered to be a storey.

### **Communal open space and landscaping**

1. Landscaping must take into account probable day and night use by residents, seating, shade and allows surveillance by residents i.e. the plants are either high (canopy trees) or low (ground covers).
2. If the area is fenced, the fence must be dark in colour and permeable to maximise passive surveillance of the area.
3. Communal open space landscaping must be designed to minimise water usage and maintenance requirements.
4. Communal open space should be provided in locations which help to retain existing trees wherever possible.
5. A landscape plan is to be submitted with every application for residential flat buildings.
6. Deep soil zones should adjoin the deep soil zones of neighbouring properties where possible to provide for a greater contiguous area of deep soil and vegetation. Additionally, deep soil zones should be designed and located around the existing retained vegetation on site.

### **Waste Management**

#### **General Requirements**

1. A detailed Waste Management Plan (WMP) must be submitted for the ongoing use of the site. A WMP must outline the waste that will be generated from the site, how the development proposes to manage the waste on site and collection.
  - a. The site plan and floor layout plans submitted with a development application must show:
  - b. the location of waste service rooms, including chutes;
  - c. the location of bin storage area/s;
  - d. the location of bin holding area including stacked arrangements;
  - e. the location of bulky waste holding area/s;
  - f. all bins required by the development;

- g. an identified collection point for the collection and emptying of the waste; and
  - h. the path of travel for moving bins from the storage area to the bin holding area (if collection is to occur away from the storage area). The path of travel must be free of steps and kerbs and provide a 1:30 gradient to ensure safe transfer of the bins from the storage area to the collection point.
2. A swept path analysis must be prepared by a suitably qualified professional in accordance with AS2890.2. It must be demonstrated that a Heavy Rigid Vehicle:
- a. perform collections in a safe manner;
  - b. can enter, manoeuvre and exit the site in a forward direction where onsite collection is proposed; and
  - c. is provided with adequate height and width clearance to safely access the site where onsite collection is proposed.

### **Waste Collection**

1. All development must provide onsite collection via a dedicated waste collection point (See Councils Waste Guideline for design requirements). Dedicated waste collection point must include:
- a. a loading dock or similar with adequate space for Councils waste vehicle including servicing requirements;
  - b. waste vehicles must not impede access to, within or from the site for other users;
  - c. a waste holding room adjacent to the loading dock/ truck standing area for the storage of all bins prior to collection. Waste holding room must have a floor area at least 20% larger than the size of the bins. Bins must not be placed in stacks more than 4 deep, or in such a way as to restrict access to and movement by collectors;

- d. a bulky waste holding area adjacent to the dedicated waste collection area that is sufficiently sized and consistent with bin storage provisions below;
  - e. the necessary allowances for a Heavy Rigid Vehicle throughout the vehicle's entire onsite path of travel as per AS2890.2. HRV must be able to enter and exit the site in a forward direction, reversing of a heavy rigid waste vehicle onsite must only be done in the vicinity of a turning bay;
  - f. a method to limit vehicular and pedestrian access to the loading dock and collection area;
  - g. developments may require a bin tug device or a goods hoist where bin storage and waste collection areas are on different levels or not within close proximity to each other; and
  - h. where underground collection is proposed dedicated waste collection point must be located within the first level of the basement. Maximum grade of ramps and driveway throughout waste vehicles path of travel is to be 1:6.5 (15.4%) and minimum ramp width is to be 6.2m.
2. In exceptional circumstances where suitable arrangements for onsite collection cannot be practically achieved, Council may consider kerbside collection or a collect and return service for smaller developments which propose a maximum of 24 dwellings. The development must comply with the provisions of Chapter 4.6 Multi Dwelling Housing for kerbside collection or collect and return service.
  3. Where a Council vehicle is required to manoeuvre on private property, an Indemnity Agreement must be entered into with Council prior to the issue of the Occupation Certificate.

### **Bin Storage**

1. Bin storage area/s must be provided within each development. Refer to *Council's Waste Guidelines* for design requirements. Bin storage area/s must:
  - a. be suitably screened from the street frontage or otherwise not be visible from the street;
  - b. be well lit, built in accordance with the Building Code of Australia and well ventilated in accordance with AS 1668.4 (AS 1668.2 for buildings requiring mechanical ventilation)
  - c. have a smooth graded ground surface;
  - d. have a minimum ceiling height of 2.4m;
  - e. provide a water tap adjacent to the storage area;



- f. provide a drain in the bin storage area discharging to a sewer connection;
  - g. have doorways with a minimum width of 1.8m and pathway with a minimum width of 1.6m between waste storage area and waste collection area;
  - h. be sealed sufficiently to prevent vermin;
  - i. provide for storage for all bins required, refer to Councils Waste Management Guideline for waste generation rates and bin requirements;
  - j. have a floor area at least 50% larger than the size of the bins and/or equipment; and
  - k. in cases where chute systems are not used, be located in a convenient location that is accessible to all residents; and
  - l. in cases where chute systems are installed, chutes must discharge into the bin storage area and access to this area must be restricted.
2. Bulky waste storage area/s must be provided within each development (refer to *Councils Waste Guideline* for design requirements). Bulky waste storage area/s must:
- a. be sized as below:

<b>6-20 Units</b>	Minimum of 6m <sup>2</sup>
<b>20+ Units</b>	6m <sup>2</sup> for every 20 units (maximum of 24 m <sup>2</sup> ).

- 3. Where the development is four storeys or more it must be provided with a garbage and recycling chute system. E-diverters are not permitted. Refer to Council's Waste Management Guidelines for design requirements.
- 4. Council will consider the provision of 240L recycling bins as an alternative to recycling chutes. 240L bins must be mechanically decanted into 660L or 1100L bins in all developments with more than 90 residential dwellings.
- 5. Where the development is four storeys or more, it must provide waste service rooms within each level of the development (Refer to *Council's Waste Management Guidelines* for design requirements). Waste service rooms must:

- a. contain all bins and where relevant, chute inlets;
  - b. be adequately sized to accommodate councils waste bins (where required) and account for any fluctuations in waste generation;
  - c. be located in an accessible location that is convenient to all relevant residents; and
  - d. have its floors, walls and ceilings finished with smooth impervious materials that are capable of being easily cleaned.
6. Residential waste and non-residential waste must be stored and managed separately and must be able to operate concurrently without conflict. Residential waste must comply with the provisions under this Section and non-residential waste must comply with the relevant provisions under Section 5.2 General Controls Applying to all Business Zones.
  7. The owners' corporation must take responsibility for the management of waste and recyclable materials generated upon the site. An ongoing waste management plan must be submitted to demonstrate that there are suitable arrangements in place regarding the management, maintenance and cleaning of all waste/recycling management facilities.

Please refer to Councils Waste Management Guideline which will assist in determining:

- The requirements of waste storage in residential flat buildings;
- The requirements for waste collection in residential flat buildings;
- The dimensions and specifications of all waste handling areas.

Note: Shop top housing over two stories are to be assessed against the Residential Flat Building Controls

#### Further Information

*State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development Low Rise Medium Density Design Guide for Development Applications*

Table 4-9: Key controls for residential flat buildings and shop top housing

SITE REQUIREMENTS	Shop top housing	Residential flat buildings
Lot size (min)	On Merit	1,000m <sup>2</sup>
Lot width primary frontage (min)	On Merit	30m

<b>SITE REQUIREMENTS</b>	<b>Shop top housing</b>	<b>Residential flat buildings</b>
<b>SETBACKS</b>		
Front setback (minimum)	As per the existing street setback	6m
Front setback encroachments	No	Balconies and other articulation may encroach into the setback to a maximum of 4.5m from the boundary for the first 3 storeys, and for a maximum of 50% of the façade length.
Secondary street setback (min)	3m	6m
Side Setback (min)	2m	3m
Rear setback (min)	6m	6m
Site coverage (max)	50% or site area	50% or site area
Landscaped Area (min)	30% of site area	30% of site area
Communal open space	Refer to Apartment Design Guideline or equivalent	Refer to Apartment Design Guideline or equivalent
Principal private open space (PPOS) (min)	Refer to Apartment Design Guideline or equivalent	Refer to Apartment Design Guideline or equivalent
<b>GARAGE DESIGN</b>		
Garage dominance	N/A	A maximum of two garage doors per 20m of lot frontage facing any one street frontage.
Car parking Requirements	<p>1-2 bedrooms: 1 space (min)</p> <p>3 bedrooms or more: 2 spaces (min) – may be provided in a ‘stack parking’ configuration.</p> <p>Garages to be set back 1m behind the building line</p>	<p>1 car parking space per dwelling, plus</p> <p>0.2 car parking spaces per 2-bedroom dwelling, plus</p> <p>0.5 car parking spaces per 3 or more-bedroom dwelling.</p> <p>1 visitor car parking space per 5 dwellings</p> <p>Bicycle parking spaces: 1 per 3 dwellings</p>

## 4.9 Seniors Housing

### Objectives

- a. To ensure that the design of seniors housing is consistent with the character of surrounding residential areas.

### Controls

1. Applications for seniors housing are to comply with the controls within **Section 4.5** of this DCP for multi-dwelling housing or controls for residential flat buildings in **Section 4.7**, as appropriate to the proposed development.

Note: SEPP (Housing for Seniors or People with a Disability) 2004 is the primary environmental planning instrument controlling seniors housing. Applicants considering development of this kind should refer to that SEPP for specific controls and to determine the permissibility of seniors housing.

## 4.10 Outbuildings

### Objectives

- a. Ensure outbuildings in the residential zones and environmental living zones are appropriately sited and designed to minimise impacts on adjoining properties, the streetscape and the character of the locality;
- b. Ensure the visual impact of the outbuilding is minimized and integrated into the existing surrounding environment;
- c. Preserve the existing natural vegetation on site.

### Controls

The following controls apply to outbuildings in the E4, R1, R2, R3 and R5 zones.

1. Outbuildings should be sited to retain existing vegetation on site and in a location where the future growth of vegetation can be retained and protected.
2. Unless otherwise approved by Council, the use of the outbuilding must be of domestic storage and hobby use only, which is ancillary to the use of the dwelling on the site.
3. Outbuildings should be sited so as they are not to encroach or impact on any existing service infrastructure, onsite sewerage management systems and associated effluent areas.

## Site Requirements

1. The floor area of an outbuilding on a lot must not be more than the following:
  - 36m<sup>2</sup>, if the lot has an area of less than 300m<sup>2</sup>;
  - 45m<sup>2</sup>, if the lot has an area of 300m<sup>2</sup> but less than 600m<sup>2</sup>;
  - 60m<sup>2</sup>, if the lot has an area of 600m<sup>2</sup> but less than 900m<sup>2</sup>;
  - 100m<sup>2</sup>, if the lot has an area of at least 900m<sup>2</sup>.
2. The maximum height of an outbuilding or alterations and additions to an existing outbuilding must not be more than 4.8m above ground level (existing)
3. Despite sub clause (5) above, a one storey structure with an attic above is permissible provided the height does not exceed 5.4m and amenity to adjacent sites is maintained and the roof pitch, of the building, must not exceed 45 degrees.
4. Despite sub-clauses 5 and 6 the maximum height of an outbuilding or alterations and additions to an existing outbuilding must not be more than 4.5m above ground level (existing) for 121 Raby Road, Leppington.
5. Stormwater discharge must be disposed of solely within the property boundary without causing any nuisance to the adjacent properties.
6. For outbuildings greater than 20m<sup>2</sup> in floor area, stormwater must be collected and discharged to:
  - Existing onsite stormwater lines; or
  - To a collection tank with an overflow connected to the existing onsite stormwater lines.
  - Absorption trenches or existing watercourse as deemed suitable by Council.
7. All outbuildings must comply with the cut and fill requirements within Part 4 of this DCP.

## Setbacks

1. All outbuildings must be planned and organized in a group and must be located behind the building line, so it is predominantly hidden from view from the public domain.
2. All outbuildings must comply with the relevant outbuilding setback provisions within *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
3. Greater setbacks may be required to minimize any adverse impacts on the amenity of adjoining residents due to the proposed use of the outbuilding.

## Building Design and Style

1. The roof pitch for any outbuilding must not exceed 36 degrees.
2. The external wall cladding of outbuildings should be of masonry, metal sheet or other approved material which is compatible with the surrounding development in terms of profile, colour and finish.
3. The roof cladding of outbuildings should be of tiles, metal sheet or other approved material which is compatible with the surrounding development in terms of profile, colour and finish.
4. The colours of roof and wall cladding should generally be of low reflective natural earth and vegetation tones.

NOTE: The external materials should be constructed of non-combustible materials if the outbuilding is located on bush fire prone land.

**-End of Part-**

 70 Central Ave,  
Oran Park NSW 2570

 [mail@camden.nsw.gov.au](mailto:mail@camden.nsw.gov.au)

 PO Box 183, Camden 2570

 [camden.nsw.gov.au](http://camden.nsw.gov.au)

 4654 7777

 [www.facebook.com/camdencouncil](https://www.facebook.com/camdencouncil)

 ABN: 31 117 341 764



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