

# 3

## RESIDENTIAL DEVELOPMENT



## **RESIDENTIAL DEVELOPMENT**

### **3.1 Introduction**

This chapter of the *Inverell Development Control Plan 2013* (IDCP) applies to all forms of residential accommodation including structures ancillary to residential accommodation (eg garages, carports, shed, etc) within the Inverell Local Government Area (LGA) for which a Development Application is required.

It is important to note that dwellings compliant with the provisions expressed in the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* ("the Codes SEPP") can be approved as 'Complying Development' and therefore exempt from the provisions of the IDCP. Any proposed residential development not compliant with the Codes SEPP will require a Development Application and be subject to the provisions of the IDCP.

*'Residential accommodation'* has the same meaning as that in the ILEP being *a building or place used predominantly as a place of residence, and includes attached dwellings, boarding houses, dual occupancies (attached or detached), dwelling houses, group homes, hostels, multi dwelling housing, residential flat buildings, rural workers dwellings, secondary dwellings, semi-detached dwellings, seniors housing and shop top housing.*

### **3.2 Intent**

The overall purpose of the requirements in this chapter is to create well-designed and liveable residential environments for current and future residents of the Shire.

### **3.3 Site Analysis**

#### **Outcome**

- To ensure applicants undertake appropriate site analysis prior to considering the design of residential development.

#### **Acceptable Solution**

- Residential designs must have regard to the following:
  - Slope and orientation of land;
  - Hazards such as flooding, bushfire, unstable ground conditions and soil erosion;
  - Known or likely contamination from past land uses;
  - Opportunities for solar and daylight access to future development;
  - Design access ways and individual site access;
  - Retention of special qualities or features such as trees and views;
  - Availability of utilities;
  - Provision of adequate stormwater drainage;
  - Heritage Items and Heritage Conservation Areas;
  - Aboriginal Heritage; and
  - Relevant development standards such as setbacks, car parking, landscaping etc.

*Note: In certain cases there may be a requirement to provide a Site Analysis Plan. The requirements for a Site Analysis Plan are included in Council's Development Application Guide for Building, Development and Subdivision.*

### **3.4 Neighbourhood Character**

#### **Outcome**

- To ensure that new development is consistent and compatible with the established neighbourhood and nearby land uses.

#### **Acceptable Solution**

- Proposals are to be designed to avoid or minimise land use conflict with neighbouring lands.
- The density of proposals in the R1 General Residential and/or RU5 Village zones at the interface with the R5 Large Lot Residential and/or RU1 Primary Production zones must be varied to provide a transition from higher to lower residential density.
- Proposals in rural or rural residential settings are to be consistent with, and not dominate, the rural landscape.



### 3.5 Streetscape

#### Outcome

- To ensure residential design makes a positive contribution to the streetscape.

#### Acceptable Solution

- Proposals are to be compatible with the existing bulk, form and scale of the surrounding streetscape.
- Garages should not exceed 50% of the primary frontage at the building line.
- Development with laneway frontage must comply with 5.8 of the IDCP.

#### Single Dwelling – R1 General Residential and RU5 Village Zones

- Dwellings should 'face' the primary frontage.
- Façades facing the primary or secondary frontage should be provided with articulation by including openings such as windows and doors.

#### Dual Occupancy – R1 General Residential and RU5 Village Zones

- Dual occupancy proposals on the corner of two public roads (not including lanes) should be designed to present to and provide vehicle access from alternate street frontages, unless one street is a major road where both dwellings must be accessed from the lesser street frontage.

#### Multi-Dwelling Housing and Residential Flat Buildings

- Where a proposal contains three or more dwellings, the dwelling closest to the street frontage must be orientated to and 'face' that frontage.

### 3.6 Density

#### Outcome

- To achieve orderly and well-designed development that is consistent with the desired density of the neighbourhood.

#### Acceptable Solution

##### General

- The minimum lot size (MLS) permissible for the construction of a dwelling varies across the Shire. These different lot sizes are expressed on the Lot Size Maps in the ILEP. Where no MLS is expressed, Council will consider proposals on merit which is based on compliance with the other requirements expressed in this chapter.

#### Single Dwelling – R1 General Residential and RU5 Village Zones

- The maximum site coverage for dwellings in the R1 General Residential and RU5 Village zones should not exceed 60% of the lot.

#### Dual Occupancy Development

- An attached dual occupancy in the R1 General Residential and RU5 Village zones should be located on a lot with a minimum area of 450m<sup>2</sup>.
- A detached dual occupancy in the R1 General Residential and RU5 Village zones should be located on a lot with a minimum area of 600m<sup>2</sup>.
- A dual occupancy located on a battle-axe lot must have a minimum access handle width of 6 metres.
- The maximum site coverage for a dual occupancy in the R1 General Residential and RU5 Village zones should not exceed 60% of the lot.



### Multi-Dwelling Housing and Residential Flat Buildings

- Multi-dwelling housing and residential flat buildings should be developed at a density of 300m<sup>2</sup> per dwelling (eg a 900m<sup>2</sup> lot would allow three dwellings).
- Multi-dwelling housing and residential flat buildings are not encouraged on battle-axe lots.

## 3.7 Building Height

### Outcome

- To ensure that buildings minimise impacts on adjoining properties from overshadowing, overlooking and excessive bulk and scale.
- Generally buildings should not exceed two storeys.

### Acceptable Solution

- Demonstration, to Council's satisfaction, that that the erection of a building would not:
  - Detrimentially increase the overshadowing of adjoining properties;
  - Significantly obstruct views from adjacent buildings and public places; or
  - Have an adverse impact on the scenic or landscape quality of the locality.

## 3.8 Setbacks

### Outcome

- To maintain the existing character in residential areas and attractive streetscapes through consistency in setbacks.

### Acceptable Solution

- In established residential areas (infill development) the front setback should generally be consistent with the established setback/building line of adjoining buildings.
- The setback to a secondary frontage or a laneway frontage may be reduced in certain cases where the dwelling/building does not face that frontage.

	Dwelling / Dual Occupancy		1 Storey Multi Dwelling Housing / Residential Flat Building		2+ Storey Multi Dwelling Housing / Residential Flat Building		Other	
	Front	Side/Rear	Front	Side/Rear	Front	Side/Rear	Front	Side/Rear
<u>RU1</u>	20m	10m	N/A	N/A	N/A	N/A	Merit	Merit
<u>RU5</u>	6m	BCA	6m	BCA	6m	2m	Merit	Merit
<u>R1</u>	4.5m 5.5m to garage	BCA	4.5m 5.5m to garage	BCA	4.5m 5.5m to garage	2m	Merit	Merit
<u>R5</u>	15m	4m	N/A	N/A	N/A	N/A	Merit	Merit
<u>E3</u>	20m	10m	N/A	N/A	N/A	N/A	Merit	Merit
<u>E4</u>	Merit	Merit	N/A	N/A	N/A	N/A	Merit	Merit

*Note: There may also be other factors that will influence appropriate setbacks including the other requirements contained in Chapter 3.*

## 3.9 Private Open Space

### Outcome

- To provide private outdoor open space for residents that is practical, usable and enhances amenity.

### Acceptable Solution

- Private open space (ie space that is not visible at ground level from a public place or adjoining property) with a minimum dimension of 4m x 5m exclusive of clothes lines, water tanks, etc. is to be provided for a dwelling.
- Private open space should be practical and usable with a gradient no steeper than 1 in 10.



- The private open space is to be appropriately located and accessible from an internal living area (lounge room, kitchen etc) of the dwelling.
- Where the internal living area of the dwelling is on a storey above ground level, in addition to private open space (at ground level), a balcony directly accessible from the internal living area, with a minimum area of 10m<sup>2</sup> and a minimum width of 2m, is to be provided.

*Note: Refer to Clause 3.11 for requirements relating to solar access.*

### 3.10 Privacy and Amenity

#### Outcome

- To protect privacy and amenity of neighbouring properties and to ensure privacy and amenity within a development.

#### Acceptable Solution

- Internal living areas and private open space should be appropriately located to prevent overlooking from internal living areas and private open space of adjoining dwellings.
- Balconies should be located, designed and screened to prevent overlooking of adjoining properties living areas and private open space.
- External lighting shall be baffled so there is no light spillage onto adjoining properties.
- Privacy screens (if required) should have:
  - A minimum height 1.5m above floor level;
  - No individual opening more than 30mm wide; and
  - A total area of all openings no greater than 30% of the screen area.

#### Multi Dwelling Housing and Residential Flat Buildings

- Dwellings must be designed so that their main entrance doors, and windows of internal living areas, are not directly opposite without suitable measures in place in respect of privacy of the dwellings.
- Bedrooms should be located no less than three metres away from laneways, shared driveways and parking areas.

### 3.11 Solar Access

#### Outcome

- To ensure buildings and private open space areas are designed to meet user requirements for daylight access and promote energy efficiency.

#### Acceptable Solution

- Internal living areas and private open space should be located on the northern side of a development where practicable. 'Northern orientation' means a point between northwest and east without obstruction (within the property) apart from privacy or boundary fencing.
- Buildings must be designed to ensure internal living areas and private open space of adjoining residences and the proposed buildings maintain at least three hours direct sunlight between 9am and 3pm at the Winter Solstice (21<sup>st</sup> June). Shadow diagrams may be required to demonstrate this requirement can be achieved.

*Note: Refer to Clause 3.9 for requirements relating to private open space.*

### 3.12 Access & Parking

#### Outcome

- To ensure that sufficient access and on-site parking is provided for residents and their visitors.

#### Acceptable Solution

- Refer to Chapter 5 for Council requirements for car parking.
- Residential development with laneway frontage must comply with section 5.8 of the IDCP.



### 3.13 Utilities

#### Outcome

- To ensure residential development considers the location of, and the availability of, utility services.

#### Acceptable Solution

- Buildings and structures are to be located clear of utility infrastructure.
- Buildings and structures are to be located a minimum of 1m or the equivalent invert depth from the centre-line of a sewer main.
- Details of the proposed effluent disposal, water supply, provision of electricity and telecommunications are to be provided.
- Where reticulated water supply is not available in a rural situation, minimum tank storage of 45,000 litres should be provided.

### 3.14 Stormwater Drainage

#### Outcome

- To responsibly manage the collection and disposal of stormwater from development.
- To protect the quality of receiving waters.
- To ensure stormwater from development does not adversely impact on adjoining lands.

#### Acceptable Solution

- Stormwater for residential development must be designed to operate under a gravity system.
- Stormwater should be discharged (via a rainwater tank if applicable) to a street gutter, table drain or formal easement. Where this is not possible on-site stormwater detention may be required.
- Inter-allotment drainage is to be provided where considered necessary by Council.
- A stormwater concept plan should be submitted with a development application to Council.

*Note: Larger residential developments may require plans and stormwater calculations prepared by a suitably qualified consultant.*

### 3.15 Landscaping

#### Outcome

- To reduce the visual impact of hard stand areas and to maintain and enhance existing streetscape and landscape character.
- To preserve significant trees and landscape elements.

#### Acceptable Solution

- Hard stand area, driveways and pedestrian paths forward of the building line should be kept to a minimum with the areas not used for this purpose having a surface comprised of lawn and/or gardens.
- Existing mature trees should be retained and incorporated in the development wherever possible.
- Wherever possible native plant species, indigenous to the area, are to be utilised in landscaping with preference given to drought tolerant species.

#### Dual Occupancies, Multi Dwelling Housing and Residential Flat Buildings

- Where a vehicular access is located adjacent to a side boundary, the access is to be separated from the fence by a minimum 1m wide landscaping strip. This strip should be densely planted with shrubs (mature height of around 1.5m) and groundcovers.
- In addition to lawns, other soft landscaping (ie gardens, plantings etc) are to be incorporated in the development, particularly in common areas or areas visible to the public.
- A Landscape Plan should be submitted with any development application for consideration by Council. This should include the site features, hardstand areas, fencing treatment, number and type of plant species, and planting locations.



### 3.16 Site Facilities

#### Outcome

- To ensure site facilities do not detract from the aesthetics of the building or residential amenity.

#### Acceptable Solution

- Clothes drying facilities are to be provided at the rear of a site or adequately screened from public view.
- The mail box design and location should be complementary to the front setback, landscaping and the dwelling design.
- If a common bin storage area is proposed, it must be located in a screened enclosure accessible to all dwellings.
- A clearly visible street number or rural address number is to be provided at the front of the dwelling or each unit.

### 3.17 Earthworks

#### Outcome

- To ensure disturbance to the soil is minimised.

#### Acceptable Solution

- Proposals should be designed taking into consideration the natural topography and to minimise the development footprint and amount of earthworks required.

### 3.18 Security

#### Outcome

- To ensure residential development is designed to enhance personal safety and minimise the potential for fear, crime and vandalism.

#### Acceptable Solution

- The design of dwellings should enable residents to survey streets and public areas. Dwelling entries should enable surveillance of the neighbourhood to take place.

#### Multi Dwelling Housing and Residential Flat Buildings

- All paths, access ways, parking areas and building entries should be designed to allow passive surveillance and provide security lighting.
- Landscaping must not provide opportunity for concealment or decrease surveillance.

### 3.19 Ancillary Development

#### Outcome

- To ensure ancillary development does not detract from the amenity of neighbouring properties or the streetscape.

#### Acceptable Solution

- Water storage tanks are to be located below the ground or behind the front setback of the building and suitably screened where visible from the street or other public place.
- Ancillary structures should not be located between the dwelling and the primary street frontage.
- Swimming pools including fencing must be located behind the building line.

