

1. RESIDENTIAL DEVELOPMENT

This plan, which may be cited as "Dungog Development Control Plan No. 1" - Residential Development, constitutes a Development Control Plan as provided for by Section 72 of the Environmental Planning and Assessment Act, 1979.

This policy shall apply to all development consents and building approvals relating to the erection of, or additions or alterations to, or use of residential development within the Dungog Shire, and shall include:

- Dwelling houses;
- Residential flat buildings;
- Group dwelling developments, including home units, villa homes, town houses, cluster housing and the like;
- Dual occupancies;
- Hotels, motels, hostels and boarding-houses;
- Rural tourist facilities containing accommodation;
- Bed and breakfast establishments;
- Holiday cabins;
- Residential parks;
- Caravan parks and camping grounds;
- Swimming pools;

and any other form of residential accommodation whether for long or short-term occupation.

1.1 AIM

- To promote residential development, including tourist accommodation, which is of a high design standard and which is sensitive to and enhances the physical environment and the social fabric particular to Dungog Shire.
- To accommodate a variety of residential forms to reflect the growing diversity of household types and incomes, lifestyles and tourist needs.
- To encourage infill residential development which is compatible with the existing character and which enhances its surroundings.
- To optimise the provision of infrastructure services in the most efficient and effective manner.
- To ensure adequate access for the disabled, particularly to medium density and non-private residential accommodation.
- To provide clear guidelines for residential development in the Dungog Local Government Area
- To ensure that residential development does not adversely effect the amenity of the locality
- To ensure that residential development meets the expectations of the community and provides health and safety in housing.

- To ensure that development is in keeping with adjacent and surrounding properties and does not detract from development in the locality
- To encourage energy efficient design in residential development

1.2 BUILDING HEIGHT PLANE

The building height plane, in combination with building height limits prescribed in the current instruments, forms the maximum building envelope for all residential development except as provided in clause 2.1 Exemptions.

Council's objectives in this regard are to ensure that a residential development will not significantly:

- (a) increase the overshadowing of adjoining properties;
- (b) reduce the level of privacy enjoyed by adjoining properties or;
- (c) obstruct views from adjacent existing buildings,

and that the occupants of the building or buildings will enjoy the optimum use of winter sunlight and summer shade.

In this clause, a reference to a building or development includes any point on the external walls of the building, but may exclude climate control elements which are of an open character and form part of the landscape treatment of the building. Pergolas, verandahs and lattice walls are examples of such elements.

1.2.1 EXEMPTIONS

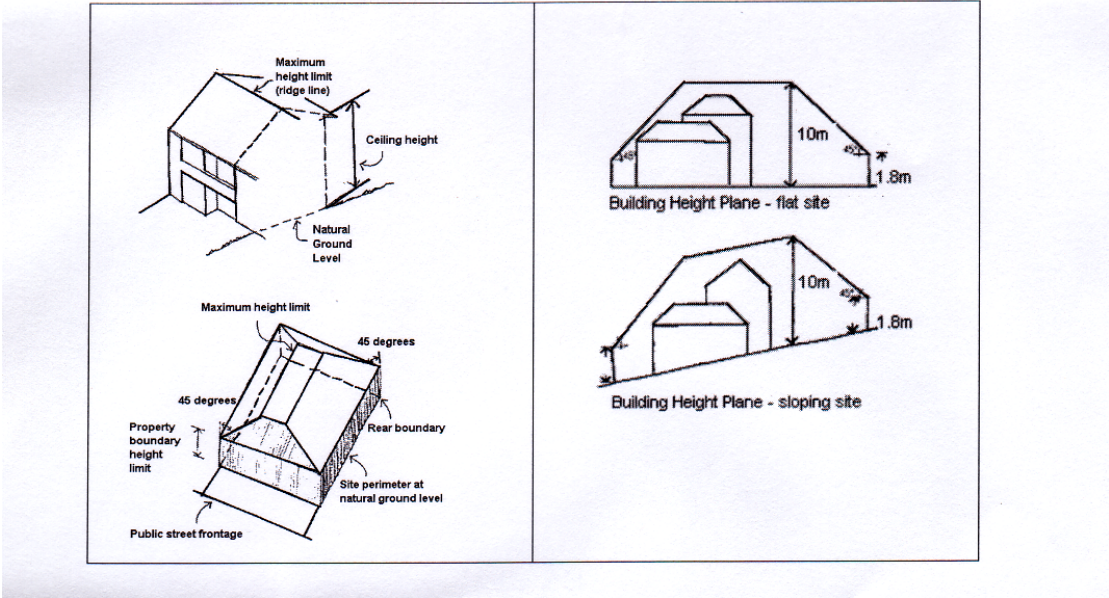
For single dwelling houses the building height plan will be applied only in relation to western and southern boundaries or those boundaries which face nearest to east and north.

An exemption from the building height plane may also be considered in relation to one or more boundaries, in the following circumstances:

- (a) where clear advantages are achieved in other aspects of the design;
- (b) on an existing narrow allotment; or
- (c) where the floor level is required to be significantly above ground level for the purpose of flood protection in a locality.

Building height planes in residential zones shall comply with Council's Energy Smart Homes Policy for solar access or an envelope that extends vertically from natural ground level at 1.8m and projected from that point 45 degrees to the centre of the lot, the height plane at any point inside the envelope shall not exceed 9m above the natural ground level. Note the building height planes shall follow the natural ground slope. The Building Height Plane may require modification in the event that solar access to an adjoining property is detrimentally affected. See figure 1.

Figure 1 Building Height Plane



1.3 SET BACKS

Building line set backs vary depending on the property location, solar access requirements and Council set back requirements. **For further information please refer to Section 5 – Building line setbacks, of this DCP.**

1.4 WATER SUPPLY

Council encourages the installation of water tanks on existing buildings (please note that any water tanks within 900mm of the property boundary must be non-combustible).

Where the land is serviced by Council's reticulated water supply the development shall be connected to the service at the applicant's expense.

Where the land is not serviced by a reticulated water supply the development is to be provided with a minimum of 20,000 litres of stored water. If the development is on rural land the development is to be proved with an additional 22,500 litres of stored water in a non-combustible tank fitted with a 65mm storz coupling for fire fighting purposes.

All residential developments are subject to BASIX requirements which may require additional water storage.

1.5 SEWERAGE

Where that land is serviced by Council's reticulated sewer, the development is to be connected to the service at the applicant's expense. Note headworks and water demand charges may apply.

Where the land is not serviced by reticulated sewer, the development is to be serviced by an approved on-site sewerage management facility. Council's Department of Environmental Services should be contacted regarding on-site effluent disposal requirements. Applications

for sewerage management facilities must be lodged prior to or in conjunction with residential development applications.

1.6 PROPERTY ACCESS

Property access is to be provided in accordance with Council's Engineering requirements.

Access to rural properties must comply with the requirements of the latest relevant drawing available from Council. The entrance shall be constructed so as not to impede the flow of water in any table drain.

Note: Council's engineering department must be contacted prior to entrance installation to determine the most appropriate point of entry.

Access to residential properties is to also include a vehicular footpath crossing between the edge of bitumen and property boundary (with pavement thickness minimum 150mm and bitumen sealed 3m wide including turnouts).

We note that driveway access in the past may not meet the appropriate standards. With all new development, Council will require the existing driveway to meet the current standards.

1.7 PROPERTY IDENTIFICATION

Rural properties are required to ensure that satisfactory arrangements have been made with Council for the supply and erection of a property identification number in accordance with Council's Rural Addressing Program.

1.8 ENERGY EFFICIENCY

Energy efficient buildings should be designed to maximise the solar access of the property. Buildings should have living areas facing north and bedrooms facing south, provide cross flow ventilation in all directions by placing windows in suitable locations, concrete slabs placed directly on the ground and internal masonry walls with direct sunlight provide thermal mass for heating qualities.

Buildings envelopes are required to achieve a 3.5 star energy rating. The building is to be provided with a compliant Hot Water Service that achieves a 3.5 star energy rating.

For further information see Section 8 Energy Efficiency in this DCP.

1.9 BUILDING COMPLIANCE

All building work is to meet compliance with the Building Code of Australia, and the associated standards adopted by the BCA.

1.10 BUSH FIRE PRONE LAND

In the event that is identified as being bush fire prone the development must meet the requirements of Planning for Bush Fire Protection. A Bushfire Assessment must be provided by the applicant that complies with the requirements of Planning for Bushfire Protection.

1.11 ANCILLARY DEVELOPMENT - STUDIOS

Council may consider an application to construct a studio on rural property where it can be demonstrated that the studio is required by the owner of the land to carry out a particular activity that cannot be carried out by its nature within the residential house. Studios shall not contain a kitchen nor be capable of separate habitation.

Studios must be contained wholly within 30m of the external walls of the dwelling house. Studios must be less than 60 square metres and should not contain internal partitions other than those necessary for ablution facilities or demonstrably required for the use of the studio, i.e. photography darkroom. There are only two rooms allowable in the studios. If this cannot be achieved, then studios must be attached to existing dwelling.

1.12 DEVELOPMENT IN RURAL ZONES

Development in Rural Zones must address the criteria in Part 4 Rezoning and Development in Rural Zones.

1.13 RESIDENTIAL GARAGES.

Within the Residential 2(a) and Village 2(v) zone the enclosed floor area of a detached garage shall be a maximum of 4 bays (3m x 7m = 84m²).