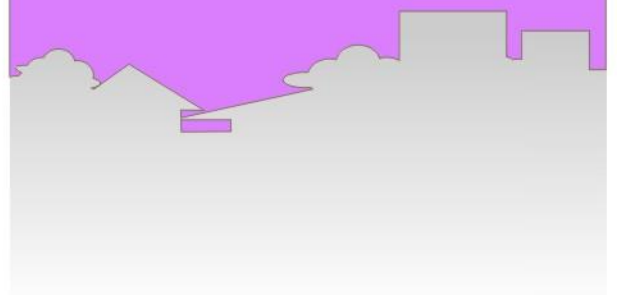


Part H

# Residential Requirements



Greater Taree  
CITY COUNCIL

# **PART H      RESIDENTIAL REQUIREMENTS**

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# H1 Residential development

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## **About this part:**

The Greater Taree LGA features a range of residential zones which permit a variety of residential accommodation types and densities within existing urban areas and future release areas. This chapter establishes the objectives, principles and controls which will guide the design of residential development in the LGA.

Parts H2.1 to H2.10 apply to all forms of residential development. In addition Part H3 provides specific objectives and performance criteria for particular forms of residential development. Where an inconsistency arises between H2 and H3 provisions, those within H3 will prevail.

## **Applies to:**

All land within the Greater Taree Local Government Area

## **Date adopted by Council:**

14 October 2009

## **Effective Date:**

25 June 2010

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## **Objectives**

- Encourage a variety and choice of housing types and sizes in localities;
- Ensure new housing integrates with the surrounding scale and character of the locality;
- Ensure that the impact of new housing on the amenity of surrounding properties is minimised.

## H2 Primary residential requirements

### H2.1 Site coverage and lot requirements

#### Explanation

Site coverage and floor space ratio are measures that assist in controlling building bulk. They are used in addition to height, setbacks and open space requirements to ensure dwellings are appropriately scaled to their site and surrounding development.

Controlling site coverage as well as floor space ratio ensures that adequate areas of external space are preserved to meet the requirements of the different forms of lifestyles implied by different forms of housing. It is also another way to ensure that established vegetation is preserved. Detached dwellings are likely to require proportionally more land around them, especially in areas such as Heritage Conservation Areas, where traditional sized lots are a major determinant of established levels of built form character and environmental amenity.

#### Objectives

The **floor space ratio** requirements are related to site coverage contained in Local Environmental Plan 2010 and should be read in conjunction with this section.

- Bulk and scale is compatible with the surrounding built forms and enhances the streetscape and public and private space;
- Development maximises permeable surfaces and maintains a balance between the built and unbuilt upon areas;
- Development provides for undeveloped areas that are of a suitable size, dimension and slope that will:
- Accommodate private outdoor area requirements that suit the anticipated needs of the occupants;
- Enhance privacy and views between housing, other buildings and the street (other sections);
- Actively facilitate on-site stormwater infiltration and harvesting for re-use (other sections);
- Incorporate suitable measures to minimise run off;
- Provide space for service functions, such as clothes drying.
- Ensure the density of a variety of building forms integrates with the character of residential environments.

#### Performance criteria

1. The maximum site coverage for all residential development is 65%.

## H2.2 Building setbacks

### Explanation

New dwellings, alterations and additions should be integrated into the existing locality. This may be achieved through setbacks that influence the bulk, scale and siting of dwellings. Setbacks are required to ensure an adequate level of separation, public/private threshold, access, privacy, landscaping, fire protection and natural light between dwellings and should reflect the prevailing established subdivision and development pattern.

### Objectives

- Integrate new dwellings, alterations and additions within the established streetscape character through consistency in street boundary setbacks;
- Ensure that new dwellings, dwelling alterations, additions and associated larger structures (i.e. garages and sheds) are set back from side and rear boundaries minimise the bulk, scale and amenity impacts on adjoining properties;
- Ensure there is adequate space on the site to provide for appropriate levels of landscaping, open space and privacy;
- Avoid undesirable characteristics, such as gun barrel developments, bulky forms and long walls;
- Optimise solar access and privacy for both the new development and existing surrounding development.

### Performance criteria

#### Zero Lot Lines

1. Where subdivision development has created lots with appropriate building envelopes zero lot line development may be considered.
2. No section of wall built on a side or rear boundary must be longer than 7.5m without articulation.
3. For single storey development such walls must not exceed the greater of 50% of the length of the boundary or the length of any adjoining wall on the boundary. The percentage should be decreased to 30% for two storey or greater development.
4. Zero lot lines may be provided where it can be demonstrated that there is no unreasonable adverse impact on the privacy, amenity or solar access of adjoining properties.
5. An easement for support 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 400mm side boundary setback is provided. No overhanging eaves or services will be permitted within the easement; however roof gutters may project into the easement. No excavation is permitted within an easement for support and maintenance. All filling adjacent to an easement for support and maintenance shall be contained within the building footprint i.e. drop edge beams.

Applicants are also referred to the **Development Near Railway Corridors and Busy Roads – Interim Guideline; Environmental Criteria for Road Traffic Noise (DECCW); & Environmental Noise Management Manual (RTA)** for residential development adjoining rail corridors and busy roads.

**Setbacks to public streets** are measured generally from the street boundary.

6. The S88B instrument relating to the support and maintenance easement is to be worded so that Council is removed from any dispute resolution process.
7. Zero lot line development must comply with the relevant provisions of the BCA.
8. No section of a wall built on a side boundary should be longer than 10m (i.e. an internal courtyard or light well will be required to achieve this standard). For single storey development, such walls should not exceed 50% of the length of the corresponding boundary. Two storey walls should not exceed 30% of the length of the corresponding boundary.
9. The location of zero lot line development shall have regard to dwelling design, allotment orientation, adjoining dwellings, landscape features, topography and proposed and existing infrastructure.
10. Access to the rear yard of zero lot line development must be provided via a larger side setback on the opposite side of the dwelling, or via a rear garage door provided as a drive through garage.

## H2.3 Building height

### Explanation

In addition to setbacks, building height is another means of managing bulk and scale of new development and to assist in integrating new development into established areas. This is particularly important in scenically significant areas and in the context of the rapidly increasing popularity of coastal living where the protection of existing levels of built character and amenity is both important and difficult.

Developments of this nature need to achieve a balance with the existing low-scale, intimate quality of established urban areas. The height and bulk of the new residential development must be designed sensitively so that the appearance of the building is compatible with the existing and desired future character of the locality.

One means of achieving this is to require designs that follow the slope of the land and minimise the height of foundation/underfloor wall height. A combination of limits on facade height, consistent roof pitches and maximum lengths of walls can achieve a desired scale of development.

### Objectives

- Maintain a low-rise residential character throughout the Greater Taree suburban areas, especially in areas of predominantly detached housing;
- Ensure dwellings are sensitively designed (i.e. height and bulk) and consistent with their surroundings, especially in scenic locations;
- Maintain and enhance existing levels of neighbourhood amenity, especially in relation to privacy, solar access, views and apparent building bulk;
- Avoid adverse visual impact on streetscapes;
- Minimise impacts of multi dwelling housing where the local area consists substantially of detached housing;
- Ensure that an appropriate relationship between the floor levels of adjoining development is maintained.

### Performance criteria

1. The lowest floor level of all development shall not be greater than 1m above natural ground levels at any point.
2. In areas mapped as having a permitted building height of 8m or 8.5m, development shall contain not more than two storeys at any given point.
3. In areas mapped as having a permitted building height of 8m or 8.5m, the maximum height to the point of intersection of wall and eaves lines is to be 6m above the corresponding lowest storey at any point along the line of external walls.
4. In areas mapped as having a permitted building height of 11.5m, development shall contain not more than three storeys at any given point.

**Permitted building heights** are mapped in the Local Environmental Plan 2010.

5. In areas mapped as having a permitted building height of 11.5m, the maximum height to the point of intersection of wall and eaves lines is to be 9m above the corresponding lowest storey at any point along the line of external walls.
6. Rooftop balconies, terraces and the like are to be considered as a storey.

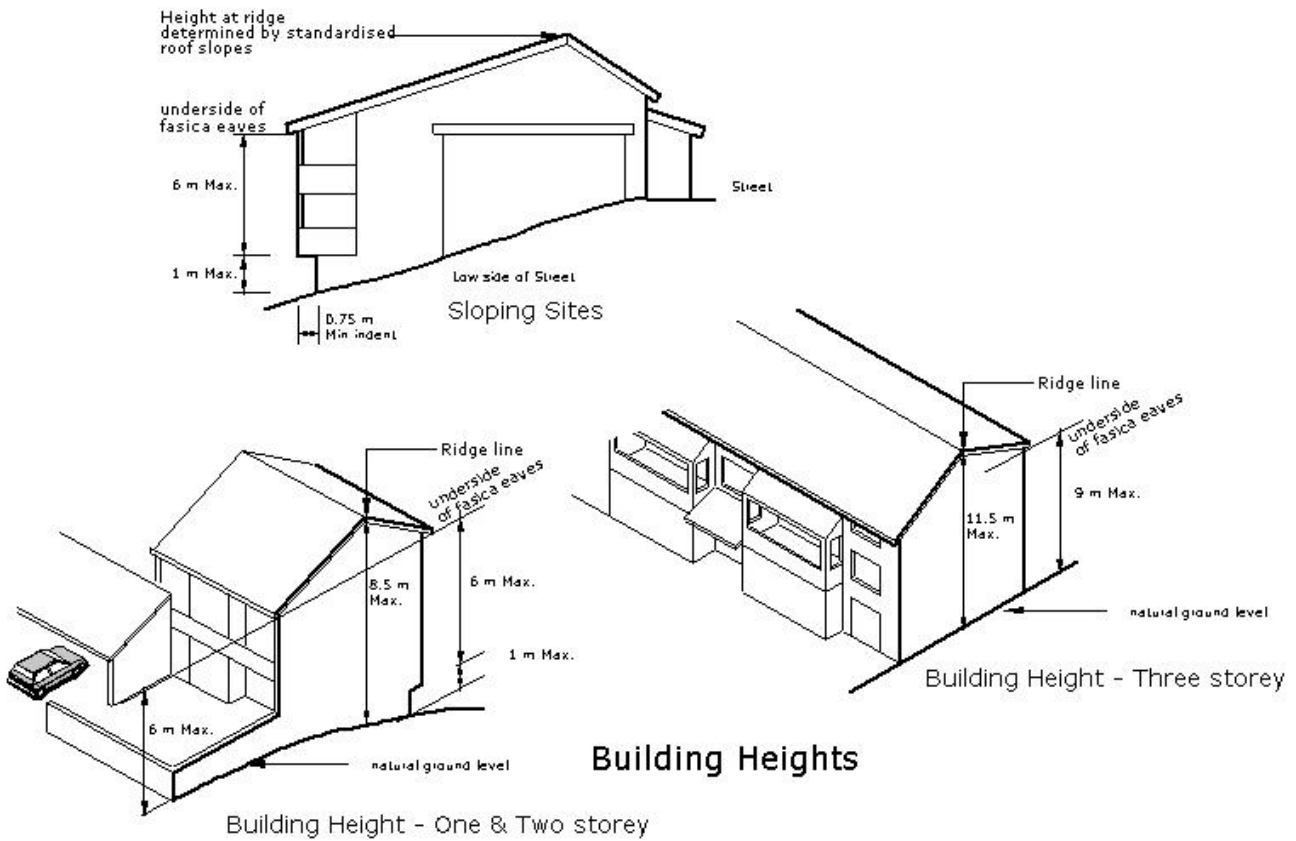


Figure 1 - Building heights



## H2.4 Car parking and access

### Explanation

The location, type and design of garages, carports and driveways can have a significant impact on the streetscape and building design. It is important that garaging is integrated and considered in the total design of the site and dwelling(s). It is desirable in all areas that garages do not dominate the streetscape.

### Objectives

Applicants are also referred to the **AS 2890.1 Off Street Car Parking**

- Ensure that parking areas, access ways, driveways and streets allow safe appropriate and efficient vehicle movement and efficient connections to the existing street network, while minimising the loss of on-street public parking spaces;
- Provide adequate, secure and accessible on-site parking for residents and visitors;
- Ensure vehicular and pedestrian safety;
- Integrate access design with the overall building and landscape design;
- Minimise the visual and environmental impacts of on-street and off-street parking, through considered location of vehicle accesses and parking areas;
- Minimise the visual and acoustic impact of vehicle movements on the living areas of all dwellings;
- Ensure that car parking areas are contained in size and are surfaced appropriately to minimise the adverse effects of additional stormwater point loading;
- Ensure service vehicle access is met where necessary.

### Performance criteria

#### All residential development

1. Garages and driveways do not dominate the street facade of the development.
2. Long straight driveways are to be avoided.
3. Hardstand areas should be minimised and, where soil conditions permit, be substantially constructed using semi-pervious materials to reduce water run-off and increase soil absorption.
4. Design for vehicle access and parking should in every instance take into account:
  - The size and number of dwellings proposed
  - The provision of on-site car parking that is easily accessible by visitors
  - The effect of sloping land in reducing parking opportunities
  - The safety of pedestrians, cyclists and vehicles
  - Efficient use of car spaces and access ways including manoeuvrability for vehicles between the street and the lot.
5. Driveways in all cases are to be at least 3m wide and include an internal radius of 4m at the point where there is a change in direction.

6. Special consideration will be given to particular site conditions such as existing vegetation, site drainage, steep access etc.
7. Where land has a frontage to a main road all development shall provide sufficient area on site to allow vehicles to enter and leave the site in a forward direction.

## H2.5 Private open space

### Explanation

Ideally, private open space should be provided which allows for a wide range of activities, such as outdoor dining facilities, recreation space, a small vegetable patch, a clothes-drying area, private landscape areas etc.

Provision of urban housing usually means that it will be necessary to have lesser areas of private open space than provided in traditional housing developments. Over time, the response to this market demand has been to provide various forms of urban housing with typical types of private open space – a private rear garden provided for a villa unit or townhouse and a balcony for the typical dwelling where access is at the first floor or higher level.

### Objectives

- Provide sufficient open space for the reasonable needs of residents for privacy, access, outdoor activities, views, service functions and landscaping;
- Provide ground level private open space directly linked to the living areas of dwelling;
- Locate private open space so that it takes advantage of solar access, privacy from adjacent properties, outlook and views, existing plantings and existing landform;
- Ensure that all open spaces, private or communal are clearly defined and are useable, and help create a pleasant, safe and attractive living environment.

### Performance criteria

**Private Open Space** means an area external to a building (including an area of land, terrace, balcony, or deck) that is used for private outdoor purposes ancillary to the use of the building.

1. Each dwelling shall be provided with quality, useable private open space (POS)
2. The POS area of each dwelling is to have a principal private open space (PPOS) directly connected to a living zone of the dwelling.
3. POS is to be no steeper than 1:10 gradient. On steeper sites open space is to be terraced to provide useable space. A front POS forward of the building line will only be considered where the allotment is predominantly north facing.
4. Sunlight must reach at least 50% of the POS 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. POS that has a southerly orientation (shaded by the dwelling and/or adjacent dwelling) may require an increase in its area to compensate for the shaded POS.
5. At least one principal living area of a dwelling must face predominantly north.
6. The POS shall be adequately screened for privacy from adjacent dwellings and passers-by.
7. Any dwellings which cannot be provided with private open space at ground level (i.e. residential flat buildings, shop top housing) shall instead be provided with a balcony.

8. Enclosing screen walls or fences should be designed to ensure privacy, for the dwelling and for adjoining communal open space or access ways and for other dwellings and their yards.
9. Part of the private open space should be capable of enabling an extension of the function of the dwelling for relaxation and recreation, and be directly accessible from the living area of a dwelling. Its location should take into account: outlook, natural features, continuity with open space and the location of adjoining dwellings. Its orientation should provide for maximum year round use.
10. Planting should not obscure or obstruct dwelling entries, adjoining public space, paths or streets in a way that reduces actual or perceived personal safety.
11. Proposed tree locations and species are to be selected so as not to adversely impact upon the amenity of adjoining properties or interfere with adjoining structures.

## H2.6 Solar access and overshadowing

### Explanation

The liveability of a dwelling is enhanced with natural sunlight, particularly to main living spaces and private open space areas, and particularly in the winter months. Access to natural light and ventilation reduces the need for a dwelling to rely on artificial lighting during daylight hours, heating in winter and cooling in summer. Natural sunlight to private open space areas provides the opportunity to use outdoor spaces year round for recreation and clothes drying.

### Objectives

- Maximise sunlight access to the living areas and private open space of the dwelling;
- Minimise overshadowing of the living areas and private open space of adjoining properties;
- Minimise the need for artificial lighting during daylight hours and artificial heating and cooling.

### Performance criteria

1. Shadow diagrams are to be submitted with all new development applications for 2 storeys or greater. The shadow diagrams are to be professionally prepared and based on a survey of the relevant site and the adjoining development / properties. Shadow diagrams are to take into consideration existing vegetation.
2. All new dwellings are to be designed to ensure that the predominant living spaces and the key private open space maximises northern or eastern sun.
3. The proposed development is to demonstrate that a minimum of 3 hours solar access is achieved between 9:00am and 3:00pm on 21 June to at least 50% of the private open space and to the principle living, dining, family and rumpus room(s) of the proposed dwelling and the adjoining dwellings/properties. Where this cannot be achieved, applicants are to demonstrate that the design maximises solar access.
4. Buildings must be sited and/or designed to avoid overshadowing on adjoining properties should be addressed, including, but not limited to, increasing setbacks, articulation, variations in roof forms and/or reducing building bulk or minimising height.

**Note:** It is acknowledged in urban areas it is often inevitable that certain development (ie 2 or more storeys) may result in some loss of solar access and increased overshadowing to adjacent properties, particularly for allotments with an east-west orientation.

Where a proposed development, due to the orientation of the allotments, cannot meet the required solar access, the proposal is to achieve a balance and minimise the extent of the potential impact through appropriate and well considered design.

Similarly, where the above requirements for solar access to the proposed dwelling cannot be demonstrated, Council may consider

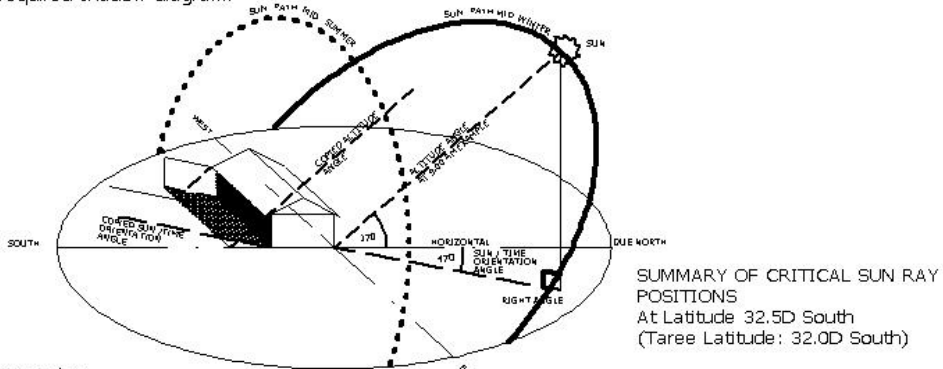
alternative sources of natural light, such as skylights, solar tubes and light spill from adjoining rooms and/or secondary windows.

Figure 2 - Solar and shadow worked example and diagram data for Taree

PREPARING A SHADOW DIAGRAM

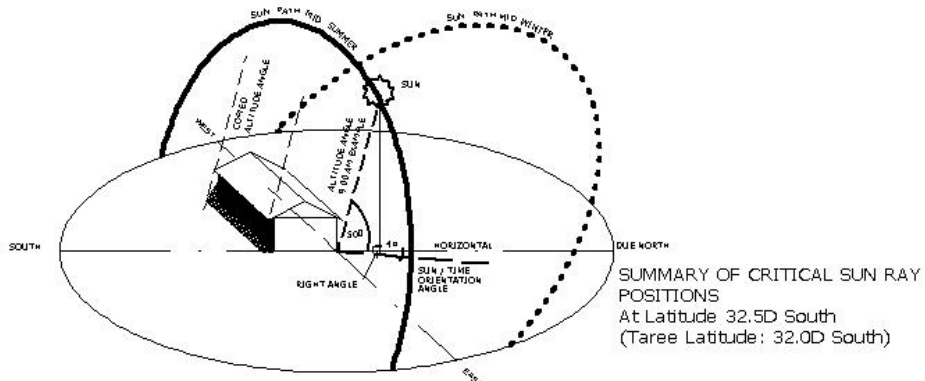
It is appropriate that a shadow diagram be prepared wherever development potentially impinges upon the availability of sunlight to existing development or where a development is likely to be affected by the shadows cast by adjacent development.

The following diagrams and charts are provided to assist in the preparation of any required shadow diagram.



Example 1  
Indicating winter shadows, noting summer sun path shown dotted.  
9.00 am on 21st June  
Taree Latitude 32 South

EXAMPLE 1	TIME	VERTICAL ANGLE	HORIZONTAL ANGLE TO DUE EAST
WINTER	9.00am	17	47
21 JUNE	Midday	30	90
	3.00pm	17	133

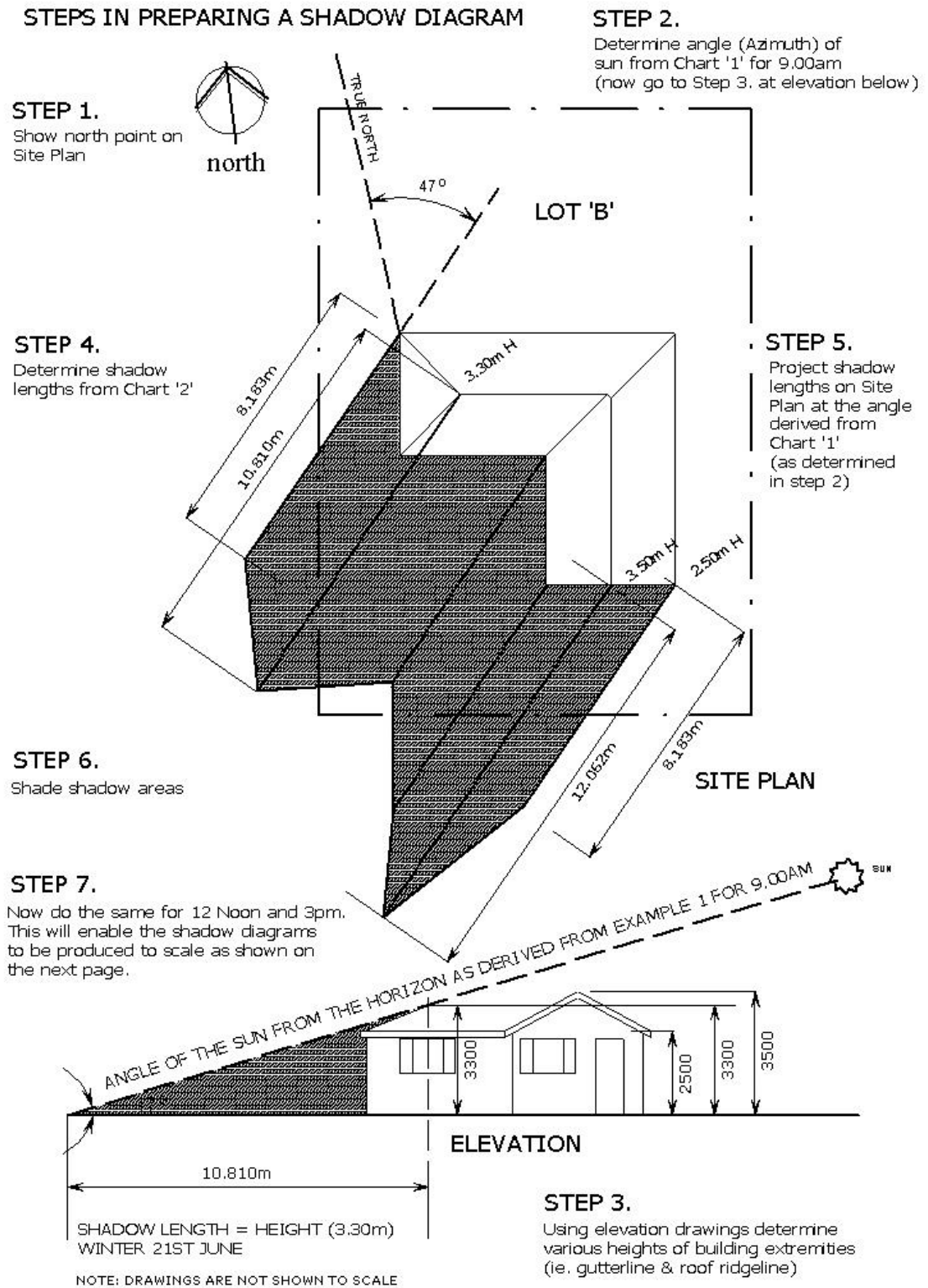


Example 2  
Indicating summer shadows, noting winter sun path shown dotted.  
9.00 am on 21st June  
Taree Latitude 32 South

EXAMPLE 2	TIME	VERTICAL ANGLE	HORIZONTAL ANGLE TO DUE EAST
SUMMER	9.00am	50	4
22 DECEMBER	Midday	80	90
	3.00pm	50	176

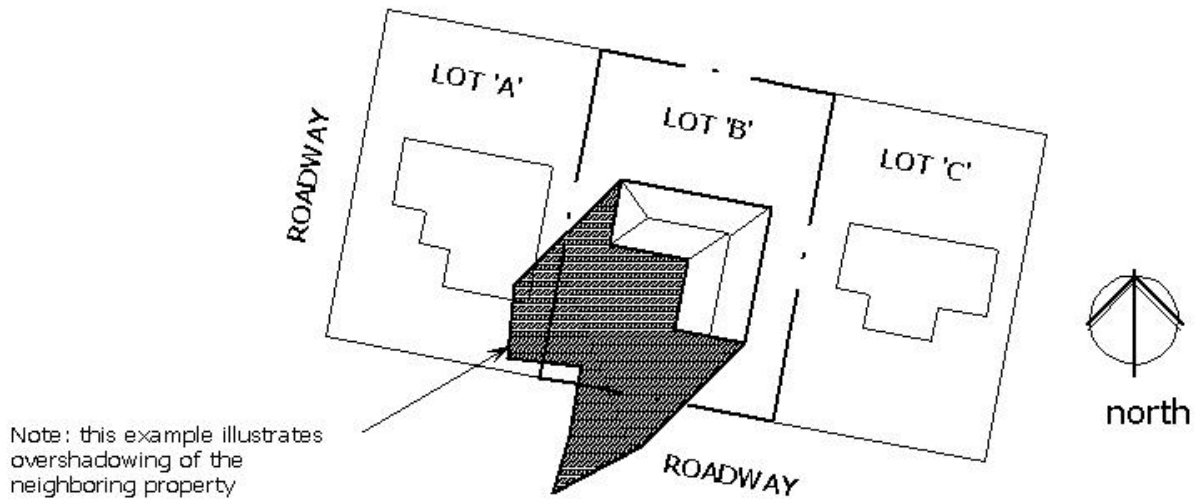
The sun angle charts in this example have been reproduced from information provided by the CSIRO: R.O. Piffers: Sunshine & Shade in Australia 6th edition (Melbourne CSIRO Publishing 1999)

Figure 3 - Solar and shadow worked example and diagram data for Taree

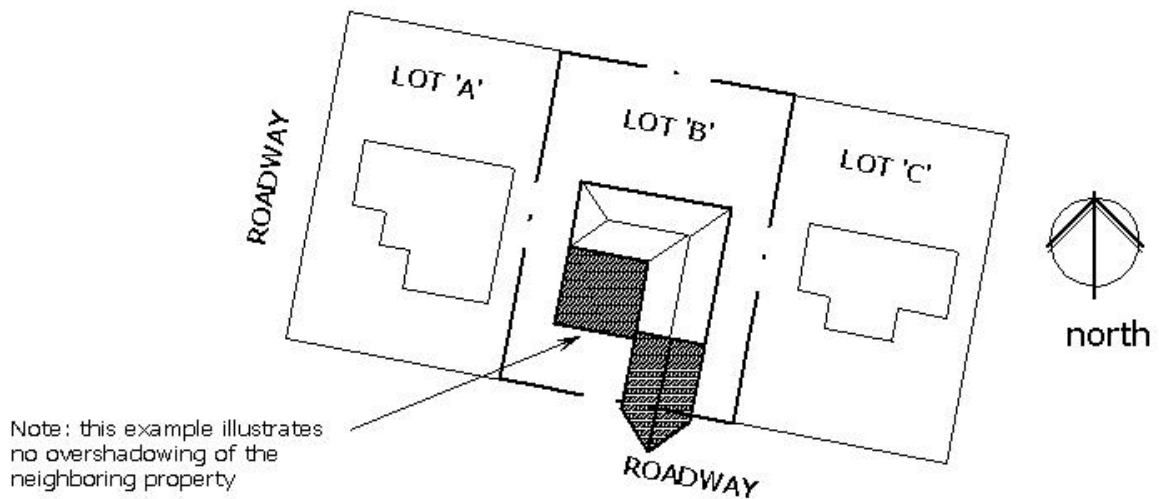


The sun angle charts in this example have been reproduced from information provided by the CSIRO: R.O Phillips: Sunshine & Shade in Australasia 6th edition (Melbourne CSIRO Publishing 1999)

**EXAMPLE OF SHADOW DIAGRAMS  
REQUIRED FOR A DEVELOPMENT APPLICATION**  
For Latitude 32.5D South Longitude 47D East  
(Taree Latitude: 32.0D South)  
on 21st June (Winter Solstice)



TIME: 9.00am and 3.00pm  
ANGLE OF THE SUN FROM TRUE NORTH: 47 DEGREES  
ANGLE OF THE SUN FROM THE HORIZON: 17 DEGREES



TIME: 12 Noon  
ANGLE OF THE SUN FROM TRUE NORTH: 90 DEGREES  
ANGLE OF THE SUN FROM THE HORIZON: 30 DEGREES

The sun angle charts in this example have been reproduced from information provided by the CSIRO: R.O Phillips: Sunshine & Shade in Australasia 6th edition (Melbourne CSIRO Publishing 1999)

Figure 4 - Solar and shadow worked example and diagram data for Taree



## H2.7 Acoustic and visual privacy

### Explanation

Sensitive design of dwellings can minimise the intrusion of noise and overlooking impacts into new dwellings and adjoining dwellings. Noise and overlooking impacts may also be further minimised through landscaping and screening treatments external to dwellings, while recognising that it is neither possible or desirable to achieve total privacy in an urban environment, and that a degree of visual and social interaction between neighbours contributes to a safe and healthy environment.

As it is difficult to make any major building changes to achieve acoustic privacy once construction is complete, particular attention should be given at the design stage to siting, building and room layout, window and wall location and design, and to the selection of construction materials and methods.

### Objectives

- Ensure the siting and design of dwellings, including terraces and balconies, minimises the overlooking of adjoining properties will have a reasonable level of privacy to their dwelling and private open space area;
- Ensure the siting and design of dwellings contains noise within the dwelling and outdoor areas without unreasonable transmission to adjoining dwellings;
- Ensure that dwellings close to noise sources, such as roads, railway or industry, are sited and designed to provide a comfortable living and sleeping environment and isolate adverse impacts from noise sources;
- Provide appropriate separation between dwellings to ensure acceptable levels of acoustic privacy between them;
- Ensure an adequate degree of visual privacy for residents of all forms of housing, with additional care being required in the design of any attached dwellings.

### Performance criteria

1. Windows and balconies should be designed and oriented to minimise overlooking of main living areas and private open space. Effective design is preferred to the use of screening devices, high sills or obscured glass.
2. Dwellings are to be sited and designed to limit the potential for noise transmission to the living and sleeping areas of adjacent dwellings.
3. Shared common walls and floors between dwellings must be constructed in accordance with the noise transmission and insulation requirements of the Building Code of Australia.
4. Where landscape plantings can assist in visual privacy, evergreens must be used and they must be of a size that will visually screen the noise source within 3 years.

5. Careful consideration should be given to the location of noise generating activities/items such as air-conditioning units, swimming pool equipment, recreation areas driveways and car spaces to minimise the impact on the amenity of adjoining properties.
6. A minimum line-of-sight separation of 3m is required between parking areas/streets and all bedroom windows.
7. Where any wall openings of adjacent dwellings are opposite each other, a minimum separation of 3m is required.
8. All opposing windows and doors on adjacent lots must be offset
9. A minimum of 9m is required between the windows of habitable rooms of facing dwellings that abut a public or communal area. This distance should be increased to 12m for windows above first-floor level. Direct views between living area windows of adjacent dwellings must be screened or obscured where:
  - Ground and first floor windows are within an area described by taking a 9m radius from any part of the window of the adjacent dwellings. An area so defined is described as a privacy sensitive zone.
  - Other floor windows are within a privacy sensitive zone described by a 12m radius.
10. Overlooking of ground level private open spaces, from upper levels is to be avoided, for example through the use of setbacks, level changes, landscaping and/or pergolas.
11. Overlooking between units is to be avoided, for example through dividing fins, louvers and other design detail.
12. The windows and doors of proposed dwellings that provide direct view into the living area/bedroom windows of an adjoining dwelling should:
  - Be located out of alignment with the windows of adjoining dwellings, or
  - Have fixed obscure glazing to a minimum height of 1.7m above floor level, or
  - Use another form of screening to the satisfaction of Council.
13. The outlook from a proposed dwelling into the private open space of another dwelling does not require screening where:
  - Windows are in bathrooms, toilets, laundries, storage rooms or other non habitable rooms.
  - Windows have a minimum sill height of 1.5m above floor level or translucent glazing to a minimum height of 1.5m above floor level.
  - Windows and balconies of upper level dwellings are purpose-designed to prevent overlooking of more than 50% of the private open space of a low-level or neighbouring dwelling.
14. A roof top balcony, terrace and the like on residential developments and outbuildings is not suitable where it compromises privacy and amenity.

## H2.8 Views

### Explanation

Maintaining views from dwellings and open space areas forms the basis of the principles of view sharing. Proposals should aim to achieve view sharing and minimise view loss through appropriate and well considered design.

### Objectives

- Avoid compromising available quality views;
- Minimise view loss from adjoining or nearby properties and public places;
- Avoid development of a form which will substantially compromise views available from public thoroughfares and from private living areas;
- Maintain view sharing for existing and future residents.

### Performance criteria

1. Provision of a view analysis as a component of a site analysis to indicate that a proposed development reflects the desirability of protecting known views and the principles of view sharing. The view analysis of surrounding development is required to indicate the position of the proposal on its site, the location of adjoining buildings and the degree of view loss, if any, resulting from the proposal.
2. Council may require the erection of a height profile structure certified by a registered surveyor on the site prior to determining an application.

## H2.9 Safety, security and entrances

### Explanation

Good design incorporates elements that contribute to the actual and perceived safety and security of residents and visitors.

It is good design practice for the front entrance of a dwelling (or other form of residential building) to be prominently sited, with the building frontage facing the street boundary, rather than away from it.

### Objectives

- Ensure a safe physical environment by promoting crime prevention through design;
- Ensure that siting and design of dwellings, buildings and spaces contributes to the actual and perceived personal and property safety of residents and visitors;
- Ensure that the front entrance of each dwelling is clearly defined and visible to pedestrians and emergency services personnel from the street that it faces;
- Provide a consistent element of facade modulation as a means of contributing to streetscape amenity;
- Provide an area of sheltered transitional spaces for resident and visitor between the public street and the private dwelling.

### Performance criteria

#### All residential development

1. Buildings are designed to face the street, with at least one habitable room window which can overlook streets and other public areas to provide casual surveillance of the public domain.
2. The site layout should ensure that the front entrance to a dwelling is easily identified by visitors and emergency services through design and conspicuous house numbering and that adequate privacy is maintained between individual entrances.
3. Separate and covered pedestrian entry should be provided to each dwelling. In the case of dual occupancy, entries should be either oriented to the street and/or separated from driveways and communal areas by a transition zone (e.g. a porch or front verandah).
4. Front fences, garages and landscaping elements are to be designed not to obstruct casual surveillance to and from the dwelling to permit safe access by residents and visitors to the dwelling.
5. Lighting to the exterior is to be provided to enhance the amenity and security around the dwelling, however, light spill must not adversely impact on adjoining properties.
6. Buildings should be detailed or articulated in a manner that identifies the entry and expresses individual dwellings to the street frontage where possible.

## H2.10 Front Fencing

### Explanation

Applicants are advised to refer to the **Exempt and Complying Schedules in Local Environmental Plan (LEP) 2010** in addition to this section as consent may not be required.

Front fences define boundaries between public and private spaces, provide a safe area for children to play and offer some acoustic and visual privacy. However, front fences and walls can also unduly dominate a street and their design should be well considered and integrated with the streetscape and built character.

The traditional Australian approach to gardens is for the front yard to function as a semi-public space, performing a variety of physical and cultural roles. This semi-public role conflicts with the desire generated in many new medium and higher density urban housing developments for the private open space to the street to be enclosed.

The extent and height of front fencing should generally be kept to a minimum. A more attractive streetscape may be created by having buildings set within a semi-public landscape rather than behind high fences.

### Objectives

Specific and additional controls apply to **heritage items and conservation areas in Part F of this DCP**.

- Ensure fencing does not dominate the streetscape and that it is integrated with, and positively contributes to, the character of the streetscape and the locality;
- Ensure front fencing is integrated with the landscaping and building design;
- Ensure a balance of privacy, safety and security for occupants of new and existing dwellings, whilst encouraging the opportunities for visual and social interaction and connection with the street;
- Ensure that fences and walls are designed to help define the boundary between public and private spaces and to assist in highlighting the property's pedestrian entry point.

### Performance criteria

Additional controls apply to development within the **foreshore building line** as described in the current Local Environmental Plan (LEP).

1. Fencing should not block views from a dwelling towards the street or similarly obscure the visibility of the front entrance of a dwelling.
2. Where front boundary fencing is required, it is to be no taller than 900mm if solid and no taller than 1.5m if the fence has openings which make it at least 50% transparent. Fence materials and detail design is to be consistent with those of the character of fencing in the immediate locality.
3. The distance between modulating elements (indentations, posts, or engaged piers), should not be greater than 2.5m.
4. Front fences must not exceed 10m in length without some articulation or detailing to provide visual interest, i.e. fence posts, engaged piers etc.
5. In locations (such as Crowdy Head), where front fences are not common, front boundary definition shall be achieved by hedging or other methods common to the local area.
6. All fencing behind the line of the dwelling/building façade, side and rear fences, may be a maximum of 1.8m.

7. Side fences which project forward of the front building line should step down to the adjoining front fence.
8. Expansive flat and blank surfaces to street frontages are to be minimised to reduce the opportunity for graffiti.

### **Private Open Space Fencing**

1. Where front fencing is utilised to provide screening to private open space it must be no higher than 1.5m if located on the front boundary. If proposed higher than 1.5m the fence must be located at least 1.2m from the property boundary. Private open space fencing must not exceed 1.8m.
2. Private open space fencing must demonstrate its adequacy for providing privacy to the development. Design treatments such as articulation, panelling, hedging, etc can be engaged to provide both privacy and contribute to the visual amenity of the streetscape.

## H3 Controls for specific forms of residential accommodation

This section provides additional detailed controls that apply to specific forms of residential accommodation including:

- one and two storey single detached dwellings,
- secondary dwellings,
- dual occupancies,
- multi dwelling housing,
- residential flat buildings,
- shop top housing.

This section must be read in conjunction with the controls and provisions contained in Parts H2 and H3 and all other relevant chapters of the DCP. If there is no specific control listed in the subsections below, the general residential controls contained in Part H2 will apply.

## H3.1 One and two storey single detached dwellings

### Performance criteria

#### Setbacks

1. The minimum primary street boundary setback is 5m. However, where adjacent residential development is closer to the front boundary, Council may consider a setback equal to that of whichever neighbouring dwelling/building most closely meets the required setback. Where adjacent development is set further back than the minimum requirement, Council may require a greater setback than the minimum permissible.
2. The minimum required setback from a secondary frontage (on corner allotments) is 3m. Where adjacent residential development is closer to the boundary, Council may consider a reduced setback. The minimum setback in these locations must be 2m. Likewise, where adjacent development is set further back, Council may require a greater setback than the minimum permitted.
3. The garage door (regardless of the frontage of the site) shall achieve a minimum setback of 5m from the relevant street frontage.
4. Side and rear setbacks are to be a minimum of 900mm for single storey development.
5. Where the rear property boundary adjoins a public reserve, a minimum 3m building setback is required.
6. Two storey developments are to be set back a minimum of 1600mm from side and rear boundaries.
7. Where site conditions warrant and provided that there is no unreasonable adverse impact on the privacy or solar access of adjoining properties, and is consistent with the existing streetscape of the locality, Council may allow side or rear walls without windows to be built to the boundary (zero lot line).
8. Projections permitted into setback areas include: eaves, sun-hoods and vertical sun screens, gutters, downpipes, flues, light fittings, electricity or gas meters and aerials. These can project 450mm (where the setback is 900mm) or to the boundary, whichever is less.

#### Car parking

1. Car parking is to be provided at the rate of 2 off-street parking spaces behind the Council specified building line.
2. The combined garage and driveway space for each dwelling must be long/wide enough to accommodate two vehicles behind the street boundary.
3. With the exception of corner lots, vehicular access to all residential developments is to be achieved by way of a single driveway crossing.



### **Private Open Space**

1. A minimum of 80m<sup>2</sup> of private open space directly linked to the principal living areas, with minimum dimensions of 6m x 4m is to be provided.
2. Where Private Open Space is to be terraced one (1) level must wholly contain the 6m x 4m area. This area must be located adjacent to the dwelling living rooms.

## H3.2 Secondary dwellings

### Explanation

Secondary dwellings are a type of residential development commonly referred to as granny flats.

### Objectives

- Provide unique dwelling types that satisfy a social need;
- Contribute to the availability of affordable housing;
- Promote innovative housing solutions that are compatible with the surrounding residential environment.

### Performance criteria

1. Secondary dwellings shall be designed to complement the design of the principal dwelling and be subservient to the principal dwelling in terms of visual bulk and scale. Provision must be made for clothes drying facilities in a location with adequate solar access.

Note: Strata or Torrens title subdivision of secondary dwellings is not permitted.

See Greater  
Taree LEP  
clause 5.4 (9)

## H3.3 Dual occupancies

### Explanation

A dual occupancy is generally referred to as the erection of two dwellings on land in either a detached or attached layout.

A detached dual occupancy involves the erection of two free-standing dwellings or the erection of a second free-standing dwelling on a single allotment of land.

An attached dual occupancy involves the erection of two dwellings, or the modification of an existing dwelling to create a second dwelling, under a common roof on a single allotment of land.'

### Objectives

- 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;
- Provide housing choice for the residents of the Greater Taree City Council LGA.

### Performance Criteria

#### Minimum lot size

1. Development for the purposes of dual occupancy requires a minimum land size of 750m<sup>2</sup> excluding the area of any battle-axe handle

#### Setbacks

1. The minimum primary frontage setback is 5m. However, where adjacent residential development is closer to the front boundary, Council may consider a setback equal to that of whichever neighbouring dwelling/building most closely meets the requested setback. Where adjacent development is set further back than the minimum requirement, Council may require a greater setback than the minimum permissible.
2. The minimum required setback from a secondary frontage (on corner allotments) is 3m. Where adjacent residential development is closer to the boundary, Council may consider a reduced setback. The minimum setback in these locations must be 2m. Likewise, where adjacent development is set further back, Council may require a greater setback than the minimum permitted.
3. Side and rear setbacks are to be a minimum of 900mm for single storey development.
4. Second storey development is to be set back a minimum of 1600mm from side and rear boundaries.
5. Where the rear property boundary adjoins a public reserve, a minimum 3m building setback is required, with the exception of in-ground pools. In these cases, a setback of 900mm is required

6. Projections permitted into setback areas include: eaves, sun-hoods and vertical sun screens, gutters, downpipes, flues, light fittings, electricity or gas meters and aerials. These can project 450mm (where the setback is 900mm) or to the boundary, whichever is less.

### **Car parking**

1. Car parking is to be provided on-site at the rate of:
  - 1 space for each 1 and 2 bedroom dwelling
  - 2 spaces for each 3 or more bedroom dwelling
2. Garages and carports should not occupy more than 50% of the site frontage and where dwellings are side by side facing the street, are to be flanked by one principal habitable room facing the street.  
Departure from this requirement may only be permitted for allotments with a width of less than 15.5m, where it can be demonstrated that:
  - The extent of the departure is very minor and does not adversely impact on the streetscape, safety and security of the dwellings or the sense of address for the dwellings.
3. Consideration may be given to permitting reversing movements from dwellings on lots not having frontage to a main road only where a garage faces the street and there is a maximum reversing distance of 10m to the carriageway.
4. Dual Occupancies on corner lots must have a maximum of one (1) driveway to each frontage.

### **Private open space**

1. A minimum of 80m<sup>2</sup> of private open space is to be provided to each dwelling.
2. For the purpose of calculating the 80m<sup>2</sup> all open space is to have a minimum dimension of 4m, contain a level area with dimensions of 6m x 4m, and is to be directly accessible from the living area of each dwelling. Where areas have a dimension less than 4m it will not be included in the 80m<sup>2</sup> requirements.
3. Part of the open space may be provided in front of the building line.
4. Where private open space is to be terraced one (1) level must wholly contain the 6m x 4m area. This area must be located adjacent to the dwelling living rooms.

## H3.4 Multi dwelling housing and residential flat buildings

### Objectives

- Encourage high quality residential developments which feature a high standard of urban design and provide a high level of amenity for residents;
- 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.

### Performance criteria

#### Site Coverage

1. Development for the purposes of multi dwelling housing requires a minimum land size of 1,000m<sup>2</sup>.

#### Setbacks

1. The minimum front street boundary setback is 7m. Where adjacent multi dwelling housing development is closer to the front boundary, the setback may be similar to that of adjacent development. Likewise, where adjacent development is set further back, Council may require a greater setback than the minimum otherwise permitted.
2. The minimum side and rear required setback is calculated using the formula:  $2.25m + H/4$  - Where H = the height of the ceiling of the topmost storey above any point along the line indicating the unexcavated level of the land.

**Note:** Where minimum setbacks are observed and it can be demonstrated that positive benefits will result in terms of:

- reducing the bulk of buildings;
- improving the privacy of adjacent properties and
- provided that there are no adverse environmental effects (such as overshadowing),

the setback can be reduced by 50% for up to half the length of the wall or a maximum of 7.5m. This concession is applicable if the remaining portion of the wall is setback so that the area of open space between the wall and the boundary remains the same as that set by the distance calculated from supporting documentation such as shadow diagrams and privacy impact analyses.

3. Where the rear property boundary adjoins a public reserve, a minimum 3m building setback is required, with the exception of in-ground pools and pathways that provide access to public reserves. In these cases, a setback of 900mm is required.
4. A minimum setback of 3m is permitted from the carriageway edge for multi dwellings fronting private streets.

5. Projections permitted into setback areas include: eaves, sunhoods and vertical sun screens, gutters, downpipes, flues, light fittings, electricity or gas meters and aerials. These can project 600mm or  $\frac{1}{4}$  of the setback distance whichever is less.

### **Car parking and access**

1. Parking in the form of garages or carports is to be provided on site at the rate of:
  - 1 space for each 1 and 2 bedroom dwelling;
  - 2 spaces for each 3 or more bedroom dwelling.Visitor parking is to be provided onsite at the rate of 1 space per 3 dwellings.
2. Where amalgamation of lots is proposed and vehicular access points to the street are reduced, visitor spaces may be located on street at the rate of 1 vehicle for each access deleted, provided the vehicle spaces are located in front of the boundaries of the development site.
3. Stacked parking will be permitted for this type of residential development where the stack space does not obstruct traffic movements. All vehicles must be able to manoeuvre on site with a single reverse movement and enter and leave the site in a forward direction with safety.
4. Consideration may be given to permitting reversing movements from dwellings on lots not having frontage to a main road only where a garage faces the street and there is a maximum reversing distance of 10m to the carriageway.
5. Entrance driveways are to be designed to the minimum width necessary to serve any development and allow safe forward in and forward out movement. For developments servicing six or more dwellings, the entrance driveway across the footpath to the building setback is to be a minimum of 5m wide.

### **Private open space**

1. The useable private open space per ground level dwelling should not total less than 35m<sup>2</sup>, where:
  - The minimum dimension in any direction is 4m.
  - The open space contains an area not less than 16m<sup>2</sup> with a minimum dimension of 4m and is directly accessible from the living room of the dwelling.
2. For dwellings above ground level, private open space should be provided in the form of a balcony, where:
  - The balcony has a minimum area of 8m<sup>2</sup> and a minimum dimension of 2m in any direction.
  - The balcony has direct access from the main living area of the dwelling.
3. Secondary balconies with direct access to a bedroom may be permitted.

## **Storage**

1. In addition to normal kitchen, linen and bedroom storage, accessible storage is to be provided at the following rates:
  - Studio, 1 and 2 bedroom apartments – 6m<sup>3</sup>,
  - 3 bedroom or greater apartments – 8m<sup>3</sup>.

**Note:** At least half of this requirement is to be provided within the apartment. The remainder may be provided in a safe and secure area remote from the apartment, such as basement storage or adjacent to the car parking space.

## H3.3 Shop Top housing

### Explanation

Shop-top describes a building type with residential dwellings above commercial, in most cases retail space. Generally this building type occurs on land zoned for commercial purposes.

Shop-top comprises of either two or three storeys with the commercial component occupying the whole of the ground level of the building and in some cases the first level as well.

The challenge for shop-top is to ensure that the residential component of the building does not preclude quality commercial space nor stifle the growth and development of the place as a commercial and civic centre. The primary and overriding purpose of land within centres is to provide for the current employment, commercial, entertainment and civic needs of the community therefore development is to safeguard the flexibility and growth opportunities of these uses. As such residential uses are of secondary importance to the commercial component of this building type and are to result in economically viable commercial spaces for the occupants and future owners in the immediate and longer term.

### Objectives

- Encourage shop top housing which provides the occupants with a high level of amenity whilst addressing issues associated with the interface between residential and business/commercial land uses;
- Provide a building form that complements commercial uses;
- Provide more compact housing in proximity to centres;
- Create an urban building form and strong built edge along the street;
- Define the street space.

Specific and additional controls apply to **heritage items and conservation areas in Part F of this DCP.**

### Performance criteria

#### Access and entries

1. The proposed development should:
  - minimise vehicular and pedestrian entry and exit points to the site,
  - provide a defined and well-lit pedestrian safe route.
2. Provide a separate and well-defined entry point(s) to the shop top housing dwellings from the primary street frontage.

#### Building height, bulk and scale

1. The maximum height of buildings is established by Greater Taree LEP 2010 and the associated Height of Buildings Maps.



2. Shop top housing 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. For shop top housing, basement car parks that do not exceed more than 1m above natural ground level are not considered to be a storey.

### **Image and legibility**

1. The proposed development should:
  - blend in with its surroundings and/or be in context with the area,
  - minimise intrusion on adjacent land uses e.g. noise, overshadowing, car parking overflow, vehicles reversing onto public roads,
  - create visual interest internally and with its relationship within the streetscape via building design, materials and colour scheme.

### **Car parking**

1. Car parking shall be provided in accordance with Part G of this DCP.
2. Basement car parking areas shall include adequate lighting, ventilation and access control/security. To enhance the effectiveness of the lighting system, the walls and ceiling of basement car parking areas shall be painted white.
3. The basement car parking area in a mixed use development which includes shop top housing must provide a separate car parking area for the residents and visitors to the shop top housing. The resident and visitor car parking area must have controlled access via electronic and mechanical means to eliminate parking conflict between residents/visitors and the employees and customers of the business/commercial component of the development.
4. Traffic calming measures should be provided to ensure a safer vehicle and pedestrian environment where required.
5. Driveways, manoeuvring areas, parking areas and garages are to be located away from bedrooms.

### **Servicing**

1. Each dwelling shall 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.

### **Security**

1. The proposed development should be designed to comply with Council's *Safer by Design* Guidelines.

## H3.6 Dwellings in R5 zones

### Explanation

Residential development in the R5 zone is generally considered to be of a rural residential nature. It has the potential to create conflict with other land uses if buildings are inappropriately sited and designed. All development should take into account the inherent character of a locality and be responsive to that character and the local landscape qualities.

### Objectives

- Ensure that development does not detract from the landscape, scenic quality, heritage value, nature or conservation significance of the area;
- Provide separation between residential uses and noise generating sources;
- Provide buffers between residential buildings and land uses to minimise the potential for land use conflict;
- Ensure that external finishes used have minimal detrimental impact on the visual amenity of an area;
- Encourage consideration of all the components of development such as fencing, outbuildings, driveways and landscaping in the design of the proposed development.

Specific and additional controls apply to **heritage items and conservation areas in Part F of this DCP.**

### Performance criteria

#### Setbacks

1. The minimum front street boundary setback is 10m.
2. Side and rear setbacks are to be a minimum of 5m.
3. Council may consider reducing the above setback requirements where it can be demonstrated that it is necessary because of topography or other feature including setbacks required for bushfire planning purposes.
4. The reduced setback must not create amenity impacts for adjoining properties.

#### Car parking and access

1. No maximum permissible length applies to driveways accessing large lot residential.

#### Dual occupancies (attached)

1. The development must have the appearance of a single dwelling when viewed from any public place.
2. Dwellings must be constructed so that they are attached under the same roofline and have the general appearance of a dwelling house when viewed from the primary street frontage. Structures such as carports and skillion roofs, pergolas, covered awnings and the like are not acceptable as a mode of attachment.
3. Both dwellings must be constructed of similar materials and colours.

## H3.7 Manufactured Home Estates and Caravan Parks

### Explanation

The Part only applies to manufactured home estates or caravan parks, where

- on a single development site of one hectare or greater; and
- manufactured homes are to be installed for resident or visitor accommodation.

The objectives and controls within this section of the DCP are to be read in conjunction with the provisions and requirements of:

*State Environmental Planning Policy No 21 – Caravan Parks (or as amended)*

*State Environmental Planning Policy No 36 - Manufactured Home Estates (or as amended)*

*Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*

### Objectives

- Encourage high quality developments which feature a high standard of urban design and provide a high level of amenity for residents;
- Ensure sufficient site area is provided to accommodate communal and private open space areas, including areas for deep soil planting and natural site drainage;
- Ensure the development layout and design, streetscape treatment and built form demonstrate visual compatibility and cohesion with the surrounding neighbourhood; and
- Ensure that adequate infrastructure and community/support services are available to meet the needs of residents

### Development Controls

#### 1. Setbacks and Separation

- a) Site layouts for manufactured homes shall be designed to provide for articulation and diversity along street frontages.
- b) Buildings and manufactured homes are to be grouped/clustered to provide a high level of pedestrian permeability. Each group is to be separated by an access road or a pedestrian path, with communal landscaped areas.
- c) The setbacks provided between buildings and manufactured homes, are to be designed to ensure acoustic and visual privacy to residents.
- d) The property boundary setbacks to buildings and manufactured homes are to be maximised, to provide visual separation from the street and adjoining properties.
- e) Setbacks shall be sufficient to avoid any land use conflicts with adjoining zones and uses.

#### 2. Landscaping

- a) Setbacks to manufactured homes are to be screened, fenced and landscaped to ensure an attractive streetscape, to both internal and public roads. Setbacks to public roads are not to be used for administrative buildings, community buildings/amenities, camping sites or parking facilities.
  - b) Deep soil planting and semi-mature street trees are to be provided in the property boundary setbacks and between groups/clusters of manufactured homes, to provide visual buffers and shaded areas in communal open spaces.
3. Building Design of Manufactured Homes
- a) Building articulation and habitable rooms in dwellings must enable passive surveillance of access roads.
  - b) Building materials and colour schemes must be selected to demonstrate compatibility with surrounding residential development.
  - c) Building designs on corner lots should avoid blank walls and include design features that provide visual interest to, and passive surveillance of, access roads.
4. Visitor Parking
- a) Visitor parking is required to be accessible at all times by residents and visitors to the development.
  - b) Where the number of dwellings and/or sites is 100 or fewer, a centralised visitor car parking facility is to be provided.
  - c) Where the number of manufactured homes and/or sites is more than 100, visitor parking is to be spread throughout the development site. A minimum of 4 spaces and maximum of 10 spaces per parking facility are to be provided in any location.
5. Caravan and Boat Storage
- a) Where a separate parking facility is to be provided for caravan and boat storage, the facility is to incorporate a wash down facility.
  - b) The siting, design and security of this facility is to have regard to the need to minimise the opportunity for crime.
6. Services and Infrastructure
- a) The entrance of a development with more than 25% long-term/permanent occupancy sites, is to be within 400m of a bus stop serviced with daily bus services or provided with a private daily bus service for residents.
  - b) Any onsite administration, retail, community facilities and amenity buildings are to be accessible to all residents.
  - c) Garbage facilities on the site are to be designed to be accessible to all residents and provided with screening from manufactured homes and long-term/permanent occupancy sites, adjoining properties and public areas.

## **Additional Lodgement Requirements**

- 1. A Visual Impact Assessment which addresses:
  - a) The landscape and visual context of the locality;
  - b) The potential impact of the development, in particular, when viewed from surrounding residential development, public spaces and/or facilities; and

- c) Any relevant 'local character' statements for the town, village or locality.

The Visual Impact Assessment is to include illustrations, photomontages and/or artists' impressions.

2. An Access Audit that provides details on the following:
  - a) Gradients, widths and lengths of pedestrian pathways; and
  - b) Access to and within administrative and communal buildings and structures.
3. A Social Impact Assessment which considers:
  - a) An assessment of how the development location and design addresses the requirements of residents; and
  - b) Connectivity between the development site, surrounding neighbourhood and community.
4. A Traffic assessment which considers the impact of traffic generated by the development upon the existing road network.  
Note: dependent upon the scale of the development relative to its location, a full Traffic Impact Assessment may be required.
5. A water and sewer servicing plan detailing:
  - a) The capacity of the reticulated water and sewerage systems in the locality; and
  - b) Details of any additional infrastructure (on and off-site) required to connect to existing systems and/or provide sufficient capacity to cater for the increase in demand.
6. To enable a visual impact assessment for the development of the manufactured home estate provide:
  - a) a minimum of five manufactured home designs, including at least one design appropriate for corner blocks (where relevant); and
  - b) information on the design and location of any centralised mail facility for residents.
7. To enable a visual impact assessment for the development of the caravan park where proposing manufactured homes in the park:
  - a) identify sites where manufactured homes are proposed; and
  - b) provide a minimum of five manufactured home designs, including at least one design appropriate for corner blocks (where relevant).
8. Any caravan park established on land in a rural or environmental zone may not accommodate more than 25% of sites for use as long term sites.
9. Caravan parks and manufactured home estates require a community plan to be lodged that identifies the location and nature of occupancy, of all resident and visitor sites.
10. Caravan parks and manufactured home estates may also be required (depending on scale and location) to provide an Economic Impact Assessment which considers:
  - a) the potential impact on local businesses, services and facilities within the town, village and/or locality; and
  - b) the potential impact on local businesses, services and facilities within the MidCoast region.
11. All applications for caravan parks and manufactured home estates are required to demonstrate how they meet the *Crime Prevention Through Environmental Design* (CPTED) principles.

## H4 Ancillary development

### H4.1 Ancillary structures and outbuildings

#### Explanation

Ancillary structures and outbuildings should be integrated into the total site design to ensure minimal impact on adjoining properties and views to and from a site. The structures should remain discrete rather than be a dominant feature.

#### Objectives

- Minimise the visibility of ancillary structures and outbuildings from the street, adjoining properties and public spaces;
- Ensure that the appearance of ancillary structures and outbuildings is of a high quality and where appropriate integrates with the streetscape;
- Ensure ancillary structures and outbuildings are compatible in height, bulk and scale with the existing or proposed development on site in the residential locality.

Applicants are advised to refer to the **Exempt and Complying Schedules in Greater Taree Local Environmental Plan 2010** in addition to this section as consent may not be required.

#### Performance criteria

1. All ancillary structures and outbuildings should be of a quality construction and have minimal visual impact on adjoining properties.
2. Ancillary structures and outbuildings are to be positioned to optimise backyard space and may not be located within the required soft soil landscaping requirement.
3. Ancillary structures and outbuildings are to be single storey.
4. The maximum wall height for ancillary structures and outbuildings is 3m and the roof height is not to exceed 4.8m at any given point.
5. The maximum floor area is 100m<sup>2</sup>.
6. Enclosed ancillary structures and outbuildings with an external wall height greater than 2.7m are to be setback 900mm from any boundary.
7. Open walled ancillary structures and outbuildings may extend to the boundary subject to there being no adverse impact on the amenity of the adjoining properties.
8. Ancillary structures and outbuildings may be used for habitable space, but must not be used as a separate occupancy. Where utilised a habitable space a structure must be no greater than 100m from the principal dwelling.
9. The minimum front street boundary setback is 5m. However, where adjacent residential development is closer to the front boundary, Council may consider a setback equal to that of whichever neighbouring dwelling/building most closely meets the required setback. Where adjacent development is set further back than the minimum requirement, Council may require a greater setback than the minimum permissible.

### **Ancillary development in R5 Zone**

1. The maximum floor area is 200m<sup>2</sup>. Ancillary buildings are required to be single storey.
2. The maximum wall height for ancillary structures and outbuildings is 3.7m and the roof height is not to exceed 5.9m at any given point.
3. Ancillary structures and outbuildings are to be setback 5m from the side boundary.