

An aerial photograph of a rural town. The foreground shows a paved road and a large open area. In the middle ground, there are several buildings, including a large green-roofed structure and a red-roofed building. The background features rolling green hills under a clear sky.

Part C:

Residential Development

including Urban & Rural Dwellings
and Ancillary Development such as
Garages, Carports, Outbuildings,
Sheds, Tanks & Pools

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C1 Introduction

C1.1 Application of this Part

This Part applies to development applications for a wide range of dwellings or residential accommodation types and associated ancillary development like outbuildings, sheds etc. and alterations and additions to all of these buildings.

In order to understand which Sections of this Part you need to apply you will need the following information:

STEP ONE (1) - LAND USE ZONE: Check whether your land is in an **urban zone** or **rural zone** as this may affect the relevant Part in STEP TWO (below):

- a) **Urban zones** include Zone R1 General Residential and B2 Local Centre (Blayney only) and Zone RU5 Village (other villages). It also includes Zone R5 Large Lot Residential areas attached to some villages. Generally, lots less than 1 hectare in area and would be considered 'urban' lots.
- b) **Rural zones** include Zone RU1 Primary Production, Zone RU2 Rural Landscape and Zone RU3 Forestry are rural zones. It also includes Zone R5 Large Lot Residential areas that would be considered 'rural' (e.g. along Browns Creek Road or Forest Reefs Road) – generally these lots are equal to or greater than 1 hectare in area.



STEP TWO (2) - TYPE OF DEVELOPMENT: Next, determine the type of residential or ancillary development you are proposing:

- a) A single 'dwelling house' on a lot in an urban area – Go to **Part C2 – Single Dwellings in Urban Areas** (includes dwelling houses, semi-detached dwellings, and attached dwellings);
- b) If you are proposing ancillary development such as a garage, carport, shed, outbuilding, pool or spa AND it is not considered EXEMPT or COMPLYING development then please address **Part C3 – Garages/Carports, Sheds/Outbuildings & Pools/Spas. Consult with Council re Exempt & Complying Development opportunities.**
- c) A single detached 'dwelling house' or 'dual occupancy' in a rural area (Zone RU1 or R5 Browns Creek Rd / Forest Reefs Rd) – Go to **Part C4 – Large Lot & Rural Dwellings / Dual Occupancies;**
- d) A medium density housing type including, but not limited to 'dual occupancies', 'secondary dwellings', 'semi-detached dwelling', 'attached dwelling' (townhouses), 'multi-dwelling housing' (a cluster of houses on the same lot), or a 'residential flat building' (see Blayney Local Environmental Plan for the definitions) – Go to **Part C5 – Medium Density Housing.**
- e) For temporary accommodation, second hand (relocatable) dwellings, 'manufactured/transportable housing', and 'shop-top housing' – Go to **Part C6 – Other Residential Types.**



STEP THREE (3) – SITE PLANNING, ACCESS & PARKING: Before finalising your application check whether any of the following sections apply (minor alterations and additions may not need to address these sections):

- a) **Part C7 – Access & Parking;**
- b) **Part C8 – Site Planning, Earthworks, Utilities and Services.**

C1.2 Other Parts of this DCP

Whilst Council has attempted to consolidate most of the controls relating to residential development in this Part, other Parts of this DCP may also apply depending on the type of development you are proposing and the site constraints including, but not limited to:

- **Part E – Other Land Uses** (other land uses including, but not limited to, advertising & signage);
- **Part F – Subdivision** (where you are also proposing some type of subdivision of your land);
- **Part G – Environmental Management & Hazards** (depends on site constraints and potential impacts);
- **Part H – Heritage** (where the site is a heritage item or is in a conservation area or near a heritage item).

C1.3 Setback Definitions

These definitions apply to **Part C2 – Single Dwellings in Urban Areas** and **Part C7 – Medium Density Dwellings**:

- a) **Allowable encroachments:** Side and rear setbacks and setbacks from the boundary with a road do not apply to ‘**allowable encroachments**’ permitted under clause 3.7.1.7 of Volume 2 of the *National Construction Code* (NCC) or any eave or roof overhang that has a horizontal setback of not less than 450mm from a boundary.

‘**Allowable encroachments**’ include the fascia, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, pergolas, sun blinds, unroofed terraces, landings, steps and certain ramps.

- b) **Existing Dwellings:** These setbacks do not apply to alterations and additions to an existing dwelling that does not meet these setbacks as long as the setbacks are not further reduced by the alterations and additions and National Construction Code requirements are met.
- c) **Adjacent Dwelling Setbacks:** When calculating setbacks based on the average of adjacent dwellings the adjacent dwellings should be within 40m of the proposed site boundaries but you can disregard adjacent battle-axe lots (a lot that is accessed by an access handle rather than a full road frontage).
- d) **Variation to Setbacks:** Council may consider a setback reduction where the applicant can demonstrate:
- i) An adjoining dwelling is creating a significant anomaly in the average setback compared to the average of setbacks in the street or comparable streets; or
 - ii) The shape of the lot and/or site constraints affect the placement of a building; and
 - iii) There is sufficient setback for privacy and amenity of neighbouring dwellings and no significant impact on the consistency of built form in the street or road functions; and
 - iv) National Construction Code requirements are met including, but not limited to, fire rating; and
 - v) **Part A1.11 – Variations to Controls** is addressed.

C2 Single Dwellings in Urban Areas

This section applies to applications for a new single **dwelling houses, semi-detached dwellings, or attached dwellings** (where there is a single dwelling house on any lot) or alterations and additions to these existing dwellings in:

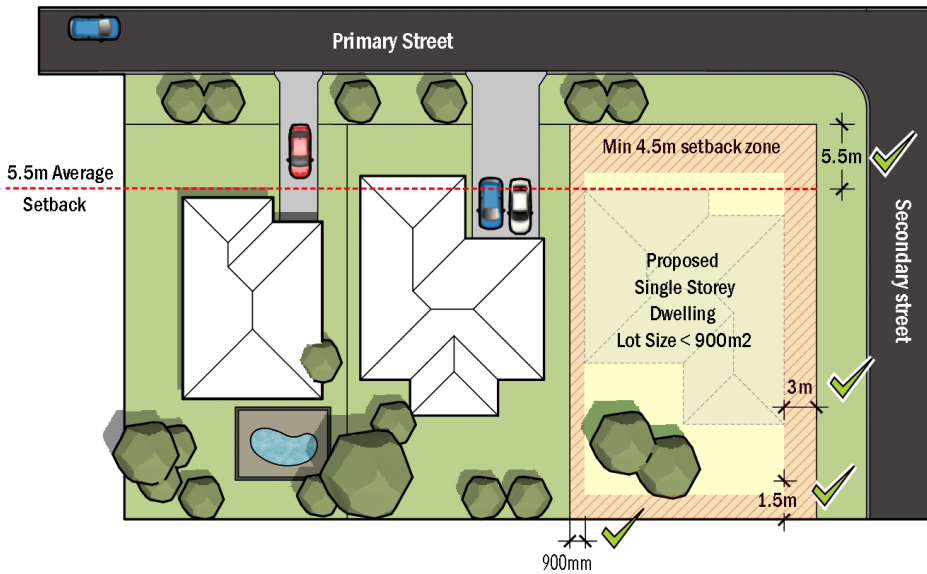
- 1) Zone R1 General Residential (in the Town of Blayney);
- 2) Zone B2 Local Centre (in the Town of Blayney);
- 3) Zone RU5 Village (for the urban area of settlements other than the Town of Blayney);
- 4) Zone R5 Large Lot Residential where existing/proposed lots < 1 hectare in area (generally where this land forms part of a town or village (*if unclear, please confirm which controls apply with Council*)).

Objective / Performance Criteria	Acceptable Solutions
<p>C2.1 Dwelling Siting & Setbacks</p> <p>O1. To increase residential amenity for both the proposed dwelling(s) and adjacent dwelling(s) through appropriate building separations that minimise overshadowing and maximise privacy of primary living and open spaces and separation from noise sources.</p> <p>O2. To provide sufficient building separations or design mechanisms for fire protection in accordance with the <i>National Construction Code (NCC)</i>.</p>	<ol style="list-style-type: none"> 1) Classified State & Regional Roads: All dwellings not associated with a commercial use (for example, 'shop top housing') must be setback from classified roads by a minimum of 8m to minimise road noise impacts. 2) Public Reserves: All dwellings must have a setback of at least 3m from a boundary with a public reserve. 3) Dwelling setbacks: All new dwellings should meet the minimum setbacks in metres (m) from the lot boundaries as set out in the following table and in accordance with the Setback Definitions in Part C1.3 including the average setback of adjacent buildings.

ZONE / USE	PRIMARY STREET (Not Classified Road) (FRONT SETBACK)	SECONDARY STREET / CORNER LOTS (Not Classified Road)	SIDE BOUNDARY (Not road frontage)	REAR BOUNDARY (Not road frontage)
Zone B2 Local Centre	Average setback of adjacent buildings	3m	<i>National Construction Code (NCC)</i>	Sufficient open space / NCC
R1 General Residential / RU5 Village Lots ≤ 900m ²	4.5m or average setback of adjacent dwellings (whichever is greater). Note: Min. 5.5m to garage/carport.	3m	1st storey = 900mm or NCC >1st storey = 1.5m	1.5m
R1 General Residential / RU5 Village Lots > 900m ²	4.5m or average setback of adjacent dwellings (whichever is greater).	4.5m	1st storey = 900mm or NCC >1st storey = 1.5m	1.5m
R5 Large Lot Residential < 1ha lot area	8.0m or average setback of adjacent dwellings (whichever is greater)	6m	3m	6m

Dwelling Siting & Setbacks

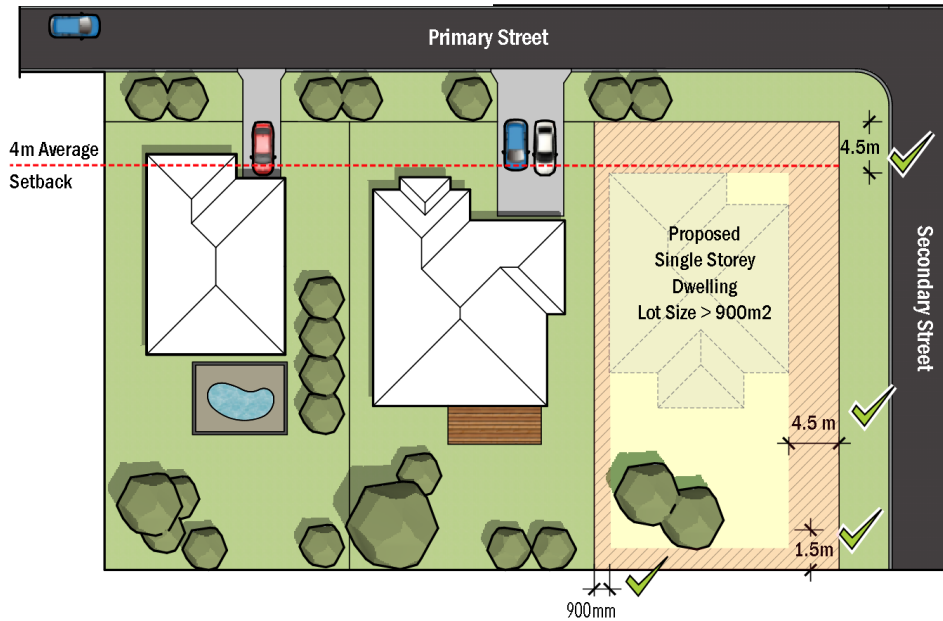
Zone R1 & RU5 Lots <900m²



In this scenario, the proposed dwelling has a setback consistent with the average front setback of 5.5m, being the larger distance when compared to the minimum 4.5m front setback.

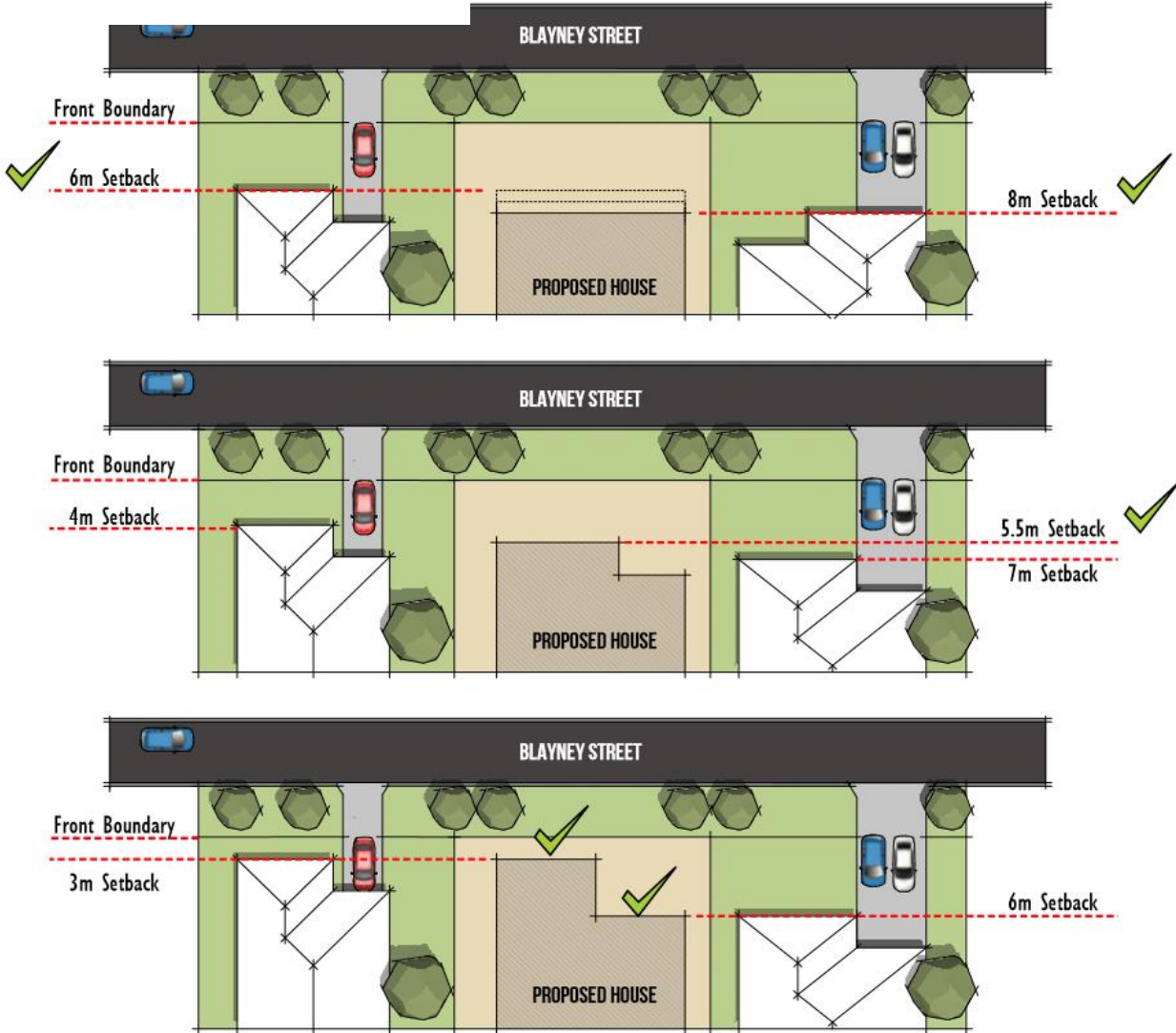
Dwelling Siting & Setbacks

Zone R1 & RU5 Lots >900m²



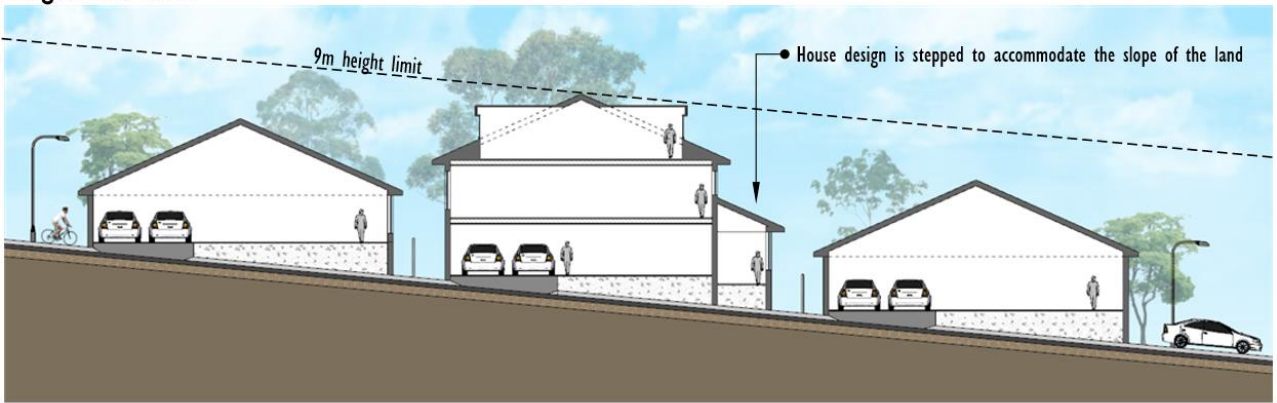
In this scenario, the proposed dwelling has a setback of 4.5m, being the larger setback compared to the 4m average front setback.

Primary Street Setbacks

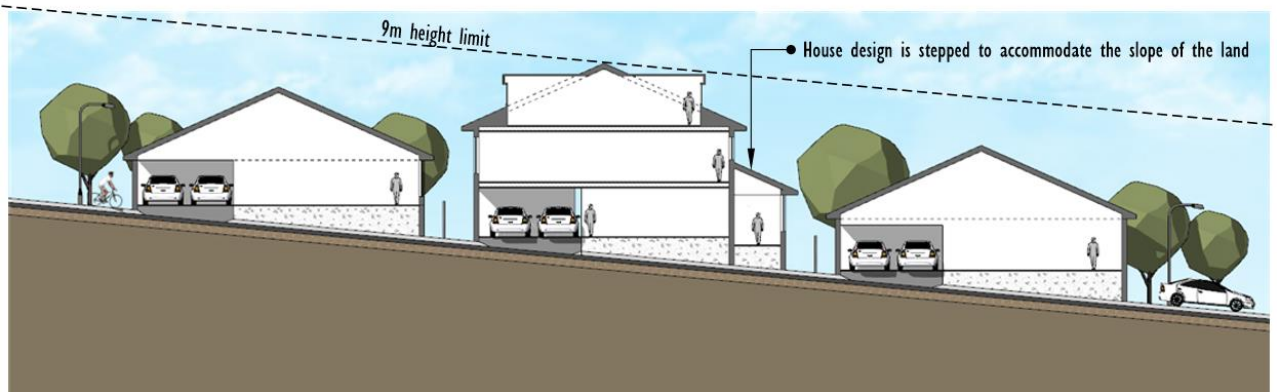


Objective / Performance Criteria	Acceptable Solutions
<p>C2.2 Site Coverage</p> <p>O1. All dwellings must provide sufficient site area without buildings or impermeable hard surfaces:</p> <ul style="list-style-type: none"> a) To encourage development that responds to the site opportunities and constraints; b) To avoid overdevelopment of the site and protect the area character; c) To protect existing significant trees and their root systems and promote additional landscaping; d) To allow for infiltration of water, and significant landscaping and plantings; e) To provide ground level open spaces and recreation areas; f) To encourage passive solar design and energy efficiency; and g) To maximise building separations and residential amenity and privacy. 	
<p>C2.3 Height & Scale</p> <p>O1. To ensure that the height and scale of proposed dwellings and ancillary buildings is sympathetic or consistent with the existing and/or desired future character of urban streets and adjacent buildings.</p>	<ul style="list-style-type: none"> 1) Sloping Land: Where there is a steeply sloping site, the proposed building design should not protrude from the landscaping but be staggered or stepped down the natural slope of the land, where possible. 2) Impacts: Where a dwelling is: <ul style="list-style-type: none"> a) Greater than two storeys in height (including attics with dormer windows and habitable basements); or b) Greater than 9m in height (measured from existing ground level to the highest point of the building excluding antennae or chimneys or similar); or c) Less than the setbacks prescribed above, then the applicant must demonstrate the following: <ul style="list-style-type: none"> i) How the height and scale of the building fits within the existing and/or desired street character of the area; ii) That it will comply with the visual and acoustic privacy requirements of this Section; and iii) That there is at least 2-3 hours solar access to key living spaces/private open spaces of the proposed/adjacent dwelling(s) at the winter solstice (21 June) between 9am and 3pm (through the provision of Shadow Diagrams).

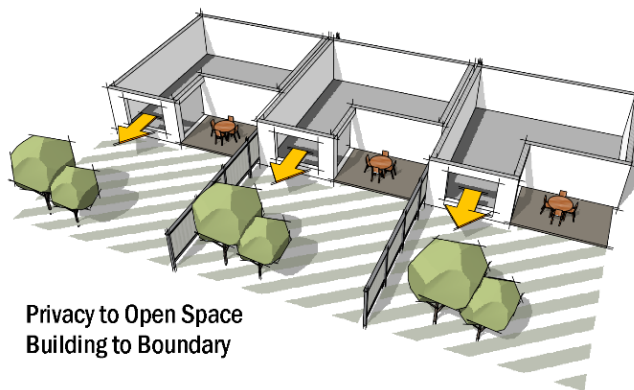
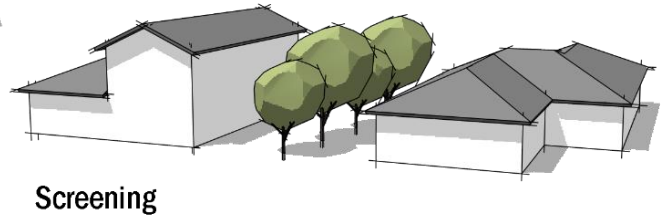
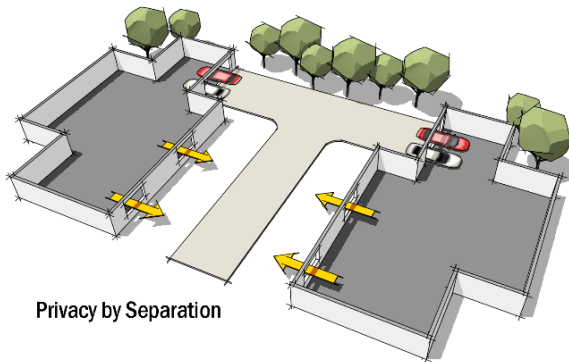
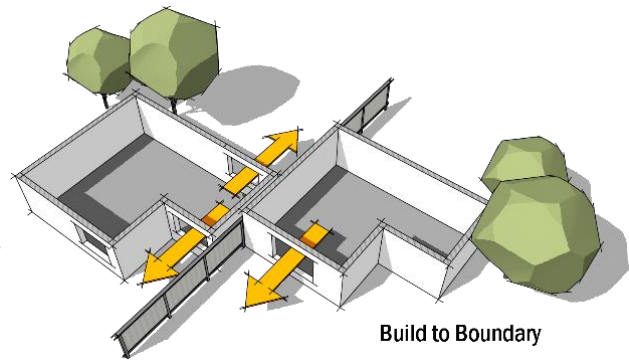
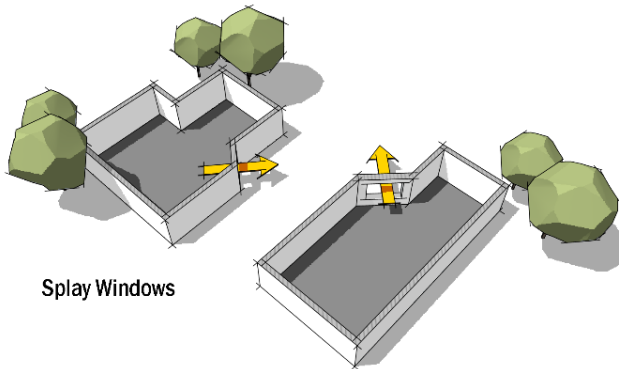
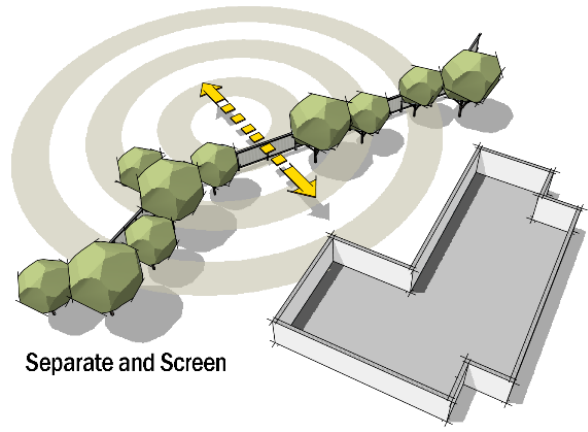
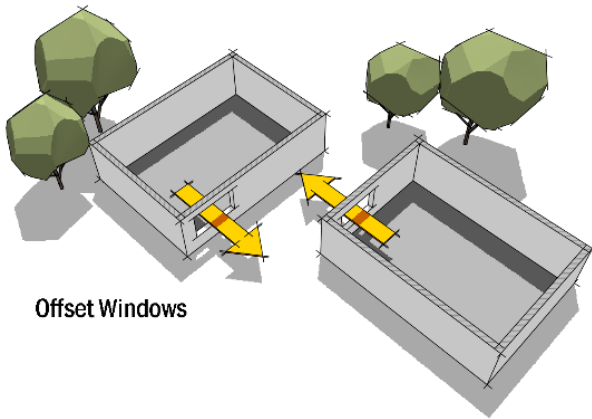
Height and Scale



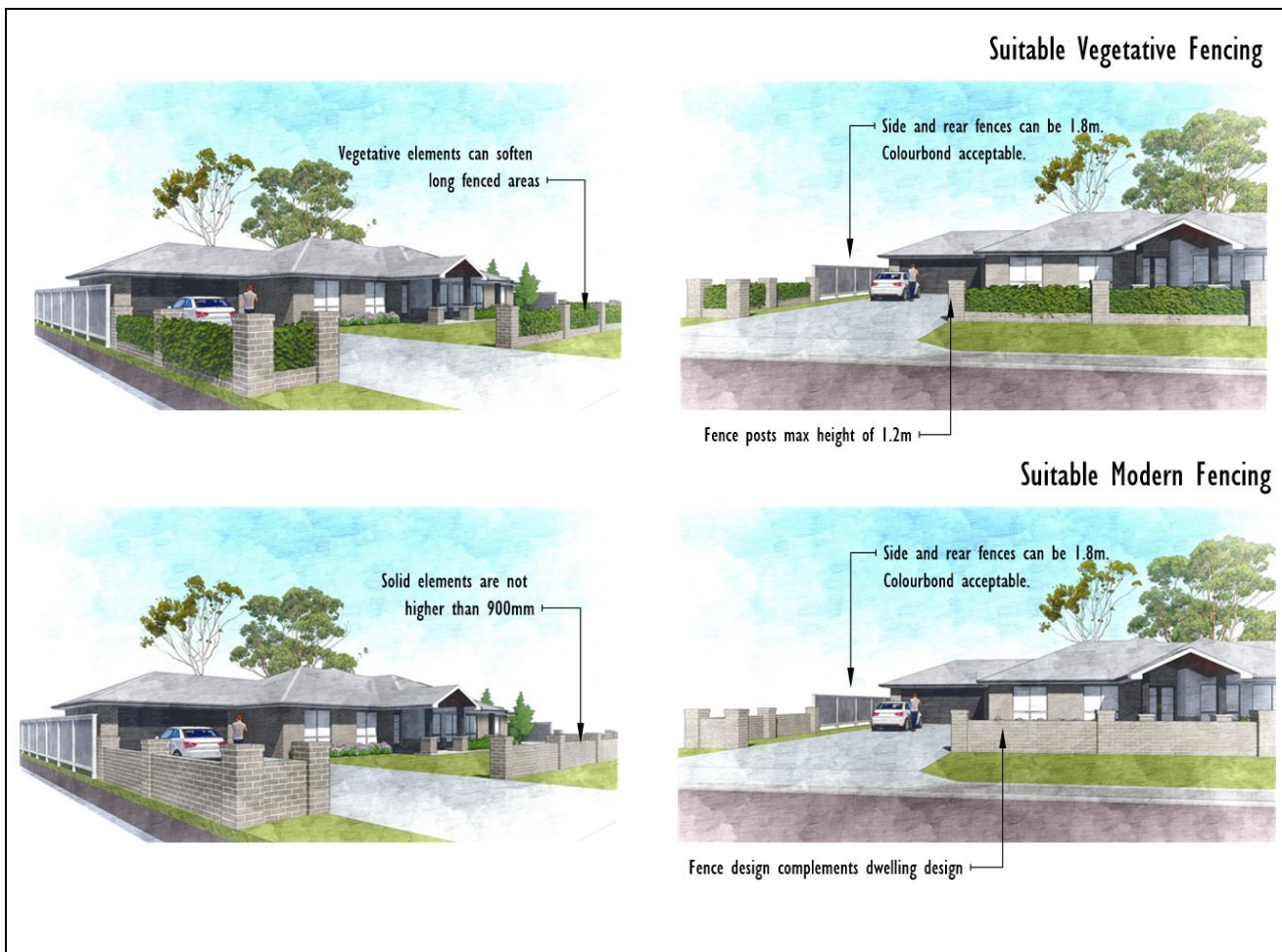
or (different trees)



Objective / Performance Criteria	Acceptable Solutions
<p>C2.4 Building Elevations</p> <p>O1. To promote variations in building elevations (especially those facing street frontages) to:</p> <ol style="list-style-type: none"> minimise the bulk and scale of larger buildings; avoid large blank walls and facades and provide visual interest; encourage casual surveillance of public spaces for safety; and integrate with the desired character of the area and street. 	<ol style="list-style-type: none"> Blank Walls: Building facades facing a public road cannot have large areas of blank wall(s) and must incorporate: <ol style="list-style-type: none"> Window(s) to a habitable room facing the street to allow for casual surveillance of any street frontage; Variation of materials and/or colours on larger surfaces; Variation of building setback and roof lines; Any other articulation acceptable to Council. Reflectivity: External materials must have low reflectivity if they are visible from a public road or neighbouring dwelling and there is a reasonable probability of glare affecting driver safety, residential amenity, or the building being too visually intrusive. Factory pre-coloured non-reflective materials are preferred (or galvanised iron where required by Council).
<p>C2.5 Noise & Visual Privacy</p> <p>O1. To increase residential amenity for both the proposed dwelling and adjacent dwelling(s) through appropriate building separations and window alignments that minimise noise impacts and maximise privacy of primary living and open spaces.</p>	<p>Development that:</p> <ol style="list-style-type: none"> Is greater than one-storey in height (including habitable attic rooms with dormer windows); or Where there is a risk of overlooking of adjacent properties due to floor and window sill levels higher than fences / adjacent properties; or That does not meet the minimum building setbacks, must be designed to locate and size windows to habitable rooms or balconies to avoid looking directly into windows, balconies, courtyards, and primary private open space(s) of adjoining dwellings or demonstrate how overlooking will be minimised. <p>Note: Techniques may include (but are not limited to) additional building setbacks, offsetting or splaying windows, adding privacy screens, opaque windows, raising the windowsill level, or landscaping / screening (see diagrams below). However, barriers to solar access to living rooms are not desirable.</p>



Objective / Performance Criteria	Acceptable Solutions
<p>C2.6 Fencing</p> <p>Fencing must seek to balance security and privacy with the community need for new development to:</p> <ol style="list-style-type: none"> Reflect traditional and/or rural village styles and materials and the style of the associated building(s); Provide opportunities for casual surveillance of the street; Avoid large solid fence sections unsympathetic to the street character; Ensure sight-lines for vehicle and pedestrian safety. 	<ol style="list-style-type: none"> Height (Front Fences): Fences within the front primary setback area to the building line are to be: <ol style="list-style-type: none"> Maximum 1.2m high above existing ground level; Not made of Colorbond/metal panels; and Not be solid above 900mm. Height (Corner Allotments): Fences on corner allotments forward of the front building line must be either splayed, set-back, reduced in height or semi-transparent to maintain visibility for motorists and views of the front of the house. Height (Other Fences): Other side or rear boundary fences can be up to 1.8m high. Materials: The materials for street frontage fences must be consistent with or sympathetic to those used in adjoining developments (other than solid metal panels), particularly when located in a heritage conservation area, adjacent to a heritage item or on a main street.



Suitable Modern Fencing



Fence design complements dwelling design

Inappropriate Fencing



high front fences of the building can obscure vehicle sight lines and are unacceptable



Inappropriate fence design does not enable casual surveillance of the street



Traditional Fencing

Objective / Performance Criteria	Acceptable Solutions
<p>C2.6 Fencing (continued)</p>	<p>5) Reflectivity: If fencing (other than for front fences) is constructed of metal panels it must be of low reflectivity, factory pre-coloured materials (or galvanised iron where required by Council).</p> <p>6) Surface Water: Fencing must not redirect the flow of surface stormwater or floodwaters onto an adjoining property.</p> <p>7) Flood Prone Land: If the land is affected by flood related development controls (see Part G – Environmental Management & Hazards) the fence types must be designed to allow flood conveyance and prevent additional flooding on adjacent properties.</p> <p>8) Landscaping: Long fenced areas should be softened with landscaping.</p>
<p>C2.7 Landscaping & Private Open Space</p> <p>To ensure all dwellings are provided with appropriate areas of landscaped private open space that promotes recreation, environmental, privacy benefits, reduces the visual impact of buildings and allows water infiltration.</p>	<p>Water & Energy Efficiency: Landscaping must comply with that shown on the approved BASIX Certificate for the dwelling.</p>

C3 Garages, Carports, Sheds, Outbuildings & Pools/Spas

This Section applies to garages and carports (both detached and attached to a dwelling), sheds and a range of 'outbuildings' as well as pools and spas that are ancillary to a residential use.

Note: Many ancillary development types MAY be either EXEMPT (not require an application) OR COMPLYING (have a fast-tracked application). See State Environmental Planning Policy (Exempt and Complying Codes) 2008 ('SEPP Code') for more details. Otherwise, a development application will be required.

outbuilding (as defined by the SEPP Code) means any of the following class 10a buildings under the National Construction Code:

- (a) balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house,
- (b) cabana, cubby house, fernery, garden shed, gazebo or greenhouse,
- (c) carport that is detached from a dwelling house,
- (d) farm building,
- (e) garage that is detached from a dwelling house,
- (f) rainwater tank (above ground) that is detached from a dwelling house,
- (g) shade structure that is detached from a dwelling house,
- (h) shed.

Objective / Performance Criteria	Acceptable Solutions
<p>C3.1 Use</p> <p>Outbuildings, garages and sheds are not to be used as a dwelling, habitable room, or home business/industry (without approval).</p>	<p>Note: Generally, installation of a toilet, wash basin and/or shower in an outbuilding would not make these a 'habitable' room or dwelling. However, if a kitchen, bathroom and/or laundry are provided this would be considered a 'dwelling' and can only be approved if it meets the relevant controls. Regardless, any building requiring a sewerage/waste-water connection will require an approval from Council. Noise issues from home businesses/industries must be addressed.</p>

Objective / Performance Criteria	Acceptable Solutions
<p>C3.2 Visual Impact / Amenity</p> <p>O1. To ensure that outbuildings and garages/carports:</p> <ul style="list-style-type: none"> a) will not dominate views from the street or key public places; b) will be in keeping with the scale and setting of the relevant land use zone, streets and locality character; c) will integrate with the dwelling design and surrounding landscaping and buildings; d) will not significantly impact on the amenity of neighbouring properties (e.g. shadow, noise) <p><i>Note: Generally, impacts from these structures increase on smaller lots and decrease on larger lots. Therefore, Council is likely to require more information addressing impacts on smaller lots.</i></p>	<p>Any garages, carports, outbuildings, sheds or pools/spas must:</p> <ul style="list-style-type: none"> 1) Visibility: Demonstrate that their size and location will not dominate the street and will be in keeping with the residential scale and setting. Generally, larger buildings will be more acceptable behind the dwelling (rear building line). 2) Setbacks/Amenity: Setbacks from boundaries and height are subject to assessment of the impacts on adjacent properties including, but not limited to: shadow/solar access, noise and visual amenity/privacy, colour and visibility, and addressing the <i>National Construction Code</i> (NCC) / fire separation requirements. 3) Streetscape: Where buildings are located to the side of or in front of dwellings facing a street they must: <ul style="list-style-type: none"> a) Be subsidiary in bulk, height, scale and footprint to the principal dwelling or other buildings on the land; b) Incorporate articulation to break down larger blank walls or facades; and c) Use colours and materials that integrate with and complement the existing dwelling (though not necessarily replicate it), landscaping and street character. 4) Colour/Materials: If the buildings are made of metal components AND they could adversely affect visual amenity from adjacent residences, public spaces or heritage items/heritage conservation areas, then they must be constructed using low-reflectivity/ factory pre-coloured external materials (or galvanised iron where required by Council). <p><i>Note: Please discuss visual impact/ colours/materials with Council if the site is in a heritage conservation area or is a heritage item.</i></p> 5) Other Standards: Comply with any relevant requirements in the <i>National Construction Code</i> and <i>Australian Standards</i>.

Objective / Performance Criteria	Acceptable Solutions
<p>C3.3 Garages, Carports, Outbuildings & Sheds in Urban Areas</p> <p>See objective(s) for Visual Impact / Amenity above.</p>	<p>In urban areas / zones (e.g. Zone R1 / RU5 / B2 / R5<1ha) in addition to the visual impact/ amenity controls above:</p> <ol style="list-style-type: none"> 1) Attached Garages/Carports: must: <ol style="list-style-type: none"> a) Be located at least 0.5m behind the front building line and 5.5m from the front boundary; b) not exceed (see diagram below): <ol style="list-style-type: none"> i. 50% of the front elevation of the building; or ii. Garage door 6 metres in width (whichever is greater); and iii. One (open-sided) carport in addition to the above that is setback a further 1m behind the line of the other garages/ carports. c) Attached carports in the front setback of existing buildings will need to demonstrate there are no other suitable locations and address the visual impact. 2) Detached Garages/Carports/Sheds/Shipping Containers: <ol style="list-style-type: none"> a) Should generally be located behind any existing or proposed dwelling or towards the rear of any property; b) Must not exceed a ridge height of 4.8m from existing ground level; c) Must not exceed a cumulative floor area (detached from the dwelling): <ol style="list-style-type: none"> i) If the lot is < 900m² in size – maximum of 96m²; ii) If the lot is ≥ 900m² in size – maximum of 128m².



Attached Garage Design - Appropriate



Attached Garage Design - Inappropriate



Detached Garages

Objective / Performance Criteria	Acceptable Solutions
<p>C3.4 Garages, Carports, Outbuildings & Sheds in Large Lot Residential Areas</p> <p>See objective for Visual Impact / Amenity above.</p>	<p>In Zone R5 Large Lot Residential areas where the existing lot size is ≥ 1ha in addition to the visual impact/amenity controls above any garages, carports, outbuildings or sheds must not exceed:</p> <ol style="list-style-type: none"> 1) A ridge height of 6m from existing ground level; 2) A cumulative floor area greater than 300m²; and 3) A minimum setback of: <ol style="list-style-type: none"> a) 10m; or b) Where the dwelling on the allotment is within 50m of a public road, the outbuilding should be located behind the front building line of any dwelling.
<p>C3.5 Rural Sheds</p>	<p>Maximum size subject to merit based assessment.</p>
<p>C3.6 Shipping Containers</p> <p>To minimise the visual impact of shipping containers and ensure that where visible they are modified to appear as a shed.</p>	<ol style="list-style-type: none"> 1) In Zone RU5 Village, Zone R1 General Residential, Zone R5 Large Lot Residential, and Zone B2 Local Centre: <ol style="list-style-type: none"> a) Shipping container style sheds or storage are prohibited in heritage conservation areas, on a heritage item, or on lots with a classified road frontage. b) In all other areas: <ol style="list-style-type: none"> i) A maximum of one (1) shipping container is permitted per lot or ownership holding or must appear as one (1) shed form if multiple containers are enclosed; and ii) It must be located behind the rear building line of the primary dwelling on urban land; and iii) Where visible from any public place, it must be integrated into a shed structure, clad in shed materials, and/or painted to make it appear like a standard shed. 2) In any Rural Zone (unless the business moves goods by shipping containers) the shipping container(s) should be unobtrusive, suitably painted and/or their visual impact reduced through landscaping.

Objective / Performance Criteria	Acceptable Solutions
<p>C3.6 Water Tanks, Pools & Spas</p> <p>To ensure that water tanks, pools and spas are appropriately located and designed:</p> <p>a) To minimise visual impacts from a street or public space and integrate with the residential development;</p> <p>b) To minimise impacts on a heritage conservation area or nearby heritage items (if applicable);</p> <p>c) To minimise noise impacts from associated machinery or the use of pools/spas near sensitive areas of adjacent development;</p> <p>d) To ensure that materials and colours are compatible with the surrounding character (if visible from a public area).</p>	<p>1) Considerations: Council will consider any applications for water tanks, pools and/or spas on their merits (with regards to the relevant controls in <i>SEPP (Exempt & Complying Development Codes) 2008</i> and the visual impact / amenity objectives in this section.</p> <p>2) Front Setback: Generally, in urban areas/zones water tanks, pools and spas should be located behind the front building line (i.e. not in the front setback to a public street).</p> <p>3) Heritage: In heritage conservation areas pools and spas should be located behind the rear building line (i.e. in the rear yard) or where they are suitably screened from a public street or space.</p> <p>4) Noise: Machinery (e.g. pumps, filtration equipment, generators or heat pumps) must be located away from sensitive areas of adjacent dwellings (e.g. bedrooms) in urban areas or suitably shielded to meet standard noise requirements.</p> <p><i>Note: Some water tanks are likely to be exempt development and not require a development application and some pools and spas are likely to be complying development or will be addressed as part of a dwelling application.</i></p> <p><i>Note: Please also see the Swimming Pools Act 1992 and Regulations 2008 and AS1926- Swimming Pool Safety (as amended) that take precedence over these controls to the extent of any inconsistency.</i></p>

C4 Large Lot & Rural Dwellings (including Rural Dual Occupancies)

This section applies to applications for a new **dwelling house** or **dual occupancies** (or alterations and additions to existing **dwelling houses** or **dual occupancies**) in:

- 1) Zone RU1 Primary Production;
- 2) Zone RU2 Rural Landscape; and
- 3) Zone R5 Large Lot Residential in rural areas where existing/proposed lots ≥ 1 hectare in area (e.g. along Browns Creek Road and Forest Reefs Road) (*if unclear, please confirm which controls apply with Council*).

Objective / Performance Criteria	Acceptable Solutions
<p>C4.1 Building Setbacks</p> <p>To maximise residential amenity on larger lots with appropriate setbacks from road noise and/or dust and visual and acoustic privacy between adjacent dwellings.</p>	<p>Setbacks: Dwellings (and attached ancillary buildings) must meet the following <u>minimum</u> setbacks in metres (m) from the lot boundaries</p> <p>Zone RU1 & RU2</p> <ol style="list-style-type: none"> 1) Public road frontage – 20m; 2) Side or rear boundary – 50m <p>Zone R5 Large Lot Residential ≥ 1 hectare,</p> <p>Public road frontage – 20m; Side or rear boundary – 10m</p> <p>Note: <i>Additional setback may be required where there is a higher risk of conflict including, but not limited to: public roads/noise, adjacent unsealed driveways/dust, proximity of other dwellings, buffers to intensive agriculture or other activities, watercourses, and bushfire prone areas or other matters discussed in this Section. Additional buffers/setbacks may be required under Part G – Environmental Management & Hazards.</i></p>

Objective / Performance Criteria	Acceptable Solutions
<p>C4.2 Building Siting & Buffers</p> <p>O1. Land Use Conflict: To minimise conflict between land uses within this zone and land uses within adjoining zones, particularly impacts on agricultural activities from demands for residential amenity, by appropriate building siting, setbacks and landscaping buffers.</p>	<p>1) Environmental Hazards: Buildings must be sited so as to avoid, or if not avoid, mitigate or minimise the impacts from natural hazards (including but not limited to flooding, stormwater hazards, bushfire etc.) or impacts on sensitive environment areas (including but not limited to significant vegetation, biodiversity, watercourses etc.) in accordance with Part G – Environmental Management & Hazards.</p>
<p>Notes:</p> <p>1) <i>Buffers can be in the form of simple setbacks between developments. Dense tree plantings may be required to provide a more effective barrier. Consideration may also be had for topography, noise, and prevailing winds etc.</i></p> <p>2) <i>The extent of buffer required will also be determined by the type of impact from which protection is sought (e.g. odour, noise, dust, chemical spray drift etc.).</i></p> <p>3) <i>Council supports the ‘right to farm’ so standard agricultural activities on rural lands must not be impacted by locating more sensitive dwellings in close proximity to adjacent farms.</i></p> <p>O2. Rural Setting: To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality through appropriate building siting, height, scale, and use of materials that blends into the natural environment.</p> <p>O3. Environment: To ensure that all buildings are sited in locations where impacts from natural hazards or impact to environmentally sensitive</p>	<p>2) Existing Trees: Buildings should be sited so as to minimise disturbance or removal of existing significant trees (including for asset protection zones to minimise bushfire risk) and buildings should be located outside the drip line of any retained trees to protect root structures.</p> <p>3) Buffers: Where dwellings are located adjacent to existing or potential higher impact activities (including, but not limited to agriculture, intensive agriculture, mineral resources etc.) then applicants must address the recommended buffer distances in Part G – Environmental Management & Hazards. If these buffer distances cannot be met then there must be additional justification that addresses how impacts will be avoided or minimised.</p> <p>4) Dual Occupancy Access: All dual occupancies must utilise the same driveway access from a public road. <i>Note: Dual occupancies (by definition) must be located on the same lot (i.e. they cannot be on separate lots even if they are part of the same holding) or lots will be required to be consolidated.</i></p> <p>5) Privacy & Amenity: Buildings must be sited to reduce any overlooking of the living rooms and primary private open spaces of adjoining dwellings and appropriately screened to protect privacy, noise</p>

Objective / Performance Criteria	Acceptable Solutions
<p>areas are avoided, or if not avoided, mitigated and minimised.</p> <p>O4. Amenity: To protect and enhance the residential amenity of the proposed dwelling(s) and any adjacent dwelling(s) on neighbouring lots.</p>	<p>separation and residential amenity of adjoining dwellings. If dwellings must be sited in close proximity to adjoining dwellings then privacy measures such as landscaping or screening, offsetting of windows, opaque windows etc. should be utilised.</p>
<p>C4.3 Visual Impacts</p> <p>O1. The scale, footprint, height and materials of any building must seek to integrate any buildings into the landscape and protect important skyline views.</p>	<ol style="list-style-type: none"> 1) Ridgelines: Dwelling must be located away from ridgelines or seek to minimise their visual impact on the skyline. 2) Scale / Colours/ Materials: Building must be designed and constructed to integrate with the surrounding rural landscape and not detract from the rural amenity. 3) Reflectivity: External materials must have low reflectivity if they are visible from a public road or neighbouring dwelling and there is a reasonable probability of glare affecting driver safety, residential amenity, or the building being too visually intrusive.

C5 Medium Density Housing (including Urban Dual Occupancies)

This Section applies to any application for ‘**medium density housing**’ in any zone generally where there is more than a single dwelling on any lot. This includes the following types of residential accommodation where they are permitted with consent (in accordance with **BLEP2012** (as amended)): **dual occupancies (except when on rural land under Section C4), secondary dwellings, multi-dwelling housing, and residential flat buildings.**

Note: As these applications are more complex than a single dwelling application Council suggests that assistance is sought from development professionals to prepare the application and it is discussed with Council prior to lodging.

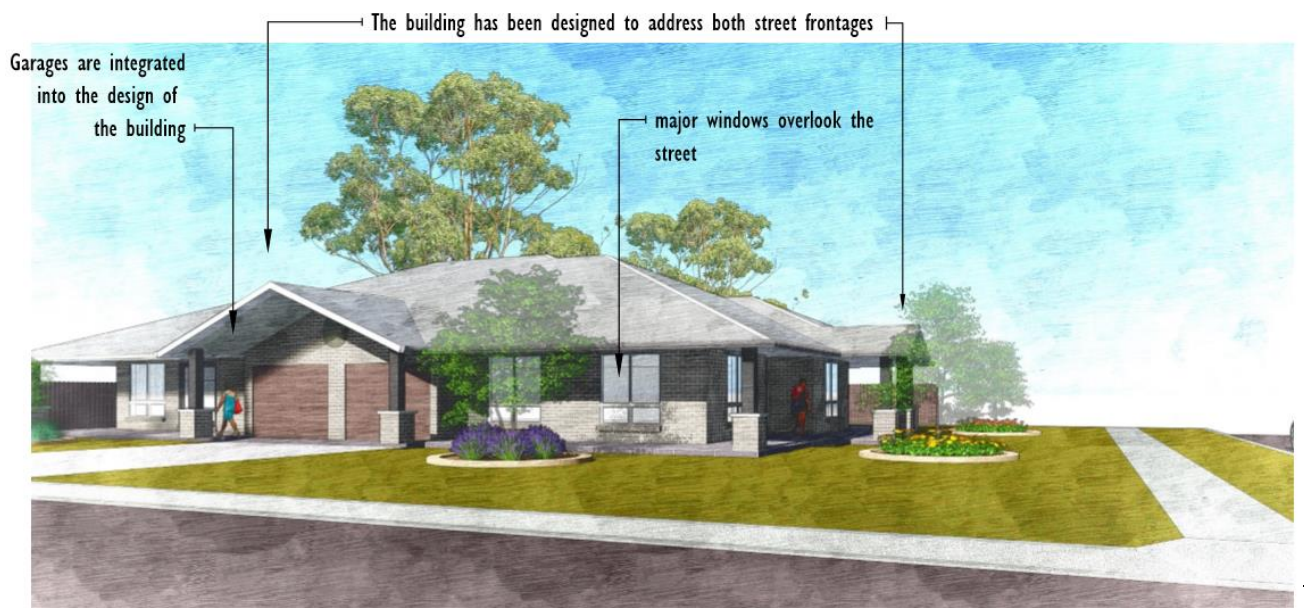
Objective / Performance Criteria	Acceptable Solutions
<p>C5.1 State Environmental Planning Policies</p> <p>O1. The applicant must address any other relevant State Environmental Planning Policies ('SEPPs') that apply to the particular type of residential accommodation proposed.</p>	<p>1) All residential flat buildings must address the requirements of <i>SEPP No.65 (Design Quality of Residential Apartment Development)</i>. If they are multi-level developments and not a residential flat building (e.g. shop top housing) they will be considered on their merits with regard to the principles of SEPP No.65.</p> <p>2) Where any controls in this DCP are inconsistent with any State Policy then the State Policy overrules the DCP provision, only to the extent of any inconsistency.</p> <p>Note: The new Code for Medium Density Housing (commencing 6 July 2018) <u>may</u> allow certain development types to be considered as complying development under SEPP (Exempt and Complying Codes) 2008. Discuss this with Council before lodging your application. Council may consider these controls for any relevant medium density application.</p>
<p>C5.2 Suitability of the Site</p> <p>O1. To promote higher dwelling densities in areas that are suited to higher densities without significantly compromising the amenity and character of our settlements.</p>	<p>Applicants must address (as part of the Site Analysis) why the proposed site is well-suited to the intended density of dwellings including:</p> <p>1) the site's access to services, transport, recreation and amenity;</p> <p>2) the existing and/or desired future character of the area including heritage and landscape qualities (where applicable).</p>

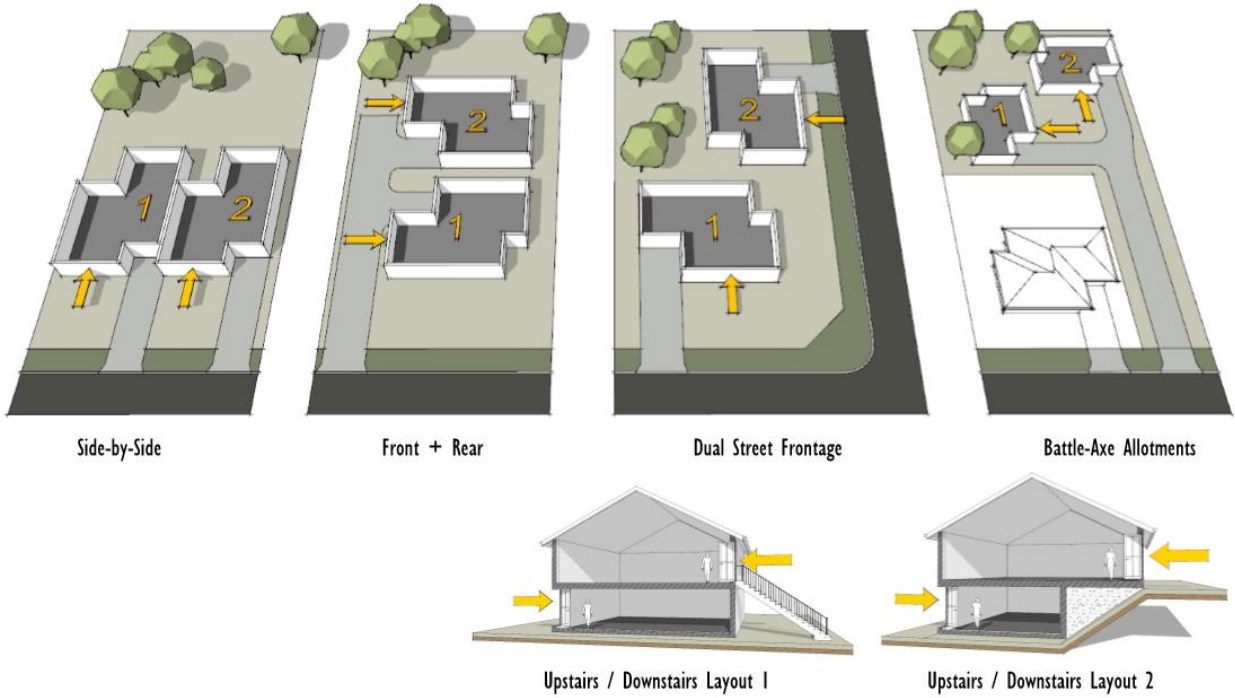
Objective / Performance Criteria	Acceptable Solutions									
<p>C5.3 Minimum Street Frontage</p> <p>O1. To ensure sufficient street frontages to accommodate vehicle and pedestrian access and promote dwellings that present to the street.</p>	<p>All multi-dwelling housing and residential flat buildings must have a minimum street frontage of 18 metres at the front building line.</p>									
<p>Density / Site Area</p> <p>O1. To ensure that lot size is of sufficient size to promote good site planning, vehicle access and parking, open space and landscaping, building separations and solar access, dwelling design, and street / visual amenity.</p>	<ol style="list-style-type: none"> 1) Effluent - Dual Occupancies/Secondary Dwellings: Any application for a dual occupancy or secondary dwelling on a lot without access to reticulated sewer will require additional justification (as part of the Geo-technical (Effluent) Report) that demonstrates there is sufficient space for both dwellings, on-site effluent disposal, landscaping, parking and buffers to adjacent lots. 2) Effluent – Multi-Dwelling Housing/ Residential Flat Buildings: Multi-Dwelling Housing or Residential Flat Buildings must be connected to a reticulated sewer systems. (Blayney and Millthorpe Only) 3) Residential Flat Buildings: Any application for a residential flat building should have a minimum site area of 1,500m² (assessed on its merits). 4) Multi-Dwelling Housing: The minimum site area / maximum number of dwellings permitted on a site for multi-dwelling housing is calculated by dividing the site area by the site area required for each proposed dwelling size as set out in the following table. <i>(For example: a proposal for two 2-bedroom dwellings and one 3-bedroom dwelling would require $(2 \times 300) + (360) = 960m^2$).</i> 									
<p>Note: In order to meet other controls in this DCP and provide suitable residential amenity it may be necessary to provide larger areas than those set out in the table above. There is no guarantee that every site can achieve those site areas/densities.</p>	<table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 50%;">DWELLING SIZE</th> <th style="width: 50%;">SITE AREA PER DWELLING</th> </tr> </thead> <tbody> <tr> <td>Studio / 1 Bedroom</td> <td>240m²</td> </tr> <tr> <td>2 Bedrooms</td> <td>300m²</td> </tr> <tr> <td>3+ Bedrooms</td> <td>360m²</td> </tr> </tbody> </table>		DWELLING SIZE	SITE AREA PER DWELLING	Studio / 1 Bedroom	240m ²	2 Bedrooms	300m ²	3+ Bedrooms	360m ²
	DWELLING SIZE	SITE AREA PER DWELLING								
	Studio / 1 Bedroom	240m ²								
	2 Bedrooms	300m ²								
3+ Bedrooms	360m ²									

Objective / Performance Criteria	Acceptable Solutions
<h3>C5.4 Setbacks</h3>	
<p>1) Objectives: Medium density housing must have suitable building setbacks/separations to:</p> <ul style="list-style-type: none"> a) Minimise noise impacts from adjacent roads & neighbours; b) Maximise visual privacy; c) Maintain reasonable solar access to primary living spaces and open spaces & minimise overshadowing to/from other dwellings on the site and adjacent sites; d) Promote natural cross ventilation; e) Encourage useable private (and possibly communal) open spaces that are accessible from primary living spaces and capable of supporting some significant landscaping; f) Provide opportunities for water and energy efficiency. <p>2) Building setbacks: All new dwellings must meet the minimum setbacks from the lot boundaries as set out in the following table and in accordance with the Setback Definitions in Part C1.3 including the averaging of setbacks. Any variations must be justified in accordance with Part A1.11 Variation to Controls.</p>	
Classified Roads (Zone R1 / RU5 only)	8m
Primary St (street with driveway) FRONT SETBACK	<ul style="list-style-type: none"> • 4.5m – single storey OR average setback of adjacent dwellings (whichever is greater) • 6.0m – two or more storeys OR average setback of adjacent dwellings (whichever is greater)
Garages fronting a public road	<ul style="list-style-type: none"> • 5.5m from the front boundary AND • 0.5m behind the front building line
Secondary St (corner lots)	<ul style="list-style-type: none"> • 3m – single storey • 4.5m – two storeys or greater
Side & Rear Boundary (no road frontage)	<ul style="list-style-type: none"> • 1.5m - single storey • 3m - two storeys or greater
Public Reserves	3m

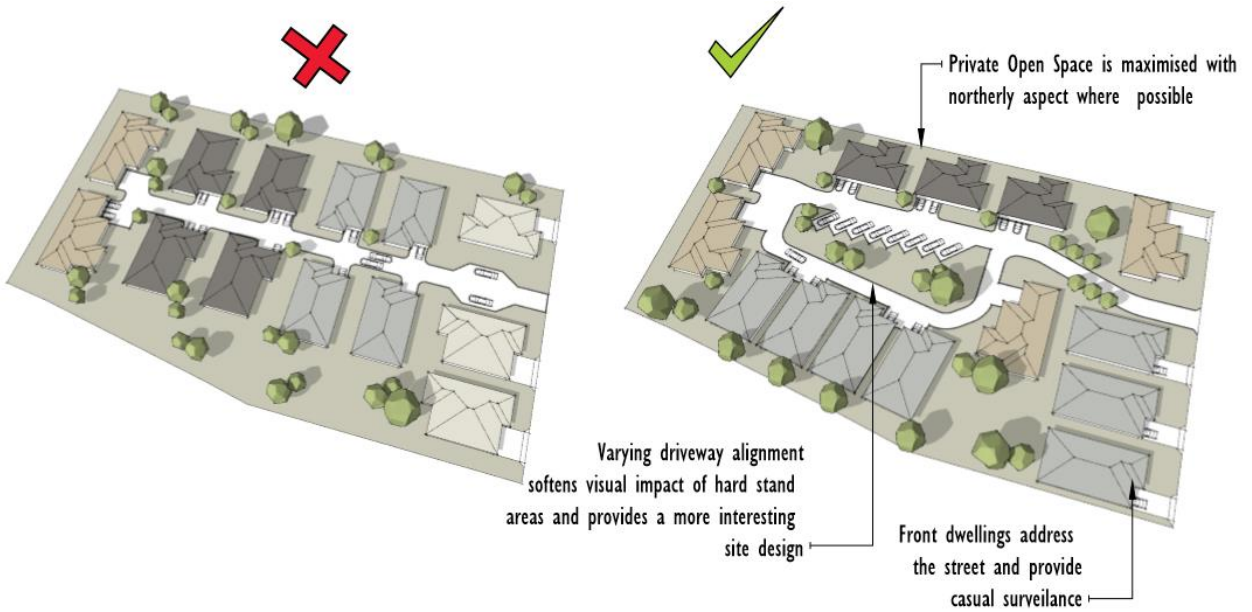
Objective / Performance Criteria	Acceptable Solutions
<p>C5.5 Site Coverage</p> <p>O1. To ensure that development allows sufficient areas for deep soil for landscaping and water infiltration that softens larger developments.</p> <p>O2. To encourage development with good open space, residential amenity, and energy efficiency.</p>	<p>Development must not exceed a site coverage of 70% (including all ancillary buildings and impermeable, hardstand and/or driveway areas).</p> <p>Note: <i>The site coverage should be clearly shown on the proposed Site Plan(s).</i></p>
<p>C5.6 Height & Solar Access</p> <p>O1. To ensure that the height and scale of development integrates into the existing and desired streetscape and minimises impacts on adjacent properties from shadow, acoustic and visual privacy, and cut and fill.</p> <p>O2. To encourage innovative medium density housing design that has good residential amenity, integrates with the existing and/or desired future neighbourhood character, and is responsive to the site and surrounds.</p>	<p>1) Maximum Height: Any proposal that exceeds 9m in height (measured from natural or existing ground vertically) or two (2) storeys (including attics with dormer windows) will need to provide:</p> <ul style="list-style-type: none"> a) Detailed site analysis that demonstrates it will not significantly impact on the amenity of neighbouring properties or other dwellings that form part of the development; b) Elevation drawings with Reduced Level (RL) for the maximum ridge, eave, floor, ceiling height(s) and existing/proposed ground level(s); c) Shadow Diagrams to demonstrate that there is a minimum of 3 hours solar access between 9am and 3pm on 21 June (Winter Solstice) in the primary living spaces and open space(s) of adjacent dwellings; d) Justification of building transitions to adjacent lower scale dwellings within 40m of the proposed development and how it fits within the existing and/or desired street character. <p>2) Solar Access: The primary living space of any adjacent dwelling must receive at least 2 hours of solar access at the Winter Solstice (21 June) between 9am and 3pm or not decrease solar access if it is already less than this amount.</p>

Objective / Performance Criteria	Acceptable Solutions
<p>C5.7 Presentation to Street & Vehicle Driveways</p> <p>O1. Higher density or innovative and different building forms must demonstrate how the building siting and driveway layout:</p> <ul style="list-style-type: none"> a) promote casual surveillance of the street; b) create clear entrances and a sense of address for each dwelling; c) avoid blank walls to public or semi-public areas and create visual interest; d) promote good orientation for solar access to living spaces and private open spaces; e) reduce visibility of maintenance areas and soften driveways with landscaping and screening 	<p>Development must address any public road frontage and internal driveway as follows:</p> <ul style="list-style-type: none"> 1) Ensure each dwelling (especially when attached) reads as a separate dwelling with its own clear entrance facing the street or internal access-way. 2) Avoid repetition in the dwelling types and layouts where the building forms become monotonous and/or mirrored with little differentiation between different dwellings. 3) Building facades facing a public road or internal driveway cannot have large areas of blank walls. 4) There is at least one window to a habitable room (not a bathroom or laundry) facing the street or internal driveway that allows for casual surveillance of public and semi-public areas. 5) Blank walls (or walls with little or no articulation) to public streets, internal driveways, or side setbacks are not supported. 6) Garages and carports are integrated into the design so they do not dominate the street frontage or internal driveways; 7) Soften the visual impact of large areas of hard-stand / driveway by varying driveway alignment when servicing more than six (6) dwellings and adding significant landscaping.





Clause C5.8 - Presentation to Street & Vehicle Driveways
Dual Occupancy Layouts



Clause C5.8 - Presentation to Street & Vehicle Driveways
Multi Dwelling Housing Arrangements

Objective / Performance Criteria	Acceptable Solutions
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C5.8 Noise & Visual Privacy

O1. To recognise and respond to potential noise and privacy constraints by designing to minimise acoustic (noise) impact and maximise visual privacy on proposed and adjacent development.

Note: Techniques may include additional building setbacks, offsetting or splaying windows, adding privacy screens, opaque windows, raising the bottom window-sill (high-level windows), courtyard walls or landscaping/ screening (see diagrams in Part C2.5). If reliant on landscaping, its effectiveness within 3 years of planting must be demonstrated. Solar access to living rooms must not be significantly impacted.

- 1) **Windows & Balconies:** Development:
 - a) That is more than one storey (including habitable attic rooms with dormer windows); or
 - b) Where the floor level is greater than 1 metre above the existing ground level; or
 - c) That does not meet the minimum building setbacks; or
 - d) Involves multiple dwellings on the one lot and/or strata/community title subdivision,

must be designed to locate dwellings/rooms and locate/size windows to habitable rooms or balconies to avoid looking directly into windows, balconies, courtyards, primary private open space(s) or access walkways of adjoining dwellings or demonstrate how overlooking will be minimised.
- 2) **Pathways / Driveways:** Where an access-way to another dwelling / parking area is in close proximity to a dwelling window there must be sufficient setback between the access-way and any windows to enable landscape plantings for privacy and acoustic amenity, particularly for bedroom windows.
- 3) **Adjacent Dwellings:** Dwellings that are attached should minimise noise transmission by locating active / day rooms (living, dining, kitchen, bathrooms) together, quieter rooms / bedrooms together, and garages together.
- 4) **Facilities:** Noise generating areas of developments (e.g. air conditioning plant, swimming pool areas, pumps, communal areas etc.) must be located away from bedroom areas of adjacent dwellings and adequately screened or sound-proofed (if required).

Objective / Performance Criteria	Acceptable Solutions
<p>C5.9 Private Open Space</p> <p><i>Private open space ('POS') is the primary outdoor space associated with a dwelling (either ground level yard or upper balcony/terrace) that is solely for use of the occupants of that dwelling and separated / screened from other public spaces.</i></p> <p>Medium density housing must incorporate sufficiently sized and suitably located outdoor private open space and landscaping areas:</p> <p>a) To maximise amenity for each dwelling; and</p> <p>b) To maximise solar access to private open spaces and living areas.</p>	<p>1) Area/Dimension: For each dwelling in dual occupancies, or multi-dwelling housing (at ground level):</p> <p>a) The minimum dimension of the one area of 'primary' open space is 4m by 4m; and</p> <p>b) The minimum combined open space area is 40m² (only areas with a minimum depth of 2m are included).</p> <p><i>Note: The private open space area calculation excludes intrusions e.g. drying areas, garbage bin storage areas, electricity substations, water tanks, hot water systems, retaining walls, driveways, etc. that would make the space unusable but may include covered 'alfresco' outdoor dining areas and decks as long as there is a significant area of permeable landscaping/deep soil provided.</i></p> <p>2) Solar Access: The 'primary' private open space must receive at least 2-3 hours of solar access over 50% of the area at the Winter Solstice (21 June) between 9am and 3pm.</p> <p>3) Access to Primary Living Space: Private open space for each dwelling should be directly accessible from the living areas of the associated dwelling.</p> <p>4) Screening/Privacy: The 'primary' private open space should be suitably screened from direct view from a public place, adjacent dwellings and adjacent common open space within any development.</p>
<p>C5.10 Landscaping & Deep Soil</p> <p>To encourage deep soil areas that can support significant landscaping to:</p> <p>a) Retain and protect existing significant trees;</p> <p>b) Allow for water infiltration and reduce stormwater issues;</p>	<p>1) Landscape Design: The applicant is required to lodge Landscaping Plan(s) (in accordance with Council's <i>Development and Building Guide</i>) that demonstrates how the proposed landscaping addresses:</p> <p>a) Retention and incorporation of any significant existing trees on the site (if possible);</p> <p>b) The likely height and size of existing (retained) and proposed species and their ability to integrate with the scale of the development and avoid future</p>

Objective / Performance Criteria	Acceptable Solutions
<p>c) Reduce the bulk and scale of larger developments and hardstand areas;</p> <p>d) Improve privacy and shading whilst allowing solar access in winter;</p> <p>e) Utilise species suitable to the climate with lower maintenance;</p> <p>f) Assist in defining the boundary between public, semi-public, and private land and promote good sight-lines and safety.</p>	<p>incompatibility due to proximity to buildings and falling limbs;</p> <p>c) Whether the species is deciduous or perennial and how this will facilitate solar access in winter and shade in summer;</p> <p>d) Whether the species will screen less visually appealing areas such as long driveways, car parks, garbage storage areas, clothes drying areas as well as providing privacy for dwellings;</p> <p>e) How any screening may impact on casual surveillance of the street and public spaces;</p> <p>f) Whether the species is suited to the climate (frost and drought tolerance) and local ecology (avoiding, where possible, weeds or invasive species);</p> <p>g) Provide details of maintenance and watering requirements for multi-dwelling housing and residential flat buildings;</p> <p>h) Proposed levels and surface types for drainage.</p> <p>2) Access Sightlines: Driver visibility / sightlines along public roads and footpaths at the entrance /exit of any lot must not be impaired by any fences or proposed landscaping (existing significant trees may be retained).</p> <p>3) Large Hardstand Areas: Landscaping must be provided to shade and soften the visual impact of large hard surfaces and allow for water infiltration including:</p> <p>a) Along driveways for multi-dwelling housing and residential flat buildings; and</p> <p>b) Around outdoor car parking areas.</p> <p>4) Water & Energy Efficiency: Landscaping must comply with that shown on the approved BASIX Certificate for the dwelling.</p> <p>5) Earthworks / Retaining Walls: Earthworks and retaining walls must be designed to promote access through the site and minimise impacts on neighbouring sites.</p>

Objective / Performance Criteria	Acceptable Solutions
<p>C5.11 Fencing</p> <p>Fencing must seek to balance security and privacy with the community need for new development to:</p> <ul style="list-style-type: none"> a) Reflect traditional and/or rural village styles and materials and the style of the associated building(s); b) Provide opportunities for casual surveillance of the street; c) Avoid large solid fence sections unsympathetic to the street character; d) Ensure sight-lines for vehicle and pedestrian safety. 	<ul style="list-style-type: none"> 1) Height (Front Fences): Fences within the front primary setback area to the building line are to be: <ul style="list-style-type: none"> a) Maximum 1.2m high above existing ground level; b) Not made of Colorbond/metal panels; and c) Not be solid above 900mm. 2) Height (Corner Allotments): Fences on corner allotments forward of the front building line must be either splayed, set-back, reduced in height or transparent to maintain visibility for motorists and views of the front of the house. 3) Height (Other Fences): Other side or rear boundary fences can be up to 1.8m high. 4) Materials: The materials for street frontage fences must be consistent with or sympathetic to those used in adjoining developments (other than solid metal panels), particularly when located in a heritage conservation area, adjacent to a heritage item or on a main street.

Suitable Vegetative Fencing



Suitable Modern Fencing



Suitable Modern Fencing



Fence design complements dwelling design

Inappropriate Fencing



high front fences of the building can obscure vehicle sight lines and are unacceptable



Inappropriate fence design does not enable casual surveillance of the street



Traditional Fencing

Objective / Performance Criteria	Acceptable Solutions
	<p>5) Reflectivity: If fencing (other than for front fences) is constructed of metal panels it must be of low reflectivity, factory pre-coloured materials (or galvanised iron where required by Council).</p> <p>6) Surface Water: Fencing must not redirect the flow of surface stormwater or floodwaters onto an adjoining property.</p> <p>7) Flood Prone Land: If the land is affected by flood related development controls (see Part G – Environmental Management & Hazards) the fence types must be designed to allow flood conveyance and prevent additional flooding on adjacent properties.</p> <p>8) Landscaping: Long fenced areas should be softened with landscaping</p>
<p>C5.12 Landscaping & Private Open Space To ensure all dwellings are provided with appropriate areas of landscaped private open space that promotes recreation, environmental, privacy benefits, reduces the visual impact of buildings and allows water infiltration.</p>	<p>Water & Energy Efficiency: Landscaping must comply with that shown on the approved BASIX Certificate for the dwelling.</p>

Objective / Performance Criteria	Acceptable Solutions
<p>C5.13 Solid Waste Management</p> <p>To ensure that solid waste management is integrated into the design of more complex developments and will provide:</p> <ul style="list-style-type: none"> a) Safe and efficient access for waste collection vehicles to the waste storage area; b) Suitable locations and accessibility to promote effective waste management and recycling; c) Appropriately sized waste storage areas for the potential waste generation of the development and collection periods; d) Screening of waste storage areas to minimise visual and odour impacts. 	<ul style="list-style-type: none"> 1) Multi Dwelling Housing: For all multi dwelling housing there must be: <ul style="list-style-type: none"> a) Individual bin storage areas nominated for each dwelling on the lot for that dwelling (preferably in the garage or side or rear setbacks where they are not visible from the internal driveway); and b) Where there are more than four (4) dwellings, communal bins storage area(s) nominated for all dwellings adjacent to the front / street boundary of the property that are: <ul style="list-style-type: none"> i) Located and designed in accordance with the collection requirements of a standard waste collection vehicle and allow for vehicles to access and empty bins safely; and ii) Suitably screened from the street and internal driveway (shown on any Landscape Plan(s)). <p>Other Medium Density Housing: For all other medium density housing applications garbage bins associated with dwellings are to be stored in the rear yard, side setback or garage of the dwelling and/or suitably screened (i.e. not visible from the street).</p>
<p>C5.14 Adaptability</p> <p>To require larger residential developments to provide a percentage of dwellings that are capable of being adaptable to meet changing needs of residents and the community.</p>	<p>Any development of six (6) or more units/dwellings in multi-dwelling housing or a residential flat building must provide one (1) unit for every six (6) units that is capable of conversion to adaptable housing in accordance with <i>Australian Standard AS4299 – Adaptable Housing</i> (as amended) to a Class C Level (all essential features incorporated).</p>

C6 Other Residential Types

This section applies to temporary accommodation (during construction), second-hand (relocatable) dwellings, manufactured homes (transportable dwellings), and shop-top housing/mixed-use developments.

Objective	Acceptable Solutions
<p>C6.1 Temporary Accommodation</p> <p><i>Council will permit in limited circumstances for the owner of a site and their immediate family to erect or inhabit a temporary residence on the development site to live in <u>during the construction of a proposed dwelling.</u></i></p> <p>O1. To ensure temporary accommodation is appropriately constructed and serviced and only used for the limited time needed to construct the permanent dwelling.</p> <p>Note: <i>An alternative may be to seek development approval for a dual occupancy and to build one of the dwellings first to live in while the primary dwelling is being constructed. This would ensure that the smaller dwelling has a permanent approval and can be re-used.</i></p>	<ol style="list-style-type: none"> 1) Permissibility: Temporary accommodation (during construction) is only permissible on lots or holdings that are $\geq 4,000\text{m}^2$ (i.e. they are prohibited in urban residential zone(s) and villages). 2) Number of Buildings: A temporary residence may comprise of one (1) shed (Council approved/ <i>National Construction Code</i> compliant); one (1) Caravan (with or without annex); or combination of one (1) shed and one (1) caravan. 3) Street Setbacks: The temporary accommodation must not be built or placed within the front setback to any street frontage of the proposed permanent dwelling. 4) Visual Impact: The arrangement of temporary accommodation must seek to minimise visual impact from any public space/road. 5) Fixtures: The temporary accommodation must be provided with: <ol style="list-style-type: none"> a) Kitchen with cooking and dish-washing facilities with running water; b) Shower and toilet facilities; c) Points of connection for a washing machine; d) Smoke detectors; e) All facilities installed in accordance with the <i>National Construction Code (NCC)</i>. 6) Effluent Disposal: There must be provision for adequate effluent disposal facilities (either an approved on-site effluent management system or connection to reticulated sewer).

Objective	Acceptable Solutions
	<p>7) Prior to Occupation: Temporary accommodation must not be occupied until:</p> <ul style="list-style-type: none"> a) Council has approved the development application and issued a Construction Certificate for the permanent dwelling on the site; b) Council has inspected the temporary accommodation (prior to occupation) to ensure it has been constructed / installed in accordance with the plans and specifications or Council has been given notice of intent to live on the site (if it is a caravan); c) All sewer drainage for the temporary accommodation has been approved and connected to the town sewerage system or Council approved on-site waste management system (where applicable). <p>8) Length of Use: The maximum period that temporary accommodation may be used as a habitable building is (whichever is the shortest time of):</p> <ul style="list-style-type: none"> a) 12 months from the date of approval of the permanent dwelling; or b) 3 months from the date the final Occupation Certificate is issued for the permanent dwelling; or <p>Council will only grant one six (6) month extension to the above timeframes that is supported with justification and a clear construction program agreed to by the builder.</p> <p>9) Finalisation: At the end of the maximum period in subclause (8) the temporary accommodation must be:</p> <ul style="list-style-type: none"> a) Completely demolished / removed and the area remediated; or b) The applicant must have Council approval to extend the maximum period for the temporary accommodation; or <p>There must be a development approval for the building to remain (either as a permanent dwelling / dual occupancy or shed / outbuilding where the components that make it habitable have been removed).</p>

Objective	Acceptable Solutions
<p>C6.2 Second Hand (Relocated) Buildings</p> <p><i>Existing second-hand buildings can be moved to the site and often placed on elevated footings. It does not include 'manufactured homes' or 'relocatable dwellings' or any other 'moveable dwelling' that may be approved under Section 68 of the Local Government Act outside of a caravan park (see next section).</i></p> <p>O1. To ensure second-hand (existing) buildings are safe for occupation and use prior to their delivery to the site.</p> <p>O2. To ensure that second-hand buildings are located and/or designed to reduce their visual impact and integrate with the surrounding area character.</p>	<ol style="list-style-type: none"> 1) Approvals: A Development Application and Construction Certificate will be required. You will require Section 68 Application(s) (<i>Local Government Act</i>) for installation of the building, connection to utilities and on-site sewage management. 2) Other Controls: The building location and design for the second-hand dwelling must comply with the other relevant controls in this DCP. 3) Visible Locations: In general, sites that have a frontage to a classified road (highways and regional roads) or a key public space or community facility must ensure that the second-hand building will appear as a permanent structure with good articulation and materials. 4) Lodgement: Applications for a second-hand building must include: <ol style="list-style-type: none"> a) A site plan showing the proposed location of the second-hand building in accordance with the setbacks in the relevant section of this DCP. b) Elevations of the second-hand building (as it is to be constructed); c) A Structural Report prepared and/or certified by an accredited Structural Engineer certifying the structural soundness of the building and design and certification of the footings; d) A Hazardous Building Material Survey prepared and/or certified by an accredited Occupational Hygienist/Asbestos Assessor certifying that either there is no asbestos or other hazardous material in the building, or it has been removed, or it is safe/stable for transport and use of the building ; e) Photographic evidence of the building (prior to its relocation to site) supported by a description of its condition prepared by a qualified consultant;

Objective	Acceptable Solutions
	<p>f) Evidence of how the building will be transported to the site and a copy of any permit(s) to ensure safe passage of the dwelling in accordance with the relevant acts / legislation (e.g. <i>Roads Act</i>);</p> <p>g) Evidence of screening to obscure any elevated footings from public view, usually with a sub-floor 'curtain' around the base of the building.</p> <p>Note: <i>Second-hand buildings must not be moved onto the site before development consent is issued for the use of the land.</i></p> <p>Note: <i>Council will issue a Final Occupation Certificate at the completion of the installation & any associated works. Second-hand dwellings will generally be required to complete their on-site installation and any associated works within a 6-month period from arrival at the site and Council may require a bond or bank guarantee.</i></p> <p>Note: <i>A BASIX Certificate is NOT required as it is not within the definition of a 'building' under the EP&A Act.</i></p> <p>Note: <i>If the land is bushfire prone land then additional assessment of bushfire risk and building construction will be required.</i></p>

Objective	Acceptable Solutions
<p>C6.3 Manufactured / Transportable Homes</p> <p><i>Under the Local Government Regulation 2005 this includes a 'relocatable home' which is either a 'manufactured home' or any other 'moveable dwelling' (but does not include a tent, caravan or campervan or other moveable dwelling capable of being registered on the road). This section does NOT apply to flat-pack / kit homes.</i></p> <p><i>'Manufactured home' is defined in the Local Government Act as 'a self-contained dwelling (that is a dwelling that includes at least one kitchen, bathroom, bedroom and living area that also includes a toilet and laundry facilities)' that is built either in parts or as a whole off-site and then transported to site for installation. It is not a registrable moveable dwelling, and includes any associated structures that form part of the dwelling.</i></p> <p>O1. To meet statutory requirements for manufactured homes / transportable dwellings.</p>	<ol style="list-style-type: none"> 1) Approval: The installation of a manufactured or transportable home (outside a caravan park or manufactured housing estate) requires development consent for the residential use of the land and approval(s) under Section 68 of the <i>Local Government Act</i> for the placement of the dwelling and any connections to reticulated sewer and water. This includes plans and specifications as set out in Clause 79 of the <i>Local Government Regulations</i>. 2) Screening of Footings: The application must include evidence of screening to obscure any elevated footings from public view, usually with a sub-floor 'curtain' around the base of the building. 3) Residential Controls: The building location and design for manufactured dwellings must comply with the other relevant controls in the residential controls of this DCP. 4) Visible Locations: In general, sites that have a frontage to a classified road (highways and regional roads) or a key public space or community facility must ensure that the manufactured dwelling will appear as a permanent structure with good articulation and materials. <p>Note: A construction certificate and/or occupation certificate is not required for the installation of the home.</p> <p>Note: A BASIX Certificate is NOT required as it is not within the definition of a 'building' under the EP&A Act.</p> <p>Note: If the land is bushfire prone land then additional assessment of bushfire risk and building construction will be required.</p>

Objective	Acceptable Solutions
<p>C6.4 Shop Top Housing / Mixed Use Developments</p> <p><i>‘Shop top housing’ means one or more dwellings located above ground floor retail premises or business premises. It is permitted with consent in Zone B2 Local Centre, Zone R1 General Residential, and Zone RU5 Village.</i></p> <p>O1. To ensure that shop top housing is designed to integrate with the associated commercial / retail function whilst providing suitable residential access and amenity.</p> <p>Note: SEPP65 (Design Quality of Residential Apartment Development) applies to a building of 3 or more storeys and 4 or more dwellings including shop top housing or mixed-use developments.</p>	<ol style="list-style-type: none"> 1) Commercial Controls: The commercial and/or retail element of any shop-top housing / mixed-use proposal must address the relevant Commercial & Community Uses controls in this DCP. 2) Residential Setbacks: If a dwelling is on top of or attached to a commercial component the same setbacks as the commercial component should be adopted as long as the applicant confirms: <ol style="list-style-type: none"> a) The requirements of the <i>National Construction Code</i> and fire rating are met; b) There is residential amenity for the proposed and adjacent (if any) dwellings in accordance with the relevant residential controls in this DCP and subclause (4) below; and c) Setbacks have minimised overshadowing of adjacent dwellings and their private open spaces. 3) Residential Access: A separate access must be provided to the residential component of the building from the main street frontage and/or from any rear parking area with an alternative street frontage. 4) Residential Amenity: The controls in the Sections above relating to residential amenity including, but not limited to noise & visual privacy, solar access to living spaces, and facilities (such as letterboxes and garbage bin storage and collection areas) will generally be applicable to shop-top housing but the requirements may be varied on merit with justification. 5) Car Parking: For any new building/dwelling(s) the residential component of any new shop top housing requires at least one (1) off street car parking space per dwelling but preferably two (2) spaces. In addition, the site needs to accommodate any commercial car parking requirements set out in this DCP.

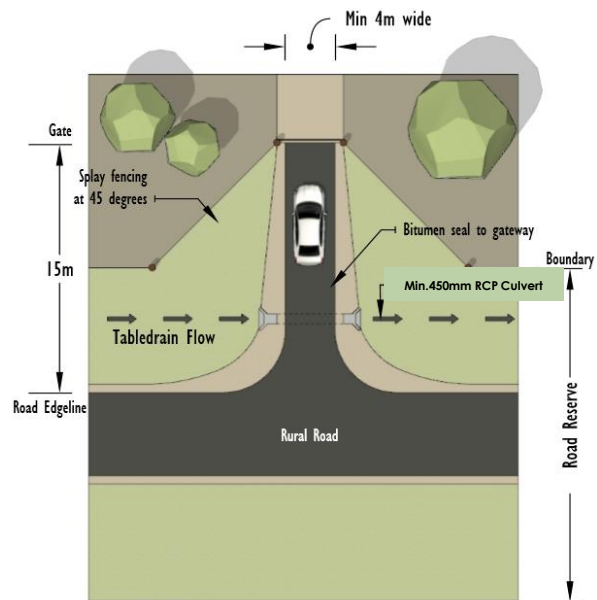
C7 Access & Parking

This section applies to any proposed car parking, driveways and pedestrian access requirements for new residential development or associated with new garages and carports.

Objective/Performance Criteria	Acceptable Solutions	
<p>C7.1 Vehicle Parking</p> <p>O1. Ensure there is sufficient on-site car parking for the proposed use(s) so that there is not an unreasonable reliance on on-street or off-site parking that impacts on other users.</p>	<p>Car Parking: Each dwelling must provide:</p> <ol style="list-style-type: none"> 1) The number of off-street car parking spaces for each development type set out in the rows below; OR 2) If the use is not listed below – in accordance with the <i>Guide to Traffic Generating Developments on the Roads & Maritime Services website</i> (as amended); 3) Parking spaces, manoeuvring areas, and driveways must be designed in accordance with <i>Australian Standard AS2890 – Parking Facilities</i>, the <i>Guide to Traffic Generating Developments</i> (on the Roads & Maritime Services Website), and Council’s <i>Guidelines for Engineering Works</i>. 	
Development Type	Parking for Residents	Visitor Parking
<p>Single dwelling houses, secondary dwellings, dual occupancies, semi-detached dwellings, and attached dwellings (townhouses) including second-hand (relocatable) and transportable dwellings.</p>	<p>Minimum one (1) off-street car parking space on the property for each dwelling located behind the dwelling setback to the street lot boundary (‘building line’). Two (2) car spaces are preferred and may include use of the driveway area in front of any garage/carport.</p>	<p>Not required. On-street or in driveway sufficient.</p>
<p>Multi-dwelling housing and residential flat buildings</p>	<p>Minimum one (1) off-street car parking space for each unit plus an additional one (1) space per four (4) units or part thereof.</p>	<p>Minimum one (1) space per five (5) units or part thereof.</p>

Objective/Performance Criteria	Acceptable Solutions
<p>C7.2 New Driveways & Entrances (Urban Areas)</p> <p>O1. Ensure new driveways and garage entrances are located to maximise vehicle and pedestrian safety with appropriate sight-lines and separations from intersections / other driveways / pedestrian access paths.</p> <p>O2. Ensure that for developments (other than a single dwelling, secondary dwelling, or dual occupancy on a lot) all vehicles can enter and leave the site in a forward direction.</p> <p>O3. Ensure that driveways, garages and carports do not dominate the street or the proposed development, are integrated with the design, and there is sufficient landscaping to soften visual impact.</p>	<p>In Zones B2 (Local Centre-Blayney), R1 (Blayney), RU5 Villages and any R5 lots < 1 hectare in area:</p> <ol style="list-style-type: none"> 1) Safety: Any driveway must provide sufficient separation from nearby intersections and sight-lines for pedestrian and vehicle safety in accordance with Council's <i>Guidelines for Engineering Works</i> and AS2890.1 – Figure 3.1/3.2). 2) Driveway Width: <ol style="list-style-type: none"> a) Driveways serving one (1) dwelling shall be a minimum width of 3m. b) Shared driveways serving three (3) or more dwellings shall have a minimum width of 4.5m increasing to 5.5m forward of the front building line or for passing bays (as required) justified based on the size of the development. 3) Vehicle Turning: There must be sufficiently sized and appropriately located vehicle turning space(s) to enable all vehicle sizes that are expected to access the development to enter and leave the site travelling in a forward direction (not required for dwellings with direct single driveway access to the street).

Objective/Performance Criteria	Acceptable Solutions
<p>C7.3 New Access, Entrances & Driveways (Rural Areas)</p> <p>O1. To ensure that all lots have a safe and effective access / entrance and any new driveway minimises impacts on public roads and adjacent dwellings.</p>	<ol style="list-style-type: none"> 1) Guidelines: In Zone R5 lots \geq 1ha in area, Zone RU1 / RU2, and any other rural any entrance or driveway must be constructed in accordance with Council's <i>Guidelines for Engineering Works</i> and the <i>Guide to Traffic Generating Developments</i> on the Roads & Maritime Services website (as amended). 2) Entrance Seal: If there is an existing bitumen sealed road adjacent to a new lot, all newly constructed vehicle entrances are to be bitumen sealed from the edge of the existing road to the entrance / gate. 3) Entrance Setback: Entrances are to be setback from the edge of the existing road formation (to permit a small truck or car and trailer to park in the entrance without blocking the road) not less than the following distances (see diagram below): <ol style="list-style-type: none"> a) 15m (where the lot has an area of more than 1 ha); b) Entrance setbacks to a highway or classified road must meet RMS standards.



Clause C7.3 - New Rural Access

C8 Site Planning, Earthworks & Utilities

This Section applies to all development that involves 'significant' new development, earthworks, or new connections to utilities (at the discretion of Council).

For any 'significant' development (other than minor alterations and additions) one of the most important steps in preparing an appropriate design is the Site Planning stage where the location of any building/structures/works, its orientation, and how it responds to site opportunities and constraints is determined (prior to detailed design). It is also important to consider the location and costs of connection and/or construction of utilities at the Site Planning stage.

Objective / Performance Criteria	Acceptable Solutions
<p>C8.1 Site Planning</p> <p>O1. To ensure that the design of any significant new development is based on a site analysis of any relevant opportunities and constraints of the site and (taking into account any other relevant controls in BLEP2012 and this DCP):</p> <ol style="list-style-type: none"> 1) Considers and responds to the topography, climate and natural environment; 2) Avoids, or if it cannot avoid, minimises or mitigates against natural hazards and land use conflicts; 3) Protects and enhances any heritage items or heritage conservation areas; 4) Integrates with the surrounding built form and landscape character; and 5) Maintains reasonable residential amenity (for the site and adjacent dwellings). 	
<p>C8.2 Water & Energy Efficiency</p> <p>O1. To promote dwelling design that is water and energy efficient, thermally comfortable, and minimises the need for mechanical heating and cooling in accordance with NSW State Government requirements.</p>	<p>A BASIX Certificate may need to be submitted with the Development Application in accordance with <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> prepared either by an applicant or a suitably qualified consultant.</p> <p>Note: Please go to www.basix.nsw.gov.au for more information or to conduct a BASIX assessment on-line or see Council's <i>Development and Building Guide</i> for more details.</p>

C8.3 Design Principles (Advisory only)

- 1) **Overall:** All new dwellings should (within the constraints of the existing lot orientation and dimensions) consider ways that (using the advisory design principles below):
 - a) Maximises solar access to key living spaces during winter (to minimise heating requirements); and
 - b) Minimises solar access and facilitates cross-ventilation of the building during summer (to minimise cooling requirements).
- 2) **Layout:** Living spaces should ideally be located on the north side of the dwelling where there is maximum solar access. Private open spaces should demonstrate significant areas unaffected by shadow from proposed or existing buildings.
- 3) **Activity Zones:** Dwellings should ideally have separate living and bedroom zones to avoid having to heat or cool the entire dwelling when only part of the dwelling is in use during different parts of the day.
- 4) **Windows:** Windows to primary living spaces should ideally face between 30° east of solar north or 20° west of solar north.
- 5) **Shading:** Shading devices should be provided for windows (including eaves, awnings, balconies, pergolas, louvers and or deciduous plantings) that that will let in the winter sun but block the higher summer sun and minimise the need for additional heating/cooling.
- 6) **Cross Ventilation:** Design should seek to facilitate natural cross ventilation (breezes) through a dwelling by minimising interruptions in air flow and providing operable windows on opposite sides of the dwelling and key living spaces to capture cooling breezes in summer.
- 7) **Insulation:** The higher the insulation (R) values the greater the ability for the dwelling to stay warm in winter and cool in summer.
- 8) **Solar Photovoltaic Panels:** Consider how the roof orientation, design and pitch may be able to accommodate photovoltaic panels or other suitable locations with good solar access (now or in the future).
- 9) **Landscaping:** Landscape design should be integrated with the site planning and building design to utilise perennial and deciduous species to provide wind barriers, privacy, shading in summer and solar access in winter, and water infiltration into the soil.

For more information see the Your Home - Australia's guide to environmentally sustainable homes for these and a range of other ways to make your house more sustainable at

www.yourhome.gov.au.

Objective / Performance Criteria	Acceptable Solutions
<p>C8.4 Earthworks</p> <p>O1. To ensure that earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, or cultural or heritage items.</p> <p>O2. To minimise cut and/or fill or site and potential erosion and sediment entering stormwater systems or watercourses or impacting on adjoining properties.</p> <p>Note: <i>Earthworks MAY be exempt or complying development under SEPP (Exempt and Complying Development Codes) 2008.</i></p> <p>O3. Avoid contaminated fill being relocated or used on sites.</p>	<ol style="list-style-type: none"> 1) Cut and/or fill should be minimised by appropriate site planning, building orientation and design, taking into account the slope of the site, proximity to adjacent properties and environmentally sensitive areas, and access and drainage requirements. 2) Cut and/or fill for residential uses that is greater than 1m in depth or closer than 1m to a lot boundary may require additional certification to avoid impacts on adjacent properties. 3) Applicants must notify Council if cut and/or fill will result in the net export or import of fill from sites other than the subject site and demonstrate the fill is not contaminated. <p>Note: <i>If the site is within a flood prone area or drinking catchment area then there may be additional earthworks controls in Part G – Environmental Management & Hazards.</i></p>
<p>C8.5 Building near Utilities/ Easements</p> <p>O1. All buildings and structures must be located and designed so they do not obstruct access to, or impact on the safe operation of, existing or proposed utilities such as sewer, stormwater, water, electricity, gas, and telecommunications (whether they are above ground or underground).</p>	<ol style="list-style-type: none"> 1) Permanent buildings or structures or works must not be located over or in the vicinity of an easement without express written authorisation from the responsible utility authority. 2) Where an easement does not exist, the structure must be located a minimum distance equivalent to the invert depth of the pipeline plus one (1) metre from the known utility location, and in accordance with the relevant utility authority requirements. <p>Note: <i>Council recommends that applicants lodge a 'Dial Before You Dig' Application to ascertain the approximate location of all services on site and, where there is any chance that development will be near those services, identify those services accurately on a Survey Plan.</i></p>

Objective / Performance Criteria	Acceptable Solutions
<p>C8.6 Connection to Utilities</p> <p>O1. To address the requirements of Clause 6.8 - <i>Essential Services</i> in <i>Blayney Local Environmental Plan 2012</i>.</p> <p>O2. To ensure that new developments are appropriately serviced (the type or level of service depending on service availability and cost-effectiveness to connect).</p> <p>O3. To require development to connect to and support existing utility infrastructure in accordance with Council's <i>Guidelines for Engineering Works</i> (as amended).</p> <p>O4. Where reticulated services are available within reasonable proximity to the lot, any new buildings must connect to those reticulated services unless the applicant can demonstrate why that connection would not be appropriate and/or propose an alternative system that is acceptable to Council.</p>	<ol style="list-style-type: none"> 1) All dwelling lots in Zone R1 General Residential (Blayney) or Zone RU5 (Millthorpe) must be connected to reticulated water and sewer. 2) All residential lots in Zone R5 Large Lot Residential near Millthorpe that have a Minimum Lot Size of 4,000m² on the Lot Size Maps in BLEP2012 and propose to create lot(s) below 2 hectares must connect to reticulated water and sewer. 3) New development must be connected to grid-electricity unless the applicant can demonstrate a sufficiently sized and appropriate alternative (off-grid) system to meet the reasonable needs of that type of development. 4) All utilities must be installed and/or connected in accordance with Council's <i>Guidelines for Engineering Works</i> or the requirements of the relevant utility provider. <p>Note: Telecommunications and gas services may also need to be connected. Speak to Council about your requirements. Stormwater is addressed in Part G – Environmental Management & Hazards.</p>
<p>C8.7 Siting & Visibility of Utilities</p> <p>O1. To minimise the visual impact of any new utilities, connections, or associated structures if visible from public areas.</p>	<ol style="list-style-type: none"> 1) Utilities should be located underground (particularly in heritage conservation areas or main streets) or utilise existing poles (at the discretion of Council) unless other constraints make this unsuitable. 2) Utility boxes and cabinets (e.g. electricity substations, meter boxes etc.) on private land are integrated into the development and screened (where appropriate).

Objective / Performance Criteria	Acceptable Solutions
<p>C8.8 Water Tanks</p> <p>O1. To ensure that dwellings have sufficient potable water to cater for the number of people/ likely consumption and any ancillary uses.</p>	<p>Dwellings that are reliant on rainwater for drinking water must have a minimum tank capacity of 60,000L or the requirements set out in the BASIX Certificate (whichever is greater). Additional capacity may be required for garden watering and other purposes.</p> <p>Note: <i>If the site is bushfire prone land it may also need to meet Rural Fire Service requirements). Additional water may be required for gardens, pools and other uses.</i></p>
<p>C8.9 On-Site Sewage Management</p> <p>O1. To ensure (where reticulated / centralised sewage management systems are not available) appropriate on-site systems will be suitably sized and able to operate on the lot without impacting on development on the subject lot, neighbouring lots or surface or ground water systems, and don't require excessive vegetation removal.</p>	<p>Where a lot is unable to connect to a reticulated sewage system, the applicant must provide an Effluent (Geo-technical) Report prepared by a suitably qualified geo-technical engineer that supports the design and location of any on-site system in accordance with Council's <i>Development and Building Guide</i>, any relevant Australian Standards, and Part G2.5 On-Site Effluent Disposal of this DCP.</p>
<p>C8.10 Re-Use of Water</p> <p>O1. Re-use of water is encouraged but must be treated to the relevant NSW standards to ensure safety and environmental health.</p>	<p>Any water for reuse-use must be treated in accordance with the relevant <i>NSW Health Guidelines</i> and any other relevant <i>Australian Standards</i> using certified systems and may need to be addressed in an Effluent (Geo-technical) Report.</p>

Objective / Performance Criteria	Acceptable Solutions
<p>C8.11 Solid Waste Management</p> <p>O1. To ensure that all new development has an appropriate solid waste management system to protect the environment.</p>	<p>Applicants must determine (in consultation with Council) what solid waste collection services are available, other appropriate method of disposing of solid waste and suitable storage location(s).</p>
<p>C8.12 Letterboxes</p> <p>O1. Letterboxes must be provided for all new lots/dwellings that do not have an existing letterbox.</p> <p><i>Note: Letterboxes MAY be exempt or complying development under SEPP (Exempt and Complying Development Codes) 2008.</i></p>	<p>Separate letterboxes for each dwelling must:</p> <ol style="list-style-type: none"> 1) Be located where it is easily visible from the road frontage and accessible for Australia Post employees; 2) Be clearly marked with the correct house number; 3) Provide an additional letterbox for the Owners' Corporation for Strata/Community Title.
<p>C8.13 Street Numbering</p> <p>O1. Street numbers should be provided for new buildings on vacant lots or new lots.</p>	<p>Each dwelling must have an appropriate street number that is clearly visible from the street (as determined by Council).</p>