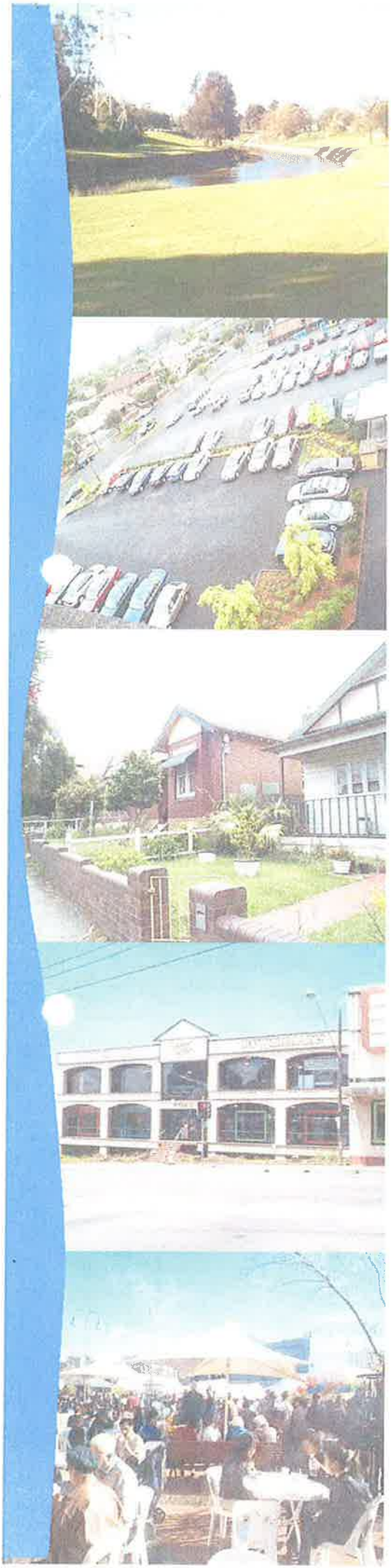

City of Canterbury

City of Cultural Diversity

Development Control Plan No. 49

Single Dwelling Code

Adopted by Council: 12 July 2007
Effective from: 15 October 2007

Jim Montague
GENERAL MANAGER

City Planning Division

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1. INTRODUCTION

1.1 This Development Control Plan (DCP) applies to all new dwelling houses and extensions and alterations to existing dwelling houses. This DCP does not however, apply to the area known as Richmond Grove Estate, included within DCP No 47 Small Lot Housing Development, or to the Ashbury Special Character Area included within DCP No 50. or to Dual Occupancy Development proposals.

1.2 This DCP is to be read in conjunction with the provisions of the Environmental Planning and Assessment Act 1979, and the Regulations there under, and the Building Code of Australia and the requirements therein.

1.3 The requirements of this DCP do not necessarily imply automatic approval, as the merits of each individual proposal will be considered in relation to the objectives and standards of this DCP. In some cases the circumstances of the site might dictate that higher standards should apply. Where special conditions or circumstances prevail, departures from this DCP will be considered on merit by Council having regard to those special circumstances or conditions. In such cases, it is necessary that the application be accompanied by detailed information explaining why a departure from this DCP should be permitted.

1.4 All new single dwelling development must be designed to achieve water consumption and greenhouse gas emission targets established by BASIX. BASIX is a NSW Government self assessment tool, designed to be used by building applicants and others in achieving these targets. BASIX is accessed via the BASIX website, www.basix.nsw.gov.au. Applicants wishing to build a new dwelling are required to complete a BASIX assessment in relation to their proposal.

The BASIX certificate, generated once a BASIX assessment has been satisfactorily completed, confirms that the proposed development will meet the State Government's water consumption and greenhouse gas emission targets if it is carried out in accordance with commitments made by the applicant during the BASIX assessment.

If you are relying on landscaping to assist in meeting BASIX targets you will be required to submit details of the landscaped area proposed and vegetation species with your development application.

All alterations and additions worth more than $50,000 require a BASIX Certificate.

Due to the complexity of alterations and additions, NatHERS cannot be used for modelling the thermal performance of proposed alterations and additions.

2. OBJECTIVES

This DCP has the following general objectives:

- To encourage all new dwellings and alterations to existing dwellings to be in context with the locality in which they are proposed and to contribute to the quality of the existing streetscape.

- To allow for a range of dwelling designs that maintains a balance between the expectation of individual home owners and the community.

- To encourage development that is sustainable and environmentally responsible by taking into account the impacts of development on the environment and the amenity of adjoining properties and those within the vicinity.

3. DEFINITIONS

Basement	means the space under a building where the floor level of that space is predominantly below existing ground level and where the floor level of the storey immediately above is less than 1 metre above existing ground level.
Building Height	is the vertical distance measured between ground level (existing) at any point at which the dwelling is sited and the ceiling of the topmost floor of the dwelling above that point.
Dwelling House	means a building being a Class 1a building under the Building Code of Australia, containing a room or suite of rooms occupied or used or so designed, constructed or adapted so as to be capable of being occupied or used as a separate domicile.
Floor Space Ratio	is the ratio of the Gross Floor Area of the house to the total site area, exclusive of any access handle to battle axe allotments.
Front Setback	is the distance between the front façade of the dwelling and the front site (street) boundary.
Gross Floor Area	is the sum of the areas of each Storey of a building, including: • Wall thicknesses; • Stairwells (counted at each level); • Void areas and atriums (counted at each level) • Habitable rooms in a basement But excluding: • Columns, fin walls, sun control devices and any elements, projections or works outside the general lines of the outer face of the external wall; • Garages (other than basement garages) to a maximum of 45 square metres in area. • Basements. Note: stairwells, void areas and atriums etc which are effectively two levels in height add to the bulk of a building and are included as floor space at each level. • Covered balconies, terraces, patios or the like to a maximum area of 30 square metres.
Ground Level (existing)	means the existing level of a site at any point.
Ground Level (finished)	means for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or which is exempt development.
Predominant Building Line	is the main or principle line that the street facades of the majority of the dwellings in the street are built to.

Side Setback	is the distance between the side building walls of the dwelling and the side property boundaries.
Storey	means the space within a building that is situated between one floor level and the floor level next above.

4. STREETSCAPE

Streetscape refers to the way a street looks. The presentation of dwellings is the most critical element that determines the look not only of the street but also the locality. Good streetscapes contain houses that are visually compatible so that no single house is dominant.

For a new house to be visually compatible with its context, it should contain, or at least respond to, the elements that make up the character of the surrounding streetscape. The most important contributor to streetscape character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks and landscaping.

Dwellings do not have to be the same height to be compatible. A mix of single storey and two storey dwellings can often produce a suitable streetscape appearance providing other elements, such as similar front setbacks and landscaping treatments are consistently provided.

The front and side boundary setbacks determine a rhythm of building form. Consistent driveway location contributes to this rhythm and collectively these elements contribute to the character of an area. While it may not be necessary to reproduce these rhythms exactly, new dwellings should strive to reflect them in some way.

In many streets the front setback area is dominated by landscaping, in other streets dwellings dominate over landscaping. For the most part, the front setback area of dwellings in Canterbury is dominated by grassed areas planted with shrubs and trees. In streets where this is the case new development should maintain the established setback distance and provide grass and deep soil planting areas in front of the dwelling.

An assessment of the existing streetscape character and site analysis is the first step in the design process. Incorporating elements that are evident in the existing streetscape will ensure that new development is a good design for its site and the immediate surrounding locality.

Objectives

- To ensure that all residential development makes a positive contribution to the streetscape.
- To ensure that new residential development reflects the dominant building rhythm of the street with regard to scale, driveway location and proportion of built elements.
- To reinforce existing streetscape features such as front setbacks, building heights, front gardens and fences.
- To ensure that development conserves significant streetscape items such as significant street trees.

4.0 A Streetscape Character Analysis must be submitted as part of any development application for:

- New dwellings,
- Alterations to the front elevation and/or double storey additions to existing dwellings.

4.1 The Streetscape Character Analysis should consider the overall neighbourhood character and the potential impact of new development. The Streetscape Character Analysis must include the subject property as well as a minimum of five sites on either side of the proposed development and all corresponding sites on the opposite side of the street. Where the site is a corner site, the Streetscape Character Analysis is to include the subject property as well as a minimum of three sites on either side of the primary frontage of the site on both sides of the street, and five properties (on both sides of the street for the secondary frontage.

Where this cannot be achieved, due to the configuration of the corner, the Streetscape Character Analysis is to include the subject property and all dwellings (partially or wholly) within a radius of 75m (taken from the centre of the primary street frontage. (Refer to diagrams below).

Note: where hatchet shaped allotments with an access handle fronting the street are within the area of analysis they are not to be included as one of the required sites.

Figure 1 - Streetscape Character Analysis showing five sites on either side of the proposed development and sites opposite.

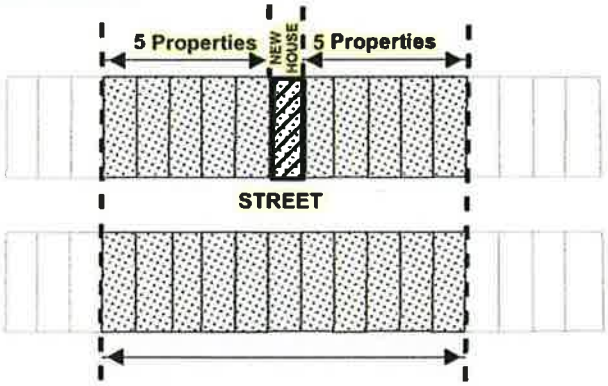


Figure 2 - Corner site streetscape analysis

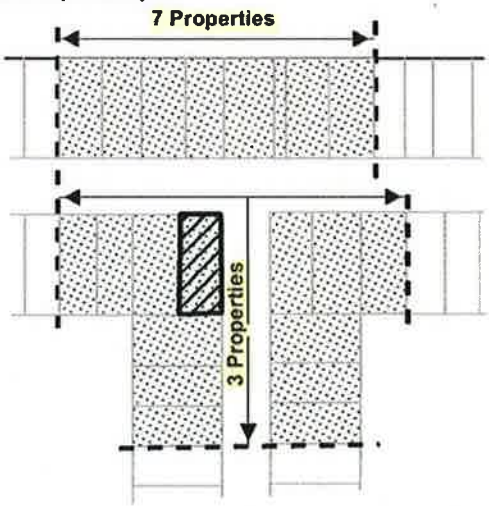
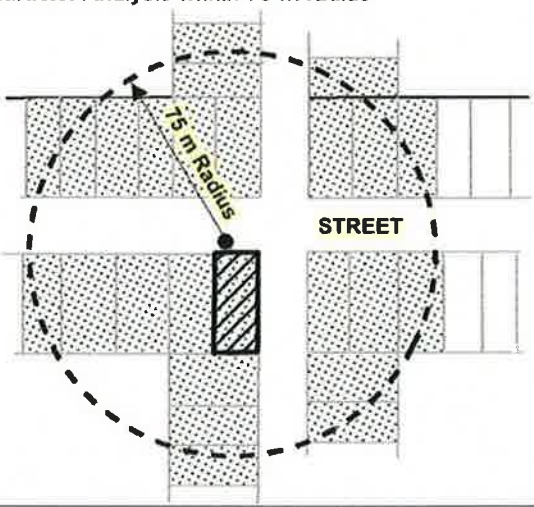


Figure 3 - Streetscape Character Analysis within 75 m radius



4.2 The key character elements that need to be considered as part of the Streetscape Character Analysis are:

- **The existing scale** (the height of buildings as they present to the street, the overall mass of the building or floor space, the articulation of the building and the roof design).
- **The rhythm of the built elements in the street** (ie the ratio of building to block width and building separation, driveway position and building setback).
- **Fenestration and building materials** (including the dominant building materials and extent and position of glazing and garage openings).
- **The street edge** (front fencing, front yard landscaping and street trees).

5. SETBACKS

Front Boundary Setback

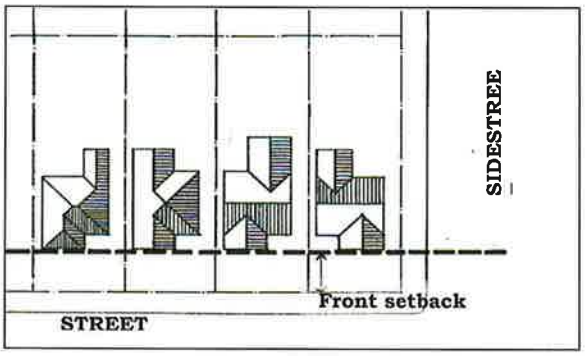
Objective

'To maintain and enhance streetscapes, by providing appropriate spatial separation of dwellings and by reinforcing the established streetscape pattern of a consistent front setback and areas for front gardens.'

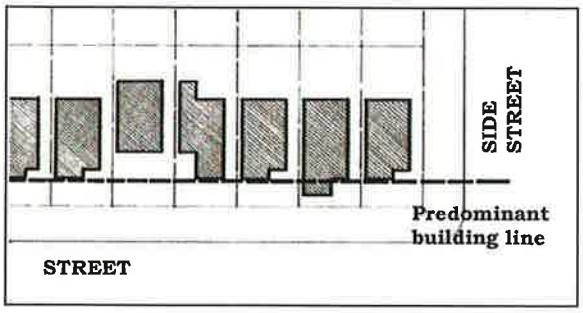
5.1 All buildings are to follow the predominant front setback along the street and are to be built parallel to the street unless there is an existing "staggered" building alignment.

5.2 Not withstanding 5.1 the minimum front setback is 5.5 metres. This may be increased having regard to existing predominant building lines within the street to a maximum of 7.5 metres.

5.3 The minimum setback for the first floor of a dwelling is 7.5m unless there is an existing setback pattern in the street for twos storey dwellings that is less than 7.5m.



Maintain the predominant frontage



Maintain the predominant building line

5.4 An unroofed balcony/patio may encroach onto the front setback up to a maximum of 1 metre.

5.5 External ground floor stairways are permitted to encroach onto the front setback providing the impact of the stairway is minimal on the streetscape and neighbouring properties.

Side Boundary Setbacks

Objective

"To ensure there is appropriate spacing between dwellings."

5.6 The minimum side boundary setback for a new dwelling is:
(a) 1 metre for single storey dwellings.
(b) 1.2 metres for two storey dwellings.

5.7 On allotments with width 12.2 metres or less the minimum side boundary setback for a new dwelling is
(a) 900 millimetres for single storey dwellings.
(b) 1 metre for two storey dwellings.

5.8 The minimum side boundary setback for additions to existing dwellings will be considered on merit. Generally Council requires setbacks to be provided in terms of clauses 5.6 and 5.7 however, this may be reduced taking into account the setback of the existing dwelling.

5.9 The minimum distance between eave/gutter and the allotment boundary is 450 millimetres for single and two storey dwellings.

6. BUILDING HEIGHT

Objectives

- To ensure that new dwellings and alterations and additions to existing dwellings are compatible in scale with the surrounding development;
- To reduce the visual appearance of dwellings by ensuring that the overall height is kept to a minimum.
- To minimise overshadowing and overlooking of surrounding neighbours;
- To relate the height and scale of buildings to the topography with minimal cut and fill.

6.1 The maximum building height for all new dwellings and all alterations and additions to existing dwellings is 7 metres and two (2) storeys.

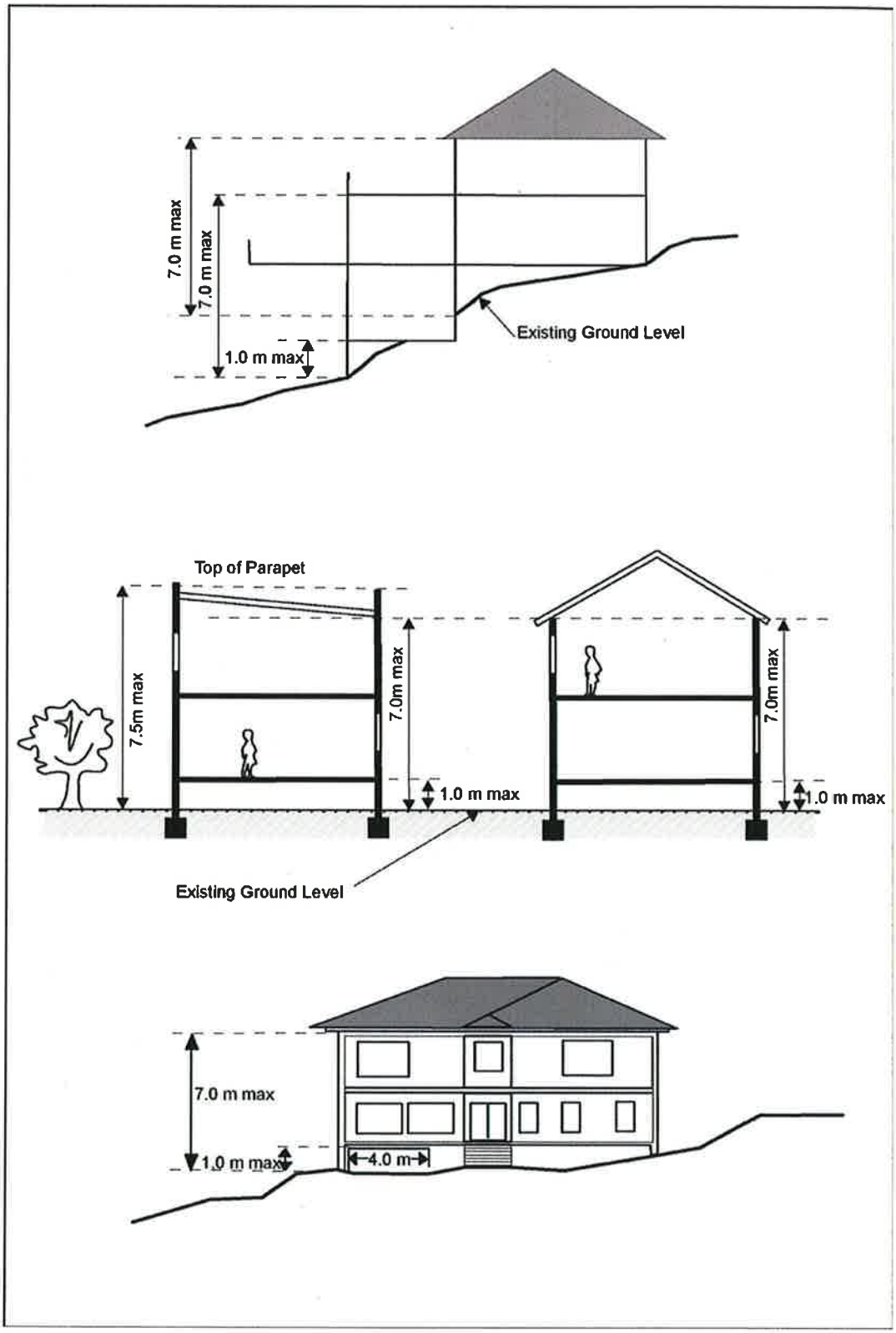
6.2 For sites with a slope exceeding 12 degrees (22 percent or 1:4.5) the maximum number of storeys is three.
Note: On sloping sites the setting back of the top storey may be required to minimise the three storey appearance of the dwelling and reduce overshadowing and overlooking of neighbouring properties.

6.3 Parapets are permitted to extend a maximum of 500millemetres above the underside of the uppermost ceiling to a maximum overall building height of 7.5 metres. Turrets and other architectural features which add to the height of a building will be considered on merit but are to comply with the overall height requirement of 7.5metres.

6.4 Rooftop terraces are not permitted on dwelling houses or outbuildings.

6.4 All plans submitted to Council must indicate natural and proposed ground levels, proposed finished floor levels, Reduced Levels (RLs) and the height of the building measured from ground level (existing) to the underside of the uppermost ceiling. A plan prepared by a Registered Surveyor must be submitted to verify the existing ground level of the site. The plan must show contours at 500 millimetre intervals and spot levels where there is a significant change in level within the site and the levels on adjoining sites.
Note: This may not apply to Development Applications involving only minor works.

6.5 Excavation of the ground level (existing), that alters the shape and natural form of the site, is to be minimised to reduce the visual height of dwellings.


7.0 m max
7.0 m max
1.0 m max
Existing Ground Level
Top of Parapet
7.5m max
7.0m max
1.0 m max
7.0m max
1.0 m max
Existing Ground Level
7.0 m max
1.0 m max
4.0 m

7. FLOOR SPACE RATIO

Objective

- To ensure that the scale and bulk of buildings is compatible with the surrounding area.

7.1 The ratio of the total Gross Floor Area of any dwelling to the area of the land on which it is erected must comply with the following:

Site Area (square metres)	Maximum Floor Space Ratio (FSR)
Less than or equal to 600 square metres	0.55:1
Greater than 600 square metres	0.50:1

7.2 Notwithstanding Clause 7.1, where a site is between 600 square metres and 660 square metres (inclusive), the maximum floor area is 330 square metres.

7.3 Notwithstanding Clause 7.1 and 7.2, sites that have significant depth or large rear areas will be considered on merit as compliance with Clause 7.1 and 7.2 on these sites can result in disproportionately large bulky buildings that do not relate well to adjoining sites or to the general streetscape.

8. CARPARKING

Objectives

- To provide sufficient and convenient on-site parking for residents;
- To minimise the adverse impact of resident parking on the amenity of the streetscape and neighbourhood.

8.1 Provision is to be made for off street parking for at least two vehicles behind the predominant building line.

8.2 If driveway access is provided from the street to the rear yard, the minimum dimension from the wall of the dwelling to the side boundary is 2.7 metres. This does not apply to corner sites if driveway access is proposed from the secondary street.

8.3 Where basement car parking is proposed the garage door to the basement car parking area is to be no wider than 4 metres

8.4 Sites with frontage less than 12.2 metres:

- New houses erected on these sites are to locate any garage or carport behind the building line unless it can be demonstrated that the only possible location is within the front setback. In these circumstances an uncovered paved area for car parking may be permitted in the front setback.
- Existing dwellings erected on these sites are to locate any garage or carport behind the front building line unless the distance from the wall of the dwelling to the side boundary is less than 2.7 metres. Where the distance is less than 2.7 metres and vehicle access cannot be provided behind the front building line a single carport of maximum 3 metres width may be permitted to be located within the front setback.

8.5 Driveway materials such as concrete stencilling, pavers and the like are not to be extended beyond the property boundary.

8.6 For geometric and construction standards relating to car parking spaces, driveway gradients, crossings etc, see Council's Car Parking Code – Development Control Plan 20.

9. BASEMENT AREAS

Objective

- To allow for basements areas below the entire ground floor footprint of a dwelling subject to certain requirements.

- To reduce the three storey appearance of dwellings where basement parking is proposed by minimising the amount of site excavation in front of the dwelling.

9.1 Basement areas are permitted below the entire ground floor building footprint but should not extend beyond the building footprint, except for stair access. This is to ensure that deep soil planting areas are maximised on the site.

9.2 Habitable rooms in basement areas will be included in the Gross Floor Area of the dwelling.

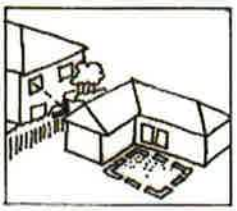
9.3 Where basement parking is proposed the garage door, to the basement, is to be no greater than 4 metres wide so as to minimise the potential three storey appearance of this part of the building.

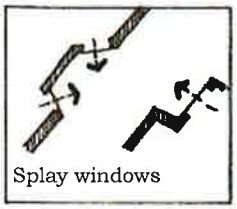
9.4 Driveway excavation for basement parking areas is to be minimised and is not permitted to extend across the site. Driveway access and basement entrance width is to be no more than 4 metres.

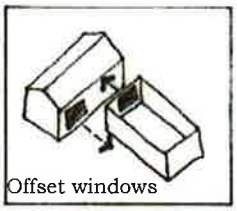
10. PRIVACY

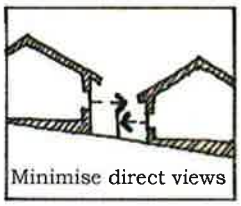
Objectives

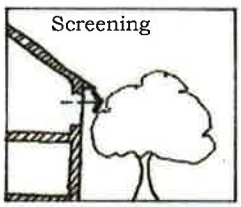
- To provide adequate visual and acoustic privacy for residents and their neighbours.
- To minimise overlooking of living areas and private open space areas.

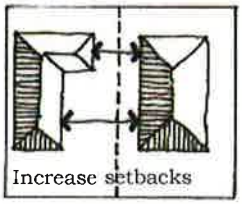












10.1 A privacy plan must be submitted for all extensions and new dwellings, including balconies, detailing how the above objectives can be met.

10.2 Openings along side walls can avoid direct views through windows of adjacent houses by:

- ensuring windows and balconies of habitable rooms do not directly overlook windows, balconies and open space of adjacent houses.
- splaying the location of windows to minimise direct views.
- offsetting windows so that windows of new houses or alterations and additions are not directly opposite windows of adjacent houses.
- using level changes to minimise direct views.
- using increased window sill heights to a minimum of 1.6 metres above floor level or the use of translucent glazing such as opaque glass or glass blocks
- using lattice screening or screen planting.
- increasing building setbacks from the side boundary
- using planter boxes on balconies, verandahs, decks and terraces to provide screening.

10.3 Acoustic privacy can be achieved by:

- Locating bedrooms away from noise sources such as heavily trafficked roads.
- Using balconies and verandahs to create further separation from noise sources where architecturally compatible.
- Construction techniques. (Refer to the Building Code of Australia for sound insulation against the transmission of internal noise, for all common walls and floors.)
- Noise resistant construction techniques to reduce external noise.
- Devices such as: insulation selected for the external walls and roof, thicker glass or double glazing for windows, limit the proportion of openings to solid walls.

10.4 An acoustic report may be required when dwellings are located close to high noise sources

11. GENERAL DESIGN REQUIREMENTS

11.1 Multi-level dwellings shall incorporate one internal stairway.

11.2 Provision of duplicated stairways and kitchen and/or laundry facilities is not permitted.

11.3 Where any side elevation configuration presents a lengthy unbroken appearance in relation to wall or roof design, Council may require provision of suitable architectural breaks to achieve a satisfactory and acceptable side elevation design.

11.4 Consideration should be given to location of air conditioning units (compressors/heat pumps etc), early in the design process. The positioning of air conditioning units must be shown on development application plans to allow suitable assessment of their placement.

12. ADDITIONS TO SINGLE DWELLINGS

In addition to the previous clauses the following requirements apply to additions to dwellings:

12.1 The minimum setback from the front boundary for first floor additions is 7.5metres unless there is an existing setback pattern for two storey dwellings that is less than 7.5metres. In these circumstances the setback of the first floor will be considered on merit but is to be a minimum of 5.5 metres.

12.2 First floor additions must incorporate a satisfactorily located internal stairway as external stairs as an exclusive means of access, will not be permitted.

12.3 The external construction finish must feature as far as practicable building materials matching as closely as possible that of the existing dwelling. When any planned departure is proposed, the design merits of the proposed materials must be clearly detailed in an accompanying statement to Council.

12.4 The relevant building floor plan details must clearly designate the use of all existing and proposed room areas.

13. DRAINAGE REQUIREMENTS

13.1 The drainage system is to be designed in accordance with the provisions outlined below and Council's Stormwater Management Manual Specification 9 – A Guide for Stormwater Drainage Design.

13.2 Methods to control erosion and siltation during construction must be implemented in accordance with the Soil and Water Management Plan. (Refer to Council's DA Guide).

13.3 **New single dwellings (including additions) that fall to the street, with post-developed impervious area less than 70% of the total site area**
Drain to Councils receiving stormwater system such as kerb and gutter or directly into a pipe system in the road. All stormwater runoff must be collected and discharged through a silt arrester pit prior to leaving the site, however; this requirement is subject to the scale of proposed development and the existing stormwater system, Council at its discretion, may vary the requirement for a silt arrester pit.

13.4 **New single dwellings (including additions) that fall to the street, with post-developed impervious area greater than 70% of the total site area**
Drain to Councils receiving stormwater system such as kerb and gutter or directly into a pipe system in the road through an on-site stormwater detention system in accordance with Section 5 of the Stormwater Management Manual Specification 9 – A Guide for Stormwater Drainage Design.

13.5 **Additions to single dwellings that fall to the rear with post-developed impervious area less than 70% of the total site area**
Drain the site so that stormwater disposal does not cause any adverse impact on adjoining properties. The stormwater drainage system should convey runoff in a safe, convenient and environmentally conscious manner.

Drainage system for any proposed first floor additions which does not increase the footprint of the dwelling can be connected to an existing working stormwater system.

Charged system will be permitted where there is no existing working drainage system. A dribble pipe of 20mm diameter shall be provided to the lowest downpipe(s).

13.6 **Additions to single dwellings that fall to the rear with post-developed impervious area greater than 70% of the total site area**
Applicants are required to provide an on-site detention system in accordance with Section 5 of the Stormwater Management Manual Specification 9 – A Guide for Stormwater Drainage Design; applicants are to follow the same process mentioned above with regards to obtaining a stormwater easement over all possible downstream property(s) and submit all relevant documentation accordingly.

In the event that the applicant cannot obtain an easement, Council at its discretion may approve a pump-out system.

13.7 **New single dwellings that fall to the rear**

Applicants are to make genuine attempts to negotiate a stormwater easement over all possible downstream properties to drain the site; an on-site detention would be required where the post-developed impervious area is greater than 70% of the total site area. Any genuine attempts must include a monetary offer of compensation based on a valuation report prepared by a registered land valuer.

Documentations to be submitted to Council supporting the negotiation should include the following:

- A land valuation report prepared by a registered land valuer to estimate the value of the easement only (excluding construction/installation cost).
- A letter of request from the applicant to all possible downstream properties requesting their permission to create a stormwater easement through their property, the amount estimated in the valuation report must be disclosed to the owner(s) of the downstream property as an offer of compensation, and that all relevant expenses to construct and reinstate any disturbed areas would be paid by the applicant or developer.
- A signed letter of correspondence from the downstream property owner(s) either accepting or rejecting the offer.

In the event that the applicant cannot obtain an easement, Council at its discretion may approve a pump-out system.

Refer to Clause 8 of Specification 9 – A Guide for Stormwater Drainage Design, for specific details.