

Tweed DCP Section A1 Part A (Preliminary) Assessment




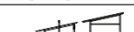
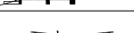



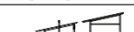
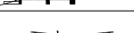



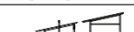
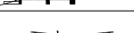
Residential and Tourist Development Code – Part A Preliminary	
Requirement	Compliance
1.8 Non urban zoned land	
Development on non-urban land shall not, for the purpose of this Section, be restricted to the deep soil zone, setback and carport, garages and outbuildings controls where it is demonstrated that compliance with a particular control would be unreasonable in the circumstances. A variation under this circumstance will not be required to comply with the requirements of the variation provision of this Plan.	Noted- Variations to the mentioned controls are not considered necessary due to the development design and the rural attributes of the site.
4. Context and Site Analysis	
C1. A site analysis, including details as relevant but not limited to the criteria in the Site Analysis Checklist (Appendix 7.2) is required for all dwelling development applications involving external building work, and is to demonstrate how the proposed development responds to the site analysis. Minor development (such as extensions, minor renovations) may only require a partial site analysis for the affected area of the site.	Complies – A high level site analysis has been provided within the DA plans, which notes the location of site boundaries, services location, street frontages, solar orientation and prevailing breezes. This analysis helps confirm the design considerations and outcomes being proposed at the site. The design considerations have respected the topography and landforms of the site and surrounding locality and contribute positively to the “character of the Tweed”.
4.1 Streetscape	
C1. All dwellings should address and offer passive surveillance over the street by ensuring important elements such as front doors, building entry areas and windows are prominent in the building facade (including secondary dwellings) with the entrance clearly identifiable from the street.	Complies – Due to the size of the lot and its location on a rural block, there is no need to provide passive surveillance to the street as there is no footpath for pedestrian movements. The dwelling will however, have its main entry address the driveway which is accessed from Rock Road and windows located along the western façade do allow for passive surveillance. The entrance to the house is clearly identifiable.
C2. Site design, building setbacks and the location and height of level changes are to consider and be compatible with other buildings and sites along the street, particularly those that are older and more established.	Complies – The land slopes upwards from the street in a west to east direction with the highest points being where the dwelling is proposed to be located. The change to levels and the siting of the building is appropriate to maximise views for the residents. Due to the size of the lot and the topography of the site and surrounding area, the building setbacks and siting of the dwelling are easily compliant with the provisions of the DCP and are considered compatible with the character of the area.
C3. Corner buildings are to address both street frontages.	N/A – The site is not a corner allotment.
C4. Building design is to consider the contribution of facade elements on the streetscape, including: <ul style="list-style-type: none"> i. Coordinating and integrating building services, such as drainage pipes, with the overall facade design; ii. Integrating the design of architectural features, including stairs and ramps, and garage/carport entries with the overall facade design, and by locating car parking structures on secondary streets where possible; iii. Ensuring entrance porticos and other articulation zone features are single storey or of a scale relative to the building; and iv. Include screening to exposed undercroft areas particularly those visible from the street. 	Complies – The proposed development utilises a mix of materials and design techniques to appeal positively to the streetscape. <ul style="list-style-type: none"> • Building services are located so as not to impact on the streetscape amenity and to avoid visual amenity impacts to adjoining residents. • The garage is integrated well into the design of the dwelling with a sloping roof to match the dwelling. • The dwelling is single storey and has utilised a variety of articulation zone features by incorporating vertical and horizontal façade treatments. The rock chimney also acts as a design feature to contrast with the timber facades.

Residential and Tourist Development Code – Part A Preliminary

Requirement	Compliance
	<ul style="list-style-type: none"> Undercroft areas incorporated into the design of the buildings will be appropriately screened with proposed garden landscaped areas.
4.2 Views and Vistas	
<p>C1. Building siting and height is, as far as it is practical, to be designed to minimise the impact on views from surrounding properties, and follow the Planning Principles (refer note) of view sharing between properties.</p>	<p>Complies – Whilst there are 23 view sheds which apply to the site, the development is single storey and largely screened by existing vegetation and surrounding developments will still retain their private views. Given the setbacks provided and the siting of the dwelling internally within the site, a scenic impact assessment is not deemed to be required for this single storey dwelling.</p>
<p>C2. The location and height of new development is not to significantly diminish the public views to heritage items, dominant landmarks, public buildings from public places or unreasonably obscure public district views of major natural features such as the water, ridgelines or bushland.*</p>	<p>Complies – No public views will be impacted.</p>

Tweed DCP Section A1 Part A (Dwellings Houses, Dual Occupancy, Secondary Dwellings, Alterations And Additions and Ancillary Development) Assessment

Residential and Tourist Development Code – Part A Dwellings Houses, Dual Occupancy, Secondary Dwellings, Alterations And Additions and Ancillary Development

Requirement	Compliance																																			
Part A, 1 -General																																				
C1. Dwellings and development must be consistent with the scale and character of surrounding dwellings or as envisaged through an adopted concept plan, locality plan, design statement / covenant or the like.	Complies – The proposed building form, materials, scale and density is consistent with the scale and rural landscape character of Bungalora.																																			
2.1 Topography, cut and fill																																				
C1.- Where earthworks are proposed within the building footprint, construction shall be generally consistent with following requirements:																																				
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C2. -Outside of the building footprint cut and fill to 1.0m for up to 10% of the site or a maximum of 100sqm is permissible to achieve flatter backyards, outdoor living areas, BBQ areas, clothes drying areas and the like. On steeply sloping sites (12 degrees and over) consideration may be given to greater cut and fill thresholds subject to: i. Justification and satisfaction of the proposal against planning and	Variation sought – Cut and fill outside the building footprint is required for the access driveway to be created. Cut will be a maximum of 1.2m and the fill be a maximum of 1.1m. In this case, the slope of the land has a maximum grade of 21% where the driveway access is proposed. Whilst the driveway is intended to follow the natural contour of the land and will only require minor earthworks																																			

Residential and Tourist Development Code – Part A Dwellings Houses, Dual Occupancy, Secondary Dwellings, Alterations And Additions and Ancillary Development

Requirement	Compliance
<p>design principles and objectives of this section;</p> <p>ii. Justification of the proposal and design intent through a site analysis including consideration of the likely streetscape impacts and compatibility with existing streetscape character;</p> <p>iii. Demonstration of a structural system of the house appropriate to the site and slope;</p> <p>iv. Justification and documentation of full site sections showing all existing and proposed levels and proposed retaining walls and batters;</p> <p>v. Consideration of the likely amenity impacts including overlooking, overshadowing, drainage and structural issues;</p> <p>vi. Limiting multiple retaining walls to 1.0m encouraging terracing rather than one large wall;</p> <p>vii. Landscaping to mitigate visual impacts of retaining walls and batters;</p> <p>viii. Suitable stormwater and drainage management.</p>	<p>the driveway will be less than the maximum 1 in 4 grade specified within clause 5.2.2 of the Council's Driveway Access to Property - Design Specification policy.</p> <p>The driveway location has been selected to ensure minimal earthworks with a shorter driveway to achieve access to the dwelling house via the most direct route. Any retaining works associated with the driveway will be well setback from adjoining properties and impacts will remain internal to the site as a result. The slight exceedance in the 1m height requirement will not have a significant impact on the rural streetscape character. Final driveway design will be provided at construction stage however, RL levels and batter grades have been provided on the submitted drawings.</p> <p>There are no significant amenity impacts associated with the earthworks with overlooking and overshadowing avoided as a result of the large lot sizes and relative setbacks.</p> <p>Stormwater and drainage management will be finalised with engineering drawings at the construction stage.</p> <p>The objectives of the control are achieved as the cut and fill proposed are appropriate considering the slope of the land.</p>
<p>C3. - Excavations and fill in excess of 1 metre may be permitted to allow for compliant driveways and basement garages providing the excavations are adequately retained and drained in accordance with engineering requirements.</p>	<p>Complies – Cut and fill requirements for retaining/stabilising the driveway will exceed 1m, however, the driveway will be less than the maximum 1 in 4 grade specified within clause 5.2.2 of the Council's Driveway Access to Property - Design Specification policy. Other design requirements within the policy will also be met with final detailed design to be provided at construction stage.</p>
<p>C4. -The interface of the proposed building cut and fill and the natural slope is to be documented on all development plans and sections including the existing and proposed slope of the site levels, all proposed batter and retaining works and where appropriate the interface with adjoining properties. All levels are to be depicted in Australian Height Datum (AHD).</p>	<p>Complies – Minimal land-forming works are required to establish building platforms. Small retaining walls (under 1m in height) have been included for landscaping purposes. Retaining walls up to 1.2m in height will be required to stabilise the driveway. None of the proposed retaining walls or batters interface with adjoining properties.</p>
<p>C5. - Cut and fill batters and retaining walls outside of the building footprint are to be landscaped to mitigate visual impacts.</p>	<p>Complies –Small retaining walls have been included for landscaping purposes to enhance visual amenity onsite. Retaining walls required along the driveway will be appropriately landscaped where existing vegetation does not minimise the visual impact.</p>
<p>C6. - Cut and fill batters shall not:</p> <p>i. exceed a slope of 1:2 (v:h) unless geotechnical reports result in Council being satisfied with the site stability. All batters are to be provided with both short term and long term stabilization to prevent soil erosion.</p> <p>ii. be located where the toe of any battered fill (or retaining wall) is closer than 900mm for cut and</p>	<p>Complies – Minimal land forming works are required to establish building platforms. Architectural Plans submitted confirm the requirements of C6 are met with batters having a maximum slope of 1:4 and not impacting on the privacy of neighbours or extending into Council's road reserve.</p>

Residential and Tourist Development Code – Part A Dwellings Houses, Dual Occupancy, Secondary Dwellings, Alterations And Additions and Ancillary Development

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1.5m for fill to any property boundary, where the overall height at any point exceeds 500mm. iii. be located where they will impact on the privacy of neighbours. iv. shall not extend onto Council's road reserve.																					
C7. -Retaining walls, unless constructed for the sole purpose of landscaping, should be constructed of a material such as concrete, masonry, rock or other permanent type material. Timber retaining walls are not acceptable for walls that support side boundaries or structures.	Complies – Minimal land forming works are required. Retaining walls will be utilised solely for landscaping purposes.																				
C8. - Where more than one retaining wall is required, this should be in the form of terracing with landscaped areas between level changes to soften the visual impact of the retaining wall.	Complies – The retaining walls proposed are for landscaping purposes.																				
C9. - On side sloping allotments where there are existing inter allotment retaining walls, further retaining walls within the side setback will be limited to 600mm	N/A – Subject site is not a side sloping allotment with inter allotment retaining walls.																				
C10. - Where a property is burdened by stormwater or water and sewerage mains then Council will generally preclude any excavation or filling within that easement.	N/A – The site does not contain any sewer, water or stormwater mains that prohibit earthworks onsite.																				
2.2 Landscaping, deep soil zones and external living areas																					
C1. - A lot must include a total landscaped area comprising of the following: <table border="1"> <thead> <tr> <th colspan="2">Landscaping controls</th></tr> <tr> <th>Lot size</th><th>Landscaped area and deep soil zone (Areas less than 1.0m wide can not be included in the calculation)</th></tr> </thead> <tbody> <tr> <td>at least 200m² but less than 300m²</td><td>15% of the site including at least two deep soil zones measuring a minimum of 2m in any direction</td></tr> <tr> <td>at least 300m² but less than 450m²</td><td>20% of the site including at least two deep soil zones measuring a minimum of 2.4m in any direction</td></tr> <tr> <td>at least 450m² but less than 600m²</td><td>30% of the site including at least two deep soil zones measuring a minimum of 3m in any direction</td></tr> <tr> <td>at least 600m² but less than 900m²</td><td>35% of the site including at least two deep soil zones measuring a minimum of 4m in any direction</td></tr> <tr> <td>at least 900m² but less than 1500m²</td><td>40% of the site including at least two deep soil zones measuring a minimum of 5m in any direction</td></tr> <tr> <td>more than 1500m²</td><td>45% of the site including at least two deep soil zones measuring a minimum of 6m in any direction</td></tr> <tr> <td>all urban lot sizes</td><td>at least 50% of the landscaped area is to be behind the building line of the primary road frontage.</td></tr> <tr> <td>Non-urban (rural land) >1500m²</td><td>No specific requirement</td></tr> </tbody> </table>	Landscaping controls		Lot size	Landscaped area and deep soil zone (Areas less than 1.0m wide can not be included in the calculation)	at least 200m ² but less than 300m ²	15% of the site including at least two deep soil zones measuring a minimum of 2m in any direction	at least 300m ² but less than 450m ²	20% of the site including at least two deep soil zones measuring a minimum of 2.4m in any direction	at least 450m ² but less than 600m ²	30% of the site including at least two deep soil zones measuring a minimum of 3m in any direction	at least 600m ² but less than 900m ²	35% of the site including at least two deep soil zones measuring a minimum of 4m in any direction	at least 900m ² but less than 1500m ²	40% of the site including at least two deep soil zones measuring a minimum of 5m in any direction	more than 1500m ²	45% of the site including at least two deep soil zones measuring a minimum of 6m in any direction	all urban lot sizes	at least 50% of the landscaped area is to be behind the building line of the primary road frontage.	Non-urban (rural land) >1500m ²	No specific requirement	Complies – The site is 4.135Ha and the development footprint equates to less than 2% of the site. Thus the landscaped area of the site maintains the character of the locality.
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C2. - All new dwelling applications must provide a plan, which may be part of site analysis or on a site plan, identifying landscape area and deep soil locations and a schedule of the landscape area and site coverage calculations.	Complies – Refer to the Architectural Plans that nominate the location of landscaped areas and provide site coverage calculations. Reference is given to clause 1.8 of the <i>Residential and Tourist Development Code – Part A Preliminary</i> as it would unreasonable to require deep soil zones to be shown given the size of the site.																				
C3. - A landscape Plan is required for dual occupancy development. A landscape plan may also be requested for dwelling houses where significant earthworks are proposed within the front yard or where a potential streetscape impact has been identified by the assessing officer. The landscaping plan is to include:	Complies –The development does not involve a Dual occupancy or significant earthworks within the front yard. Given the size of the lot, there is not considered to be a streetscape impact from the scale of earthworks proposed.																				

Residential and Tourist Development Code – Part A Dwellings Houses, Dual Occupancy, Secondary Dwellings, Alterations And Additions and Ancillary Development

Requirement	Compliance
<ul style="list-style-type: none"> . Calculations of the landscaped area, deep soil zones and site coverage; ii. Demonstrate how the landscaping complements and integrates with the amenity of the dwelling, the streetscape and any topographical features; iii. Demonstrate how each dwelling achieves integration of the dwelling, landscaped areas, private open space and external living areas; iv. Demonstrate suitable privacy and solar access for each dwelling and its outdoor and landscaped spaces; and v. Detail of plant species to be used and their locations. Species are to comprise no less than 80% native species. 	
C4. -Existing landscape elements on sites such as natural rock outcrops, watercourses, dune vegetation, indigenous vegetation and mature trees should be retained and integrated with the design of the buildings.	Complies – Whilst the proposed dwelling and shed will result in the removal of two trees, the retention of indigenous vegetation and matures trees has been prioritised in siting the structures. The majority of the important landscape features are located to the south where there is vegetation that is mapped within the biodiversity areas and includes rainforest vegetation. The works have been sited away from these important landscape features.
C5. - On lots adjoining indigenous/native vegetation, protect and retain indigenous native vegetation and use native indigenous plant species for a distance of 10m from any lot boundaries adjoining bushland.	Complies – The development will not impact on indigenous native vegetation that is located on adjoining lots.
C6. - Locate and design landscaping to increase privacy between neighbouring dwellings without excessive shadowing or blocking primary views or existing solar panels.	Complies – Landscaped areas onsite will support vegetation screening to be established around the shed and the dwelling. There is substantial setback to the adjoining properties and no significant privacy impacts are considered to be introduced.
Deep Soil Zones	
C7. - Deep soil zones are to have soft landscaping and cannot be covered by impervious surfaces such as concrete, terraces, outbuildings, swimming pools, tennis courts or other structures or located on structures such as basement car parks or in planter boxes.	Complies – No impervious surfaces are proposed within the deep soil zones.
Rainwater and Runoff	
C8. - Runoff is to be minimised, delayed in its passage and where possible accommodated within the landscape or site surface depressions of the development site unless this is inconsistent with the geotechnical stability of the site or adjacent/downstream land.	Complies – The proposal will incorporate two rainwater tanks and this will ensure that runoff from the development is accommodated onsite. The total site cover being introduced is equivalent to less than 2% of the site area. Runoff is able to be accommodated in the available landscaped areas onsite.
C9. - The concentration, collection and piping of runoff to the street gutter or underground stormwater system shall be minimised unless this is inconsistent with the geotechnical stability of the site or adjacent/downstream land.	Complies – The proposal directs stormwater into individual reuse retention tanks for the dwelling. Any excess stormwater will drain to the existing street stormwater network.
3.1 Setbacks	
C1- Front and Rear Setbacks The minimum setback from the street and rear boundary for a dwelling is:	Complies – Clause 1.8 of the <i>Residential and Tourist Development Code – Part A Preliminary</i> notes that a variation to setback

Residential and Tourist Development Code – Part A Dwellings Houses, Dual Occupancy, Secondary Dwellings, Alterations And Additions and Ancillary Development

Requirement

Lot size	Minimum front setback - New Areas (for established and existing areas refer C2 below)	Minimum front setback to secondary street frontage on corner allotments	Minimum rear setback where the building is up to 4.5 metres in height	Minimum rear setback where the building is 4.5 metres in height or greater
less than 300m ²	3.5 metres	2 metres	3 metres	4.5 metres
at least 300m ² and less than 600m ²	4.5 metres	2 metres	4.5 metres	6 metres
at least 600m ² and less than 900m ²	6.0 metres	3 metres	4.5 metres	8 metres
at least 900m ² and less than 1500m ²	6.0 metres	3 metres	5 metres	12 metres
at least 1500m ²	8.0 metres	5 metres	10 metres	15 metres

Compliance

requirements will not be required if it is unreasonable to comply in the circumstances.

On that note, the development does provide the following setbacks which comply.

Primary Frontage: The proposed shed is over 79m from the road frontage. The proposed dwelling is over 115m from the road frontage.

Rear Setback:

The dwelling is located over 43m from the rear boundary.

C2. -In established areas and on infill sites dwelling houses are to be consistent with the front setback distance of neighbouring buildings and are to be the average of the setbacks of neighbouring dwellings within 40 metres or a variation justified under a streetscape analysis. This setback may be varied up to 1 metre where justified through a streetscape analysis.

Complies- The development is not located on an infill site and the setbacks proposed are consistent with the surrounding developments.

C3. - An articulation zone may permit some elements of a buildings front façade to intrude within the front setback to a maximum of 1.5 metres and not exceeding 25% of the frontage width. The following building elements may be permitted in an articulation zone:

- i. an entry feature or portico;
- ii. a balcony, deck, patio, pergola, terrace or verandah;
- iii. an upper level overhang or cantilever;
- iv. a window box treatment;
- v. a bay window or similar feature;
- vi. an awning or other feature over a window; and
- vii. a sun shading feature.

Complies –The primary dwelling remains outside of the front setback required by C2 above.

C4. - The minimum front setback for a garage perpendicular to a primary or secondary street frontage is 5.5 metres to allow off-street parking that does not impede the footpath.

Complies –The garage is setback over 5.5m from the primary street frontage.

C5. - Garages and carports, including semi-basement garages and attached garages, are to be set back a minimum of 1 metre from the dwelling's front façade, unless it can be demonstrated how the design mitigates the dominance of the garage door to the street elevation (refer to indicative diagrams on page 47).

Complies – The garage is setback more than 1m from the dwellings front façade.

C6. - Council may approve the erection of a garage which does not comply with the required front building line setback where exceptional circumstances, such as the depth and shape of the allotment, slope or grade, make it necessary and as supported by a site analysis that demonstrates:

- i. no other suitable location is available behind the building line;
- ii. there is no vehicular access to the rear or side of the allotment;
- iii. the proposal will not affect the amenity of adjoining properties;

Noted

Residential and Tourist Development Code – Part A Dwellings Houses, Dual Occupancy, Secondary Dwellings, Alterations And Additions and Ancillary Development

Requirement	Compliance
<ul style="list-style-type: none"> iv. the design of the garage is complimentary to the design, materials and roof form of the dwelling; v. the proposal will not create an unwanted precedent to the vicinity; vi. the proposal does not result in the creation of additional driveway access; vii. the proposal will not impede on the required pedestrian and traffic sight lines; viii. there are no valid objections are received from adjoining property owners; ix. the structure is located a minimum of 900mm from the side boundary of the property. 	
<p>C7.- A carport may be permitted to encroach within the front setback subject to the following criteria:</p> <ul style="list-style-type: none"> i. No other suitable location is available behind the building line; ii. It is located a minimum of 900mm from the side boundary; iii. Does not exceed 33% of the width of the allotment frontage or 6 metres measured between supporting posts whichever is the lesser; iv. It is of an open design with two or more sides fully open; v. Frontage facing the street is to remain open and shall not be fitted with a door or enclosing device of any kind; vi. Posts or columns do not obstruct vehicle manoeuvrability or visibility; vii. The roof design is to complement the roofline of the existing house and not significantly impact the streetscape; and viii. The roof is not trafficable. 	N/A – No carports are proposed.
C8. - Garages, outbuildings and carports may be located a minimum of 450mm from the rear boundary where no greater than 4.5 metres in height.	Complies – The garage is setback from the rear boundary by more than 450mm.
C9. - Garages and carports accessed by a rear laneway are to be setback a minimum of 1.0m from the laneway	N/A – The development is not accessed by a rear laneway.
C10. - Secondary dwellings require a minimum setback from the rear boundary of 1.5m where single storey and 3 metres where two storey.	N/A – No secondary dwelling is proposed.
C11. - Roofed external living areas are to be setback a minimum of 3.0m from the rear boundary.	Complies – Rear external living areas are located greater than 3m from the rear boundary.
Side Setbacks	
C12. - A single storey dwelling, or that part of a building containing only single storey, is to be setback a minimum of 900mm from the side boundary line to the wall of the building. Guttering, eaves, hoods and other similar structures may be constructed within the side setback but not closer than 450mm from the boundary.	Complies – The dwelling is single storey and is not located within 900mm of the side boundary.

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Requirement	Compliance
C13. - A two storey dwelling, or the second storey component of building, is to be setback a minimum of 1.5m from the side boundary line to the wall of the building. Guttering, eaves, hoods and other similar structures may be constructed within the side setback but not closer than 900mm from the boundary.	N/A – The dwelling is single storey.
C14. - On corner allotments primary and secondary streets are to be clearly nominated and comply with the appropriate primary and secondary street setbacks.	N/A – Not a corner allotment
C15. - On corner allotments are to nominate location of side and rear setbacks and comply with the appropriate setbacks.	N/A – Not a corner allotment
C16. - Garages, whether attached or detached, may be located a minimum of 450mm from a side boundary except where located within the front building setback.	Complies – Garages are setback over 450mm from the side boundary
C17. - Carports may be located adjacent to a side boundary, except where located within the front building setback, subject to: i. the boundary wall remaining open; ii. the carport support is not attached to a fence; and iii. the proposed carport complies with the Building Code of Australia.	N/A – No carports are proposed
C18. - Where opening doors of living rooms face the side boundaries the living room is to be setback a minimum of 4m from the side boundary. This setback may be required to be appropriately screened to minimise overlooking and privacy impacts.	Complies – The dwelling is setback over 4m from the side boundaries.
C19. - External living areas adjoining side boundaries are to be setback a minimum of 900mm from the side boundary. This external living area may be required to be appropriately screened and/or the setback increased where there may be overlooking and/or privacy impacts.	Complies – External living areas are +900mm from the side boundary.
C20. - Where rainwater tanks, water heaters, air conditioning units, retaining walls and the like are located within a side passage, walkable access to and around these items is to be maintained.	Complies – Rainwater tanks, water heaters and air condition units are not located within a side passage and are located in a manner that allows for easy access for maintenance.
Side Setbacks (Canals)	
C21. - The setback from a canal frontage is: i. 5.5m where the boundary is on the canal side of a revetment wall, or ii. 3.4m from the revetment wall where the wall is on the boundary, except: - for those lots with canal frontages and facing Gollan Drive and Jacaranda Avenue, Tweed Heads West where the setback line to the canal frontage shall be 2.5m; and - Lots 1, 2, 3 and 4 Crystal Waters Drive, Tweed Heads West where normal building setbacks shall apply along the canal frontage.	N/A – The subject site does not adjoin a canal
C22. - No structures are to be built within the setback area other than fences to 1.2 metres high, swimming pools, retaining walls, suspended decks that do not exceed the level of the allotment at the top of the batter and boat ramps except:	N/A -The subject site does not adjoin a canal

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Requirement	Compliance														
i. For those allotments with canal frontages and facing Gollan Drive and Jacaranda Avenue, Tweed Heads West where the setback line to the canal frontage shall be 2.5m; and ii. Lots 1, 2 3 and 4 Crystal Waters Drive, Tweed Heads West where normal building setbacks shall apply along the canal frontage															
C23. -The underside of any suspended deck fronting a canal is to be suitably screened, except in cases where giving effect to this control would result in adverse impact to flood waters.	N/A - The subject site does not adjoin a canal														
3.2 Building Height															
C1. -The overall building height is 9 metres, except on slopes of greater than 12 degrees (21.25%) where the building height may be a maximum of 10 metres.	Complies – The proposed dwelling is under 9m in height with a proposed building height of 4.75m.														
C.2- The maximum height for a carport and detached garage is 3.5 metres where there is a flat roof or 4.8 metres where there is a pitched or skillion roof.	Complies – The proposed garage is attached to the dwelling and has a sloping roof which is 3.85m in height.														
3.3 Site Coverage															
C.1- The maximum site coverage of a dwelling and all ancillary development on a lot must be consistent with the following:															
<table border="1"> <thead> <tr> <th>Allotment size</th><th>Maximum site coverage</th></tr> </thead> <tbody> <tr> <td>at least 200m² but less than 250m²</td><td>65%</td></tr> <tr> <td>at least 250m² but less than 300m²</td><td>60%</td></tr> <tr> <td>at least 300m² but less than 450m²</td><td>55%</td></tr> <tr> <td>at least 450m² but less than 900m²</td><td>50%</td></tr> <tr> <td>at least 900m² but less than 1500m²</td><td>40%</td></tr> <tr> <td>greater than 1500m²</td><td>30%</td></tr> </tbody> </table>	Allotment size	Maximum site coverage	at least 200m ² but less than 250m ²	65%	at least 250m ² but less than 300m ²	60%	at least 300m ² but less than 450m ²	55%	at least 450m ² but less than 900m ²	50%	at least 900m ² but less than 1500m ²	40%	greater than 1500m ²	30%	Complies – The development is compliant with the maximum 50% site cover permitted for the site with 1.26% proposed.
Allotment size	Maximum site coverage														
at least 200m ² but less than 250m ²	65%														
at least 250m ² but less than 300m ²	60%														
at least 300m ² but less than 450m ²	55%														
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at least 900m ² but less than 1500m ²	40%														
greater than 1500m ²	30%														
4.2 Passive Design															
C1. The dwelling is to be sited to encourage a balance of solar access (during winter months) and shading (during summer months) to primary windows and doors of living space and external living areas. This is to be demonstrated on a site analysis.	Complies – The site is east-west facing. Master rooms and living areas are located within the eastern and western wings to allow sunlight access. Similarly, windows have been set to support morning and afternoon sunlight capture.														
C2. The plan layout, including the placement of openings, is to be designed to optimize access to prevailing breezes and to provide for cross-ventilation, demonstrated on a site analysis.	Complies – Main living areas of house are oriented towards the north, orientated towards prevailing winds and views.														
4.3 Solar Access and Natural Ventilation															
C1. - Two storey or greater development must prepare shadowing diagrams over the subject and adjoining sites for the summer solstice (21 st December), winter solstice (21 June) at the times of 9am, 12pm and 3pm. Shadow cast by fences, roof overhangs and changes in level are to be considered and should be indicated on shadow diagrams submitted.	Complies – Shadow diagrams are not required as the nearest adjoining boundary is 43m away.														
C2. - Private open space of the subject dwelling is to receive at least two hours sunlight between 9am and 3pm on June 21.	Complies – Private open space on the site achieves more than 2hours of sunlight between 9am and 3pm.														

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Requirement	Compliance
C3. - Windows to north-facing habitable rooms or external living spaces of the subject dwelling are to receive at least 3 hours of sunlight between 9am and 3pm on 21 June over a portion of their surface.	Complies – Windows for north facing habitable rooms will achieve at least 3hrs of sunlight on 21 June between 9am and 3pm.
C4. - For neighbouring properties ensure: i. Sunlight to at least 50% of the principle area of private open space of adjacent properties is not reduced to less than 2 hours between 9am and 3pm on June 21, and ii. Windows to living areas must receive at least 3 hours of sunlight between 9am and 3pm on 21 June. iii. Where existing overshadowing by buildings is greater than this, sunlight is not to be further reduced by more than 20%.	Complies – The neighbouring properties are not impacted in terms of solar access due to being over 40m from the proposed dwelling.
C5. -New dwelling design should minimise overshadowing on existing adjacent solar panels where other reasonable design alternatives are possible.	Complies – The neighbouring properties are not impacted in terms of overshadowing due to being over 40m from the proposed dwelling.
4.4 Building Form	
C1. - Building siting, height, scale, and roof form must to relate to the surrounding development, topography and the existing site conditions.	Complies – Building design is commensurate with existing and intended future character of Bungalora and the existing site conditions.
C2. - Walls in excess of 15m in length and/or 4m in height must be articulated, landscaped, or otherwise treated in order to provide visual relief. Planning and design principle 4 above identifies various articulation techniques.	Complies – No blank walls of greater than 15m are provided. Further to this, the building design incorporates variety in external finishes and landscaping for visual relief.
C3. -Buildings on corner sites are to be designed and articulated to address both streets frontages.	N/A – Not a corner site
4.5 Visual and Acoustic Privacy	
C1. - Terraces, balconies, living room and kitchen windows are to avoid a direct view into neighbouring dwellings or neighbouring private open space.	Complies – Direct views into neighbouring properties are avoided as the dwelling is over 43m from the nearest site boundary.
C2. -Decks, verandahs, terraces, balconies and other external living areas within 4 metres from a side or rear boundary may require a privacy screen unless it can be demonstrated that there will be negligible overlooking and/ or privacy impacts, as demonstrated on a site analysis.	Complies – There are no decks, verandahs balconies or other external living areas located within 4m of a side or rear boundary.
C3. -Side windows are to be offset by distances sufficient to avoid visual connection between windows of the subject dwelling and those of the neighbouring dwelling. Location of existing adjoining property windows are to be documented on a site analysis.	Complies – Windows and screening have been located to obtain maximum sunlight and minimise overlooking or privacy intrusion.
C4. -The location of external living areas, swimming pools, spas and other potential sources of noise transfer shall consider the proximity to and potential impacts on habitable rooms of adjoining allotments.	Complies – External living areas and the proposed pool are either suitably setback from the street and adjoining properties and/or screened.
C5. - The noise of an air conditioner, pump, or other mechanical equipment must not exceed the background noise level by more than 5dB(A) when measured in or on any premises in the vicinity of the item. These items must be positioned away from neighbouring dwellings, particularly bedrooms, habitable rooms and external living spaces. These items may require a sound proofed enclosure.	N/A – Air conditioning does not form part of this DA

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Requirement	Compliance
C6. -For new dwellings located on arterial roads, designated roads, classified roads or where exposed to aircraft noise, consideration is to be given to the need for acoustic treatment to mitigate noise impacts.	N/A – The site is not on an arterial road, designated road, classified road or exposed to aircraft noise
4.6 Roofs, Dormers, Attics and Skylights	
C1. - Roofs should incorporate at least 600mm deep eaves for shading of facades, particularly on west facing elevations. Alternate sun shading measures including external louvres, screens and window hoods are also acceptable solutions.	Complies – Eaves of at least 600mm are proposed as seen on the site plan and section.
C2. - Roof materials and skylights should not cause excessive glare and reflection and roof colour should be consistent with the existing locality.	Complies – Roof materials will be non-reflective and consistent with the existing locality.
C3. - Attic spaces cannot be more than 50% of the floor below with the majority of the volume of an attic to be contained within the roof space.	N/A
C4. -Minimum ceiling heights of 2.7 metres are encouraged for habitable rooms. For habitable rooms with a raking ceiling it is preferable to have at least 30% of the ceiling with a minimum 2.7 metre height.	Complies – Proposed ceilings will meet this requirement.
4.7 Rooftop terraces (rooftop decks)	
C1. - Maximum of one rooftop terrace per dwelling.	N/A – No rooftop terrace/deck is proposed.
C2. - Rooftop terrace has a maximum floor area of 30sqm or 15% of the floor below, whichever is the lesser.	N/A – No rooftop terrace/deck is proposed.
C3. - No part of the rooftop terrace, any permanent or temporary structure installed or furniture placed on it shall exceed the applicable LEP maximum building height development standard at any time.	N/A – No rooftop terrace/deck is proposed.
C4. - Rooftop terrace and any fixed structures shall be designed and constructed of materials which integrate with the architectural style and form of the building through scale, form, materials and design.	N/A – No rooftop terrace/deck is proposed.
C5. - External access stairs to rooftop terrace shall be integrated with the dwelling design and located to have minimal visual or amenity impact on the streetscape and adjoining properties.	N/A – No rooftop terrace/deck is proposed.
C6. - Enclosed rooms, including storage or toilets, will not be permitted.	N/A – No rooftop terrace/deck is proposed.
C7. - Rooftop terrace shall be designed to limit overlooking into private open space and/or habitable rooms and windows of adjacent dwellings. All applications are to be accompanied by an Amenity Impact Assessment which includes: <ul style="list-style-type: none"> • Who may be impacted - a site plan and floor plan showing all neighbouring buildings, their window locations, room types and location of external living areas and private open spaces; • The extent of impact - identify all available view lines from the proposed rooftop deck and the extent of overlooking of neighbouring properties; and • What is proposed - design measures to minimise amenity impacts including but not limited to overlooking, overshadowing, noise and built form visual impacts. Examples of mitigation measures 	N/A – No rooftop terrace/deck is proposed.

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Requirement	Compliance
which may be effective include, but are not limited to, setting the rooftop terrace back from the roof and/or building edge, utilising a solid balustrade, including privacy screening or integrating landscape planter boxers to the rooftop terrace perimeter.	
C8. - Any development application for a rooftop terrace is to be accompanied by shadow diagrams to clearly demonstrate overshadowing impacts.	N/A – No rooftop terrace/deck is proposed.
C9. - Lighting installations to a rooftop terrace are: <ul style="list-style-type: none"> located at a low light output and placement level and contained within the rooftop terrace area; appropriately shaded and fixed in position so that light is projected 	N/A – No rooftop terrace/deck is proposed.
4.8 Garages, Driveways and Car Parking	
C1. Car parking and driveways are to be in accordance with Section A2 of the Tweed Shire Development Control Plan and Council's Driveway Design Specification.	Complies- The garage, driveway and carparking are provided in accordance with section A2 of the Tweed Shire DCP. The maximum grade proposed for the driveway is less than 1:4. Sightlines will be provided in accordance with Councils Driveway design specification with detailed design to be provided at construction stage. Council may impose conditions in relation to this aspect.
C2. Carports and garages visible from the public street are to: <ul style="list-style-type: none"> i. Be compatible with the building design, including roofs; and ii. Be treated with materials and colours and windows which ensure the garage or carport is less visibly intrusive to the streetscape. 	Complies –Due to the slope of the site, existing vegetation and the proposed shed as well as the location of the garage in relation to the street, the garage will not be visible from the public street.
C3. Car parking entries are encouraged to be located off secondary streets and laneways where these occur.	Complies – The site does not front a laneway or secondary street.
C4. Vehicular movement, driveways and parking areas are to be designed to minimise dimensions, to reduce hard surfaces on the lot, and increase the area available for landscaping. Permeable driveway surface treatments are encouraged.	Complies – Hardstand areas minimised and limited to servicing access and driveways
C5. Allotments less than 450m ² and with a street frontage less than 10m are encouraged to provide rear laneway access to garages. Garages to the primary street frontage will only be considered where either a single garage is provided or a two storey building form with projecting first floor balcony mitigates the visual impact of the double garage	N/A – The lot size exceeds 450m ²
C6. Driveways may be located adjacent to the side boundaries only where front fences above 600mm have a 60% openness ratio for the first 2 metres along the boundary adjacent to the driveway to achieve pedestrian and traffic sight lines as set out in AS2890	Complies – The proposed new driveway is not located adjacent to a side boundary.
C7. Where vehicles would otherwise have to reverse more than 50 metres, where the site is steep, fronts a busy road or is in a high pedestrian area, driveways should be designed so that the vehicles can enter and leave the site in a forward direction.	Complies – The driveway exceeds 50m in length however, vehicles can exit the site in a forward manner as there is sufficient space provided for manoeuvring onsite.

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Requirement	Compliance
C8. In stacked dual occupancy configurations, avoid double garages at the termination of the access handle for the rear allotment to minimise visual impact	N/A – The proposed development does not involve a stacked dual occupancy.
Garages	
C9. Garage doors to a street frontage cannot be more than 50% of the street frontage or 6 metres, whichever is the lesser.	Complies – The size of the garage door is not more than 50% of the street frontage.
C10. Garage doors along a laneway may take up greater than 50% of the frontage. Providing a pedestrian access way directly from the laneway to the lot is provided.	Complies - The site does not have a frontage to a laneway
C11. Where a garage entry faces the side boundary, articulation, windows and landscaping are to be provided to the street elevation of the garage.	N/A –The garage entry does not face a side boundary.
Carports	
C12. Carports cannot be wider than two car spaces width or 6 metres.	N/A – A carport is not proposed for this development.
C13. A maximum of two carport spaces can be stacked down the site.	N/A – A carport is not proposed for this development.
C14. Carports must not necessitate an extra driveway additional to the driveway for a garage or other parking structure.	N/A – A carport is not proposed for this development.
C15. The carport must have at least two sides open and cannot be fitted with a door, fence or gate.	N/A – A carport is not proposed for this development.
C16. Carports cannot have rooms within the roof.	N/A – A carport is not proposed for this development.
Basement Carparking	
C17. Basement car-parking cannot extend more than 1 metre above natural ground level where it faces a public street or public space or 1.5 metre above natural ground level to the side and the rear of the lot where it does not face a public street or public space.	N/A – No basement car parking is proposed.
C18. A ramp entering off a public street must start behind the boundary. Ramps cannot be located on public land and the width of ramps is to be minimized.	N/A – No basement car parking is proposed
C19. Basement car parking is not to extend outside the building footprint.	N/A – No basement car parking is proposed
5.1 Waste Management	
C1. Any application for development that involves the demolition of existing structures is to provide a Demolition Work Plan in accordance with the provisions of AS2601 and Councils work plan requirements	N/A - No demolition is proposed.
C2. Excavation that will result in bin material having to be transported off-site must be minimised through the use of site responsive building design. Where practical, excavated material should be reused on-site.	Complies – Excavation material may be reused on site where possible.
6.1 Fences and Walls (General)	
C1. Fences and walls are not to impede the natural flow of stormwater runoff.	Complies – Fences are not proposed to change and retaining walls will not impede the natural flow of stormwater runoff onsite.
C2. If located in a bushfire prone area fences and walls are to comply with AS3959 and Planning for Bush Fire Protection 2006, as amended from time to time.	Complies - No changes are proposed to the existing fencing. Any retaining walls proposed onsite will be able to comply with the relevant Australian Standard as demonstrated in the Bushfire Assessment report submitted.
C3. Fencing is not to obstruct water meter reading access.	Complies – Fencing is not proposed to change and will not obstruct water meter reading access.

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Requirement	Compliance
Front and Return (Fencing)	
C4. Front and return fences are to reflect the design character of the dwelling and be compatible with other fences and walls within the streetscape.	N/A- There are no proposed changes to the existing fencing onsite
C5. Return fences (the side fence between the front boundary and front elevation of the house) are to be the same height and design as front fences.	N/A- There are no proposed changes to the existing fencing onsite
C6. Front and return fences to a primary or secondary street frontage can be up to maximum height of 1.5 metres high with a maximum solid fence height of 600mm. Above the solid wall the fence is to have a minimum openness ratio of 60%. These heights may be varied where topography necessitates a retaining wall as demonstrated on a site analysis.	N/A- There are no proposed changes to the existing fencing onsite
C7. Front or return fences must not be timber paling or colourbond, except were integrated into a design theme that is consistent with the character of the dwelling and streetscape and incorporates appropriate articulation to allow for landscaping.	N/A- There are no proposed changes to the existing fencing onsite
C8. Front fences are not to obscure a 2.0m x 2.0m splay when adjacent to a driveway.	N/A- There are no proposed changes to the existing fencing onsite
C9. Front and return fences may be solid up to 1.8 metre if: <ul style="list-style-type: none"> i. Located on an arterial road or opposite an intersection where head lights shine into a dwelling; or ii. Where a swimming pool is located forward of the front building line; or iii. Where the allotment is oriented to the north, providing the most suitable location for private open space and external living areas; and <ul style="list-style-type: none"> - Are justified by a site analysis; - Include articulation and landscaping to the street(s); - Must not be a solid unbroken wall and the solid component cannot be more than 50% of the street frontage; and - Must not be colourbond or timber paling. 	N/A- There are no proposed changes to the existing fencing onsite
Side and Rear (Fencing)	
C10. Side fences are measured from behind the required building line to the rear boundary. The maximum side or rear fence height is 2.0 metres.	Complies – There are no proposed changes to the existing fencing onsite
C11. May include timber paling, metal or Colourbond material. If metal must be of low reflective material.	Complies – There are no proposed changes to the existing fencing onsite.
C12. Chain wire fences, except to tennis courts, are not to exceed 1.2 metres in height.	N/A – There are no proposed changes to the existing fencing onsite
C13. On corner allotments, fence and wall treatments on the secondary street frontage are to be of equal design quality and material as the primary street frontage for the length of the building.	N/A – The site is not a corner allotment
Fences and Walls for Greenbank Island	
C14. Approval is to be obtained from Council prior to the erection of any fencing on Greenbank Island.	N/A -The site is not located on Greenbank Island
C15. Fencing behind the six (6) metre building line shall not exceed 2000mm in height.	N/A -The site is not located on Greenbank Island

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Requirement	Compliance
C16. The fencing is to be constructed of brick, stone, masonry block or such other material as is approved by Council.	N/A -The site is not located on Greenbank Island
6.2 Outbuildings	
C1. Outbuildings are to be single storey, except when located on either rural or agricultural land.	Complies - The proposed shed and home office are single storey.
C2. Deep soil areas cannot be used for the siting of an outbuilding.	Complies - Nominated deep soil areas are not utilised for siting of an outbuilding.
C3. An outbuilding may include a toilet, wash basin and/or shower but may not be used as a dwelling and may not contain a kitchen.	Complies - The shed/home office includes a toilet, shower and wash basin. It does not contain a kitchen.
C4. The total area for outbuildings on a site (including carport) is: i. 50m ² for lots up to 450m ² ; ii. 60m ² for lots greater than 450m ² and up to 900m ² ; iii. 100m ² for lots greater than 900m ² ; and iv. These size restrictions do not apply on non-urban zoned land or rural living (large lot residential) land.	Complies - These restrictions do not apply to the subject land which is zoned rural landscape.
C5. Outbuildings are to have a maximum overall building height of 3.5 metres for a flat roof and 4.8 metres for a pitched roof. This control does not apply to land with either a rural living (large lot residential) or agricultural zoning.	N/A - The land is zoned rural landscape (an agricultural zoning) so the control does not apply.
C6. Outbuildings must be located a minimum of 1 metre behind the front building alignment.	N/A - Clause 1.8 of the <i>Residential and Tourist Development Code – Part A Preliminary</i> states that outbuildings are not required to comply with the control where it would be unreasonable. The outbuilding is closer to the road frontage it terms of the alignment with the dwelling. This is not uncommon on a rural block and compliance is considered unreasonable given the steep topography and the size of the site.
C7. The design and materials are to be compatible with those of the dwelling house. Reflective and high glare surface finishes are to be avoided.	Complies - The proposed shed and home office are compatible with the design of the dwelling house and the character of the area.
6.3 Swimming Pools and Spas	
C1. The outer edge of the pool concourse or coping shall set back a minimum of 1 metre from the side or rear boundaries.	Complies – The proposed pool is located greater than 1m from the side and rear boundaries
C2. Swimming pools and spas must be surrounded with a child resistant barrier in accordance with the provisions of the Swimming Pools Act and the requirements of Australia Standard 1926.	Complies – Pool fencing to comply with the relevant Australian Standards
C3. Swimming pools and spas are to have a suitable means for drainage and disposal of overflow water.	Complies – Drainage of pool areas forms part of the wide drainage strategy for the site.
C4. Filters and pumps are to be enclosed and located in a position so as not to cause a noise nuisance to adjoining properties and habitable rooms.	Complies – A ventilated pool pump room is indicated on the plans at the south-west corner of the garage (below stairs) Access is via external roller door on south face only. This location has been selected to provide the maximum distance from the adjoining residents.
C5. Adequate deep soil zone is to be retained.	N/A – Clause 1.8 of the <i>Residential and Tourist Development Code – Part A Preliminary</i> states that

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Requirement	Compliance
	<p>outbuildings are not required to comply with the control where it would be unreasonable.</p> <p>The rural block is large and given the small site cover proposed will have adequate areas of deep soil.</p>
<p>C6. Pools may be located between the front building line and the street where it can be demonstrated through a site analysis plan that:</p> <ul style="list-style-type: none"> i. This is the best solar orientation for the pool, and associated external living areas; ii. That the impact on habitable rooms of the adjoining and opposite properties is minimised; and iii. Fencing to the street is not timber paling or colourbond and incorporates a mix of materials, articulation and landscaping. 	<p>Complies – The swimming pool is well setback from the building line and street.</p>
6.4 Tennis Courts	
C1. Tennis court lighting is to comply with the provisions of Australian Standard 2560.1 (or as updated) and is to be designed and shielded to eliminate upward and minimise outward spillage of light.	N/A
C2. Tennis courts shall be designed to adequately accommodate drainage requirements within the site.	N/A
C3. Tennis courts shall be located behind the building line of any primary frontage except where on rural land or non-urban land.	N/A
C4. Tennis courts cannot be located within the deep soil zones.	N/A
C5. For tennis courts or other similar areas, chain wire fences are to be of a dark colour and designed to reduce visual impact. Tennis court fencing is to be screened with landscaping.	N/A
C6. Solid fences enclosing these facilities shall not be permitted over 3.6 metres, shall be offset from the side boundary by a minimum of 600m and offset any front boundary by 1 metre.	N/A