**ATTACHMENT 5 - CHAPTER 2.3 DUAL OCCUPANCY DEVELOPMENT ASSESSMENT**

|  |  |  |
| --- | --- | --- |
| **Requirement** | **Proposed** | **Compliance** |
| **3.0 Scale** |
| **3.1 Height – Note: Refer to Cl 4.3 of WLEP 2013 for Maximum Building Height** |
| Maximum building height from natural ground level to highest point of the building – 9.5m | Maximum 5.82m | Yes |
| Ceiling height, maximum ceiling height of 7m and generally not more than two stories. (cl 3.1.2 a) | Maximum 2.4m | Yes |
| Three stories may be appropriate where supported by LEP building height limit. (cl 3.1.2 b) | Single storey | N/A |
| Within R2 zone the rear dwelling of a front-and-rear dual occupancy shall not exceed one storey. (cl 3.1.2 c) | Single storey detached dual occupancies proposed on battle-axe allotments | Yes |
| **3.2 Site Coverage – Note: Refer to Cl 4.4 of WLEP 2013 for FSR** |
| Minimum of 25% of site area to be soft landscaping excluding all hardstand surfaces. (cl 3.2 a) | Greater than 25% of the site of each battle-axe lot containing the dual occupancy development is provided for soft landscaping | Yes |
| Maximum FSR of 0.5:1. (cl 3.2 b) | Lots 301 and 302 – 0.21:1Lots 311 and 312 – 0.31:1 | YesYes |
| **4.0 Built Form** |
| **4.1.1 Building Design** |
| Scale, function and visual appearance to be compatible with objectives of the zone and be of high architectural quality. (cl 4.1.1 a) | The scale, function and visual appearance of the development is compatible with the adjoining and surrounding development. | Yes |
| Buildings facades to be articulated in length and height, monotonous and unbroken lengths of wall >10m in length and >3m in height not permitted. Visual interest to be provided for two storey designs. (cl 4.1.1 b) | The proposed building has articulated lengths using a variety of materials finishes, windows and landscaping to break up the facades of the development. | Yes |
| Mirror image side-by-side dual occupancies are generally not acceptable. (cl 4.1.1 c) | It is considered that there is adequate articulation, different widths of the front portion of the dwellings, use of materials, finishes, windows and doors to ensure the proposed dual occupancy development is not a mirror image. | Yes |
| Garages shall not dominate the street elevations or presentation of the development. (cl 4.1.1 d)  | The proposed development are on battle-axe allotments and the garages will not be visible to the street | Yes |
| Suitable architectural features shall be incorporated in the design to provide visual relief and to minimise the bulk and scale of development. (cl 4.1.1 e) | Single storey detached dual occupancy development, different windows and entries, use of different materials (brick face, rendering and plasterboard), landscaping and 1.8m high clapped and timber fencing on side and rear boundaries. | Yes |
| For elevated dwelling designs, sub-floor fender walls are required on all facades. (cl 4.1.1 f) | Drop edge beam proposed with no wall fenders | N/A |
| Each dwelling shall have clearly identifiable entries and street numbers. (cl’s 4.1.1 g & h) | Mail boxes shall be located at the front of the development adjacent to the driveway identifying the street number. | Yes |
| **4.1.2 Roof Design** |
| Roof design to be related to the built form and size and scale of the building. (cl4.1.2a) | The proposed roof design relates to the proposed built form in terms of size and scale of the building. | Yes |
| Roof design to relate to the size, scale and orientation of the building(s). (cl 4.1.2 b & c) | The proposed roof design relates to the size, scale and orientation of the buildings. | Yes |
| Roof top structures shall not detract from the architectural merit of the building (cl 4.1.2 d) | There are no roof top structures. | N/A |
| Roof top gardens, terraces, decks and enclosures shall be suitably set back from the building edge to maintain the privacy of adjoining sites. (cl 4.1.2 e)  | There are no roof top gardens, terraces, decks and enclosures. | N/A |
| **4.1.3 Building to Boundary** |
| Subject to ensuring there is no unreasonable adverse impact on the privacy or solar access to adjoining properties, consideration may be given to permitting one side wall without openings to be built on the side boundary, no greater than 10m in length or 3m in height subject to the provisions of this clause.  | The development does not propose a nil setback on any boundary. | N/A |
| **4.2 Cut and Fill** |
| The amount of cut and / or fill required on a site shall be minimised. This may be achieved by stepping buildings down a site, and by locating the finished ground floor level as close to natural ground level as practicable. (cl 4.2 a) | Drop edge beam proposed within the footprint of the dual occupancies to natural ground level.Dwellings are stepped down with the topography if the site. | Yes |
| No building, cut, fill, or retaining works shall be permitted which may affect sewer or drainage lines, or inter-allotment easements over the property. (cl 4.2 b) | The proposed cut and fill will not impact upon the sewer or proposed drainage lines. | Yes |
| Retaining walls where viewed from the street or public places shall be of a decorative masonry product complementing the landscape design and integrating with the development. (cl 4.2 d) | Retaining walls are proposed but are not visible from the street, as they are contained within the rear element of the site.  | Yes |
| Retaining walls shall be constructed in accordance with the manufacturer’s specifications, or in accordance with an approved engineering design which complies with Australian Standard AS4068 and Council’s Civil Works – Design Guideline and Construction Specification. (cl 4.2 e) | A condition of consent will require that the retaining walls are constructed in accordance with the appropriate Australian Standard. | Yes |
| The construction of any retaining wall or associated drainage work adjacent to a common boundary shall not impede the structural integrity of any existing retaining walls or structures. (cl 4.2 f) | A condition of consent will require that the retaining walls or associated drainage work adjacent to a common boundary shall not impede the structural integrity of any existing retaining walls or structures. | Yes |
| All dividing fencing shall be erected on ground level. (cl 4.2 g) | The applicant proposes to erect 1.8m high fences on the side and rear boundary.  | Yes |
| Specific restrictions on cut:no boundary retaining wall for cut shall exceed 900mm in height;* where any adjacent wall of the dwelling is setback less than 1300mm from the side boundary the height of cut at that boundary is restricted to a maximum of 600mm and the area between the wall of the building and the boundary retaining wall shall be provided as a generally level surface; and
* where any adjacent wall of the dwelling is setback 1300mm or greater from the side boundary, the height of cut at the boundary is restricted to a maximum of 900mm and the area between the wall of the building and the boundary retaining wall shall be provided as a generally level surface. (cl 4.2 h)
 | No cut proposed with the construction of the dual occupancies | N/A |
| Specific restrictions on fill:* all filling for the slabs shall be contained within the footprint of the building by the use of drop-edge beams to natural ground level, such that a generally level area is created between the wall of the building and the boundary;
* battered fill or retaining walls within areas such as front or rear yards and courtyard areas external to the dwelling footprint shall not exceed 600mm in height;
* all proposed fill (e.g. to support courtyard areas) is to be graded at a batter not exceeding 1:4, or retained to a maximum height of 600mm, such that natural ground level is achieved at a distance of 900mm from the side boundary; and
* the grading of fill, at a batter not exceeding 1:4, with the rear yard or front setback area to existing ground level at these boundaries is acceptable. (cl 4.2 i)
 | Drop edge beam proposed within the footprint of the dual occupancies to natural ground level | Yes |
| **4.3 Building Lines** |
| Where absolute water frontage exists, buildings must be setback 20m from the high water mark unless other specific local provisions apply. (cl 4.3.1 a) | The subject site does not adjoin the foreshore. | N/A |
| Where a property is affected by the Chapter 3.5 Coastal Hazards, the applicable setback is to comply with the provisions of that Chapter. (cl 4.3.1 b) | The subject site is not located within a coastal hazard area. | N/A |
| No building is to be erected within the triangle from the intersection of the two street boundary lines formed by a sight line 12m along the primary road frontage and 6m along the terminating road frontage. (cl 4.3.1 g) | The subject site is not a corner lot. | N/A |
| **4.3.2 Setbacks** |
| Front setback:Category C: 4.5m or 6.0m Side and rear setbacks: 0.9m (4.5m adjoining public reserve) Garages: 6.0m when direct access from road OR 7.5m for Category A roads.Corner Allotments: 2.0m on side street. | Dual occupancies are on battle-axe lotsThe side and rear boundaries are greater than 900mm.Dual occupancies are on battle-axe lotsDual occupancies are on battle-axe lots | N/AYesN/AN/A |
| **4.4 Transport Needs** |  |  |
| **4.4.1 General Requirements** |
| Where car parking areas are visible from the street, the surface shall be treated with decorative finish and the space shall be screened by landscape treatments such as mounding, planting and fencing. (cl 4.4.1 a) | Coloured concrete is proposed and the nature of the access being a single central driveway results in relatively large areas of landscaping adjacent to the driveway area.  | Yes |
| Where parking is proposed within a side or rear building setback and is exposed to adjoining properties, suitable landscaping shall be provided along such boundary to soften the visual impact of the parking and to provide for stormwater infiltration. (cl 4.4.1 b) | The proposed car parking is not located within the side or rear setbacks. | N/A |
| For sites to be accessed from an arterial or sub-arterial roads or where car parking is proposed along or at the end of a common driveway, an adequate manoeuvring area must also be provided on-site so that the vehicles of residents can enter and leave the site in a forward manner using no more than a 3 point turn. (cl 4.4.1 d) | The subject site is adjacent to a category C roads. | N/A |
| **4.4.2 Resident Parking** |
| One to Three Bedrooms: 1 car spaceFour or More Bedroom: 2 car spaces (cl 4.4.2 a) | 2 x 3 bedrooms, requires one car parking space per dwelling.Double garages are proposed in each dwelling.  | Yes |
| At least one of the required resident car parking spaces for each dwelling must be provided in the form of an enclosed space (garage) with minimum dimensions of 3m width by 5.5m length and a minimum opening of 2.7m. (cl 4.4.2 b ) | Double garages are proposed in each dwelling. | Yes  |
| **4.5 Vehicle Access Design** |
| **4.5.1 General Requirements** |
| Use of plain concrete for driveways and open car parking areas is not supported by Council. Alternative treatments, such as porous pavers and colour treatments are to be used. Details shall be provided with the development application. (cl 4.5.1 a) | The plans indicate that a decorative concrete driveway is proposed. | Yes |
| Ensure adequate separation distances between vehicular entries and street intersections. (cl 4.5.1 b) | Provided | Yes |
| Driveways and vehicular access shall be designed in accordance with AS/NZS 2890.1. (cl 4.5.1 c) | A condition of consent will require compliance with this Australian Standard. | Yes |
| **4.5.2 Ground Level Parking** |
| Driveways not to be continuous straight lines and be offset by landscaping. (cl 4.5.2a) | The proposed driveway is not a continuous driveway and is offset by landscaping. | Yes |
| Minimum pavement width of 3m. Minimum pavement width of 5.5m for first 6m on category A roads. (cl 4.5.2 b & c) | N/A | N/A |
| Driveway to be offset a minimum 2m at front boundary and taper to 0.5m at front building line. This area to be suitably landscaped. (cl 4.5.2 d) | N/A  | N/A |
| Future subdivisions of battleaxe dual occupancies require 3.5m access way. (cl 4.5.2 e) | 7.5m access handle provided  | Yes |
| Parking or access which is visible from the street elevation must respect the architectural qualities of the building and integrate with the overall presentation of the development. (cl 4.5.2 f) | The proposed access is visible from the street and respects the architectural qualities of the building and integrates with the overall presentation of the development. | Yes |
| **5.1 Lot Size Requirements** |
| Dual street frontage – 700m2Battle-axe – 800m² | Minimum 841.7m² | Yes |
| **6.0 Amenity** |
| **6.1 Private Open Space** |
| Each dwelling to have private open space of 45m2 (not including area required to house above ground RWTs) with a minimum dimension of 4.5m. These areas are to be accessible from living areas. Areas with a dimension less than 4.5m shall not be considered as private open space. Private open space may be provided in two locations per dwelling (cl 6.1 a, b & h) | Each dwelling has an area greater than the minimum 45m2 provided within a relatively flat area adjacent to the building and connected to the internal living areas. | Yes |
| Open spaces may be located in front building setback area on Category A roads in all circumstances or Category B roads where solar access is optimised. (cl 6.1 c&d) |  | N/A |
| Required private open space shall not exceed a maximum grade of 1:14 (7%) to optimise useability for residents. (6.1 f) | As above. | Yes |
| Patios, decks, balconies and the like at or near ground level may only be counted as courtyard area when they are not enclosed by the line of the roof of the building (not including the eaves projection). (cl 6.1 g) | Patios areas are located at near ground level and are not under the roof of the dwelling therefore this area is included as part of the private open space requirement. | Yes |
| **6.2 Solar Access** |
| At least 75% of each required open space area shall receive at least 3 hours unobstructed sunlight between the hours of 9am and 3pm on June 21. (cl 6.2.1 a) | The proposed open space areas are located to receive at least 75% of this area receives 3hrs of unobstructed sunlight between hours of 9am and 3pm on June 21. | Yes |
| Developments are to have regard for maintaining solar access to adjoining properties. At least 75% of required open space on adjoining lands shall receive at least 3 hours unobstructed sunlight between the hours of 9am and 3pm on June 21 (cl 6.2.1 b) | The proposed dual occupancy development are single storey and will have minimal impact upon the adjoining developments private open space areas which are located at the rear of the existing dwellings. | Yes |
| Dwellings should be orientated to allow optimum solar access for internal and external living areas. (cl 6.2.1 c) | The dwellings have been orientated to allow optimum solar access for the internal and external living areas which are located on the northern side of the site. The internal living areas adjoin the alfresco areas and private open space. | Yes |
| Buildings shall be designed to minimise adverse impact by wind velocities, intensities and directions on the amenity of the development and surrounding areas. (cl 6.2.1 d) | The proposed dwellings are single storey and will have minimal impact upon wind velocities, intensities and directions on the amenity of the development and surrounding areas. | Yes |
| Developments of two-storeys and above shall provide shadow diagrams showing shadow casting at 9am, 12 noon and 3pm on June 21. The diagrams are to show shadows over the site and adjoining properties (cl 6.2.2 ) | Shadow diagrams provided indicating that the POS of the dwellings on the adjoining lots receive compliant solar access levels | Yes |
| **6.3 Privacy** |
| **6.3.1 Visual Privacy** |
| Direct overlooking of internal living areas and private open space to surrounding dwellings shall be minimised. (cl 6.3.1 a) | It is considered that overlooking generated by the proposal will be commensurate with the topography and the emerging character of the locality of the development in an established residential area zoned for the intent of low density residential development. | Yes |
| Where living area windows or balconies of dwellings are proposed within 12m and facing living area windows or balconies of adjacent dwellings, windows should offset from the edge of the opposite window and balconies be screened or oriented to ensure visual privacy. Window openings at first floor level and above should be orientated or designed to minimise the potential for overlooking of adjacent properties and this consequent loss of privacy. Windows which are orientated towards adjoining properties and do not adequately restrict overlooking will be required to be opaque finish or located at appropriate heights above floor level to minimise overlooking of adjoining properties. (cl 6.3.1 b) | As above. |  |
| **6.3.2 Acoustic Privacy** |
| Site layout should separate sources of noise from bedroom areas of dwellings. (cl 6.3.2 a) | No bedrooms are adjacent to the garages. | Yes |
| Development adjacent to high levels of uncontrollable external noise shall minimise the entry of that noise through building design and external wall treatment. (cl 6.3.2 b) | The subject sites are not adjacent to high levels of uncontrollable external noise. | N/A |
| **6.4 Views** |
| Developments should be designed to minimise view loss from adjoining and adjacent properties while maintaining views from the development – view sharing (cl 6.4 a). | The proposed development will have minimal impact upon the views from adjoining properties. | Yes |
| Important public views and vistas beyond the site shall be protected and maintained where possible, through responsive building form and treatment including roof design. (cl 6.4 f) | There are no important public views and vistas in proximity to the proposed development. | Yes |
| **7.0 Services** |
| All sites shall be provided with adequate, separate water and sewer services, as well as telephone and power. Connection to gas is encouraged where a reticulated gas supply is available. (cl 7.1 b) | The subject sites are serviced by all the relevant services. | Yes |
| The provision of kerb and guttering, associated street drainage, pavement construction and foot paving will be required across the frontage of the site if these do not currently exist. The only exceptions to these requirements are where, in Council’s opinion:* it is technically impractical to construct kerb and gutter due to uncertainty as to the appropriate levels to be adopted or an isolated section will present a hazard to road traffic safety;
* the street drainage necessary to provide kerb and gutter is an unreasonable impost upon the development; and
* kerb and gutter is not the most suitable streetscape treatment for the particular area on the basis of existing and anticipated development

In the event that the development is determined to be within the above categories of exception, an alternative treatment to kerb and gutter such as mountable kerb, concrete dish drain, cemented paving stones or other treatment may be required with the exact type based upon the characteristics of the site. (cl 7.2 a & b) | Construction of kerb and guttering and foot paving is proposed as Stage 1 of the overall development. | Yes |
| **8.0 Stormwater Management** |
| Stormwater runoff from roof and paved areas shall be directed via gravity fed systems into inter-allotment or street stormwater drainage system by piped systems catering for the 20 year design and consideration of overland flows catering for the 100 year design. Charged systems will not be accepted. (cl 8.0 b) | Council’s development Engineer supports the proposed stormwater management subject to conditions of consent. | Yes |
| **9.0 Landscape** |
| Landscape plan to be submitted with the development application. (cl 9.1.1) | A landscape plan has been submitted with the application. | Yes |
| Two semi-advanced trees per 15m frontage to be provided, details to be provided as part of landscape plan. (cl 9.1.2) | Street trees are proposed within Stage 1 of the overall development | Yes |
| A minimum 50% of the required soft landscaped area of the site at ground level should be a deep soil zone. This may be achieved by optimising the provision of consolidated deep soil zones within a site by:* the design of basement and sub- basement car parking, so as not to fully cover the site;
* the use of front and side setbacks for deep soil planting.

Optimise the extent of deep soil zones beyond the site boundaries by locating them contiguous with the deep soil zones of adjoining properties. (cl 9.1.3 a & b) | There is adequate soft landscaped area to provide the appropriate deep soil zone plantings. | Yes |
| **10.0 Social Dimensions** |
| An internal laundry shall be provided within each dwelling. (cl 10.1.1)) | Each dwelling has an internal laundry. | Yes |
| Internal storage space is to be provided.1-2 bedrooms: 3m2 floor area3 or more bedrooms: 6m2 floor area. (cl 10.1.2) | Each dwelling has the required internal storage space. | Yes |
| **11.0 Aesthetics** |
| **11.1 Fencing – Note: Cost of fencing rests with the developer (cl 11.1.1 j)** |
| Clearly delineate the private and public domain without compromising safety and security (cl 11.1.1 a) | The plans clearly delineate the private and public domain without compromising safety and security. | Yes |
| Details of material, height, type and extent of all proposed fencing shall be shown on development application plans. (cl 11.1.1 b) | The plans indicated the fencing for the development being the erection of 1.8m high lapped and capped timber fencing. | Yes |
| Fences are to contribute to the amenity, beauty and useability of private and communal open spaces through incorporating design features. (cl 11.1.1 c) | The fencing contributes to the privacy of the private open space areas. | Yes |
| Retain and enhance the amenity of the of the public domain by; avoiding the use of continuous lengths of blank walls at street level, using planting to soften the edges of any raised terraces to the street, such as over sub-basement car parks, and reduce their apparent scale, and selecting durable materials which can be easily cleaned and are graffiti resistant. (cl 11.1.1 d) | The development does not propose any raised terraces or sub-basement car parking. | N/A |
| Dividing fences shall not adversely affect flow of surface water or create flooding problems. (cl 11.1.1 e) | It is considered that the dividing fencing will not adversely affect the flow of surface water. | Yes |
| Courtyard fencing is to be of a decorative nature and 1.8m in height. (cl 11.1.1 f) | 1.8m high lapped and capped timber fencing is proposed for the courtyards at the rear, no front fencing is proposed.  | Yes |
| Courtyard fencing in front setbacks may only be provided:* On category A roads for noise attenuation.
* On category B roads for solar access.

No closer than 1.5m from front boundary alignment, and setback to be suitably landscaped. (cl 11.1.1g) |  | N/A |
| Decorative fencing may be provided along the front boundary with a maximum height of 1.2m. (cl11.1.1 h) | No front fencing proposed | Yes |
| No courtyard fencing permitted within the setback area on side streets. (cl 11.1.2 a) | No courtyard fencing proposed within the setback area on the side streets | N/A |
| No structures of landscaping to be provided within sight lines. (cl 11.1.2 b) | The proposed landscaping will not impact on sight lines | Yes |
| **11.2 Streetscape** |
| Developments to enhance the streetscape and compliment the surrounding built form, landscape and environmental conditions. (cl 11.2 a) | It is considered the development on the nettle-axe lots will complement the future built form of the area. | Yes  |
| Building design to be compatible with the themes within the surrounding locality. (cl 11.2 b) | The building design is compatible with the theme within the locality being within an urban release area. | Yes |
| Developments shall be designed to address the street and contribute positively to the area. Building entry points should be emphasised and designed to visually integrate with the rhythm of the streetscape. (cl 11.2 c) | The development addresses the street and contributes positively to the area. | Yes |