

Division C – Development in R2 Low Density Residential & R5 Large Lot Residential zones

Advice

Interpretation & the LEP

- For the meaning of words and terms refer to clause 4 of Division A – Introduction, for more information.
- Dwelling houses and secondary dwellings are permitted with consent by the LEP in the R2 Low Density Residential the R5 Large Lot Residential zones.
- Secondary dwellings are permitted with consent by cl. 22 of the Affordable Rental Housing SEPP in the R5 zone.
- Cl. 23 of the Affordable Rental Housing SEPP permits secondary dwellings as complying development, provided the development standards in Schedule 1 of this SEPP are complied with.
- The floor area of a secondary dwelling is limited by cl.5.4(9) of the LEP, to the greater of 60m² or 25% of the floor area of the principal dwelling.
- A secondary dwelling must be on the same lot as the principal dwelling, meaning their subdivision is prohibited.
- For the provision of public utilities and infrastructure to development, cl.7.6 of the LEP applies.
- Ancillary development, including sheds, garages and other outbuildings, require development consent, when they do not satisfy requirements to be exempt or complying development under the Codes SEPP.
- Most fencing within Residential zones does not require Council's approval, being classified as exempt development. Development standards for exempt development are contained in the Codes SEPP.
- Diagrams and illustrations are located in the Schedule at the end of this part, to assist interpretation of guidelines in the Development Guidelines Tables.

Utility installations

- When preparing a development application, applicants should contact:
 - Council regarding stormwater drainage, water and sewer services, and
 - Providers of gas, electricity and telecommunications services,to determine service availability, approval requirements or restrictions for servicing (if any).
- When necessary, development is to be designed to accommodate any on-site infrastructure in accordance with standards and approvals of relevant agencies.
- Development applications are to include details of all existing and proposed services.
- Location of any proposed water or sewer mains are to be supplied with the development application.
- Servicing through areas with significant vegetation is to be avoided when practical.
- On bush fire prone land, proposed development is to provide for access and a water supply for fire-fighting in accordance with the NSW Rural Fire Service guidelines.

Tree & vegetation management

- Trees and vegetation should be retained where possible. Refer to Part 5 of this DCP for further information.

Consultation & collaboration

- When preparing a development application, applicants are encouraged to discuss proposed development with Council's planning/assessment officers.

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1. Objectives

Objectives for development to which Division C applies are to be considered by Council when a development application is determined. The objectives are, to:

- a. Ensure development in the R2 and R5 zones responds to the environmental conditions of the site and the locality.
- b. Enable development in the R2 and R5 zones to be compatible with the streetscape and to contribute positively to the character of the locality in which development is proposed.
- c. Create reasonable amenity for occupants of development in the R2 and R5 zones without causing unreasonable impacts on the amenity of neighbours.

2. Development in R2 Low Density Residential & R5 Large Lot Residential zones

- a. This clause applies to all development in the R2 Low Density Residential and R5 Large Lot Residential zones, except:
 - i. Ancillary development, as defined by the Codes SEPP, that is not exempt or complying development under that policy or any other environmental planning instrument,
 - ii. Non-residential development (addressed in Division H), and
 - iii. Subdivision.
- b. Satisfaction of performance criteria is to be demonstrated to justify departures from numerical guidelines and non-numerical guidelines as set out in the Development Guidelines Table to this clause.
- c. Where there is no guideline for a design element, information is to be provided with a development application to demonstrate that relevant performance criteria are satisfied.

Development Guidelines Table

Division C cl. 2 Development in R2 & R5 zones		
Design elements	Guidelines	Performance criteria
a. Site planning.		
i. Min. landscaped area: On lots up to 4,000m ² . Min. width of landscaped areas (to count as part of min landscaped area). Refer to Figure 13 in the Schedule.	45%. 1m.	Adequate landscaped area is provided, to ensure: • Space for growing plants, including trees, • Absorption of rainwater into the ground, • Reasonable amenity for residents, • Lots are not over-developed with buildings, structures and paving, and • Paving and buildings do not dominate the streetscape.

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Division C cl. 2 Development in R2 & R5 zones		
Design elements	Guidelines	Performance criteria
ii. Siting development on steep land.	Development on slopes greater than 1:4 is discouraged.	Development is suitably sited to avoid steep land and align with site contours, to minimise earthworks and the impact of development on the character of the locality.
iii. Development on a battle-axe lot.		Development on a battle-axe lot: - Provides reasonable amenity for occupants and neighbours. - Is compatible with the public domain and the character of the locality. - Addresses public open space or another type of public reserve, or land in an environmental protection zone, when the lot adjoins or when development on the lot would have an outlook to that reserve or land in an environmental zone.
b. Land use compatibility.		
i. Site analysis. This guideline does not apply in the R2 zone.	A site analysis is to be prepared when deemed necessary by Council, to identify adjacent or nearby activities which would likely impact occupants' health, safety and amenity. The development application is to include information to demonstrate that any nearby activities and their likely impacts will be effectively avoided, mitigated or managed.	Development is compatible with nearby land uses and land use conflict is avoided, mitigated or managed effectively. The environment and the health and amenity of the occupants of proposed development are suitably protected.
c. Building height.		
i. Maximum no. storeys for a dwelling house.	2.	Building height and the number of storeys is compatible with the character of the locality. Development reasonably maintains acceptable relationships with adjoining development in terms of bulk and scale, and resident-amenity.
ii. Max. no. storeys for a secondary dwelling, when not in the same building as the principal dwelling.	1.	
iii. Earthworks, retaining walls & other related structures. Refer to Figures 14 & 15 in the Schedule.	Development is to be stepped to align as closely as possible with the slope of the lot. Earthworks and related structures are not to result in finished ground levels that differ by more than 600mm from existing ground levels at any boundary with adjoining land.	Adverse impacts of earthworks and related structures on adjoining land, resident-amenity, streetscape and the character of the locality are avoided, or acceptably minimised or mitigated.

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Division C cl. 2 Development in R2 & R5 zones		
Design elements	Guidelines	Performance criteria
	Earthworks that result in finished ground levels that differ by more than 600mm from existing ground levels are only to be carried out: • Within the dwelling house's footprint, to provide for habitable or non-habitable rooms or spaces. • To provide access to the dwelling house or those habitable or non-habitable rooms or spaces mentioned above. If the lot was benched when the land was subdivided, earthworks and related structures are not to further increase or decrease finished ground levels at any boundary with adjoining land. All earthworks and associated structures are to be properly drained and not direct surface water onto adjoining land.	
	Structures related to earthworks that differ by more than 600mm from existing ground levels, including any retaining, drainage works or other works, are to be designed by a suitably qualified and experienced engineer.	Earthworks and related structures and infrastructure are properly designed.
	Appropriate construction techniques, including minimising removal of vegetation where possible, are to be implemented to assist in erosion and sediment control during and post construction. An erosion and sediment control plan is to be submitted with a development application, except when development does not involve soil disturbance or when soil disturbance is insignificant.	Earthworks and retaining walls do not adversely impact stormwater flows or channel drainage onto neighbouring property.
iv. Max. floor height of balconies, decks, patios and the like.	0.5m with 5m setback. 2m with 5m – 7.5m setback. 3m with 7.5m – 10m setback.	Maintains acceptable built form and amenity relationships with neighbouring development.

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Division C cl. 2 Development in R2 & R5 zones		
Design elements	Guidelines	Performance criteria
d. Setbacks.		
i. Min. primary street setback. Refer to Figure 16 in the Schedule.	Average setback of the two buildings closest to the lot, in the same street and on the same side of the street. 10m when averaging as set out above is impractical.	Setbacks are compatible with the setback of neighbouring buildings. Setbacks contribute to the character of the locality.
ii. Min. primary street setback for a secondary dwelling.	Behind the principal dwelling, when the secondary dwelling is in a building separate from the principal dwelling. Alterations and additions to the principal dwelling to create a secondary dwelling are not to be forward of the principal dwelling's primary street setback.	
iii. Min. setback from main roads.	30m on the following roads: • Wagga Road, • Riverina Highway, • Hume Highway, • Gerogery Road (R5 zone only), • Tynan Road, and • Table Top Road.	An appropriate buffer is provided between main roads to mitigate noise, pollution and visual impacts.
iv. Min. secondary street setback on a corner lot.	50% of the primary road setback. When the secondary street setback is to a main road clause 2 d. iii. applies.	Maintains compatibility with neighbouring development and the streetscape. Utility of the site is not unreasonably diminished.
v. Min. side setback: In R2 zone. In R5 zone.	2.5m. 5.0m.	Adequate building separation is provided at side boundaries, for amenity, boundary fencing, access, safety, and maintenance.
vi. Min. rear setback.	10m.	Adequate building separation is provided at rear boundaries, which maintains or improves resident-amenity and the character of the locality.
vii. Garage or carport setback.	A garage or carport must be set back at or behind the primary street setback of the dwelling house.	Visual dominance of car parking associated with dwellings is acceptably minimised.
viii. Min. setback from watercourses.	100m from the Murray River. 100m from Lake Hume. 40m from any other watercourse.	Environmental qualities of watercourses are adequately protected.

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Division C cl. 2 Development in R2 & R5 zones		
Design elements	Guidelines	Performance criteria
e. Character & the public domain.		
i. Character.	The building is designed to be compatible with the streetscape and character of the locality.	Development is of high architectural quality and contributes positively to local character and a safe public domain. Design and choice of materials and colours are compatible with surrounding development and contribute to a pleasant and attractive public domain.
ii. Design, massing & articulation. Refer to Figure 17 in the Schedule.	Massing and articulation are to reduce apparent scale and bulk and create visually interesting buildings. Materials, textures and colours are to complement the massing and design of the building. Buildings are to be suitably articulated using harmonious architectural elements in the design, such as verandahs, porticos, awnings, bay windows, balconies or terraces. Elements such as these may be forward of the primary street setback. Simple roof forms are to be designed to complement other building elements and minimise bulk and scale of the building. Roof forms are to be compatible with those of nearby buildings. Infrastructure and services are to be integrated into to the development's design or screened.	The mass and form of development integrates with and promotes diversity in the locality through quality urban design.
iii. Community safety & surveillance.	Principal pedestrian entries are to address, be readily identifiable and directly accessible from the street. When a building façade faces a reserve or other element of the public domain, that façade is to include windows and/or doors to address that reserve or other element of the public domain. Fencing and landscaping are not to unacceptably diminish informal surveillance of the public domain.	A safe method of access to and egress from development is provided. Development has acceptable impacts on community safety and contributes to informal surveillance of the public domain.
f. Resident-amenity.		
i. Climate management for west-facing residential accommodation. Refer to Figure 18.	Where habitable rooms face west (between north-west and south-west), architectural elements are to be used, such as: • Extended eaves, • Verandahs,	Heat-gain is reduced to improve thermal performance and comfort for occupants of residential accommodation.

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Division C cl. 2 Development in R2 & R5 zones		
Design elements	Guidelines	Performance criteria
	- Shutters, or - Awnings. Architectural design elements may be complemented by landscaping.	
ii. Noise & air quality.	Development is to be sited and designed to acceptably reduce the impact of noise in the locality. When there is a risk development will be impacted by a nearby source of noise or offensive or hazardous emissions to the atmosphere, the development is to be designed and sited to acceptably reduce that risk. When deemed necessary by Council, a noise impact assessment is to be submitted with a development application and the development's design is to adopt the recommendations of that assessment.	Impacts of noise and air-emissions are avoided or effectively mitigated and minimised.
iii. Waste Management.	Provide bin storage in accordance with Council's kerbside requirements, in a readily accessible location for residents. Bins are not to be stored forward of the primary street setback, or in a location visible from the public domain. Construction and demolition waste is to be managed and disposed of in accordance with the requirements of Council or another authority, when applicable.	Waste storage meets residents' requirements, reasonably maintains resident-amenity and the qualities of the streetscape and the character of the locality. Waste from the development is effectively managed in accordance with applicable requirements.
iv. Building materials.	Reflective building materials are not to be used.	Building materials do not unreasonably diminish neighbours' amenity.
g. Boundary treatments (fences & walls).		
i. Max. height of boundary treatments and gates, on a lot up to 2,000m². Max. height of side and rear boundary treatment behind the primary street setback. Boundary treatment materials and colours.	1.2m, or 1.8m, with at least 50% being see-through. 1.8m. To be consistent with materials and colours of the dwelling house and compatible with the streetscape.	Boundary treatments are compatible with and contribute to the character of the locality.

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Division C cl. 2 Development in R2 & R5 zones

Design elements	Guidelines	Performance criteria								
ii. Max. height of boundary treatments and gates, on a lot over 2,000m².	1.4m. Rural-type fences and gates are to be used, such as post and wire or post and rail. Other materials may be used sympathetically to provide entry statements into lots, while maintaining safe sightlines to roadways. Use of urban fencing or walls (i.e. solid metal or timber paling) is discouraged.									
i. Walls and screens.	Masonry, metal or timber walls (or other materials) and screens are only to be used as landscaping elements or for privacy and are to be setback as specified for side and rear setbacks and behind the primary street setback.	Walls and screens do not diminish the character of the locality.								
h. Access & parking.										
i. Min. car parking spaces: For a dwelling house. For a secondary dwelling.	Specified by Part 17. Additional parking not required if existing parking exceeds min. number of spaces specified by Part 17.	The number of on-site parking spaces is adequate and does not unreasonably reduce parking supply on local streets.								
ii. Max. garage door width when facing any road, except a lane. Refer to Figure 20 in the Schedule.	<table><tr><th>Lot Width</th><th>Max. width of garage door</th></tr><tr><td>7m – 12m</td><td>3.2m</td></tr><tr><td>>12m – 24m</td><td>6m</td></tr><tr><td>>24m*</td><td>9.2m*</td></tr></table> *An additional single garage may be erected adjacent to a double garage if: - The entry to the additional garage is set back at least 1m behind the entry to the other garage, and - The width of the driveway at the garage openings tapers gradually to a max. width of 6m at the property boundary.	Lot Width	Max. width of garage door	7m – 12m	3.2m	>12m – 24m	6m	>24m*	9.2m*	Adequate area available for ingress and egress of private vehicles. Garage doors and openings do not dominate the streetscape.
Lot Width	Max. width of garage door									
7m – 12m	3.2m									
>12m – 24m	6m									
>24m*	9.2m*									

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Division C cl. 2 Development in R2 & R5 zones		
Design elements	Guidelines	Performance criteria
iii. Pedestrian and vehicle access for secondary dwellings.	Secondary dwellings are to use the primary dwelling access and driveway. Separate access can be provided from a secondary street on a corner lot.	Suitable access is provided to secondary dwellings.
i. Utility Infrastructure.		
i. Access to the development and associated road works.		Access to the development and associated road works are to be consistent with Council's <i>Engineering Guidelines for Subdivisions and Development Standards</i>. On bush fire prone land, access is provided in accordance with RFS guidelines.
ii. Wastewater management.	Where reticulated sewerage is available: - Sewerage is to be provided in accordance with the Council's <i>Engineering Guidelines for Subdivisions and Development Standards</i>. Where reticulated sewerage is unavailable: - Effluent disposal via a pump-out system is unacceptable, - Dwellings and facilities in outbuildings are to be connected to an approved on-site effluent treatment and disposal system, and - Effluent is to be retained and disposed of within the boundaries of the lot. A land capability assessment is to be provided to demonstrate an on-site effluent treatment and disposal system can be accommodated and that the environmental impacts of that system are acceptable.	Adequate arrangements are made for on-site effluent treatment and disposal. Potential environmental impacts of on-site effluent treatment and disposal are properly considered and effectively avoided, mitigated or minimised.
iii. Water Supply.	Where reticulated water supply is available: - Arrangements are to be made with Council, the water and sewer authority, for water supply to all lots, - These arrangements are to be consistent with Council's <i>Engineering Guidelines for</i>	A reticulated water supply or an on-site rainwater harvesting and storage system is provided to sustainably meet the needs of the development and its occupants. Arrangements have been or will be made for the supply of water for the development that are consistent with Council's requirements and

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Division C cl. 2 Development in R2 & R5 zones		
Design elements	Guidelines	Performance criteria
	<i>Subdivisions and Development Standards</i>, and - On bush fire prone land, water supply is to be consistent with RFS guidelines. Where reticulated water supply is unavailable: - Utility services are to be provided in accordance with RFS guidelines on bush fire prone land, in addition to the following supplementary controls, - A land assessment must be submitted to Council to demonstrate the water collection area proposed is sufficient to provide water for domestic and firefighting purposes, - Separate storage is required for non-domestic uses, such as watering of lawns and gardens, and for firefighting purposes, - A domestic water supply storage of at least 100,000 litres is to be available for domestic purposes for each dwelling, - Drinking water shall comply with current water quality standards (as outlined in the Australian Drinking Water Guidelines), - If well, creek, bore or spring water is potentially available for drinking water supply, its quality and reliability need to be tested and assessed for suitability for drinking purposes, - A gravity-fed water system is to be used, to avoid reliance on electricity or other powered systems, - The size of dams may be restricted by water harvesting limits imposed by Water NSW. Applicants are advised to liaise with Water NSW to determine what restrictions may apply, and - Dams are not to be permitted where the flow of water, in the event of dam failure, would be in the path of dwellings or public roads.	RFS guidelines on bush fire prone land.

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Division C cl. 2 Development in R2 & R5 zones		
Design elements	Guidelines	Performance criteria
iv. Stormwater management.	All buildings and works, including paved areas must be drained by gravity, to: • A public drainage system, or • An inter-allotment drainage system, or • An on-site system, when the former two drainage methods are unavailable. Provision of stormwater facilities is to be consistent with Council's <i>Engineering Guidelines for Subdivisions and Development Standards</i>.	All buildings and works are properly drained. Stormwater drainage does not have unreasonable impacts on adjoining land. Stormwater management is adequate and in accordance with Council's requirements.
v. Electricity, gas and telecommunications services.		Evidence is provided to Council that these services are available before issue of an occupation certificate.

3. Ancillary development, including sheds, garages & other outbuildings

- a. This clause applies to ancillary development, including sheds, garages and other outbuildings as defined by the Codes SEPP, that is not exempt or complying development under that policy or any other environmental planning instrument.
- b. Satisfaction of performance criteria is to be demonstrated to justify departures from numerical guidelines and non-numerical guidelines as set out in the Development Guidelines Table to this clause.

Development Guidelines Table

Division C cl. 3 Ancillary development, including sheds, garages & other outbuildings		
Design elements	Guidelines	Performance criteria
i. Max. gross floor area of a shed or a garage (when not part of a dwelling house), or both: On lots up to 4,000m².	60% of the gross floor area of the dwelling house. The gross floor area of other ancillary development will be considered on merit.	Ancillary development, including sheds, garages and other outbuildings, are compatible with buildings on the lot, on neighbouring land and the streetscape or landscape qualities of the locality, as they are: • Suitably sized as a proportion of the lot size and in relation to all buildings on the lot, • Sited and designed to ensure the impact of their siting, bulk, height and scale is minimised, • Sited and designed to reasonably maintain sunlight access of neighbouring dwellings and private open space,
ii. Min. landscaped area.	Ancillary development does not reduce the min. landscaped area to an amount less than that required.	

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Division C cl. 3 Ancillary development, including sheds, garages & other outbuildings		
Design elements	Guidelines	Performance criteria
iii. Max. building wall height, measured from existing ground level to the eaves.	4.0m.	- Constructed of compatible building materials and colours, and - Landscaped to maintain reasonable amenity.
iv. Min. setbacks. R2 zone: Front. Side. & rear. R5 zone: Front. Side & rear.	3m behind the primary street setback of the dwelling house. 2.5m. 5m behind the primary street setback of the dwelling house. 5m.	
v. Materials.	Sheds and other outbuildings are to be constructed of non-reflective materials and colours that are compatible with other buildings on the lot.	
vi. Earthworks, retaining walls & other related structures.	Cl. 2. c. iii. applies.	Adverse impacts of earthworks and related structures on adjoining land, resident-amenity, streetscape and the character of the locality are avoided, or acceptably minimised or mitigated.