



**BLAYNEY SHIRE COUNCIL**  
**DEVELOPMENT CONTROL PLAN**  
**NO. 5**



**MEDIUM DENSITY HOUSING**

**Adopted by Council: 20 June 2005**  
**Came in Effect: 7 July 2005**

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# INTRODUCTION

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## PREAMBLE

This Development Control Plan (DCP) has been prepared in accordance with Section 72 of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*. This document is to be known as the "Medium Density Housing Development Control Plan".

This DCP applies to all land zoned 2(v) Village or Urban under the provisions of the *Blayney Local Environmental Plan 1998*.

This Plan was approved by Council on 20 June 2005 and came into effect on the 7 July 2005 in accordance with Clause 21(4) of the *Environmental Planning and Assessment Regulation 2000*. The Plan may only be amended in accordance with the provisions of the *Regulation*

This plan relates to development for dual occupancy and multi-unit housing.

## OBJECTIVES

The controls in this DCP seek to:

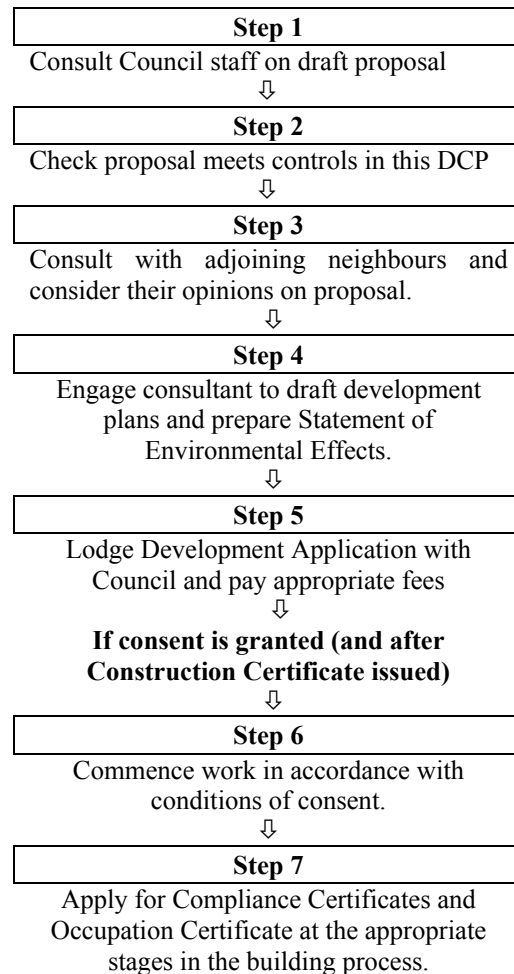
- ❑ Encourage innovative housing which is pleasant to live in, relates to the desired future neighbourhood character, is responsive to the site and is environmentally sensitive; and
- ❑ Improve the quality and choice of residential environments to suit the diversity of people's needs and to meet community expectations of health, safety and amenity.

## PROCEDURES

Approval is sought through the lodgement of a development application.

Applicants should follow the step by step procedures shown in the following flow chart.

## PROCEDURES FLOW CHART



## HOW TO USE THIS DCP

Applicants are to comply with the controls within this Plan unless it can be demonstrated that an alternative solution to all or any of the controls will be a better approach to meeting the objectives of this DCP.

## STATEMENT OF ENVIRONMENTAL EFFECTS

As part of an application for medium density housing, a Statement of Environmental Effects that adequately addresses the matters specified in Section 79(c) of the *Environmental Planning and Assessment Act 1979*, must be submitted. Due to the complexity of the issues associated with medium density housing, it is strongly suggested that a Town Planning consultant be engaged to prepare the Statement on your behalf.

## PLANS

Included in your application must be plans of the proposal. Plans need to be drawn to scale and appropriately dimensioned to allow them to be easily interpreted by Council staff and the general public. Generally the services of a drafts person or architect will be required to prepare such plans.

Plans are required which show the following:

- (i) *Location;*
- (ii) *Boundary dimensions;*
- (iii) *Site area;*
- (iv) *North point;*
- (v) *Location (and use) of existing structures;*
- (vi) *Location of proposed new development in relation to existing structures and site boundaries;*
- (vii) *The existing ground levels in relation to the proposed development;*
- (viii) *Elevations showing external heights and finishes; and*
- (ix) *Sectional detail.*
- (x) *Other details as may be requested by Council at consultation.*

## BASIX CERTIFICATE

As of the 1 July 2005, all dual occupancy and Medium Density Housing developments

will require a Basix Certificate to be submitted with the Development Application. The Certificate certifies that the proposal meets pre-determined standards in relation to energy efficiency and water savings.

## ADVERTISEMENT OF DA

Under the provisions of the *Blayney Local Environmental Plan 1998*, all residential flat buildings must be advertised for a period of 14 days in the local newspaper. In addition, all the owners/occupiers of the adjoining properties will be notified of the proposal and invited to comment.

Any member of the public may make a submission on any application for medium density housing. When assessing submissions from the public, Council has to make an assessment as to the validity of representations.

## COUNCIL MEETING

All development applications in relation to residential flat buildings or medium density housing be reported to Council for decision.

## COUNCIL CONTRIBUTIONS

As a result of multi-unit housing development, it is expected that there will be increased demand for services and amenities to meet the needs of the increased population. Council has a number of Section 64 & 94 Contributions Plans to which the developer should refer in this regard.

The following Contribution Plans are applicable within the 2(v) Village or Urban areas of Blayney Shire. However, not all may be applicable to your proposal. An investigation is required in each instant:

- BSC 2 – Blayney Streets
- BSC 3 – Village Streets
- BSC 7 – Open Space
- BSC 8 – Bush fire
- BSC 9 – William Street, Millthorpe
- BSC 10 – Community Facilities

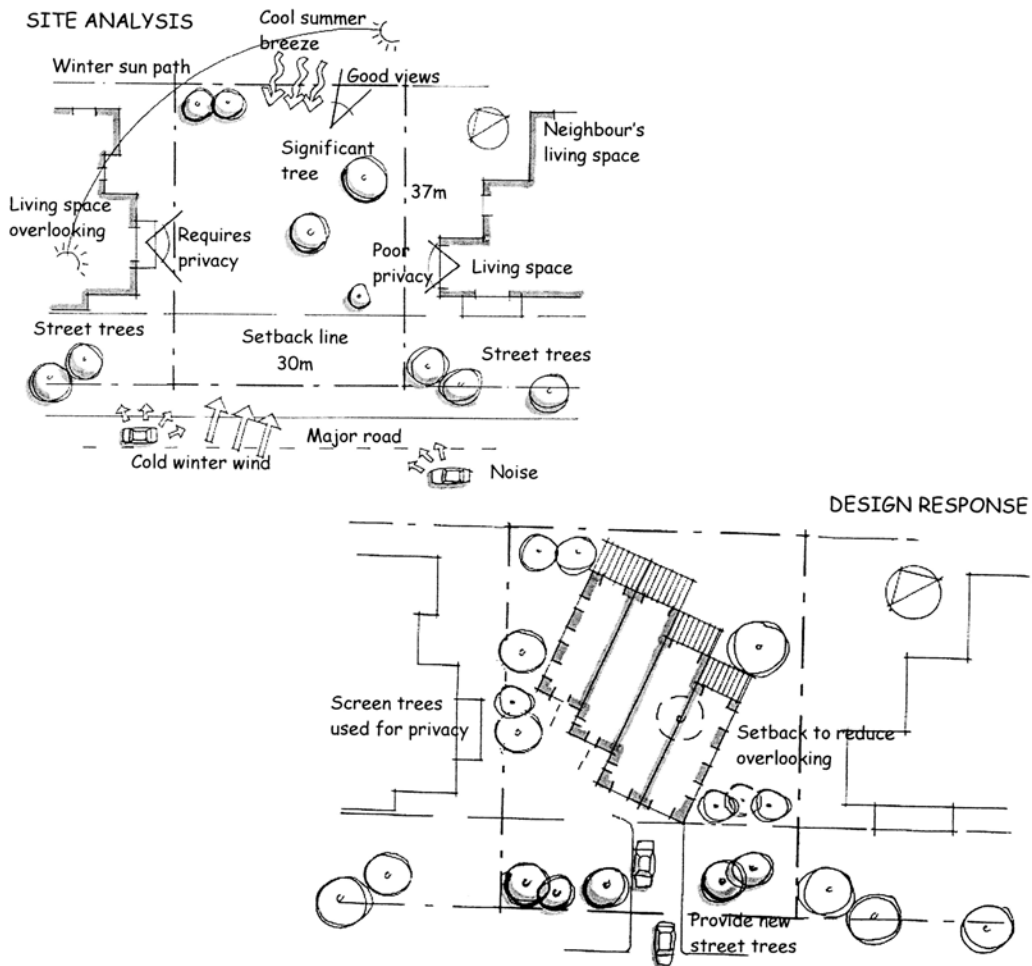
Section 64 contributions are applicable for sewer in Blayney and Millthorpe (administered by Council). Developers should check with Central Tablelands Water in relation to water contributions.

## SITE ANALYSIS

Site analysis is required to identify opportunities and constraints for building design (to be lodged with DA).

A site analysis plan (at scale 1:200) is to include:

- ❑ Site dimensions (length, width)
- ❑ Spot levels or contours
- ❑ North Point
- ❑ Natural Drainage
- ❑ Any contaminated soils or filled areas
- ❑ Services (easements, utilities);
- ❑ Existing trees (height, spread, species)
- ❑ Views to and from site;
- ❑ Prevailing winds; and
- ❑ Surrounding buildings.



# DESIGN GUIDELINES

## DENSITY

The maximum number of dwellings permitted on a site (site density) may be calculated by dividing the site area by the site area required for each small, medium or large sized dwelling respectively shown in Table 1 –

Table 1 MAXIMUM SITE DENSITY	
<i>Dwelling Size</i>	<i>Site Area Required</i>
Bedsitter & 1 Bedroom	240 m <sup>2</sup>
2 Bedrooms	330 m <sup>2</sup>
3 + Bedrooms	400 m <sup>2</sup>

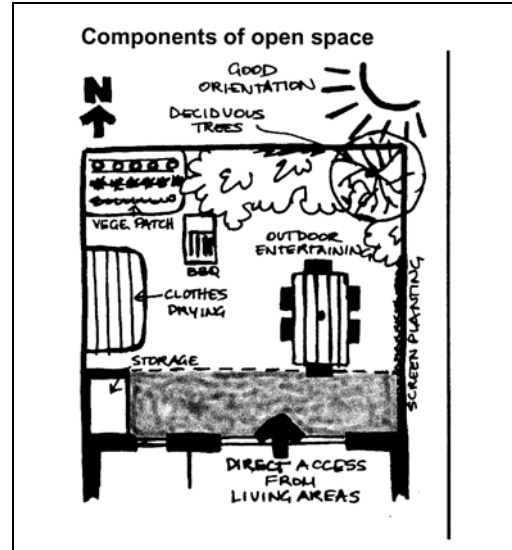
## PRIVATE OPEN SPACE

All proposed dwellings should be provided with a useable, well-located and private open space area for the use and enjoyment of the residents for recreation, service functions and storage. All private open space areas should be integrated with and easily accessible from the living areas.

Every dwelling should be provided with an area of private open space, preferably at ground level, for the sole use by the occupants of that dwelling.

Private open space should be provided in accordance with the following:

- ❑ Must have a minimum area of 50 m<sup>2</sup>, where:
  - The minimum dimension of any side is 2 metres;
  - One part of the Private Open Space is to have a minimum dimension of 5m by 5m.



## SETBACKS

Buildings generally are to be setback approximately 8 metres from the front boundary.

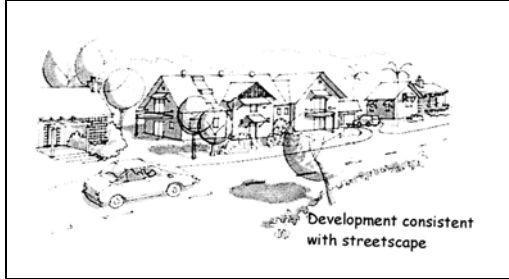
Side and rear boundaries setbacks are to comply with the Building Code of Australia and other provisions applicable under this DCP.

Where the streetscape will not be adversely affected, Council may allow or require a variation to the front setback.

Any garage or carport which addresses a public road is to be set back at least 0.5 metres behind the main building wall of the dwelling.

## DESIGN

Buildings are generally not to exceed two storeys in height and shall minimise direct overlooking of living areas and private open space of other dwellings.



Building design should provide an appropriate scale to the streetscape.

Make the design of buildings interesting and liveable by incorporating some or all of these elements:

- Decks
- Pergolas
- Verandahs and balconies
- Wide eaves
- Lattice
- Climate control windows
- Pitched roofs

## HERITAGE

If the proposal is to be located within a Heritage Conservation Area (either Millthorpe or Carcoar), on the same land as a heritage item or adjoining a heritage item, the design of the development is to be sympathetic and appropriate within its location. In addition to this DCP, refer to DCP No. 2 – Millthorpe and DCP No. 4 – Carcoar for specific information regarding heritage issues in those villages.

Councils Heritage Adviser is available free of charge to discuss any proposal relating to heritage.

## STREETSCAPE DESIGN

No more than three (3) dwellings are to be provided within any one building; except on a corner site, where at least one dwelling must face each street frontage.

Note: Gun barrel or barrack style development, resulting in bulky, monotonous and unbroken building layouts, is strongly discouraged.

The dwelling(s) forming the front building line to a public road (including corner sites) are to be designed to “address” the public road – whether or not the front building wall is part of a garage. Blank walls with little or no articulation are not acceptable. Long, unbroken walls to side setbacks are not supported.

Dwellings should be designed to complement existing surrounding development. This includes materials, colour scheme, scale and proportions.



## FENCING

Fencing that is required to a public road or to an internal access way is to be constructed in a complimentary material and colour to the dwellings (see fencing provisions under the Exempt Development under the Blayney LEP 1998).

All fencing within a Heritage Conservation Area, or for a heritage item, must be sympathetic to proposed dwellings and neighbouring development. Fence design must be considered in consultation with Councils Heritage Adviser.

Fencing for side and rear boundaries (behind the building alignment), must be no higher than 1.8 metres (above the sites finished ground level) and constructed of timber, brick or colorbond in a colour complementary to the dwellings and neighbouring development. The height of the front fence is to be no greater than one (1) metre.

## SUBDIVISION

All medium density housing developments are to be capable of subdivision with separate lots for each dwelling and provision for common property (ie. Landscaped area, accessways, visitor parking, stairwells, site facilities etc.).

Development may be subdivided by Torrens title subdivision, strata subdivision or community title subdivision provided that the lots created contain all private open space, parking spaces, storage areas, etc relevant to each dwelling.

**NOTE:** Torrens title and community title subdivisions must comply with the minimum area of the *Blayney LEP 1998*.

If development is to be staged, the applicant must set out the details of how the staging will be undertaken.

## PRIVACY

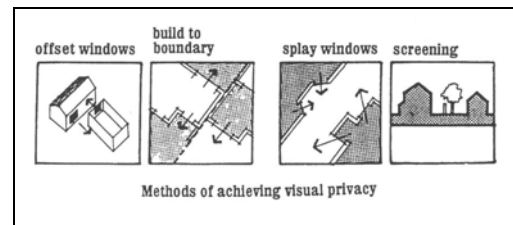
New development should be designed to minimize the loss of privacy to adjacent properties and buildings. Screening, off setting of opposing windows, reduction in windows areas and orientation of dwellings should be provided to ensure visual privacy.

Visual privacy for adjoining properties and buildings can be maximized by:

Locating any proposed building or windows in such a way that major windows do not face directly onto those of neighbouring buildings.

Using long narrow windows, translucent windows or high level windows.

Provide privacy screening using vegetation, fencing and the like.





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# ENGINEERING CONTROLS

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## PARKING

Garages and carports are to be sited and designed so as not to dominate the street frontage.

At least one (1) car parking space is to be provided to each dwelling unit.

Where more than one space per dwelling is provided at least one parking space must be within a garage. Other spaces should be adjoining the dwelling or as close as practical.

The minimum dimensions of car parking spaces should be 2.4m x 5.5m.

Minimum internal dimensions of enclosed garages is 3m x 5.5m.

Minimum headroom in undercover parking is 2.1m.

Additional parking for visitors should be provided at a rate of 0.25 spaces per dwelling, rounded to the nearest whole number.

## ACCESS

Vehicle crossings (driveways from kerb to boundary) are to be approved by Council.

To improve the impacts of stormwater runoff and to improve visual amenity, driveway areas should be minimised.

Driveways serving one (1) unit shall have a width of three (3) metres. Shared driveways serving two or more dwellings shall have a width of 6 metres.

Driveways are to be constructed of a hard stand all weather surface (eg. Concrete, bitumen or paver).

Provision should be made for landscaping adjacent to internal driveways.

Turning areas are to be provided to enable vehicles to enter and leave the site in a forward direction.

## OFF-SITE INFRASTRUCTURE REQUIREMENTS

Site frontages are to have the following minimum standards to suit this type of development. Developers will be required to upgrade site frontages, at the developers full cost (including design), to meet these standards upon development of the property:

- Sealed road pavement;
- Kerb and gutter appropriate to the location.
- Piped stormwater drainage
- If access is to be via a lane, the lane is to be constructed and sealed full width from at least one street.

## SERVICES & UTILITIES

The applicant should make contact with the relevant service and utility providers at the earliest possible stage, in order to determine the availability of services, the location of easements as well as the authority's requirements for servicing the proposed development:

### **Water**

Water is to be provided to each dwelling at the full cost to the developer. Central Tablelands Water is the relevant service provider for the provision of water services.

### **Sewer**

Where reticulated sewer is available, each dwelling unit is to be connected to the sewer at the full cost to the developer. Council is the relevant service provider in this instance. Plans must be provided indicating how the sewer will be connected to each dwelling.

### **Storm water**

All stormwater is to be directed to the street drainage system or inter-allotment drainage easement where available.

The proposal is to be accompanied by a storm water drainage plan.

Council is the relevant authority concerning storm water provision.

### **Electricity, Telephone and Gas**

Each dwelling is to be connected to electricity in accordance with the requirements of the relevant provider. Telephone and gas services may be connected at the discretion of the developer.

### **Garbage Services**

Garbage bins associated with dwellings are to be stored in the rear yard, side setback or garage of the dwelling (ie. Not visible from the accessway). Bin enclosures within the accessway area or street setback are not acceptable.

### **Letterboxes**

Provision should be made for letterboxes located as compact and close to the front boundary entrance as practical and be sympathetic to the proposed buildings. Australia Post should be contacted to ascertain any specific requirements. Street numbers must be clearly displayed to allow for easy identification.

# DESIGN GUIDANCE CHECKLIST

## Neighbourhood and Development Character

DO	DON'T
<p>Design your MDH development to suite the scale, setbacks and character of the neighbourhood.</p> <p>Consult with neighbours over design and identify any potential concerns that may be easily resolved.</p>	<p>Locate MDH developments in close proximity to each other.</p> <p>Design your MDH development without doing a basic SITE ANALYSIS – identify your SITE CONSTRAINTS and ADVANTAGES at an early stage, and design to accommodate them.</p>

## Streetscape

DO	DON'T
<p>Provide compatible scale landscaping to break up the driveway areas and the bulk of buildings from the street.</p> <p>Design the front of buildings in your MDH development to address the street.</p>	<p>Provide blank building walls facing the street.</p> <p>Let driveways and garages dominate the internal or external face of your MDH development.</p>

## Open Space and Solar access

DO	DON'T
<p>Maximise the orientation of the dwellings and private open space to the north.</p> <p>Design the main open space area of each dwelling to access the main living area and be as private as possible.</p>	<p>Provide long, narrow and unusable areas of private open space.</p> <p>Provide areas of private open space which are completely exposed (no shade) to the western summer sun.</p>

## Setbacks and Privacy

DO	DON'T
<p>Utilise techniques such as window or door offsetting or angling, varying sill heights and privacy screening, to promote privacy of MDH residents and neighbours.</p> <p>Utilise suitable landscaping as an effective means of promoting MDH privacy.</p>	<p>Ignore buildings and trees on adjoining sites, particularly those close to the boundary, which could overlook, overshadow, or appear overly bulky to a dwelling in a MDH development.</p> <p>Locate bedrooms next to vehicular accessways, parking areas, air conditioning units or other noise sources (eg. Swimming pool filtration units)..</p>

## Car Parking and Access

DO	DON'T
<p>Break up the accessway with pockets of landscaping, particularly adjacent to parking areas.</p> <p>Vary the alignment of the accessway to ensure that it does not appear as a straight line.</p>	<p>Design MDH development with expansive driveway areas and highly visible and monotonous garages.</p> <p>Design MDH developments with driveways close to walls of habitable rooms or close to common and private open space areas.</p>