CHAPTER 1
Dwelling Houses
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a. Dwelling Houses in the R2 Zone

The R2 Low Density zone is the zone applied to the traditional low density residential areas of the Shire. The controls for dwelling houses in this zone aim to ensure that development is compatible with the established character and streetscape of a locality and preserves and enhances the garden and bushland setting of the zone. The controls aim to deliver well designed homes that offer amenity to the residents and protect neighbours amenity.

The zone allows for a variety of housing types, facilities and services to meet the needs of the community and residents. All development is required to be at a scale and density that is compatible with the predominantly single dwelling character of the locality.
1. Streetscape and Building Form

Streetscape is the urban environment created by the relationship of built elements to the public domain. The quality and scale of architecture, landscape elements, natural elements and works in the public domain determine the streetscape character and scenic quality. Ancillary elements of development such as driveways, parking areas and fencing are important elements of the streetscape. To make a positive contribution to the streetscape, new development needs to be compatible with the scale and character of existing buildings and landscape elements.

Architectural quality contributes to the character and quality of both the streetscape and built form when viewed from the street and waterways. High architectural quality requires appropriate composition of building elements, textures, materials and colours and reflects the use, the natural landscape setting, internal design and overall structure of a development.

1.1 Objectives

1. Ensure that all elements of development visible from the street and public domain make a positive contribution to the streetscape and natural features of the area.

2. Ensure development is compatible with the scale, character and landscape setting of the adjoining streetscape, natural setting and scenic quality.

1.2 Controls

1. Buildings are to be a maximum of two storeys in height at any one point. Dwellings may be stepped down a steep site.

Diagram: Building stepping down a site
2. Roof forms are to be designed to an appropriate size, mass and separation in order to be compatible with the scale and character of existing buildings and landscape elements.

3. Development must be designed and sited so that it addresses the primary street frontage ensuring the main entry is clearly identifiable from the street.

4. Extensive use of highly reflective materials is not acceptable for roof or wall cladding.

5. Development must be designed so that it fully or in part maintains view corridors so that the amenity of neighbouring public and private property is balanced with the amenity afforded to the new development.

Note:

View corridors may be maintained by implementing the following measures:

a. stepping buildings down the site,
   b. using only single storey elements,
   c. avoiding steep roofs, and
   d. breaking up the built form.
2. Building Setbacks

Street Setbacks
Street setbacks establish a consistent front building line and create the proportions of the street. Setbacks contribute to the public domain by enhancing streetscape character and the continuity of building facades. Street setbacks can also be used to enhance the setting for the building by providing for landscaped areas, entries to the dwellings and deep soil zones suitable for planting of canopy trees.

Side and Rear Setbacks
The spatial relationship of buildings is an important determinant of urban form. Building separation affects the spatial continuity and the degree of openness in the street and between properties. Building separation is required to minimise adverse amenity impacts by providing opportunities for landscaping, access, privacy, solar access and private and shared open spaces.

Articulation of side elevations reduces the visual intrusion and bulk of buildings on adjoining properties and creates a visually interesting façade. Increasing the setback of buildings as the height and length of the elevation increases further reduces the impact of the building while making provision for areas of meaningful landscaping.

2.1 Objectives

1. To establish the street proportions.

2. To encourage articulated building forms and ensure garages do not dominate the streetscape.

3. To enhance the setting for the building by providing opportunities for landscaping and infiltration of stormwater and protecting the landscape qualities and character of the locality.

4. To promote residential amenity for residents and neighbours including access to natural light and ventilation and both visual and acoustic privacy.

5. Provide adequate access for emergency services within the side setback in bush fire prone areas.

6. Alleviate the visual intrusion of building bulk on neighbouring properties.

7. Minimise view loss from adjoining or nearby properties.
2.2 Controls

1. Street, side and rear setbacks are measured perpendicular from the property boundary to the closest extent of the building, including balconies, awnings, podiums, sunscreens and the like (excluding eaves).

2. The minimum setbacks required are set out in the table below:

<table>
<thead>
<tr>
<th>Setbacks</th>
<th>Minimum</th>
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</thead>
<tbody>
<tr>
<td>Street Setback</td>
<td>7.5m*</td>
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<tr>
<td></td>
<td>3.0m (Secondary street)</td>
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<tr>
<td></td>
<td>4.0m (Internal lot)</td>
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<tr>
<td>Side Setback</td>
<td>0.9m</td>
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<tr>
<td></td>
<td>1.5m (Internal lot)</td>
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<tr>
<td></td>
<td>1.5m (Bush Fire Prone Land)</td>
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<tr>
<td>Rear Setback</td>
<td>6.0m</td>
</tr>
<tr>
<td></td>
<td>4.0m (Internal lot)</td>
</tr>
</tbody>
</table>

Note: The 7.5m street setback applies to the primary (narrowest) street frontage.

*A street setback less than 7.5m may be permitted where the established street setback within a street is less than 7.5m, and a setback greater than 7.5m may be required where the established street setback within a street is greater than 7.5m.

3. The established street setback is the average distance of the setbacks of the nearest 2 dwelling houses having the same primary road boundary and located within 40m of the lot on which the dwelling house is erected.

The following matters will be considered in allowing a reduced street setback, or requiring an increased street setback:

i. the spatial and landscape qualities of the streetscape, and
ii. the bulk and scale of the proposed development, in particular that part of the development adjacent to the street frontage, and
iii. whether the proposed variation would have adverse impacts on adjacent properties in terms of solar access, visual intrusion, view loss or privacy, and
iv. the numerical extent of the variation to the proposed setback.

4. A 1.5m articulation zone may extend into the primary street setback, for a maximum of 30% of the front façade width where the street setback is of 7.5m or greater.

5. Garages and garage doors cannot be located in the articulation zone. These elements are to be located no closer than 7.5m to the front boundary and integrated with the building design.
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Diagram: Setback requirements

6. In the case of corner properties, the 7.5m setback applies to the narrowest street frontage. In the case of the secondary street frontage, a minimum 3m setback applies.

7. Where a second storey wall adjacent to a side boundary exceeds 15m in length, the side setback shall be increased by a further 500mm minimum part of the wall. Where the scale of the side elevation results in significant overshadowing and/or visual intrusion due to building bulk to an adjoining dwelling, an increased building setback is to be employed.

8. Where an increased side setback for a part of a wall is employed for articulation, the roof line must follow the change in wall plane.
3. **Landform**

The natural topography and landform features of the Shire make up a fundamental part of the character and attractiveness of the area. Natural landforms provide for a variety of views and vistas, both local and distant, from public and private domains. Maintaining the natural landform should be an integral consideration for the design of new dwellings.

In order to contribute to the quality and identity of the area, new development must respect landform and natural settings. Development must be designed so that it minimises impacts to natural land forms and allows the natural qualities of the site to be the dominant elements of its setting.

Development on the steeper and more elevated areas is often more prominent, particularly when viewed from the lower areas. Well considered design ensures dwellings integrate with the streetscape and views from the waterways, and retain a consistent relationship to the natural topography. This relationship provides an important visual link between buildings in a streetscape, as well as reducing the impacts of new development on neighbouring lots.

Deep excavation, cut and fill or benching may alter the pattern of subsoil water flow and soil stability, which may adversely affect neighbouring properties and the natural environment. Alternatives to slab on ground construction are encourage where the gradient and characteristics of the site would otherwise require major excavation or filling.

### 3.1 Objectives

1. Ensure that the building siting, design and construction method responds to the natural landform of the site and is appropriate for the site topography.

2. Minimise the visual impact of new development, particularly when viewed from, bushland, open space and the public domain.

3. Minimise earthworks so as to maintain the existing landform and protect the integrity and stability of geological elements in the vicinity of the site.

4. Minimise impacts on surrounding vegetation and provide increased opportunities for tree retention, including trees on neighbouring properties.

### 3.2 Controls

1. The depth of cut or fill must not exceed 1m from ground level. Council will consider cut greater than 1m where:
a. alternative design solutions have been explored and presented to Council showing no feasible solution to excavation is available, and
b. the actual extent of the excavation has been minimised, and
c. there is unlikely to be disruption, or detrimental effects on existing drainage patterns, vegetation, sedimentation and soil stability in the locality, and
d. the design is a sensitive solution to the constraints of the site.

2. The natural contours of the land must not be unduly altered. Developments should avoid any unnecessary earthworks by designing and siting buildings within the natural slope of the land.

3. Excavation for basements should not extend beyond the building footprint.

4. Basement car parking is only acceptable in the R2 Low Density Zone where sites have a frontage of 20m or more and:
   i. the slope of the land is 12.5% or greater; or
   ii. the basement is achieved by way of a gentle gradient so that the driveway is not greater than 1m below natural ground level within the setback to the street

   All basements must be design so that vehicles can enter and leave safely in a forward direction and a strip of landscaping is provided to the adjoining property boundary of at least 2 metres wide.

Note:

basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

5. On sloping sites, split level and pier foundation designs should be used to minimise the need for extensive excavation and/or under crofts, ensuring housing design steps with the natural topography of the land.

6. Earthworks must not alter ground water levels or surface stormwater flows to the extent that trees and bushland vegetation, water bodies or other property are adversely affected.

7. Natural ground level surrounding the development and at property boundaries must be retained or reinstated prior to the completion of works.
4. **Landscaping**

Good design recognises that landscape and buildings operate together as an integrated system, resulting in greater aesthetic quality and amenity for the occupants and neighbours and a more attractive public domain. High quality landscape design protects and builds on the site’s natural and cultural features to contribute to a development’s positive relationship to its context and site.

Sutherland Shire’s tree cover, areas of bushland and natural beauty are valued by its residents. Landscape design in new development must recognise that existing trees, areas of habitat and natural systems must be protected and enhanced by the retention of important landscape elements, appropriate planting, bush regeneration and by minimising urban runoff.

4.1 **Objectives**

1. Contribute to streetscape character, local habitat and the amenity of the public domain by using endemic planting and species which complement scale of the development.

2. Provide landscaping treatments which foster attractive outlooks, privacy and private recreation areas of high aesthetic quality.

3. To improve the microclimate within development.

4. Contribute to water and stormwater efficiency by integrating landscape design with stormwater management.

4.2 **Controls**

1. Hard surface areas within the street frontage shall be limited to a maximum of 50% of the area of the front setback, with the remaining 50% occupied by deep soil landscaping.

2. Development should be designed to retain existing canopy trees in the vicinity of side, rear and front setbacks including on adjoining land.

3. A minimum of 4 trees are to be provided on all lots, including internal lots where access is by right of carriageway. A minimum of 2 indigenous canopy trees that will attain a minimum mature height of 4m must be planted within 3m of the front boundary and a minimum of 2 indigenous canopy trees that will attain a minimum mature height of 4m must be planted within 2m of the rear boundary or within the foreshore area (whichever is applicable). All indigenous tree species must be selected from Council’s *Native Plant Selector* available on Council’s website.

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<thead>
<tr>
<th>Chapter 1: Dwelling Houses</th>
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<tr>
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5. Landscape design and plant species selection should reduce the potential for invasive plant species to escape into bushland.

6. Housing on the ridgeline, as viewed from the water, should retain or provide a backdrop of trees to ensure the skyline is vegetated.

7. Street trees are only required on the side of the road where there are no continuous overhead power lines. A minimum number of one indigenous canopy tree that will attain a minimum mature height of 6m, must be planted at 15m intervals at a minimum distance of 1 metre from the kerb and/or footpath.

Note:

All indigenous tree species must be selected from Council's Native Plant Selector available on Council’s website. The Native Plant Selector is a tool that recommends plants suitable for Sutherland Shire’s ecosystems based on the locality. Plants selected are Australian natives only. The tool is available online at http://www.sutherlandshire.nsw.gov.au/My_Place/Trees/Native_Plant_Selector
5. Building Layout, Private Open Space and Solar Access

Good design provides a building layout that maximises the natural attributes of the site. Carefully considered building layout and design also creates a higher level of amenity for occupants through enhanced visual and acoustic privacy, passive heating and cooling, attractive outlooks from living spaces, and flexible and useable indoor and outdoor spaces that meet the needs of occupants.

Quality private space is critical to achieving good residential amenity. Open space of sufficient area and dimensions to enable recreational and outdoor use, landscaping and service functions is needed for all dwellings.

Ideally, solar access should be maximised in winter and controlled in summer. Daylight consists of both diffused light and direct light. Good levels of daylight in a dwelling improve amenity and reduce the need for artificial lighting. Good levels of daylight can be achieved through the careful consideration of window size, location and proportion.

5.1 Objectives

1. Ensure development provides opportunities for cross-ventilation and natural ventilation through the arrangement of external openings.

2. Ensure outdoor living areas are functional and responsive to the environment.

3. To provide privacy and solar access to principle private open space areas of a dwelling.

4. Ensure building design and location does the most to minimise adverse impacts of overshadowing of neighbouring buildings and private and public open spaces.

5.2 Controls

1. Orientate all new development and windows to take advantage of solar orientation to maximise natural light penetration to indoor areas and reduce the need for mechanical heating and cooling.

2. A minimum of 3 hours of direct sunlight between 9am and 3pm in midwinter should be provided to a living area within the dwelling.

3. Each dwelling is to provide an area of Private Open Space at or near ground level that has a minimum area of 36m², and minimum dimension of 6m x 6m.
4. The primary living area of a dwelling is to provide direct access to its Private Open Space.

5. For the proposed dwelling:
   a. orientate the area of Private Open Space to take advantage of the northern solar access,
   b. ensure 10m² of Private Open Space has 4 hours of solar access between 9:00am and 3:00pm at the winter solstice (21 June),
   c. overshadowing by vegetation should be ignored,
   d. overshadowing by fences, roof overhangs and changes in level should be taken into consideration.

6. For the neighbouring dwellings:
   a. ensure 10m² of Private Open Space has 4 hours of solar access between 9:00am and 3:00pm at the winter solstice (21 June),
   b. consideration will be given to reduced solar access where the proposed dwelling is generally compliant with all development standards and controls, and the extent of impact is the result orientation, site constraints, and or existing built forms,
   c. overshadowing by vegetation should be ignored,
   d. overshadowing by fences, roof overhangs and changes in level should be taken into consideration.
6. Visual and Acoustic Privacy

Building design must take into consideration visual and acoustic privacy. Amenity is enhanced by privacy and a better acoustic environment. This can be achieved by carefully considering the location of the building on the site, the internal layout, the building materials used, and screening devices. The consideration of privacy requires an understanding of the context of the adjacent site, site configuration and the layout of the dwelling and ancillary elements.

Major roads and rail operations generate noise and vibration, and people living and working near major transport corridors can be adversely affected. Major roads can also impact on air quality due to their volume of traffic. Building design must take into consideration the noise, vibration and air quality effects of busy roads and rail corridors and minimise the amenity and health impacts on future occupants.

6.1 Objectives

1. Ensure a high level of amenity by protecting the acoustic and visual privacy of occupants within dwellings and their associated private open spaces.

2. Ensure dwellings are sited and designed so that visual and acoustic privacy and vibration from outside sources is controlled to acceptable levels, incorporating architectural and building elements to assist in protecting privacy.

3. Minimise direct overlooking of windows and private open space so that the amenity of neighbours and intended occupants is respected.

4. Recognise the outlook and views from principal rooms and private open space without compromising visual privacy of others.

6.2 Controls

1. Locate, orientate and design new development to ensure visual privacy between buildings and between buildings and adjacent private open space.

2. Use building design to increase privacy without compromising access to light and air.

3. Living room, dining room and kitchen windows with a direct outlook to living rooms, dining rooms, kitchens and studies in an adjacent dwelling within 9m need to:
   a. offset the edge of one window to the edge of the other window by a sufficient distance to limit the views into the adjacent windows, or
   b. provide sill heights of at least 1.6m; or
c. have fixed obscure glazing or glass blocks in any part of the window below 1.6m.

Note:

Visual privacy may be achieved by:

a. Designing the dwelling to maximise the separation distances from adjacent dwellings and private open spaces,

b. Direct the outlook from all living rooms, dining rooms, bedrooms, kitchens and studies where possible towards the street, private open space on the development site, public open spaces, and waterways.

c. Where overlooking of adjacent living rooms, dining rooms, bedrooms, kitchens and studies or private open space is unavoidable then screening elements such as louvres and obscured glass must be used to preserve reasonable visual privacy for neighbours.

Design elements to achieve privacy may include:

a. Offset windows in new development and windows of adjacent development
b. Recessed balconies and/or vertical fins between adjacent balconies,
c. Solid or semi-solid balustrades to balconies,
d. Louvres or screen panels to windows and/or balconies,
e. Fencing,
f. Vegetation as a screen between spaces,
g. Planter boxes in walls or balustrades,
h. Pergolas or shading devices to limit overlooking of lower level private open space.

4. All noise generating equipment such as air conditioning units, swimming pool filters, fixed vacuum systems and driveway entry shutters must be designed to protect the acoustic privacy of residents and neighbours. All such noise generating equipment must be acoustically screened. The noise level generated by any equipment must not exceed an LAeq (15min) of 5dB(A) above background noise at the property boundary.

5. Residential development adjacent to a rail corridor or a busy road should be designed and sited to minimise noise impacts. Refer to State Environmental Planning Policy (Infrastructure) 2007 and the NSW Department of Planning’s Development near Rail Corridors and Busy Roads –Interim Guideline.
7. **Vehicular Access, Parking and Circulation**

The location and layout of parking can have a significant impact on the design of new development. It will influence the layout and design of buildings and landscaping. All development must satisfy the demand for parking that it creates within its own site.

The provision of sufficient parking must not compromise the safety of the on-street and off-street environment for vehicles, pedestrians or cyclists.

### 7.1 Objectives

1. To ensure vehicle access, garages, carports, and parking areas do not visually dominate either the development or the streetscape.

2. Car parking spaces are designed to ensure ease of access, egress and on-site manoeuvring.

3. To reduce reliance on street parking.

### 7.2 Controls

1. A minimum of two parking spaces per dwelling house is required. These spaces shall be behind the building line.

2. Tandem spaces (i.e., stacked parking) may be provided for dwelling houses.

3. Only two single garage doors, each with a maximum of 3m width; or one double garage door, with a maximum of 6m, is to face the street.

4. Car parking layout and vehicular access requirements and design are to be in accordance with the Australian Standards, in particular AS 2890.1-2004.

5. Design and site driveways to accommodate street gully pits and street trees, and maximise the availability of on-street parking.

6. Driveways should not exceed a maximum width of 3.5m at the front boundary.
8. Waste Management Requirements

The design of waste and recyclables storage areas within the property affects ease of use, amenity, and the efficiency of handling of waste for the life of the development.

8.1 Objectives

1. To ensure appropriate storage and collection of waste.
2. To minimise the environmental impacts associated with waste management.
3. To discourage illegal dumping.
4. To encourage on-site waste management facilities that are integrated with the design of a development and enable source separation, reuse, and recycling.
5. To enable collection service providers to efficiently collect waste and recyclables with minimum disruption and impact on the community.

8.2 Controls

1. The waste storage area must provide sufficient space for the storage of Council’s garbage, recycling and green waste mobile garbage bins. All single dwellings and each dual occupancy is provided with the following bins:
   - 120 litre MGB red-lid garbage bin, collected weekly
   - 240 litre MGB yellow-lid recycling bin, collected fortnightly
   - 240 litre MGB green-lid green waste bin, collected fortnightly

2. An identified waste storage area is to be provided for all developments to store bin waste and recyclables.

3. The location of waste and recycling facilities must not impact on car parking or landscaping requirements of the development.

4. Developments must be designed so that bins do not need to be wheeled more than 75 metres. The bin-carting grade should be a maximum of 1:14.

5. The location and design of the waste storage area must not detract from the amenity and character of the streetscape.

6. Waste and recycling facilities must be designed to prevent litter and contamination of the stormwater drainage system.
Note:

Further details on Waste Management Plans including a template for a typical plan are in the Sutherland Shire DA Guide and the Waste Management Information Guidelines.

Sutherland Shire Council provides a garbage and recycling collection to residential and commercial developments based on the pricing structure outlined in the Schedule of Fees and Charges for Goods and Services. The Council only has the infrastructure to services 120 litre and 240 litre mobile garbage bins. Services are available from private contractors who might use different collection vehicles and bin sizes to those used by the Council.

All garbage, recycling and garden waste bins are collected from the kerbside by Council collectors. It is the responsibility of residents to ensure the bins are placed at the collection point, usually between the kerbside and the road reserve, by 5am on the regular service day.