

# Coffs Harbour Development Control Plan 2015 – Amendment No. 26 (Local Growth Management Strategy Actions – Part 1)

## Coffs Harbour Development Control Plan

### Part A Introduction

#### A6 Definitions

##### Requirements

###### [1] Insert new definition

Include a definition, in alphabetical order, to provide context for ‘studio apartment’ to distinguish between different types of ‘studios’ referenced in Coffs Harbour Development Control Plan 2015. The new definition should read as follows:

**Studio apartment** means a self-contained dwelling, consisting of a single room serving as a bedroom and living room, with separate bathroom.

###### [2] Insert new definition

Include a new definition, in alphabetical order, to define detached studio development. The City of Coffs Harbour have received a number of applications for ‘studios’ that look no different to secondary dwelling in terms of internal layout and facilities. It is important to distinguish between ‘detached studios’ and ‘secondary dwellings’ because ‘detached studios’ are an extension or addition to an existing dwelling and cannot function as a stand-alone dwelling. The definition used in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 will resolve this issue. The new definition should read as follows:

**Detached studio** has the same meaning as in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

*Note. This term means:*

*detached studio means a habitable building that is used for purposes ancillary to a dwelling house such as a home office, entertainment area, art studio or guest room and—*

- (a) is established in conjunction with a dwelling house, and*
- (b) is on the same lot of land as the dwelling house, and*
- (c) is separate from the dwelling house, and*
- (d) is not used as a separate dwelling house, and*
- (e) does not contain any cooking facilities.*

### Part C Subdivision Controls

#### C1 Subdivision of Land

##### C1.1 Subdivision - General Design Requirements

##### Requirements

###### [3] Insert new requirement

Insert a new requirement after requirement (10) to require Land Use Conflict Risk Assessment for subdivision of land when adjacent to land within Zone RU2 Rural Landscape. Currently, a Land Use Conflict Risk Assessment is only required for RU2 Rural Landscape and R5 Large Lot Residential. However, when new residential land is developed adjacent to existing rural land, there is potential for land use conflict. The proposed requirement is as follows:

(11) Where subdivision proposals have potential to create land use conflict, development applications are to be accompanied by a land use risk assessment prepared in accordance with the Land Use Conflict Risk Assessment Guide (NSW Department of Primary Industries 2011).

## Notes

### [4] Insert new Note

The new note is to support the inclusion C1.1 requirement (11) regarding the need for development applications likely to comprise significant rural land use conflict to be accompanied by a land use risk assessment. The new note should read as follows:

#### Notes:

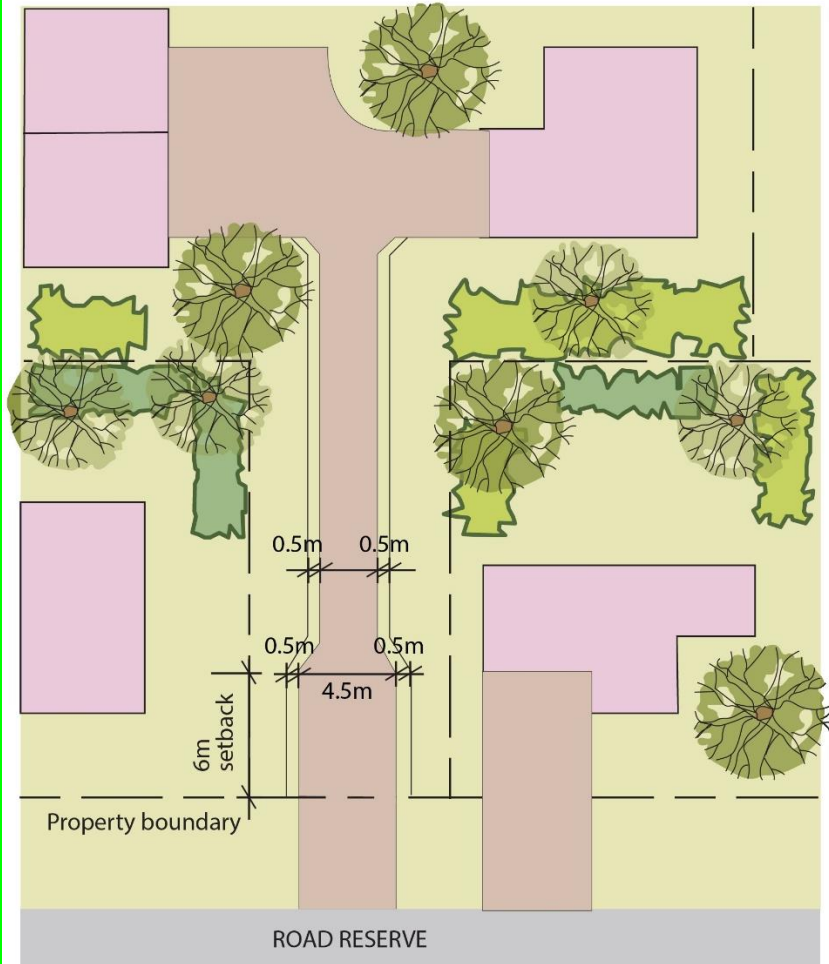
*Some land uses have the potential to result in significant land use conflicts and/or environmental impacts if not managed appropriately. In determining proposals that may have potential to create land use conflict, the City will reference minimum setback distances within the 'Living and Working in Rural Areas' guideline prepared by the Department of Primary Industries (Agriculture). A number of guidelines on various agricultural land use topics have been prepared by the Department of Primary Industries (Agriculture) that may assist in the design of development to minimise associated impacts.*

## C1.2 Subdivision - Design Requirements For Certain Residential Zones

### Objectives

#### [5] Amendment to image

Amend existing image 'Common driveway example' to indicate that the 6m setback applies to the driveway and not the residential dwellings. The amended image is as follows:



#### [6] Addition of new objective

Include a new objective to facilitate housing diversity to support an action of the Coffs Harbour Local Growth Management Strategy 2020. The new objective should read as follows:

- To facilitate housing diversity.

#### Requirements

#### [7] Addition of new requirement

Include a new requirement, after requirement (9), for the provision of a mix of lot sizes as part of greenfield subdivisions on land within Zone R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and Zone R4 High Density Residential. The new requirement should read as follows:

- (10) Greenfield subdivision proposals are to provide a mix of lot sizes no less than the minimum lot size provisions within Coffs Harbour LEP 2013 to facilitate housing diversity.

## Part D Built Form Controls

### D1 Commercial Development

#### D1.2 Design Requirements – General

##### Requirements

###### [8] Amendment to existing requirement

Amend existing requirement (1)(g) to ensure that design elements better reflect the coastal and sub-tropical climate and character of Coffs Harbour. The amended requirement (g) in context with existing requirements should read as follows:

- (1) Development is to be designed:
- (a) so that buildings do not exceed a total length of 45 metres; and
  - (b) to address the street, with front entryways to be generally parallel with the street; and
  - (c) to incorporate modulation of form, articulation of building facades, window arrangements and architectural enhancements to add visual interest and to reduce the apparent bulk and scale of buildings as demonstrated below; and
  - (d) to contribute to a visually interesting skyline and to differentiate between the base, middle and top in design, where buildings are over 13 metres high; and
  - (e) so that large unrelieved expanses of wall or building mass do not face a public road or adjoin residential areas; and
  - (f) so that no blank or opaque side walls are provided on any street elevation; and
  - (g) ~~so that building design, materials, construction and finishes achieve microclimate responsive solutions such as louvres, shading, verandahs and indoor/outdoor spaces; and~~ to reflect the coastal and sub-tropical climate and character of Coffs Harbour through;
    - (i) Integration of sun-shading devices, louvres and cross-ventilation into the design of the façade and overall building form and layout to allow passive environmental control;
    - (ii) Provision of wide eaves and deep balconies or verandahs that shade walls, windows and outdoor areas, and;
    - (iii) Use of lightweight materials (such as timber, lightweight wall sheeting and metal roof sheeting) in place of, or in combination with, masonry construction; and
  - (h) so that colours and textures of all external finishes are of a high quality and are suitable for the locality and the context of the site; and
  - (i) to maximise glazing whilst avoiding large unrelieved expanses of glass; and
  - (j) to avoid the use of building materials that are highly reflective or less durable; and
  - (k) to integrate roof plant rooms and lift overruns into the overall architecture of the development; and
  - (l) so that any outdoor dining is provided at street level; and
  - (m) to include light wells and courtyards to improve internal building amenity and achieve ventilation.

###### [9] Addition of new requirement

Include a new requirement, after requirement (6), to introduce design requirements where buildings on steep land front a public road or are highly visible from a public space, to ensure that such development does not negatively impact on the character of the streetscape or locality. The new requirement should read as follows:

(7) Development on steep land that fronts a public road or that is highly visible from a public space is to be designed to ensure that such development does not negatively impact the character of streetscape or locality.

#### [10] Addition of new requirement

Amend the City's local planning controls to align with the NSW Government Architects "Better Placed" (2017) and ensure that this guide is used as best practice in the assessment of commercial development proposals within the Coffs Harbour LGA. The new requirement should read as follows:

(8) Development is to be designed so that it aligns with the design objectives of the Better Placed – An Integrated Design Policy for New South Wales (2017) and urban design strategies of the Urban Design for Regional NSW – A guide for creating healthy built environments in regional NSW (2020).

#### [11] Insert new 'Application Requirements' Control

Review and amend the City's local planning controls to maintain the business centres hierarchy by requiring new proposals for additional commercial floor space outside the Coffs Harbour City Centre to demonstrate that there will be no negative impact on the City Centre precinct. The new section should read as follows:

### D1.21 Application Requirements

#### Applies to Land

This control applies to land within Zone E1 Local Centre, E2 Commercial Core, E3 Productivity Support, MU1 Mixed Use under Coffs Harbour LEP 2013.

#### Objectives

- To reinforce the Coffs Harbour Local Government Area Business Centres Hierarchy to maintain the primacy of the City Centre and provide for a range of employment opportunities in appropriate locations.

#### Requirements

(1) Applications for additional commercial floor space outside the Coffs Harbour City Centre are to demonstrate that there will be no negative impact on the primacy of the Coffs Harbour City Centre.

## D2 Industrial Development

### D2.2 Design Requirements – General

#### Requirements

#### [12] Addition of new requirement

Include a new requirement after requirement (2) to introduce design requirements for buildings on steep land that front a public road or are highly visible from a public space, to ensure that such development does not negatively impact on the character of the streetscape or locality. The new requirement should read as follows:

(3) Development on steep land that fronts a public road or that is highly visible from a public space is to be designed to ensure that such development does not negatively impact the character of streetscape or locality.

## D3 Residential Development

### D3.1 Density Requirements

#### Requirements

#### [13] Addition of a new requirement

Include a new requirement after requirement (1) to require the provision of smaller dwelling types as part of new development comprising four or more dwellings, to facilitate housing diversity. The new requirement should read as follows:

(2) Development comprising four or more dwellings is to include at least 25% studio apartments, 1 or 2 bedroom dwellings to facilitate housing diversity.

#### Exceptions

#### [14] Amend existing exception

Amend the existing exception so that it also applies to development for the purpose of residential accommodation within Zone R2 Low Density Residential to enable a higher density where appropriate. The amended requirement should read as follows:

- A higher density may be supported on land within Zoned R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential under Coffs Harbour LEP 2013 where the development satisfies the front, side and rear setback controls specified in D3.2 and D3.3 of this Plan and any other relevant built form control within this Plan.

#### [15] Amend existing exception

The Coffs Harbour Local Growth Management Strategy 2020 contains an action to include the area of access handles within density calculations for development on land within Zone R2 Low Density Residential to facilitate infill housing. The existing exception is to be amended to allow access handles to be included when calculating the density of development within Zone R2 Low Density Residential. The amended exception should read as follows:

- The area of any access handle is not to be included in calculating the density of development on land within Zone R3 Medium Density Residential and R4 High Density Residential.

## D3.2 Front Setback Requirements

#### Requirements

#### [16] Amendment to existing requirement

Amend requirement (1) to reduce front setback requirements from 6 metres to 4.5 metres for buildings that have a total height of less than 8.5 metres. The amended requirement should read as follows:

- Development is to maintain the following minimum setback requirements as shown on the Front Setbacks Map:

Land Use Zone	Front Setback Requirement
Land within Zoned R2 Low Density Residential	4.5m
Land within Zoned R3 Medium Density Residential and R4 High Density Residential	6m for buildings ≤ 8.5m in height 9m for buildings > 8.5m in height Where the total height of the building is ≤ 8.5m: 4.5m

	Where the total height of the building is > 8.5m: 6m for building components ≤ 15.5m in height 9m for building components > 15.5m in height
--	---

\*Please note that there are exceptions to the front setbacks table above for certain sites, please refer to the Front Setbacks Map.

#### [17] Addition of new requirement

Add a new requirement, after requirement (1), to ensure that garages, carports and car parking spaces (attached to dwellings and accessed from a primary road) have a minimum setback of 5.5 metres from front boundary. The new requirement should read as follows:

- (2) Garages, carports and car parking spaces that are attached to a dwelling and accessed from a primary road are to be setback at least 5.5 metres from the front boundary.

#### Exceptions

#### [18] Amend existing exception

Amend the exceptions to allow an articulation zone for residential development within Zone R4 High Density Residential to mirror the existing requirements for Zone R3 Medium Density Residential, to facilitate more infill development. D3.2 Front Setback Requirements already applies to Zone R2 Low Density Residential and R3 Medium Density Residential under Coffs Harbour LEP 2013. Therefore, removing specific zone references in the exception will broaden this requirement to Zone R4 High Density Residential. The amended exception should read as follows:

- Development ~~on land zoned R2 Low Density Residential and R3 Medium Density Residential under Coffs Harbour LEP 2013~~ may incorporate an articulation zone within the front the setback area to a primary road as demonstrated in the following diagrams:

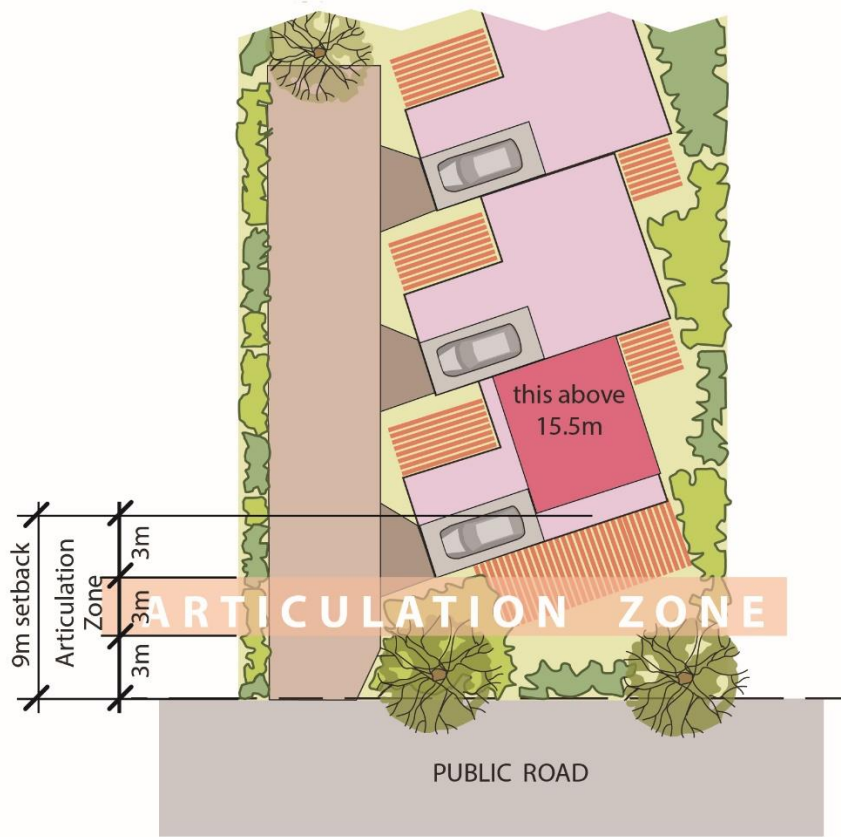
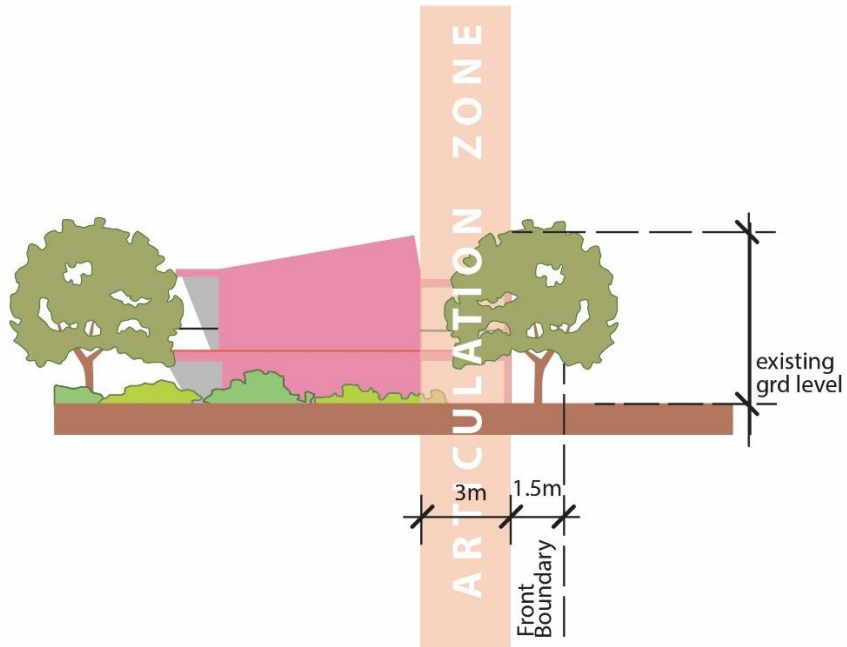


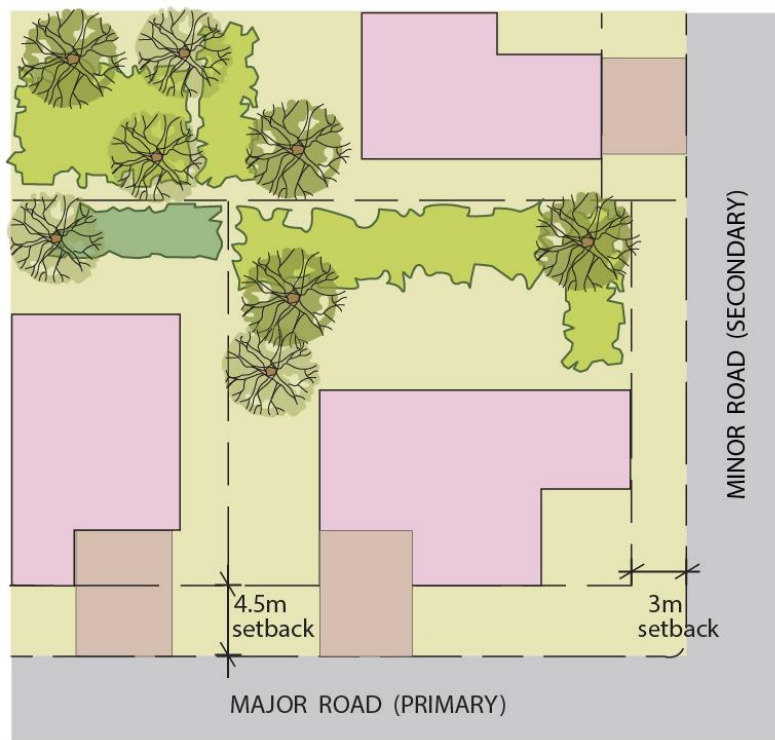
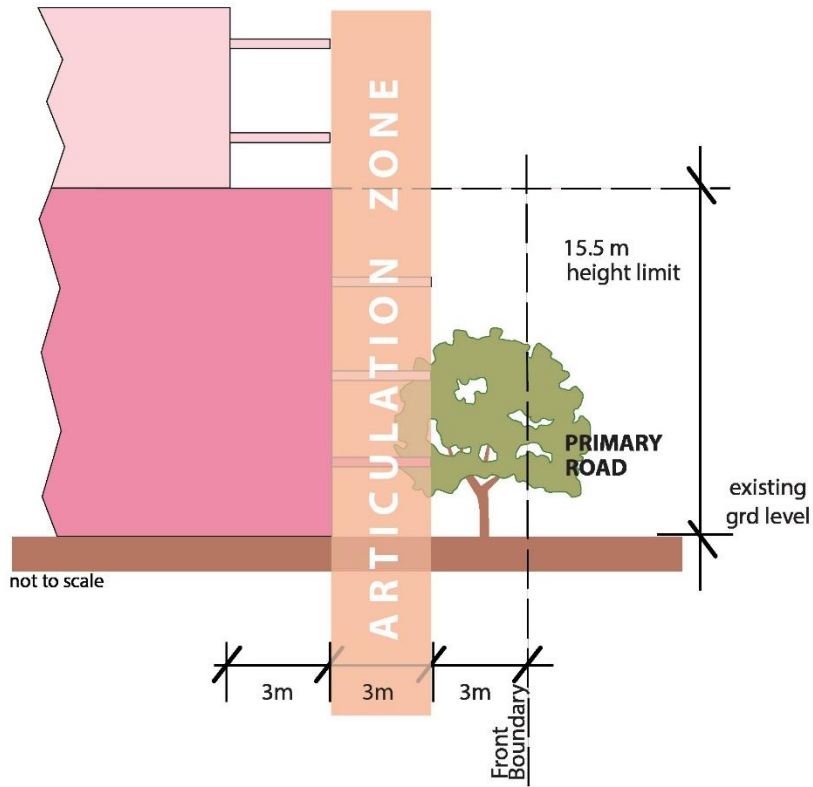
[19] Amendment to images

Amend 5 images detailed in exceptions. 2 existing images for ‘articulation zone – buildings  $\leq 8.5\text{m}$  in height’ are required to be amended to indicate the proposed amendments to front setbacks standards. The 2 ‘articulation zone – buildings  $> 8.5\text{m}$  in height’ are also required to be amended to indicate the proposed amendments to front setbacks standards. The existing image for ‘setbacks for corner lots’ is also required to be amended to indicate the proposed amendments to front setbacks standards. The amended images are as follows:









[20] Addition of a new exception

Add a new exception to setback requirements to provide further clarity for ancillary development. The new exception should read as follows:

- Front setbacks do not apply to the following ancillary development: access ramps, driveways, eaves, pathways and paving, retaining walls, steps and any building elements permitted within the articulation zone.

D3.3 Side and Rear Setback Requirements

Requirements

[21] Amend and reformat side and rear setback requirements table

Amend requirement (1) to amend rear setback controls for development on land within Zone R2 Low Density Residential to a minimum 3m setback and to also amend side setback controls for development on land within Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential, so that building setbacks are as follows:

- (1) Development is to meet the following minimum setback requirements as shown on the Side and Rear Setbacks Map:

Land Use Zone	Side Setback Requirement	Rear Setback Requirement
Land within Zone R2 Low Density Residential	For buildings ≤ 8.5m in height: 900mm from walls or 675mm from outer edge of roof or gutter and eaves	3 metres
Land within Zone R3 Medium Density Residential and Zone R4 High Density Residential	For buildings ≤ 8.5m in height: 900mm from walls or 675mm from outer edge of roof or gutter and eaves For buildings >8.5m in height: 3m for building components up to 12m in height, 4.5m for building components between 12m and 25m in height, and 6m for building components >25m in height.	3 metres where building height ≤8.5metres 6 metres where building height >8.5 metres

\*Please note that there are exceptions to the side and rear setbacks table above for certain sites, please refer to the Side and Rear Setbacks Map.

Exceptions

[22] Addition of a new exception

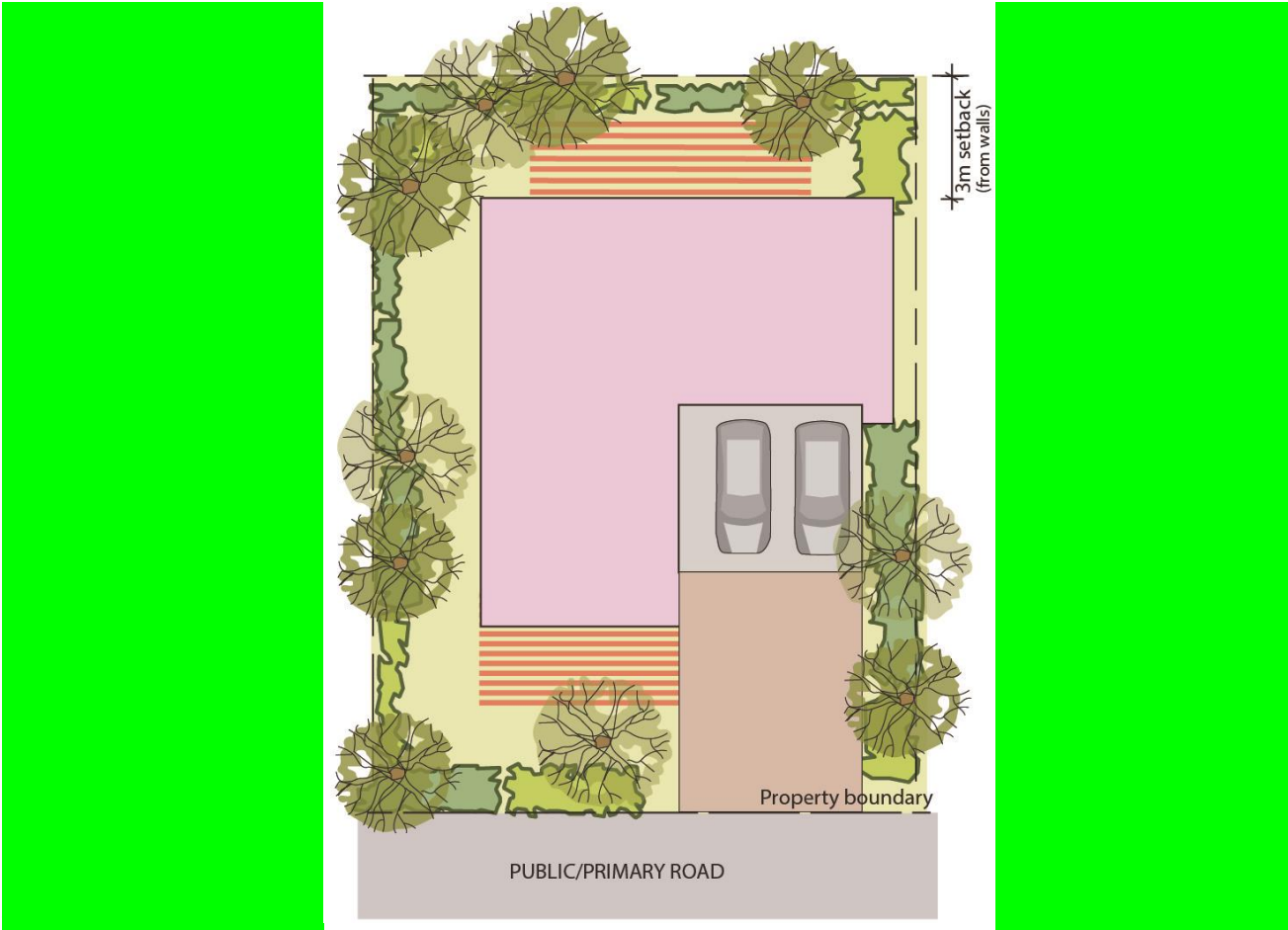
Add a new exception to allow buildings greater than 8.5m in height to provide a minimum side setback of 900mm from walls for single storey components of the building.

- buildings > 8.5m in height may provide a side setback of a minimum of 900mm (from walls) for single storey components of the building.

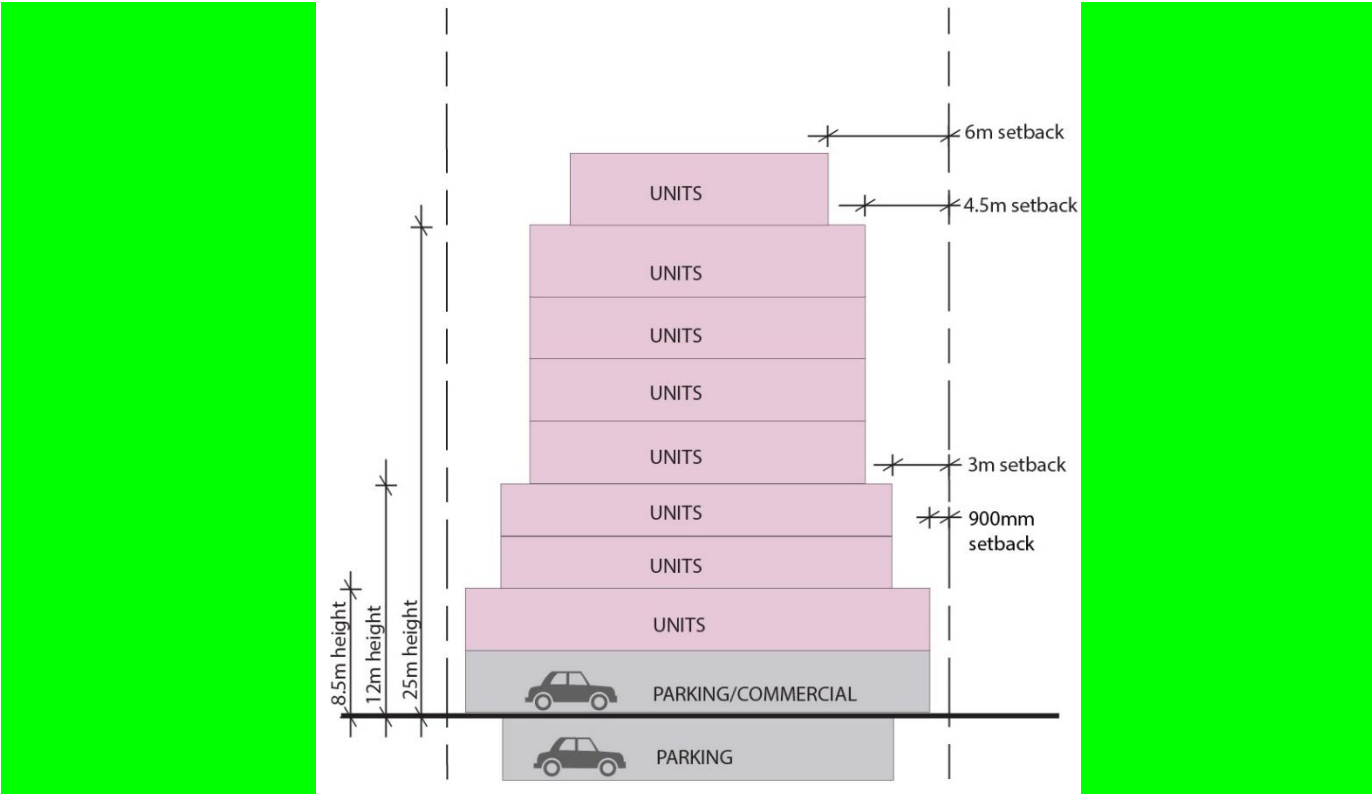
[23] Add two new images

Add two new images to support amendments to side and rear setbacks. The new images are as follows:

**Rear Setbacks for Buildings ≤ 8.5m in Height**



**Side Setbacks for Residential Buildings**



Draft text to be added

~~Draft text to be removed~~

Post-Exhibition Changes

Background / guiding text to provide context, not to be included in DCP 2015

## D3.5 Private Open Space Requirements

### Requirements

#### [24] Amendment to existing requirement

Amend requirement (1) so that private open space requirements are a minimum of 24m<sup>2</sup> with a minimum width of 3 metres and maximum slope of 1 in 8. The amended requirement should read as follows:

- (1) A minimum of 24m<sup>2</sup> of Private open space is to be provided with a minimum width of 3 metres and maximum slope of 1:8. ~~in accordance with the following criteria:~~

Development Type	Requirement
<del>Dwelling Houses, Dual Occupancies and Semi-detached dwellings</del>	<del>185m<sup>2</sup> of which 90m<sup>2</sup> is to comprise functional private open space with a minimum dimension of 4m in width (preferably in one area) and a ground slope less than 1 in 8</del>
<del>Attached dwellings, Multi Dwelling Housing</del>	<del>35m<sup>2</sup> with a minimum dimension of 3m in width and a ground slope less than 1 in 8</del>
<del>Residential Flat Buildings, Serviced Apartments, Shop Top Housing</del>	<del>15m<sup>2</sup> with a minimum dimension of 2m in width</del>

#### [25] Amendment to existing requirement

Amend requirement (2) to require privacy controls for residential accommodation to minimise direct overlooking of all habitable windows and balconies on adjoining properties. The amended control should read as follows:

- (2) Private open space is to be:
- provided with direct connection to indoor living areas (e.g. sliding glass doors) and oriented to maximise use; and
  - designed so that ~~it does not unreasonably compromise the amenity and privacy of existing private open space on adjoining and nearby land.~~ private open spaces and habitable rooms of proposed and existing dwellings are protected from direct or unreasonable overlooking from development on adjacent lots, including, where appropriate, through the following siting and design measures;
    - appropriate separation distances;
    - responsive dwelling layout;
    - off-setting windows in relation to adjacent windows;
    - screening devices such as solid, battened or translucent screens, opaque glass windows, fences, louvres, perforated panels and trellises;
    - solid or semi-transparent balustrades or screens to balconies or terraces;
    - off-setting balconies in relation to adjacent balconies; and
    - providing vegetation as a screen.

### Exception

#### [26] New exception for amended requirement (1)

Add a new exception to ensure that serviced apartments and development to which State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development applies is excluded from the amended requirement (1). The new exception will ensure private open space requirements for serviced

apartments align with the NSW Government's Apartment Design Guideline to facilitate infill development. The new exception should read as follows:

- Requirement (1) of this control does not apply to serviced apartments and development to which *State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development* applies.

## D3.6 Design Requirements – Residential Accommodation

### Requirements

#### [27] Amendment to existing requirement

Amend requirement (1) to require privacy controls for residential accommodation to minimise direct overlooking of all habitable windows and balconies on adjoining properties. Note that no amendments to figures are proposed, all existing figures are to remain unchanged. The amended control should read as follows:

- (1) Development for the purpose of residential accommodation is to be:
  - (a) of an appropriate scale to the existing streetscape as detailed in the following figure; and
  - (b) designed to allow for some outlook to streets, lanes or other public space areas to increase passive surveillance; and
  - (c) designed so that private open space and habitable rooms of proposed and existing dwellings are protected from ~~to minimise~~ direct or unreasonable overlooking ~~of~~ from development on adjacent lots ~~living areas and private open spaces of other dwellings~~, including, where appropriate, through the following siting and design measures;
    - (i) appropriate separation distances;
    - (ii) responsive dwelling layout;
    - (iii) off-setting windows in relation to adjacent windows;
    - (iv) screening devices such as solid, battened or translucent screens, opaque glass windows, fences, louvres, perforated panels and trellises;
    - (v) solid or semi-transparent balustrades or screens to balconies or terraces;
    - (vi) off-setting balconies in relation to adjacent balconies; and
    - (vii) providing vegetation as a screen; and
  - (d) designed to minimise impacts on existing views and view corridors; and
  - (e) designed so that garages and parking structures do not dominate the street frontage as demonstrated in the following;

#### [28] Amendment to image

Amend existing image 'recessed garage example' to indicate the proposed amendments to the front setbacks standards for both dwellings and attached garages.

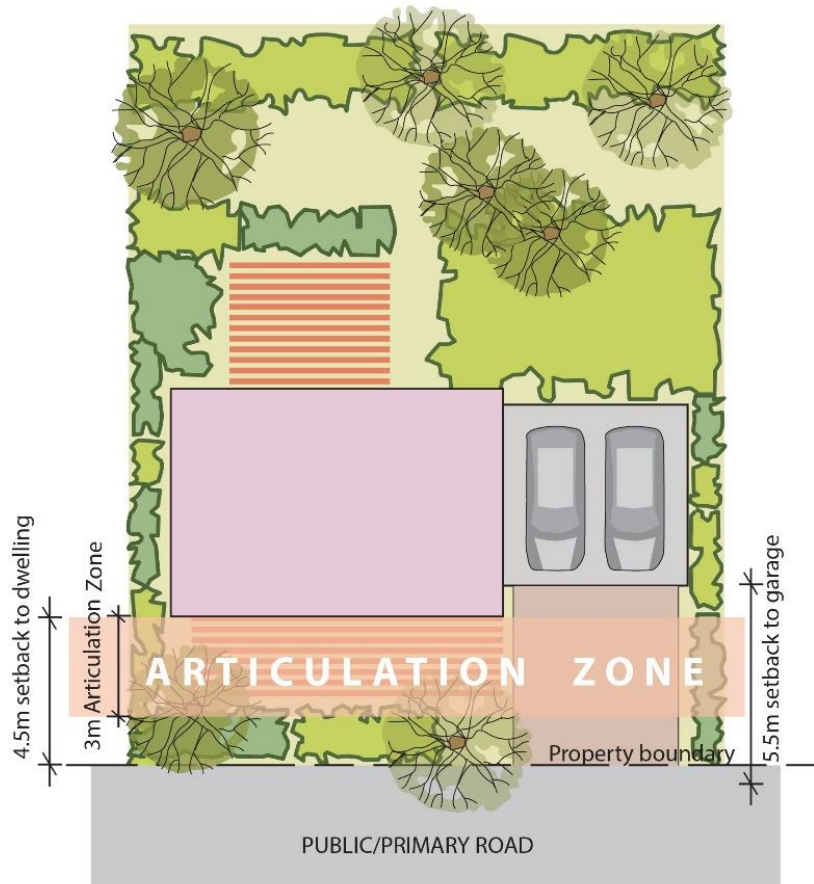
Draft text to be added

~~Draft text to be removed~~

Post-Exhibition Changes

Background / guiding text to provide context, not to be included in DCP 2015





### [29] Addition of a new requirement

Add a new requirement, after requirement (7), to require—Silver Level compliance with Liveable Housing Design Guidelines for all housing types; and Gold Level compliance with Liveable Housing Design Guidelines for a minimum of 20% of dwellings within multi dwelling housing, attached dwelling, residential flat building and serviced apartment developments. The new requirement should read as follows:

(8) Residential accommodation is to comply with the following performance level of the Livable Housing Standards:

- (a) Gold Level compliance for a minimum of 20% of dwellings within multi dwelling housing, attached dwelling, residential flat building and serviced apartment developments;
- (b) Silver Level compliance with Liveable Housing Standards for all other housing types.

### [30] Addition of a new requirement

Add a new requirement to provide further design guidance for access ramps proposed between a building and the street to ensure they complement or integrate with the building or landscape to minimise their visual and physical presence. The new requirement should read as follows:

- (9) Where development includes pedestrian access ramps between the front building line and the street, ramps are to be designed to minimise their visual and physical presence and to form a complementary or integrated part of the building or landscape through consideration of form, materials and layout.



### [31] Addition of a new requirement

Add a new requirement to mitigate the visual prominence and presentation to the public realm for access ramps for garages and parking structures elevated above the natural ground level. The new requirement should read as follows:

- (10) Where garages and parking structures are elevated above natural ground level and vehicular access ramps are required, the parking structures and ramps are to be designed to minimise their visual prominence or poor visual presentation to the public realm.

### Exceptions

#### [32] Addition of a new exception relating to D3.6 Requirement (8)

Include exceptions to proposed requirement (8) in certain circumstances. The new exceptions should read as follows:

- Requirement (8) does not apply to:
  - alterations and additions to existing dwellings;
  - heritage items or development within a heritage conservation area.

### Notes

#### [33] Voluntary approach to provision of Livable Housing

The following livable housing guidelines and design standard resources are identified to raise awareness of the available resources and enable a voluntary approach to the provision of livable housing in new residential accommodation development.

- The following voluntary livable housing design resources outline how residential accommodation can be designed to meet the changing needs of occupants throughout life, should a developer or housing provider choose to do so:
  - Livable Housing Australia's Livable Housing Design Guidelines - provides technical advice and guidance on the key living features that make a home easier and safer to live in for people of all ages and abilities. The guidelines detail 3 performance levels for liveability — silver, gold, and platinum — which range from basic requirements through to best practice.
  - Australian Building Codes Board (ABCB) Voluntary Standard for Livable Housing Design: Beyond Minimum – a set of non-mandatory technical provisions that if complied with will enable dwellings to better meet the needs of the community, including older people and people with mobility limitations. This Voluntary Standard has been adapted from the 'Gold' level provisions of the Livable Housing Design Guidelines (LHDG), fourth edition, 2017.
  - National Construction Code (NCC) Livable Housing Design Standard – this Standard provides a set of technical provisions that if complied with enable dwellings to better meet the needs of the community, including older people and people with mobility limitations. NSW Government has not applied this Standard across NSW and as such is currently referenced as a voluntary Standard for development in NSW.

## D3.8 Design Requirements – General Requirements

### [34] Addition of new requirement

Include a new requirement after requirement (3) to introduce design requirements for buildings on steep land that fronts a public road or are highly visible from a public space, to ensure that such development

does not negatively impact on the character of the streetscape or locality. The new requirement should read as follows:

- (4) Development on steep land that fronts a public road or that is highly visible from a public space is to ensure that such development does not negatively impact the character of streetscape or locality.

### D3.13 Ancillary development requirements

#### [35] Addition of new requirements and supporting figure

Include new requirements, after requirement (12), under the subheading “detached studio” as well as a new figure to support the new requirements. The new requirements are to provide clarity for detached studio development ancillary to a principal dwelling. The new requirements should read as follows:

#### **detached studio**

##### (13) Detached studios are:

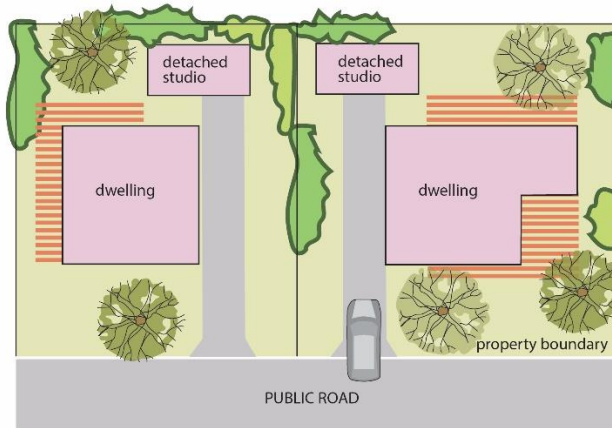
- (a) to be located within the curtilage of the principal dwelling and are not to be used for separate habitation;
- (b) to be designed so that they appear as a single cohesive development with a common driveway;
- (c) not to comprise kitchen facilities or internal partitions, other than those required for an ensuite or demonstrably required for the use of the studio;
- (d) to be designed and located to avoid environmental and/or amenity impacts; and
- (e) not to require the provision of additional utility services over and above that required by the principal dwelling.

- (14) Development applications for detached studios are to be accompanied by a floor plan and statement of intended use demonstrating that the studio is required for a purpose that, due to the nature or space requirements is not practical to undertake within the confines of the dwelling.

*Example of Acceptable Vs Unacceptable Detached Studio Proposals*



Examples of Acceptable Siting of Detached Studio Proposals



## D4 Rural and Large Lot Residential Development

### D4.2 Design Requirements – General Requirements

#### [36] Addition of new requirement

Include a new requirement, after requirement (6), to introduce design requirements for buildings on steep land that front a public road or are highly visible from a public space, to ensure that such development does not negatively impact on the character of the streetscape or locality. The new requirement should read as follows:

- (7) Development on steep land that fronts a public road or that is highly visible from a public space is to ensure that such development does not negatively impact the character of streetscape or locality.

### D4.7 Ancillary Development Requirements

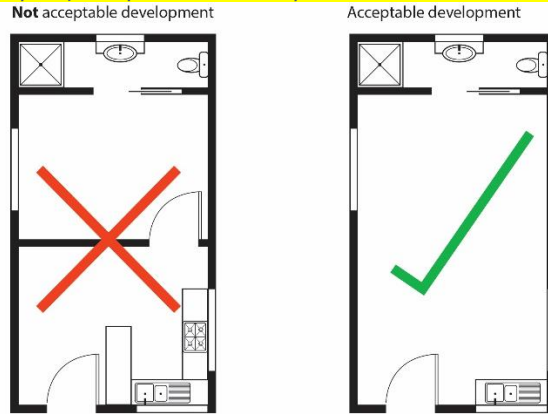
#### [37] Addition of new requirements and supporting figure

Include new requirements, after requirement (7), under the subheading “detached studio” as well as a new figure to support the new requirements. The new requirements are to provide clarity for detached studio development ancillary to a principal dwelling. The new requirements should read as follows:

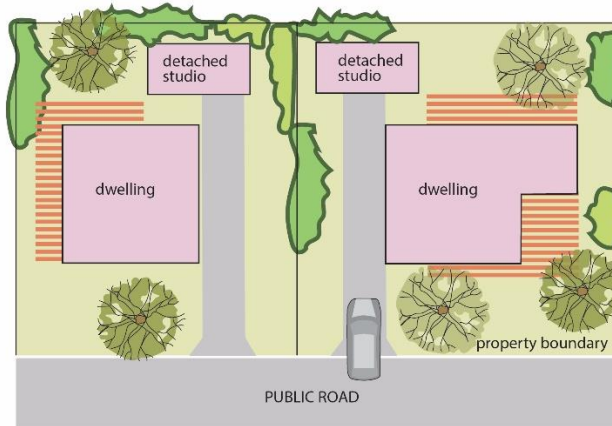
#### **detached studio**

- (8) Detached studios are:
  - (a) to be located within the curtilage of the principal dwelling and are not to be used for separate habitation;
  - (b) to be designed so that they appear as a single cohesive development with a common driveway;
  - (c) not to comprise kitchen facilities or internal partitions, other than those required for an ensuite or demonstrably required for the use of the studio;
  - (d) to be designed and located to avoid environmental and/or amenity impacts;
  - (e) not to require the provision of additional utility services over and above that required by the principal dwelling.
- (9) Development applications for detached studios are to be accompanied by a floor plan and statement of intended use demonstrating that the studio is required for a purpose that, due to the nature or space requirements is not practical to undertake within the confines of the dwelling.

### Example of Acceptable Vs Unacceptable Detached Studio Proposals



### Examples of Acceptable Siting of Detached Studio Proposals



## [38] Insert new control

Insert a new control to introduce requirements for Horticulture development on land within Zone R5 Large Lot Residential and Turf Farming development on land within Zone Ru2 Rural Landscape to ensure that adequate guidelines are in place to minimise amenity impacts. The new control should read as follows:

### D4.22 Horticulture and Turf Farming

#### Applies to Land

This control applies to development for the purposes of Horticulture on land within Zone R5 Large Lot Residential under Coffs Harbour LEP 2013; and to development for the purposes of Turf Farming on land within Zone Ru2 Rural Landscape under Coffs Harbour LEP 2013.

#### Objectives

- To minimise amenity and environmental impacts from Horticulture and Turf Farming.

#### Requirements

- Development Applications for the purposes of Horticulture and Turf Farming are to be accompanied by the following information:
  - Statement of Environmental Effects that describes the operations that will occur on the land, such as; hours of operation for all activities (including seasonal activities), lighting, noise creating activities, machinery to be used, spraying to occur, etc.
  - A site plan detailing all aspects of the development including but not limited to:

- (i) location of growing, planting and or production areas,
  - (ii) location of dams, water harvesting facilities and drainage channels,
  - (iii) location of chemical storage,
  - (iv) sheds, amenities, car parking and other ancillary structures or operational areas,
  - (v) location of setbacks or buffer distances, to surrounding roads, waterways, native vegetation, wetlands, dwellings, schools and other sensitive land use or facility.
- (c) Sufficient information to demonstrate compliance with requirement (3).
- (2) Development for the purposes of Horticulture and Turf Farming is to provide a minimum setback to existing and proposed residential dwellings, including 30m of vegetation in accordance with the 'Living and Working in Rural Areas' guideline prepared by the Department of Primary Industries (Agriculture).
  - (3) Development must not create adverse amenity impacts on surrounding properties from noise, light, odour, dust, fumes, waste, chemicals, nutrient runoff, vehicle movement or spray drift.

**Notes:**

*Land uses such as Intensive plant agriculture have the potential to result in significant land use conflicts and/or environmental impacts if not managed appropriately. A number of guidelines on various agricultural land use topics have been prepared by the Department of Primary Industries (Agriculture) that may assist in the design of development to minimise impacts associated with these development types.*

## D5 Tourist and General Residential Development

### D5.1 Density Requirements

#### Requirements

##### [39] Addition of a new requirement

Include a new requirement, after requirement (1), to require the provision of smaller dwelling types (one or two bedrooms) as part of new development comprising four or more dwellings, to facilitate housing diversity. The new requirement should read as follows:

(2) Development comprising four or more dwellings is to include at least 25% studio apartments, 1 or 2 bedroom dwellings to facilitate housing diversity.

### D5.2 Front Setback Requirements

#### Requirements

##### [40] Amendment to existing requirement

Amend requirement (1) to reduce front setback requirements from 6 metres to 4.5 metres for buildings that have a total height of less than 8.5 metres. The amended requirement should read as follows:

- (1) Development is to maintain the following minimum setback requirements as shown on the Front Setbacks Map:

Land Use Zone	Front Setback Requirement
Land within Zone R1 General Residential	Where the total height of the building is $\leq 8.5\text{m}$ : 4.5m  Where the total height of the building is $> 8.5\text{m}$ : 6m for building components $\leq 15.5\text{m}$ in height 9m for building components $> 15.5\text{m}$ in height
Land within Zone SP3 Tourist	Refer to the Front Setbacks Map.

\*Please note that there are exceptions to the front setbacks table above for certain sites, please refer to the Front Setbacks Map.

##### [41] Addition of new requirement

Add a new requirement, after requirement (1), to ensure that garages, carports and carparking spaces (attached to dwellings and accessed from a primary road) have a minimum setback of 5.5 metres from front boundary. The new requirement should read as follows:

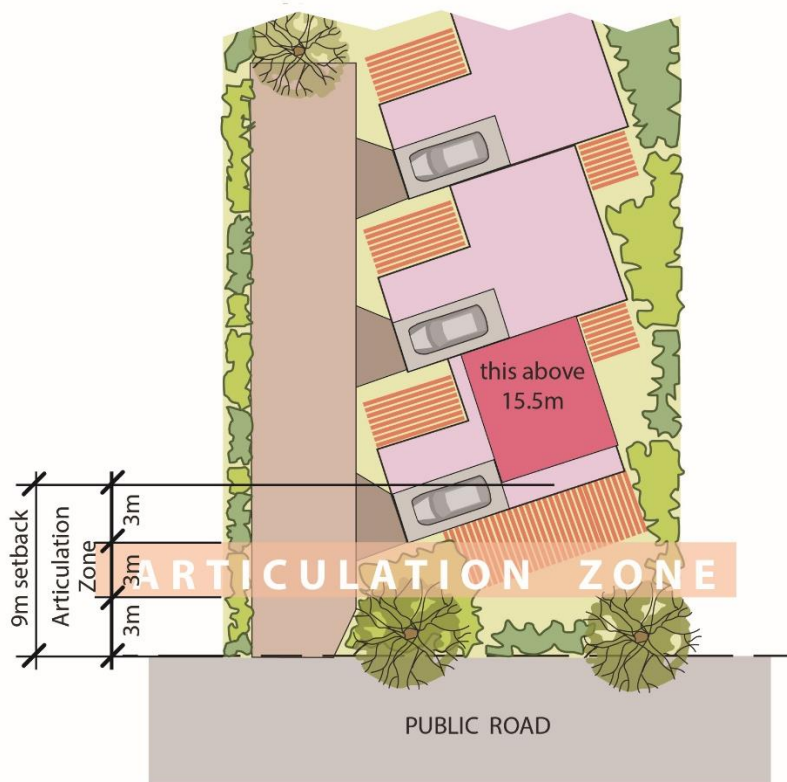
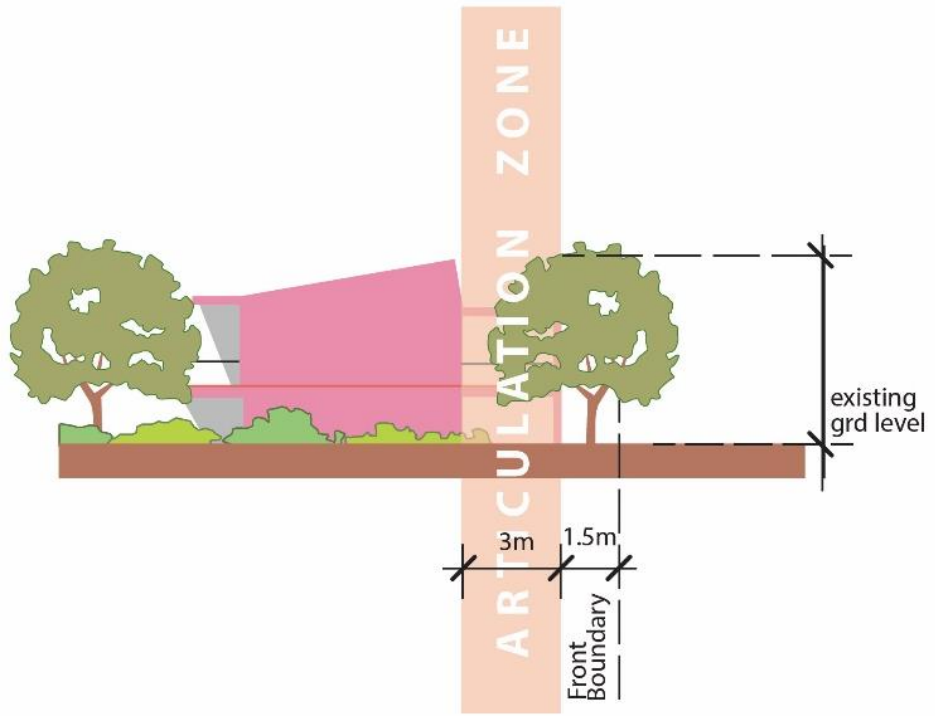
(2) Garages and carports attached to dwellings and accessed from a primary road are to have a minimum setback of 5.5 metres from front boundary.

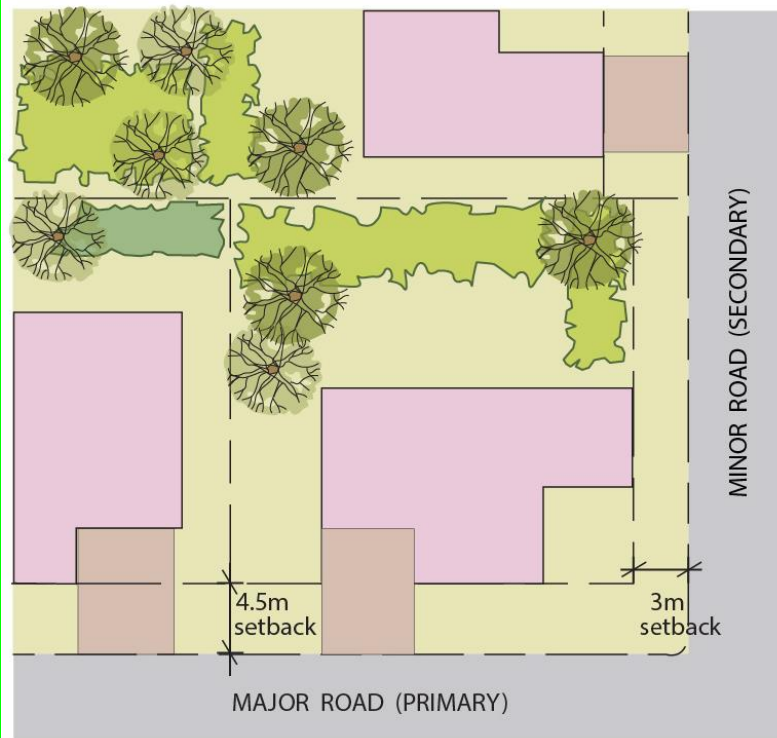
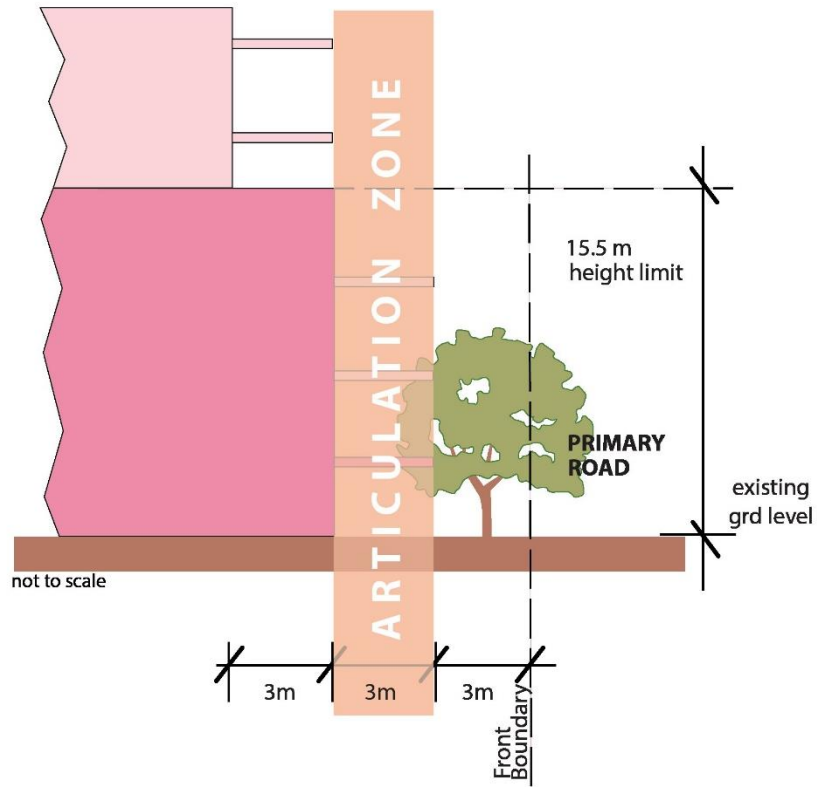
[42] Amendment to images

Amend 5 images detailed in exceptions. 2 existing images for ‘articulation zone – buildings ≤ 8.5m in height’ are required to be amended to indicate the proposed amendments to front setbacks standards. The 2 ‘articulation zone – buildings > 8.5m in height’ are also required to be amended to indicate the proposed amendments to front setbacks standards. The existing image for ‘setbacks for corner lots’ is also required to be amended to indicate the proposed amendments to front setbacks standards. The amended images are as follows:









## D5.3 Side and Rear Setback Requirements

### Requirements

#### [43] Amend and reformat side and rear setback requirements table

Amend requirement (1) to amend Side and Rear Setback controls for development on land within Zone R1 General Residential to align with the recommendation of the Local Growth Management Strategy. This amendment will also include a table to support the controls shown on the Side and Rear Setbacks. The amended side and rear setback controls should read as follow:

- (1) Development is to meet the following minimum setback requirements as shown on the Side and Rear Setbacks Map:

Land Use Zone	Side Setback Requirement	Rear Setback Requirement
Land within Zone R1 General Residential	For buildings ≤ 8.5m in height: 900mm from walls or 675mm from outer edge of roof or gutter and eaves For buildings >8.5m in height: 3m for building components up to 12m in height, 4.5m for building components between 12m and 25m in height, and 6m for building components >25m in height.	3 metres where building height ≤8.5metres 6 metres where building height >8.5 metres
Land within Zone SP3 Tourist	Refer to the Side and Rear Setbacks Map.	

\*Please note that there are exceptions to the side and rear setbacks table above for certain sites, please refer to the Side and Rear Setbacks Map.

### Exceptions

#### [44] Addition of a new exception

Add a new exception to allow buildings greater than 8.5m in height to provide a minimum of 900mm from walls for single storey components of the building.

- buildings >8.5m in height may provide a side setback of a minimum of 900mm (from walls) for single storey components of the building.

## D5.5 Private Open Space Requirements

### Requirements

#### [45] Amendment to existing requirement

Amend requirement (1) so that private open space requirements are a minimum of 24m<sup>2</sup> with a minimum width of 3 metres and maximum slope of 1 in 8. The amended requirement should read as follows:

- (1) A minimum of 24m<sup>2</sup> of Private open space is to be provided with a minimum width of 3 metres and maximum slope of 1:8. in accordance with the following criteria:

Development Type	Requirement
Dwelling Houses, Dual Occupancies and Semi-detached dwellings	185m <sup>2</sup> of which 90m <sup>2</sup> is to comprise functional private open space with a minimum dimension of 4m in width (preferably in one area) and a ground slope less than 1 in 8
Attached dwellings, Multi Dwelling Housing	35m <sup>2</sup> with a minimum dimension of 3m in width and a ground slope less than 1 in 8

Residential Flat Buildings, Serviced Apartments, Shop Top Housing	15m <sup>2</sup> with a minimum dimension of 2m in width
---	---

#### [46] Amendment to existing requirement

Amend requirement (2) to require privacy controls for residential accommodation to minimise direct overlooking of all habitable windows and balconies on adjoining properties. The amended control should read as follows:

- (2) Private open space is to be:
- (a) provided with direct connection to indoor living areas (e.g. sliding glass doors) and oriented to maximise use; and
  - (b) designed so that ~~it does not unreasonably compromise the amenity and privacy of existing private open space on adjoining and nearby land.~~ private open spaces and habitable rooms of proposed and existing dwellings are protected from direct or unreasonable overlooking from development on adjacent lots, including, where appropriate, through the following siting and design measures;
    - (i) appropriate separation distances;
    - (ii) responsive dwelling layout;
    - (iii) off-setting windows in relation to adjacent windows;
    - (iv) screening devices such as solid, battened or translucent screens, opaque glass windows, fences, louvres, perforated panels and trellises;
    - (v) solid or semi-transparent balustrades or screens to balconies or terraces;
    - (vi) off-setting balconies in relation to adjacent balconies; and
    - (vii) providing vegetation as a screen.

#### Exceptions

##### [47] Add a new exception for amended requirement (1)

Add a new exception to ensure that serviced apartments and development to which State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development applies is excluded from amended requirement (1). The new exception will ensure private open space requirements for serviced apartments align with the NSW Government's Apartment Design Guideline to facilitate infill development. The new exception should read as follows:

- Requirement (1) of this control does not apply to serviced apartments and development to which State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development applies.

## D5.6 Design Requirements – General

### Requirements

#### [48] Amendment to existing requirement

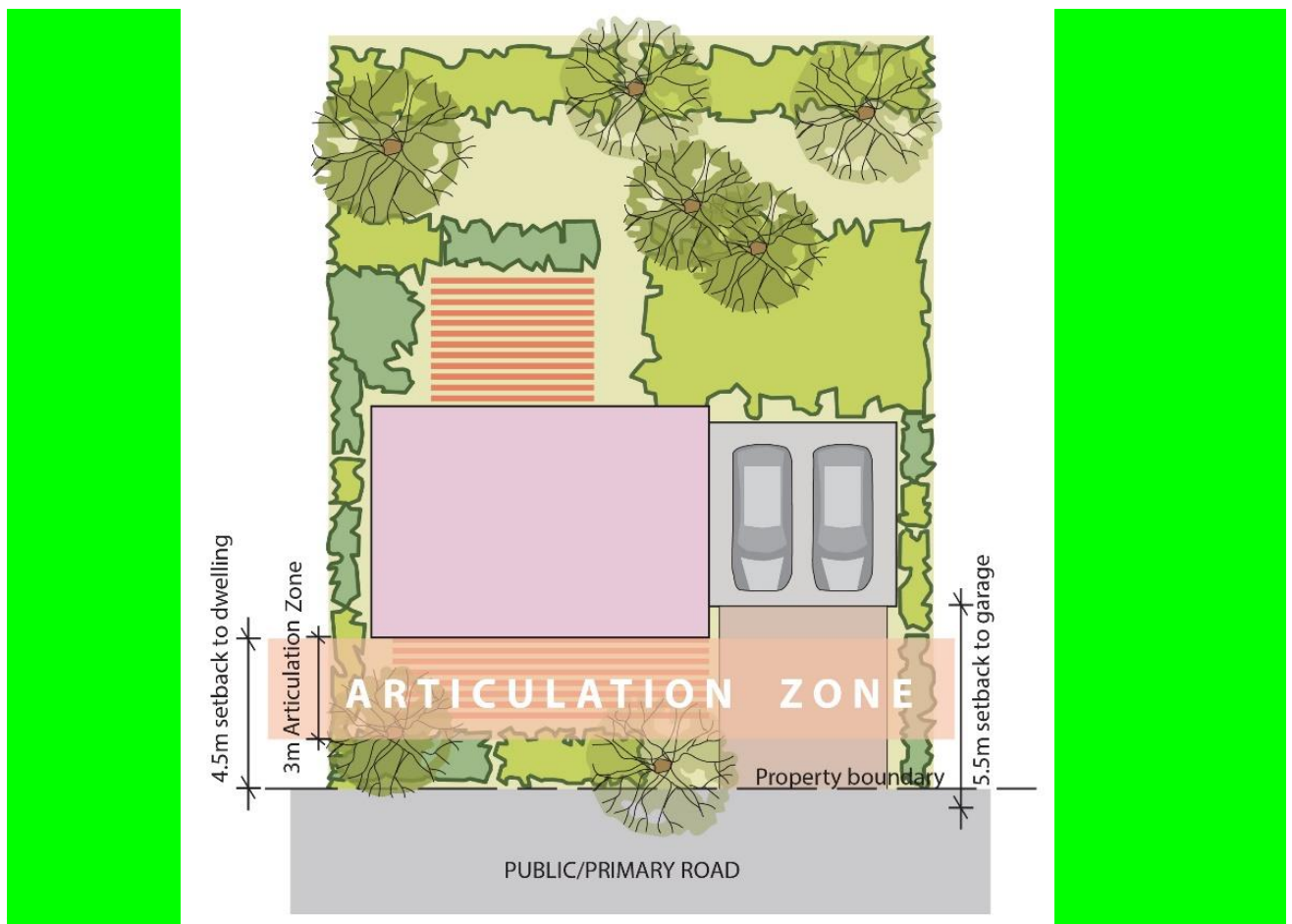
Amend existing requirement (1)(c) to require privacy controls for residential accommodation to minimise direct overlooking of all habitable windows and balconies on adjoining properties. Note that no amendments to figures are proposed, all existing figures are to remain unchanged. The amended control should read as follows:

- (1) Development for the purpose of residential accommodation is to be:
- (a) of an appropriate scale to the existing streetscape as detailed in the following figure; and

- (b) designed to allow for some outlook to streets, lanes or other public space areas to increase passive surveillance; and
- (c) designed so that private open space and habitable rooms of proposed and existing dwellings are protected from ~~to minimise~~ direct or unreasonable overlooking from ~~of living areas and private open spaces of~~ other dwellings and tourist and visitor accommodation buildings on adjacent lots, including, where appropriate, through the following siting and design measures;
  - (i) appropriate separation distances;
  - (ii) responsive dwelling layout;
  - (iii) off-setting windows in relation to adjacent windows;
  - (iv) screening devices such as solid, battened or translucent screens, opaque glass windows, fences, louvres, perforated panels and trellises;
  - (v) solid or semi-transparent balustrades or screens to balconies or terraces;
  - (vi) off-setting balconies in relation to adjacent balconies; and
  - (vii) providing vegetation as a screen; and
- (d) designed to minimise impacts on existing views and view corridors; and
- (e) designed so that garages and parking structures do not dominate the street frontage as demonstrated in the following;

**[49] Amendment to images**

Amend existing image ‘recessed garage example’ to indicate the proposed amendments to the front setbacks standards for both dwellings and attached garages.



## [50] Addition of new requirement

Include a new requirement, after requirement (6), to introduce design requirements for buildings on steep land that front a public road or are highly visible from a public space, to ensure that such development does not negatively impact on the character of the streetscape or locality. The new requirement should read as follows:

- (7) Development on steep land that fronts a public road or that is highly visible from a public space is to ensure that such development does not negatively impact the character of streetscape or locality.

## [51] Addition of new requirement

Add a new requirement, after requirement (7), to require — Silver Level compliance with Liveable Housing Design Guidelines for all housing types; and Gold Level compliance with Liveable Housing Design Guidelines for a minimum of 20% of dwellings within multi-dwelling housing, attached dwelling, residential flat building and serviced apartment developments. The new requirement should read as follows:

- (9) Residential accommodation is to comply with the following performance level of the Livable Housing Standards:
  - (c) Gold Level compliance for a minimum of 20% of dwellings within multi-dwelling housing, attached dwelling, residential flat building and serviced apartment developments;
  - (d) Silver Level compliance with Liveable Housing Standards for all other housing types.

## [52] Exceptions to D5.6 Requirement (8)

Include new exceptions to proposed requirement (8) in certain circumstances. The new exceptions should read as follows:

- Requirement (8) does not apply to;
  - alterations and additions to existing dwellings.
  - heritage items or development within a heritage conservation area.

## Notes

### [53] Voluntary approach to provision of Livable Housing

The following livable housing guidelines and design standard resources are identified to enable a voluntary approach to provision of livable housing in new residential accommodation development.

- The following voluntary livable housing design resources outline how residential accommodation can be designed to meet the changing needs of occupants throughout life, should a developer or housing provider choose to do so:
  - Livable Housing Australia's Livable Housing Design Guidelines - provides technical advice and guidance on the key living features that make a home easier and safer to live in for people of all ages and abilities. The guidelines detail 3 performance levels for liveability — silver, gold, and platinum — which range from basic requirements through to best practice.
  - Australian Building Codes Board (ABCB) Voluntary Standard for Livable Housing Design: Beyond Minimum – a set of non-mandatory technical provisions that if complied with will enable dwellings to better meet the needs of the community, including older people and people with mobility limitations. This Voluntary Standard has been adapted from the 'Gold' level provisions of the Livable Housing Design Guidelines (LHDG), fourth edition, 2017.
  - National Construction Code (NCC) Livable Housing Design Standard – this Standard provides a set of technical provisions that if complied with enable dwellings to better meet the needs of the community, including older people and people with mobility limitations. NSW Government



has not applied this Standard to NSW and as such is currently referenced as a voluntary Standard for development in NSW.

## D5.12 Ancillary Development Requirements

### [54] Addition of new requirements and supporting figure

Include new requirements, after requirement (12), under the subheading “detached studio” as well as a new figure to support the new requirements. The new requirements are to provide clarity for detached studio development ancillary to a principal dwelling. The requirements should read as follows:

#### **detached studio**

##### (13) Detached studios are:

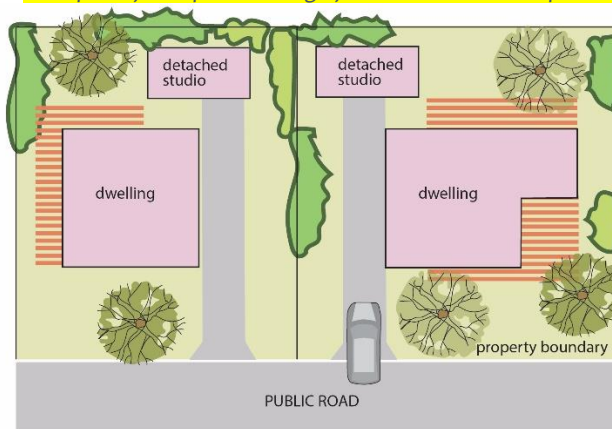
- (a) to be located within the curtilage of the principal dwelling and are not to be used for separate habitation;
- (b) to be designed so that they appear as a single cohesive development with a common driveway;
- (c) not to comprise kitchen facilities or internal partitions, other than those required for an ensuite or demonstrably required for the use of the studio;
- (d) to be designed and located to avoid environmental and/or amenity impacts;
- (e) not to require the provision of additional utility services over and above that required by the principal dwelling.

##### (14) Development applications for detached studios are to be accompanied by a floor plan and statement of intended use demonstrating that the studio is required for a purpose that, due to the nature or space requirements is not practical to undertake within the confines of the dwelling.

**Example of Acceptable Vs Unacceptable Detached Studio Proposals**



**Examples of Acceptable Siting of Detached Studio Proposals**





## Part E Environmental Controls

### E1 Biodiversity

#### E1.5 Application Requirements

##### [55] Amendment to existing requirement

Amend requirement (10) to ensure that the 'avoid, minimise, offset hierarchy' principles are taken into consideration. The amended requirement should read as follows:

##### Ecological Assessment

(10) Ecological assessment reports are to identify actions to avoid, mitigate or offset projected impacts from the proposed development and are to demonstrate that the offset hierarchy principles have been taken into consideration.

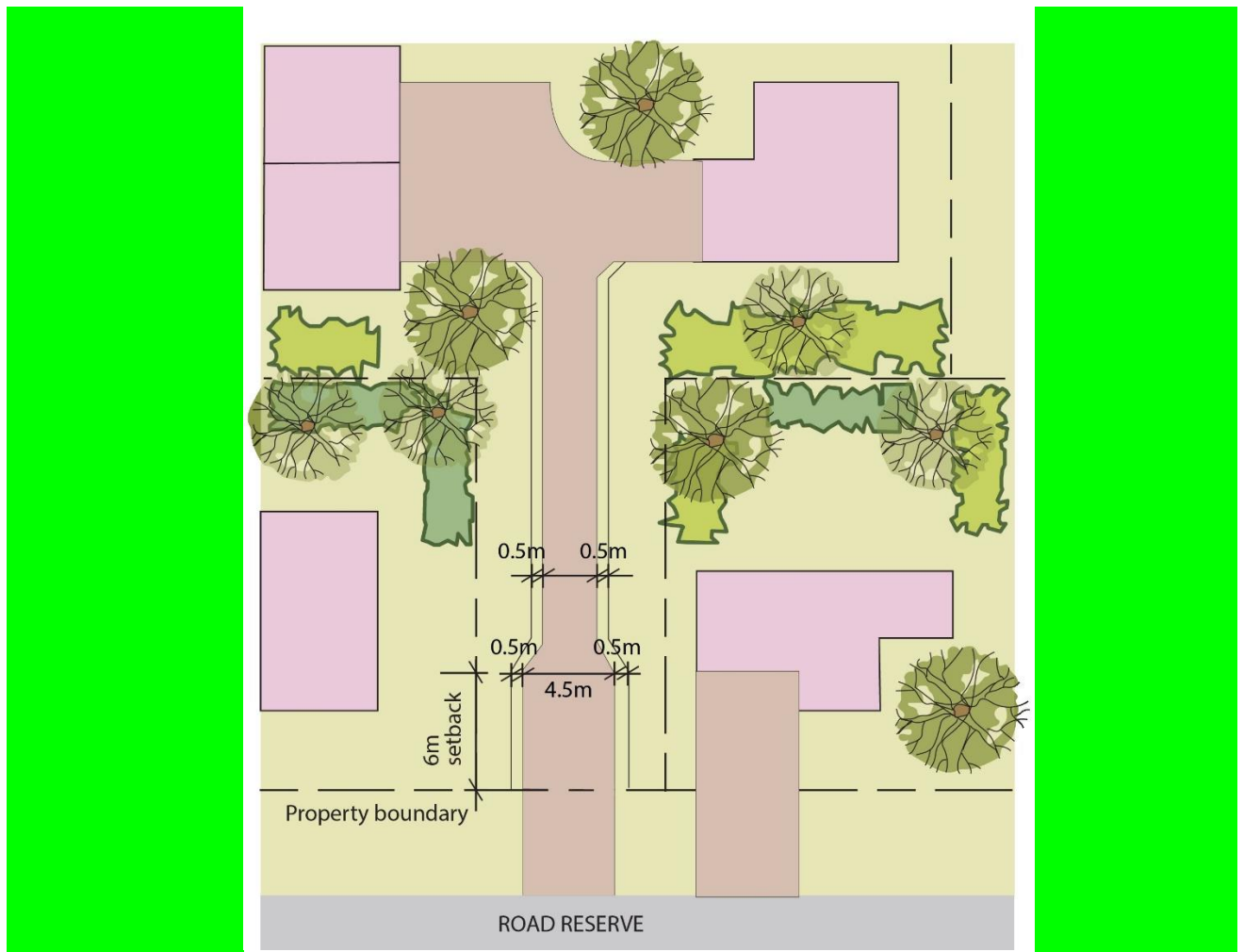
## Part F General Development Controls

### F1 Access and Parking

#### F1.2 Vehicular access and manoeuvring – residential

##### [56] Amendment to images

Amend existing image 'shared driveway example' to indicate that the 6m setback applies to the driveway and not the residential dwellings.



## F1.4 Onsite Parking- Residential Uses

### Exceptions

#### [57] – Addition of a new exception to support housing diversity

Addition of a new exception to implement incentives to promote smaller dwelling types in all residential zones, in suitable locations, by removing minimum requirements for parking spaces for studio apartments and dwellings with 1 or 2 bedrooms. The new exception should read as follows:

- Requirements (1) and (2) of this control do not apply to development for the purposes of residential accommodation comprising studio apartments, 1 or 2 bedroom dwellings to facilitate housing diversity.

## F3.2 Landscaping Requirements – Residential Areas

### Requirements

#### [58] Amendment to existing requirement

Amend requirement (2) to control site coverage for all residential development with minimum landscaping requirements as follows: one dwelling = 35% percentage of site area; and two dwellings = 30% of site area. For three or more dwellings retain existing Coffs Harbour DCP 2015 controls. The amended requirement should read as follows:

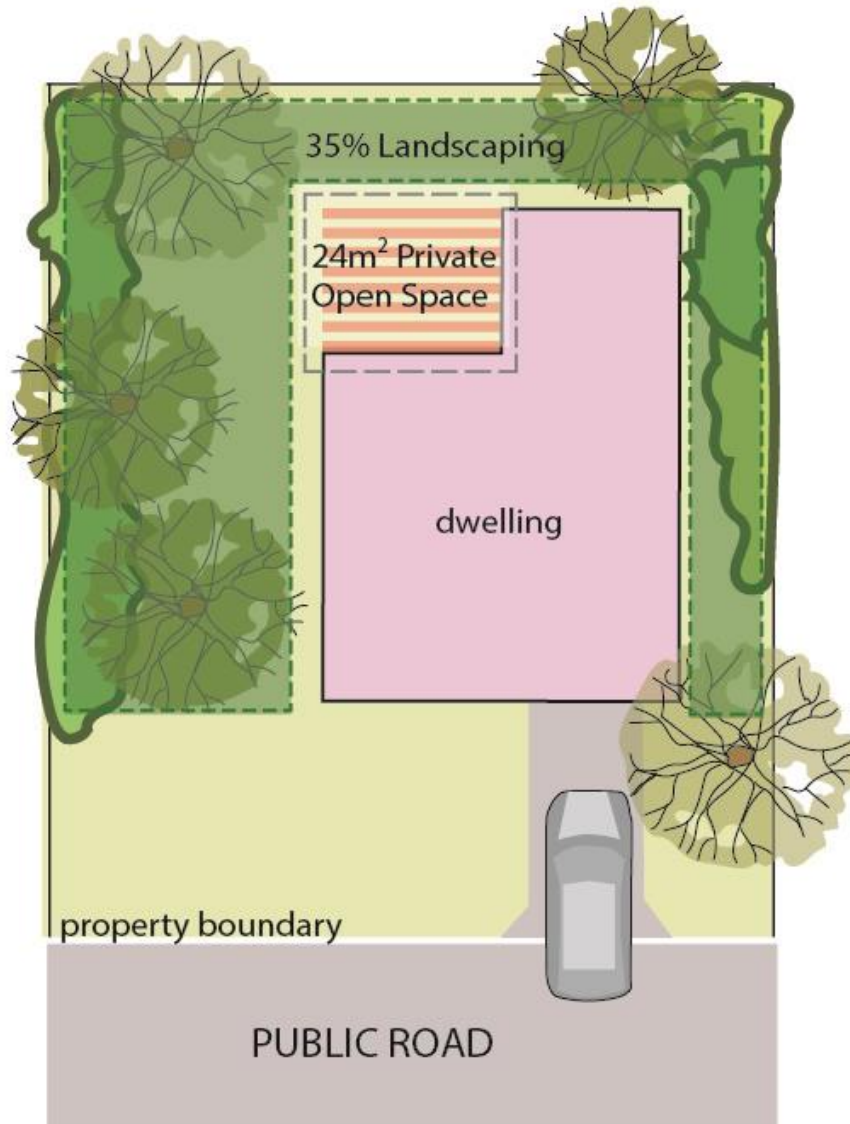
- (2) The minimum area of the site to be set aside as deep soil zones for soft landscaping ~~on land zoned R1 General Residential, R3 Medium Density Residential and R4 High Density Residential under Coffs Harbour LEP 2013~~ is to be in accordance with the following table:

Number of Dwellings	Minimum area of deep soil zone landscaping per site area
1	35%
2	30%
3	25%
4	20%
≥5	15%

#### [59] Addition of new image

Add a new image to ‘Landscaping and private open space for 1 dwelling lots’ to reflect landscaping requirements.

#### Landscaping and private open space for 1 dwelling lots



### F3.2 Landscaping Requirements – Residential Areas

#### Exceptions

[60] Remove the first exception

Delete the first Exception to ensure development for the purposes of dual occupancy, dwelling house and/or semi-detached dwelling provide landscaping requirements. The following text is to be removed:

- ~~The requirements of this control do not apply to development for the purposes of a dual occupancy, dwelling house, semi-detached dwelling or secondary dwelling.~~

## Part I Schedule of Amendments

### Schedule of Amendments to Coffs Harbour DCP 2015

#### [61] Update schedule of amendments

Update schedule of amendment table to reflect details of amendment *Coffs Harbour Development Control Plan 2015 Amendment No. 26 (Local Growth Management Strategy Actions – Part 1)*. The updated row should be placed according to the date the amendment is effective from, and details will be updated if, and when the amendment comes into force. The updated row should read as follows:

Amendment	Area	Name	Council Decision	Date of Councils Resolution	Effective From
No. 26	City of Coffs Harbour LGA	Coffs Harbour Development Control Plan 2015 Amendment No. 26 (Local Growth Management Strategy Actions – Part 1)	Date - TBA	Date - TBA	Date - TBA

#### Link to Coffs Harbour DCP 2015 Mapping Amendments

[Link to mapping changes for Front Setback Mapping and Side and Rear Setback Mapping](#) as referenced by amendment items [16],[21],[40] and [43].