
Part 3 Residential Development on Non- Urban Land

3.1

Application

3.1 Application

Part 3 sets out controls relating to the following residential and ancillary development located in non-urban land:

- fencing;
- dwellings houses;
- rural worker's dwellings;
- rural dual occupancies;
- domestic outbuildings; and
- residential subdivision.

The design requirements contained within Part 3 complement the provisions contained in Part 2, Volume 1 of the Plan.

Important Note: Nothing in this Part shall be taken to mean that rural worker's dwellings, rural dual occupancy (attached) and/ or rural dual occupancy (detached) are permissible within all of the non-urban land. It is important to check the permissibility of this type of development for a particular site under the relevant EPI before proceeding with a development application.

Important Note: Proposed residential development with Bush Fire Prone Lands shall comply with the requirements of Planning for Bush Fire Protection 2006 (as amended), prepared by NSW Rural Fire Service.

Note: Planning for Bushfire Protection 2006 Document is available for view/download from NSW Rural Fire Service Website at www.rfs.nsw.gov.au

3.2 Building Form and Character

3.2

Building Form and Character

Objectives:

- Ensure that the aesthetic and environmental values of non urban land are appropriately conserved.
- Ensure that the massing, scale, form, colour and appearance of new development are complementary to the existing and desired residential buildings in the neighbourhood.
- Ensure that buildings are designed to enhance the existing and future desired built form and character of the neighbourhood by encouraging innovative and quality designs that fit harmoniously with their surroundings.
- Ensure that parking areas, garages and driveways are appropriately sited, designed and constructed so that they do not detract from the appearance of the development or the streetscape.

3.2.1 Siting & Streetscape

- a) Developments shall be designed to fit the existing contours and landform of the site and to minimise the amount of cut and fill.
- b) Details of materials, colours and finishes of roofing, fencing and walls shall be submitted to Council as part of the development application.
- c) Materials, colours and finishes of roofing, walls, driveways and fencing shall:
 - i) not be obtrusive;
 - ii) not be highly reflective and/or include bright colours;
 - iii) complement or be recessive to the landscape setting in which the building is to be situated;and
 - iv) be submitted to Council as part of the development application.
- v) Garages and outbuildings shall be designed and located so that they do not dominate the primary street frontage of the building as viewed from the street and prominent public places.

3.2 Building Form and Character Non-Urban Land

- d) Garage doors facing public streets shall be no wider than 50% of the width of the main dwelling (at its street fronting facade).
- e) Highly reflective materials and bright colours for roofing shall not be allowed.
- f) Building shall not be sited downstream from existing dams in order to reduce the potential for inundation of the buildings if the dam falls or overtops.

3.2.2 Fencing on Non-Urban Land

- a) Fencing shall:
 - i) be a maximum of 1.8 metres in height;
 - ii) be of an open style for any part of the fence that is higher than 0.6 metres except for the parts of the fence that are pillars or columns;
 - iii) not be constructed of solid metal sheeting unless required by a Bush fire Risk Management Plan prepared by a qualified person; and
 - iv) complement the design of the development.
- b) Despite 3.2.2 a) above, entry gates to rural properties and fence pillars/columns shall be permitted to be constructed of solid materials such as brick and the like.
- c) Fencing shall not obstruct power, water, sewer, gas or telephone services, drainage systems, (including overland flow paths) or any easements or rights of way.
- d) Fencing on corner allotments shall not obstruct the sight distance of traffic entering or within an intersection or roundabout.
- e) Details for fencing shall be submitted with the development application.
- f) If the land on which a fence is to be erected is bush fire prone land, the fence or retaining wall shall be constructed from non-combustible materials.
- g) A fence shall not be constructed so as to redirect the overflow of surface water onto adjoining properties.

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Building Form and Character Non-Urban Land

3.2.3 Building Height

Design Requirements

- a) Residential development on non-urban land shall:
 - i) not exceed 2 storeys;
 - ii) have a height not exceeding 7.2 metres at the upper most ceiling measured vertically from ground level (existing) ; and
 - iii) have a building height not exceeding 9.5 metres.
- b) The height of development shall not result in any significant loss of amenity (including loss of solar access and visual and acoustic privacy) to adjacent properties.

3.3

Car Parking and Access Non-Urban Land

3.3 Car Parking and Access - Non-Urban Land

Objectives:

- Ensure efficient and safe vehicle and pedestrian movement within, into and out of development.
- Ensure that the location and design of driveways, parking, service areas and access areas are practical, easily maintained, convenient, safe and suitably landscaped.

Design Requirements

- The minimum dimensions of any required parking space shall be 2.5 x 5.5 metres.
- The minimum internal dimensions of an enclosed garage shall be 3.0 x 6.0 metres.
- Transitional grades shall comply with AS2890.1 (as amended) Parking Facilities - Off-Street Car Parking.
- Driveways shall meet the following criteria:
 - constructed to a standard that allows for all weather access;
 - designed and located to follow contours to avoid excessive site works, erosion and sedimentation run off;
 - have a minimum width of 2.5 metres and a maximum width of 5.0 metres;
 - allow for entry to and exit from the property in a forward direction;
 - located to minimise the impact on vegetation and the removal of mature trees; and
 - one (1) driveway access is permitted per property, in addition to any access required by the NSW Rural Fire Service, where relevant.
- Driveways shall be located a minimum distance of 6 metres from the tangent point of any unsignalised intersection (refer to Figure 3.3).

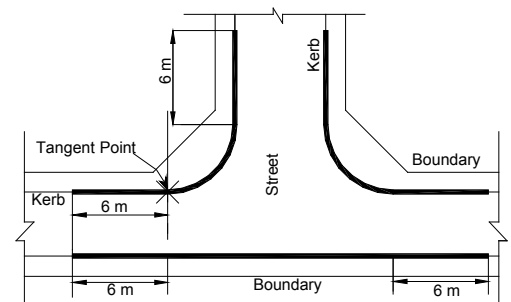


Figure 3.3 - Inappropriate locations of a driveway entry as shown by heavy edged lines.

3.3 Car Parking and Access Non-Urban Land

- f) Driveways shall be designed and constructed so that they do not divert stormwater from the adjoining road onto the property.

Note: In circumstances where an intersection is controlled by traffic signals, a roundabout or the like, applicants are requested to contact Council for specific requirements.

Note: For additional technical specifications relating to the location, gradient and driveway widths refer Council's Engineering Design for Development available from Council's website at: www.campbelltown.nsw.gov.au

3.4 Dwelling Houses, Rural Worker's Dwelling, Rural Dual Occupancy and Domestic Outbuildings on Non Urban Land

3.4 Dwelling Houses, Rural Worker's Dwelling, Rural Dual Occupancy and Domestic Outbuildings on Non-Urban Land.

This section applies to dwelling houses, rural worker's dwellings, rural dual occupancy, and domestic outbuildings located within non-urban land.

Objectives:

- Encourage quality-designed dwelling houses, rural worker's dwellings, rural dual occupancy and domestic outbuildings on non-urban land that make a positive contribution to the streetscape and character of the neighbourhood.

3.4.1 Dwelling Houses

- Only one dwelling house shall be permitted per allotment, providing that the allotment meets the minimum standards specified within the relevant planning instrument that applies to that land subject of the development application.
- The minimum setbacks for a dwelling house shall be in accordance with the setback requirements for dwelling houses shown in Table 3.4.1.

Important Note: Despite any other provision of the DADCP, rural developments within Bush Fire Prone Lands must comply with the setbacks requirements under Planning for Bush Fire Protection 2006, NSW Rural Fire Services (as amended). Refer to Section 2.14.3 of Volume 1 of the Plan.

3.4.2 Rural Worker's Dwelling

- A rural worker's dwelling shall only be permitted where the relevant planning instrument that applies to the land subject of the development application allows for this type of development to occur.
- Only one rural worker's dwelling shall be permitted per allotment, providing that the allotment meets the minimum standards specified within the relevant planning instrument that applies to the land subject to the development application.
- A rural worker's dwelling shall not exceed 120 sqm in gross floor area.
- A rural worker's dwelling shall have the same road access as the principal dwelling.

- e) An application for a rural worker's dwelling shall demonstrate to Council that the rural worker's dwelling shall be occupied by an employee of the farm or a contractor.
- f) The minimum setbacks for a rural worker's dwelling shall be in accordance with the setbacks requirements shown in Table 3.4.2.

3.4.3 Rural Dual Occupancy

- a) A rural dual occupancy development shall only be permitted where the relevant environmental planning instrument that applies to the land, subject of the development application, allows for this type of development to occur.
- b) Only one rural dual occupancy development shall be permitted per allotment, providing that the allotment meets the minimum standards specified within the relevant planning instrument that applies to the land subject to the development application.
- c) Notwithstanding Clauses 3.4.1 a) and 3.4.2 a) the total number of dwellings that occupy a certain allotment of land, shall be limited to two (2) dwellings, (i.e. on one allotment, and subject to the permissibility under the relevant EPI, you are only allowed one principle dwelling and one rural worker's dwelling, or a rural dual occupancy attached or detached, consisting of a total of two (2) dwellings per allotment).
- d) The minimum setbacks for a rural dual occupancy shall be in accordance with the setback requirements shown in Table 3.4.1.
- e) Each dwelling within a rural dual occupancy shall be provided with a minimum one off street car parking space.
- f) A rural dual occupancy (attached)

Note: For Provision of Services (water, electricity and waste water treatment requirements), refer to Section 2.16 Provision of Services under Volume 1 Part 2 of the Plan.

Proposed residential developments within Bush Fire Prone Lands shall comply with the requirements of Planning for Bush Fire Protection 2006 (as amended), NSW Rural Fire Service. Available for view/download at:

www.rfs.nsw.gov.au

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Dwelling Houses, Rural Worker's Dwelling, Rural Dual Occupancy and Domestic Outbuildings on Non Urban Land

3.4 Dwelling Houses, Rural Worker's Dwelling, Rural Dual Occupancy and Domestic Outbuildings on Non-Urban Land

development shall:

- i) be constructed under the same roofline; and
- ii) shall have the appearance of one dwelling.

Note: Attaching two dwellings via a breeze way or a carport shall not be considered to meet the requirements of Clause 3.4.3 f) above.

Table 3.4.1 Setbacks for Dwelling Houses and Rural Dual Occupancies in Non-Urban land.

Lot Size in hectares (ha)	Primary Street Setback in metres (m)		Side, Rear and Secondary Street Setbacks in metres (m)
	Single Storey	Double Storey	
Less than or equal to 1 ha	15 m	20 m	10 m
Greater than 1 ha	35 m	50 m	10 m

Table 3.4.2 Setbacks for Rural Workers' Dwelling - Rural Residential

Lot Size in Hectares (ha)	Primary Street Setback in metres (m)	Side, Rear and Secondary Street Setbacks in metres (m)
Less than or equal to 1ha	15m	10m
Greater than 1ha	35m	10m

Table 3.4.3 Setbacks for Domestic Outbuildings in Non-Urban land

Domestic Outbuildings Primary Street Setback (non-urban land)	Secondary Street Setback in metres (m)	Side and Rear Setbacks in metres in metres (m)
50 m or in line with the front elevation of an existing dwelling on the allotment, whichever is the lesser.	10 m	5 m for rural properties less than or equal to 0.4 hectare in site area and 10 m for rural properties with site areas larger than 0.4 hectares.

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Dwelling Houses, Rural Worker's Dwelling, Rural Dual Occupancy and Domestic Outbuildings on Non-Urban Land

3.4.4 Domestic Outbuildings on Non-Urban Land

- a) The combined areas of all 'detached' domestic outbuildings (including carports and garages) on non-urban land shall be a maximum of:
 - i) 150sqm on land having a site area less than 2 hectares; and
 - ii) 250sqm on land having a site area of 2 hectares or more.
- b) The building height for domestic outbuildings on non-urban land (including carports and garages) shall be a maximum of 7.0 metres.
- c) The minimum setbacks for a domestic outbuilding shall be in accordance with the setback requirements shown in Table 3.4.3.
- d) Domestic outbuildings shall:
 - i) incorporate similar or complementary design features, finishes, materials and colours to those of the principal dwelling;
 - ii) not contain any other sanitary fixtures other than a toilet and a hand basin; and
 - iii) not be used for any habitable, commercial, industrial or any other use that are not ancillary to the residential use of the principal dwelling.
 - iv) be designed and located to minimise adverse visual impacts on the environmental and scenic values of the non-urban land.

3.5

Residential Subdivision of Non-Urban Land

3.5 Residential Subdivision of Non-Urban Land

Objective:

- Ensure that land once subdivided, contributes positively to the desired character of the locality and provides for the safe and attractive integration of existing and new development.
- Ensure that subdivision responds to the physical characteristics of the land, its landscape setting, orientation, landmarks and key vistas to and from that land.
- Ensure that subdivision provides safe connections with and extension of existing street patterns, as well as any pedestrian, cycleway and public open space networks.
- Encourage subdivision that will result in the creation of allotments that are orientated, and of such dimension and configuration to facilitate the siting, design and construction of development resulting in the conservation of non-renewable resources and the environmental attributes of the land.

3.5.1 Subdivision of Allotments - 0.4 ha minimum

- a) The minimum subdivision standard for allotments that are subject to a 0.4 ha minimum in an EPI shall be in accordance with the relevant planning instrument that applies to the land subject of the subdivision development application.
- b) Allotments that are subject to the 0.4 ha minimum in an EPI lot size subdivision standard shall:
 - i) have a minimum street frontage of 45 metres;
 - ii) have a minimum frontage to depth ratio of 1:2.
- c) Battle-axe allotments that are subject to 0.4 ha minimum in an EPI allotment size shall:
 - i) have a minimum width of 45 metres;
 - ii) have a minimum frontage to depth ratio of 1:2;
 - iii) have a minimum area of 0.4 ha

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Residential Subdivision of Non-Urban Land

excluding access handle; and

- iv) have a minimum width of access handle of 6 metres.
- d) Where two access handles to battle-axe allotments are located adjacent to each other, reciprocal rights of carriageway shall be created so that only one drive way needs to be constructed.

3.5.2 Subdivision of Allotments - One (1) ha and two (2) ha minimum

- a) The minimum subdivision standard for allotments that are one (1) and two (2) ha minimum shall be in accordance with the relevant planning instrument that applies to the land subject of the subdivision development application.
- b) Allotments that are subject to the one (1) ha or two (2) ha minimum lot size subdivision standard in an EPI shall have a minimum street frontage of 60 metres;
- c) Battle axe allotments subject to one (1) ha and two (2) ha minimum allotment in an EPI size shall:
 - i) have a minimum width of 60 metres; and
 - ii) have a minimum width of access handle of 6 metres.
- d) Where two access handles to battle-axe allotments are located adjacent to each other, reciprocal rights of carriageway shall be created so that only one drive way needs to be constructed.

3.5.3 Subdivision of Allotments - 10 ha 40 ha, and 100 ha minimum

- a) The minimum subdivision standard for allotments that are 10 ha, 40 ha and 100 ha shall be in accordance with the relevant planning instrument that applies to the land subject of the subdivision development application.

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Residential Subdivision of Non-Urban Land

3.5.4 Road Construction

Design Requirements

- a) Proposed roads and any proposed changes to existing roads shall be constructed in accordance with Council’s Engineering Design for Development available from Council’s website at www.campbelltown.nsw.gov.au.
- b) Where relevant, roads shall be designed to provide satisfactory level of services for the evacuation of occupants in the event of emergency.
- c) Roads shall be designed given regard to terrain sensitivity and maximising ecological conservation.

3.5.5 Farm Dam Construction

- a) A development application shall be lodged with Council for any proposal that involves the construction of a new farm dam or modification to an existing dam.
- b) Dam construction shall comply with the requirements of NSW Office of Water Guidelines.
- c) All development applications for any proposal that involves the construction of a new dam or modification to an existing dam shall be accompanied by:
 - i) all licences required by the NSW Office of Water or NSW Department of Investment and Industries where relevant; and
 - ii) a geotechnical report prepared by a suitably qualified person; and
 - iii) as assessment by a suitably qualified person of the changes to local hydrology that the dam may create.
- d) Any farm dam that is proposed to be located upstream of an existing or proposed dwelling shall be referred by Council to the NSW Dams Safety Committee for concurrence.

Important Note:

When building a farm dam, it is important to make sure that the appropriate consent or licence from the relevant government authority has been obtained.

For Information on farm dams licences contact the NSW Office of Water. Website www.water.nsw.gov.au

Under the Fisheries Management Act 1994, any new dam or modification to an existing dam may require the owner to provide for fish passage. NSW Fisheries Office website:

<http://www.dpi.nsw.gov.au/fisheries>