

DRAFT PLANNING POLICY No. 5

Dual Occupancy Development Subdivision Policy

Adopted:

Effective:

Reference: 34829

June 2007

ADOPTED BY COUNCIL:

XXXXX

and

BECAME EFFECTIVE ON:

XXXXX

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1. INTRODUCTION

Title of Policy

The title of this Policy is Shoalhaven Planning Policy (SPP) No.5 - Dual Occupancy Development – Subdivision Policy.

Where does this Policy apply?

This Policy applies to certain land zoned Residential 2(a1), 2(c) or 2(e) under Shoalhaven Local Environmental Plan 1985 (SLEP 1985), and that is located in Nowra, Bomaderry, North Nowra, West Nowra, South Nowra, Worrigee, Huskisson, Vincentia, Sanctuary Point, St Georges Basin, Culburra Beach, Sussex Inlet, Mollymook, Mollymook Beach, Milton and Ulladulla.

This Policy only applies in existing developed areas, and aims to discourage grouped dual occupancy developments.

'Existing developed areas' relates to infill development, and refers to construction on scattered lots in developed neighbourhoods where services are already available.

Construction on large parcels of vacant land in relatively undeveloped neighbourhoods is not considered consistent with the meaning of existing developed areas.

What is the purpose of this Policy?

Despite the provisions of DCP No.100 (Subdivision Code), This Policy allows Council to considers applications for the subdivision of dual occupancy developments, provided that requirements, objectives, performance criteria and acceptable solutions as outlined within this policy are met to the satisfaction of Council.

What are the objectives of this Policy?

- To encourage the subdivision of dual occupancy development in appropriate locations, (being those in close proximity to centres) and to optimise the use of residential land in these areas.
- To increase the range of housing choice in Shoalhaven.
- To maximise use of existing services and facilities including transport systems, community facilities, roads, water and sewerage systems.
- To maintain and enhance the amenity of existing and future residential areas.
- To minimise the impact on adjoining or adjacent properties by considering the cumulative impact of development to which this policy applies.
- To ensure appropriate standards and controls are in place to guide the subdivision of dual occupancy development.
- To respond to demographic needs, specifically in relation to the ageing population.
- To implement agreed strategic direction e.g. Housing Strategy.

All development applications shall demonstrate how the proposed development satisfies the abovementioned objectives of this Policy.

It should be noted that the onus is on the applicant to satisfactorily justify compliance with all objectives and performance criteria as outlined within this Policy, as part of their Statement of Environmental Effects (SEE). If this is not provided, the application will not be considered.

What type of development does this Policy cover?

This Policy applies to approved (i.e. with council consent) dual occupancy development, including both attached and detached dual occupancy development.

This includes concurrent applications for subdivision and dual occupancy development.

How does this Policy relate to other Policies and Plans?

In cases of inconsistency between this Planning Policy and an environmental planning instrument, the planning instrument will prevail. This Policy should be read in conjunction with all environmental planning instruments, Development Control Plans and other policies relevant to each development proposal.

Dual Occupancy development that is assessed against the criteria in this Policy for possible subdivision will-shall not result in any areas of non-compliance with Council's adopted DCP No.57 – Dual Occupancy Guidelines, except in relation to lot sizes and car parking. –and therefore the proposed dual occupancy development shall also satisfy the requirements of DCP No.57.

Where the abovementioned inconsistencies in relation to lot sizes (section 2.2 part d) exist between this Policy and DCP No.57, the requirements of this Policy shall prevail and be met. Where the abovementioned inconsistencies in relation to car parking (section 2.2 part i) exist, the requirements of both DCP No.57 and this Policy must be met.

Operation of this Policy

It is Council's intention to encourage well designed and innovative Dual Occupancy Development. The Policy is generally in the form of a Performance Based Approach document. All criteria identified in Section 2 of the Policy shall be addressed through consideration of the objectives, performance criteria and acceptable solutions. The requirements within this Policy are mandatory. Variations from the acceptable solutions are only achievable if it can be clearly demonstrated that the objectives and performance criteria will be satisfied.

Why has this format been selected?

This format has been selected to achieve a higher standard of urban housing, through encouraging the use of a performance based approach to design and assess the subdivision of dual occupancy developments.

Definitions

arterial road means indicated on the Shoalhaven Local Environmental Plan 1985 map by a continuous red band on white between bold black lines.

cul-de-sac refers to a street, lane etc closed at one end. The cul-de-sac head is the closed end and is designed to allow a turning area for vehicles.

existing developed areas relates to infill development, and refers to construction on scattered lots in developed neighbourhoods where services are already available. Construction on large parcels of vacant land in relatively undeveloped neighbourhoods is not considered consistent with the meaning of existing developed areas.

main road frontage in relation to land, means the frontage of that land to -

- (a) A main or arterial road; or
- (b) A road connecting with a main or arterial road, if the whole or any part of the frontage is within 90 metres (measured along the road alignment of the connecting road) of the alignment of the main or arterial road.

2. DESIGN ELEMENTS

Allotment size and location

Objectives:

- To encourage the subdivision of dual occupancy development in appropriate locations and ensure:
 - Developments are located in close proximity to commercial centres;
 - Grouped dual occupancy developments are minimised; and
 - Minimization of the impact that subdivision of dual occupancy developments (creation of smaller allotments) has on the existing character and streetscape of the locality.

Mandatory Requirements:

- Minimum area of the allotment (prior to subdivision) shall be 800m², or in the case of a cul-de-sac, the minimum area of the allotment (prior to subdivision) shall be 900m².
- Minimum lot size of any dual occupancy development after subdivision shall be 350m².

Performance Criteria	Acceptable Solutions
PC1: Allotments created after subdivision have convenient pedestrian access to a commercial centre. and where it is satisfactorily demonstrated that the following performance criteria can be met Council may consider minor variations to the minimum allotment size, only in exception circumstances and where it is satisfactorily demonstrated that the following performance criteria are met:	AS1: - Allotments created after subdivision are within 400m walking distance to a commercial centre. - Access route to the nearest service centre is of a gentle gradient (preferably with footpaths) that are convenient and allow accessibility to local services. Allotments created after subdivision shall contain the minimum areas required for private open space, landscaped area, car parking, clothes drying space etc. in accordance with Councils DCPs.
PC2: To minimise the occurrence of grouped dual occupancy subdivision developments.	 AS2: Allotments shall be located in 'existing developed areas'. Corner allotments (once subdivided) shall create a separate road frontage for each lot. Grouped (two or more) dual occupancy developments may not be subdivided if adjacent to or adjoining an existing subdivided dual occupancy development, unless it can be clearly demonstrated that objectives to reduce cumulative impacts (as indicated in PC6 andAS6 in Section 2;

Performance Criteria	Acceptable Solutions
	Building Design, Appearance and Townscape)
	on surrounding development can be met
	through best practice design standards.
	Where large lots characterize a
	streetscape, the applicant shall
	address how the proposed
	development compliments and
	positively relates to that streetscape.

Carparking

Objectives:

- To ensure access and parking is considered at the initial planning stages of each application (where relevant), and ensure access and parking are incorporated as part of the overall design.
- 2. To provide convenient, accessible and safe car parking that meets the needs of residents and visitors.
- 3. To reduce the incidence of kerb side parking particularly in areas where high traffic volumes or narrow pavement widths exist.
- 4. Ensure carports and garages do not dominate the streetscape, to ensure the opportunity for natural surveillance is maintained.

Mandatory Requirements:

Parking areas shall be nominated on Development Assessment (DA) plans.

Performance Criteria	Acceptable Solutions
PC1: The design of driveways and provision of parking areas enhances the safety of pedestrians, cyclists and vehicles, due to the additional traffic generated by the development.	AS1: Where the subject land has frontage to a main road er arterial, or there is limited space available to provide safe roadside parking; one on-site visitor car space per dual occupancy dwelling shall be is provided. Adequate vehicular maneuvering area shall allow vehicles to enter or exit the site in a forward direction.
 PC2: Where the subject land is located in a cul-desac head, precautions shall be taken to minimise the impact of the development in relation to; off-street car parking requirements that are increased due to the lack of availability of space for on-street parking. additional traffic generated by the development; and ease of maneuverability of vehicles in culde-sac heads. 	AS2: — One on site visitor car space per dual occupancy dwelling shall be provided.

Performance Criteria	Acceptable Solutions
PC3:	AS3:
Carports and garages should ensure they are designed to compliment the streetscape and maintain or enhance natural surveillance. They should not dominate the streetscape.	 A maximum of 50% of a building frontage (width) on each lot shall be occupied by garages as measured between the corresponding side property boundaries at the adopted front building line setback. Landscaping shall be maximised in between two or more garages to soften the appearance of blank garage doors and concrete driveways.

Building design, appearance and townscape

Objectives:

- 1. To encourage the creation of well designed dual occupancy development that is compatible and complementary to the surrounding built forms/sizes.
- 2. To maintain sensitivity to the landscape and environment of the locality.
- 3. To minimise cumulative impacts associated with multiple subdivided dual occupancy developments.
- 4. To minimise cumulative impacts resulting from dual occupancy developments in cul-de-sac heads.

Performance Criteria	Acceptable Solutions
PC1: To encourage best practice design standards that ensure: - compatibility between the existing local building forms and new development is maintained or enhanced the existing sense of place and street identity is supported through the new forms of development enhanced visual impact of additional built form.	 AS1: Individual developments should be architecturally designed to address local land form, views, existing natural vegetation, solar orientation and natural amenity. Use of a selection and/or combination of characteristic design elements and massing to help contribute to the existing streetscape. To ensure the scale and appearance of new development is compatible and sympathetic to existing development in the locality, particularly where that locality or development site has heritage significance or distinctive character. Variations in the design of individual proposals shall be provided to ensure diversity and minimise the amount of repetitive forms, unbroken roof ridge lines and unpunctuated facades. provide visual interest, avoid large flat regular building planes, and to minimise bulk and scale.

Performance Criteria	Acceptable Solutions
	the design of walls/fencing to avoid
	unrelieved, "blank" walls.
	The widths of the roads conform to DCP No.
	100 in order to facilitate extra traffic potential
	generated by increased densities.
	Relocatable or moveable dwellings and
	conversions of detached garages to create a
	dual occupancy development shall be
	consistent with the Standards for Temporary
	Moveable Dwellings for Aged or Disabled
	Persons and will only be permitted where the
	design, external materials and roof line are
	compatible with the existing dwelling and the
	standard of housing in the area.
E.g. Stepping back adjoining garages where	-"Mirror-image" attached dual occupancy
located on the front elevation to the street;	developments are generally not acceptable
adding verandahs, patios and porches.	unless an acceptable a suitable design
subdivision or an estate because	outcome can be achieved.
	Repetitive designs for dual occupancy
	developments will not be permitted.
	Private open spaces, recreation and clothes
	drying areas shall not be located forward of
	the front building line.
PC2:	AS2:
Ensure dual occupancy developments	- Retain existing vegetation and natural
enhance existing streetscape by maintaining	landform where possible; and
sensitivity to the natural landscape and	- Include a selection and/or combination of
environmental features of the locality.	species consistent with existing
	vegetation in the area in landscaping
	plans
	External appearance shall integrate with the
	local-streetscape.
PC3:	AS3:
Ensure dual occupancy developments reflect	Ensure the needs of localised street functions
the functions and characteristics of the street	and characteristics are met, through
in relation to:	documented, effective consideration of:
 Vehicle and pedestrian movements; 	 features such as schools, community
 Opportunity for community 	and recreation facilities, open space
integration; and	and various services as part of the
 Resident and visitor safety. 	site selection and design.
	■ the visibility, width and design speed
	of driveways;
	 pedestrian access that is visible and
	safe;
	maintaining high levels of natural
	surveillance; and
	maintaining consistency with or
	complementing existing setbacks.

Performance Criteria	Acceptable Solutions
PC4:	AS4:
Where the subject land is located in a cul-de- sac head, the impact of the development in relation to the bulk and scale of the development that is exacerbated by narrower road frontages shall be minimised.	 Dual occupancy development shall be detached; and Setbacks for each dual occupancy dwelling shall be staggered.
PC5: To minimise the impact on adjoining or adjacent properties, by considering the cumulative impacts of development to which this Policy applies.	AS5: Ensure that the cumulative impacts of multiple applications for the subdivision of dual occupancy development is considered by addressing: - Environmental impacts; increased runoff, removal of vegetation - Safety; increased vehicle and pedestrian traffic; potential for loss of natural surveillance - Social impacts; overshadowing, privacy, noise, and the obstruction of views - Existing character (and historical features where relevant) of housing to ensure identified characteristic features of the townscape are maintained and/or enhanced. In the case of new subdivisions, the location of lots to be developed for dual occupancy development shall be identified as part of the subdivision application.

Housing Requirements

Background/Explanation

An assessment of the social impacts of an ageing population on the Shoalhaven confirmed a critical need for appropriate housing for an ageing population and people with various levels of ability

(Refer "A Place for Aging?" Judith Stubbs and Associates April 2004)

Extensive research (including the abovementioned study) has shown there is a strong existing and future demand for housing developments that are designed to meet adaptable housing standards. Therefore, Council encourages dual occupancy developments to be designed to meet the Australian Standards for adaptable housing (AS4299).

Benefits of meeting the AS4299 standard include:

- Enables owners and/or residents to remain in their choice of residence for longer. (I.e.
 allows residents to remain close to friends through their existing neighborhood network,
 maintain community support through friendships and interest groups, and remain close
 to familiar local services.);
- Minimises the need for, and therefore the extra costs associated with, alterations and redevelopment of dwellings; and
- Improves environmental impacts (increased sustainability), through decreasing the need for extra materials if alterations and/or redevelopment is required.

To ensure implementation of the benefits as outlined above, Council has outlined minimum basic standards as acceptable solutions below, to be met by applicants. These standards shall be met for at least one of the dual occupancy dwellings to which this Policy applies.

Objectives:

- 1. To increase the range of housing choice and housing adaptability in Shoalhaven.
- 2. To encourage the development of housing suitable for people of any age or level of ability.

OPTION 1

Existing Dual Occupancy Developments:

Where dual occupancy developments have already been constructed (the applicant may choose to)

 meet the standards as outlined in the table below through alterations or redevelopment of one of the existing dwellings;

Or Council shall

 include as a condition of consent for both subject lots, under Section 88B of the Conveyancing Act 1919, that in the circumstance that alterations to development on or redevelopment of either lot takes place, the housing requirements of this Policy shall be adhered to as part of the development, prior to consent being able to be granted.

OPTION 2

Existing Dual Occupancy Developments:

 The housing requirements of this Policy are not mandatory for dual occupancy developments that have been approved and constructed before (insert date policy adopted).

Proposed Dual Occupancy Developments

Where either none or one of the dwellings exists for the proposed dual occupancy subdivision development, the requirements as outlined in the table below shall be met.

Performance Criteria	Acceptable Solutions
PC1: To increase the provision of adaptable housing that is designed in such a way that it can be modified easily in the future, with minimum inconvenience and cost to suit the occupant's needs of any age or level of ability.	AS1: Provide one dual occupancy dwelling in each pair that includes the following structural elements: 1. Vehicle Parking – including level hard surface (preferably covered); adequate space around parked vehicle for easy movement; accessible path connected to entry. 2. Level entry – at least one level entry, preferably main entry to dwelling; no level

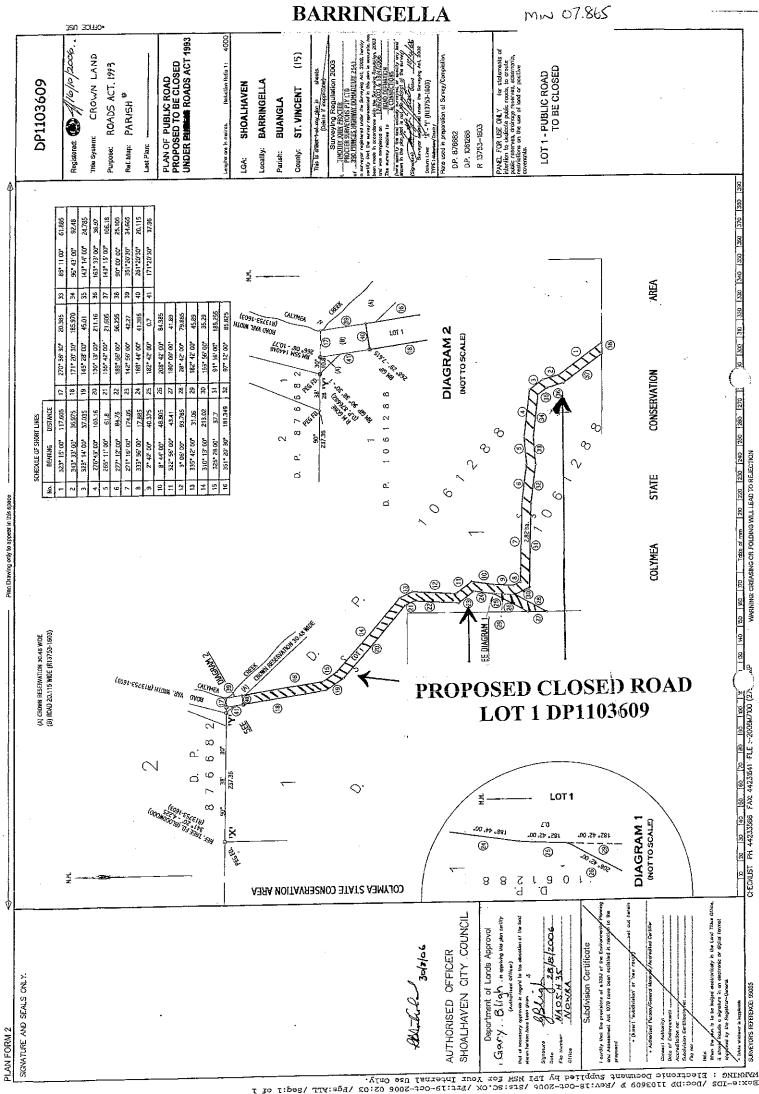
- change between internal and external; preferably covered, firm and slip resistant; 1550mm in front of entry door.
- Layout on main entry level shall have living space, one large bedroom, kitchen and bathroom, laundry facilities; logical connection between rooms; good visibility for safety; no level changes on main entry level; general circulation space to move around furniture and fixtures.
- Doors wide doorways throughout with spacious approaches and corridors (850mm min); any change of floor surfaces to be flush at doorways.
- 5. Bathroom level shower area; gently sloping floor from corners of room to single floor waste in shower; waterproof entire bathroom floor and 25mm above finished floor; reinforcement behind walls for future grab rail installation; the plumbing for basin waste to be fitted behind an internal wall; allow for generous space beside and in front of toilet.
- Handles and controls (includes switches and GPO's) – locate within reach at a convenient height for use by a person sitting or standing; lever handles that are easy to activate with a minimum force and manipulation.
- 7. Safety and function good visibility between all indoor and outdoor living areas; locks all external doors keyed alike.

Other Considerations:

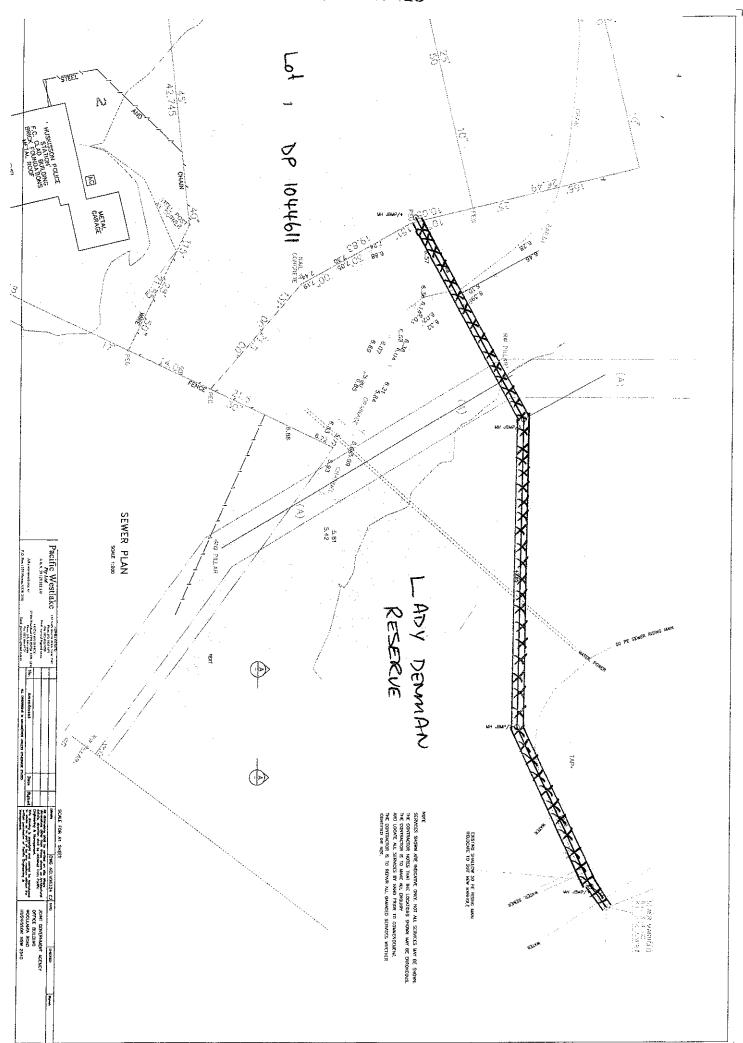
1) Council encourages proposals where the plan is prepared by a professional designer. Alternatively, a plan of a professional standard would be appropriate, as long as the final dual occupancy development results in a quality design outcome, to the satisfaction of Council.

Other requirements

2) In the case of new subdivisions, the location of lots to be developed for dual occupancy development shall be identified as part of the subdivision application.

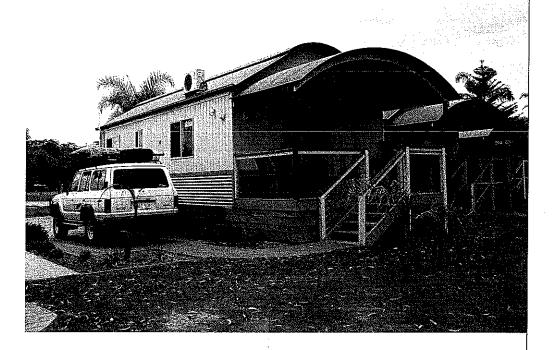


WARNING CREASING OR FOLDING WILL LEAD TO REJECTION





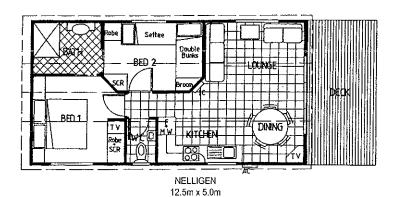
8-10 Sharon Road, Batemans Bay NSW 2536 Tel: (02) 4472 4199 Fax: (02) 4472 5036 Website: www.splendourhomes.com.au Email: alvannex@splendourhomes.com.au



Cabin 50.5m² Deck 12m² TOTAL 62.5m²

Nelligen

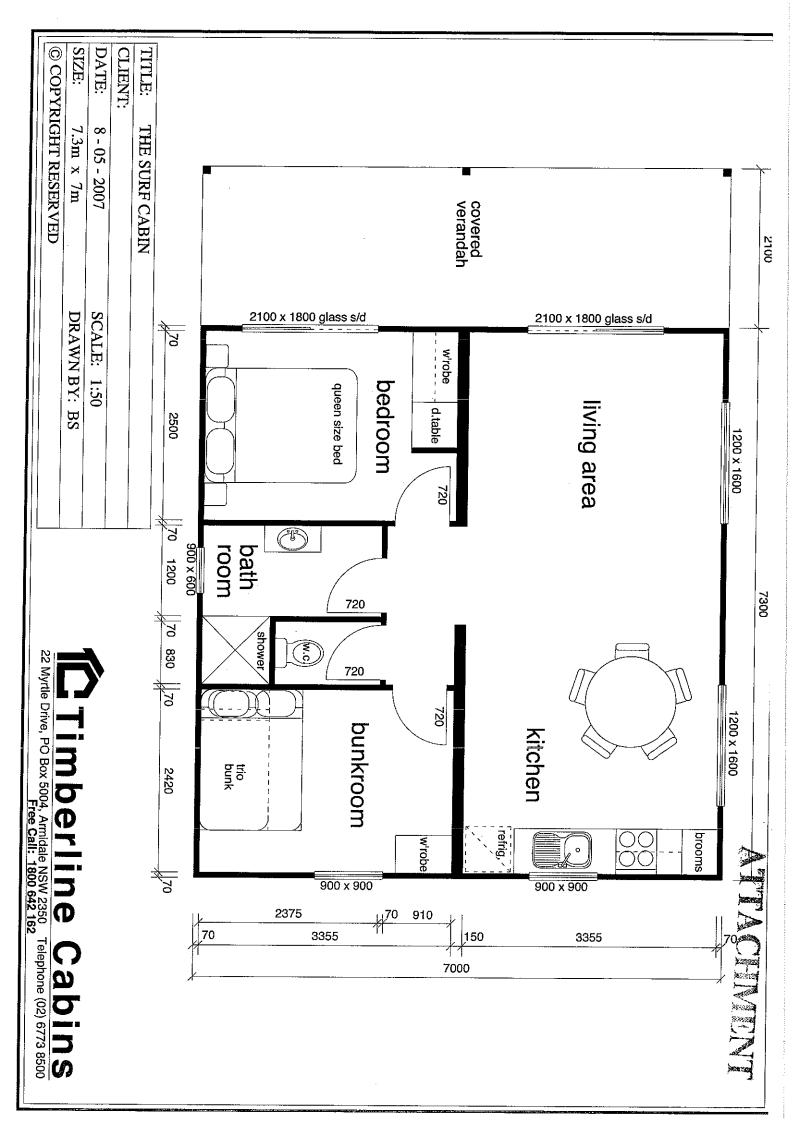
The best ever single wide family cabin, comprising two bedrooms, a separate toilet

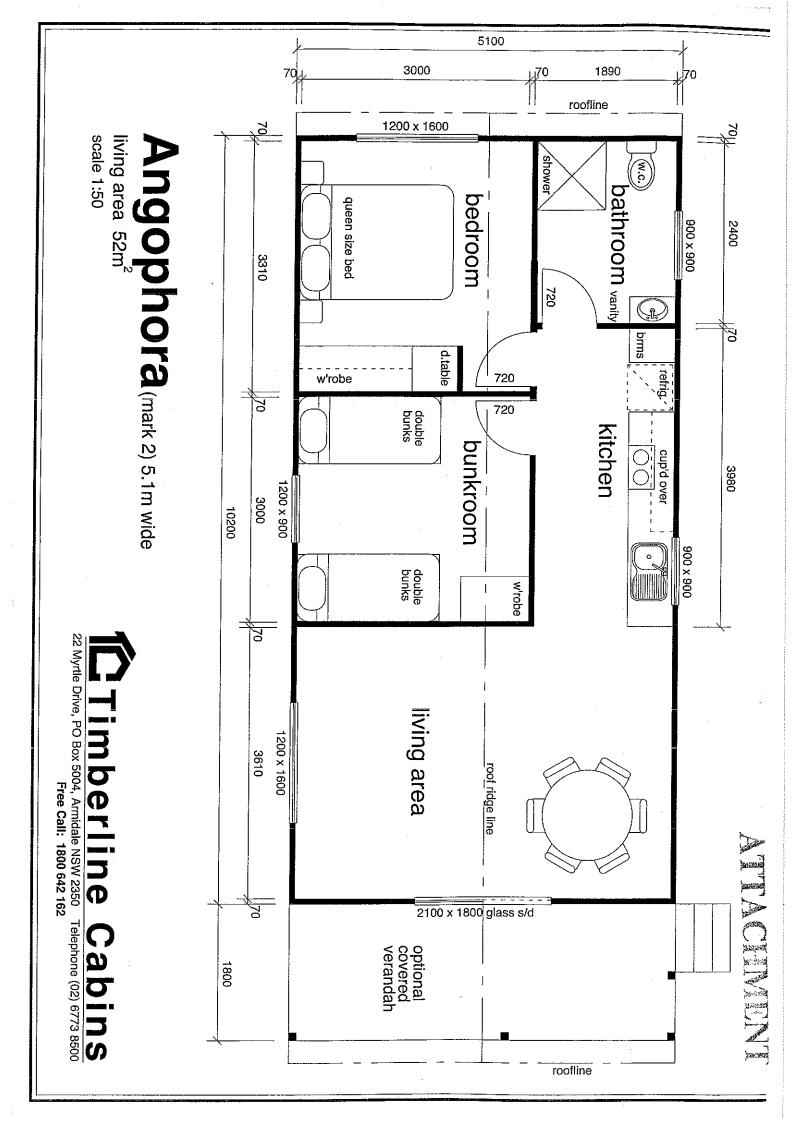


with basin, bathroom with large shower and vanity, a galley kitchen, and spacious living area. The Nelligen design is versatile according to overall site size and can be presented with luxury or budget fit out. Front entry is enhanced

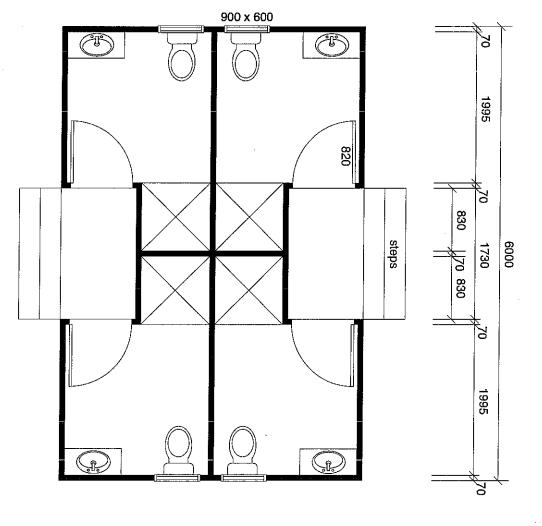
with a roof over the verandah. The roofline can be gable or curved. This cabin is our most popular model and suits any location.







DATE: © COPYRIGHT RESERVED CLIENT: TITLE: 8/5/07 QUAD. AMENITIES - PLAN A 6m x 4m SCALE: DRAWN BY: BS 1:50



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