

4.2 Dwelling House, Annexed Unit and Caretakers Residence Code

(1) PURPOSE OF THE CODE – Overall Outcomes:

- (a) *The Purpose of the Dwelling House, Annexed Unit and Caretakers Residence Code is the achievement of the overall outcomes sought for the establishment and use of Dwelling houses, Annexed units or Caretakers residences in the Shire.*
- (b) *The overall outcomes sought for a Dwelling house, Annexed unit or Caretakers residence are that uses and works are sited and designed so:*
 - (i) *their form and appearance is compatible with the scale, character and amenity desired for the local setting,*
 - (ii) *the wellbeing, safety and lifestyle of the community is maintained,*
 - (iii) *off-site impacts are minimised to an acceptable level,*
 - (iv) *environmental and landscape values of the locality in which they are situated are maintained,*
 - (v) *acceptable levels of privacy and amenity for residents of the premises and of adjoining premises are maintained, and*
 - (vi) *they operate within the safe and effective design capacity of the utilities, transport networks and community facilities servicing the area.*

(2) ELEMENTS

(a) General Siting and Design Provisions

(i) **Character:**

Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O1	Residential premises are compatible in form and design with the scale and appearance of existing buildings and works predominating in the local setting.	S1.1	Buildings containing residential premises have a height of not more than two storeys or 8.5 metres (including carparking level) measured above ground level.
		S1.2	Site coverage of all buildings and structures associated with residences on the site is no more than: <ul style="list-style-type: none"> (1) 50% in the Urban Locality; (2) 40% on lots under 2000m² that rely on on-site effluent treatment; and (3) 20% within the Rural Residential Locality
		S1.3	No <i>Dwelling house</i> is less than 60m ² in gross floor area.

(a) General Siting and Design Provisions continued**(ii) Natural and Man Made Hazard Risk Management:**

Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O2	<p>Areas susceptible to hazards associated with erosion, land slide, mass movement, flooding, drainage problems, salinity and instability are maintained in a state which minimises the following relative to the site and its setting:</p> <ol style="list-style-type: none"> (1) potential for significant adverse affects on habitats, water quality and landscape values, (2) unacceptable risks to public safety, (3) potential damage to property and essential service infrastructure, (4) adverse impacts on the capacity to use land and upon the economic value of water and land resources, and (5) unacceptable change to local flooding and drainage characteristics. 	S2.1	Buildings and works are sited on slopes no greater than 15% in gradient.
		S2.2	Buildings, structures and works (including areas for on-site disposal of treated effluent) occur: <ol style="list-style-type: none"> (1) on cleared land, (2) outside overland flow paths, gullies or other drainage paths, including stormwater discharge points, (3) at least the following from the top bank of a river, creek, stream or wetland¹: <ol style="list-style-type: none"> 1. 50 metres in the Rural Locality, and 2. 20 metres in other Localities, (4) at least 200 metres from the full supply level for any referrable dam², and (5) on free draining land so that: <ol style="list-style-type: none"> 1. habitable rooms within a building are: <ol style="list-style-type: none"> (i) above the 1% Annual Exceedance Probability (AEP) flood event, where known; or (ii) 300mm above the highest known flood level 2. non-habitable rooms within a building as well as carports, on-site areas for disposal of treated effluent and approved property accesses are 100mm above the highest known flood.

¹ Relevant details are depicted on SMOA map 2C² Relevant details are defined in Schedule 7 and depicted on SMOA map 2C

(a) General Siting and Design Provisions continued**(iii) Servicing:**

Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O3	Residential premises:	S3.1	Residential premises are provided with:
	(1) are adequately serviced by on-site parking in a safe, attractive and functional manner,	(1)	water supply and sewerage to the planned standard of service and construction nominated in Division 3 of Schedule 2,
	(2) have direct, safe, practical and trafficable access to a public road without impacting on local amenity and character or the safe and effective movement of passing traffic, and	(2)	a road frontage constructed to the planned standard of service and construction for reserve/carriageway, drainage and footpaths nominated in Division 1 of Schedule 2, and
	(3) are adequately serviced by essential utility infrastructure.	(3)	in the Rural Locality, a road frontage connected between the property access point of the premises and the nearest higher order road nominated on the Zone maps by a formed, constructed and gazetted public road with a planned standard of service in accordance with Table S2.1 of Schedule 2.
		S3.2	Rainwater (back-up domestic supply) tanks are provided on-site in accordance with Table S3.2 at the end of this Code.
		S3.3	In unsewered areas, land for on-site effluent treatment and disposal are set back to water resources in accordance with Tables S3.3 at the end of this Code.
		S3.4	Vehicle parking is provided on-site in all Localities, at the following rate and with design and construction in accordance with Division 2, Schedule 1:
			(1) <i>Dwelling house</i> – 2 spaces (including in tandem), or
			(2) <i>Caretakers Residence</i> – 1 space.
		S3.5	Site ingress and egress comprises:
		(1)	one (1) access point,
		(2)	a vehicle crossover located, designed and constructed in accordance with the standards nominated in Table S2.7 (a)(3) of Schedule 2, and
		(3)	arrangements so motorists can enter or reverse from a lot in a single movement without having to cross the verge area of another property, except where an access easement applies.

(b) Siting and Design of Dwelling Houses in Urban and Rural Residential Locality**(i) Siting and Density:**

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
O4 The residential character and density desired for the area is recognised through the siting and location of residential buildings and structures so that the amenity and privacy of occupants of the site and of neighbouring residences are maintained.	<p>S4.1 A lot is used for no more than one <i>Dwelling house</i>, except where:</p> <ol style="list-style-type: none"> (1) two <i>Dwelling houses</i> occur within an area with reticulated sewer, and (2) each <i>Dwelling house</i> is contained within a 800m² rectangular envelope with a maximum length to width ratio not greater than 4:1, and a minimum road frontage of 20 metres. <p>S4.2 Any dwelling unit in the Rural Residential Locality is set back at least 10 metres from all site boundaries</p>

(c) Siting and Density in the Rural Locality**(i) Density:**

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
<p>O5 Residential premises:</p> <ol style="list-style-type: none"> (1) support the farming practices on the site, (2) minimise adverse impacts on the farm management of adjacent properties, (3) prevent closer settlement in the un-serviced rural fabric, and (4) maintain an open, rural landscape character dominated by natural features and land extensive activities. 	<p>S5.1 Only one <i>Dwelling house</i> is erected on each site held in common farm management.</p> <p>OR</p> <p>S5.2 One additional <i>Dwelling house</i> is erected on a lot with an existing <i>Dwelling house</i>, where one of the dwellings will accommodate the owner of (or a household with bona-fide interests in) the land, and:</p> <ol style="list-style-type: none"> (1) any person or household actively engaged in a commercially productive or bona-fide rural use on the land resides in the other <i>Dwelling house</i>, (2) the area of the site is not less than 15 hectares, and (3) the siting and design of the additional <i>Dwelling house</i>: <ol style="list-style-type: none"> 1. ensures access to the site is taken from the existing on-site access and from the internal driveway servicing the existing <i>Dwelling house</i>, and 2. is within 100 metres of the original <i>Dwelling house</i>.

(c) Siting and Density in the Rural Locality continued**(ii) Amenity and Character:**

Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O6	The amenity and wellbeing of occupants is not adversely affected by the noise and dust from roads and rail in the rural fabric, particularly haulage routes.	S6.1	<p>Dwelling units (except as provided for in S6.2 below) are set back at least the following from the property boundary to any road or trail³ abutting the site:</p> <ul style="list-style-type: none"> (1) 40 metres from any State-controlled road or arterial road depicted on the Zone maps, (2) 20 metres from any other bitumen sealed road or rail line, (3) 20 metres from a stock route or Bicentennial Trail, or (4) 100 metres from any other gravel or unsealed public road.
		S6.2	Dwelling units on lots of an area less than 5 hectares are set back at least 10 metres from the property boundary to any road nominated in S6.1 above.
Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O7	The amenity and wellbeing of occupants of a dwelling unit in the rural area are not adversely affected by its proximity to rural activities on and surrounding the site, with new dwelling units located to maintain the open, rural landscape character of the setting.	S7.1	<p>Any dwelling unit on lots over 5 hectares in area is set back:</p> <ul style="list-style-type: none"> (1) at least 30 metres from all side and rear site boundaries; or (2) as specified in Element (g) (iii) of the SMOA for Economic Resources⁴.
		S7.2	<p>Any dwelling unit on lots less than 5 hectares in area is set back:</p> <ul style="list-style-type: none"> (1) at least 10 metres from all side and rear site boundaries; or (2) as specified in Element (g) (iii) of the SMOA for Economic Resources⁵.

³ Road hierarchy is shown on the Zone maps and other trails are depicted on PSP 8⁴ Refer SMOA map 2D and Code 3.8 in this planning scheme⁵ Refer SMOA map 2D and Code 3.8 in this planning scheme

(c) Siting and Density in the Rural Locality continued**(iii) Accessibility:**

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
O8 Residential premises are located on a site with frontage to a public road having a standard of construction and service necessary to accommodate traffic generated by the use.	S8.1 A dwelling unit is located on a site that: <ol style="list-style-type: none"> (1) fronts a formed, constructed and gazetted road, and (2) is connected between the access point on the frontage of the site and the nearest higher order road nominated on the Zone maps by a road complying with (1) above and which comprises a 4 metres wide, all-weather carriageway.

(d) Annexed Unit

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
O9 <i>Annexed units</i> are: <ol style="list-style-type: none"> (1) integrated with development on a site to present a <i>Dwelling house</i> character to the street frontage, (2) small scale, subservient and subsidiary in nature and complementary in style to the principal <i>Dwelling house</i> on the site, and (3) sited and designed to maintain acceptable levels of amenity and privacy for on-site and neighbouring residents. 	S9.1 An <i>Annexed unit</i> is located and designed so: <ol style="list-style-type: none"> (1) it does not exceed: <ol style="list-style-type: none"> 1. 70m² in gross floor area in the Urban Locality; or 2. 40% of the gross floor area of the principal <i>Dwelling house</i> to which it is annexed in any other Locality; and (2) there is no more than one <i>Annexed unit</i> per site; (3) the minimum lot size on which an <i>Annexed unit</i> is proposed is 800m²; (4) the number of bedrooms in the <i>Annexed unit</i> is not more than one; (5) the unit is: <ol style="list-style-type: none"> 1. constructed as an integrated component of the <i>Dwelling house</i> in the Urban Locality, or 2. located no more than 20 metres from the principal <i>Dwelling house</i> in any other Locality; (6) the <i>Annexed unit</i> shares its driveway and vehicle crossover with that of the <i>Dwelling house</i> to which it is annexed, and (7) 1 covered car parking space is provided adjoining the <i>Annexed unit</i> in addition to that for the <i>Dwelling house</i>.

(e) Dwelling Unit that is Relocated/Removed to or within a Lot for Habitation or any Building Altered or Constructed for Habitation**(i) Amenity and Aesthetics:**

Specific Outcome	Acceptable Solution (if self assessable)
	Probable Solution (if code assessable)
<p>O10 (1) The amenity, privacy, safety and outlook of existing occupants in an area is not adversely affected by any building for residential occupation:</p> <ol style="list-style-type: none"> 1. brought to a site or moved on a site for use as a <i>Dwelling house</i>, <i>Annexed unit</i> or <i>Caretakers residence</i>, or 2. involving alterations or construction for habitation (including kit and prefabricated construction units). <p>(2) Despite possible variations in architectural style, form, orientation and external materials, the buildings complement the character, scale and bulk of residential premises established in the area.</p> <p>(3) Works to the frontage of the site are not adversely affected by the building of the premises in terms of the effective operations of roads, drainage, footpaths, access points and other public utilities to maintain acceptable levels of public safety and wellbeing.</p>	<p>S10.1 A re-erected dwelling unit is positioned on a site to be within an average of 20% of the property set backs applicable to adjoining residential premises.</p> <p>S10.2 For any re-erected or altered dwelling unit which is over a storey in height, the ground level of the building is:</p> <ol style="list-style-type: none"> (1) built in, or (2) screened by batons or by a 2 metres wide landscape strip located along all road frontage and side property boundaries.

(f) Caretakers Residence**(i) Extent and Nature of Development:**

Specific Outcome	Acceptable Solution (if self assessable)	Probable Solution (if code assessable)
O11 <i>Caretakers residence are:</i>		
(1) subsidiary to, compatible with and a necessary support use for the care taking of the principal use on the same site, and	S11.1	Only one <i>Caretakers residence</i> is established on the site.
(2) compatible with the scale, character and amenity of the form and appearance of the setting.	S11.2	In the Rural Locality, a <i>Caretakers residence</i> may be operated in addition to the <i>Dwelling house</i> on the site.
	S11.3	In the Urban and Rural Residential Locality, where the site contains a dwelling unit, the unit is: <ul style="list-style-type: none"> (1) used for the <i>Caretakers residence</i>, or (2) removed prior to the development of the <i>Caretakers residence</i>.

(g) Outbuildings**(i) Amenity and Aesthetics:**

Specific Outcome	Acceptable Solution (if self assessable)	Probable Solution (if code assessable)
O12 Any outbuilding is designed and located to service the ancillary domestic non-residential needs of occupants of the primary residence on site in a manner that is visually unobtrusive in the setting.	S12.1	Outbuildings in the Urban or Rural Residential Locality do not exceed 54m ² and do not exceed a height of 1 storey or 3.5 metres.
	S12.2	Where within 200 metres of any property boundary, outbuildings are constructed of materials that do not involve wall sheeting in zincalume or other silver material.

Table S3.2

Location	Minimum Tank Volume (Litres) per Additional Dwelling unit
Unreticulated Area	45 000
Reticulated Area	22 500

Table S3.3

Minimum set back (metres) from:	Minimum set back (metres)
Top bank of waterway	50
Edge of a potable water supply provided by bore or gully dam on or abutting the site	30
Centre line of gully	15
Full supply level to a refrerrable dam	200