

***FORBES SHIRE COUNCIL***



***DEVELOPMENT CONTROL PLAN No.10***

***RESIDENTIAL DEVELOPMENT***

Prepared by the Environmental Services and Planning Department

Forbes Shire Council  
PO Box 333  
FORBES NSW 2871

*Plan adopted by Forbes Shire Council on 16 June, 2005  
Plan in effect from 27 June, 2005*

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## **1. INTRODUCTION**

The Forbes Shire prides its self in providing a high quality residential living environment for its resident population located in its rural setting. The protection of quality residential areas is vital to maintaining Forbes’s image as an attractive place to live.

This Development Control Plan has been prepared by Forbes Shire Council to advise owners and builders of Council’s objectives to ensure high quality residential development throughout the Forbes Shire. It provides basic minimum standards to assist developers in achieving these objectives and provides an outline of Council’s requirements for the submission of relevant information to accompany development applications for all forms of residential development, including single dwellings.

## **2. BACKGROUND**

The implementation of basic minimum standards for residential development will protect the existing streetscape quality and ensure new development complements residential character and amenity throughout Forbes. Development principles in the form of Objectives supported by underlying Development Standards will provide a flexible approach to control and enable developments to address their individual location, contribute to the streetscape whilst also providing for the individual design treatments and desires of the land owner. Accordingly it is considered appropriate to prepare this Development Control Plan to clearly establish Council’s requirements.

## **3. CITATION**

This plan shall be cited as Forbes Development Control Plan No. 10 - “Residential Development”, as provided under Section 72 of the Environmental Planning and Assessment Act, 1979 (as amended) and Clauses 20 - 24 of the Environmental Planning and Assessment Regulation, 2000.

## **4. ADOPTION**

This plan was adopted by Council on 16 June, 2005 and came into force on 27 June 2005 in accordance with Clause 20(4) of the Environmental Planning and Assessment Regulation, 2000.

## **5. LAND TO WHICH THIS PLAN APPLIES**

This plan applies to all forms of residential development throughout the Forbes Shire, including rural dwellings, urban dwellings, rural residential dwellings and multi-unit residential development.

## **6. APPLICATION**

This Development Control Plan supersedes and is intended to update the Forbes Shire Council Residential Policy.

Forbes Local Environmental Plan 1986 (as amended) identifies land use categories permissible with development consent and statutory requirements pertaining to allotment sizes and street frontages. This plan is to be read and applied in conjunction with Forbes Local Environmental Plan 1986 (as amended).

This plan is a matter to be taken into consideration by Council in assessing development applications under Section 79C of the Environmental Planning and Assessment Act, 1979 (as amended). In assessing development applications Council shall have regard to Forbes Local Environmental Plan 1986, this Development Control Plan and those matters detailed in Section 79C of the Environmental Planning and Assessment Act, 1979 (as amended) and any other relevant legislation that may be applicable.

The objectives for specific design elements are supported by minimum numerical standards which are intended to provide a guide for developers. Each application is assessed on its merits having regard to the specific site and strict compliance with the numerical standards does not guarantee development consent will be granted. Council has adopted a performance based approach to residential development and may vary these standards where the applicant can demonstrate that such variation will meet the underlying objectives and is likely to provide a better planning solution.

## **7. INFORMATION TO BE SUBMITTED WITH DEVELOPMENT APPLICATIONS**

To ensure that sufficient information is provided for assessment and reduce processing time, the following details should be submitted with all applications for residential development:

- A “Site Plan” indicating any existing and proposed buildings, including those to be demolished;
- A “Floor Plan” of the proposed dwelling/s;
- Full “Elevations” of the proposed dwelling/s;
- “Cross Sections” including accurate ground levels;
- A landscape plan indicating all grassed, paved and vegetated areas including species selection, pot size at planting and expected mature height (applications for multi-unit development only);

- A “Statement of Environmental Effects” outlining details of compliance with all relevant matters contained in this policy;
- An indication on either plans or written documentation of the proposed building materials;
- “Engineering Plans” indicating the proposed method of drainage of roof waters, surface waters and storm water from the site, including details of existing and proposed ground levels to achieve drainage;
- A “Cross-Section” of any proposed driveway, including design of footpath and driveway crossing; and
- All plans submitted with the application should be at an appropriate scale i.e. 1:100, 1:200.
- Flood Survey providing critical levels in regard to likely flooding impacts, (where appropriate). Refer to Development Control Plan No.6 – Managing Our Flood Risks.

Pre-lodgment meetings can be held with Council’s Assessing Officers to discuss the details of individual development proposals prior to the preparation of formal development applications. Council encourages all applicants to attend a pre-lodgment meeting to expedite the assessment and approvals process.

## **8. GENERAL OBJECTIVES OF PLAN**

The Objectives of this Development Control Plan are to:

- (a) Ensure a high quality of residential development throughout the Forbes Shire;
- (b) Encourage site responsive development which reflects the opportunities and constraints of individual sites and preserves or enhances its special qualities.
- (c) Ensure development is consistent and compatible with the established streetscape and character and enhances the amenity of residential areas; and
- (d) Assist developers and applicants in the preparation and submission of applications in order to expedite the assessment process.

## **9. DEVELOPMENT STANDARDS**

The Development Standards contained within this Development Control Plan have been divided into two (2) sections. Section 1 applies to Single Dwellings i.e. one dwelling upon one or more separate allotment.

Section 2 applies to all forms of multi-unit development being more than one dwelling upon a single allotment of land, whether or not the dwellings are attached.

Council's requirements are identified as “**Objectives**” which have been underpinned with appropriate “**Development Standards**” which seek to guide and control the residential development.

The **Objectives** state what Council is endeavoring to achieve in its control of the development. Each Objective is supported by **Development Standards**, which outline the preferred method of achieving the objective/s.

Council may vary the development standards where it can be demonstrated that the resultant development is consistent with the objective/s of that development standard and is likely to provide a better design and planning solution.

## **10. DEVELOPMENT STANDARDS – SINGLE DWELLINGS**

### **10.1 Lot Size and Dimensions**

#### **Objectives**

- To reflect the statutory requirements of Forbes Local Environmental Plan 1986.
- To ensure the creation of suitably sized allotments which reflect the prevailing residential character throughout the Forbes Shire.
- To ensure sufficient area is provided to accommodate the proposed dwelling and associated facilities.

#### **Standards**

1. The minimum allotment size for the erection of a dwelling-house upon regular shaped allotment shall be 550m<sup>2</sup>, having a minimum frontage at the street alignment of 16.8m.
2. In the case of a battle-axe shaped allotment, the minimum allotment size for the erection of a dwelling-house shall be 650m<sup>2</sup>, excluding the area of the access corridor.

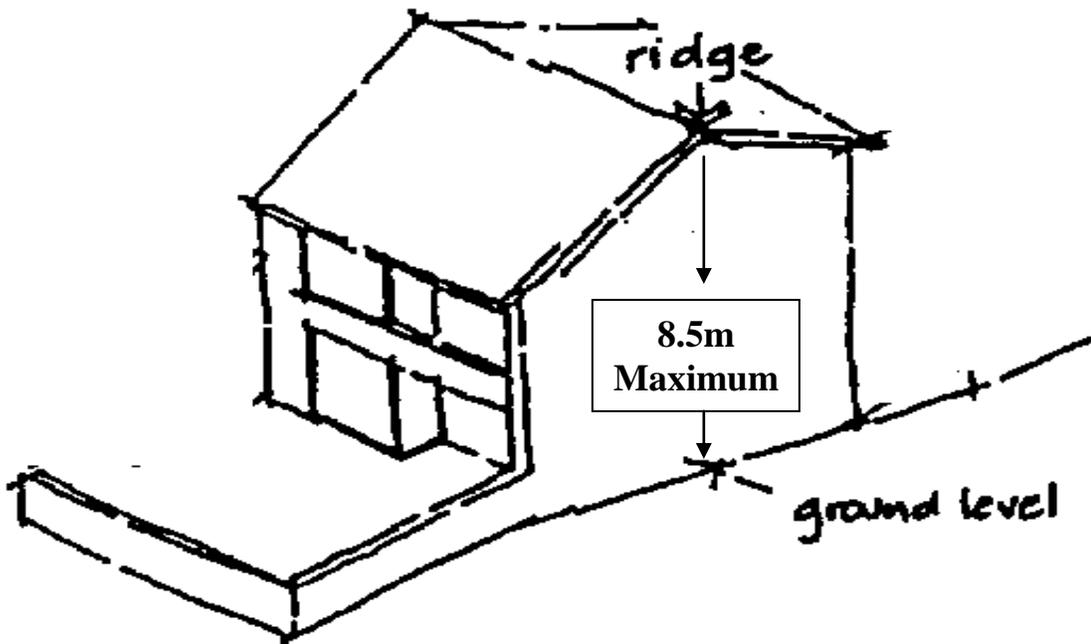
### **10.2 Height**

#### **Objectives**

- To ensure buildings are consistent with the predominant neighbourhood and street character.
- To ensure a consistency in bulk and scale of residential development.

## Standards

1. The maximum height of buildings shall be 2 storeys and 8.5 metres.
2. Height in metres is the distance measured vertically from the top most point of the building (not being a vent or chimney or the like) to natural ground level below.
3. A storey is the space between two floors or the space between any floor and its ceiling or roof above.



**Illustration No.1 – Representation of Height**  
Source: AMCORD 1995

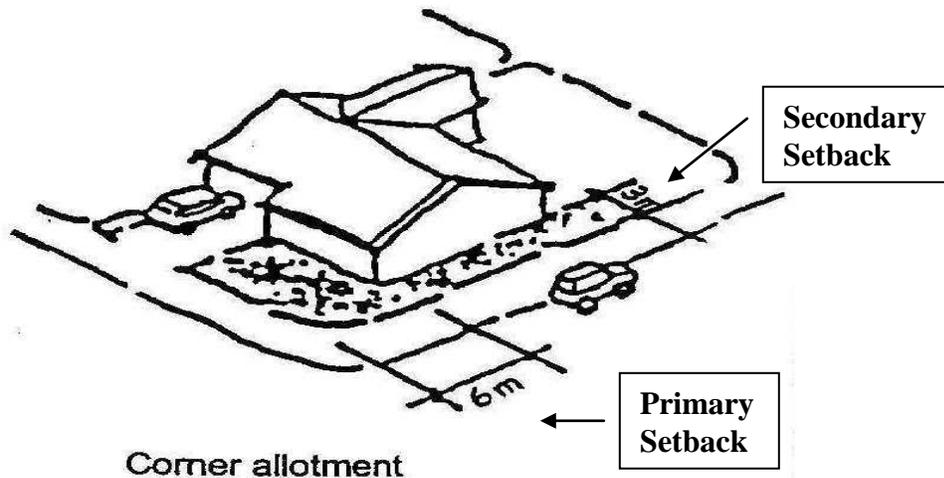
### 10.3 Setback to the Street

#### Objectives

- To ensure the established character and streetscape is retained.
- To ensure continuity within the existing streetscape.
- To integrate new development within the existing setbacks form the street.
- To provide sufficient space for landscaping at the front of dwellings to achieve integration with adjoining dwellings.

## Standards

1. The minimum building line shall 6 metres.
2. On a corner allotment, one of the setbacks to the street may be reduced to a minimum of 3 metres.
3. A reduction in the minimum building line will only be considered where there is sufficient reasons and justification for the proposed reduction having regard to the existing adjoining development.



### Illustration 2 – Demonstration of Setback Requirements

Source: AMCORD 1995

## 10.4 Side Setback

### Objectives

- To minimise potential impacts upon adjoining development.
- To minimise opportunities for overshadowing and overlooking between adjoining developments and maintain privacy between adjoining dwellings.
- To satisfy separation requirements for the spread of fire.

### Standards

1. A single storey building should be a minimum of 900mm from the side or rear boundary.
2. The setback of the second storey to any building should be setback a minimum 1500mm from the side or rear boundary.

3. The minimum distance of eaves and gutter of a single storey building shall be 675mm. This distance shall be increased to 1125mm for the second storey of a two storey building.
4. Structures having a class 10 classification under the Building Code of Australia (BCA)(i.e. carport, garage skillion roof) can be build a minimum of 500mm from the side or rear boundary.
5. A pool, including fencing shall be a minimum of 1 metre from the side and rear boundary.

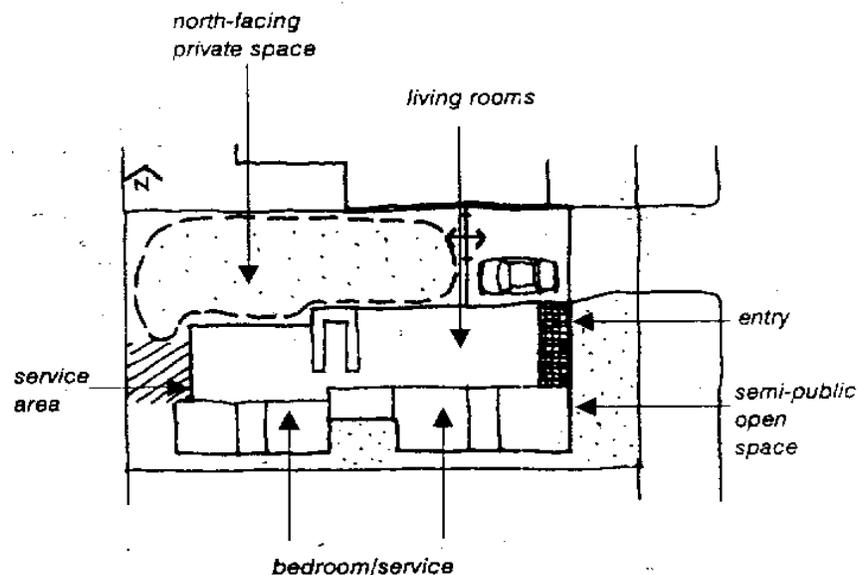
## 10.5 Orientation

### Objectives

- To encourage the consideration of climatic conditions in the design and siting of all residential development.
- To minimize the need for artificial heating and cooling and thus energy demands.
- To promote environmentally sustainable development.

### Standards

1. A BASIX certificate is required to accompany all applications for residential development available via an online service at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au) or 1300 650 908.



**Illustration 3 – Site Planning for a Single Dwelling Sited E -W**  
Source: AMCORD 1995

## **10.6 Fencing**

### **Objectives**

- To ensure fencing is consistent with the existing streetscape character in the neighbourhood.
- To reduce the potential impact of fencing upon streetscape character.
- To encourage new development to consider its relationship with adjoining development to address the street.

### **Standards**

1. Front fencing shall be a maximum of 900mm in height when measured from natural ground level.
2. Front fencing shall be of low, open style construction compatible with the adjoining residential development.
3. Side fencing forward of the building line shall generally be a maximum of 900mm in height however may graduate from 900mm to 1800mm for compatibility with the adjoining fence height.
4. Fencing should maintain consistency with that of adjoining allotments.
5. Side and rear fencing shall be a maximum height of 1800mm.

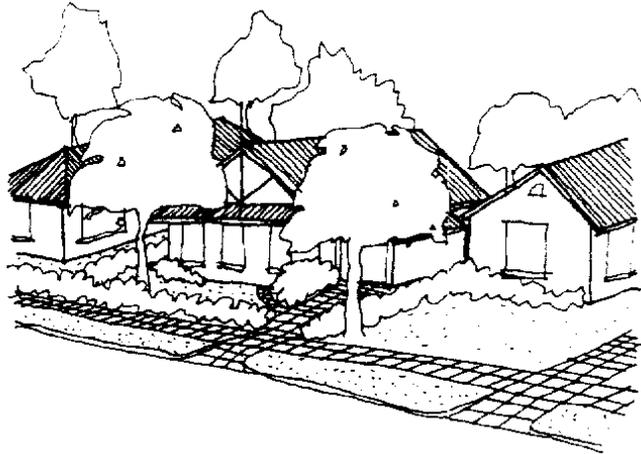
## **10.7 Rainwater Tanks**

### **Objectives**

- To ensure that the installation of rainwater tanks does not dominate the appearance from the street.

### **Standards**

1. Rainwater tanks shall be screened by landscaping, fencing or decorative panels to obscure the view of the rainwater tanks from the street.



**Illustration 4 – Open Streetscape and landscape provides a setting for buildings**  
**Source: AMCORD 1995**

## **11. DEVELOPMENT STANDARDS – MULTI-UNIT DEVELOPMENT**

### **11.1 Lot Size and Dimensions**

#### **Objectives**

- To reflect the statutory requirements of Forbes Local Environmental Plan 1986.
- To ensure that allotments are capable of accommodating more than one dwelling and the associated site facilities.
- To preserve existing residential streetscape character and amenity.

#### **Standards**

1. The minimum allotment size for the erection of multi-unit housing development (more than one dwelling on a single allotment) shall be 740m<sup>2</sup>, having a minimum frontage at the street alignment of not less than 20m.
2. The above minimum standards are Statutory controls reflected in Forbes Local Environmental Plan and can not be varied without preparation of an Objection prepared under State Environmental Planning Policy No.1 – Development Standards and concurrence of the Minister for Infrastructure Planning and Natural Resources.

## **11.2 Density**

### **Objectives**

- To restrict overdevelopment of individual allotments.
- To ensure that allotments are capable of accommodating the number of dwelling proposed upon an individual site.
- To ensure sufficient area is available to accommodate the dwelling unit, private open space, parking and necessary site facilities.
- To preserve existing residential and streetscape character and amenity.

### **Standards**

1. A maximum of one (1) dwelling per 250m<sup>2</sup> of site area shall be permitted.

## **11.3 Floor Space Ratio**

### **Objectives**

- To control the bulk and scale of development and restrict over development of individual allotments.
- To ensure sufficient area is available to accommodate the dwelling unit, private open space, parking and necessary site facilities.
- To preserve existing residential streetscape character and amenity.

### **Standards**

1. The maximum floor space ratio for single storey development is 0.4:1.
2. The maximum floor space ration for two (2) storey developments is 0.8:1.
3. Floor Space Ratio means the ratio of the site area to the gross floor area of all units including all habitable and non-habitable rooms and garages or car parking necessary to meet any requirements of Council.

## **11.4 Height**

### **Objectives**

- To ensure buildings are consistent with the predominant neighbourhood and street character
- To ensure a consistency in bulk and scale of residential development

### **Standards**

1. The maximum height of buildings shall be 2 storeys and 8.5 metres.
2. Height in metres is the distance measured vertically from the top most point of the building (not being a vent or chimney or the like) to natural ground level below.
3. A storey is the space between two floors or the space between any floor and its ceiling or roof above.

## **11.5 Setback to the Street**

### **Objectives**

- To ensure the established character and streetscape is retained.
- To ensure continuity within the existing streetscape.
- To integrate new development within the existing setbacks from the street.
- To provide sufficient space for landscaping at the front of dwellings to achieve integration with adjoining dwellings.
- To ensure sufficient separation from secondary frontages to ensure adequate vision for traffic and pedestrian safety.
- To maintain privacy to the secondary frontage from road users.

### **Standards**

1. The minimum building line shall 6 metres.
2. On a corner allotment, one of the setbacks to the street may be reduced to a minimum of 3 metres.

3. A reduction in the minimum building line will only be considered where immediately adjoining dwellings, not being a secondary setback on a corner allotment, encroach on the minimum building line.

## **11.6 Side Setback**

### **Objectives**

- To minimise potential impacts upon adjoining development.
- To minimise opportunities for overshadowing and overlooking between adjoining developments and maintain privacy between adjoining dwellings.
- To satisfy separation requirements for the spread of fire.

### **Standards**

1. A single storey building should be a minimum of 900mm from the side or rear boundary.
2. The setback of the second storey to any building should be setback a minimum 1500mm from the side or rear boundary.
3. The minimum distance of eaves and gutter of a single storey building shall be 675mm. This distance shall be increased to 1125mm for the second storey of a two storey building.
4. Structures having a class 10 classification under the Building Code of Australia (BCA)(i.e. carport, garage skillion roof) can be build a minimum of 500mm from the side or rear boundary.
5. A pool, including fencing shall be a minimum of 1 metre from the side and rear boundary.

## **11.7 Minimum Floor Area**

### **Objectives**

- To ensure the construction of suitably sized or undersized dwelling units.
- To restrict over development of individual allotments.
- To prevent opportunities for the creation of excessive “granny flat” units within the rear garden of existing dwellings.

## **Standards**

1. The minimum floor area for an individual unit is 60m<sup>2</sup> and includes habitable and non-habitable rooms and garages or car parking necessary to meet any requirements of Council.

### **11.8 Landscaped Open Space**

#### **Objectives**

- To ensure the landscape character of residential areas is maintained.
- To provide separation and enhance privacy between dwellings, surrounding development and the street.
- To encourage developers to consider the appearance of their development at the early stage in the development process.

#### **Standards**

1. All development applications for new multi unit development are to be accompanied by a Landscape Plan.
2. The Landscape Plan is to be prepared to a suitable scale identifying the following:
  - Opportunities and constraints for landscaping;
  - Vegetation species to be planted;
  - Any landscape theme relevant to the development or immediate locality.
  - Areas to be planted - including dimensions;
  - Pot size of species proposed at planting;
  - Details of all “hard” elements such as paving, fencing, retaining walls, ornamental elements etc.;
  - Mature height of species to be planted;
3. Existing street trees shall be maintained and replicated where possible. The Spacing of such trees shall be a minimum of 1.5 times the mature canopy of the proposed tree and a maximum 2 times the mature tree canopy.
4. Council has embarked on a street tree planting program to embellish existing gateway plantings along entrances to the Forbes Town Centre. Further information in respect of this plan can be obtained from Council’s Engineering Department.

## **11.9 Private Open Space**

### **Objectives**

- To accommodate the private out-door recreation needs of future residents.
- To ensure private open space is provided for all housing , clearly defined for private use and is usable and accessible from internal living areas.
- To ensure private open space is appropriately located to best utilize site constraints, has adequate access to sunlight as well as minimise the impact on adjoining buildings.
- To provide space for service functions including clothes drying.

### **Standards**

1. A minimum of 50m<sup>2</sup> of private open space should be provided for each dwelling.
2. All private open space areas shall have an area having minimum dimensions 5 x 5 metres to provide a usable area for outdoor recreation.
3. Private open space areas should be capable of receiving not less than 2 hours of sunlight between 9am and 3pm on June 21 over at least 50% of the private open space.
5. Private open space should not be located in the street setback areas.

## **11.10 Orientation & Building Energy Conservation**

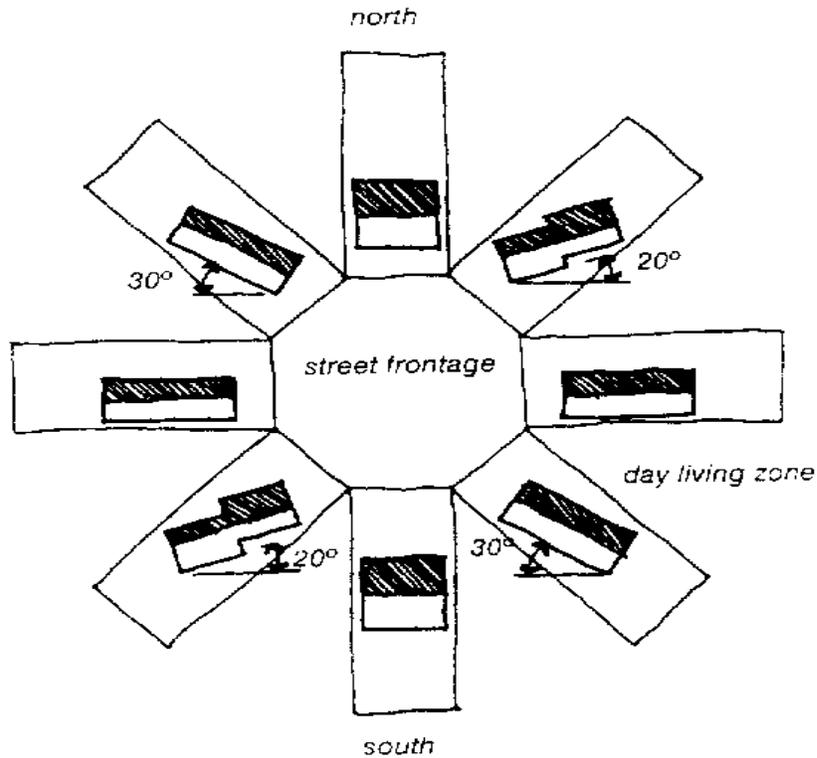
### **Objectives**

- To encourage the consideration of climatic conditions in the design and siting of all residential development.
- To minimise the need for artificial heating and cooling and thus energy demands.
- To promote environmentally sustainable development.

### **Standards**

1. A BASIX certificate is required for all units within the proposed residential development available via an online service at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au) or 1300 650 908.

### Illustration 5 – Suggested Positioning of Houses to Achieve Low Energy Housing



Source: AMCORD 1995

#### 11.11 Fencing

##### Objectives

- To ensure fencing is consistent with the existing streetscape character in the neighbourhood.
- To reduce the potential impact of fencing upon streetscape character.
- To encourage new development consider its relationship with adjoining development to address the street.

##### Standards

1. Front fencing shall be a maximum of 900mm in height when measured from natural ground level.
2. Front fencing shall be of low, open style construction compatible with the adjoining residential development.

3. Side fencing forward of the building line shall generally be a maximum of 900mm in height however may graduate from 900mm to 1800mm for compatibility with the adjoining fence height.
4. Fencing should maintain consistency with that of adjoining allotments.
5. Side and rear fencing shall be a maximum height of 1800mm.

### **11.12 Car Parking & Access**

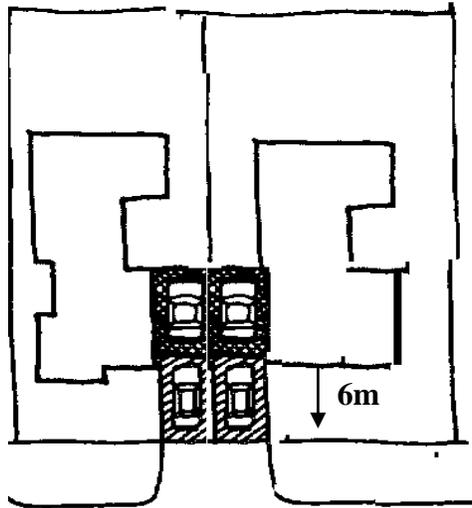
#### **Objectives**

- To ensure adequate car parking is provided on site behind the building line.
- To provide convenient and safe car parking and access.
- To ensure that access and car parking does not dominate or detract from the appearance of developments and the local streetscape.

#### **Standards**

1. A minimum of one (1) car parking space is to be provided for each dwelling, behind the building line.
2. Visitor car parking is to be provided for developments of more than two (2) dwelling units, at a rate of 1 space per 4 dwellings or any part there of.
3. For units facing the street and complying with the minimum 6 metre setback, visitor car parking may be permitted in tandem fashion in the driveway, where pedestrian safety is not compromised, (see following figure).
4. The driveway width is to be a maximum of 3.5 metres at the front boundary.
5. The driveway is to be setback a minimum of 1 metre from the side boundary and landscaped.
6. Car Parking dimensions are to meet the following minimum requirements and be free from encroachments:

| <b>Type of Car Space</b> | <b>Width &amp; Length</b> |
|--------------------------|---------------------------|
| Single Open              | 2.7m x 5.4m               |
| Double Open              | 5.4m x 5.4m               |
| Single Enclosed          | 3.0 m x 6.0m              |
| Double Enclosed          | 6.0m x 6.0m               |



**Illustration 6 – Stacked Parking**

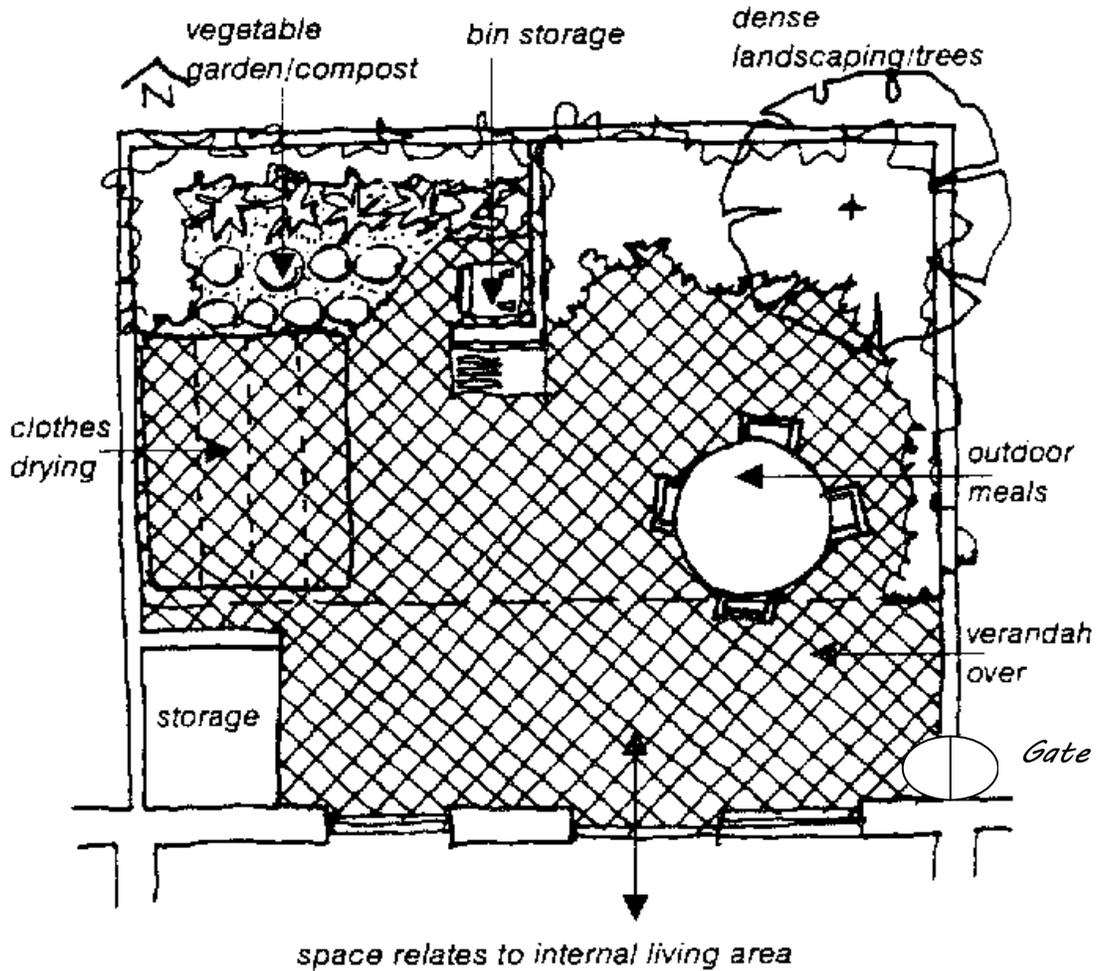
### **11.13 Site Facilities**

#### **Objectives**

- To ensure adequate provision is made for the necessary supporting site facilities such as garbage storage areas, clothes drying areas, mail boxes, water tanks etc.
- To ensure that site facilities are accessible and appropriately located.\
- To ensure that the installation of rain water tanks does not dominate the appearance from the street.

#### **Standards**

1. A separate garbage enclosure is to be provided in a location screened from the street and constructed of materials compatible with the development.
2. An additional storage area a minimum of 3m<sup>2</sup> is to be provided preferably within the garage.
3. A separate open air clothes drying facility is to be provided for individual units. Such facilities are not to be located within the front setback.
4. A mail box facility is to be provided in an accessible location.
5. Rainwater tanks shall be screened by landscaping, fencing or decorative panels to obscure the view of the rainwater tanks from the street.



**Illustration 7 – A Usable Private Open Space Area is necessary to fulfill a number of functions**

Source: AMCORD 1995

### 11.14 Heritage

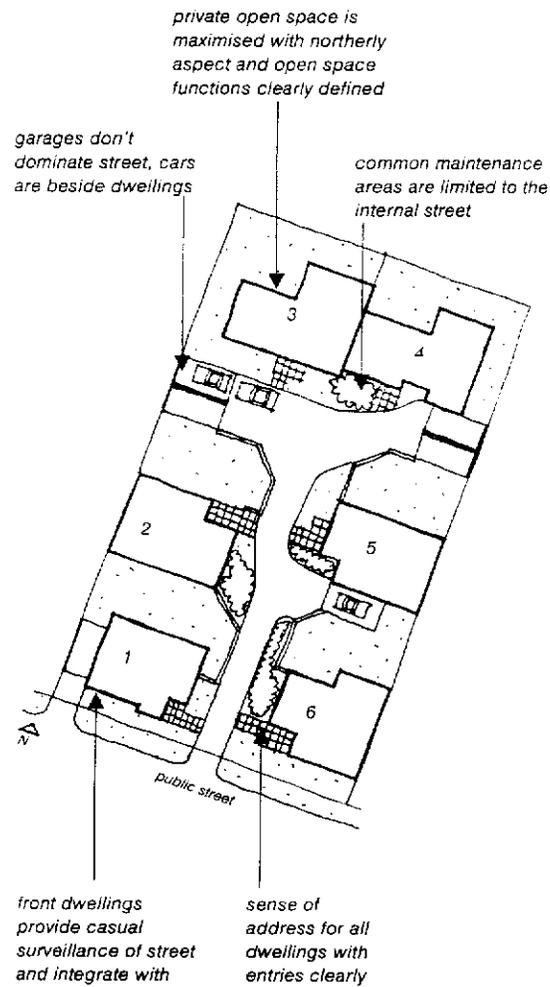
#### Objectives

- To retain the historic character of identified heritage items.
- To ensure that new development does not adversely affect identified heritage items.

#### Standards

1. Development applications within the vicinity of heritage items will be referred to Council's heritage advisor for comment.

## Illustration 8 – Consider Image of Development and Amenity in the Design Process



Source: AMCORD 1995

### 10.15 Services

#### Objectives

- To ensure the location of public utilities in an efficient and cost effective manner.
- To maximize opportunities for common trenching of underground utility services where appropriate.

## **Standards**

1. Each dwelling unit must be capable of being connected to all necessary services. Preliminary advice from the relevant service provider shall be provided with all development applications.
2. Separate meters shall be provided to individual units. Access to meters shall be provided in accordance with Council's meter policy available from the Engineering Department.
3. All developments must be capable of being connected to a reticulated sewerage system.

### **10.16 Storm water**

#### **Objectives**

- To control storm water quantity and quality.
- To minimize the impact upon existing constructed drainage systems, ground water levels, natural drainage patterns, water courses and adjoining properties.
- To ensure the cost effective provision and maintenance of storm drainage works.

#### **Standards**

1. Pre development storm water flows are to be maintained post development.
2. A satisfactory on-site detention system is to be designed by a suitably qualified engineer with details to be submitted with the development application.