

11 MULTI DWELLING HOUSING

This section of the DCP provides Council's specific requirements for multi dwelling housing developments. Other requirements to be addressed are contained in the relevant general development part (Parts 2 to 7) and/or area plans (Parts 10 to 12) of this DCP. Where a conflict exists between this section and the general development part of LM DCP 2014, this section prevails.

Under LM LEP 2014 **multi dwelling housing** means three or more dwellings (whether attached or detached) on one lot of land where:

- a. each dwelling has access at ground level, and
- b. no part of a dwelling is above any part of any other dwelling,
- c. and includes multi dwelling housing (terraces).

Note. Multi dwelling housing is a type of **residential accommodation** and **multi dwelling housing (terraces)** means multi dwelling housing where all dwellings are attached and face, and are generally aligned along, one or more public roads.

11.1 SITE REQUIREMENTS

Objectives

- a. To ensure Multi Dwelling Housing developments are located on sites with sufficient size and street frontage to accommodate the required building envelope, car parking, landscaping, and private open space.
- b. To enable sensitive infill housing close to business zones in a variety of forms.

Controls

1. The development site must have a minimum area of 200m² per dwelling i.e. 600m² for development consisting of three dwellings.
 2. The development site area can be less than 200m² per dwelling provided the proposal is based on sound design solutions and principals. Such housing must:
 - be located in areas deemed appropriate for this form of development by having a medium to high liveability ranking (0.5-1.0) in the Lake Macquarie Housing Strategy and shown in Figure 1 below,
 - contribute positively to the streetscape
 - not form the majority development type in the same street block;
 - contribute to housing diversity in the City, and
 - use design of additional storeys that achieves landscaping, deep soil areas, retention of trees, privacy and other amenity requirements.
- Note:** Site and locality characteristics will render some sites unable to achieve the minimum area per dwelling e.g. where a site slopes away from the street, or is within a heritage area etc
3. The development site must have direct frontage to a public road.
 4. The development site must have a minimum width of 15 metres at that road frontage and can demonstrate safe ingress and egress particularly on busy roads.

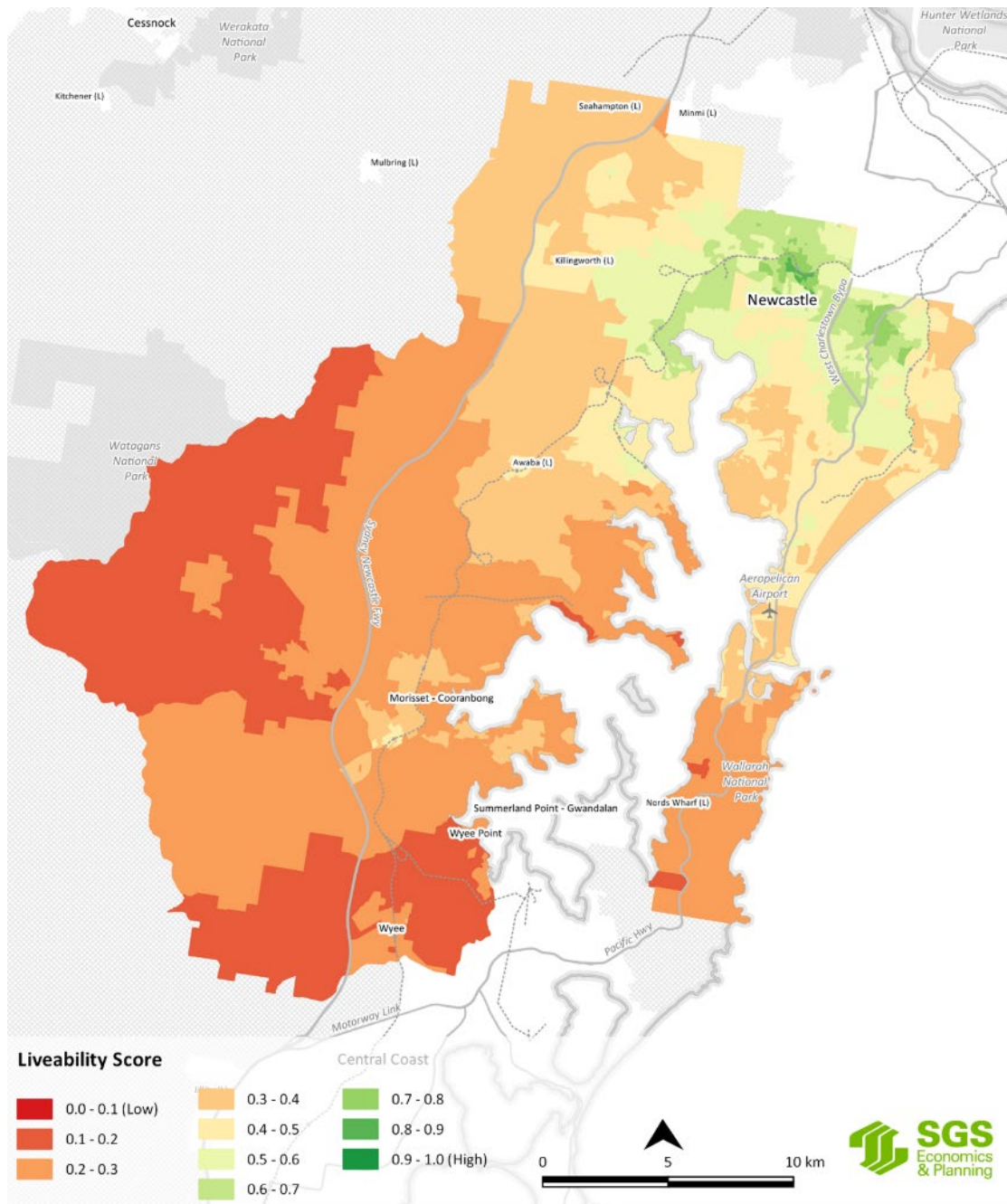


Figure 1 - Overall Liveability Ranking for Lake Macquarie LGA - Medium to High Range is from 0.5- 1.0

11.2 SITE COVERAGE

Objectives

- To ensure development maximises permeable surfaces and maintains a balance between built, and unbuilt areas.
- To facilitate on-site stormwater infiltration and harvesting for re-use.
- To incorporate suitable measures to minimise run-off directly accessing the Lake or its waterways.

Controls

1. The maximum permitted site coverage at the ground floor is 65 per cent of the site area.

Note: Site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

- any basement,
- any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
- any eaves,
- any unenclosed balconies, decks, pergolas and the like.

Note: Balconies, decks, pergolas and the like located under the main roof of the building are not considered to be unenclosed and will be included in the site coverage calculation.

Note: Site coverage controls operate in tandem with the Stormwater Management, Principal Private Open Space, and Landscaped Area and Design controls in this DCP to ensure that adequate unbuilt area is available for outdoor recreation and for reducing stormwater discharge from the site. Stormwater permeability and integration with the landscape design will be considered when determining whether structures are included in the site coverage calculations.

11.3 STREET SETBACK

Objectives

- a. To ensure that the development complements the existing or future setback pattern in the locality.
- b. To permit flexibility for developments that may be vulnerable to the impacts of flooding.
- c. To define the street edge and provide definition between public and private space.
- d. To encourage natural surveillance from the front of the dwelling to the street.

Controls

1. Where there are existing adjoining residential buildings within 40 metres,
 - the front setback must be consistent with the established setbacks or,
 - where adjoining building setbacks vary by more than 3m, the front setback must be the same distance as one or other of the adjoining buildings, or:
 - where adjoining buildings vary in setback, development must locate between their setbacks.
2. Where there are no existing (or approved) dwellings within 40 metres of the lot, the front setback must be a minimum of four metres from the front boundary.
3. The secondary street setback for corner allotments must be a minimum of 1.5 metres.
4. Entry features and porticos, porches, balconies, decks, verandahs, and bay windows may encroach up to 1.5 metres into the front setback area. This encroachment must not cover more than 25 percent of the building width.
5. Where the site is identified as being vulnerable to flooding or expected sea level rise, front setbacks may be reduced to ensure that developments are adequately setback from the shoreline.

Note: A front setback is measured at 90° from the front lot boundary to the building facade.

11.4 SIDE SETBACKS

Objectives

- a. To provide adequate separation between buildings to ensure that a reasonable level of privacy, amenity and solar access is maintained.
- b. To provide visual separation between buildings.
- c. To provide opportunities for the planting of vegetation.

Controls

1. Above ground structures must not encroach on the side boundary setback of multi dwelling housing developments.
2. For multi dwelling housing that adjoins the R2 zone, side setbacks must be:
 - A minimum of two metres for buildings up to 4.5m.
 - A minimum of five metres for buildings over 4.5m.
 - A minimum of nine metres for elements of buildings over two storeys in height.

11.5 LANDSCAPED AREA

Objectives

- a. To enable landscape planting in the front setback areas that enhances the streetscape.
- b. To enable landscape planting in the side and rear setback areas that enhances residential amenity.
- c. To conserve significant vegetation.
- d. To promote on-site stormwater infiltration by encouraging pervious surfaces and landscaped areas.

Controls

1. Development must provide a landscape area that is at least 10 per cent of the total lot area.
2. An area must have a minimum width of two metres to be included in the landscape area calculations.
3. Where a multiple dwelling housing development is proposed to directly adjoin land zoned R2 Residential an additional landscaped area with a minimum area of 10 per cent of the total lot area must be provided along the full length of the boundary with the R2 Residential Zone.
4. Pervious surfaces selected for the purpose of stormwater infiltration must be designed by a suitably qualified engineer.

Note: The landscaped area is in addition to the principal private open space requirement.

11.6 LANDSCAPE AND TREE PLANTING IN FRONT SETBACK AREAS

Objectives

- a. To allow for the planting and healthy growth of large canopy trees which enhance amenity and street character.
- b. To provide large-scale planting between the street and parking and service areas, that reduces the visual impact of development.
- c. To maintain sightlines from the street to car parks and entrances.

Controls

1. Development must include installation and maintenance of at least one advanced clear-trunked broad-canopy tree for every 20m² of front setback area.
2. The root volume for each tree in the front setback area must be a minimum of 8m³ and between 600 and 750mm deep.
3. Each area allocated to tree planting must have a corresponding clear air space that is at least eight metres high and six metres in width.
4. All trees installed must be advanced stock, and be at least a 45L container size.
5. Understorey planting must comprise low growing species less than 900mm in height.

Note: Refer to Council's [Landscape Design Guideline](#) for further details and requirements.

11.7 STREET TREES

Objectives

- a. To enhance the amenity and desired character of the street.
- b. To provide tree shade and shelter for pedestrians.

Controls

1. Development must include the supply, installation and establishment of at least one advanced clear trunk tree for every 10 metres of street frontage.
2. The root volume for each tree must be a minimum of 8m³ and between 600 and 750mm deep.
3. All trees installed must be advanced stock, and at least 75L container size.
4. The tree supplier or landscape contractor must provide evidence that all trees generally comply with *NATSPEC Guide to Specifying Trees - Assessment of Tree Quality*.
5. All trees installed must be established and maintained for a minimum period of 24 months. Any failed trees must be replaced immediately.

11.8 PRINCIPAL PRIVATE OPEN SPACE

Objectives

- a. To ensure that Multiple Dwelling Housing developments provide sufficient outdoor areas for occupants' needs.

Controls

1. A Principal Private Open Space with a minimum area of 16m² and a minimum width of 4 metres must be provided for each dwelling containing one or two bedrooms.
2. A Principal Private Open Space with a minimum area of 25m² and a minimum width of 4 metres must be provided for each dwelling containing three or four bedrooms.

11.9 SERVICES

Objectives

- a. To ensure that Multiple Dwelling Housing developments provide adequate services to cater for residents' needs.

Controls

1. Where any part of the Multiple Dwelling House development is located 120 metres or more from an existing street fire hydrant, a fire hydrant should be provided.

11.10 DRIVEWAY DESIGN

Objectives

- a. To ensure vehicular access has minimal impacts on neighbouring dwellings.
- b. To ensure that vehicular access points and parking is safe and convenient for residents, visitors, and service providers.

Controls

1. Where the site is bounded by more than one street frontage, vehicular access points are encouraged on both frontages.

11.11 ADAPTABLE DWELLINGS

Objectives

- a. To ensure that developments incorporate housing that is accessible to all members of the community.

Controls

1. For proposals with more than 10 dwellings, one adaptable dwelling must be provided for every 10 dwellings.
2. Adaptable dwellings must have a car park linked to the dwelling by an unobstructed path of travel at a suitable gradient for wheelchair access.
3. Adaptable dwellings must have entries, doors, and passageways that are of suitable dimensions to facilitate wheelchair access.

4. Adaptable dwellings must be designed and constructed to meet the performance requirements stated in Clause 2.2 and to include the essential features listed in Appendix A of AS 4299.

Note: An adaptable dwelling is designed in such a way that it can be modified easily in the future to become accessible to people with disabilities or progressive frailties.

11.12 OPERATIONAL WASTE MANAGEMENT

Objectives

- a. To ensure that waste is managed, collected, and disposed of, reused, or recycled, effectively and efficiently to provide a safe, healthy, and clean environment for the community, as well as maintaining the amenity of the neighbours.

Controls

1. Waste management for Multi Dwelling Housing must comply with "Guidance to Meet Operational Controls - All Zones" in the Lake Macquarie Waste Management Guidelines, with the following modifications:
 - i. A minimum of weather-protected space for bulk waste storage (such as furniture and whitegoods) must be allocated as a half square metre of floor space per dwelling in a shared bulk waste storage location, or a minimum square metre in individual garages.
 - ii. Kerbside collection of mobile garbage bins (MGBs) by side-lift waste collection vehicles may only occur where the collection location is safe for stopping (up to fifteen minutes for 40 bins) to collect these bins and will not hinder access or traffic flow more than a minute.