

Tweed Development Control Plan A1 Compliance Checklist

Patio and Deck

External living area refers to a space that extends the internal living and recreation space of a dwelling house to form part of the private outdoor recreational and relaxation space. These spaces generally take the form of courtyards, decks, terraces and balconies, can be paved or decked, and may be covered. External living areas play an increasing role in the provision of private open space. External living areas may be located either on ground or above ground.

Rooftop terraces can improve the amenity and liveability of dwellings by providing elevated external living spaces that allow occupants additional access to natural light, breezes and views. However, given the elevated nature of rooftop terraces they need to be carefully sited and designed to prevent undue amenity impacts on neighbouring properties. These may include overlooking or visual privacy issues, overshadowing or noise related impacts.

NOTE! *Should your proposal not comply with the controls below, please provide a written justification for any variation sought in the comments/justifications section below.*

Please refer to the Tweed Development Control Plan A1 for a full list of applicable controls.

CONTROLS	COMPLIANCE																																
	YES	NO	N/A																														
<p>The minimum setback from the street and rear boundary for a dwelling is to comply with Table 3 - Front and Rear Setbacks in DCP A1 - Part A:</p> <table border="1"> <thead> <tr> <th>Lot size</th> <th>Minimum front setback - New Areas (for established and existing areas refer C2 below)</th> <th>Minimum front setback to secondary street frontage on corner allotments</th> <th>Minimum rear setback where the building is up to 4.5 metres in height</th> <th>Minimum rear setback where the building is 4.5 metres in height or greater</th> </tr> </thead> <tbody> <tr> <td>less than 300m²</td> <td>3.5 metres</td> <td>2 metres</td> <td>3 metres</td> <td>4.5 metres</td> </tr> <tr> <td>at least 300m² and less than 600m²</td> <td>4.5 metres</td> <td>2 metres</td> <td>4.5 metres</td> <td>6 metres</td> </tr> <tr> <td>at least 600m² and less than 900m²</td> <td>6.0 metres</td> <td>3 metres</td> <td>4.5 metres</td> <td>8 metres</td> </tr> <tr> <td>at least 900m² and less than 1500m²</td> <td>6.0 metres</td> <td>3 metres</td> <td>5 metres</td> <td>12 metres</td> </tr> <tr> <td>at least 1500m²</td> <td>8.0 metres</td> <td>5 metres</td> <td>10 metres</td> <td>15 metres</td> </tr> </tbody> </table>	Lot size	Minimum front setback - New Areas (for established and existing areas refer C2 below)	Minimum front setback to secondary street frontage on corner allotments	Minimum rear setback where the building is up to 4.5 metres in height	Minimum rear setback where the building is 4.5 metres in height or greater	less than 300m ²	3.5 metres	2 metres	3 metres	4.5 metres	at least 300m ² and less than 600m ²	4.5 metres	2 metres	4.5 metres	6 metres	at least 600m ² and less than 900m ²	6.0 metres	3 metres	4.5 metres	8 metres	at least 900m ² and less than 1500m ²	6.0 metres	3 metres	5 metres	12 metres	at least 1500m ²	8.0 metres	5 metres	10 metres	15 metres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<p>An articulation zone may permit some elements of a buildings front facade to intrude within the front setback to a maximum of 1.5 metres and not exceeding 25% of the frontage width. The following building elements may be permitted in an articulation zone:</p> <ol style="list-style-type: none"> an entry feature or portico; a balcony, deck, patio, pergola, terrace or verandah; an upper level overhang or cantilever; a window box treatment; a bay window or similar feature; an awning or other feature over a window; and a sun shading feature. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																														

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A single storey dwelling, or that part of a building containing only single storey, is to be setback a minimum of 900mm from the side boundary line to the wall of the building. Guttering, eaves, hoods and other similar structures may be constructed within the side setback but not closer than 450mm from the boundary.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A two storey dwelling, or the second storey component of building, is to be setback a minimum of 1.5m from the side boundary line to the wall of the building. Guttering, eaves, hoods and other similar structures may be constructed within the side setback but not closer than 900mm from the boundary.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No structures are to be built within the setback area other than fences to 1.2 metres high, swimming pools, retaining walls, suspended decks that do not exceed the level of the allotment at the top of the batter and boat ramps.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The underside of any suspended deck fronting a canal is to be suitably screened, except in cases where giving effect to this control would result in adverse impact to flood waters.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rooftop Terrace			
Maximum of one rooftop terrace per dwelling.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rooftop terrace has a maximum floor area of 30sqm or 15% of the floor below, whichever is the lesser.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No part of the rooftop terrace, any permanent or temporary structure installed or furniture placed on it shall exceed the applicable LEP maximum building height development standard at any time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rooftop terrace and any fixed structures shall be designed and constructed of materials which integrate with the architectural style and form of the building through scale, form, materials and design.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
External access stairs to rooftop terrace shall be integrated with the dwelling design and located to have minimal visual or amenity impact on the streetscape and adjoining properties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Enclosed rooms, including storage or toilets, will not be permitted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rooftop terrace shall be designed to limit overlooking into private open space and/or habitable rooms and windows of adjacent dwellings. All applications are to be accompanied by an Amenity Impact Assessment which includes: <ul style="list-style-type: none"> ▪ Who may be impacted - a site plan and floor plan showing all neighbouring buildings, their window locations, room types and location of external living areas and private open spaces; ▪ The extent of impact - identify all available view lines from the proposed rooftop deck and the extent of overlooking of neighbouring properties; and <p>What is proposed - design measures to minimise amenity impacts including but not limited to overlooking, overshadowing, noise and built form visual impacts. Examples of mitigation measures which may be effective include, but are not limited to, setting the rooftop terrace back from the roof and/or building edge, utilising a solid balustrade, including privacy screening or integrating landscape planter boxers to the rooftop terrace perimeter.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any development application for a rooftop terrace is to be accompanied by shadow diagrams to clearly demonstrate overshadowing impacts.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lighting installations to a rooftop terrace are: <ul style="list-style-type: none"> ▪ located at a low light output and placement level and contained within the rooftop terrace area; <p>appropriately shaded and fixed in position so that light is projected downwards onto the floor surface of the rooftop terrace.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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NOTE! *Rooftop decks or terraces and associated structures are included within the definition of building height as they are included in the “highest point of the building”.*

COMMENTS/JUSTIFICATIONS