

Part G Special Area Controls

G15 Argyll Estate Precinct

G15.1 FRONT SETBACK REQUIREMENTS

Applies to Land

This control applies to development for the purposes of residential accommodation on land within the [Argyll Estate Precinct](#).

Objectives

- To provide adequate space between buildings and streets to maintain streetscape character and provide for sunlight and amenity in the public realm.
- To ensure that development provides sufficient area for open space and landscaping.

Requirements

- (1) Development is to provide a minimum 4.5 metre front boundary setback where buildings are less than or equal to 8.5 metres in height, or 6 metres where buildings are greater than 8.5 metres in height as shown on the Front Setbacks Map.
- (2) Garages, carports and car parking spaces that are attached to a dwelling and accessed from a primary road are to be setback at least 5.5 metres from the front boundary.

Exceptions

- Development on land in Zone R2 Low Density Residential and Zone R3 Medium Density Residential under Coffs Harbour LEP 2013 may incorporate a 3 metre articulation zone within the front the setback area to a primary road as demonstrated in the diagrams shown in Part [D3.2 Front Setback Requirements](#). An articulation zone is not permissible where the front setback area to the primary road is less than 4.5 metres.
- Front setbacks do not apply to the following ancillary development: access ramps, driveways, eaves, pathways and paving, retaining walls, steps and any building elements permitted within the articulation zone.
- Departures to setback requirements may be supported where it can be adequately demonstrated that:
 - the setback requirements cannot be achieved on the site due to site constraints; and
 - the development is in keeping with the existing streetscape and pattern of development; and
 - reasonable privacy, amenity, solar access and view sharing is maintained.

Notes:

- **Setback requirements may be specified within an environmental planning instrument for certain types of residential accommodation. In this regard, the provisions of an environmental planning instrument prevail.**

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Background / guiding text to provide context, not to be included in DCP 2015

G15.2 SIDE AND REAR SETBACK REQUIREMENTS

Applies to Land

This control applies to development for the purposes of residential accommodation on land within the [Argyll Estate Precinct](#).

Objectives

- To ensure development does not impact adversely on surrounding development.
- To ensure that development provides sufficient area for open space and landscaping.

Requirements

(1) Development is to provide the following minimum setback requirements as shown on the Side and Rear Setbacks Map:

Land Use Zone	Side Setback Requirement	Rear Setback Requirement
Land zoned R2 Low Density Residential	For buildings ≤ 8.5m in height: 900mm from walls or 675mm from outer edge of roof or gutter and eaves	3 metres
Land zoned R3 Medium Density Residential	For buildings ≤ 8.5m in height: 900mm from walls or 675mm from outer edge of roof or gutter and eaves For buildings >8.5m in height: 3m for building components up to 12m in height, 4.5m for building components between 12m and 25m in height	6 metres where building height ≤8.5metres 9 metres where building height >8.5 metres

Exceptions

- Buildings > 8.5m in height may provide a side setback of a minimum of 900mm (from walls) for single storey components of the building.
- Departures to setback requirements may be supported where it can be adequately demonstrated that:
 - the setback requirements cannot be achieved on the site due to site constraints; and
 - the development is in keeping with the existing streetscape and pattern of development; and
 - reasonable privacy, amenity, solar access and view sharing is maintained.
- Zero side and rear setbacks may be provided on land zoned R2 Low Density Residential and R3 Medium Density Residential under Coffs Harbour LEP 2013 where:
 - no part of the existing development exceeds two stories in height; and
 - the development has a maximum boundary wall height of three metres (unless matching an existing or simultaneously constructed wall); and
 - there is no adverse impact upon the amenity of adjoining properties; and
 - there is no interruption to overland drainage paths; and

- there are no openings in the boundary wall; and
- the wall is of masonry construction.

Notes:

- *Setback requirements may be specified within an environmental planning instrument for certain types of residential accommodation. In this regard, the provisions of an environmental planning instrument prevail.*

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G15.3 BUILDING DESIGN AND FORM REQUIREMENTS

Applies to Land

This control applies to development for the purposes of residential accommodation on land within the [Argyll Estate Precinct](#).

Objectives

- To deliver residential development that provides good residential amenity, is responsive to climate and allows passive environmental control.
- To ensure the design and form of development reflects the coastal and subtropical climate and character of Coffs Harbour.
- To ensure that development presents positively to the public realm.

Requirements

- (1) Development is to reflect the coastal and sub-tropical climate and character of Coffs Harbour through;
 - (a) Integration of sun-shading devices, louvres and cross-ventilation into the design of the façade and overall building form and layout to allow passive environmental control;
 - (b) Provision of wide eaves and deep balconies or verandahs that shade walls, windows and outdoor areas, and;
 - (c) Use of lightweight materials (such as timber, lightweight wall sheeting and metal roof sheeting) in place of, or in combination with, masonry construction.
- (2) Development is to be designed to provide visually interesting built form and presentation to the public realm through;
 - (a) utilisation of articulation, fenestration, variation of materials and modulation of form to provide visual interest, reduce building bulk and avoid blank facades or walls;
 - (b) building massing and roof forms that reduce the bulk and scale of larger structures when viewed from the street, and;
 - (c) use of entrances, openings, balconies and living areas on street frontages to create a strong relationship with the public realm and to allow passive surveillance.
- (3) Where development includes pedestrian access ramps between the front building line and the street, ramps are to be designed to minimise their visual and physical presence and to form a complementary or integrated part of the building or landscape through consideration of form, materials and layout.

- (4) Except where it is not practical to do so, ramps that serve a number of dwellings should be combined in order to minimise structures within the front boundary setback and the associated visual impact.
- (5) Where garages and parking structures are elevated above natural ground level and vehicular access ramps are required, the parking structures and ramps are to be designed to minimise their visual prominence or poor visual presentation to the public realm.
- (6) Garages and car parking structures are to be set back a minimum of 1 metre behind the front building line.
- (7) Private open spaces and habitable rooms of proposed and existing dwellings are to be protected from direct or unreasonable overlooking from development on adjacent lots, including, where appropriate, through the following siting and design measures;
 - appropriate separation distances;
 - responsive dwelling layout;
 - off-setting windows in relation to adjacent windows;
 - screening devices such as solid, battened or translucent screens, opaque glass windows, fences, louvres, perforated panels and trellises;
 - solid or semi-transparent balustrades or screens to balconies or terraces;
 - off-setting balconies in relation to adjacent balconies; and
 - providing vegetation as a screen.

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G15.4 OPEN SPACE REQUIREMENTS

Applies to Land

This control applies to development for the purposes of residential accommodation on land within the [Argyll Estate Precinct](#).

Objectives

- To ensure development offers good residential amenity through provision of a sufficient area of private open space that is comfortable and practical to use.

Requirements

- (1) Development for the purposes of a residential flat building must include an area of communal open space that is not less than 25% of area of the development site.
- (2) Development for the purposes of a residential accommodation (excluding serviced apartments, residential flat buildings and shop-top housing) must provide at least 24 m² of private open space per dwelling with a minimum width of 3 metres and a maximum slope of 1:8.
- (3) Private open space is to be:
 - (a) provided with direct connection to the living room, dining room or kitchen and oriented to maximise comfort and use; and
 - (b) designed so that it does not unreasonably compromise the amenity and privacy of existing private open space on adjoining and nearby land.
- (4) The principal area of private open space is located behind the front building line.
- (5) At least 6m² of the principal private open space should be covered to provide shade and protection from rain.

Exceptions

- Balconies and terraces may be incorporated into private open space.
- Where private open space provided at ground level cannot be achieved on land with a slope less than 1 in 8, open decks no less than 15m² may be provided as an alternative.

G15.5 LANDSCAPING REQUIREMENTS

Applies to Land

This control applies to development for the purposes of residential accommodation on land within the [Argyll Estate Precinct](#).

Objectives

- To ensure development contributes positively to the character and amenity of the [Argyll Estate Precinct](#), including the public realm.
- To ensure medium-density built form is balanced and complemented by high quality landscaped areas that present an attractive and interesting interface with the public realm.

Requirements

- (1) Development is to incorporate landscaping in accordance with the relevant controls of [F3 Landscaping](#) of this Plan.
- (2) Where development includes a ground floor that is elevated above natural ground level, landscaping is to be used to screen views of the elevated foundations or subfloor area from the street.
- (3) Where development includes pedestrian access ramps between the front building line and the street, landscaping must be used to screen or break up the view of the ramp from the street and to integrate the ramp with the landscape.
- (4) Development for the purposes of a dual occupancy must provide landscaping for a minimum area of 30% of the lot.
- (5) Development for the purposes of Dual occupancies, Attached dwellings and Multi dwelling housing must provide tree planting in accordance with the following for each dwelling:
 - (a) Front [setback](#) area: 1 tree with mature height of at least 5 metres.
 - (b) Rear [setback](#) area: 1 tree with mature height of at least 8 metres.
- (6) One (1) street tree is to be provided for every 10 metres of the development site fronting a road in accordance with the relevant controls of [F3 Landscaping](#) of this Plan.

Exceptions

- The requirements of this control do not apply to development for the purpose of a dwelling house, secondary dwelling or semi-detached dwelling.

G15.6 FLOOD REQUIREMENTS

Applies to Land

This control applies to development for the purposes of residential accommodation on land within the [Argyll Estate Precinct](#).

Objectives

- To ensure that residential development on land in the [Argyll Estate Precinct](#) adequately addresses Flood Hazard.

Requirements

- 1) The minimum finished floor level for habitable rooms of all dwellings is to be at or above the level of the Probable Maximum Flood (PMF) or the Flood Planning Level (1% AEP flood event + 0.5 metres freeboard), whichever is the higher.
- 2) Where development is located on land that is subject to an overland flow path, the development must be designed to maintain the function of the overland flow path by way of an open subfloor to allow the free flow of floodwater.

G15.7 ON-SITE PARKING

Applies to Land

This control applies to development for the purposes of residential accommodation on land within the [Argyll Estate Precinct](#).

Objectives

- To facilitate housing diversity and promote more sustainable movement options.
- To ensure that development for the purposes of residential flat buildings makes appropriate provision for bicycle parking and servicing.

Requirements

- (1) Development for the purposes of residential flat buildings shall provide one Class A or B (as per AS 2890.3) bicycle parking space per dwelling which is:
 - (a) undercover and located at ground, first floor or basement level 1; and
 - (b) secure and easily accessible from the public realm and common circulation areas; and
 - (c) clear of obstructions, clearly marked, and accessed via routes which avoid conflict between cyclists, vehicles and pedestrians.
- (2) Development for the purposes of residential flat buildings shall provide an area of at least 4 m² with a minimum dimension of 2 metres as a dedicated bicycle maintenance zone, which is:
 - (a) Equipped with a bicycle maintenance stand; and
 - (b) Adjacent to bicycle parking; and
 - (c) Provided with access to electricity for charging for e-bikes and cargo e-bikes.

Part D Built Form Controls

D3 Residential development

D3.1 Density requirements

Amendments required to Density Map:

- Land in Zone R3 within the Argyll Estate Precinct to be shown as 'G' (100, 200).
[Link to mapping](#)

D3.2 Front setback requirements

Amendment required to Front Setback Map:

- Land within the Argyll Estate Precinct is to be shown as 'M' (4.5 metres and 6 metres).
[Link to mapping](#)

Exceptions

- The requirements of this control do not apply to development for the purposes of residential accommodation on land within the [Argyll Estate Precinct](#).

D3.3 Side and rear setback requirements

Amendment required to Side and Rear Setbacks Map:

Land in the Argyll Estate Precinct is to be shown as 'L'- G15 Argyll Estate Precinct.
[Link to mapping](#)

Exceptions

- The requirements of this control do not apply to development for the purposes of residential accommodation on land within the [Argyll Estate Precinct](#).

D3.5 Private open space requirements

Exceptions

- Requirement No. (1) of this control does not apply to development for the purposes of a dual occupancy, dwelling house, semi-detached dwelling, attached dwelling or multi dwelling housing on land within the [Argyll Estate Precinct](#).

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Part E Environmental Controls

E4 Flooding

E4.2 Flood planning requirements- Residential and Tourist Development

Exceptions

- Requirement No. (4) of this control does not apply to development for the purposes of residential accommodation on land within the [Argyll Estate Precinct](#).

Part F General Development Controls

F3 Landscaping

F3.1 Landscaping requirements - general

Exceptions

- The requirements of this control do not apply to development for the purposes of a dual occupancy, dwelling house, semi-detached dwelling or secondary dwelling, except for development for the purposes of a dual occupancy on land within the [Argyll Estate Precinct](#).

Part I Schedule of Amendments

Schedule of Amendments to Coffs Harbour DCP 2015					
Amendment	Area	Name	Councils Decision	Date of Councils Resolution	Effective From
No. 34	Argyll Estate Precinct	Coffs Harbour DCP 2015 - Amendment No. 34 (Argyll Estate Precinct)	Approved	14 December 2023	12 February 2024

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