

## SECONDARY DWELLINGS

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## INTRODUCTION

Under KLEP, secondary dwellings may only be proposed within R2 and E4 zones. Secondary dwellings, as defined in KLEP, provide for an alternate housing choice within the Ku-ring-gai region.

This housing type caters for changing population demographics, particularly extended families, ageing parents and older children remaining at home. Secondary dwellings also give families the opportunity to use the accommodation as a source of secondary income in a changing economy. Secondary dwellings will provide an affordable housing type that is compatible with the surrounding residential character.

This Part provides guidance for development of secondary dwellings to meet the aims and objectives within the KLEP. It aims to provide a high residential amenity for occupants of secondary dwellings, while protecting the amenity of occupants of principal dwellings and neighbouring dwellings. All secondary dwellings are to be integrated into the existing single dwelling neighbourhood character through their location and appearance, and are required to be sympathetic to the principal dwelling in design and materials.

The contents within this Part do not, in any way, alter the need for the principal dwelling to comply with *Part 4 Dwelling Houses*.

**5A Site Design**

5A.1 General

5A.2 Site Layout

5A.3 Building Setbacks

READ WITH
<b>SECTION A</b> <b>PART 4 - Dwelling Houses</b> 4A.2: Building Setbacks 4A.3: Built-Upon Area 4A.4: Landscaping
<b>SECTION B</b> <b>PART 19 - Heritage Items and Heritage Conservation Areas</b>
<b>SECTION C</b> <b>PART 21 - General Site Design</b>



5A.1 GENERAL

Further controls that may apply

**SECTION A**  
**PART 4A.3 - Built-Upon Area**  
**PART 4A.4 - Landscaping**

**SECTION B**  
**PART 19D.5 - Secondary Dwellings within HCAs**

**Objectives**

- 1 *To ensure that secondary dwellings preserve the amenity and liveability of the principal and neighbouring dwellings.*
- 2 *To maintain the character of the streetscape.*
- 3 *To ensure the secondary dwelling does not confuse the interpretation of a heritage place.*

**Controls**

- 1 Only one principal dwelling and one secondary dwelling is permitted in a single lot.
- 2 The installation of a secondary dwelling is not to compromise the controls stated for the principal dwelling within Part 4 of this DCP. Parts 4A.3 and 4A.4 continue to apply to the site as a whole, and include all development on the site (the principal dwelling, secondary dwelling and any ancillary development).
- 3 All secondary dwellings are to be of a single level whether they are detached, integrated with the principal dwelling, or above an existing garage.
- 4 Where a secondary dwelling is proposed on a heritage property or in a Heritage Conservation Area it is to comply with the requirement of Part 19D.5 and Part 19 in general.

**Note:** All secondary dwelling developments are to comply with BASIX.

**Note:** All secondary dwelling developments are to comply with the stormwater requirements of the principal dwelling.

## 5A.2 SITE LAYOUT

Further controls that may apply	
	SECTION C PART 21 - General Site Design

### Objectives

- 1 To ensure the secondary dwelling has easy access and provides good amenity for occupants.
- 2 To retain the existing Ku-ring-gai landscape and neighbourhood character of a single dwelling in a garden setting.
- 3 To ensure that the secondary dwelling does not adversely impact the liveability and amenity of the principal dwelling.
- 4 To ensure that the secondary dwelling does not visually dominate the principal dwelling.

### Controls

- 1 A secondary dwelling may be detached from the principal dwelling in the form of:
  - i) a single storey separate structure located at ground level, within the land belonging to the principal dwelling and behind the front building line of the principal dwelling, refer *Figure 5A.2-1* or;
  - ii) a structure located above a detached garage associated with the principal dwelling and where the garage is behind the front building line, refer *Figure 5A.2-2*.
- 2 A secondary dwelling may be attached to the principal dwelling in the form of:
  - i) a single storey addition to the principal dwelling. Refer *Figure 5A.2-3*;
  - ii) incorporated within the principal dwelling in the form of internal modifications to the principal dwelling on the ground floor or first floor. Refer *Figures 5A.2-4* and *5A.2-5*.

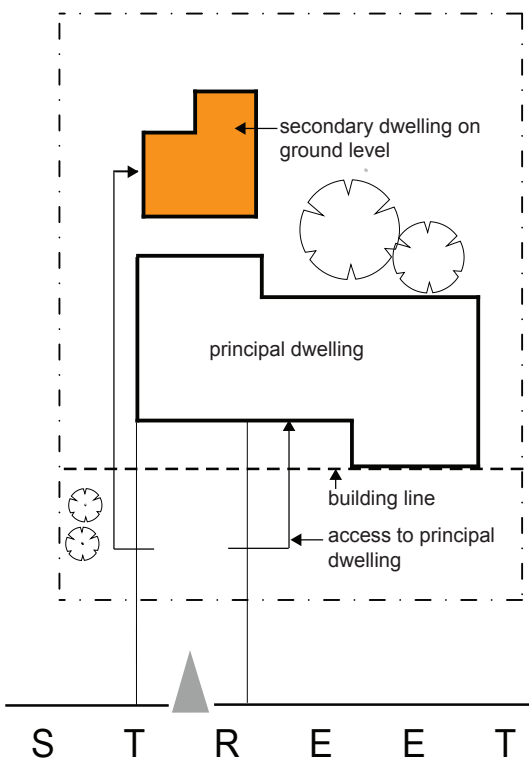


Figure 5A.2-1:  
Detached secondary dwelling within the principal dwelling site.

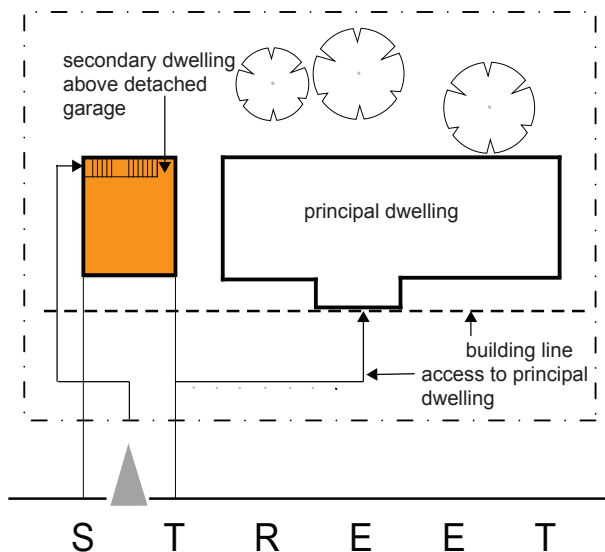


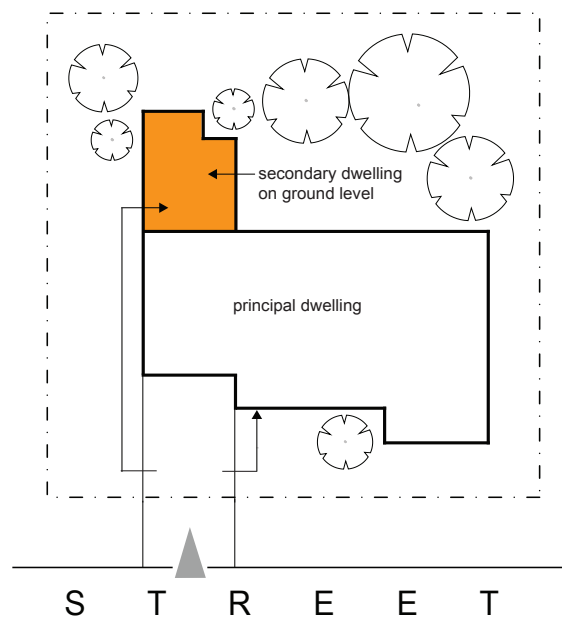
Figure 5A.2-2:  
Detached secondary dwelling above a detached garage.

## 5A.2 SITE LAYOUT (continued)

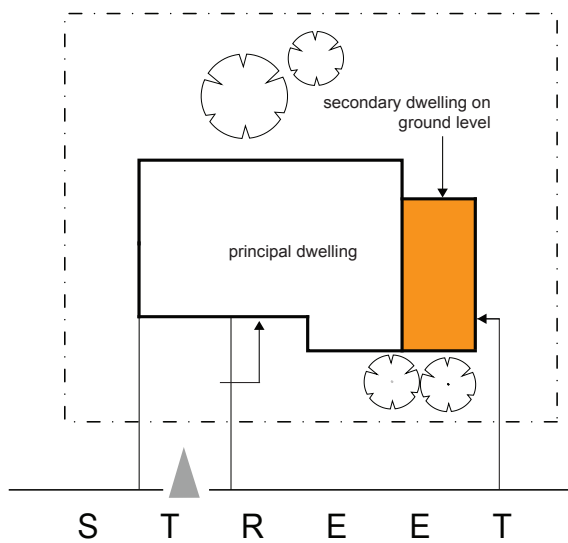
### Controls

- 3 A secondary dwelling may be allowed at the front of the principal dwelling only where it is attached to and integrated into the built form of the principal dwelling and does not read as a separate building or dwelling.

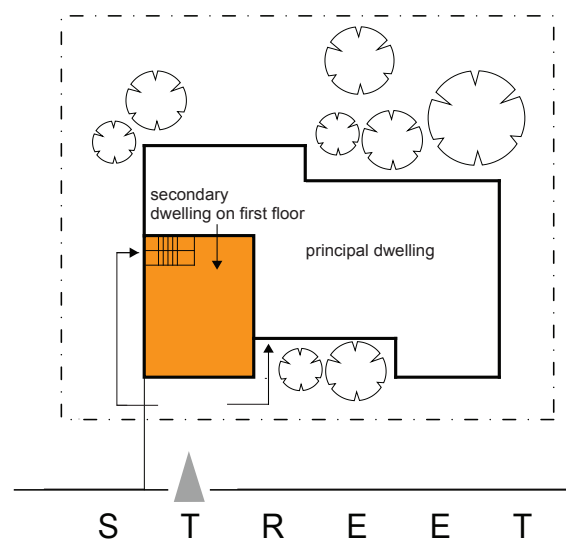
**Note:** In all cases, the secondary dwelling is to meet the set requirements.



**Figure 5A.2-3:**  
Attached secondary dwellings as an extension.



**Figure 5A.2-4:**  
Attached secondary dwelling incorporated within the principal dwelling on ground floor.



**Figure 5A.2-5:**  
Attached secondary dwelling incorporated within the principal dwelling on first floor.

### 5A.3 BUILDING SETBACKS AND SEPARATION

Further controls that may apply	
SECTION A PART 4A.2 - Building Setbacks	

**Objectives**

- 1 To protect the amenity of the occupants of the principal dwelling, the secondary dwelling and of neighbouring properties.
- 2 To ensure the secondary dwelling is ancillary to the principal dwelling.
- 3 To ensure the combined building works (principal and secondary dwelling) will not adversely impact the streetscape.
- 4 To ensure that setbacks provide sufficient area for access and planting.

**Controls**

- 1 Street and side setbacks for secondary dwellings are to comply with the street and side setbacks applicable to the principal dwelling as stated within Part 4A.2. Refer Figure 5A.3-1.
- 2 Rear setbacks for secondary dwellings are to be a minimum of 6m from the rear boundary. Refer Figure 5A.3-1 and Figure 5A.3-2.
- 3 Where there is a rear laneway or a rear street, setbacks to the lane or street are to be consistent with the setback pattern in the lane or street and
  - i) consider opportunities for surveillance; and
  - ii) consider amenity of the adjoining occupants.
- 4 The minimum building separation between a ground floor detached secondary dwelling and the principal dwelling is 4.0m. Refer to Figure 5A.3-2:

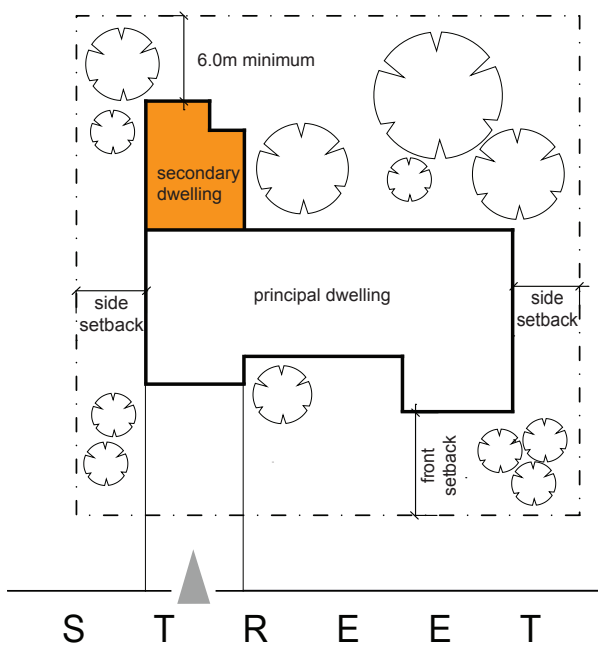


Figure 5A.3-1: Setback controls for attached secondary dwellings.

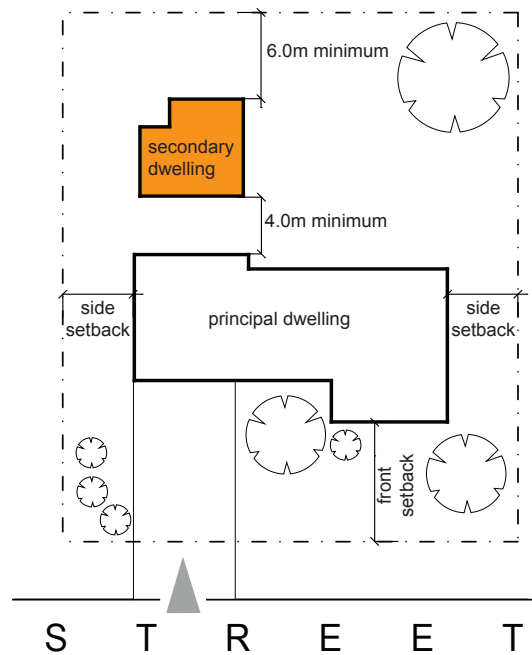


Figure 5A.3-2: Setback controls for ground floor detached secondary dwellings.

## 5A.3 BUILDING SETBACKS AND SEPARATION (continued)

### Controls

5 To ensure secondary dwelling above garages do not dominate or detract from the streetscape character.

5 Secondary dwellings will only be permitted above a detached garage accessed from a primary or secondary street where the side setback to the garage is 2.0m minimum from the adjoining property boundary and where the front setback of the garage is not forward of the principal dwelling building line. Refer Figure 5A.3-3 and Figure 5A.3-4.

Figure 5A.3-3: Setback controls for secondary dwellings above a detached garage.

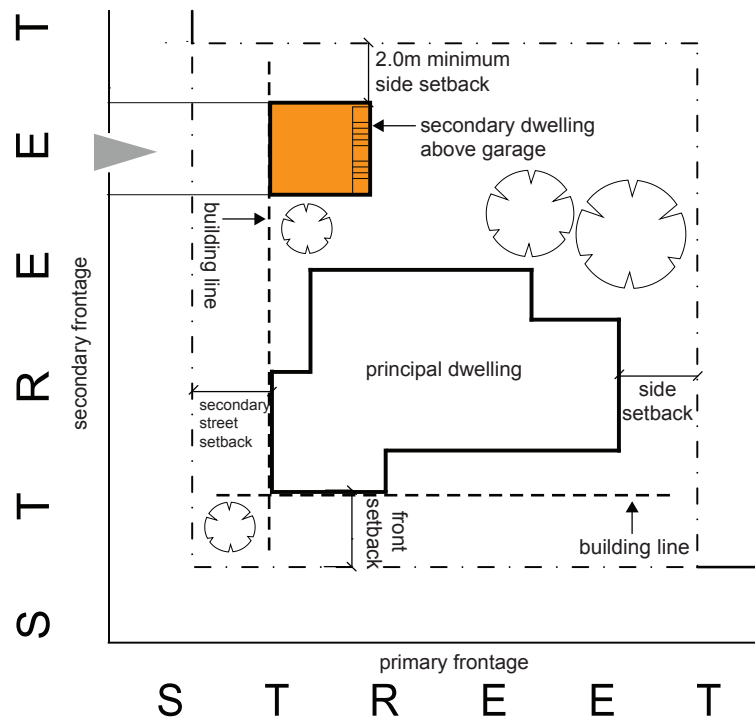
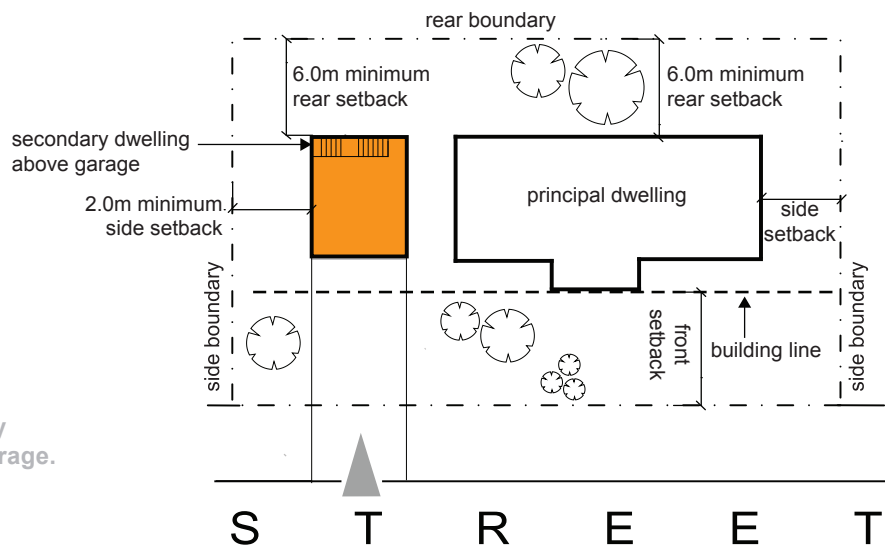


Figure 5A.3-4: Setback controls for secondary dwellings above a detached garage accessible from a secondary street.



### 5A.3 BUILDING SETBACKS AND SEPARATION (continued)

#### Controls

- 6 Secondary dwellings will only be permitted above a detached garage where the rear setback to the garage is 6.0m minimum from the adjoining property rear boundary. Refer *Figure 5A.3-3*.
- 7 Secondary dwellings above detached garages fronting a rear lane or street are to be integrated with the existing rear line or street character and not present as a 2 storey wall to the rear lane or street. This may be achieved by:
  - i) incorporating the secondary dwelling into the garage roof form.
  - ii) providing a step back to the secondary dwelling above the garage so that the garage reads as a single storey structure facing the rear lane or street.

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**5B Access and Parking**

5B.1 Access

5B.2 Car Parking Provision

READ WITH
<b>SECTION C</b> <b>PART 22 - General Access and Parking</b> 22.2: General Vehicle Access



## 5B.1 ACCESS

### Further controls that may apply

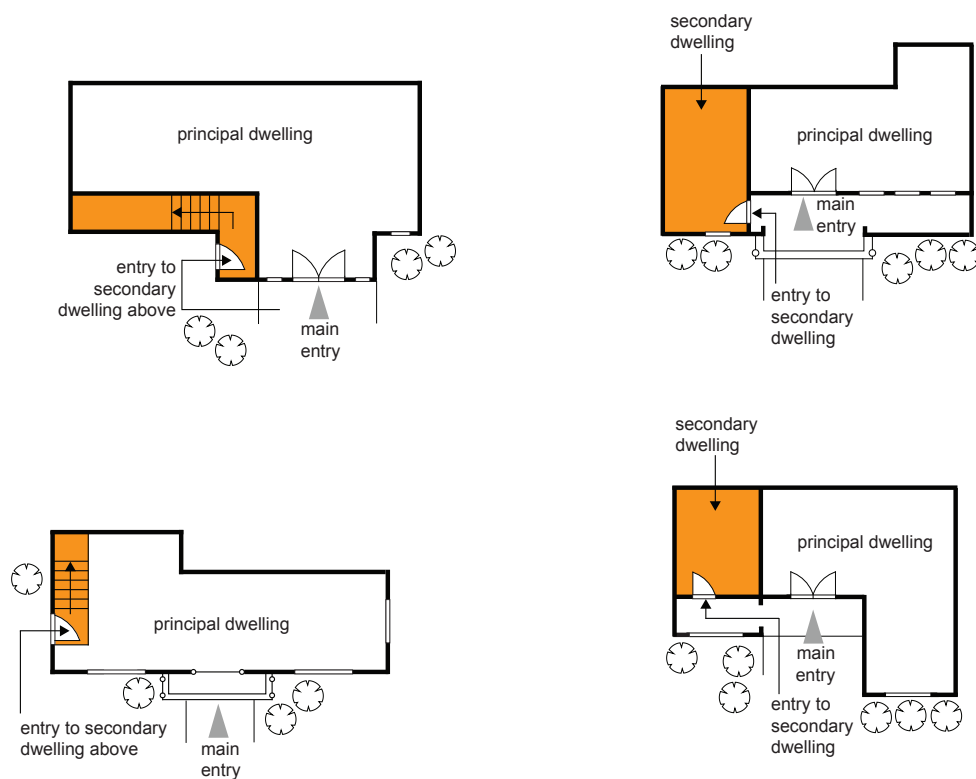
**SECTION C**  
**PART 22 - General Access and Parking**  
**PART 22.2 - General Vehicle Access**

### Objectives

- 1 To ensure safe and direct access is provided to the secondary dwelling from the street.
- 2 To allow easily identified street access points to the secondary dwelling and principal dwelling.
- 3 To maximise landscaping opportunities.
- 4 To minimise the impact on the neighbourhood character.

### Controls

- 1 The secondary dwelling is to have its own independent front door entry. Refer to *Figure 5B.1-1*.
- 2 Any access doorway into a secondary dwelling from within the principal dwelling is to adhere to fire and acoustic separation requirements stipulated in the relevant Australian Standards.
- 3 Secondary dwellings are to share the principal dwelling vehicular street entry point. No additional vehicular crossing will be permitted to the primary street frontage.
- 4 Access to parking spaces for both the secondary dwelling and principal dwelling is to be via a common or shared driveway.

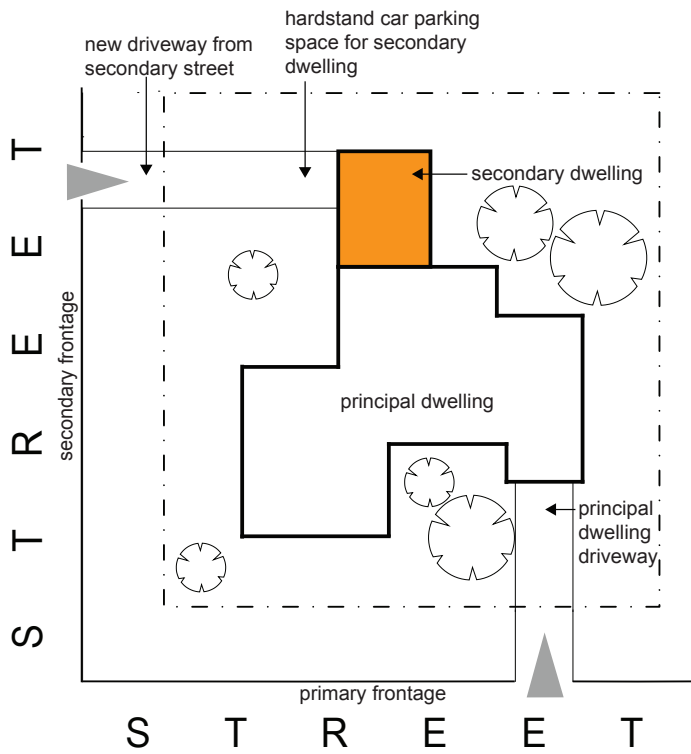


**Figure 5B.1-1:**  
**Secondary dwellings entries are subservient to the entry to the principal dwelling.**

### 5B.1 ACCESS (continued)

#### Controls

- 5 Where the principal dwelling has a secondary street frontage, a second vehicular access for the secondary dwelling may be considered. Refer to *Figure 5B.1-2*.



**Figure 5B.1-2:**  
Separate vehicle access for secondary dwelling from a secondary street.

## 5B.2 CAR PARKING PROVISION

### Objectives

- 1 *To minimise the impact of additional parking on the streetscape.*
- 2 *To enable functional off street car parking spaces for the principal and secondary dwelling.*

### Controls

- 1 Car parking for secondary dwellings is to be limited to an open hardstand area only (the car parking hardstand space is to be a minimum of 2.5m wide x 5.4m long). No garage or carport structure will be permitted.
- 2 Where possible, hardstand area for the secondary dwelling is to be screened by landscaping.
- 3 The parking space for the secondary dwelling is to have direct access that will not obstruct the driveway of the principal dwelling. Stacked car parking will not be permitted.
- 4 The following car parking rates are applicable for secondary dwellings:

Secondary dwelling accommodation	Min. car parking spaces required	Max. car parking spaces required
Studio/bedsit	0	1
1 bedroom	0	1
2 bedrooms	1 Or 0 - if within 400m walking distance of a railway station or a bus stop within a strategic bus corridor.	1

**Note:** Secondary dwelling parking requirements are in addition to the requirements for the principal dwelling.

**5C Building Design and Sustainability**

- 5C.1 Solar Access
- 5C.2 Private Open Space
- 5C.3 Building Envelopes
- 5C.4 Building and Room Sizes
- 5C.5 Building Appearance
- 5C.6 Building Services
- 5C.7 Visual and Acoustic Privacy
- 5C.8 Storage and Utility Areas

READ WITH
<b>SECTION A</b> <b>PART 4 - Dwelling Houses</b> 4C.1: Building Envelopes
<b>SECTION C</b> <b>PART 23 General Building Design and Sustainability</b> 23.8: General Acoustic Privacy 23.9: General Visual Privacy



## 5C.1 SOLAR ACCESS

### Objectives

- 1 *To ensure secondary dwellings have good internal amenity with direct access to daylight in all habitable rooms.*
- 2 *To ensure secondary dwellings do not negatively impact on solar access to the living areas or private open space of neighbouring properties.*
- 3 *To minimise the impact of new buildings and works on solar collection devices.*

### Controls

- 1 All habitable rooms of secondary dwellings are to have a window. The use of skylights or highlight windows as the primary source of daylight and ventilation is prohibited.
- 2 The secondary dwelling is to achieve at least 3 hours solar access between 9am and 3pm on 21<sup>st</sup> June to living areas and private open space unless no practicable alternative is available.
- 3 Secondary dwellings are to maintain at least 3 hours solar access between 9am and 3pm on the 21<sup>st</sup> June to the living spaces and private open spaces of the principal dwelling.
- 4 Secondary dwellings are to maintain at least 4 hours solar access between 9am and 3pm on the 21<sup>st</sup> June to the living spaces and private open spaces of the neighbouring dwellings.
- 5 Secondary dwellings are not to overshadow existing solar panels/ photovoltaic cells of the principal dwelling or neighbouring dwellings.
- 6 Where existing overshadowing by buildings is greater than that permitted in 5C.1(2-5) of this Part, sunlight is not to be reduced by more than 20%.



## 5C.2 PRIVATE OPEN SPACE

### Objectives

- 1 To provide useable outdoor space to all secondary dwellings.
- 2 To retain adequate private open space for the principal dwelling.

### Controls

- 1 Private open space for the secondary dwelling is to lead directly off the internal living area.
- 2 A secondary dwelling at ground level is to have a minimum nominated useable private open space area of 25m<sup>2</sup>, with a minimum dimension of 3.0 metres. This area may be located within the secondary dwelling setbacks.
- 3 Freestanding walls or fencing are not to be used to separate or screen the private ground floor open space of a secondary dwelling. Landscaping may be used as a screening device.
- 4 A secondary dwelling on the first floor level is to have an allocated private open space such as a balcony or terrace that is accessible directly from the living area. The minimum provision is indicated in the table below:

Type	Minimum Balcony/ Terrace Requirement	Minimum Dimension Requirement
Studio	8m <sup>2</sup>	2.4m
1 bedroom	10m <sup>2</sup>	
2 bedrooms	12m <sup>2</sup>	

- 5 Where a first floor secondary dwelling proposal demonstrates that it is unable to provide private open space upon the first floor, Council may consider provision of that space at the ground level in line with *5C.2 (2) of this Part*, at a location directly visible from the first floor living area of the secondary dwelling.
- 6 Private open space is to be orientated to receive a minimum 3 hours of solar access between 9am and 3pm on 21<sup>st</sup> June where practicable.

5C.3 BUILDING ENVELOPES

Further controls that may apply

SECTION A  
PART 4C.1 - Building Envelopes

Objectives

1 To ensure the secondary dwelling is integrated with the principal dwelling and does not dominate the principal dwelling.

Controls

1 Heights of all secondary dwellings attached and detached are to comply with the building height plane controls applicable to the principal dwelling as illustrated in Figure 5C.3-1, and as stated within Part 4C.1.

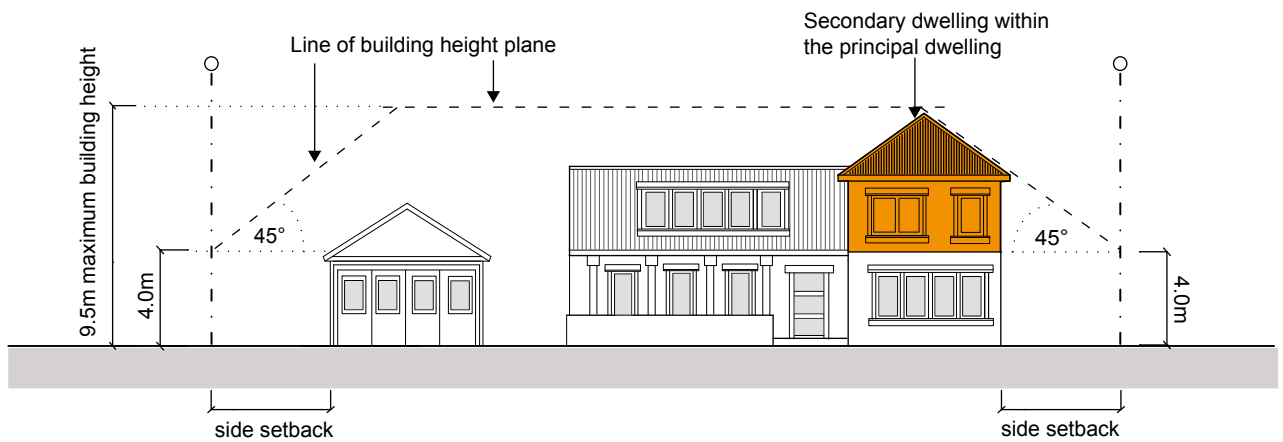


Figure 5C.3-1:  
Building height plane- secondary dwelling within the principal dwelling.

## 5C.4 BUILDING AND ROOM SIZES

### Objectives

- 1 To protect the streetscape and the amenity of neighbouring properties by controlling building bulk and scale and associated overlooking.
- 2 To ensure that the secondary dwelling has functional internal areas with high amenity.

### Controls

- 1 The minimum floor area for a secondary dwelling is 40m<sup>2</sup> except where the secondary dwelling is located over an existing double garage where the application will be considered on merit.
 

**Note:** The maximum floor area of a secondary dwelling is referred to in Clause 5.4(9) of KLEP which states: *If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:*

  - (a) 60 square metres,
  - (b) 25% of the total floor area of the principal dwelling.
- 2 A maximum of two bedrooms are permitted within the secondary dwelling.
- 3 All bedrooms and living spaces are to have a minimum plan dimension of 3m, excluding wardrobe space. Refer Figure 5C.4-1.
- 4 The secondary dwelling is to function as an independent dwelling, and include a kitchen, bathroom and laundry.

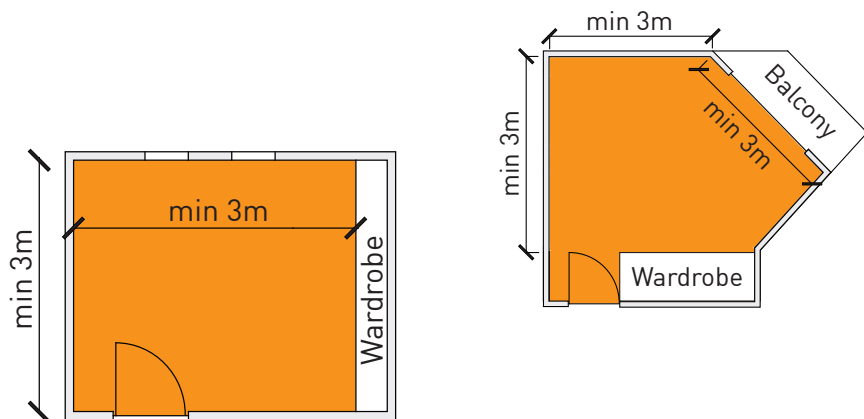


Figure 5C.4-1:  
Minimum plan dimension 3m x 3m for habitable rooms

## 5C.5 BUILDING APPEARANCE

### Objectives

- 1 *To ensure the streetscape and dwelling character of the neighbourhood is maintained.*
- 2 *To integrate attached secondary dwellings with the principal dwelling, so that it appears as a single house when viewed from the street.*
- 3 *To ensure that detached secondary dwellings are visually linked to the principal dwelling.*

### Controls

- 1 The secondary dwelling is to incorporate similar or complementary design and construction features, finishes, materials and colours to the principal dwelling.
- 2 Attached secondary dwellings are to be integrated into the principal dwelling and to maintain the appearance of a single house by utilising similar proportions, height, roof shape, fenestration, material and finishes as the principal dwelling.
- 3 Detached secondary dwellings are to be sympathetic to the design of the principal dwelling in terms of its roof shape, fenestration, materials and finishes.
- 4 The entry to the secondary dwelling is not to conflict with the prominence of the entry to the principal dwelling (Refer *Figure 5C.5-1*).

## 5C.6 BUILDING SERVICES

### Objectives

- 1 *To ensure the secondary dwelling and the principal dwelling are able to operate as independent dwellings.*
- 2 *To encourage the conservation of water and energy.*

### Controls

- 1 Services provided to the secondary dwelling are to include:
  - i) water and sewerage;
  - ii) electricity;
  - iii) gas;
  - iv) telephone and internet;
  - v) waste storage and collection;
  - vi) letterbox.
- 2 Separate provision and metering of water, electricity and gas are to be provided to ensure the secondary dwelling may be billed separately by infrastructure providers.

5C.7 VISUAL AND ACOUSTIC PRIVACY

Further controls that may apply

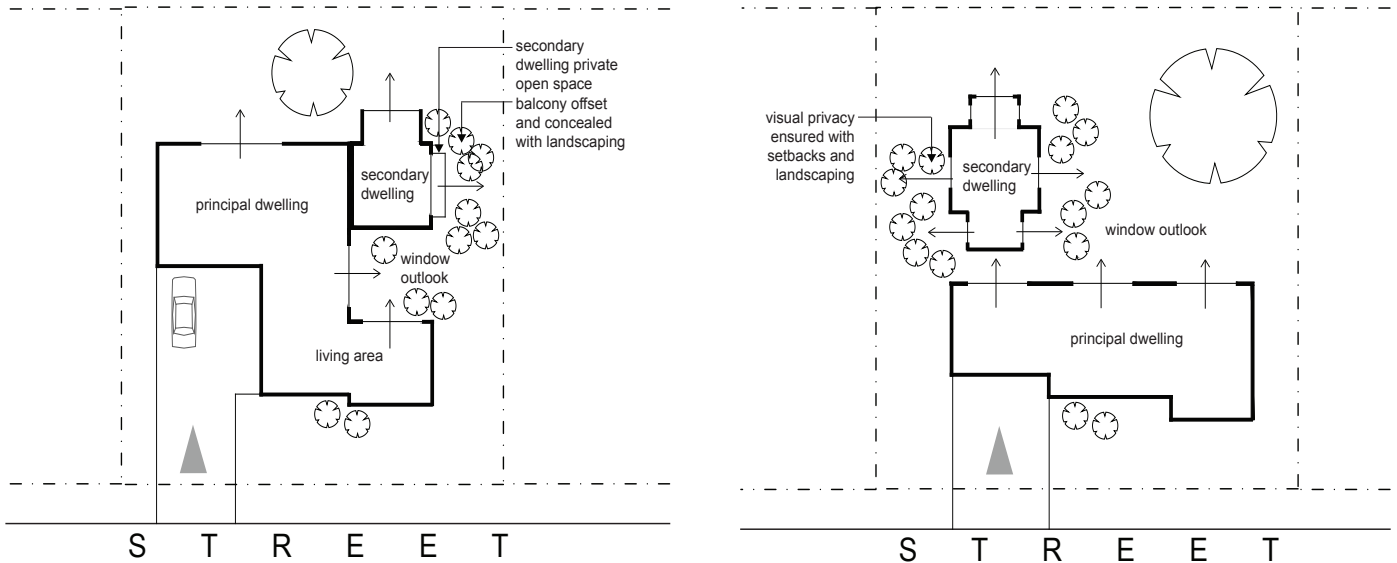
**SECTION C**  
**PART 23.8 - General Acoustic Privacy**  
**PART 23.9 - General Visual Privacy**

**Objectives**

- 1 To maintain the visual and acoustic privacy of the occupants of principal and neighbouring dwellings.
- 2 To ensure visual and acoustic privacy for occupants of the secondary dwelling.

**Controls**

- 1 Windows and private open space areas of secondary dwellings are to protect the privacy of the principal dwelling and of neighbouring properties. Methods of achieving this include, but are not limited to, the following:
  - i) locate private open space, balconies and windows so that they do not look into the principal or neighbouring dwellings, refer to *Figure 5C.7-1*;
  - ii) offset windows / balconies / private open space to avoid overlooking and privacy intrusion.
- 2 Noise generating equipment related to the secondary dwelling is to be located away from the bedroom windows of the secondary dwelling, the principal dwelling and neighbouring dwellings.
- 3 For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of this DCP.
- 4 Floors, walls and doors that connect the secondary dwelling to the principal dwelling are to meet the noise transmission and insulation requirements of the BCA and AS 2107 (1987).



**Figure 5C.7-1:**  
 Windows, balconies, private open space must be located to avoid visual intrusion.

## 5C.8 STORAGE AND UTILITY AREAS

### Objectives

- 1 To ensure storage provision and access to a utility area.

### Controls

- 1 All secondary dwellings are to provide internal storage space in accordance with the following table:

Type	Minimum storage space requirement
Studio	3m <sup>3</sup>
1 Bedroom	6m <sup>3</sup>
2 Bedroom	8m <sup>3</sup>

- 2 Where separate clothes lines and bins storage areas are provided for the secondary dwelling, they are:
  - i) to be screened so that they are not visible from the street;
  - ii) to be screened from the principal dwelling; and
  - iii) not to compromise the amenity of entry into the secondary dwelling.

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