Report of Development Application

Environmental Planning and Assessment Act 1979

Application Details	Application Number	*DA24/0103*	Applicant	*WA Walker* *42 Nagle St* *EAST WAGGA WAGGA NSW 2650*
	Date of Lodgement	*14/03/2024*		
	Proposal	*Patio*	Description of Mod.	N/A
	Development Cost	*$13265*	Other Approvals	Nil

Site Details	Subject Land	*18 Flack Cres* *BOOROOMA NSW 2650* *Lot 32 DP 1193816*	Owner	*DAJ Smith & ET Mowett*

Recommendation: The application be approved subject to conditions of consent as detailed in the draft Notice of Determination.

Delegation to Determine Application:- Officer Delegation 7.39

Report Prepared by:

Giles Wong
Cadet Town Planner

Date:18/04/2024

Report Approved by:

Emma Molloy
Senior Town Planner

Date: 19.04.2024

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☒ Section 4.55 Modification of Consent

☐ Section 4.15(1) Matters for consideration - general

Description	Patio

Matters for consideration

GIS & System Check	Section 4.15(1) *EP&A Act 1979*	Issue	Legislative Provisions	Not Relevant	Satisfactory	Comment
✔	(b) (c) (e)	**DA History**		○ *NR*	● *Sat*	CDC15/0013 – Swimming pool CDC14/0178 – Dwelling & garage

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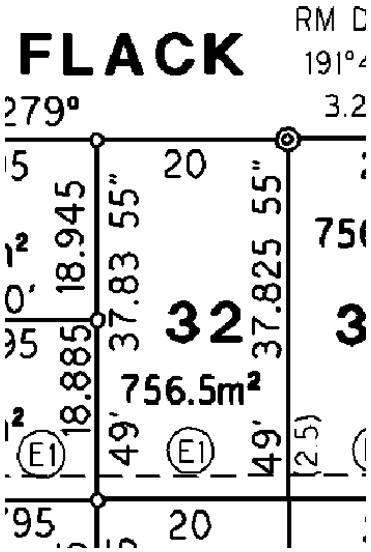
LEP 2010 Zones	(a)(i) (b) (c) (e)	**Zoning**	**LEP** 2.2 Zoning of land to which Plan applies 2.3 Zone objectives and Land Use Table	○ NR	● Sat	Zoning of land (cl 2.2): R1 The development is permissible in the zone (cl. 2.3(1)) The development is consistent with the following objectives of the zone (cl. 2.3(2)): • To provide for the housing needs of the community. • To provide for a variety of housing types and densities.
Land Parcels & DP	(b) (c) (e)	**Land Title** Correct legal description and ownership Easements & Building Envelopes Open Deposited Plan (including 88b) Registered title (deferred commencement)		○ NR	● Sat	Land is lot 32  There is a sewer easement along the rear of the lot. The proposal is not within close proximity of the easement.

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LEP 2010 Listed item and Conservation	(a)(i) (a)(iii) (b) (c) (e)	**Heritage** Conservation Area Listed item *DCP 3 Heritage Conservation*		● NR	○ Sat	
			LEP 5.10 Heritage conservation	● NR	○ Sat	
LEP 2010 Urban release Area	(a)(i) (b) (c) (e)	**Urban Release Area**	**LEP** 6.2 Public utility infrastructure	○ NR	● Sat	
			LEP 6.3 Development control plan	○ NR	● Sat	
Natural resource Sensitivity	(a)(i) (a)(iii) (b) (c) (e)	**Natural Resource Sensitivity** *DCP 5.4 Environmentally sensitive land*	**LEP** 7.3 Biodiversity	○ NR	● Sat	The development is proposed over existing hardstand area, therefore no vegetation is required to be removed and there will be no additional impact to biodiversity.
			LEP 7.4 Vulnerable land	● NR	○ Sat	
			LEP 7.5 Riparian lands and waterways	● NR	○ Sat	
			LEP 7.6 Groundwater vulnerability	● NR	○ Sat	
Flooding (including MOFFS)	(a)(i) (a)(iii) (b) (c) (e)	**Flooding** Overland flow *DCP 4.2 Flooding*		○ NR	● Sat	The site is not mapped as being subject to flooding, therefore, no flood controls apply to the lot.
			LEP 5.21 Flood Planning	● NR	○ Sat	

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Bushfire Prone Land	(a)(iii) (b) (c) (e)	**Bushfire** *DCP 4.1 Bushfire*		○ *NR*	● *Sat*	See discussion under 4.1.
Environmental - Contaminated Land & PFAS	(a)(i) (b) (c) (e)	**Contaminated Land** PFAS Study Area Site observations	**SEPP (Resilience and Hazards) 2021**	○ *NR*	● *Sat*	There is no indication that the site has previously been occupied by any use that could have led to contamination of the site. Furthermore, the land is not identified on Councils register of contaminated sites.
Airport Constraints	(a)(i) (b) (c) (e)	**Airport Constraints**	**LEP** 7.11 Airspace operations	○ *NR*	● *Sat*	
			LEP 7.12 Development in areas subject to aircraft noise	○ *NR*	● *Sat*	

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Assets – Sewer and Stormawater	(b) (c) (e)	**Services/Utilities** (Septic area? Health referral)) Sewer/stormwater infrastructure (Build over, encroachment, earthwork impacts) Stormwater issues – overland flow Electricity infrastructure (including setbacks to substations) (Transport/infrastructure SEPP referral)		○ NR	● Sat	
Aerial Imagery (*Topographic – Hydrology)	(b) (c) (e)	**Existing site conditions** Buildings on site Retaining walls Cut and fill Deposited fill Boundary fencing and walls Private open space Vegetation *Proximity to natural waterways Other observations		○ NR	● Sat	Site visit undertaken on: 5/04/2024

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Aerial Imagery (*Topographic – Hydrology)	(b) (c) (e)	**Off site observations** Buildings Window locations Private open space Retaining walls Cut and fill Boundary fencing and walls Vegetation *Proximity to natural waterways Other observations		○ *NR*	● *Sat*	
	(a)(iii) (b) (c) (e)	**Traffic, access and parking** Manoeuvring Site Distance Issues Driveway grade Check Driveway location and grade • Side entry pit • Service lids/pits • Poles/turrets/substations • Street Trees ***DCP*** *2.1 Vehicle access and movements* *9.3.6 Front setbacks*		○ *NR*	● *Sat*	

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	(a)(iii) (b) (c) (e)	**Context, setting and streetscape** *DCP* *9.2.2 Streetscape* *9.2.3 Corner lots and secondary facades* *9.2.4 Sloping Sites* *9.3.1 Site area per dwelling* *9.3.2 Site cover* *9.3.6 Front setbacks* *9.3.7 Side and rear setbacks* *9.4.1 Building elements* *9.4.2 Materials and finishes* *9.4.4 Garages, carports, sheds and driveways* *9.4.5 Site facilities*		○ *NR*	● *Sat*	
	(a)(iii) (b) (c) (e)	**Public Domain** Impact on street or adjoining public place Condition/Dilapidation Construction access *DCP* *2.7 Development adjoining open space* *9.4.5 Site facilities*		○ *NR*	● *Sat*	
	(a)(iii) (b) (c) (e)	**Safety, security and crime prevention** *DCP 2.5 Safety and security*		○ *NR*	● *Sat*	

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	(a)(iii) (b) (c) (e)	**Site and internal design** *DCP* *9.2.1 Site layout* *9.4.1 Building elements* *9.4.4 Garages, carports, sheds and driveways*		○ *NR*	● *Sat*	
	(a)(iii) (b) (c) (e)	**Solar impact** *DCP* *9.3.4 Solar access* *9.3.7 Side and rear setbacks*		○ *NR*	● *Sat*	
	(a)(iii) (b) (c) (e)	**Visual Privacy** Private open space Boundary fencing and screening *DCP* *9.3.5 Private open space* *9.3.7 Side and rear setbacks* *9.4.3 Privacy*		○ *NR*	● *Sat*	
	(a)(i) (b) (c) (e)	**Noise and Vibration** Acoustic privacy conflicts Impacting nearby land uses (Rail, Road, Transport and Infrastructure SEPP referrals)		○ *NR*	● *Sat*	

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	(a)(i) (b) (c) (e)	**Air and microclimate** Impacting nearby land uses (Rail, Road, Transport and Infrastructure SEPP referrals)		○ NR	● Sat	
	(a)(i) (a)(iii) (b) (c) (e)	**Earthworks and Soils** Cut and fill Stability and erosion control Stormwater quality *DCP* *9.4.6 Changing the landform – cut and fill*		○ NR	● Sat	
			LEP 7.1A Earthworks	○ NR	● Sat	
	(b) (c) (e)	**Landscaping**		● NR	○ Sat	
	(b) (c) (e)	**Waste** Construction waste management Asbestos		○ NR	● Sat	
	(a)(iii) (b) (c) (e)	**Energy & Water** *DCP* *9.3.7 Side and rear setbacks* *9.4.1 Building elements* *9.4.2 Materials and finishes*		○ NR	● Sat	

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	(a)(i) (b) (c) (e)	**BASIX** *(Use assessment checklist)*	**State Environmental Planning Policy (Sustainable Buildings) 2022**	● NR	○ Sat	
	(b) (c) (e)	**Other hazards** Natural Technological		○ NR	● Sat	
	(a)(iii) (b) (c) (e)	**Flora and Fauna** (on and off-site) Check for native veg requirements (R5 and RU4 Land) *DCP* *5.2 Preservation of trees* *5.3 Native Vegetation Cover*		○ NR	● Sat	
			Section 1.7 (EP&A Act) and Part 7 of the Biodiversity Conservation Act 2016 *Test for determining whether proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats)*	○ NR	● Sat	Section 1.7 (EP&A Act) and Part 7 of the Biodiversity Conservation Act 2016 (Test for determining whether proposed development or activity likely to significantly affect threatened species or ecological communities, or their habitats) There are a number of tests to determine whether the proposal triggers the NSW Biodiversity Offset Scheme under the NSW Biodiversity Conservation Act 2016 and results in the need for further assessments or offsets. 1. *Is the subject site identified as an area of outstanding biodiversity value on the biodiversity values map?* No

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						2. *Does the amount of native vegetation being removed exceed the biodiversity offsets scheme threshold?* No native vegetation is proposed to be removed. 3. *Test of Significance - the test to determine whether the proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats.* Given that no native vegetation is being removed and in the absence of any recorded endangered flora or fauna on the site of the proposed development, it is not anticipated that the development will significantly affect threatened species or ecological communities or their habitats. Based on the above assessment it is satisfied that the development will not trigger the Biodiversity Offset Scheme.
	(b) (c) (e)	**Social and economic impacts**		○ *NR*	● *Sat*	
	(b) (c) (e)	**Facilitation of Ecologically Sustainable Development**		○ *NR*	● *Sat*	

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	(a)(i) (b) (c) (e)	**Other LEP Clauses**	**LEP** 2.7 Demolition requires development consent	● NR	○ Sat	
			LEP 4.3 Height of buildings	○ NR	● Sat	
			LEP 7.9 Primacy of Zone E2	○ NR	● Sat	
			LEP 4.2A Erection of dwelling houses and dual occupancies on land in certain residential, rural and environmental protection zones	● NR	○ Sat	
			LEP 5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	● NR	○ Sat	
			Other Clauses	● NR	○ Sat	
	(a)(i) (b) (c) (e)	**Other EPIs**	SEPP (Transport and Infrastructure) 2021	● NR	○ Sat	
			SEPP (Precincts - Regional) 2021	● NR	○ Sat	

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			Other SEPPs	● NR	○ Sat	
	(a)(ii) (b) (c) (e)	**Draft EPIs**		○ NR	● Sat	There are a number of state environmental planning policies currently subject to review, including some which have involved consultation and notification. None of these are applicable to this application.
	(a)(iiia) (e)	**Planning agreements**		● NR	○ Sat	No related planning agreement has been entered into under section 7.4.
	(d) (e)	**Submissions**		○ NR	● Sat	Nil
	(e)	**Section 68 Application made as part of DA**	*Local Government Act 1993*	● NR	○ Sat	
	(e)	**Section 7.11 Contributions** (Local Infrastructure Contributions Plan 2019 - 2034)	*EP&A Act 1979*	● NR	○ Sat	
	(e)	**Section 7.12 Contributions** (Local Infrastructure Contributions Plan 2019 - 2034)	*EP&A Act 1979*	● NR	○ Sat	
	(e)	**Section 64 sewer** (Development Servicing Plan – Sewerage Services – July 2013)	s64 *LG Act 1993* & s306 *Water Management Act 2000*	● NR	○ Sat	
	(e)	**Section 64 stormwater** (Development Servicing Plan – Stormwater – November 2007)	s64 *LG Act 1993* & s306 *Water Management Act 2000*	● NR	○ Sat	The lot was created post 12/9/84 and therefore no contribution is required.
	(a)(iv) (e)	**The Regulation – Prescribed Matters**		○ NR	● Sat	

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		EP&A Regulation 2021	cl.61(1) - Demolition of a building, the provisions of AS 2601 *(ensure condition included requiring compliance with standard)*	● NR	○ Sat	
			cl.64 - Require existing building to be brought into total or partial conformity with BCA *(check with Building Surveyor for development proposing the rebuilding, alteration, enlargement or extension of an existing building)*	● NR	○ Sat	
	(a)(iv) (e)	**The Regulation – Prescribed Conditions** *(ensure conditions of consent included)*	EP&A Regulation 2021	○ NR	● Sat	
	(e)	**Other regulation matters**	EP&A Regulation 2021	○ NR	● Sat	
	(e)	**Council Policies**		○ NR	● Sat	**Policy 046** - Processing Development Applications lodged by Councillors, staff and individuals of which a conflict of interest may arise, or on Council owned land. No declaration has been made that would require action under this policy.
	(e)	**Other public interest matters**		○	●	It is considered that this application will not

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				NR	Sat	have a detrimental effect on the public interest.

Development Control Plan 2010 *Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979*			
DCP Section (Objectives and Controls) (☒ section not relevant)	**Not Relevant**	**Satisfactory**	**Comment**

☐ **1.10 Notification of a Development Application**

Compliance with the advertising and notification procedures detailed in this section of the DCP	○ NR	● Sat	In accordance with the Council's advertising and notification provisions outlined in Section 1.10 of the WWDCP the application was not required to be notified.

☒ **1.11 Complying with the Wagga Wagga Development Control Plan 2010**

☒ **2.1 Vehicle access and movements**

☒ **2.2 Off-street parking**

☒ **2.3 Landscaping**

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2.5 Safety and security

O1 Incorporate crime prevention strategies in new developments. *O2 Encourage active, pedestrian oriented environments where developments are designed to integrate into the public domain.* *O3 Maximise opportunities for natural surveillance of public spaces and building or site entrances.*	C1 Use good site planning to clearly define public, semi-public and private areas.	○ NR	● Sat	
	C2 Entries are to be clearly visible and identifiable from the street, and are to give the resident/occupier a sense of personal address and shelter. For non-residential uses, administration offices or showroom are to be located at the front of the building.	● NR	○ Sat	
	C3 Minimise blank walls along street frontages.	● NR	○ Sat	
	C4 Avoid areas of potential concealment and 'blind' corners.	○ NR	● Sat	
	C5 Provide lighting to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. The lighting is to be designed and sited to minimise spill and potential nuisance to adjoining properties.	● NR	○ Sat	
	C6 Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.	● NR	○ Sat	
	C7 Where a site provides a pedestrian through route the access path is to be clearly defined and sign posted, appropriately lit, and have satisfactory visibility.	● NR	○ Sat	
	C8 Locate public toilets and rest areas to promote their use, and maximise public surveillance without creating visual intrusion.	● NR	○ Sat	

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☐ 2.6 Erosion and sediment control

O1 Protect the environment against soil erosion and loss of soil from construction sites. *O2 Prevent the degradation of drainage systems, waterways and aquatic environments from deposition of soil and foreign material from construction sites.* *O3 Prevent flood damage of individual properties caused by sediment reducing the flow capacity of the stormwater drainage system.* *O4 Promote the implementation of erosion and sediment control measures by persons undertaking construction and earthworks activities to prevent the loss of soil from the site.*	Consistent with the objectives of this section of the DCP.	○ *NR*	● *Sat*	

☒ 2.7 Development adjoining open space

☒ 3 Heritage Conservation

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4.1 Bushfire

O1 Minimise risk to life, property and the environment from bush fire. *O2 Ensure compliance with statutory obligations for development in bush fire prone areas.*	C1 Applications are to satisfy the relevant provisions of *Planning for Bush Fire Protection 2019* (or any later versions) and Australian Standard: 3959 Construction of Buildings in Bush Fire Prone Areas.	○ *NR*	● *Sat*	The site is in close proximity to mapped bushfire prone land. Development in bush fire prone areas is subject to Planning for Bush Fire Protection 2019 (or any later versions) and Australian Standard: 3959 Construction of Buildings in Bush Fire Prone Areas (AS: 3959). The proposal is on a residential allotment that is in close proximity to open grassland to the north. As such, the development must comply with the grassland deeming provisions outlined under 7.9 of the PBP. **North** – A road reserve containing Flack Crescent & Farrer Road is directly adjacent to the north. The mapped grassland threat is approximately 60 metres to the north on flat land at the other side of the road reserve. In accordance with table A1.12.6 of Planning for Bush Fire Protection 2019, no BAL applies to the proposal. **South, East & West** – Managed land exists (residential properties) As the closest threat to the development is grassland on flat land at a distance of 60m from the structure, no BAL applies to the proposal.

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	C2 Where required, a clear separation is to be provided between buildings and bushfire hazards in the form of a fuel-reduced Asset Protection Zone (APZ). In all cases the APZ is to be located wholly within the land zoned Residential. Refer to the requirements of Planning for Bush Fire Protection 2019.	○ NR	● Sat	

☒ 4.2 Flooding

☒ 5.1 Development on ridges and prominent hills

☒ 5.2 Preservation of trees

☒ 5.3 Native Vegetation Cover

☐ 5.4 Environmentally sensitive land

O1 To support the controls and objective for both the C2 and C4 Zone and the provisions in Clauses 7.3 to and inclusive of Clause 7.6 of the LEP. *O2 Protect, maintain or improve the diversity of the native flora and fauna.* *O3 Protect the ecological processes necessary for their continued existence.* *O4 Encourage the recovery of threatened species,*	C1 Development is to be consistent with any Conservation Management Plan prepared for land in the C2 zone.	● NR	○ Sat	
	Land Identified as "Biodiversity" on the Terrestrial Biodiversity Map (WWLEP 2010 Clause 7.3)	○ NR	● Sat	
	Land Identified as "Vulnerable Land" on the Vulnerable Land Map (WWLEP 2010 Clause 7.4)	● NR	○ Sat	
	Land Identified as "Waterway" on the Water Resources Map (WWLEP 2010 Clause 7.5)	● NR	○ Sat	
	Land Identified as "Groundwater" on the Water Resources Map (WWLEP 2010 Clause 7.6)	●	○	

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communities or populations and their habitats. *O5 Protect, maintain or improve the diversity and stability of landscapes.*		*NR*	*Sat*	

☒ 6 Villages

☒ 8 Rural Development

☒ 9.1.5 R3 Zone – Staunton Estate

☐ 9.2.1 Site layout

O1 Encourage site responsive development that is compatible with existing or desired built form. *O2 Facilitate sustainable development through passive solar design.* *O3 Integrate landscaping and built form.* *O4 Encourage designs which respond to the physical context and characteristics of the particular site.* *O5 Encourage design that maximises the opportunity for*	C1 Use site characteristics such as trees, changes in level or rock outcrops as features within the site layout.	○ *NR*	● *Sat*	
	C2 Integrate access, landscaping and services in the site layout, avoiding underutilised spaces.	○ *NR*	● *Sat*	
	C3 Orient living spaces to maximise solar access.	● *NR*	○ *Sat*	
	C4 Facilitate natural cross ventilation within dwellings through the location of windows and doors.	● *NR*	○ *Sat*	

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passive surveillance of communal spaces from private living areas.				

☐ 9.2.2 Streetscape

O1 Encourage compatibility with existing built form. *O2 Encourage attractive streetscapes.* *O3 Ensure a strong street edge with good definition between the public and private domain.* *O4 In locations where front fences are an important feature of the established streetscape, ensure that new fences complement the character of the streetscape.*	C1 Provide a street address and front elevation that is consistent with the predominant scale, rhythm and form of the street.	○ NR	● Sat	
	C2 Front fence height forward of the building line is not to exceed 1200mm. However, a side boundary fence forward of the building line may be permitted to taper from the maximum permitted height (1.8 metres) at the building line down to the 1200mm maximum permitted height at the front boundary.	● NR	○ Sat	
	C3 Fence height at and behind the building line is not to exceed 1800mm in height.	● NR	○ Sat	
	C4 The majority of windows in dwelling wall which face the street should be windows of habitable rooms.	● NR	○ Sat	

☒ 9.2.3 Corner lots and secondary facades

☐ 9.2.4 Sloping sites

O1 Encourage site responsive development.	C1 Use pier, split level or suspended floor designs on sloping sites.	○ NR	● Sat	The building design is appropriate to the site and generally meets the objectives.

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O2 Encourage building design that is appropriate to the site conditions. *O3 If an alternate design is possible, avoid development that would require cutting into the site.*				

☒ 9.3.1 Site area per dwelling

☐ 9.3.2 Site cover

O1 Ensure that development sites are of sufficient size for dual occupancy, multi dwelling housing and residential flat developments. *O2 Ensure adequate areas for access, parking, landscaping, useable garden and outdoor areas and natural runoff.* *O3 Retain compatibility with site context and avoid over development resulting from excessive site cover.*	C1 Maximum site cover is to be in accordance with Table 9.3.2a, except for land under C2.	○ *NR*	● *Sat*	
	C2 Maximum site cover for any development type on land within the black edging indicated on the maps shall have a maximum site cover of 50%, unless a greater site cover is allowed for under C1.	○ *NR*	● *Sat*	

☐ 9.3.4 Solar access

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O1 Ensure that the amenity of the occupants of dwellings is achieved by designing so that they receive adequate daylight and natural ventilation to habitable rooms and sunlight to private open space areas. *O2 Ensure non-habitable rooms such as garages, laundries and bathrooms are positioned so that living areas, open space and habitable rooms receive maximum winter solar access and ventilation.* *O3 Maintain reasonable sunlight access to adjoining properties.*	C1 Locate garages, laundries and bathrooms to provide insulation from western sun.	● NR	○ Sat	
	C2 Locate living areas and private open space to ensure orientation to the north and north east where possible.	● NR	○ Sat	
	C3 Building design and site layout is to ensure adequate sunlight access to the internal living spaces and private open space of the proposed development.	○ NR	● Sat	
	C4 Variations can be considered to C1, C2 and C3 where it can be demonstrated that site constraints, existing built form and good design practices limit the ability of the proposal to comply with these controls.	● NR	○ Sat	
	C6 For any adjacent dwellings that have north facing living areas, maintain 3 hours sunlight access to the windows of the living areas between 9am and 3pm in mid-winter (June 22).	○ NR	● Sat	
	C7 Variations to C6 above can be considered where it can be demonstrated that any form of reasonable development on the lot would cause non-compliance with C6. In this instance the impacts are to be minimised where possible.	● NR	○ Sat	
	C8 Proposed development design should take into account the location of any adjacent private open space and avoid excess overshadowing of that space.	○ NR	● Sat	

9.3.5 Private open space

O1 Provide quality, useable private open space.	C1 At least 24m2 of private open space is required per dwelling. The private open space is to be directly	○ NR	● Sat	

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O2 Ensure adequate areas for recreation and outdoor living. *O3 Encourage good connection between dwellings and private open space.*	accessible to the main living area and have a minimum dimension of 4m.			
	C2 Enclosure of approved private open space will be permitted, however at least one side of the approved private open space is to remain open. Roofing of approved private open space is permitted provided that BASIX requirements are not compromised.	● NR	○ Sat	
	C3 Use screening where necessary to ensure the privacy of private open space areas.	● NR	○ Sat	

☒ 9.3.6 Front setbacks

☐ 9.3.7 Side and rear setbacks

O1 Ensure adequate separation between buildings for landscaping, privacy, natural light and ventilation. *O2 Ensure new development continues the rhythm or pattern of development in the locality.* *O3 Provide access for maintenance.* *O4 Building setbacks from the side and rear boundaries shall have careful regard to the impact of proposed structures on adjoining landowners.*	C1 The rear setback for detached secondary dwellings is determined by site conditions and the setbacks of similar structures on adjoining and nearby sites.	● NR	○ Sat	Side and rear setbacks comply with the objectives.
	C2 Any point of a building must have a setback from the side boundary nearest to that point of at least: a) If the lot is in Zone R5 a setback of 2m, or b) If the lot is in Zone RU4 a setback of 10m.	● NR	○ Sat	

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☒ 9.4.1 Building elements

☐ 9.4.2 Materials and finishes

O1 Encourage the use of external materials and finishes that are suited to their location and support consistent quality streetscapes. *O2 Encourage use of materials that have good thermal performance.* *O3 Promote the use of materials that are climate responsive and contribute to innovative building design.*	C1 Select materials for their environmental performance, durability, detail and appearance to achieve quality appearance.	○ NR	● Sat	
	C2 Avoid large unbroken expanses of any single material.	○ NR	● Sat	
	C3 Minimise use of highly reflective or glossy materials on building exteriors.	○ NR	● Sat	
	C4 Use contrasting materials in combination with design elements for features such as corner elements.	○ NR	● Sat	

☐ 9.4.3 Privacy

O1 Ensure privacy within new developments, and avoid potential impacts to existing properties. *O2 Ensure adequate acoustic privacy within dwellings.*	C1 Offset windows, balconies and private open space areas between adjoining dwellings.	● NR	○ Sat	
	C2 Provide adequate building separation within the development and from neighbouring buildings/adjacent land uses. Alternate design elements, including (but not limited to) opaque screens of appropriate dimensions, translucent or highlight windows may be used to improve privacy.	● NR	○ Sat	

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	C3 Screening is required where there is direct line of sight between neighbouring balconies or private open space areas, or between windows and door openings of habitable rooms.	● NR	○ Sat	

☒ 9.4.4 Garages, carports, sheds, driveways and outbuildings

☒ 9.4.5 Site facilities

☒ 9.4.6 Changing the landform – cut and fill

☒ 9.5 Large Lot Residential Zone – Intensification areas

☐ 14 Boorooma Urban Release Area

Site Topography and Landscape Character				
O1 To require new development to respond to site features including topography and vegetation. *O2 To avoid adverse impact upon all land with development limitations.*	C2 Protect sloping land and rocky outcrops as visual features of Boorooma.	○ NR	● Sat	
Natural Resource Management				
O1 To ensure trees and vegetation that contribute to the environmental and	C2 Compensatory tree plantings must use a minimum 10:1 ratio of trees planted to trees removed for each native tree to be removed, and revegetation and	● NR	○ Sat	

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amenity value of the locality and region are preserved. *O4 To enhance the landscape, cultural and ecological qualities of Boorooma*	landscaping should use locally native species from seed of local provenance.			
	C5 Within the C4 Zone, building envelopes must include a 20 metre wide Asset Protection Zone and must be located to avoid mature trees with a diameter greater than or equal to 60cm (measured at 140cm from ground level). Such trees must be retained within the C4 Zone.	● NR	○ Sat	
	C6 Within the C4 Zone, all trees containing hollows or with a diameter greater than or equal to 60cm (measured at 140cm from ground level) must be retained.	● NR	○ Sat	
Topography, views and setting *(Note – this section relates to subdivision, however the following controls should be considered)*				
O1 Encourage site specific solutions and site responsive development. *O3 Design to maximise the natural features of the land.* *O4 Protect the visual amenity of the natural ridgelines and historical landscapes.*	C1 Any future development visible from the Olympic Highway must maintain a rural representation to the highway and preserve natural areas.	● NR	○ Sat	
	C6 All trees with a diameter greater than or equal to 60cm (measured at 140cm from ground level) must be retained.	● NR	○ Sat	
Open Space, parks and the public domain *(Note – this section relates to subdivision, however the following controls should be considered)*				
O2 To provide open space areas with natural surveillance from surrounding dwellings.	C2 Dwellings adjoining open space must front that open space.	● NR	○ Sat	
Design Principles				

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P1 Use passive solar design principles to maximise thermal performance for good internal amenity.		● NR	○ Sat	
P2 Select materials to support good thermal performance and maximise the sustainability of the design.		● NR	○ Sat	
P3 Achieve a density and scale that reflects the zone and proximity of the site to transport, shops, schools or community uses.		● NR	○ Sat	
P4 Implement resource reuse.		● NR	○ Sat	
P5 Building siting, footprint, scale and bulk should be compatible with adjoining development and the established or intended built form.		○ NR	● Sat	
P6 Integrate building design and landscaping with north facing internal living areas that link to quality private open space.		● NR	○ Sat	
P7 Development design shall respond to the issues highlighted in the site analysis, taking advantage of natural features, minimising potential impacts to neighbours and achieving compatibility with neighbourhood character. Respond to constraints including road noise from the Olympic Highway		○ NR	● Sat	
P8 Minimise changes to the natural landform, especially in environmentally sensitive or visually prominent areas.		○ NR	● Sat	
P9 Visual and acoustic privacy are important for good residential amenity. When designing new developments care should be exercised to ensure that impacts on the privacy of adjoining developments is minimised when designing new development and to ensure the privacy of occupants of the new development.		○ NR	● Sat	
P10 Provide an attractive street address that integrates the public and private domain through landscaping and attractive fencing.		● NR	○ Sat	
Site context and layout				
O1 Encourage site responsive development that	C1 Incorporate site characteristics such as trees, changes in level or rock outcrops as features within the site layout.	○ NR	● Sat	

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is compatible with existing or desired built form. *O2 Facilitate sustainable development through passive solar design.* *O3 Integrate landscaping and built form.* *O4 Discourage use of predetermined design concepts.* *O5 Protect the visual amenity of the natural ridgelines and historical landscapes.*				
	C2 Integrate access, landscaping and services in the site layout, avoiding “left over” or wasted spaces.	○ NR	● Sat	
	C3 Orient dwellings so that living areas face north with direct connection to private open space.	● NR	○ Sat	
	C4 Facilitate natural cross ventilation within dwellings through the considered location of windows and doors.	● NR	○ Sat	
	C5 Maximise natural surveillance of common areas by orienting living areas with views over common spaces.	● NR	○ Sat	
	C6 Any future development visible from the Olympic Highway must maintain a rural presentation to the highway and preserve natural areas.	● NR	○ Sat	
Streetscape Refer to WWDCP 2010 Sections 9.2.2 and 9.2.3.				
Corner lots and secondary facades Refer to WWDCP 2010 Section 9.2.3.				
Sloping sites				
O1 Encourage site responsive development. *O2 Encourage building design that is appropriate to the site conditions.*	C1 Use pier, split level or suspended floor designs on sloping sites.	● NR	○ Sat	
Land area per dwelling				
O1 Ensure adequate area to provide separation between	C1 The minimum development area is to be in accordance with Table 9.3.2a in the WWDCP 2010.	○ NR	● Sat	

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buildings, landscaping and private open space. *O2 Maintain development patterns that are compatible with the established character of established residential areas.* *O3 Encourage maximum utilisation of land in the R3 Zone.*	C2 On larger sites the land area per dwelling may be distributed to provide a range of lot sizes, and to respond to site conditions and context.	● NR	○ Sat	
Site cover Refer to Section 9.3.2 of the WWDCP 2010.				
Solar access (also refer to Section 9.3.4 of the WWDCP 2010)				
O1 Ensure that the amenity of the occupants is achieved by designing so that they receive adequate daylight and natural ventilation to habitable rooms and sunlight to private open space areas. *O2 Maintain reasonable sunlight access to adjoining properties.*	C1 For single dwellings, dual occupancies, secondary dwellings & shop top housing the windows to the main internal living area and at least half the private open space are to receive a minimum 3 hours direct sunlight between 9am and 3pm in mid-winter (June 22).	● NR	○ Sat	
Private open space Refer to Section 9.3.5 of the WWDCP 2010.				
Front setbacks Refer to Section 9.3.6 of the WWDCP 2010.				
Side and rear setbacks Refer to Section 9.3.7 of the WWDCP 2010.				
Building elements Refer to Section 9.4.1 of the WWDCP 2010.				
Materials and finishes Refer to Section 9.4.2 of the WWDCP 2010.				

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Privacy Refer to Section 9.4.3 of the WWDCP 2010.				
Garages and driveways Refer to Section 9.4.4 of the WWDCP 2010.				
Site facilities Refer to Section 9.4.5 of the WWDCP 2010.				
Landscaping Refer to Sections 2.4 and 5.2 of the WWDCP 2010.				
Fencing				
O1 Protect the visual amenity and aesthetics of the locality by encouraging fencing that is in context with the location. *O2 Provide fencing which achieves appropriate visual and physical separation between private and public land.*	C1 Dwellings adjoining open space must front the open space, and fencing must include only 600mm solid or transparent material.	● NR	○ Sat	
	C2 Rural style fencing post and wire shall be used for any dwelling adjoining land zoned C4 Environmental Living.	● NR	○ Sat	
	C3 Lots that have secondary frontage to Farrer Road require screen landscaping of their side boundary to ensure suitable visual presentation to and privacy from Farrer Road.	● NR	○ Sat	

☒ 15 Lloyd Urban Release Area

☒ 16 Gobbagombalin Urban Release Area

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