

# Report of Development Application

## Environmental Planning and Assessment Act 1979

Application Details	Application Number	DA21/0422.01	Applicant	GH Condron 5 Hickory Pl SPRINGVALE NSW 2650
	Date of Lodgement	11/08/2022		
	Proposal	Dwelling with attached garage, swimming pool and shed	Description of Mod.	Minor amendment to shed design and removal of build over condition - Amend condition C1 (approved plans) and remove condition C4
	Development Cost	\$453200	Other Approvals	Nil
Site Details	Subject Land	103 Lakehaven Dr LAKE ALBERT NSW 2650 Lot 11 DP 1235752	Owner	GH Condron & AJ Condron

**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 & Approved by:**



Bikash Pokharel  
Town Planner

Date: 16/09/2022

## ☐ Section 4.55 Modification of Consent

### ☒ Section 4.55(1) Modification of Consent - Minor

Legislative Provisions	Comment
<p><i>Modifications involving minor error, misdescription or miscalculation</i></p> <p>Note - Subsections (3) requiring consideration of matters under s4.15(1) does not apply to such a modification)</p>	

Other matters for consideration		Not Relevant	Satisfactory	Comment
Threatened Species	<p>Section 5AA of the EP&amp;A Act 1979 &amp; Part 7 of the Biodiversity Conservation Act 2016</p> <p><i>Test for determining whether proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats)</i></p>	<input type="radio"/> NR	<input type="radio"/> Sat	<p>Section 5AA 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)</p> <p>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.</p>

				<p>1. <i>Is the subject site identified as an area of outstanding biodiversity value on the biodiversity values map?</i></p> <p>No</p> <p>2. <i>Does the amount of native vegetation being removed exceed the biodiversity offsets scheme threshold.</i></p> <p>No native vegetation is proposed to be removed.</p> <p>3. <i>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.</i></p> <p>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.</p> <p>Based on the above assessment it is satisfied that the development will not trigger the Biodiversity Offset Scheme.</p>
<b>Section 7.11 Contributions</b> (Local Infrastructure Contributions Plan 2019 - 2034)	<i>EP&amp;A Act 1979</i>	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Section 7.12 Contributions</b>	<i>EP&amp;A Act 1979</i>	<input type="radio"/>	<input type="radio"/>	

(Local Infrastructure Contributions Plan 2019 - 2034)		NR	Sat	
<b>Section 64 sewer</b> (Development Servicing Plan – Sewerage Services – July 2013)	s64 LG Act 1993 & s306 Water Management Act 2000	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Section 64 stormwater</b> (Development Servicing Plan – Stormwater – November 2007)	s64 LG Act 1993 & s306 Water Management Act 2000	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Council Policies</b>		<input type="radio"/> NR	<input type="radio"/> Sat	<p><b>Policy 046</b> - Processing Development Applications lodged by Councillors, staff and individuals of which a conflict of interest may arise, or on Council owned land.</p> <p>No declaration has been made that would require action under this policy.</p>
<b>Other Matters</b>		<input type="radio"/> NR	<input type="radio"/> Sat	

## Section 4.55(1A) Modification of Consent – Minimal Environmental Impact

Legislative Provisions	Comment
(a) it is satisfied that the proposed modification is of minimal environmental impact.	<p>The proposed modification is to undertake minor amendments to original approval for a dwelling with attached garage, swimming pool and shed that was determined under DA21/0422 on 7/09/2021.</p> <p>The proposed modification mainly involves:</p>

	<ul style="list-style-type: none"> <li>• Removal of condition C4 from the consent as the pool fence is relocated clear of the easement. Pavers that were encroaching on the easement were also removed from the plan.</li> <li>• Minor changes to external façade, roofline, position of sliding door and building finishes of approved shed.</li> </ul> <p>Proposed modification is minor in nature and is unlikely to cause any additional environmental impact that was not assessed previously under the original application. As such, the proposed modification is of minimal environmental impact.</p>
<i>(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).</i>	As discussed above, the proposed modification is a minor amendment to the design of the approved shed and removal of condition C4 from the consent as the pool fence is relocated clear of the easement. As such, the development is substantially the same development for which the consent was originally granted. The modification is considered satisfactory.
<p><i>(c) it has notified the application in accordance with—</i></p> <p><i>(i) the regulations, if the regulations so require, or</i></p> <p><i>(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent.</i></p>	Applications under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 are not required to be notified under the provisions of the Wagga Wagga Development Control Plan 2010.
<i>(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.</i>	The application was not required to be notified given the minor nature of modification.
<i>In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority</i>	See assessment below

*must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.*

## **Section 4.55(2) Modification of Consent – Other**

Legislative Provisions	Comment
<i>(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all).</i>	
<i>(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent.</i>	
<p><i>(c) it has notified the application in accordance with—</i></p> <p><i>(i) the regulations, if the regulations so require, or</i></p> <p><i>(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent.</i></p>	
<i>(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.</i>	
<i>In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority</i>	See assessment below

*must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.*

## ☐ Section 4.15(1) Matters for consideration - general

### Description

Dwelling with attached garage, in-ground pool and shed

### 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		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

LEP 2010 Zones	(a)(i) (b) (c) (e)	<b>Zoning</b>	<b>LEP</b> 2.2 Zoning of land to which Plan applies 2.3 Zone objectives and Land Use Table	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	Zoning of land (cl 2.2): R5 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)): <ul style="list-style-type: none"> <li>• To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.</li> <li>• To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.</li> <li>• To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>• To ensure that the clearing of native vegetation is avoided or minimised as far as is practicable.</li> </ul>
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Land Parcels & DP	(b) (c) (e)	<b>Land Title</b>  Correct legal description and ownership  Easements & Building Envelopes  Open Deposited Plan (including 88b)  Registered title (deferred commencement)		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	<p>The subject site is burdened by easement to drain water and sewer 2.5m wide along the eastern and northern boundary. Proposed development is clear of the easement.</p> <p>The subject site is burdened by right of carriageway along the south-western side of the property however the proposed development does not impact/obstruct on the right of carriageway.</p>
LEP 2010 Listed item and Conservation	(a)(i) (a)(iii) (b) (c) (e)	<b>Heritage</b> Conservation Area Listed item  <i>DCP 3 Heritage Conservation</i>		<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
			LEP 5.10 Heritage conservation	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
LEP 2010 Urban release Area	(a)(i) (b) (c) (e)	<b>Urban Release Area</b>	LEP 6.2 Public utility infrastructure	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
			LEP 6.3 Development control plan	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
Natural resource Sensitivity	(a)(i) (a)(iii) (b) (c) (e)	<b>Natural Resource Sensitivity</b>  <i>DCP 5.4 Environmentally sensitive land</i>	LEP 7.3 Biodiversity	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
			LEP 7.4 Vulnerable land	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

			<b>LEP 7.5 Riparian lands and waterways</b>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
			<b>LEP 7.6 Groundwater vulnerability</b>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
Flooding (including MOFFS)	(a)(i) (a)(iii) (b) (c) (e)	<b>Flooding</b>  Overland flow  <i>DCP 4.2 Flooding</i>		<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
			<b>LEP 5.21 Flood Planning</b>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
Bushfire Prone Land	(a)(iii) (b) (c) (e)	<b>Bushfire</b>  <i>DCP 4.1 Bushfire</i>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	Discussion with regard to bushfire under section 4.1 within assessment report of original approval still remains valid.
Environmental - Contaminated Land & PFAS	(a)(i) (b) (c) (e)	<b>Contaminated Land</b> PFAS Study Area Site observations	<b>SEPP (Resilience and Hazards) 2021</b>	<input type="radio"/> NR	<input checked="" type="radio"/> 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)	<b>Airport Constraints</b>	<b>LEP 7.11 Airspace operations</b>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
			<b>LEP 7.12 Development in areas subject to aircraft noise</b>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

Assets – Sewer and Stormwater	(b) (c) (e)	<b>Services/Utilities</b>  (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)		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	
Aerial Imagery (*Topographic – Hydrology)	(b) (c) (e)	<b>Existing site conditions</b>  Buildings on site Retaining walls Cut and fill Deposited fill Boundary fencing and walls Private open space Vegetation *Proximity to natural waterways Other observations		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	

Aerial Imagery (*Topographic – Hydrology)	(b) (c) (e)	<b>Off site observations</b>  Buildings Window locations Private open space Retaining walls Cut and fill Boundary fencing and walls Vegetation *Proximity to natural waterways Other observations		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(a)(iii) (b) (c) (e)	<b>Traffic, access and parking</b>  Manoeuvring  Site Distance Issues  Driveway grade  Check Driveway location and grade <ul style="list-style-type: none"> <li>• Side entry pit</li> <li>• Service lids/pits</li> <li>• Poles/turrets/substations</li> <li>• Street Trees</li> </ul> <i>DCP</i> <i>2.1 Vehicle access and movements</i> <i>9.3.6 Front setbacks</i>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

	(a)(iii) (b) (c) (e)	<b>Context, setting and streetscape</b>  <i>DCP</i> <i>9.2.2 Streetscape</i> <i>9.2.3 Corner lots and secondary facades</i> <i>9.2.4 Sloping Sites</i> <i>9.3.1 Site area per dwelling</i> <i>9.3.2 Site cover</i> <i>9.3.6 Front setbacks</i> <i>9.3.7 Side and rear setbacks</i> <i>9.4.1 Building elements</i> <i>9.4.2 Materials and finishes</i> <i>9.4.4 Garages, carports, sheds and driveways</i> <i>9.4.5 Site facilities</i>		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	Discussion with regard to side and rear setback under section 9.3.7 within assessment report of original approval still remains valid.
	(a)(iii) (b) (c) (e)	<b>Public Domain</b>  Impact on street or adjoining public place  Condition/Dilapidation  Construction access  <i>DCP</i> <i>2.7 Development adjoining open space</i> <i>9.4.5 Site facilities</i>		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	
	(a)(iii) (b) (c) (e)	<b>Safety, security and crime prevention</b>  <i>DCP 2.5 Safety and security</i>		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	

	(a)(iii) (b) (c) (e)	<b>Site and internal design</b>  <i>DCP</i> <i>9.2.1 Site layout</i> <i>9.4.1 Building elements</i> <i>9.4.4 Garages, carports, sheds and driveways</i>		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	
	(a)(iii) (b) (c) (e)	<b>Solar impact</b>  <i>DCP</i> <i>9.3.4 Solar access</i> <i>9.3.7 Side and rear setbacks</i>		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	Discussion with regard to side and rear setback under section 9.3.4 and 9.3.7 within assessment report of original approval still remains valid.
	(a)(iii) (b) (c) (e)	<b>Visual Privacy</b>  Private open space  Boundary fencing and screening  <i>DCP</i> <i>9.3.5 Private open space</i> <i>9.3.7 Side and rear setbacks</i> <i>9.4.3 Privacy</i>		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	
	(a)(i) (b) (c) (e)	<b>Noise and Vibration</b>  Acoustic privacy conflicts  Impacting nearby landuses (Rail, Road, Infrastructure SEPP referrals)		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	

	(a)(i) (b) (c) (e)	<b>Air and microclimate</b>  Impacting nearby landuses (Rail, Road, Infrastructure SEPP referrals)		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(a)(i) (a)(iii) (b) (c) (e)	<b>Earthworks and Soils</b>  Cut and fill Stability and erosion control Stormwater quality  <i>DCP</i> <i>9.4.6 Changing the landform – cut and fill</i>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
		<b>LEP 7.1A Earthworks</b>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(b) (c) (e)	<b>Landscaping</b>		<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	(b) (c) (e)	<b>Waste</b>  Construction waste management  Asbestos		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(a)(iii) (b) (c) (e)	<b>Energy &amp; Water</b>  <i>DCP</i> <i>9.3.7 Side and rear setbacks</i> <i>9.4.1 Building elements</i> <i>9.4.2 Materials and finishes</i>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

	(a)(i) (b) (c) (e)	<b>BASIX</b> (Use assessment checklist)	<b>BASIX SEPP 2004</b>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	BASIX Certificate approved under the original approval remains unchanged.
	(b) (c) (e)	<b>Other hazards</b> Natural Technological		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(a)(iii) (b) (c) (e)	<b>Flora and Fauna</b> (on and off-site)  Check for native veg requirements (R5 and RU4 Land)  <i>DCP</i> <i>5.2 Preservation of trees</i> <i>5.3 Native Vegetation Cover</i>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
			<b>Section 5AA and Part 7 of the Biodiversity Conservation Act 2016</b>  <i>Test for determining whether proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats)</i>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	<p>Section 5AA 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)</p> <p>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.</p> <p>1. <i>Is the subject site identified as an area of outstanding biodiversity value on the biodiversity values map?</i></p> <p>No</p>



						<p>2. Does the amount of native vegetation being removed exceed the biodiversity offsets scheme threshold?</p> <p>No native vegetation is proposed to be removed.</p> <p>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.</p> <p>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.</p> <p>Based on the above assessment it is satisfied that the development will not trigger the Biodiversity Offset Scheme.</p>
	(b) (c) (e)	<b>Social and economic impacts</b>		○ NR	● Sat	
	(b) (c) (e)	<b>Facilitation of Ecologically Sustainable Development</b>		○ NR	● Sat	
	(a)(i) (b) (c)	<b>Other LEP Clauses</b>	<b>LEP 2.7 Demolition requires development</b>	● NR	○ Sat	

	(e)		consent			
			LEP 4.3 Height of buildings	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
			LEP 7.9 Primacy of Zone B3 Commercial Core	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
			LEP 4.2A Erection of dwelling houses and dual occupancies on land in certain residential, rural and environmental protection zones	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
			LEP 5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
			Other Clauses	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	(a)(i) (b) (c) (e)	Other EPIs	SEPP (Transport and Infrastructure) 2021	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
			SEPP (Precincts - Regional) 2021	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

			Other SEPPs	● NR	○ Sat	
	(a)(ii) (b) (c) (e)	<b>Draft EPIs</b>		○ 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)	<b>Planning agreements</b>		● NR	○ Sat	No related planning agreement has been entered into under section 7.4.
	(d) (e)	<b>Submissions</b>		○ NR	● Sat	Nil
	(e)	<b>Section 68 Application made as part of DA</b>	<i>Local Government Act 1993</i>	● NR	○ Sat	
	(e)	<b>Section 7.11 Contributions</b> (Local Infrastructure Contributions Plan 2019 - 2034)	<i>EP&amp;A Act 1979</i>	● NR	○ Sat	
	(e)	<b>Section 7.12 Contributions</b> (Local Infrastructure Contributions Plan 2019 - 2034)	<i>EP&amp;A Act 1979</i>	● NR	○ Sat	
	(e)	<b>Section 64 sewer</b> (Development Servicing Plan – Sewerage Services – July 2013)	<i>s64 LG Act 1993 &amp; s306 Water Management Act 2000</i>	● NR	○ Sat	
	(e)	<b>Section 64 stormwater</b> (Development Servicing Plan – Stormwater – November 2007)	<i>s64 LG Act 1993 &amp; s306 Water Management Act 2000</i>	● NR	○ Sat	
<b>cl.</b>	(a)(iv) (e)	<b>The Regulation – Prescribed Matters</b>		○ NR	● Sat	

		EP&A Regulation 2021	cl.61(1) - Demolition of a building, the provisions of AS 2601 <i>(ensure condition included requiring compliance with standard)</i>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
			cl.61(7) - Consideration of Special Activation Precinct Master Plan	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
			cl.64 - require existing building to be brought into total or partial conformity with BCA <i>(check with Building Surveyor for development proposing the rebuilding, alteration, enlargement or extension of an existing building)</i>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	(a)(iv) (e)	<b>The Regulation – Prescribed Conditions</b> <i>(ensure conditions of consent included)</i>	EP&A Regulation 2021	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(e)	<b>Other regulation matters</b>	EP&A Regulation 2021	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(e)	<b>Council Policies</b>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	<b>Policy 046</b> - 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)	<b>Other public interest matters</b>		<input type="radio"/>	<input checked="" type="radio"/>	It is considered that this application will not have a detrimental effect on the public interest.
				NR	Sat	

## Development Control Plan 2010

*Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979*

DCP Section (Objectives and Controls)	Not Relevant	Satisfactory	Comment
( <input checked="" type="checkbox"/> section not relevant)			

## ☐ 1.10 Notification of a Development Application

Compliance with the advertising and notification procedures detailed in this section of the DCP	<input type="radio"/>	<input checked="" type="radio"/>	<p>The original application has been notified to adjoining properties in accordance with the notification provisions outlined in Section 1.10 of the WWDCP.</p> <p>Dates: 30/07/2021 to 7/08/2021. No submissions were received during the notification period.</p> <p>Applications under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 are not required to be notified under the provisions</p>
	NR	Sat	

			of the Wagga Wagga Development Control Plan 2010.
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## ☐ 1.11 Complying with the Wagga Wagga Development Control Plan 2010

Compliance with the procedures, guidelines and delegations detailed in this section of the DCP	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	Matters discussed in this section under the original approval still remains valid.
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## ☐ 2.1 Vehicle access and movements

<i>O1 Ensure the safety and efficiency of urban and rural roads.</i>	C3 Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
<i>O2 Limit new access points to arterial roads or ensure alternative access is utilised where practical.</i>	C5 Access driveways are to be located in accordance with the relevant Australian Standard at the time of lodgement of an application.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C6 Ensure adequate sight lines for proposed driveways.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

## ☐ 2.2 Off-street parking

<i>O2 Ensure the provision of safe and efficient parking for all modes of transport to meet anticipated demands.</i>	C1 Parking is to be provided in accordance with the table below. For uses not listed, similar land uses should be used as a guide in assessing car parking requirements.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
<i>O3 Minimise disruptions to existing levels of service and safety as a result of</i>				

<i>insufficient parking being provided on site.</i>				
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## 2.3 Landscaping

Refer to this section of the DCP.	<input type="radio"/> NR	<input type="radio"/> Sat	
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## 2.5 Safety and security

<p><i>O1 Incorporate crime prevention strategies in new developments.</i></p> <p><i>O2 Encourage active, pedestrian oriented environments where developments are designed to integrate into the public domain.</i></p> <p><i>O3 Maximise opportunities for natural surveillance of public spaces and building or site entrances.</i></p>	C1 Use good site planning to clearly define public, semi-public and private areas.	<input type="radio"/> NR	<input checked="" type="radio"/> 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.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C3 Minimise blank walls along street frontages.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C4 Avoid areas of potential concealment and 'blind' corners.	<input type="radio"/> NR	<input checked="" type="radio"/> 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.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	C6 Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.	<input type="radio"/> NR	<input checked="" type="radio"/> 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	

## 2.6 Erosion and sediment control

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

<p><i>O1 Ensure that developments adjoining open space contain impacts within their boundaries and don't impinge on, or rely on the open space area as a buffer.</i></p> <p><i>O2 Encourage positive visual and physical relationships between private developments and public areas and reserves.</i></p>	C1 Private developments are not to gain access across public open space.	<input type="radio"/>	<input checked="" type="radio"/>	Condition has been imposed
	C2 Materials are not to be stored on public land.	<input type="radio"/>	<input checked="" type="radio"/>	As above
	C3 Design, massing, scale and materials to be compatible with the amenity, views and outlook from the open space area.	<input type="radio"/>	<input checked="" type="radio"/>	
	C4 Landscaping is not to encroach into any public reserve.	<input type="radio"/>	<input checked="" type="radio"/>	

## 3 Heritage Conservation

Refer to this section of the DCP.	<input type="radio"/>	<input type="radio"/>	
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## 4.1 Bushfire

<p><i>O1 Minimise risk to life, property and the environment from bush fire.</i></p> <p><i>O2 Ensure compliance with statutory obligations for development in bush fire prone areas.</i></p>	C1 Applications are to satisfy the relevant provisions of <i>Planning for Bush Fire Protection 2006</i> (or any later versions) and Australian Standard: 3959 Construction of Buildings in Bush Fire Prone Areas.	<input type="radio"/>	<input checked="" type="radio"/>	Matters discussed in this section under the original approval still remains valid.
	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	<input type="radio"/>	<input checked="" type="radio"/>	Matters discussed in this section under the original approval still remains valid.

	(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 2006			
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## 4.2 Flooding

Refer to this section of the DCP.	<input type="radio"/> NR	<input type="radio"/> Sat	
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## 5.1 Development on ridges and prominent hills

<p><i>O1 Maintain and enhance the visual and landscape setting of the entire local government area of Wagga Wagga.</i></p> <p><i>O2 Avoid buildings, driveways and other construction on visually prominent high ground.</i></p> <p><i>O3 Encourage split level or other appropriate construction on higher and sloping ground.</i></p> <p><i>O4 Protect groundwater recharge areas.</i></p>	C1 Buildings, structures, infrastructure or services (including access roads and driveways) are to be kept below significant ridgelines.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C2 The assessment of applications for development in visually prominent locations is to consider potential impacts on distant views towards the site.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C3 Development on the higher slopes is not to interrupt the ridgeline.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C4 Use pier or similar construction rather than slab construction on sloping land where proposed cut and fill is in excess of that permitted in Section 2.7. Also consider split level design.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C5 Details of the building platform form may be required with development applications where the land is close to a prominent ridge or hill.	<input type="radio"/> NR	<input type="radio"/> Sat	

## 5.2 Preservation of trees

Refer to this section of the DCP.	<input type="radio"/> NR	<input type="radio"/> Sat	
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## 5.3 Native Vegetation Cover

Refer to this section of the DCP.	<input type="radio"/> NR	<input type="radio"/> Sat	
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## 5.4 Environmentally sensitive land

<i>O1 To support the controls and objective for both the E2 and E4 Zone and environmentally sensitive land provisions in Clauses 7.3 to and inclusive of Clause 7.6 of the LEP.</i> <i>O2 Protect, maintain or improve the diversity of the native flora and fauna.</i> <i>O3 Protect the ecological processes necessary for their continued existence.</i> <i>O4 Encourage the recovery of threatened species, communities or populations and their habitats.</i> <i>O5 Protect, maintain or improve the diversity and stability of landscapes.</i>	C1 Development is to be consistent with any Conservation Management Plan prepared for land in the E2 zone.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	Environmentally sensitive land – biodiversity (Outside “biocertified area”)	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	Natural Resources Sensitivity - land	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	Natural Resources Sensitivity - waterways	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	Natural Resources Sensitivity - groundwater	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

## 6 Villages

Development in the Villages				
<p><i>O1 allowing for appropriate development while preserving existing levels of village amenity</i></p> <p><i>O2 recognising and preserving character of all existing villages while encouraging appropriate forms of development</i></p> <p><i>O3 supporting the viability and sustainability of the villages as non-urban places</i></p>	<b>Streetscape, building location and form</b>			
	C1 The form and scale of buildings is to relate to the particular characteristics of the village. Refer to <i>streetscape reference buildings</i> near the site and <i>Village controls</i> where applicable.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C2 Front setbacks are to correspond to the setbacks of adjoining buildings and the pattern of existing buildings near the site.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C3 Side setbacks are to allow sufficient access for landscaping, maintenance and separation from adjoining properties. Dwellings in the villages are often sited towards the centre of blocks.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C4 Site cover is to be consistent with the established pattern of the village. Refer to the Character Statement.	<input type="radio"/> NR	<input type="radio"/> Sat	
	<b>Landscaping</b>			
	C2 Consider use of native species rather than exotic plants.	<input type="radio"/> NR	<input type="radio"/> Sat	
	<b>Materials and colours</b>			
	C1 Use materials that are compatible with surrounding development and appropriate to their application taking into consideration orientation, energy efficiency and sustainability.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C2 Use lightweight cladding (timber) and low intensity colours (lighter tones) for all finishes, including roofs.	<input type="radio"/> NR	<input type="radio"/> Sat	
	<b>Fencing</b>			

C1 Use low, open or rural style fencing (without barbed wire) on frontages to roads or lanes, including secondary frontages.	<input type="radio"/> NR	<input type="radio"/> Sat	
C2 Paling fences are preferred on rear and side fences (behind the building line).	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Collingullie</b>			
C1 New or replacement buildings are to respect the existing established front setbacks.	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Ladysmith</b>			
C2 New development to respect the pattern and setbacks of existing adjoining buildings. In many cases this means locating dwellings in the centre of lots, and matching the established front and side setbacks.	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Mangoplah (no relevant controls)</b>			
<b>Oura</b>			
C1 Design and locate buildings on the slopes of the hill to minimise potential visual prominence by using piers or similar rather than elevated concrete slabs and by locating the buildings as low as possible on the slope.	<input type="radio"/> NR	<input type="radio"/> Sat	
C2 Face the sub-floor areas with horizontal slats (timber or equivalent) to minimise visual exposure to the under-floor area.	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Tarcutta</b>			
C2 Setbacks to be similar to adjoining buildings and no greater than the largest setback of any adjoining building. For buildings on Sydney Street a nil or small setback may be appropriate.	<input type="radio"/> NR	<input type="radio"/> Sat	
C3 Encourage new residential development to occur in the precinct east of Sydney Street.	<input type="radio"/> NR	<input type="radio"/> Sat	
C5 Development on existing lots on the western side of the village to be designed and sited to minimise	<input type="radio"/>	<input type="radio"/>	

	impacts on existing trees, and impacts resulting from the truck parking area in terms of light spill, noise and fumes.	NR	Sat	
	C6 Consider split level construction with pier footings (or similar) on sloping sites rather than concrete slabs.	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Uranquinty</b>				
	C2 Retain the strong eastern edge of the village. Any development to the east of Connorton Street should comprise large lot residential development that complements the rural character of the surrounding lands.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C4 New buildings on Olympic Highway/ Morgan Street are to have a nil or small setback, and are to follow the vertical rhythm established by the existing built form.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C5 Retain the low scale character along Morgan Street using the existing buildings as a guide. Pick up elements of the existing built form, with particular reference to ridgelines and the height of verandahs/ awnings.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C6 Use pitched roof forms and articulation to break up building bulk, including verandahs to the street.	<input type="radio"/> NR	<input type="radio"/> Sat	

## 8 Rural Development

Development in rural areas				
<i>O1 Ensure that rural developments are compatible with site context.</i>	C1 Uses are to be compatible with the character of the locality in terms of buildings, structures and the nature of operations.	<input type="radio"/> NR	<input type="radio"/> Sat	

<p><i>O2 Minimise potential for conflicts between traditional and productive agricultural uses and non-agricultural uses.</i></p> <p><i>O3 Ensure that adequate buffers are provided so that dwellings do not interfere with the right to farm adjoining or adjacent land.</i></p> <p><i>O4 Ensure safe and adequate servicing and access arrangements.</i></p>	C2 Provide adequate buffer areas and setbacks to minimise potential conflicts with adjoining lawful land uses. Where there is potential for a conflict between land uses, priority will be given to the existing productive use.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C3 Use landscaping and other screening options to help integrate new uses and developments into the rural landscape.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C4 Uses must be capable of operating within capacities of available existing services.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C5 Provide adequate facilities for additional traffic in terms of vehicle access and movements, parking areas, and loading and unloading of goods.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C6 In the case of larger projects Council may require the applicant to demonstrate that the roads in the locality are of satisfactory construction and condition to accommodate the size, weight and volume of vehicles that could be generated by the use, and that the local traffic conditions are suitable.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C7 Provide satisfactory arrangements for storage and disposal of waste.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C8 Locate dwellings to minimise conflicts with activities associated with primary production, so as to not interfere with the ability to farm adjoining or adjacent land.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C9 A dwelling house and all ancillary development on a lot in the following zones must have a setback from the boundary with a primary road that is not a classified road of at least the following: (a) If the lot is in Zone RU1, RU2 or RU6 – 50m	<input type="radio"/> NR	<input type="radio"/> Sat	

	C10 A dwelling house and all ancillary development on a corner lot must have a setback from a boundary with a secondary road that is not a classified road of at least the following: (a) If the lot is in Zone RU1, RU2 or RU6 – 10m	<input type="radio"/> NR	<input type="radio"/> Sat	
	C11 A dwelling house or outbuilding must have a setback of at least 250m from a boundary with adjoining land being used for any of the following: (i) Forestry (ii) Intensive livestock agriculture (iii) Intensive plant agriculture (iv) Mines and extractive industries (v) Railway lines (vi) Rural industries	<input type="radio"/> NR	<input type="radio"/> Sat	
	C12 Variations to the minimum setback can be considered where it can be shown that the agricultural potential of the land will be protected taking into account alternative measures such as landscaping or other relevant factors.	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Rural Dwellings</b>				
<i>O1 Ensure that dwellings in rural areas are compatible with the rural landscape.</i>	C1 Avoid prime productive lands and prominent hill and ridgeline locations especially where alternative, more suitable locations are available.	<input type="radio"/> NR	<input type="radio"/> Sat	
<i>O2 Encourage dwellings and outbuildings to be located in clusters.</i>	C2 Locate dwellings either within a predetermined building envelope, or in a location that is suitable for construction, being free from contamination and capable of accommodating a sewage management system.	<input type="radio"/> NR	<input type="radio"/> Sat	
<i>O3 Encourage energy efficient dwellings.</i>	C3 The scale, footprint and height of dwellings is to be such that buildings recede in to the landscape and do not distract from skyline views or views that are part of	<input type="radio"/> NR	<input type="radio"/> Sat	



	the visual backdrop of the area. Orientate dwellings to maximise the northern aspect of living areas.			
	C4 Materials and finishes are to be non-reflective. Low intensity colours (lighter tones) are generally preferred.	○ NR	○ Sat	
	C5 Outbuildings are to be located close to the main dwelling and to the rear when viewed from the nearest road so as to appear as a 'homestead group' of buildings.	○ NR	○ Sat	
	C6 Driveways are to follow natural contours where possible. Avoid unreasonably steep and visually intrusive driveways.	○ NR	○ Sat	
	C7 Native vegetation is to be retained and embellished where possible. Dwelling construction should not disturb remnant vegetation.	○ NR	○ Sat	
	C8 Traditional rural fencing, such as post and wire are encouraged. Use vegetation barriers where needed to provide visual screening between adjoining properties.	○ NR	○ Sat	
	C9 Rural workers dwellings and secondary dwellings should: <ul style="list-style-type: none"> <li>• be situated on the same legal title as the principal farm dwelling</li> <li>• share the same road access, power and communication infrastructure as the principal farm dwelling (as should secondary dwellings)</li> <li>• be located within reasonable proximity to other farm buildings (e.g. within 300 m), and,</li> <li>• be appropriately separated from farm boundaries and potentially conflicting land uses (e.g. intensive livestock operations, livestock yards, dairies and the like)</li> </ul>	○ NR	○ Sat	

## 9.1.5 R3 Zone – Staunton Estate

Site cover				
<i>O1 Ensure adequate areas for access, parking, landscaping, useable garden and outdoor areas and natural runoff.</i>	C1 Maximum site cover is 65% of the lot area including outbuildings.	<input type="radio"/> NR	<input type="radio"/> Sat	
Private open space				
<i>O1 Provide quality, useable private open space</i>	C1 Minimum private open space provision must meet the minimum size provision in Table 9.1.5.2 below. These provisions must be read in conjunction with the additional controls detailed below Table 9.1.5.2.	<input type="radio"/> NR	<input type="radio"/> Sat	
<i>O2 Ensure adequate areas for recreation and outdoor living.</i>	C2 The location and design of private open space must: • Be directly accessible from a habitable room other than a bedroom; • Have a minimum width of 3m;	<input type="radio"/> NR	<input type="radio"/> Sat	
<i>O3 Encourage good connection between dwellings and private open space.</i>	C3 A balcony, deck, patio, terrace or verandah with a finished floor level of more than 2m above existing ground level must not exceed 2m in depth and 8m <sup>2</sup> in area. Variations in dimensions or area may be considered where site characteristics allow and where adequate privacy protection measures such as screening devices are included.	<input type="radio"/> NR	<input type="radio"/> Sat	
Front and secondary setbacks for dwellings				
<i>O1 Encourage uniform building lines that correspond to the built setbacks and</i>	C1 Minimum front and secondary setbacks are to be in accordance with Tables 9.1.5.3a and 9.1.5.3b below.	<input type="radio"/> NR	<input type="radio"/> Sat	

<p><i>patterns of neighbouring buildings.</i></p> <p><i>O2 Encourage attractive residential streets and quality public domain.</i></p> <p><i>O3 Maintain lines of sight for vehicle safety.</i></p>				
<b>Side boundary setbacks for dwellings</b>				
<p><i>O1 Ensure new development continues the rhythm or pattern of development in the locality.</i></p>	<p>C1 The side boundary setbacks provisions are detailed in Table 9.1.5.4 below. These setback provisions must be read in conjunction with the additional controls detailed below Table 9.1.5.4.</p>	<input type="radio"/> NR	<input type="radio"/> Sat	
	<p>C2 The length of walls built to a side boundary must not be greater than 21m or 70% of the length of the boundary, whichever is the lesser.</p>	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Rear boundary setbacks for dwellings</b>				
<p><i>O1 Encourage uniform building lines that correspond to the built setbacks and patterns of neighbouring buildings.</i></p> <p><i>O2 Maintain lines of sight for vehicle safety.</i></p> <p><i>O3 Provide a consistent and attractive streetscape to laneways and space for rear detached garages</i></p>	<p>C1 Rear boundary setbacks for dwellings are to be in accordance with Table 9.1.5.5 below.</p>	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Rear boundary setbacks to laneways for outbuildings</b>				

<p><i>O1 Encourage uniform building lines that correspond to the built setbacks and patterns of neighbouring buildings.</i></p> <p><i>O2 Maintain lines of sight for vehicle safety.</i></p>	C1 Rear boundary setbacks to laneways for outbuildings are to be a minimum of 500mm.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C2 Access to laneways must demonstrate that the turning circle is in compliance with the Australian Standards.	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Building articulation</b>				
<p><i>O1 To ensure building facades are articulated to complement and enhance the streetscape and neighbourhood character.</i></p> <p><i>O2 To encourage contemporary and innovative design to establish a preferred neighbourhood character in new and transitional residential areas.</i></p>	C1 For lots less than 8m wide; and For lots more than 10m wide: Each dwelling must have a front door and a window to a habitable room in the building wall that faces a primary street.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C2 For lots between 8m and 10m (inclusive) in width, each dwelling must have a defined entry point using building elements or articulation in the elevation that faces a primary street. Where possible, windows to a habitable room should also be provided along the front elevation. A high level of visual articulation should be provided to reduce the visual bulk of any garage.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C3 Houses on corner lots are to ensure an acceptable address to both frontages. Continue materials around the corner to the secondary road so that the building "turns the corner".	<input type="radio"/> NR	<input type="radio"/> Sat	
	C4 Use articulation to avoid excessively long blank walls.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C5 An articulation zone may be incorporated that extends 1.5m forward of the front building setback. The maximum total area of building elements (a) to (d) - detailed below - in the articulation zone must not be	<input type="radio"/> NR	<input type="radio"/> Sat	

	<p>more than 35 percent of the area of the articulation zone.</p> <p>(a) an entry feature or portico,</p> <p>(b) a balcony, deck, patio, pergola, terrace, verandah,</p> <p>(c) window box treatment,</p> <p>(d) bay window or similar,</p> <p>(e) an awning or other feature over a window,</p> <p>(f) a sun shading feature.</p>			
<b>Outbuildings</b>				
<i>O1 Minimise the visual dominance of outbuildings in the streetscape.</i>	C1 The maximum footprint for outbuildings in 45m².	<input type="radio"/> NR	<input type="radio"/> Sat	
	C2 For lots 8m to 12m wide (inclusive) and where the garage opening is facing onto a secondary frontage, the total width of garage door openings must not exceed 5.4m.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C3 For lots less than 8m in width with an accessible rear lane, any vehicular access is to be from the rear. For lots where both side and rear access is available, vehicular access can be provided from the side as an alternative to rear access provided it is in accordance with C2 above.	<input type="radio"/> NR	<input type="radio"/> Sat	
<b>Ancillary Development (excluding outbuildings)</b>				
<i>O1 Minimise the visual dominance of ancillary development in the streetscape</i>	C1 Ancillary development located at the front of dwellings/sites must not extend forward of the front of the face of the forward-most wall of the dwelling enclosing a habitable room. In all instances, ancillary development shall not encroach into the required front setback. Except as permitted by Section 9.1.5.7.	<input type="radio"/> NR	<input type="radio"/> Sat	
	C2 For lots 8m to 12m wide (inclusive) where the garage opening is to a primary frontage, the total width of the garage door opening must not exceed 5.4m. For garages in these circumstances, a high level of visual articulation should be provided to reduce the visual	<input type="radio"/> NR	<input type="radio"/> Sat	

	bulk of the garage. Where possible, windows to a habitable room should also be provided along the front elevation.			
	C3 For lots 8m to 12m wide (inclusive) and where the garage opening is facing onto a secondary frontage, the total width of garage door openings must not exceed 5.4m.	○ NR	○ Sat	
	C4 For lots more than 12m wide and where the garage opening is facing onto a primary frontage, the total width of garage door openings must not exceed 6m.	○ NR	○ Sat	
	C5 For lots less than 8m in width with an accessible rear lane, any vehicular access is to be from the rear. For lots where both side and rear access is available, vehicular access can be provided from the side as an alternative to rear access provided it is in accordance with C3 above.	○ NR	○ Sat	
<b>Privacy</b>				
<p><i>O1 Ensure privacy within new developments, and avoid potential impacts to existing properties.</i></p> <p><i>O2 Ensure adequate acoustic privacy within dwellings.</i></p>	<p>C1 Visual privacy protection must be provided for any part of the window less than 1.5m above finished floor level, if;</p> <p>(a) The window is to a habitable room with a finished floor level more than 1m above existing ground level, and the window has a sill height less than 1.5m above finished floor level, and the window faces a side boundary and is less than 3m from that boundary.</p> <p>(b) The window is to a habitable room with a finished floor level more than 3m above existing ground level, and the window has a sill height less than 1.5m above finished floor level, and the window faces a side boundary and is between 3m and 6m from that boundary.</p> <p>(c) Visual privacy protection is not required for a window less than 2m<sup>2</sup> in size to a bedroom.</p>	○ NR	○ Sat	

	<p>C2 Visual privacy protection may be achieved by options including, but not limited to:</p> <p>(a) Window location—primary windows to habitable rooms are located and designed to provide an outlook to the front and rear setbacks, not the side boundaries.</p> <p>(b) Layout and separation—offsetting windows from the windows of the adjoining dwelling to limit views between the windows.</p> <p>(c) Architectural design solutions and devices—redirecting and limiting sightlines using deep sills with planter boxes, fixed horizontal or vertical louvres, or other screening devices set off the windows internally or externally.</p> <p>(d) Glazed opening windows—using windows with obscure glazing to a height of 1.5m above floor level and fitted with a winder mechanism to control the maximum angle of the opening to limit views.</p> <p>(e) Glazed fixed windows or high sills—using fixed windows with obscure glazing in any part of the window below 1.5m above floor level, or window sill heights of 1.5m above floor level.</p>	<input type="radio"/> NR	<input type="radio"/> Sat	
	<p>C3 Windows to bathrooms and toilet areas are to have obscure glazing where these have a direct view to, and from, habitable rooms and private open space on adjoining and adjacent properties.</p>	<input type="radio"/> NR	<input type="radio"/> Sat	
	<p>C4 Architectural design solutions and screening devices referred to in C1 and C2 above are to be integrated with the overall design and contribute to the architectural merit of the building, having particular regard to the appearance of the building including:</p> <p>(a) Impacts on visual bulk;</p> <p>(b) Compliance with minimum boundary setback controls; and</p> <p>(c) Appearance when viewed from adjoining properties and the public domain.</p>	<input type="radio"/> NR	<input type="radio"/> Sat	

## 9.2.1 Site layout

<p><i>O1 Encourage site responsive development that is compatible with existing or desired built form.</i></p> <p><i>O2 Facilitate sustainable development through passive solar design.</i></p> <p><i>O3 Integrate landscaping and built form.</i></p> <p><i>O4 Encourage designs which respond to the physical context and characteristics of the particular site.</i></p> <p><i>O5 Encourage design that maximises the opportunity for passive surveillance of communal spaces from private living areas.</i></p>	C1 Use site characteristics such as trees, changes in level or rock outcrops as features within the site layout.	<input type="radio"/>	<input checked="" type="radio"/>	
	C2 Integrate access, landscaping and services in the site layout, avoiding underutilised spaces.	<input type="radio"/>	<input checked="" type="radio"/>	
	C3 Orient living spaces to maximise solar access.	<input type="radio"/>	<input checked="" type="radio"/>	
	C4 Facilitate natural cross ventilation within dwellings through the location of windows and doors.	<input type="radio"/>	<input checked="" type="radio"/>	

## 9.2.2 Streetscape

<p><i>O1 Encourage compatibility with existing built form.</i></p> <p><i>O2 Encourage attractive streetscapes.</i></p> <p><i>O3 Ensure a strong street edge with good definition</i></p>	C1 Provide a street address and front elevation that is consistent with the predominant scale, rhythm and form of the street.	<input type="radio"/>	<input checked="" type="radio"/>	
	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	<input checked="" type="radio"/>	<input type="radio"/>	



<i>between the public and private domain.</i>  <i>O4 In locations where front fences are an important feature of the established streetscape, ensure that new fences complement the character of the streetscape.</i>	building line down to the 1200mm maximum permitted height at the front boundary.			
	C3 Fence height at and behind the building line is not to exceed 1800mm in height.	○ NR	● Sat	Matters discussed in this section under the original approval still remains valid.
	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

<i>O1 Encourage development on corner sites to respond to all street frontages.</i>  <i>Note: this objective relates to both building lines and fences.</i>	C1 Houses on corner lots are to ensure an acceptable address to both frontages. Continue materials around the corner to the secondary road so that the building “turns the corner”.	○ NR	● Sat	
	C2 Use articulation to avoid excessively long blank walls.	○ NR	● Sat	
	C3 A fence on the secondary frontage is permitted to have a height not exceeding 1800mm except in the following circumstances where its height is not to exceed 1200mm: <ul style="list-style-type: none"> <li>• Where it enters and is within the building line of the primary road - within the building line a fence will be permitted to taper down from 1800mm maximum permitted height to the 1200mm maximum permitted height at the primary road boundary”</li> <li>• Where a dwelling “addresses” the secondary road</li> </ul>	○ NR	● Sat	

### 9.2.4 Sloping sites

<p><i>O1 Encourage site responsive development.</i></p> <p><i>O2 Encourage building design that is appropriate to the site conditions.</i></p> <p><i>O3 If an alternate design is possible, avoid development that would require cutting into the site.</i></p>	C1 Use pier, split level or suspended floor designs on sloping sites.	<div>●</div> <div>NR</div>	<div>○</div> <div>Sat</div>	The building design is appropriate to the site and generally meets the objectives.
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### 9.3.1 Site area per dwelling











<p><i>O1 Ensure adequate area to provide separation between buildings, landscaping and private open space.</i></p>	C1 The minimum area of any site in an R1 Zone on which development is carried out is to be in accordance with Table 9.3.1a.	<div>○</div> <div>NR</div>	<div>●</div> <div>Sat</div>	
<p><i>O2 Maintain development patterns that are compatible with the established character of established residential areas.</i></p>	C2 The maximum site of any land in an R3 Zone on which development is carried out is to be in accordance with Table 9.3.1a.	<div>●</div> <div>NR</div>	<div>○</div> <div>Sat</div>	
<p><i>O3 Encourage maximum utilisation of land in the R3 Zone.</i></p>	C3 On larger sites the site area per dwelling may be distributed to provide a range of lot sizes, and to respond to site conditions and context.	<div>●</div> <div>NR</div>	<div>○</div> <div>Sat</div>	

### 9.3.2 Site cover

<p><i>O1 Ensure that development sites are of sufficient size for dual occupancy, multi</i></p>	C1 Maximum site cover is to be in accordance with Table 9.3.2a.	<div>○</div> <div>NR</div>	<div>●</div> <div>Sat</div>	
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<p><i>dwelling housing and residential flat developments.</i></p> <p><i>O2 Ensure adequate areas for access, parking, landscaping, useable garden and outdoor areas and natural runoff.</i></p> <p><i>O3 Retain compatibility with site context and avoid over development resulting from excessive site cover.</i></p>				
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#### 9.3.4 Solar access

<p><i>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.</i></p> <p><i>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.</i></p>	C1 Locate garages, laundries and bathrooms to provide insulation from western sun.	 NR	 Sat	Matters discussed in this section under the original approval still remains valid.
	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	

O3 Maintain reasonable sunlight access to adjoining properties.	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	Matters discussed in this section under the original approval still remains valid.

### 9.3.5 Private open space

O1 Provide quality, useable private open space.  O2 Ensure adequate areas for recreation and outdoor living.  O3 Encourage good connection between dwellings and private open space.	C1 At least 24m <sup>2</sup> of private open space is required per dwelling. The private open space is to be directly accessible to the main living area and have a minimum dimension of 4m.	○ NR	● Sat	
	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

O1 Encourage uniform building lines that correspond to the built setbacks and patterns of neighbouring buildings.	C1 Minimum front setbacks for residential development (site area smaller than 2000m <sup>2</sup> ):  Primary frontage to a main or arterial road 9m # Primary street frontage (other roads) 6m #	○ NR	● Sat	
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<p><i>O2 Encourage attractive residential streets and quality public domain.</i></p> <p><i>O3 Ensure that new developments complement the established built patterns</i></p> <p><i>O4 Maintain lines of sight for vehicle safety.</i></p>	Secondary frontage (corner site) 3m # - For residential accommodation in R3 Zones a minimum setback of 3m may be considered.			
	C2 In the older areas of Wagga Wagga front setbacks are typically 7.5m. where the setback of existing adjoining buildings is greater than 6m increase the front setback to the setback of the adjoining building closest to the street boundary.	● NR	○ Sat	
	C3 The front elevation of a dwelling as visible from a public road shall include at least one change in plane of the dwelling wall (that encloses a habitable room) of a minimum of 500mm. The front of the garage shall not protrude in front of the face of the forward most wall of the dwelling enclosing a habitable room. In all instances, the garage shall not encroach on the front setback identified under C1. The forward most part of a building/dwelling wall shall not project forward of the building line. Refer to diagrams opposite.	○ NR	● Sat	
	<p>C4 Variations to the minimum setback can be considered in the following circumstances:</p> <ul style="list-style-type: none"> <li>• Within Urban Release Areas where it can be demonstrated that the reduced setback will be generally consistent with the character of the area or likely or desired future character of the area consistent with those generally allowed under the SEPP (Exempt and Complying Code) 2008 or relevant Code at the time of lodgement of a development application.</li> <li>• Areas where it can be demonstrated that the setback is consistent with neighbouring properties. This situation is typical to older established areas of Central Wagga and large lot residential land.</li> <li>• Corner lots where it can be demonstrated that the reduced setback on either or both frontages provides a more attractive streetscape without impacting unreasonably on the amenity of the neighbouring</li> </ul>	● NR	○ Sat	

	properties. This is relevant to designs that address both frontages without boundary fencing.			
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### 9.3.7 Side and rear setbacks

<p><i>O1 Ensure adequate separation between buildings for landscaping, privacy, natural light and ventilation.</i></p> <p><i>O2 Ensure new development continues the rhythm or pattern of development in the locality.</i></p> <p><i>O3 Provide access for maintenance.</i></p> <p><i>O4 Building setbacks from the side and rear boundaries shall have careful regard to the impact of proposed structures on adjoining landowners.</i></p>	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	
	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 RU1, RU2 or RU4 a setback of 10m.	○ NR	● Sat	Matters discussed in this section under the original approval still remains valid.

### 9.4.1 Building elements

<p><i>O1 Encourage quality and visually interesting buildings through the use of building elements.</i></p> <p><i>O2 Facilitate passive solar design principles.</i></p>	C1 Use verandahs or pergolas to link internal and external living areas.	○ NR	● Sat	
	C2 Porches are to be integrated into the building design, and are to be used to create a sheltered and clearly visible entry.	○ NR	● Sat	

	C3 Locate ancillary components such as aerials, satellite dishes, air conditioning units and the like so they are not visible from the street.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C5 Secondary dwellings are to appear as a single occupancy from the public domain.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

## 9.4.2 Materials and finishes

<p><i>O1 Encourage the use of external materials and finishes that are suited to their location and support consistent quality streetscapes.</i></p> <p><i>O2 Encourage use of materials that have good thermal performance.</i></p> <p><i>O3 Promote the use of materials that are climate responsive and contribute to innovative building design.</i></p> <p><i>O4 Discourage corporate colours in building facades.</i></p>	C1 Select materials for their environmental performance, durability, detail and appearance to achieve quality appearance.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C2 Avoid large unbroken expanses of any single material.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C3 Minimise use of highly reflective or glossy materials on building exteriors.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C4 Use contrasting materials in combination with design elements for features such as corner elements.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

## 9.4.3 Privacy

<i>O1 Ensure privacy within new developments, and</i>	C1 Offset windows, balconies and private open space areas between adjoining dwellings.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
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<p><i>avoid potential impacts to existing properties.</i></p> <p><i>O2 Ensure adequate acoustic privacy within dwellings.</i></p>	<p>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.</p>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
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#### 9.4.4 Garages, carports, sheds and driveways

<p><i>O1 Minimise the visual dominance of garages and driveways in the streetscape.</i></p> <p><i>O2 Where possible, locate garages so as to assist in protecting dwellings from early morning and late afternoon summer sun.</i></p>	<p>C1 Where garage doors form part of the facade of a dwelling fronting a public road</p> <p>- the garage door is to be:</p> <p>less than 50% of the width of the house*</p> <p>no wider than 6m #</p> <p>maximum 2.4m high #</p> <p>- double garages are only permitted on lots 12.5m wide or greater*</p> <p>- single fronted tandem garages with one space behind the other are permitted</p> <p>* - Variations to these controls may be considered for multi storey dwellings</p> <p># - Variations to these controls may be considered where the setback of the dwelling exceeds 10 metres.</p>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	<p>C2 Garages, carports and sheds that open up to a laneway must be setback a minimum of 1m from the property boundary.</p>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	<p>C3 The floor area of an outbuilding on a residential lot must not be more than the following:</p> <p>(a) 8% of the site area if the lot has an area of less than 600m<sup>2</sup>,</p>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	



	(b) 8% of the area or a maximum area of 175m <sup>2</sup> , whichever is the lesser, if the lot has an area of at least 600m <sup>2</sup> but less than 4000m <sup>2</sup> , (c) Lots greater than 4000m <sup>2</sup> will be considered on their merits.			
	C4 The total cumulative floor area of all outbuildings on any one property shall not exceed 8% of the site area or a maximum area of 300m <sup>2</sup> , whichever is the lesser.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C5 Sheds may only be erected on residential land where a dwelling house is constructed or under construction and must be used for purposes ancillary to the residential use of the land.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C6 The height of an outbuilding or the alterations and additions to an existing outbuilding on a lot must not be more than 4.8m above ground level (existing). The building shall be single storey construction with a maximum roof pitch of 27 degrees or steeper to match the roof pitch of the house.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C7 An outbuilding shall not be located in front of the main building line. Variations may be considered for a balcony, deck, patio, pergola, terrace or verandah.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

## 9.4.5 Site facilities

<i>O1 Ensure site facilities are integrated into site design, and are convenient, visually discreet and easy to maintain.</i>	C3 Locate mail boxes so that they are clearly visible from the street or main entry. The plans are to include details of the location for letter boxes and any associated shelter structure.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C4 Garbage areas are to be easily accessible within the site, and are to have adequate lighting. The area	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

<i>O2 Encourage an attractive residential setting and quality public domain.</i>	should be visually screened from adjoining developments and public spaces.			
<i>O3 Minimise duplication of trenches for services and the like.</i>	C5 Provide an external drying area in an area that receives reasonable solar access. The drying area is to be screened from the street or adjoining public spaces.	○ NR	● Sat	

#### 9.4.6 Changing the landform – cut and fill

<i>O1 Encourage site responsive development and protect the amenity of adjoining land.</i>	C1 Excavation is not to exceed a maximum depth measured from ground level (existing) as follows: (a) If located no more than 1m from boundary – 1.5m, and (b) If located more than 1m but not more than 1.5m from any boundary – 2m, and (c) If located more than 1.5m from any boundary – 3m.	○ NR	● Sat	
<i>O2 Avoid excessive earthworks and minimise changes to the natural landform.</i>	Any depths and/or setbacks outside of the above may only be considered where there is no unreasonable or unacceptable impact on the amenity of the adjoining properties (direct overlooking and loss of privacy, overshadowing to areas of principal private open space and living areas).			
<i>O3 Encourage site layout and building design that is appropriate to the site conditions, including use of split levels, pier foundation or suspended floor house designs.</i>	C2 Fill is not to exceed: (a) 1.5m above ground level (existing), and (b) Must be contained by either: (i) A retaining wall or other form of structural support that does not extend more than 1.5m from the closest external wall of the dwelling house, or (ii) An unprotected sloping embankment or batter that does not extend from the dwelling house by more than 3m, in which case the toe of the embankment or batter must be more than 1m away from a side or rear boundary.	○ NR	● Sat	
<i>O4 Avoid adverse impacts on salinity by minimising the potential for surface water to enter the groundwater in recharge areas.</i>				
<i>O5 Avoid inappropriate fill being introduced to sites.</i>				

O6 Ensure adequate provision of drainage in relation to cut and fill practices.	Variations to the above setbacks can be considered where the applicant can demonstrate that there is an acceptable impact on the amenity of the adjoining properties (privacy, overshadowing).			
	C3 Retaining walls and support for earthworks that are more than 600mm above or below ground (existing) and within 1m of the boundary or more than 1m above the ground level in another location, must take the form of a retaining wall or other form of structural support that: (a) has been certified by a professional engineer, and (b) has adequate drainage lines connected to the existing stormwater drainage system for the site, and (c) does not result in any retaining wall or structural support with a total height measured vertically from the base of the retaining wall or structural support to its uppermost portion is: (i) more than 1.5m in height and within 1m from a side or rear boundary, or (ii) more than 3m in height at any other location.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C4 Retaining walls are not to be located within the easement. The retaining wall shall be located outside the easements zone of influence.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C5 No cut or fill to take place within easements.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C6 To encourage site responsive development, excavation and retaining walls greater than that specified in C1 to C3 above can be considered where the design responds to the slope (or incorporates split levels). The additional retaining wall height is to facilitate basements, garages or the like at the lower level. The excavation is to be adequately retained and drained, in accordance with approved engineering details.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

	C7 Where achievable, any proposed dwelling is to be designed incorporating retaining walls and fill within the dwelling. Should the provision of retaining walls and fill not be achievable within a proposed dwelling due to demonstrated site constraints they should be located as close to the proposed dwelling as is possible, to minimise the impact on the amenity of the adjoining properties.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C8 All retained material is to have a gradient of at least 5%.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C9 Fill material is to be substantially from the site only. Imported fill material is not encouraged.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C10 Cut and fill outside the building envelope is not to exceed 600mm.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	C11 Stormwater or surface water runoff is not to be redirected or concentrated onto adjoining properties so as to cause a nuisance. Adequate drainage is to be provided to divert water away from batters.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C12 Earthworks should not be carried out within the angle of repose of adjoining property. Unless such works are supported by certified structural engineer reports and do not impact on neighbouring property.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

## 14 Boorooma Urban Release Area

Site Topography and Landscape Character				
O1 To require new development to respond to	C2 Protect sloping land and rocky outcrops as visual features of Boorooma.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

<i>site features including topography and vegetation.</i>  <i>O2 To avoid adverse impact upon all land with development limitations.</i>				
<b>Natural Resource Management</b>				
<i>O1 To ensure trees and vegetation that contribute to the environmental and amenity value of the locality and region are preserved.</i>	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 landscaping should use locally native species from seed of local provenance.	<input checked="" type="radio"/> <i>NR</i>	<input type="radio"/> <i>Sat</i>	
<i>O4 To enhance the landscape, cultural and ecological qualities of Boorooma</i>  <i>O6 To comply with the Biodiversity Certification Report.</i>	C5 Within the E4 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 E4 Zone.	<input checked="" type="radio"/> <i>NR</i>	<input type="radio"/> <i>Sat</i>	
	C6 Within the E4 Zone, all trees containing hollows or with a diameter greater than or equal to 60cm (measured at 140cm from ground level) must be retained.	<input checked="" type="radio"/> <i>NR</i>	<input type="radio"/> <i>Sat</i>	
<b>Topography, views and setting</b> <i>(Note – this section relates to subdivision, however the following controls should be considered)</i>				
<i>O1 Encourage site specific solutions and site responsive development.</i>	C1 Any future development visible from the Olympic Highway must maintain a rural representation to the highway and preserve natural areas.	<input checked="" type="radio"/> <i>NR</i>	<input type="radio"/> <i>Sat</i>	
<i>O3 Design to maximise the natural features of the land.</i>  <i>O4 Protect the visual amenity of the natural ridgelines and historical landscapes.</i>	C6 All trees with a diameter greater than or equal to 60cm (measured at 140cm from ground level) must be retained.	<input checked="" type="radio"/> <i>NR</i>	<input type="radio"/> <i>Sat</i>	

<b>Open Space, parks and the public domain</b> <i>(Note – this section relates to subdivision, however the following controls should be considered)</i>				
<i>O2 To provide open space areas with natural surveillance from surrounding dwellings.</i>	C2 Dwellings adjoining open space must front that open space.	● NR	○ Sat	
<b>Design Principles</b>				
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		○ NR	● Sat	

privacy of adjoining developments is minimised when designing new development and to ensure the privacy of occupants of the new development.				
P10 Provide an attractive street address that integrates the public and private domain through landscaping and attractive fencing.		○ NR	● Sat	
<b>Site context and layout</b>				
<i>O1 Encourage site responsive development that is compatible with existing or desired built form.</i>	C1 Incorporate site characteristics such as trees, changes in level or rock outcrops as features within the site layout.	○ NR	● Sat	
<i>O2 Facilitate sustainable development through passive solar design.</i>	C2 Integrate access, landscaping and services in the site layout, avoiding “left over” or wasted spaces.	○ NR	● Sat	
<i>O3 Integrate landscaping and built form.</i>	C3 Orient dwellings so that living areas face north with direct connection to private open space.	○ NR	● Sat	
<i>O4 Discourage use of predetermined design concepts.</i>	C4 Facilitate natural cross ventilation within dwellings through the considered location of windows and doors.	○ NR	● Sat	
<i>O5 Protect the visual amenity of the natural ridgelines and historical landscapes.</i>	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	
<b>Streetscape</b> Refer to WWDCP 2010 Sections 9.2.2 and 9.2.3.				
<b>Corner lots and secondary facades</b> Refer to WWDCP 2010 Section 9.2.3.				
<b>Sloping sites</b>				
<i>O1 Encourage site responsive development.</i>	C1 Use pier, split level or suspended floor designs on sloping sites.	○ NR	● Sat	

<i>O2 Encourage building design that is appropriate to the site conditions.</i>				
<b>Land area per dwelling</b>				
<i>O1 Ensure adequate area to provide separation between buildings, landscaping and private open space.</i>	C1 The minimum development area is to be in accordance with Table 9.3.2a in the WWDCP 2010.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
<i>O2 Maintain development patterns that are compatible with the established character of established residential areas.</i>	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.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
<i>O3 Encourage maximum utilisation of land in the R3 Zone.</i>				
<b>Site cover</b> Refer to Section 9.3.2 of the WWDCP 2010.				
<b>Solar access</b> (also refer to Section 9.3.4 of the WWDCP 2010)				
<i>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.</i>	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).	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
<i>O2 Maintain reasonable sunlight access to adjoining properties.</i>				
<b>Private open space</b> Refer to Section 9.3.5 of the WWDCP 2010.				



<b>Front setbacks</b> Refer to Section 9.3.6 of the WWDCP 2010.				
<b>Side and rear setbacks</b> Refer to Section 9.3.7 of the WWDCP 2010.				
<b>Building elements</b> Refer to Section 9.4.1 of the WWDCP 2010.				
<b>Materials and finishes</b> Refer to Section 9.4.2 of the WWDCP 2010.				
<b>Privacy</b> Refer to Section 9.4.3 of the WWDCP 2010.				
<b>Garages and driveways</b> Refer to Section 9.4.4 of the WWDCP 2010.				
<b>Site facilities</b> Refer to Section 9.4.5 of the WWDCP 2010.				
<b>Landscaping</b> Refer to Sections 2.4 and 5.2 of the WWDCP 2010.				
<b>Fencing</b>				
<i>O1 Protect the visual amenity and aesthetics of the locality by encouraging fencing that is in context with the location.</i>  <i>O2 Provide fencing which achieves appropriate visual and physical separation between private and public land.</i>	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 E4 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

Topography and landscape character

<p><i>O1 Protect the landscape character of Lloyd and land immediately abutting it by means of appropriate landscape separation.</i></p> <p><i>O2 Encourage subdivision and development to create vistas on the lower slopes where possible.</i></p>	<p>C5 The landscaped buffer strip established as part of the Deed of Agreement, shall be replenished by the owner of the affected allotment, to replace any identified lost plantings on affected allotments to the south of stages 14 and 15. The works shall be completed prior to the release of the subdivision certificate.</p>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	<p>C6 A covenant shall be created over all allotments containing the landscaped buffer strip as required under the terms of the Deed of Agreement including all the lots west of Indigo Drive and the area immediately north of Senna Place, (shown shaded on Figure 3) which do not fall within the Lloyd Urban Release Area. The covenants shall be created over the subject allotments requiring the ongoing maintenance of the landscaped buffer by the landowner.</p> <p>For all lots located immediately north of Senna Place and immediately south of the boundary of the Lloyd Urban Release Area (see shaded area west of Indigo Drive on Figure 3), in addition to the provisions of the Deed of Agreement referred to in C4 above, all provisions elsewhere in this DCP applying to land zoned R5 Large Lot Residential, apply.</p>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
<b>Environmental conservation and natural resources management</b>				
<p><i>O1 Ensure trees and vegetation contributing to the environmental and amenity value of the locality and region are preserved.</i></p> <p><i>O2 Maintain and enhance the ecological values of waterways and wetlands, including water quality, stream integrity, biodiversity</i></p>	<p>C1 All development requiring development consent is to be in accordance with the Lloyd Urban Release Area Conservation Management Plan.</p>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	<p>C2 All construction and management activities are to be in accordance with the Lloyd Urban Release Area Conservation Management Plan recommendations.</p>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	<p>C3 Development applications in the area zoned R1 General Residential are to identify and set aside for protection and management the trees in the area of</p>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

<p><i>and habitat, within the Lloyd Urban Release area.</i></p> <p><i>O3 Maintain and enhance riparian buffers to preserve the environmental values associated with waterway and wetlands, having specific regard to fauna and flora habitats and ecosystems, stream integrity (including erosion management), land use impacts and recreational/visual amenity.</i></p> <p><i>O4 Protect and manage biodiversity in and adjacent to urban areas.</i></p> <p><i>O5 Comply with the Biodiversity Certification Report.</i></p>	<p>identified Squirrel Glider habitat falling outside the E2 zone at Lloyd (shown in Figure 4 and 5).</p>			
	<p>C4 In addition to complying with the requirements of the Companion Animals Act 1998, owners of domestic cats resident in the Lloyd Urban release area to manage their cats so that they are not to roam freely outdoors between sunset and sunrise. In this regard Council will, as a condition of development consent, require the imposition of a Section 88B Restriction On Use for all residential subdivisions within the Lloyd Urban Release Area.</p>	○ NR	● Sat	
<b>Salinity Management</b>				
<p><i>O1 Encourage Salinity Sensitive Urban Design.</i></p> <p><i>O2 Minimise the volume of surface water subject to infiltration and subsequent deep drainage by maximising surface water drainage across the entire Lloyd area.</i></p>	<p>C2 Development on land zoned R1 General Residential within the Lloyd Urban Release Area must conform with the 80:20 impervious to pervious development ratio (see Appendix 2 map).</p>	○ NR	● Sat	
	<p>C5 All impervious areas on individual house lots must be drained into the internal stormwater system and directed to the piped stormwater system.</p>	○ NR	● Sat	
	<p>C11 Built features must be drained to stormwater rather than to lawn or other pervious areas.</p>	○ NR	● Sat	

O3 Minimise earthwork based disturbance to existing undeveloped areas.	C12 All planned and future impervious areas included in the 80:20 ratio (impervious : pervious) are to be drained to stormwater.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C17 Gardens calculated towards impervious surface in the release area must have an impervious liner and be drained to Council's storm water system.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C18 Residential development within the release area must feature predominantly native or 'water wise' gardens to help reduce urban recharge significantly OR the use of rock style gardens utilising low water use plant varieties as an alternative 'water wise' option where the garden is calculated towards pervious surface.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C19 Rock gardens and similar decorative gardens are to have impervious liners drained to the storm water system.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C20 All gardens and landscaping should be constructed and maintained using the landscaping and garden design guidelines available from the Council and approved for the Lloyd release area. The guidelines demonstrate how the 80:20 rule can be maintained for the minimising of infiltration of water to the groundwater table.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C21 Fixed irrigation systems between the front property boundary and the road reserve are not permitted. This area is to be impervious and will not require watering.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C22 Grey water reuse systems are not appropriate within the Lloyd urban release area.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
<b>Bushfire Management in Lloyd</b>				

<p><i>O1 Ensure appropriate relationships between asset protection zones on residential land that adjoins land zoned for Environmental Conservation.</i></p> <p><i>O2 Avoid adverse impacts from adjoining development on land in the E2 Environmental Conservation zone.</i></p>	C1 Asset Protection Zones are to be wholly within the development lot.	● NR	○ Sat	
	C2 If the Asset Protection Zone cannot be located wholly within the Residential zone, the APZ can extend into the E2 zone provided that that no trees are removed in that zone.	● NR	○ Sat	
	C3 The location of building envelopes within Residential zones that adjoin Environmental Protection zones must consider the potential impact of the associated asset protection zone (APZ) on the adjacent E2 zone.	● NR	○ Sat	
<b>Acoustic Environment</b>				
<i>O1 Avoid adverse impacts from road or rail noise.</i>	C1 Dwellings must be set back at least 60m from the centre line of the Great Southern Railway line, and must be set back at least 40m from the centre line of Red Hill Road, as shown by the Open Space plan in Appendix 3.	○ NR	● Sat	
<b>Site cover and landscaped area</b>				
<p><i>O1 Achieve a site cover of 80:20 impermeable to permeable ratio required to minimise infiltration of water to groundwater and thereby reduce salinity impacts.</i></p>	C1 Site cover on all land zoned R1 is to achieve a minimum impermeable to permeable material ratio of 80:20, based on the various controls in this section.	○ NR	● Sat	
	C2 The large R1 zoned buffer lots in the western edge of the release area (adjoining Red Hill Road and the Great Southern Rail Line) and at the south western abutment of the Lloyd Urban Release Area with the R5 zoned land of Glenoak, are to have a maximum 1,000m <sup>2</sup> development envelope nominated which will be requires to meet the 80:20 calculation. The remaining land, provided it is planted to 100% with native vegetation, will not be included in the 80:20	● NR	○ Sat	

	calculation as its infiltration rate will be the same or lower than the pre-development land.			
	<p>C3 Building envelopes shall be nominated on all lots within the R5 Large Lot Residential zone. No building envelopes shall encroach on any of the following:</p> <ul style="list-style-type: none"> <li>• Existing or proposed service easements,</li> <li>• An area that will require the removal of existing trees,</li> <li>• Setbacks identified for the purposes of noise buffering,</li> <li>• Land situated above the 280 metre AHD contour, unless the building envelope can be serviced with reticulated water and individual approval for each envelope has been obtained from the water supply authority in this regard,</li> <li>• Land within 10 metres of the front boundary of the allotment or land within 10 metres of another building envelope, or</li> <li>• Bushfire prone land.</li> </ul>	<p>● NR</p>	<p>○ Sat</p>	

## 16 Gobbagombalin Urban Release Area

Site Topography, Landscape Character, views and setting				
<i>O1 To require new development to respond to site features including topography, ridgelines and vegetation.</i>	C8 All native trees within residential lots must be retained, or offset planting carried out at the rate indicated in the Natural Resource Management section (page 15) of this Chapter.	<p>○ NR</p>	<p>● Sat</p>	
<i>O2 To avoid adverse impact upon all land with development limitations.</i>	C9 Lots adjoining land zoned E2 should be of sufficient size that a dwelling and other buildings can be located where they will not be at risk of damage from falling trees or limbs from within the E2 zone.	<p>● NR</p>	<p>○ Sat</p>	
Heritage Conservation				

<i>O1 To protect Aboriginal cultural heritage values by responding to the archaeological sensitivity of the site.</i>	C5 All other heritage items must comply with the relevant controls in Section 3 of WWDCP 2010.	● NR	○ Sat	
<b>Open Space, parks and the public domain</b>				
<i>O2 To provide open space areas with natural surveillance from surrounding dwellings.</i>	C4 Dwellings adjoining an open space (other than those next to Harris Road) must front the open space and shall have the following restrictions enforced by a s88B instrument: (i) Erect a fence along the boundary shared with the open space having: (a) a height of not greater than 1.5m; (b) not less than 50% of open/see through construction	● NR	○ Sat	
	C5 Lots adjoining Harris Road shall be at least, 1000sqm in size and have the following restrictions enforced by a s88B instrument: (i) Erect a fence along the boundary shared with Harris Road having: (a) a height not greater than 1.5m; (b) not less than 50% of open/see through construction (ii) No dwelling shall be located within 10m of the Harris Road boundary. (iii) All dwellings must have a ground floor verandah, porch, patio, pergola or deck on the side facing Harris Road.	● NR	○ Sat	
	C6 Dwellings adjoining Harris Road must have a secondary frontage that: (i) Includes a verandah, porch, patio, pergola or deck no closer than 3m of the Harris Road boundary. (ii) Sheds and garages must not be located in the 10m dwelling setback	● NR	○ Sat	

<b>Residential Development</b> Refer to Section 9 of the WWDCP 2010.				