

# Report of Development Application

## *Environmental Planning and Assessment Act 1979*

Application Details	Application Number	DA23/0236	Applicant	Commisso Group Pty Limited 170-174 Hammond Ave EAST WAGGA WAGGA NSW 2650
	Date of Lodgement	18/05/2023		
	Proposal	Patio	Description of Mod.	N/A
	Development Cost	\$18990	Other Approvals	Nil
Site Details	Subject Land	4 Brunskill Ave FOREST HILL NSW 2651 Lot 85 DP 27109	Owner	PE Murphy & CL Murphy

**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: 26/05/2023

☒ section not relevant

☒ Section 4.55 Modification of Consent

☐ Section 4.15(1) Matters for consideration - general

<b>Description</b>	Patio
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Matters for consideration					
GIS & System Check	Section 4.15(1) EP&A Act 1979	Issue	Legislative Provisions	Not Relevant	Satisfactory
◀	(b) (e)	DA History		○ NR	● Sat DA22/0620 – Alteration and additions to existing dwelling, demolition of existing shed and construction of new shed. (Note: The applicant has decided not to go ahead with the additions and alteration to existing dwelling, so the applicant will be required to surrender this consent. Relevant condition has been included in the DA consent).

						A separate application for a shed under DA23/0210 is lodged with Council and is currently under assessment).
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	<p>Zoning of land (cl 2.2): R1</p> <p>The development is permissible in the zone (cl. 2.3(1))</p> <p>The development is consistent with the following objectives of the zone (cl. 2.3(2)):</p> <ul style="list-style-type: none"> <li>To provide for the housing needs of the community.</li> <li>To provide for a variety of housing types and densities.</li> </ul>
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 has assumed easement to drain sewer to the rear of the property. Proposed development is clear of the easement.</p>

LEP 2010 Listed item and Conservation	(a)(i) (a)(iii) (b) (c) (e)	<b>Heritage Conservation Area Listed item</b>		● NR	○ Sat	
		<i>DCP 3 Heritage Conservation</i>	<b>LEP 5.10 Heritage conservation</b>	● NR	○ Sat	
LEP 2010 Urban release Area	(a)(i) (b) (c) (e)	<b>Urban Release Area</b>	<b>LEP 6.2 Public utility infrastructure</b>	● NR	○ Sat	
			<b>LEP 6.3 Development control plan</b>	● NR	○ Sat	
Natural resource Sensitivity	(a)(i) (a)(iii) (b) (c) (e)	<b>Natural Resource Sensitivity</b>	<b>LEP 7.3 Biodiversity</b>	● NR	○ Sat	
		<i>DCP 5.4 Environmentally sensitive land</i>	<b>LEP 7.4 Vulnerable land</b>	● NR	○ Sat	
			<b>LEP 7.5 Riparian lands and waterways</b>	● NR	○ Sat	
			<b>LEP 7.6 Groundwater vulnerability</b>	○ NR	● Sat	
Flooding (including MOFFS)	(a)(i) (a)(iii) (b) (c) (e)	<b>Flooding</b>		● NR	○ Sat	
		<b>Overland flow</b> <i>DCP 4.2 Flooding</i>	<b>LEP 5.21 Flood Planning</b>	● NR	○ Sat	

Bushfire Prone Land	(a)(iii) (b) (c) (e)	<b>Bushfire</b>  <i>DCP 4.1 Bushfire</i>		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	The site is not mapped as bush fire prone land and a site inspection has confirmed that the site or surrounding area is not a bush fire risk. No further assessment is required.
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"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	<p>The site is within the PFAS Investigation Area. The investigation was carried out by the Department of Defence and identified key areas of concern and on recommendation a PFAS Management Plan was adopted in September 2019. The key areas of concern were surrounding water corridors, aquifers, water bodies close to the RAAF Base itself and overland flow paths. The subject site is not within these areas and therefore the risk of contamination is considered low.</p> <p>Furthermore, 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.</p>
Airport Constraints	(a)(i) (b) (c) (e)	<b>Airport Constraints</b>	<b>LEP 7.11 Airspace operations</b>	<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	
			<b>LEP 7.12 Development in areas subject to aircraft noise</b>	<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>	

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>	The subject site has single storey dwelling and three outbuildings.

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>	
	(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>
	(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 land uses (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 land uses (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>	● NR	○ Sat	
	(b) (c) (e)	<b>Other hazards</b> Natural Technological		○ NR	● 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>		○ NR	● 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>	○ NR	● 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>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(b) (c) (e)	<b>Facilitation of Ecologically Sustainable Development</b>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(a)(i) (b)	<b>Other LEP Clauses</b>	<b>LEP 2.7 Demolition</b>	<input checked="" type="radio"/>	<input type="radio"/>	

	(c) (e)		requires development consent	NR	Sat	
			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	As the cost of proposed development is \$18,990 s7.12 is not applicable.
	(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	As per Section 1.2 of the Implementation Guide Development Servicing Plan Stormwater May 2022, the development is exempt from Section 64 Stormwater infrastructure contributions.

	(a)(iv) (e)	<b>The Regulation – Prescribed Matters</b> EP&A Regulation 2021		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
		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"/> NR	<input checked="" type="radio"/> Sat	It is considered that this application will not have a detrimental effect on the public interest.

## Development Control Plan 2010

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

DCP Section (Objectives and Controls)	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"/> NR	<input checked="" type="radio"/> Sat	In accordance with the Council's advertising and notification provisions outlined in Section 1.10 of the WWDGP the application was not required to be notified.
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### ☒ 1.11 Complying with the Wagga Wagga Development Control Plan 2010



## ☒ 2.1 Vehicle access and movements

## ☒ 2.2 Off-street parking

## ☒ 2.3 Landscaping

## ☐ 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 checked="" type="radio"/> NR	<input type="radio"/> Sat	
	C3 Minimise blank walls along street frontages.	<input checked="" type="radio"/> NR	<input 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 checked="" type="radio"/> NR	<input 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
- ☒ 3 Heritage Conservation
- ☒ 4.1 Bushfire
- ☒ 4.2 Flooding
- ☒ 5.1 Development on ridges and prominent hills
- ☒ 5.2 Preservation of trees
- ☒ 5.3 Native Vegetation Cover
- ☒ 5.4 Environmentally sensitive land
- ☒ 6 Villages
- ☒ 8 Rural Development
- ☒ 9.1.5 R3 Zone – Staunton Estate

## □ 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.	○ NR	● Sat	
	C2 Integrate access, landscaping and services in the site layout, avoiding underutilised spaces.	○ NR	● Sat	
	C3 Orient living spaces to maximise solar access.	● NR	○ Sat	
	C4 Facilitate natural cross ventilation within dwellings through the location of windows and doors.	● NR	○ Sat	

## ✗ 9.2.2 Streetscape

## ✗ 9.2.3 Corner lots and secondary facades

## □ 9.2.4 Sloping sites

<i>O1 Encourage site responsive development.</i>	C1 Use pier, split level or suspended floor designs on sloping sites.	○	●	The building design is appropriate to the site and generally meets the objectives.
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<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>		NR	Sat	
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### ☒ 9.3.1 Site area per dwelling

### ☐ 9.3.2 Site cover

<p><i>O1 Ensure that development sites are of sufficient size for dual occupancy, multi 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>	<p>C1 Maximum site cover is to be in accordance with Table 9.3.2a.</p>	<p>○ NR</p>	<p>● Sat</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> <p><i>O3 Maintain reasonable sunlight access to adjoining properties.</i></p>	C1 Locate garages, laundries and bathrooms to provide insulation from western sun.	● NR	○ Sat	
	C2 Locate living areas and private open space to ensure orientation to the north and north east where possible.	● NR	○ Sat	
	C3 Building design and site layout is to ensure adequate sunlight access to the internal living spaces and private open space of the proposed development.	○ NR	● Sat	
	C4 Variations can be considered to C1, C2 and C3 where it can be demonstrated that site constraints, existing built form and good design practices limit the ability of the proposal to comply with these controls.	● NR	○ Sat	
	C6 For any adjacent dwellings that have north facing living areas, maintain 3 hours sunlight access to the windows of the living areas between 9am and 3pm in mid-winter (June 22).	○ NR	● Sat	
	C7 Variations to C6 above can be considered where it can be demonstrated that any form of reasonable development on the lot would cause non-compliance with C6. In this instance the impacts are to be minimised where possible.	● NR	○ Sat	
	C8 Proposed development design should take into account the location of any adjacent private open space and avoid excess overshadowing of that space.	○ NR	● Sat	

### 9.3.5 Private open space

<i>O1 Provide quality, useable private open space.</i>	C1 At least 24m <sup>2</sup> of private open space is required per dwelling. The private open space is to be directly	○ NR	● Sat	
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<p><i>O2 Ensure adequate areas for recreation and outdoor living.</i></p> <p><i>O3 Encourage good connection between dwellings and private open space.</i></p>	accessible to the main living area and have a minimum dimension of 4m.			
	C2 Enclosure of approved private open space will be permitted, however at least one side of the approved private open space is to remain open. Roofing of approved private open space is permitted provided that BASIX requirements are not compromised.	● NR	○ Sat	
	C3 Use screening where necessary to ensure the privacy of private open space areas.	● NR	○ Sat	

### 9.3.6 Front setbacks

### 9.3.7 Side and rear setbacks

<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	Side and rear setbacks comply with the objectives
	C2 Any point of a building must have a setback from the side boundary nearest to that point of at least: a) If the lot is in Zone R5 a setback of 2m, or b) If the lot is in Zone RU1, RU2 or RU4 a setback of 10m.	● NR	○ Sat	

### 9.4.1 Building elements

### 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

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



O2 Ensure adequate acoustic privacy within dwellings.				
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 **9.4.4 Garages, carports, sheds and driveways**

 **9.4.5 Site facilities**

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

 **14 Boorooma Urban Release Area**

 **15 Lloyd Urban Release Area**

 **16 Gobbagombalin Urban Release Area**