Report of Development Application

Environmental Planning and Assessment Act 1979

Application Details	Application Number	*DA23/0147*	Applicant	*BG Booth* *Rosedale* *74 Hillary St* *NORTH WAGGA WAGGA NSW 2650*
	Date of Lodgement	*03/04/2023*		
	Proposal	*Extension to existing shed*	Description of Mod.	N/A
	Development Cost	*$33000*	Other Approvals	AA23/0175 - PartB5 - Stormwater (Private).

Site Details	Subject Land	*74 Hillary St* *NORTH WAGGA WAGGA NSW 2650* *Lot 4 DP 829772*	Owner	*BG Booth*

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

Delegation to Determine Application:- Officer Delegation 7.39

Report Prepared by:

Victoria Rice
Cadet Town Planner

Date: 14/6/2023

Report Approved by:

Emma Molloy
Senior Town Planner

Date:14.06.2023

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☒ Section 4.55 Modification of Consent

☐ Section 4.15(1) Matters for consideration - general

Description	Extension to existing 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**		○ *NR*	● *Sat*	DA19/0438 – Inground swimming pool and use of existing rock retaining wall DA19/0445 – Farm Shed DA19/0445.01 – Farm Shed – relocation of approved farm shed

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LEP 2010 Zones	(a)(i) (b) (c) (e)	**Zoning**	**LEP** 2.2 Zoning of land to which Plan applies 2.3 Zone objectives and Land Use Table	○ NR	● Sat	The subject site is within RU1 Primary Production and RU4 Rural Small Holdings zones. The development is permissible with consent under both zones. Zoning of land (cl 2.2): RU1 and RU4. The shed is located in the RU4 zoning. The development is permissible in each of the zones (cl. 2.3(1)) The development is not inconsistent with the objectives of each of the zones (cl. 2.3(2)):
Land Parcels & DP	(b) (c) (e)	**Land Title** Correct legal description and ownership Easements & Building Envelopes Open Deposited Plan (including 88b) Registered title (deferred commencement)		○ NR	● Sat	The subject site is encumbered by the following: • An easement for transmission line 30.48m wide through the centre of the lot, • An easement for transmission line 5m wide along the northern boundary, • A restriction as to user 15m wide along the northern boundary, • An easement for underground mains 5m wide along the western boundary, and • An easement for services, 5m wide along the western boundary. The proposed shed does not impact upon any of these easements or restrictions.
L E P	(a)(i) (a)(iii)	**Heritage**		●	○	

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	(b) (c) (e)	Conservation Area Listed item *DCP 3 Heritage Conservation*		NR	Sat	
			LEP 5.10 Heritage conservation	● NR	○ Sat	
LEP 2010 Urban release Area	(a)(i) (b) (c) (e)	**Urban Release Area**	**LEP** 6.2 Public utility infrastructure	● NR	○ Sat	
			LEP 6.3 Development control plan	● NR	○ Sat	
Natural resource Sensitivity	(a)(i) (a)(iii) (b) (c) (e)	**Natural Resource Sensitivity** *DCP 5.4 Environmentally sensitive land*	**LEP** 7.3 Biodiversity	○ NR	● Sat	
			LEP 7.4 Vulnerable land	● NR	○ Sat	
			LEP 7.5 Riparian lands and waterways	● NR	○ Sat	
			LEP 7.6 Groundwater vulnerability	● NR	○ Sat	
Flooding (including MOFFS)	(a)(i) (a)(iii) (b) (c) (e)	**Flooding** Overland flow *DCP 4.2 Flooding*		○ NR	● Sat	The subject site is currently mapped as flood prone land, and as such the provisions within this clause apply. The flooding is located at the rear of the site and does not affect the location of the proposed shed. No conditions of consent are required.
			LEP 5.21 Flood Planning	○ NR	● Sat	
Bushfire Prone Land	(a)(iii) (b) (c) (e)	**Bushfire** *DCP 4.1 Bushfire*		○ NR	● Sat	See discussion below.

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Environmental -Contaminated Land & PFAS	(a)(i) (b) (c) (e)	**Contaminated Land** PFAS Study Area Site observations	**SEPP (Resilience and Hazards) 2021**	○ *NR*	● *Sat*	Agricultural land is considered potentially contaminated land. However, there was no indication from the site visit that the location of the shed was on a part of the site that had been used for an activity that would be considered potentially contaminating such as sheep dips or fuel storage. Furthermore, the land is not identified on Councils register of contaminated sites. Accordingly, it is not considered necessary to request any investigation reports on the subject site.
Airport Constraints	(a)(i) (b) (c) (e)	**Airport Constraints**	**LEP** 7.11 Airspace operations	○ *NR*	● *Sat*	
			LEP 7.12 Development in areas subject to aircraft noise	○ *NR*	● *Sat*	

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Assets – Sewer and Stormawater	(b) (c) (e)	**Services/Utilities** (Septic area? Health referral)) Sewer/stormwater infrastructure (Build over, encroachment, earthwork impacts) Stormwater issues – overland flow Electricity infrastructure (including setbacks to substations) (Transport/infrastructure SEPP referral)		○ *NR*	● *Sat*	
Aerial Imagery (*Topographic – Hydrology)	(b) (c) (e)	**Existing site conditions** Buildings on site Retaining walls Cut and fill Deposited fill Boundary fencing and walls Private open space Vegetation *Proximity to natural waterways Other observations		○ *NR*	● *Sat*	Site visit undertaken on: 3 May 2023.

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

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	(a)(iii) (b) (c) (e)	**Context, setting and streetscape** *DCP* *9.2.2 Streetscape* *9.2.3 Corner lots and secondary facades* *9.2.4 Sloping Sites* *9.3.1 Site area per dwelling* *9.3.2 Site cover* *9.3.6 Front setbacks* *9.3.7 Side and rear setbacks* *9.4.1 Building elements* *9.4.2 Materials and finishes* *9.4.4 Garages, carports, sheds and driveways* *9.4.5 Site facilities*		○ *NR*	● *Sat*	The proposed development is an extension to an existing approved outbuilding therefore the impact of the shed in the streetscape has been accepted. The shed is setback from the access road to the rear and the extension to the shed is located away from Hillary Street. Existing landscaping also exists around the perimeter of the stie to soften the impact of the shed.
	(a)(iii) (b) (c) (e)	**Public Domain** Impact on street or adjoining public place Condition/Dilapidation Construction access *DCP* *2.7 Development adjoining open space* *9.4.5 Site facilities*		○ *NR*	● *Sat*	
	(a)(iii) (b) (c) (e)	**Safety, security and crime prevention** *DCP 2.5 Safety and security*		○ *NR*	● *Sat*	

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

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

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	(a)(i) (b) (c) (e)	**BASIX** *(Use assessment checklist)*	**BASIX SEPP 2004**	● NR	○ Sat	
	(b) (c) (e)	**Other hazards** Natural Technological		○ NR	● Sat	
	(a)(iii) (b) (c) (e)	**Flora and Fauna** (on and off-site) Check for native veg requirements (R5 and RU4 Land) *DCP* *5.2 Preservation of trees* *5.3 Native Vegetation Cover*		○ NR	● Sat	
			Section 5AA and Part 7 of the Biodiversity Conservation Act 2016 *Test for determining whether proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats)*	○ NR	● Sat	Section 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) There are a number of tests to determine whether the proposal triggers the NSW Biodiversity Offset Scheme under the NSW Biodiversity Conservation Act 2016 and results in the need for further assessments or offsets. 1. *Is the subject site identified as an area of outstanding biodiversity value on the biodiversity values map?* No

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						2. *Does the amount of native vegetation being removed exceed the biodiversity offsets scheme threshold.* No native vegetation is proposed to be removed. 3. *Test of Significance - the test to determine whether the proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats.* Given that no native vegetation is being removed and in the absence of any recorded endangered flora or fauna on the site of the proposed development, it is not anticipated that the development will significantly affect threatened species or ecological communities or their habitats. Based on the above assessment it is satisfied that the development will not trigger the Biodiversity Offset Scheme.
	(b) (c) (e)	**Social and economic impacts**		○ *NR*	● *Sat*	
	(b) (c) (e)	**Facilitation of Ecologically Sustainable Development**		○ *NR*	● *Sat*	
	(a)(i) (b) (c)	**Other LEP Clauses**	**LEP** 2.7 Demolition requires development	● *NR*	○ *Sat*	

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

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			Other SEPPs	● NR	○ Sat	
	(a)(ii) (b) (c) (e)	**Draft EPIs**		○ NR	● Sat	There are a number of state environmental planning policies currently subject to review, including some which have involved consultation and notification. None of these are applicable to this application.
	(a)(iiia) (e)	**Planning agreements**		● NR	○ Sat	No related planning agreement has been entered into under section 7.4.
	(d) (e)	**Submissions**		○ NR	● Sat	Nil
	(e)	**Section 68 Application made as part of DA**	*Local Government Act 1993*	○ NR	● Sat	Combined DA & AA. AA23/0175 - PartB5 - Stormwater (Private).
	(e)	**Section 7.11 Contributions** (Local Infrastructure Contributions Plan 2019 - 2034)	*EP&A Act 1979*	● NR	○ Sat	
	(e)	**Section 7.12 Contributions** (Local Infrastructure Contributions Plan 2019 - 2034)	*EP&A Act 1979*	● NR	○ Sat	
	(e)	**Section 64 sewer** (Development Servicing Plan – Sewerage Services – July 2013)	s64 *LG Act 1993* & s306 *Water Management Act 2000*	● NR	○ Sat	
	(e)	**Section 64 stormwater** (Development Servicing Plan – Stormwater – November 2007)	s64 *LG Act 1993* & s306 *Water Management Act 2000*	● NR	○ Sat	
	(a)(iv) (e)	**The Regulation – Prescribed Matters**		○ NR	● Sat	

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		EP&A Regulation 2021	cl.61(1) - Demolition of a building, the provisions of AS 2601 *(ensure condition included requiring compliance with standard)*	○ NR	● Sat	
			cl.61(7) - Consideration of Special Activation Precinct Master Plan	● NR	○ Sat	
			cl.64 - require existing building to be brought into total or partial conformity with BCA *(check with Building Surveyor for development proposing the rebuilding, alteration, enlargement or extension of an existing building)*	● NR	○ Sat	
	(a)(iv) (e)	**The Regulation – Prescribed Conditions** *(ensure conditions of consent included)*	EP&A Regulation 2021	○ NR	● Sat	
	(e)	**Other regulation matters**	EP&A Regulation 2021	○ NR	● Sat	
	(e)	**Council Policies**		○ NR	● Sat	**Policy 046** - Processing Development Applications lodged by Councillors, staff and individuals of which a conflict of interest may arise, or on Council owned land. No declaration has been made that would require action under this policy.

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	(e)	**Other public interest matters**		○ NR	● 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
(☒ section not relevant)			

☐ 1.10 Notification of a Development Application

Compliance with the advertising and notification procedures detailed in this section of the DCP	○ NR	● Sat	The application has been notified in accordance with the notification provisions outlined in Section 1.10 of the WWDCP. No submissions were received. Dates: 28 April to 5 May 2023.

☒ 1.11 Complying with the Wagga Wagga Development Control Plan 2010

☒ 2.1 Vehicle access and movements

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☒ 2.2 Off-street parking

☒ 2.3 Landscaping

☐ 2.5 Safety and security

O1 Incorporate crime prevention strategies in new developments. *O2 Encourage active, pedestrian oriented environments where developments are designed to integrate into the public domain.* *O3 Maximise opportunities for natural surveillance of public spaces and building or site entrances.*	C1 Use good site planning to clearly define public, semi-public and private areas.	○ NR	● Sat	
	C2 Entries are to be clearly visible and identifiable from the street, and are to give the resident/occupier a sense of personal address and shelter. For non-residential uses, administration offices or showroom are to be located at the front of the building.	● NR	○ Sat	
	C3 Minimise blank walls along street frontages.	● NR	○ Sat	
	C4 Avoid areas of potential concealment and 'blind' corners.	○ NR	● Sat	
	C5 Provide lighting to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. The lighting is to be designed and sited to minimise spill and potential nuisance to adjoining properties.	● NR	○ Sat	
	C6 Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.	● NR	○ Sat	
	C7 Where a site provides a pedestrian through route the access path is to be clearly defined and sign posted, appropriately lit, and have satisfactory visibility.	● NR	○ Sat	

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	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

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

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☒ 2.7 Development adjoining open space

☒ 3 Heritage Conservation

☐ 4.1 Bushfire

O1 Minimise risk to life, property and the environment from bush fire. *O2 Ensure compliance with statutory obligations for development in bush fire prone areas.*	C1 Applications are to satisfy the relevant provisions of *Planning for Bush Fire Protection 2006* (or any later versions) and Australian Standard: 3959 Construction of Buildings in Bush Fire Prone Areas.	○ NR	● Sat	Whilst not mapped as Bush Fire Prone land the site contains vegetation that would be considered grassland and therefore the site is considered Bush Fire prone for the purpose of this assessment. Development in bush fire prone areas is subject to Planning for Bush Fire Protection 2019 (or any later versions) and Australian Standard: 3959 Construction of Buildings in Bush Fire Prone Areas (AS: 3959). Given the proposal is for an outbuilding that would be considered Class 10 in the NCC, Section 8 'Other Development' of PBP 2019 applies and has been summarised below: *8.3.2 Class 10 structures* *…There is no bush fire protection requirements for Class 10a buildings located more than 6m from a dwelling in bush fire prone areas…* Given the outbuilding is located more than 6m from the dwelling there are no bush fire requirements.
	C2 Where required, a clear separation is to be provided between buildings and bushfire hazards in	○	●	

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	the form of a fuel-reduced Asset Protection Zone (APZ). In all cases the APZ is to be located wholly within the land zoned Residential. Refer to the requirements of Planning for Bush Fire Protection 2006	*NR*	*Sat*	

☐ 4.2 Flooding

Refer to this section of the DCP.	○ *NR*	● *Sat*	The site is affected by Riverine flooding, the location of the proposed extension to the shed is not affected by this 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

Development in rural areas				
O1 Ensure that rural developments are compatible with site context.	C1 Uses are to be compatible with the character of the locality in terms of buildings, structures and the nature of operations.	○ *NR*	● *Sat*	

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O2 Minimise potential for conflicts between traditional and productive agricultural uses and non-agricultural uses. *O3 Ensure that adequate buffers are provided so that dwellings do not interfere with the right to farm adjoining or adjacent land.* *O4 Ensure safe and adequate servicing and access arrangements.*	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.	○ *NR*	● *Sat*	
	C3 Use landscaping and other screening options to help integrate new uses and developments into the rural landscape.	● *NR*	○ *Sat*	
	C4 Uses must be capable of operating within capacities of available existing services.	○ *NR*	● *Sat*	
	C5 Provide adequate facilities for additional traffic in terms of vehicle access and movements, parking areas, and loading and unloading of goods.	○ *NR*	● *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.	● *NR*	○ *Sat*	
	C7 Provide satisfactory arrangements for storage and disposal of waste.	○ *NR*	● *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.	● *NR*	○ *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	○ *NR*	● *Sat*	

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	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	○ NR	● 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	○ NR	● 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.	● NR	○ Sat	
Rural Dwellings				
O1 Ensure that dwellings in rural areas are compatible with the rural landscape. *O2 Encourage dwellings and outbuildings to be located in clusters.* *O3 Encourage energy efficient dwellings.*	C1 Avoid prime productive lands and prominent hill and ridgeline locations especially where alternative, more suitable locations are available.	● NR	○ Sat	
	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.	● NR	○ Sat	
	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	● NR	○ Sat	

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	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	Existing outbuilding grouped near the principal dwelling.
	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: • be situated on the same legal title as the principal farm dwelling • share the same road access, power and communication infrastructure as the principal farm dwelling (as should secondary dwellings) • be located within reasonable proximity to other farm buildings (e.g. within 300 m), and, • be appropriately separated from farm boundaries and potentially conflicting land uses (e.g. intensive livestock operations, livestock yards, dairies and the like)	● NR	○ Sat	

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☒ 9.1.5 R3 Zone – Staunton Estate

☐ 9.2.1 Site layout

O1 Encourage site responsive development that is compatible with existing or desired built form. *O2 Facilitate sustainable development through passive solar design.* *O3 Integrate landscaping and built form.* *O4 Encourage designs which respond to the physical context and characteristics of the particular site.* *O5 Encourage design that maximises the opportunity for passive surveillance of communal spaces from private living areas.*	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

O1 Encourage compatibility with existing built form.	C1 Provide a street address and front elevation that is consistent with the predominant scale, rhythm and form of the street.	○ *NR*	● *Sat*	

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

☒ 9.2.3 Corner lots and secondary facades

☐ 9.2.4 Sloping sites

O1 Encourage site responsive development. *O2 Encourage building design that is appropriate to the site conditions.* *O3 If an alternate design is possible, avoid development that would require cutting into the site.*	C1 Use pier, split level or suspended floor designs on sloping sites.	● NR	○ Sat	The building design is appropriate to the site and generally meets the objectives.

☒ 9.3.1 Site area per dwelling

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☒ 9.3.2 Site cover

☐ 9.3.4 Solar access

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

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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 24m2 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. *O2 Encourage attractive residential streets and quality public domain.* *O3 Ensure that new developments complement the established built patterns .* *O4 Maintain lines of sight for vehicle safety.*	C1 Minimum front setbacks for residential development (site area smaller than 2000m2): Primary frontage to a main or arterial road 9m # Primary street frontage (other roads) 6m # Secondary frontage (corner site) 3m # - For residential accommodation in R3 Zones a minimum setback of 3m may be considered.	○ NR	● Sat	
	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	●	○	

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	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	
	C4 Variations to the minimum setback can be considered in the following circumstances: • 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. • 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. • 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 properties. This is relevant to designs that address both frontages without boundary fencing.	● NR	○ Sat	

☐ 9.3.7 Side and rear setbacks

O1 Ensure adequate separation between buildings for landscaping, privacy, natural light and ventilation.	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	

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O2 Ensure new development continues the rhythm or pattern of development in the locality. *O3 Provide access for maintenance.* *O4 Building setbacks from the side and rear boundaries shall have careful regard to the impact of proposed structures on adjoining landowners.*	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

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

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O4 Discourage corporate colours in building facades.				

☒ **9.4.3 Privacy**

☒ **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**

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