

Report of Development Application

Environmental Planning and Assessment Act 1979

Application Details	Application Number	DA23/0249	Applicant	C Rocks 29 Werribee Road BOURKELANDS NSW 2650
	Date of Lodgement	19/05/2023		
	Proposal	Retaining Wall	Description of Mod.	N/A
	Development Cost	\$12786	Other Approvals	Nil
Site Details	Subject Land	10 Norman Duck Ave SAN ISIDORE NSW 2650 Lot 11 DP 251918	Owner	JTH Hillis & ST Hillis

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: 17/7/2023

Report Approved by:



Amanda Gray
Senior Town Planner

Date: 17.7.2023

☒ **Section 4.55 Modification of Consent**

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

Description	Retaining Wall
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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) (c) (e)	DA History		○ NR	● Sat
		DA21/0764 – Shed, rainwater tank and use of existing ancillary earthworks			

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	<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"> • To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. • To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. • To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To ensure that the clearing of native vegetation is avoided or minimised as far as is practicable.
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Land Parcels & DP	(b) (c) (e)	Land Title		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	Subject site is not burdened by any easements.
		Correct legal description and ownership				
		Easements & Building Envelopes				
		Open Deposited Plan (including 88b)				
LEP 2010 Listed item and Conservation	(a)(i) (a)(iii) (b) (c) (e)	Heritage		<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
		Conservation Area				
		Listed item	LEP 5.10 Heritage conservation	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
LEP 2010 Urban release Area	(a)(i) (b) (c) (e)	Urban Release Area	<i>DCP 3 Heritage Conservation</i>			
			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)	Natural Resource Sensitivity	LEP 7.3 Biodiversity	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
		<i>DCP 5.4 Environmentally sensitive land</i>	LEP 7.4 Vulnerable land	<input checked="" type="radio"/> NR	<input type="radio"/> 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 <i>DCP 4.2 Flooding</i>		● NR	○ Sat	
			LEP 5.21 Flood Planning	● NR	○ Sat	
Bushfire Prone Land	(a)(iii) (b) (c) (e)	Bushfire <i>DCP 4.1 Bushfire</i>		○ NR	● Sat	See section 4.1 below for further discussion.
Environmental - Contaminated Land & PFAS	(a)(i) (b) (c) (e)	Contaminated Land PFAS Study Area Site observations	SEPP55	○ NR	● Sat	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 development is not within these areas and therefore the risk of contamination is considered low and the site is suitable for the proposed development.
Airport Constraints	(a)(i) (b) (c)	Airport Constraints	LEP 7.11 Airspace operations	○ NR	● Sat	

	(e)					
			LEP 7.12 Development in areas subject to aircraft noise	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
Assets – Sewer and Stormwater	(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) (Infrastructure SEPP referral)		<input type="radio"/> NR	<input checked="" type="radio"/> 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		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	Site visit undertaken on: 24 May 2023.
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		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(a)(iii) (b) (c) (e)	Traffic, access and parking Manoeuvring Site Distance Issues Driveway grade		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

		Check Driveway location and grade <ul style="list-style-type: none"> • Side entry pit • Service lids/pits • Poles/turrets/substations • Street Trees <p>DCP <i>2.1 Vehicle access and movements</i> <i>9.3.6 Front setbacks</i></p>			
	(a)(iii) (b) (c) (e)	Context, setting and streetscape <p>DCP <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></p>		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>
	(a)(iii) (b) (c) (e)	Public Domain <p>Impact on street or adjoining public place</p> <p>Condition/Dilapidation</p>		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>

		Construction access <i>DCP</i> <i>2.7 Development adjoining open space</i> <i>9.4.5 Site facilities</i>			
	(a)(iii) (b) (c) (e)	Safety, security and crime prevention <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)	Site and internal design <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)	Solar impact <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)	Visual Privacy Private open space Boundary fencing and screening <i>DCP</i> <i>9.3.5 Private open space</i>		<input type="radio"/> <i>NR</i>	<input checked="" type="radio"/> <i>Sat</i>

		9.3.7 Side and rear setbacks 9.4.3 Privacy				
	(a)(i) (b) (c) (e)	Noise and Vibration Acoustic privacy conflicts Impacting nearby land uses (Rail, Road, Infrastructure SEPP referrals)		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(a)(i) (b) (c) (e)	Air and microclimate 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)	Earthworks and Soils 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	
			LEP 7.1A Earthworks	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(b) (c) (e)	Landscaping		<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	(b) (c) (e)	Waste		<input type="radio"/>	<input checked="" type="radio"/>	

		Construction waste management		NR	Sat	
		Asbestos				
	(a)(iii) (b) (c) (e)	Energy & Water <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>		○ NR	● Sat	
	(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) <i>DCP</i> <i>5.2 Preservation of trees</i> <i>5.3 Native Vegetation Cover</i>		○ NR	● Sat	
			Section 5AA and Part 7 of the Biodiversity Conservation Act 2016 <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	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

					<p>Biodiversity Conservation Act 2016 and results in the need for further assessments or offsets.</p> <p><i>1. Is the subject site identified as an area of outstanding biodiversity value on the biodiversity values map?</i></p> <p>No</p> <p><i>2. 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><i>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.</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>
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						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		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(b) (c) (e)	Facilitation of Ecologically Sustainable Development		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(a)(i) (b) (c) (e)	Other LEP Clauses	LEP 2.7 Demolition requires development consent	<input checked="" type="radio"/> NR	<input type="radio"/> 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	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

			certain rural, residential or environment protection zones			
			Other Clauses	● NR	○ Sat	
	(a)(i) (b) (c) (e)	Other EPIs	SEPP (Infrastructure) 2007	● NR	○ Sat	
			SEPP (Activation Precincts) 2020	● NR	○ Sat	
			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)(iii) (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	<i>Local Government Act 1993</i>	● NR	○ Sat	
	(e)	Section 7.11 Contributions (Local Infrastructure Contributions Plan 2019 - 2034)	<i>EP&A Act 1979</i>	● NR	○ Sat	

	(e)	Section 7.12 Contributions (Local Infrastructure Contributions Plan 2019 - 2034)	<i>EP&A Act 1979</i>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	The cost of the development is less than \$100,00 therefore Section 7.12 Contribution is not applicable.
	(e)	Section 64 sewer (Development Servicing Plan – Sewerage Services – July 2013)	<i>s64 LG Act 1993 & s306 Water Management Act 2000</i>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	Not applicable as the lot is not within the DSP area.
	(e)	Section 64 stormwater (Development Servicing Plan – Stormwater – November 2007)	<i>s64 LG Act 1993 & s306 Water Management Act 2000</i>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	Not applicable as the lot is not within the DSP area.
	(a)(iv) (e)	The Regulation – Prescribed Matters <i>EP&A Regulation 2000</i>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
			<i>cl.92(1)(b) - Demolition of a building, the provisions of AS 2601</i> <i>(ensure condition included requiring compliance with standard)</i>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
			<i>cl.92A - Additional matters that consent authority must consider for Wagga Wagga</i>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
			<i>cl.94 require existing building to be brought into total or partial conformity with BCA</i> <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)	The Regulation – Prescribed Conditions <i>(ensure conditions of consent included)</i>	EP&A Regulation 2000	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(e)	Other regulation matters	EP&A Regulation 2000	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(e)	Council Policies		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	Policy 046 - Processing Development Applications lodged by Councillors, staff and individuals of which a conflict of interest may arise, or on Council owned land. No declaration has been made that would require action under this policy.
	(e)	Other public interest matters		<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
(☒ 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	<p>The application has been notified in accordance with the notification provisions outlined in Section 1.10 of the WWDCP. No submissions were received.</p> <p>Dates: 23 June to 30 June 2023.</p>
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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>	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	

<p><i>O3 Maximise opportunities for natural surveillance of public spaces and building or site entrances.</i></p>	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.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	C8 Locate public toilets and rest areas to promote their use, and maximise public surveillance without creating visual intrusion.	<input checked="" type="radio"/> NR	<input type="radio"/> 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>	Consistent with the objectives of this section of the DCP.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
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<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 prevent the loss of soil from the site.</i></p>				
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2.7 Development adjoining open space

3 Heritage Conservation

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>	<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.</p>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	<p>There are no bushfire protection measures for a class 10b structure in <i>Planning for Bushfire Protection 2019</i>.</p>
	<p>C2 Where required, a clear separation is to be provided between buildings and bushfire hazards in the form of a fuel-reduced Asset Protection Zone (APZ). In all cases the APZ is to be located wholly</p>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

	within the land zoned Residential. Refer to the requirements of Planning for Bush Fire Protection 2006			
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☒ 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

<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>	C1 Development is to be consistent with any Conservation Management Plan prepared for land in the E2 zone.	● NR	○ Sat	
	Environmentally sensitive land – biodiversity (Outside “biocertified area”)	○ NR	● Sat	
	Natural Resources Sensitivity - land	● NR	○ Sat	
	Natural Resources Sensitivity - waterways	● NR	○ Sat	
	Natural Resources Sensitivity - groundwater	● NR	○ Sat	









O5 Protect, maintain or improve the diversity and stability of landscapes.				
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6 Villages

8 Rural Development

9.1.5 R3 Zone – Staunton Estate

9.2.1 Site layout

<p>O1 Encourage site responsive development that is compatible with existing or desired built form.</p> <p>O2 Facilitate sustainable development through passive solar design.</p> <p>O3 Integrate landscaping and built form.</p> <p>O4 Encourage designs which respond to the physical context and characteristics of the particular site.</p> <p>O5 Encourage design that maximises the opportunity for passive surveillance of</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	

<i>communal spaces from private living areas.</i>				
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☒ 9.2.2 Streetscape

☒ 9.2.3 Corner lots and secondary facades

☐ 9.2.4 Sloping sites

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

☒ 9.3.2 Site cover

☒ 9.3.4 Solar access

☐ 9.3.5 Private open space

<p><i>O1 Provide quality, useable private open space.</i></p> <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>	<p>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.</p>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	<p>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.</p>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	<p>C3 Use screening where necessary to ensure the privacy of private open space areas.</p>	<input checked="" type="radio"/> NR	<input type="radio"/> 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</i></p>	<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.</p>	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	<p>C2 Any point of a building must have a setback from the side boundary nearest to that point of at least:</p> <p>a) If the lot is in Zone R5 a setback of 2m, or</p> <p>b) If the lot is in Zone RU1, RU2 or RU4 a setback of 10m.</p>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

structures on adjoining landowners.				
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☒ **9.4.1 Building elements**

☒ **9.4.2 Materials and finishes**

☒ **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**

<p><i>O1 Encourage site responsive development and protect the amenity of adjoining land.</i></p> <p><i>O2 Avoid excessive earthworks and minimise changes to the natural landform.</i></p> <p><i>O3 Encourage site layout and building design that is appropriate to the site conditions, including use of split levels, pier foundation or</i></p>	<p>C1 Excavation is not to exceed a maximum depth measured from ground level (existing) as follows:</p> <p>(a) If located no more than 1m from boundary – 1.5m, and</p> <p>(b) If located more than 1m but not more than 1.5m from any boundary – 2m, and</p> <p>(c) If located more than 1.5m from any boundary – 3m.</p> <p>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).</p>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C2 Fill is not to exceed:	<input type="radio"/>	<input checked="" type="radio"/>	

<p><i>suspended floor house designs.</i></p> <p><i>O4 Avoid adverse impacts on salinity by minimising the potential for surface water to enter the groundwater in recharge areas.</i></p> <p><i>O5 Avoid inappropriate fill being introduced to sites.</i></p> <p><i>O6 Ensure adequate provision of drainage in relation to cut and fill practices.</i></p>	<p>(a) 1.5m above ground level (existing), and</p> <p>(b) Must be contained by either:</p> <p>(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</p> <p>(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.</p> <p>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).</p>	NR	Sat	
	<p>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:</p> <p>(a) has been certified by a professional engineer, and</p> <p>(b) has adequate drainage lines connected to the existing stormwater drainage system for the site, and</p> <p>(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:</p> <p>(i) more than 1.5m in height and within 1m from a side or rear boundary, or</p> <p>(ii) more than 3m in height at any other location.</p>	○ NR	● Sat	
	<p>C4 Retaining walls are not to be located within the easement. The retaining wall shall be located outside the easements zone of influence.</p>	○ NR	● Sat	
	<p>C5 No cut or fill to take place within easements.</p>	○	●	

		<i>NR</i>	<i>Sat</i>	
	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.	● <i>NR</i>	○ <i>Sat</i>	
	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.	○ <i>NR</i>	● <i>Sat</i>	
	C8 All retained material is to have a gradient of at least 5%.	○ <i>NR</i>	● <i>Sat</i>	
	C9 Fill material is to be substantially from the site only. Imported fill material is not encouraged.	○ <i>NR</i>	● <i>Sat</i>	
	C10 Cut and fill outside the building envelope is not to exceed 600mm.	● <i>NR</i>	○ <i>Sat</i>	
	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.	○ <i>NR</i>	● <i>Sat</i>	
	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.	○ <i>NR</i>	● <i>Sat</i>	

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 **14 Boorooma Urban Release Area**

 **15 Lloyd Urban Release Area**

 **16 Gobbagombalin Urban Release Area**