

Report of Development Application

Environmental Planning and Assessment Act 1979

Application Details	Application Number	DA24/0105	Applicant	SS Lieschke 24 Chang Ave LLOYD NSW 2650
	Date of Lodgement	13/03/2024		
	Proposal	Shed and awning with amenities	Description of Mod.	N/A
	Development Cost	\$30000	Other Approvals	AA24/0106
Site Details	Subject Land	24 Chang Ave LLOYD NSW 2650 Lot 305 DP 1250195	Owner	SS Lieschke & KS Lieschke

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

Delegation to Determine Application:- Officer Delegation 7.39

Report Prepared by:



Giles Wong
Cadet Town Planner

Date: 30/04/2024

Report Approved by:



Amanda Gray
Development Assessment Coordinator

Date: 3.5.2024

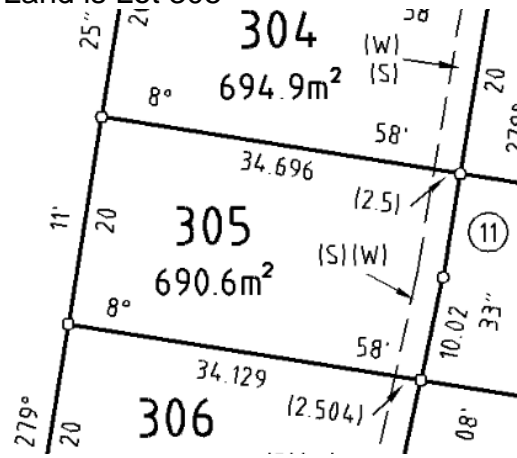
section not relevant

☒ Section 4.55 Modification of Consent

☐ Section 4.15(1) Matters for consideration - general

Description	Shed
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Matters for consideration						
GIS & System Check	Section 4.15(1) <i>EP&A Act 1979</i>	Issue	Legislative Provisions	Not Relevant	Satisfactory	Comment
◀	(b) (c) (e)	DA History		○ <i>NR</i>	● <i>Sat</i>	DA19/0400 – Dwelling with attached double garage

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): R1 The development is permissible in the zone (cl. 2.3(1)) The development is consistent with the following objectives of the zone (cl. 2.3(2)): <ul style="list-style-type: none"> To provide for the housing needs of the community. To provide for a variety of housing types and densities.
Land Parcels & DP	(b) (c) (e)	Land Title Correct legal description and ownership Easements & Building Envelopes Open Deposited Plan (including 88b) Registered title (deferred commencement)		<input type="radio"/> NR <input checked="" type="radio"/> Sat	Land is Lot 305  There is a 2.5 metre wide easement for sewage and water at the rear of the site.
LEP 2010 Listed item and	(a)(i) (a)(iii) (b) (c) (e)	Heritage Conservation Area Listed item	LEP 5.10 Heritage	<input checked="" type="radio"/> NR <input type="radio"/> Sat	

		<i>DCP 3 Heritage Conservation</i>	conservation	NR	Sat	
LEP 2010 Urban release Area	(a)(i) (b) (c) (e)	Urban Release Area	LEP 6.2 Public utility infrastructure	○ NR	● Sat	Public utility infrastructure is available at the location.
			LEP 6.3 Development control plan	○ NR	● Sat	
Natural resource Sensitivity	(a)(i) (a)(iii) (b) (c) (e)	Natural Resource Sensitivity <i>DCP 5.4 Environmentally sensitive land</i>	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 <i>DCP 4.2 Flooding</i>		● NR	○ Sat	The site is not mapped as being subject to flooding.
			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 discussion under 4.1.

Environmental - Contaminated Land & PFAS	(a)(i) (b) (c) (e)	Contaminated Land PFAS Study Area Site observations	SEPP (Resilience and Hazards) 2021	<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)	Airport Constraints	LEP 7.11 Airspace operations	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
			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) (Transport/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: 25/03/2024
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, Transport and 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, Transport and 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 Asbestos		NR	Sat	
	(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>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	(a)(i) (b) (c) (e)	BASIX (Use assessment checklist)	State Environmental Planning Policy (Sustainable Buildings) 2022	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	(b) (c) (e)	Other hazards Natural Technological		<input type="radio"/> NR	<input checked="" type="radio"/> 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>		<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
			Section 1.7 (EP&A Act) and Part 7 of the Biodiversity Conservation Act 2016 <i>Test for determining whether proposed development or activity is likely to significantly</i>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	Section 1.7 (EP&A Act) and Part 7 of the Biodiversity Conservation Act 2016 (Test for determining whether proposed development or activity likely to significantly affect threatened species or ecological communities, or their habitats)

			<i>affect threatened species or ecological communities, or their habitats)</i>		<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>
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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 E2	<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 (Transport and Infrastructure) 2021	● NR	○ Sat	
			SEPP (Precincts - Regional) 2021	● 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	AA24/0106 – PartB4 Sewer/ PartB5 Stormwater (Private)
	(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>	● NR	○ Sat	
	(e)	Section 64 sewer (Development Servicing Plan – Sewerage Services – July 2013)	<i>s64 LG Act 1993 & s306 Water Management Act 2000</i>	● NR	○ Sat	
	(e)	Section 64 stormwater (Development Servicing Plan – Stormwater – November 2007)	<i>s64 LG Act 1993 & s306 Water Management Act 2000</i>	● NR	○ Sat	The lot was created post 12/9/84 and therefore no contribution is required.
	(a)(iv) (e)	The Regulation – Prescribed Matters <i>EP&A Regulation 2021</i>		○ NR	● Sat	
			<i>cl.61(1) - Demolition of a building, the provisions of AS 2601</i> <i>(ensure condition included requiring compliance with standard)</i>	● NR	○ Sat	
			<i>cl.64 - 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>	● NR	○ Sat	
	(a)(iv) (e)	The Regulation – Prescribed Conditions <i>(ensure conditions of consent included)</i>	<i>EP&A Regulation 2021</i>	○ NR	● Sat	
	(e)	Other regulation matters	<i>EP&A Regulation 2021</i>	○	●	

				NR	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
(<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	The application has been notified in accordance with the notification provisions outlined in Section 1.10 of the WWDCP.
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		Dates: 12/04/2024 – 19/04/2024
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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	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

	and sited to minimise spill and potential nuisance to adjoining properties.			
	C6 Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.	● NR	○ Sat	
	C7 Where a site provides a pedestrian through route the access path is to be clearly defined and sign posted, appropriately lit, and have satisfactory visibility.	● NR	○ Sat	
	C8 Locate public toilets and rest areas to promote their use, and maximise public surveillance without creating visual intrusion.	● NR	○ Sat	

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>	Consistent with the objectives of this section of the DCP.	○ NR	● Sat	
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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.				
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2.7 Development adjoining open space

3 Heritage Conservation

4.1 Bushfire

<p>O1 Minimise risk to life, property and the environment from bush fire.</p> <p>O2 Ensure compliance with statutory obligations for development in bush fire prone areas.</p>	C1 Applications are to satisfy the relevant provisions of <i>Planning for Bush Fire Protection 2019</i> (or any later versions) and Australian Standard: 3959 Construction of Buildings in Bush Fire Prone Areas.	 NR	 Sat	<p>The site is mapped bushfire prone land.</p> <p>The surrounding land that poses a bushfire threat to the property is owned by the Trustees of the Roman Catholic Church. The developer has agreed to maintain a 50 metre APZ around all the properties adjoining Lot 328 DP1250195. The APZ results in a BAL- Low and therefore no bushfire protection measures are required in accordance with PBP2019.</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 within the land zoned Residential. Refer to the requirements of <i>Planning for Bush Fire Protection 2019</i> .	 NR	 Sat	

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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

<p><i>O1 To support the controls and objective for both the C2 and C4 Zone and the provisions in Clauses 7.3 to and inclusive of Clause 7.6 of the LEP.</i></p> <p><i>O2 Protect, maintain or improve the diversity of the native flora and fauna.</i></p> <p><i>O3 Protect the ecological processes necessary for their continued existence.</i></p> <p><i>O4 Encourage the recovery of threatened species, communities or populations and their habitats.</i></p> <p><i>O5 Protect, maintain or improve the diversity and stability of landscapes.</i></p>	C1 Development is to be consistent with any Conservation Management Plan prepared for land in the C2 zone.	● NR	○ Sat	
	Land Identified as "Biodiversity" on the Terrestrial Biodiversity Map (WWLEP 2010 Clause 7.3)	● NR	○ Sat	
	Land Identified as "Vulnerable Land" on the Vulnerable Land Map (WWLEP 2010 Clause 7.4)	● NR	○ Sat	
	Land Identified as "Waterway" on the Water Resources Map (WWLEP 2010 Clause 7.5)	● NR	○ Sat	
	Land Identified as "Groundwater" on the Water Resources Map (WWLEP 2010 Clause 7.6)	○ NR	● Sat	

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.	<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 checked="" type="radio"/>	<input type="radio"/>	
	C4 Facilitate natural cross ventilation within dwellings through the location of windows and doors.	<input checked="" type="radio"/>	<input 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 between the public and private domain.</i></p> <p><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></p>	C1 Provide a street address and front elevation that is consistent with the predominant scale, rhythm and form of the street.	● NR	○ Sat	The proposal does not form part 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

<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</i></p>	C1 Use pier, split level or suspended floor designs on sloping sites.	○ NR	● Sat	The building design is appropriate to the site and generally meets the objectives.
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that would require cutting into the site.				
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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>	C1 Maximum site cover is to be in accordance with Table 9.3.2a, except for land under C2.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	C2 Maximum site cover for any development type on land within the black edging indicated on the maps shall have a maximum site cover of 50%, unless a greater site cover is allowed for under C1.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

☐ 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</i></p>	C1 Locate garages, laundries and bathrooms to provide insulation from western sun.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	C2 Locate living areas and private open space to ensure orientation to the north and north east where possible.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

<p><i>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>	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.	<input type="radio"/> NR	<input checked="" type="radio"/> 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.	<input checked="" type="radio"/> NR	<input type="radio"/> 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).	<input type="radio"/> NR	<input checked="" type="radio"/> 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.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	C8 Proposed development design should take into account the location of any adjacent private open space and avoid excess overshadowing of that space.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

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</i></p>	C1 At least 24m ² 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.	<input type="radio"/> NR	<input checked="" type="radio"/> 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.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	

<i>dwelling and private open space.</i>				
	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

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

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>	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> <p><i>O2 Ensure adequate acoustic privacy within dwellings.</i></p>	C1 Offset windows, balconies and private open space areas between adjoining dwellings.	<input checked="" type="radio"/> NR	<input type="radio"/> Sat	
	C2 Provide adequate building separation within the development and from neighbouring buildings/adjacent land uses. Alternate design elements, including (but not limited to) opaque screens of appropriate dimensions, translucent or highlight windows may be used to improve privacy.	<input checked="" type="radio"/> NR	<input 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	

□ 9.4.4 Garages, carports, sheds, driveways and outbuildings

<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 - the garage door is to be:</p> <p>less than 50% of the width of the house* no wider than 6m # maximum 2.4m high # - double garages are only permitted on lots 12.5m wide or greater* - 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 # - Variations to these controls may be considered where the setback of the dwelling exceeds 10 metres.</p>	<p>● NR</p>	<p>○ Sat</p>	
	<p>C2 Garages, carports and sheds that open up to a laneway must be setback a minimum of 1m from the property boundary.</p>	<p>● NR</p>	<p>○ Sat</p>	
	<p>C3 The floor area of an outbuilding on a residential lot must not be more than the following: (a) 8% of the site area if the lot has an area of less than 600m², (b) 8% of the area or a maximum area of 175m², whichever is the lesser, if the lot has an area of at least 600m² but less than 4000m², (c) Lots greater than 4000m² will be considered on their merits.</p>	<p>○ NR</p>	<p>● Sat</p>	<p>8% of the lot size is equal to 55m². The proposed shed is 60m², exceeding the 8% allowable coverage. Justification has been provided stating that:</p> <p><i>“A variation of less than 10% is being proposed. The open awning are contributes to undercover private open space.”</i></p> <p>The proposal only seeks to vary the DCP to a small degree, sufficient private open space is maintained, and the structure does not</p>

				overshadow neighbouring properties, therefore, council considers this variation reasonable.
	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 ² , whichever is the lesser. Lots greater than 4000m ² will be considered on their merits.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	See above.
	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

9.4.6 Changing the landform – cut and fill

9.5 Large Lot Residential Zone – Intensification areas

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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	
Environmental conservation and natural resources management				
<p><i>O1 Ensure trees and vegetation contributing to the environmental and amenity value of the locality and region are preserved.</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><i>O2 Maintain and enhance the ecological values of waterways and wetlands, including water quality, stream integrity, biodiversity 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>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 identified Squirrel Glider habitat falling outside the C2 zone at Lloyd (shown in Figure 4 and 5).</p>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	<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>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
Salinity Management				
<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>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	<p>An 80:20 plan as been approved under DA19/0400. The proposed works occupy land that is currently permeable and complies with this control.</p>
	<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>	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	

O3 Minimise earthwork based disturbance to existing undeveloped areas.	C11 Built features must be drained to stormwater rather than to lawn or other pervious areas.	<input type="radio"/> NR	<input checked="" type="radio"/> Sat	
	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	

Bushfire Management in Lloyd				
<i>O1 Ensure appropriate relationships between asset protection zones on residential land that adjoins land zoned for Environmental Conservation.</i> <i>O2 Avoid adverse impacts from adjoining development on land in the C2 Environmental Conservation zone.</i>	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 C2 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 C2 zone.	● NR	○ Sat	
Acoustic Environment				
<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	
Site cover and landscaped area				
<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>	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	See above.
	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 ² development envelope nominated which will be requires to meet the 80:20 calculation. The	● NR	○ Sat	

	remaining land, provided it is planted to 100% with native vegetation, will not be included in the 80:20 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"> • Existing or proposed service easements, • An area that will require the removal of existing trees, • Setbacks identified for the purposes of noise buffering, • 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, • Land within 10 metres of the front boundary of the allotment or land within 10 metres of another building envelope, or • Bushfire prone land. 	<p>● NR</p>	<p>○ Sat</p>	
	C4 The principles, objectives and controls of Section 9 apply to residential development in the Lloyd Urban Release area. Where the principles, objectives and controls of Section 9 are inconsistent with this section, this section shall prevail.	<p>○ NR</p>	<p>● Sat</p>	

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