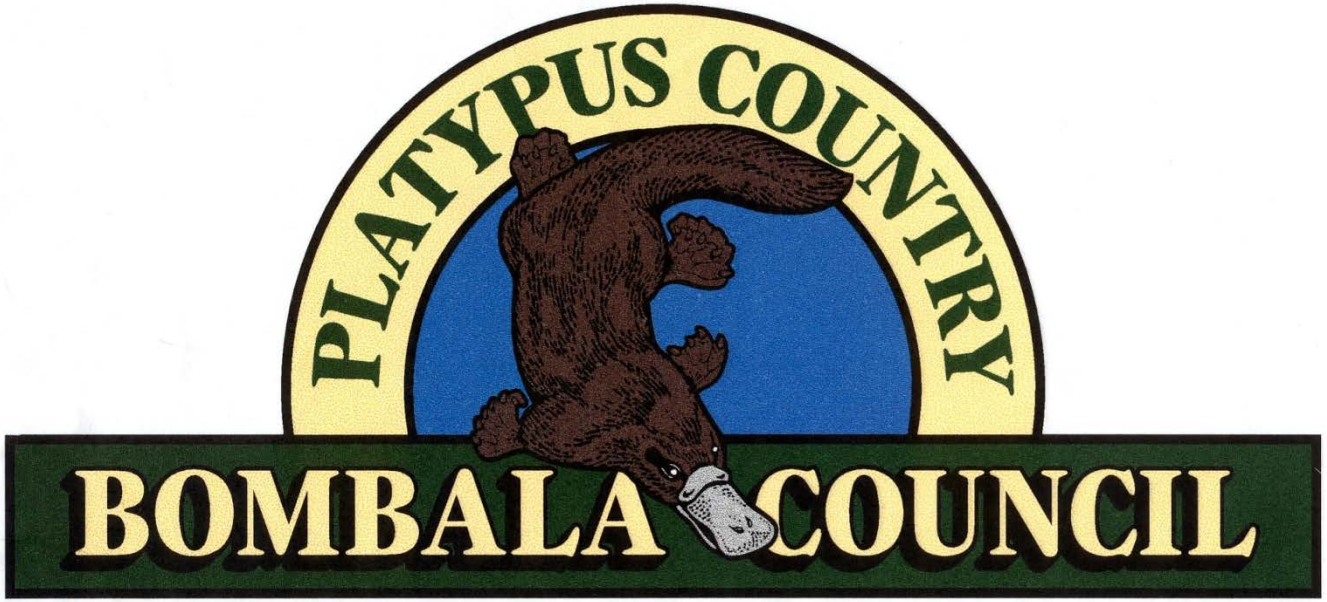

BOMBALA

DEVELOPMENT CONTROL PLAN 2012

to take effect from 16 January 2013

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Document history

Original	
Council resolved to prepare draft DCP	17 October 2012
Notice of intention to prepare & exhibit issued	7 November 2012
Draft DCP exhibited	7 November 2012 – 5 December 2012
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1. INTRODUCTION

1.1 Preface

This plan is called the *Bombala Development Control Plan (DCP) 2012* and is referred to as the Plan in this document.

1.1.1 Application

This plan applies to all land subject to *Bombala Local Environmental Plan (LEP) 2012* and zoned:

- RU1 Primary Production,
- RU5 Village,
- R1 General Residential,
- R5 Large Lot Residential,
- B2 Local Centre,
- IN1 General Industrial,
- IN2 Light Industrial, and
- SP3 Tourist.

1.1.2 Purpose

The purpose of this plan is to guide development within Bombala local government area (LGA) consistent with the aims and objectives of *Bombala LEP 2012*. It contains objectives and development controls that expand upon the requirements of *Bombala LEP 2012* and that are to be considered in addition to the LEP when preparing a proposal to develop land in Bombala LGA.

Bombala DCP 2012 has been prepared by Bombala Council in accordance with the *Environmental Planning and Assessment Act 1979* and was adopted by Council on 19 December 2012. Upon taking effect this plan repeals *Bombala Interim DCP 2011*. Upon taking effect the document *AUS-SPEC* is also adopted by Bombala Council to guide engineering specifications for minor civil works. Reference should also be made to *AMCORD*, the *Australian Model Code for Residential Development*, for further guidance about design elements for residential subdivision and building works.

1.1.3 Savings provisions

This Plan does not apply to any development application or application for a modification to a development application submitted under section 96 of the *Environmental Planning and Assessment Act (EP&A Act) 1979* that was lodged prior to the date of commencement of this Plan. Any application lodged before the commencement of this plan will be assessed in accordance with the development control plan(s) or policy(s) which applied to the site at the time the application was lodged.

1.1.4 How to use this Plan

The Plan consists of this written document and includes all sketches, diagrams, illustrations and maps. It comprises an introduction with separate chapters covering sustainable development, subdivision, building, and access and car parking. The code is structured so that each design consideration is prefaced by a statement of intent, and supported by performance criteria and acceptable solutions.

The statement of **Intent** is the objective that determines what should eventuate on the ground as the final product of the land development process. It is an essential consideration when designing a subdivision or building to ensure that new development is appropriate to a site and neighbourhood.

Performance criteria indicate ways in which the intent may be achieved. They are intended to assist development planning by giving examples of ideal design elements for each subdivision or building element. They are guidelines to also explain procedures to be followed to promote sensitive and considerate design.

Acceptable solutions are specific requirements of Council that are to be fulfilled in development plans. They may be varied on merit where it can be clearly demonstrated that the statement of intent for the design element is still being achieved, where site constraints are such that compliance with controls is not possible or where extenuating circumstances exist. See *1.3.3 Requests to vary acceptable solutions* for procedures to follow when seeking to vary the controls of this Plan.

Note that the acceptable solutions listed in this Plan alongside performance criteria for each design element do not necessarily correspond to the adjacent performance criteria. Unless the acceptable solution is a legislative requirement, Council may accept other solutions where the performance criteria are satisfied.

1.1.5 Format

The plan comprises the following chapters:

Chapter 1 – Introduction. This chapter provides information about the application of the Plan, how to use the plan, and matters of governance relating to assessment procedures and the advertising and notification of development applications.

Chapter 2 – Sustainable design. This chapter contains descriptions of the towns and villages of Bombala LGA and guidance for the continuing sustainable development of our settlements and rural localities. The character statements set the community's vision for coming years are a consideration during assessment of development applications. Statements of intent, performance criteria and acceptable solutions are given that aim to reinforce the important and valuable elements of each settlement.

Chapter 3 – Subdivision. This chapter contains zone-based guidance for the subdivision of land for rural, residential, business and industrial uses.

Chapter 4 – Building. This chapter contains zone-based guidance for new buildings in rural, residential, business and industrial areas, and alterations and additions to existing buildings.

Chapter 5 –Parking and access. This chapter contains guidance for access arrangements and the provision of car parking. This chapter applies to all development in Bombala LGA.

1.1.6 Definitions

This plan adopts all definitions contained in the Dictionary to *Bombala LEP 2012*. In addition, definitions relating to specific aspects of development are included where necessary throughout this plan.

1.2 The planning context

1.2.1 The hierarchy of plans and policies

Planning in NSW is governed by the *Environmental Planning and Assessment Act 1979*. Provisions of the Act establish a hierarchy of environmental planning instruments and policies. These are State Environmental Planning Policies (SEPP), Local Environmental Plans (LEP) and Development Control Plans (DCP). SEPPs and LEPs are known as environmental planning instruments.

A SEPP is a legal document that generally deals with a specific type of development, such as infrastructure, or exempt and complying development, or applies to a specified area of land, such as the coastal zone.

An LEP is a legal document that sets the planning framework at a local level by specifying land use zones, the uses that are permitted or prohibited in those zones, certain development standards and provisions relating to heritage conservation, environmental protection and the like. *Bombala LEP 2012* is the plan that is in force in Bombala LGA. It is a Standard Instrument LEP and was published on 29 June 2012.

A DCP is Council policy that provides further guidance to the provisions of the LEP. It contains objectives and controls for subdivision, building design, engineering matters and the like. It is not a statutory plan but is a legal consideration in the assessment of a development application.

The Department of Planning & Infrastructure has also issued regional strategies for some areas of NSW to give high level guidance to planning and development. At the time of adoption of the Plan a regional strategy had not been prepared for Bombala local government area.

At the time of adoption of this Plan, the NSW Government was undertaking a comprehensive review of the *Environmental Planning and Assessment Act 1979*. The goal is to simplify and modernise the planning system and to improve transparency and accountability of both regulators and developers. This Plan may need to be reviewed and amended following the gazettal of new legislation in the future.

1.2.2 The assessment process

A development application is required to be lodged for development that is permitted with consent under *Bombala LEP 2012*. This is known as local development. Other types of development are exempt (where an approval is not required), complying (where the proposal complies with set standards and approval by Council or a private certifier is provided within 10 days), designated development (which must be accompanied by an environmental impact statement) and integrated development (where the approval of another statutory authority is required in addition to approval by Council or a Joint Regional Planning Panel). Any consent issued under integrated development also includes the general terms of approval from those other agencies.

Council is required to assess a development application in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979*. Section 79C of the Act requires Council to consider the provisions of any environmental planning instruments that apply to the land, including State Environmental Planning Policies (SEPP) and the *Bombala LEP 2012*, as well as any potential economic, social and ecological impacts, the suitability of the site for the proposed development, submissions made by interested persons and the public interest.

The provisions of all SEPPs and *Bombala LEP 2012* prevail over this plan. In the event that a SEPP (e.g. *SEPP (Infrastructure) 2008* or *SEPP (Exempt and Complying Development Codes) 2008*) or the LEP applies to a certain land use and enables that use as either exempt or complying development subject to specified development standards, then that environmental planning instrument enables that land use to proceed without the need for the consent of Council.

The controls contained in this Plan only apply where a development application is lodged with Bombala Council for a particular land use and where those controls do not conflict with the provisions of an environmental planning instrument. Council reserves the right to refuse a development application or to require modification of the development being proposed, even where it complies with acceptable solutions, if Council considers that the proposed development will conflict with or lead to an inconsistency with the desired outcomes as expressed in the relevant statement of intent.

Bombala Council encourages a flexible approach to land development so that new development is innovative and adaptive without causing any adverse effect on the amenity of residents or the local environment.

Council recommends that independent legal or town planning advice should always be sought prior to making a property purchase or an investment decision. The information in this plan should not be solely relied upon in reaching a decision to purchase a property or to embark on a development project.

1.3 Making a development application

It is important that a meeting be held with Council staff in the first instance and before preparing development plans to identify the level of information that is to be submitted with a development application. Missing or incomplete documentation may cause delays in the assessment of a development application.

Depending on the type and scale of the development being proposed and the nature of the property, specific assessments may be required to be submitted with the development application that address potential impacts of the proposed development. These may be required to address:

- Traffic management and car parking,
- Noise and other emissions,
- Flora and fauna,
- Bushfire protection,
- Indigenous or non-indigenous heritage,
- Geotechnical features,
- Overshadowing,
- Visual and scenic values,
- Soil Contamination, and
- Waste Management.

1.3.1 Documentation

Information to be submitted with a development application is specified in Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. As a minimum a development application is to be accompanied by a site plan and building plans drawn to a scale of 1:100 or 1:200, and a statement of environmental effects.

The site plan is to show:

(a) the location, boundary dimensions, site area and north point of the land,
(b) existing vegetation and trees on the land,
(c) the location and uses of existing buildings on the land,
(d) existing levels of the land in relation to buildings and roads, and
(e) the location and uses of buildings on sites adjoining the land.

Building plans are to show:

(a) the location of any proposed buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development,
(b) floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building,
(c) elevations and sections showing proposed external finishes and heights of any proposed buildings. For temporary structures elevations and sections showing heights and building materials,
(d) proposed finished levels of the land in relation to existing and proposed buildings and roads,
(e) proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate),
(f) proposed landscaping and treatment of the land (indicating plant types and their height and maturity),
(g) proposed methods of draining the land, and
(h) a BASIX certificate if required (see *1.3.2 BASIX*).

The statement of environmental effects is to address:

(a) the environmental impacts of the development,
(b) how the environmental impacts of the development have been identified,
(c) the steps to be taken to protect the environment or to lessen the expected harm to the environment,
(d) any matters required to be indicated by any guidelines issued by the Director-General of the Department of Planning and Infrastructure.

In the case of subdivision, a proposed plan of subdivision and preliminary engineering drawings of the work to be carried out are to be submitted with the development application.

If an application for a construction certificate is made at the same time as a development application then detailed construction plans and building specifications are also required to be submitted with a report indicating compliance with the Building Code of Australia and relevant Australian Standards. Alternatively, compliance may be shown on plans and specifications.

1.3.2 BASIX

BASIX is an on-line program that assesses dwelling design against energy and water reduction targets. If these targets are satisfied a *BASIX* Certificate is issued. The *BASIX* Certificate is required to be submitted with a development application for all developments which contain new residential dwellings or alterations and additions to a dwelling.

BASIX uses information such as site location, house size, type of building materials and fittings for hot water, cooling and heating. 'Commitments' that are made to achieving energy and water reduction targets are shown on the *BASIX* certificate and must be marked on building plans that accompany the DA. These commitments are to be adhered to during the building process. Any changes made to the dwelling design means another *BASIX* assessment must be completed and a new *BASIX* Certificate submitted to Council.

The *BASIX* Certificate should also be attached to an application for a construction certificate and ensure all *BASIX* commitments are shown on the plans. It should also be attached to an application for an occupation certificate. Council will only issue an occupation certificate when satisfied that the project has been built as described on the *BASIX* Certificate.

To obtain a *BASIX* assessment go to www.basix.nsw.gov.au and enter details of your building plans.

1.3.3 Requests to vary acceptable solutions

Development proposals that comply with controls are generally processed without delay, minimising costs to the applicant. However, Council may consider varying acceptable solutions where the proposed development still satisfies the relevant statement of intent and performance criteria, or site conditions make compliance difficult.

A request to vary an acceptable solution must be in writing and specify the control to be varied and details in support of the variation that demonstrate how the relevant statement of intent and performance criteria will still be achieved.

In some circumstances, such as where the acceptable solution makes reference to a requirement of legislation, State policy or an environmental planning instrument (SEPP or LEP), it is not possible for Council to vary the acceptable solution.

1.4 Advertising and notification

1.4.1 Notification policy

For certain development proposals Bombala Council notifies the owners of land that is adjoining and adjacent to the site where an application for development has been received. Council gives notice of development applications where the proposed development has the potential to adversely affect surrounding properties, the amenity of the neighbourhood, or the natural environment. Council determines the circumstances where notification takes place having regard to the relevant land use zone, the proposed development and consistency with the zone objectives. Examples of such development are an industry or a potentially

offensive land use proposed on land other than in an industrial zone, or development that seeks to vary the acceptable solutions of this Plan.

1.4.2 Notification procedures

Where notification is deemed necessary by Council, a letter accompanied by a site plan and building elevations in A4 size will be mailed to the affected land owners and residents. The period within which a submission may be made to Council will be specified in the letter and is usually 14 days from the date of the notification letter. Council maintains discretion to extend the notification period if considered necessary. Council will also place an advertisement in local newspapers if the development is of a scale that may warrant broader community input due to the potential effects of that development.

The properties that will be notified about a development application are indicated in the diagram below. In this diagram, the property shaded red is subject to a development application and the properties that are shaded blue are those that would be notified of that development application.

Figure 1.1 Example of properties to be notified of a development application

Certain development types are classified as 'advertised development' or 'designated development' in the *Environmental Planning and Assessment Regulation 2000*. The procedures for the notification of a development application for these types of development are specified in the Regulation.

1.4.3 Making a submission

Submissions are letters, petitions or similar written representations from individuals or groups of people regarding a particular development application. Submissions should be in writing and may support or object to a development application, or suggest changes or alternatives to the proposal. Council's assessment of an application involves considering the merits of all relevant matters raised in submissions. However, Council is not bound to adopt a suggestion or support an objection when making its determination on the application.

Submissions may be made up until the close of Council offices on the last day of the notification period as specified in the letter or advertisement. Submissions can be sent to the following addresses:

- By mail to: The General Manager
  Bombala Council
  P.O. Box 105
  Bombala NSW 2632
- By facsimile to 02 6458 3777
- By email to council@bombala.nsw.gov.au

2. SUSTAINABLE DESIGN

2.1 Principles of sustainability

Sustainable design is new development that adheres to the principles of sustainability. These principles are:

The precautionary principle - where there are threats of serious or irreversible damage to the community's ecological, social or economic systems, a lack of complete scientific evidence should not be used as a reason for postponing measures to prevent environmental degradation. In some circumstances this will mean actions will need to be taken to prevent damage even when it is not certain that damage will occur.

The principle of intergenerational equity - the present generation must ensure that the health, integrity, ecological diversity, and productivity of the environment is at least maintained or preferably enhanced for the benefit of future generations.

The principle of conserving biological diversity and ecological integrity - aims to protect, restore and conserve the native biological diversity and enhance or repair ecological processes and systems.

The principle of improving the valuation and pricing of social and ecological resources - the users of goods and services should pay prices based on the full life cycle costs (including the use of natural resources at their replacement value, the ultimate disposal of any wastes and the repair of any consequent damage).

The provisions of this Plan are intended to implement these principles to assist subdivision and building design to be sustainable.

2.2 Settlement character statements

The character statements given below for each of Bombala's towns and villages are intended to guide the design of new development. New buildings and subdivision layouts should reinforce existing character and enhance the significant features of the settlement. This chapter provides guidance for designing to be sustainable and in keeping with these character statements.

2.2.1 Bombala

Set within a valley surrounded on all sides by undulating and partially forested hills, the town of Bombala is a district centre that services the whole local government area with a range of commercial, retail, industrial and community facilities. It was gazetted in 1849 with the timber and grazing industries providing employment for the local community. These industries have recently ceded ground to tourism and the cultivation of specialty food produce.

The town is bisected by the Bombala River which merges downstream with the Delegate River before entering the Snowy River. It is known as the home of that most elusive of Australian monotremes – the platypus. Bombala contains many historic buildings which are recognised for their contribution to the fabric of the town. Most prominent of these heritage items is the railway complex which formerly connected southern NSW to Goulburn. The main street offers commercial and retail outlets as well as government agencies, pubs and visitor accommodation in buildings that are listed in Bombala's planning scheme for their heritage values.

The residential areas are a consistent grain, laid out in a grid pattern centred around the main street. Housing is of modest scale and massing, with styles varying from early Federation style cottages to inter-war bungalows to mid-late 20th century fibre-cement and masonry houses. Streets are generally tree-lined with consistent building line setbacks in older parts of town. Newer residences on surrounding hills have district views across the township towards bushland and the scattered dwellings on the rural lifestyle lots. Open space is plentiful with a large swath of reserve associated with the waterway and the rail line cutting through the centre of town, providing a focal point for recreation.

Figure 2.1 Bombala townscape

2.2.2 Delegate

Delegate was first settled in 1832. It is a small compact settlement that services surrounding sheep grazing country with schools, a hospital, shops, sportsground and a hotel which retains shearers' quarters to accommodate the labour force employed on the prime grazing land that surrounds the village. The land is generally level with gently sloping hills west of the centre of town on which the church and primary school stand watch. It is enhanced by natural features such as the Delegate River and distant views towards the Snowy Mountains and the high country of northern Victoria. The arts play an important role in Delegate as demonstrated by the recent addition of sculptures and exhibitions.

The street layout is a traditional grid pattern. Houses are single storey comprising early settlers' huts to mid and late 20th century timber and fibre-cement cottages. The positioning within allotments is random with a range of setbacks to the street frontage varying from zero-lot line to more than 6 metres. This mix, along with the meandering main street, give the town its strong unrestrained flavour.

2.2.3 Ando

Ando is a small rural locality situated in the north of the LGA on the Monaro Highway on cleared undulating grasslands. A few residences on large rural properties are clustered either side of the highway and a public hall serves the occupants of surrounding sheep farms.

2.2.4 Bibbenluke

Bibbenluke is located just north of Bombala on the Monaro Highway. It comprises a scattering of traditional and modern residences on small village-sized allotments set within a grid pattern subdivision layout that includes rear lane access ways. A public hall, primary school and sportsground serve the inhabitants of the village and surrounding farmlands.

2.2.5 Cathcart

The historic village of Cathcart is located on Mount Darragh Road which connects Bombala to the coast. Originally called Taylor's Flat after it was settled in 1857 by James Taylor, Cathcart was once a thriving settlement that serviced the surrounding dairy farms with churches, sports facilities, hotels, shops and trades. A number of historic buildings remain including the heritage-listed Croft House.

It now comprises two separate small lot subdivisions, one which straddles Mount Darragh Road and is partially developed and the other to the north that remains as farmland. Cathcart has a school of arts hall, service station and general store/postal agency to serve the small community. All houses are single storey and of fibre-cement or timber construction set within large open yards. The

settlement is surrounded by beef cattle and sheep grazing lands, at the edge of the South East Forests National Park which covers the Great Dividing Range.

2.2.6 Craigie

Craigie consists of a number of dwellings and a public hall located in the south of the LGA amidst softwood plantations. The settlement has a grid street layout with several vacant small lots situated between two roads running north-south. A public hall serves the needs of the few inhabitants of this rural locality and neighbouring farms.

Figure 2.2 Farmland near Delegate

2.3 Site planning

2.3.1 Site analysis

Intent - the relationship of new development with the site, adjoining properties and the local community is considered in the site planning and design phase.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The site analysis establishes the development context by identifying and illustrating the key influences on the design, and how the proposed allotments and buildings will relate to each other and to the immediate surroundings	**A1** A site analysis is required to be submitted with development applications for residential subdivisions, multi-unit residential development (multi dwelling housing, residential flat buildings and seniors housing), and tourist and visitor accommodation
P2 The design of new development considers the uses of neighbouring sites, and potential constraints relating to overlooking, overshadowing, view retention, building bulk, landscaping and screening between the development and adjoining sites	**A2** A site analysis is required to be submitted with development applications for commercial and industrial development that is proposed outside business and industrial zones
P3 An analysis of the street character provides clues for successful integration, and influences site layout, landscape, alignment of buildings and the design of the proposed development in relation to the streetscape	**A3** The site analysis considers: - slope and contours, - existing vegetation, - buildings (including any that could be retained), - views to and from the site, - access and connection points, - drainage and services, - orientation, microclimate, prevailing winds and noise sources, - where relevant, any contaminated soils and filled areas, - fences, boundaries and easements, - the location, built form and use of adjacent and opposite buildings, - abutting private open spaces and habitable room windows which have outlooks towards the site, - views and solar access enjoyed by adjacent inhabitants, - major trees on adjacent properties,

	- characteristics of any adjacent public open space, - street-frontage features such as poles, trees, kerb crossovers, etc, - direction and distances to local shops, schools, public transport, parks and community facilities, - the difference in levels between the site and adjacent properties, - any other site notable features

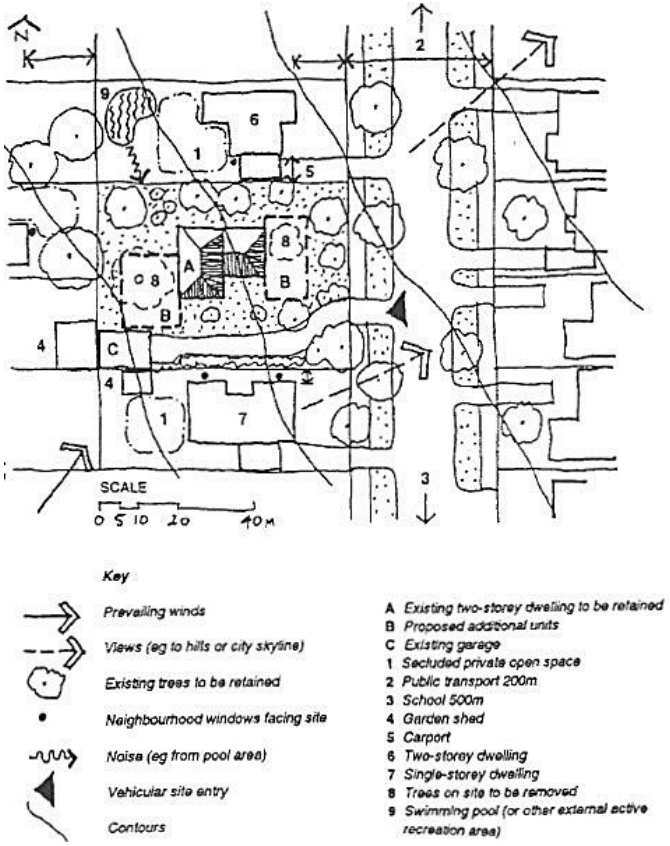

Figure 2.3 Site analysis diagram. Source - AMCORD

2.4 Heritage conservation

2.4.1 Indigenous heritage

Intent - to ensure that new development considers and respects objects, places and sites of cultural significance to the local Aboriginal community.

Performance criteria	Acceptable solutions
P1 Sites of cultural significance to the Aboriginal community are identified and protected	**A1** The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* is carried out to ensure that Aboriginal cultural heritage issues are addressed and whether the activity requires an application for an *Aboriginal Heritage Impact Permit*

2.4.2 Non-indigenous heritage

Intent - to ensure that new development, including the adaptive re-use of heritage buildings, and alterations and additions, are compatible with and respectful of recognised heritage values and the historic context.

Performance criteria	Acceptable solutions **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The fabric of heritage items and places, including landscaping and vegetation that contributes to heritage significance, is conserved	**A1** An assessment of the impact of new development on heritage significance may be required where the development proposed is on a property that is listed in Schedule 5 of *Bombala LEP 2012* or is on land that is within the vicinity of a listed heritage item, or is within the Bombala Special Character Area (Figure 2.4)
P2 Settlement identity, scenic values, historic streetscapes and traditional patterns of settlement are retained	**A2** A heritage conservation management plan may be required that contains conservation policy and actions to be taken to conserve heritage significance where the development proposed is on a property that is listed in Schedule 5 of *Bombala LEP 2012*

P3 New development, including alterations and additions to a heritage item and development within the Bombala Special Character Area, demonstrates an understanding of the heritage significance and context of the place	**A3** When upgrading access to heritage buildings, reference should be made to the document *Improving Access to Heritage Buildings, A practical guide to meeting the needs of people with disabilities* published by the Australian Council of National Trusts and the Australian Heritage Commission, 1999, to assist with providing access facilities
P4 New development, including alterations and additions to a heritage item and development within the Bombala Special Character Area, retains the visual setting and streetscape and landscape character that contributes to heritage significance	
P5 New development in Bombala Special Character Area respects the historical context, the scale and proportion of buildings, and the overall setting	

Figure 2.4 Bombala Special Character Area

2.5 Environmental Management

2.5.1 Bushfire

Intent - to ensure that bushfire protection measures are implemented during the planning and design phase so that the risk to the community is minimised.

Performance criteria	Acceptable solutions
P1 Subdivision and building design incorporates appropriate mitigative measures to protect life and property in the event of a bushfire	**A1** An assessment of the potential impact of bushfire on property mapped as bushfire prone and of bushfire protection measures is prepared and submitted with the development application
P2 The impact of fire protection measures on flora and fauna, amenity and natural features is minimised	**A2** All new development on land mapped as bushfire prone is to comply with the guideline *Planning for Bushfire Protection 2006* (or equivalent)
P3 Topography and site features are utilised to respond to bushfire and to aid protection of property	
P3 Building materials are selected to maximise resistance to fire	
P4 New development is provided with a safe and secure water supply for fire-fighting and protection	
P5 Landscaping is designed to provide protection to buildings and not increase the level of bushfire risk	
P6 The site layout, building envelopes and landscaping creates an asset protection zone and allows for ease of access to and from other buildings	
P7 The road layout, design and construction considers the needs of emergency vehicles and possible evacuation	

2.5.2 Flooding

Intent - to ensure that flood protection measures are implemented during the planning and design phase so that the risk to the community is minimised.

Performance criteria	Acceptable solutions
P1 The flood risk to life and property associated with the use of land is minimised	**A1** An assessment of the impact of a 1:100 ARI flood event and of flood protection measures is to be carried out and submitted with all applications to develop land that is mapped as a flood planning area in *Bombala LEP 2012* or that is below the flood planning level
P2 New development on flood prone land is compatible with the flood hazard of the land	**A2** Building envelopes that are located above the flood planning level are shown on subdivision plans
P3 New development does not affect flood behaviour that causes an increase in the potential flood affectation of other development or properties, or the natural environment	
P4 New development incorporates measures that manage risk to life from flood and does not result in unsustainable social and economic costs to the community as a consequence of flooding	

2.5.3 Biodiversity

Intent - to identify and conserve threatened species, populations and ecological communities of animals and plants in Bombala.

Performance criteria	Acceptable solutions
P1 Biological diversity is preserved and the extinction of threatened species, populations and ecological communities is prevented	**A1** Reference is to be made to the threatened species website maintained by the NSW Office of Environment & Heritage to determine whether any records of threatened species have been made on the property to which a development application relates. If evidence of a threatened species has been recorded then an assessment of significance (Part 5A of the *Environmental Planning and Assessment Act 1979)* is to be carried out to determine whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats and submitted with the application
P2 The critical habitat of those species, populations and ecological communities that are endangered is protected	**A2** Where an assessment of significance finds that any threatened species, endangered ecological communities or critical habitat are likely to be affected by new development then a Species Impact Statement is required to be prepared and submitted to the Director-General of the Office of Environment and Heritage (or equivalent) for approval under integrated development provisions of the *Environmental Planning and Assessment Act 1979*
P3 Processes that threaten the survival or evolutionary development of threatened species, populations and ecological communities are eliminated or managed	

2.5.4 Native vegetation

Intent - to identify and conserve remnant native vegetation in Bombala.

Performance criteria	Acceptable solutions
P1 Native vegetation is managed in the social, economic and environmental interests of the community	**A1** The approval of the Southern Rivers Catchment Management Authority (or equivalent) is to be obtained to clear native vegetation in rural zones where required by provisions of the *Native Vegetation Act 2003*
P2 High conservation value ecosystems are protected having regard to their contribution to water quality, biodiversity, or the prevention of salinity or land degradation	**A2** A property vegetation plan (PVP) is to be prepared with the assistance of the CMA that consists of a satellite photo-map of the property and a supporting agreement that details management actions that will maintain or improve environment outcomes. The PVP may include 'offsets' such as actions to restore remnant native vegetation or control noxious weeds
P3 The condition of existing high conservation value ecosystems is improved	

3. SUBDIVISION

3.1 Urban subdivision

This section applies to the subdivision of land that is zoned:

- RU5 Village,
- R1 General Residential,
- R5 Large Lot Residential,
- B2 Local Centre,
- IN1 General Industrial,
- IN2 Light Industrial, and
- SP3 Tourist.

3.1.1 Layout

Intent - to ensure that subdivision layout and the range of lot sizes responds to the physical characteristics of the land such as slope, natural vegetation and views, and reinforces the historical pattern of subdivision that exists in the settlement.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The access network minimises reliance on private motor vehicles, creates a clear and safe urban structure, and offers access to centrally located open spaces. The plan provides connectivity to facilities and areas of everyday use, such as shops, sporting fields and open space, by way of shared pathways	**A1** Building envelopes for all developable allotments are to be nominated on subdivision plans and the extent of clearing required for bushfire asset protection zones shown
P2 Layout respond to the historical pattern of subdivision in the locality, the existing character of the settlement, topography, and important vistas, views and natural assets. The street pattern and arrangement of allotments is determined by topography, geographical features and the character of the adjoining built-up urban area	**A2** Rear boundaries of allotments to major roads are not permitted. Where rear boundaries are to a road other than a major road, soil bunding or landscaping is to be provided

P3 Connectivity with adjoining land facilitates the orderly and economic development of that land. Lot boundaries perpendicular to the street line where possible having regard to topography	**A3** Subdivision designs where the land adjoins a major road must incorporate perimeter roads where the land adjoins a major road. A minimum buffer of 40 metres depth is to be incorporated for visual screening, noise abatement and retention of habitat corridors. The perimeter road reserve may form part of this buffer
P4 Environmentally sensitive land, such as vegetation, creeks and waterways and steep country, is protected	**A4** The removal of existing vegetation is not to occur prior to the issue of development consent
P5 The provision of infrastructure services is efficient and effective. The street pattern has regard to topography in respect to grades, aspect and surface water drainage. Streets are interconnected, have a clear hierarchy and cul-de-sacs are short in length and infrequent. The street network has regard to fire and flood risk and means of evacuation. Road reserves also serve as utility easements, for water, sewer, stormwater, electricity and telecommunications	**A5** Existing or proposed farm dams are to be shown on subdivision plans
P6 The retention of existing vegetation and additional landscaping is maximised having regard to bushfire protection measures	**A6** Where slopes are excessive, e.g. greater than 15 %, a report prepared by a qualified geo-technical engineer or soil conservationist is required to consider the suitability of the site for development having regard to the stability of the land
P7 A range of lot sizes caters to lifestyle choice, market demand and site conditions. Subject to site conditions, allotments are of a regular rectangular shape	**A7** The net density of a residential subdivision in zone R1 shall not exceed 14 lots per hectare exclusive of roads, public reserves and easements
P8 Where possible large residential lots in zone R5 enable dwellings to be clustered so as to reduce servicing costs and to retain natural features	**A8** Residential lots in zones R1 and RU5 shall have a minimum frontage as follows: - Rectangular lots – 15 metres - Radial shaped lots – 12 metres - Corner lots – 20 metres
P9 The pattern of large lot residential subdivision facilitates	**A9** Building envelopes on large lot residential land in zone R5 in

further subdivision for urban development. The subdivision of large lot residential land in zone R5 immediately adjoining an urban zone is designed in a way that enables small lot subdivision in the future and the expansion of Bombala urban area over the long term	the vicinity of Bombala township should be below the 750 metre contour
P10 The subdivision and future building development is not likely to cause soil erosion and land degradation. The risk to the development, and the risk to other land as a consequence of the development, from natural hazards such as soil erosion, land degradation and fire is acceptable	**A10** The size of large residential lots in zone R5 should increase as follows: - with increasing distance from Bombala urban area, - in the immediate vicinity of Bombala sewerage treatment plan to enable maximum separation of dwellings from the plant, - fronting classified roads to minimise ribbon development unless an alternative access point can be provided, and where site conditions necessitate a large lot size to enable the construction of a dam or for safe effluent disposal
P11 The potential for land use conflict with adjoining development or activities due to noise, odour, dust or other emissions is considered in the arrangement of lots, lot sizes and separation buffers	**A11** Business allotments should be regular and rectilinear in shape and large enough to serve the intended use. Consideration should be given to proposed building design, the capacity for shop top housing, rear loading and unloading areas, off street car parking requirements and vehicle manoeuvring areas
P12 Existing and Potential noxious plants and animals are identified and removed, or prevented from being introduced	**A12** Industrial allotments should have a minimum frontage of 20 metres, and be regular and rectilinear in shape with a depth to frontage ratio of between 2:1 and 3:1.
	A13 A voluntary planning agreement may be negotiated to enable a monetary contribution for the upgrading of recreational areas in Bombala, or provision of works in kind, for subdivision in zone R5 Large Lot Residential
	A14 Details of control methods and the ongoing management of pest plants and animals are submitted with the development application

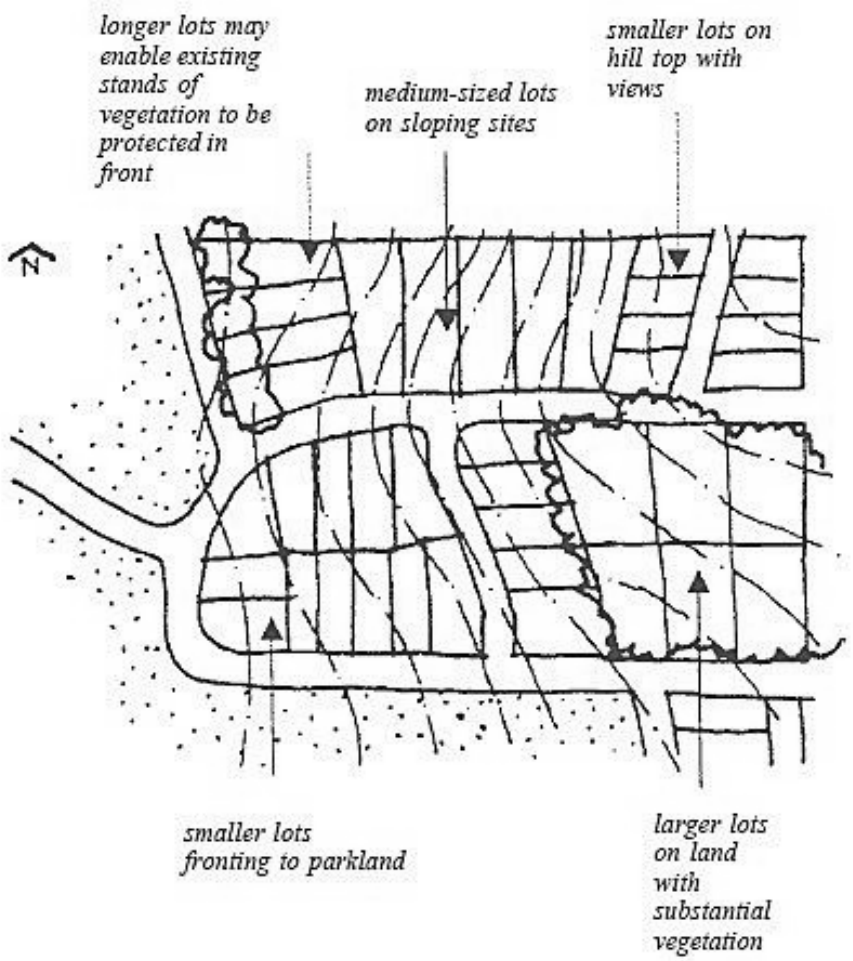

Figure 3.1 Subdivision design that responds to site features. Source - AMCORD

3.1.2 Energy Efficiency

Intent - to ensure that lot layout and density has regard to site characteristics such as topography, slope and vegetation to maximise solar access to future buildings and to minimise energy use.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The solar access of each building created in and adjoining new subdivisions is protected through lot design, layout, and streetscaping that matches the topography of the land	**A1** Where possible, streets should be aligned east-west and north-south allowing for topography
P2 Lot sizes and shape reflect site topography and aspect to maximise solar access, and to permit the location of a building with adequate solar access and private open space	**A2** Building envelopes are to be nominated on subdivision plans in a manner that maximises the potential solar access to each allotment having regard to adjoining lots and allowing for two storey buildings
P3 Streets and lots are orientated to maximise solar access for buildings, and to facilitate cross-ventilation using prevailing winds and the use of passive solar design	**A3** Renewable energy measures are included to reduce dependence on reticulated power and to contribute to minimising greenhouse gas emissions
P4 Street tree species and other landscape features contribute as windbreaks, provide summer shading and maximum solar access during winter	

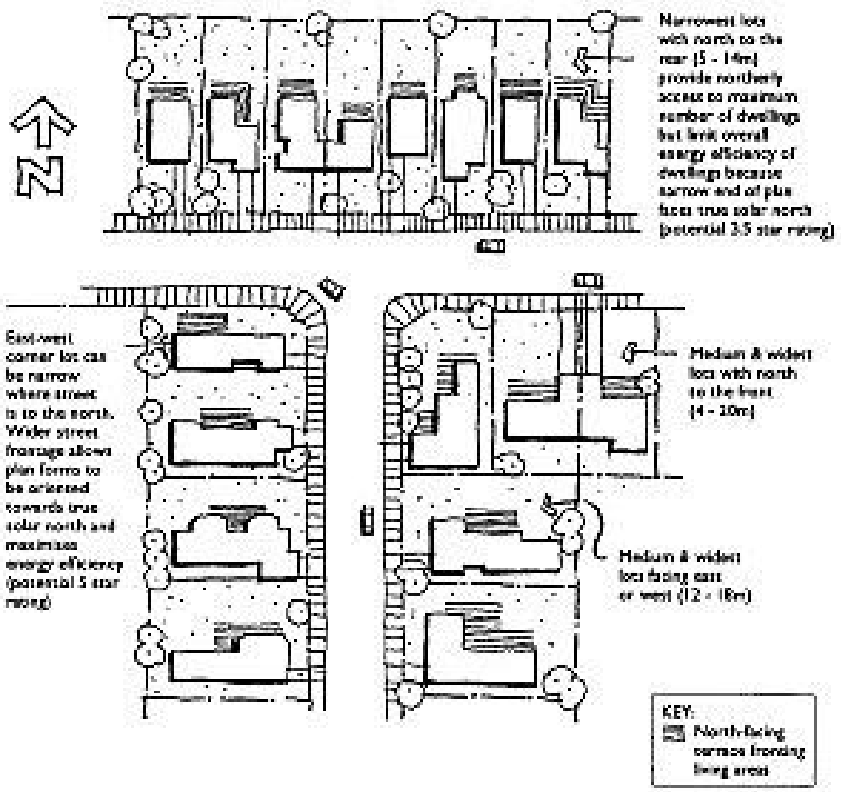

Figure 3.2 Energy efficient subdivision layouts. Source - AMCORD

3.1.3 Stormwater management

Intent - subdivision design considers landscaping, building placement and water management to maintain balance between infiltration and runoff from urban development.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Topography, natural drainage patterns, ground cover and vegetation, and waterways are considered in planning for stormwater management	**A1** Stormwater management measures are to be in accordance with AUS_SPEC and the publication "*Australian Rainfall and Runoff Flood Analysis and Design*" issued by the Institution of Engineers, Australia. For the purpose of rainfall estimation a 1 in 100 year average recurrence interval shall be adopted
P2 Natural water systems within urban developments are protected and enhanced, function more effectively and support natural ecosystems	**A2** A stormwater management plan is to be submitted with the development application that assesses the stormwater drainage requirements and constraints, including flood controls if the land is flood prone, and proposes stormwater management and treatment methods adequate to cater for all new lots
P3 Stormwater treatment is integrated into the landscape to maximise the visual, open space and recreational amenity of developments	**A3** The means by which both natural and increased surface run-off shall be disposed of and the location of any necessary easements are to be shown on plans submitted with the development application
P4 The quality of water draining from urban developments into receiving environment is improved	**A4** All drainage paths, easements and reserves are to be dedicated to Council as public open space or a transferred with a grant of easement in favour of council pursuant to section 88B of the *Conveyancing Act 1919*
P5 Runoff and peak flows from urban development are reduced using on-site detention measures and minimal impervious surfaces	**A5** Drainage structures, channels and natural watercourses shall be located within roads, drainage reserves, open space or other public land, or within drainage easements
P6 New development maximizes the re-use of stormwater and conserves potable water supplies	**A6** Where stormwater drainage discharges from the site onto land other than an existing drainage easement, natural watercourse, reserve or public place, an easement or reserve through such land is to be obtained and a drain sufficient in dimensions to convey stormwater to an existing easement, natural watercourse, reserve or public place constructed

P7 All drainage (transverse drainage, table drains, catch drains, metre drains, etc) are designed to minimise adverse environmental effect and soil erosion	**A7** Where adjacent landowners wish to subdivide land at the same time and use the same system of internal pipes, arrangements should be made to share the cost on an area-drained basis
P8 Stormwater drainage internal to the subdivision utilises the natural stormwater drainage system supplemented by swales, infiltration trenches and bio-retention systems or any combination of these methods. The use of pipes, box culvert structures, covered or fenced concrete lined channels is minimised	**A8** Where necessary a system of inter-allotment drainage that collects roof water and stormwater to convey those waters to a stormwater drainage system is to be installed
	A9 Road drainage is to be addressed as follows: - All stormwater drainage systems to be designed for a 1 in 100 year average recurrence interval, and - Pipe all stormwater drainage from gully pits within roads. Gully pits, entries and stormwater pipelines in roadways may be designed for a 1 in 5 year event where an overland system is provided to accommodate flows in a 1 in 100 year event that is in excess of the capacity of the pipe system. Such a system must be designed to ensure that no stormwater will enter private property, and flow velocities and depths in the roadway are below those which may cause danger to pedestrians and motorists
	A10 Gully pits shall be located to ensure kerb and gutter is not overloaded by 1 in 100 year average recurrence interval storm events. Generally gully pits are to be placed at all low points in kerb and gutter, at upstream tangent points of curves in the gutter line, and at street junctions to avoid the use of dish crossings. Gully pits must have entries designed to accommodate full flows

3.1.4 Roads

Intent - to ensure that the streets in a road network have clearly identified functions, provide acceptable levels of access, safety and convenience, and create opportunities for choice in mode of transport.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The standard and capacity of existing public roads accessing the land caters to the likely volume of traffic to be generated by the subdivision	**A1** Access to the land is to be via a sealed public road. This road may be sealed at full cost to the applicant prior to completion of the subdivision
P2 Improvements to roads to a standard appropriate to the level of traffic likely to be generated are adequate	**A2** Intersections of streets are to be at right angles to reduce traffic hazards
P3 The creation of vehicular access to a classified road is minimised and where no alternative access is available, the location and treatment of the access minimises potential traffic hazards	**A3** Three way ('T') intersections are to be used in preference to four way intersections
P4 The development does not create significant additional traffic, or create or add to ribbon development on any road, particularly a classified road, relative to the capacity, standard and safety of the road	**A4** Minimum widths apply to all new roads as shown in Table 3.1
	A5 The access handle to battle-axe or hatchet shaped lots is to be minimum width of 4 metres wide
	A6 Cul-de-sacs are to be no longer than 200 metres in length Cul-de-sac bulbs in residential subdivisions are to have a diameter of at least 20 metres between boundaries Cul-de-sac bulbs in industrial subdivisions are to have a diameter of at least 25 metres between kerbs

	A7 The minimum width of internal subdivision roads on land zoned R5 shall be 16 metres with a sealed carriageway of 6 metres. If necessary these widths may be increased having regard to both present and future needs of the locality
	A8 New roads shall have 150mm kerb and gutter on both sides and shall have a two coat bitumen seal from kerb to kerb
	A9 Pavement design and construction, including existing roads that are used in a subdivision to access new lots, is to be in accordance with standards specified in *AUS-SPEC*. Gravel road construction may be permitted where suited to existing and expected future levels of usage
	A10 The following minimum standards apply to the design and construction of new roads: - a maximum longitudinal grading of 17% (short lengths of steeper grades are considered). A maximum grade of 10% applies to all internal roads within an industrial subdivision - A minimum grade of 1%. Vertical curve of the form of simple parabolas shall be provided at all grade changes, and - Cross sections should be designed to: • balance earth works except where surplus filling is required • avoid impounding surface water inside the allotments by the building up of the road. Where this is unavoidable an interlot drainage system is to be provided • have a maximum cross fall of 1 in 36 for roads, and 1 in 48 to 1 in 5 for footpaths • incorporate an offset crown design to minimise footpath and driveway gradients • include bell mouths at all road or street junctions

	A10 All surfaces disturbed during road construction shall be maintained to avoid erosion
	A11 All costs associated with all internal road construction within the subdivision and for half road costs, including kerb and gutter and footpaths along existing roads, where additional new lots front those existing roads, are to be borne by the proponent except where: - The first two lots created in the case of a subdivision where such lots front an existing public road provided the land is not an allotment created by a subdivision approved before the adoption of this Plan, or - Subdivision of land for residential purposes in areas other than the town of Bombala where lots created have frontage to an existing public road.
	A12 All lots in a business subdivision shall provide rear access for loading. Where no rear access lanes exist it is desirable for adjoining land owners to co-operate and provide land for dedication to council for this purpose. A pro-rata contribution may be required for acquisition, dedication and construction of rear access laneways to service the subdivision
	A13 Proposed street names shall be submitted to Council for approval. Street name signs of a standard pattern are to be provided and erected by the applicant or, alternatively, Council will supply and erect these signs at full cost to the proponent

Table 3.1: Minimum road widths

Classification	Road reserve (m)	Footpath (m)	Carriageway (m)
Type 1 - Minor cul-de-sac	13	3.5	6
Type 2 - Local access road	18	3.5	8
Type 3 - Local distributor "A"	18	3.5	11
Type 4 - Local distributor "B" (bus route)	20	3.5	13
Type 5 - Rural roads	20	Nil	7
Internal industrial subdivision roads	20	3.5 by 2	13

3.1.5 Services

Intent - to ensure that new subdivisions are adequately serviced with water, effluent disposal, waste disposal, power and communication services in a timely, cost-effective, coordinated and efficient manner.

Performance criteria	Acceptable solutions (Council may accept other solutions where the performance criteria are satisfied)
P1 Where available, reticulated water and sewer services are provided to the land. Where unavailable, the land has the capacity to ensure an adequate domestic water supply and to accommodate on-site disposal of effluent	**A1** Where reticulated water is available, water mains are to service all lots. Water mains shall be located in street footpaths at an agreed alignment so that all lots may be served by single short services or dual long services across the road
P2 The provision of water and sewer services, either through reticulated or on-site systems, does not lead to pollution of water supply systems	**A2** Connection is to be made at the nearest suitable points to the existing water supply and sewer systems, and extension of mains from that point to the subdivision
P3 Utility services and social services have the capacity to meet the likely demand for those services cost effectively	**A3** Where reticulated sewerage is available, a sewerage system to service all lots is to be created. Junctions are to be located to ensure all parts of lots behind the building line may be connected. Junctions are to be clearly marked

	A4 Internal sewer lines within lots are to be laid a minimum of 1.2 metres from boundaries
	A5 All lots are to be serviced with underground telecommunications equipment prior to road sealing
	A6 Power supply is to be placed underground along new roads. Overhead power lines are acceptable where lots front existing roads
	A7 Land zoned R5 within the catchment of the Bombala town water supply scheme may be connected to that scheme provided that extension of the system will not have any adverse consequences for the overall capacity or efficiency of the system in the urban area
	A8 Land zoned R5 may be connected to the Bombala sewerage system provided that the capacity and efficiency of the system will not be adversely affected. Elsewhere, applications should include evidence that the land is suitable for on-site disposal of domestic wastewater. Transpiration beds may be required
	A9 Where a reticulated sewerage system is not available, effluent disposal envelopes that are capable of adequately distributing or absorbing treated effluent are to be shown on subdivision plans accompanied by a report analysing soil type, permeability and the capability of the soil to absorb effluent
	A10 Where a garbage collection service is not provided by Council to land zoned R5, appropriate arrangements are to be made to collect and dispose of waste generated by development at an approved waste management facility
	A11 A contribution per lot created for water supply and sewer headworks is to be made under section 64 of the *Local*

	Government Act 1993 to be held in trust. Council will subsidise the cost of extending water to serve new lots created to the extent of the value of one year's current minimum occupied water rate on the existing rateable assessment, or the cost of the extension whichever is the lesser amount. An equivalent tenement of 5 residential lots per hectare applies to calculate water and sewer headworks contributions for industrial subdivisions

3.2 Rural subdivision

This section applies to the subdivision of land zoned RU1 Primary Production under *Bombala LEP 2012* for purposes other than agriculture or a dwelling.

Intent - to ensure that the proposed land uses are appropriate for the locality having regard to the agricultural value of the land, lot sizes in relation to the intended use of the land, whether the intended use of the land involves the supply of goods or services for which there is a demand in the locality, and the availability of other land in the locality that could reasonably by used for that purpose.

3.2.1 Layout

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The lot shape and the ratio of depth to frontage of each lot should have regard to the intended use of the land	There are no acceptable solutions for this section
P2 Boundaries should be located so that the clearing and fencing of such boundaries at some future date is practical, will not cause soil erosion and will not visually disfigure the landscape	

P3 Subdivision layout seeks to retain native vegetation and preserve environmentally sensitive land	
P4 The future uses of the land do not compromise the agricultural capability of adjoining land or fragment agricultural land in the locality	
P5 There is sufficient demand in the locality to justify subdivision for the proposed use	
P6 The proposed use requires a rural or isolated location due to the lack of availability of suitable land elsewhere in the locality and/or due to potential land use conflicts due to emissions	

3.2.2 Roads

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 All new roads are constructed to a standard to suit the intended use of the land and the topography of the area	**A1** Each lot must have legal and practical access for two-wheel drive vehicles. Battle-axe shaped lots and rights of way will only be considered in special circumstances and, where necessary, construction to specified standards may be required to ensure practical access and to prevent erosion
P3 The access road pattern and lot layout has regard to grades, vegetation, drainage and areas under threat of soil erosion	**A3** The applicant is responsible for all road construction within the subdivision and for improvements to existing public roads or reserve roads where such are used for access to new lots
P4 Drainage works associated with road construction do not interfere with the free passage of stormwater, natural creeks, rivers, gullies or watercourses	**A4** Gates and cattle grids are acceptable across new internal roads within subdivisions. All fences and other obstructions to roads are to be shown on subdivision plans

	A5 The following minimum standards apply to the design and construction of new roads: - a minimum formation width of 6 metres - a maximum longitudinal grade of 12% (shorter lengths of steeper grades are considered) - a minimum grade of 1%. Vertical curves of the form of simple parabolas should be provided - cut and fill should be minimised and maximum use made of topography to allow the road to blend into the landscape - batters and drainage should be designed to minimise soil erosion - cross sections should be central crowned or where applicable super-elevated. Normal cross fall 3% on sealed roads, 4% to 5% on unsealed roads - a minimum 100mm of gravel pavement that provides a non-slip, high bearing all-weather surface. Bitumen sealing is optional

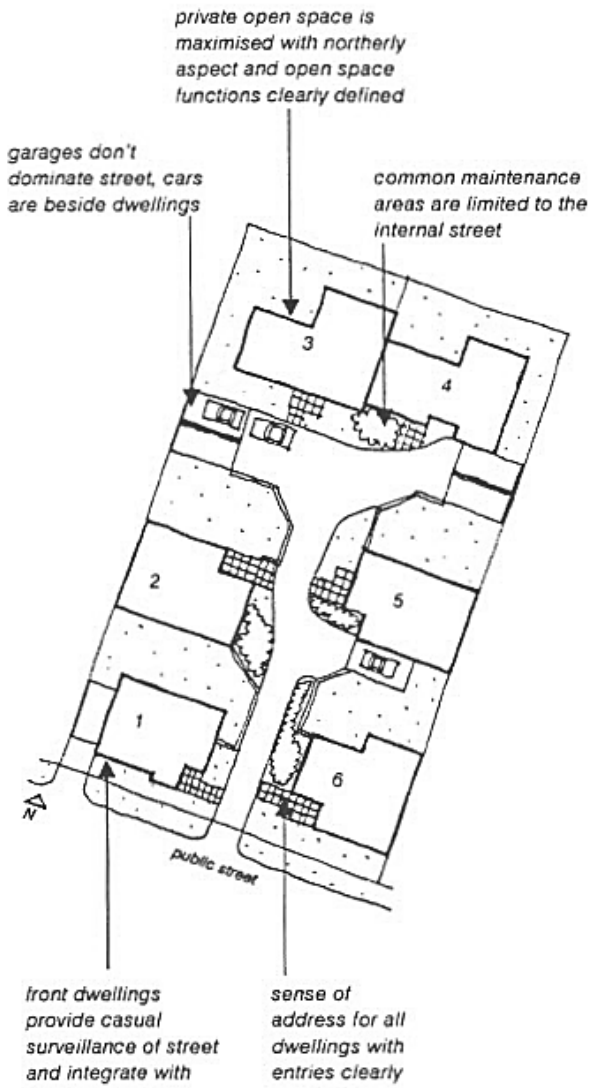

Figure 3.3 Dwelling placement for security and neighbourhood character. Source - AMCORD

4. BUILDING

4.1 General provisions – all zones

Section *4.1 General provisions* applies to all new development that involves building or structures, including alterations and additions, in all zones in Bombala local government area.

4.1.1 Building design

Intent - to ensure that building appearance from public streets and adjoining sites is attractive and visually compatible with either attractive surrounding development or the identified future urban character of the area.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The frontage of buildings and their entries are readily apparent from the street	**A1** New development takes into consideration the character statement (where applicable) for the settlement and reinforces that character
P2 Building height at the street frontage maintains a compatible scale with adjacent development	**A2** Buildings adjacent to the public street address the street by having a front door and/ or living room or kitchen windows facing the street
P3 Buildings are designed to reflect relevant features of the prevailing character of surrounding attractive streetscapes, features and built form character that have been identified as part of the desired future character of the area	**A3** Differences in building height between existing buildings and new development are not more than one storey when viewed from the public street and adjoining properties. This requirement applies to the building for a depth of one room
P4 Buildings are designed to enhance existing attractive built form character by translating the following characteristics found in the surrounding built form into innovative design solutions: - mass and proportion; - building materials, patterns, textures, colours, and decorative elements; - ground-floor height above natural ground level;	**A4** Building design, roof form and pitch, detailing and materials visible from public areas and adjoining properties are not in strong visual contrast with the character of attractive neighbouring buildings

- floor to ceiling height; - roof form and pitch; - facade articulation, detailing, and window and door proportions; - verandahs, eaves and parapets; - driveway crossovers, fence style and alignment	
P5 New development complements or enhances any treed landscape character of the area by: - providing sufficient open space for the planting of trees to complement the landscape character of the neighbourhood; - retaining and protecting existing vegetation where possible; - protecting neighbouring trees from damage to their root systems; - using building footing designs, where necessary, that allow root growth of large trees	
P6 The building design, detailing and finish provide an appropriate scale to the street, add visual interest and enable differentiation between buildings when viewed from public streets	
P7 Buildings are designed and sited to acknowledge the private open space of surrounding development, by: - keeping upper story parts of buildings away from neighbouring private open space so as to avoid an unreasonable sense of visual enclosure; and - using articulation, colour and detailing to reduce visual bulk	
P8 Garages and parking structures are sited and designed so as not to dominate the street frontage, by: - minimising the frontage width; - ensuring that roof form, materials and detailing complement that of the associated building	

P9 Existing buildings in sound condition that contribute to the streetscape character and items of heritage or conservation significance are retained, incorporated and sympathetically treated, where possible	

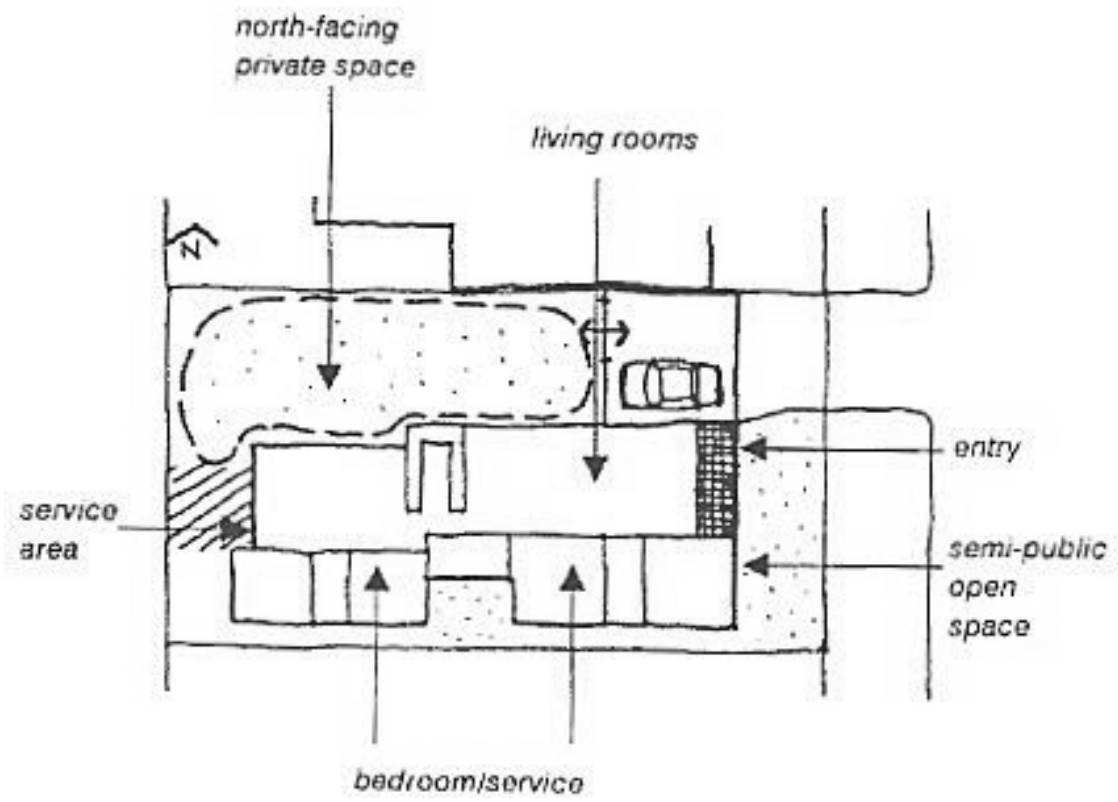

Figure 4.1 Sample dwelling floor plan. Source - AMCORD

4.1.2 Energy efficiency

Intent - to ensure that the comfort of occupants of new development is maximised through building and window design, orientation and shading, insulation, thermal mass and ventilation, and energy needs for the provision of services such as lighting, hot water, space heating and cooling are minimised.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Buildings are positioned and designed to maximise solar access to internal areas and open space	**A1** A *BASIX* certificate is submitted with a development application for a new dwelling, or alterations/additions to an existing dwelling
P2 Building materials are selected to store thermal energy during winter to release into living spaces at night and to absorb heat during summer	**A2** For residential development, the windows to living rooms of proposed dwellings and adjoining dwellings are to receive at least 3 hours continuous sunlight between the hours of 9.00am and 3.00pm on 21 June
P3 Designs facilitate natural cross ventilation and maximise the availability of natural lighting	**A3** For residential development, at least 50% of the private open space of adjoining dwellings is to receive at least 3 hours of continuous sunlight between the hours of 9.00am and 3.00pm on June 21
P4 Energy efficient lighting, office equipment, air conditioning and appliances, particularly for water heating and space heating/cooling, are installed	**A4** For business or industrial development on land within or that adjoins land that is zoned RU5 Village, R1 General Residential, R5 large Lot Residential, or SP3 Tourist, the development maintains solar access to accommodation on adjoining land for at least 3 hours between the hours of 9.00am and 3.00pm on 21 June
P5 Insulation materials are selected for walls, flooring and roofing to eliminate or reduce the need for mechanical heating and cooling systems	
P6 Building design enables sections of a dwelling to be zoned to manage the temperature of spaces more efficiently	

P7 Shading elements such as eaves or awnings are chosen considering the aspect of the windows requiring shade, seasonal variations in the angle of the sun and access to views	
P8 Solar hot water heating and photovoltaic cells are installed to reduce electricity consumption	
P9 Windows are selected using the Windows Energy Rating Scheme to assess their solar efficiency	

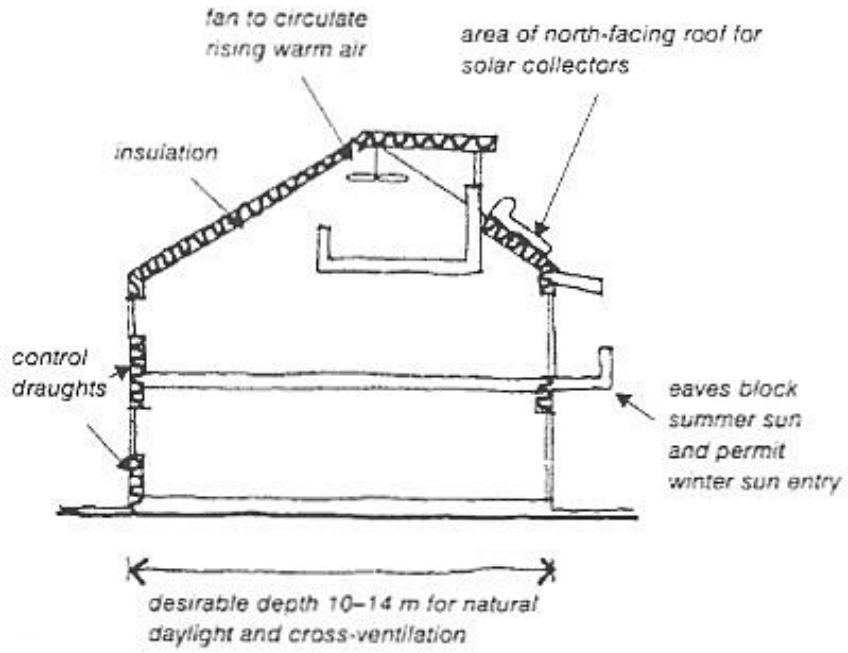

Figure 4.2 Building energy measures. Source - AMCORD

4.1.3 Stormwater management

Intent - to ensure that stormwater is managed so that flows are maintained at pre-development levels and to supplement reticulated supplies.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The volume of stormwater runoff is managed using absorption pits, grass swales, infiltration trenches or landscape features	**A1** Stormwater management measures are to be in accordance with *AUS_SPEC*. For the purpose of rainfall estimation a 1 in 100 year average recurrence interval shall be adopted
P2 Rainwater tanks capture roof runoff and are used to supplement the reticulated system for outdoor garden watering and internal uses	**A2** A stormwater management plan is to be submitted with the development application that assesses the stormwater drainage requirements and constraints, including flood controls if the land is flood prone, and proposes stormwater management and treatment methods
P3 AAA rated water efficient devices such as shower heads, taps and toilet cisterns are installed	**A3** The means by which both natural and increased surface run-off shall be disposed of and the location of any necessary easements are to be shown on plans submitted with the development application
P4 Pervious surfaces are used in landscaping, and for vehicle manoeuvring and car parking areas to reduce runoff and to increase the volume of filtration	**A4** All drainage paths, easements and reserves are to be dedicated to Council as public open space or a transferred with a grant of easement in favour of council pursuant to section 88B of the *Conveyancing Act 1919*
	A5 Drainage structures, channels and natural watercourses shall be located within roads, drainage reserves, open space or other public land, or within drainage easements
	A6 Where stormwater drainage discharges from the site onto land other than an existing drainage easement, natural watercourse, reserve or public place, an easement or reserve

	through such land is to be obtained and a drain sufficient in dimensions to convey stormwater to an existing easement, natural watercourse, reserve or public place constructed

4.1.4 Landscaping

Intent - to ensure that landscaping enhances and contributes to the streetscape, the built environment and rural landscapes.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Landscape complements the streetscape and is in scale with adjacent structures, with preference given to native vegetation and the retention of existing mature trees	**A1** A landscape plan is submitted for the following development types: - Residential flat buildings - Multi dwelling housing - Seniors housing - Industries - Tourist and visitor accommodation
P2 Landscaping is used as a buffer to winter winds and to channel summer breezes, and to provide solar access in winter and shade in summer	
P3 Landscaping is designed to be low maintenance using mulched beds, mowing strips and the like	
P4 Drought-tolerant endemic plant species are selected to minimise the amount of watering required particularly during extended dry periods	
P5 Underground, on-ground and overhead services, such as roads, footpaths, power lines, water and sewer pipes, drainage and telecommunications infrastructure, are considered when	

selecting plant types and positioning so that future damage or hazard does not occur	
P6 Unobstructed sight lines for pedestrians and vehicles are maintained	
P7 Landscape designs for commercial and industrial development comprise plantings and elements such as paving, furniture, edging and lighting, to compliment the overall layout. Screen planting to utility areas is incorporated. Tree planting is preferred to provide shade to hardstand areas such as car parks and to soften the impact of large pavement areas	

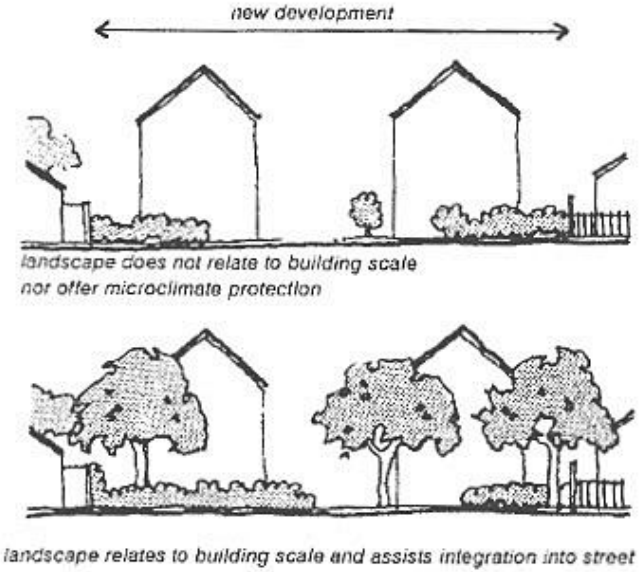

Figure 4.3 Landscaping to scale and streetscape. Source - AMCORD

4.1.5 Security

Intent - to ensure that building design, the positioning of buildings and landscaping promotes the security of building occupants and their property, and the general safety of the community.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 buildings are positioned on the site to provide for natural surveillance of public areas such as streets and reserves	There are no acceptable solutions for this section
P2 the entrance to the building is visible from the street and clear sight lines to that entrance are maintained	
P3 access to roofs and other building tops is restricted, and the creation of entrapment areas is avoided	
P4 fencing defines the limits of private and public land	
P5 landscaping assists to demarcate private and public land, without reducing opportunities for natural surveillance of the property	
P6 the visibility of common areas, building frontages and property edges for occupants of the buildings and those of neighbouring properties is maximised	
P7 the windows of at least one room are oriented towards the front boundary to facilitate casual surveillance	
P8 the height of fences forward of the building line is limited to 1.2m and 1.8m behind the building line	
P9 adjoining balconies and outdoor areas are separated to restrict access between buildings and between occupancies	

4.1.6 Land contamination

Intent - to ensure that contaminated land is remediated to reduce the risk of harm to human health or any other aspect of the environment.

Performance criteria	Acceptable solutions (Council may accept other solutions where the performance criteria are satisfied)
P1 The extent of contamination and any necessary works to remediate the land are identified	**A1** If the land is potentially contaminated due to a former use or is within an investigation area then a preliminary assessment must be carried out in accordance with the contaminated land planning guidelines that takes into account the extent to which it is proposed to carry out development on that land for residential, educational, recreational or child care purposes
P2 Contaminated land is remediated as appropriate for former land uses and as required for the proposed land use	

4.1.7 Access driveways

Intent - to ensure safe, practical and legal access to a development site appropriate to the location.

Performance criteria	Acceptable solutions (Council may accept other solutions where the performance criteria are satisfied)
	A1 The positioning of driveways in relation to intersections, driveway types, widths and separation distances are to comply with *AS 2890.1 Parking Facilities. Part 1: Off-street Car Parking*
	A2 All new residential development is to incorporate access driveways constructed as follows: (a) where the site gains access from a sealed road, a hard paved driveway of a minimum width of 3.0 metres is to

	extend from the edge of the seal or kerb to the property boundary. Alternatively, two 900 mm wide strips with a minimum width of 3.0 metres between outer edges may be provided (b) where no kerb exists, the driveway is to extend from the property boundary to a point not less than one metre past the invert of the drainage feature on the street pavement side of that feature (c) where the site gains access from an unsealed road, the driveway is to consist of Natural Gravel Base (NGB, Roads and Traffic Authority Specification 3051) a minimum 100 mm thick and 3.0 metres wide is to be provided from the edge of the seal or pavement to the property boundary (d) Any gate is to be setback to allow a 20 metre long vehicle to enter the site and to stop at the gateway without projecting onto the travel lanes of the adjoining road (d) adequate provision for stormwater drainage and longitudinal design must be made (e) all hard paved driveways shall include Council's standard concrete vehicular crossing and other proprietary paved systems (f) a sprayed bitumen seal (10mm) over 100mm thick NGB base on sound sub base (Californian Bearing Ratio greater than 30) is acceptable where site conditions are suitable. A 900mm wide concrete dish drain is required across the invert of any drain (g) concrete culvert pipes where required are to be a minimum size of 375mm diameter, have headwalls

	provided at both ends (h) adequate sight distances to the property entrance shall be available for vehicles travelling along the adjoining public road

4.2 Residential development in residential and village zones

This section applies to residential development in zones R1 General Residential and RU5 Village.

4.2.1 Boundary setbacks

Intent - to set back buildings and garages/carports from the street to provide adequate space for landscape or open space, visual and acoustic privacy and vehicle parking, while assisting in establishing an attractive streetscape.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The setback of buildings contributes to existing or proposed streetscape character, assists the integration of new development into the public streetscape, makes efficient use of the site and provides amenity for residents	**A1** In established areas where the front setback of buildings on adjoining land from the road reserve is different, infill development is to be set back: - the same distance as one or the other of the adjoining buildings, or - the average of the setbacks of the adjoining buildings
	A2 The front, side and rear setbacks of buildings in special character areas and business zones shall match that of adjoining development

4.2.2 Services

Intent - to ensure that all new residential development is adequately serviced and is accessible.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
There are no performance criteria for this section	**A1** New residential dwellings in the townships of Bombala and Delegate are to be serviced with an adequate water supply by one of the following methods: (a) Connection to existing town water supplies in Bombala and Delegate, or (b) If connection to town supplies is from a Council main of less than 100mm diameter then the service shall be connected to a tank of minimum capacity 25 kL and no direct connection to the town supply will be allowed, or (c) Where no natural water feature is available to the allotment then by a rainwater collection area of at least 385 square metres directed to a rainwater tank of minimum 50 kL capacity, or (d) Where a natural water feature is available to the allotment, by a rainwater collection area of at least 190 square metres directed to a rainwater tank of minimum 30 kL capacity. Note: a natural water feature is defined as a permanent ground or surface water source or a surface storage capable of yielding 122 kL per year as calculated by the Farm Dams Assessment Guide.

4.2.3 Visual & acoustic privacy

Intent - to site and design buildings to meet projected user requirements for visual and acoustic privacy, and to protect the visual and acoustic privacy of the occupants of neighbouring buildings and their open space.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The privacy of buildings and outdoor spaces is protected taking into account the expected use of those buildings and spaces	**A1** Habitable room windows with a direct outlook to the habitable room windows in an adjacent building within 9 metres are offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent windows
P2 Direct overlooking of adjoining buildings is minimised by building layout, location and design of windows and balconies, screening devices and landscaping.	**A2** The outlook from windows, balconies, stairs, landings, terraces and decks or other private, communal or public areas within a development is obscured or screened where a direct view is available into the private open space of an existing building
P3 Site layout minimises noise emissions and separates the source of noise from adjoining buildings using landscaping, screening and/or by distance	
P4 Building design assists in minimising the transmission of sound through the building structure	

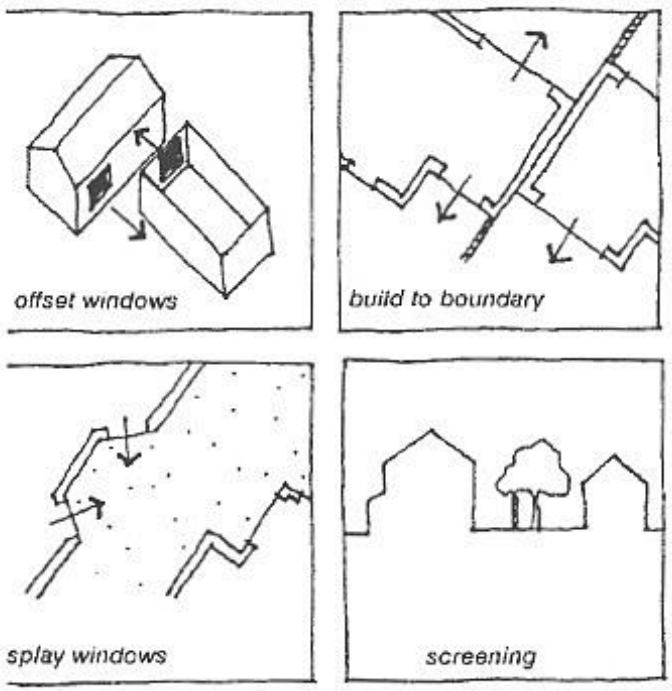

Figure 4.4 Ensure privacy between development. Source - AMCORD

4.2.4 Private open space

Intent - to ensure that the private open space provided for dwellings is clearly defined, usable and meets user requirements for privacy, access, outdoor activities and landscaping.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Private open space areas are of dimensions to suit the projected requirements of the dwelling occupants, and to	There are no acceptable solutions for this section

accommodate some outdoor recreational needs as well as providing space for service functions	
P2 Part of the private open space is capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play, and is accessible from a main living area of the dwelling	

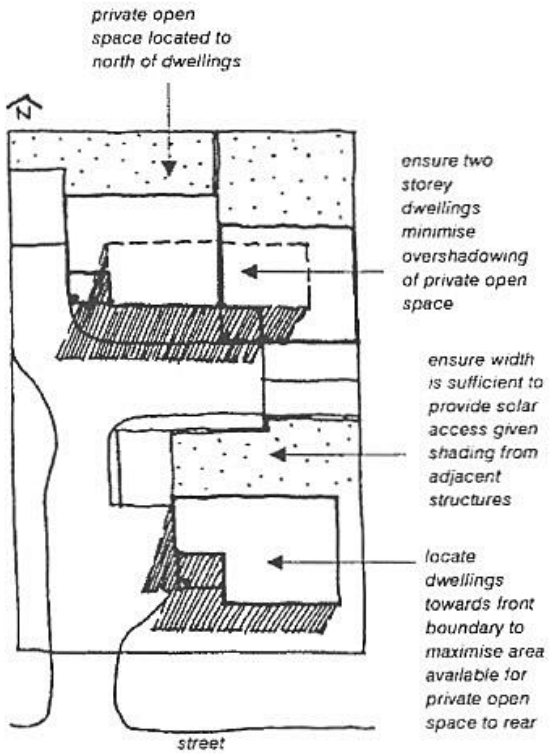

Figure 4.5 Locating private open space and solar access. Source - AMCORD

4.2.5 View sharing

Intent - to maximise the opportunity for views to enhance the amenity of new development and existing adjoining development.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 New buildings are designed so that views from the subject land and from adjoining properties are retained where possible	There are no acceptable solutions for this section

4.3 Rural residential development

This section applies to rural residential development in zone R5 Large Lot Residential.

4.3.1 Building setbacks

Intent - to ensure that buildings are adequately separated from roads to maximise the safety of motorists, from adjoining property to preserve privacy and amenity, and from waterways to protect water quality.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
There are no performance criteria for this section	**A1** Building envelopes should be setback a minimum of 100 metres from the boundary of the land to the Monaro Highway, where applicable
	A2 All buildings are to be setback at least 30 metres from all boundaries including formed road boundaries, a minimum of 100 metres from the high water mark of named rivers including the Bombala River, and a minimum of 100 metres from standing water storages in named creeks. These setbacks may be reduced where *significant disadvantage* to the applicant is likely

	to occur. *Significant disadvantage* is considered to be where, due to the setback requirement, the development potential of the land would be extinguished or a bridge would need to be constructed on the access road. The provision of standard access roads is not considered to be a *significant disadvantage*.
	A3 Where the land has frontage to a public road, each building to be erected on the land shall be setback at least 30 metres from the nearest alignment of the road having regard to: - the nature, scale and function of the building, - the maximization of sight distances for drivers using the road, including visibility of points of access to the road, - the minimization of distractions to drivers using the road, and - any possible need to alter the road alignment in the future

4.3.2 Environmental protection

Intent - to ensure that development takes account of the existing physical constraints of the land and is compatible with the natural environment.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Soil conservation measures to minimise soil erosion and siltation during and following completion of development are incorporated	**A1** Details showing measures to be taken to ensure the control of erosion and sedimentation are to be submitted with the development application
P2 The development does not cause any adverse impacts on the landscape or scenic quality of the locality	**A2** Vegetated land within 100 metres of the high water mark of the Bombala River shall not be cleared and shall be left in its natural state

P3 Native vegetation on the land is retained having regard to the need for tree removal for construction and for bushfire asset protection zones	**A3** Details of measures to be taken to protect existing vegetation against damage and destruction during construction are to be submitted with the development application
P4 The land is capable of accommodating the safe treatment and disposal of effluent having regard to the location of proposed dwellings and effluent disposal systems relative to adjoining and adjacent land	**A4** Effluent disposal envelopes that are capable of adequately distributing or absorbing treated effluent are to be shown on development plans accompanied by a report analysing soil type, permeability and the capability of the soil to absorb effluent
	A5 Effluent disposal envelopes are to be located a minimum of 40 metres from the top of the bank of any creek or waterway
	A6 Water is to be supplied to land by way of either connection to the reticulated system, rainwater collection, installation of a dam, or a combination of these methods. Extraction from the Bombala River using a fuelled pump system is not permitted

4.3.3 Access

Intent - to ensure that adequate access arrangements are provided to all development in rural residential areas.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
There are no performance criteria for this section	**A1** Where an existing access road or Crown road reserve is certified by a Certified Practising Civil Engineer as fit for the purposes of emergency access and to service an existing lawfully erected dwelling, Council will not require the upgrading of the road within the Crown road reserve as a condition of development consent where the proposal relates to alterations or additions to that dwelling

	A2 The standard of access way both externally and within property boundaries shall be trafficable by two (2) wheel drive vehicles during wet weather conditions
	A3 External and internal access ways shall have sufficient opportunities to enable Rural Fire Service and other emergency vehicles to pass one another without hindrance. Additional requirements may be imposed for access ways on bushfire prone land in accordance with the guideline *Planning for Bushfire Protection 2006*
	A4 External and internal access shall be provided as a pre-requisite of approval for any application for buildings other than Class 10 buildings under the Building Code of Australia, being non-habitable buildings and structures other than buildings
	A5 External and internal access ways shall be regularly and properly maintained
	A6 All development must have legal access to a Council owned or maintained road

4.4 Business and Industrial development

This section applies to business and industrial development in zones B2 Local Centre, IN1 General Industrial, IN2 Light Industrial and RU5 Village and within or on land adjoins land that is zoned RU5 Village, R1 General Residential, R5 large Lot Residential, or SP3 Tourist.

The performance criteria below applies to all business and industrial development. The acceptable solutions apply specifically to land in the Rosemeath industrial area in Bombala.

Intent - to ensure that non-residential development, including on land within or that adjoins land that is used or capable of being used for residential or tourist accommodation, contributes to and improves the amenity of that land.

Performance criteria	**Acceptable solutions – Rosemeath industrial area, Bombala** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The elevations of any building facing land used for accommodation purposes has been designed to be compatible with that development, or is suitably screened	**A1** A standard piped entrance at least 4.8 metres wide and 375 mm diameter pipe and headwalls to be provided at each gateway
P2 Noise generation from fixed sources or motor vehicles associated with the development is effectively insulated or otherwise minimised	**A2** No development is permitted within 6 metres of the allotment from the front boundary of Rosemeath Road. This area to be given over completely to closely planted landscaping of shrubs and small medium sized trees. Two gravelled driveways 6 metre wide at right angles to the street will be permitted through the landscaped area
P3 The development will not cause nuisance to residents, by way of traffic movements, parking, headlight glare, security lighting or the like	**A3** A gravelled car parking area is to be provided within the allotment. The integration of parking facilities in the landscaped area may be considered by Council
	A4 Where access to the property is via a sealed public road, the driveway to the site is to be sealed between that road and the property boundary
	A5 The aesthetics of each building and structure should be considered in the issuing of development consent. Generally walls of buildings should be of masonry construction or clad with Colorbond steel (or equivalent) of an environmentally sympathetic nature
	A6 The water supply service is to be provided from the water main in Rosemeath Road of a size and metered calculated for the intended use of the site, to be installed by Council prepaid at full cost to the owner/applicant. Isolation valves may be required where risk of contamination of the water main is possible by the intended use

	A7 Waste from the site is to be disposed of in an environmentally acceptable manner to the satisfaction of Council and in accordance with relevant provisions of the *Protection of the Environment Operations Act 1997*

4.5 Rural development

This section applies to development within zone RU1 Primary Production in Bombala local government area.

4.5.1 Rural dwellings

Intent - to ensure that new residential dwellings in rural areas are able to be serviced with access, water and effluent disposal, and have minimal impact on the natural environment.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Rural dwellings are designed to complement the surrounding rural landscape in terms of fabric, materials, roof pitch, scale and colour	There are no acceptable solutions for this section
P2 Rural dwellings are sited on allotments to minimise impacts on native vegetation, creeks and waterways	
P3 Rural accommodation supports agricultural operations and does not cause the fragmentation of rural land	
P4 Allotments are capable of incorporating bushfire asset protection zones and effluent disposal envelopes that do not necessitate excessive removal of native vegetation and do not affect the water quality of creeks and rivers	

4.5.2 Rural tourism development

Intent - to ensure that tourism accommodation is integrated with the environmental and landscape values of rural land and is sensitively designed and managed to have minimal impact on the natural environment.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 There is a demonstrated connection between the development of eco-tourist facilities, camping areas, caravan parks and farmstay accommodation and the ecological, environmental and cultural values of the site or area	**A1** Accommodation buildings are to be setback at least 150 metres from the boundary where adjoining land is, or is reasonably likely to be used for agricultural purposes
P2 The development is located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment and protect natural resources	**A2** Vegetation buffers may be used to reduce the total separation distance between tourist accommodation and agricultural uses on adjoining land taking into account the scale of operations, processes used, topography and climatic conditions
P3 Development enhances an appreciation of the environmental and cultural values of the site or area	**A3** Roof pitches and building orientation are to be designed to eliminate reflectivity and glare. Roofing materials are to be non-reflective
P4 Tourism development adds value to and complements primary industry, the natural environment and rural landscapes	**A4** Details of means of waste storage and disposal are to be submitted with the development application
P5 Development is located to avoid adverse impacts on visual amenity and any visual intrusion is minimised through the choice of design, colours materials and landscaping with local endemic flora	
P6 Adequate services are available, including access, power, water and effluent disposal. Renewable energy sources and water efficient design are utilised	

P7 Tourism development supports agricultural operations and does not adversely affect the agricultural productivity of adjoining land	
P8 The potential for conflicts with adjoining agricultural uses is minimised through distance separation, screening and fencing	
P9 Satisfactory arrangements are in place to store and dispose of waste	
P10 Development is in keeping with the rural character and scenic qualities of the locality, and is of a scale and design that does not dominate the surrounding rural area	

4.5.3 Non-residential development

Intent - to ensure that non-residential development in rural areas supports primary production, is adequately serviced and is compatible with the natural environment and rural landscape.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 The development does not restrict or inhibit agricultural use of the land, by way of fragmenting prime crop and pasture land or removing it from production	**A1** Adequate water supplies are be available to service the development
P2 The development assists the maintenance and expansion of agricultural enterprise by farm consolidation, property rationalization, maintenance of equity	
P3 The development does not create unreasonable demands for the uneconomic provision of services, particularly the provision, extension, upgrading and maintenance of public roads	

P4 The risks to the development, and the risks to other land as a consequence of the development, from natural hazards, particularly soil erosion, land degradation and fire can be managed	
P5 The development does not pose an unavoidable risk to land of environmental or conservation value	
P6 The development does not contribute to ribbon development, of have adverse impacts in terms of traffic safety and the character of the countryside	
P7 Water, sewer, telecommunications and electricity services are not required, however, consideration is given to supplying electricity when in close proximity to power transmission lines, and the ability to be self-sufficient in terms of water supplies	

4.5.4 Setbacks to waterways and effluent disposal

Intent - to ensure that rural development does not impact adversely on waterways and that the land is capable of on-site disposal of effluent.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Riparian vegetation and water quality in significant watercourses is protected	**A1** All buildings are to be setback at least 100 metres from all boundaries including formed road boundaries, a minimum of 100 metres from the high water mark of named rivers including the Bombala River, and a minimum of 100 metres from standing water features in named creeks. These setbacks may be reduced where *significant disadvantage* to the applicant is likely to occur. *Significant disadvantage* is considered to be where,

	due to the setback requirement, the development potential of the land would be extinguished or a bridge would need to be constructed on the access road. The provision of standard access roads is not considered to be a *significant disadvantage*
P2 wastewater generated by rural development is treated and disposed of on-site with minimal impact to the natural environment	**A2** Effluent disposal envelopes that are capable of adequately distributing or absorbing treated effluent are to be shown on development plans accompanied by a report analysing soil type, permeability and the capability of the soil to absorb effluent
	A3 Effluent disposal envelopes are to be located a minimum of 40 metres from the top of the bank of any creek or waterway

4.5.5 Buffers to primary industry and infrastructure

Intent - to ensure that existing and potential quarrying, extractive industries, energy generating facilities and public infrastructure are protected but do not cause land use conflict with adjoining rural and residential activities. To ensure the safety of residents of land that adjoins forestry operations by separating the bushfire hazard caused by plantations from rural dwellings and tourist accommodation.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Rural dwellings and tourist accommodation are separated from quarries and extractive industries to minimise any adverse impacts on the amenity of residents due to dust, fumes, noise and odours	**A1** Building envelopes for rural dwellings and tourist accommodation are to have a separation distance of 500 metres from the boundary of the property on which a quarrying or an extractive industry is operating or on which development consent has been issued for a quarry or extractive industry
P2 Quarrying and extractive industries operations are not threatened by the proximity of rural dwellings and tourist	**A2** Vegetation buffers may be used to reduce the total separation distance between rural dwellings/tourist

accommodation	accommodation and quarrying or extractive industries taking into account the scale of operations, processes used, topography and climatic conditions
P3 Quarrying and extractive industries impact on the natural environment and competing primary industries to an acceptable extent	**A3** Building envelopes for rural dwellings and tourist accommodation are to have a separation distance of 100 metres from the boundary of the property on which forestry activities, including carbon sequestration, are taking place or on which approval has been issued for forestry activities or carbon sequestration
P4 Rural dwellings and tourist accommodation do not depend on land within a different ownership for the provision of buffers	**A4** Building envelopes for rural dwellings and tourist accommodation are to have a separation distance from infrastructure assets and renewable energy generating facilities that is determined on merit having regard to topography, climatic factors, environmental features and the scale of operations
P5 Public and private forestry activities, including carbon sequestration, are maintained whilst at the same time ensuring that rural communities and public facilities are not adversely impacted by the carrying out of these activities	**A5** In determining the appropriate separation distance between building envelopes for rural dwellings/tourist accommodation and renewable energy generating facilities reference is to be made to relevant and in-force NSW Government guidelines
P6 Infrastructure assets, including renewable energy generating facilities such as wind farms, solar farms, sewerage treatment plants and waste management facilities, do not impact adversely on the amenity of dwellings due to noise, odours and appearance	
P7 Riparian vegetation and water quality in significant watercourses is protected	

4.5.6 Access to rural properties

Intent - to ensure that adequate access arrangements are provided to all new residential, tourism and non-residential development in rural areas.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
	A1 Safe, practical and legal access via a Council owned or maintained road is to be available to the development site
	A2 Where land has frontage to a public road, each building to be erected on the land shall be setback from the nearest alignment of the road having regard to: (a) the nature, scale and function of the building, (b) the maximization of sight distances for drivers using the road, including visibility of points of access to the road, (c) the minimization of distractions to drivers using the road, and (d) any possible need to alter the road alignment in the future.
	A3 Where land: - has a frontage to a classified road, or - relies on a classified road for its sole means of access, or - has access to a road which intersects with a classified road, where the point of access is within 90 metres of the intersection of the road and the classified road Council shall consider whether:

	(a) the development, by its nature, intensity or the volume and type of traffic likely to be generated, is likely to constitute a traffic hazard or to materially reduce the capacity and efficiency of the classified road, (b) the development is of a type, whether or not related to the characteristics of the land on which it is proposed to be carried out, that justifies a location in proximity to a classified road, (c) the location, standard and design of access points, and on-site arrangements for vehicle movement and parking, ensure that through traffic movements on the classified road are not impeded, (d) the development will not compromise future improvements or realignment to a classified road, as may be indicated to Council from time to time by the Roads and Traffic Authority, or any associated intention of the Authority to declare part of the road as a freeway, and (e) the development is for the purposes of providing services to motorists, tourists and the travelling public, and the site comprises or is part of a planned roadside service area that has been located and designed so as to minimise interference with the free flow of traffic on the classified road and to minimise traffic hazards
	A4 Where an existing access road or Crown road reserve is certified by a Certified Practising Civil Engineer as fit for the purposes of emergency access and to service an existing dwelling, Council will not require the upgrading of the road within the Crown road reserve as a condition of development consent where the proposal relates to alterations or additions to that dwelling

	A5 The standard of access way both externally and within property boundaries shall be trafficable by two (2) wheel drive vehicles during wet weather conditions
	A6 External and internal access ways shall have sufficient opportunities to enable Rural Fire Service and other emergency vehicles to pass one another without hindrance. Additional requirements may be imposed for access ways on bushfire prone land in accordance with the guideline *Planning for Bushfire Protection 2006*
	A7 External and internal access shall be provided as a pre-requisite of approval for any application for buildings other than Class 10 buildings under the Building Code of Australia, being non-habitable buildings and structures other than buildings
	A9 External and internal access ways shall be regularly and properly maintained

5. PARKING AND ACCESS

The provisions of this chapter are generally consistent with the *RTA Guide to Traffic Generating Developments* Version 2.2 released in October 2002. All access and car parking areas shall be designed and constructed in accordance with the Australian Standards specified in this chapter. It is recommended that copies of the relevant Australian Standards are obtained and used in conjunction with this chapter when designing and planning new developments.

5.1 Parking

Notes

The importance of parking must be kept in perspective in the site planning. There may be situations where it may not be physically possible to provide on-site parking but the potential planning benefits of the proposal are significant. For example, the adaptive re-use of an historic building may not include on-site parking as it could have an adverse impact on the structure of the building or on its curtilage.

Another example is the case of a change of use of a small shop that is part of a traditional strip shopping centre and cannot provide extra parking space. A shortage of on-site and/or off-site parking is not necessarily detrimental to the success of a proposed development as it is one of many considerations in the assessment of a development proposal.

The total parking provision for multiple purpose business developments, such as hotel and motel accommodation with restaurants and/or function centres, may be reduced if it can be demonstrated that the peak parking demand of each facility will not coincide. Factors such as the time of usage and possible future usage should be taken into account when meeting parking requirements. Parking shall be provided to satisfy the peak cumulative requirements of the development as a whole.

Council may require the applicant to enter into a voluntary planning agreement (VPA) where car parking is not provided on site in accordance with this plan. The VPA may require the applicant to provide a monetary contribution, a material public benefit, the dedication of land or a combination of these to the value of the provision of public car parking spaces needed to compensate those that will not be provided on site. This preference of Council may be superseded in the future by an adopted development contributions plan that identifies Council's funding commitments for the provision of public car parking and that specifies the financial contribution that may be levied upon new development in lieu of on-site car parking.

5.1.1 Car parking

Intent - to ensure that car parking facilities are provided for cars, delivery and service vehicles, and bicycles in a manner that contributes to the economic viability and appearance of all types of development.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Adequate off-street car parking is provided to service new development	**A1** All car parking, manoeuvring areas and ancillary facilities are to be designed and constructed in accordance with the following Australian Standards: - *AS 2890.1 Parking Facilities. Part 1: Off-street Car Parking,* - *AS 2890.2 Off-street Parking. Part 2: Commercial Vehicle Facilities,* - *AS 2890.6-2009 Off-street Parking for People with Disabilities.*
P2 The design of car parking areas is integrated with site planning and landscaping	**A2** Stacked parking, that is, parking rear to end within a development site, is only permitted where the parking spaces are provided for a single dwelling within multi-unit residential development and for employees within a commercial or industrial development
	A3 Provision must be made on-site at a convenient location for a minimum of one parking space for a courier vehicle and a parking space for a motorcycle within a commercial or industrial development
	A4 A minimum of one space for persons with disabilities is to be provided plus an additional space per 50 spaces or part thereof. Spaces for persons with disabilities are to be located within reasonable distance to the principal public entry of the building with access via a continuous path of travel
	A5 Car parking is to be provided for particular land uses in all zones as per Table 5.1

Table 5.1 Car parking requirements

Land use	Parking requirements
Accommodation	
Dwelling houses	1 - 2 spaces
Secondary dwellings	No additional parking required
Dual occupancy	Minimum 2 spaces per dwelling
Residential flat buildings	1 space per unit + 1 space for every 5 x 2 bedroom unit + 1 space for every 2 x 3 bedroom unit + 1 space for every 5 units (visitor parking)
Seniors housing	*Resident funded developments* Self-contained dwellings: 2 spaces per 3 units + 1 space per 5 units (visitor parking) Hostels and residential care facilities: 1 space per 10 beds (visitors) + 1 space per 2 employees + 1 space per ambulance *Subsidised development* Self-contained dwellings: 1 spaces per 10 units (residents) + 1 space per 10 units (visitor parking) Hostels and residential care facilities: 1 space per 10 beds (visitors) + 1 space per 2 employees + 1 space per ambulance
Hotel or motel accommodation	1 space for each unit + 1 space per 2 employees *If restaurant or function centre included then add the greater of:* 15 spaces per 100m^2 GFA of restaurant/function centre, or 1 space per 3 seats

Land use	**Parking requirements**
Caravan parks	In accordance with the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*
Commercial	
Pubs and registered clubs	Surveys should be carried out of similar developments
Office premises and all other commercial development	1 space per 40m^2 GFA
Shops (*floor areas and requirements are for leasable GFA for shops and video stores*)	0-10,000m^2 - 6.1 spaces per 100m^2 10,000-20,000m^2 - 5.6 spaces per 100m^2 20,000-30,000m^2 - 4.3 spaces per 100m^2 Over 30,000m^2 - 4.1 spaces per 100m^2 Video stores: 6.1 spaces per 100m^2 Car tyre stores: Whichever is the greater of 3 spaces per 100m^2 GFA or 3 spaces per work bay
Service stations	Requirements are additive: 6 spaces per work bay 5 spaces per 100m^2 retail area (if restaurant then greater of 15 spaces per 100m^2 GFA or 1 space per 3 seats)
Vehicles sales or hire premises/vehicle repair stations	0.75 spaces per 100m^2 site area + 6 spaces per work bay
Roadside stalls	4 spaces
Markets	2.5 spaces per stall
Bulky goods premises	Surveys should be carried out of similar developments
Take-away food and drink premises	Without on-site seating: 12 spaces per 100m^2 GFA With on-site seating: 12 spaces per 100m^2 GFA plus the greater of: 1 space per 5 seats (internal and external), or 1 space per 2 seats (internal)

Land use	Parking requirements
	With on-site seating and drive through facilities: The greater of: 1 space per 2 seats (internal), or 1 space per 3 seats (internal and external) Plus queuing area for 5 to 12 cars
Restaurants	The greater of: 15 spaces per 100m^2 GFA, or 1 space per 3 seats
Recreation	
Recreation facilities (indoor)	Squash and tennis courts: 3 spaces per court Bowling alleys: 3 spaces per alley Gymnasiums: 4.5 spaces per 100m^2 GFA
Recreation facilities (outdoor)	Bowling greens: 30 spaces for first green + 15 spaces for each additional green
Infrastructure	
Freight transport facilities	Surveys should be carried out of similar developments
Transport depots	Surveys should be carried out of similar developments
Industrial	
Industries and rural industries	1.3 spaces per 100m^2 GFA
Warehouses or distribution centres	1 space per 300m^2 GFA
Community	
Health consulting rooms	Surveys should be carried out of similar developments
Medical centres	4 spaces per 100m^2 GFA
Child care centres	1 space for every 4 children in attendance

5.1.2 Service and delivery vehicles

Intent - to ensure that provision is made on-site for the type of service vehicles requiring access to the site (garbage trucks, buses, coaches and the like) and their manoeuvring requirements.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Adequate space is provided to accommodate service and delivery vehicles in new development	**A1** Provision must be made on-site at a convenient location for the type of delivery service vehicles appropriate to the type of development, and according to the requirements of the particular land use as shown in Table 5.2
P2 The design of manoeuvring and parking areas for service and delivery vehicles is integrated with site planning and landscaping	**A2** The minimum carriageway width for two-way movement of service vehicles, buses and coaches within a development site is 6 metres with adequate provision for manoeuvring at corners
P3 The layout of the service area is designed to facilitate operations relevant to the development and to thus discourage on-street loading and unloading	**A3** all vehicles are to enter and leave a site in a forward direction
P4 The service area is a physically defined location which is not used for other purposes, such as the storage of goods and equipment	**A4** *Australian Standard 2890.2 - 1989 Commercial Vehicles Facilities* is to be used for the design of manoeuvring of service vehicles appropriate to particular developments
P5 Where possible, the movements of service vehicles and cars are separated	**A5** The dimensions of a service bay depend on the vehicle to be accommodated. Generally, the minimum width should be 3.5 metres. For courier vehicles, standard car parking space dimensions are usually satisfactory
P6 Pick up and drop off facilities for taxis are included for business developments where appropriate	**A6** The heights of the loading platform in the service bay and of the service bay itself will vary with vehicle type and loading/unloading methods up to a maximum of 5.0 metres where access to the top of the load is required. Bay height should be clear of sprinkler systems, air ducts and other protuberances

P7 Internal circulation roadways are adequate for the largest vehicle anticipated to use the site	**A7** Where vehicles with hydraulic tailgate loaders might use a dock, the provision of a cavity 3.0 metres wide by 2.4 metres deep at the base of the dock allows normal dock face rear end loading in most situations. In situations where the bed heights of the trucks likely to use the dock will vary substantially, the installation of a dock leveller would aid loading and unloading
P8 Adequate space and facilities for the loading and unloading of goods is provided on site appropriate to the type and scale of development	

Table 5.2 Service and delivery vehicle requirements

Type of development	Minimum requirements
Commercial premises	1 space per 4,000m^2 GFA up to 20,000m^2 GFA + 1 space per 8,000m^2 GFA thereafter (50% of spaces adequate for trucks)
Large floorplate shops, e.g. department stores	1 space per 1,500m^2 GFA up to 6,000m^2 GFA plus 1 space per 3,000m^2 thereafter (all spaces adequate for trucks)
Shops and restaurants	1 space per 800m^2 GFA up to 8,000m^2 GFA plus 1 space per 1,000m^2 thereafter (all spaces adequate for trucks)
Industrial premises and wholesale supplies	1 space per 400m^2 GFA up to 2,000m^2 GFA plus 1 space per 1,000m^2 thereafter (all spaces adequate for trucks)
Hotel and motel accommodation	1 space per 50 bedrooms or bedroom suites up to 200 plus 1 per 100 thereafter plus 1 space per 1,000m^2 set aside for food and drink premises (50% of spaces adequate for trucks)
Residential flat buildings and multi-dwelling housing	1 space per 50 flats or units up to 200 plus 1 per 100 thereafter plus 1 per 100 thereafter plus 1 space per 1,000m^2 set aside for food and drink

Type of development	Minimum requirements
	premises (50% of spaces adequate for trucks)
Other uses	1 space per 2,000m^2 (50% of spaces adequate for trucks)

5.1.3 Bicycle facilities

Intent - to encourage the use of bicycles as a form of transport for convenience shopping, and to access community facilities, schools and the workplace, and to ensure the security of bicycles parked within or near a development.

Performance criteria	Acceptable solutions (Council may accept other solutions where the performance criteria are satisfied)
P1 Adequate off-street facilities for the secure storage of bicycles is provided in new development	**A1** Bicycle storage facilities are to be designed and constructed in accordance with Australian Standard *AS 2890.3 Parking Facilities. Part 3: Bicycle Parking Facilities*
P2 Cycling as a means of transport increases within the community, leading to greater levels of health and fitness	**A2** It is recommended that cyclists are able to secure the frame and two wheels of a bicycle to a fixed, secure stand, preferably with the cyclist's own lock and chain. Parking facilities should cater for all types of bicycles

5.2 Access and parking area design

5.2.1 Access driveways and internal roads

This section applies to business and industrial development. Requirements for access driveways to service residential, rural residential and rural development are included in Chapter 4 Building.

Intent - to ensure that the design of driveways and car parking areas is adequate for the proposed use and that public safety is maximized.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Access driveways to new developments are located to minimise risk to public safety. Driveways with high traffic volumes are avoided in the following locations: - on major roads, - close to intersections, - opposite other developments generating a large amount of traffic (unless separated by a median), - where there is a heavy and constant pedestrian movement along the footpath, - where right turning traffic entering the facility may obstruct through traffic, and - where traffic using the driveways interferes with or blocks the operations of bus stops, taxi ranks, loading zones or pedestrian crossings	**A1** The positioning of driveways in relation to intersections, driveway types, widths and separation distances are to comply with *AS 2890.1 Parking Facilities. Part 1: Off-street Car Parking*
P2 Access arrangements at the boundary of and within new development is adequate to cater for the types and volumes of vehicles utilising the sites	**A2** Access driveways are designed to: - position the entrance at the first vehicular driveway from the adjacent kerbside lane - avoid reversing movements into or out of public streets (except in the case of individual dwelling houses). Vehicles should be able to enter and leave a site in a forward direction - avoid arrangements which may result in on-street queuing - position each driveway so that it is clear of all obstructions, e.g. poles, trees, which may prevent drivers from having a clear view of pedestrians - ensure that each driveway is relatively level within 6 metres of

	the site boundary or any pedestrian way (the recommended maximum grade is 5%) - signpost each driveway with appropriate *entry*, *exit* and *keep left* signage
P3 The type of driveway selected for a particular development has regard to the type of land use, frontage road type, the size of the parking facility, and the type of vehicles likely to enter the development	**A3** Where coaches are expected to enter a site, an adequate coach lay-by should be incorporated at the entrance and on-site coach parking provided. A minimum of two spaces is recommended
P4 Splays or kerb returns for driveways are selected having regard to the type of road frontage, the volume of traffic, the nature of adjacent land uses and the volume of pedestrians crossing the driveway	**A4** where a development is served by multiple access points, the number of access driveways is determined by the number of parking spaces effectively served by that driveway
P5 The potential for conflict with pedestrians is considered in the design of driveways and internal roads and parking areas. Facilities which cater for pedestrians on the street, may also be applicable within developments. These facilities include zebra crossings, pedestrian signals, shared traffic zones and low speed limit signs / traffic calming devices.	**A5** For internal roads between the driveway and the parking area, the recommended minimum carriageway width depends on the number of parking spaces and service bays served. See Table 5.3 for indicative road widths and service bay requirements. Consideration should be given to increasing widths where high levels of heavy vehicle usage are anticipated. Parallel parking along internal roads should only be permitted in special circumstances
	A6 Reception offices for tourist and visitor accommodation shall be located so that entering vehicles travel at a distance of 12 metres for hotel and motel accommodation and 30 metres for caravan parks from the entrance to the point at which the vehicle is required to stop. Vehicles parked at the reception office must not block vehicular access.
	A7 For service stations, separate driveways for entry and exit are recommended at widths of 8 to 10 metres with only two driveways on any road frontage. Petrol pumps must not be closer than 4 metres to the boundary to a public road. Refer to

	the RTA *Guide to Traffic Generating Developments* for design considerations for car wash facilities.
	A8 For vehicle sales or hire premises, separate driveways for entry and exit are recommended at widths of 8 to 10 metres with a minimum separation of 3 metres. A continuous separation between site activities and the road frontage of a minimum 3 metres is to be maintained, excluding driveways, free of advertising materials and displays. It is not desirable to have direct access to a classified road.
	A9 For roadside stalls on a classified road, separate driveways for entry and exit are recommended each of 4 metres width. A combined entry/exit of 6 metres width may be acceptable. On a local road, a combined entry/exit of 3 metres width is recommended. A continuous separation between site activities and the road frontage of a minimum 3 metres is to be maintained, excluding driveways, free of advertising materials and displays.
	A10 For liquor stores (shops) with drive through facilities, the internal roadway shall be a minimum of 2 lanes wide, each lane being a minimum 3 metres in width, with one-way circulation. An adequate holding area shall be provided so that vehicles are not forced to park on the roadway. Vehicles shall travel a minimum distance of 30 metres before reaching the serving area. Separate entry/exit driveways are recommended, each with a minimum width of 4 metres and a minimum separation of 1 metre. The minimum height clearance of the service area must be 3.6 metres.
	A11 For bulky goods premises, separate driveways should be provided for service/delivery vehicles and cars. Separate driveways for entry and exit are recommended at widths of 8 to 10 metres with a minimum of 3 metres separation.

	A12 For take away food and drink premises with drive through facilities, an exclusive area for the queuing of cars to accommodate between 5 and 12 cars from the collection point and a minimum 4 cars from the ordering point should be provided. The development shall provide a high level of safety for pedestrians. Building entry/exit doors shall be clear from any obstruction by parked vehicles. For fast food outlets, the drive through capacity should be 5 to 10 car lengths with the ability to extend to 8 to 12 car lengths without interference in car park operations.
	A13 For industries, freight transport facilities, transport depots and warehouse and distribution centres, minimum carriageway widths for internal roads are 6.5 metres for two-way operations and 4.5 metres for one-way operations. If parking is permitted, widths are to be increased by 2.4 metres for each lane of car parking and by 3 metres for each lane of truck parking. Trucks shall travel a minimum distance of 30 metres from the road before being required to stop. A minimum height clearance of 5 metres is recommended for all areas traversed by trucks. For small industries, a two-way internal road of 4.5 metres width with no parking permitted is acceptable if visibility is adequate and 30 metre long passing bays are provided
	A14 All internal roads or access roadways should be designed for low speed environments. Generally vehicular speeds should be less than 30 kilometres per hour but where heavy pedestrian use is expected design speeds should be 10 kilometres per hour

Table 5.3 Road widths and parking space/service bay requirements

	Number of parking spaces/service bays		
	1-24 spaces and length not exceeding 40 metres	25-50 spaces or 1-24 spaces plus service bay(s)	Over 50 spaces or over 24 spaces plus service bay(s)
Road width	3.5 metres	5.0 metres	6.0-6.5 metres

5.2.2 Parking area design

Intent - to ensure that the design of car parking areas satisfies the scale and location of a development, and the traffic arrangements in the vicinity of the site.

Performance criteria	**Acceptable solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Parking areas are designed to contribute to the vitality and success of business and industrial enterprises and promote the safety of motorists, cyclists and pedestrians	**A1** Parking spaces for people with disabilities is to be provided in all car parking areas in accordance with *AS 2890.6-2009 Off-street Parking for People with Disabilities*. And the *Commonwealth Disability (Access to Premises - Buildings) Standards 2010 (Premises Standards)*. Key requirements are: - Angled parking spaces are to be 2.4 metres wide x 5.4 metres long - A 2.4 metre wide x 5.4 metre long shared area is to be provided on one side of accessible angle parking space - The dedicated space and shared area are to be on the same level - A bollard is to be provided in the shared area at a height of 1300mm high - Pavement markings (line marking) are to be yellow only and are to be non-slip - Parking spaces to be outlined with unbroken lines 80 to 100 mm wide on all sides excepting any side delineated by a

	kerb, barrier or wall - The height clearance from the car park entrance to all accessible parking spaces is to be a minimum 2.2 metres - The headroom above each accessible parking space and adjacent shared area is to be a minimum of 2.5 metres (this may be reduced above bonnet areas to allow for structural bulk-heads, pipe work etc) - Parallel parking spaces are to be not less than 3.2 metres wide x 7.8 metres long - A shared area adjacent to the non-trafficked side of the dedicated parallel parking space is to be not less than 1.6 metres wide by 7.8 metres long - Kerb ramps are to be provided where required and with a specified profile - All accessible parking spaces to be identified by a white symbol of access in accordance with *AS 1428.1-2009* between 800 mm and 1000 mm high placed on a blue rectangle with no side more than 1200 mm in the centre of the space between 500 mm and 600 mm from its entry point In all other cases, parking spaces are to be dimensioned according to Table 5.4
P2 Parking areas have high amenity and enhance heritage values through the provision of landscaping, the use of compatible materials and by positioning within the site	**A2** Aisle widths in parking areas are to be dimensioned according to whether the flow of traffic is one-way or two-way, whether parking spaces are angled or at 90 degrees to traffic flows, and whether parallel parking is permitted. Refer to A*S 2890.1 Parking Facilities. Part 1: Off-street Car Parking* for appropriate aisle widths and further details about the design of car parking areas
P3 Access for people with a disabilities is provided in an equitable and cost-effective manner to achieve ready access to buildings, and facilities and services within buildings	**A3** Sealed parking areas and access paths are to be provided within business and industrial developments and are to be sign-posted and line-marked. Alternatives pavement types are preferred on sites that are occupied by a heritage item listed in Schedule 5 of *Bombala LEP 2012* so that heritage values are not

	diminished. Alternatives such as segmented pavers, stamped and/or coloured concrete or turf pavers may be better suited to the fabric and setting of the heritage item than plain concrete or bitumen. In some circumstances gravel or aggregate may be appropriate
P4 Open car parking areas servicing business and industrial developments are landscaped using native plant species that require minimal watering and less maintenance. Landscaping contributes to the established streetscape, facilitates the movement of pedestrians within car parks and screens large areas of hard-stand	**A4** Stormwater captured in downpipes from roof gutters is to be connected to Council's stormwater drainage system and not drain onto landscaped areas. Drainage control of sealed areas must comply with Australian Standard *AS 3500 Plumbing and Drainage*, incorporate pollutant removal measures and discharge directly to Council's drainage system where provided
P5 Car parking areas and access ways are designed, surfaced and sloped to facilitate infiltration of stormwater on-site. Water harvesting with subsurface drainage is applied for trees and shrubs planted in car parks	

Table 5.4 Parking space dimensions

Nature of parking space	Width of parking space	Length of parking space
Enclosed	3.2 metres	6.0 metres
Unenclosed	2.5 metres	5.5 metres
Partially restricted (e.g. by the presence of a wall along one side)	3.0 metres	535 metres