



BOOROWA COUNCIL

Development Control Plan 2013

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**This DCP has been broken-up into the following chapters and sections.
More than one chapter or section may apply to your development.**

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Chapter 1. GENERAL PROVISIONS

Section 1.1. Introduction

1.1.1 Objectives

The objectives of the Boorowa Development Control Plan 2013 are:

- (a) To provide detailed provision for regulating development;
- (b) To protect and improve the environment;
- (c) To protect and improve amenity and design of development;
- (d) To encourage a diversity of housing to meet the needs of the residents; and
- (e) To facilitate development that is environmentally sustainable.

1.1.2 About this plan

This plan is called the *Boorowa Development Control Plan 2013* (the DCP). It applies to all land in the local government area (LGA) of Boorowa to which the Local Environment Plan (LEP) applies. This plan was adopted by Council on **25 November 2013** and came into force on **9 December 2013**.

1.1.3 Purpose of the Development Control Plan

The purpose of this DCP is to supplement the LEP and provide more detailed provisions to guide development. Under section 79C of the *Environmental Planning and Assessment Act 1979*, Council is required to take into consideration the relevant provisions of this DCP when determining an application for development. However, compliance with the provisions of this DCP does not guarantee that development consent will be granted. Section 79C of the *Environmental Planning and Assessment Act 1979* contains other matters that must be considered in determining a development application.

The Boorowa Development Control Plan 2013 (the DCP) makes it easier for business and the community to determine the guidelines, objectives and controls that apply to any one site within the LGA.

1.1.4 Relationship with other plans and policies

This DCP is to be read in conjunction with the LEP and any other relevant Environmental Planning Instrument, such as a State Environmental Planning Policy (SEPP) or Regional Environmental Plan (REP) (deemed SEPPs) applying to the land.

Where there is an inconsistency between this DCP and any Environmental Planning Instrument applying to the same land, then the provisions of the Environmental Planning Instrument shall prevail.

This DCP repeals the following DCP's adopted by Boorowa Council:

- Boorowa Development Control Plan 2010
- Minimum Building Requirements – Boorowa Council

1.1.5 Definitions

In this DCP, terms have the meaning ascribed in the *Environmental Planning and Assessment Act 1979* and the LEP, unless stipulated otherwise.

1.1.6 **Savings and Transitional Provisions**

This plan does not apply to any application which was lodged with Council but not finally determined before the commencement of this plan. Any application lodged before the commencement of this plan will be assessed in accordance with any previous development control plan, technical policy or other Council policy which applied to the site at the time of application lodgement.

1.1.7 **What is the relationship between objectives of the plan, objectives of the development type, performance outcomes and controls/acceptable solutions?**

This DCP is called a performance-based document. In other words, the performance outcomes achieved by the development are the requirement. A performance based DCP allows Council to consider controls/alternative solutions to numerical standards where there is design merit and the objectives and performance outcomes are satisfied.

Acceptable solutions and controls are one way (and not the only way) of meeting the requirement. There will be circumstances where compliance with the numerical standards may not achieve the best planning outcome. A performance-based approach allows Council to consider alternatives to the planning standards where there is planning merit and the objectives and performance outcomes of the DCP are achieved.

The planning standards are described in this DCP as "acceptable solutions" or "controls". This means that in most circumstances compliance with these standards will achieve an acceptable outcome. With good design, however, it is usually possible to achieve a better outcome than the outcomes described under "acceptable solutions" or "controls" although this would usually require use of skilled professionals such as architects and town planners in preparing and lodging applications.

At times, Council may not support an application that complies with the acceptable solutions, if it does not comply with the objectives and/or performance outcomes of this DCP. Council has responsibilities under section 79C of the *Environmental Planning and Assessment Act 1979* to assess the overall planning merit of an application. Those considerations may suggest that an application should not be approved.

Where a development may be justified although contrary to a requirement/s of this DCP, Council may consider a request to vary its standards or depart from its requirements. Any such request must be made in writing and must include:

- a. A description of the standard or requirement to which a departure is sought;
- b. A clear statement of the reasons why the departure from its requirements or variation to the standard is sought; and
- c. Justification of how the development meets the underlying aims, objectives or intent of the standard or requirement, without adversely impacting on the locality.

From here, the development application is reported to and determined at a Council meeting rather than under delegated authority.

Section 1.2. The Development Application Process

1.2.1 What is the overall DA process?

The following flowchart outlines the overall process:

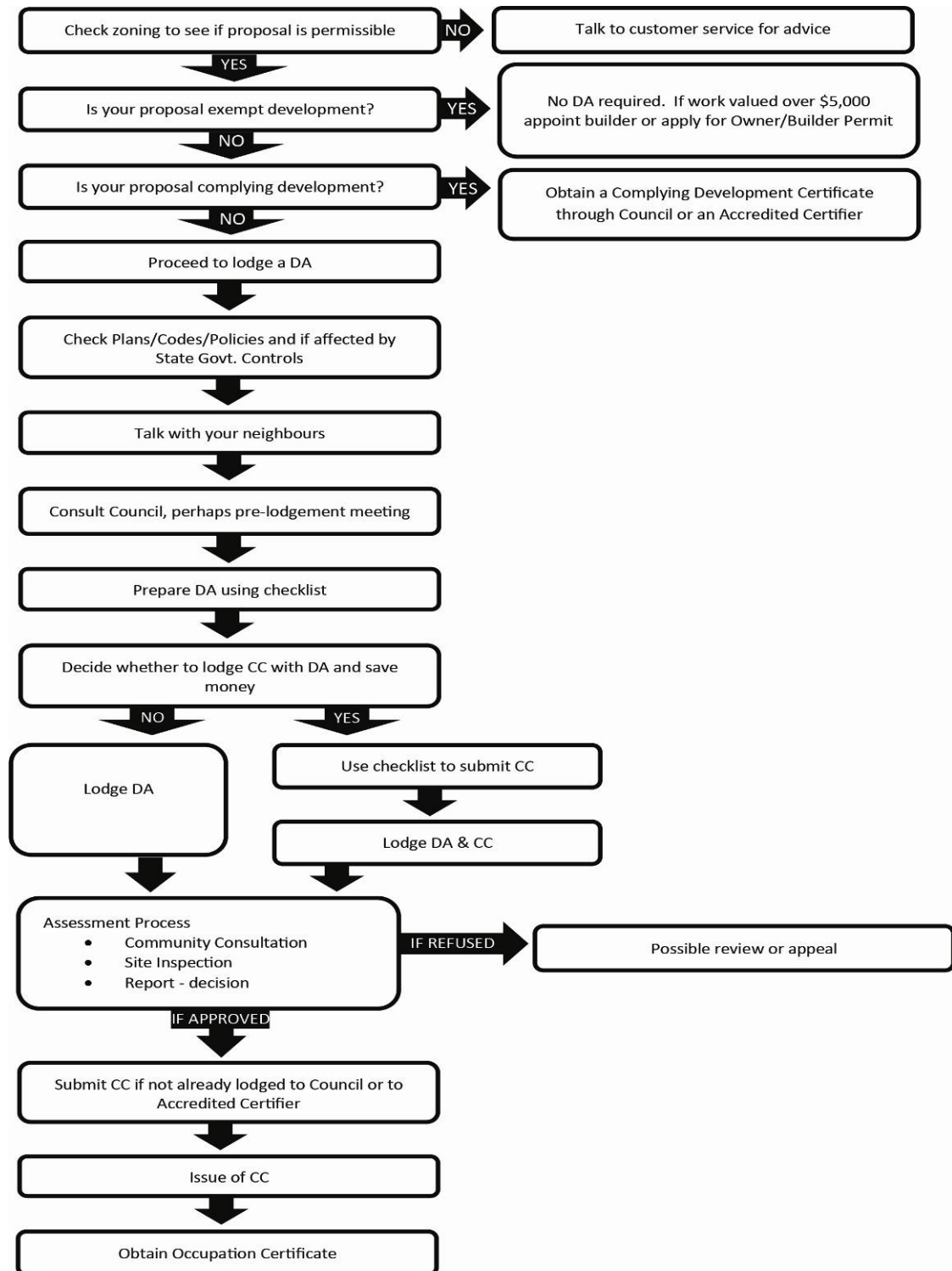


Figure 1: The Development Application Process

1.2.2 How do I prepare a development application?

1.2.2.1 Preparing a preliminary proposal

The first stage in preparing a development application is preparing a preliminary proposal. This identifies what you want to do both in brief written form, and also draft or concept plans. Draft or concept plans should be developed on the basis of a site analysis. The site analysis needs to take into account four main things:

- The type of development that you are wanting to achieve (e.g. an industrial development using heavy machinery; a townhouse development etc);
- The constraints and opportunities of the site including such issues as grades, soil types, utilities, access, size and depth of the land, etc;
- Surrounding development and potential impacts;
- The main planning controls applying to the site through the LEP and the DCP.

The purpose of the analysis and preliminary proposal is to identify specific issues or potential problems with the proposal, including any substantial areas of non-compliance with Council's controls. The preliminary proposal can then be revised to attempt to address as many of the issues and problems as possible. The revised proposal can then be discussed at a pre-lodgement meeting with Council.

1.2.2.2 What is a pre-lodgement meeting?

Before you prepare the actual development application one or more pre-lodgement meeting(s) with Council is strongly advised. Generally, Council will undertake up to 2 pre-lodgements without charge. At the first meeting you should outline what it is you are intending to do, together with providing some preliminary plans for discussion. Council staff can advise at these meetings on any initial issues/problems they see with the proposal, together with the level of information that would need to be submitted with a full application. Subsequent plans can also be reviewed by Council however it needs to be clear that Council cannot design your proposal for you.

Pre-lodgement meetings may be booked by contacting Council's Customer Service staff. If a meeting is pre-booked, it is suggested that you send in a short written description of your development together with draft plans at least three days prior to the meeting.

Note: Pre-lodgement discussions can also be held at the counter if suitable staff are available and/or the proposal is straightforward. These discussions, however, would be at a less detailed level as staff would not have had the opportunity to review your proposal prior to the meeting.

When you attend the pre-lodgement meeting you should bring any consultants who would be working on the project, together with any preliminary plans. Aerial photographs and site photographs can also be helpful. Notes would generally be taken of the meeting, and circulated to the parties.

Note: Pre-lodgement meetings constitute general advice only and are held in a without prejudice context. They provide an indication as to the potential issues that might arise with an application or proposal. If significant issues are identified at a pre-lodgement meeting, a second meeting is advisable once the proposal has been

further developed to address those issues. A pre-lodgement meeting, even if favourable, does not guarantee an approval from Council, as a full consideration of the proposal can only be given once it is lodged with all supporting information.

1.2.3 How do I determine whether the development is Exempt or Complying Development or requires a Development Application?

Development consent must generally be obtained to erect a building, carry out work, carry out retailing of goods or change from one type of use to another unless the development is exempt development. Exempt development is provided for within the LEP and also a variety of State Environmental Planning Policies.

Some development is complying development. Complying development can be carried out with Council approval according to set conditions. That approval must be given within ten days. Complying development is also provided for within the LEP and also a variety of State Environmental Planning Policies.

Other development is either local development (including advertised development), integrated development, designated development or State Significant Development. These forms of development will require a comprehensive Development Application (DA), and each form of development has specific requirements as set out in the *Environmental Planning and Assessment Act 1979* and the Environmental Planning and Assessment Regulation 2000 (the Regulations).

Note: most development within Boorowa is either complying, local or integrated development. Council can provide specific advice relating to the form of development and requirements.

This DCP deals predominantly with local development and also integrated development. In the case of integrated development, the development would also be referred to one or more state agencies which would also need to give approval for the development. Any consent issued under integrated development also includes the general terms of approval from those other agencies.

Designated development is set out in Schedule 3 of the Regulations and covers major development of many kinds. This development would need a detailed Environmental Impact Assessment in accordance with the Director General's requirements. Aspects of this DCP may apply to designated development.

Note: Exempt and Complying development can be found in the following State Environmental Planning Policies (SEPPs) including (but not limited to):

- *SEPP Exempt and Complying Development Codes;*
- *SEPP Infrastructure;*

SEPPs are amended frequently. Generally, SEPPs override the LEP and this DCP. Users are advised to consult SEPPs to determine the latest position. A list of current SEPPs can be found at

<http://www.planning.nsw.gov.au/PolicyandLegislation/Legislationandplanninginstruments/ListofStatePolicies/tabid/614/language/en-US/Default.aspx>

1.2.4 The Development Application Form

A development application form must be completed with all DAs.

Council forms, including development application forms can be accessed on Council's website by clicking on "Planning and Development" then using the tab options on the left hand side, click "Forms".

For an application to be properly made, the necessary information must also be provided with the application form, and the appropriate fee paid. It is necessary on the DA form to nominate whether development is local, integrated or designated development. Council staff can assist with this.

The development application form must be signed by all the owners of the land, or, alternatively, written authorisation provided with the application. Note that for applications by a company, a company seal may be required depending upon that company's Constitution.

1.2.5 What are the standard information requirements for DAs?

Providing good information with your application is the best way to ensure that it is processed speedily. In this respect, "over documentation" is preferred to "under documentation". Council has a set of standard information requirements which would cover most development applications. Not all of the information listed below would be relevant to all applications and advice regarding specific information required for a proposal can be obtained at a pre-lodgement meeting.

1.2.5.1 Standard information requirements

The standard information requirements for a development application are two full size sets plus four notification/advertising sets at A4 or A3 (for larger developments), drawn to an appropriate scale and indicating:

- Site plans:
 - Site dimensions, area of land and north point (preferably on the basis of a re-establishment survey);
 - Adjoining streets, boundaries and buildings;
 - Location and uses of all buildings on the site and on adjoining lands;
 - Location, height and species of existing and street trees;
 - Existing and finished contours to AHD (in particular highlighting areas and extent of cut and/or fill - where cut and /or fill will exceed 1m, a geotechnical report is required. A geotechnical report is also required for all dwelling applications);
 - Setbacks and buildings lines;
 - Proposed driveway and access points
 - Number and dimensions of car parking areas and driveways;
 - Site plan including turning circle movement for 85th percentile vehicle is required for buildings of BCA classes 2 to 9 and multi-dwelling housing;
 - Location and type of waste disposal facilities;
 - Location of watercourses, depressions, easements, right of ways, power poles, substations, manholes, footpaths and road crossings on or near the land;
 - Location and capacity of drains, detention basins, sediment and pollution traps; and
 - Plans shall demonstrate compliance with performance standards identified in relevant sections;
 - Buildings and trees proposed for removal/demolition.

- Building plans:
 - Internal layout of proposed buildings showing the use of all rooms/areas
 - Roof plans
 - Elevations (with the street elevation(s) also including immediately adjoining buildings)
 - Cross sectional elevation including natural and finished ground level Provision for access for persons with disabilities
- Concept Landscape plans (minimum scale 1:100)
 - Trees to be retained and removed (including species of any proposed for removal)
 - Material of all paved and hard standing areas
 - Landscaping approach (canopy trees, shrubs, ground covers, grassed areas)
 - Height and type of construction of fences.
- Shadow diagrams
 - For multi-dwelling residential development of two storeys, or single storey where the development is up-slope and towards the sun (when viewed from the proposed development).

Note: Plans of buildings should generally be at 1:100; with other plans generally at 1:200 or 1:500. Detailed landscaping plans would be required following any approval from Council. These would need to show full details of species, planting methods etc.

1.2.5.2 Statement of Environmental Effects

A Statement of Environmental Effects describes, among other things:

- What the development is, and (mainly for commercial or industrial development) how it would operate (number of employees, hours of operation, traffic movements and deliveries, processes carried out, wastes generated, waste disposal);
- What the potential impacts of the development are (these could include noise, vibration, traffic, odour, light-spill, wastes generated, stormwater runoff);
- What risks there are to the development from natural site conditions (e.g. geotechnical conditions, flooding, bushfire) and human caused hazards (e.g. storage of dangerous materials);
- How the development takes these matters into account and mitigates any adverse environmental effects on the site or in the locality;
- A review of the proposal against the statutory controls within the LEP and also against the controls within the DCP. Any variation to the acceptable solutions within the DCP needs to be justified showing how the performance outcomes and objectives of the DCP are being achieved.
- Supporting photos, models, photomontages and the like may be helpful for large scale developments, in particular.

Council has developed *Guidelines for Preparing a Statement of Environmental Effects*, which is available in Appendix A of this DCP.

Note: Supplementary specialist studies may be required to fully describe some environmental impacts and mitigation measures. The most common studies that might be required are:

Traffic and Parking (Generally a traffic study would be required where more than 20 car parking spaces are proposed with a development, or where required by the Infrastructure SEPP. A parking study would be required for most uses that cannot provide the DCP acceptable solution for parking provision, or where the use is not described in the DCP)

Noise (where plant or equipment is in close proximity to sensitive receivers e.g. schools, residences and/or it is likely the development would exceed the NSW EPA Noise Guidelines for the relevant development type)

Flora and Fauna (when significant areas of vegetation are to be removed, particularly native vegetation, A 7 part test is recommended for all sites where native vegetation is affected, and more substantial studies may be required based on the outcome of that test).

Geotechnical Study (where land is inherently unstable, has been filled, is on slopes above 15%, or where substantial cut and fill is required, and for all dwellings).

Soil Contamination Study (SEPP 55) (where land has had a history of any of the following uses: acid/alkali plant and formulation; agricultural/horticultural activities; airports; asbestos production and disposal; chemicals manufacture and formulation; defence works; drum re-conditioning works; dry cleaning establishments; electrical manufacturing (transformers); electroplating and heat treatment premises; engine works; explosives industry; gas works; iron and steel works; landfill sites; metal treatment; mining and extractive industries; oil production and storage; paint formulation and manufacture; pesticide manufacture and formulation; power stations; railway yards; scrap yards; service stations; sheep and cattle dips; smelting and refining; tanning and associated trades; and waste storage and treatment. Full details are contained in the document Managing Land Contamination -Planning Guidelines -SEPP 55–Remediation of Land – DUAP/EPA 1998).

Asbestos Study (particularly where a building is proposed to be demolished, that was constructed prior to 1985 and included fibrous sheeting as a construction material. Industrial or commercial developments involving asbestos lagged pipes and the like where these are proposed to be disturbed would also require such a study.)

Waste Management Study (typically for commercial or industrial developments that generate waste, but also for developments where substantial demolition is proposed).

Bushfire Study (where the development is in a bushfire hazard area). This study must be carried out in accordance with the requirements of the latest edition of "Planning for Bushfire Protection").

Essential Services – Fire Safety (required for buildings under the BCA of classes 2 to 9 inclusive.

Heritage – buildings or places of an older nature and those which are iconic in nature, as well as those adjacent buildings or places of this type, may require a heritage impact statement as part of their assessment

1.2.6 **Where a Construction Certificate is also sought**

A construction certificate can be sought at the same time as a development application. In this instance, the following is also required:

- Compliance with Council's On-Site Management Policy for on-site waste disposal (where relevant);
- Structural engineers details;
- Details of Site Management;
- Details of sediment and erosion control;
- Details of on-site sanitary facilities (during construction);
- Provision of safety fencing during construction (to WorkCover requirements);
- Construction standard plans.

Most development will require a construction certificate in addition to a development approval.

Section 1.3. More about the DCP

1.3.1 How does the DCP relate to other controls in the LEP?

This DCP is made under the environmental planning instrument, the Boorowa Local Environmental Plan 2012, (the LEP), which contains the statutory planning controls for development within the Boorowa LGA. The DCP cannot prohibit or permit a use that is allowed or prohibited under the LEP. The purpose of the DCP is to provide additional detailed controls for various types of development which supplement or expand on the controls within the LEP.

Note: Users should review the controls in the LEP before consulting this DCP in determining the controls that apply to particular forms of development. In the event of an inconsistency between this DCP and the LEP, the LEP takes precedence.

1.3.2 How will Council assess development?

Once an application has been lodged and receipted, it will undergo an initial assessment to ensure that there is sufficient information for Council to properly assess the application. This assessment would also include checking permissibility of the proposal against the planning controls, although it does not involve a merit assessment of the proposal, which does not take place until after notification (if required).

During the initial assessment period, Council may request additional information from the applicant, if required. Although Council may potentially determine applications without this additional information, if the information supplied with the application is insufficient or of poor quality, Council may refuse or return the application on the grounds that it cannot fully assess the application.

Applications will be referred, where required, to Council's internal departments and state agencies. In addition, where considered necessary by Council staff, or in accordance with the policies of those committees, applications will receive consideration by relevant committees of Council prior to determination.

Council may consent to an application which departs from the controls/acceptable solutions of this DCP, but only where the departures would have planning merit and the development would still achieve the performance outcomes sought under the plan.

Selected Council staff have delegated authority to generally determine applications except in the following circumstances:

- When objections have been received; and/or
- Substantial policy variance is proposed in the application and there is no reasonable offset.

Where either of these occur, the determining authority will be the elected Council.

1.3.3 What are the parts of the DCP?

This DCP is divided into Chapters and Sections. This Chapter is the introduction to the DCP, which sets out how the DCP relates to other planning instruments, the purpose of the DCP, and how to use this DCP.

Chapter 2 deals with zone based controls. These include Commercial, Retail and Business; Industrial, Residential, Village and Rural. Each section within these chapters deals with typical uses within that zone.

Note: It is important to understand that some development types are permissible in multiple zones.

Chapter 3 deals with controls that apply across the LGA, irrespective of the zone. These include controls relating to trees, parking and the like.

Chapter 4 deals with subdivision, with controls across a number of zones. Other subdivision is controlled solely by the LEP.

Chapter 5 is a list of Codes of Practice Council endorses

1.3.4 What if my development isn't covered by this DCP?

If the specific development being considered is not covered by this DCP the approach would be to use best practice guidelines/codes of practice. A copy of this should be submitted with the application.

You can also look to comply with suitable controls from similar development types that are described within this DCP.

Note: In the above cases you should seek advice from Council staff prior to preparing or lodging your application.

Section 1.4. DA Notification Policy

1.4.1 Statutory Situation

Council has certain obligations under the *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979* to notify owners of land whose enjoyment of that land may be affected by proposed development.

Certain categories of development (i.e. designated, state significant, integrated and advertised development) are required to be exhibited in accordance with the procedures for notification prescribed by the *Environmental Planning and Assessment Act 1979* and Regulations.

Notice of the public exhibition of an Environmental Impact Statement prepared under Part 5 of the Act in respect of an Activity for which development consent is not required, must be given in accordance with clause 233 of the Regulations. This policy must be read in addition to those requirements.

1.4.2 What is Notification?

Notification involves writing to the adjoining, adjacent and potentially affected land owners and occupiers (*neighbourhood notification*) and any public authority that may have an interest in the application (*agency referral*), and inviting them to make submissions. In some circumstances, applications would also be notified in a local newspaper (*advertised development*).

Council can make copies of submissions available to applicants, and invite them to respond to the issues raised, prior to determining applications.

When submissions are reported to Council, submitter names are generally made available to Councillors and staff, however the general approach is not to publish names unless explicit permission is given.

1.4.3 Neighbour Notification

1.4.3.1 Development that will not be notified

Council considers the following forms of development to not have detrimental neighbour effects, if planned and built in accordance with this DCP. Accordingly, Council will not notify* the following development types:

- Exempt and Complying development;
- Detached single storey dwellings and additions and alterations thereto, that are located at more than the following setbacks;
 - RU1 - 20 metres from side & rear boundaries
 - RU5 - 3 metres from side & rear boundaries
 - R1 - 3 metres from side & rear boundaries
 - R2 - 3 metres from side & rear boundaries
 - R5 - 10 metres from side & rear boundaries

- The following ancillary structures, alterations to an ancillary structure and swimming pools;
 - In the case of ancillary structures and/or alteration to an ancillary structure, 1 metre or greater from a side or rear boundary and no greater than 3 metres in overall height;
 - In the case of swimming pools, the edge of pool is 3 metres or greater from the side or rear boundaries;
 - In the case of any detached domestic ancillary structure, less than 55 square metres in area;
 - In the case of an agricultural outbuilding, the structure exceeds 20 metres from a side or rear boundary of the adjoining property in different ownership.
- Subdivisions
 - for boundary adjustment or consolidation of not more than 2 allotments to one;
 - for subdivision of existing multi dwelling housing;
- Commercial or industrial development being:
 - change of use of buildings in a commercial or industrial zone;
 - commercial and industrial additions and alterations that are minor in their impact on adjoining development and the environment;
- Modifications proposed by the applicant or required by a determination, to any development consent excluding an application made under section 96(2) of the *Environmental Planning and Assessment Act 1979*
- * *If, in the opinion of Council or its delegated officers, the enjoyment of any other land may be affected by the proposed development, the development types described above may be notified in accordance with section 1.4.3.2.*

1.4.3.2 Notification Procedure

Development not covered by Section 1.4.3.1 will be notified in the following ways:

- Those persons who own land either adjoining the side and rear boundaries, or adjacent to the subject land or as may potentially be affected by the subject development (See diagram below);
- An association for a community, precinct or neighbourhood parcel within the meaning of the *Strata Schemes (Leasehold Development) Act 1986* and the *Strata Schemes (Freehold Development) Act 1973*;
- If, in the opinion of Council or its delegated officers, the enjoyment of any other land may be affected by the proposed development:
 - The owners of such other land;
 - The owners of land separated only by a pathway, driveway or similar thoroughfare from the proposed development.

The extent of neighbourhood notification will be determined having regard to the following:

- The siting of the building and its proximity to boundaries;
- The design of the building, and in particular its height, bulk and scale and its relationship to the character of existing development in the vicinity and the streetscape;

- The use of proposed rooms and the possible effect on adjoining land due to overlooking and loss of privacy;
- The views to and from adjoining land;
- Any overshadowing of adjoining land;
- Natural drainage of the site, and possible changes in response to the proposed works and the impacts that this may have on adjoining properties;
- The likelihood of the adjoining land being detrimentally affected by noise;
- Any relevant matter for consideration under section 79C of the Act.

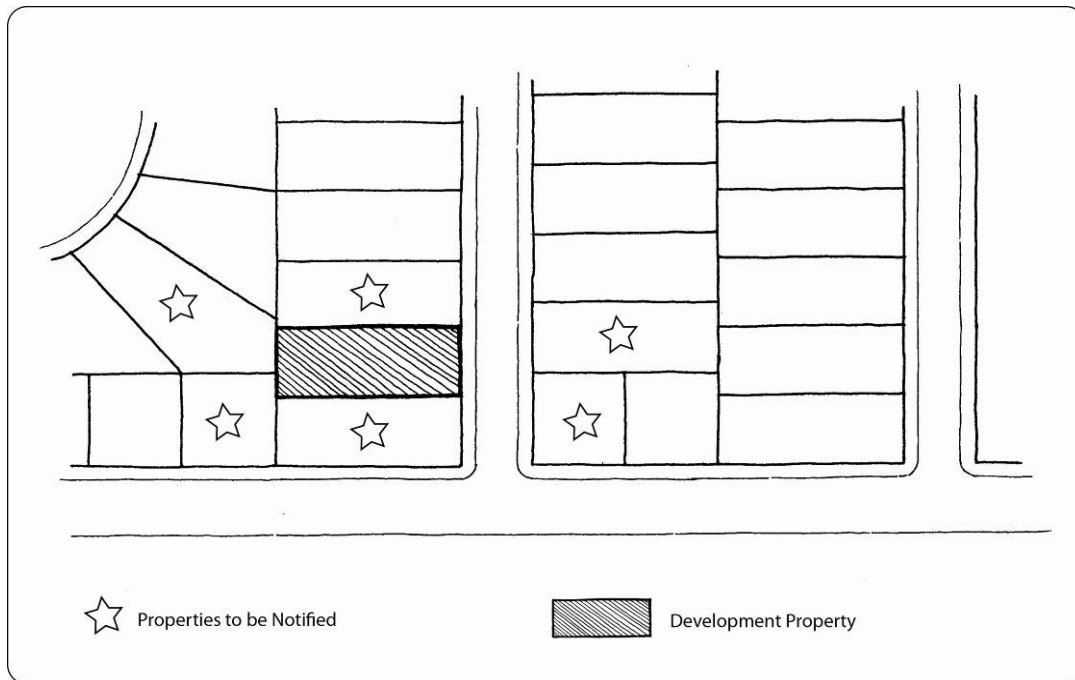


Figure 1.1 Typical Neighbourhood Notifications

1.4.3.3 Notification Procedure - Advertised Development

Notification will also be given in a local newspaper on at least two occasions for the following advertised development:

- Animal boarding and training establishments;
- Boarding-houses;
- Commercial Development (excluding change of use and minor alterations and additions);
- Dual Occupancies;
- Extractive Industries;
- Heritage Items;
- Hotels/Motels;
- Intensive Livestock Keeping;
- Industries;
- Multiple Housing Development (flats, townhouses, villa developments);
- Sex Service Premises and Restricted Premises.

In addition, where Council considers that community interest in a development proposal may be wider than the immediate vicinity of the development site, notification may also be given in a local newspaper.

1.4.3.4 Form of Notice

A written notice shall contain the following information:

- The property description or address of the site affected by the application;
- A description of the specific development for which approval is being sought;
- The name of the applicant;
- An invitation to inspect the application;
- Details of where the application can be inspected;
- A statement that any person may make a submission in writing;
- The time within which written submissions will be received;

Further, advice that:

- The substance of written submissions may be included in a report to Council;
- Council is subject to the *Government Information (Public Access) Act 2009*, and that copies of written submissions may be made available to any persons entitled to lodge an application under this legislation.

1.4.3.5 Plans to Accompany Notice

Notice of a development application must be accompanied by plans of the proposed development, in an approved form, showing the height and external configuration of the building/structure in relation to the site on which it is proposed to be erected. Such plans must:

- Be clearly drawn to a scale of 1:100(min), or to the satisfaction of Council;
- Include all elevations sufficient to delineate the development;
- Include a site plan showing the relationship of the proposed building to the boundaries of the allotment;
- Identify any new buildings or additions to existing buildings by means of cross hatching;
- Be clearly dimensioned to indicate size, height, and position of building;
- Indicate the levels of floors, ceilings and ridges in relation to the levels of the site and accurate ground levels adjacent to the elevations of the building being shown;
- Include any other information Council, or its delegated officer, considers appropriate.

Should the form of plan and details defined and described be inappropriate to the circumstances of the case of the proposal; the plan shall be in a form approved by the General Manager. To facilitate the distribution of plans of the proposal to those owners or persons required to be notified, the applicant shall submit four A4 copies of the plan in the approved form or such further copies as may be required in the circumstances of the case.

1.4.3.6 Exhibition Period

An application shall be available for inspection from the date of notice of the application for a minimum period of 14 calendar days, or such additional period as determined by the General Manager or their delegate.

During the exhibition period, any person may inspect, free of charge, during the ordinary office hours of Council, an application which has been notified whether or not that person has been, or is entitled to be, given notice under the provisions of this policy.

Extracts of a DA relating to the erection of a building will be made available, upon request, to interested persons free of charge. This information shall include:

- details of the applicant and the land to which the application relates; and

- a plan of the building that indicates its height and external configuration, as erected, in relation to the site on which it is to be erected.

Note: Residential floor plans are not available under the Government Information (Public Access) Act 2009. All other information submitted with the application, including supplementary information, is available for the cost of reproduction, according to Council's current schedule of fees and charges.

1.4.3.7 Submissions

Submissions in respect of an application must be received by Council within the date on the notice relating to the application or alternatively, within such additional period as maybe determined by the General Manager or their delegate.

A submission may be made by any person whether or not that person has been, or is entitled to be, given notice under the provision of this Policy. Submissions must be made in writing and, if by way of objection, must state the reasons for objection. All submissions must be addressed to the General Manager. All submissions will be acknowledged, and it may be possible to address Council through Open Forum at the Ordinary Meeting of Council (see Section 1.4.3.9 below).

1.4.3.8 Council must consider submissions

In determining applications, Council and/or delegated officers of Council, must consider all submissions received within the period allowed for making submissions under the provisions of this policy, before the application is determined.

1.4.3.9 Council Meeting Policy (Open Forum)

If the development is considered by the Council elected representatives, representations regarding the development may be made by interested members of the public at the meeting. Council's policy with respect to Open Forum sessions is summarised as follows:

- 5 minutes to address Council
- No discussions will take place with Councillors
- Mayor is the only person who speaks
- Only items on the agenda can be discussed without prior arrangement

Prior to the meeting commencing, the Mayor will state that the General Manager will be tape recording the Council meeting for the purpose of ensuring accuracy of the meeting minutes

1.4.3.10 Notification of Determination of Application - Persons making Submissions

Any person who makes a submission in relation to an application will be notified, in writing, of Council's decision.

Chapter 2. ZONE BASED CONTROLS

Section 2.1. Rural Dwellings

Applies to RU1 Primary Production zone.

2.1.1 Note regarding permissibility

A dwelling must be permissible with consent under the *Boorowa Local Environmental Plan 2012* (the LEP) on the land. This means the dwelling must either meet the minimum requirements for the size of land shown in the lot size map under the LEP or must be consistent with the provisions of clause 4.2A of the LEP. If lots do not comply with the minimum lot size maps applicants are advised to seek legal advice as to whether their proposal is permissible under the LEP prior to submitting an application.

Single residential development includes a single dwelling, all landscaping and access/service areas, as well as any outbuildings, such as garden sheds, detached studios/workshops etc.

2.1.2 Information to be provided

The following information provides a guide to the minimum information requirements that Council will need to assess the application:

- An extract of a topographic (or similar) map showing the property (including the allotment proposed for the dwelling and any holding/overall property boundary), the location of the dwelling and the location of powerlines;
- Utilities available or burdening the land;
- Size of the lot, or holding (e.g. Deposited Plan, title certificates or similar);
- The location of the proposed access driveway to the dwelling, and its proposed point of connection with the public road network (Note: this point of connection must comply with the access requirements for rural properties);
- Should the property be identified as bushfire prone land, a *Planning for Bushfire Protection* checklist, completed for the specific development. *Note: This self-assessment is available from Council or the NSW Rural Fire Service;*
- The location of the dams, streams and the like, including upstream drainage, drainage under public roads that flow onto the site;
- Details of the dwelling including plan and elevation, drawn to an appropriate metric scale, and indicating north point;
- Details of water supply including source of supply, and, where that is from a tank, details of calculations so as to ensure that water supply will be adequate to serve the dwelling. *Note: Water supply information needs to address "Planning for Bushfire Protection" requirements and Council's DCP requirements as appropriate;*
- Details of effluent waste disposal, including type of system;
- Submission of a completed BASIX Certificate.

2.1.3 Objectives

To ensure that rural dwellings and ancillary development are located and designed in a manner appropriate to the character and productive potential of the surrounding area and the existing development pattern. ***Controls below must be demonstrated on plans.***

2.1.4 Performance Outcomes and Acceptable Solutions

Where no specific control is stated, demonstrated compliance with the performance outcome is required.

2.1.4.1 Rural Dwellings

Performance Outcomes	Controls
PR1 Dwelling sites are identified and are provided with safe connection to the public road network;	AR1.1 Access to the dwelling from the public road network complies with the provisions of this DCP relating to access to rural properties and RMS requirements (where relevant); AR1.2 Residential address for a dwelling shall be provided and clearly identifiable.
PR2 A) Visual and amenity impacts (including glare) on neighbours and the rural landscape are minimised; and B) Development does not adversely affect the environment or agricultural pursuits on the subject or neighbouring lands;	AR2.1 The dwelling is not located within the following distances to any road boundary; <ul style="list-style-type: none">• 30m –adjoining an existing sealed road• 100m –adjoining an unsealed road AR2.2 The dwelling is not within the following distances to any side or rear boundary; <ul style="list-style-type: none">• 20m AR2.3 The dwelling is not located within 50m of a ridge line, nor is it visible above a ridgeline; AR2.4 The dwelling is not located within the distances of the land uses in Table 2.1; AR2.5 Materials (including large areas of glass and the use of “zincalume” or similar reflective materials) are selectively used so that a glare nuisance is not caused to surrounding neighbours or public roads; AR2.6 Dwellings shall be designed so that the elevation facing the road has a residential appearance or nature.
PR3 Adequate area exists for on-site waste disposal; <i>Note: This will be separately assessed under a section 68 approval</i>	AR3 The drainage field of the On-Site Sewerage Management System (septic) is appropriately designed in accordance with Council Policy requirements and considers the cumulative impact of an additional system in the locality.

<p>PR4 Dwellings are supplied with potable water and water for fire fighting reserves</p>	<p>AR4.1 The on-site water capture and storage for domestic purposes complies with the NSW BASIX scheme and any Certificate issued.</p> <p>AR4.2 The total water storage on site shall be compliant with the following:</p> <ul style="list-style-type: none"> • guidelines in <i>Appendix B</i> • include a fire fighting reserve of 20,000 L (over and above any BASIX minimum); and • fitted with a 65mm Stortz fitting. <p>The above may mean a total volume in excess of <i>Appendix B</i> in some circumstances.</p>
<p>PR5 No structures are adversely affected by stormwater egress</p>	<p>AR5 All stormwater from the property shall be disposed of without causing nuisance. This may involve connection to Council's existing drainage system or other suitable arrangements such as easements.</p>
<p>PR6 Development is levied in accordance with Council section 94A development contributions plan.</p>	<p>AR6 Payment of any section 94A development contributions applicable to the development.</p> <p><i>Refer to Boorowa Council's Section 94A Development Contribution Plan</i></p>

Land Use	Minimum Separation Distance
Piggeries - Housing and waste storage	500 m
- Waste utilisation area	250 m
Feedlots - Yards and waste storage	500 m
- Waste utilisation area	250 m
Poultry - Sheds and waste storage	500 m
- Waste utilisation area	250 m
Other intensive livestock operation	300 m
Grazing of stock	50 m
Cropping	200m
Horticulture	See Section 4.5 Spray Drift
Greenhouse and controlled environment horticulture	200 m
Rural industries including feed mills and sawmills	500 m
Abattoirs	1000 m
Potentially hazardous or offensive industries	1000 m
Mining, petroleum, production and extractive industries	500 m (1000 m where the proposal involves blasting)
Existing or current sheep and cattle yard sites	150 m
Existing or current livestock dip sites	300 m
Disused mining areas	300 m

Table 2.1: Minimum separation distances between agricultural uses and rural dwellings¹

¹ Adapted from NSW Department of Primary Industries Guidelines, 2010.

2.1.4.2 Ancillary Development to Rural Dwellings

Ancillary development includes garden sheds, free standing carports, garages, water storage tanks, awnings, pergolas, decks and the like.

Note: The site, neighbourhood and parking provisions identified in Rural Dwellings above shall be considered in addition to the below controls when designing ancillary development.

Where an inconsistency occurs between the below performance outcomes and controls, and Section 2.1.4.1 Rural Dwellings, the below performance outcomes shall prevail for the zone stated, to the extent of the inconsistency

Performance Outcomes	Controls
PAD1 Ancillary development shall be sited to minimise visual impact on how the residential property addresses the streetscape and ancillary development shall be sited to ensure practical serviceability.	AAD1.1 Ancillary development shall be setback 30m from the primary street frontage and at least 20m from any secondary street frontage on corner allotments. AAD1.2 Ancillary development shall be no closer to the side and rear boundaries than 20m. AAD1.3 Materials (such as reflective, zinc or tin finishes) are selectively used so that a glare nuisance is not caused to surrounding neighbours or public roads.

This section does not necessarily contain every design consideration relevant to ancillary development. This does not exempt the application from having a Statement of Environmental Effects. A Statement of Environmental Effects will require the applicant to describe height, size, colour, location (setbacks) and give details on any potential amenity impacts to adjoining existing or potential development. Appendix A of this DCP contains information on preparing a Statement of Environmental Effects.

2.1.4.3 Other controls that may be applicable to Rural Dwellings

You must also satisfy Council with regard to the following matters. An assessment against these sections may be required by the applicant, and is to be identified in a Statement of Environmental Effects.

- Car Parking and Vehicle Access (Section 3.1 of the DCP); and
- Development Requiring Tree Removal or Lopping (Section 3.2 of the DCP).

2.1.4.4 Design cues/suggestions for Rural Dwellings

- Examine passive solar orientation
- Separation distances from neighbours
- Respect the slope of the site
- Separation distances from agriculture on subject property

Section 2.2. Single Residential Development

Applies to all zones where residential development is permissible, except rural and environmental zones; R1, R2, R5

2.2.1 Note regarding Single Residential Development

Single residential development includes a single dwelling, all landscaping and access/service areas, as well as any outbuildings, such as garden sheds, detached studios/workshops etc.

2.2.2 Definition

Site coverage (gross building area) means the proportion of a site area covered by buildings. However the following are not included for the purpose of calculating site coverage:

- Ancillary outbuildings such as swimming pools, sheds, garages and the like;
- Any basement;
- Any part of the awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary;
- Any eaves;
- Unenclosed balconies, decks, pergolas and the like.

2.2.3 Objectives

To ensure that residential development is of high visual quality and amenity, while minimising amenity impacts on surrounding development.

2.2.4 Performance Outcomes and Acceptable Solutions

Where no specific control is stated, demonstrated compliance with the performance outcome is required.

2.2.4.1 Single Residential Dwellings

Performance Outcomes		Controls	
1: Site Design			
PSR1	The development shall use the slope of the land, its orientation to the sun and other site attributes to achieve an appropriate design for the specific site.	ASR1.1	Construction within registered easements or over utilities is avoided.
		ASR1.2	Construction over any natural watercourse/natural drainage lines through the land is prohibited.
		ASR1.3	The property access shall be located respectful of street trees, structures or fixtures in the road reserve.

2: Character of the Neighbourhood

<p>PSR2.1 The development shall provide attractive streetscapes, comprising trees, gardens, building facades (i.e. the exterior of the building), fences and walls;</p>	<p>ASR2.1.1 Fencing forward of the front building line shall be:</p> <ul style="list-style-type: none"> • an open style (incorporating pickets, vertical stiles, slats or palings); or • vegetative screening/ plantings, no greater than 1.2m in height. <p>ASR2.1.2 Dwellings fronting a street shall address that street frontage by:</p> <ul style="list-style-type: none"> • The primary entrance door to the dwelling facing the street frontage. • The front elevation incorporating windows to habitable rooms. <p>ASR2.1.3 Materials (including large areas of glass and the use of "zincalume" or similar reflective materials) are selectively used so that a glare nuisance is not caused to surrounding neighbours or public roads;</p> <p>ASR2.1.4 Residential dwellings avoid fibrous cement (unless painted) and metal cladding of walls (unless as an architectural feature);</p>
<p>PSR2.2 Dwellings shall ensure setbacks from the street alignment do not vary dramatically from those in the rest of the street in order to preserve neighbourhood and street presence.</p>	<p>ASR2.2.1 Dwellings are set back:</p> <ol style="list-style-type: none"> 1. In the R1 General Residential and the R2 Low Density Residential zones, not less than 6m from the primary street frontage and not less than 3m from any secondary street frontage; or 2. In the R5 Large Lot Residential Zone, not less than 10m from the primary street frontage, and not less than 6m from any secondary street; or

	<p>3. In R1, R2 and R5 zones, if the adjoining dwelling has differing setbacks, the average of those setbacks.</p> <p>ASR2.2.2 Garages in dwellings directly addressing the street do not project in front of other parts of the dwelling and are recessed behind the front facade of the dwelling;</p>
<p>PSR2.3 The dwelling shall be appropriately located on the site with setbacks that ensure privacy, overshadowing and amenity are respected within the neighbourhood;</p>	<p>ASR2.3.1 Side and rear setbacks (excluding secondary street frontage) for dwellings in the R1 General Residential and the R2 Low Density Residential zones are setback as follows;</p> <ul style="list-style-type: none"> • Single Storey Dwellings <ul style="list-style-type: none"> • 3m, unless windows are offset to achieve a reasonable expectation of privacy between the new development and the existing adjoining development. • Two storey dwellings(Figure 1) <ul style="list-style-type: none"> • have the upper level set back from side or rear boundaries by 3m, plus 0.3m for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres; <p>ASR2.3.2 Dwellings in the R5 Large Lot Residential Zone are setback not less than 10m from the rear and side boundaries, excluding secondary street frontages;</p>

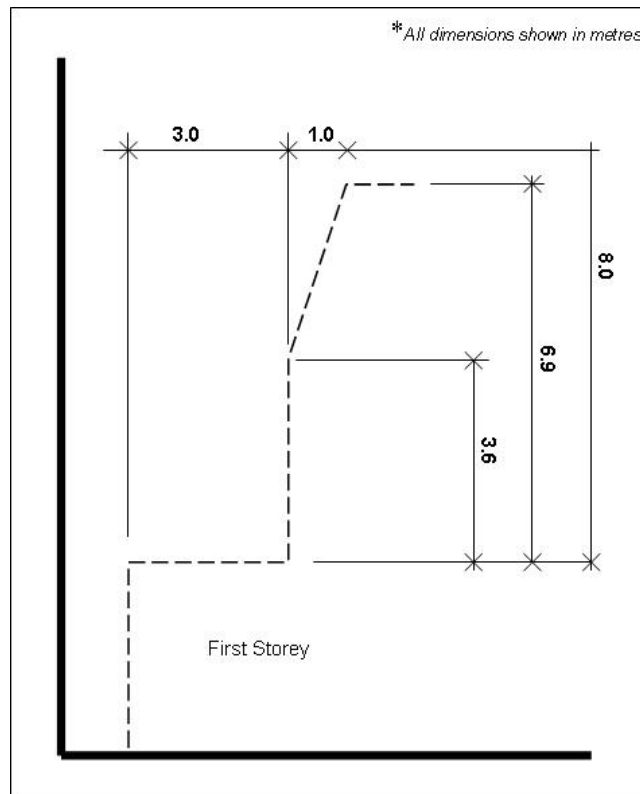


Figure 2: Two Storey Dwelling Setbacks

3: Dwelling height, bulk and form

PSR3.1 The dwelling shall minimise building bulk, form and height on or near boundaries to avoid overshadowing and overlooking of neighbours;

ASR3.1.1 Dwellings are restricted to the following (whichever is the lesser):

- a maximum of two storeys above natural ground level at any point, or
- 8 metres,

NOTE: A height of 8 metres is to be measured from natural ground level to the highest structural point of the dwelling, not including antennae, spires etc.

ASR3.1.2 Wall lengths exceeding 8m shall have wall offsets, openings or articulation of some manner.

<p>PSR3.2 The development shall minimise hardstand areas for aesthetics and stormwater and surface water nuisance impacts;</p>	<p>ASR3.2.1 Permeable areas are at least 40% of the site;</p> <p>ASR3.2.2 Site coverage (<i>gross building area</i>) does not exceed 40% of the site;</p>
<p>PSR3.3 The development shall create usable outdoor living spaces for occupants comfort, health and enjoyment;</p>	<p>ASR3.3 Private open space for the dwelling must be located adjoining living rooms, or the like, within the dwelling.</p>
<p style="text-align: center;">4: Access and Parking</p>	
<p>PSR4.1 The development shall provide adequate parking for the development respectful of the configuration of the street, in order to avoid site and street congestion.</p>	<p>ASR4.1.1 Car parking is provided in the following requirements;</p> <ul style="list-style-type: none"> • Two spaces, covered or uncovered, (stacked parking permitted); • car parking spaces (not including a parallel to wall space) are to be a minimum of 2.6m wide by 5.5m long; • Car parking spaces parallel to a wall shall be a minimum of 2.8m wide by 5.5m long; • Enclosed car parking spaces shall be a minimum of 3m wide by 6m long; <p>ASR4.1.2 For dwellings in cul-de-sacs, if the site does not have a minimum frontage that enables one car to be parked in front of the site, the site shall contain the ability to park one visitor car on-site in addition to the required number of parking spaces.</p>

<p>PSR4.2 Access driveways through the road reserve (from road edge to property boundary) shall be of a safe and suitable standard.</p>	<p>ASR4.2.1 Access driveways (from road edge to property boundary) serving dwellings shall be constructed to Council's minimum standard, being concrete.</p> <p>ASR4.2.2 Cross grades for access driveways and parking areas do not exceed 4% grade.</p> <p>ASR4.2.3 Access driveways to any required parking spaces onsite are provided through a single width crossover (maximum 3.5m wide);</p> <p>ASR4.2.3 Access to a property shall not be via a rear lane.</p> <p>ASR4.2.4 Residential address for a dwelling shall be provided and clearly identifiable.</p>
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5: Utilities and Services

<p>PSR5.1 The dwelling shall be connected to Council's reticulated water and sewer systems where available or obligated to be connected under relevant legislation;</p>	<p>ASR5.1.1 Council's reticulated water service shall be connected to the dwelling.</p> <p>ASR5.1.2 Council's reticulated sewer service shall be connected to the dwelling.</p> <p>ASR5.1.3 Dwellings on an allotment greater than 2ha in Zone R5 may be considered by Council without reticulated water and sewerage.</p> <p>ASR5.1.4 Payment of any head-works contributions for water and/or sewer.</p> <p><i>Refer to Boorowa Council's Development Servicing Plans that may apply to the development.</i></p> <p>ASR5.1.5 Payment of any section 94A development contributions applicable to the development.</p> <p><i>Refer to Boorowa Council's Section 94A Development Contribution Plan</i></p>
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<p>PSR5.2 The development shall have appropriate stormwater drainage connected, where possible into Council's existing stormwater infrastructure.</p>	<p>ASR5.2.1 All stormwater from the property shall be disposed of without causing nuisance. This may involve connection to Council's existing drainage system or other suitable arrangements such as easements.</p> <p>ASR5.2.3 All frontages of the site shall be provided with kerb and gutter.</p>

2.2.4.2 Ancillary Development to Single Residential Dwellings

(garden sheds, free standing carports, garages, water storage tanks, awnings, pergolas, decks etc)

Note: The site, neighbourhood and parking provisions identified in Single Residential Dwellings above shall be considered in addition to the below controls when designing ancillary development. Further, Where an inconsistency occurs between the below outcomes and controls, and Section 2.2.4.1 Single Residential Dwellings, the below outcomes controls shall prevail for the zone stated, to the extent of the inconsistency.

Performance Outcomes		Controls	
PAD1	Ancillary development shall be sited to minimise visual impact on how the residential property addresses the streetscape; and	AAD1.1	Ancillary development shall be setback 6m from the primary street frontage and at least 3m from any secondary street frontage on corner allotments.
	Ancillary development shall be sited to ensure practical serviceability.	AAD1.2	Ancillary development shall be no closer to the side and rear boundaries than 900mm.
		AAD1.3	Materials (such as reflective, zinc or tin finishes) are selectively used so that a glare nuisance is not caused to surrounding neighbours or public roads.

This section does not necessarily contain every design consideration relevant to ancillary development. This does not exempt the application from having a Statement of Environmental Effects. A Statement of Environmental Effects will require the applicant to describe height, size, colour, location (setbacks) and give details on any potential amenity impacts to adjoining existing or potential development. Appendix A of this DCP contains information on preparing a Statement of Environmental Effects.

2.2.4.3 Occupation of Garages for Residential Purposes

The only occasion on which a written permit for a period of six months at a time will be issued by Council permitting the occupation of a garage for temporary residential purposes, is when land has been purchased and plans approved by Council for the erection of a dwelling on it, and the floor has been erected to bearer/slab level. Council will then permit the occupation of a garage on the subject land during the completion of the dwelling up to a limit of 6 months. Following completion and occupation of the dwelling, occupation of the garage for residential purposes must cease forthwith. Any approved temporary occupation is subject to satisfactory and reasonable progress being made on the dwelling.

Occupation of a caravan on site whilst in the process of building is subject to an application for a special permit under section 68 of the *Local Government Act 1993*

2.2.4.4 Other controls that may be applicable to Single Residential Dwellings

You must also satisfy Council with regard to the following matters. An assessment against these sections may be required by the applicant, and is to be identified in a Statement of Environmental Effects.

- a) Car Parking and Vehicle Access (Section 3.1 of the DCP); and
- b) Development Requiring Tree Removal or Lopping (Section 3.2 of the DCP).

2.2.4.5 Design cues/suggestions for Single Residential Dwellings

Residential development involves numerous alternatives. In this respect, full compliance with all controls outlined may not be possible. Where a control is not achieved, the specific alternative made should be described in the Statement of Environmental Effects. Council will consider alternative designs provided the performance outcomes are achieved.

- Landscaping is provided to the street frontage, which includes canopy trees, shrubs and grass;
- Gables over garages facing streets are avoided. Note: Dutch gables are considered satisfactory;
- Opening up living areas directly onto courtyards and gardens, which benefit from good sunlight;
- Dwellings are provided with indoor living areas which are adjoined by outdoor living areas that have a northerly aspect;
- Providing good sunlight to living areas and avoiding overshadowing of neighbours and established garden areas;
- At least 50% of the minimum required secluded private open space of a development (including within the development and adjoining developments) has sunlight between the hours of 9am and 3pm on 21 June;
- Shadow diagrams may be required to illustrate the extent of overshadowing of neighbours for all two storey development, and for single storey development that is both up-slope and in the direction of the sun from existing residential development.
- Planning the internal layout of a house to ensure good daylight to living areas;
- Vehicular parking should not be on the north side of a dwelling's high occupancy rooms (daylight hours);
- Locating parking in the shadow of the buildings;
- Habitable room windows have at least 2.4m separation from the wall of an adjoining building;
- Water storage tanks shall not be located on the north side of that dwelling.

Section 2.3. Multi-dwelling Residential Development

Applies to any residential development with more than one dwelling on a lot in the R1, R2 and R5 zones. For Dual Occupancy in RU5, please refer to Section 2.8 of this DCP. Please note that multi dwelling housing is prohibited in R5 Large Lot Residential zone, however dual occupancies are permissible with development consent. For the purposes of this section, a dwelling shall include a unit, villa, townhouse, or the like.

2.3.1 Note regarding Multi-dwelling Residential Development

Multi Dwelling Residential Development includes all development where there are two or more dwellings on a lot, all landscaping and access/service areas, as well as any outbuildings, such as garden sheds, detached studios/workshops etc.

2.3.2 Definition

Site coverage (gross building area) means the proportion of a site area covered by buildings. However the following are not included for the purpose of calculating site coverage:

- Ancillary outbuildings such as swimming pools, sheds, garages and the like;
- Any basement;
- Any part of the awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary;
- Any eaves;
- Unenclosed balconies, decks, pergolas and the like.

2.3.3 Objectives

To ensure that residential development is of high visual quality and amenity, while minimising amenity impacts on surrounding development.

2.3.4 Performance Outcomes and Acceptable Solutions

Where no specific control is stated, demonstrated compliance with the performance outcome is required.

2.3.4.1 Multi-dwelling Residential Development

Performance Outcomes		Controls	
1: Site Design			
PMD1	The development shall use the slope of the land, its orientation to the sun and other site attributes to achieve an appropriate design for the specific site.	PMD1.1	Construction within registered easements or over utilities is avoided.
		PMD1.2	Construction over any natural watercourse/natural drainage lines through the land is prohibited.

	PMD1.3 The property access shall be located respectful of street trees, structures or fixtures in the road reserve.
2: Character of the Neighbourhood	
PMD2.1 The development shall provide attractive streetscapes, comprising trees, gardens, building facades (i.e. the exterior of the building), fences and walls;	<p>AMD2.1.1 Fencing forward of the front building line shall be:</p> <ul style="list-style-type: none"> • an open style (incorporating pickets, vertical stiles, slats or palings); • or vegetative screening/ plantings, no greater than 1.2m in height. <p>AMD2.1.2 Dwellings fronting a street shall address that street frontage by:</p> <ul style="list-style-type: none"> • The primary entrance door to the dwelling facing the street frontage. • The front elevation incorporating windows to habitable rooms. <p>AMD2.1.3 Materials (including large areas of glass and the use of "zincalume" or similar reflective materials) are selectively used so that a glare nuisance is not caused to surrounding neighbours or public roads;</p> <p>AMD2.1.4 Landscaping is provided to the street frontage, which includes canopy trees, shrubs and grass;</p> <p>AMD2.1.5 Driveways to rear dwellings are not fenced forward of the front building setback. Notwithstanding this clause, vegetative screening or landscaping are encouraged at this location;</p>

<p>PMD2.2 Dwellings shall ensure setbacks from the street alignment do not vary dramatically from those in the rest of the street in order to preserve neighbourhood and street presence.</p>	<p>AMD2.2.1 Dwellings are set back:</p> <ol style="list-style-type: none"> 1. In the R1 General Residential Zone, not less than 6m from the primary street frontage and not less than 3m from any secondary street frontage; or 2. In the R5 Large Lot Residential Zone, not less than 10 m from the primary street frontage, and not less than 6m from any secondary street; or 3. If adjoining dwelling has differing setbacks, the average of those setbacks. <p>AMD2.2.2 Garages in dwellings directly addressing the street do not project in front of other parts of the dwelling and, preferably, are recessed behind the front facade of the dwelling;</p>
<p>PMD2.3 The dwelling shall be appropriately located on the site with setbacks to adjoining or adjacent properties that ensure privacy, overshadowing and amenity are respected within the neighbourhood;</p>	<p>AMD2.3.1 Setbacks to side and rear boundaries (excluding secondary street frontage) for dwellings in the R1 General Residential Zone shall be as follows;</p> <ol style="list-style-type: none"> 1. Single Storey dwellings; <ul style="list-style-type: none"> • 3m, or • Between 3m and 1.5m, with the use of techniques such as <ul style="list-style-type: none"> ○ windows 1.5m above finished floor level, or ○ fixed opaque glass (note, smaller windows in service rooms such as laundries or the like may have an open pane), or ○ any other means that meet the stated performance outcome and specifically detailed and designed by the applicant. • No building setbacks less than 1.5m from boundaries.

	<p>2. Two storey dwellings</p> <ul style="list-style-type: none">• have the upper level set back from side or rear boundaries by 3m, plus 0.3m for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres; <p>AMD2.3.2 Dwellings in the R5 Large Lot Residential Zone are setback at least 10m from the rear and side boundaries, excluding secondary street frontages;</p>
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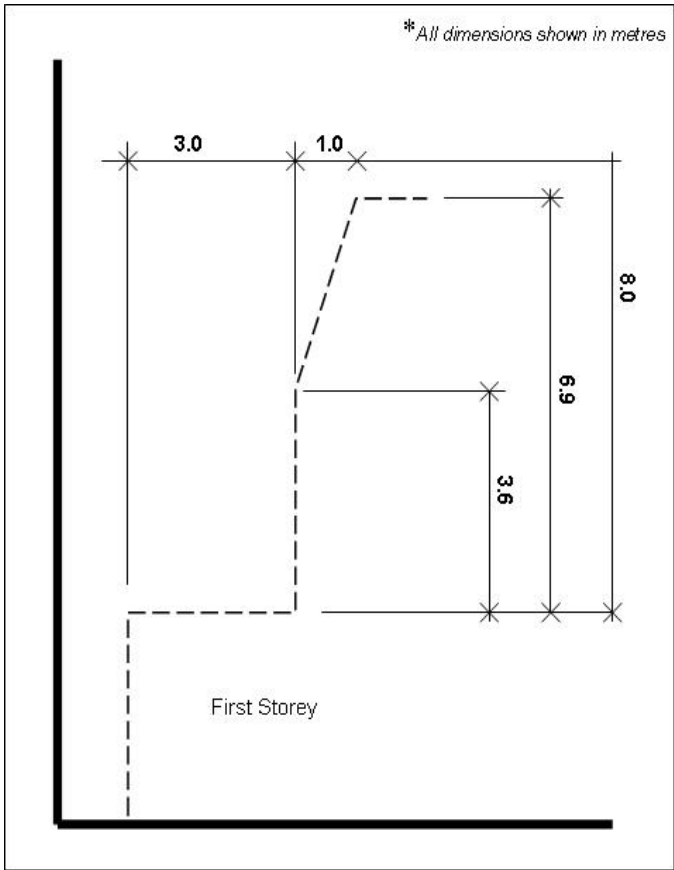


Figure 2: Sectional elevation at side boundary

3: Dwelling height, bulk and form

<p>PMD3.1 The dwelling shall minimise building bulk, form and height on or near boundaries to avoid overshadowing and overlooking of neighbours;</p>	<p>AMD3.1.1 Dwellings are restricted to the following (whichever is the lesser):</p> <ul style="list-style-type: none"> • a maximum of two storeys above natural ground level at any point, or • 8 metres, <p>NOTE: A height of 8 metres is to be measured from natural ground level to the highest structural point of the dwelling, not including antennae, spires etc.</p> <p>AMD3.1.2 Wall lengths exceeding 8m shall have wall offsets, openings or articulation of some manner.</p>
<p>PMD3.2 The development shall minimise hardstand areas for aesthetics and stormwater and surface water nuisance impacts;</p>	<p>AMD3.2.1 Permeable areas are at least 20% of the site;</p> <p>AMD3.2.2 A maximum of 30% of the area forward of the front building setback is occupied by paving, access driveways or the like;</p> <p>AMD3.2.3 Site coverage (<i>gross building area</i>) does not exceed 60% of the site.</p>
<p>PMD3.3 The development shall create usable outdoor living spaces for occupants comfort, health and enjoyment</p>	<p>AMD3.3.1 Private open space is provided for the dwelling by adjoining living rooms or the like within the dwelling.</p> <p>AMD3.3.2 Private open space is provided for each dwelling (immediately adjoining that dwelling) at a minimum area of 48m² per dwelling, which is able to contain a rectangle of 8m x 4m</p>

4: Access and Parking

PMD4.1 Providing adequate parking for the development respectful of the configuration of the street, in order to avoid site and street congestion.

AMD4.1.1 Car parking is provided in accordance with the following requirements;

Dual occupancy

- 1 or 2 bedroom dwellings – 1 space (undercover),
- 3 or more bedroom dwellings - 2 spaces (at least 1 to be undercover – stack parking not permitted),

3 or more dwellings

- 1 bedroom dwellings – 1 space (undercover)
- 2 or more bedroom dwellings - 2 spaces (at least 1 to be undercover – stacked parking not permitted),

PLUS

- 1 visitor parking space per 3 dwellings (maybe uncovered – stack parking not permitted).

AMD4.1.2 Car parking space dimensions shall comply with the following standards:

- car parking space (not including a parallel to wall space) is to be a minimum of 2.6m wide by 5.5m long;
- Car parking spaces parallel to a wall shall be a minimum of 2.8m wide by 5.5m long;
- Enclosed car parking spaces shall be a minimum of 3m wide by 6m long;

AMD4.1.3 For dwellings in cul-de-sacs, if the site does not have a minimum frontage that enables one car to be parked in front of the site, the site shall contain the ability to park one visitor car on-site in addition to the required number of parking spaces.

	<p>AMD4.1.4 Visitor parking (where required) is easily accessible and clearly designated by line-marking and signage;</p> <p>AMD4.1.5 All parking areas and trafficable areas on-site shall be sealed with bitumen, concrete (preferably coloured or textured) or pavers, to Council specifications.</p>
<p>PMD4.2 Ensuring sufficient circulation and movement on site is achieved so as to allow vehicles to enter and leave the site in a forward direction without giving rise to congestion.</p>	<p>PMD4.2 The width of internal access ways (not including turning areas, parking etc) shall be as follows:</p> <ul style="list-style-type: none"> • 3m wide - to service 1 - 2 dwellings, • 6m wide - to service 3 or more dwellings. <p><i>NOTE: Notwithstanding the above, the development shall be designed to allow for additional width of internal access ways for passing purposes.</i></p>
<p>PMD4.3 Ensuring vehicle access to and from the site is safe;</p> <p><i>NOTE: For the purposes of this provision a 'access driveway' is defined as being from the road edge to the property boundary</i></p>	<p>AMD4.3.1 Vehicles accessing dwellings (other than dwellings served directly from the street frontage) as well as visitors to a development must be able to enter and leave the development in the forward direction.</p> <p><i>NOTE: The 85th percentile vehicle must be able to turn on-site in no more than a two-point turn. Templates can be found at Appendix C;</i></p> <p>AMD4.3.2 Access driveways directly serving double garages do not exceed 3.5m in width at the property boundary;</p> <p>AMD4.3.3 Access driveways shall be concreted (preferably coloured and/or textured), sealed or paved and if serving:</p> <ul style="list-style-type: none"> • two dwellings, are no more than 3m in width; • more than 2 dwellings are no more than 5.5m in width.

	<ul style="list-style-type: none"> • dwellings within the R5 zone are constructed of an all-weather surface, such as compacted road base material. <p>AMD4.3.4 Access driveways (from road edge to property boundary) serving dwellings shall be constructed to Council's minimum standard.</p> <p>AMD4.3.5 Cross grades for access driveways and parking areas do not exceed 4% grade.</p>
<p>PMD4.4 Minimising the number and width of access driveways (from road edge to property boundary) consistent with the traffic function of those driveways.</p> <p><i>NOTE: For the purposes of this provision a 'access driveway' is defined as being from the road edge to the property boundary</i></p>	<p>AMD4.4.1 Access is provided through a single consolidated access driveway from a public road;</p> <p>AMD4.4.2 No lane access is relied on for site access/egress;</p>
<p>PMD4.5 Providing each dwelling with clear and distinct access, preferably visible from a public street.</p>	<p>AMD4.5.1 The development shall be designed such that public access to all occupancies is readily discernable from the front driveway access.</p> <p>AMD4.5.2 Residential address for a dwelling shall be provided and clearly identifiable.</p>
<p>PMD4.6 The development shall provide road infrastructure suitable for the development.</p>	<p>AMD4.6 If not already provided, roadways directly adjacent to the development are to be provided with kerb and gutter, including, where necessary, shoulder widening and seal to Council's standards.</p>

5: Utilities and Services

<p>PMD5.1 The dwellings shall be connected to Council's reticulated water and sewer systems where available or obligated to be connected under relevant legislation;</p>	<p>AMD5.1.1 Council's reticulated water service shall be connected separately to each dwelling.</p> <p>AMD5.1.2 Council's reticulated sewer service shall be connected separately to each of the dwellings.</p> <p>AMD5.1.3 Payment of any head-works contributions for water and/or sewer.</p> <p><i>Refer to Boorowa Council's Development Servicing Plans that may apply to the development.</i></p> <p>AMD5.1.4 Payment of any section 94A development contributions applicable to the development.</p> <p><i>Refer to Boorowa Council's Section 94A Development Contribution Plan</i></p>
<p>PMD5.2 The dwellings shall have appropriate stormwater drainage connected, where possible, into Council's existing stormwater infrastructure.</p>	<p>AMD5.2.1 All stormwater from the property shall be disposed of without causing nuisance. This may involve connection to Council's existing stormwater drainage system or other suitable arrangements such as easements.</p> <p>AMD5.2.2 For 3 or more dwellings, all roof and surface water drainage shall be designed to provide for conveyance of these flows per AS3500 after considering the Australian Rainfall and Runoff Guidelines, to the appropriate road, public stormwater drainage system or watercourse where approved to do so.</p> <p>AMD5.2.3 All frontages of the site shall be provided with kerb and gutter.</p>

6: Facilities

PMD6

The following facilities shall be designed and located within the development to ensure visual amenity is not detrimentally affected.

- Letterboxes;
- Clothes drying facilities;
- Garbage bin storage; and
- Outdoor service areas

AMD6.1

Letter-boxes are provided for each dwelling in accordance with Australia Post requirements;

AMD6.2

Letter boxes shall be of the same, similar or of complimentary materials to that of the development.

AMD6.3

Letterboxes shall be designed and located so as not to impede the vision of vehicles entering and leaving the site.

AMD6.4

Clothes drying facilities (either an outdoor drying yard or mechanical dryer) are provided for each dwelling with drying yards screened from public areas and common access areas of the development. Drying areas are not to be within the minimum rectangle area defined for private open space.

Note: Tilt type clothes lines are preferred for better use of recreational areas;

AMD6.5

Garbage bin storage shall be provided to the dwellings either:

- in a communal, secure and screened area accessible to the street; or
- in an area within the curtilage of each dwelling that is not within the minimum rectangle area defined for private open space without passing through the dwelling.

AMD6.6

Space is available to locate an outdoor storage area of 6m³ for each dwelling.

Note: This could include a garden shed or dedicated space within a garage that does not reduce the floor area of that garage below the minimum dimensions.

2.3.4.2 Ancillary Development to Multi-Dwelling Residential Development

(garden sheds, free standing carports, garages, water storage tanks, awnings, pergolas, decks etc)

Note: The site, neighbourhood and parking provisions identified in Single Residential Dwellings above shall be considered in addition to the below controls when designing ancillary development.

Where an inconsistency occurs between the below outcomes and controls, and Section 2.3.4.1 Multi-Dwelling Residential Development, the below outcomes controls shall prevail for the zone stated, to the extent of the inconsistency.

Performance Outcomes		Controls	
PMA1	Ancillary development shall be sited to minimise visual impact on how the residential property addresses the streetscape; and	AMA1.1	Ancillary development shall be setback 6m from the primary street frontage and at least 3m from any secondary street frontage on corner allotments.
	Ancillary development shall be sited to ensure practical serviceability.	AMA1.2	Ancillary development shall be no closer to the side and rear boundaries than 900mm.
		AMA1.3	Materials (such as reflective, zinc or tin finishes) are selectively used so that a glare nuisance is not caused to surrounding neighbours or public roads.
		AMA1.4	No ancillary structure shall be permitted within the required private open space area originally approved with the development.

2.3.4.3 Other controls that may be applicable to Multi-Dwelling Residential Development

You must also satisfy Council with regard to the following matters. An assessment against these sections may be required by the applicant, and is to be identified in a Statement of Environmental Effects.

- c) Car Parking and Vehicle Access (Section 3.1 of the DCP); and
- d) Development Requiring Tree Removal or Lopping (Section 3.2 of the DCP).

2.3.4.4 Design cues/suggestions for Multi-Dwelling Residential Development

Residential development involves numerous alternatives. In this respect, full compliance with all controls outlined may not be possible. Where a control is not achieved, the specific alternative made should be described in the Statement of Environmental Effects. Council will consider alternative designs provided the performance outcomes are achieved.

A good development would also include the following design aspects:

- Landscaping provided to the street frontage, which includes canopy trees, shrubs and grass;
- Gables over garages facing streets are avoided. Note: Dutch gables are considered satisfactory;
- Opening up living areas directly onto courtyards and gardens, which benefit from good sunlight;
- Dwellings are provided with indoor living areas which are adjoined by outdoor living areas that have a northerly aspect;
- Providing good sunlight to living areas and avoiding overshadowing of neighbours and established garden areas;
- At least 50% of the minimum required secluded private open space of a development (including within the development and adjoining developments) has sunlight between the hours of 9am and 3pm on 21 June;
 - Shadow diagrams may be required to illustrate the extent of overshadowing of neighbours for all two storey development, and for single storey development that is both up-slope and in the direction of the sun from existing residential development.
- Planning the internal layout of a house to ensure good daylight to living areas;
- Vehicular parking should not be on the north side of a dwelling's high occupancy rooms (daylight hours);
- Locating parking in the shadow of the buildings;
- Habitable room windows have at least 2.4m separation from the wall of an adjoining building;
- Water storage tanks shall not be located on the north side of that dwelling.
- High occupancy rooms utilised during daylight hours should have a northern aspect.
- Dwellings shall be respective of, or improve on, the quality of development in the neighbourhood, when viewed from the street.
- Design cues being drawn from surrounding dwellings, including window forms, external facade treatments and roof materials and pitches that are common within the neighbourhood;
- The style and character of adjoining houses and gardens including the scale, materials, roof forms and types of trees.

Section 2.4. Commercial, Business and Retail Development

Applies to all zones where commercial development is permissible.

2.4.1 Objectives

Commercial and retail development is carried out in such a way as to protect and enhance the character and economic function of the local government area, including the entrances to towns, whilst protecting the environment.

2.4.2 Performance Outcomes and Acceptable Solutions

Where no specific control is stated, demonstrated compliance with the performance outcome is required.

2.4.2.1 Commercial, Business and Retail Development

Performance Outcomes	Acceptable Solutions
1: Site and Building Design	
PC1.1 To ensure that development is consistent with existing or future character and that building heights are consistent with the prevailing heights for commercial and retail development within the immediate vicinity;	AC1.1.1 Shop fronts are true to the style of the existing building and the top and bottom floors of existing buildings are consistent in style and colour scheme; AC1.2.1 The character of old buildings is protected and new development is consistent with the bulk and scale of a rural town, containing historic buildings; AC1.3.1 Appearance of development is appropriate to neighbouring buildings and the wider area; AC1.4.1 No existing windows are painted over; AC1.5.1 Building front setbacks are consistent with adjoining buildings, or if adjoining buildings have different setbacks, with the average of those setbacks;
PC1.2 To ensure the zone B2 Local Centre has a well-landscaped presentation with simple centralized entrance signage;	AC1.2 Signage is appropriate to the building and to the surrounding area;

2: Access and Parking

<p>PC2.1 To ensure that safe and efficient passage is available between street frontages and car parking areas;</p>	<p>AC2.1.1 Pedestrian linkages between shop fronts and public parking areas are retained or provided in convenient locations where possible. These are well lit at all times, and contain no dead ends or other places possible to conceal a person;</p> <p>AC2.1.2 All frontages of the site shall be provided with kerb and gutter.</p>
<p>PC2.2 To ensure that parking is of sufficient quantity, and provided in safe and efficient manner;</p>	<p>AC2.2.1 Parking complies with the provisions of Section 3.1 of this DCP;</p> <p>AC2.2.2 The re-development of parking areas should not detract from the character of the surrounding area;</p> <p>AC2.2.3 Visitor parking (where required) is easily accessible and clearly designated by line-marking and signage;</p> <p>AC2.2.4 All parking areas and trafficable areas on-site shall be sealed with bitumen, concrete (preferably coloured or textured) or pavers, to Council specifications.</p> <p>AC2.2.5 Vehicles accessing service areas or onsite parking areas must be able to enter and leave the development in the forward direction.</p> <p><i>NOTE: The 85th percentile vehicle must be able to turn on-site in no more than a two-point turn. Templates can be found at Appendix C;</i></p>
<p>PC2.3 To ensure access driveways through the road reserve (from road edge to property boundary) are of a safe and suitable standard.</p>	<p>AC2.3.1 Vehicular access, for service cars and onsite parking areas of a development, is available from a lane, not the street frontage;</p>

	<p>AC2.3.2 Access driveways (from road edge to property boundary) serving properties shall be constructed to Council's minimum standard.</p> <p>AC2.3.3 Cross grades for access driveways and parking areas do not exceed 4% grade.</p> <p>AC2.3.4 Address for a commercial property shall be provided and clearly identifiable.</p>
3: Utilities and Services	
<p>PC3.1 The dwellings shall be connected to Council's reticulated water and sewer systems where available or obligated to be connected under relevant acts;</p>	<p>AC3.1.1 Council's reticulated water service shall be connected separately to each dwelling.</p> <p>AC3.1.2 Council's reticulated sewer service shall be connected separately to each of the dwellings.</p> <p>AC3.1.3 Payment of any head-works contributions for water and/or sewer.</p> <p><i>Refer to Boorowa Council's Development Servicing Plans that may apply to the development.</i></p> <p>AC3.1.4 Payment of any section 94A development contributions applicable to the development.</p> <p><i>Refer to Boorowa Council's Section 94A Development Contribution Plan</i></p> <p>AC3.1.5 Developments comply with Council's liquid trade waste policy;</p>
<p>AC3.2 The dwellings shall have appropriate stormwater drainage connected, where possible, into Council's existing stormwater infrastructure.</p>	<p>AC3.2.1 All stormwater from the property shall be disposed of without causing nuisance. This may involve connection to Council's existing stormwater drainage system or other suitable arrangements such as easements.</p>

2.4.2.2 Design Suggestions and Variations

Council will consider the provision of concessions (possibly including car parking) for development fronting Marsden Street where developments provide pedestrian access to car parking areas via arcades or passageways having 3m minimum width.

Section 2.5. Food Premises - Additional Provisions

2.5.1 Objectives

- a) To ensure that food preparation and storage protects public health and protects Council infrastructure.

2.5.2 Performance Outcomes and Acceptable Solutions

Where no specific control is stated, demonstrated compliance with the performance outcome is required.

2.5.2.1 Food Premises – Additional Provisions

Performance Outcomes		Controls	
PF1	Food preparation and storage areas are constructed to allow easy cleaning;	AF1	Compliance with the <i>Food Act 2003</i> and the <i>Food Safety Standards</i> (Chapter 3 of the Australia New Zealand Food Standards Code), and all other relevant codes and standards.
PF2	Food is to be prepared, stored and served to the minimum health standards	AF2	Compliance with the <i>Food Act 2003</i> and the <i>Food Safety Standards</i> (Chapter 3 of the Australia New Zealand Food Standards Code), and all other relevant codes and standards.
PF3	Adequate customer facilities are provided;	AF3	Provision of customer sanitary facilities (as required by the BCA).
PF4	Disposal of wastes to the public sewer is within the capacity of that infrastructure (both in terms of the quantity and type of material being disposed of).	AF4.1	Compliance with Council's trade waste policy;
		AF4.2	Location of trade waste facilities shall enable easy access for servicing.

Section 2.6. Industrial Development

Applies to all zones where industrial development is permissible.

2.6.1 Objectives

- a) To ensure that industrial allotments function effectively for industrial purposes, and
- b) To improve the appearance of industrial areas when viewed from a public place.

2.6.2 Performance Outcomes and Acceptable Solutions

Where no specific control is stated, demonstrated compliance with the performance outcome is required.

2.6.2.1 Industrial Development

Performance Outcomes	Acceptable Solutions
1: Servicing	
PID1.1 The development shall be connected to utilities to ensure that new development is adequately serviced and does not place undue loads on public infrastructure;	AID1.11 The development is serviced by underground electricity, reticulated water and sewer, gas and telecommunications in accordance with the relevant authorities' requirements and relevant Australian Standards; AID1.1.2 Payment of any head-works contributions for water and/or sewer. <i>Refer to Boorowa Council's Development Servicing Plans that may apply to the development.</i> AID1.1.3 Payment of any section 94A development contributions applicable to the development. <i>Refer to Boorowa Council's Section 94A Development Contribution Plan</i> AID1.1.4 Developments comply with Council's liquid trade waste policy;

<p>PID1.2 The development shall have appropriate stormwater drainage connected, where possible to Council's existing stormwater infrastructure.</p>	<p>AID1.2.1 All stormwater from the property shall be disposed of without causing nuisance. This may involve connection to Council's existing stormwater drainage system or other suitable arrangements such as easements.</p> <p>AID1.2.2 Separate occupancy has separate sanitary and stormwater drainage lines with independent connection to external lines.</p> <p>AID1.2.3 If not already provided, kerb and guttering and footpath is provided to all road frontages of the development, including road widening and shoulder seal as necessary</p>
<p style="text-align: center;">2: Access and Parking</p>	
<p>PID2.1 To ensure that roads, lot access and parking areas are constructed to a standard that is durable and suitable for the proposed use;</p>	<p>AID2.1.1 Site access, on-site vehicle circulation areas and manoeuvring areas are provided in accordance with AS 2890 Part 2.</p> <p>AID2.1.2 Access driveways within the road reserve are constructed of concrete</p> <p>AID2.1.3 Address for an industrial property shall be provided and clearly identifiable.</p>
<p>PID2.2 To ensure that industrial development provides adequate on-site parking;</p>	<p>AID2.2.1 On-site parking is provided in accordance with Section 3 of this DCP.</p> <p>AID2.2.2 Customer and visitor parking is clearly signed and is located at the front of the development, towards the primary street frontage. <i>Note: Customer and visitor parking may be provided within the building setback area;</i></p>

<p>PID2.3 To ensure that new industrial developments have a site layout that will allow the safe and efficient manoeuvring of heavy vehicles both on the site and on the surrounding road network;</p>	<p>AID2.3.1 Vehicle access and egress is to be in a forward direction.</p> <p>AID2.3.2 A clearly identified point of customer/visitor entry is provided;</p> <p>AID2.3.3 Appropriate separation is provided between customers / visitors and the operational areas of the site.</p> <p>AID2.3.4 A clearly designated delivery/pickup area is provided.</p>
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3: Setbacks

<p>PID3 To ensure that new industrial developments do not result in unacceptable noise, vibration or overshadowing impacts on adjoining or nearby properties;</p>	<p>AID3.1 A setback (front building line) of at least 15m is provided from a classified road frontage; and a setback of at least 6m is provided from any other road frontage;</p> <p>AID3.2 A building setback of at least 5m is provided from all side or rear boundaries, unless the building is constructed to the boundary. <i>Note: a building should only be constructed to the boundary where adjoining another industrial allotment.</i></p> <p>AID3.3 Buildings adjoining non-industrial developments are set back a minimum of 10m from the boundary;</p> <p>AID3.4 Buildings adjoining non-industrial developments do not have a wall height exceeding 8m;</p> <p>AID3.5 Buildings adjoining non-industrial developments do not produce any additional overshadowing of the adjoining property between the hours of 9 AM-3 PM on 21st June.</p> <p>AID3.6 The development complies with Part J of the BCA and provides a rainwater tank to amenities;</p>
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4: Noise and Vibration

PID4 To ensure that new industrial developments do not result in unacceptable noise or vibration on adjoining or nearby properties;

AID4.1 Building design and machinery installation effectively minimises any noise emissions.

Note: in general, all machinery is to be contained within buildings or other acoustic treatment structures. Openings to the building which are usually open during operations should be directed away from sensitive receivers such as residential housing;

AID4.2 Building design and machinery installation prevents significant vibration transmission to adjoining properties or public areas.

Note: If the development includes vibration producing machinery, the DA should include confirmation that the transmitted vibration to a sensitive receiver such as a dwelling would not be at a level so as to result in loss of amenity to neighbours. Professional advice would need to be sought in this regard.

AID4.3 The operating noise level of plant and equipment does not exceed 5dBA above the background noise level when measured from the property boundary.

Note: for potentially noisy developments, an acoustic study prepared by a qualified and experienced acoustic engineer should be submitted with the development application demonstrating that this threshold would not be exceeded at the nearest sensitive receiver.

5: Streetscape and Design

<p>PID5.1 To ensure that new industrial development (including significant extensions) is appropriate to the streetscape and context;</p>	<p>AID5.1.1 The majority of offices and/or customer areas and/or staff facilities are located so as to address the primary road frontage of the development. These are generally located in a part of the building that does not exceed one storey in height.</p> <p>AID5.1.2 The front façade of the building is constructed from face brick or decorative masonry block; or timber panelling, pre-coloured metal cladding, and glazing in conjunction with a reasonable proportion of brick or masonry block (greater than 30%).</p> <p><i>Note: Other types of materials may be considered depending on the character and streetscape of the immediate area;</i></p> <p>AID5.1.3 Where the building is on a corner allotment, the front façade treatment is extended at least 5 metres down the side of the building facing a side road.</p>
<p>PID5.2 To ensure that industrial buildings present acceptably to the public realm in terms of;</p> <ul style="list-style-type: none"> • Facade treatment • Landscaping and fencing • Signage 	<p>AID5.2.1 Landscaping is provided to the primary street frontage(s) with such landscaping being low maintenance and occupying not less than 20% of the area between the industrial building setback line and the street;</p> <p>AID5.2.2 Vegetation to be planted is a mixture of semi-mature species and seedlings/tube stock to generate both an immediate visual effect, and good overall establishment in the medium term.</p>

	<p>AID5.2.3 Canopy trees are provided on properties located on classified roads between the front boundary and the building line, sufficient to break up the building bulk;</p> <p>AID5.2.4 Fencing is provided of a uniform colour and material along all common boundaries, and</p> <ol style="list-style-type: none"> Solid fencing is not more than 1.8m above the finished ground level; The total height of the fence is not more than 2.4m. Additional fencing, screen walls or screen vegetation is provided to conceal unsightly areas from neighbour or public view (e.g. storage areas for particular materials/goods/rubbish); <p>AID5.2.5 Signage is appropriately located and designed so as clearly convey business names and services etc, but without detracting from the appearance of the area or causing issues for adjoining properties, road users, or others in the surrounding area.</p>
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2.6.2.2 Design Suggestions and Variations

- The necessary fire ratings under the Building Code of Australia are needed to achieve when parts of the building are constructed to a boundary. This would generally require concrete or masonry walls;
- Crime and safety issues in NSW Police Force program “Safer by Design” such as lighting, security and cameras where needed should be considered in the planning of the development;
- Siting for economy under the BCA may cause severe constraints. The maximum use of site should be entertained as opposed to “dead” setback zones;
- Narrow and/or unfrequented areas which would be difficult to maintain should be avoided;
- Signage can either be included with the initial development application, or subject to a separate application to Council;

Section 2.7. Village Development – Zone RU5

Applies generally to all development in the RU5 zone.

2.7.1 Objectives

- a) To encourage and facilitate appropriate development within the village zones of the Boorowa Local Government Area;
- b) To maintain the low-scale and widely detached building character of the villages.

2.7.2 Performance Outcomes and Acceptable Solutions

2.7.2.1 Village Development – Zone RU5

Performance Outcomes		Acceptable Solutions	
PV1	Residential building placement, scale and form on lots wholly or partially within RU5 zones is sympathetic to the surrounding neighbourhood character;	AV1.1	Residential building setbacks are at least 6 metres to the front boundary line and 3 metres to the side boundaries;
		AV1.2	Residential dwellings avoid fibrous cement (unless painted) and metal cladding of walls (unless as an architectural feature); <i>Note: Proprietary metal products intended to have a finish similar to other acceptable building materials are acceptable (ie: Monopanel © or the like)</i>
PV2	Dwelling sites are identified and are provided with safe connection to the public road network;	AV2	Access to the dwelling from the public road network complies with the provisions of this DCP relating to access to rural properties (pipe crossing with headwalls or similar) and RMS requirements (where relevant);

<p>PV3 Where no reticulated water or sewer is available, roof areas, tank capacities and lot areas are large enough to enable the effective capture, storage, treatment and disposal of water in quantities appropriate to the development, without any negative impact on adjoining properties.</p>	<p>AV3.1 Where there is no sewer available, the development is to comply with Council's Policy with respect to the On-Site Management of waste disposal. Properties with an area of less than 1ha are to provide a specific geotechnical investigation report demonstrating the feasibility of on-site management;</p> <p>AV3.2 Where no reticulated water supply is available, roof areas and tanks are provided according to the guidelines in <i>Appendix B</i> including a fire fighting reserve of 20,000 L fitted with a 65mm Stortz fitting, such reserve to be over and above BASIX requirements (or as otherwise specified by Planning for Bushfire Protection).</p> <p>AV3.3 Payment of any section 94A development contributions applicable to the development.</p> <p><i>Refer to Boorowa Council's Section 94A Development Contribution Plan</i></p>
<p>PV4 Commercial or industrial developments respect neighbourhood character and provide adequate facilities appropriate to the proposed use;</p>	<p>AV4.1 Commercial or industrial uses are constructed with pre-painted metal with unpainted metal type finishes avoided.</p> <p><i>Note: This is a minimum requirement and other finishes are considered acceptable;</i></p> <p>AV4.2 All-weather parking areas (not necessarily sealed) are provided for commercial and industrial uses;</p>

Section 2.8. ***Biosolids Disposal***

2.9 INTRODUCTION

Biosolids are an organic solid by-product from treating sewage. Solids produced during the various stages of sewage treatment plants, often called waste-water solids or sewage sludge, are collected and further processed. Once they are suitable for use they are called biosolids. Biosolids Questions and Answers are provided below.

Boorowa Council is not supportive of the application of any Biosolids within the defined drinking water catchment area for the Boorowa LGA's potable water supply.

The NSW Government's biosolids management policy is to encourage the beneficial use of biosolids where it is safe and practicable and where it provides the best environmental outcome. In cases where beneficial use is not possible, biosolids must be disposed of safely and lawfully.

The NSW Environmental guidelines: Use and disposal of biosolids products (BiosolidsGuidelinesNSW.pdf, 855 KB) will help planners, designers and operators of sewerage systems, and those involved with the processing and end-use of biosolids products, by establishing requirements for the beneficial use and disposal of biosolids products to land in NSW.

2.8.1 How are the guidelines enforced?

It is an offence to use biosolids without following the guidelines. Where failure to meet the guidelines forms a serious offence under the ***Protection of the Environment Operations Act 1997***, including negligently disposing of waste in a manner that harms or is likely to harm the environment, the maximum penalty is \$2 million.

OEH carries out field inspections of biosolids application sites and follows up complaints with inspections and investigations. OEH also meets with new biosolids operators to ensure they understand the requirements of the guidelines.

2.8.2 What roles do NSW Health and Sydney Water have in biosolids use?

Sydney Water is the largest producer of biosolids in NSW. Its biosolids land application program has been in place since 1989 and all of its biosolids are reused. NSW Health provides advice on how to ensure public health is protected when biosolids are used and was a member of the group that developed the guidelines.

2.8.3 Does anyone else, apart from Sydney Water, produce biosolids?

All sewage treatment plants produce sewage solids but not all process these into biosolids. Many sewage treatment plants in country towns produce relatively small amounts of sewage solids and it can be cheaper to dispose of these at the local landfill or sewage treatment plant (STP) than to process them into biosolids.

2.8.4 How do the guidelines ensure crops are produced safely?

The guidelines set out specific withholding periods for various types of agricultural activities for biosolids that have been processed to Grade B biosolids. For example, they specify that some crops - from potatoes to lettuce and turf - should not be grown for between 18 months and five years after biosolids have been applied to the soil. These withholding times allow natural pathogen die-off processes to occur before crops are grown. The most common crops grown using grade B biosolids are wheat, canola and maize. The long lead time from sowing to harvest of these crops provides a safety period in addition to the guideline's withholding time.

Chapter 3. SPECIFIC PROVISIONS – ALL ZONES

Section 3.1. *Car Parking and Vehicle Access*

3.1.1 Objectives

To provide a guide for the provision of parking, associated with development in the Boorowa LGA in order that:

- a) Traffic safety and management are maintained or improved;
- b) Parking areas are provided that are convenient, functional and sufficient for use;
- c) A balance is achieved between the needs of the proposed use and of vehicular and pedestrian traffic; and
- d) Parking areas, once established, are maintained in an adequate condition that continues to provide facilities that comply with those required when development consent was granted.
- e) To provide safe and accessible car parks.
- f) To provide sufficient car parks to serve the needs of particular developments.

3.1.2 Parking Requirements

The provisions of this chapter will be applied to new development. The provisions of this chapter will also be applied to the extension of an existing building or works as if it were an independent development.

Off-street car parking provision now provided to existing developments shall be retained. Additional parking spaces required for any new development or redevelopment shall comply with the provisions of this document.

In the case of a change in the use of an existing building, Council will apply the provisions of this DCP if it considers that the proposed new use will produce a substantially different parking requirement than those attributable to the existing use.

The total number of on-site parking spaces provided in association with new development shall be in accordance with the recommended ratios set out in this Chapter as appropriate, subject to any qualifications or exceptions which may be applicable in the circumstances of the case. In this regard parking proposals that provide less parking than required by this Chapter shall be supported by a parking study.

In the event of a conflict between this Chapter and an Australian Standard, the Australian Standard will prevail.

3.1.3 Performance Outcomes and Acceptable Solutions

3.1.3.1 Car Parking and Vehicle Access

Performance Outcomes	Acceptable Solutions
PPA1 New car parks are sufficient in number and design to provide appropriately for the needs of new developments;	APA1.1 Car parking is provided at the rate set out in Table 3.1; APA1.2 Car parking is provided on the site of the development;
PPA2 Parking areas are designed to operate in a safe manner for drivers and pedestrians.	APA2.1 Vehicles enter and leave the site in a forward direction; APA2.2 All parking spaces are suitably marked by lines or spaces indicated by other approved means.
PPA3 All parking bays must be readily accessible and an adequate area is provided for the turning and manoeuvring of vehicles;	APA3.1 Unless specified to a different standard elsewhere in this DCP, all car parking areas, driveways, turning areas and loading areas are paved in either a bitumen seal coat, asphaltic or bituminous concrete, cement concrete, concrete paving blocks, or brick paving blocks. <i>Note: The standard of paving required will be dependent upon the type of development proposed, with regard to traffic loadings including turning movements of heavy vehicles. For specific details refer to Council's Engineering Subdivision and Development Guidelines;</i> APA3.3 Free and uninterrupted access to car parking areas is maintained at all times.

Table 3:1 Car Park Provision - Acceptable Solutions

Land & building use		Rate of Provision
Accommodation	Backpackers' accommodation, Boarding houses, Hostels, Hotels (unlicensed) and similar uses	1 space per 3 guest rooms, plus 1 space for a manager, plus 1 space per 3 employees or part thereof.
	Tourist and visitor accommodation (other than backpackers' accommodation)	1 space per guest room or unit, plus 1 space per 2 staff employed, plus 1 space per 7.5 square metres of bar and lounge areas
Commercial, business and industrial	Warehouse or distribution centre	1 space per 100 square metres of gross leasable floor area
	Office premises	1 space per 50 square metres of gross leasable floor area
	Business premises	1 space per 35 square metres of gross leasable floor area.
	Industries	1 space per 2 staff employed, or 1 space per 100 square metres of gross leasable floor area (whichever is the greater)
Education Establishments	Notes for all educational establishments	Note: Council will require the provision of on-site set-down and pick-up areas for buses and cars taking students to or from the school or colleges. Specific requirements depending on the educational use must also be met. Consultation with Council is strongly suggested as part of the site design process.
	Pre-school, infants and Primary schools	1 space per staff employed, plus 2 service spaces
	Secondary schools	1 space per staff employed, plus 2 service spaces, plus 1 space per 10 senior students (Years 11 and 12)
	Tertiary schools and Colleges	1 space per staff employed, plus 2 service spaces, plus 1 space per 5 students, plus 1 space per live-in student where residential accommodation is provided
Health services facility		1 space per 3 beds and/or 3 spaces per health care professional attending to outpatients, plus 1 space for each resident or staff doctor, plus 1 space for each three employees
Hospitality, entertainment and recreation	Food and drink premises	1 space per 10 square metres of service area
	Registered clubs	1 space per 2 staff employed, plus 1 space per 7.5 square metres of bar and lounge areas
	Bowling clubs	30 spaces per green or rink
	Function Centre	1 space per 3 guests (from BCA calculated occupancy)

	Entertainment facility	1 space per 5 seats
	Squash courts, tennis courts and bowling alleys	3 spaces per court or alley
	Sports stadiums	1 space per 10 seats (or BCA calculated occupancy, whichever is the higher).
Places of public worship, funeral homes		1 space per 10 seats, or, if no seats, 1 space per 10 square metres of gross leasable floor area
Residential	Dual Occupancy	One or two bedroom unit: 1 on-site car parking space per unit; Three bedroom unit: 2 on-site car parking spaces per unit (at least one space to be covered);
	Single Dwelling house	2 spaces (stack parking permitted for one space) per dwelling.
	Multi dwelling housing (i.e. three or more dwellings – whether attached or detached – on one lot of land) and Residential flat buildings	One bedroom dwelling: 1 space (undercover) per dwelling; Dwellings containing two or more bedrooms: One (1) undercover space per dwelling; one additional space per dwelling (may be covered or uncovered); Visitor parking: One (1) space per three (3) dwellings or part thereof (may be uncovered).
	Senior's housing (other than a hostel)	1 space per 5 units plus 1 space for resident manager or as per requirements under SEPP (Housing for People with a Disability), whichever is the lesser
Retail and services	Shops, (including supermarkets less than 900 square metres gross leasable floor area)	1 space per 35 square metres of gross leasable floor area
	Supermarkets (900 square metres gross leasable floor area or greater)	1 space per 20 square metres of gross leasable floor area
	Service stations	1 space per 6 bowzers with additional spaces to be provided for other on-site uses in accordance with this Table.
	Vehicle body repair workshops and Vehicle repair stations	4 spaces per service bay
	Vehicle sales or hire premises	1 space per 100 square metres of gross leasable floor area of the building plus 1 space per 320 square metres of open display area – Note: this assumes one space is required per 16 cars displayed. One car display – equals 20 square metres

Note: This DCP defines parking standards for frequently encountered uses. The Council will define a requirement for uses not referred to in the DCP according to the merits of the specific case. The RMS Guide to Traffic Generating Development may be utilised in this instance, noting that this document requires updating and may not be relevant in all instances.

Explanatory Notes

1. In this Chapter Gross Leasable Floor Area means the overall usable area of the building excluding amenities, stairways, lift wells and plant rooms.
2. Unless otherwise stated ancillary or incidental uses will be assessed as part of the main user of the building i.e. the office of a supermarket will be included in the area of the supermarket and will not be treated as a separate office use.
3. A use comprising a combination of two or more uses such as combined vehicle sales and vehicle repair stations will be assessed as if the two uses existed independently and the required on-site parking provisions will be the aggregation of the independently derived requirements.
4. For the purpose of Table 3.1, "bedroom" is taken to be any room which would be available for use as a bedroom without structural alteration to the dwelling.
5. The parking provision for restaurants and function rooms may be reduced where it is demonstrated that the time of peak demand for parking associated with each facility does not coincide with peak usage of existing available parking or where common usage reduces total demand. Each case will be considered on its individual merits.
6. If the calculation of required car spaces results in a non-integer value such as 3.6, then this should be rounded up or down according to the following rule:
 - a) Partial values less than 0.5 can be rounded down (e.g. 4.4 can be rounded down to 4).
 - b) Partial values of 0.5 or more should be rounded up (e.g. 4.5 and 4.7 would both be rounded up to 5).

3.1.3.2 Design Suggestions and Variations

A design that complies with the relevant Australian Standard and/or any relevant State Environmental Planning Policies will be considered acceptable.

Council normally expects the provision of car parking to be on the site of the development. If parking is not able to be provided, contributions for the provision of parking would be considered in accordance with any parking contribution plan applying to the area.

Section 3.2. Development requiring tree removal or lopping

Applies to all zones except RU1 and RU3. *This section should be read in conjunction with Clause 5.9 of the Boorowa Local Environmental Plan 2012.*

3.2.1 Objectives

- a) To provide a regulatory framework for the preservation of trees in order to maintain the visual integrity of Boorowa Township and the village areas of Boorowa, and
- b) To ensure that all development is carried out with sensitivity to trees in the vicinity.

Note: For the purposes of this DCP a designated tree is defined as a tree:

- a) 5m or more in height at any point above the ground; or*
- b) With a trunk diameter of 200mm or more when measured 1.5m above the ground level; or*
- c) With more than one trunk, where one or more of the trunks has a diameter exceeding 100mm at a height of one metre above the ground level.*

A designated tree does not include any noxious weed species as declared for the Boorowa LGA or a tree of the following species:

<i>Alianthusaltissima</i>	<i>Tree of Heaven</i>
<i>Nerium Oleander</i>	<i>Oleander</i>
<i>Rhussuccadanea</i>	<i>Rhus tree</i>
<i>Ficuselastica</i>	<i>Rubber tree</i>
<i>Ficusbenjamina</i>	<i>Weeping Fig</i>
<i>Ligstrum Spp.</i>	<i>Small and large leafed Privet</i>
<i>Scheffleraactinophylla</i>	<i>Queensland Umbrella tree</i>
<i>Cocos romanzoffianum</i>	<i>Queen Palm</i>
<i>Populus Spp.</i>	<i>Poplar tree</i>
<i>Erythrina Spp.</i>	<i>Coral tree</i>
<i>Cotoneaster</i>	<i>Cotoneaster</i>

3.2.2 Performance Outcomes and Acceptable Solutions

3.2.2.1 Development requiring tree removal or lopping

Performance Outcomes	Acceptable Solutions
PT1 Trees are protected, unless they are an environmental weed species;	<p>AT1.1 Development is designed to avoid impact on designated trees unless this would reduce the development yield of the property;</p> <p>AT1.2 Designated trees are retained where not directly impacted by a development or where they are not within 3 metres (measured from the trunk) of a building</p>

		approved as part of a development or where they would create a safety risk for traffic unless a qualified arborist has assessed the tree and found that by reason of its health or otherwise that it is not worthy of retention;
PT2	If a tree is removed, in order to construct an approved development or provide a utility service, an environmental offset is provided; and	AT2 Where a designated tree is removed, it is replaced by at least two trees, of a species endemic to the Boorowa area, which would develop to a similar size at maturity. <i>Note: where replacement on-site is not feasible, Council may nominate a public area in the vicinity, including a road reserve, where the trees may be planted, and may levy a contribution from the developer to cover the cost of planting and maintaining the tree to establishment.</i>
PT3	Management of existing trees minimises the threat to the long term survival of the tree.	AT3.1 Work is not conducted within the drip line of a retained tree (such as digging, trenching, compacting, filling (by more than 150mm) or paving) unless a qualified arborist has assessed the tree and provided guidelines as to how the work can be carried out with minimal risk to the long term survival of the tree; AT3.2 Pruning or protection works are carried out in accordance with Australian Standard 4373;

3.2.2.2 Design Suggestions and Variations

Tree species endemic to the Boorowa area should be used in any environmental offsets.

Section 3.3. Restricted Premises and Sex Services Premises

Applies in the IN1 General Industrial Zone.

3.3.1 Objectives

The objectives of this section of the DCP are:

- a) To ensure restricted premises and sex service premises are appropriately located to minimise offence to the community and mitigate any adverse social impacts;
- b) To ensure that access to these premises is safe for patrons and staff;
- c) To ensure that these premises are designed to minimise the impact and presence of the development in the locality;
- d) To ensure that these premises operate at times where they will have least impact on the community and surrounding neighbourhood; and

Note: that Council may give consideration to a time-limited consent, in the circumstances of the case, in particular where Council is of the opinion that a limited period of operation is necessary to fully assess whether a sex service premises or restricted premises could operate in a satisfactory manner. Within this period the applicant shall be entitled to seek an amendment under section 96 of the Environmental Planning and Assessment Act 1979 to allow an extension to the operation of the brothel. Council may then decide to either allow the sex services premises or restricted premises to operate for a further period or decline to amend the period of operation, in which case the sex services premises or restricted premises shall cease operation on the expiration of the consent.

3.3.2 Additional Information

The following additional information must accompany any development application for a sex service premises or restricted premises:

3.3.3 Plan Information

- a) A fully dimensioned Location Plan, drawn to scale, showing proximity and location to nearby churches, schools, community facilities, hospitals, bus stops, parks and recreation facilities used by children, such as amusement arcades, sporting fields etc and distance from any residential zone or from properties used or partly used or capable of being lawfully used for residential purposes (other than ancillary dwellings); and
 - Type of land uses carried out on adjacent and nearby properties; and
 - The location of any other sex services premises or restricted premises in the vicinity;
- b) A Floor Plan and Elevation Plans of the building drawn to scale which indicates the proposed use of each room and shows compliance with the Building Code of Australia and the *Disability Discrimination Act 1992*; and
- c) Entrances to and exits from the site; and
- d) The exterior colour scheme of the proposed development; and
- e) Details of the existing and proposed external lighting.

3.3.4 Performance Outcomes and Acceptable Solutions

3.3.4.1 Restricted Premises and Sex Services Premises

Performance Outcomes	Acceptable Solutions
PRP1 Sex service premises or restricted premises are not located in such concentration (either alone or in combination with other sex-related businesses) as to result in the creation of a "red light" district;	ARP1.1 Sex service premises or restricted premises are not located within 100 metres of any other sex service premises or restricted premises; ARP1.2 Sex service premises or restricted premises are not located in or adjoining licensed premises, motels, boarding or guest houses;
PRP2 Access to or from a sex service premises or restricted premises is not near or within view from a church, hospital, bus stop, school or any place frequented by children for recreational or cultural activities;	ARP2.1 Sex service premises or restricted premises are not located within a 150 metre access (pedestrian shed) of existing dwellings and hospitals; ARP2.2 Sex service premises or restricted premises are not located within a 200 metre access (pedestrian shed) from churches, schools, recreation areas and childcare centres; ARP2.3 Sex service premises or restricted premises do not adjoin a residential flat, a residential flat building, an activity operated by a religious institution, a restaurant, a supermarket, a video shop, or amusement parlours and/or arcades;
PRP3 Patrons of sex service premises or restricted premises do not loiter outside the premises;	
PRP4 Access to the premises is clearly illuminated in order to discourage loitering and to ensure the safety of patrons and staff;	ARP4 The site/building provides outdoor lighting;

PRP5	Sex service premises or restricted premises are designed to be compatible with the built form of adjacent premises;	
PRP6	Disabled persons are able to comfortably access the development.	ARP6 The site provides access for disabled persons is provided to the development in accordance with the <i>Disability Discrimination Act 1992</i> and the Building Code of Australia.

Additionally, a sex service premises;

- (i) is not in a "shop front" premises;
- (ii) does not contain more than 4 separate rooms for the purposes of sex services;
- (iii) is provided with a waiting room of at least 20 square metres in size;
- (iv) The sex service premises is fitted with the necessary facilities and services for Class 6 buildings under the Building Code of Australia;
- (v) has all windows are covered with blinds or curtains at all times;
- (vi) complies with the Department of Local Government guidelines for sex services premises.

Note: these guidelines should be considered in the preparation of any development application. Council would condition any consent to be fully compliant with these guidelines.

Section 3.4. Development at Carinya Estate

3.4.1 Introduction

This Section of the Boorowa Development Control Plan (DCP) has been prepared to provide direction and control for the development of land known as Carinya Estate.

This Section of the DCP must be read in conjunction with other relevant Sections of the DCP.

3.4.1.1 Land to which this Section of the DCP applies

This Section of the Plan applies to land known as Carinya Estate being lots 1 to 31 DP 285029 off Caringa Rd, Godfreys Creek 2586.

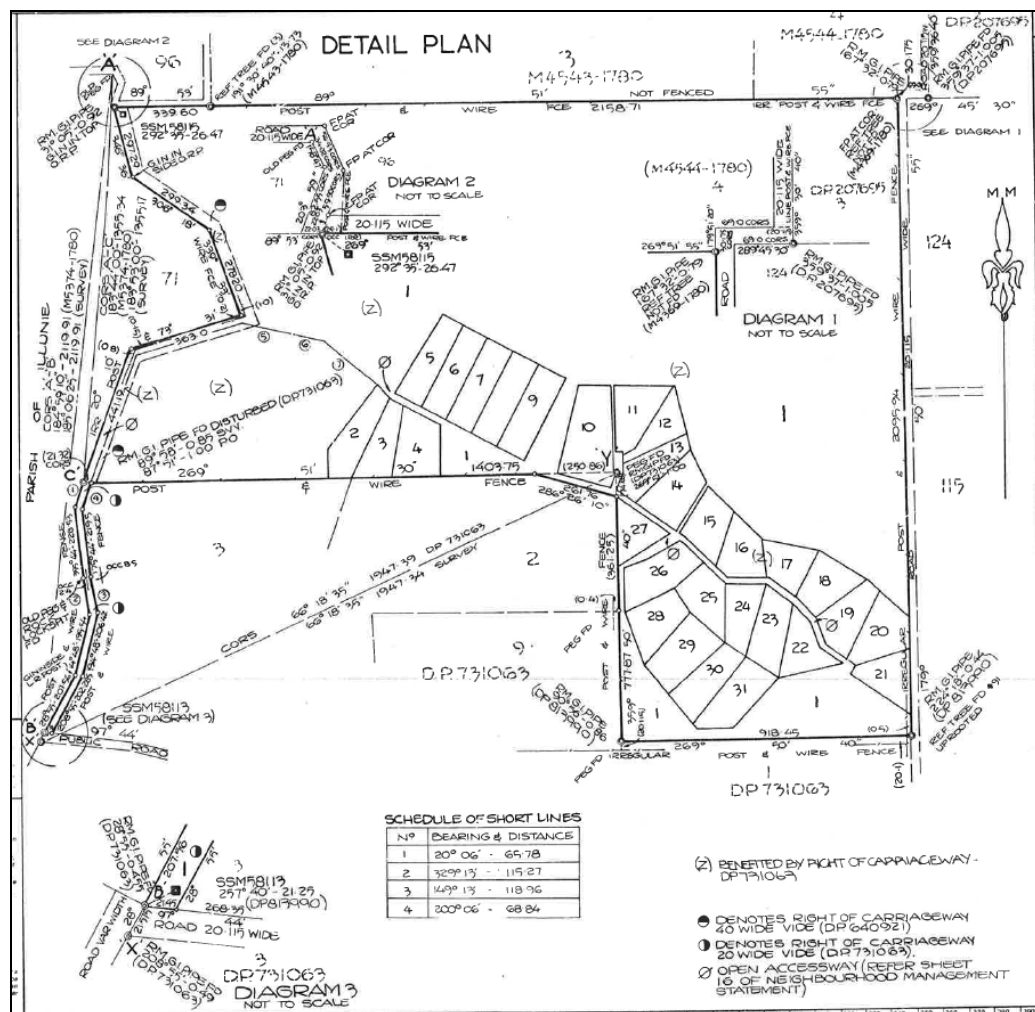
Aerial photo



Aerial Photograph of Carinya Estate
(circa 2010 courtesy NSW Lands Dept SIX Mapping)

Carinya Estate - Subdivision Layout

Extract from Deposited Plan 285029



3.4.2 Objectives of this Section of the DCP

The objectives of this Section of the DCP are:

- To ensure development appropriately considers and responds to the bushfire risk of the subject lands;
- To ensure development appropriately considers and responds to the particular environmental features of the subject land;
- To ensure development appropriately considers and responds to prior indigenous occupation and use of the lands;
- To minimise land clearing and removal of vegetation across the subdivision and estate;

3.4.3 Relationship with other plans and policies

Development of the subject land shall comply with the requirements of the following legislation, policy and guidelines and requirements therein:

- Boorowa Local Environmental Plan 2012
- Boorowa Development Control Plan 2012

The following legislation also applies;

- NSW Environmental Planning and Assessment Act, 1979;
- NSW Rural Fires Act, 1997;
- NSW Planning for Bushfire Protection issued by the NSW Rural Fire Service, 2006;

This Section shall be read in conjunction with the relevant provisions of Boorowa Local Environmental Plan (LEP) 2012 including clause 1.9A Suspension of covenants easements and agreements and Clause 6.5 Development at Carinya Estate.

In addition to the policies, guidelines and documents specified in Chapter 1 General Provisions, other relevant Sections of the DCP include:

- Section 2.1 Rural Dwellings;
- Section 3.1 Car Parking and Vehicle Access;
- Section 3.2 Development requiring tree removal or lopping;

Where any provision of this Section of the DCP is inconsistent with any provision of any other Section of the DCP, the provisions of this Section shall prevail to the extent of that inconsistency.

3.4.4 Context/Background

The Carinya Estate subdivision was originally approved under community title legislation. Road access within the subdivision is via a private road (not Council owned or maintained) that was privately constructed and is at law, to be maintained at the cost of the owners (not Council). The site generally has dense bushland with a known and mapped bushfire prone potential. Threatened species of flora and fauna are understood to be in the area.

The Carinya Estate has been identified as having:

- A large expanse of undisturbed natural vegetation
- Potential threatened flora and fauna species (including but not limited to: Box spp. eucalypts, Blakely's Red Gum, Yass Daisy etc);
- Bushfire prone land of varying risk classifications, as identified on statutory mapping supplied by the NSW Rural Fire Service,
- Known aboriginal cultural heritage that include identified artefacts that will need to be preserved
- An isolated location with limited access options to the nearest public road;

All land clearing and development on the estate requires development consent and due environmental assessment prior to it occurring.

3.4.5 Submitting a Development Application

In addition to the minimum required details outlined in Chapter 1 of this DCP, it will be necessary for the following information and reports to be obtained and lodged when proposing development on any land to which this section of the DCP applies.

3.4.5.1 Vegetation, Clearing and Site Attributes Plan –

The site plan for the allotment and proposed construction or use, shall be to scale and shall clearly elaborate the following key site attributes:

- (a) existing site features such as rock outcrops, stands of vegetation, or the like;
- (b) the extent of existing vegetation, any proposed clearing and the location of any existing or proposed driveways;
- (c) the extent of existing and proposed cut and fill;
- (d) the slope, aspect and contours of the land;
- (e) the location of existing and proposed infrastructure including power;
- (e) any existing and/or proposed effluent disposal areas;
- (f) the location of all proposed development and structures;

3.4.5.2 Bushfire Risk Assessment Report

Any development must be accompanied by a report prepared by a suitably qualified and practicing professional (who is recognised by the NSW Rural Fire Services as a qualified consultant in Bushfire Risk Assessment), stating that the development conforms to the relevant specifications and requirements of the “Planning for Bushfire Protection, 2006” Policy as administered by the NSW Rural Fire Service.

3.4.5.3 Flora and Fauna Assessment Report

A report from a suitably qualified and practicing flora and fauna specialist shall be lodged that identifies the impacts of the development, and details all mitigating measures that shall be put in place to avoid, minimize or manage that impact. This shall also detail all mitigating measures that shall remain in place for the ongoing use of the land. The report shall address in particular:

- (a) site disturbance and cut and fill;
- (b) site clearing for all development including buildings, backyards, effluent disposal areas and driveways.
- (c) impacts of, and mitigations measures arising from any initial clearing as well as from actions that are likely to occur from reasonable ongoing maintenance of bush fire asset protection zones for fire safety.
- (d) impacts of, and mitigation measures for the required for the effluent management system and disposal drainage field on site

3.4.5.4 On Site Sewage Management Site Assessment

A report from a suitably qualified and practicing soil scientist shall be supplied which analyses the soil profile, site attributes, development proposed and effluent disposal method proposed. The report shall detail the disposal design and location of the drainage field along with an alternate area for ultimate use when the first drainage field is saturated.

3.4.5.5 Landscape Plan – Non Invasive spp.

The development application shall include a detailed and clearly annotated landscape plan for the development that clearly shows the name, number and type of plant species proposed to be planted. No invasive, non native and non endemic species shall be used on the sites so as to limit the chance of loss or conflict with the surrounding natural vegetation.

3.4.5.6 Impact Assessment on Known Indigenous Artifacts/Features.

The development application shall include a statement of impact of the proposed development on known or otherwise identified matters of aboriginal cultural significance. As a minimum, the statement to be prepared shall address the report held by Boorowa Council entitled "An Archaeological Survey of the Proposed 'Caringa' Subdivision, North of Boorowa, New South Wales" prepared by Cliff Samson of National Heritage Studies, 1989.

3.4.6 Specific Controls

In addition to any actions arising from the three primary specialists reports required above, the following minimum development controls will apply to all of the subject land when development is being assessed;

1. (a) To the greatest extent possible, all development shall occur in already cleared areas of allotments. Development for the purposes of this clause shall include all buildings, water tanks, ancillary structures and effluent disposal areas to and from the proposed development and shall specifically include any required bushfire asset protection zone.
2. (b) Existing accesses from the common road shall be used. New access points and tracks will only be allowed where no current clearing or access exists.
3. (c) Infrastructure connections shall be provided to the development only in current cleared areas or access ways from the common road to the Estate.
- (d) No exotic, invasive or non endemic plants or grasses are to be used in conjunction with any proposed development or occupation of the site.
- (e) The development application shall detail a primary and a secondary effluent disposal drainage field as nominated by the Soil Scientists report. These areas shall be within any nominated bushfire asset protection zones and be clear from shading from retained vegetation.

3.4.7 Referral & Assessment

Council will refer the Development Applications to the NSW Office of Environment and Heritage and the NSW Rural Fire Service for relevant advice and conditions of approval where required.

Chapter 4. SUBDIVISION DEVELOPMENT

Section 4.1. Subdivision in the Rural Zones RU1 and RU4.

4.1.1 Objectives

- a) To ensure that access arrangements are appropriate for the type of rural subdivision;

4.1.2 Functional Statement

- a) Lots are provided with appropriate services;
- b) Constraint-free building envelopes are available;
- c) The use of rights-of-carriageway is minimised.

4.1.3 Performance Outcomes and Acceptable Solutions

4.1.3.1 Subdivision in the RU1 and RU4 zone

Performance Outcomes	Acceptable Solutions
PSD1.1 All created allotments have legal and practical access including alternative emergency access as may be required by the development;	ASD1.1 Each allotment created has legal access to a public road or Crown Road (duly formed or upgraded for the purpose and transferred to Council) either through direct frontage, a right-of-way arrangement, or by consolidation with an existing allotment that has such access;
PSD1.2 Adequate physical access and servicing is available to a new allotment, being an allotment created for agricultural purposes or of sufficient size so as to have the right to apply for a dwelling;	ASD1.2.1 For lots created for agricultural purposes: <ul style="list-style-type: none">a) A restriction as to user shall be provided on the title to any allotment created for agricultural purposes (that does not have constructed physical access provided or already available at the time of creation) to require the construction of such access at such time as the allotment is no longer in the same ownership as a directly abutting allotment; andb) Any such access is constructed prior to transfer of title, and consists of a recessed gate (sufficient that an articulated vehicle can stand clear of the road carriageway) OR a cattle grid TOGETHER WITH a piped crossing over the table drain;

	<p>ASD1.2.2 For lots created with the right to apply for a dwelling:</p> <ul style="list-style-type: none"> a) Access is provided to a non-classified road where possible; b) Where access to a classified road is necessary, this is provided in accordance with RMS standards for access to a rural dwelling; c) Street numbering is provided in accordance with Council's rural addressing scheme; d) Electricity services are provided; e) Where land has been identified as being used by a potentially contaminate land use, a report from a suitably qualified consultant is submitted to Council demonstrating that the land is suitable for the intended use; f) Separation distances are consistent with Table 2.1 of the DCP. <p>ASD1.2.3 Standard of construction for roads built and roads fronted or other road network facilities are provided as part of the development application, such standards shall match the existing adjoining road construction (bitumen road off existing bitumen road and gravel road off existing gravel road) to incorporate:</p> <ul style="list-style-type: none"> • Minimum formed road width 8m; • Minimum sealed carriageway width 7m; <p>ASD1.2.4 Subdivisions exceeding 25 lots shall: have their main subdivision service road connect to the existing road network in at least two (2) locations.</p> <p>ASD1.2.5 For a subdivision exceeding 25 lots with residual land or adjacent land potential, a masterplan for the future subdivision of the land shall be included with the development application.</p>
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<p>PSD1.3 The development provides a means of funding local infrastructure & services that are required as a result of the subdivision</p>	<p>PSD1.3 Payment of any section 94 contributions.</p> <p><i>Refer to Boorowa Council's Section 94 Plan that may apply to the development.</i></p>
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4.1.3.2 "Right-of-Carriageway" Requirements

Good design practice minimises the use of "right-of-carriageway". Should a right of carriageway be employed, the following provisions apply.

Any right of carriageway would service, at most, 2 allotments. It would be conditioned so as to require that access is maintained to a good trafficable standard suitable for two-wheel drive vehicles, and a notation is placed on the title of every benefitting lot such that maintenance of the right-of-carriageway is required, to the standard specified, with the cost being borne proportionally by each owner based on the distance of the access point of their allotment to the public road.

Note: Rights-of-carriageway are strips of land over which one or more parcels of land enjoy certain right of access. Right-of-Carriageways are private agreements between individual owners of the parcels of land involved and Council does not have any responsibilities nor rights with regards to them. Council will require the approval of all owners of land over which a Right-of-Carriageway is proposed prior to a Development Application for subdivision being lodged. Construction and maintenance of a Right-of-Carriageway and associated access to the public road carriageway is not the responsibility of Council but is the full responsibility of the relevant landholders.

Section 4.2. Subdivision in the R1 and the RU5 zones

4.2.1 Objectives

- a) To ensure that land is developed in a manner that is appropriate to the existing or preferred character of the area;
- b) To ensure that land is developed in a way that will minimise impacts on the natural environment and will allow for the efficient and equitable distribution of public amenities and services.

4.2.2 Functional Statement

- a) Minimise the length of roadway and public services required to service the subdivision, while complying with the other performance outcomes of this section;
- b) Ensure that a diverse range of lot sizes are available including allotments with potential for dual occupancy or multi-unit housing;
- c) To ensure that lots are of a sufficient size and shape for the proposed and expected use.
- d) Adequate safe area for building and access where the site is subject to constraints such as flooding, subsidence, slip, bush fire or any other risk.
- e) Layouts which conserve any significant site features in environmentally sensitive areas
- f) Layouts which contribute to the scenic quality, landscape and character of the locality
- g) Required building setbacks from front, side and rear boundaries;
- h) To ensure allotments are serviced with public utilities in accordance with the requirements of the various authorities;
- i) To ensure that layouts consider Crime Prevention through Environmental Design (CPTED) principles;

4.2.3 Performance Outcomes and Acceptable Solutions

4.2.3.1 Subdivision in the R1and the RU5 Village Zones

Performance Outcomes		Acceptable Solutions	
1: Subdivision Layout			
PSD1.1	All intersections shall be designed for safe traffic management;	ASD1.1	Avoid four-way intersections, and provide a minimum spacing between intersections of 40m (may be 20m for minor access roads and cul de sacs);
PSD1.2	Minimise the use of cul-de-sacs, and where these are provided provide adequate minimum frontages to facilitate reasonable access and dwelling construction;	ASD1.2	Avoid cul-de-sacs if possible;

<p>PSD1.3 Provide road widths that are consistent with the character of the Boorowa Township or the village concerned, within a logical hierarchy of roads;</p>	<p>ASD1.3.1 Provide minimum road carriageway widths as follows:</p> <ul style="list-style-type: none"> • Cul-de-sac or minor access road (up to 15 dwellings) – 9m • Local Street (15-100 dwellings) – 11m • Collector (above 100-300 dwellings) – 12m; <p>ASD1.3.2 Provide verges to each side of road carriageways as follows:</p> <ul style="list-style-type: none"> • Cul-de-sac or minor access road (up to 15 dwellings) – 4.5m • Local Street (15-100 dwellings) – 4.5m; • Collector (above 100-300 dwellings) – 4.5m; <p>ASD1.3.4 Road Construction:</p> <ul style="list-style-type: none"> • All roads created as a part of the subdivision are sealed and provided with kerb and guttering, and are designed and constructed in accordance with Council's Engineering Guidelines for Subdivision and Development. • All existing street shoulders adjacent to the subdivision are sealed and provided with kerb and guttering • All roads created as a part of the subdivision are dedicated to Council to become public roads. • Any street and advisory signs that are required are manufactured, located and erected.
<p>PSD1.4 Minimise the use of battle-axe allotments;</p>	<p>ASD1.4 Have no more than 5% battle-axe allotments</p>
<p>PSD1.5 Respond to natural features of the site, including grades, watercourses, aspect and soil types;</p>	<p>ASD1.6.1 Maintain natural watercourses and incorporate within open space areas;</p>

PSD1.6	Provide, where necessary, public open space of usable size, grades and shape, conveniently located to serve the residents of the subdivision OR alternatively contribute to the upgrading of public open space in the vicinity and/or access to that space in accordance with any contributions plan that may be in force;	ASD1.6.2	Provide 10% of land as public open space for subdivisions of 30 allotments or more, or, alternatively contribute an equivalent amount (costed at residential land value) for open space purchase and/or embellishment and/or access to open space in the vicinity;
PSD1.7	Locate building envelopes so that there is an equitable distribution of views;	ASD1.7.1	Arrange layout so as to maximise access to existing views for both existing and proposed allotments;
PSD1.8	To provide for lifestyle allotments that are capable, should future demand require, of being efficiently re-subdivided into standard residential allotments;	ASD1.8.1	Provides for future road connectivity to adjoining development sites;
		ASD1.8.2	Provides a connection point or potential future connection point to all public roads adjoining the development site;
2: Servicing			
PSD2.1	Vehicular access is provided to and from the site	ASD2.1.1	A layback is provided to each allotment created, consistent with Section 3.1 of this DCP.
		ASD2.1.2	Where battle-axe allotments are provided, no more than two such allotments may be serviced by a shared driveway;
PSD2.2	The development shall be serviced appropriately and connected to Council's reticulated water and sewer systems as well as adequate connection to backbone power and gas.	ASD2.2.1	Power is provided in the form of underground services, in accordance with Essential Energy requirements;
		ASD2.2.2	Street lighting is provided in accordance with the requirements of Essential Energy;

	<p>ASD2.2.3 All allotments created are provided with a sewer connection, the connection to which is designed and constructed in accordance with Council's standards.</p> <p>ASD2.2.4 All allotments created are provided with a connection point to Council's water mains, the connection to which is designed to Council's standards.</p> <p>ASD2.2.5 All lots created are drained directly to the street drainage system or to receiving waters OR are drained to the street system or receiving waters via an inter-allotment drainage system constructed in accordance with Council's standards.</p> <p><i>Note: inter-allotment drainage would be required for all allotments with a cross-fall where any portion of the allotment drains through an adjoining allotment, or where the allotment drains away from the street;</i></p> <p>ASD2.2.6 Written confirmation is provided by the natural gas company stating that facilities are available to each allotment or that otherwise suitable arrangements have been made.</p> <p>ASD2.2.7 Easements are provided wherever necessary to permit unrestricted access for sewerage, water and drainage purposes.</p> <p>ASD2.2.8 Payment of any head-works contributions for water and/or sewer.</p> <p><i>Refer to Boorowa Council's Development Servicing Plans that may apply to the development.</i></p> <p>ASD2.2.9 Payment of any section 94 development contributions applicable to the development.</p>
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	<p><i>Refer to Boorowa Council's Section 94 Development Contributions Plan</i></p> <p>ASD2.2.10 Information Technology Services (Data/Broadband or the like) shall be provided to each allotment where available.</p>
<p>ASD2.3 The development shall have adequate pedestrian facilities to encourage a walkable environment.</p>	<p>ASD2.3 All frontages of the site shall be provided with footpath.</p>

4.2.3.2 Design Suggestions and Variations

If cul-de-sacs are included within the development, these need to be as short as practicable and needed to provide turning facilities to cater for a 12.5 m truck. These turning facilities can include a "bulb" cul-de-sac head, of the size so as to permit the design vehicle to turn without backing while still leaving kerbside space for parked cars or may also include a "Y" or "T" head facility designed to cater for the design vehicle.

Note: Care and attention to property access is required if "Y" or "T" facilities are to be used.

Section 4.3. Subdivision in the R2 & R5 zones

4.3.1 Objectives

- a) To ensure that large lot residential allotments function effectively for residential lifestyle purposes, and are developed in a way that provides for future re-subdivision;

4.3.2 Performance Outcomes and Acceptable Solutions

4.3.2.1 Subdivision in the R2 & R5 zones

Performance Outcomes	Acceptable Solutions
1: Subdivision Layout	
PSD1.1 To ensure that roads are constructed to a standard that is durable and suitable for the proposed development, and which are capable of being upgraded to serve standard residential allotments.	ASD1.1 Provides road reserves of at least 19m in width, and road carriageways of at least 8m in width;
PSD1.2 Vehicular access is provided to and from the site	ASD1.2.1 A layback is provided to each allotment created, consistent with Section 3.1 of this DCP. ASD1.2.2 Where battle-axe allotments are provided, no more than two such allotments may be serviced by a shared driveway;
PSD1.3 To provide for lifestyle lots that are capable, should future demand require, of being efficiently re-subdivided into standard residential allotments;	ASD1.3.1 Allotments have a minimum frontage and width of 90 m; ASD1.3.2 Lot configuration provides for future road connectivity to adjoining development sites; ASD1.3.3 The subdivision provides a connection point or potential future connection point to all public roads adjoining the development site; ASD1.2.4 A Master Plan overlay is provided demonstrating re-subdivision is feasible in accordance with the requirements for the R1 zone, and which

	<ul style="list-style-type: none"> • identifies (and protects by a restriction as to user) a potential future road corridor that would permit the re-subdivision of the allotment at a future time for standard residential purposes; • identifies building envelopes that would permit the re-subdivision of the allotment at a future time for standard residential purposes, including a nominated building envelope for the initial dwelling;
2: Servicing	
PSD2.1 To ensure that roads are constructed to a standard that is durable and suitable for the proposed development, and which are capable of being upgraded to serve standard residential allotments.	ASD2.1 Road Construction: <ul style="list-style-type: none"> • All roads created as a part of the subdivision are sealed and are designed and constructed in accordance with Council's Guidelines. • Carriageway edges are stabilised using a concrete boundary strip, dish drain; • Drainage swales to roadways (where required) are provided with a low flow pipe to Council's specifications and are graded so as to permit mowing with a gang mower, or similar; • All roads created as a part of the subdivision are dedicated to Council to become public roads. • Any street and advisory signs that are required are manufactured, located and erected.
PSD2.2 The development shall be serviced appropriately and connected to Council's reticulated water and sewer systems as well as adequate connection to backbone power and gas.	PSD2.2.1 Power is provided in the form of underground services, in accordance with Essential Energy requirements; PSD2.2.2 Street lighting is provided in accordance with the requirements of Essential Energy;

	<p>PSD2.2.3 All allotments created in the R2 zone are provided with a sewer connection, the connection to which is designed and constructed in accordance with Council's standards</p> <p>PSD2.2.3 All allotments created in the R2 zone are provided with a connection point to Council's water mains, the connection to which is designed and constructed in accordance with Council's guidelines.</p> <p>PSD2.2.4 All lots created are drained directly to the street drainage system or to receiving waters OR are drained to the street system or receiving waters via an inter-allotment drainage system constructed in accordance with Council's standards. <i>Note: inter-allotment drainage would be required for all allotments with a cross-fall where any portion of the allotment drains through an adjoining allotment, or where the allotment drains away from the street,</i></p> <p>PSD2.2.5 Written confirmation is provided by the natural gas and telecommunications company stating that facilities are available to each allotment or that otherwise suitable arrangements have been made.</p> <p>PSD2.2.6 Easements are provided wherever necessary to permit unrestricted access for sewerage, water and drainage purposes. Note: easement widths provide at least 1m clear access either side of the facility protected by the easement.</p> <p>PSD2.2.7 Payment of any head-works contributions for water and/or sewer for lots in the R2 zone connecting to water and/or sewer.</p> <p><i>Refer to Boorowa Council's Development Servicing Plans that may apply to the development.</i></p>
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	<p>PSD2.2.8 Payment of any section 94 development contributions applicable to the development.</p> <p><i>Refer to Boorowa Council's Section 94 Development Contributions Plan</i></p>
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4.3.2.2 Design Suggestions and Variations

Alternative approaches will be considered on merit.

Section 4.4. Industrial Subdivision

4.4.1 Objectives

- a) To ensure that industrial allotments function effectively for industrial purposes.

4.4.2 Performance Outcomes and Acceptable Solutions

4.4.2.1 Industrial Subdivision

Performance Outcomes	Acceptable Solutions
<p>PSD1.1 To achieve width/depth ratios for new industrial allotments that respond to typical industrial building forms and which ensure heavy vehicles can adequately manoeuvre on site;</p>	<p>ASD1.1.1 Industrial allotments:</p> <ul style="list-style-type: none">• Have a minimum frontage and square width of 24m, and a minimum area of 2000m².• Are of regular size and shape with a depth to width ratio not exceeding 3:1.• Are serviced by underground electricity, water, sewer and gas and telecommunications in accordance with the relevant authorities' requirements. <p>ASD1.1.2 All lots created are drained directly to the street drainage system or to receiving waters OR are drained to the street system or receiving waters via an inter-allotment drainage system constructed in accordance with Council's standards.</p> <p><i>Note: inter-allotment drainage would be required for all allotments with a cross-fall where any portion of the allotment drains through an adjoining allotment, or where the allotment drains away from the street;</i></p> <p>ASD1.1.3 Payment of any head-works contributions for water and/or sewer.</p> <p><i>Refer to Boorowa Council's Development Servicing Plans that may apply to the development.</i></p>

	<p>ASD1.1.4 Payment of any section 94 development contributions applicable to the development.</p> <p><i>Refer to Boorowa Council's Section 94 Development Contributions Plan</i></p>
<p>PSD1.2 To ensure that roads are constructed to a standard that is durable and suitable for the proposed use.</p>	<p>ASD1.2 Roadways created to serve an industrial subdivision:</p> <ul style="list-style-type: none"> • Have a minimum road reserve width of 25m (for roads with dual frontage) or 19m (for roads with single frontage); • Have a minimum carriageway width of 13m; • Avoid, where practicable, dead-end roads, however if these are provided, a minimum turning head of 25m is provided; • Are constructed in accordance with Council standards.
<p>PSD1.3 Vehicular access is provided to and from the site</p>	<p>ASD1.3.1 A layback is provided to each allotment created, consistent with Section 3.1 of this DCP.</p> <p>ASD1.3.2 Where battle-axe allotments are provided, no more than two such allotments may be serviced by a shared driveway;</p>

4.4.3 Design Suggestions and Variations

Alternative approaches will be considered on merit.

Chapter 5. CODES OF PRACTICE

Boorowa Council endorses the following Codes of Practice and reference documents.

(Note: This Chapter is advisory and not part of the formal DCP)

The following list contains details on how to obtain a copy of documents referred to in the text:

- The Boorowa Local Environmental Plan 2012 (the LEP) can be freely accessed through Boorowa Council's website and the NSW Government Legislation website (www.legislation.nsw.gov.au).
- The following Acts (and any other NSW Acts) can be freely accessed through the NSW Government Legislation website (www.legislation.nsw.gov.au) and other websites:
 - *Environmental Planning and Assessment Act 1979* (and Regulations)
 - *Protection of the Environment Operations Act 1997*
 - *Local Government Act 1993*
 - *Roads Act 1993*
 - *Strata Schemes (Leasehold Development) Act 1986*
 - *Strata Schemes (Freehold Development) Act 1973*
 - *Community Land Development Act, 1989*
 - *National Parks and Wildlife Act 1974*
 - *Heritage Act 1977*
- The following Act (and any other Federal Acts) can be freely accessed through the Commonwealth of Australia Law website (www.comlaw.gov.au) and other websites:
 - *Disability Discrimination Act 1992*
- All State Environmental Planning Policies (SEPPs) can be freely accessed through the NSW Department of Planning website (www.planning.nsw.gov.au) and the NSW Government Legislation website (www.legislation.nsw.gov.au).
- The Building Code of Australia (BCA) is only available through paying the appropriate fee. It is recommended that those wishing to check certain BCA requirements in regards to a proposed development contact Council or their building/planning professional.
- "*Planning for Bushfire Protection*" and other useful documents can be freely accessed on the NSW Rural Fire Service website (www.rfs.nsw.gov.au).
- The guideline document *Managing Land Contamination - Planning Guidelines - SEPP 55- Remediation of Land - DUAP/EPA 1998* can be found at www.planning.nsw.gov.au/assessingdev/pdf/gu_contam.pdf.
- Guidelines and Policies regarding noise and the *NSW Industrial Noise Policy* can be found at the NSW Office of Environment and Heritage website (http://www.environment.nsw.gov.au/resources/noise/ind_noise.pdf).
- All forms to do with making a development application can be obtained from Council or Council's website.

- Specifications issued by the Director General of the NSW Department Planning and Infrastructure for the formation of an Environmental Impact Statement (EIS) can be accessed through the NSW Department of Planning website (www.planning.nsw.gov.au)
- Council's current schedule of fees and charges can be found on Council's website or by contacting Council.
- Details of Australian Standards can be found online, however, Council, building professionals can help with specific questions relating to these standards.
- NSW Department of Health guidelines and other Information can be found at the website (www.health.nsw.gov.au)
- Details of the different aspects of the 7 part test can be found in section 5A of the *Environmental Planning and Assessment Act 1979*, and access to this Act is available as stated above.
- Information requests regarding the RMS Guide to Traffic Generating Development and other standards or requirements should be directed through Council.
- Information relating to the NSW Environmental Protection Authority and licensing can be accessed through the website www.epa.nsw.gov.au. Although the EPA is now a part of the NSW Office of Environment and Heritage, certain statutory functions and powers continue to be exercised in the name of the EPA.
- Details relating to Essential Energy requirements can be found on the Essential Energy website (www.essentialenergy.com.au).
- Details relating to Jemena (Gas) requirements can be found on the Jemena website. (www.jemina.com.au).
- Details relating to telecommunications requirements can be found by contacting the Subdivisions section of Telstra. (www.telstra.com.au/smartcommunity/)
- Details relating to Australia Post requirements can be found on the Australia Post website (www.auspost.com.au).
- The NSW Police Force program *Safer by Design* is available on the Police Force website. (www.police.nsw.gov.au/community_issues/crime_prevention).
- The Code of Practice for Bed and Breakfast establishments is the *NSW Local Government and Shires Associations Guidelines for Bed and Breakfast Operations, 1998*;

Appendix A

Statement of Environmental Effects (SEE)

5.1.1 SEE Guidelines

What is a Statement of Environmental Effects?

A Statement of Environmental Effects (SEE) is a report that is required to be provided with a Development Application. It outlines a description of the site, what the proposal is, the likely impacts of the proposal, and the proposed measures that will mitigate these impacts. An SEE includes written information about the proposal that cannot be readily shown on your plans and drawings.

When is a Statement of Environmental Effects required?

Under the provisions of Schedule 1 of the Environmental Planning and Assessment Regulation 2000, all development applications must be accompanied with an SEE. The complexity of a proposed development determines the extent of information to be provided. It is in both the applicants and Council's interest that fully documented applications are submitted. Council has the authority to seek additional information or reject an application that it regards as inadequate or incomplete.

A thoughtful, well-prepared SEE is an excellent opportunity to demonstrate the merits of your proposal. It allows a timely identification of the issues, ensuring they are processed quickly. By contrast, a poorly prepared SEE often leads to requests for more information and some matters may only be identified in the final stages, stalling the process until they have been resolved. The SEE is your chance to bring all matters to the fore and provide Council with logical, rational and reasonable arguments to support your application.

Importantly, identifying adverse impacts in an SEE does not mean that Council will automatically refuse the application. Rather, it is your chance to demonstrate that the environment has been considered in the design stage by highlighting concerns and the means proposed to avoid, minimise, mitigate or manage them.

If the SEE identifies environmental constraints, specialised assessments may be necessary. For example, if the SEE finds the site to be located within a bushfire prone area, a specialised Bushfire Hazard Assessment will be required. Similarly, if previous or current land uses indicate there may be risk of soil contamination, a preliminary site investigation is required. Please note Council may require specialised reports to accompany the SEE regardless of outcomes. For example, a geotechnical report is required for applications where onsite effluent disposal is proposed.

Over the next few pages you will find a few resources to assist in the preparation of an SEE. These do not represent a limit and you are encouraged to expand upon the material provided in any way you perceive as relevant. However, we recommend that you check with Council's Planning staff for any requirements that specifically relate to your proposal or the site. As long as your statement shows a genuine attempt to satisfy these requirements, Council will accept the SEE as valid.

What to Include

Your Statement of Environmental Effects should address all the issues that are applicable to your proposal. The following is a general guide to the issues relevant to different types of proposals. Identify the points relevant to you and discuss them.

1. Site Location and Analysis

A site analysis must describe the site as it is currently. It should demonstrate that the site is suitable for development. Relevant considerations may include, but aren't limited to:

- Provide a general description of the site and its surrounds, including the sites broader context within the neighbourhood or area.
- Provide a written statement explaining how the development design has responded to the site analysis.
- Location description i.e. address, lot and deposited plan number;
- Existing development improvements (dwellings, sheds etc) and a description of them i.e. age, condition;
- Present use of the site, the date that present use commenced and any previous uses known;
- Existing vegetation on site and a description of them;
- Are there any site constraints such as slope or geotechnical limitations;
- Distance from transport services, shops, community facilities;
- Is the size and shape of the allotment suitable to the proposal; and
- What are the surrounding land uses.

Maps, diagrams, photographs etc can be provided. Remember, your SEE is complementing the submitted plans and other documents.

2. Details of Proposal

A clear and methodical description of your proposal should be included in your SEE. Think about what you want to do to make your development happen:

- Are you demolishing/excavating/filling;
- What is it you're wanting to construct i.e. dwelling, units, warehouse etc;
- What materials would be used;
- What colours are proposed;
- Removal or impact on existing trees;
- A description of the proposed use of the building/site i.e. residential, cafe, hair salon, industrial etc
- Describe the functions of that use i.e staff numbers, hours of operation, plant and machinery, signage, lighting, car parking, loading and unloading, construction methods and materials, Storage and types of goods etc.

Diagrams and pictures etc can be provided to complement your application.

3. Relevant Planning Controls

Demonstrate compliance with the relevant planning controls and policies, including –

- State Environmental Planning Policies;
- Draft or in-force Local Environmental Plans; and
- Development Control Plans and local policies.

And if relevant:

- Impact on threatened species;
- Integrated approval requirements; and
- Concurrence, referral or comment from other government agencies.

A clear and concise presentation and discussion in relation to planning controls and policies may be best undertaken in a table as follows –

<i>Environmental Planning Instrument</i>	<i>Clause No.</i>	<i>Complies (Y or N)</i>	<i>If no, provide comment</i>
<i>SEPPs</i>			
[Name]			
<i>LEPs</i>			
[Name]			
<i>DCPs</i>			
[Name]			

Be sure to consider issues such as:

- What are the relevant EPIs? Does the proposal satisfy the requirements of the EPI?
- Is the proposal permissible in the zone? Does it meet the objectives of the zone?
- Are there matters specified for consideration in EPIs? Any other relevant provisions?

4. Assessment of the Likely Impacts of the Proposal

The introduction of a new use or development into the local and regional environment does trigger particular environmental, social, economic and financial impacts. Descriptions under the following headings using the points provided will help you to identify particular impacts stemming from your proposal. Mitigation measures i.e. what you are going to do to alleviate the impact, should also be recommended. This list is not concise.

- *Context and Setting*
How does the proposal relate to neighbouring developments in terms of height, size, bulk, appearance, architectural style, colours schemes, materials used, setbacks, fencing, landscaping, function or activities (both proposed and surrounding)?
- *Public Domain*
What public lands and publicly accessible spaces are nearby or adjoining?
Are views, sunlight, acoustic amenity, access (including disabled access) or convenience interfered with?
Does the public domain (including the road reserve) remain a safe place as a result of the development?
Are motorists likely to be impeded or distracted by the proposal?
- *Access and Traffic*
Show that there is adequate provision for access:
Pedestrian, amenity (paving, seats, weather protection, security lighting)
Existing public transport services
Vehicle access to a public road (indicate grade)
Resident, staff, customer, client and visitor parking arrangements
Parking calculations
- *Infrastructure*
Where are the pipes, drains, cables, wires and easements in relation to the proposal? Where are the water meters?
In what condition is the street surface, kerbing, footpaths, street trees, street furniture, vehicle and pedestrian crossings and other visible infrastructure?
Are any of these affected by the proposal?

- *Heritage & Archaeology*
 - What is the known history of the site? What was its previous use?
 - How old are any existing structures?
 - Are there any relics, artefacts or items of interest (including Aboriginal items) evident on the site?
- *Land Resources*
 - Are there known deposits of minerals or other extractable materials evident on the site?
 - Is the site presently viable for agricultural purposes?
 - What water resources exist on the site?
 - What is the topography like (flat, undulating, steep)?
 - Is there any risk of slippage? Or erosion?
- *Soils*
 - What is the soil type?
 - Is there any evidence of salinity? Water logging? Or acid sulphate soils?
 - What is the extent of vegetation cover?
 - Are gullies, drainage lines and other erodible areas protected or exposed?
 - How well does the site drain?
 - How will the proposal affect drainage?
- *Air & Microclimate*
 - Does the proposal have or produce any emissions?
 - What is the distance to sources of air pollution? What are those sources?
 - What is the prevailing wind direction?
 - Are there any windbreaks or wind funnels (natural or artificial) affecting the site?
 - How does the proposal affect air circulation?
- *Flora & Fauna*
 - What flora and fauna has been seen on the site (including nocturnal animals)?
 - Have you successfully identified all species?
 - Are any of the species found endangered, critically endangered or threatened?
 - Are any of the species likely to serve as habitat or food sources for endangered, critically endangered or threatened species?
- *Waste*
 - Does the proposal produce any solid or liquid wastes?
 - Are there any airborne emissions? How are wastes to be minimised?
 - How are wastes to be treated? Stored? Disposed?
- *Noise*
 - What are the hours of operation?
 - What is the ambient background noise like pre-development?
 - What will they be like post development?
 - Can the noise be avoided? Or muffled/insulated?
 - Can the noise be confined within a building? Would that cause echo and reverberation?
- *Natural Hazards*
 - Is the site bushfire prone? Or flood liable? Or excessively steep?
 - Is erosion evident on the site? Or soil salinity?
 - Is there any natural hazard evident on lands surrounding the site?
 - Is regrowth likely to create a bushfire hazard in the future?

- *Social Impact*
 - Will the amenity (visual, acoustic, recreational or social) of neighbours be affected?
 - Will the proposal overshadow neighbours?
 - How is privacy between sites maintained?
 - What is the social character of the area?
 - Will the proposal introduce a discordant element to the area?
- *Economic Development*
 - Will the proposal generate jobs?
 - Full-time, part-time, permanent or temporary? Construction phase or operational phase?
 - Is the proposal in direct competition with established local businesses?
 - Is this appropriate?
 - Are there supplementary or flow on effects likely?
 - Who wins and who loses if the proposal proceeds?
- *Design*
 - What is the character of the area?
 - Does one style predominate? Or is there a wide mixture of designs?
 - Are there any adverse impacts from the proposal that could be reduced with an alternative design?
 - Are the requirements of any DCP (setbacks, fences and building heights, building envelopes, parking provisions and so on) fully satisfied? If not why?
- *Construction*
 - Does the proposal comply with the Building Code of Australia?
 - Has construction site safety been addressed? How?
 - Will any cranes or heavy lifting equipment be needed? If so is the site near an Airport, and has the airport been consulted?
 - Will all construction materials, vehicle parking and personnel be contained on the site?
 - How will the amenity of neighbours be protected during construction?
 - How will surrounding structures be protected during construction?
 - What measures are proposed to protect soil erosion, drainage lines and waterways during construction?

5. Conclusion

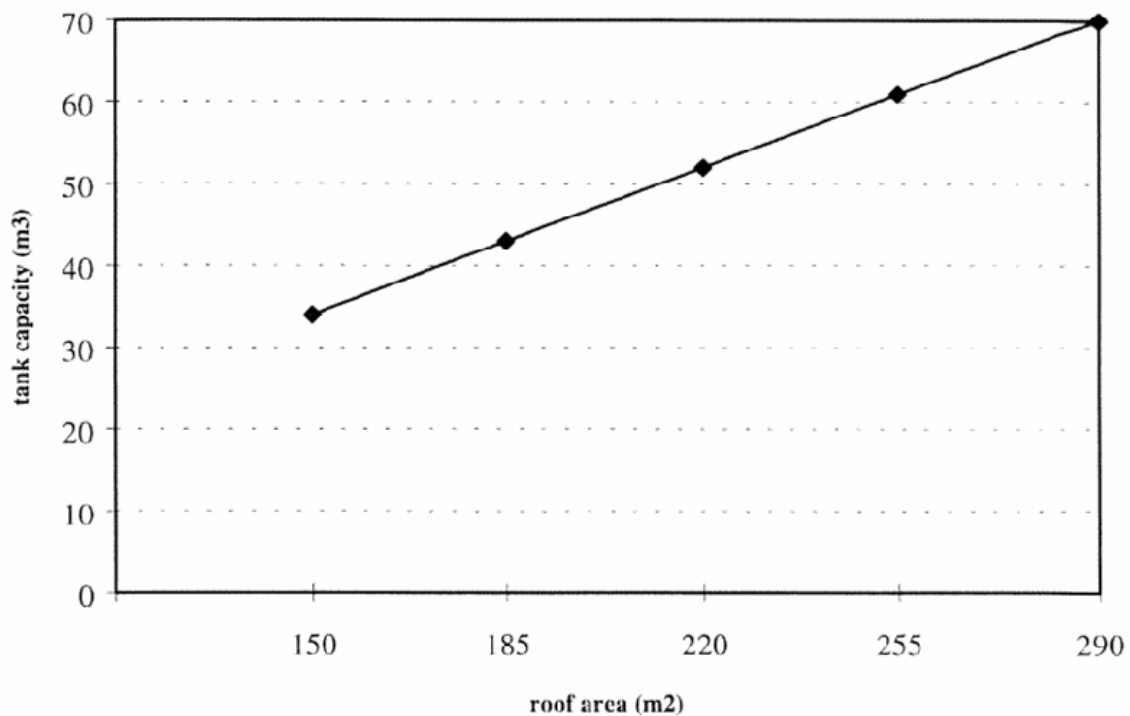
Provide a conclusion including justification for undertaking the development taking into consideration any proposed steps to avoid, minimise or manage any adverse impacts on the environment or to improve environmental outcomes.

Legal Reference

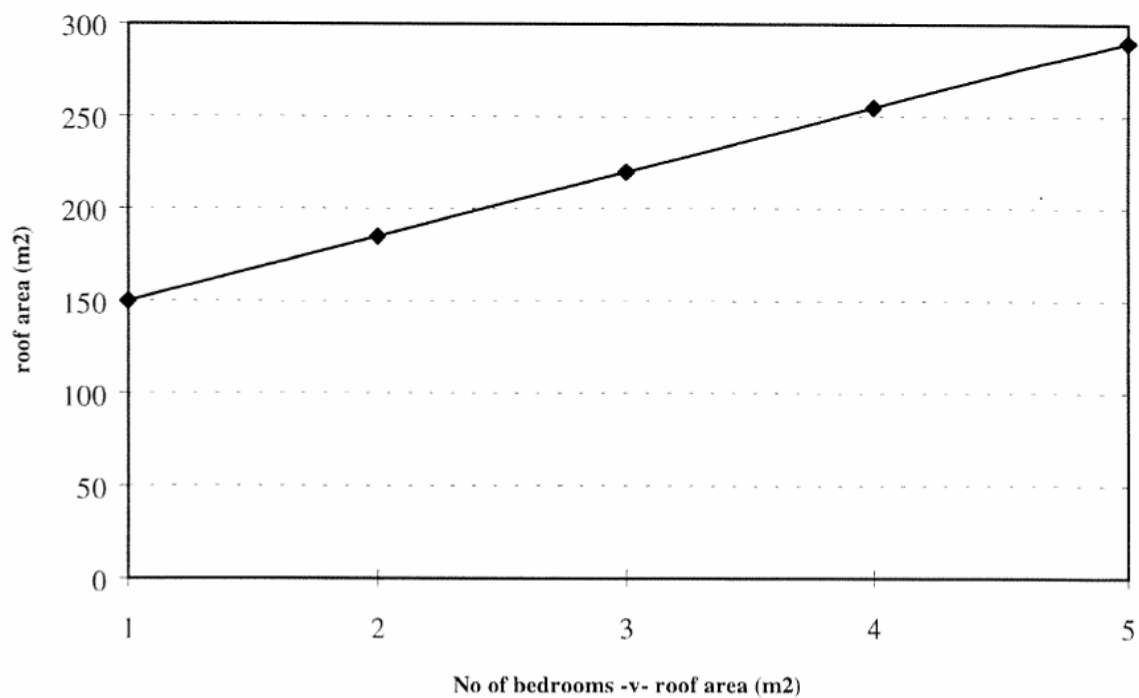
- Section 78A(9) of the *Environmental Planning and Assessment Act 1979* states that the regulations may specify what is required to be submitted with a development application.
 - Section 50(1)(a) of the *Environmental Planning and Assessment Regulation 2000* states that development applications must contain information and documents specified in schedule 1, part 1.
 - Schedule 1, Part 1, subclause 2(1)(c) of the *Environmental Planning and Assessment Regulation 2000* requires the submission of a Statements of Environmental Effects (SEE) with all Development Applications (other than designated development)
 - Schedule 1, Part 1, subclause 4 of the *Environmental Planning and Assessment Regulation 2000* states that such SEE's must show
 - the environmental impacts of the development,
 - how the impacts have been identified,
 - the steps to be taken to protect the environment or lessen the expected harm to the environment, and
 - any matters required to be indicated by any guidelines issued by the Director-General.
-

Appendix B Guide to Tank Size Selection

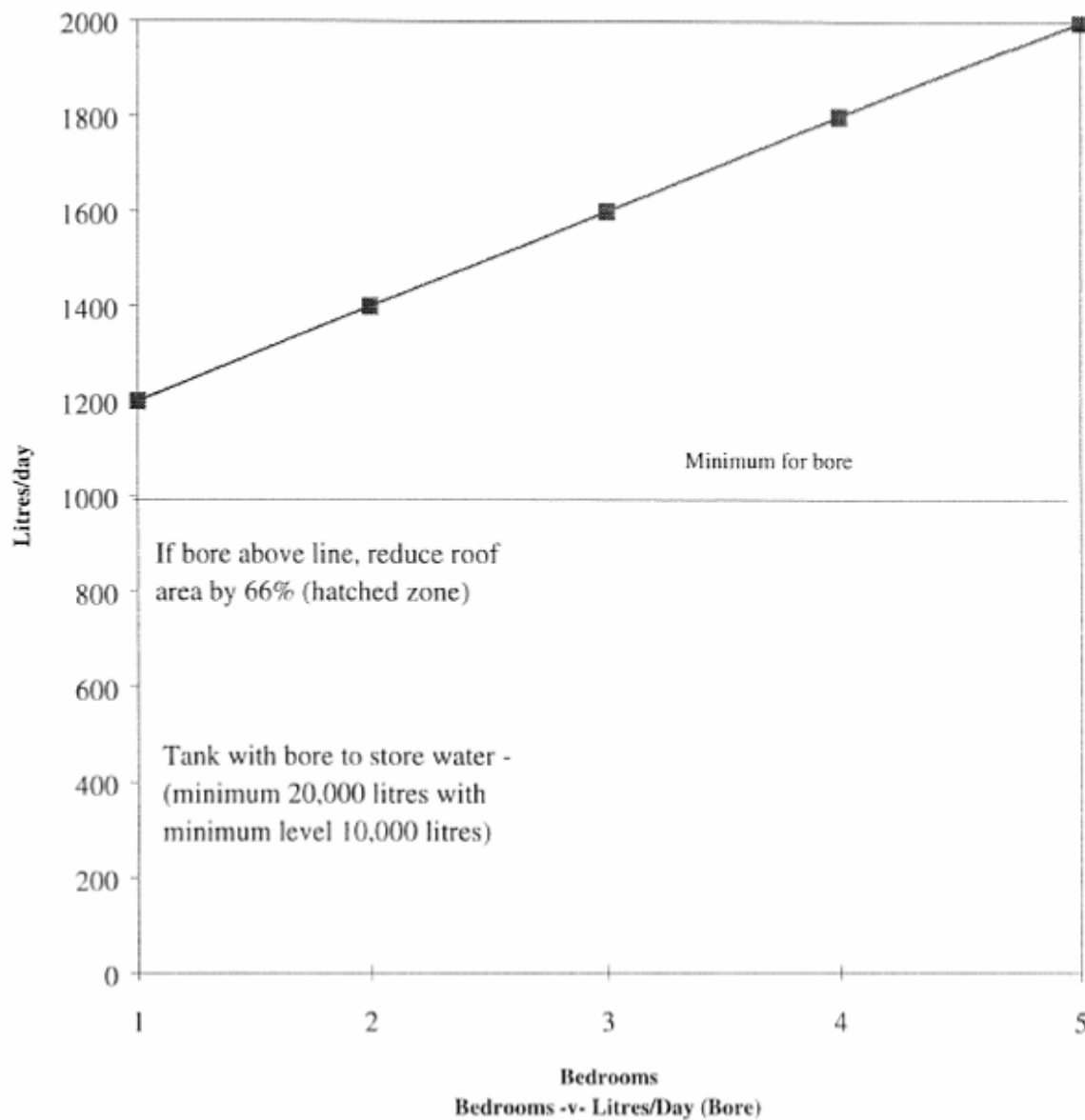
(for lots with no reticulated water)



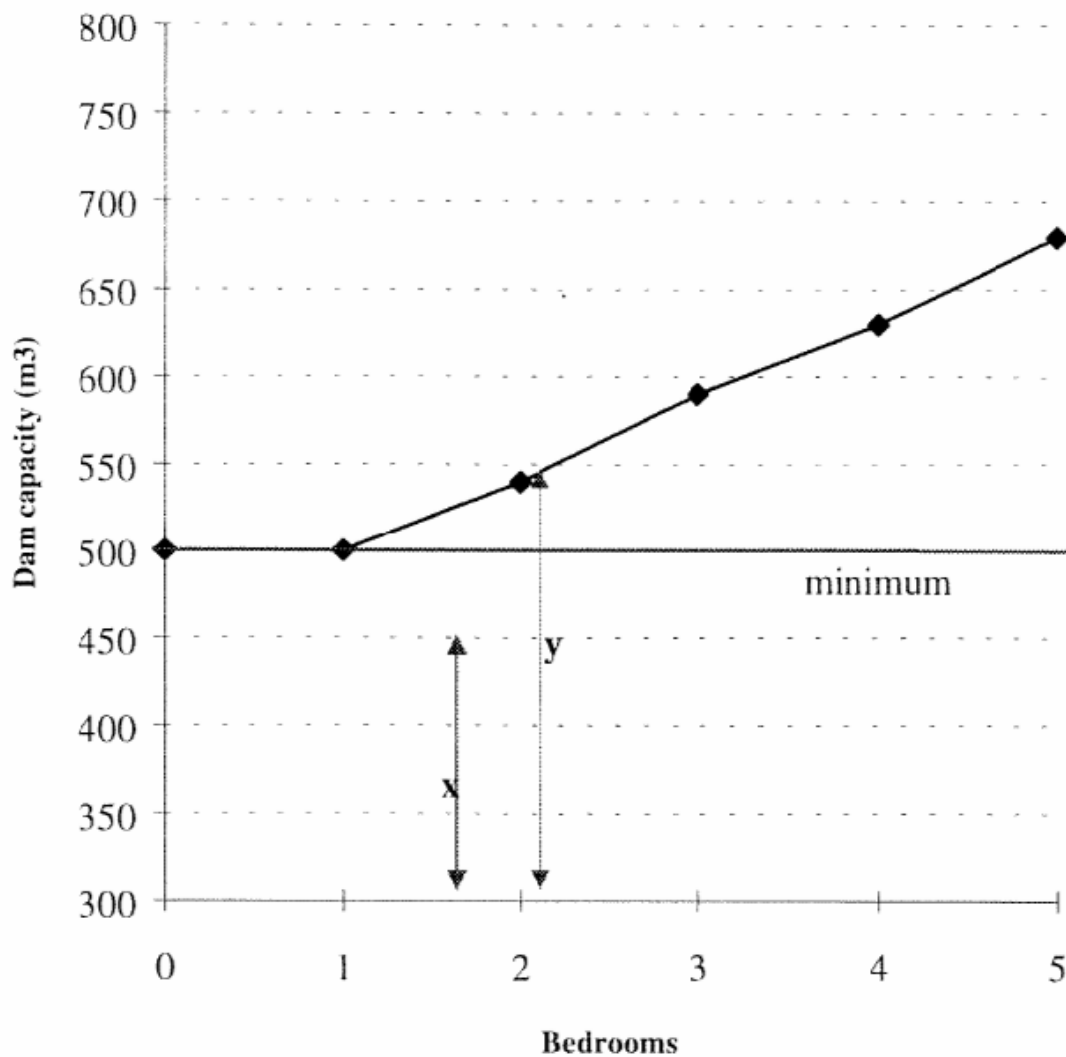
1 bedroom = 150m² = 34,000 litres
2 bedrooms = 185m² = 43,000 litres
3 bedrooms = 220m² = 52,000 litres
4 bedrooms = 255m² = 61,000 litres
5 bedrooms = 290m² = 70,000 litres



1 bedroom = 150m²
 2 bedrooms = 185m²
 3 bedrooms = 220m²
 4 bedrooms = 255m²
 5 bedrooms = 290m²



If a bore is provided, potable water requirements can be reduced from 600 litres per person per day to 200 litres per person per day.



If dam capacity (x) is above the line, roof area can be reduced by 66%. If (x) is below the line, it can be reduced by $66/100 \times x/y$

1 bedroom = $500\text{m}^3 = 110,000 \text{ gal}$
 2 bedrooms = $534\text{m}^3 = 118,000 \text{ gal}$
 3 bedrooms = $588\text{m}^3 = 130,000 \text{ gal}$
 4 bedrooms = $636\text{m}^3 = 140,000 \text{ gal}$
 5 bedrooms = $680\text{m}^3 = 150,000 \text{ gal}$

Appendix C *Turning circle diagrams*

5.1.2 Passenger Vehicles

(for 85th percentile passenger vehicle)

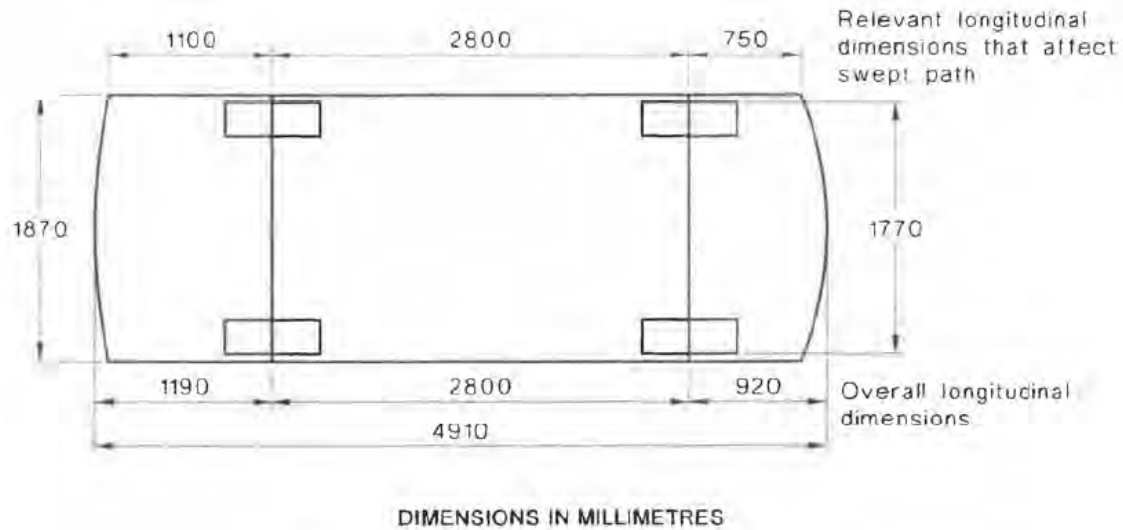


Figure 3: 85th percentile vehicle

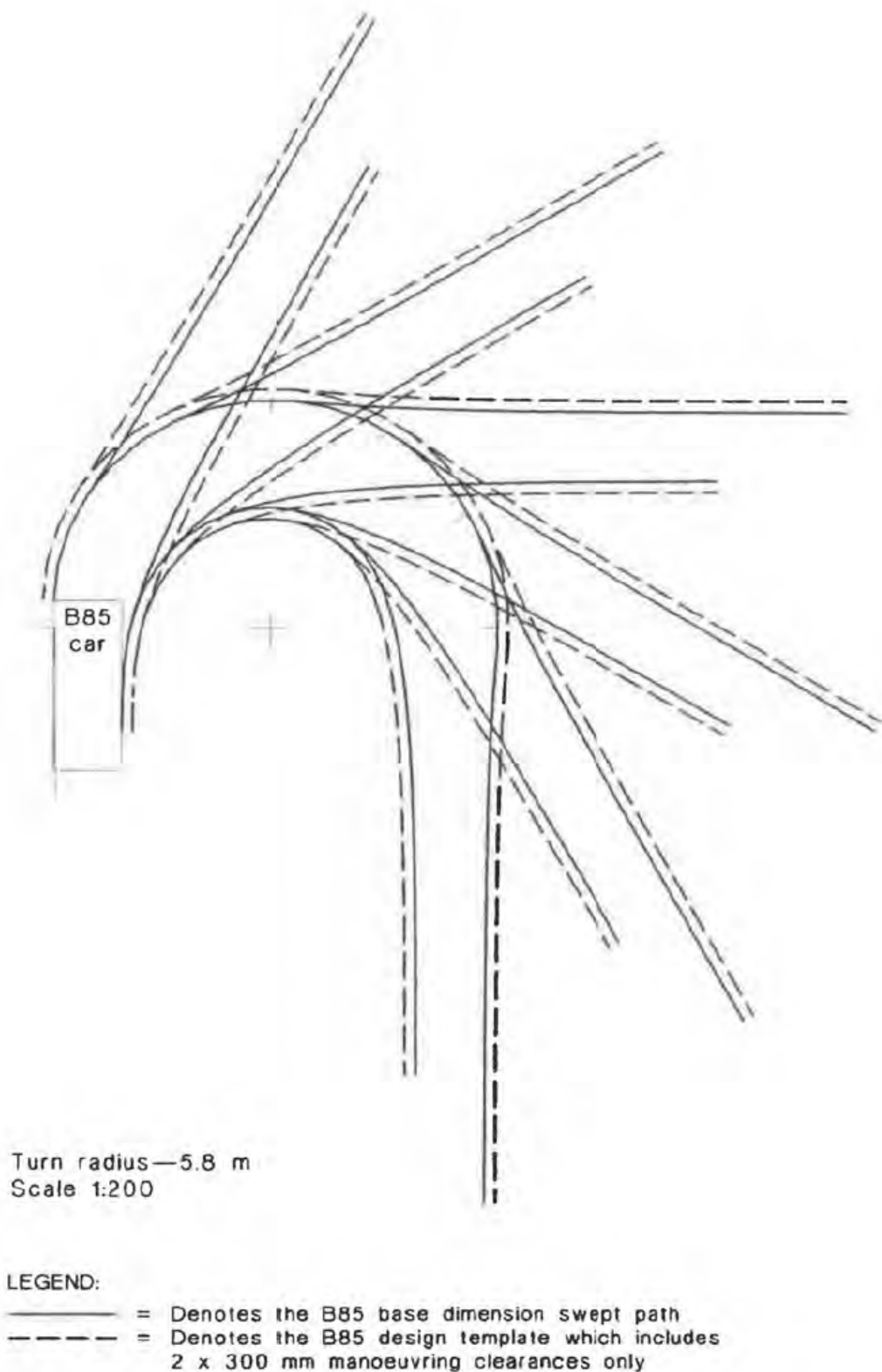


Figure 4: Turning template for 85th percentile vehicle (turn radius 5.8m)

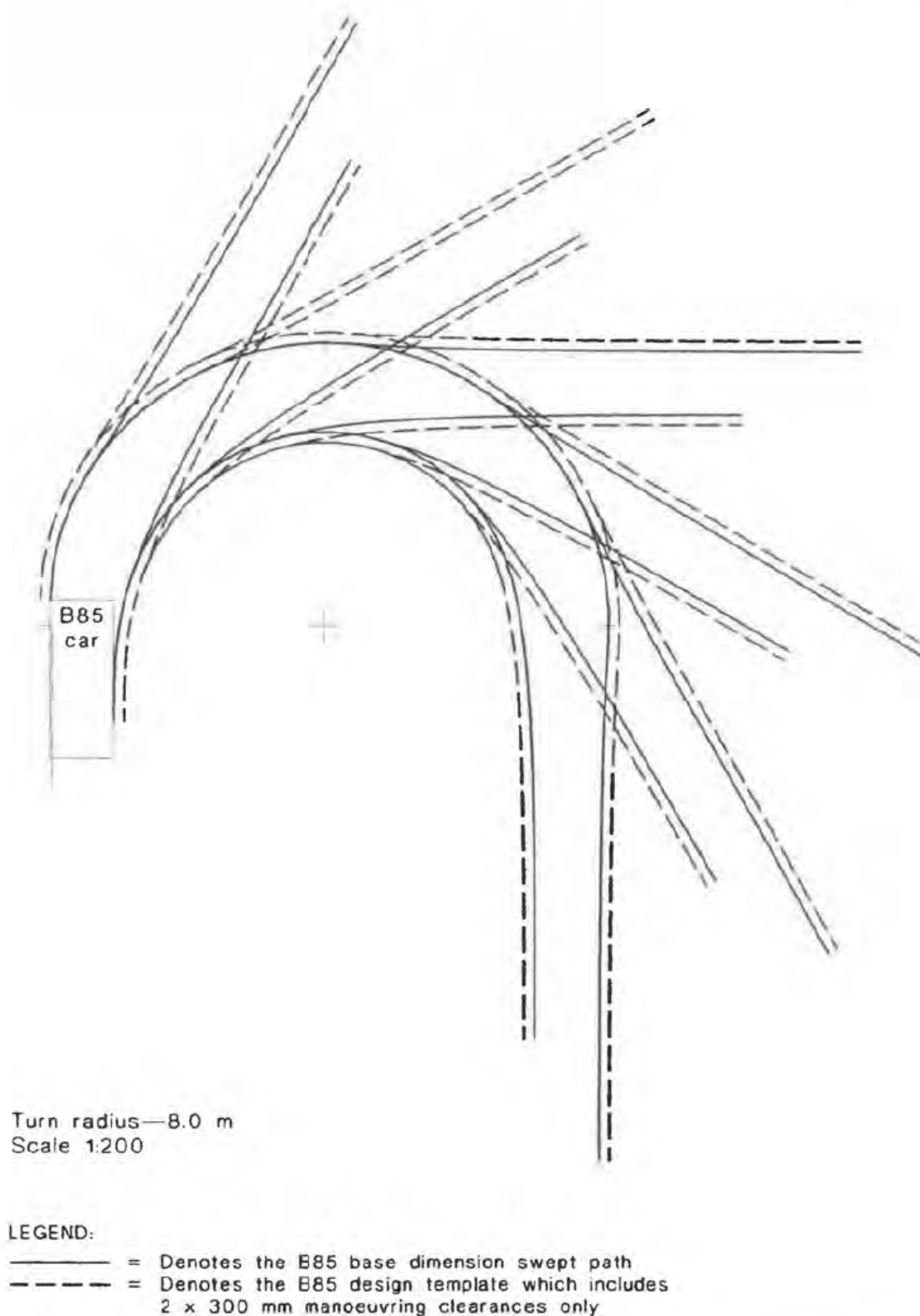


Figure 5: Turning template for 85th percentile vehicle (turn radius 8m)

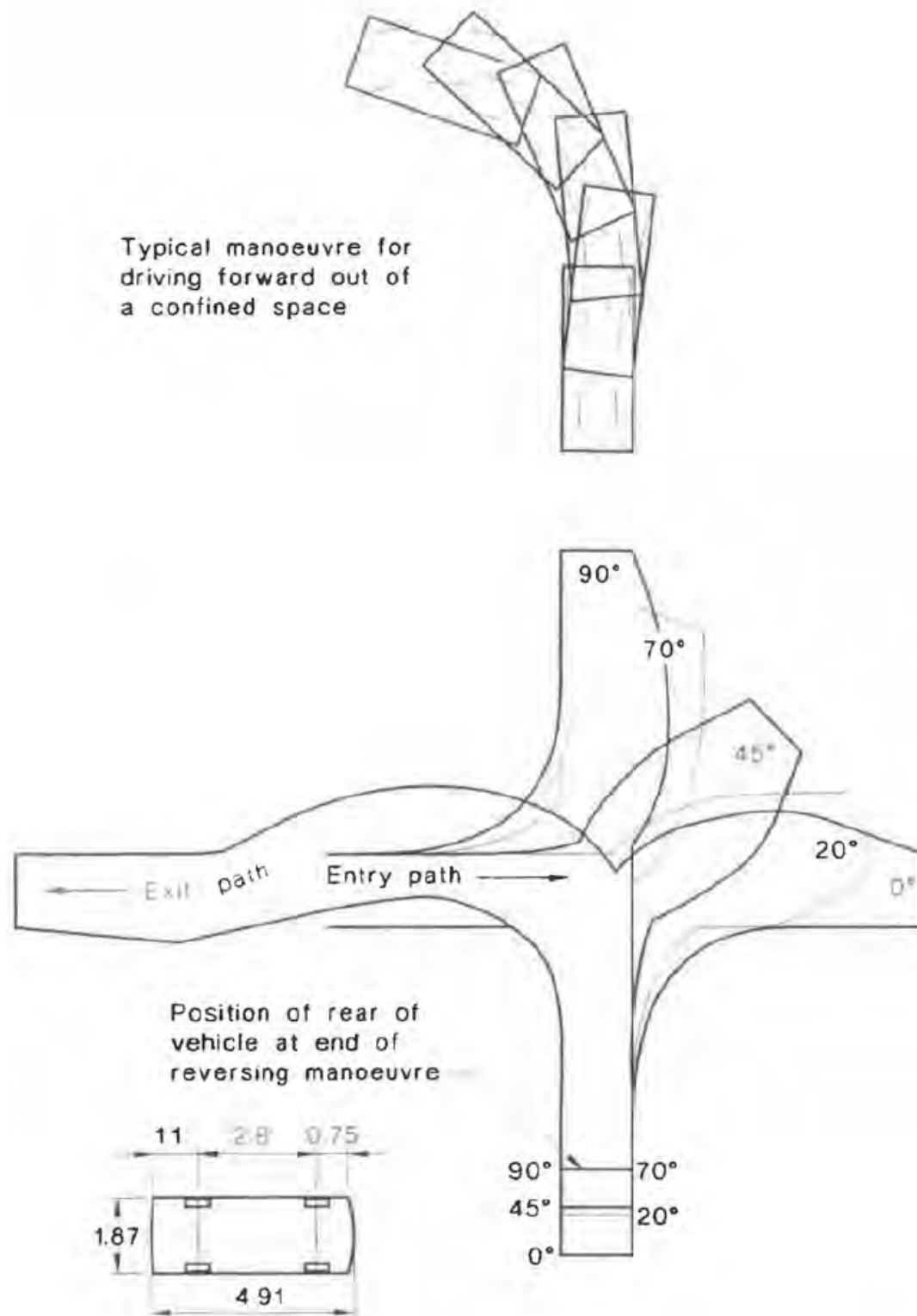
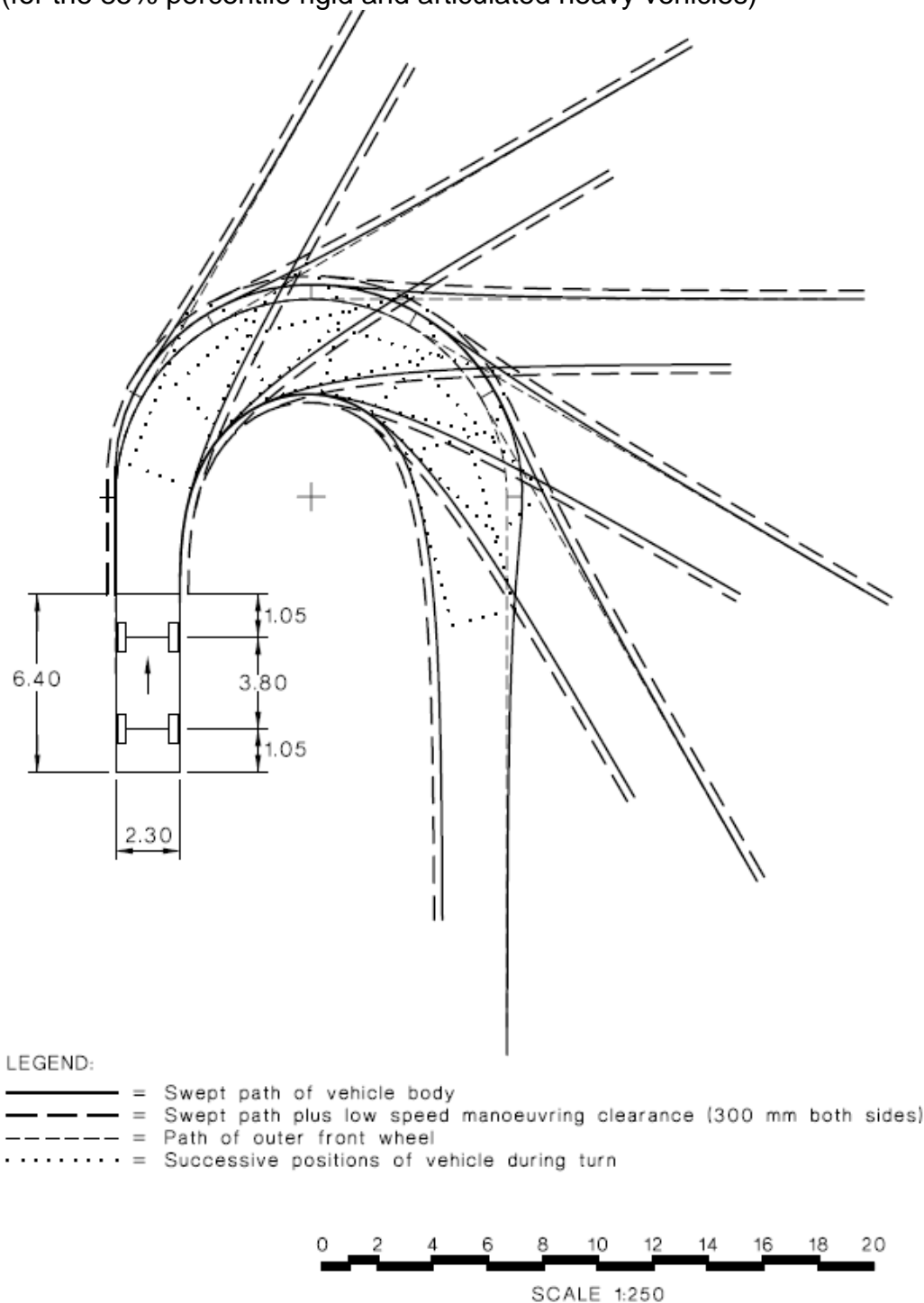


Figure 6: Template – typical reverse in manoeuvre for 85th percentile vehicle

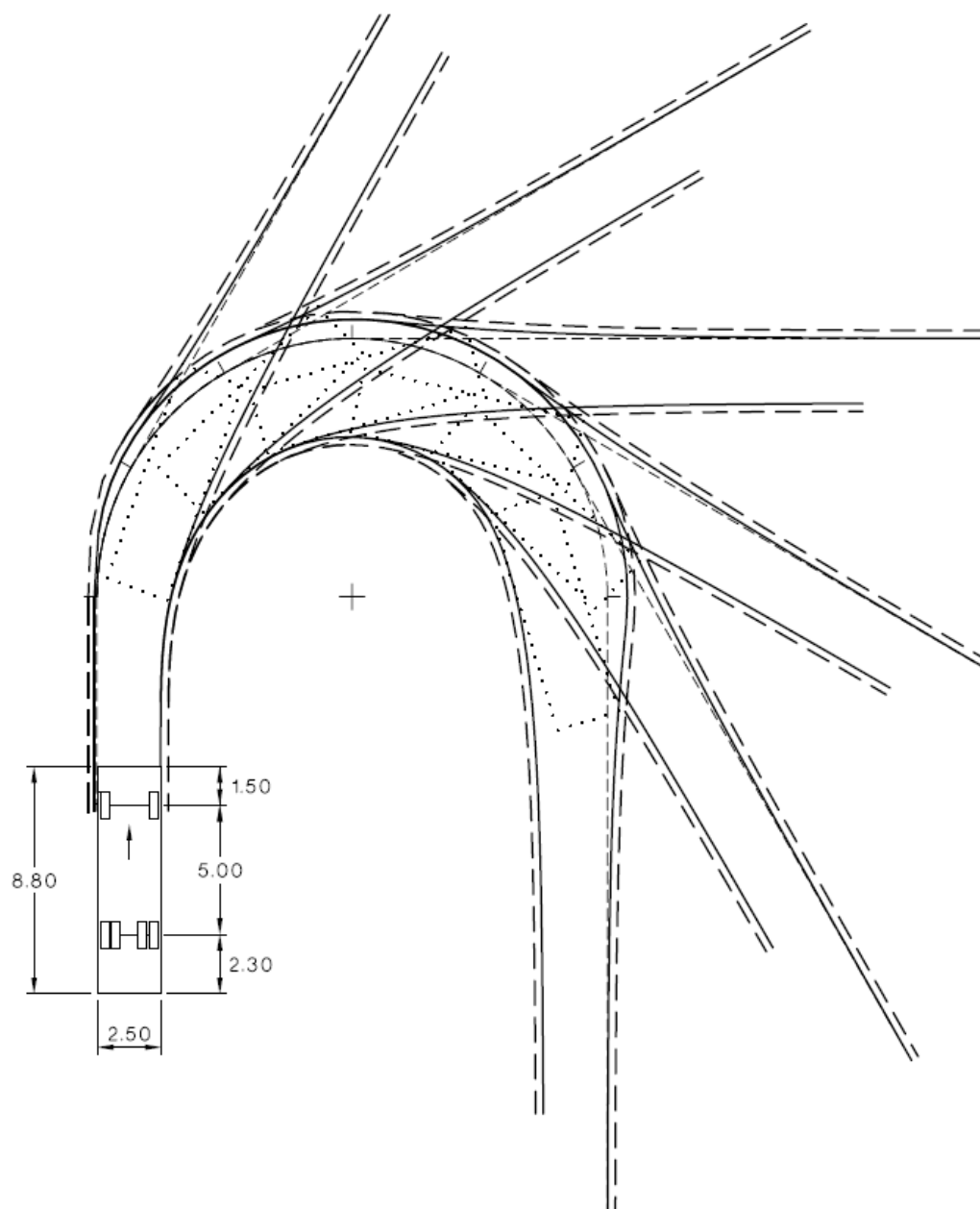
5.1.3 Heavy Vehicles

(for the 85% percentile rigid and articulated heavy vehicles)



DIMENSIONS IN METRES

Figure 7: Turning template for small rigid vehicle



LEGEND:

- = Swept path of vehicle body
- - - = Swept path plus low speed manoeuvring clearance (300 mm both sides)
- . - . = Path of outer front wheel
- = Successive positions of vehicle during turn



DIMENSIONS IN METRES

Figure 8: Turning template for medium rigid vehicle

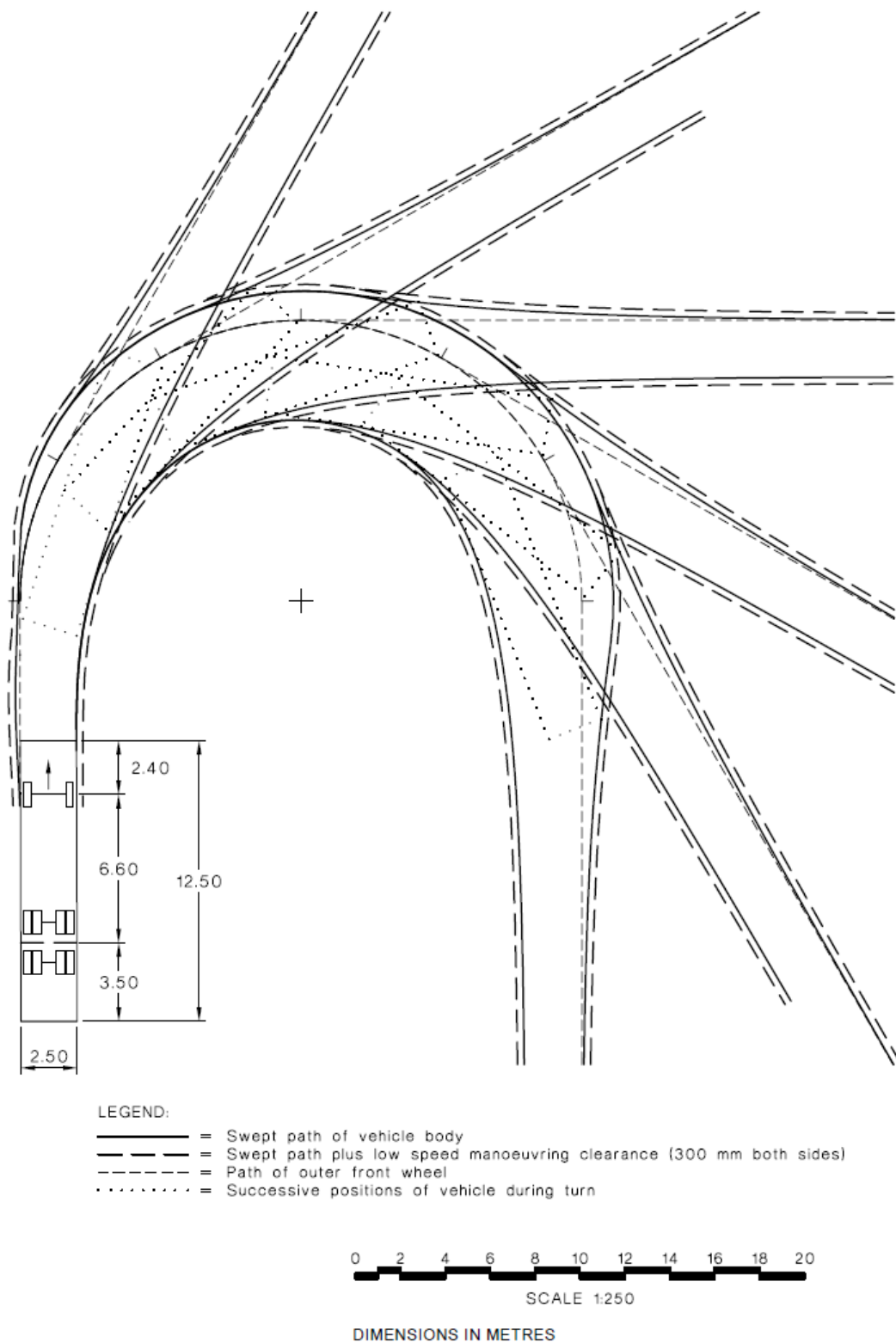


Figure 9: Turning template for heavy rigid vehicle

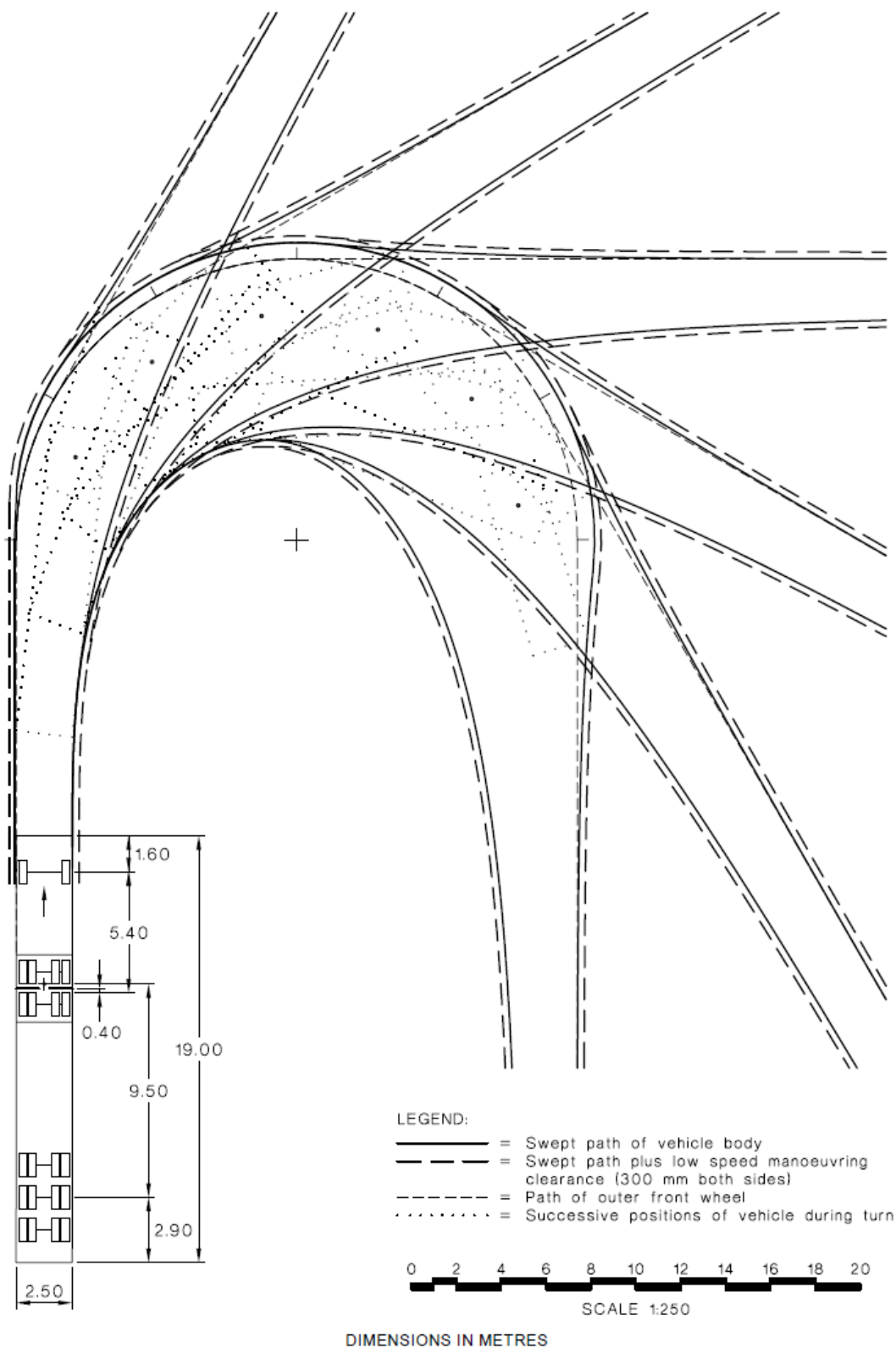


Figure 10: Turning template for articulated vehicle

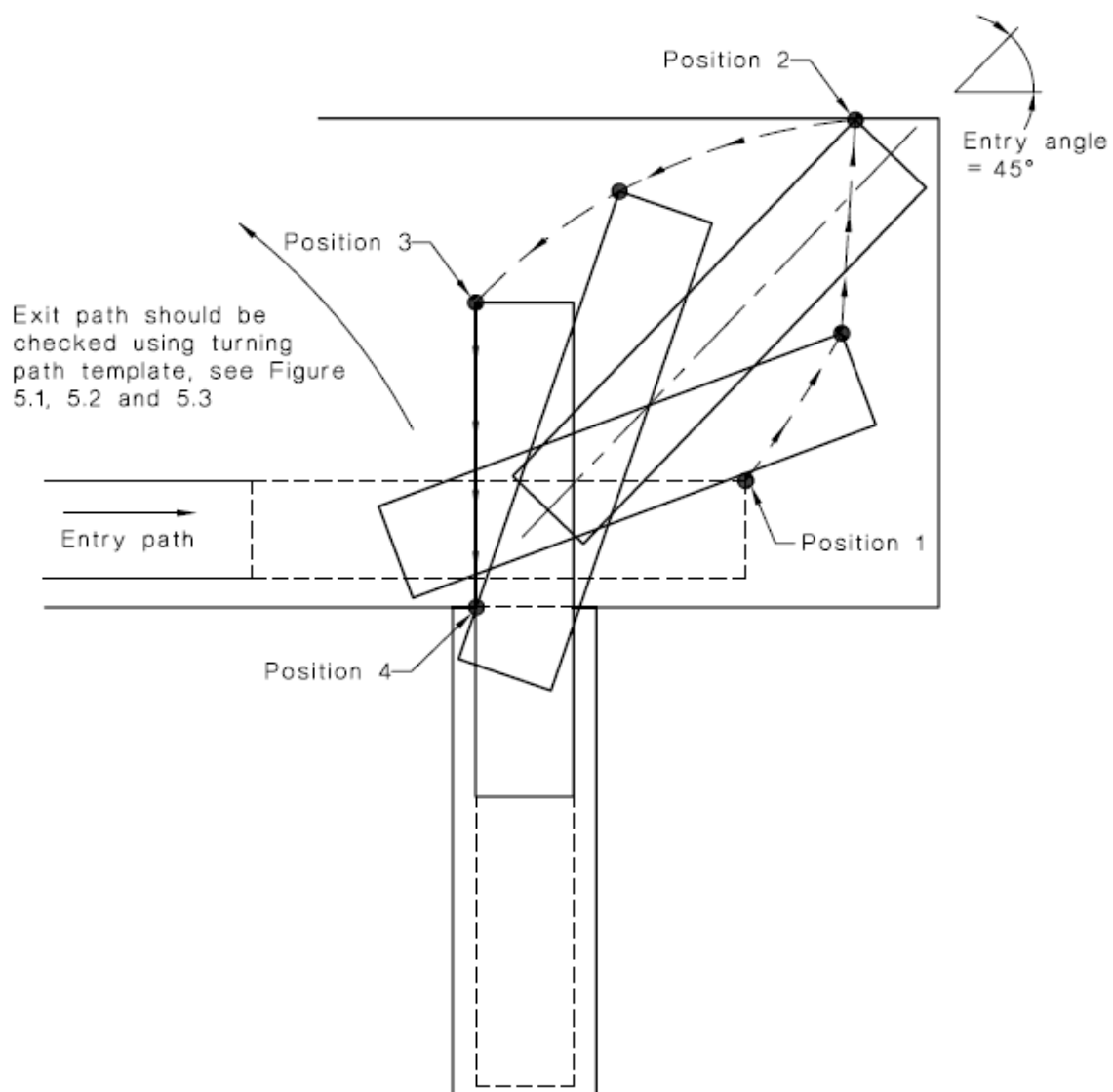


Figure 11: Template - typical reversing manoeuvre into service bay by rigid vehicle

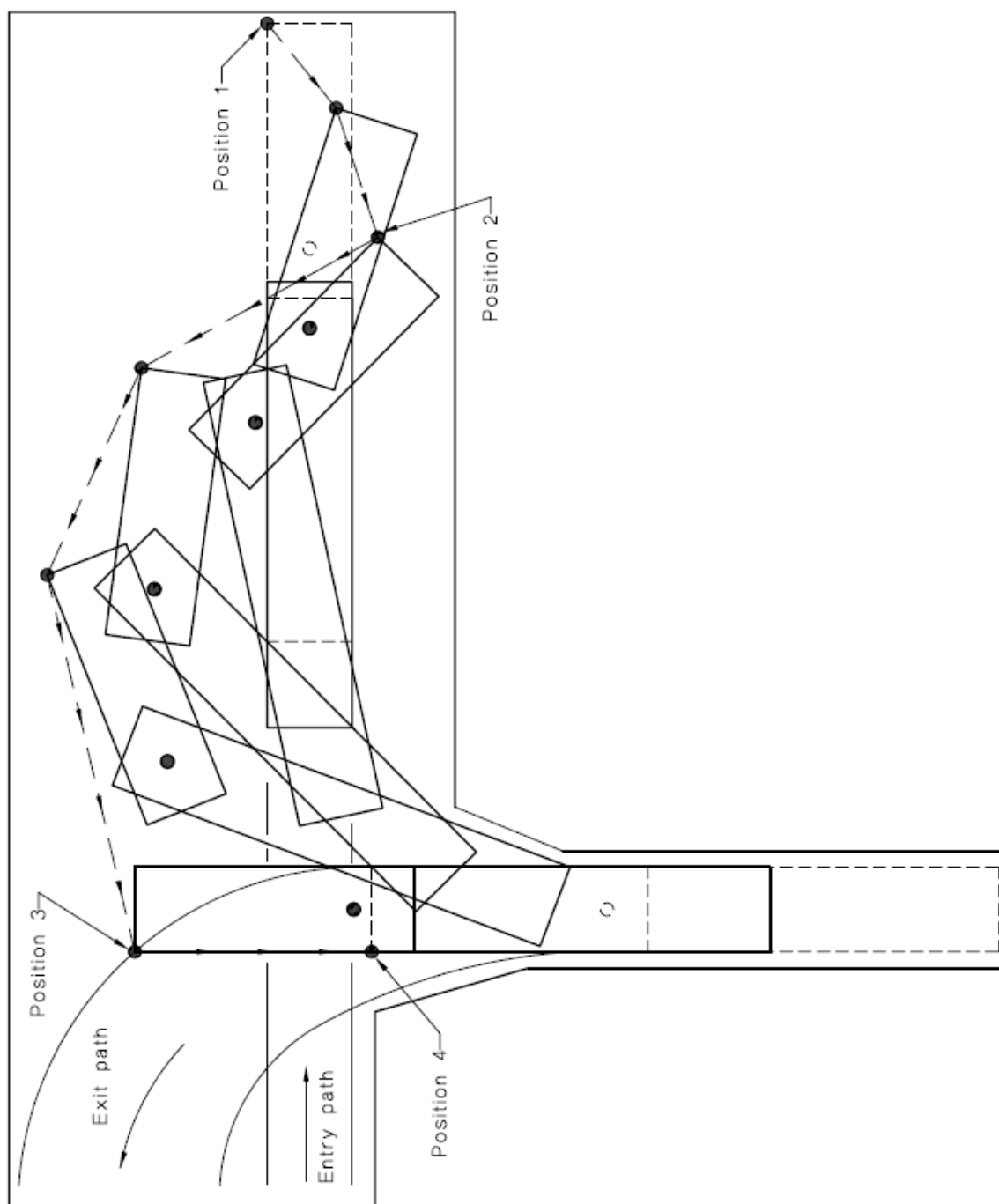


Figure 12: Template - typical reversing manoeuvre into service bay by articulated vehicle