



Cooma-Monaro Shire Development Control Plan 2014 (Amendment 1)



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1 Introduction

This Development Control Plan (DCP) provides detailed provisions with respect to the design and carrying out of development within Cooma-Monaro Shire. The fundamental purpose of these provisions is to complement the *Cooma-Monaro Local Environmental Plan 2013* and assist in the achievement of its aims and objectives. As such it should be read in conjunction with the *Cooma-Monaro Local Environmental Plan 2013*, which sets the primary planning provisions for the Cooma-Monaro local government area, and other relevant environmental planning instruments made under the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

This Plan has been formulated in response to the legislative requirement that only one DCP may apply to a parcel of land. Prior to this DCP being adopted, any parcel of land in Cooma-Monaro Shire may have had any number of individual DCPs applying to it.

The purposes of a DCP and the information and requirements it may contain are specified in Sections 74BA and 74C of the *Environmental Planning and Assessment Act 1979*. Some key parts of these Sections are shown below:

74BA Purpose and status of development control plans

- (1) *The principal purpose of a development control plan is to provide guidance on the following matters to the persons proposing to carry out development to which this Part applies and to the consent authority for any such development:*
 - (a) *giving effect to the aims of any environmental planning instrument that applies to the development,*
 - (b) *facilitating development that is permissible under any such instrument,*
 - (c) *achieving the objectives of land zones under any such instrument.*

The provisions of a development control plan made for that purpose are not statutory requirements.

- (2) *The other purpose of a development control plan is to make provisions of the kind referred to in section 74C (1) (b)–(e).*

74C Preparation of development control plans

- (1) *The relevant planning authority may prepare a development control plan (or cause such a plan to be prepared) if it considers it necessary or desirable:*
 - (a) *to provide the guidance referred to in section 74BA (1), or*
 - (b) *to identify development as advertised development (so as to make additional but not inconsistent requirements to those imposed by the regulations in relation to development applications), or*
 - (c) *to provide for (or exclude) public or particular advertising or notification of any of the following:*
 - (i) *a development application for specified development (other than State significant development or designated development or advertised development),*
 - (ii) *a request for the review of a determination of a development application where the applicant for review makes amendments to the development described in the original development application,*
 - (iii) *an application for the modification of a development consent for specified development (including advertised development but not State significant development or designated development), or*
 - (d) *in the case of a council—to specify criteria (in addition to but not inconsistent with any criteria prescribed by the regulations) that the council is to take into consideration in determining whether or not to give an order under Division 2A of Part 6, or*
 - (e) *to make provision for anything permitted by this Act to be prescribed by a development control plan.*

- (2) *Only one development control plan made by the same relevant planning authority may apply in respect of the same land.*

Note: These are extracts from the above Sections of the *Environmental Planning and Assessment Act, 1979*, not full copies of the relevant Sections.

1.1 How to use this Plan

This DCP has been written with a view to being as clear, concise and reader-friendly as possible, whilst still fulfilling its legislative function, and with the expectation that only those sections relevant to a proposed development need to be read.

It is suggested that the best way to use this DCP is to read the Introductory Chapter and then only the chapters or parts that are relevant to the particular development being proposed. Read the Table of Contents carefully and note the general structure of the DCP shown at 1.2 below, then simply turn to the sections which apply to the particular development being proposed.

This DCP is to be read in conjunction with other planning instruments, Council policies, codes and technical specifications relevant to specific design aspects of a proposal. Where possible references to other relevant documents have been included in the text.

In addition to the above and the provisions of this Plan, in assessing development proposals, Council must consider all those matters specified in Section 79C of the EP&A Act.

1.2 Structure of this Plan

This DCP may apply to a proposed development because:

- (a) it is a particular type of development; and/or
- (b) particular information is required by Council to assess the development; and/or
- (c) it is located in a particular place.

The general structure of the DCP is as follows:

<i>Chapter 1</i>	<i>Introduction</i> Comprises relevant statutory requirements, explains what the purpose of the Plan is and where it applies. It also explains how to use the DCP and under what circumstances Council will consider proposed variations to the Plan.
<i>Chapter 2</i>	<i>General Development Controls</i> Provides the development controls which apply to all development types across the Cooma-Monaro local government area. Any of these provisions may apply to any particular development, although because of their general nature every provision may not apply to every development.
<i>Chapters 3-5</i>	<i>Specific Development Types, Subdivision and Development Involving Works</i> These Chapters contain development controls for specific types of development. Only the controls for the specific development type being proposed need to be consulted in these Chapters.
<i>Chapter 6</i>	<i>Provisions for Specific Locations</i> Identifies the particular controls which only apply to developments occurring in the specific areas identified in this chapter.
<i>Chapter 7</i>	<i>Non-design Provisions</i> Information is provided on various issues that may need to be addressed in a development application.

Chapter 8	Public Notification Explains when development applications are notified or advertised.
Appendices	Contains relevant maps, engineering design requirements and other information referred to in the main text of the DCP.

1.3 Relationship to other plans

In the hierarchy of the State-wide planning system a Development Control Plan sits beneath a State Environmental Planning Policy (SEPP) or a Local Environmental Plan (LEP). As such, in the event of any inconsistency between the provisions of this plan and the provisions of the *Cooma-Monaro Local Environmental Plan 2013*, the *Cooma-Monaro Local Environmental Plan 2013* will prevail to the extent of the inconsistency.

Similarly, any provision of a State Environmental Planning Policy which is inconsistent with a provision of this DCP will prevail over it to the extent of the inconsistency.

This Development Control Plan repeals:

- DCP 1 – Development and Subdivision of Land (Urban and Rural)
- DCP 2 – Standard Requirements and Conditions for the Subdivision of Urban Areas in the Cooma-Monaro Shire
- DCP 3 – Cooma Environs
- DCP 4 – Portion 86 and 87, Parish of Tinderry
- DCP 5 – Scotts Road
- DCP 6 – Cooma Urban Area (and subsequent Amendments)
- DCP 7 – Bidgee Road
- DCP 8 – Bulong Road and Mittagang Road
- DCP 9 - Section 94 Contributions
- DCP 10 – Lots 4 to 8 DP 246089 Land adjacent to Yareen Road, Uran, Montgomery and Thurrung Streets
- DCP 11 – Scotts Road Area
- DCP 12 – Corner of Mittagang Road and Yallakool Road
- DCP 16 – Development on Flood Prone Land
- DCP 19 – Site Performance Standards
- DCP 22 – Building and Planting near Wastewater Drainage Mains
- DCP 23 – Public Notification Policy
- DCP 25 – Off-Street Parking
- DCP 27 – Public Water Supply
- DCP 28 – Wastewater Drainage
- DCP 30 – Multi-Unit Housing
- Yarrowlumla Council DCP 2 - Outdoor Advertising (applying to the Cooma-Monaro local government area)
- Yarrowlumla Council DCP 2(v) – Village Zone (applying to the Cooma-Monaro local government area)
- Yarrowlumla Council DCP 7(e) – Environment Protection Zone (applying to the Cooma-Monaro local area)
- Yarrowlumla Council DCP – Rural and Rural Residential Zones (applying to the Cooma-Monaro local government area)

This Plan also:

- Repeals Council's Policy on Shipping Containers.
- Supersedes Council's resolution at its meeting on 13 August 2007 (Resolution No. 265) regarding principles for Rights-of-Way in Michelago Village.
- Supersedes Council's Resolution on 15 June 1992 (Minute No. 329) regarding building lines.

1.4 Name of this Plan

This Plan is called the *Cooma-Monaro Shire Development Control Plan 2014 (Amendment 1)*.

1.5 Land to which this Plan applies

This Plan applies to the whole of the Cooma-Monaro local government area.

1.6 Commencement date

This Plan has been prepared in accordance with Section 74C of the *Environmental Planning and Assessment Act, 1979*. It was adopted by Council on 14 April 2014 and applies from 17 April 2014.

Amendment 1 to the Plan was adopted by Council on 14 March and applies from 23 March 2016.

1.7 Aims of this Plan

This Plan aims to:

- 1 Provide detailed development controls for the whole of the Cooma-Monaro local government area to assist in the achievement of the aims and objectives of the *Cooma-Monaro Local Environmental Plan 2013*.
- 2 Achieve a high quality environment (both natural and built) that maintains or enhances the character of the Cooma-Monaro local government area and its localities.
- 3 Encourage development that contributes to the quality of the public domain.
- 4 Ensure development positively responds to the qualities of the site and its context.
- 5 Guide applicants in preparing high-quality standard development applications.
- 6 Provide clarity and guidance regarding Council requirements for specific types of development.

1.8 Categories of development

Under the provisions of the *Cooma-Monaro Local Environmental Plan 2013* different development types in each of the landuse zones are either:

- permitted without the need for Council consent
- permitted only with the consent of the consent authority (usually Council)
- prohibited

In addition, Schedules 2 and 3 of the *Cooma-Monaro Local Environmental Plan 2013* and the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* provide for certain types of development which, if the standards specified for them are met, may not require any approval or alternatively may be guaranteed an approval within 10 days (under legislation current at the time this plan was adopted). These two types of development are known as exempt development (no approval required) and complying development (10 day approval), respectively.

Some development applications which require consent from Council, may also require approval from State government authorities (see Section 91 of the *NSW Environmental Planning and Assessment Act 1979*). This type of development is known as integrated development. An application fee (\$320 at the time this Plan was adopted) for referral to each applicable government agency is payable to Council when the application is made. Council forwards the development application and fee to the applicable agency.

Where integrated development requires an approval under the *Heritage Act 1977*, the *Water Management Act 2000* or the *Protection of the Environment Operations Act 1997* it is nominated integrated development. Such development applications must be advertised in accordance with Clause 5(1)(b) of the *NSW Environmental Planning and Assessment Regulation 2000*. Additional fees to cover the cost of advertising will apply.

Additionally, there may be circumstances where a development application also requires approval from the Commonwealth government under the *Environment Protection and Biodiversity Conservation Act 1999*. This Act is most likely to be triggered in the Cooma-Monaro local government area by potential impacts on threatened species and endangered ecological communities.

In addition to the above, development applications may also be designated development. To determine whether a development application is designated development advice should be sought prior to lodging the development application. Development which is classed as designated development is listed in Schedule 3 of the Environmental Planning and Assessment Regulations 2000, which is available on the website www.legislation.nsw.gov.au.

1.9 Variations to development standards

Council expects that the requirements of this Plan will be fully complied with in any proposed development. However, it is also recognised that there may be certain instances where a variation to a particular requirement may be reasonable and appropriate in order to achieve a good planning and/or practical outcome for a particular development.

In such cases Council will consider each potential variation on its merits, having regard to the following:

- a) whether exceptional circumstances apply in the particular case such that it is unlikely the same variation would be warranted elsewhere;
- b) the impact that setting a precedent may have;
- c) the need for Council to make consistent decisions;
- d) whether, considering the objectives of the particular DCP standard, permitting the proposed variation would result in a better planning and/or practical outcome for the development as opposed to complying with the standard;
- e) if there is some reason why meeting the DCP requirement would be unreasonable in the circumstances of the development application; and
- f) if the variation is so minor or insignificant as to be of little or no consequence.

Any particular variation would be considered acceptable if it satisfied one or more of the above considerations.

It is not compulsory that an applicant specifically request a variation to a requirement of this DCP as any variations that are required will be discovered by Council as part of the assessment process. However, where an applicant is aware in advance that their proposal would require a variation to a DCP provision in order to proceed as proposed, it would be helpful if the applicant provided a written request for the variation and the justification for it, considering the six parameters in (a) to (f) above.

It is important to remember that the provisions of this DCP are Council requirements, and simply requesting a variation does not guarantee that it will be supported by Council. An applicant should recognise that Council may not agree that a variation is warranted and may insist that the DCP requirement be adhered to.

A provision should not be viewed as 'unreasonable' simply because it may cost what may be perceived as an 'excessive' amount to implement. Responsibility lies with the applicant to ensure he/she is aware of the total cost their development is likely to entail, including any Council requirements, before deciding to commence the development process.

1.10 Is development consent required?

To determine if a development application for a particular activity is required there are two basic questions:

- 1 Is it 'development'?
- 2 If it is, then is it development that requires development consent?

In reference to Question 1, the *Environmental Planning and Assessment Act 1979* defines 'development' as:

development means:

- (a) the use of land, and
 - (b) the subdivision of land, and
 - (c) the erection of a building, and
 - (d) the carrying out of a work, and
 - (e) the demolition of a building or work, and
 - (f) any other act, matter or thing referred to in section 26 that is controlled by an environmental planning instrument,
- but does not include any development of a class or description prescribed by the regulations for the purposes of this definition.

In reference to Question 2, once an activity is captured by the definition of 'development' above, it then needs to be determined whether it is a type of development that requires consent via a development application. First refer to the Land Use Table of the *Cooma-Monaro Local Environmental Plan 2013* under the landuse zone in which the development is proposed to take place. Note that if a type of development cannot be located in the landuse table, it may be a type of development that does not require consent or is 'complying' development.

Common categories of exempt and complying development can be found in Schedule 2 of *Cooma-Monaro Local Environmental Plan 2013* and also in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Both documents can be found on the NSW legislation website at www.legislation.nsw.gov.au under 'EPs'.

This is a simplified description of how to determine if a development application is required for a particular activity. Due to the enormous variety of activities which could be 'development' and the complexity of planning legislation it is recommended you contact Council's Planning Section (6455-1911 or 6455-1915) to confirm whether or not a development application is required for the activity you have in mind.

If a development application is required, certain information must be submitted to Council as part of the application. This is a requirement of Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. This information generally consists of the following:

- a) A completed application form together with the applicable fee/s.
Note additional fees may apply eg referral to State government agency, Long Service Levy, and inspection fees. Fees are listed in Council's Operational Plan and a quote of applicable fees can be provided.
- b) A site plan (four copies) of the land to which the application relates.
- c) All information outlined in the appropriate development application checklist.
Checklists for a range of development types are available on Council's website at www.cooma.nsw.gov.au under 'Planning and Development/forms' or over the counter.
- d) Where applicable, some development types will require specialist reports and/or plans. The requirements for these have been outlined in the subject areas.
- e) A formal Statement of Environmental Effects (SEE) that addresses the likely impacts of the

proposed development on the environment and adjoining properties, and the measures proposed to mitigate these impacts.

In the preparation and assessment of a proposed development it is necessary to take into account a range of requirements which are **not** included in this Development Control Plan. These include the Building Code of Australia, Australian Standards, Council documents such as Development Contributions Plans and Commonwealth and State legislation.

The *Register of Development Assessment Guidelines* located on the NSW Department of Planning's website at www.planning.nsw.gov.au provides information to assist applicants prepare development applications, and covers a wide range of subjects.

Council may reject (ie refuse to accept) a development application either at the counter or within 14 days of lodgement if the application does not contain sufficient information. There are provisions in the *Environmental Planning and Assessment Regulations* governing how this process occurs.

It should be noted that once a development application is lodged and accepted, Council may still request further information or changes to the submitted plans following an initial assessment of the application.

Note: All plans must comply with the Building Code of Australia (otherwise known as the National Construction Code).

2 General Development Controls

The requirements in this Chapter are to be considered for all development and where a particular requirement is applicable it shall be complied with. This Chapter is to be read in conjunction with any requirements for specific types of development outlined in later chapters of this Plan. Where there is an inconsistency between a *general* requirement of this Chapter and a *specific* requirement relevant to the proposed development from elsewhere in this Plan, the specific requirement will prevail over the general requirement.

The list of requirements covered in this section is as follows:

- Streetscape
- Building Height and Bulk
- Building Setbacks
- Crime and Safety
- Vehicular Access and Roads
- Stormwater
- Energy Efficiency
- Erosion and Sediment Control
- Landscaping
- Off-street Parking and Vehicle Facilities
- Infrastructure and Easements

Any development involving the construction of a new building in particular, must address the requirements of these provisions, unless there is a specific provision elsewhere in the Plan which over-rides them.

An applicant should seek to meet both the performance and prescriptive requirements for each aspect described below, as these are considered to meet the objectives of the particular aspect.

2.1 Streetscape

The character of urban areas in particular is largely defined by the buildings, streets and public places which comprise the area. All these elements are visible from the street to the general public, and form what is generically known as the streetscape. The way these different elements are designed and presented influences our perception of the quality of the place.

The requirements of this clause apply to development in the following Zones:

R1, R2, RU5, B1, B2, B3, B4, B5. It also applies in Zone R5 only in instances where the minimum front setback under this plan is not met.

2.1.1 Objectives

To ensure that new and altered buildings:

- Improve the quality of the streetscape of the town and village areas of the Shire over time.
- Contribute positively to the streetscape by means of good quality architecture and design.
- Present appropriate design responses to nearby development that complement and enhance the streetscape.
- Avoid uniformity and encourage diversity and innovation of design provided the character of the street is respected.

2.1.2 Performance based requirements

- Building facades must respect and enhance the streetscape.
- If a building is adjacent to a heritage building, its external design, as it appears from all public areas in the vicinity where it can be seen along with the heritage building, must be sympathetic to the design of the heritage building.
- Where development is within the Cooma Central Business District (CBD) it is to contribute to or be consistent with the principles and strategies of the *Cooma CBD Structure Plan*.
- Blank walls for the entire length of a building facade are not permitted along any frontage to a footpath or public area. Walls are to be broken up with architectural features and ideally should include windows and doors to provide passive surveillance of the public areas.
- Buildings and developments which possess more than a single street frontage (eg corner lots or front and rear frontages) must address both street frontages in their design and are not permitted to favour one frontage and neglect the other. Both street frontages must provide interest in the design (particularly at street level), be pedestrian friendly and provide passive surveillance to the street.
- Loading bays and/or garages are permitted provided they are not the dominant feature in any street façade.
- Variation in roof forms is encouraged to add interest to the streetscape, but roofs should be compatible with the pitch, materials and colour of the roofs of surrounding development. Long, bulky, bland roof forms are to be avoided.

2.1.3 Prescriptive requirements

- Reflective materials such as zincalume are not to be used on building facades or roofs.
- For any new residential building, the maximum width of a garage or carport opening that faces the street shall not exceed 6 metres.
- Where a garage forms part of the same building as a dwelling and the garage door faces the street, the width of the garage door must not be greater than 50% of the width of the dwelling house on the lot, measured across the front elevation. This does not apply if the garage is not visible from the street frontage.
- A garage or carport may be built as a detached building and located between a dwelling and the primary street frontage only if it is no more than 4 metres in width on the elevation facing the street.

2.2 Building height and bulk

The height and bulk of a building can have a significant impact on the character of an area, particularly where there are large differences between a new building and its surrounds. Additionally, the building may impede views and vistas, and create overshadowing.

Cooma-Monaro Local Environmental Plan 2013 (CMLEP 2013) and associated maps contain definitions and requirements relating to the height of buildings as well as their overall bulk, measured using floor space ratio. In CMLEP 2013 height is defined as:

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

This clause in the DCP provides additional and complementary provisions regarding height and bulk to those contained in CMLEP 2013.

This clause is applicable to all Zones.

Non-habitable buildings and structures need only comply with the objectives of this clause in 2.2.1. Clauses 2.2.2 and 2.2.3 do not apply to such proposals.

2.2.1 Objectives

- To ensure new buildings respect the scale of the existing built form in the local area.
- To ensure the distribution of building height and scale preserves and enhances neighbourhood amenity.
- To prevent excessive over-shadowing, allowing daylight access to surrounding buildings.
- To retain important landscape vistas.
- To retain the rural character of the Cooma-Monaro local government area.

2.2.2 Performance based requirements

- Where a new building is constructed on a sloping site, the height of the building is to be stepped along the slope and cling to it rather than protrude out from it. This principle should be applied to complement the prescriptive provisions of this clause.
- In rural areas a new building must take measures (including choice of an appropriate location on site) to minimise its impact on the rural landscape and skyline when viewed from public roads and reserves. Buildings higher than 6 metres will be particularly scrutinised in this regard.
- Where a new building is to be sited adjacent to a building of significant character and/or heritage value that is less than 15 metres in height, the height of the new building must respect the height of the existing building/s of significant character and must not overwhelm it.
- Buildings greater than two storeys in height must step back the levels above this height to reduce the impact on the streetscape. This means that, in the case of a three storey building, the third floor must have a greater setback from the street than the first and second floors in order to reduce the impact of the building on the streetscape. This requirement does not of itself provide any justification for exceeding any required height limit applying to the site.

2.2.3 Prescriptive requirements

- The lowest habitable floor of a new building must not be located more than 1.2 metres above the existing ground level at any point directly below it, unless the building is located within the 1 in 100 year flood level and other development controls require a minimum floor level higher than this. Balconies may be higher than 1.2 metres provided privacy impacts on neighbouring properties are avoided or minimised by the use of a privacy screen or some other design measure. Where the development is an extension of an existing building, extensions where the lowest habitable floor level of the extension exceeds 1.2 metres will be accepted in instances where the subfloor area serves some useful purpose (such as providing car parking) or where a better overall building design would result from protruding out from the slope further than 1.2 metres.
- Basements are not to protrude more than 1 metre above the existing ground level of a site, measured to the underside of the ground floor.
- A minimum floor to ceiling height of 3.3 metres on the ground floor and 2.7 metres on all other floors is to be provided in a new building within any Business zone to provide for flexibility in future-use options. Building extensions in these zones should also provide these ceiling heights where possible in consideration of the existing building design.
- Where a building is two or more storeys in height, it must not overshadow any living-room window of an adjoining dwelling for more than two hours between 9.00 am and 3.00 pm on

the mid-winter solstice (21 June). A shadow diagram must be submitted where such overshadowing appears likely to result from the proposed building.

- The following table summarises the maximum building height for different zones not covered by the LEP Height of Buildings map:

Table 1: Maximum height of buildings

Zone	Maximum height of buildings
R5, RU5, E3, E4	8.5 metres
IN1, RU1, E2, RE1, RE2	No specific height restriction – considered on merit

2.3 Building setbacks

A setback helps to establish the location and alignment of a building on a particular site. Front setbacks are especially important because they help create the character of the street and in this way contribute to the public domain. Setbacks enhance the setting for buildings as they provide space for landscaped areas, entries to dwellings, open space and parking.

The setback of a building is defined in CMLEP 2013 as the following:

building line or setback means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and:

- (a) a building wall, or
 - (b) the outside face of any balcony, deck or the like, or
 - (c) the supporting posts of a carport or verandah roof,
- whichever distance is the shortest.

This clause is applicable to all Zones.

Non-habitable buildings and structures need only comply with the objectives of this clause in 2.3.1. Clauses 2.3.2 and 2.3.3 do not apply to such proposals.

2.3.1 Objectives

- To enhance the character of a street or road.
- To ensure compatibility with other buildings on adjoining lots.
- To encourage the provision of landscaping and open space.
- To provide adequate separation between buildings consistent with the character, amenity and safety expectation of a locality.

2.3.2 Performance based requirements

- In some instances a lot will have a building envelope (shown on the title of the property). Where there is a building envelope, buildings will need to be erected within the building envelope and must also meet the setbacks listed below if it is possible to achieve them within the building envelope. Where this is not possible within the building envelope, the setback will not apply.
- A zero front setback is encouraged in Zone B3 to provide definition to the public space within the street.

2.3.3 Prescriptive requirements

- Minimum front and rear setbacks from boundaries are to be increased by at least 1 metre for any floors above two storeys (not including attic space).
- Above ground rainwater tanks and other structures not attached to the building must not be located within a front setback. If a rainwater tank is located underground it may be located in the front setback, provided it is completely underground. Tanks partially submerged (eg by a small cut on the site) are not acceptable.
- The setbacks listed in the table below apply to all buildings including dwellings and sheds. In the case of development in a zone not listed in the table, setbacks will be assessed on merit having regard to the objectives of this provision.

Table 2: Setback requirements in specific circumstances

Situation	Setback
Lots accessed by a battle-axe handle or a Right-of-Way where this is the only street frontage of the lot	Side and rear setbacks remain the same as zone requirements, but a setback of 4 metres from the boundary created by the battle-axe handle (ie the rear boundary of the 'front' lot) replaces the front setback requirement in Zones R1, R2 and RU5. In remaining zones this setback is based on merit with regard to the objectives of this provision.
Lots burdened by a Right-of-Way or adjacent to a battle-axe handle	The required side setback must be observed from the edge of the Right-of-Way or battle-axe handle. If the access is unsealed the minimum setback must be doubled.
Lots which front a classified road (Highways)	In RU1 and R5 the minimum front setback is increased by 25 metres to 75m or 35m as per the table below.

Table 3: General setback requirements (in metres)

Zone	Front Setback	Side Setback	Rear Setback	Corner Lots Secondary Frontage	Comment
R1 & R2	6	0.9	3	4	<p>Solid fences more than 1.2 metres in height will not be permitted along road frontages with the exception of up to half of the frontage along a secondary road where the half furthest from the primary road frontage will be permitted to have a solid fence up to 1.8m in height. Covered balconies, patios, bay windows and other architectural features may intrude into front, rear and corner lot setbacks by no more than 1.2 metres.</p> <p>A front setback of less than 6m can be considered acceptable where it is the average of the setbacks of the existing buildings on the adjoining lots either side.</p> <p>Domestic outbuildings, garages and sheds may have a rear setback of 0.9m-3m provided no windows with a sill height less than 2m above floor level face the rear boundary.</p>
R5 minimum lot size >1800m ² but <4000m ²	8	0.9	5	6	
R5 minimum lot size <2ha	10	5	10	10	
R5 minimum lot size >2ha	50	10	25	25	Domestic outbuildings, garages and sheds may observe the side and rear setbacks of R5<2ha lots
B1 & B2	New buildings to match existing street alignment	0	0	0	Residential accommodation in these zones, other than shop top housing, must comply with the setbacks for R1 & R2 zones.

Zone	Front Setback	Side Setback	Rear Setback	Corner Lots Secondary Frontage	Comment
B3	0	0	0	0	Consider increasing the setback of upper floors if the building is higher than two storeys to preserve rural character of the town. New residential accommodation in this zone, other than shop top housing, must comply with the setbacks for R1 & R2 zones. Consider fire safety measures required for a zero setback and also prescribed condition relating to shoring of adjoining property (cl.98E of Regs)
B4 & B5	4	0.9	3	4	Setbacks for new non-residential uses should be sensitive to existing residential uses on adjoining properties. The Building Code of Australia may require larger minimum setbacks for certain types of non-residential uses.
IN1	12 Setbacks between 6-12m are acceptable if landscaping provided (see comment)	0.9	0.9	6 but may come to within 3 metres if landscaping is provided along secondary frontage as per front setback.	Visitor and employee parking may be provided within the front setback. The front setback may be reduced to 6 metres minimum if landscaped garden beds at least 2 metres in width are provided along the length of the front boundary
RU1	50	50	50	50	A larger than 50 metre front setback is encouraged, particularly on unsealed roads.
RU5	6	0.9	3	4	A non-residential use is permitted a front setback less than 6 metres provided it matches the dominant setback of the street. A front setback of less than 6m can be considered acceptable for a residential use where it is the average of the setbacks of the existing buildings on the adjoining lots either side.
E3	50	50	50	50	Setback variations can be considered if justifiable on topographical or ecological grounds provided amenity impacts are not detrimental to neighbours.
E4	50	50	50	50	Setback variations can be considered if justifiable on topographical or ecological grounds provided amenity impacts are not detrimental to neighbours.

Note: These are minimum requirements

2.4 Crime and safety

The design of buildings and places has impacts on the safety of the community. Designing for safety enables casual surveillance, reinforcing territory, controlling access and managing space. For instance poor lighting and enclosed spaces in public areas can make a space feel unsafe and enhance the opportunity for people to commit crimes undetected. The consideration of crime prevention in the design of a development can decrease the opportunity for crime.

2.4.1 Objectives

- To increase the likelihood crime may be prevented by detection.
- To increase and contribute to the safety and perception of safety in public and private spaces.

- To encourage the consideration and application of crime prevention principles when designing and siting buildings and spaces.
- To encourage dwelling layouts that facilitates safety and encourages interaction and recognition between residents.

2.4.2 Performance based requirements

- Development is to be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight-lines between public and private places, installation of effective lighting and the use of open landscaping of public areas.
- Development is to incorporate design elements that contribute to a sense of community ownership of public spaces. Encouraging people to gather in public spaces through appropriate design techniques, helps to nurture a sense of responsibility for a place's use and condition.
- Council will refer development applications that may provide the opportunity for an increase in crime to the NSW Police for comment. The types of development applications that may be referred to the NSW Police include major new development, childcare centres and development which will provide public entertainment and/or service of alcohol.
- Security for the public domain including parks, swimming pools, public toilets and transport facilities should have the following attributes:
 - ❖ appropriate lighting that illuminates pedestrian pathways
 - ❖ landscaping that does not obscure visibility
 - ❖ adequate signage describing pathways and facilities including taxi ranks, bus stops and community facilities
 - ❖ maximises surveillance from adjoining areas
 - ❖ minimises opportunities for graffiti
 - ❖ pavement treatment that defines uses and movement
 - ❖ pedestrian pathways and routes with clear sight-lines
- The incorporation of crime prevention measures in the design of new buildings and spaces is not to detract from the quality of the streetscape.

2.4.3 Prescriptive requirements

- Building facades which immediately adjoin a public area must not contain recesses, fin walls, etc at ground level which will present an opportunity for a deviant to hide, especially when located near ATMs.
- Where visitor spaces are required to be provided in a development, they should be located close to or within the front setback.
- Private open space should be clearly defined for private use. This can be achieved by its siting in relation to the dwelling and enhanced by landscaping and screening.

2.5 Vehicular access and roads

It is a requirement of the LEP that suitable vehicular access be provided to all new development (clause 6.10(e)). Council considers a "suitable vehicular access" to be one which complies with the requirements of this DCP, in particular the requirements of this Section.

Within Cooma-Monaro Shire there are two types of public roads – those vested or owned by the Crown, known as Crown roads, and those vested or owned by the Council, known as Council roads. Some Council roads are also known as 'classified' roads under the *Roads Act 1993*. The major highways (Monaro Highway and Snowy Mountains Highway) through the Shire are classified roads.

A Right-of-Way is a type of private road which provides access to allotment/s in different

ownership. An internal access road (or driveway) is a private road that provides access from the lot boundary to building(s) within an allotment.

The provision of direct vehicular access from a lot (with frontage) to a public road or indirect vehicular access from a lot (without frontage) to a public road via a private Right-of-Way is considered suitable vehicular access, provided the requirements of this Section are met.

Where there is an inconsistency between engineering requirements of different documents referred to in this Section, this Plan shall prevail over the engineering specification documents or other Council documents. This Plan does not prevail over access requirements in the Planning for Bushfire Protection document prepared by the RFS for fire fighting purposes.

2.5.1 Objectives

- To ensure that roads and access points to properties are safe for all road users.
- To ensure that construction is to a satisfactory standard which minimises future maintenance.
- To minimise disputes over access roads amongst members of the community.
- To provide access to multiple lots from the same road where possible.
- To provide direction for applicants seeking to use Crown roads for access.

2.5.2 Performance based requirements

- The vehicular access is legal and practical.
- Roads and property access points must be safe for all road users.

2.5.3 Prescriptive Requirements

- Road and vehicular access within a development must be constructed at the developer's expense to meet the standards specified in Appendices 5 and 6 and Council's *Specification for Engineering Works – Volume 1 (Design)* and *Specification for Engineering Works – Volume 2 (Construction)* (SFEW).
- Road and vehicular access to a development must be constructed at the developer's expense to meet the standards specified in Appendices 5 and 6 and Council's *Specification for Engineering Works – Volume 1 (Design)* and *Specification for Engineering Works – Volume 2 (Construction)* (SFEW). If a development is proposed which will utilise a sub-standard public road for access, an assessment will be made by Council as to the likely impact of the proposed development on the road. The proposed development may be required to upgrade the road (or parts of the road) to the relevant standards in this DCP for the particular class of road.
- Where a proposed development has access from an unconstructed road reserve, the road will need to be constructed as part of the development up to the access point to the site. Where a proposed development has access from both an unconstructed primary road and a secondary laneway, whether constructed or otherwise, the development will still be required to construct a road which will meet the standards in Appendix 5. A 6 metre-wide laneway, whether constructed or otherwise, will not meet these standards.
- In Zone RU1, E3, E4 and R5 (for lots >2ha only) the internal access road (driveway) must be shown on any plan that proposes a new building or building envelope. The internal access road will be required to be constructed to the standard specified in Appendix 5 for a Category 1 road and in accordance with Note G in Appendix 5 to that table. An internal access road which crosses a watercourse will be subject to relevant NSW Office of Water requirements and the relevant flood design standards in Appendix 5. Bushfire requirements must also be met where the development is on bushfire prone land and the driveway passes through such areas.

2.5.3.1 Property Entrances Zones R1, R2, RU5, IN1 and all Business zones

- The vehicular access to each property shall comply with Council's SFEW and Appendix 6 of this Plan.
- Where a concrete footpath exists, the crossing shall be constructed in concrete.
- Concrete crossings (the driveway section between a property boundary and a road) from bitumen sealed roads shall be constructed no closer than 0.5 metres from the edge of seal. The intervening space to join the sealed road shall be constructed as sealed pavement.
- Crossings may be constructed as single (3 metre-wide), double (5 metre-wide) or a pair of singles (each 3 metres wide, for separate ingress/egress) for single dwellings or dual occupancies. If a pair of single driveways is constructed they should be located to maximise the number of on-street parking spaces along the frontage of the property. For other development types design shall comply with AS2890.1 – *Parking Facilities Part 1: Off Street Car Parking*, or AS2890.2 – *Parking Facilities Part 2: Off Street Commercial Vehicle Facilities*.
- Crossing location and design shall comply with the provisions of AS2890.1 or AS2890.2 as appropriate.

2.5.3.2 Property Entrances Zones RU1, R5, E2, E3, E4

- Entrances shall comply with the provisions of Council's SFEW – Section D1.22 and Appendix 6 in this Plan.
- Access on classified roads shall comply with Roads and Maritime Services requirements where works within the road reserve will occur as part of the development.

2.5.3.3 Timing for the construction of access points and traffic issues during the construction phase

- Vehicular access points to a development will need to be constructed in full prior to the release of any Occupation Certificate for a building on the site.
- Vehicular access points to a development need to be constructed in full prior to the release of a Subdivision Certificate in Zones RU1, R5, E3 and E4. In other zones construction of the access point may wait until a building is constructed on the lot, unless during the development assessment process a specific circumstance arises which makes it prudent to require construction of the access point at subdivision stage.
- Where it is likely that there will be traffic safety issues during construction because of the type of vehicles to be used, their frequency, and the location and standard of the existing access points, a 'Traffic Control Plan During Construction' will need to be submitted with the development application. The Traffic Control Plan will need to include details of the establishment of safe entry and egress points for construction traffic along with the type of vehicles to be used, and their likely frequency.

2.5.3.4 Rights of Carriageways (Rights-of-Ways)

- The term Right-of-Way in this Clause refers to a vehicular access arrangement to a site. It does not refer to a Right-of-Footway or any other easement which does not provide vehicular access.
- When considering a Right-of-Way in a development, consideration should be given to utility services to be provided to the lot/building. It is much easier to obtain utility services where the lot has direct frontage to a public road, which is usually where the utility service is located. Where a utility service needs to be provided across an adjoining lot an easement is required. Obtaining the easement involves negotiation with the adjoining property owner/s.

There may also be other issues due to the fact that a lot served by a Right-of-Way is likely to be landlocked.

- The length of a Right-of-Way will be in accordance with the following table:

Table 4: Maximum permitted lengths of Rights-of-Ways for difference zones (in metres)

	RU1, E3 & E4	RU5, R1 & R2	R5	Business zones	IN1
<i>Length of Right-of-Way</i>	No fixed length but must only burden one other lot which must front a public road	25	50	Any length	20

- An 88B Instrument to be created under the *Conveyancing Act 1919* in connection with any new Right-of-Way must specify which allotments are responsible for the maintenance works and cost of maintenance works of the Right-of-Way and in what specific proportions.
- A Right-of-Way is to be constructed in accordance with the engineering requirements for the particular zone as shown in the Tables of Appendix 5.
- Special requirements relating to Rights-of-Ways and vehicular access in subdivisions is contained in Chapter 4, with particular provisions for Michelago Village contained in Chapter 6.

2.5.3.5 Crown and Council Roads

- Development which achieves its access from a Crown road must provide the same standard of access as would be required from a Council road.
- Council will accept dedication of a Crown road, if required, provided the works required on the road are carried out prior to issue of any Occupation or Subdivision Certificate for the development.
- Road standards required are based on the Tables in Appendix 5.

2.5.3.6 Lots accessed by a battle-axe handle or Right-of-Way

- A proposed development on a lot in R1, R2, RU5, Business or IN1 Zones which is accessed via a battle-axe handle or a Right-of-Way must seal the entire access handle with a bitumen seal, concrete or other such suitable hard wearing impervious surface as part of the development.
- Suitable stormwater drainage must be provided for the sealed section such that runoff does not adversely impact adjoining properties.

2.6 Stormwater

Any new building will generate additional runoff within a site and this can have a potential impact on adjoining properties and the environment. It is essential that the means of catering for stormwater runoff from a new building is considered during the development assessment process.

2.6.1 Objectives

- To prevent impact on adjoining properties or the environment from stormwater generated by new development.
- To ensure that appropriate legal arrangements are made where necessary.
- To specify the circumstances where on-site detention systems are required.

2.6.2 Performance based requirements

- Where it is necessary to convey collected stormwater runoff from one lot through another, an easement must exist on the downstream lot that confers rights to the upstream lot to drain water through it. The standard easement used for this purpose is an easement for drainage of stormwater.
- Where it is proposed to discharge collected stormwater runoff to an inter-allotment drainage easement, the applicant is required to submit to Council information from the NSW Lands Title Office that indicates the subject property enjoys rights to use the inter-allotment drainage system.
- All stormwater systems must be designed in accordance with Council's SFEW.

2.6.3 Prescriptive requirements

- Stormwater generated by any new development within the town or village areas must not discharge across any adjoining property without a legal means to do so. Where the possibility of discharge across an adjoining property is likely, the additional stormwater runoff must be directed into a drainage system on the site, and either absorbed on site or subsequently discharged to the public stormwater drainage system.
- Where a new building is to be constructed on a lot containing a stormwater pipeline, the footings must be below the zone of influence extended from the invert of the pipe (see Figure 2: Zone of influence for underground pipes).
- The width of inter-allotment stormwater drainage easements is to be in accordance with the following table:

Table 5: Stormwater requirements

Nominal Pipe Diameter	Easement Width
<=150 mm	1.0 metre
>150 mm and <=900 mm	2.5 metres
>900 mm	width required for maintenance but not less than width of conduit plus 1 metre and not less than 2.5 metres

- All rainwater tanks must have their overflow arrangements indicated on the plans submitted and described with the development application.
- No permanent structures shall be built within the stormwater drainage easement and no structures which obstruct flows or prevent access for maintenance purposes shall be permitted.
- Sites which drain to the rear or away from the street or dedicated stormwater channel/watercourse must obtain an easement to drain over adjoining property where required.

2.6.3.1 Specific requirements for different stormwater systems

2.6.3.1.1 On-site detention systems

- An on-site stormwater detention system is to be provided for all new development (other than exempt development) to be carried out in the catchment areas identified on the map provided in Appendix 1.
- On-site detention systems must be designed to cater for the runoff generated by a 1% Annual Exceedence Probability (AEP) rainfall event and must provide a site discharge rate no greater than the existing pre-development situation. Calculations are to be provided with the development application.

- Where detention tanks are provided within a front setback they must be fully underground.
- For developments in the R1 and R2 zones, systems that rely on pumps to clear the detention tank shall not be permitted.
- Systems shall be designed to discharge from the site directly to the street or dedicated stormwater channel/watercourse.
- For complying development or development applications where site specific calculations are not provided, the size of detention tanks to be installed must be based upon 1000 litres of storage for every 50 square metres of new roof and other impervious areas on the site occurring as a result of the development. Note where an existing building is extended or demolished and replaced, the development only needs to cater for the stormwater arising from the additional increased roof and other impervious areas of the new development compared with the existing.
- Increases of roof and/or impervious areas of up to 50 square metres do not require detention systems.
- A detention system must be designed to automatically empty at a controlled rate of a nominal 0.8 litres per second per 100m² of new impervious area, unless calculations are provided to justify a different rate.
- Each on-site stormwater detention system shall be indicated on the site by fixing a marker plate in a prominent position. This plate is to be of minimum size 150mm x 100mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. It is to be fixed to the nearest concrete or permanent surface in a prominent position. The wording on the marker plate is to be:

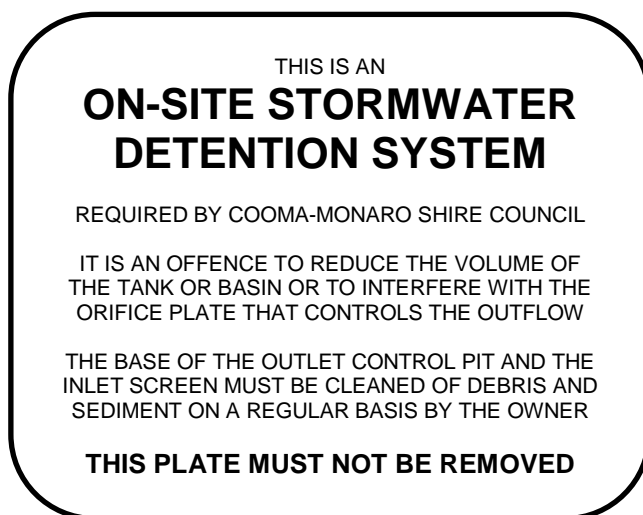


Figure 1: Stormwater detention system marker plate

- Where a detention system is installed on-site a public positive covenant is to be registered on the Title to permit Council to carry out necessary works to clear and/or repair the system at any time where it is blocked and/or failing and causing drainage problems for other properties or the public. The covenant must specify that the owner must pay Council any reasonable cost of carrying out such works.

2.6.3.1.2 On-site disposal (absorption) systems

- On-site disposal systems are not permitted for complying development.
- Where an on-site disposal system is proposed on land zoned R1, R2, Business, Industrial or Zone RU5, a soil analysis must be submitted with drainage calculations which justify the use of an on-site absorption system on the site. Such justification would need to include calculations demonstrating that absorption of stormwater into the soil can occur at a rate which will not result in impacts on the proposed buildings or adjoining properties for a 1% AEP rainfall event. However, outbuildings on lots containing dwelling houses are exempt from the requirement to provide a soil analysis provided there will be no impact on adjoining

properties from the intended drainage arrangements.

2.7 Energy efficiency

Council encourages the development of energy efficient buildings and structures.

The NSW Government operates BASIX, the Building Sustainability Index. The Index aims to reduce the level of greenhouse gas emissions by setting energy and water reduction targets for dwellings with a value greater than \$50,000.

The requirements of this Section are complementary to the BASIX requirements and targeted at measures specific for the local climate.

2.7.1 Objectives

- To encourage energy efficient design in buildings and structures.

2.7.2 Performance-based requirements

- Buildings should be designed to enable the cross flow ventilation of air throughout the building in summer. Ideally air should be able to flow from the shady side of a house through to the sunny side at any time of the day during summer.
- Building design is to provide for the penetration of natural light into as many parts of a building as possible, and the use of skylights for this purpose is encouraged.
- Landscaping close to buildings, particularly with deciduous trees, is to be used to improve the energy efficiency of the building.
- The use of wood heating is recognised as an efficient form of heating in the local climate, but if provided for in a new building a space to safely store dry timber is also to be provided on-site.
- Ventilation of the roof cavity in new buildings will make a building cooler in summer and warmer in winter (because it decreases ice formation in the roof which decreases the air chill).
- Building design should avoid rooms which are fully enclosed within a building and which will require mechanical ventilation during its regular operation.
- The number of north-facing windows in buildings should be maximised to improve passive heating in winter, but shading of these windows by awnings, louvres, landscaping, etc to block midday sun in summer should also be provided.

2.7.3 Prescriptive requirements

- An outdoor area for clothes drying is to be provided for all new dwellings.

2.8 Erosion and sediment control

Development, subdivision and building works involve the disturbance of the land surface. During construction, the removal of vegetation and reshaping of the land creates a surface which is extremely prone to erosion. The water that runs off sites contains sediment, suspended solids, nutrients and other pollutants which can adversely impact on water quality and aquatic environments across a site and downstream.

The best means of preventing erosion and sedimentation is through the consideration of these processes at the design stage of a development. For example, how much cut is required and

where the excess will be stored, and how the cut material will be managed in the long-term, and the implementation of sediment controls at the beginning of construction.

2.8.1 Objectives

- To prevent the erosion of land.
- To prevent the movement of sediment.
- To prevent the pollution of watercourses.
- To establish site stability as soon as possible following earthworks.

2.8.2 Performance-based requirements

- As a general principle the natural drainage systems on a site should be preserved and vegetation removal during construction minimised.
- An Erosion and Sediment Control Plan (Soil and Water Management Plan) is to be prepared and submitted with a development application where the proposed development involves any or all of the following:
 - ❖ construction of new public roads;
 - ❖ earthworks disturbing more than 300m² of the site;
 - ❖ earthworks in areas where the slope is 10 degrees (18% or 1 in 5.5) or greater.
 - ❖ earthworks or construction works (especially works involving concrete mixing or curing) within 50 metres of a watercourse, natural drainage channel or man-made stormwater channel
- For all other development an Erosion and Sediment Control Plan may be required as a condition of consent to be prepared and submitted prior to the release of a Construction Certificate.
- Samples of an Erosion and Sediment Control Plan for different types of development are included in Appendix 8 along with details of erosion control devices.
- All Erosion and Sediment Control Plans are to include the following information:
 - ❖ a site plan showing the location of the development and key drainage features of the site (such as contours/direction of slope, watercourses and/or drainage lines)
 - ❖ the type and location of sediment controls
 - ❖ details of any permanent sediment and erosion control structures
 - ❖ the management of temporary and permanent sediment and erosion controls
 - ❖ the location of stockpiles during construction
 - ❖ the reuse of topsoil
 - ❖ the means by which disturbed areas are to be stabilised and revegetated
- Sediment control structures should be inspected daily and maintained. If the control structure is more than 50% full, the sediment should be removed and disposed of appropriately (so that it will not move into watercourses).

2.8.3 Prescriptive requirements

- Construction on slopes in excess of 15 degrees (28% or 1 in 3.5) should be avoided.
- Hay-bales should be avoided as a means of sediment control in areas which have high-value native vegetation as they potentially contain the seed of non-native vegetation and noxious weeds.

2.9 Landscaping

The landscaping of development makes it more attractive as well as enhancing the streetscape. Trees also provide shade and habitat for native fauna. Landscaping 'softens' the hard edges of buildings and can be used to reduce the bulk and visual impact. Quality landscaping retains significant existing natural features and mature trees.

Landscaping also has an important role to play in improving environmental conditions such as stormwater and rain water absorption, habitat for native fauna, reducing bush fire risks and helping to regulate the amenity of a development through such things as sun-shading using pergolas and tree plantings.

Landscaped area is defined in the LEP as the following:

landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

2.9.1 Objectives

- To enhance the amenity of an area and development by improving the streetscape and softening the visual impact of buildings.
- To encourage retention and use of mature vegetation, particularly large and medium sized trees.
- To naturally improve privacy, amenity and solar performance of buildings and spaces.
- To promote energy efficiency by enhancing both solar access and shade.
- To assist with stormwater management.

2.9.2 Performance-based requirements

- A Landscaping Plan is to be provided with all new residential accommodation in Zone R1, R2 or a B Zone. A Landscaping Plan is also to be provided for new building development in the IN1 Zone.
- Plans are to be to scale and contain the following information where relevant:
 - ❖ dimensions of any retaining walls, fencing and hard-paved courtyards or driveways
 - ❖ any balconies, private open space and communal open space
 - ❖ plant species to be used and their expected height at maturity
 - ❖ means of watering plants (if there is to be a watering system)
 - ❖ location of any services such as water or sewer pipes, electricity, gas and phone lines, whether above ground or below ground
 - ❖ the planting of native vegetation especially that which is indigenous to the area is encouraged. A list of appropriate species is provided in Council's documents '*Plants Suitable for Cooma-Monaro*' and '*Preferred Ornamental and Native Tree Species List*', both of which are available from Council upon request.
 - ❖ an indication of landscaping included to satisfy BASIX requirements
- The following principles should be considered in the development of a Landscaping Plan - neighbour privacy, the retention of mature trees, the solar performance of the building, crime and safety principles, bushfire, interference with existing services, shading, usability of the space and enhancement of the streetscape.

2.9.3 Prescriptive requirements

- Landscaping for residential development must preserve at least 35% of the site free of hard-paved or non-porous surfaces.
- In the IN1 Zone, a minimum 2 metre-wide landscape strip is to be provided along the front setback where a front setback of less than 12 metres is proposed.

- A Landscaping Plan must include plantings within the front setback. Elsewhere on the site landscaping is encouraged.
- Landscaping planted on site in accordance with a landscaping plan must be established and maintained for a minimum period of 12 months from the date of issue of a final Occupation Certificate for the development.

2.10 Off-street parking and delivery vehicle facilities

Parking is an important aspect of development which, if not appropriately catered for within a site, can have a very noticeable impact upon the streetscape and the general amenity of an area. Parking includes not just the provision of an actual parking space, but also the room necessary in order to manoeuvre safely and easily in and out of a space and a site.

This Section contains general provisions relating to parking which apply to all development which generates a demand for parking. However it is also recognised that different landuses and types of development generate differing demands for parking. The rates for specific types of development are included in the table in this section and/or within the provisions for the specific development type contained in Chapter 3.

2.10.1 Objectives

- To ensure that new and amended development has car parking spaces on site, or in the case of CBD development, with a reasonable distance of the site, sufficient to cater for the demand from such development.
- To ensure that the location and design of parking spaces and other areas used for the movement of motor vehicles are efficient, safe and convenient, and are integrated into the design of the development in consideration of the streetscape.
- To ensure that provision is made for scooter and bicycle parking where suitable.
- To ensure that a new development does not unduly burden the public road and parking system by neglecting space which could be used for parking on their own site and using it instead for other purposes.

2.10.2 General requirements for parking

2.10.2.1 Information for development applications

- Development applications where off-street parking is part of the proposed development are to include the following information in plan form:
 - ❖ parking and manoeuvring areas including pedestrian movement
 - ❖ entry/exit from the street
- The following additional information is to be provided in plan form where relevant for the proposed development:
 - ❖ parking for people with a disability
 - ❖ loading/unloading, service delivery frequency and type
 - ❖ sign posting
 - ❖ waste collection areas
 - ❖ landscaping
 - pavement construction
 - drainage systems
- In preparing off-street parking details for a development application the following documents should be considered:
 - ❖ AS 2890.1 – Off-street car parking
 - ❖ AS 2890.2 – Off-street commercial vehicle facilities
 - ❖ AS 2890.3 – Bicycle parking facilities

- ❖ AS 2890.6 – Off-street parking for people with disabilities
- ❖ RTA Guide to Traffic Generating Developments 1993

2.10.2.2 Location of parking areas

- Off-street parking should be provided on the same site as the development to which it relates. However, parking on adjacent or nearby land may be allowed subject to the area being legally reserved for use by the development and such arrangements being made prior to or as part of the proposed development. However this does not include Council car parks (unless the development is commercial development within the CBD) and on-street parking spaces as these are not available for inclusion in calculating the car parking provision for a development.

2.10.2.3 Consideration of existing car parking

- In a Residential, Industrial or Rural Zone each new development must provide its own car parking on the site without reference to any parking shortfall or otherwise the previous or existing development on the site may have had.
- However in a Business Zone, where the existing or most recent previous use of a site (where the premises are not used at present) was lawful, car parking for that use may be taken into account in the assessment of the car parking requirements for a proposed development for the purpose of obtaining car parking credits. Details on how to calculate car parking credits are provided later in this section.

2.10.3 Design requirements for parking

2.10.3.1 Access from the street

- The location of entrances and exits from car parks should be designed and constructed in such a way as to ensure:
 - ❖ that there is minimal conflict between the car park traffic and pedestrians and other vehicular traffic on the street
 - ❖ that adequate sight distances to street traffic are provided and that there are no permanent sight obstructions
 - ❖ where a development will generate a large turnover of vehicles such as service stations and drive-in facilities, separate entry and exit entrances will be required, and must be clearly sign posted
 - ❖ an access driveway should be located at 90 degrees to the street frontage - refer to AS 2890.1 Section 3

2.10.3.2 Pedestrian movement

- The design of car parks should take into consideration the interaction of pedestrians and vehicles. The layout should allow for minimal conflict and risk to those user groups.

2.10.3.3 Landscaping

- Landscaping in outdoor ground level car parks designed for use by the general public will be required as it softens the hard surface and provides shade.

In preparing a landscape plan for a car park, the following is to be taken into account:

- ❖ sight distances
- ❖ vegetation types and space that will not damage the pavement or cause a hazard
- ❖ an advanced shade-tree should be provided for every eight spaces

- ❖ any Structure , Precinct or Master Plan/s for the precinct in which a proposed car park is to be constructed

Refer to Landscaping provisions in this Plan.

2.10.3.4 Drainage

- All car parking areas should be provided with an adequate drainage system to prevent inundation during periods of heavy rain. Refer to Stormwater provisions in this Plan.

2.10.3.5 Signs and markings

- Parking areas shall be well sign-posted with appropriate directional, informative and regulatory warning signs.
- Exits and entries, and direction for vehicular traffic shall be clearly sign-posted.
- Individual parking spaces, including those for specific uses (eg those with a disability, visitors, employees etc) shall be clearly delineated with line marking and sign-posting.
- Signs and markings shall comply with AS 2890.1

2.10.3.6 Bicycle and mobility scooter parking

- Where parking spaces for bicycles and mobility scooters are required to be provided (see the parking rates section below), the spaces must be designed in accordance with AS 2890.3 – *Bicycle parking facilities*.

2.10.3.7 Basement parking

- Basement parking is to be designed such that natural ventilation is provided in preference to mechanical ventilation.
Note: If the floor level of the storey immediately above a basement protrudes more than 1 metre above the existing ground level it is no longer defined as a basement under CMLEP 2013 and may then be included in the gross floor area of the building.
- Adequate provision needs to be made for the stormwater drainage associated with a basement, with basic design details to be provided with the development application.

2.10.3.8 Parking spaces for people with a disability

- Parking spaces for people with a disability should be provided close to an accessible entrance to the development.

2.10.3.9 Design – Pavement design and construction

- AS 2890.1 – *Off-street car parking* shall be the guide for the design of off-street car parking.
- Good design principles of safety, amenity and maintainability shall be incorporated in the design of car parks.
- The pavement in car parks shall be designed and constructed to suit the design traffic in accordance with *Cooma-Monaro Shire Council Specification for Engineering Works (clause D1.20)*.
- Except where the pavement is designed for concrete or pavers, the wearing surface shall be two coats of bitumen sprayed seal or asphaltic concrete (hotmix bitumen). In Zone RU5 – Village gravel car parks are also permitted provided the finish is neat and tidy and the spaces are marked (preferably with plastic car space delineator dots secured with spikes).

2.10.3.10 Design - Layout

- Refer to AS 2890.1 for further details of car parking design.
- 'Stack' parking (where the position of a parked vehicle precludes the movement of another vehicle) is not permitted except in residential developments where 'stack' spaces serve the same dwelling and in commercial development where the keys to the vehicles are deposited in an area accessible to employees.

2.10.4 Requirements for large vehicles

2.10.4.1 Coach parking

- Adequate provision must be made for the parking and movement of coaches for all tourist related development, including information and education facilities (museums, art galleries, etc), tourist and visitor accommodation containing more than 20 beds, and retail uses which cater specifically for the winter snow and ski market.
- Coach parking spaces and pick-up/set-down areas are to be provided in a manner which does not conflict with normal traffic at the site and within the car park.
- An adequate lay-by shall be incorporated wherever coach pick-up and set-down activities are to be conducted.

2.10.4.2 Delivery/service vehicle requirements

- Information regarding the type and size of vehicle to be carrying out deliveries to and from the proposed development need to be provided with the development application. Details of the frequency and times of delivery are also to be provided.
- Provision is to be made on-site for the type of delivery or service vehicles appropriate to the type of development. The number of service bays and design required for a development will depend on the size and nature of the development. Matters to be taken into consideration include:
 - ❖ minimising conflict between vehicular and pedestrian traffic,
 - ❖ preserving an attractive streetscape, and
 - ❖ not interfering with the amenity of adjoining properties, especially where a residential property is located in close proximity to the site.
- Loading bays for the development shall be designed in accordance with AS 2890.2 – *Off-street commercial vehicle facilities*.
- Delivery bays should be provided with sufficient manoeuvring area to enable vehicles to conveniently turn on-site so as to ensure that they are not required to reverse onto or from a street.

2.10.5 Parking rates and calculations

2.10.5.1 Calculation of car parking credits

- Car parking credits for a site in a Business Zone that may be used for a proposed development are calculated as follows:
 - 1 Apply the car parking rates in this Plan to the existing or previous lawful use with the highest parking requirement that occurred on the site in the 10 years prior to the application for the proposed development being submitted, to obtain an *existing car parking requirement*;
 - 2 Work out how many *actual car parking spaces* are provided on the site at present for that use;
 - 3 Subtract the *actual on-site spaces* (see Point 2 above) from the *existing car parking*

requirement (see Point 1 above). If the calculated number is greater than 0, these are the car parking credits available on the site.

- 4 The car parking credits may be used as required car parking spaces for the proposed development. If the credits available are not sufficient to cover the parking requirement of the proposed use, additional car parking spaces will need to be provided on-site or a further Section 94 contribution paid to cover the increased parking demand from the development.
- Where a developer contribution (Section 94 Contribution) for car parking has been paid for a site this remains as a permanent car parking credit on the site. A record of the payment is kept on Council's Section 94 Contributions Register which is available for public inspection.
 - It is always preferable for actual car parking spaces to be provided on a site rather than to rely on car parking credits. A new development should not simply rely on car parking credits where it is possible to provide spaces on-site. Refer to the objectives of this clause.

2.10.5.2 Complementary parking facilities

- The parking requirements of a development may be reduced by up to 50% when it can be demonstrated that the development generates its peak (major) parking demand outside the hours of 8.30 am to 5.30 pm Monday to Friday and 8.30 am to 1.00 pm Saturday, and it is situated in close proximity to public parking facilities with sufficient spaces to cover the anticipated demand.

2.10.5.3 Rates for supply of parking spaces for people with a disability

- Parking spaces for people with a disability must be provided in accordance with the rates in the National Construction Code and design requirements in AS2890.6 – Off-street Parking for People with a Disability. A copy of the 2013 Table from the National Construction Code and a basic diagram of the design requirements from AS2890.6 are included in Appendix 7 of this Plan.

2.10.5.4 Loss of existing parking

- Where a development in a Business Zone causes the loss of spaces either on-street or off-street, the number of spaces which will be lost is to be added to the number of spaces to be provided by the development.

2.10.5.5 Special parking provisions for lots in Bredbo with Highway frontage

- Due to the wide road reserve for the Monaro Highway through Bredbo Village, development with frontage to the Monaro Highway in the RU5 Zone at Bredbo is permitted (subject to consent of RMS and complying with any requirements of that authority) to use the road reserve immediately adjacent to the frontage of the site to provide required car parking spaces. On-site parking spaces may still need to be provided if there is not adequate space for all required car parking spaces in the road reserve. This provision also does not prevent a development supplying all their required spaces fully within their site.
- Spaces within the road reserve may only be provided where they butt up against the property boundary. Freestanding spaces elsewhere in the road reserve are not permitted.
- The design and construction of such parking spaces shall generally comply with the standard for off-street parking set out in this Plan. The finished surface and connections to the Monaro Highway pavement shall be bitumen sealed or asphaltic concrete.
- The person/s operating the development will be required to maintain the on-street parking spaces in a satisfactory state of repair in accordance with the provisions of the *Roads Act 1993* Section 142.

2.10.5.6 *Special parking provisions for commercial premises within the CBD*

- Non-residential premises located within the Cooma CBD are entitled to a credit of 5 car parking spaces in total in addition to the other concessions provided in this Section due to their proximity to public off-street car parking areas. Such credits apply to individual developments only and cannot accumulate through successive developments on a site.
- The CBD for the purposes of this sub-clause is any land in Zone B3.
- Where space is available on a site for use as car parking, it should be provided as such. The availability of a parking credit under this clause should not be used to justify non-compliance with the required parking rates in Table 6 where the site is large enough to achieve full or better compliance than existing.
- The provision of secure parking spaces for bicycles can be accepted in lieu of a car space at the rate of 1 car space = 5 bicycle spaces. The bicycle parking spaces must be designed and installed as a minimum class 3 space as per AS 2890.3.
- Proposed developments which cannot meet required parking rates in the CBD may wish to enter into a voluntary planning agreement with Council to negotiate a means of compensating for the parking shortfall. The Council is open to considering planning agreements, however they are entirely voluntary for all parties involved.

Table 6: Car parking requirements for difference landuses

Land use	Parking requirements
Residential	
Dwelling house	2 spaces per dwelling
All other forms of Residential Accommodation <i>(this does not include housing developments which have a minimum parking rate specified in a State Environmental Planning Policy, such as Housing for Seniors or People with a Disability)</i>	1 space for a one-bedroom unit 1 space for every two-bedroom unit 2 spaces for every three (or more) bedroom unit plus 1 additional space for every 3 units (as visitor parking)
Casual Accommodation	
Bed and Breakfast accommodation	1 space per customer bedroom plus 2 spaces for the owner
Hotel or Motels accommodation (including pubs where accommodation provided)	1 space per bedroom plus 1 space for every two employees (See NOTE 2 below for parking requirements for restaurant areas in motels)
Caravan parks	Refer to rates in the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>
Commercial – Office/Retail	
Commercial premises including offices	1 space per 40 square metres Gross Floor Area
Shops (Retail)	1 space per 40 square metres Gross Floor Area (including storage areas for goods pending their display or sale to customers in the shop, but not including loading bays)
Service stations and convenience stores	2 spaces for staff parking plus 3 spaces per work or service bay plus 5 spaces per 100 square metres or part thereof Gross Floor Area of any convenience store on-site plus 15 spaces per 100 square metres or part thereof Gross Floor Area or 1 space per 3 seats, whichever is the greater, for any restaurants provided on-site

Land use	Parking requirements
Vehicle sales or hire premises	1 space per 130 square metres Site Area plus 3 spaces per work bay (for vehicle servicing facilities) In addition adequate space must be provided on site for display vehicles. Display vehicles are not permitted to use the above required parking spaces.
Car tyre retail outlets	<i>The greater of</i> 3 spaces per work bay or 1 space per 40 square metres Gross Floor Area
Bulky goods/retail outlets	1 space per 50 square metres Gross Floor Area <i>If office or café space is included car parking will need to be provided in accordance with the rates for these areas</i>
Commercial – Office/Retail	
Drive-in/Take-away food and drink premises refer to definitions in LEP)	Developments with no on-site seating: 12 spaces per 100 square metres Gross Floor Area Developments with on-site seating: 12 spaces per 100 square metres Gross Floor Area, or greater of: 1 space per 5 seats (internal and external), or 1 space per 2 seats (internal only) Developments with on-site seating and drive through facilities greater of: 1 space per 2 seats (internal), or 1 space per 3 seats (internal and external) plus queuing area for minimum of 5 cars
Restaurants or Cafes refer to definitions in LEP)	1 space per 5 seats (whether the seats are located inside premises or on the footpath)
Function Centre	1 space per 5 seats
Garden Centre	Minimum 5 spaces plus 1 space per 100 square metres Site Area used for plant propagation or sale
Industrial	
Industrial uses	1.3 spaces per 100 square metres Gross Floor Area or spaces equivalent to the maximum number of employees on-site at any one time, whichever is the greater plus truck parking appropriate to facility
Warehouses	1 space per 300 square metres Gross Floor Area plus delivery bay for trucks appropriate to facility plus a space for each staff member (where more than 2) likely to be on site at any one time.
Vehicle repair stations and vehicle body repair workshops	3 spaces per work bay or spray booth plus a space for each staff member on site at any one time.
Health and Community Services	
Medical Centres/Health Consulting Rooms	3 spaces per health care professional
Private Hospitals	1 space per 3 beds
Recreational Facilities	
Gymnasiums	4.5 spaces per 100 square metres Gross Floor Area (consider complementary use in commercial use)

Land use	Parking requirements
Squash courts/tennis courts	3 spaces per court
Bowling alleys	3 spaces per alley
For any development containing a: Bar and entertainment area	<i>For that area only, the greater of</i> 1 space per 6.5 square metres Gross Floor Area or 1 space per 5 seats
Games room (ie pool tables, darts, etc)	<i>For that area only, the greater of</i> 1 space per 20 square metres Gross Floor Area or 1 space per 5 seats
Recreational Facilities	
Entertainment facility (theatre, cinema, music hall, concert hall, dance hall and the like)	<i>Greater of</i> 1 space per 20 square metres Gross Floor Area or 1 space per 10 seats
Schools and Tertiary Institutions	1 space for every full-time teaching or admin staff member and 0.5 spaces for every part-time or casual staff member. Note: Additional on-site spaces may be required if public roads adjacent the school do not provide sufficient spaces for safe traffic movements at school drop-off and pick-up times
Information and Education Facilities (art gallery, museum, library, visitor information centre and the like)	6 spaces per 100 square metres Gross Floor Area plus coach drop-off and/or parking facility appropriate to size of facility plus 1 space for every staff member on site at any one time

2.10.6 Definitions

All land uses and relevant terms referred to in the table above are defined in the Dictionary in LEP. Other relevant terms not in LEP are shown below or otherwise have their common meaning applied to them.

Bar and entertainment areas - refers to customer areas not including staff areas, toilets, entry halls or cloak rooms.

2.10.7 Notes on parking rates

- 1 Parking spaces, unless stipulated otherwise, are for cars.
- 2 Where a car parking calculation for a development results in a 'part' space (eg 2.3 spaces) the number of required parking spaces shall be rounded to the nearest whole number. Half spaces are rounded up (ie 2.5 spaces = 3 spaces). Where there are different rates applying to sections of a single development, the total spaces as a whole shall be rounded according to this rule.
- 3 If a restaurant and/or function room is to be included as part of a motel development, then the amount of off-street parking must be reviewed and increased as necessary. If the restaurant primarily serves motel customers, then additional parking may not be required. However, the possibility of a future change in patronage of the restaurant must be considered.
- 4 Where a development comprises separate land uses on separate parts of the site (eg public bar plus restaurant), the parking requirement for each use is calculated separately and added to derive the total applicable.
- 5 Depending on landuse type, parking for delivery/service vehicles, courier vehicles, bicycles should also be provided.

- 6 Where a particular facility is not listed, data should be provided on similar establishments to allow a determination to be made by Council.
- 7 Where the likely demand for parking spaces for a development is likely to be less than indicated in the table above, due to proximity to and use of public transport, for example, the applicant shall submit supporting information to be considered in the determination.

2.11 Infrastructure and Easements

In this clause infrastructure refers to the pipes, conduits, substations, wires, pumping stations, poles, pits, sumps, drains, meters, etc that are associated with the provision of utility services throughout the Shire and general community. Utility services generally consist of water, sewerage, telephone, electricity, gas and stormwater.

This clause does not apply to roads infrastructure.

Often, but not always, infrastructure is protected by easements on any particular site. However easements may not be the only measure required to protect some infrastructure from impacts of development. As infrastructure is fundamental to the efficient and effective functioning of our society, it must be protected from development that would negatively impact it.

2.11.1 Objectives

- To ensure infrastructure within or adjacent to a development site is identified and protected from harm.
- To require consideration of potential infrastructure impacts of a development at development application stage.

2.11.2 Performance based requirements

- Infrastructure within or adjacent to a site must be protected from harm by a development

2.11.3 Prescriptive requirements

- Development must avoid placing additional loads within the zone of influence of a water, sewerage or stormwater pipe.
- Any new building which includes water facilities and is on a lot located within 225 metres of a water main must be connected to the reticulated water supply.
- Any new lot connected to a reticulated water supply must install a meter to Council's requirements prior to release of the Occupation Certificate for that lot.
- No water supply service shall traverse or encroach onto any lot to serve another. The creation of an easement over the water supply service does not satisfy this requirement.
- An application to Council under Section 68 of the *Local Government Act 1993* shall be required for any new water supply works or wastewater (sewerage) works required for a development, including the installation of water meters (where installed privately not by Council).
- No service connections shall be permitted to a rising main or a trunk main.
- Water supply pipes and connections are required to meet the specifications contained in Appendix 3 for single dwellings, unless the subdivision specifically relates to one of the other uses listed in the Appendix.
- No new or extended buildings are to be located within 5 metres of a Council water supply rising main pipeline.
- New water reticulation pipelines shall be constructed on the high side of a road reserve.

- New buildings on lots located within 75 metres of an existing wastewater drainage main are required to connect to the reticulated drainage system if they contain wastewater facilities.
- Where wastewater drainage for one lot will pass over another lot, an easement is to be created under Section 88B of the *Conveyancing Act 1919*. The minimum width of the easement shall be 3 metres.
- Where wastewater drainage collector mains are located inside private property, they shall be located a minimum 1.5 metres from the boundary.
- Requirements relating to widths of easements for Council utility service infrastructure, except for interallotment stormwater drainage easements, are as follows:
 - ❖ the required width of an easement shall be the pipe diameter plus 1.5 metres rounded up to the next highest 0.5 metres with 3.0 metres as a minimum
 - ❖ existing easements that do not comply with this minimum standard may be required to be modified
 - ❖ the easement shall be positioned to ensure the Council utility service is centrally located within the easement. This standard may be modified at Council's discretion if the edge of the easement is on the same alignment as a property boundary adjoining a road reserve and the Council utility service is wholly contained within the easement

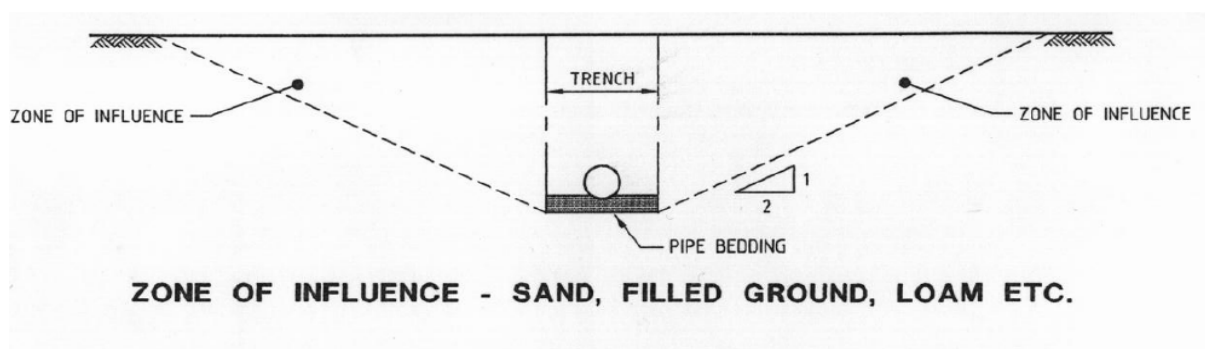
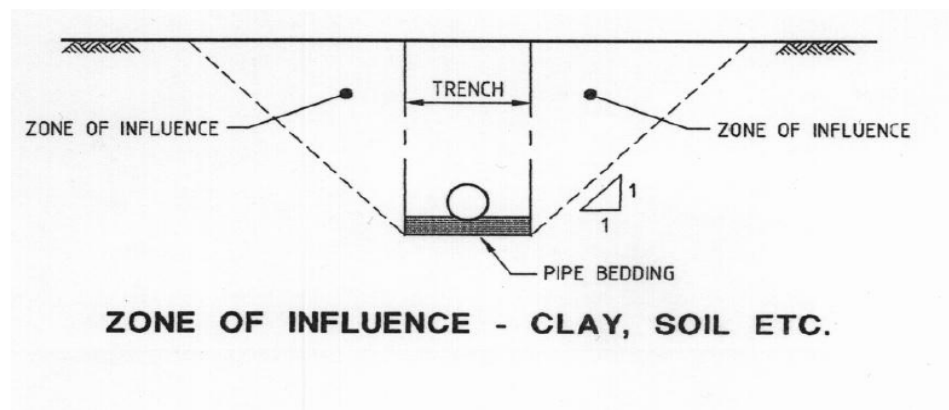


Figure 2: Zone of influence for underground pipes

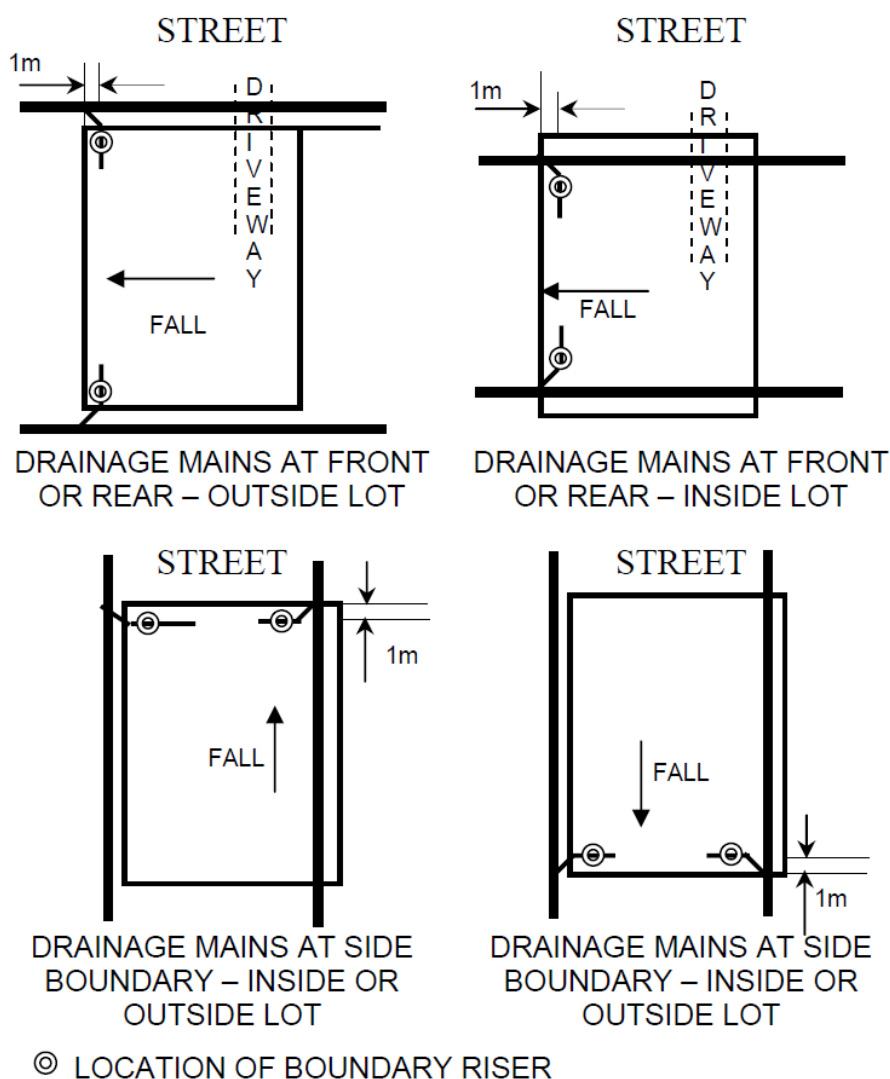


Figure 3: Required location of boundary risers

2.11.3.1 Fire Hydrants

Where a development is proposing a change and/or extension to Council's water reticulation system, fire hydrants shall be provided as follows:

- Fire hydrants shall be spaced at a maximum distance of 60 metres. Council-owned and maintained fire hydrants shall not be located on private property. However, privately-owned and maintained fire hydrants may be located on private property, for example fire hydrants on a private dedicated water main provided in accordance with development approval.
- A fire hydrant shall be placed at the end of all dead-end water supply main pipelines.
- Fire hydrant standpipe connections shall be terminated at a height sufficient to ensure that the standard length fire hydrant standpipes may be readily connected.
- Installation of fire hydrants shall comply with AS 2419.1: – 2005, "Fire Hydrant Installations, System Design, Installation and Commissioning".

2.11.3.2 Metering of Fire Services

- Dedicated fire services shall be metered if property owners use the service for purposes other than fire-fighting.
- Fire service hose reels connected to a consumer water service shall be metered.

3 Controls for Specific Types of Development

This section contains specific controls for certain types of development in addition to the generic requirements in the previous Chapter. In this section only the provisions relating to the type of development being proposed should be considered.

The following types of development covered are:

- 3.1 Alterations & Demolitions
 - 3.1.1 Alterations and additions to existing buildings
 - 3.1.2 Demolition of buildings and structures
- 3.2 Commercial & Business Premises
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 - 3.3.1 Dwelling Houses
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 - 3.3.4 Multi Dwelling Housing & Residential Flat Buildings
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 - 3.4.1 Restricted Premises
 - 3.4.2 Sex Services Premises
- 3.5 Sheds & Shipping Containers
- 3.6 Short-term Holiday Rental Accommodation
- 3.7 Mixed Use Development

3.1 Alterations & Demolitions

3.1.1 Alterations and additions to existing buildings

The following provisions need to be considered when enlarging, expanding or altering an existing building.

3.1.1.1 Objectives

- To ensure that alterations and additions to existing buildings occur in a manner that complements the existing building.
- To ensure that alterations and additions upgrade existing buildings to current standards where appropriate.

3.1.1.2 Performance based requirements

- Alterations and additions must satisfy the other requirements of this Plan which would apply if the development was a new building. However, exceptions can be made to these requirements where the existing building does not comply. In these circumstances the

addition and/or alteration is also permitted to not comply with the particular requirement provided the objectives (as set out in the relevant clause of this Plan) of that particular requirement can still be attained by maintaining the non-compliance.

- Any addition to a building will be required to comply with current fire safety standards. Where appropriate, the entire building may also need to be upgraded to comply with current fire safety standards where it is considered a significant fire safety risk. Buildings regularly frequented by members of the general public are more likely to be made to comply with fire safety requirements for the whole building.
- The architectural style of any addition and/or alteration is to be complementary to the style of the existing building and enhance its appearance.
- Disabled access will be required to be provided in accordance with the Premises Standard for retail, business and commercial alterations and additions.

3.1.1.3 Prescriptive requirement

- Alterations and additions that increase the gross floor area of a building will also generate a parking requirement which needs to be provided on-site or where possible compensated by other means (see clause 2.10). The additional parking to be provided shall be based on the increased floor area (or increased seating, etc where relevant) only, not the whole building. The amount of parking to be provided shall be in accordance with the rate identified for that particular type of development elsewhere in this Plan.
- Where the addition is not enough to require one additional space in full, no additional parking shall be required. However where successive additions are too small to generate an additional parking space in themselves, their cumulative additional area shall be taken into account to ensure that the parking provided is sufficient to cover all additions made under this Plan.
- Where an alteration and/or addition causes a loss of space/s either on-street or off-street, the number of spaces so lost shall be added to the number of spaces to be provided by the development.

3.1.2 Demolition of buildings or structures

The *Cooma-Monaro Local Environmental Plan 2013* requires that development consent is obtained for the demolition of structures and buildings. In some instances Exempt or Complying Development provisions may be applicable (refer to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*).

A development application for the demolition of a building or structure may be part of an application for a new building however, where a building or structure is to be demolished the development application must contain the following information:

- The proposed means of demolition and the safety strategies to be employed including the management of air pollution and noise. This should include the type of machinery to be used and the hours of work.
- Information and/or plans detailing matters such as the location of underground services, construction materials, the structural support system, the condition of the building or structure, the distance of the building or structure from lot boundaries and other buildings or structures on the lot and adjoining lots
- A Waste Management Plan which shows how the demolished material will be temporarily stored and the means of eventual disposal. The management of hazardous materials including asbestos should be included in the Plan.
- A statement outlining any heritage values the building or structure has and how these are to be managed.
- A Traffic Control Plan if the demolition will involve restricting access to a public road/s.

3.1.2.1 Objectives

- To ensure that the demolition of buildings and structures is undertaken in a safe manner.
- To ensure that demolition waste is disposed of in an environmentally appropriate manner.
- To ensure that the heritage values of buildings or structures are appropriately managed.

3.1.2.2 Performance based requirements

- It is a requirement of the *Environmental Planning and Assessment Regulation 2000* that Council consider the provisions of *Australian Standard AS2601: The Demolition of Structures* when determining a development application for demolition.
- The impact of the proposed demolition on adjoining properties must be minimised having regard to noise, dust, safety and the structural integrity of surrounding buildings.

3.1.2.3 Prescriptive requirements

- Where the demolition will involve the swinging or hoisting of materials across a public road reserve a separate approval under Section 68 of the *Local Government Act 1993* is required. This can be applied for on the same application form as the development application if required or alternatively can be applied for separately.
- Any contaminated soil from the demolition will be required to be removed from the site and disposed of lawfully.
- Preparation of a Dilapidation Report will be required as a condition of consent to any demolition with potential to significantly affect the structural integrity of surrounding buildings.

3.1.2.4 Further information

- AS 2601- *Demolition of Structures*
- www.workcover.nsw.gov.au

3.2 Commercial & Business Premises

3.2.1 Bulky goods premises and commercial premises over 500 square metres

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

bulky goods premises means a building or place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:

- (a) a large area for handling, display or storage, and
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

and including goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

commercial premises means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

This clause only applies to commercial premises with a gross floor area of more than 500 square metres but applies to bulky goods premises of any gross floor area.

The following information is required with a development application:

- Site plan.
- Proposed type of products to be sold.
- Proposed hours of operation.
- Proposed access.
- Car parking layout.
- Signage.
- Details of the types of vehicles needed to service the development, and manoeuvring room on-site for such vehicles.

3.2.1.1 Objectives

- To ensure that there is adequate vehicle parking
- To ensure that the development fits within the character of the area.
- To ensure that developments near dwellings do not negatively impact on the amenity of the residential area/s.

3.2.1.2 Performance based requirements

- Storage areas are to be fenced and landscaped if they are to face the street.
- Loading bays are not to face the street and are to be screened.
- The architectural design of building facades which face a street frontage must be broken up and articulated to avoid the 'concrete box' look for the building.
- Adequate space must be provided for a car and trailer to be used to pick up goods from premises.

3.2.1.3 Prescriptive requirements

- Where a development straddles more than one (1) existing lot, consolidation of such lots is required.
- Parking spaces shall be provided on-site at the rate of 1 space per 50 square metres gross floor area of the display and customer browsing areas of the development, with the areas of separate additional uses (such as offices, cafes, etc) being provided with spaces at the rates indicated in the Table in Section 2.10.5.
- Adequate space is to be provided on-site for the type and size of truck expected to service a development such that traffic flow on public roads shall not be impeded and/or delayed by delivery truck reversing movements.
- Any signage for such development, including roof, pylon and other freestanding signs are not permitted to extend more than 2 metres above the highest point of the building.

3.2.2 Child care centres (including pre-schools)

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

child care centre means a building or place used for the supervision and care of children that:

- provides long day care, pre-school care, occasional child care or out-of-school-hours care, and*
- does not provide overnight accommodation for children other than those related to the owner or operator of the centre,*
but does not include:

- (c) *a building or place used for home-based child care, or*
- (d) *an out-of-home care service provided by an agency or organisation accredited by the Children's Guardian, or*
- (e) *a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or*
- (f) *a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or*
- (g) *a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or*
- (h) *a service that is concerned primarily with the provision of:*
 - (i) *lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or*
 - (ii) *private tutoring, or*
 - (li) *a school, or*
- (j) *a service provided at exempt premises (within the meaning of Chapter 12 of the Children and Young Persons (Care and Protection) Act 1998), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.*

The approval of a child care centre is a two-part process. Development consent under the *NSW Environmental Planning and Assessment Act 1979* is required and a licence to operate is required under the *Children (Education and Care Services) Supplementary Provisions Act 2011* and the *NSW Children (Education and Care Services) Supplementary Provisions Regulation 2012* from the NSW Department of Community Services. Development consent under the *NSW Environmental Planning and Assessment Act 1979* is required before an application for a licence can be made.

The *NSW Children (Education and Care Services) Supplementary Provisions Regulation 2012* contains requirements for facilities and staffing which need to be reflected in the plans and information provided with a development application. Otherwise, applicants run the risk that they may need to modify their development application if the Department of Community Services cannot issue a licence for the premises because of its physical characteristics. Applicants should also bear in mind that simply meeting the requirements of the Child Care Regulations is not an excuse for poor design or not meeting Council's requirements in relation to the development.

In addition to the information generally required with a development application, the following additional information should be submitted with any application for a child care centre:

- The proposed number of childcare places or students and hours of operation.
- The location of nearby public transport. The child care centre should be easily accessible by public transport.
- Adjoining landuses - Consideration is to be given to landuses that include fuel tanks, electromagnetic fields, contaminated land, noise sources and odours for example.
- The amount of indoor and outdoor play spaces.
- Landscaping - refer to Landscaping requirements in this Plan.
- The location of fencing and outdoor play equipment.
- Crime and safety measures - refer to Crime and Safety in this Plan.
- Measures for those with a disability.
- The number of staff to be employed overall and at any one time.
- The location and design of facilities for the picking up and dropping off of children.

Note: Where the term 'child care centre' is used in this clause it refers to all facilities which meet the above definition of child care centre, which it should be noted includes pre-schools.

3.2.2.1 Objectives

- To encourage the provision of high-quality child care which meets the needs of the community, including users of the facility and owners of surrounding landuses.
- To encourage best practice in the planning and design of child care centres.
- To enable flexibility in the planning and design approach to provide creative and unique development outcomes and solutions.
- To ensure that child care centres are appropriately located on sites which will ensure high levels of safety, security, environmental health and amenity for children.
- To minimise the adverse impacts associated with child care centres on adjoining properties and the surrounding area as well as the natural and built environments.
- To encourage the provision of child care centres in commercial and residential developments.

3.2.2.2 Performance-based requirements

- Child care centres should not be located with a direct frontage to a classified road unless alternative access can be provided from a secondary road or laneway.
- Child care centres should be designed to maximise natural light and ventilation within the building and to maximise energy efficiency through design.

3.2.2.3 Prescriptive requirements

- Prescriptive requirements based on Part 3 of the *NSW Children (Education and Care Services) Supplementary Provisions Regulation 2012* include the following for 'centre based education and care services'.
 - ❖ Provision of a separate room only used for administration and parent consultation.
 - ❖ Provision of a separate staff room located away from areas used by children, to be used for respite of staff.
 - ❖ A sleeping room or area used only for sleeping for children under 2 years of age.
 - ❖ A minimum 3.25 square metres of unencumbered indoor play space per child that is used exclusively for children's activities (does not include door swing areas, toilets, kitchens, etc).
 - ❖ A minimum of 7 square metres of usable outdoor play space per child used exclusively for children's activities (does not include car parking areas, sheds, etc or visually obstructed areas).
 - ❖ Adequate shade needs to be provided for outdoor play areas, having regard to *The Shade Handbook*, published by the NSW Cancer Council in 2008.
 - ❖ Provision of safe, sanitary facilities for the storage of soiled clothes, linen and nappies before laundering or disposal.
 - ❖ Separate facilities away from any food preparation area or nappy-change area for craft activities which includes a sink, benchtop and lockable cupboard.
 - ❖ A designated area for food preparation that is safe and hygienic and separated from any nappy-change area.
 - ❖ Toilet, handwashing and bathing facilities that are safe and age appropriate.
 - ❖ Storage facilities for indoor and outdoor equipment which are secure and inaccessible to children and storage space for a child's personal belongings.
 - ❖ Indoor areas are to be provided with access to natural light and must be adequately heated and ventilated.
- Car parking is to be provided on-site for each required staff member based on the following staff to child ratios:
 - ❖ 1:4 in respect of children who are under the age of 2 years
 - ❖ 1:8 in respect of children who are 2 or more years of age but under 3 years of age
 - ❖ 1:10 in respect of all children who are 3 or more years of age but under 6 years of age
- Pick-up and drop-off parking for parents may be provided within the road reserve provided traffic conditions of the street, during these times, will not present a safety hazard and

parking spaces are finished to the same surface as the street.

- Front fences to the site may be up to 1.8 metres in height but must not be of solid construction above 1.2 metres.

3.2.2.4 Further information

- *The Shade Handbook*, published by the NSW Cancer Council in 2008 (available online)

3.2.3 Development involving the keeping of animals for commercial or business purposes

Development including intensive livestock agriculture, animal boarding or training establishments or other types of development that involve the keeping of animals can have a significant impact on the environment and amenity in their vicinity. This clause applies to the following types of developments (as defined in *Cooma-Monaro Local Environmental Plan 2013*):

animal boarding or training establishment means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

feedlot means a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, fed (wholly or substantially) on prepared and manufactured feed, for the purpose of meat production or fibre products, but does not include a poultry farm, dairy or piggery.

intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:

- (a) dairies (restricted),
- (b) feedlots,
- (c) piggeries,
- (d) poultry farms,

but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.

stock and sale yard means a building or place that is used on a commercial basis for the purpose of offering livestock or poultry for sale and that may be used for the short-term storage and watering of stock.

These uses typically require the consent of Council under the landuse tables for the various zones in the *Cooma-Monaro Local Environmental Plan 2013*.

Some types of animal shelters may be exempt development – refer to the *Cooma-Monaro Local Environmental Plan 2013* and *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (the Codes SEPP).

If an animal shelter does not meet the exempt criteria in the Codes SEPP then a development application will most likely be necessary for the structures involved. Such a building or place will not require consent as an animal boarding or training establishment unless it is for commercial purposes.

3.2.3.1 Objectives

- To ensure that animals are housed in appropriate accommodation.
- To ensure that the keeping of any animal does not constitute a nuisance.
- To minimise the impact of animals kept in close accommodation on the natural environment.

3.2.3.2 Performance based requirements

- The keeping of an animal/s must comply with Schedule 2 of the *NSW Local Government (General) Regulation 2005*.
- A development application for an animal boarding or training establishment, intensive livestock agriculture or similar development is to contain the following information:
 - ❖ housing facilities – buildings, pens, construction materials, plans, elevations and setbacks
 - ❖ the number and type of animals to be kept on-site and their purpose (eg breeding, training, etc)
 - ❖ details of the management and disposal of effluent on-site and management of odours
 - ❖ the estimated water requirements of the development and the intended sources of this water
 - ❖ an acoustic report prepared by a suitably qualified and experienced person may be required as part of a development application depending on the number and type of animals involved
- Developments to which this clause applies must be located at least 100 metres from the nearest existing residential dwelling not associated with the site.
- A water supply from a rainwater tank(s) is to be provided sufficient to supply each animal shelter (ie each individual building housing animals). The size of the rainwater tank(s) must be sufficient to be the primary water source for the animals intended to be housed at the site (having regard to the type and number of animals), with water from other sources (if required) being for secondary use. Details of water supply arrangements for the development need to be provided with the development application.
- Animals must not be kept in a manner which will aggravate or cause excessive dust, pollution or erosion on the site. Factors to consider include stocking rates and density, management of the site, nature of the soil, slope, the type of animals (hoofed or un-hoofed) and the type of ground cover vegetation.
- The access point and facilities for vehicular movement within the site must be sufficient to cater for the type of vehicle/s used in the transportation of animals to the site.
- Suitable loading, unloading and manoeuvring areas are to be provided on-site sufficient to cater for the maximum sized vehicle to be used in the transportation of animals to and from the site. Details of the vehicle/s to be used, their frequency and manoeuvring areas are to be provided with the development application.

3.2.3.3 Prescriptive requirements

3.2.3.3.1 Cats and dogs

- Cats and dogs residing in areas containing high quality native vegetation are to be contained in outdoor enclosures.
- Where a breeding establishment for cats and/or dogs is proposed, the applicant must provide evidence with their application that they or the person managing the establishment is a Recognised Breeder in NSW. Typically a Recognised Breeder is a person who is a member of either Dogs NSW (formerly Royal NSW Canine Council), NSW Cat Fanciers Association or Waratah State Cat Alliance.
- Breeding facilities for cats and dogs must be provided with an adequately sized outdoor exercise yard which contains areas of shelter from the sun and rain.

3.2.3.3.2 *Fowl*

- Roosters are not to be kept in residential areas as their crowing is likely to disturb residents in the surrounding area.

3.2.3.3.3 *Other animals*

- Cattle, sheep, horses, donkeys, llama, alpaca, swine and deer must not be kept in urban areas (including villages) unless amenity impacts (associated with odour, noise, visual appearance and the limited space) on nearby residential dwellings or nearby places of employment will be so minor as to be of little or no consequence.

3.2.3.4 **Further information**

- There are several publications prepared by the Department of Primary Industries and available on its website (www.dpi.nsw.gov.au) which can assist in the preparation of development applications for uses involving the keeping of animals.

3.2.4 **Footpath dining and sales**

Council recognises the need to provide the opportunity for the promotion of a business or allow businesses (including footpath dining), charity, sporting or community groups to conduct raffles, stalls and displays on footpaths without adversely impacting on or impeding the use of the footpath by pedestrians. However, because footpath areas are public land and contained within road reserves the use of these spaces potentially falls under the jurisdiction of several pieces of legislation. These are as follows:

- Section 68 of the NSW *Local Government Act 1993*
- Part 4 (development applications) of the NSW *Environmental Planning and Assessment Act 1979*
- Section 125 (footway restaurants) or 138 (all other works) of the NSW *Roads Act 1993*

As Council is the responsible authority for administering these Acts in most cases applicants only need to apply through Council and it will coordinate the approvals under the different Acts that are required.

Some outdoor dining areas are Exempt Development and the criteria for these areas are listed in Schedule 2 of *Cooma-Monaro Local Environmental Plan 2013*, but these provisions are overridden by the provisions of *State Environmental Planning Policy (Exempt and Complying Development) 2008*. The provisions in this DCP concern the requirements applicable for a development application on the footpath area.

Footpath dining associated with pubs and small bars cannot be exempt development.

An application for approval under all or some of the above legislation will require the following information:

- A description of the proposed use including proposed hours.
- A site plan showing the proposed area of use.
- For footpath dining, a site plan showing the proposed seating plan and any additional outdoor equipment (including pot plants, barriers and heaters).
- The distance of the outdoor furniture, barriers and any other associated equipment from property boundaries.
- A copy of the Certificate of Currency for public liability insurance.
- Consent of the property owner (in most instances this will be Council).

3.2.4.1 Objectives

To ensure that the footpath environment:

- Provides a clear passageway for pedestrians which is free of interference and/or intimidation.
- Contributes to a friendly atmosphere and a pleasant street amenity which will encourage pedestrians.
- Allows footpath dining that is safe and contributes to the streetscape in a positive manner.
- Does not impact negatively on the amenity of adjoining properties.

3.2.4.2 Performance based requirements

- Street barriers used to define seating areas on the footpath shall be stable and shall not contain any fixtures that will cause any trip hazards.
- Where there is no increase in the seating capacity of an approved restaurant the proposed use is exempt from the requirement/s to supply car parking spaces and development contributions.
- Furniture is to be removed at the close of business every day and must be of a sturdy and attractive nature.
- Council will ascertain the minimum width of the footpath required to be kept clear for pedestrians depending on the location of the proposed dining area. However an absolute minimum of 1.5 metres clear width across the footpath in any location must be provided for pedestrians to get past.

3.2.4.3 Prescriptive requirements

- Outdoor dining areas may be Exempt Development if they can meet the criteria in Schedule 2 of the *Cooma-Monaro Local Environmental Plan 2013*. If they cannot meet **all** the criteria a development application is required. The figure below illustrates the exempt criteria.
- Where a proposed use is Exempt or Complying Developing in most instances approval will still be required under:
 - ❖ Section 68 of the *NSW Local Government Act 1993* and
 - ❖ *NSW Roads Act 1993*
- In circumstances where the use of the footpath for outdoor dining results in a premises exceeding its approved seating capacity, the additional seating on the footpath will be included in the car parking calculations for the premises. Shortfalls in meeting required car parking which cannot be compensated by other means (see clause 2.10) may result in a proposed footpath dining application being refused. This same principle will apply where a commercial, business or retail premises uses the footpath for display of goods. The area of the footpath used will be added to the calculations for the gross floor area of the building for the purpose of calculating required car parking.

3.2.4.3.1 Area of the footpath for use for exempt outdoor dining

To ensure the safety of pedestrians **only Zone 3** (as shown in the figure below) is available for use.

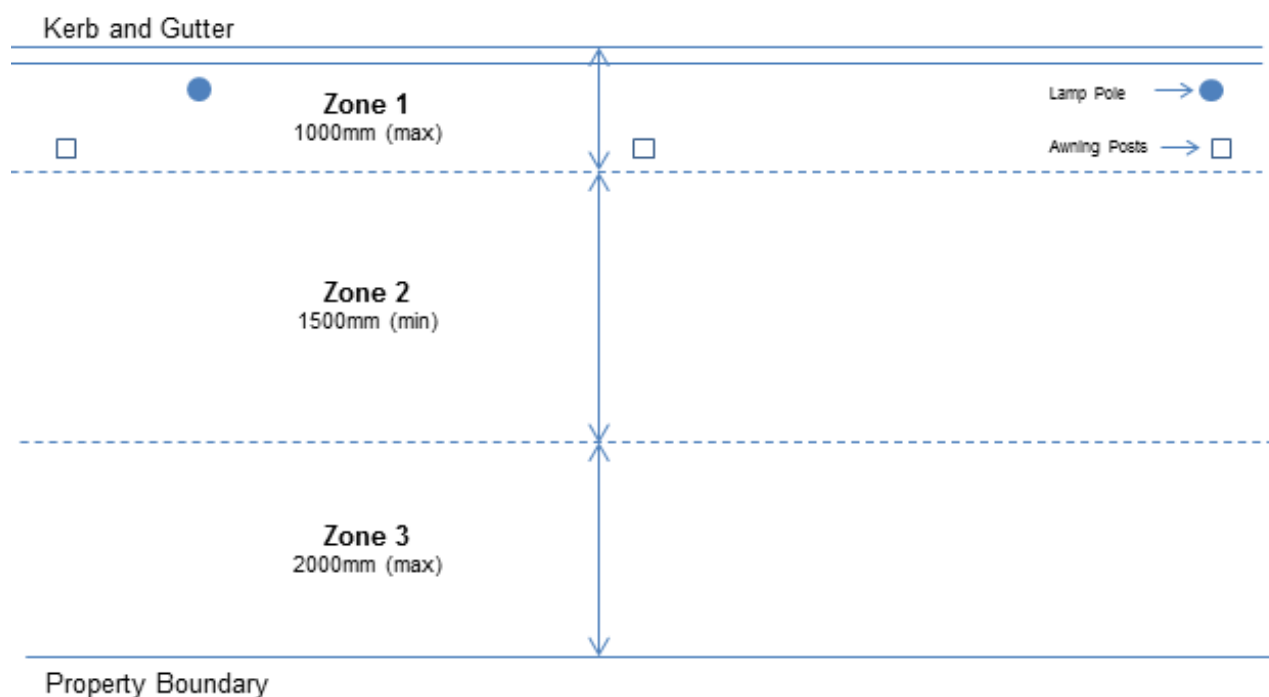


Figure 4: Dimensions for allocation of space in the footpath in order to be Exempt Development

3.2.4.3.2 Zone 1

This zone is allocated for street furniture, lamp poles, awning posts, and stormwater drainage.

3.2.4.3.3 Zone 2

- This zone is a clear zone allocated for the movement of pedestrians and for buried utilities. It is to be left unobstructed.
- A minimum of 1.5 metres unobstructed clear space shall be maintained for the comfortable movement of pedestrians, wheelchairs and prams behind the kerb.

3.2.4.3.4 Zone 3

- This zone is available for businesses and entertainment
- Note: The space available for use by businesses may be less than 2.0 metres depending on total width of footpath.

3.2.4.4 Requirements for footpath uses other than outdoor dining

3.2.4.4.1 Display of goods

- All furniture and equipment is to be within Zone 3 (see Figure 1 above).
- No approval is required under the *Environmental Planning and Assessment Act 1979* if the display is part of an existing retail premises.

3.2.4.4.2 Selling of raffle tickets

- All furniture and equipment is to be within Zone 3 (see Figure 1 above).
- No approval is required under the *Environmental Planning and Assessment Act 1979*.

3.2.4.4.3 Temporary signs

- All signs are to be within Zone 3 (see Figure 1 above).
- All signs (not being signs under *State Environmental Planning Policy 64 Advertising and*

Signage, State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or Schedule 2 of Cooma-Monaro Local Environmental Plan 2013 and displays and the like shall be placed in front of the subject premises only.

3.2.4.4.4 Temporary structures

- If the temporary structure on a footpath is not in connection with something that requires development consent (eg signage), then an approval under the *Roads Act 1993* will be all that is required.

3.2.4.4.5 Access ramps

- Access ramps and any other permanent structures will require development consent except where they are Exempt or Complying Development. Refer to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and Schedule 2 of *Cooma-Monaro Local Environmental Plan 2013*.
- Access ramps or steps on the footpath are not permitted. Any proposals for such ramps or steps will have to be considered as a variation to this Plan at a Council meeting.

3.2.4.4.6 Awning posts

- Awning posts require development consent and are to be located in Zone 1 (see Figure 1 above).
- Posts are to be set back an adequate distance from the kerb to avoid collision with posts when parking.

3.2.4.4.7 Temporary Food Stalls

- For-profit temporary food stalls including cake stalls and barbecues shall register
- The temporary event with the NSW Food Authority at www.foodnotify.nsw.gov.au
- All temporary food stalls shall comply with the NSW Food Authority Guidelines for Temporary Food Stalls. Guidelines located www.food.authority.nsw.gov.au

3.2.5 Laundromats

This clause applies to laundromats which are not specifically defined in the *Cooma-Monaro Local Environmental Plan 2013*, but are covered by the following definition of business premises:

business premises means a building or place at or on which:

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis, and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

3.2.5.1 Objectives

- To ensure that particular unique requirements associated with laudromats are considered in assessment of these applications.

3.2.5.2 Performance based requirements

- Ventilation is to be provided to rooms housing dryers sufficient to maintain the temperature of the room at comfortable levels all-year round. Natural ventilation is preferred to mechanical ventilation where possible.
- The site must drain to a sewer of a sufficient size to handle the additional load to be generated by the development.

3.2.5.3 Prescriptive Requirements

- A laundromat must provide a water service connection in accordance with the table included in Appendix 3.
- A Section 68 Application under the *Local Government Act 1993* is to be made where water supply and/or sewerage works are required to be carried out as part of the development.

3.3 Residential Accommodation

3.3.1 Dwelling houses

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing only one dwelling.

semi-detached dwelling means a dwelling that is on its own lot of land and is attached to only one other dwelling.

Council has a checklist available which lists the information required with an application for a dwelling house. In some landuse zones the erection of a dwelling house may be Complying Development, refer to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

3.3.1.1 Objectives

- To ensure the efficient use of land and infrastructure.
- To maintain the amenity, character and environmental values of the area.
- To maximise privacy between existing and proposed developments.
- To provide an acceptable acoustic environment for residents through appropriate design, layout and construction measures.

3.3.1.2 Performance based requirements

- New development is to minimise direct overlooking into living rooms of adjacent dwellings. Factors to consider include building layout, location and design of windows and balconies, screening devices and landscaping.
- Living rooms and balconies for entertaining purposes are not permitted above ground-floor level in a dwelling where they would be located behind the rear building line of a dwelling on an adjoining block.
- New dwellings are not to be located on the top of ridgelines, hills or other elevated locations where they will stand out against the skyline when viewed from public roads in the vicinity of the site.
- Where dwellings are built on hillsides visual scarring by cutting into the hillside is to be minimised.

3.3.1.3 *Prescriptive requirements*

- Parking space on-site sufficient to accommodate two (2) cars is to be provided.
- When constructed in a location without a reticulated water supply, a minimum 45,000 litre rainwater tank is to be provided for a two bedroom or smaller dwelling and a minimum 90,000 litre rainwater tank is to be provided for all other dwellings as the primary source of potable water. This is in addition to any water supply required for bushfire safety purposes.
- In R1, R2, RU5 and Business Zones a minimum of 50 square metres of private open spaces is to be provided on-site behind the front building setback. Private open space must have a minimum dimension of at least 3 metres and provide outdoor space for clothes drying facilities hidden from view from the street. Private open space does not include car parking areas, driveways, verandahs or balconies.
- If an attached garage is provided in the development with direct internal access from living areas, an access door must be installed to separate the garage from the living space. Any such access door must swing inwards into the house, not into the garage. The door knob on any such access door must also be located at a minimum height of 1500mm above floor level. The purpose of these provisions is to prevent unassisted toddler access to the garage space. If any other type of access door is proposed, it is only permitted if it meets this objective.

Note: Although not a requirement of this clause, it is recommended that a grade 2 or better self closer also be installed on the garage access door as a further measure to prevent toddler access to the garage.

3.3.1.3.1 *Temporary Dwellings*

- Temporary occupation and use of a shed or other structure as a temporary 'dwelling' while a permanent dwelling house is being constructed on the site is not permitted in a Residential or RU5 – Village Zone.
- Approval for a temporary dwelling will not be issued unless there is also a current approval for a permanent dwelling on the site. The permanent dwelling may be part of the same application.
- In all other zones where temporary occupation and use of a shed or other structure while the permanent dwelling is being constructed is proposed, the following will apply:
 - ❖ temporary occupation will be for a maximum period of 12 months. The applicant may apply for an extension to this time period provided substantial progress has been made on the permanent dwelling house in this time;
 - ❖ an adequate means of disposing of effluent during the temporary occupation period must be available.
- A temporary dwelling must comply with the bushfire safety requirements of Planning for Bushfire Protection 2006 if the building will be occupied between October and March inclusive. Compliance with these provisions must not result in a requirement for a significantly larger Asset Protection Zone than is otherwise required for the permanent dwelling approved on the site.
- At the conclusion of the temporary occupation period the building must revert to an alternative legal use. In many cases this will require lodgement of a further development application for the new use, unless prior approval has been received for such use.
- In circumstances where a temporary residential use is proposed to transition to a permanent residential use of the building, the building will be required to meet all structural and legal requirements for a dwelling. If this requires retrofitting of the building in order to meet these standards it is expected this work will be carried out and details of such will be included with the relevant development application.
- Where the temporary dwelling will be in the form of a caravan, a development application for the temporary use of the site for residential purposes must be submitted along with an application under Section 68 of the Local Government Act 1993 for the installation of a moveable dwelling on the site. The other provisions of this clause will be considered in

determining such applications.

3.3.2 Dual occupancies

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

dual occupancy means a dual occupancy (attached) or a dual occupancy (detached).

dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

Clauses 4.1A and 4.2B of the LEP provide further development standards relating to dual occupancies and should be referred to when contemplating a dual occupancy development.

Dual occupancy developments are required to comply with the development standards in Chapter 2. Additional standards specific to dual occupancies are shown below.

3.3.2.1 Objectives

- To ensure the efficient use of land and infrastructure.
- To maintain the amenity, character and environmental values of the area.
- To maximise privacy between existing and proposed developments.
- To provide an acceptable acoustic environment for residents through appropriate design, layout and construction measures.

3.3.2.2 Performance based requirements

- Dual occupancies may be either attached or detached.
- Each dwelling should be designed to minimise overlooking the private open space and living areas of the other dwelling.
- The overshadowing requirements of Chapter 2 do not apply within the dual occupancy development itself, but only to adjoining properties. However design of the dual occupancy should minimise overshadowing by one dwelling of the other within the development.
- Private open space areas should be an extension of the living areas of the dwelling and be directly accessible from these rooms in new buildings.
- An area set aside for the storage of garbage bins is to be shown on the plans. This should be located away from sensitive areas in adjoining dwellings, such as living room windows and doors.
- New dwellings are not to be located on the top of ridgelines, hills or other elevated locations where they will stand out against the skyline when viewed from public roads in the vicinity of the site.

3.3.2.3 Prescriptive requirements

- Attached dual occupancies must be separated by a solid party wall without any internal openings between each dwelling, such as a door.
- Where an attached dual occupancy is provided one of top of the other, the dwelling on the upper floor must have its own internal or external access independent of the ground floor dwelling.
- The following minimum gross floor area must be provided for each dwelling based on the number of bedrooms provided:
 - ❖ studio apartment 35 square metres

- ❖ one- bedroom dwelling 50 square metres
 - ❖ two-bedroom dwelling 70 square metres
 - ❖ three-or-more-bedroom dwelling 95 square metres
 - An area of private open space is to be provided for each dwelling at the following rates:
 - ❖ 30 square metres for one-bedroom dwellings
 - ❖ 40 square metres for two-bedroom dwellings
 - ❖ 50 square metres for three-or-more-bedroom dwellings
 - ❖ these areas are to include a courtyard area with minimum dimensions of 5 x 5 metres
 - To be included in private open space calculations an outdoor area must be at least 3 x 3 metres in size.
 - Private open space must not be located in the front setback except on corner lots where it must be screened from view from the street.
 - Car parking for dual occupancies is to be provided at the following rates:
 - ❖ one (1) space for one-and-two-bedroom dwellings
 - ❖ two (2) spaces for three-or-more-bedroom dwellings
 - Where the design of the dual occupancy requires access to one dwelling via a driveway which passes alongside the other dwelling, adequate space is to be provided for the cars parking behind the front dwelling to enter and leave the site in a forwards direction.
 - At least one (1) car parking space per unit is to be covered.
 - Accessible and usable storage spaces are to be provided for each dwelling at the following rates:
 - ❖ studio and one-bedroom units – 2 square metres
 - ❖ two-bedroom units – 4 square metres
 - ❖ three-bedroom units – 6 square metres
 - At least 50% of this storage space is to be provided within the dwelling. Storage space does not include built-in wardrobes in bedrooms, or kitchen storage cupboards. The remaining 50% may be located in the garage, in the sub-floor space or other outdoor enclosure but must be easily accessible and usable.
 - When constructed in a location without a reticulated water supply, a minimum 45,000 litre rainwater tank is to be provided for a two bedroom or smaller dwelling and a minimum 90,000 litre rainwater tank is to be provided for all other dwellings as the primary source of potable water. This is in addition to any water supply required for bushfire safety purposes.
 - If an attached garage is provided in the development with direct internal access from living areas, an access door must be installed to separate the garage from the living space. Any such access door must swing inwards into the house, not into the garage. The door knob on any such access door must also be located at a minimum height of 1500mm above floor level. The purpose of these provisions is to prevent unassisted toddler access to the garage space. If any other type of access door is proposed, it is only permitted if it meets this objective.
- Note: Although not a requirement of this clause, it is recommended that a grade 2 or better self closer also be installed on the garage access door as a further measure to prevent toddler access to the garage.

3.3.2.3.1 *Dual occupancies in landuse zones RU1, R5 and Environmental Zones*

- The two dwellings forming the dual occupancy are to be located within a 200 metre curtilage of each other. This provision is satisfied even if only a part of each dwelling, but not the whole dwelling, is within 200 metres of the whole or part of the other dwelling.

3.3.2.3.2 *Dual occupancies in landuse zones RU5, R1, R2, B2 and B4*

- A minimum separation distance of 6 metres between each dwelling is to be provided for detached dual occupancies.

3.3.3 Secondary dwellings

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

secondary dwelling means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the **principal dwelling**), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

Secondary dwellings may be complying development under *State Environmental Planning Policy (Affordable Rental Housing) 2009*. This SEPP also specifies criteria which cannot be used by a consent authority as grounds to refuse consent to a secondary dwelling.

3.3.3.1 Objectives

- To ensure the efficient use of land and infrastructure.
- To maintain the character, amenity and environmental values of the area.
- To differentiate secondary dwellings from dual occupancies.

3.3.3.2 Performance based requirements

- A further vehicular access point is not to be constructed to a site for the purposes of a secondary dwelling, unless the access is from a rear laneway or side street. There is only to be one vehicle entrance for both dwellings from the primary frontage of the site.
- When constructed in an area without a reticulated water supply, it must be demonstrated that a sufficient rainwater tank water supply can be provided.

3.3.3.3 Prescriptive requirements

- A minimum of 50 square metres of private open space must be retained on the site for shared-use by the occupants of both the primary and secondary dwelling. The private open space must have minimum dimensions of at least 3 metres and a core area with minimum dimensions of at least 5 x 5 metres is to be provided.
- The maximum distance between the two closest points of the walls of the primary and secondary dwelling is to be 50 metres in Zones E3 and E4, and a maximum distance of 15 metres in all other zones.
- If an attached garage is provided in the development with direct internal access from living areas, an access door must be installed to separate the garage from the living space. Any such access door must swing inwards into the house, not into the garage. The door knob on any such access door must also be located at a minimum height of 1500mm above floor level. The purpose of these provisions is to prevent unassisted toddler access to the garage space. If any other type of access door is proposed, it is only permitted if it meets this objective.

Note: Although not a requirement of this clause, it is recommended that a grade 2 or better self closer also be installed on the garage access door as a further measure to prevent toddler access to the garage.

3.3.3.3.1 Additional requirements for secondary dwellings greater than 60 square metres

Where a secondary dwelling with a gross floor area greater than 60 square metres is proposed, the following additional requirements apply:

- Accessible and usable storage spaces are to be provided for each dwelling at the following rates:
 - ❖ studio and one-bedroom dwellings – 2 square metres
 - ❖ two-bedroom dwellings – 4 square metres
 - ❖ three-plus-bedrooms – 6 square metres

- At least 50% of this storage space is to be provided within the dwelling. Storage space does not include built-in wardrobes in bedrooms, or kitchen storage cupboards. The remaining 50% may be located in a garage, in the sub floor space or other outdoor enclosure but must be easily accessible and usable. The storage space must also be separate from the storage space for the primary dwelling.
- When constructed in a location without a reticulated water supply, a minimum 45,000 litre rainwater tank is to be provided for a two bedroom or smaller dwelling and a minimum 90,000 litre rainwater tank is to be provided for all other dwellings as the primary source of potable water. This is in addition to any water supply required for bushfire safety purposes. Where it can be demonstrated that the primary dwelling has a sufficient existing water supply, a two bedroom or smaller secondary dwelling will be permitted to use this supply as an alternative to providing its own independent supply.
- A minimum of 50 square metres of private open space must be retained on the site for shared use by the occupants of both the primary and secondary dwelling. The private open space must have minimum dimensions of at least 3 metres and a core area with minimum dimensions of at least 5 x 5 metres is to be provided.

3.3.4 Multi-dwelling housing and residential flat buildings

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

attached dwelling means a building containing 3 or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

Council has a standard checklist of information required for these types of development. Developments which contain three or more storeys and four or more self-contained dwellings will be required to comply with the provisions of *State Environmental Planning Policy (SEPP) 65 – Design of Residential Flat Buildings*

3.3.4.1 Objectives

- To provide well designed and varied housing forms that are integrated into the existing environment in terms of size, bulk, height, scale and setbacks.
- To provide adequate, convenient and safe parking that does not dominate the site or its streetscape.
- To provide well designed dwellings that do not dominate the streetscape in terms of size, bulk, height, scale and setbacks.
- To provide open space areas which meet the needs of residents for outdoor leisure activities, privacy, landscaping and solar access.
- To minimise overshadowing and overlooking of adjoining properties.
- To provide adequate building setbacks for landscaping, privacy and an attractive streetscape.
- To ensure that some of the dwellings are able to be used as adaptable housing.

3.3.4.2 *Performance based requirements*

- Development should minimise privacy and overlooking impacts upon living spaces within surrounding buildings and private open space areas.
- Windows of living rooms with direct outlook to any living room window within 12 metres on any existing adjoining dwelling shall be:
 - ❖ reasonably protected from overlooking by attending to building layout, size of window, landscaping and the like
 - ❖ off-set a minimum 1 metre from the edge of one window to the edge of the other or have a minimum height of the sill or fixed obscure glass at 1.6 metres
 - ❖ screened by permanent fixed structures made of durable materials (ie a privacy screen) where required to prevent direct overlooking
- Where buildings adjoin major noise sources such as roads, consideration must be given to the following issues:
 - ❖ separation distances
 - ❖ locate less sensitive landuses closest to the noise source
 - ❖ acoustic glazing
 - ❖ locating bedrooms further away from the noise source
- Dividing walls and floors should be constructed in such a manner as to limit noise transmission.
- Electrical, mechanical and hydraulic or plant equipment should not create an offensive noise.
- The internal layout of the dwellings should ensure:
 - ❖ general surveillance of the site and entries
 - ❖ room shape/s and function/s allow flexibility in use and furniture layout
 - ❖ outlook is maximised
 - ❖ internal storage is included
 - ❖ circulation areas are minimised and facilitate functional use of rooms

3.3.4.2.1 *Waste and recycling facilities*

- Areas for storing garbage and waste, including bins, should be clearly shown on the plans.
- An area within the front setback is to be provided for storage of garbage bins sufficient for each of the dwellings within the development. This area is to be screened or incorporated into design features (eg driveway or front fence) so as to appear neat and tidy when viewed from the street.

3.3.4.2.2 *Clothes drying area*

- Open air and secure clothes drying facilities are to be provided for all dwellings.
- Clothes drying areas are to be easily accessible by all residents and visually screened from public streets and recreation areas.

3.3.4.3 *Prescriptive requirements*

- A development proposing five or more dwellings is to provide at least one adaptable dwelling within the design. This dwelling is to be a designated ground-floor dwelling (unless provision is to be made for the installation of a stair lift) and will be required to be designed and constructed to comply with the essential (Type C) requirements of AS4299 – *Adaptable Housing*. A separate floor plan of this dwelling is to be submitted with the Development Application. An accessible car space/s should also be provided for the dwelling.
- Developments involving twelve (12) or more dwellings are to provide at least one (1) one-bedroom dwelling, one (1) two-bedroom dwelling and one (1) three-bedroom dwelling in their design to contribute to the mix of housing choices available in Cooma.
- The following minimum internal dwelling sizes must be met based on the number of bedrooms provided:

- ❖ studio apartment 35 square metres
- ❖ one-bedroom dwelling 50 square metres
- ❖ two-bedroom dwelling 70 square metres
- ❖ three-plus-bedroom dwelling 95 square metres
- All multi-dwelling housing must be provided with a minimum of 30 square metres, of private open space. The requirements for private open space for different multi-dwelling housing development scenarios are provided below:
- An area of communal open space is also required on-site and should comprise a BBQ area, swimming pool, cabana or the like. Communal open space should have a minimum dimension of 4 metres and be a minimum 40 square metres in area. Communal open space may be located on the roof provided privacy impacts on adjoining residential properties are addressed. Communal open space only needs to be provided where there are four (4) or more dwellings in a residential flat building or seven (7) or more dwellings for the other types of development this clause applies to. An additional 5 square metres of communal open space is to be provided for each additional dwelling above the minimum four (4) or seven (7) (whichever is appropriate for the type of development).
- If an attached garage is provided in the development with direct internal access from living areas, an access door must be installed to separate the garage from the living space. Any such access door must swing inwards into the house, not into the garage. The door knob on any such access door must also be located at a minimum height of 1500mm above floor level. The purpose of these provisions is to prevent unassisted toddler access to the garage space. If any other type of access door is proposed, it is only permitted if it meets this objective.
Note: Although not a requirement of this clause, it is recommended that a grade 2 or better self closer also be installed on the garage access door as a further measure to prevent toddler access to the garage.

3.3.4.3.1 *Private open space - ground level units*

Where the dwelling has an individual entrance and is single-storey in height private open space must be provided for each dwelling and meet the following requirements:

- Private open space must have a minimum area of 30 square metres for one-bedroom dwellings, 40 square metres for two-bedroom dwellings and 50 square metres for three-plus-bedroom dwellings.
- The minimum dimension of any private open space area must be no less than 3 metres.
- Within the above open space areas a primary area with minimum dimensions 5 x 5 metres is to be provided as the main outdoor entertaining/useable space.
- The 5 x 5m open space area must be directly accessible from the living/family rooms of the dwelling.
- The primary area of private open space should have northern or north-eastern exposure, take advantage of outlook, and reduce adverse privacy and overshadowing impacts on adjacent buildings.
- The total private open space may include other deck and verandah areas having minimum dimensions of 3 metres.
- Private open space should appear clearly defined for private use. This can be achieved by its siting in relation to the dwelling and enhanced by landscaping and screening.
- Walls, fences, plants and the buildings themselves can be used to provide screens to minimise overlooking from the development and/or adjacent buildings.
- Private open space may only be located within the front setback if it can be demonstrated that no other site option exists. In this instance the private open space should be landscaped and screened to provide privacy. Special attention must be paid to the front boundary fence in this instance. It must provide privacy for residents and screening of areas like clothes lines from the street however, at the same time it must not alienate the dwelling from the

street or substantially reduce the visual amenity of the streetscape. Solid fences higher than 1 metre will be treated with particular scrutiny in regard to the requirements of this clause.

3.3.4.3.2 *Private open space - ground and above level (two-storey) units*

Where the dwelling has an individual entrance and is two-storeys in height, private open space must be provided for each dwelling and meet the following requirements:

- Private open space must have a minimum area of 30 square metres for one-bedroom dwellings, 40 square metres for two-bedroom dwellings and 50 square metres for three-plus-bedroom dwellings. The minimum dimension of any ground level private open space area must be no less than 3 metres. Within the above private open space areas a primary area with minimum dimensions 5 x 5 metres is to be provided as the main outdoor entertaining/useable space. Private open space may also be provided above ground level in a balcony, deck or terrace provided the minimum width is no less than 2 metres and the dwelling still has a primary area with minimum dimensions 5 x 5 metres and meets the total area requirement appropriate for the unit.
- Must be directly accessible from the main habitable rooms of the dwelling. The main habitable rooms of a residence include the living, dining, family rooms and kitchen.
- Is to serve as an extension to the dwelling for relaxation, entertainment and recreation purposes.
- The primary area of private open space should have northern or north-eastern exposure, take advantage of outlook, reduce adverse privacy and overshadowing impacts on adjacent buildings.
- The total private open space may also include other balcony/deck or terrace areas having minimum dimensions of 2 metres.
- Private open space should appear clearly defined for private use. This can be achieved by its siting in relation to the dwelling and enhanced by landscaping and screening.
- Walls, fences, plants and the buildings themselves can be used to provide screens to minimise overlooking from the development and/or adjacent buildings.
- Private open space may only be located within the front setback if it can be demonstrated that no other site option exists. In this instance the private open space should be landscaped and screened to provide privacy. Special attention must be paid to the front boundary fence in this instance. It must provide privacy for residents and screening of areas like clothes lines from the street however, at the same time it must not alienate the dwelling from the street or substantially reduce the visual amenity of the streetscape. Solid fences higher than 1 metre will be treated with particular scrutiny in regard to the requirements of this clause.
- Walls, fences, plants and the buildings themselves can be used to provide screens to minimise overlooking from the development and/or adjacent buildings.

3.3.4.3.3 *Private open space – above ground level units*

Where dwellings are not at existing ground level and do not have an individual entrance or a ground-level private open space area, open space is to be provided in the form of a balcony and communal open space. The following requirements must be met in this regard:

- Contain a balcony with a minimum area of 8 square metres for studio and one-bedroom units, and 15 square metres for all other units and a minimum dimension of 2 metres (greater area and dimension is encouraged where practical). This area may be shared between more than one balcony provided they each meet the minimum dimensions.
- Locate the balcony with direct access to the main habitable rooms of the dwelling. The main habitable rooms of a residence include the living, dining, family rooms and kitchen.
- A communal open space area must be provided on-site with a minimum 40 square metres area provided for developments involving four (4) or more units and an additional 5 square metres of communal open space being provided for every additional unit above four (4). Communal open space must have a minimum dimension of 4 metres in any direction and

may be located on the roof if overlooking issues to adjoining residential properties are addressed.

- Locate the communal open space on the northern or north-eastern side of the site.
- Provide a communal open space area level and regular in shape.
- Communal open space may only be located within the front setback if it can be demonstrated that no other site option exists. In this instance the communal open space should be landscaped and screened to provide privacy. Special attention must be paid to the front boundary fence in this instance. It must provide privacy for residents and screening of areas like clothes lines from the street however, at the same time it must not alienate the dwelling from the street or substantially reduce the visual amenity of the streetscape. Solid fences higher than 1 metre will be treated with particular scrutiny in regard to the requirements of this clause.
- Walls, fences, plants and the buildings themselves can be used to provide screens to minimise overlooking from the development and/or adjacent buildings.
- Balcony enclosures are not acceptable if only a single balcony is provided to service that dwelling. Where a balcony is permitted to be enclosed it will be included in the gross floor area calculation of the development.

3.3.4.3.4 *Parking and vehicular access*

Car parking spaces are to comply with the following:

- Parking spaces are to be provided on-site at the following rates:
 - ❖ one (1) space for each one-or -two-bedroom dwelling
 - ❖ two (2) spaces for each three-or-more-bedroom dwelling
 - ❖ one (1) visitor parking space for every three (3) dwellings or part thereof.
- At least one (1) car parking space per dwelling is to be covered.
- Stacked parking is permissible but only where more than one car parking space is required for an individual dwelling.
- For dwellings which do not have direct driveway access to the road, or which share their driveway with other dwellings, car parking facilities are to be provided in a manner that vehicles are always able to enter and leave in a forward direction. If need be turning bays may be required.
- Landscaping of car parking areas is to blend in with the overall landscape design for the development.
- Car parking areas are to be well lit and visible to allow for surveillance.
- Bicycle storage facilities are to be provided in a convenient location and be clearly visible and accessible to pedestrian entries.
- Large car parking areas must be broken up with the use of soft and hard landscaping features and different landscape treatments.

3.3.4.3.5 *Private storage*

- Accessible and adequate storage facilities are to be provided at the following rates:
 - ❖ studio and one-bedroom dwellings – 2 square metres
 - ❖ two-bedroom dwellings – 4 square metres
 - ❖ three-plus-bedrooms – 6 square metres
- At least 50% of this storage area should be provided within the dwelling (as part of the required dwelling area) and be accessible from either the hall or living areas.
- The remaining 50% of the storage area should be located in the garage of the dwelling.
- Private storage areas are to be clearly defined on plan and are for the storage of goods and chattels other than food and clothing. As such they do not include built-in wardrobes in bedrooms or cupboards and pantries in kitchens.

3.3.4.4 Further information

Refer to *Australian Standards AS 3671 Road Traffic Noise Intrusion* and *AS 2107 Acoustics for Noise Attenuation Design and Construction*.

3.4 Restricted premises

3.4.1 Restricted premises

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

restricted premises means premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises.

A Development Application for restricted premises shall include the following additional information:

- A location plan showing the location of all churches, schools, community facilities and recreation facilities within a 500 metre radius of the site.
- A description of the development including the proposed number of employees and hours of operation.

All applications for restricted premises will be referred to the NSW Police for comment.

3.4.1.1 Objectives

- To ensure that restricted premises are located so as to minimise impacts on the surrounding area.

3.4.1.2 Performance based provisions

- A restricted premises shall not be located such that any access is near or within direct view of a church, school, hospital, playing field or any place frequented by children for recreational or cultural activities or are directly opposite, adjacent to or within 50 metres of a bus stop.
- All signage associated with restricted premises is to be designed and located such that its shape, size, content and illumination complies with the provisions of *State Environmental Planning Policy 64 - Advertising and Signage* and does not interfere with the amenity of the neighbourhood.

3.4.1.3 Prescriptive requirements

- Parking spaces shall be provided at the rate of one (1) space per 40 square metres of gross floor area.
- The hours of operation of a restricted premise shall be limited to between 8.00 am and 9.00 pm.
- Restricted premises shall not have a shop front at street level but may only have an entrance doorway, with the main business area located at the rear of a building, on a floor above ground level or in a basement.

3.4.2 Sex services premises

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

home occupation (sex services) means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or
- (c) the exhibition of any signage, or
- (d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include a home business or sex services premises.

sex services premises means a brothel, but does not include home occupation (sex services).

The following definitions are also applicable to these uses:

sex services means sexual acts or sexual services in exchange for payment.

brothel means a brothel within the meaning of the *Restricted Premises Act 1943*, other than premises used or likely to be used for the purposes of prostitution by no more than one prostitute.

brothel means premises:

- (a) habitually used for the purposes of prostitution, or
- (b) that have been used for the purposes of prostitution and are likely to be used again for that purpose, or
- (c) that have been expressly or implicitly:
 - (i) advertised (whether by advertisements in or on the premises, newspapers, directories or the internet or by other means), or
 - (ii) represented, as being used for the purposes of prostitution, and that are likely to be used for the purposes of prostitution.

Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

A Development Application for sex services premises shall include the following additional information:

- A location plan showing the location of all churches, schools, community facilities and recreation facilities within a 500 metre radius of the site.
- A description of the development including the proposed number of employees and hours of operation.

Applications for sex services premises or home occupation (sex services) will be referred to the NSW Police for comment.

3.4.2.1 Objectives

- To ensure that sex services premises are located so as to minimise impacts on the surrounding area.
- To minimise potential adverse impacts on the surrounding area in terms of amenity.

3.4.2.2 Performance based requirements

- A sex services premises shall not be located such that any of their points of access are near or within direct view of a church, school, hospital, playing field or any place frequented by children for recreational or cultural activities or are directly opposite, adjacent to or within 50 metres of a bus stop.
- Each room used for sex services is to contain its own shower, toilet and hand washing basin.
- All signage associated with sex services premises is to be designed and located such that its shape, size, content and illumination complies with the provisions of *State Environmental Planning Policy 64 - Advertising and Signage* and does not interfere with the amenity of the neighbourhood.
- A home occupation (sex services) may have an identification plaque no larger than an A5 sheet of paper located on the wall of the dwelling within 1 metre of the front door.

3.4.2.3 Prescriptive requirements

- Hours of operation shall be limited to those between 6.00 pm and 6.00 am.
- Parking shall be provided at the rate of one (1) space per sex worker employed at the premises. In the case of a home occupation (sex services) only one (1) parking space in addition to the number required for the dwelling is to be provided.

3.4.2.4 Further Information

- For further information refer to NSW Workcover's *Brothels – Health and Safety Guidelines* – available from www.workcover.nsw.gov.au

3.5 Depots, Farm buildings, outbuildings associated with a residential use and shipping containers

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

depot means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

farm building means a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling.

truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

This clause also applies to outbuildings associated with residential uses on the same site (other than exempt or complying development), and shipping containers, which are defined as 'buildings' under the *NSW Environmental Planning and Assessment Act 1979*. The provisions of this clause specific to shipping containers do not apply to shipping containers where they are substantially modified and assembled together to form a different type of building.

3.5.1 Objectives

- To ensure that new buildings and shipping containers are not detrimental to the amenity of an area or have negative impacts on adjoining properties.

- To ensure that new buildings and shipping containers are in keeping with the character of an area.

3.5.2 Performance based requirements

- Applications for buildings to which this clause applies must detail the intended use of the building.
- If trucks or other vehicles (eg cars) are to be regularly parked, used or serviced at the building, the type of trucks or vehicles and their typical hours of use/operation are to be specified.
- Sufficient manoeuvring room on and around the site must be demonstrated to ensure that vehicle movements will not block and interrupt traffic flow on the street, with arrangements to ensure a forwards entry and exit to the site preferable.
- Stormwater drainage from the new building must not flow onto adjoining properties.
- Noise generation from the use of the building must be limited if residential land uses are present in the immediate surrounds of the site.
- If the new building will include a toilet and/or shower and is located outside of the reticulated sewerage system, an report assessing the suitability of the site for effluent disposal must be submitted with the development application.
- New buildings must have an external colour that respects the character of the surrounding area.

3.5.3 New buildings must be of a size that respects the character of the surrounding area (eg a 3 or 4 bay garage/workshop may not be appropriate on a small lot in Zone R2). Prescriptive requirements

- Noise from trucks reversing, braking and starting their engines shall not occur between the hours 9.00 pm to 7.00 am unless there will be no significant impact on neighbours.
- Depots involving noisy machinery, and truck depots shall be located at least 50 metres from the nearest residential dwelling (ie the building not the lot boundary) not associated with the development.

3.5.3.1 Additional performance based requirements applying only to Shipping containers

- Setbacks to overhead power lines must comply with the requirements of the relevant electricity authority.
- Containers must be screened from the streetscape by suitable vegetation or other appropriate screening.
- Containers will not be permitted in areas subject to a 1 in 100 year flood (where this information is known from a previous study) or riparian land elsewhere in the Shire.
- Containers must be a neutral colour to blend with the surrounding natural environment and built structures,
- Containers will not be permitted in Heritage Conservation Areas or on lots containing a Heritage Item unless they are approved on a short-term basis (less than two (2) years) in conjunction with an approved Development Application and Construction Certificate for specific works.
- Containers must be placed on level solid ground. Any associated earthworks (cut and fill) must be in accordance with *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Subdivision 15 – Earthworks and retaining walls).

3.5.3.2 ***Additional prescriptive requirements applying only to Shipping containers***

- Containers must not be located over water, wastewater or stormwater mains or dedicated drainage easements.
- Containers must not be located over effluent treatment disposal areas/systems.
- Containers must not be located over gas lines or underground power lines.
- Containers must not be stacked vertically above each other unless in Zone IN1.
- Containers must not contain sanitary facilities or be used for the collection of rainwater.
- Containers must not be used to store contaminated or hazardous materials.
- R1, R2, RU5 and R5 zones:
 - ❖ a maximum of one (1) container per property
 - ❖ containers must not be located within the front building setback (6 metres from the boundary facing a road). Note: This applies to both frontages for corner allotments
 - ❖ containers must not be located forward of the building line on any parcel of land within the zone (building line being the setback associated with an existing dwelling erected on the property)
 - ❖ containers must not be located any closer than 1 metre from side and/or rear boundaries
 - ❖ containers must be located within any building envelope associated with the lot
 - ❖ containers must be used for domestic storage purposes only
 - ❖ containers visible from a public road or public open space in the vicinity of the site are permitted on a temporary basis for two years only. Extensions to this time period will be contingent on screening being provided and present on the site. Permanent approvals for shipping containers will only be permitted where the container is completely hidden from public view.
- RU1 Zone
 - ❖ a maximum of one (1) container per allotment is permissible as exempt development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 . Additional containers require Development Consent.
 - ❖ containers must not be located within 50 metres of the front, side or rear boundaries of a property and must comply with setback standards that apply to the particular parcel of land and be within any specified building envelope for that parcel.
 - ❖ containers must be used for domestic or agricultural storage purposes only
- E3 and E4 Zones
 - ❖ containers must not be located within 50 metres of the front, side or rear boundaries of a property and must comply with setback standards that apply to the particular parcel of land and be within any specified building envelope for that parcel.
 - ❖ containers must be used for domestic or agricultural storage purposes only
 - ❖ A maximum of two (2) containers are permitted over all adjoining lots in the same ownership (ie per holding).
- IN1 Zone
 - ❖ containers being stored temporarily on land in Zone IN1 for the purpose of re-sale or hire will not be required to meet all setback requirements provided the containers are not being used for storage or other purposes, and provided they are legitimately part of an approved legal land use on the site.
 - ❖ If the containers are used for storage or other purposes, approval is required and the requirements of this DCP and the National Construction Code will apply
- Business Zones
 - ❖ containers will only be approved on a temporary basis, for a maximum of twelve (12) months
 - ❖ containers must not encroach upon any existing or required car parking spaces
 - ❖ containers will be assessed as a National Construction Code – Building Code of Australia Class 7 building and as such will be assessed for fire rating and essential services
 - ❖ the floor space of a shipping container intended to be used as a Class 7 building may

contribute to the gross floor area of a development and as such may generate a requirement for additional on-site parking spaces.

3.6 Short-term Holiday Rental Accommodation

The clause applies to the following landuses as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

eco-tourist facility means a building or place that:

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

farm stay accommodation means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

Where the phrase 'short-term accommodation' is used in the above definitions, the Council for its purposes further defines this term to mean a period of no more than 28 consecutive days by a single tenant. A tenant is able to enter longer term leases if the period of stay is longer than 28 consecutive days.

Clause 5.4 in the LEP limits the number of bedrooms for both bed and breakfast accommodation, and farm stay accommodation developments to no more than three (3) bedrooms per development. Clause 5.13 in the LEP outlines under what circumstances development consent for an Eco-Tourist Facility is to be granted. Refer to the LEP for landuse zones where each of these types of development is permitted.

The requirements of the *National Construction Code* (formerly known as the Building Code of Australia) in relation to the particular building intended to be used for the provision of short-term holiday rental accommodation should be researched and understood before lodging a development application.

During the preparation and assessment of a development application for all types of short-term holiday rental accommodation the following matters may require consideration:

- Bush fire protection (development of this type may require the concurrence of the NSW Rural Fire Service in certain circumstances)
- Fire prevention and fire hydrants, including smoke alarms
- Waste disposal and recycling
- Accessibility

- Water supply and hygiene facilities for guests
- Wastewater or on-site effluent disposal
- Signage
- If building works are proposed, all matters normally associated with the construction of residential accommodation
- Compatibility with surrounding development

During the preparation and assessment of a development application for bed and breakfast accommodation the following additional matters will require consideration:

- Food handling plus hygiene.

During the preparation and assessment of a development application for eco-tourist facility the following additional matters will require consideration:

- Details of the connection between the development and the ecological, environmental and cultural values of the area.

During the preparation and assessment of a development application for farm stay accommodation the following additional matters will require consideration:

- Details of the farming activities that take place on the site sufficient to justify primary production as the main business on the land, with the farm stay accommodation as secondary. Information including farm income, stocking rates, types of agriculture and intended involvement of 'guests' in farm activities should be provided.
- How environmental assets (eg rivers and creeks) on the property will be protected from damage and pollution.

During the preparation and assessment of a development application for serviced apartments following matters will require consideration:

- Details of servicing and cleaning procedures.

3.6.1 Objectives

- To ensure that the existing amenity of the area is maintained and not negatively impacted upon by short-term holiday rental accommodation.
- To ensure that short-term holiday rental accommodation does not create a safety hazard for guests or surrounding residents.
- To ensure that short-term holiday rental accommodation provides a high standard of amenity for guests.
- To limit potential negative impacts of the development on the environment and adjoining properties

3.6.2 Performance based requirements

- The provision of short-term holiday rental accommodation in a dwelling house is to be carried out in a manner which will not compromise the future operation of the dwelling primarily as a private residence.
- The site is capable of providing adequate manoeuvring room entirely within the boundaries of the site such that guest vehicles can enter and exit the site in a safe manner.

3.6.3 Prescriptive requirements

- If short-term holiday rental accommodation is to be provided within a new building, such a building is not to be located within the riparian land of a watercourse as shown on the CMLEP 2013 'Riparian Land' maps.
- Car parking spaces must be provided on-site at the rate of one (1) per guest bedroom in

addition to two (2) spaces for the private dwelling. Stacked parking is not permitted for guest spaces however; it is permitted for the private residence provided it does not interfere with manoeuvring to and from the guest spaces. Car parking spaces should have minimum dimensions of 2.4 metres by 5.4 metres unless alternative sizes comply with the provisions of AS 2890.1.

- Any cooking/eating facilities on-site must only be used to serve the private residence and paying guests. They must not be used to serve paying customers who are not staying on site. Separate development consent for a café or restaurant will be required if serving paying customers not staying on-site.
- Short-term holiday rental accommodation in an area that is on reticulated sewer is required to provide sleeping room(s) which meet the following criteria:

Table 7: Minimum floor area of sleeping rooms

Number of people in the sleeping room	Minimum required floor area of the sleeping room
2	7m ²
3	11m ²
4	15m ²
5	19m ²
6	23m ²
7 to 10	Consult with Council

- For the purposes of short-term holiday rental accommodation the number of people accommodated in a sleeping room in an area that is unsewered will be determined by allocating a minimum floor area of 5.5m² per person. A specialist report will be required to confirm that on-site effluent disposal can be provided on the site.
- The provision of sofa beds will be taken into consideration when calculating maximum occupancy rates. If sofa beds are to be utilised they are to be shown on the plans.
- Outdoor entertaining areas are to be located behind the building line of any road frontage and where possible are not to be located adjacent to sensitive areas in adjoining dwellings, such as bedroom windows and doors.
- Outdoor lighting is to be shown on the plans. Such lighting is to be orientated as not to shine into sensitive areas in adjoining dwellings, such as bedroom windows and doors.
- A storage area of 2m² is to be provided per bedroom within the short-term holiday rental accommodation. At least 50% of this storage space is to be provided within the dwelling. Storage space does not include built-in wardrobes in bedrooms, or kitchen storage cupboards. The remaining 50% may be located in the garage, in the sub-floor space or other outdoor enclosure but must be easily accessible and usable.
- An area set aside for the storage of garbage bins is to be shown on the plans. This should be located away from sensitive areas in adjoining dwellings, such as living room windows and doors.
- When carried out in a location without a reticulated water supply, a minimum 60,000 litre rainwater tank is to be provided for a two bedroom or smaller short-term holiday rental accommodation as the primary source of potable water. This is in addition to any water supply required for bushfire safety purposes. If the building in question already has a rainwater tank the capacity must be increased to satisfy this requirement.
- When carried out in a location without a reticulated water supply, a minimum 110,000 litre rainwater tank is to be provided for a three or four bedroom short-term holiday rental accommodation as the primary source of potable water. A minimum 120,000 litre rainwater tank is to be provided for all other short-term holiday rental accommodation. This is in addition to any water supply required for bushfire safety purposes. If the building(s) in

question already has a rainwater tank the capacity must be increased to satisfy this requirement.

- Fire safety measures, such as smoke alarms, fire blanket and fire extinguishers, are to be shown on the development application plans and evacuation plans.
- Each short-term holiday rental premise shall be identified on the site by fixing an accommodation identification sticker (Appendix 12) to the interior of the primary entry and exit point in a prominent position. This sticker is to remain affixed at all times. One (1) sticker will be provided by Council upon the approval of a development application.
- All development applications for short-term holiday rental accommodation are to be accompanied by a welcome pack.
- The short-term holiday rental accommodation welcome pack is to include the following information:
 - Maximum number of occupants per bedroom;
 - Off-street car parking arrangements;
 - Fire safety measures;
 - Evacuation plans including evacuation routes and emergency meeting points;
 - Garbage collection information;
 - Rainwater tank limitations;
 - On-site effluent disposal limitations.

3.6.3.1 Bed and Breakfast

- Bed and breakfast accommodation is permitted on a lot containing a single detached dwelling house (and associated outbuildings, including a secondary dwelling) only. Other forms of development are deemed unsuitable for this use due to issues associated with density, privacy and consistency with the objectives of a zone.
- One (1) advertising sign is permitted on the property with the sign itself having a maximum size of 1.5 metres wide by 1 metre high. The top of a sign must not be located more than 2 metres above ground level. Note: Some specific forms of signage are prohibited in some Zones in CMLEP 2013.
- A detailed plan identifying the food preparation area is to be included with the development application.
- As part of a bed and breakfast accommodation a Food Safety Supervisor must be nominated and the business must be registered with the NSW Food Authority.

3.6.3.2 Eco-Tourist Facility

- Documentation outlining the connection between the development and the ecological, environmental and cultural values of the area is to be provided with the development application.
- One (1) advertising sign is permitted on the property with the sign itself having a maximum size of 2 metres wide by 2 metres high. The top of a sign must not be located more than 2 metres above ground level. Note: Some specific forms of signage are prohibited in some Zones in CMLEP 2013.
- An environmental management strategy plan is to be provided with the development application.
- The environmental management strategy plan is to address the following matters:
 - Measures to remove any threat of environmental damage;
 - The maintenance of habitats;
 - Efficient and minimal energy and water use and waste output;
 - Mechanisms for monitoring and reviewing the effect of the development on the natural environment;
 - Maintaining improvements on an on-going basis in accordance with relevant ISO 14000

standards relating to management and quality control.

- When provided within a new building Eco-Tourist Facilities are to incorporate the principles of Ecological Sustainable Design through the use of passive heating and cooling, renewable energy sources and water efficient designs.
- When provided within an existing building Eco-Tourist Facilities are to be retrofitted to incorporate energy and water saving devices.
- When provided within an existing building Eco-Tourist Facilities are to be provided with a renewable energy source, such as solar or wind power, which is capable of producing a minimum of 19 kW/day.
- For Eco-Tourist Facilities the capacity of rainwater tanks are to be increased by an additional 5,000L per bedroom.

3.6.3.3 **Farm Stay**

- Documentation outlining the farming activities that take place on the site sufficient to justify primary production as the main business on the land, with the farm stay accommodation as secondary. The primary production plan should include the following information: farm income, stocking rates, types of agriculture and intended involvement of 'guests' in farm activities.
- One (1) advertising sign is permitted on the property with the sign itself having a maximum size of 2 metres wide by 2 metres high. The top of a sign must not be located more than 2 metres above ground level. Note: Some specific forms of signage are prohibited in some Zones in CMLEP 2013.

3.6.3.4 **Serviced Apartments**

- Documentation outlining the servicing and cleaning procedures that will be carried out by the owner or manager of the building or their agents. This plan is to be included in the short-term holiday rental accommodation welcome pack.
- One (1) advertising sign is permitted on the property with the sign itself having a maximum size of 1.5 metre wide by 1 metre high. The top of a sign must not be located more than 2 metres above ground level. Note: Some specific forms of signage are prohibited in some Zones in CMLEP 2013.

3.6.4 **Further information**

- Refer to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* for provisions relating to bed and breakfast accommodation which may qualify as complying development.
- The NSW Food Authority's Guideline to Food Safety Supervisor Requirements provides helpful information about the Food Safety Supervisor system.

It should be noted that the operation of short-term holiday rental accommodation may have change Council's annual waste charges applicable to a site. For further information on this matter Council's Waste Section should be contacted.

3.7 **Mixed use development**

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

mixed use development means a building or place comprising 2 or more different land uses.

shop top housing means one or more dwellings located above ground floor retail premises

or business premises.

The compatibility of both uses in an area should be considered as not all sites that permit both dwellings and retail will suit this type of development. This may be due to traffic and/or surrounding landuses.

3.7.1 Objectives

- To ensure that different types of development on the same site are compatible.
- To ensure that development does not have a negative impact on the amenity or character of an area.
- To ensure buildings are designed to facilitate a range of possible uses.

3.7.2 Performance based requirements

- Buildings are to be designed with a depth sufficient to allow natural light and ventilation into the building (10-14 metres is recommended).
- Each vertical use of the building is to have its own distinct and separate entrance from the ground floor use.
- Architectural features of the building should provide a distinction between the ground floor and other floors above.

3.7.3 Prescriptive requirements

- The ground floor of a mixed use building, including shop top housing, is to be designed to the following parameters:
 - ❖ a minimum floor to ceiling height of 3.3 metres
 - ❖ rooms with a minimum size of 14 square metres
- Residential uses above the ground floor are to have a minimum of 10 square metres private open space which may be provided in the form of a balcony or roof top space with a minimum dimension of at least 2 metres.
- Parking spaces are to be provided on-site at the following rates:
 - ❖ one (1) space for one-and-two-bedroom dwellings
 - ❖ two (2) spaces for three-or-more-bedroom dwellings
 - ❖ one (1) space per 40 square metres gross floor area for retail, business and commercial uses
 - ❖ parking spaces may be shared between the residential and other uses provided they will be open during normal business hours only and sufficient on-street spaces exist for any spill-over parking during switchover times

4 Requirements for Subdivision

The requirements in this section apply exclusively to subdivisions. This section contains provisions for the following types of subdivision:

- Land (Torrens Title) subdivision
- Strata subdivision

The minimum lot size for subdivision in all zones is shown in the maps forming part of *Cooma-Monaro Local Environmental Plan 2013*. The following table highlights the clauses in the LEP which are most relevant for subdivision. Other clauses beyond those shown may still apply, however these clauses are the ones which set the basic parameters for subdivision in the Shire:

Table 8: Relevant LEP clauses in relation to subdivisions

LEP clauses	Explanation
2.3(2) – <i>Zone objectives</i>	This clause requires Council to have regard to the objectives of the relevant zone when determining a development application, including an application for subdivision.
4.1 – <i>Minimum subdivision lot size</i>	This clause gives effect to the lot size maps by requiring any new lots created by a subdivision to be at least the size shown on the lot size map applying to that piece of land.
4.1AA – <i>Minimum subdivision lot size for community title schemes</i>	This clause requires that the lots in a community title subdivision in zone RU1, R5, E3 or E4 be at least the size shown on the lot size map applying to that piece of land. However the lots which are 'common property' and shared by all lots in the subdivision are exempt from this requirement.
4.1B – <i>Subdivision using average lot sizes</i>	This clause only applies to land zoned RU1, R5 or E4. There is also some additional land within these zones which the clause also does not apply to. This additional land is shown as 'Area A' on the lot size maps. Where this clause does apply, it allows lots smaller than the minimum size shown on the lot size map provided the <u>total</u> number of lots does not exceed those possible under a subdivision which would meet the minimum lot size on the map. In a lot averaging subdivision, any lot may be as small as 20 hectares in RU1, 10 hectares in E4 or 2 hectares in R5. However in zone RU1 and E4 it is only possible to subdivide land for residential purposes <u>once using lot averaging</u> . This applies to all lots in the subdivision, including any larger 'residue' lot. It is important to note that the 'once only' provision only applies to subdivisions that use this averaging clause. A subdivision done under the minimum lot size clause (4.1) has no such restriction applying to it.
4.1C – <i>Minimum subdivision lot sizes for certain split zones</i>	This clause applies to a lot that has more than one zone applying to it. This clause provides guidance and options for how such a lot may be subdivided given that it will have two or more minimum lot sizes applying to it.
4.2 – <i>Rural subdivision</i>	This clause allows lots to be created in zone RU1 which are less than the minimum lot size provided that the lot is used only for primary production. A dwelling can never be erected on a lot created under this clause.
4.2A – <i>Minimum subdivision lot size for strata plan schemes in certain rural, residential and environment protection zones</i>	This clause requires that the lots in a strata title subdivision for residential accommodation or tourist and visitor accommodation in zone RU1, R5, E3 or E4 be at least the minimum lot size shown on the lot size map for these zones. However the lots which are 'common property' and shared by all lots in the subdivision are exempt from this requirement.
4.2D – <i>Exceptions to minimum lot sizes for subdivision in zone RU1 and E4</i>	This clause enables subdivision in zone RU1 or E4 to create lots less than the minimum lot size shown on the lot size map provided there is no dwelling on the land and the subdivision will not change any uses in an existing development consent that applies to the land. This means that a non-residential development needs to be approved on the land first prior to it being subdivided under this clause.

LEP clauses	Explanation
6.10 – <i>Essential services</i>	This clause prevents Council granting consent to a development application, including a subdivision, unless it is satisfied adequate arrangements have been made for the provision of a water supply, electricity, effluent disposal, stormwater and vehicular access. Other clauses in this chapter should be consulted to determine what level of essential services Council expects for a subdivision in different locations.

Although there are numerous clauses in this Table, in most instances only one of the above clauses will apply to an individual subdivision. An applicant needs to determine under which of the above clauses they intend to prepare and submit their development application.

A Council register will be maintained that will identify newly created allotments which cannot be further subdivided or on which no dwelling house will be permitted due to the lots being subdivided under the relevant clause shown in the above Table.

4.1 Land (Torrens Title) Subdivision

The following requirements apply to all subdivisions of land using Torrens Title (ie not strata or community title subdivisions) and which will be registered by a plan of subdivision prepared under the *Conveyancing Act 1919*. These provisions apply regardless of the land use zone in which they are located, unless otherwise stated in the provision.

4.1.1 Vehicular entrances to lots

4.1.1.1 Objectives

- To provide clear standards for vehicular access in rural areas which are safe and efficient.
- To require any vehicular access in rural areas to be located and built at subdivision stage.

4.1.1.2 Requirements

- For subdivisions in Zones RU1, R5, E2, E3 and E4 a vehicular access point is to be constructed in accordance with the standards for each zone identified in Chapter 2. The access point will be required to be constructed prior to the release of the Subdivision Certificate for the subdivision.
- For subdivisions within Zones RU1, R5, E2, E3 and E4 the intended location of the vehicular access point for each lot is to be shown on the proposed subdivision plans. The location of the access point must be articulated on the plan in such a way that its intended location can be precisely located. The location must also comply with the design requirements in Council's Specification for Engineering Works, particularly in relation to sight distance along the road when using each access point.
- Subdivisions undertaken on working farms for farming reasons (ie no change in landuse is intended) in which existing adjoining land under the same ownership extends back to a public road and the existing farm access can be utilised may be permitted to be carried out without the construction of a new access point for the lot provided a restriction to user is registered on the lot(s) preventing the use of land or construction of new buildings for any use other than extensive agriculture. Council is to be empowered to release, vary or modify the restriction.

4.1.2 Construction of roads

4.1.2.1 Objectives

- To provide safe and efficient roads of a standard appropriate to the number of lots they serve.
- To clearly articulate Council's requirements regarding such roads.

4.1.2.2 Requirements

- The use of cul-de-sacs and their appropriateness in the subdivision design shall have regard to the following principles:
 - ❖ traffic flow in the general area – cul-de-sacs tend to concentrate traffic flow and impacts rather than disperse them
 - ❖ safety and community – cul-de-sacs tend to promote more sense of community and safety due to the quiet and secluded nature of the streets and the increased opportunities for passive surveillance
 - ❖ pedestrian linkages – cul-de-sacs can make it hard to walk through a neighbourhood and for this reason can promote pedestrian laneways which become crime hotspots
 - ❖ supply of services – cul-de-sacs may not be an efficient way of providing services to a subdivision which may increase cost of development
 - ❖ lot shapes – cul-de-sacs can promote awkward lot designs and shapes which may make it harder to achieve good building design in the future.
- Roads should be designed to follow contours of the land as much as possible rather than going directly up or down hills and valleys.
- Road construction standards will be required to comply with the tables in Chapter 2 of this Plan. This applies not only to new roads constructed in a subdivision, but also to existing roads servicing a subdivision. Where an existing road is not of the required standard detailed in Chapter 2 for the size and type of subdivision proposed, upgrading works to these roads will be required. The extent of upgrading will include all the frontage of the proposed subdivision to the road and additional works beyond the subdivision frontage where traffic from the new subdivision is likely to result in significantly higher traffic volumes on the road than are existing.
- New roads constructed as part of the subdivision are to be dedicated to Council as public roads, unless the road will be a private road covered by a Right-of-Carriageway easement created under Section 88B of the *Conveyancing Act 1919*.

4.1.2.3 Road System, Kerb and Guttering in R1, R2, B3, B4, B5 and IN1 Zones

- An applicant (developer/subdivider) will be required to provide fully serviced subdivisions including the provision of a sealed road system with drainage and kerb and guttering to adequately and safely provide both vehicular and pedestrian access to each allotment.
- An Applicant will be required to meet the full cost of kerb and guttering across all road frontages of any subdivision in urban areas. Any roads adjoining a reserve are to be provided with kerb and guttering.

4.1.2.4 Road System, Kerb and Guttering in RU5 Zones

- An applicant (developer/subdivider) will be required to provide fully serviced subdivisions including the provision of a sealed road system with drainage. The provision of kerb and guttering by the applicant shall be determined depending on location of the development.
- Generally it will not be necessary to provide kerb and guttering in villages except if the development is close to existing kerb and guttering. If the existing kerb and guttering is 50 metres away from the new development measured along the road, it will then be

necessary to extend the kerb and guttering from the existing location through to the new subdivision/development, at the developer's cost.

- Where extensions to existing kerb and guttering pass adjacent to other landowners (not involved in the proposal) Council shall (upon application by the proponent) recover 50% of the cost of extension past these properties from these landowners.
- The assessment of costs for kerb and guttering shall not exceed the rates contained in Council's current Fees and Charges. The costs recovered by Council shall be returned to the applicant at the time of Linen Release.

4.1.2.5 Road System in R5 Zones

- Sealing of a new road system will be required for roads which will be created in new subdivisions off an existing sealed road or the extension of an existing sealed road.
- For roads which will be created in new subdivisions off an existing unsealed road, sealing of the new road system will be required under the following conditions:
 - ❖ where traffic volumes are likely to exceed one hundred (100) vehicles per day
 - ❖ where there are causeways, floodways, and approaches which may be subject to regular flooding on any section of the road
 - ❖ where pavement base courses are chemically stabilised on any section of the road
 - ❖ on superelevated pavements, which are likely to be subject to scouring from undesirable cross pavement water flows on any section of the road.

4.1.2.6 Street lighting and name signs

- Street lighting will be required for new roads within a subdivision in Zone R1, R2, all Business Zones, IN1 and RU5.
- Street lighting will be required in Zone R5 where the subdivision will connect directly to other existing roads provided with street lighting.
- The developer shall be responsible for the establishment of street lighting and street name signs on all new roads within a subdivision. The design and layout of street lighting shall comply with AS 1158 – Road Lighting.

4.1.2.7 Stock-proof fencing

- Where a subdivision in zone RU1, E3 or E4 requires the construction of a new public road, the developer shall provide a stock-proof fence to all road frontages and public open space areas to the following standard unless Council agrees to a variation prior to erection:
 - Fence height 1.2 metres
 - Posts at 6 metre centres
 - Infill of fence to be of sufficient strength to retain stock
 - Must not be a single wire fence
 - Must not be a single wire electrified fence

4.1.3 Design requirements for lots

4.1.3.1 Objectives

- To provide lots in subdivisions which provide for the orderly development of the land and which can accommodate future developments of a high design standard.

4.1.3.2 Requirements

- For subdivisions involving ten (10) new lots or more, a minimum of nine (9) lots for every ten (10) lots (or multiples of ten (10) lots) in the subdivision must have direct frontage to a public

road.

- For subdivisions involving up to nine (9) lots, the majority of the new lots to be created must have direct frontage to a public road. Where an even number of lots are proposed, at least 50% of the proposed lots must have direct access to a public road.
- In Zones R1, R2 and B4, all new lots must have a minimum street frontage of 10 metres, unless the lot is accessed by a battle-axe access handle or a Right-of-Way which complies with the provisions in this DCP.
- In Zones IN1 and B5 all new lots must have a minimum street frontage of 20 metres, unless the lot is accessed by a battle-axe access handle or a Right-of-Way which complies with the provisions in this DCP.
- Splay corners – corner lots in subdivisions are to provide a splay corner to improve sight lines at intersections and allow for infrastructure provision in the road reserve. Standard splays required are 3 metres x 3 metres (R1, R2, B4 and RU5 Zones), 6 metres x 6 metres (IN1 and R5 Zones) and 10 metres x 10 metres (RU1 and E Zones). Council may require splays of a greater distance where site specific circumstances warrant a larger splay for traffic safety. In zones not mentioned above splays will be determined on a case by case basis.
- The shape of all new lots to be created must provide adequate space for a future building to be erected on the lot which can comply with the setback provisions of this Plan.
- New lots in Zone RU1 must have a minimum width in any direction of at least 150 metres, however this requirement does not apply to that part of the lot used primarily for providing the vehicular access.
- Battle axe handles may be provided to lots in accordance with the following table:

Table 9: Design requirements for battle axe access handles on new lots (in metres)

Battle-axe elements	RU1	RU5, R1 & R2	R5	B zones	IN1	E3	E4
Maximum length	200	60	100	Any length	20	100	100
Minimum width	10	5	10	5	10	10	10
Maximum width	30	10	20	10	20	10	10
Surface finish	Sealed within 100 metres of adjoining dwelling or building envelope, otherwise gravel	Stabilised to prevent erosion	As for RU1	Stabilised to prevent erosion	Stabilised to prevent erosion	As for RU1 but must also be sealed on steeply sloping sections	As for RU1 but must also be sealed on steeply sloping sections

- The pavement width of a battle axe will be 3 metres where 1 lot is served by the battle-axe and 3.5 metres where 2-5 lots utilise the same battle-axe.
- No more than two (2) battle handles may be located adjacent one another at the street frontage.
- Subdivisions creating between two and nine (2-9) new lots in Zones R1, R2 and RU5 must not have more than 50% of their lots serviced by battle axe handles. Subdivisions of ten (10) or more new lots in these zones may only have a maximum 10% of their lots serviced by battle axe handles.
- A splayed access area to a lot ceases to be considered a battle axe when its width exceeds 30 metres. An area where the access corridor is less than 30m in width is required to comply with the standards in Table 9 above.

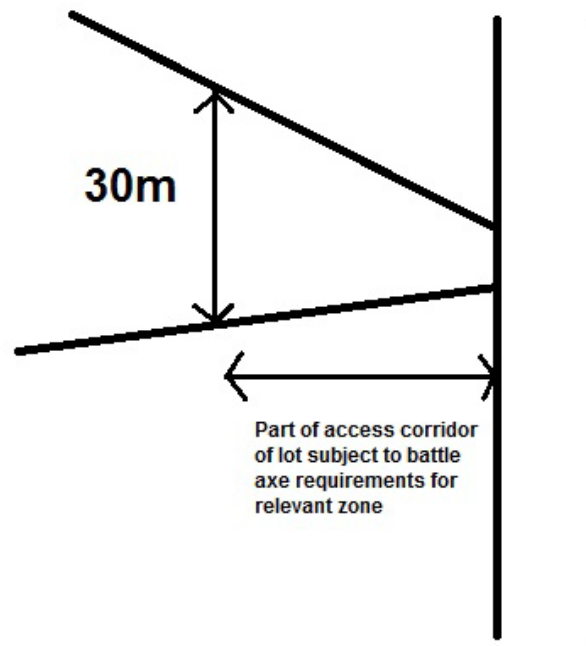


Figure 5: Splayed access corridor

4.1.4 Road widening, survey and dedication

4.1.4.1 Objectives

- To ensure public roads are protected by legal road reserves.
- To remove defacto public roads from private property.
- To identify land to be included as public road and require dedication of such land.

4.1.4.2 Requirements

- Where an existing formed road, taken to be a public road, is located within a proposed subdivision site but is not within the bounds of a legal road reserve for any or all of its length through the site, as part of the subdivision a road reserve must be created along the formed road for any parts of it which are not at present within a road reserve. Alternatively a formed public road can be constructed within an existing legal road reserve.
- Where a new legal road reserve is to be created over an existing formed road, the road reserve must be in accordance with the standard width for the class of road as per the tables in Chapter 2 and Appendix 5 and 6. The road reserve must be created based on the centreline of the existing formed road. This also applies where the road reserve only needs to be widened.
- If a new fence is to be constructed, it must be constructed along the new legal road reserve boundary.
- Where an existing formed road is fully within a legal road reserve which fronts the development site but the road reserve is not the minimum width for that class of road as per the tables in Chapter 2, the road reserve will be required to be widened to the minimum width within the development site as part of the subdivision at the developer's expense.
- Where Council has identified a requirement for future road widening, the road will required to be widened to the specified width as part of the subdivision. The locations where road widening is required and the specified width of the widening are shown on the maps in Appendix 4. Owners of land affected by the proposed road widening will be entitled to compensation from Council for the value of the land. Where Section 94 Contributions are payable for the development, the compensation shall be provided by a reduction in Section 94 Contributions otherwise required for the development.

4.1.5 Provision of open space

4.1.5.1 Objectives

- To require the provision of open space where appropriate within a subdivision, for the general welfare of the wider community.

4.1.5.2 Requirements

- For subdivisions of ten (10) lots or more within Zones R1, R2, R5 and RU5, a dedicated area of open space is to be provided such that all lots within the subdivision are within 1,200 metres of either an existing or proposed area of public open space that contains a playground (ie playground equipment).
- Where a playground is to be provided, the land and design of the playground must meet the relevant principles in Council's *Playgrounds Strategy* in terms of accessibility, safety and usability.
- A new park provided within a subdivision should have street frontage and be fronted by houses rather than being located at the rear of houses.
- Land to be provided as open space in accordance with this provision is to be dedicated to Council as part of the subdivision.
- Open space may also be provided as part of a 'natural' stormwater drainage system or to protect or provide public access to areas of high conservation or environmental values (eg a river or creek frontage), provided the on-going management costs are acceptable to Council.

4.1.6 Landscaping and street trees

4.1.6.1 Objectives

- To improve the quality of future streetscapes within subdivisions by requiring landscaping within public road reserves.

4.1.6.2 Requirements

- New subdivisions in Zones R1, R2, R5, RU5, B4, B5 and IN1 must provide street trees and landscaping at the following rates:

Table 10: Landscape requirements

Landscaping element	R1, R2, B4 & RU5	R5	B5	IN1
<i>Street trees</i>	1 per new lot Note: Corner lots are required to provide 2	1 per 30 metres of road frontage - only applies to lots under 1 ha in size	1 per 10 metres of road frontage	1 per 25 metres of road frontage
<i>Establishing grass cover on verges</i>	Yes	Yes	Yes	Yes

- A basic landscaping plan showing intended location, type and mature height of trees is required to be submitted with a development application for subdivision where there is a requirement for landscaping under this clause.
- Street trees must be located so as not to interfere with sight lines from driveways or the location of existing and future utility services.
- Species which are suitable for Cooma-Monaro are provided in Council's booklet *Trees and Shrubs suitable for Cooma-Monaro* available from Council's website or over the counter.

4.1.7 Stormwater

4.1.7.1 Objectives

- To ensure adequate provision is made at subdivision stage for the disposal of stormwater run-off from new future development.

4.1.7.2 On-site detention requirements

- Where on-site detention will be a requirement for future development on lots within a subdivision Council will require a Restriction to User be registered on the Title of the new lots to this effect. However, if adequate on-site detention is provided for the subdivision as a whole, this restriction will not be required for the individual lots.

4.1.7.3 Interallotment drainage systems

- Interallotment drainage systems must be provided for every allotment in Zones R1, R2, RU5, IN1 and all Business Zones where the allotment does not drain directly to a street frontage, watercourse or stormwater channel.
- In Zone RU5, lots above 4,000 square metres in area do not require interallotment drainage.
- Development applications which require the provision of interallotment drainage must provide a plan which shows the proposed location and basic design of the system at development application-stage.
- Construction parameters of the system are required to comply with Council's *Specification for Engineering Works*, with detailed design of the system to be provided with the Construction Certificate.
- Interallotment drainage does not necessarily have to be provided by pipes. Open channels, detention basins and other water sensitive urban design features are encouraged as a means of turning stormwater disposal into a community asset.

4.1.8 Provision for Utility Services

4.1.8.1 Objectives

- To specify the requirements for particular utility services at subdivision stage, to ensure that new lots are adequately serviced.

4.1.8.2 Requirements

- The method of electricity supply in all new subdivision involving the construction of a new public road is to be underground.
- The method of electricity supply in all new subdivision not involving the construction of a new public road shall match the existing supply arrangements to the site.
- A 'Notice of Arrangement for Electricity Supply to a new Subdivision' will be required to be submitted to Council prior to release of a Subdivision Certificate for any subdivision that is likely to result in the creation of new vacant lots for future habitable buildings.
- A 'Provisioning Confirmation' letter from a telephone service provider will be required for all new subdivisions in all zones. This may not be required in Zones RU1 or RU3 if it can be demonstrated that an alternative reliable telephone service is available to all lots in the subdivision.
- Utility services within the subdivision which cross one lot to benefit another are to be protected by easements created under Section 88B of the *Conveyancing Act, 1919*.
- Where an easement is required to be created across an adjoining property to benefit the

development, the applicant must obtain the written consent of all land owners of the affected lands, including Council if it is a land owner, and provide this with the development application.

- Within the town of Cooma where reticulated gas is available it must be supplied to a new subdivision. The developer is responsible for all costs of providing gas supply to all lots created by a subdivision.

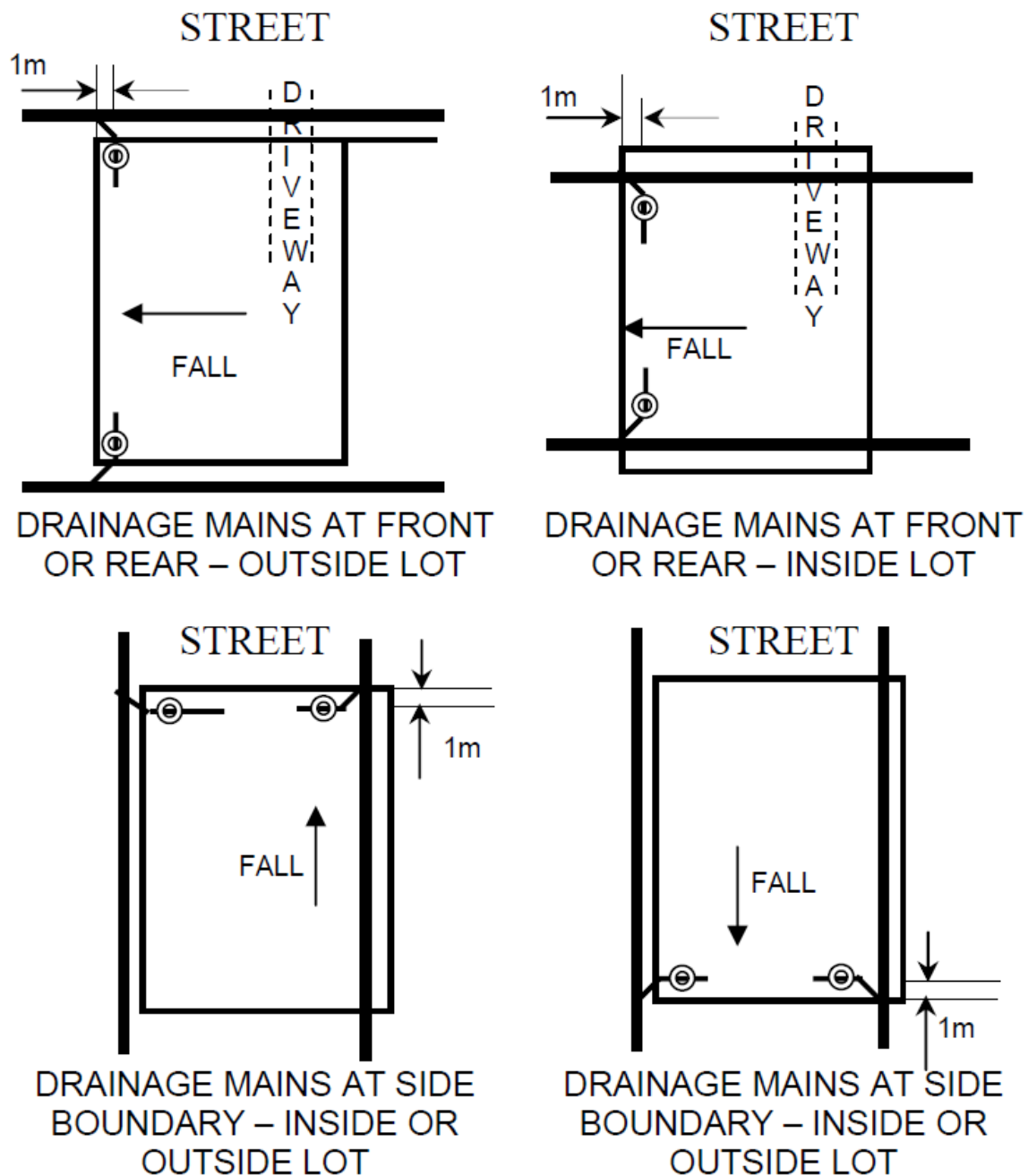
4.1.9 Water supply and sewerage systems

4.1.9.1 Objectives

- To ensure all lots which can connect to a reticulated water and/or sewerage system are connected.

4.1.9.2 Requirements

- Any new lot within a subdivision located within 225 metres of a water main must be connected to the reticulated water supply. This clause applies to any new proposed lot where any part of the lot is within the specified distance of the water main.
- Any new lot connected to a reticulated water supply must install a meter to Council's requirements prior to release of the Subdivision Certificate for that lot.
- No water supply service shall traverse or encroach onto any lot to serve another. The creation of an easement over the water supply service does not satisfy this requirement.
- An application to Council under Section 68 of the *Local Government Act 1993* shall be required for any new water supply works or wastewater (sewerage) works required for a subdivision, including the installation of water meters.
- No service connections shall be permitted to a rising main or a trunk main.
- Water supply pipes and connections are required to meet the specifications contained in Appendix 3 for single dwellings, unless the subdivision specifically relates to one of the other uses listed in the Appendix.
- Lots to be supplied with water from the Church Hill Reservoir (mainly lots along Mittagang Road) shall be designed such that a building with the highest serviced floor level of 825 metres AHD can be constructed on the lot.
- No building envelopes are to be located within 5 metres of a Council water supply rising main pipeline.
- New water reticulation pipelines shall be constructed on the high side of a road reserve.
- New lots located within 75 metres of an existing wastewater drainage main are required to connect to the reticulated drainage system.
- Where wastewater drainage for one lot will pass over another lot, an easement is to be created under Section 88B of the *Conveyancing Act 1919*. The minimum width of the easement shall be 3 metres.
- Where wastewater drainage collector mains are located inside private property, they shall be located a minimum 1.5 metres from the boundary.
- A separate wastewater service connection point is to be provided for each new lot to be created and connected to the system. The connection points are to be terminated within 1 metre inside the lot boundary. Refer to the following diagram:



© LOCATION OF BOUNDARY RISER

Figure 6: Service connection points

- Building envelopes shall be maintained outside the 'zone of influence' of a wastewater rising main. If encroachment occurs, concrete encasement of the rising main is compulsory. Refer to the following diagram

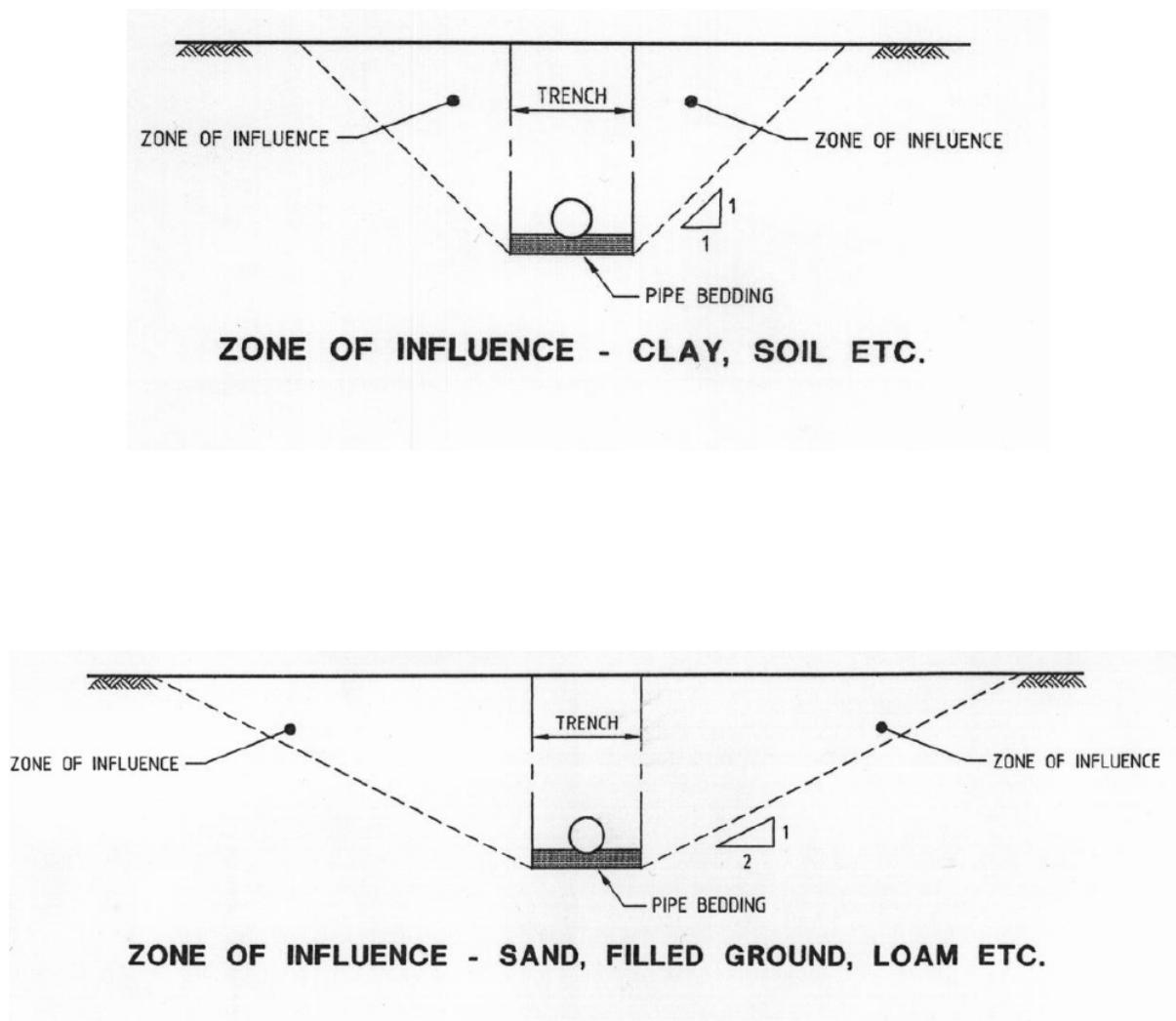


Figure 7: Zone of influence

- Requirements relating to widths of easements for Council utility service infrastructure, except for interallotment stormwater drainage easements, are as follows:
 - ❖ the required width of an easement shall be the pipe diameter plus 1.5 metres rounded up to the next highest 0.5 metres with 3.0 metres as a minimum
 - ❖ existing easements that do not comply with this minimum standard may be required to be modified
 - ❖ the easement shall be positioned to ensure the Council utility service is centrally located within the easement. This standard may be modified at Council's discretion if the edge of the easement is on the same alignment as a property boundary adjoining a road reserve and the Council utility service is wholly contained within the easement

4.1.9.3 Fire Hydrants

Where a development is proposing a change and/or extension to Council's water reticulation system, fire hydrants shall be provided as follows:

- Fire hydrants shall be spaced at a maximum distance of 60 metres. Council-owned and maintained fire hydrants shall not be located on private property. However, privately-owned and maintained fire hydrants may be located on private property, for example fire hydrants on a private dedicated water main provided in accordance with development approval.
- A fire hydrant shall be placed at the end of all dead-end water supply main pipelines.
- Fire hydrant standpipe connections shall be terminated at a height sufficient to ensure that the standard length fire hydrant standpipes may be readily connected.

- Installation of fire hydrants shall comply with *AS 2419.1: – 2005, “Fire Hydrant Installations, System Design, Installation and Commissioning”*.

4.1.9.4 Metering of Fire Services

- Dedicated fire services shall be metered if property owners use the service for purposes other than fire-fighting.
- Fire service hose reels connected to a consumer water service shall be metered.

4.1.10 Staged subdivisions

Staged subdivision in this provision refers to the staged release of the Subdivision Certificate for a particular subdivision. In this scenario, an applicant submits and receives approval for a development application for the full proposed subdivision but supplies the staging plan indicating how they wish to have the subdivision released for registration.

4.1.10.1 Objectives

- To ensure the process and impacts from a ‘staged subdivision’ are considered at development application stage.

4.1.10.2 Requirements

- Where a staged subdivision is proposed, the applicant must supply with their development application, a plan showing the intended stages of development of the subdivision. Council must also be able to ascertain from the information submitted what the intended scope of works, if any, will be for each stage of the subdivision.
- Staging of a subdivision should consider the following:
 - ❖ the provision of services to the subdivision – the staging plan should ensure that utility services can be provided efficiently to each stage
 - ❖ traffic impacts from intermediate stages – sometimes the traffic impacts on a locality can be different during the stages of the subdivision until it is completed
 - ❖ timing between stages – it is important to have some idea of how much time is expected to pass between the completion of subsequent stages

4.1.11 Building Envelopes

Building envelopes can benefit a subdivision by providing a focus area for any additional reports that are required, such as the suitability for effluent disposal, threatened species, etc. This can lower the cost of preparing such reports because the areas likely to be disturbed are known. Building envelopes also provide certainty for future buyers of the land and also permit faster building approvals on the lot. However building envelopes also reduce the location options for future buildings which may not be appealing to some potential buyers.

4.1.11.1 Objectives

- To allow the provision of building envelopes within a subdivision to be optional in most zones, but where provided, to set particular compulsory standards for such envelopes.

Note: A building envelope must be provided for subdivisions in Zone E3 and E4. Council may request that a building envelope be provided in certain other circumstances where the constraints of a lot are such that future owners should not be permitted to build anywhere else.

4.1.11.2 Requirements

- Building envelopes on proposed lots must comply with all necessary building setbacks as per the relevant zone (see Chapter 2).
- Building envelopes are to be designed to cater for all proposed outbuildings and structures, including rainwater tanks, which are likely to be erected on the lot.
- In Zone RU5, building envelopes must not encroach on areas proposed for future effluent disposal, including reserve areas.
- Building envelopes are to be located in areas which minimise the impact of a future building on the environment. Ridgelines, steeply sloping areas, riparian lands and areas of good quality vegetation are to be avoided.
- Vehicular access to a building envelope must be able to be constructed in accordance with the standards for a category 1 road in Appendix 5. In circumstances where this may not be achievable the applicant is required to supply basic design drawings to demonstrate the access to building envelope will meet the standards in Appendix 5. Access to a building envelope should be achievable for a 2WD vehicle in all weather.
- The sizes of building envelopes must be in accordance with the following table:

Table 11: Building envelope areas in square metres

Building Envelope	RU1, E3 & E4	R5	RU5	R1 & R2
<i>Minimum size</i>	2000	1000	500	300
<i>Maximum size</i>	6000	4000	1000	600

- More than one building envelope can be placed on a lot provided that when combined they do not exceed the overall areas shown in the table above.
- Building envelopes will be required to be shown on the plan of subdivision for the development prior to release of the Subdivision Certificate.

4.1.12 Rural Addressing

4.1.12.1 Objectives

- To ensure new lots in rural areas can be located easily, particularly by emergency services vehicles.

4.1.12.2 Requirements

- All lots in new subdivisions in the RU1, E2, E3, E4 and R5 Zones will be allocated a new rural address number as part of the development consent.
- The applicant will be required to ensure the rural address number plate is installed for each lot prior to release of the Subdivision Certificate.

4.1.13 Reports required with subdivisions

4.1.13.1 Objectives

- To identify circumstances where additional information will be required with a subdivision application.

Note: Other information may be requested by Council depending on the circumstances of the particular development proposed.

4.1.13.2 *Performance based requirements*

- Subdivisions in areas which are unsewered will be required to submit a report from a consultant qualified in effluent land capability assessments in accordance with AS 1547 in investigating whether there is an area within each proposed new lot which is suitable for the disposal of effluent. Plans to scale are to be provided showing a suitable effluent disposal envelope which meets required buffers (from watercourses, buildings, etc) for each proposed allotment. This requirement does not apply where the lot to be created is for agricultural purposes or other such development that does not involve new habitable buildings, or in Zone RU1 where the proposed lot size is at least twice the minimum lot size applying to the land.
- Subdivisions which propose new lots in areas identified in the Terrestrial Biodiversity Map of the LEP will be required to submit a report investigating the impact of the proposed subdivision on threatened species, unless it is clear without a report that such impacts will be minimal or non-existent.
- Subdivisions which are located, whether wholly or partly, on flood prone land or through which overland flow stormwater may pass during major storm events will be required to provide a flood assessment report by a suitably qualified consultant. The report should investigate the suitability of the proposed lots for their likely future use during storm events up to the 1% Annual Exceedance Probability (or average recurrent interval) event. A report may also be required if the subdivision site adjoins or is adjacent to flood prone land or land affected by overland flow if there is a reasonable probability the subdivision site may also be affected.

4.1.14 *Post construction requirements*

For development involving the construction of new public works to revert to Council ownership the works must be maintained for a period of time until the bond for the works is released by Council. See clause 4.1.15 below for further information regarding bonds.

4.1.14.1 *Work-as-Executed (WAE) drawings*

4.1.14.1.1 *Certification*

Following completion of the work, one full set of Work-as-Executed drawings marked up in red showing any discrepancies from the design are to be submitted and retained by Council. All Work-as-Executed drawings shall bear the Supervising Consultant's or Accredited Certifier's Certification stating that all information shown on the Drawings are accurate and Work-as-Executed.

4.1.14.1.2 *Electronic Copies*

Electronic copies of Work-as-Executed drawings in the latest version of AutoCAD shall be supplied to Council with suitable certification. Work-as-Executed records must be lodged **prior to final inspection** by the Principal Certifying Authority.

Water Supply WAE Drawings must allow Council to meet its obligations under Section 17 of the *Local Government (Water Services) Regulation 1999*.

4.1.14.1.3 *Works as Executed Records*

Work-as-Executed records to be submitted are to include the following:

- a) **PLANS** – Works-as-Executed plans on transparent film suitable for reproduction. Works-as-Executed figures (where there is a variation from the design) should be shown boxed on plans and marked in red. The Registered Surveyor or Civil Engineer must certify each plan stating that all information shown on the plan/s is accurate.
- b) **CERTIFICATE OF EASEMENTS/RESERVES** – The Registered Surveyor responsible for the preparation of the plan of survey covering the works is to supply a signed certificate stating that all pipes, utilities, roads, etc are located wholly within the respective easements or reserves.

4.1.15 Monetary bonds for engineering works

4.1.15.1 Use of bonds as security for incomplete works

Council may give consideration to the acceptance of a bond for the performance of engineering works to enable the early release of linen plans of subdivision. However, before Council will consider accepting a bond providing an irrevocable work guarantee, for the completion of engineering works within the subdivision, the following must apply:

- The engineering works are at least 75% complete (as assessed by Council).
- All wastewater drainage (sewerage) and water supply works required are complete and have been tested and approved.
- A Work-as-Executed plan for the wastewater drainage (sewerage) and water supply works has been submitted to Council and accepted as satisfactory.
- All major engineering problems have been overcome to the satisfaction of the Principal Certifying Authority.
- All works that involve the safety of the public (eg road junctions, flood control structures) are completed.
- Any geotechnical reports regarding the suitability of land for development, as required by the Principal Certifying Authority, have been submitted.
- Payment of all fees and contributions required as conditions of Development Consent are paid in full.
- There must be an agreed period for the applicant to complete the works and Council to refund the bond. The developer shall enter into a legal agreement with Council setting out the terms and conditions of the bond and its release. Council will require, prior to accepting the bond, that a legal agreement for Council to perform the works on behalf of the developer in the case of failure to comply with the conditions of approval within the agreed period has been executed.
- All costs associated with the above have been met by the Applicant.
 - ❖ Type of Bond - The bonds may be in the form of Bank Guarantees or cash deposits and shall only be accepted for works with a value in excess of \$1,000.00 (one thousand dollars) and be with a registered bank lawfully operating within Australia.
 - ❖ Bond Fee - A bond fee is payable where a bond has been lodged to guarantee the completion of engineering works. (The bond fee referred to as Early Construction Subdivision Release Fee is set out in Council's Fees and Charges).
 - ❖ Bond Amount - The amount of bond to be lodged will be assessed by Council having regard to the value of incomplete works plus an allowance of 25% to cover potential cost increases and the maintenance period. The developer will be required to lodge a schedule of quantities and estimated costs for all outstanding works to enable the bond amount to be assessed.
 - ❖ Reduction in Bond Amount - Council may agree to progressively reduce the bond amount as the work covered by the bond is carried out, but at no time will the bond amount fall below the amount required for the maintenance period to rectify faulty works if necessary.
 - ❖ Timeframe for Completion of Work - Bonded work to be completed within six (6) months or such time as may be stipulated by Council, otherwise the bond may be forfeited and Council may exercise its right to complete the work.

4.1.15.2 Bonds required as a condition of consent for maintenance of works

- Defects Liability Period - Notwithstanding any contractual agreement a developer/subdivider may have with a contractor for any portion of the work, Council requires a defects liability period for all work which is to revert to Council's ownership and control, prior to the final acceptance of the work.
- A developer/subdivider shall lodge with the Council a bond in the form of cash or other

acceptable form of security (undertaken with a registered bank lawfully operating within Australia), of not less than 10% of the cost of works undertaken in association with the consent. The bond shall only be accepted for works with a value in excess of \$1,000.00 (one thousand dollars). It will be held as a security for the satisfactory performance of the works for a period of six months. The six month period shall commence from the date of registration of the plan of survey as a plan deposited with the Land Titles Office.

- Despite the six-month period of the bond, no form of security will be tied to an expiry date.
- Council will conduct inspections of the works during the six-month defects liability period and will notify the developer of any maintenance or rectification works that are required. Such works shall be completed by the developer within the time specified by Council.
- Should the required works not be satisfactorily completed within the specified time, Council may exercise its right to complete the work and recover costs from the amount held as security (bond).
- At the expiration of the defects liability period the developer shall apply to Council for release of securities held.
- Maintenance period for sewerage and water systems - Some components such as water supply reticulation, wastewater drainage (sewerage) pumping stations may commence a maintenance period only after satisfactory commissioning and completion of pump performance tests. Typically the maintenance period for pumping stations and associated facilities will be three (3) months during which the developer/subdivider will meet all the maintenance costs associated with any failure of a component of the works.

4.1.15.3 Practical Completion

- On practical completion of construction works the developer/subdivider is to advise Council to that effect in writing and certify that the construction works have been carried out in accordance with the approved plans and specification. If the construction works are considered satisfactory, Council will confirm this in writing. However, the maintenance period will begin once the relevant Condition of Consent regarding the works has been fully completed.
- Written evidence from utility authorities of compliance with their requirements will be necessary prior to the release of the Subdivision Certificate.

4.2 Strata subdivision

This section applies to subdivisions to be registered under the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*. These provisions apply regardless of the zone or type of development, unless otherwise stated in the provision.

4.2.1 Objectives

- To specify certain minimum requirements applicable for strata subdivision.

4.2.2 Performance based requirements

- Parking spaces sufficient to comply with the most recent relevant Development Consent or the rates for the particular development set out elsewhere in this Plan are to be allocated to each lot within the strata plan.
- Visitor parking spaces within the strata plan, where required to be provided, are to be common property.

5 Development Involving Works

This Section contains the following types of development:

- Culture and Public Art.
- Extractive Industries and Mining.
- Signage.
- Motor bike tracks on private land.

Developments involving works are not always precisely defined in *Cooma-Monaro Local Environmental Plan 2013*.

5.1 Culture and Public Art

The community of the Cooma-Monaro local government area has a range of cultural backgrounds, from Aboriginal, to those who settled at the time of the construction of the Snowy Mountains Hydro Electric Scheme, to those who have recently settled in the Cooma-Monaro local government area. As a result, the Cooma-Monaro local government area has a diverse community of cultural, linguistic and religious groups. There is the opportunity to reflect these cultural links in the character and design of major development/s, including the provision of public art, to enrich the quality of the urban environment.

This clause applies to individual artworks as well as to new developments over 5,000 square metres in gross floor area, other than in the IN1 Zone.

Where it is proposed to include public art in a development, the following information is to accompany the development application:

- A description of the artwork, its meaning and background.
- A statement on the artist/s.

5.1.1 Objectives

- To recognise and actively support the cultural diversity and identity within the Cooma-Monaro local government area
- To promote development that is unique to the Cooma-Monaro local government area and reflects links to social or cultural groups in the community, or links with the settlement and indigenous history of the Cooma-Monaro local government area.
- To promote the inclusion and integration of public artworks within development which are:
 - ❖ accessible to the public
 - ❖ make a positive contribution to the urban environment
 - ❖ add to the cultural development of the Cooma-Monaro local government area

5.1.2 Performance based requirements

- Artwork/s should consider the topography, built form and natural environment of the site and broader surrounds.
- Artwork/s located within sight of classified roads in the Shire must not create traffic-safety issues on the roads. Where it is likely passing motorists will wish to stop and/or park to examine the artwork/s, take photographs etc, adequate space must be provided for parking in an appropriate location. Such artwork/s should also be signposted if necessary to aid motorists.

5.1.3 Prescriptive requirements

- New buildings greater than 5,000 square metres, other than buildings located in the IN1 Zone, shall include public artwork/s of high quality, by professional artist/s which are integrated into the new development, accessible to the public, make a positive contribution to the urban environment and add to the cultural development of the Cooma-Monaro local government area.

5.1.4 Further information

- Cooma-Monaro Cultural Plan 2009-2013 (available at www.cooma.nsw.gov.au)
- CBD Structure Plan (available at www.cooma.nsw.gov.au)

5.2 Extractive industries and mining

This clause applies to the following types of development as defined in the *Cooma-Monaro Local Environmental Plan 2013*:

extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

mine means any place (including any excavation) where an operation is carried on for mining of any mineral by any method and any place on which any mining related work is carried out, but does not include a place used only for extractive industry.

The following definitions are also relevant for this clause:

mining means mining carried out under the Mining Act 1992 or the recovery of minerals under the Offshore Minerals Act 1999, and includes:

- (a) the construction, operation and decommissioning of associated works, and
- (b) the rehabilitation of land affected by mining.

extractive material means sand, soil, gravel, rock or similar substances that are not minerals within the meaning of the Mining Act 1992.

The Cooma-Monaro local government area is a significant provider of sand and gravel to the Australian Capital Territory and surrounds. Extractive industries that are well designed, constructed and managed are of economic significance to the Cooma-Monaro local government area and region.

Extractive industries and mining operations vary in size and type and some may trigger requirements such as the need for an Environmental Impact Statement (EIS). A check of legislation should be made at the very earliest stages of the preparation of the development application.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 applies to mines and extractive industries and contains a range of provisions Council must take into account when determining a development application.

5.2.1 Objectives

- To ensure that extractive industries and mines operate in an environmentally sound manner and do not negatively impact on the amenity of the surrounding area.

5.2.2 Performance based requirements

- Refer to Council's Section 94 Contributions Plan for information on developer contributions for extractive industries.
- The development application (regardless of the size and type of operation) is to contain the following:
 - ❖ a site plan illustrating the location, proposed area of operation (in square metres or hectares), watercourses, unusual geological features, entrances and internal roads, north point, any easements and the distance from any residences
 - ❖ the total volume to be extracted over the life of the development and annual amounts
 - ❖ a survey of the existing surface levels in the area proposed to be disturbed
 - ❖ the number of employees
 - ❖ an outline of the geological characteristics of the area
 - ❖ a native flora and fauna assessment, refer to Native Flora and Fauna in this Plan
 - ❖ noxious weeds assessment and management
 - ❖ an assessment on the potential impact on Aboriginal heritage
 - ❖ if the development will involve a watercourse, information on the hydrology and geomorphology of the watercourse
 - ❖ an indicative depth of the water table across the proposed area for extraction, and information as to whether the development will intercept the water table or penetrate the aquifer
 - ❖ the management of soil and water and proposed sediment and erosion control measures
 - ❖ operation details including hours
 - ❖ equipment to be located on-site such as screening and washing plant
 - ❖ the method of extraction including whether blasting will be undertaken
 - ❖ waste and wastewater management
 - ❖ ground and surface water management
 - ❖ the management of air quality
 - ❖ the management of noise and vibration
 - ❖ the management of greenhouse gases
 - ❖ rehabilitation measures including a plan detailing:
 - rehabilitation stages
 - the means of rehabilitation
 - the type of vegetation to be planted
 - a plan of ground levels indicating the final shape of the land at the conclusion of rehabilitation works

5.2.3 Prescriptive requirements

- Extractive industries which are not designated development are limited in duration to a maximum ten (10) years. A further consent or modification will be required at the expiry of the consent at which point the environmental impacts and compliance record of the quarry will be re-examined.
- The public roads to be used as haulage routes from the site need to comply with the roads standards in Chapter 2, back to the nearest classified road. The operator of the quarry may be required to carry out upgrading works to roads which do not meet the required standards in Chapter 2, having regard to the likely impact of the development traffic on the road. The amount and extent of upgrading works required shall be considered on the basis of:
 - ❖ the number of truck movements per day (peak and average)
 - ❖ the existing level of traffic on the road
 - ❖ the intended duration of extractive operations
 - ❖ the existing road construction standard
- New extractive industries are not permitted within 500 metres of a residential dwelling not associated with the development.

5.3 Signage

There are a range of advertising signs permitted within the Cooma-Monaro local government area, some of these are Exempt Development, refer to Schedule 2 of the *Cooma-Monaro Local Environmental Plan 2013* and *State Environmental Planning Policy – Exempt and Complying Development Codes 2008*.

The diagram below illustrates a range of signs:

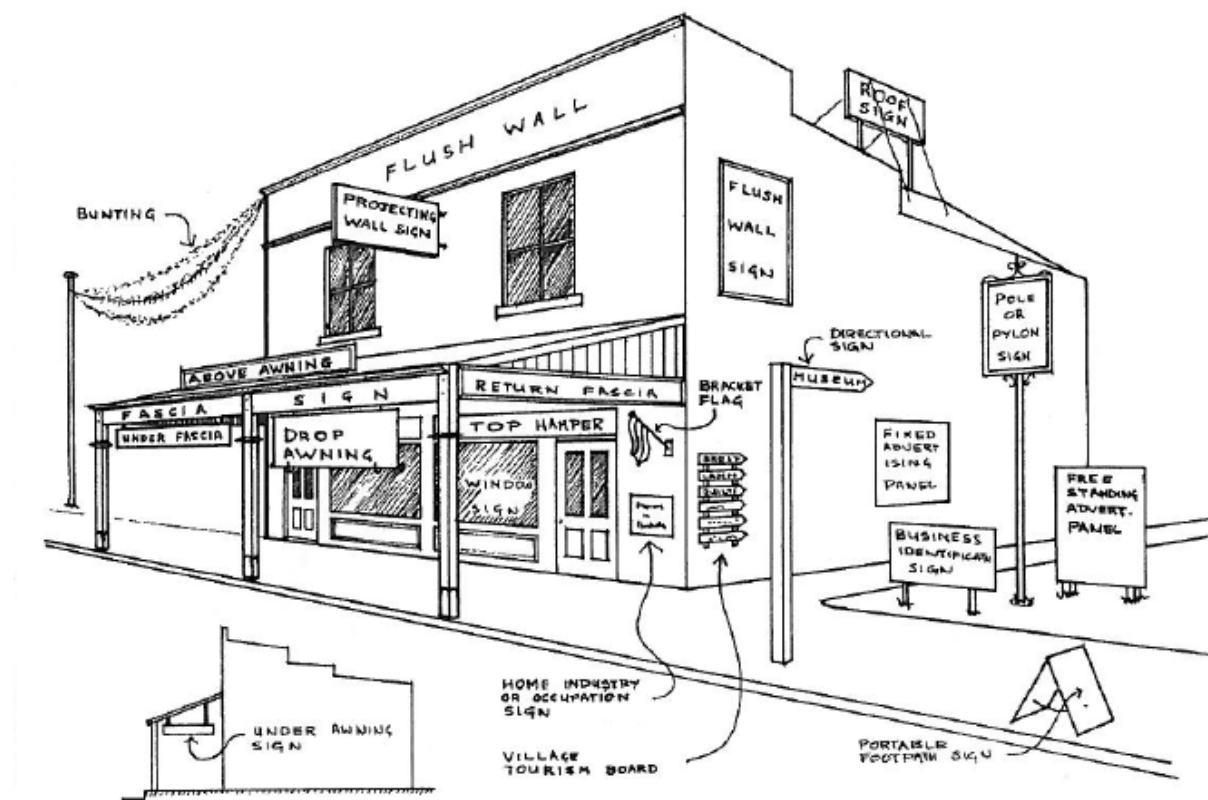


Figure 8: Types of advertising signs

It is apparent from the above diagram that the range of signs is extensive and that the impact/s of a sign can vary depending on its location, size and how it fits within the streetscape. Development controls on signage therefore aim to ensure that the size and type of a sign are appropriate for its location and improve the streetscape rather than detract from it.

Where the erection of a sign is not exempt or complying development a development application will be required. The following information will need to be included in the application:

- Purpose of the sign.
- Type and dimensions.
- A description of the text and figures to be placed on the sign and in what colours.
- Whether the sign will be illuminated.
- Proposed location including whether it will be within or adjacent to a heritage item or conservation area.

State Environmental Planning Policy 64 - Advertising and Signage should also be consulted when considering signage development.

5.3.1 Objectives

- To maintain the visual amenity and character of any area.
- To minimise the distraction of the operators of motor vehicles.

- To protect and enhance the heritage values of heritage items and conservation areas.
- To protect and enhance residential areas, open space areas and areas of special significance or character.
- To contribute to the appearance of the building, structure or place by encouraging co-ordinated signage of high-quality design and materials.
- To encourage signage that provides identification and information about premises in a manner that compliments the development on which it is displayed and minimises the visual impact on the surrounding locality.

5.3.2 Performance based requirements

- Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality and fit the character of the locality.
- Signs are not to:
 - ❖ dominate or obscure other signs or result in visual clutter
 - ❖ be attached to trees and lamp posts unless they relate to the management of traffic or the provision of information
 - ❖ contain overly bright or fluorescent colours
 - ❖ contain flashing lights or be surrounded by flashing lights
 - ❖ be able to be mistaken for an official traffic sign
- Materials used should be durable, fade proof and of a high aesthetic quality.
- Advertisements and advertising structures shall compliment natural features and not result in the trimming and lopping of significant trees.
- General advertising signs and their content are to relate to a use, business or activity carried out on the site or building except where the sign is:
 - ❖ incorporated with a bus shelter, kiosk, telephone booth, street furniture or the like, or
 - ❖ is in conjunction with the provision of public infrastructure, or
 - ❖ incorporates sponsorship acknowledgement, or
 - ❖ is a freestanding general advertising sign
- The language of the sign/s is to be accessible to the wider community.
- Any sign/s containing a language other than English is to also contain the English equivalent.
- If the sign/s will be located on or adjacent to a Heritage Item or within a Heritage Conservation Area refer to Heritage in this Plan.

5.3.3 Prescriptive requirements

The following provisions relate to various specific types of signs only:

5.3.3.1 Pole or pylon signs

- Are not permitted in Heritage Conservation Areas or on the site of a Heritage Item.
- The design, colour and appearance, including content shall be in harmony with the streetscape.
- The maximum number of pole or pylon signs shall be one (1) per 50 metres or part thereof along the street frontage.
- All pole or pylon signs shall have a maximum area of 4 square metres on any face, and a maximum overall height of 6 metres.
- A minimum clearance of 2 metres between the underside of the sign and the finished ground surface.
- Must not block views or have an adverse visual impact on the surrounding environment.

5.3.3.2 Roof signs

- Shall not be erected on Heritage Items or in Heritage Conservation Areas.
- Shall not project above the roof of the building by more than the vertical distance between the ridgeline and eave of the roof upon which the sign is to be located. On a building with a flat roof or a pitch of 5 degrees or less, the roof sign may project a maximum of 2 metres above the roofline.

5.3.3.3 Trailer signs

- Any trailer that is parked and set up in a position where its primary purpose is advertising is considered an advertising structure and shall require Development Consent.

5.4 Motorbike tracks

There are a number of motorbike riders and enthusiasts in the Shire who pursue the activity recreationally or competitively or both. Formally organised motorbike events occur each year at different locations, usually on private property. Such events draw people to the area from outside the Shire and contribute to local tourism and economic development and as such it is important that they be permitted to continue. In addition, learning to ride a motorbike skilfully requires practice and for this reason some people will wish to develop private tracks on their own properties to facilitate such practice.

However motorbikes are also associated with negative impacts on the amenity of an area, most particularly in relation to their noise, but also in relation to their impacts on the soil and visual appearance of an area. Events can multiply these impacts substantially if not well managed and can also be associated with short-term traffic and parking impacts, as well as rubbish. Where motorbikes are used regularly or in large numbers near non-associated residential development complaints regarding their negative impact on the amenity are often lodged with Council.

The requirements of this clause have been formulated with these competing interests in mind.

The landuse tables in the LEP specify whether 'recreation facilities (outdoor)' are permitted with or without consent in any particular zone or are prohibited. Recreation facilities (outdoor) is defined in Cooma-Monaro Local Environmental Plan 2013, and this definition is shown below. For the definition to be met, the relevant land must be used predominantly for outdoor recreation. In general terms, this means that it must be clear to a reasonable person when looking at the land that it is used for that purpose. There may or may not be specific works associated with the use of the land for that purpose. The definition of a recreation facility (outdoor) is as follows:

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

Although there are many different individual types of development that are covered by the recreation facility (outdoor) definition, this clause (5.4) applies only to recreation facilities (outdoor) that are intended for use by motorbikes. Other uses of such facilities, for example, by BMX bikes, may still require development consent, but their assessment will be on merit rather than by compliance with this clause.

To be more specific, a recreation facility (outdoor) that is intended for use by motor bikes is likely to consist of some or all of the following elements:

- A track that is generally at least 500mm in width, free of vegetation.
- Earthworks carried out by earth moving machinery.
- A jump at least 600mm in height above the surrounding surface levels.
- At least two (2) jumps of any height.
- Raised berms on corners and/or curving parts of a track.
- Be a complete circuit, such that riders can do 'laps'.
- A 'whoop-de do' or corrugated section.
- At least two (2) roller mounds of any height.
- Dips or low points made as deliberate features below the general surface level of the track.

Note: A jump is a feature that has a take-off and landing, whether provided on the same mound (ie a table-top jump) or as two separate mounds or structures, one for take-off the other for landing. A roller mound is simply a lump of dirt that can be ridden over or jumped off of onto a flat section of track.

For the purpose of providing clarification on how Council views motor bike tracks, if a proposed or existing track meets three (3) or more of the above criteria, Council considers that it is a purpose-built motor bike facility and meets the definition of a 'recreation facility (outdoor)' shown above. The land use table in *Cooma-Monaro Local Environmental Plan 2013* will then need to be consulted to determine whether the recreation facility (outdoor) is permitted with or without consent in the particular land use zone in which it is/will be located, or is prohibited in that zone. A development application will be required if the facility is located in a zone where a recreation facility (outdoor) is permitted only with consent. If it is located in a zone where such uses are prohibited, the facility must be removed or 'downgraded' so that it only meets a maximum of two (2) of the above criteria.

It is also important to recognise that regardless of how Council classes and defines a particular track or facility under its Local Environmental Plan, the mere act of riding a motorbike may still mean that a site is the subject of an offensive noise complaint made under the *Protection of the Environment Operations Act 1997*. Such a complaint however may only concern noise.

5.4.1 Objectives

- To balance the competing interests of motorbike enthusiasts and residential uses.
- To specify the circumstances in which Council finds the impacts satisfactory.
- To set parameters regarding when a development application may be required for motorbike uses and works.
- To protect residential properties from unreasonable amenity impacts and to provide an opportunity to comment before such a use commences via the development application process.

5.4.2 Performance based requirements

- When considering an application for a recreation facility (outdoor) involving motorbikes, consideration will be given to the cumulative impact on the local area of any other such approved facilities located within the vicinity.
- Consideration must be given as to whether noise resulting from the use of the facility would be 'offensive noise' under the *Protection of the Environment Operations Act 1997* using the following criteria from the 'Noise Guide for Local Government':
 - ❖ Is the noise loud in an absolute sense? Is it loud relative to other noise in the area?
 - ❖ Does the noise include characteristics that make it particularly irritating?
 - ❖ Does the noise occur at times when people expect to enjoy peace and quiet?
 - ❖ Is the noise atypical (ie new or unusual) for the area?

- ❖ Does the noise occur often?
- ❖ Are a number of people affected by the noise?

If the facility has the potential to generate offensive noise measures to minimise or eliminate the offensive component of the noise to reasonable levels must be imposed upon the development.

- Dust generation from use of the track must not unduly impact upon adjoining properties.
- Appropriate measures are to be installed on the facility to prevent erosion and sediment run-off from the site.

5.4.3 Prescriptive requirements

- A facility must have a minimum setback of 160m from any lot boundary.
- Where the facility is located within 500m of another dwelling not associated with the facility, the facility must be located such that it is closer to any dwelling on the same lot as the facility than a dwelling on any adjoining lot.
- Where a proposed facility will be located adjacent to a vacant lot upon which a dwelling house is a permissible land use, the facility must be located at least 100m from a future dwelling house assuming it is constructed to the minimum setbacks on the vacant lot at the closest point to the proposed motorbike track site.
- No part of a proposed motorbike track shall be located within 'Riparian Land' for any watercourse as identified on the maps in CMLEP 2013.
- If the facility is located in Zone R5 – Large Lot Residential, the following shall also apply:
 - a facility shall be used by motorbikes only between the hours of 3pm to 6pm Monday to Friday and for a maximum of three hours between 10am to 6pm on a Saturday, with no use of the facility occurring on Sundays. Council may permit variations to these hours during school holiday periods only (and subject to specific approval) but at no time shall the facility be in use for more than three hours a day or be in use on a Sunday.
 - Private non-commercial and non-club or association facilities will be restricted to a maximum of three (3) bikes being operated at any one time.
 - No facility shall be used by motorbikes between the hours of 6.00 pm and 10.00 am on any given day. Further restrictions on usage times may be considered by Council on a case-by-case basis depending on the potential amenity impacts specific to each proposed site.
 - Approvals will be issued on a temporary basis only for a maximum period of 2 years. At the expiry of this time a new development application will be required. The compliance record with any previous development consent will be taken into account by Council when considering whether to grant a new development consent for a motorbike track on the same property.
 - A motorbike track is only permitted on lots with an area of 8 hectares or greater.

5.4.4 Further reading

- *Noise Guide for Local Government*

6 Provisions For Specific Locations

This section contains provisions relating to land within the following locations:

- Bushfire Prone Land
- Gateways
- Contaminated Land
- Flood Prone Land
- Heritage
- Groundwater Vulnerable Land
- Native Flora and Fauna
- Land to be acquired by Council as public road reserve
- Lots fronting Ryrie Street in Michelago Village
- Areas subject to Structure Plans – CBD and Polo Flat
- Important Views and Vistas – areas with high landscape value

6.1 Bushfire Prone Land

Many parts of the Cooma-Monaro local government area including sections of Cooma are classified as being bushfire prone land. Major bushfires are a regular occurrence in the region. The potential construction of residential, tourist accommodation and other types of development in these areas means that persons and property may be at risk in the event of a bushfire. As such these developments need to be built to certain required standards to ensure that the risk to persons and buildings during a bushfire event is minimised. However building in bushfire prone areas is not simply a case of clearing land to remove the threat. Rather, proposed development needs to balance the conservation of the natural environment and landscape with proposed bushfire protection measures. The clearing of land is also an impact of a proposed development on the environment which needs to be taken into account.

Bushfire Prone Land (for the purposes of development) is the land identified as such on Council's Bushfire Prone Land map. The map is available to inspect at the counter or can be downloaded from Council's website at www.cooma.nsw.gov.au.

Section 79B of the *NSW Environmental Planning and Assessment Act 1979* and Section 100B of the *NSW Rural Fires Act 1997* require the assessment of certain types of development against the requirements of a document called '*Planning for Bushfire Protection 2006*' produced by the NSW Rural Fire Service. The types of requirements that apply depend on the type of development, the degree of bushfire hazard and the distance from the bushfire hazard. Depending on the bushfire threat certain building setbacks, landscaping and construction requirements may apply.

6.1.1 Objectives

- To prevent the loss of human life and property from bushfire.

6.1.2 Performance based requirements

- Development applications in bushfire prone areas are to be accompanied by a bushfire assessment and the applicable design requirements in accordance with the document '*Planning for Bushfire Protection 2006*'. Generally sheds, shipping containers and other non-habitable buildings that will be located more than 10 metres from another building do not require a bushfire assessment with the development application. . Council may request one, if required, during the assessment process.

6.1.3 Prescriptive requirements

- Any proposed Asset Protection Zone (APZ) is to be clearly shown on the site plan for any proposed development, along with any proposed access road or driveway, including dimensions.
- An Asset Protection Zone must be fully within the land the subject of the development application unless sufficient justification can be provided for land within the APZ, but outside the land the subject of the development application, being not bushfire prone (eg a road or managed land) or under the control of the owner of the land the subject of the development application (eg through an easement).

6.1.4 Further information

- www.bushfire.nsw.gov.au
- *Planning for Bushfire Protection (2006)*

6.2 Gateways

A Gateway is the structure/s or features that mark the entry to an urban area, open space or area of special interest. They 'tell' people that they have arrived or departed from an area. The appearance of a Gateway provides a 'first impression' of an area and can frequently send a strong message to visitors to a town or city about its values.

It is recognised that towns provide a wide range of services including the provision of infrastructure and industry for both regional and town purposes, and for practical purposes are often sited on the edge of the urban area.

The aim of this Section of the Plan is to identify the Cooma Gateways, and the means of enhancing the area. It is Council's intention to develop a themed plan for each of the Gateways. Once these plans have been adopted by Council, this Plan will be amended.

The Gateways are identified as 'Monaro Highway Gateway', 'Polo Flat Gateway', 'Saleyards Gateway', 'Four Mile Gateway'.

6.2.1 Objectives

- To enhance the amenity of the Cooma Gateways.
- To provide attractive, distinguishable and inviting entrances to Cooma.
- To encourage development within the Gateway area that contributes to the amenity and enhancement of the area.

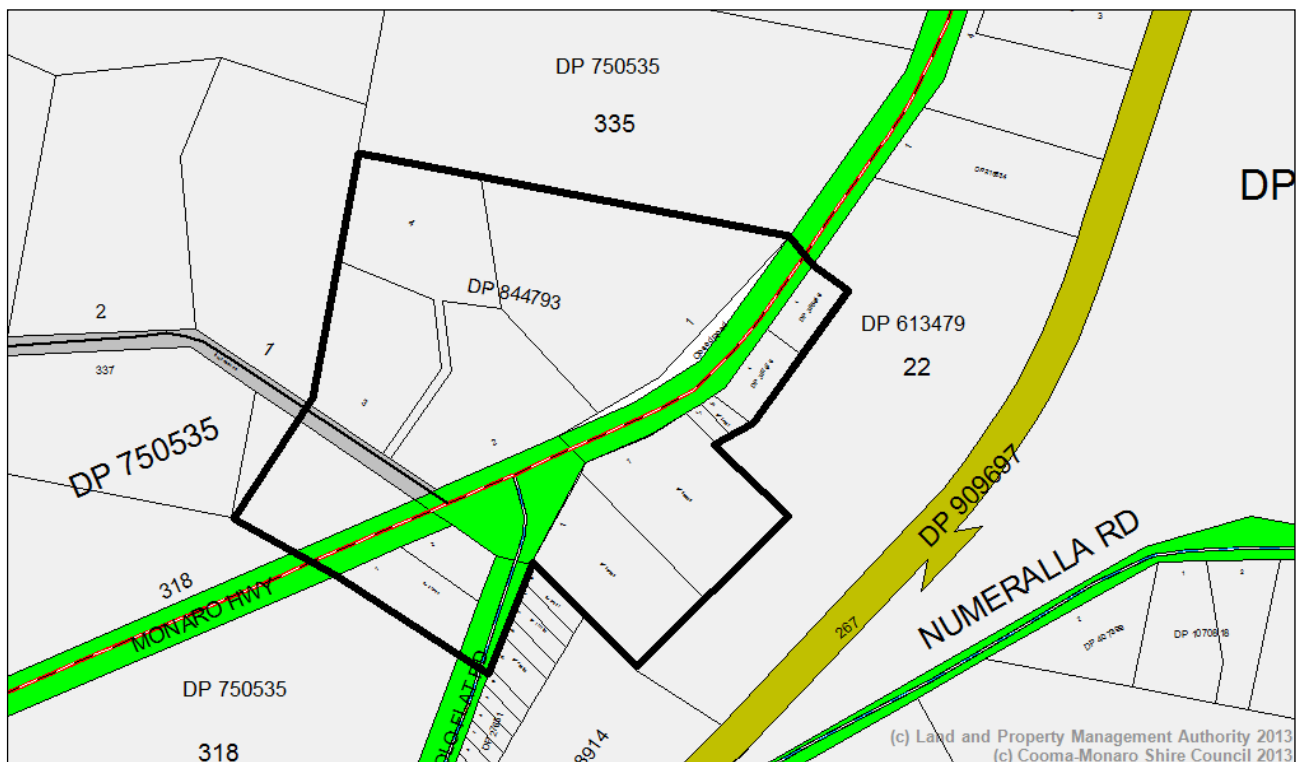


Figure 9: Gateway Area 1 - The area adjacent to the Monaro Highway just north of Polo Flat Road (near the NSW Roads and Traffic Authority information sign)

6.2.2 Performance based requirements – Monaro Highway Gateway (Figure 6)

- All development shall provide its full parking requirement on site.
- Freestanding signage is limited to one (1) sign per lot.
- A larger front setback of 10 metres shall be observed for all new buildings.
- Landscaping shall be provided within the front setback.
- If a solid fence is used along the front boundary it shall be no higher than 1.2 metres.

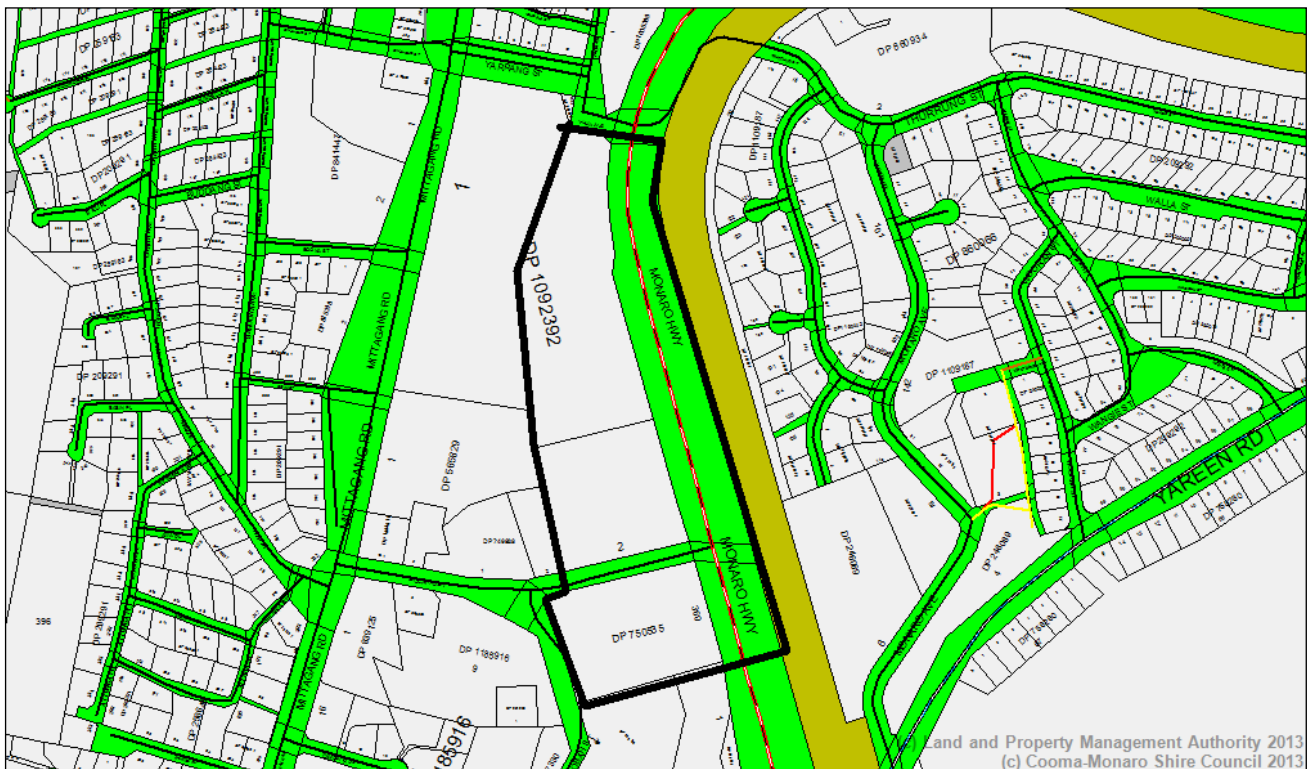


Figure 10: Gateway Area 2 - The area adjacent to the Monaro Highway between Yarrang Street and Yareen Road

6.2.3 Performance based requirements – Polo Flat Gateway (Figure 7)

- A larger front setback of 10 metres shall be provided for all new buildings.
- Front fences are limited to a maximum of 1.2m in height.
- Vehicular entrances are to be provided from roads other than the Monaro Highway where a lot has a secondary road frontage.
- Free standing signage is limited to one (1) per lot.
- The front façade/s of building/s must be well articulated and avoid large areas of blank wall.
- Loading bays are to be provided from the side or rear of buildings and not be visible from the Monaro Highway.
- No rubbish, waste or untidy parts of the development are permitted within the front setback.

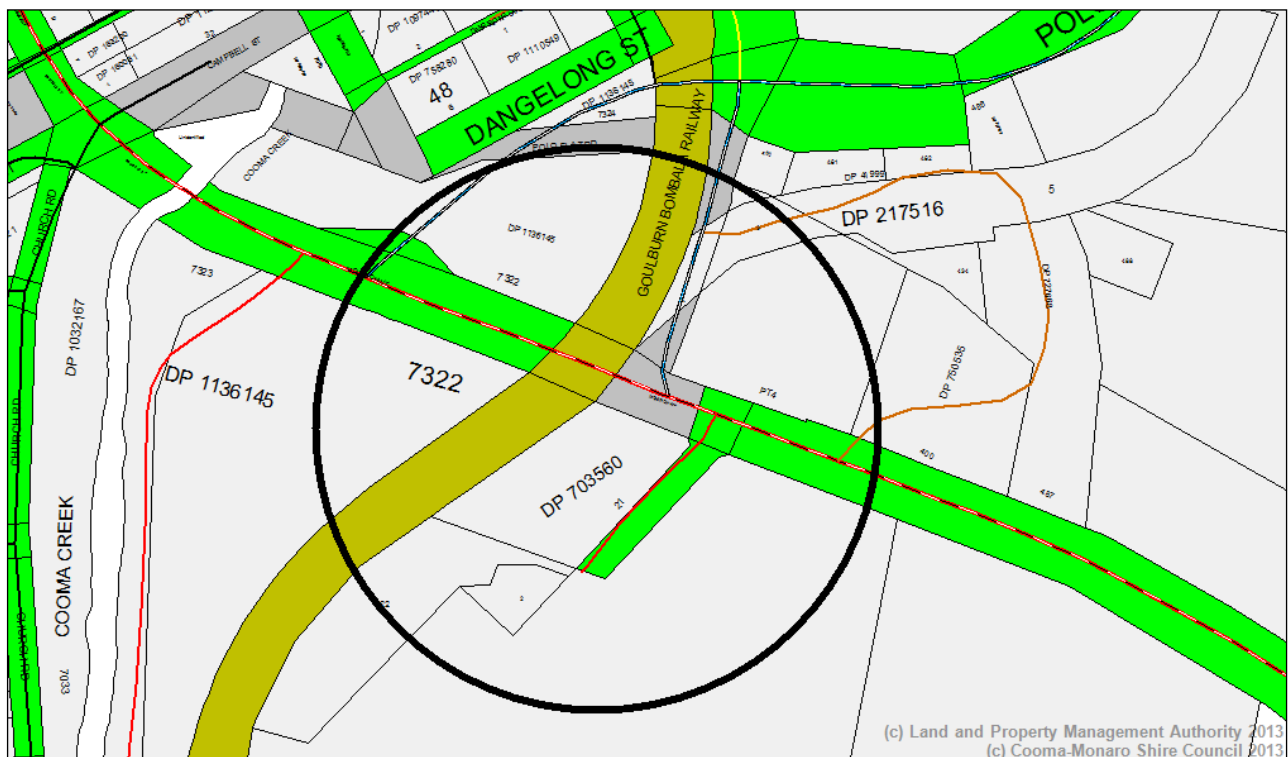


Figure 11: Gateway Area 3 - The Monaro Highway and Saleyards Road area in the vicinity of the saleyards

6.2.4 Performance based requirements – Saleyards Gateway (Figure 8)

- New development shall be stepped down the slope rather than protrude out from it.
- A larger front setback of 10 metres shall be observed.
- All required car parking is to be provided on-site.
- Development shall not obscure views over Cooma from the Highway approach.

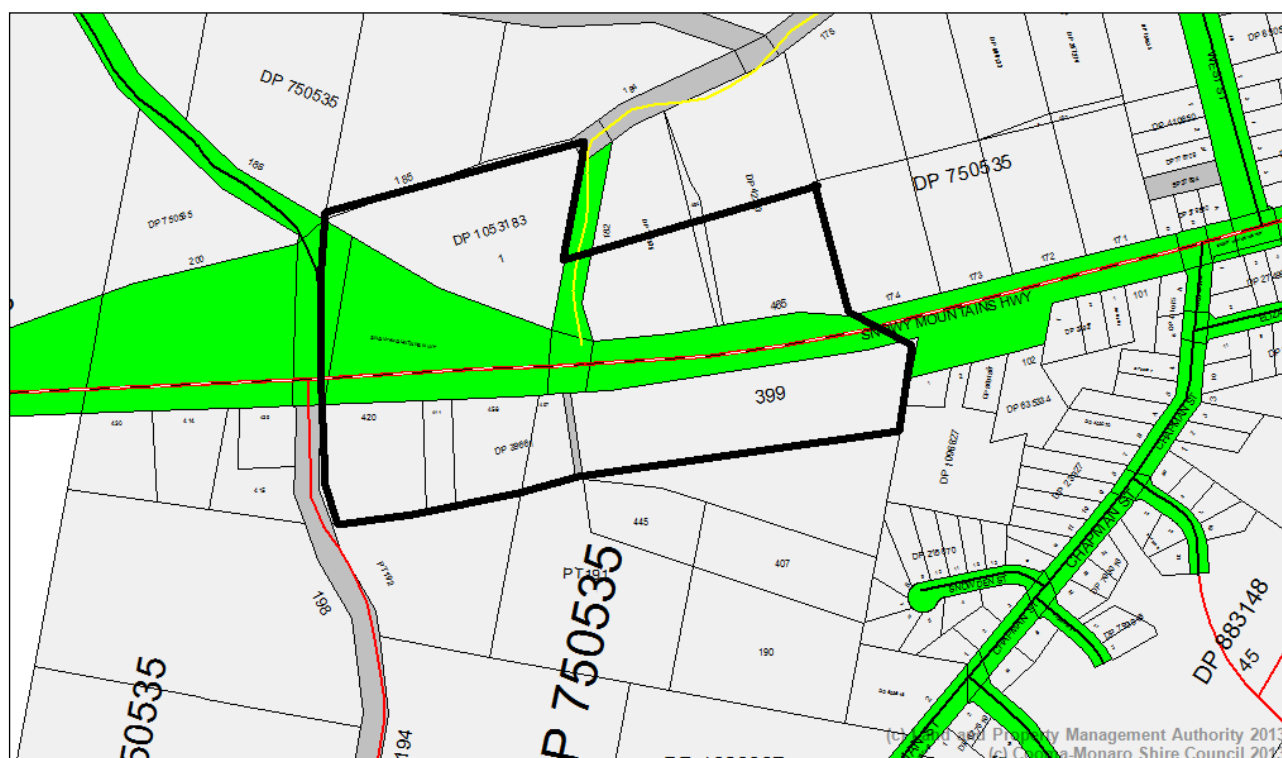


Figure 12: Gateway Area 4 - The area adjacent to the Monaro Highway between Mt Gladstone Road and Old Dry Plains Road

6.2.5 Performance based requirements – Four Mile Gateway (Figure 9)

- New development shall include landscaping at the front and side of a property.
- Signage content and material shall take into account the Gateway nature of the area.
- Only one (1) sign per property is permitted.
- Development shall not dominate the Gateway area.

6.3 Contaminated land

Within in the Cooma-Monaro local government area, there are numerous known contaminated sites as well as sites that are thought to be potentially contaminated such as petrol stations, sheep and cattle dips and timber processing sites. Sites that are confirmed contaminated sites pose a risk to the health of humans and the environment.

Council maintains a Contaminated Lands Register which lists sites that are known to have been contaminated or because of their history (eg previous landuses) are considered potentially contaminated. The Register also lists land that has been cleared of contamination and land that has been remediated. For this reason, once a site is listed on the Register, it will remain on the Register, although its status may change as Council acquires new information about the site. The Register is updated by Council staff on the basis of objective information (eg a past landuse) and assessment/s it receives from contaminated land consultants.

6.3.1 Objectives

- To protect the health of humans and the environment.
- To promote the remediation of contaminated land in order to reduce the risk of harm to human health and/or the environment.

6.3.2 Performance based requirements

- Development proposed on land listed on Council's Contaminated Lands Register, or other land not on the Register but which is suspected to be contaminated must provide information on how impacts from the contamination on the site impact upon the development itself, adjoining properties and/or the general environment will be addressed. Council is bound as a consent authority to consider the suitability of the site for the development having regard to its contamination or potential contamination in accordance with clause 7 of *State Environmental Planning Policy 55 – Remediation of Land*.

6.3.3 Further information

- www.environment.nsw.gov.au

6.4 Flood Prone Land

There are three urban areas in the Cooma-Monaro local government area which have flood prone land, these are; Cooma, Michelago and Bredbo. The provisions in the *Cooma-Monaro Local Environmental Plan 2013* and this Plan aim to protect human life and property. Only the flood prone land in Cooma has had a flood study undertaken.

In this Clause definitions from the *NSW Government Floodplain Development Manual 2005* have been used.

Annual Exceedence Probability means the chance of a flood of a given or larger size occurring in any one year usually expressed as a percentage. For example if a peak flood discharge of 500 m³/s has an Annual Exceedence Probability of 5%, it means that there is a 5% chance (that is one-in-twenty (1:20) chance) of a 500 m³/s or larger event/s occurring in any one year.

Average Recurrence Interval means the long-term average number of years between the occurrences of a flood as big as or larger than the selected event. For example, floods with a discharge as great as or greater than the 20 year Average Recurrence Interval flood event will occur on average once every 20 years. Average Recurrence Interval is another way of expressing the likelihood of occurrence of a flood event.

Flood prone land is land susceptible to flooding by the Probable Maximum Flood event. Flood prone land is synonymous with flood liable land.

Flood planning area is the area of land below the flood planning level and thus subject to flood related development controls.

Flood planning level means the level of a 1:100 Average Recurrent Interval (ARI) flood event plus 0.5 metre freeboard.

Flood proofing is a combination of measures incorporated in the design and/or construction and alteration of individual buildings or structures subject to flooding for the reduction or elimination of flood damages.

Floodway areas are those areas of the floodplain where a significant discharge of water occurs during floods. They are often aligned with naturally defined channels. Floodways are areas that, even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in flood levels.

Freeboard means a factor of safety typically used in relation to the setting of floor levels, levee crest levels etc. It is usually expressed as the difference in height between the adopted flood planning level and the flood used to determine the flood planning level.

Probable Maximum Flood is the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation. The Probable Maximum Flood (PMF) defines the extent of flood prone land, ie the floodplain.

6.4.1 Objectives

- To prevent the loss of human life and property.
- To raise the flood awareness of property owners and residents.
- To ensure the proponents of development and the community are aware of the potential flood hazard/s and consequent risk liability associated with the use and development of flood liable land.
- To manage flood liable land in an economically, socially and environmentally suitable manner.
- To ensure building design and siting addresses flood hazard/s and does not result in adverse flood impact/s.
- To prevent the intensification of development and use of floodways, and wherever appropriate and feasible, allow for their conversion to natural waterway corridors.

6.4.2 Performance based requirements

- Development shall not adversely increase the potential flood affliction on other development or properties, either individually or in combination with the cumulative impact of similar development/s likely to occur within the same catchment.
- The impact of flooding and flood liability is to be managed, ensuring the development does not divert the flood waters, nor interfere with floodwater storage or the natural functions of waterways.
- The filling of land up to 1:100 Average Recurrence Interval is not permitted. The filling of land above 1:100 Average Recurrence Interval up to the Probable Maximum Flood must not adversely impact upon flood behaviour.
- Water sensitive urban design principles are to be incorporated into the design of stormwater drainage and in the orientation of development.
- Proposals for fencing, landfilling and structures on flood prone land must demonstrate by assessment, the likely impact on floodwaters by the proposed development.
- Residential subdivision/s shall not be permitted where any lot to be created does not provide opportunity for a dwelling to be constructed which complies with the provisions of this Plan.
- Trees shall not be planted in floodways.

6.4.2.1 Flood Assessment

- Development applications which are within a 1% AEP flood area are to be accompanied by a flood study and a statement outlining how the development proposal addresses flood design and construction matters. The study is to be undertaken by a suitably experienced and qualified professional in flood risk assessment and design. The study is to include the following:
 - ❖ the submission of a survey plan prepared by a registered surveyor showing ground levels (Australian Height Datum) and a layout of the location of any existing or proposed buildings on the site. Flood levels at the site including flood events are to be shown.
 - ❖ detailed drawings, reports and certification to show that:
 - all piers and all other parts of a structure which are subject to the force of flowing flood waters or debris, have been designed to resist the stresses induced up to and including a flood event

- all forces transmitted by supports to the ground must be shown to be adequately catered for in the design of the structure
- the structure will be able to withstand stream flow pressure, force exerted by debris, and buoyancy and sliding forces caused by the 1:100 Annual Exceedence Probability flood.
- the structure as designed will ensure that the cumulative impact of this and other similar potential developments will have negligible effect on the flood levels at or upstream from the site which may impact other development and will have no increase in stream velocity downstream of any part of the structure which will cause erosion to the ground surface or instability to any other structure.
- For subdivisions, the area of the proposed lots which will be subject to flood and the means of mitigating flood impacts.

6.4.2.2 *Design – residential (new dwellings and extensions)*

- Minimum floor levels for all habitable rooms to be 500 mm above the 1:100 Annual Exceedence Probability flood level.
- All materials used in construction shall be flood compatible to a minimum level of the 1:100 Annual Exceedence Probability flood plus 500mm freeboard and shall comply with the flood-proofing guidelines (Appendix 9).
- All electrical connections/power points etc are to be located above the 1:100 Annual Exceedence Probability plus 500mm.
- All electrical circuit connections are to be automatically isolated in the event of floodwaters having the potential to gain access to exposed electrical circuits, either internal or external of the building.
- Prior to the occupation of a new residential building or alterations and additions to an existing residential building, a certificate by a registered surveyor showing the floor levels of the completed building or work and the finished ground levels on the site shall be submitted to Council.
- The development must satisfy the requirements contained in the Flood Planning Control Matrix (Appendix 10).

6.4.2.3 *Design – commercial (new buildings and extensions)*

- Floor levels are to be a minimum 1:20 Annual Exceedence Probability (plus 300 mm).
- All electrical connections/power points etc to be located above the 1:100 Annual Exceedence Probability plus 500 mm.
- Emergency flood storage area for stock shall be provided (approximately 25% of display area) at a level above the 1:100 Annual Exceedence Probability flood plus 500 mm.
- All materials used in the construction to be flood compatible to a minimum level equivalent to the 1:100 Annual Exceedence Probability flood level plus 500mm freeboard and shall comply with the flood-proofing guidelines (Appendix 9).
- Any approvals granted for extensions to an existing commercial building shall require all electrical circuit connections to be automatically isolated in the event of flood waters having the potential to gain access to such circuits, internally and externally.
- Alternative design proposals where such proposals can be supported by expert opinion will be considered.
- The development must satisfy the requirements contained in the Flood Planning Control Matrix (Appendix 10).

6.4.2.4 Design – other development

- Controls applicable to other forms of development other than contained in 6.4.2.2 and 6.4.2.3 above are set out in Appendix 10 – Flood Planning Control Matrix.

6.4.3 Cooma

The *Cooma Floodplain Management Study 1994* provides the basis for Council's assumptions about the extent of the following flood events:

- 1:20 Annual Exceedance Probability
- 1:100 Annual Exceedance Probability
- Probable Maximum Flood

Residential accommodation of any type shall not be located in the 1:20 Annual Exceedance Probability area. Refer to the *Cooma Floodplain Management Study 1994*.

6.4.4 Bredbo

- A flood study has not been undertaken for Bredbo, therefore the 1:100 year flood level has not been determined. However, anecdotal evidence indicates that the south-eastern area of the village zone is flood prone.
- Where development is proposed below the 701 metre contour within in the RU5 and RE1 Zones, a flood assessment will be required to be submitted by the applicant at the time the development application is with the consent authority.

6.4.5 Michelago

- A flood study has not been undertaken for Michelago. However, the southern area of the village adjacent to Michelago Creek is considered flood prone.
- Where development is proposed on the southern side of Ryrie Street within the RU5 and RE1 Zones a flood assessment will be required.

6.4.6 Other areas

- Areas which are considered to be flood prone will require a flood assessment and will be assessed on a case-by-case basis. Where the likely extent of the 1:100 Average Recurrent Interval flood event is known or ascertained, the provisions of this Clause will apply to a proposed development.

6.4.7 Further information

- *NSW Government, Floodplain Development Manual 2005*
- *Cooma Flood Study and Flood Risk Management Plan*

6.5 Heritage

Heritage consists of those places and objects that we as a community have inherited from the past and want to hand on to future generations. Our heritage gives us a sense of living history and provides a physical link to the work and way of life of earlier generations. It enriches our lives and helps us to understand who we are today.

NSW's heritage is diverse and includes buildings, objects, monuments, Aboriginal places, gardens, bridges, landscapes, archaeological sites, shipwrecks, relics, bridges, streets, industrial structures and conservation precincts.

Council maintains a database of heritage items included in the *Cooma-Monaro Local Environmental Plan 2013*. Several conservation areas are also listed in the LEP. These are not heritage items in themselves but are places that as a whole have important heritage values.

Additionally, there are several items on the NSW State Heritage Register. Most items have a statement of significance, which should be considered where the development of a heritage item or a place in a conservation area is being proposed. To determine if a place is heritage listed, or in a listed conservation area refer to the Heritage Schedule and maps. This can be searched via Council's website.

Several areas of the Cooma-Monaro local government area such as the main streets of Cooma and Nimmitabel have been the subject of heritage studies. These are available for viewing at Council's administrative offices. A thematic history of the Cooma-Monaro local government area *Thematic History 1823-1945 Cooma-Monaro Shire* is available on Council's website.

Aboriginal sites (both known and unknown) and areas of significance are an important part of Australia's cultural heritage. The sites and areas of significance provide a direct link for Aboriginal people with their culture. It is important to preserve as many of these sites and areas as possible.

There are a number of known Aboriginal sites in the Cooma-Monaro local government area however, as the Cooma-Monaro local government area is large and many areas are difficult to access, the majority of the Cooma-Monaro local government area has not been surveyed for either sites or areas of significance. Given this, some development will require an assessment for Aboriginal cultural heritage.

6.5.1 Objectives

- To acknowledge Aboriginal and non-Aboriginal cultural heritage.
- To assist Council and the community manage heritage attributes in a sympathetic manner so that they may be appreciated by present and future generations.
- To conserve and where possible enhance significant attributes of Heritage Items and their setting.
- To minimise adverse impacts on the Cooma-Monaro local government area's heritage.
- To ensure development is in sympathy with the heritage character of a place, and or conservation area.
- To have signage that is in sympathy with the prevailing heritage qualities of an area.

6.5.2 Aboriginal cultural heritage

Aboriginal objects are physical evidence of the use of an area by Aboriginal people. They can also be referred to as 'Aboriginal sites', 'relics' or 'cultural material'. Aboriginal objects include:

- Physical objects, such as stone tools, Aboriginal-built fences and stockyards, scarred trees and the remains of fringe camps.
- Material deposited on the land such as middens.
- The ancestral remains of Aboriginal people.

The *NSW National Parks and Wildlife Act 1974* protects Aboriginal objects and places in NSW. It is an offence under the Act to disturb, excavate land for the purpose of discovering an Aboriginal object, knowingly destroy, damage or deface an Aboriginal object or Aboriginal place.

6.5.3 Performance based requirements for aboriginal cultural heritage

- All development will require the consideration of Aboriginal cultural heritage however, there are areas of the Cooma-Monaro local government area that are more likely to contain Aboriginal cultural heritage. Such areas are those that have not been heavily disturbed or are near a watercourse.
- All development applications, except those where the area has been heavily disturbed, will require evidence of a search of the NSW register known as the Aboriginal Heritage Information Management System (AHIMS) accessible on the Department's website at www.environment.nsw.gov.au/conservation/aboriginalculture. It should be noted that as stated above the majority of the Cooma-Monaro local government area has not been surveyed for Aboriginal cultural heritage objects so they may exist on a parcel of land even though they have not been recorded in the AHIMS database.
- The requirement for an Aboriginal cultural heritage assessment should be discussed with the NSW Office of Environment and Heritage as well as Council prior to lodging a development application, particularly if an object or place is identified in an AHIMS search or is otherwise known to exist on the site. If an assessment is undertaken it is to be lodged with the development application.
- All Aboriginal cultural heritage assessments should be undertaken by a suitably qualified archaeologist or an accredited person of Aboriginal descent in consultation with the local Aboriginal Land Council/s and Aboriginal community groups. Refer to the document '*Aboriginal cultural heritage consultation requirements for proponents 2011*'.
- The cultural heritage assessment report must contain the following information:
 - ❖ a record of consultation with the local Aboriginal Land Council/s and Aboriginal community groups
 - ❖ the qualifications and experience of the author
 - ❖ a detailed description of the area assessed plus maps of the area
 - ❖ the method of assessment
 - ❖ evidence of the AHIMS database search
 - ❖ the findings of the assessment
 - ❖ if any cultural heritage was located, an outline of the immediate and future management of it
 - ❖ how any items of cultural heritage relate to the proposed development and whether any changes or restrictions should be imposed on the proposed development to protect them from harm.

6.5.4 Built Heritage

There are many fine buildings and structures within the Cooma-Monaro local government area that contribute to the story of the Cooma-Monaro region's development. The form and fabric of the places may illustrate the conditions and values of the time. In addition to their historic attributes, many places have high degrees of aesthetic, social and technical significance.

Council provides a free heritage advisory service to assist property owners and developers determine how heritage controls apply to their proposed development.

6.5.5 Prescriptive requirements

Heritage values are to be considered in the following development circumstances:

- Alterations and/or additions to items of heritage significance.
- Ancillary structures (existing and proposed) associated with items of heritage significance. This comprises structures such as significant outbuildings, sheds and could include fences and gardens.
- Development 'in the vicinity' of a Heritage Item. This is generally taken to mean the adjacent allotments in urban areas and is a function of visibility and distance in non-urban areas.

- Development in a Heritage Conservation Area. This usually includes infill and additional development on vacant or previously developed land as well as alterations and additions to non-listed heritage items.
- Those parts of rural Heritage Items that may have heritage significant elements.
- Development in a village that may impact on a Heritage Item.
- Other development that may impact on the Cooma-Monaro local government area's heritage significance.

Applicants proposing development of a Heritage Item or within a Heritage Conservation Area are strongly advised to discuss the development proposal with Council's Heritage Advisor and/or a professional with specialist heritage training and experience prior to lodging a development application.

6.5.6 Heritage Management Document

A Heritage Management Document may be required with a development application in the following circumstances:

- Where alterations and/or additions, demolition or a Change-of-Use are proposed in relation to a Heritage Item listed in the *Cooma-Monaro Local Environmental Plan 2013* or on the NSW State Heritage Register or the land on which that Item is situated.
- Where development is in the vicinity of, and/or has the potential to impact upon a Heritage Item.

A Heritage Management Document, which may be prepared by an applicant, must include the following (unless prepared in accordance with a factsheet on this topic prepared by the State government) :

- The heritage attributes of the Heritage Item. It may be necessary to consult with Council's Heritage Advisor to clarify the 'attributes'.
- Where the development will be 'in the vicinity' of a Heritage Item, a site plan showing the proposed development as it relates to the Heritage Item and any principal features.
- Details on how the heritage values will be managed or impacted by the development.
- A statement indicating the effects of the proposed development on the Heritage Item.
- Comment on any adverse impacts and if applicable, why there are no satisfactory alternatives to the adverse impacts arising from the development proposal.
- A plan of the Heritage Item as it exists at a scale of 1:100 or 1:50.
- A site plan showing the location of the Item in relation to the boundaries of the site and buildings on adjoining land and the principal features of the site.
- A description of the Item with information about its history, approximate age, details of construction and its features.
- A statement of the heritage significance of the Item.
- Details of the proposed changes to be made to the Item, or the development of the land, and their effect on the Heritage Item.
- Photographs and/or film of the Item.

Note: If during the assessment process, a Heritage Management Document does not adequately address the management of a Heritage Item during a development, the applicant may be required to lodge a Heritage Management Document prepared by a suitably qualified professional with specialist heritage training and experience.

6.5.7 Development in relation to heritage items and heritage conservation areas

New development

- Development shall have regard to the prevailing heritage fabric and character of a place.
- Development, whether secondary buildings on the heritage site, or infill development on vacant land, shall be sympathetic with surrounding heritage items.
- The scale and bulk of any new development must not detract from heritage items and the precinct generally.
- The siting of any new development in an urban context shall have regard to the streetscape where there are heritage items.
- The siting of development in a non-urban context shall not have an adverse impact on significant vistas, cultural landscapes or other significant cultural or natural values.
- New development is not to obstruct important views or vistas to heritage buildings and places of historic and aesthetic significance.

Development within the vicinity of a heritage item

- In the urban context the 'vicinity' shall be taken to mean on or adjacent to the Heritage Item, unless Council considers that the vicinity is greater or less given the specific circumstances. In the non-urban context the 'vicinity' shall be a function of distance and visibility.
- Development within the vicinity of a heritage item shall not cause an adverse heritage impact upon the heritage item.
- The height, scale and bulk of development shall not be greater than that of adjacent heritage places unless it can be demonstrated that the new building will not have an adverse heritage impact.
- New buildings within the vicinity of heritage places shall have due regard to the character and significance of the heritage place and shall be sympathetic in terms of character, scale, form, siting, materials, colour and detailing. A good source of information on this requirement is the NSW Heritage Office publication '*Design in Context – Guidelines for Infill Development in the Historic Environment*'. It is available on-line at www.heritage.nsw.gov.au.

Subdivision

- Adequate curtilages shall be maintained around heritage items. The size of curtilages will depend on the heritage item and the surrounding built and natural environment. Refer to the NSW Department of Environment and Heritage document "*Heritage Curtilages*".

Alterations and additions

- Alterations and/or additions to listed buildings shall be stylistically in keeping with the form, detail, material and character of the parent structure. For example weatherboard walls should not be re-clad with widely spaced fibre cement sheet boards; prominent windows should not be replaced with modern aluminium windows; new windows and doors in historic walls should be in keeping with traditional proportions and details.
- Alterations to significant buildings shall retain historically significant detail including barge boards, decorative trim etc.
- Large additions to historic buildings may best be done with an independent design (rather than a matching design) which is linked back to the parent building. In these circumstances the new addition may be modern in its style, providing it is sympathetic in other regards.

Garages

- New garages should not dominate heritage items or streetscapes.
- Modern metal garages should not be readily visible from the street.
- Garages shall be located toward the rear of the allotment.
- Garages shall not be included under the main or extended roofline of a dwelling but may

have a link, the roof of which is integrated with both the main building and garage roof. Attached skillions and carports may be acceptable in some circumstances where alternatives are not feasible.

- The style and roof pitch of a garage should match that of the main building.
- The garage eaves-line should be lower than that of the main building.
- In Heritage Conservation Areas, the location of garages in new or infill development shall be consistent with the traditional character of the area.
- Metal sheet claddings should be in a traditional corrugated profile. Traditional and some modern weatherboard and sheet fibre cement board profiles are acceptable.

Carports

- Carports shall be set back behind the front line of the building by a minimum of 1.5 metres, preferably toward the rear of the allotment.
- Carports shall have the same roof pitch and detailing as the main building and shall complement the building's design and character.
- The carport eave shall generally be lower than that of the main building.

Driveways

- Driveway size, location and material shall be sympathetic to the period of the building.
- The scale of large areas of concrete shall be reduced by the use of patterning or other suitable treatment.
- Driveways shall not extend from wall-to-wall or wall-to-fence.

Materials and character

- Restoration should reuse existing materials where practicable and repair rather than replace individual elements, such as windows and doors.
- New materials and detailing for heritage items should be compatible with the existing, and consideration given to colour, texture and type of materials and finishes. The use of the following external materials and finishes should be carefully considered as often they do not compliment a built heritage item:
 - ❖ walls - inappropriately coloured or patterned brickwork, imitation materials
 - ❖ windows and shop fronts - natural aluminium, PVC clad frames
 - ❖ roofs - large profile metal sheeting, roofing tiles that don't match existing
 - ❖ colours - primary, vibrant and high contrast colours
 - ❖ existing natural (face) brick and stone surfaces should not be painted
- New uses of existing heritage items should involve minimal change to significant building fabric.
- Materials and colours of new buildings should be sympathetic with the prevailing heritage character of the conservation area or precinct.
- The painting of heritage items or non-significant buildings in heritage conservation areas in corporate colours is strongly discouraged.

Careful attention should be given to the architectural detailing of infill development to unify the new work with existing buildings. For example, windows and doors set in a masonry wall should have a reasonable depth of reveal (minimum of 150-200mm), to enhance the solid wall appearance of the facade.

Signage

- Refer to Signage in this Plan.
- Signage shall be responsive to the significant aesthetic qualities of heritage items, precincts and conservation areas.
- The heritage values of existing signs shall be respected.

- Internally illuminated signs on heritage items shall only occur where they are a reconstruction of an original significant sign.
- Signage within conservation areas or on a listed item shall not dominate the area or building either by size, colour or any other means.
- Signage fixed to heritage buildings shall be reversible and not cause damage to the building fabric, including drilling into brick or stonework.
- Signage painted or fixed onto heritage buildings shall have regard to and fit within the existing architectural features of the building.
- The font and style of signage should be consistent with character and period of the heritage item.
- Signs shall include a border to their edge to distinguish signage colour from the body of the building.

Satellite dishes, telecommunication devices and electricity generating devices (solar panels)

- Satellite dishes, communication devices and electricity generating devices should be located away from the public domain and the heritage items, or otherwise so that their visual and physical impact is minimal.

Fences

- Fences within conservation areas and around heritage items should reflect the style of fence that was typical of the historic period.
- Ribbed metal sheet fencing shall not be used within heritage conservation areas or around a heritage item unless it is at the rear of the property and will not be readily visible from the public domain.
- Front fences and side fences forward of the building line shall be no higher than 1.2 metres.
- Fences behind the building line shall not exceed 1.8 metres.

Trees

- Where it is proposed to remove a tree, or significantly lop a tree, that has heritage significance or is located on a heritage item, the written approval of Council must be obtained, prior to any work being undertaken.
- An appropriate tree replacement strategy must accompany a written request to Council for the removal or lopping of a tree that has heritage significance or is located on a heritage item.

6.5.8 Natural Heritage

Natural heritage refers to components of the living environment such as land resources, inland water and diverse animal and plant life. The *Cooma-Monaro Local Environmental Plan 2013* contains five natural heritage items all of which are geological sites. The sites are shown on the *Cooma-Monaro Local Environmental Plan 2013* Heritage maps.

For information on the sites contact Cooma-Monaro Shire Council or the Minerals Division of NSW Primary Industries within the Department of Industry and Investment.

6.5.9 Performance based requirements

- All development involving the five natural heritage items shown on the *Cooma-Monaro Local Environmental Plan 2013* Heritage maps will require a Natural Heritage Impact Assessment.
- A natural heritage assessment report must contain the following information:
 - ❖ the qualifications and experience of the author
 - ❖ a detailed description of the area assessed plus maps of the area
 - ❖ the method of assessment

- ❖ the findings of the assessment
- ❖ the potential impacts of the proposed development on the Heritage Item
- ❖ proposed mitigation and/or management measures

6.5.10 Further information

- www.heritage.nsw.gov.au
- www.environment.nsw.gov.au/conservation/aboriginalculture

6.6 Groundwater vulnerable land

In recent years there has been increasing concern across NSW regarding the over extraction and the contamination of groundwater. Effective protection should be primarily aimed at the prevention of these problems. Groundwater vulnerability maps are used as a guide for the location of future developments in an area, in order to minimise the impact the proposed development will have on the surrounding water resources.

The NSW State government has prepared a 'groundwater vulnerability' map which covers the Cooma-Monaro local government area. This map has been used to prepare the *Cooma-Monaro Local Environmental Plan 2013* Groundwater Vulnerability Maps and the associated clause (6.4). The map identifies areas of groundwater which are considered to be vulnerable. These are areas which are highly susceptible to groundwater contamination, or, are likely to have high value for supply of water to town, stock and domestic, irrigation and commercial uses, where contamination cannot be tolerated. The terms and their meanings used in the mapping are:

High – the potential risk is so great as to warrant a demonstrated remedial action plan for clean-up which analyses the effectiveness of the remediation approach in achieving designated water quality criteria.

Moderately high – contamination cannot be tolerated. Detailed studies and monitoring will be required. A groundwater protection system will be necessary.

Developments which will penetrate or interfere with an aquifer need an approval under the *Water Management Act 2000* and will be Integrated Development.

6.6.1 Objectives

- To assist in the prevention of the over-extraction of groundwater.
- To protect groundwater quality and drainage patterns during demolition, construction and the ongoing operation phases of a development.
- To ensure that groundwater to be used for potable purposes is safe for such uses.

6.6.2 Performance based requirements

- If any part of a development falls in an area identified on the *Cooma-Monaro Local Environmental Plan 2013* Groundwater Vulnerability Map it may be necessary to provide additional information such as a Groundwater Impact Report to Council which addresses the matters outlined in clause 6.4(3) of the LEP in relation to the development proposal.
- When assessing an application for subdivision in an area identified on the maps as groundwater vulnerable, the basic water right afforded by the *Water Management Act 2000* to each new lot in the subdivision for stock and domestic purposes will be taken into account by Council in determining the impacts of the proposed development on groundwater, along with the suitability of the site for on-site effluent disposal.

6.6.3 Prescriptive requirements

- Developments which involve basements or substantial excavation for other purposes in groundwater vulnerable areas must provide justification in the application as to why other options to avoid such basements or excavations are not being utilised.

6.6.4 Further information

- NSW Office of Water

6.7 Native flora and fauna (terrestrial and aquatic)

The Cooma-Monaro local government area including in some instances the outer parts of urban areas, contains a wide range of terrestrial and aquatic threatened flora and fauna species and endangered ecological communities. Endangered Ecological Communities are defined as a group of species that are found in the same land area. The *NSW Threatened Species Conservation Act 1995* defines 'endangered' as a species, population or ecological community that is likely to become extinct or is in immediate danger of extinction.

The local government area is also part of the Great Eastern Ranges corridor. The corridor extends from the mountains of Victoria to the Atherton Tablelands in far North Queensland. It is a large scale conservation vision for eastern Australia rather than an area with 'hard' boundaries on a map. Further information can be found at www.environment.nsw.gov.au/ger/abouttheager.

The Cooma-Monaro local government area contains numerous terrestrial Endangered Ecological Communities, some of which are outlined below:

- Natural Temperate Grasslands of the Southern Tablelands (NSW and ACT).
- White Box Yellow Box Blakely's Red Gum Woodland (Box-Gum Woodlands) and Derived Native Grassland.
- Montane Peatlands and Swamps of the New England Tableland, NSW North Coast, Sydney Basin, South East Corner, South Eastern Highlands and Australian Alps.
- Upland Wetlands of the New England Tablelands and the Monaro Plateau. This community includes the Monaro Lakes.
- Tablelands Snow Gum, Black Sallee, Candlebark and Ribbon Gum Grassy Woodland in the South Eastern Highlands, Sydney Basin, South East Corner and NSW South Western Slopes Bioregions.

There are also communities which are described as 'regionally depleted communities'. One of these communities is the *Natural Temperate Grasslands of the Yaouk area*.

Information on threatened species and each of the these communities except the regionally depleted community of *Natural Temperate Grasslands of the Yaouk area* can be found on the NSW Department of Environment, Climate Change and Water website www.threatenedspecies.environment.nsw.gov.au. Information on the *Natural Temperate Grasslands of the Yaouk area* can be obtained from Council or the Queanbeyan office of the NSW Office of Environmental and Heritage.

The *Cooma-Monaro Local Environmental Plan 2013* contains a Terrestrial Biodiversity Map and associated clause (6.4). The map does not include the areas of Shannons Flat and Yaouk.

Several listed threatened species of fish have also been recorded in the Cooma-Monaro local government area. Information on these species can be obtained from the NSW Department of Industry and Investment, Fisheries Section at Batemans Bay or www.dpi.nsw.gov.au.

There is also an Endangered Ecological Community listed under the *Fisheries Management Act*

1994 for the Snowy River aquatic ecological community.

Legislation

There are numerous Acts which cover native flora and fauna, these include:

- *NSW Threatened Species Conservation Act 1995*
- *NSW Native Vegetation Act 2003*
- *Environment Protection and Biodiversity Conservation Act 1999*

Note Prior to removing any native vegetation or undertaking work in a watercourse, information on the consents and/or permits required should be sought from both Council and government agencies.

6.7.1 Objectives

- To maintain and enhance the Cooma-Monaro local government area's native landscapes and flora and fauna within them.
- To encourage the recovery of threatened species, communities and their habitats.
- To allow development and high value conservation areas to co-exist where possible.

6.7.2 Performance based requirements

- Consent for development involving native flora and fauna may also require consideration and consent from state and/or federal government.
- A habitat/landscape approach should be taken to the consideration of native flora and fauna rather than the location of threatened species recordings.
- The *Cooma-Monaro Local Environmental Plan 2013* – Terrestrial Biodiversity Map and clause 6.3 should be checked in the preparation of a development application.
- In some instances it will be necessary to have a native flora and fauna report prepared as part of a development application. Council's requirements for reports are listed below. It is strongly recommended that prior to commencing the report, that the development application and report be discussed with Council and the NSW Office of Environment and Heritage.

Terrestrial flora and fauna

- Terrestrial flora and fauna reports must be prepared where a proposed development will disturb land or vegetation within an area identified on the LEP maps. However, Council may also request reports for areas not located within the areas identified on the maps, where high impacts or high conservation values are present on the land.
- Flora and fauna reports where required are to be prepared by a suitably qualified person experienced in the native flora and fauna of Cooma-Monaro local government area. The report shall contain the following information:
 - ❖ the qualifications and experience of the person undertaking the flora and fauna survey and writing of the report
 - ❖ a map of the survey area (including the scale). *Note:* surveys should extend beyond potential dwellings sites to include proposed entrances and roads
 - ❖ the date and time of the survey and the survey method
 - ❖ a list of flora and fauna species identified in the survey
 - ❖ a search of the Wildlife Atlas and other applicable government databases
 - ❖ the impact of the proposed development on native flora and fauna
 - ❖ comments in regard to the corridor significance of the survey area
 - ❖ Seven-part Tests on any threatened species and/or endangered ecological communities
 - ❖ recommended mitigation measures, if it is recommended that the development proceed
 - ❖ recommended species for planting, if it is recommended that the development proceed

- The integrity of remnant vegetation areas and corridors is to be preserved and enhanced where possible through strategies that may include fencing and/or supplementary planting.

Aquatic flora and fauna

- Where a proposed development is likely to impact on an aquatic environment, usually in Cooma-Monaro by the construction of some form of watercourse crossing or bridge, an aquatic flora and fauna report may be required.
- The report shall contain the following information:
 - ❖ the qualifications and experience of the person undertaking the flora and fauna survey and writing of the report
 - ❖ the date and time of the survey and the survey method
 - ❖ maps showing the areas assessed, the location of species and endangered ecological communities of interest and other significant habitat features
 - ❖ the results of an assessment of aquatic and riparian flora and fauna (vertebrates and invertebrates) of the aquatic and riparian environment. This is to include:
 - a list of species located
 - the integrity of native vegetation
 - a description and condition of the types of aquatic habitat
 - the likely impacts of the proposal (both short and long-term) on any rare, threatened species, populations or endangered ecological communities.
 - Seven-part Tests on any threatened species and/or endangered ecological communities
 - ❖ a search of the Wildlife Atlas and other applicable government databases and the Australian Museum database
 - ❖ recommendations for the management of flora and fauna including the provision of any compensatory habitat/biodiversity offsets

6.7.3 Further information

- www.threatenedspecies.environment.nsw.gov.au
- www.environment.nsw.gov.au
- www.dpi.nsw.gov.au
- Mackey B, Watson J and Worboys GL of ANU Enterprises Pty Ltd 2010, March 2010, *Connectivity conservation and the Great Eastern Ranges corridor*

6.8 Land to be acquired by Council for public road reserve

6.8.1 Mittagang Road - Lot 1 DP 845442 (corner of Yallakool Road)

This lot was identified for a road widening of Mittagang Road in Council's former *Development Control Plan 6 – Cooma Urban Area*. This provision has been reviewed and continued.

6.8.1.1 Objectives

- For the Council to acquire land from Lot 1 DP 845442 to widen the Mittagang Road road reserve in order to provide a bike path and pedestrian area consistent with that provided on Mittagang Road immediately south of this site.

6.8.1.2 Prescriptive requirement

- When subdivision occurs on Lot 1 DP 845442 at 167 Yallakool Road the land shown in the diagram in Appendix 4 shall be dedicated to Council as public road reserve.
- This provision only applies when that part of the lot within 100 metres of the land to be dedicated is subdivided into smaller lots.

- The value of the land to be dedicated shall be determined prior to release of the Subdivision Certificate and the amount equivalent to the value of the land shall be deducted from the Section 94 Developer Contributions payable for the development.

6.8.2 Polo Flat Road – Lot 2 DP 596077 No 63, Lot 11 DP 545702 No 65, Lot 12 DP 545702 No 71

Polo Flat Road reserve has a width less than the DCP Standard in this section and given the status of Polo Flat Road as a regional road authorised to carry all classes of heavy vehicles it is important that it have sufficient road reserve width. The road reserve needs to accommodate current and future traffic demands, facilitate safe entry points to sites, as well as carry utility services required for an industrial area with space for landscaping as well.

6.8.2.1 Objectives

- To ensure Polo Flat Road has sufficient width in its road reserve to cater for the demands of an industrial area and to enhance its appearance.

6.8.2.2 Prescriptive requirement

- When development occurs on Lot 2 DP 596077 (No 63), Lot 11 DP 545702 (No 65) and Lot 12 DP 545702 (No 71) Polo Flat Road the land shown in the diagram in Appendix 4 shall be dedicated to Council as public road reserve.
- The owner/s of land acquired by Council as road reserve are entitled to compensation from Council for the value of the land acquired.

6.9 Lots fronting Ryrie Street in Michelago Village

A number of lots which front Ryrie Street in Michelago village are characterised by having a long length back from the street and a relatively narrow street frontage. These lots would be difficult to subdivide in compliance with other provisions in this Plan. If Michelago village is to achieve the development potential possible under *Cooma-Monaro Local Environmental Plan 2013*, specific provisions must apply.

Where a conflict exists between this Clause and another part of this Plan, this Clause shall prevail to the extent of the inconsistency.

6.9.1 Objectives

- To facilitate further development in Michelago by specifying access arrangements that allow long narrow lots fronting Ryrie Street to be subdivided.

6.9.2 Prescriptive requirements

The following special provisions shall apply within the RU5 Zone at Michelago:

- Future access points onto Ryrie Street shall be located adjacent to existing access points where possible.
- No more than four (4) access points onto Ryrie Street will be permitted immediately adjacent to each other.
- The minimum width of a Right-of-Way is 10 metres.
- Rights-of-Ways will be allowed provided the number of lots serviced by it does not exceed four (4).

- In subdivisions involving the creation of only one (1) additional lot, a Right-of-Way will not be permitted.
- Rights-of-Ways must be fully constructed with a sealed surface and appropriate stormwater drainage arrangements prior to release of a Subdivision Certificate.

6.10 Areas subject to Structure Plans – CBD and Polo Flat

Council has prepared Structure Plans for the CBD and Polo Flat industrial area which provide a framework for the future development of the public domain in the CBD and Polo Flat areas. Where precinct plans have been developed under the CBD Structure Plan these shall be taken into account during development assessment.

6.10.1 Objectives

- To enhance the quality of the public domain.
- To ensure the public domain is attractive, safe and interesting, comfortable, readily understood and easily accessed.
- To ensure new development adjacent to the public domain contributes to the quality enrichment and enhancement of the public domain.
- To ensure development activity results in the community obtaining public benefit responsive to its needs.

6.10.2 Performance based requirements

- Development within the Cooma Central Business District (CBD) and Polo Flat industrial area is to take into account the applicable Structure Plan/s and any precinct plans.
- Elements to be considered for development/s in the Cooma Central Business District and Polo Flat industrial area are:
 - ❖ street definition and continuity, façade orientation and treatment, setback, active frontage, roof line/skyline and the character of contributory buildings
 - ❖ the interface between private and public domains
 - ❖ floor space treatment of footpaths and carriageways
 - ❖ landscaping, street furniture and signage
 - ❖ the protection and enhancement of pleasant views and vistas
 - ❖ the heritage conservation of places of cultural significance including the protection of trees, parks and buildings
 - ❖ development on large sites to provide mid-block pedestrian connections. Links should be a minimum of 4 metres and where appropriate pedestrian links are dedicated as a public Right-of-Way (refer to the Cooma Walk in the Central Business District Structure Plan)
 - ❖ key nodes and gateways – development enhances important civic spaces and gateways
 - ❖ building design provides:
 - clearly defined built edges
 - where appropriate, visual interest at street level is enhanced using treatments such as public art, paving, lighting, landscaping and street furniture to create a sense of place
 - ❖ the provision of artwork to enrich the public domain and promote enjoyment by the community. Refer to the *Cooma-Monaro Shire Council Cultural Plan 2009-2013* and Culture and Public Art in this Plan
 - ❖ active street frontage – development reinforces the built form edge, encourages more activities along the main street frontage and enriches pedestrian activity by high quality pavement, street furniture, landscaping and lighting. Where appropriate development provides setbacks for plazas, colonnades and footpath extensions.

- Refer to Landscaping, Culture and Public Art and Streetscape in this Plan

6.11 Important Views and Vistas – areas with high landscape value

Certain areas within the Shire are considered of outstanding landscape value and should be protected from development that will negatively impact upon it.

6.11.1 Objectives

- To ensure that areas of outstanding landscape value are protected from insensitive development.
- To identify important vistas within those areas

6.11.2 Performance based requirements

- Development within the high landscape value areas identified on the maps below must be designed and located so as not to interfere with or despoil the visual appearance of the landscape.
- Vistas identified on the maps below are to be protected from insensitive development. (The important vistas are identified by arrows.)

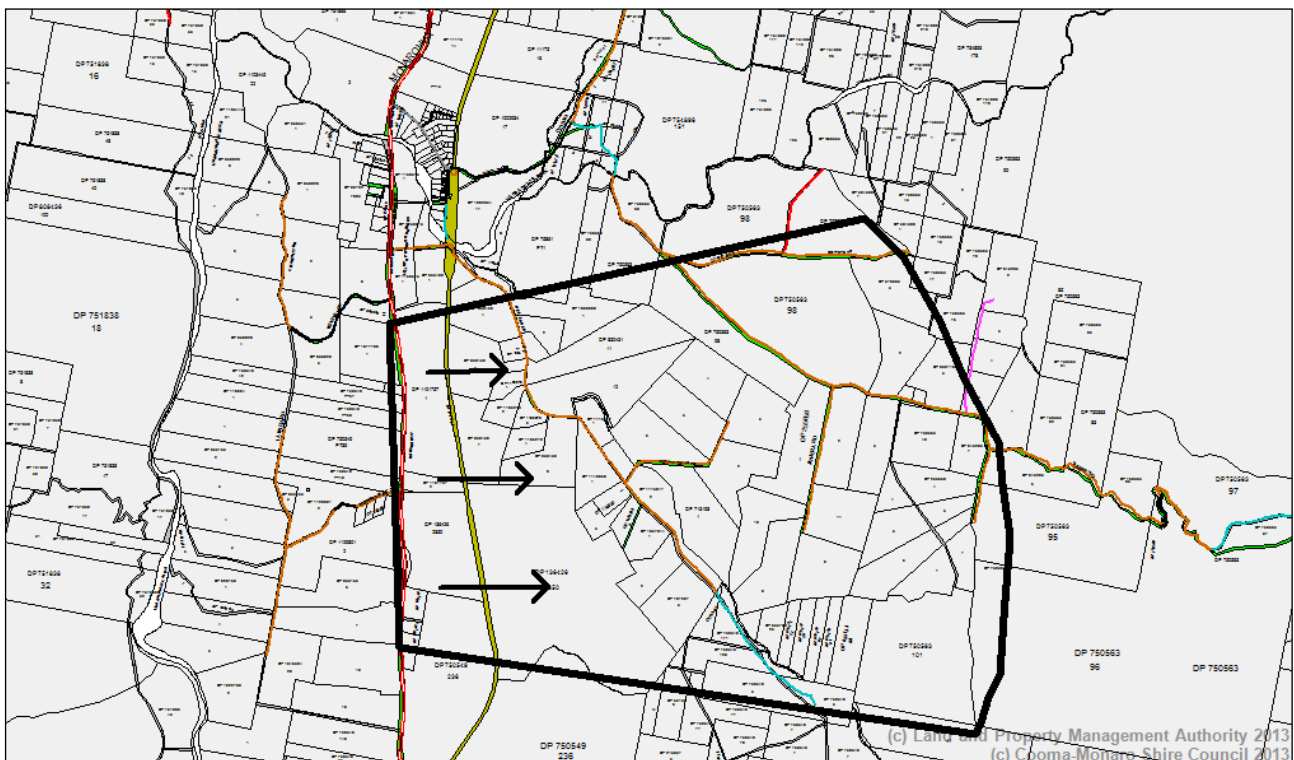
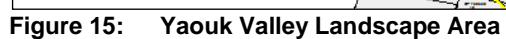


Figure 13: Michelago-Tinderry Landscape Area



7 Non-Design Related Provisions

This section contains the following provisions:

- Tree Preservation (clause 5.9 of the LEP)
- Addresses and Street Numbers
- Fire Prevention and Fire Hydrants
- Food Handling
- On-site Waste Management Systems

7.1 Tree Preservation (clause 5.9 of the LEP)

For the purposes of clause 5.9 of the *Cooma-Monaro Local Environmental Plan 2013* the following trees and vegetation require the submission of a development application prior to removal, cutting, lopping, etc:

- Poplars in Bredbo RU5 Zone greater than 10 metres in height.

7.2 Rural addresses and street numbers

Council is responsible for the provision of street addresses. Dwellings outside of urban areas are provided with a rural address. The rural address is calculated in accordance with *AS/NZS 4819:2003 Geographic information - Rural and urban addressing*.

Street addresses provide the information for locating a property, and are particularly important for emergency services. Therefore each dwelling in the Cooma-Monaro local government area shall have a street or road address (number).

7.2.1 Objectives

- To ensure all new dwellings at the time the dwelling is first occupied, have a street address.

7.2.2 Prescriptive requirements

- Development applications approved in urban areas for new lots or which will result in more than one (1) dwelling on a single lot will be advised in the development Consent of the applicable street number/s which have been allocated.
- A rural address will be provided by Council for new dwellings on rural properties and will be incorporated into the development process by means of a Condition of Consent. A fee will be charged for each rural address plate, refer to Council's Operational Plan – Fees and Charges.

7.2.3 Further information

- For urban lots/dwellings – Council's Health and Building Section – 6455-1901
- For rural lots/dwellings – Council's Engineering Section – 6455-1802

7.3 Food Handling

Many developments involve the potential handling of food. The hygienic preparation of food is both a public health and economic matter.

7.3.1 Objectives

- To have safe and hygienic areas in buildings for the handling of food.

7.3.2 Prescriptive requirements

- Where a development will involve the handling of food, a statement shall be included with the development application which includes the following information:
 - ❖ the nature of the food handling development
 - ❖ details of food preparation areas
 - ❖ the means of waste disposal (refer to Waste in this Plan)
- Food preparation areas to be constructed in accordance with the *NSW Food Act 2003* and the *Australia New Zealand Food Standards Code* and *AS 4674-2004*.
- All retail food businesses preparing potentially hazardous foods (PHF) must be a notified food business with the NSW Food Authority. www.foodnotify.nsw.gov.au
- All retail food businesses must appoint a Food Safety Supervisor (FSS) in accordance with the NSW Food Act

7.3.3 Further information

www.foodauthority.nsw.gov.au

www.foodnotify.nsw.gov.au

www.foodstandards.gov.au

7.4 On-site Waste Management Systems

Only Cooma and some parts of the village of Nimmitabel have a public wastewater treatment plant. Outside of these areas human effluent must be disposed of via an approved on-site waste management system. Such systems may include wet and dry composting toilets, septic systems or aerated systems. Systems that are not monitored and well maintained may cause pollution including the contamination of groundwater systems.

7.4.1 Objectives

- To dispose of human effluent in an efficient and environmentally sound manner.

7.4.2 Performance based requirements

- Where a development for example the erection of a dwelling or a residential subdivision will involve the use of an on-site wastewater management system (eg. a septic system or composting toilet) a land capability assessment (to determine the suitability of the soil and the most appropriate type of system) must be undertaken and approval obtained prior to the installation of the system.

The sections below set out the approval required and what is required in the environmental assessment.

7.4.2.1 **Section 68 NSW Local Government Act 1993 approval to operate an on-site waste management system**

- Section 68 of the *NSW Local Government Act 1993* requires that an on-site waste

management system must be approved by Council prior to the installation of the system. Only systems that comply with NSW Health Department accreditation can be approved.

7.4.2.2 Land capability assessment

- An application under Section 68 of the *Local Government Act 1993* requires that an effluent disposal report be provided to Council. The report is to be prepared in accordance with 'Environment Protection Guidelines 1998 – On-Site Sewage Management for Single Households' and AS/NZS 1547:2000. The report is to contain the following information:
 - ❖ the qualifications and experience of the person/s who prepared the report and undertook the assessment
 - ❖ whether the land is capable of supporting the proposed on-site waste management system without adversely affecting water quality or adjoining land through either surface or sub-surface flows
 - ❖ climatic conditions and vegetation
 - ❖ geotechnical conditions, percolation rates of soils, hydraulic and nutrient balances (where treated effluent is proposed to be irrigated) and appropriate effluent disposal options for the site. Calculations are to be included in the report
 - ❖ details of the topography, soil composition and vegetation of any effluent application area related to the sewage management facility together with an assessment of the site in light of those details. The location of test pits are to be shown on the site plan
 - ❖ copies of the NATA registered laboratory test results are to be provided with the report
 - ❖ details of the system proposed to be installed
 - ❖ recommended mitigation measures
 - a site plan, to scale, showing the location of:
 - the on-site waste management system proposed to be installed or constructed on the premises
 - any related effluent application area
 - any building or facilities existing on the lot, and any environmentally sensitive areas, of any land located within 100 metres of the on-site waste management system or effluent application areas
 - the number of persons residing, or probable number of persons to reside on the premises
 - operation and maintenance information
 - the operation and maintenance requirements for the proposed system
 - the proposed operation, maintenance, servicing arrangements intended to meet those requirements
 - that action to be taken in the event of a breakdown in, or other interference with, its operation

7.4.2.3 Environmentally sensitive areas

- Consideration should be given to alternative treatment systems such as composting toilets in sensitive areas, eg areas used for the collection of drinking water.

7.4.2.4 Installation of the on-site waste management system

- The on-site waste management system is to be installed in accordance with the findings of an effluent disposal report.
- Any on-site waste management system must be installed by a licensed plumber.

7.4.2.5 Existing systems

- If there is an existing system, consideration will need to be given as to whether it will be adequate and functioning satisfactorily as part of a proposed developed. It is recommended

that this be discussed with Council prior to the submission of the development application or Complying Development Certificate.

7.4.3 Prescriptive Requirements

On-going system inspections

- Council is required under the NSW *Local Government Act 1993* to inspect all on-site waste management systems on a regular basis. Details of Council's inspection system can be found in the document '*Cooma-Monaro Shire Council On-Site Sewage Management Strategy*'.

7.4.4 Further information

- NSW Department of Local Government.
- NSW Health Department guidelines.
- *Cooma-Monaro Shire Council On-Site Sewage Management Strategy*.
- *AS/NZS 1547:2000 On-site Domestic – Wastewater Management*.

8 Public Notification Requirements

This Chapter outlines the process Council will undertake to notify the public of development applications it receives. It also specifies which development/s will be considered 'advertised development' for the purposes of the Act.

8.1 Objectives

- To provide an opportunity for those who may be impacted by a development to comment on possible impacts.
- To provide clarity and consistency in the notification process.
- To outline the specific circumstances in which direct notification and/or advertising in the local paper will be undertaken.

8.2 Prescriptive requirements

8.2.1 Means of notification

Notice of a development application shall be sent in the form of a mailed letter to the applicable property owners listed in Council's records. Alternatively the notice may be sent via email if the property owner has requested this means of notification. If the land is owned by more than one person, a written notice to one owner is considered to be notice to all the owners (as per clause 88(2)(c) of the Regulations), although where possible Council will notify all owners if it is aware of their address details in association with the property.

The notification letter is to contain the following information (clause 89 of the Regulations):

- A description of the land (including the address) on which the development is proposed to be carried out.
- The name of the applicant and the name of the consent authority.
- A description of the proposed development.
- A statement that the application and the documents accompanying that application may be inspected at Council's principal office for a period specified in the notice during Council's ordinary office hours.
- A statement that any notified person can make a submission during the notification period.
- The dates of the notification period.
- A site plan and elevations showing the external configuration of the proposal (where the proposal involves new building works). Note that some developments due to their nature may not have any plans attached.

During the period of public notification the development application and accompanying documents will be available for inspection at Council's Offices (Town Planning – first floor) during normal business hours.

Council may charge a fee for the postage associated with a development application where that fee is specified in Council's Fees and Charges.

8.2.2 Notification period

The default period of notification is fourteen (14) days inclusive of public holidays and weekends but where such holidays prevent access to the documents etc for a period of more than three (3) calendar days, an extension to the exhibition period equivalent to the extended period beyond the three (3) days shall be provided.

Any applications which have a required notification period of fourteen (14) days or more which are lodged during the two (2) business weeks prior to Christmas shall have their notification period extended by fourteen (14) days to compensate for the holiday season.

Applications which have a notification period specified in the Table above will be notified in accordance with the period shown in the Table, even if this period is less than fourteen (14) days.

In certain exceptional circumstances Council may waive the notification requirement for an application where there would be no discernible impact from the development and notifying the public would be futile in the circumstances.

8.2.3 Who will be notified and when

The following table sets out the minimum notification requirements for different development applications, including who, at a minimum, will be notified of a proposed development. The Table sets out the minimum notification requirements which Council will adhere to. However, in certain circumstances Council may notify more widely than the minimum set out in the Table below if the potential impacts of a proposed development warrant wider direct notification. This will be at the discretion of Council officers. Some factors to be considered in determining whether wider notification is warranted include (but are not limited to) the following:

- The view to and from the adjoining land of a development.
- The potential impact of overshadowing on the adjoining land or such land as may be affected.
- The privacy of residents on adjoining land.
- The likelihood of adjoining land being detrimentally affected by, for example, noise, odour, traffic and parking and/or lights.
- The impact on the streetscape.
- Whether the developer also owns any immediately adjoining properties.

If the land is a lot within the means of the *Strata Schemes (Freehold Development) Act 1986*, written notice to the owners' corporation is considered to be a written notice to the owners of each lot within the strata scheme.

If the land is a lot within the meaning of the *Strata Schemes (Leasehold Development) Act 1986*, written notice to the lessor under the Leasehold Strata Scheme concerned and to the owners' corporation is taken to be a written notice to the owner or occupier of each lot within the Scheme.

8.2.4 Types of Development and their public notification requirements

It is important to note that the notification requirements for some types of development are legislated in detail and in these circumstances Council must follow the requirements of the legislation. These types of development are listed below but their notification requirements are not shown in complete detail as this is contained within the legislation and any relevant environmental planning instruments.

Where the Table below identifies a particular type of development as requiring advertising in the paper, this development may be considered as identified by this Plan as 'advertised development' for the purposes of the *Environmental Planning and Assessment Regulations 2000*. As such the requirements for notification for 'other advertised development' contained in clauses 86-91 of the Regulations apply to such development. An additional fee (set by the Regulations) will be payable to Council for advertised development which the Table below indicates must be advertised in the classifieds section of the newspaper. Other development which is identified as advertised in the newspaper will be placed in Council's regular 'Communique' pages and will not attract a fee.

For development which is advertised in the paper the minimum advertising period begins the day the notification is first published in the paper. There is nothing to prevent the public notification period being longer than the minimum required if Council chooses to specify this for a particular development. Additional advertising fees apply to development that is required to be advertised.

Table 12: Notification requirements

Type of development	Minimum notification requirement	Advertise in paper	Additional comments
Legislative Requirements			
Any development requiring approval under the <i>Heritage Act 1977</i> , <i>Water Management Act 2000</i> or <i>Protection of the Environment Operations Act 1997</i>	Adjoining owners Any public authority with a potential interest	Yes	Minimum advertising period 30 days (cl.89 of Regulations) Advertise in classifieds
Any development which involves a Species Impact Statement	Adjoining owners Any public authority with a potential interest	Yes	Minimum advertising period 30 days (cl.89 of Regulations) Advertise in classifieds
Aquaculture	Adjoining owners Any public authority with a potential interest	Yes	See SEPP 62 – may require advertising for minimum 30 days Advertise in classifieds
Designated development	Adjoining owners Any public authority with a potential interest	Yes	Minimum advertising period of 30 days (s.79 of Act) Sign required on-site For other requirements see clauses 77-81 of Regulations Advertise in classifieds
Council Requirements			
Subdivision of up to 20 lots	Adjoining owners. Owners on opposite side of the street to proposed site	No	Wider notification will be considered depending on proposal and location of site (eg 19 lots in a small cul-de-sac may warrant notification of all properties in the street)
Subdivision of more than 20 lots	All properties within 250 metres of the site	Yes	Wider notification will be considered depending on proposal and location of site. Advertise in classifieds if more than 50 lots.
Any development with an estimated cost of \$5 million or more	All properties within 100 metres of the site	Yes	Wider notification will be considered depending on proposal and location of site. Advertise in classifieds if more than \$10 million.
Residential flat buildings townhouse/villa developments (including seniors/disabled housing) of up to 10 dwellings	3 properties each side of the site on the same side of the street 3 properties to the rear 4 properties on the opposite side of the street	No	

Type of development	Minimum notification requirement	Advertise in paper	Additional comments
Residential flat buildings townhouse/villa developments (including seniors/disabled housing) of more than 10 dwellings	6 properties each side of the site on the same side of street 4 properties to the rear 6 properties on the opposite side of the street	Yes	Notification range may be varied if the circumstances of the site mean it is unnecessary to notify the minimum number of properties as impact from proposal is highly unlikely
Dwelling house, dual occupancy or secondary dwelling (granny flat) in Cooma or villages	Adjoining properties including those on the opposite side of the street to the site.	No	If two storey may extend notification range depending on circumstances
Rural dwelling houses or dual occupancy	Adjoining properties only unless the site is accessed by a Right-of-Way (see below)	No	
Local development in a rural or rural residential zone other than rural dwelling houses, dual occupancies and subdivision	The adjoining 2 properties either side of the site along both sides of the road used to access the site (ie 4 altogether each side of the road). Any other adjoining properties within 500 metres of the lot on which the development is taking place	No	Wider notification will be considered depending on the nature of the proposed development
Alterations and additions to dwelling houses	Directly adjoining (ie not across a road, river, etc) properties only	No	No notification required in RU1, E3 or E4 Zones. Wider notification will be considered depending on impact.
Sheds, garages, etc associated with dwellings	Directly adjoining (ie not across a road, river, etc) properties only	No	Notification period of 14 days.
Commercial, retail, industrial buildings and development (including alts and adds) up to 2000 square metres gross floor area	3 properties each side of the site on the same side of street 3 properties to the rear 4 properties on the opposite side of the street	No	Wider notification will be considered if the site is not located in an industrial zone
Commercial, retail, industrial buildings and development (including alts and adds) over 2000 square metres gross floor area	All properties within 250 metres of the site at Polo Flat. All properties within 100 metres of the site in Cooma urban area or Shire villages	Yes	
Change-of-Use in a business or industrial zone	Adjoining properties including those on the opposite side of the street to the site	No	Notification period of 14 days. This may be extended if the Change-of-Use may have a significant impact on the amenity of the area (eg from trucks, traffic, hours of operation, etc)
Change-of-Use in a residential zone	Adjoining properties including those on the opposite side of the street to the site	No	
Internal alterations only to any building where it does not involve a Change-of-Use	No notification	No	Internal alterations on floors above ground level in a residential area may be notified

Type of development	Minimum notification requirement	Advertise in paper	Additional comments
Child care centre (new only)	3 properties each side of the site on the same side of the street 3 properties to the rear 4 properties on the opposite side of the street	Yes	
Electricity generating works (primarily for general market consumption not offsetting for on-site buildings or research purposes)		Yes	May be designated development. Wider notification may be considered depending on potential environmental impacts, especially visual impact. Advertise in classifieds
Extractive industries	All properties within 500 metres of the site	Yes	Wider notification may be considered depending on potential environmental impacts Advertise in classifieds
Intensive agricultural developments	All properties within 1 kilometre of the site	Yes	May be designated development. Wider notification may be considered depending on potential environmental impacts Advertise in classifieds
Place of public worship (new only)	6 properties each side of the site on the same side of the street 6 properties to the rear 6 properties on the opposite side of the street	Yes	
Public art	Adjoining properties only	Yes	
Restricted premises	All properties within 50m of the site	Yes	Advertise in classifieds
Sex services premises	All properties within 200 metres of the site	Yes	Advertise in classifieds
Home Occupation (sex services)	3 properties each side of the site on the same side of the street 3 properties to the rear 4 properties on the opposite side of the street	No	
Non-habitable structures which aren't new buildings (ie decks, pergolas, garden sheds, etc) but are extensions or replacements of existing structures, or not buildings at all.	Adjoining properties in direct view of structure only. (ie if structure is not visible from an adjoining property it will not be notified to that property)	No	If structure not viewable from any adjoining residential properties no notification required.
Any development on land accessed by a Right-of-Way	In addition to any requirements under other categories - all other land owners burdened or benefitted by the Right-of-Way	Only if it falls under another category which requires it	
Section 82A Review	Same as original application	Same as original application	

Type of development	Minimum notification requirement	Advertise in paper	Additional comments
Modifications: (s96(1)) (s96(1A))	None Any objector to the original development (if any)	No No	Minimum notification period of 14 days. If amendment minor and no original objectors notification at Council officer's discretion.
(s96(2))	Same as original application	Same as original application	Notification period the same as the original application
One off events	Discretion of Council officers having regard to likely impacts of event		No minimum notification requirement
Any development not specifically mentioned in this table	Adjoining owners	Will be considered if the development will have a significant impact on the village, town or Shire	Wider notification will be considered depending on the potential environmental impacts of the proposal. Alternatively, if the development will have minimum impact on adjoining properties or the environment, or if notification would be futile, the notification period may be waived.

Note: Where a particular development may fall into more than one category in the table, the provisions with the greater notification requirements shall be used. Where the pattern of lots in the vicinity of the development is unusual, Council officers will determine the potentially impacted properties.

Where a proposed development is amended prior to determination Council will re-notify the proposal where it considers that the changes will significantly affect the potential environmental impacts or impacts upon adjoining properties of the proposed development. In these circumstances Council will re-notify all those it originally notified of the proposal and any others who made a submission to the original development proposal.

Written objections made to the original proposal will still be considered by Council in its final determination of the development application even if the proposal has been amended and renotified during the assessment process. However, if following the re-notification process an original objector notifies Council that they wish to withdraw their original objection, then the issues raised in the original objection will not be considered by Council in its final determination of the application.

8.2.5 Notifying an application for modification of development consent (Section 96 of the NSW Environmental Planning and Assessment Act 1979)

Council will notify an application to modify a development consent in accordance with the provisions in the above table (Table 11).

In those instances where notification is required, the application for modification shall be notified to the same properties and in the same manner as the original notification (unless Table 11 stipulates otherwise).

Council will notify those persons who previously made submission/s to the development application and any other persons who, in the opinion of Council may be affected by the application for

modification.

8.2.6 Submissions

A submission for a development application may be made by anyone, regardless of whether they were formally notified or not. All submissions must be made in writing and submitted to Council prior to the close of business on the final day of the notification period. Council will accept postal correspondence marked on the day of closure of the notification period.

Council will accept facsimiles signed by the person/s making the submission up to the close of business on the final day of the notification period. The original facsimile/s will be required not more than seven (7) days from the final day of the notification period.

E-mails will be accepted provided that they include a signature/s and are sent to Council's email council@cooma.nsw.gov.au for formal registration.

Submissions must clearly state the relevant development application and the name and address of the person making the submission. To assist Council the submission should also quote the application number and provide a daytime telephone number and an email address to advise the writer of any impending Council meetings where the application may be heard. Any person making a submission must attach a political donations declaration to their submission. A form is provided for convenience to anyone receiving a formal notification of a development application.

Council will formally acknowledge any submissions received.

8.2.7 Late Submissions

If submissions are received following the closure of the notification/advertising period Council does not guarantee that such submissions will be considered in the determination of the application.

8.2.8 Submissions may be made public

If the relevant development application is reported to a Council meeting for a determination any submission/s received in relation to an application will be made public as an attachment of the report to Council. However, in such circumstances Council will endeavour not to disclose publicly any personal information which may be contained in the submission.

Any interested persons may view or obtain copies of submissions made in respect of a development application. However, such a person is not entitled to view or obtain a copy of any personal information which may be contained in any submission unless such permission is obtained through a formal process designed for this purpose.

Council reserves the right not to include a submission in a public report.

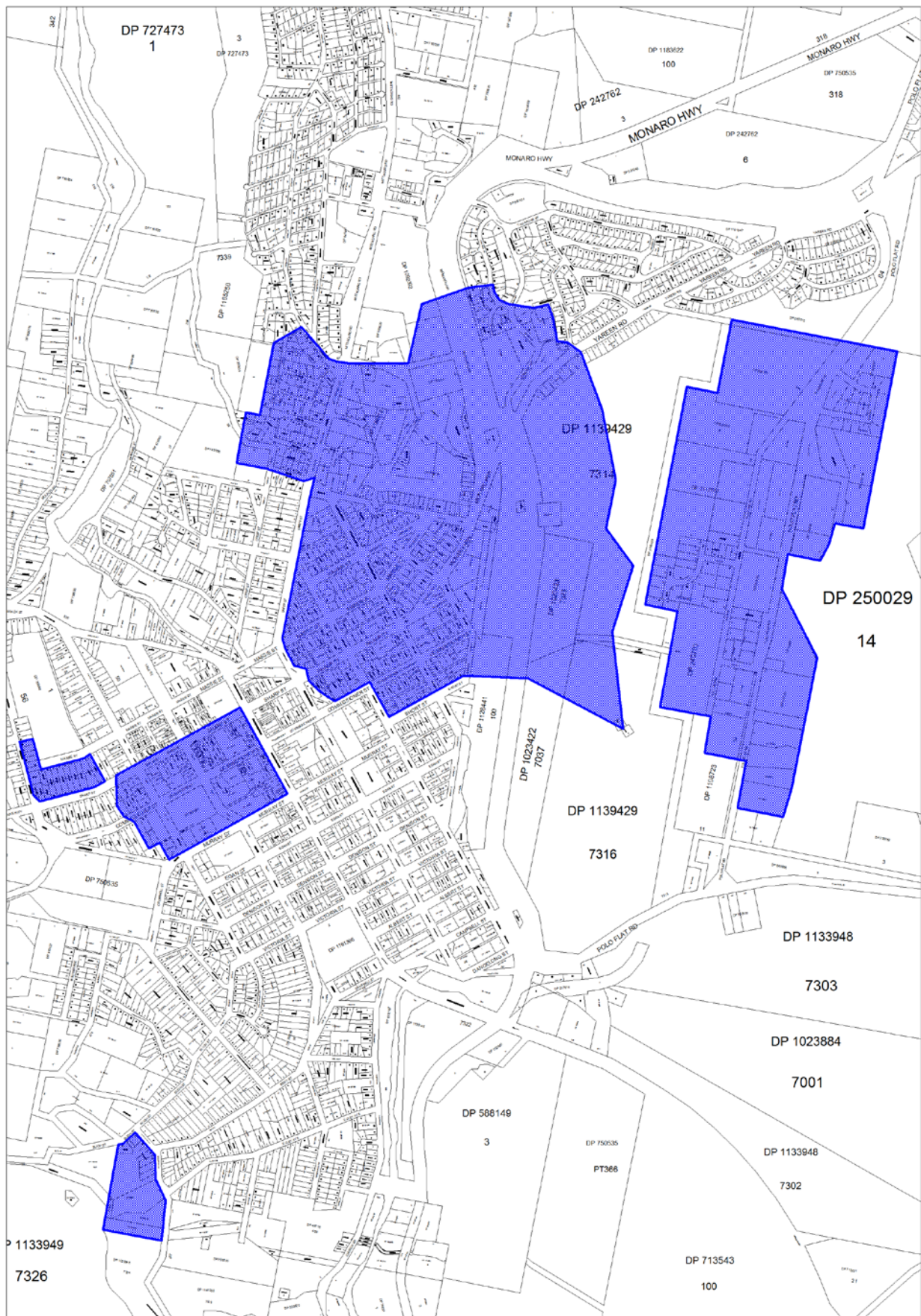
8.2.9 Political donations

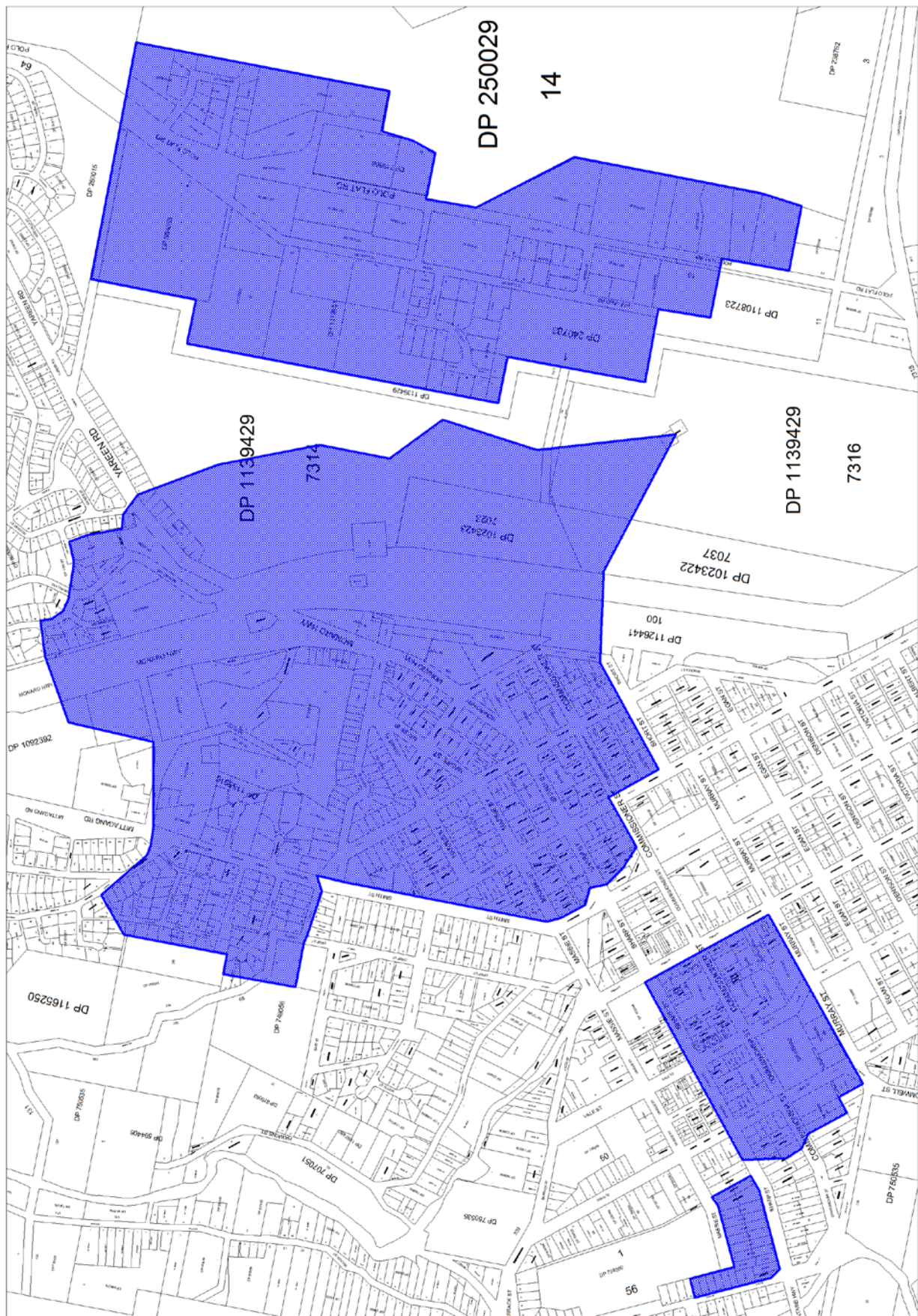
Any person making a submission is required to sign and attach a political donations declaration to their submission.

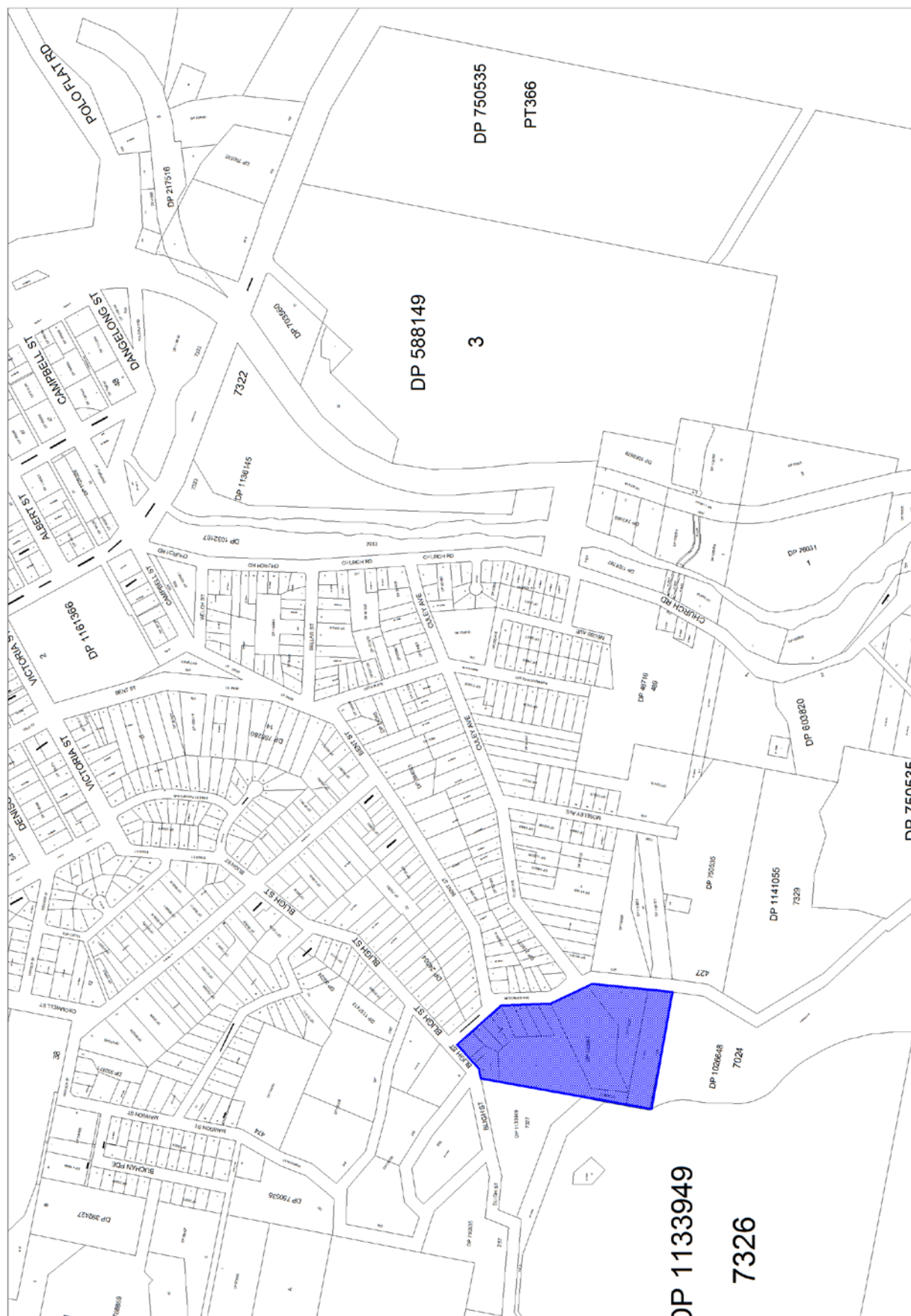
8.2.10 Request for Council to review its determination (Section 82A reviews)

All applications made under Section 82A of the NSW *Environmental Planning and Assessment Act 1979*, for review of a determination of a development application will be notified in the same manner as the original application.

APPENDIX 1 On-site stormwater detention area map







APPENDIX 2 Shade material guide

Selecting the right shade material

Below are some basic guidelines to help you select appropriate materials for your shade project. Please refer to the website www.cancercouncil.com.au/sunsmart for a comprehensive information sheet 'Qualities of shade material'.

Table 2: Guidelines for Selecting Shade Materials

	Glass	Polycarbonate and fibreglass sheeting	Canvas or other tightly-woven cloths	Knitted polyethylene or woven PVC shade cloth	Timber	Steel roof sheeting
Suitability	Good windbreak where visibility and light are required.	Roofing, walling, louvre, awnings, skylights, canopies.	Good for small, low-budget jobs.	Canopies.	Pergolas, trellis screens.	Roofing, walling. Steep or low pitches.
Approximate Ultraviolet Protection Factor (UPF)	Depends on thickness. House window glass absorbs 90% of UV radiation.	Very high.	Very high when new, lower if material deteriorates over time.	moderate UV radiation protection. Double knits or double layers may give higher protection.	Very high. Direct barrier to UV radiation.	Very high. Direct barrier to UV radiation.
Waterproof	Yes.	Yes.	Yes, watertight up to saturation point.	Porous, lacks rain protection.	Depends on detailing and use.	Yes.
Light transmission	High, depending on tint.	High, but varies according to thickness, profile and colour.	Light colours allow more light.	Light colours allow more light but reflect and scatter more UV radiation.	Depends on detailing.	No light transmission.
Solar heat gain*	Less heat gain if tinted.	High.	Dark colours are hotter.	Darker colours are hotter but reflect less UV radiation.	Does conduct heat.	High if not insulated.
Structural implications	Need to select glass appropriate to the site.	Need to incorporate wind uplift considerations into design.	Guy ropes (if present) can cause obstruction.	Wind drags through porous material.	Need to incorporate wind uplift considerations into design.	Need to incorporate wind uplift considerations into design.
Life span	Long life, if does not sustain impact.	About 10 years. Discolouration may occur sooner.	Limited. Susceptible to breakdown due to UV radiation exposure	5-10 years.	Long life if well maintained.	Long life if well maintained.
Maintenance requirements	Needs regular cleaning.	Low maintenance. Impact resistant.	Without specific treatment is not mould resistant.	Susceptible to mould growth and dirt accumulation.	Guard against termites.	Subject to moisture and condensation conditions.

(Source: The Cancer Council Victoria 2004)

* Solar heat gain is an important consideration when selecting shade materials but it must be remembered that heat or temperature is not related to UV radiation levels.

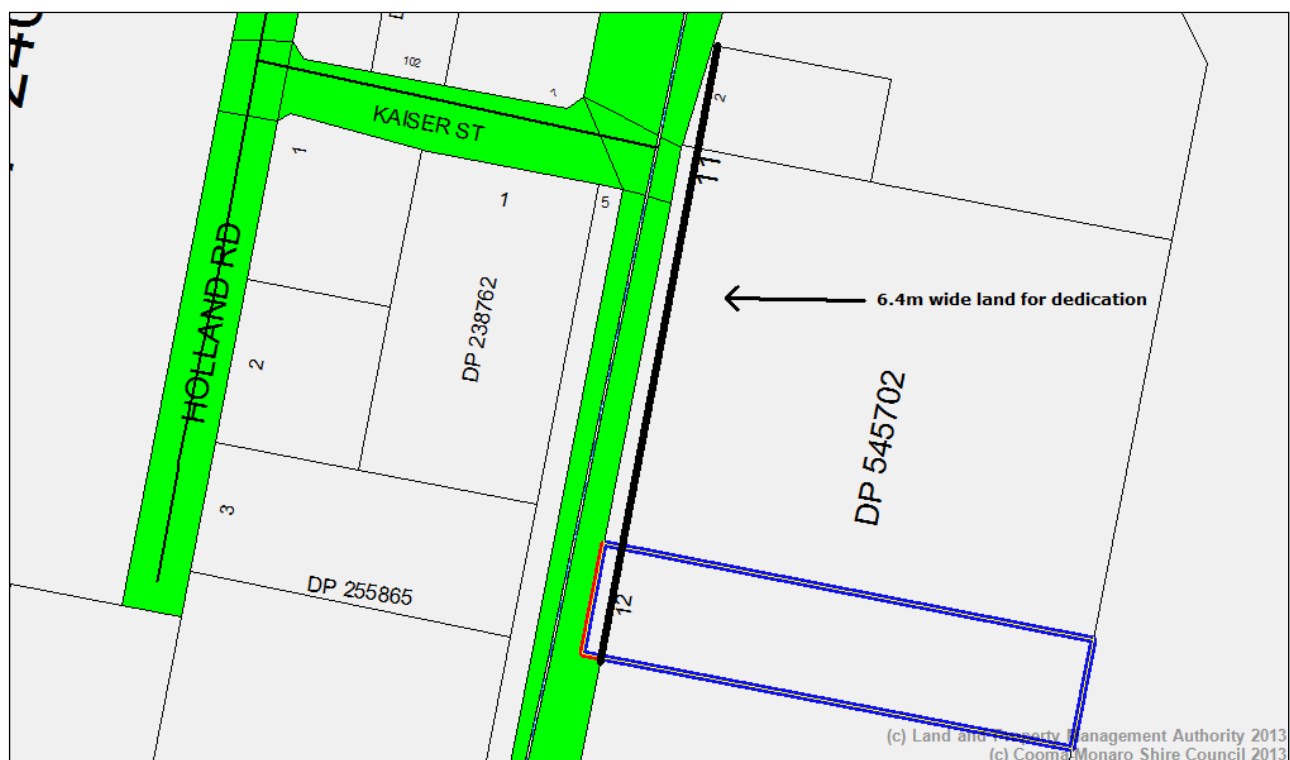
The Shade Handbook

Source: Cancer Council New South Wales 2008 – The Shade Handbook

APPENDIX 3 Recommended water supply service size for various developments

Item	Development type	Service length (metres)	Main cock & meter size (mm)	Service pipe size (mm)	Comments
1	Residential – Single Dwelling	<30	20	20	
2		>30	20	25	
3	Residential – Multi – No Units: 2	<30	25	32	Highest serviced floor level may be 9 metres above the main
4		>30	25	40	Highest serviced floor level may be 9 metres above the main
5	Residential – Multi – No Units: 3 to 5	<30	32	32	Highest serviced floor level may be 9 metres above the main
6		>30	32	40	Highest serviced floor level may be 9 metres above the main
7	Residential – Multi – No Units: 6 to 10	<30	32	40	Highest serviced floor level may be 9 metres above the main
8		>30	40	50	Highest serviced floor level may be 9 metres above the main
9	Residential – Multi – No Units: 11 to 16	<30	40	50	Highest serviced floor level may be 9 metres above the main
10		>30	40	65	Highest serviced floor level may be 9 metres above the main
11	Residential – Multi – No Units: 17 to 50	<30	50	65	Highest serviced floor level may be 9 metres above the main
12		>30			To be designed by Hydraulic Engineer
13	Laundromat – No of Washing Machines: 1 to 5	<30	32	32	
14	Laundromat – No of Washing Machines: 6 to 9	<30	40	40	
15	Laundromat – No of Washing Machines: 10 to 13	<30	50	50	

Mittagang Road - Lot 1 DP 845442 (corner of Yallakool Road)



APPENDIX 5 Roads and access standards**ROAD STANDARDS FOR RU1, R5, E2, E3 AND E4 ZONES**

Element	Category					
	1	2	3	4	5	6
	Right of Way 1 Lot	Right of Way 2-5 Lots	Access Road	Local Road	Collector Road	Arterial Road
Number of Lots served	1	2-5	1 - 15	16-30	>30	>30
VPD (AADT)/Lot	7	7	7	7	7	7
Design Traffic Volumes(VPD AADT)	7	8-35	7 -105	106-210	211-500	501-1000
Pavement Width (m)	3.0	3.5	3.7	6	6.6	7
Carriageway Width (m)	5	5.5	6	8	9	10
Bitumen seal (*indicates see Note B below)	No*	No*	No* (Yes in R5)	Yes	Yes	Yes
Nominal Road Reserve Width (m)	10	10	20	20	20	30
Cul-de-Sac : Pavement head minimum radius (m)			12.5	12.5		
: Maximum turning head crossfall (%)			5	5		
: Throat minimum radius (m)			40	40		
Design of Alignment:						
a) General minimum design speed (kph) (C)	40	40	60	70	80	80
b) Desirable minimum horizontal curve radius (m)			90	150	220	220
Maximum Grade % (D)						
a) If unsealed surface using erosion resistant gravels	15	15	12			
b) If unsealed surface using sandy decomposed granite	7	7	7			
c) If sealed surface	20	20	12	12	12	10
Drainage Design Frequency						
1 in years () (E) (i)	2	2	20	20	100	100
(ii)	2	2	10	10	50	50
(iii)	2	2	5	5	10	20
(iv)	2	2	2	5	10	10
Minimum Basecourse Thickness (mm) (F)	75	100	150	150	200	200
Design Traffic Loadings (ESAs)						
a) attributable to each lot	3×10^3	3×10^3	3×10^3	3×10^3	3×10^3	3×10^3
b) for maximum lots allowed	3×10^3	1.5×10^3	4.5×10^4	1×10^5	2×10^5	4×10^5

Note: VPD=Vehicles per day

AADT=Average Annual Daily Traffic

ESAs=Equivalent Standard Axles

ROAD STANDARDS FOR RU1, R5, E2, E3 AND E4 ZONES

Notes:

- A Where a Category 3 road pavement is required to be sealed, a minimum seal width of 6m shall apply where the value of $N \times L > 5$.
N= number of lots/dwellings and L= length of road in kilometres to be sealed.
- B Bitumen sealing of Category 1, 2 and 3 roads will be required to address dust impact under the following circumstances:
- (i) Where the centreline of the road is within 100m of the near edge of a building envelope or the walls of an existing or proposed building.
 - (ii) Where bitumen sealing is required at more than one location the bitumen sealing shall be linked between each site if the distance between the edge of sealing at each site is less than 200m.
- C Lower or higher design speed may be specified in special circumstances of topographical and/or environmental conservation constraints/circumstances. Road alignments shall be designed so as to ensure a consistent or gradually changing speed environment so that each curve is not incongruous with the adjoining curves thereby 'trapping' unwary drivers. In this regard where terrain or environment dictate a reduction in speed environment, geometric elements connecting the two speed environments should be designed with appropriate design speeds to provide a speed transition between elements of not more than 15-20km/h. All curves and crests which have a design speed less than the posted speed limit shall be provided with appropriate speed warning signs on each approach.
- D Permanent erosion protection, sediment control and revegetation is to be designed and constructed to protect disturbed surfaces along and adjacent to roadsides, table drains and drainage structures in accordance with sound drainage design and environmental conservation principles and practices.
- E
- (i) Bridge Structure with effective waterway area >30 square metres.
 - (ii) Major Culvert Structure with effective waterway area >3 <30 square metres.
 - (iii) Minor Culvert Structure with effective waterway area <3 square metres.
 - (iv) Catch Drains.
- Adequate provision shall be made for major system flows in all situations up to 1 in 100 Year design.
- F Pavement design, materials and construction to be in accordance with Council's Specification for Engineering Works.
- G Road driveway access within each lot shall comply with the requirements for vehicle passing and clear zones adjacent to and above the road, as set out in RFS document, Planning for Bushfire Protection 2006 or any subsequent edition or replacement of that document. Maximum grade, Drainage design and Basecourse thickness shall comply with Category 1 (Right of Way 1 lot) standard. These roads are to be aligned to minimise impact on, or interference/disturbance of native vegetation (trees, grasses, plants, etc) water courses, rock outcrops, archaeological and heritage sites. Vertical geometry is to follow the natural surface and avoid cuts/fills deeper/higher than 0.5 metres as far as practicable. Longitudinal table drains where needed are to be as small as practicable and are to be turned out to level spreaders at 20 metre (max) intervals or terminated at cross drainage culverts/causeways at 50 metre (max) intervals.

Road Standards for R1, R2, RU5, B3, B4, B5 AND IN1 Zones

Element	Category					
	7	8	9	10	11	12
	Right of Way 1 Lot	Right of Way 2-5 Lots	Access Road	Local Road	Collector Road	Arterial Road (D)
Number of Lots served	1	2-5	1-24	25-70	>70	>70
VPD (AADT)/Lot	9	9	9	9	9	9
Design Traffic Volumes(VPD AADT)	9	10-45	9-200	201-600	601-2000	2001-5000
Pavement Width (m) sealed (A)	3.0	3.5	6	7	8/10 (B)	10/12 (C)
Carriageway Width (m)	5	6	6	7	8/10	10/12
Bitumen seal (*indicates 'or other hard wearing surface')	Yes*	Yes*	Yes	Yes	Yes	Yes
Nominal Road Reserve Width (m)	5	6	12	15	20	30
Cul-de-Sac - Pavement head minimum radius (m) - Maximum turning head crossfall (%) - Throat minimum radius (m)	N/A	N/A	8 5 30	8 5 30	N/A	N/A
Design of Alignment: a) General minimum design speed (kph) b) Desirable minimum horizontal curve radius (m)	20	20	40 30	50 50	60 75	60/80 75/160
Maximum Grade %	20	20	16	16	12	10
Kerbing (see 4.1.2.4 for RU5 Zone)	N/A	N/A	Rollover	Rollover	Barrier	Barrier
Paths	N/A	N/A	No	1.2m wide on one side of road	1.2m wide on both sides of road	1 x 2.5m wide shared path + 1 x 1.2m wide
Drainage Design Frequency 1 in years () (E)	1	1	5	5	10	20
Minimum Basecourse Thickness (mm) (F)	75	100	250	250	250	250
Design Traffic Loadings (ESAs)	1 x 10 ³	2 x 10 ³	2 x 10 ⁴	5 x 10 ⁴	3.5 x 10 ⁵	2 x 10 ⁶

VPD Vehicles per day
 AADT Average Annual Daily Traffic
 ESAs Equivalent Standard Axles

ROAD STANDARDS FOR R1, R2, RU5, B3, B4, B5 AND IN1 ZONES

Notes:

- A Road Category 7 and 8 standards may be used in RU5 zones where a developer needs to construct an unformed or partly formed Council road serving less than 6 dwellings.
- B Pavement/carriageway 10m wide shall apply on bus routes.
- C Pavement/carriageway 12m wide shall apply in IN1 zone and on bus routes.
- D This road standard shall apply in IN1 zone.
- E Adequate provision shall be made for major system flows in all situations up to 1 in 100 year design.
- F Pavement design, materials and construction to be in accordance with Council's Specification for Engineering Works.

APPENDIX 6 Specification for the construction of vehicular crossings

1 GENERAL

The *Local Government Act, 1993* and the *Roads Act, 1993* places on Council the responsibility for the care and control of public road reserves. Council's approval is, therefore, necessary prior to undertaking any works within the road reserve. This includes the construction of vehicle crossings on public footpaths and vehicular entrances to rural and village allotments.

Procedures and specifications are set out below to facilitate the achievement of a satisfactory level of workmanship, performance and public safety, thereby enabling Council to meet its obligations.

2 SAW CUTTING OF PAVED AREAS ASPHALT/CONCRETE PAVEMENTS ONLY

Where sealed or paved areas are to be disturbed to accommodate excavations, such surfaces shall be saw-cut parallel to an existing edge or joint line prior to excavation.

3 FOUNDATIONS

Excavations shall be made to the required depth so as to provide a compact subgrade surface, parallel to finished surface levels.

Where the proposed driveway is located on filled ground, the fill shall be well compacted.

4 CONSTRUCTION DETAILS

Construction details are shown on Council's Standard Drawings **B 163, D 243 (URBAN) and B 238 (RURAL)**.

CONCRETE:

- Concrete reinforcement required for all applications.
- Reinforcement is to be accurately placed and securely supported utilising metal or plastic bar chairs.
- Clear top cover to reinforcement shall be 35 mm \pm 5 mm.
- Gutters and drainage lines shall be kept clear so as to permit the free flow of water.

BITUMEN:

- Bitumen sealing of driveways in rural areas shall be 14 mm seal first coat, 7 mm seal second coat (Two coat seal).

5 CONCRETE CHARACTERISTICS

Only ready-mixed concrete is to be used.

Minimum Concrete Strength:

Grade 25 MPa

Slump:

80 mm \pm 15 mm

Nominal Maximum Aggregate Size:

20 mm

6 CONCRETE FINISH

A non-skid texture is to be provided by either:

- (a) exposed aggregate finish; or
- (b) broom finish at right angles to the direction of traffic flow.

7 CONCRETE CURING AND PROTECTION

Concrete is to be cured for at least 72 hours, taking precautions to prevent rapid drying out or freezing of the concrete. Acceptable methods are:

- (a) Covering concrete, which has been moistened with an impermeable membrane in such a manner so as to prevent air circulation at the concrete surface.
- (b) Using an absorptive cover, kept continuously moist.
- (c) Applying an approved curing agent.

Forms should remain in place for at least 48 hours.

Light vehicles are to be prevented from using the driveways for at least 7 (seven) days after the concrete is poured. This period should be extended during cold periods. Heavy vehicles should not use the driveway for at least 21 (twenty-one) days after pouring.

Applicants/Owners are to ensure no concrete is washed into kerb and gutter/stormwater drainage at any time during construction. This includes cleanout of concrete delivery vehicles.

8 RESTORATION OF SITE

Immediately upon completion of concrete works, the Contractor shall remove and dispose of all surplus material and rubbish. The site shall be left clean and tidy, finished to uniform grades, free of depressions and with all surfaces making smooth junctions with existing levels.

All adjoining road and footpath pavements are to be reinstated. Disturbed nature strips are to be regressed.

9 MAINTENANCE

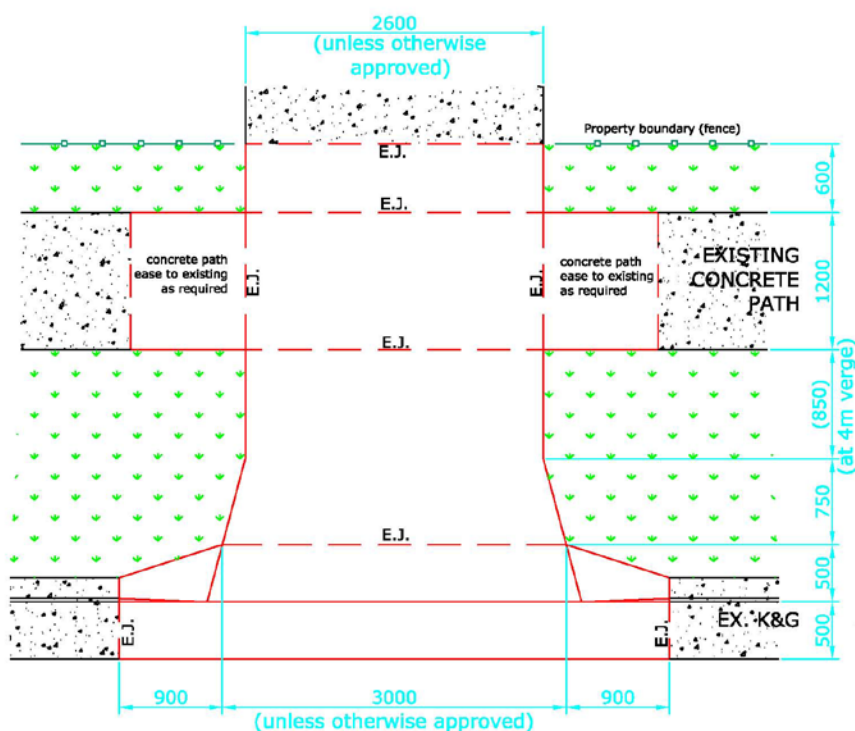
Future maintenance of the work will be the property owner's responsibility. Any work not executed to the Engineer's satisfaction, shall be made good at the Applicant's expense.

10 INSPECTIONS

Arrangements are to be made for inspections by the Engineer at the following stages:

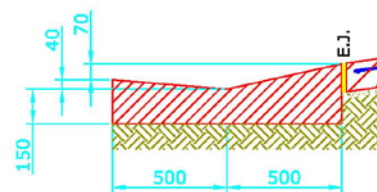
- a) Prior to construction works the erection/implementation of the approved Traffic Management Plan's provisions.
- b) Following erection of formwork and reinforcement, prior to pouring concrete or prior to the construction of a culvert.
- c) Prior to bitumen sealing.
- d) On completion.

Following the inspection of works required in respect of the Traffic Management Plan, the applicant can proceed with the works providing the inspections indicated above are undertaken prior to further works. Where possible concurrent inspections may be made following inspection of work associated with the Traffic Management Plan.

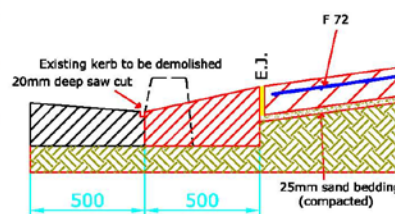
**PLAN OF STANDARD CROSSING**

(Standard location of footpath 600mm from boundary)

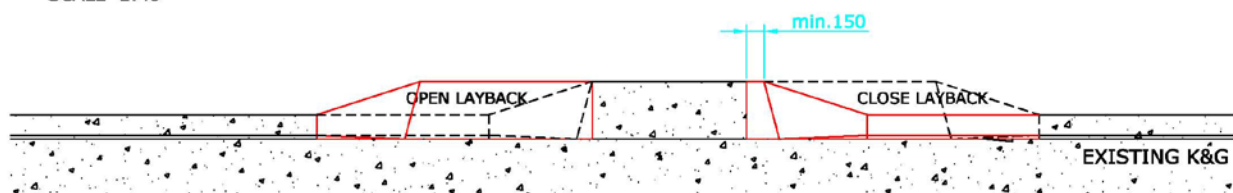
SCALE 1:40

**DETAIL A
(new K&G layback)**

SCALE 1:20

**DETAIL B (new layback only)**

SCALE 1:20

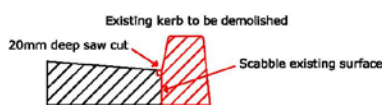
**LAYBACK OPENING AND CLOSING DETAIL**

SCALE 1:40

**DETAIL SECTION**

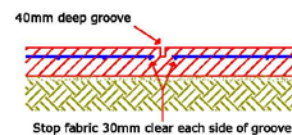
FOR "OPEN LAYBACK"

SCALE 1:20

**DETAIL SECTION**

FOR "CLOSE LAYBACK"

SCALE 1:20

**CONTRACTION JOINT DETAIL**

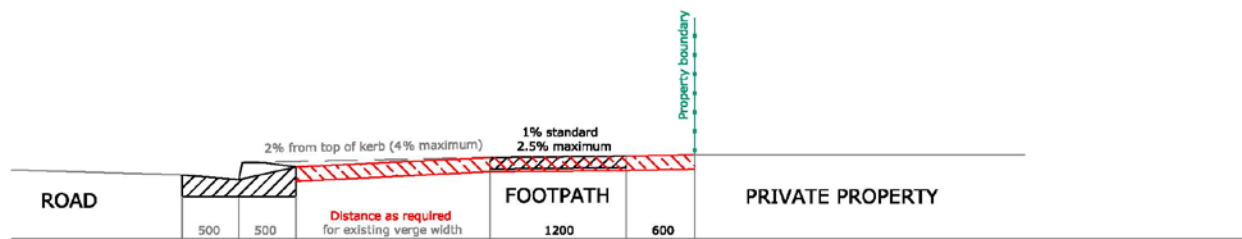
SCALE 1:20

NOTES:

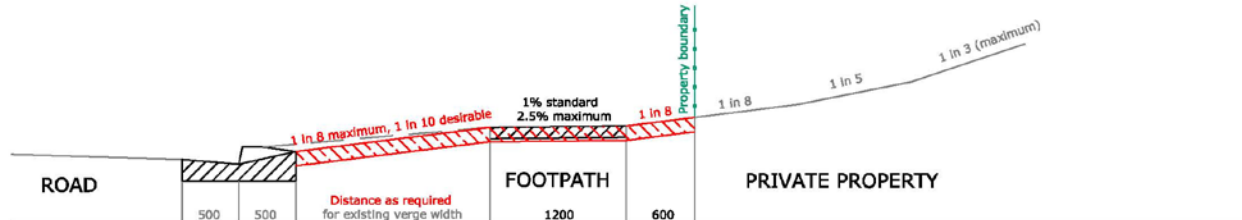
1. Read this drawing in conjunction with the specification and other contract documents.
2. Minimum concrete slab thickness shall be: Light duty 125mm, medium duty 150mm, heavy duty 175mm. Minimum concrete strength 25MPa. All slabs to be reinforced.
3. Where new concrete is to be bonded to existing, scabble the existing surface and clean with water.
4. Expansion joint "E.J." shall be filled with 10mm thick bitumen impregnated preformed jointing material. Installed flush with concrete surface.
5. Contraction joints (see detail) shall be provided where shown or where slab length exceeds 5m. Refer to Engineer for location.
6. All exposed concrete edges shall be rounded to 10mm radius.
7. Provide 35mm top cover to reinforcing fabric.

NOTE: This drawing supersedes the 1992 original drawing.

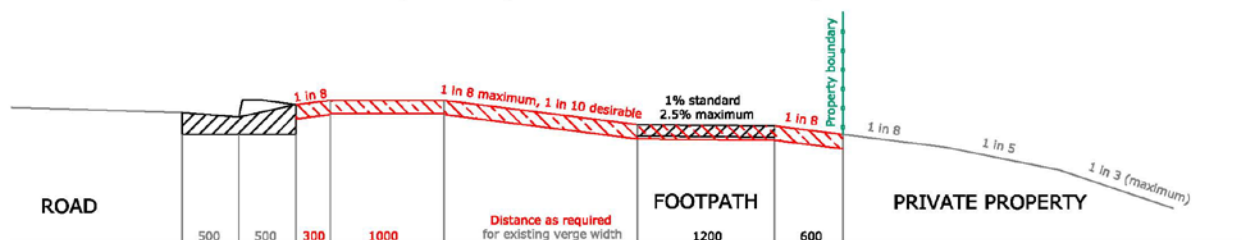
SCALES: as shown @A3	DRAWN BY: W.H., 11/04/2011	COOMA-MONARO SHIRE COUNCIL	SHEET: 1 of 1
NOTES:	FILE: AUTOCAD 'FOOTPATH CROSSING'	STANDARD VEHICULAR FOOTPATH (URBAN) CROSSING, PLAN & DETAIL	B 163
	CHECKED / APPROVED BY: P.B.		
	ORIGINALLY ADOPTED: 18/11/1992		



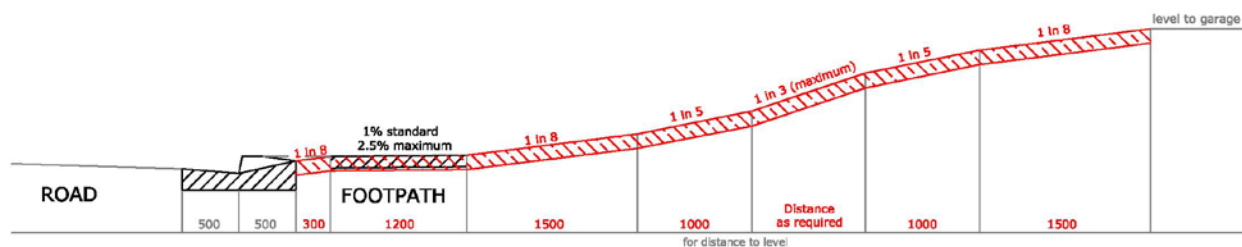
STANDARD FOOTPATH SECTION, Footpath in standard position



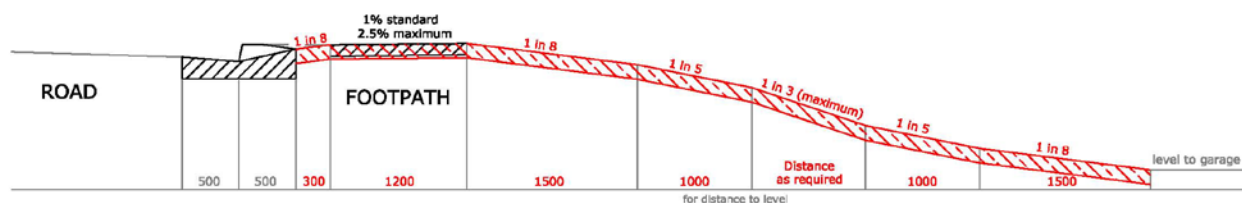
HIGH LEVEL SECTION, Footpath in standard position



LOW LEVEL SECTION, Footpath in standard position



HIGH LEVEL SECTION, Footpath behind gutter crossing

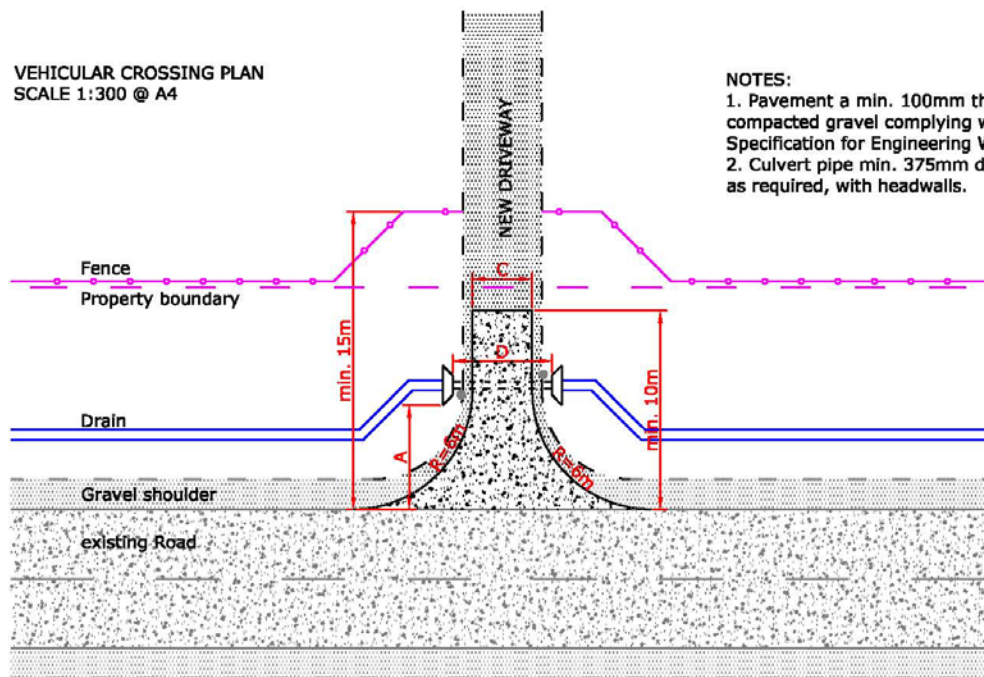


LOW LEVEL SECTION, Footpath behind gutter crossing

NOTE: This drawing supersedes the 1977 and 2001 drawings.

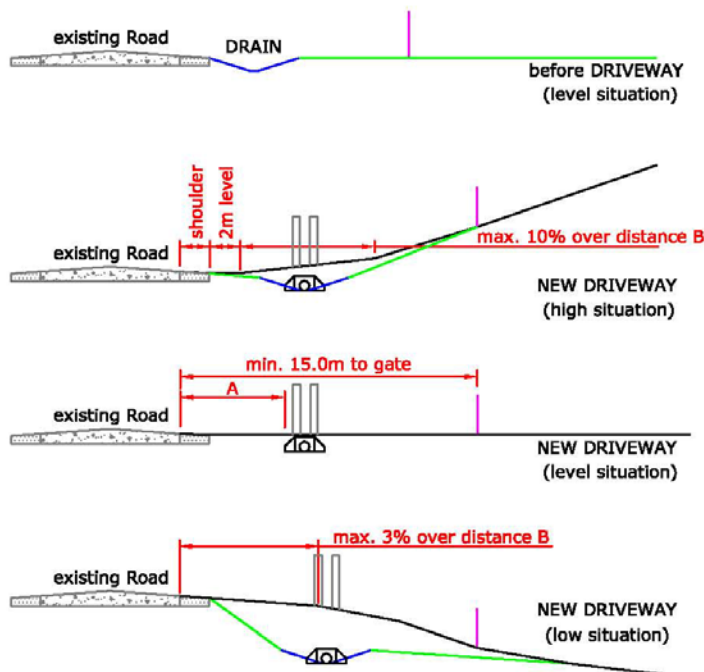
SCALES: 1:40 @A3	DRAWN BY: W.H., 11/04/2011	COOMA-MONARO SHIRE COUNCIL	SHEET: 1 of 1
NOTES:	FILE: AUTOCAD 'FOOTPATH CROSSING'	STANDARD VEHICULAR FOOTPATH (URBAN) CROSSING, LONG SECTIONS	D 243
	CHECKED / APPROVED BY: P.B.		
	ORIGINALLY ADOPTED: 8.9.1977		

VEHICULAR CROSSING PLAN
SCALE 1:300 @ A4



NOTES:

1. Pavement a min. 100mm thick compacted gravel complying with Council Specification for Engineering Works.
2. Culvert pipe min. 375mm diameter or as required, with headwalls.



VEHICULAR CROSSING LONG SECTIONS
N.T.S.

CODE	DIMENSION
A	6m - 100kph design speed
A	4m - 80kph design speed
A	2.5m - 60kph design speed
B	6m
C	3m - single entrance
C	6m - double entrance
D	7m for C=3m, A=2.5m
D	5m for C=3m, A=4or6m
D	10m for C=6m, A=2.5m
D	8m for C=6m, A=4or6m

NOTES:

3. On sealed roads, provide bitumen sealed vehicular crossings for at least the first 10m.
4. Any gate to be set back min. 15m from the edge of the pavement. Increase set back to 20m if gate opens towards the road.
5. Guideposts are to be erected as shown and in accordance with Council Specification.

NOTE: This drawing supersedes all earlier editions.

SCALES: as shown	DRAWN BY: W.H., 11/04/2011	COOMA-MONARO SHIRE COUNCIL	SHEET: 1 of 1
NOTES: Amended 25.3.11, W.H.	FILE: AUTOCAD 'VEHICULAR CROSSING'	STANDARD VEHICULAR RURAL CROSSING Roads other than State Highways	B 238
	CHECKED / APPROVED BY: P.B.		
	ORIGINALLY ADOPTED: 7/1/2002		

APPENDIX 7 Car parking rates and space design for people with a disability

Table D3.5 car parking spaces for people with a disability

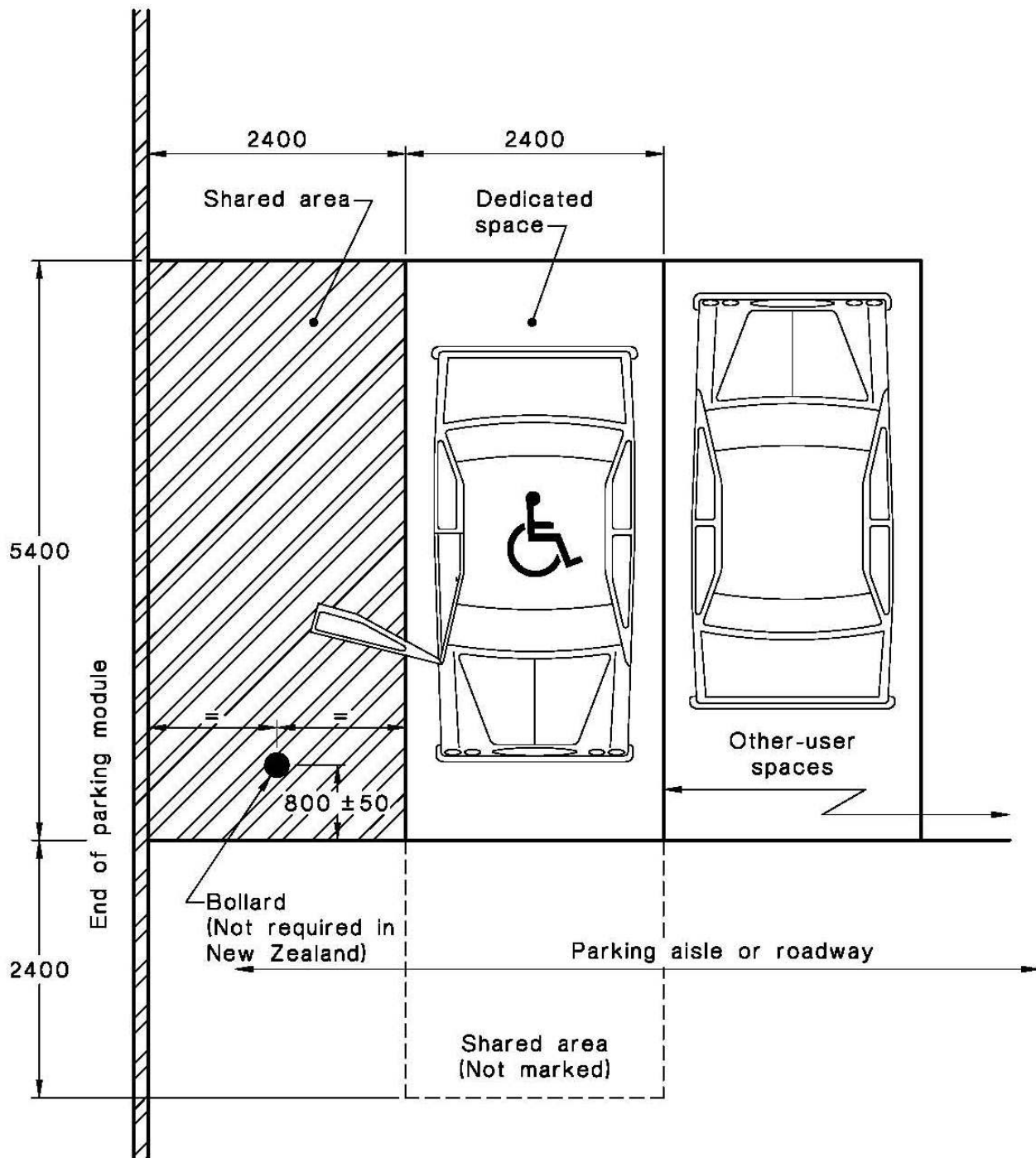
Note: This Table is an extract from the National Construction Code which regulates building construction nation-wide, and compliance with it is a legislative requirement. A copy is provided here for convenience.

Table D3.5 car parking spaces for people with a disability

Class of a building to which the carpark or carparking area is associated	Number of accessible carparking spaces required
Class 1b and 3	
a) Boarding house, guest house, hostel, lodging house, backpackers accommodation, or the residential part of a hotel or motel.	To be calculated by multiplying the total number of carparking spaces by the percentage of – i) <i>accessible sole-occupancy units</i> to the total number of <i>sole-occupancy units</i> ; or ii) <i>accessible bedrooms</i> to the total number of bedrooms; and the calculated number is to be taken to the next whole figure.
b) Residential part of a <i>school</i> accommodation for the aged, disable or children, residential part of a <i>health-care building</i> which accommodates members of staff or the residential part of a <i>detention centre</i> .	1 space for every 100 carparking spaces or part thereof.
Class 5, 7, 8 or 9c	1 space for every 100 carparking spaces or part thereof.
Class 6	
a) Up to 1000 carparking spaces; and	1 space for every 50 carparking spaces or part thereof.
b) for each additional 100 carparking spaces or part thereof in excess of 1000 carparking spaces.	1 space.
Class 9a	
a) Hospital (non-outpatient area)	1 space for every 100 carparking spaces or part thereof.
b) Hospital (outpatient area) - i) up to 1000 carparking spaces; and ii) for each additional 100 carparking spaces or part thereof in excess of 1000 carparking spaces	1 space for every 50 carparking spaces or part thereof. 1 space.
c) Nursing home	1 space for every 100 carparking spaces or part thereof.
d) Clinic or day surgery not forming part of a hospital.	1 space for every 50 carparking spaces or part thereof.
Class 9b	
a) <i>School</i>	1 space for every 100 carparking spaces or part thereof.
b) Other <i>assembly building</i> — i) up to 1000 carparking spaces; and ii) for each additional 100 carparking spaces or part thereof in excess of 1000 carparking spaces.	1 space for every 50 carparking spaces or part thereof. 1 space.

Source: National Construction Code 2013

Note: This diagram is an extract from Australian Standard 2890.6 which provides minimum design requirements for disabled parking spaces where they are required in a development, and compliance with it is a legislative requirement through the National Construction Code. A copy is provided here for convenience.



DIMENSIONS IN MILLIMETRES

FIGURE 2.2 EXAMPLE OF AN ANGLE PARKING SPACE WITH SHARED AREA ON ONE SIDE ONLY—DIMENSIONS FOR AUSTRALIA ONLY*

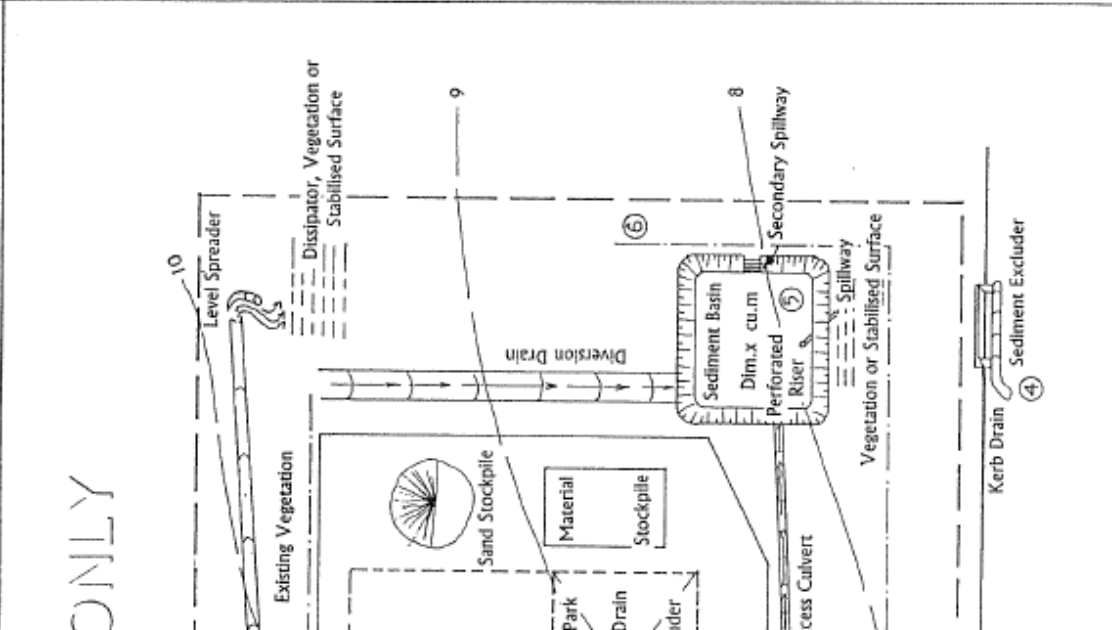
Source: Australian Standard AS/NZS 2890.6:2009.

APPENDIX 8 Erosion and sediment control sample plans and information

EROSION / SEDIMENTATION CONTROL	HOUSE CONSTRUCTION	COOMA-MONARO SHIRE COUNCIL
<p>LEGEND</p> <ul style="list-style-type: none"> --- Property Boundary - - - Contour line - - - Silt fence ==== Vegetation ⑤ Refer to examples of structures <p>Note</p> <ol style="list-style-type: none"> 1 No vehicle crossing or stockpiling of material on vegetated buffer. 2 All sediment control structures to be inspected and maintained by site manager daily. 3 All sediment retaining structures to be cleared on reaching 50% storage capacity. Sediment removed is to be spread within construction site. 4 All existing vegetation will be retained outside the construction site. 	<p style="text-align: center; font-size: 2em; opacity: 0.5;">EXAMPLE ONLY</p>	<p>Scale</p> <p>North</p>
<p>Prepared by Drawn by Date</p>	<p>Property Description</p> <p>Applicant</p>	

EROSION / SEDIMENT CONTROL * EXAMPLE * CUT AND FILL WORKS	COOMA-MONARO SHIRE COUNCIL
<p style="text-align: center; font-size: 2em; font-weight: bold;">EXAMPLE ONLY</p>	<p>LEGEND</p> <ul style="list-style-type: none"> --- Property Boundary - - - Contour line - - - Silt fence /// Vegetation ① Refer to examples of structures <p>Note</p> <ol style="list-style-type: none"> 1 No manoeuvring of vehicles or stockpiling of materials outside the construction site. 2 All sediment control structures to be inspected and maintained by site manager daily. 3 All sediment retaining structures to be cleared on reaching 50% storage capacity. Sediment removed is to be spread within construction site. 4 All existing vegetation will be retained outside the construction site. 5 Drainage is to be connected to stormwater system immediately on completion. 6 Construction site stabilisation to commence immediately on completion of works.
Prepared by Drawn by Date	Scale in Metres North

COOMA-MONARO SHIRE COUNCIL	EROSION / SEDIMENTATION CONTROL PLAN	MEDIUM DENSITY DEVELOPMENT			
<p>EXAMPLE ONLY</p>			<p>LEGEND</p> <ul style="list-style-type: none">--- Property Boundary- - - Contour line- - - Silt fence== Vegetation <p>① Refer to examples of structures</p> <p>Note</p> <ol style="list-style-type: none">No manoeuvring of vehicles or stockpiling of materials outside the construction site.All sediment control structures to be inspected and maintained by site manager daily.All sediment retaining structures to be cleared on reaching 50% storage capacity. Sediment removed is to be spread within construction site.All existing vegetation will be retained outside the construction site.Drainage is to be connected to stormwater system immediately on completion.Construction site stabilisation to commence immediately on completion of works.		
Prepared by	Applicant	Property Description	Scale in Metres	North	
Drawn by					
Date					

EROSION / SEDIMENT CONTROL * EXAMPLE *	COMMERCIAL / INDUSTRIAL DEVELOPMENT	COOMA-MONARO SHIRE COUNCIL
<p style="text-align: center; font-size: 2em; font-weight: bold;">EXAMPLE ONLY</p> 	<p>LEGEND</p> <ul style="list-style-type: none"> --- Property Boundary — Contour line — Silt fence — Vegetation <p>① Refer to examples of structures</p> <p>Note</p> <ol style="list-style-type: none"> 1 No manoeuvring of vehicles or stockpiling of materials outside the construction site. 2 All sediment control structures to be inspected and maintained by site manager daily. 3 All sediment retaining structures to be cleared on reaching 50% storage capacity. Sediment removed is to be spread within construction site. 4 All existing vegetation will be retained outside the construction site. 5 Drainage is to be connected to stormwater system immediately on completion. 6 Construction site stabilisation to commence immediately on completion of works. 	<p>Scale in Metres</p> <p>North</p>
<p>Prepared by _____</p> <p>Drawn by _____</p> <p>Date _____</p>	<p>Applicant _____</p> <p>Property Description _____</p>	<p>COOMA-MONARO SHIRE COUNCIL</p>

COOMA-MONARO SHIRE COUNCIL	<p style="text-align: center;">EROSION / SEDIMENTATION CONTROL PLAN</p> <p style="text-align: center;">RESIDENTIAL / RURAL RESIDENTIAL SUBDIVISION</p>	<p style="text-align: center;">Property Description</p>
<p style="text-align: center;">LEGEND</p> <p>--- Property Boundary</p> <p>--- Contour Line</p> <p>--- Silt Fence</p> <p>--- Vegetation</p> <p>① Refer to examples of structures</p> <p>--- Lot Layout</p> <p>--- Cleared Area</p>		<p>Scale</p> <p>North</p>
<p>Note</p> <p>1 Individual sediment control plans will be submitted for each house at Development Application stage.</p> <p>2 Silt fences will also act as a vegetation protection fence and will be maintained until all house construction and site stabilisation is complete.</p> <p>3 Sediment basins and diversion banks will be maintained until all house construction and site stabilisation is complete.</p> <p>4 Silt traps will be removed after road surface is sealed and stormwater drainage is completed.</p> <p>5 Clearing of vegetation will be restricted to 10 meters either side of the road.</p> <p>6 Cleared areas will be seeded with appropriate ground cover species immediately on completion of clearing works.</p> <p>7 No vehicle crossing or stockpiling of material on vegetated buffer.</p> <p>8 All sediment control structures to be inspected and maintained by site manager daily.</p> <p>9 All sediment retaining structures to be cleared on reaching 50% storage capacity. Sediment removed is to be spread within construction site.</p> <p>10 All existing vegetation will be retained outside the construction site.</p>	<p>EXAMPLE ONLY</p>	<p>Prepared by</p> <p>Drawn by</p> <p>Date</p>

1. Stabilised Access

Purpose – minimise transport of sediment by vehicle wheels onto public streets.

Dimensions – minimum 15 meters long, 3 meters wide.

Geofabric Layer

Purpose – stop gravel being compressed into underlying soil
construction – single layer high strength geofabric.

Shaker Ramp

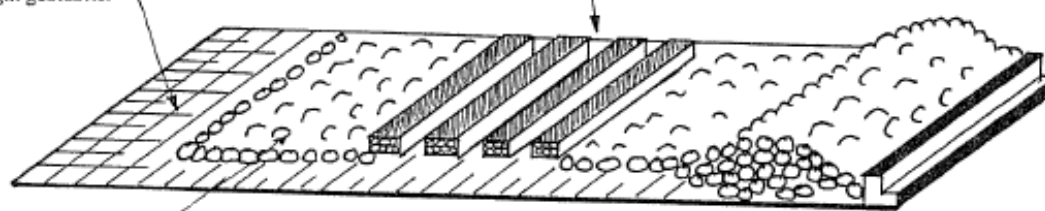
Purpose – vibrate vehicles to remove sediment prior to leaving site.
Construction – wood slats or metal grid 100 mm high and spaced at 200 mm.

Course Aggregate

Purpose – eliminate transportation of fine sediment.
Construction – bed of 75 mm aggregate, minimum 150mm thick.

Hump

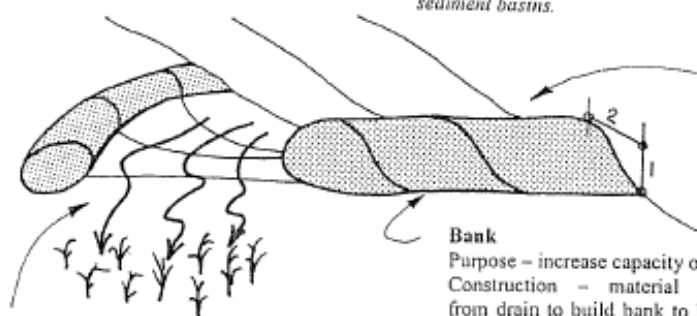
Purpose – stop dirty water leaving via access.
Construction – mound of course aggregate.



2. Diversion Bank & Channel

Purpose – Run across slope, reducing catchment size, diverting surface flow away from disturbed area to safe disposal, or transporting contaminated runoff to control structure.

Use – Above all disturbed areas and in conjunction with silt ponds and sediment basins.



Level Spreader

Purpose – reduce velocities of channel flow and divert to non-erosive surface.
Construction – create level surface for discharge of channel flow, minimum width 4 meters.

Bank

Purpose – increase capacity of drain.
Construction – material excavated from drain to build bank to batter less than 1:2 grade. Stabilised with grass. Topsoil to be protected.

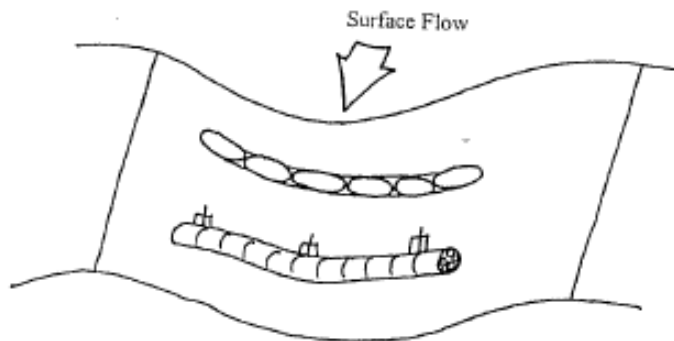
Channel

Purpose – divert water away from disturbed areas or to control structures.
Construction – excavate channel perpendicular to slope to a depth of at least 150 mm. Maximum grade 1%.

3. Grade Stabilising Structure

Purpose – create non-erosive flows

Use – In all channels that run down slope ie not perpendicular to slope or parallel to contours.



Grade Stabilising Structure

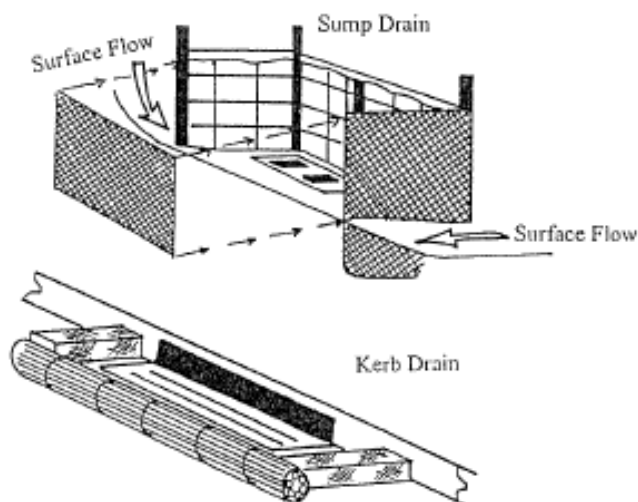
Purpose – reduce water velocities to non-erosive level in steep channels

Construction – sand bags containing sand cement mix placed perpendicular to slope, or gravel rolled in geofabric and staked into ground.

4. Sediment Excluder / Drains

Use – Located at all kerb drains likely to receive contaminated runoff.

Note – Not to be placed in a publicly used roadway.



Sump Drain Excluder

Purpose – filter sediment from runoff entering drain

Construction – 500 mm high square of geofabric embedded 200 mm in soil, supported by reinforcing mesh attached to stakes driven 500 – 700 mm into ground. Geofabric placed on all four sides of drain.

Use – all sump drains in disturbed area.

Kerb Drain Excluder

Purpose – filter sediment from runoff entering drain.

Construction – coarse gravel rolled into netting material totalling 200 mm high and placed adjacent to kerb drain inlet.

Hollow masonry bricks rolled in geofabric are placed between roll and gutter at either end of drain.

5. Sediment Basin

Diversion Channel

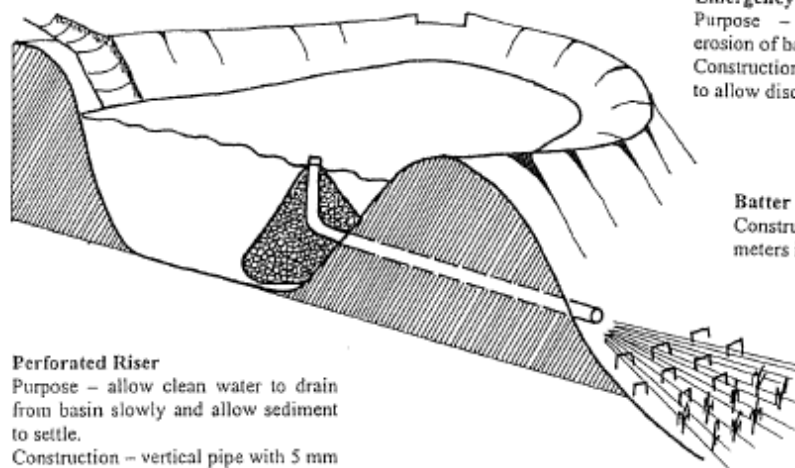
Purpose – direct contaminated water into sediment basin

Construction (see item 2)

Purpose – intercept contaminated runoff from disturbed areas and allow sediment to settle.

Use – in development involving earthworks, clearing or in proximity to environmentally sensitive areas.

Dimensions – 150-200 meters cubed capacity per hectare of disturbed catchment depending upon soil erodibility.



Emergency Spillway

Purpose – avoid overtopping and erosion of basin wall

Construction – at natural ground level to allow discharge onto stable surface

Batter

Construction – less than 1:3, less than 3 meters in height, 900 mm freeboard.

Perforated Riser

Purpose – allow clean water to drain from basin slowly and allow sediment to settle.

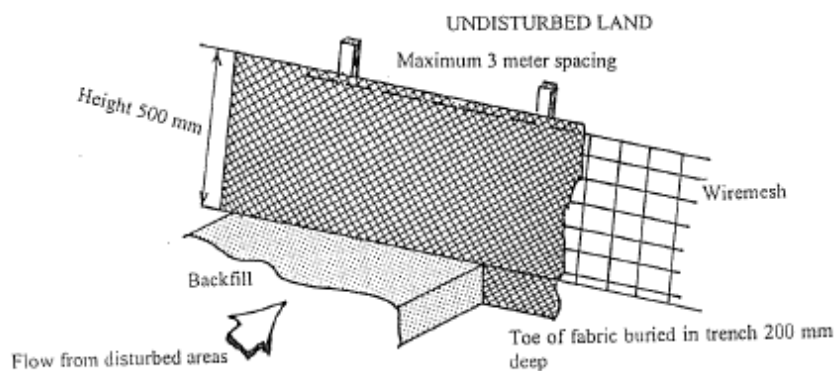
Construction – vertical pipe with 5 mm holes surrounded by a pyramid of coarse gravel, the top of the pipe opens at maximum water level to stop overtopping of basin

Dissipator/Outlet/Spillway

Purpose – reduce velocity of spillway and outlet flows to non-erosive velocities and direct onto non-erodible surface e.g. vegetated.

6. Silt Fence

Purpose – filter sediment from runoff.
Use – downslopes from all disturbed sites and sediment control structures



7. Silt Trap

Purpose – provide method of transporting runoff over steep slopes without causing erosion.

Use – in all instances when water is directed over a steep slope or batter. A sump style drain is an alternative.

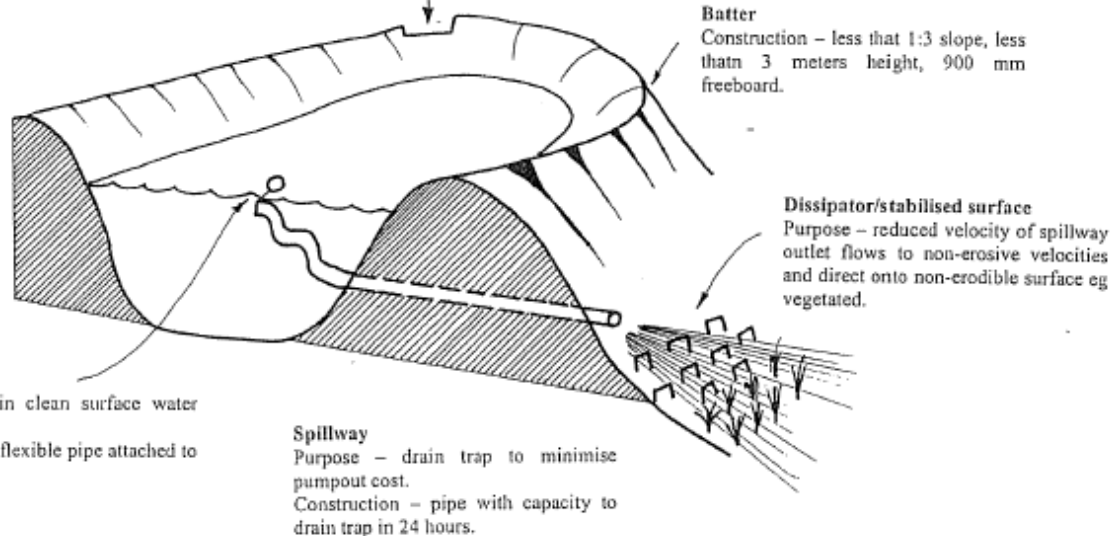
Emergency Spillway

Purpose – avoid overtopping and erosion of trap wall.

Construction – low point in bank draining to stabilised surface.

Batter

Construction – less than 1:3 slope, less than 3 meters height, 900 mm freeboard.



Floating Inlet

Purpose – drain clean surface water from trap

Construction – flexible pipe attached to buoy.

Spillway

Purpose – drain trap to minimise pumpout cost.

Construction – pipe with capacity to drain trap in 24 hours.

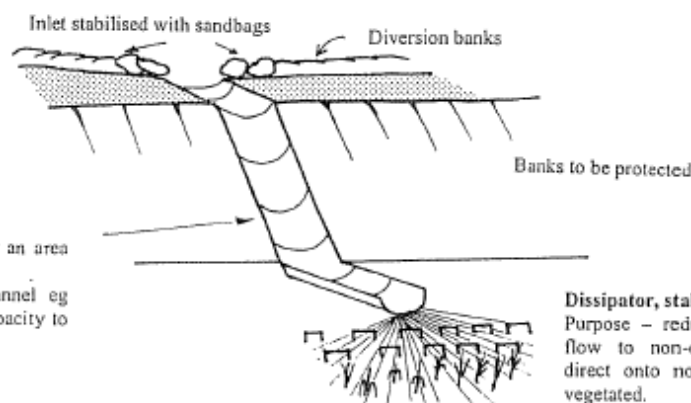
Dissipator/stabilised surface

Purpose – reduced velocity of spillway outlet flows to non-erosive velocities and direct onto non-erodible surface eg vegetated.

8. Slope Drain

Purpose – provide method of transporting runoff over steep slopes without causing erosion

Use – in all instances when water is directed over steep slope or batter. A sump style drain is an alternative.



Drain

Purpose – convey runoff over an area with high erosion potential

Construction – stabilised channel eg concrete lined or pipe with capacity to carry storm flows

Dissipator, stabilised surface

Purpose – reduced velocity of drain flow to non-erosive velocities and direct onto non-erodible surface, eg vegetated.

APPENDIX 9 Flood proofing guidelines

1 Construction methods and materials

Construction methods and materials are graded into four classes according to their resistance to floodwaters.

Suitable – The materials or products which are relatively unaffected by submersion and unmitigated flood exposure and are the best available for the particular application.

Mild effects – Where the most suitable materials or products are unavailable or economic considerations prohibit their use, these materials or products are considered the next best choice to minimise the damage caused by flooding.

Marked effects – The materials or products are more liable to damage under flood conditions than 'mild effects' materials or products.

Severe effects – The materials or products listed here are seriously affected by floodwaters and in general have to be replaced if submerged.

2 Electrical and mechanical equipment

For dwellings constructed on flood liable land, the electrical and mechanical material/s, equipment and installation process shall conform to the following requirements.

Main power supply – Subject to the approval of the relevant electricity supply authority, the incoming main commercial power service equipment, including all metering equipment, shall be located above the 1:100 Annual Exceedence Probability flood. Means shall be made available to easily disconnect the dwelling from the main power supply.

Wiring – All wiring, power outlets, switches, etc, shall, to the maximum extent possible, be located above the 1:100 Annual Exceedence Probability flood, shall be suitable for continuous submergence in water and shall contain no fibrous components. Only submersible-type splices shall be used below the 1:100 Annual Exceedence Probability flood. All conduits located below the 1:100 Annual Exceedence Probability flood shall be so installed that they will be self-draining if subjected to flooding.

Equipment – All equipment installed below or partially below the 1:100 Annual Exceedence Probability flood shall be capable of disconnection by a single plug and socket assembly.

Reconnection – Should any electrical device and/or part of the wiring be flooded it shall be thoroughly cleaned or replaced and checked by an approved electrical contractor before reconnection.

3 Heating and air conditioning systems

Heating and air conditioning systems shall to the maximum extent possible be installed in areas and spaces of the house above the 1:100 Annual Exceedence Probability flood. When this is not feasible every precaution shall be taken to minimise the damage caused by submersion according to the following guidelines.

Fuel – Heating systems using gas or oil as a fuel shall have a manually operated valve located in the fuel supply line to enable fuel cut-off.

Installation – The heating equipment and fuel storage tanks shall be mounted on and securely anchored to a foundation pad of sufficient mass to overcome buoyancy and prevent movement that could damage the fuel supply line. All storage tanks shall be vented to an elevation of 600mm above the 1:100 Annual Exceedence Probability flood.

Ducting – All ductwork located below the 1:100 Annual Exceedence Probability flood shall be provided with openings for drainage and cleaning. Self-draining may be achieved by constructing the ductwork on a suitable grade. Where ductwork must pass through a watertight wall or floor below the 1:100 Annual Exceedence Probability flood, the ductwork shall be protected by a closure assembly operated from above the 1:100 Annual Exceedence Probability flood.

Table of Flood Proofing Guidelines

Component	Order of preference suitable	Mild effects	Marked effects	Severe effects
Flooring and sub-flooring structure	<ul style="list-style-type: none"> Concrete slab-on-ground monolith construction note: clay filling is not permitted beneath slab-on-ground construction, which could be inundated Suspension reinforced concrete slab 	<ul style="list-style-type: none"> Timber floor (T&G boarding, marine plywood) full epoxy sealed joints 	<ul style="list-style-type: none"> Timber floor (T&G boarding, marine plywood) with ends only epoxy-sealed on joints and provision of side clearance for board swelling 	<ul style="list-style-type: none"> Timber close to ground with surrounding base Timber flooring with ceilings or soffit linings Timber flooring with seal on top only
Floor covering	<ul style="list-style-type: none"> Clay tiles Concrete, precast or in-situ Epoxy, formed-in-place Rubber sheets or tiles with chemical-set adhesive Asphalt tiles, fixed with water resistant adhesive 	<ul style="list-style-type: none"> Cement/bituminous formed-in-place Cement/latex formed-in-place Rubber tiles with chemical-set adhesive Terrazzo Vinyl tile with chemical-set adhesive Loose rugs Ceramic tiles with acid and alkali-resistant grout 	<ul style="list-style-type: none"> Asphalt tiles with asphaltic adhesive Loose-fit nylon or acrylic carpet with closed cell rubber underlay 	<ul style="list-style-type: none"> Carpeting, glue-down type or fixed with smooth edge on jute felts Chipboard (particle board) Cork Linoleum PVA emulsion cements Vinyl sheets or tiles coated on cork or wood backings Fibre matting (sea-grass matting)
Wall structure (up to the 1:100 AEP flood)	<ul style="list-style-type: none"> Solid brickwork, blockwork, reinforced concrete or mass concrete 	<ul style="list-style-type: none"> Two skins of brickwork or blockwork with inspection openings 	<ul style="list-style-type: none"> Brickwork or blockwork veneer construction with inspection openings 	<ul style="list-style-type: none"> Inaccessible cavities Large window openings
Roofing structure (for situations where 1:100 AEP flood is above the ceiling)	<ul style="list-style-type: none"> Reinforced concrete construction Galvanized metal construction 	<ul style="list-style-type: none"> Timber trusses with galvanised fittings 	<ul style="list-style-type: none"> Traditional timber roof construction 	<ul style="list-style-type: none"> Inaccessible flat roof construction Ungalvanised steel work eg lintels, arch bars, tie rods, beams etc Unsecured roof tiles

Component	Order of preference suitable	Mild effects	Marked effects	Severe effects
Doors	<ul style="list-style-type: none"> • Solid panel with waterproof adhesives • Flush door with marine ply filled with closed cell foam • Painted metal construction • Aluminium or galvanised steel frame 	<ul style="list-style-type: none"> • Flush panel or single panel with marine plywood and waterproof adhesive • T&G line door, framed ledged and braced • Painted steel • Timber frame fully epoxy-sealed before assembly 	<ul style="list-style-type: none"> • Fly-wire doors • Standard timber frame 	<ul style="list-style-type: none"> • Hollow core ply with PVA adhesives and honey-comb paper core
Wall and ceiling linings	<ul style="list-style-type: none"> • Asbestos-cement board • Brick, face and glazed • Clay tile glazed in waterproof mortar • Concrete block • Steel with waterproof applications • Stone, natural solid or veneer, waterproof grout • Glass blocks • Glass • Plastic sheeting or wall with waterproof adhesive 	<ul style="list-style-type: none"> • Brick, common • Plastic wall tiles • Metals, non-ferrous • Rubber mouldings and trim • Wood, solid or exterior grade plywood fully sealed 	<ul style="list-style-type: none"> • Chipboard exterior grade • Hardboard exterior grade • Wood, solid (boards or trim) with allowance for swelling' • Wood, plywood exterior grade • Fibrous plasterboard 	<ul style="list-style-type: none"> • Chipboard • Fibreboard panels • Mineral fibreboard • Paperboard • Plasterboard, gypsum plaster • Wall coverings (paper, burlap cloth types) • Wood, standard plywood strawboard
Insulation	<ul style="list-style-type: none"> • Aluminium frame with stainless steel or brass rollers 	<ul style="list-style-type: none"> • Reflective insulation 	<ul style="list-style-type: none"> • Bat or blanket types 	<ul style="list-style-type: none"> • Open-cell fibre types
Windows	<ul style="list-style-type: none"> • Brass, nylon or stainless steel • Removable pin hinges 	<ul style="list-style-type: none"> • Epoxy-sealed timber waterproof glues with stainless steel or brass fittings • Galvanised or painted steel 		<ul style="list-style-type: none"> • Timber with PVA glues mild steel fittings
Nails, bolts, hinges and fittings		<ul style="list-style-type: none"> • Galvanised steel • Aluminium 		<ul style="list-style-type: none"> • Mild steel

APPENDIX 10 Flood planning control matrix

Floor Level

- 1 All floor levels to be equal to or greater than the 1:20 Annual Exceedence Probability flood plus 0.3 metres (freeboard).
- 2 Habitable floor levels to be equal to or greater than the 1:100 Annual Exceedence Probability flood plus 0.5 metres (freeboard).
- 3 All floor levels to be equal to or greater than the possible maximum flood.

Flood Compatible Building Components

- 1 All structures to have flood compatible building components below or at the 1:100 Annual Exceedence Probability flood level that can withstand the force of floodwater, debris and buoyancy up to a 1:100 Annual Exceedence Probability flood.
- 2 All structures to be constructed of flood compatible building materials below or at the possible maximum flood.

Structural Soundness

- 1 Engineer's report by a suitably experienced and qualified professional to prove any structure subject to a flood up to and including the 1:100 Annual Exceedence Probability flood level can withstand the force of floodwater, debris and buoyancy.
- 2 Any structure subject to a flood up to and including the 1:100 Annual Exceedence Probability flood shall withstand the force of floodwater, debris and buoyancy.
- 3 Any structure subject to a flood up to and including the possible maximum flood level shall withstand the force of floodwater, debris and buoyancy.
- 4 Geotechnical Engineer's report by a suitably experienced and qualified professional required to specify appropriate filling earthworks and the means of retention of batters against scoring/erosion.

Flood Effects on Others

- 1 Engineer's report by a suitably experienced and qualified professional required to prove that the development will not increase flood affection elsewhere.

Evacuation/Access

- 1 Suitable access for pedestrians required during a 1:100 Annual Exceedence Probability flood.
- 2 Suitable access for pedestrians and vehicles required at or above the possible maximum flood level.
- 3 Consideration required regarding an appropriate flood evacuation strategy and pedestrian/vehicular access route for both before and during a flood.

Flood Awareness

- 1 Restrictions to be placed on title advising of minimum floor levels required in relation to the flood level.
- 2 S149(2) Certificates to notify affection by the 1:100 Annual Exceedence Probability flood.

Management and Design

- 1 Applicant to demonstrate that there is an area where goods may be stored above the 1:100 Annual Exceedence Probability flood level equivalent to 25% of the display area or storage during floods.
- 2 Applicant to demonstrate that the potential development as a consequence of subdivision proposal can be undertaken in accordance with this Plan

FLOOD PLANNING CONTROL MATRIX

FLOOD EVENT	PROBABLE MAXIMUM FLOOD TO 1:100 AEP							1:100 AEP FLOOD TO 1:20 AEP FLOOD							1:20 AEP TO RIVER/CREEK						
	ESSENTIAL COMMUNITY FACILITY	CRITICAL UTILITIES	SUBDIVISION AND FILLING	RESIDENTIAL	COMMERCIAL AND INDUSTRIAL	RECREATION AND AGRICULTURE	MINOR DEVELOPMENT	ESSENTIAL COMMUNITY FACILITY	CRITICAL UTILITIES	SUBDIVISION AND FILLING	RESIDENTIAL	COMMERCIAL AND INDUSTRIAL	RECREATION AND AGRICULTURE	MINOR DEVELOPMENT	ESSENTIAL COMMUNITY FACILITY	CRITICAL UTILITIES	SUBDIVISION AND FILLING	RESIDENTIAL	COMMERCIAL AND INDUSTRIAL	RECREATION AND AGRICULTURE	MINOR DEVELOPMENT
FLOOR LEVEL		3		2							2	1	1						1	1	
BUILDING COMPONENTS		2									1	1	1	1					1	1	1
STRUCTURAL SOUNDNESS		3								4	1	1	2	2			1		1	1	1
FLOOD EFFECTS										1	1	1	1	1			1		1	1	1
EVACUATION/ACCESS		2	3	3	3					3	1, 3	1, 3	1				3		3	1	
FLOOD AWARENESS		1	1	1	1	1	1			1, 2	1, 2	1, 2	1, 2	1, 2			1, 2		1, 2	1, 2	1, 2
MANAGEMENT AND DESIGN										2		1					2		1		

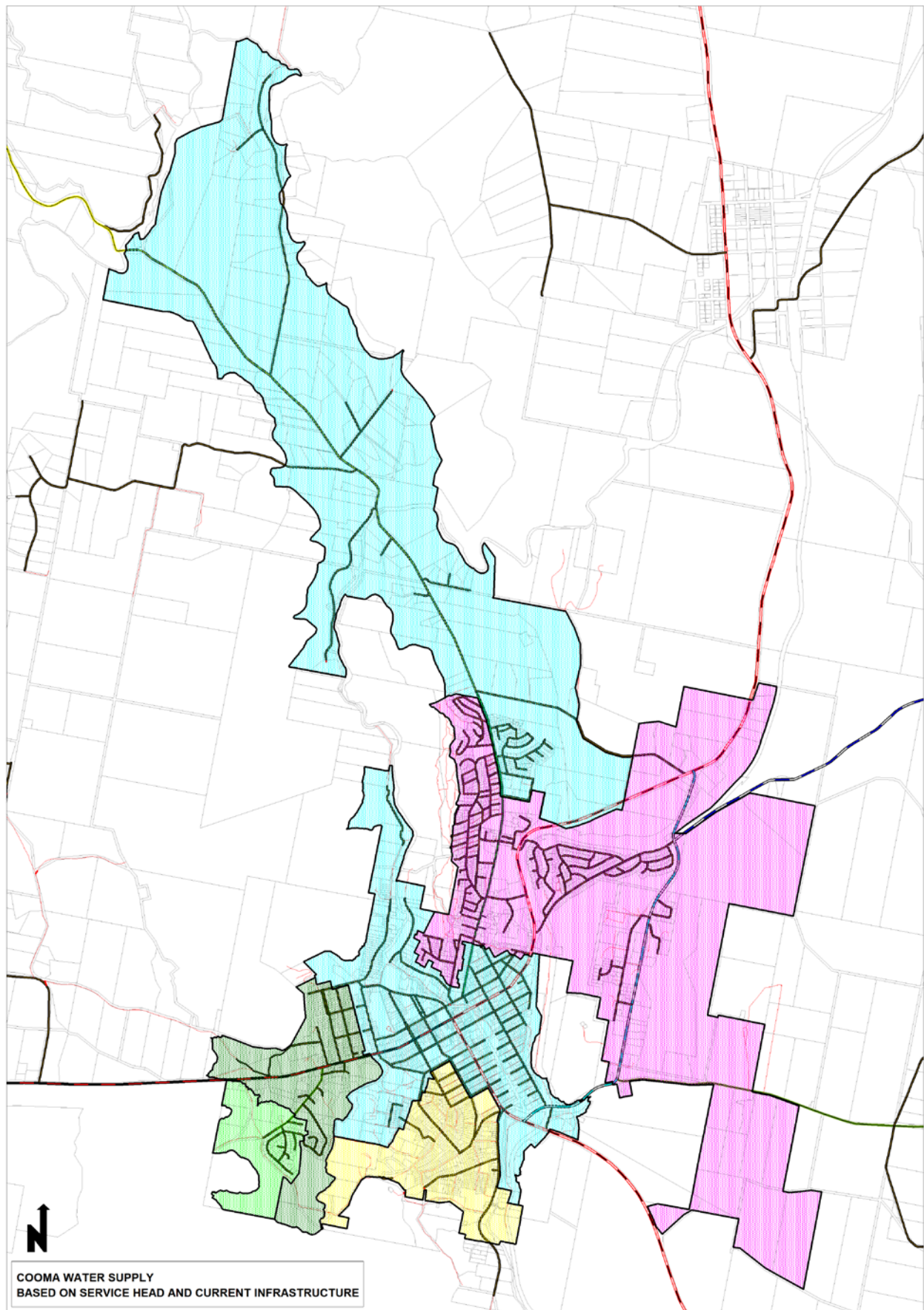
Where the table indicates 1,2 this implies both requirements are applicable

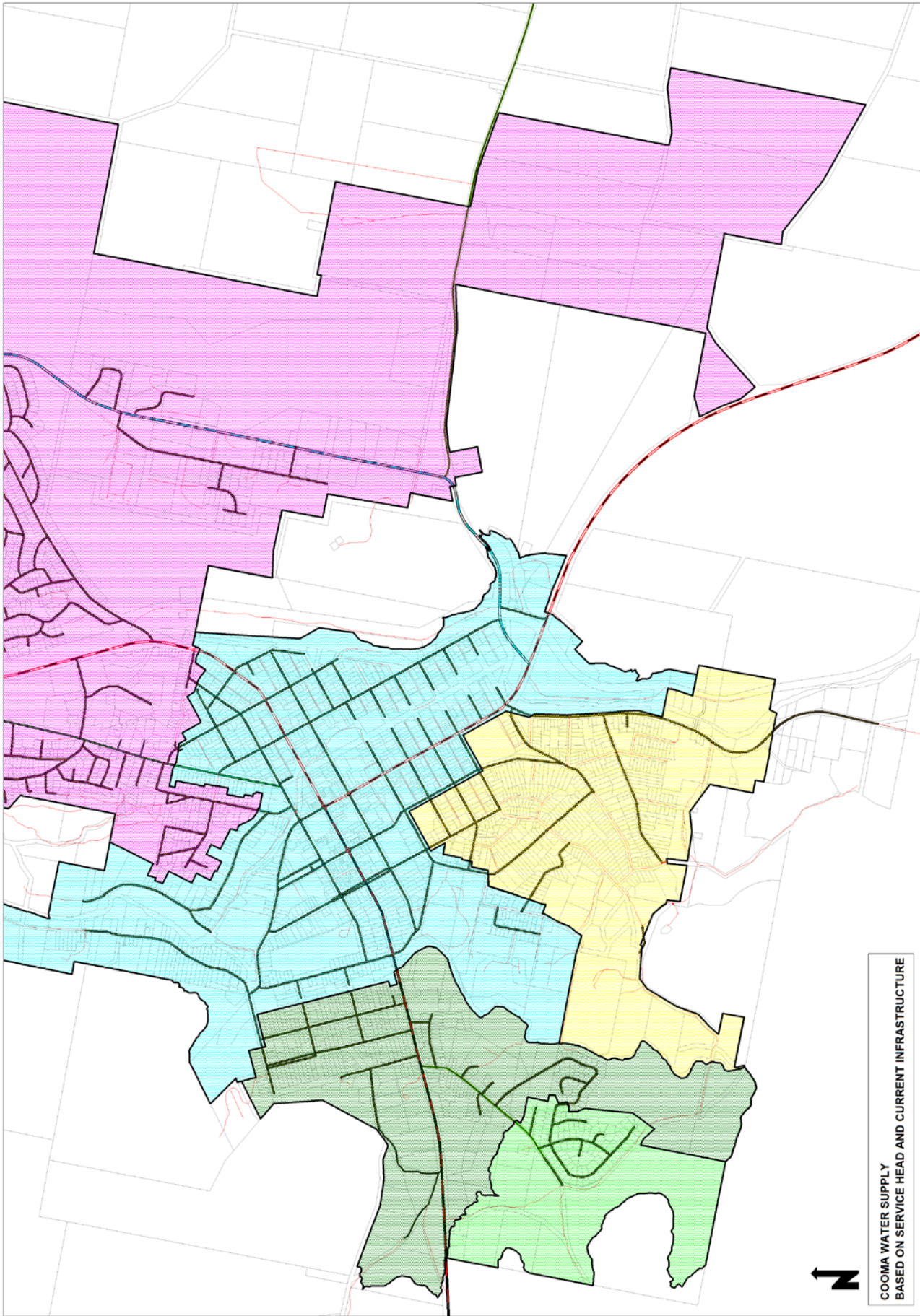
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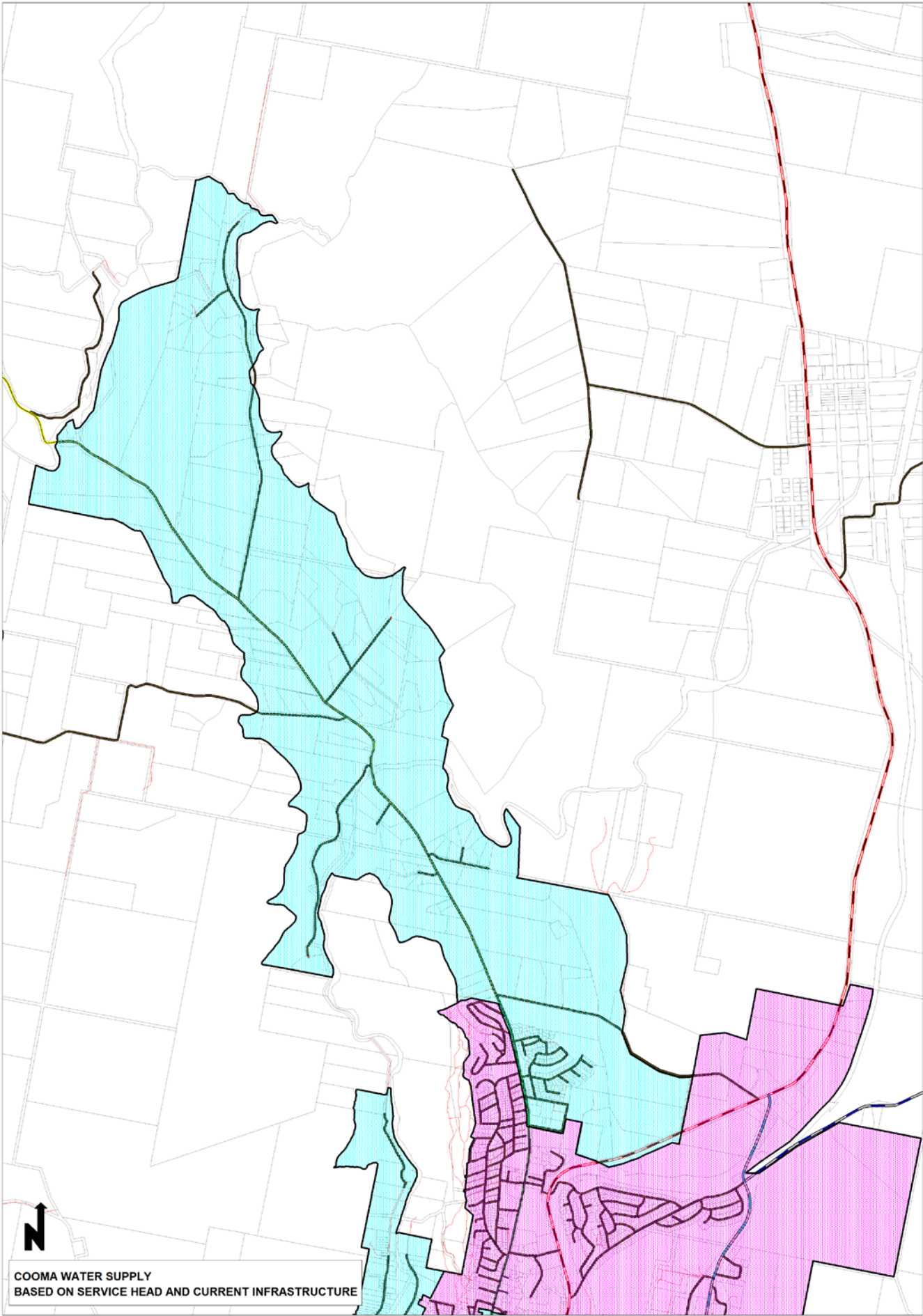
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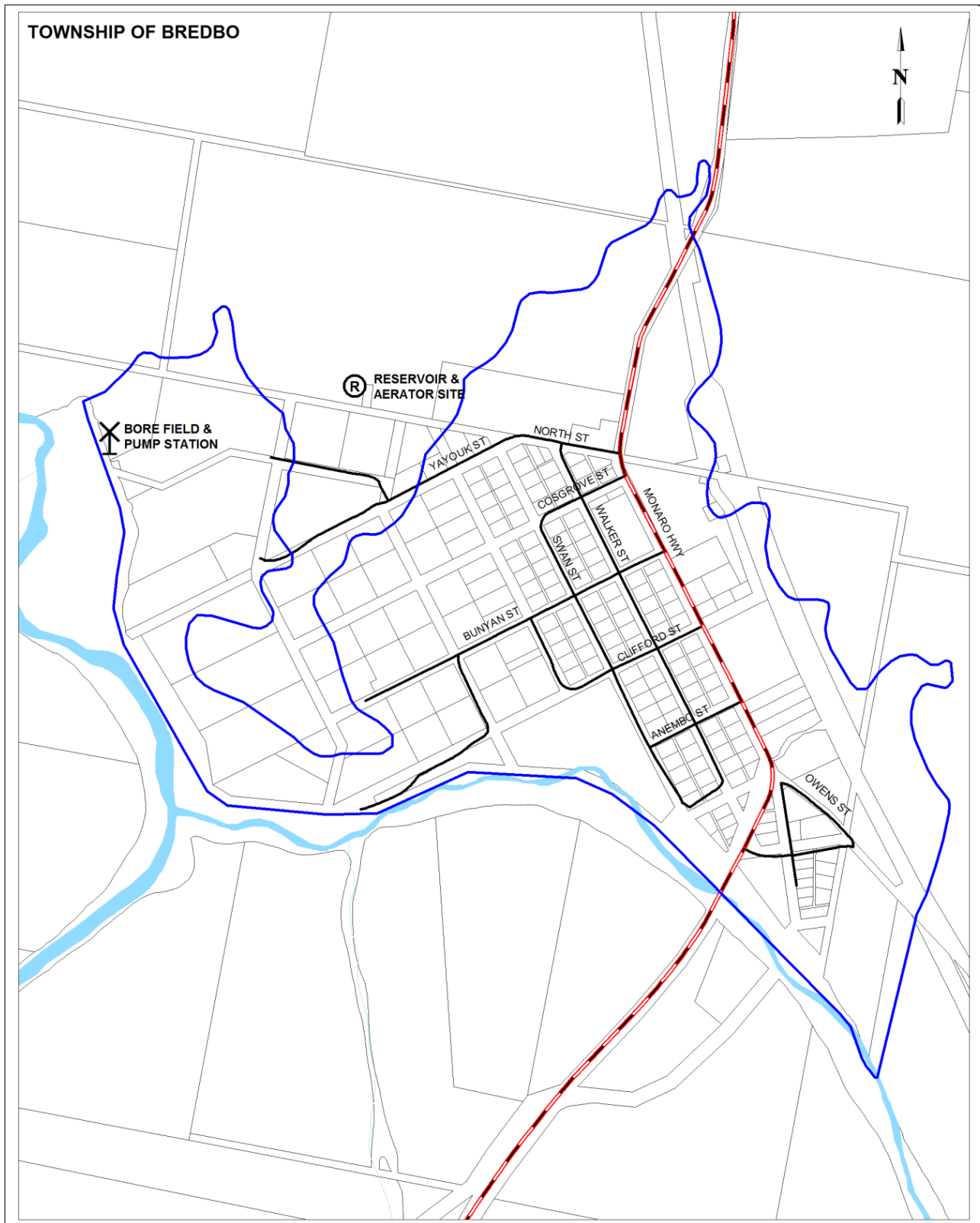
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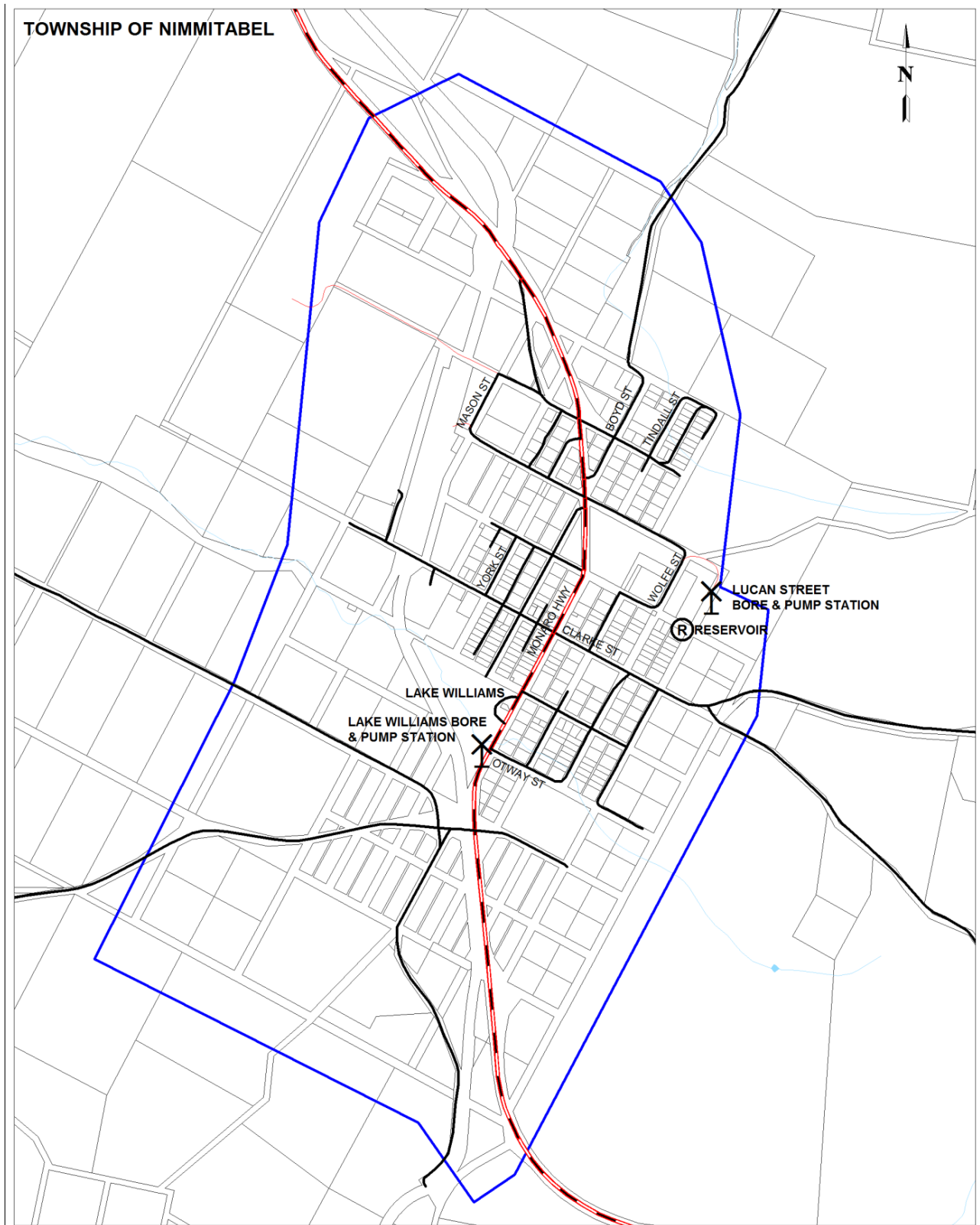
- 1 See over for the requirements highlighted in the categories indicated above
- 2 Essential Community Facility includes development such as hospital, aged care facility
- 3 Critical Utilities include water and sewer control buildings, electrical substation, telephone exchange, emergency centre

APPENDIX 11 Reticulated Water Supply Areas









APPENDIX 12 Short-Term Holiday Rental Property Sticker**Short-Term Holiday Rental Property**

Registration Number: (Number)

Proprietor: (Name)

These premises have been assessed under the Environmental Planning & Assessment Act 1979 (NSW). Consent has been granted for the use of the premises as a Short-Term Holiday Rental Property with the condition that the premises do not accommodate more than:

Bedroom No	Persons
1	2
2	3
3	1
Total	6

Council's objective is to ensure the safety of residents and tourists. Fire safety, health and amenity issues are a priority in the Shire. Please refer to the approved evacuation plan for further details.

On the spot fines can be issued by Council under the Environmental Planning & Assessment Act 1979 (NSW) for breaching conditions of Development Consent **10.2015.001.1**.

If you have concerns regarding the standard of this accommodation including the number of approved persons to be accommodated listed above please contact Cooma-Monaro Shire Council's Town Planning section on 6455 1911.