

A1 - CONTENTS

CIRCULAR NO	SUBJECT	TAB NO.
A1	CONTENTS	1
A2	LIST OF AMENDMENTS	2
A3	INTRODUCTION TO THE DEVELOPMENT CONTROL PLAN	3
A4	DEFINITIONS	4
F1	FOOTPATH TRADING & OUTDOOR DINING	5
I1	INDUSTRIAL DEVELOPMENT (IN1 & IN2)	6
N1	NOTIFICATION OF DEVELOPMENT APPLICATIONS	7
R1	PRIMARY PRODUCTION SMALL LOTS ZONE (RU4) & LARGE LOT RESIDENTIAL ZONE (R5)	8
S1	OUTDOOR ADVERTISING SIGNS	9
V1	VILLAGE & RESIDENTIAL ZONES (RU5 & R1, R3)	10
Z1	ZONES & LOT SIZE SUMMARY	11
	APPENDICES	
	ACCESS TO PROPERTIES SPECIFICATIONS	12
	CD ROM	13

A2 – LIST OF AMENDMENTS

Objectives:-

- To identify the process for amending the DCP and providing for public participation
- To update on amendments to the Tumbarumba Shire Development Control Plan 2011
- To identify the date of adoption of the DCP by Council and subsequent amendments

Date of adoption of original plan and date when plan comes into force

This plan was exhibited for public comment in accordance with the Environmental Planning and Assessment Act 1979 and Regulations. Council adopted this plan on the 27th October, 2011

Subsequent amendments to the plan are listed below.

This plan came into force as of the 25th April, 2012 (being the date of public notice in the local newspaper in accordance with Clause 21 of the Environmental Planning and Assessment Regulations 2000)

Purpose of Amendment

Circular Amended

Date Amendment effective (i.e. public notice - Clause 21 of EPA Regs)

Amendments to Tumbarumba Shire Development Control Plan 2011

Where Council resolves to prepare draft circulars as an amendment to the Tumbarumba Shire Development Control Plan 2011 these must be exhibited for a minimum period of 28 days.

Public notice must be given in the local newspaper. This notice is to indicate the details of the places, times and dates for the inspection of the draft circulars; and the period during which submissions may be made.

Copies of the draft circulars will be made available during the exhibition period free of charge

A3 - INTRODUCTION TO THE DEVELOPMENT CONTROL PLAN

Objectives:

The overall objectives of the Tumbarumba Shire Development Control Plan 2011 are:-

- To help achieve the aims and objectives of the Tumbarumba Local Environmental Plan 2010 by providing more detailed controls for development.
- To outline Council policies, standards and indicate the preferred future direction for development within Tumbarumba Shire.
- To assist in the preparation of development proposals by providing applicants and owners details of Council requirements.

What is a Development Control Plan (DCP)?

- A DCP is a source of information covering issues of legislative, administrative and technical aspects of development.
- This DCP is known as **Tumbarumba Shire Development Control Plan 2011** pursuant to Division 6 of the Environmental Planning and Assessment Act 1979.
- This DCP applies to the whole of the Tumbarumba Shire Local Government Area.
- This DCP contains more detailed provisions than in the Tumbarumba Shire Local Environmental Plan (LEP) 2011. In the event of a conflict between the DCP and the Tumbarumba LEP 2011 the LEP prevails.
- This DCP applies from the date of adoption by Council. The date of adoption and amendments to the DCP are listed in **Circular A2 – List of Amendments How to use the Development Control Plan**

The Development Control Plan (DCP) is designed to assist with various types of issues that may relate to a development proposal.

A separate Circular will address a specific issue, however forms only a single component of the

overall DCP and should not be read in isolation.

A circular may include one or all of the following:-

Definitions - Some circulars contain their own definitions and terms. Definitions used are as prescribed in the Tumbarumba Local Environmental Plan 2010.

Objectives - Each circular has specific objectives which describe what Council aims to achieve

Subject Headings - These are listed by subject and are in numerical order.

Development controls - These are used to measure the performance of a development in the development process.

Variations

Notwithstanding any provisions in these circulars, other than those standards included in other legislation or are only permitted to be varied as development standards, Council may consider a variation to the DCP. Such a variation may only be considered where a written statement specifying the grounds for non-compliance is submitted for Council's consideration.

Council may consider advertising any amendment to the DCP where it considers such variation is a major departure.

Council will only consider a variation where it is warranted by special circumstances, where the design of the proposed development is of a superior standard and where in Council's opinion the stated objectives of the circular and particular standard are achieved.

A3 - INTRODUCTION TO THE DEVELOPMENT CONTROL PLAN

Disclaimer

- Council provides the information contained in this DCP in good faith. In some cases this DCP only provides a summary of detailed legislative provisions and technical codes.
- This DCP includes information that does not strictly meet the requirements of Division 6 of the Environmental Planning and Assessment Act 1979.
- This DCP is for use by Council and the public.
- The DCP is aimed to allow participation by the public in the development of Council policy.
- The information contained in this document is a guide to only some of the provisions that relate to development. Compliance with the requirements of this DCP will not necessarily mean that a development will be approved.
- Always seek independent advice in relation to property purchases or investment decisions. This information should not be relied upon in reaching a decision to purchase a property

Further Information

If you have enquiries or wish to clarify any aspect of this DCP contact Council on (02) 69489100

F1 - FOOTPATH TRADING AND OUTDOOR DINING

Objectives:

- To make our towns and villages more liveable and friendly and add life to the urban environment;
- To enhance social interaction;
- To assist in preventing street crime;
- To provide alternatives to indoor eating;
- To boost trade for retailers;
- Provide for the appropriate use of footpaths, plazas and public areas for outdoor dining areas and footpath trading activities.
- Provide outdoor dining areas and footpath trading activities that contribute positively to the streetscape character.
- Provide outdoor dining areas and footpath trading activities that are compatible with other community uses of the public space.
- Provide outdoor dining areas and footpath trading activities that are safe and accessible for all users.

1.0 PLACES & CIRCUMSTANCES IN WHICH THIS POLICY APPLIES

This policy applies to all retail premises, and food premises within commercial areas that are lawfully operating or that have a valid development consent to operate, where it is proposed to use Council's footpaths and public areas to either:

- Establish an outdoor dining area which does not involve the service of alcohol; or
- Carry out footpath trading activities; or
- Place items on a footpath or public

areas as promotional items for business trading purposes.

Note: This policy does not apply to outdoor dining areas or footpath trading activities that are carried out on *privately* owned land.

2.0 OBTAINING A PERMIT

Council will use this Policy to assess all applications for the commercial use of footpaths or public areas. Before applying for a permit, you should:

- Obtain an application form for either a 'Footpath Trading Activity Permit' or an 'Outdoor Dining Area Permit' from Council;
- Consider how your proposal complies with the objectives of this policy;
- Establish which sections of this Policy apply to your proposal;
- Consider discussing the proposal with Council officers to ensure relevant key matters are identified and addressed;
- Ensure that your application is consistent and complies with the requirements contained within this policy; and
- Ensure you are providing Council with all the necessary information.

2.1 Advertising Structures

Outdoor Dining and Footpath Trading is not to be used as a vehicle for increasing advertising to a business's activity. The use of advertising material and signage outside the provisions of this policy will require separate development consent (Refer to S1 Outdoor Advertising Signs Circular).

2.2 Variations of the Policy

Variations to the controls and requirements of this Policy may be permissible if, in the opinion of the Council, the objectives of the Policy

F1 - FOOTPATH TRADING AND OUTDOOR DINING

have been met. A written statement and any other supporting information that details how this will be achieved must be included with the application.

2.3 Exemptions to this policy

Community organised events and special one-off celebrations are not required to lodge an application for approval, provided businesses comply with the criteria set out in this policy.

3.0 OUTDOOR DINING AREAS

3.1 Suitable Locations for Outdoor Dining Areas

The following criteria apply:

- They should be located on a suitably constructed surface that is sufficiently level to allow for the safe use of the furniture and can support a layout that adequately meets the other requirements of this policy;
- Location should be consistent with any other outdoor dining area at an adjoining premises;
- A minimum straight unobstructed footpath width of 2.0 metres located between the premises and the kerb and gutter is to be maintained;
- They must be located so as not to interfere with car parking and vehicular movement;
- Furniture must not be placed within 0.8 m of any accessible parking space;
- Furniture should be located directly in front of the premises to which it relates unless written consent from the adjoining owner or proprietor is provided;
- Either non-disposable eating utensils are provided in the outdoor dining area of the premises, or appropriate receptacles for the collection of

disposable eating utensils need to be provided; and

- No furniture shall be located within 3.0 metres of any road corner.

3.2 Outdoor Furniture

Outdoor furniture to be used by an establishment must be approved by Council and should adhere to the following guidelines;

- Outdoor furniture must be commercial grade and of adequate strength and durability to withstand most external weather conditions and outdoor commercial use.
- Domestic style plastic furniture is not permitted as it is not generally considered to be high quality, aesthetically pleasing or durable.
- All furniture must be of a high aesthetic quality that enhances the existing streetscape.
- Furniture for all establishments and surrounds are to be kept in a clean, hygienic and safe condition at all times.
- Umbrellas are to be securely stabilised. Penetrations into the footpath are prohibited. Umbrellas should not protrude into the roadway or pedestrian thoroughfare.
- All furnishings are the responsibility of the proprietor.
- All furnishings are to be removed from the public domain and stored elsewhere outside of trading hours.

3.3 Heating Structures

Any proposal to use heating structures within outdoor dining areas will be assessed on merit with consideration given to footpath width, type, number and location of heating structures proposed. Particular attention will be given to the safety of the diners and the public.

F1 - FOOTPATH TRADING AND OUTDOOR DINING

Note: All gas heating structures must adhere to *Australian Standard 4565 – radiant Gas Heated for outdoor and Non-residential Indoor Use*.

3.4 Lighting

Any outdoor dining area licensed to operate outside daylight hours must be adequately lit to ensure the safety and amenity of patrons and the general public. Lighting of any outdoor dining area must be in the form of down lights or the like which need to be:

- Directed away from the roadway;
- Contained to the outdoor dining areas only; and
- Turned off outside the operating hours of the premises.
- Existing under awning lighting may suffice.

3.5 Advertising and Signage

Advertising on outdoor dining furniture or footpath trading activities that is associated with the café/restaurant or retail premises is permitted by Council in accordance with the following guidelines:

- The third party advertising of one advertiser only may appear on the furnishings of the area. It should not dominate the appearance of every piece of furniture.
- Details of third party advertising on outdoor dining furnishings must be submitted to Council with the application for a permit.

3.6 Planter Boxes

Planter Box styles proposed for use within outdoor dining areas will be assessed by Council on merit with consideration given to

footpath width, type and location of the planter boxes proposed. Planter boxes:

- Must be located within the permit area;
- Must be located so as not to obstruct pedestrian flow;
- Must be kept maintained and cleaned of litter;
- Cannot carry advertising; and
- Council reserves the right to order the removal of planter boxes that are not properly maintained.

3.7 Permanent Covered and Walled Structures

In some cases, the applicant may wish to undertake streetscape works to accommodate an outdoor dining area. Such works may include street tree planting, landscaping, pedestrian lighting etc. Any such works requires a specific approval by the Council and lodgement of a development application.

These structures are outside the provisions of this policy and require separate development consent and rental agreements with the Council.

3.8 Amenity, Public Health and Safety

Each permit holder is responsible for the cleanliness and tidiness of the areas in front of the premises and the immediate surrounds used for outdoor dining.

- Tables must be cleaned of food scraps immediately after customers leave. All litter must be swept up and disposed of appropriately.
- Furniture items must be maintained in a neat, tidy and clean appearance when in use,
- All furniture must be removed from the footpath/public area and the area should be swept and stains removed

F1 - FOOTPATH TRADING AND OUTDOOR DINING

from the footpath on a daily basis as a minimum.

Note: Debris must not be swept into the gutter. This action constitutes a pollution offence for which penalties may be incurred.

4.0 FOOTPATH TRADING ACTIVITIES

4.1 Footpath Trading Activity Locations:

The space directly in front of the retail premises is allocated to that shop. Footpath trading activities must be established in accordance with the following guidelines:

- Footpath trading activities must be located on a safe, stable, hard surface that is sufficiently level to provide adequate stability to display stands.
- Supervision of trading activities/goods must be possible from the shop.
- A minimum straight unobstructed footpath width of 2m located between the premises and the kerb and gutter is required.
- The location of the footpath trading activity shall be consistent with any footpath trading activity or outdoor dining area at adjoining premises.
- No footpath trading activity shall be located within 3m of any road corner.
- The footpath trading activity shall have a depth not greater than 1.2m.
- The footpath trading activity is not to extend beyond the side property boundary of the premises.
- The footpath trading activity is not to impede access to or egress from the premises.
- The footpath trading activity is not to create litter, rubbish or other form of degradation of the footpath.
- Footpath trading activities (including display stands) are to be stabilised to avoid collapse.

- The lodged application must show the intended location of display stands and structures.
- All furnishings are to be removed from the public domain and stored elsewhere outside of trading hours.

4.2 Display Merchandise or Promotional Items on Footpaths

The following types of merchandise may **not** be displayed on footpaths, or public areas:

- Liquor
- Drugs
- Tobacco
- Gases (eg. Liquid Petroleum Gas (LPG) canisters)
- Corrosives (eg. Car batteries)
- Oxidising materials (eg. Paint stripper)
- Explosives (eg. Boat flares)
- Flammable liquids
- Spray paints

Note: This list is not exhaustive. Council reserves the right to order the removal of any merchandise considered to be a risk to the health and safety of the public and/or the environment at any time.

4.3 Display of Goods on Footpath

When displaying goods on a footpath:

- Fresh food must be kept at least 750mm above the footpath.
- All goods must be displayed on stands, racks or in containers above the level of the footpath, unless goods to be displayed are designed in a manner intended to allow for placement on the ground.
- No advertising using amplification or persons calling to the public may be undertaken in association with the

F1 - FOOTPATH TRADING AND OUTDOOR DINING

display goods.

4.4 Display Stands

When using display stands on footpath areas to present goods, the following conditions apply:

- All goods are to be presented on display stands approved by Council.
- Display stands are to be aesthetically pleasing, durable, well finished, secure and solid-to-ground at the base.
- Materials and finish of display stands must be weather-resistant. Edges and corners must be finished so as not to cause any injury to a passer-by.
- All display stands are to be custom made and/or designed for the goods being displayed.

4.5 Free Standing Signage, Flags and Like Items to Promote Business Activities

When using free standing signage, flags and like items to promote business activities on footpath areas, the following conditions apply:

- Items are to be aesthetically pleasing, durable, well finished, secure and solid-to-ground at the base.
- Each item may occupy up to 0.8² of surface area on the footpath.
- The maximum number of items per premises is directly related to shop frontage facing the street. Two items are permitted for every 10m of shop frontage.
- The maximum number of items per premises is six.
- A minimum straight unobstructed footpath width of 2m located between the premises and the kerb and gutter is to be maintained.

- No item shall be located within 3m of any road corner.
- A maximum of one A-frame sandwich board is permitted per premises. The maximum size shall not exceed 1m² on each side.
- All temporary furnishings are to be removed from the public domain and stored elsewhere outside of trading hours.

5.0 GENERAL CONSIDERATIONS

5.1 Hours of Operation/Noise Impacts

The hours of operation will generally be the same as the hours approved under the development consent for the premises unless a lesser period is determined due to environmental considerations. An application for an outdoor dining area or footpath trading activity will not be approved under this Policy if the proposal is of such a scale that the noise generated will have a significantly adverse effect upon nearby residential properties.

5.2 Insurance

Proprietors of the premises must maintain no less than \$10m public liability insurance cover for utilisation of the footpath area and are required to provide a certificate of currency noting the interest of the Council over the concerned area.

5.3 Conduct of Patrons

The appropriate conduct of patrons is the responsibility of the permit holder.

5.4 Work on Council Footpaths/Public Areas

Permit holders can not claim for any loss of income or refund of permit fees as a result of works carried out by Council or other Service Providers on Council owned footpaths, plazas and public areas.

5.5 Outdoor Dining and Footpath Trading Activity Permit Application Requirements

Applicants are required to complete and submit to Council an application form to conduct activities covered by this policy. If approved, a time limited permit will be issued for the activity. Application forms are available from Council's Customer Service Staff or downloadable from the Council Website.

5.6 Information that must be supplied when making a Development Application for a Permit to operate.

Applications must be made on the standard **Application Form** and include a sketch indicating:

- The street
- Your property;
- Your neighbours property;
- Distance from the boundary line to the kerb & gutter;
- Distance from the boundary line to any awning posts;
- Areas (with dimensions) of the footpath to be occupied;
- Location of any street furniture to be included in the area eg: planter boxes & chairs and table;
- Details of any signage or flags; and
- Details of the design and colour of the outdoor furniture proposed, including photographs.

5.7 Renewal of permit

- The permit must be renewed every two years. It is the permit holder's responsibility to ensure the renewal of the permit before the renewal date. If the renewal is not made by this date, the activity is to cease until the permit is re-approved.

5.8 Rental Fees

- Application and Rental Fees to conduct business or place items on Council Owned or managed land will be charged in accordance with Council's current Fees and Charges Schedule where applicable.

5.9 Modification or Early Termination of a Permit

Council may terminate or cancel a permit to use a footpath, plaza or public area or have the agreed conditions of the permit modified at any time in order to maintain optimal pedestrian movement patterns or preserve the amenity of the area. Council may also terminate a permit at any time if all or part of the permit area is required for road construction.

Reasonable notice shall be given in the event this clause needs to be applied.

The Council can only advise permit holders of any personal work under its control. Other service provider's have authority to undertake work on footpaths and the like without seeking approval from permit holders or the Council.

5.10 Breaches of Permit conditions

Council may terminate a permit for breaches of the agreed conditions of the permit or the requirements of this policy. Repeated breaches will result in termination of the permit agreement. Breaches of the permit include but are not limited to:

- Non-payment of rental fee;
- Encroachment beyond permitted outdoor dining area and footpath activity area;

F1 - FOOTPATH TRADING AND OUTDOOR DINING

- Non-compliance with the approved permit and the controls set out in this Policy;
- Not cleaning dining areas on a daily basis.

Note: Applicants are advised to refer to the following Circular for potential additional requirements;
Circular S1-Outdoor Advertising Signs

11 - INDUSTRIAL DEVELOPMENT – ZONES IN1 & IN2

Objectives:

- To provide for the orderly development of industrial buildings and enterprises consistent with the Tumbarumba Shire Local Environmental Plan 2010.
- To minimise the potential impacts on adjoining land uses.
- To specify minimum requirements for such developments.
- To ensure a high standard of light industrial and general industrial development within Tumbarumba Shire.

1.0 MINIMUM SITE AREAS

1.1 Allotments or sites shall have a minimum area of 1000m² and a minimum frontage of 20m.

1.2 Council may consider the use of sites having a lesser area or frontage where such sites exist as a result of previous sub division and where Council is satisfied that it is proper to do so.

2.0 BUILDING LINE

2.1 A building line of 10m will apply to all land covered by this plan. Such distances shall be taken as the measurement between the front boundary of the street to which the allotment fronts and the nearest part of the wall adjacent.

2.2 The side and rear boundary offsets and associated wall construction shall comply with the BCA. However a minimum preferred offset of 3m to the side and rear boundaries should be adhered to wherever possible.

2.3 The boundary offsets shall be kept clear and shall not be used for any purpose other than uncovered car parking, driveways and or landscaping.

3.0 LANDSCAPING

3.1 The area between the street alignment and the front wall of the building shall be landscaped to the satisfaction of Council.

3.2 Applications for approval shall be accompanied by a landscape plan which details the location and type of all plants to be used.

3.3 Plants species should be native to the Tumbarumba area as much as possible. Mulching and low water use species are encouraged.

4.0 CARPARKING AND DRIVEWAYS

4.1 Customer parking - On-site customer carparking shall be provided at the rate of one (1) bay for every 70m² of gross floor area. The gross floor area is to be taken as the area measured over the external walls.

4.2 Employee parking - One parking space shall be provided for each employee.

4.3 Each car parking bay shall have the following minimum dimensions – length 5.5m; width 2.5m with the exception of disabled parking bays.

4.4 Disabled car parking shall be located as close as practicable to the main entrance to the building and comply with the requirements of AS/NZS 2890.1.

4.5 At least one disabled parking space shall be provided at each development. More spaces shall be provided in accordance with the BCA should this be calculated as necessary to comply with same.

4.6 All driveways and car parking areas shall be gravelled, drained and sealed

11 - INDUSTRIAL DEVELOPMENT – ZONES IN1 & IN2

with concrete, bitumen or similar impervious material. All works shall be carried out to the satisfaction of the Shire Engineer.

Driveways, car parks and all other large impervious surfaces shall be graded and drained to an appropriately designed pipe system and discharged to the street gutter or other approved location, without nuisance to neighbours.

4.7 All vehicles shall enter and exit the site in a forward direction.

4.8 Driveways and crossings shall not be positioned within 6m of the alignment of an intersecting street and shall not in any case be located on a bend.

4.9 Minimum width of driveways shall be 4m for one way traffic and 6m for two-way traffic.

5.0 STATEMENT OF ENVIRONMENTAL EFFECTS

5.1 A Statement of Environment Effects (SoEE) shall be lodged with the Council. The SoEE shall contain sufficient information to enable Council to assess the application and understand the potential effects on the environment. The SoEE shall include, but not be limited to, such matters as:

- a. Type of operations to be conducted;
- b. Gross power of engines and motors to be installed;
- c. The type of waste products to be generated and the proposed method of disposal of such waste products; eg, water, steam, oil, soot, etc;
- d. Any measures to be adopted to control the level of noise, soot, smoke or other emissions arising as a result of the operations to be conducted;

- e. The noise level rating of any equipment to be installed.
- f. Hours of operation;
- g. Traffic generating activities including type and frequency of vehicles, traffic routes.

6.0 MATERIALS

6.1 All walls fronting a road or street shall be of brick, masonry, tilt up concrete or of a colourbond material. Any raw concrete or block work surfaces must be appropriately coloured (see 6.3 below).

6.2 Second hand wall sheeting shall not be used.

6.3 Paint colours shall be such as to harmonise with the environment and shall not be such as to reflect excessive light (glare).

7.0 DESIGN

7.1 Buildings shall be of an acceptable design to harmonise with the surroundings in which they are to be constructed.

7.2 Buildings should be so located as to avoid unnecessary interference with adjacent properties.

8.0 TOILET FACILITIES

8.1 Toilet facilities shall be provided as required by the BCA. The number and type of fittings will be assessed on the maximum number of persons employed.

9.0 EFFLUENT DISPOSAL

9.1 Where sewer is available, premises must be connected to same.

9.2 Where it is proposed to dispose of wastes potentially detrimental to the

11 - INDUSTRIAL DEVELOPMENT – ZONES IN1 & IN2

biological functioning of Council's sewage treatment works, Council may require payment of a trade waste fee or alternately require pre-treatment of such waste.

9.3 Where sewer is not available, on-site sewage disposal is permitted subject to submission of a report by an appropriately qualified soil scientist or similar which addresses the ability of the site to adequately cater for on-site sewage disposal. A separate application and details must be submitted for consideration by Council under Section 68 *Local Government Act 1993*.

10.0 DISABLED ACCESS

10.1 All premises shall be constructed to be accessible to disabled persons in accordance with the requirements of the BCA.

11.0 Minimum Site Area

11.1 Any allotment of land to be used for industrial purposes with an area zoned IN1 and IN2 shall have the following characteristics:-

- i. Be of sufficient area to adequately cater for the development ; and
- ii. Be of sufficient area to adequately cater for vehicle parking and turning areas, product storage, unloading and loading of vehicles; and
- iii. Be of sufficient area to allow vehicles to exit and enter the site in a forward direction.

12.0 Site Coverage

12.1 No building/s shall occupy more than 60% of the total site area.

13.0 Building Lines – Frontage

13.1 A building line of 10 metres shall apply.

14.0 Access from the Main Roads

14.1 The Council discourages direct access from and to main roads however may give consideration to allowing ingress to and egress from an industrial development by way of a main road. During such considerations, the Council shall have due regard to the location of driveways, line of sight and the location of any intersecting roads. In any case, the consent and advice of the Roads and Traffic Authority will need to be sought.

15.0 Vehicular Crossings

Vehicle crossings shall comply with the following requirements:

- Maximum number of crossings per street frontage 2
- A maximum width per crossing 6m.
- Minimum distance crossings are to be located from road intersection side of corner allotments 6m
- Minimum distances of separation between crossings 2m
- Minimum distances from common property boundary 0.5m

16.0 Advertising

16.1 Advertising structures bearing advertisements relating to the products of the enterprise are permissible. Such advertisements are subject to separate application and must not be greater than 10m² in area.

16.2 Any advertising structure greater than 10m² in area will require separate approval from Council.

17.0 Water Supply

I1 - INDUSTRIAL DEVELOPMENT – ZONES IN1 & IN2

17.1 Where no potable water supply is available, water storage of 20,000 litres shall be provided for drinking and other purposes. All tanks shall be covered and fitted with bush fire compatible fittings.

17.2 Additional water storage capacity shall be determined by the relevant Fire Authority.

Note: Applicants are advised to refer to the following Circulars for potential additional requirements;
Circular N1- Notification of Development Applications.
Circular S1- Outdoor Advertising Signs
Circular V1- Residential annexure urban crossing standard drawings
Appendix A- Access to properties specification

N1 - NOTIFICATION OF DEVELOPMENT APPLICATIONS

Objectives:

- To provide for public participation in the development application decision making process where it is considered that the proposed activity may have detrimental effect upon the enjoyment of other property
- To set out those matters for which the Council will have regard when forming its opinion as to whether or not the enjoyment of adjoining land may be detrimentally affected by a proposed development
- To set out the criteria for notifying potentially affected persons and specify the circumstances when notification is not required
- To detail the form that notification will take place

1.0 DEFINITIONS

"adjoining land" means land which abuts an application site or is separated from it only by a pathway, driveway or similar thoroughfare

"affected person" means a person:

- who owns or occupies land that adjoins an application site; the enjoyment of which may be detrimentally affected by a proposed development, or
- who owns or occupies neighbouring land (as defined below).

"application site" means the parcel of land to which a Development Application relates.

"building" includes any building, part of a building and any structure or part of a structure.

"development application" (DA) means an application for consent under Division 1

of Part 4 of the Environmental Planning and Assessment Act 1979, to carry out development.

"neighbouring land" means any land, other than adjoining land which is nearby a development site (and may include land in a neighbouring Council area).

"land" means land and includes any building or part of a building erected on the land which may be detrimentally affected by a proposed development (and may include, properties in a neighbouring local Council area).

"notification plan" means the plan showing the height and external configuration of buildings which accompanies a Development Application

"owner" means:

- the persons or persons who appear on Council's computer records to be the owner of the land at the date of notification
- in the case of land that is the subject of a strata scheme under the Strata Titles Act 1973, or a leasehold strata scheme under the Strata Titles (Leasehold) Act 1986, the body corporate and individual title owners
- in the case of land that is a community, precinct or neighbourhood parcel of land within the meaning of the Community Land Development Act 1989, the Registered Association for the parcel of land.

2.0 APPLICATION OF THIS CIRCULAR

This Circular applies to the following types of development:

- approval to erect a building
- amendments to an undetermined Development Application to erect a building

N1 - NOTIFICATION OF DEVELOPMENT APPLICATIONS

- the use of a building or another specified work, and
- Modifications to Development Approvals

3.0 NOTIFICATION PROCESS

Written notice of a Development Application will be sent to those persons who appear to the Council to own or occupy land adjoining and neighbouring an application site if, **in the Council's opinion**, the enjoyment of that land may be detrimentally affected by the development proposal. This could include land opposite or otherwise distanced from the application site

4.0 MATTERS TO BE CONSIDERED BY COUNCIL IN FORMING AN OPINION

Council will give notice of an application to affected persons where, in its opinion, the enjoyment of land may be detrimentally affected by or in relation to:

- the views to and the view from the land
- overshadowing
- privacy
- noise or odour
- the visual quality of the development in relation to the streetscape
- the scale or bulk of the proposed development
- the siting of the proposed development in relation to site boundaries
- the proposed hours of use for the development
- light spillage or reflection
- means of access to or provision of parking on the proposed development site
- the amount of traffic likely to be generated by the proposed development
- drainage
- the social and economic impacts of the proposal

5.0 FORMING AN OPINION

Upon the lodgement of a development application, the relevant Council officer will determine who may be detrimentally affected in terms of the matters to be considered. The Council may also broaden the extent of notification following inspection of the development site.

6.0 AMENDMENTS TO DEVELOPMENT APPLICATIONS

An applicant may make an amendment to an application at any time prior to the determination of the application.

Council will re-notify any amendments which either alter the external configuration or siting of a development or which may, in Council's opinion, cause a greater or more serious impact on any affected person.

7.0 MODIFICATION OF APPROVALS

Council will re-notify those affected persons who were notified of the original application and any other affected person, inviting comment on the proposed amendments.

8.0 APPLICATIONS THAT WILL NOT BE NOTIFIED BY COUNCIL

Notification is not required where, in the opinion of Council, the enjoyment of land will not be detrimentally affected in terms of the matters listed in this Circular.

Notification will not be made of a Development Application if it is:

- Exempt Development; or
- Complying Development.

Development Applications which do not require notification include:

- strata subdivisions

N1 - NOTIFICATION OF DEVELOPMENT APPLICATIONS

- subdivision only involving adjustments to existing property boundaries
- land subdivisions that do not depart from Council's adopted DCP and where the development expectations of adjoining land are not affected
- change of use of buildings, except at Council's discretion
- single rural dwelling on properties of > 4000m² unless triggered in 4.0

9.0 FORM OF NOTIFICATION

Written notice to be forwarded by Council to the owners of land and will contain the following information:

- a description and address of the site
- the proposed use of any building
- the name of the applicant
- the time period within which written submissions are to be made
- a notification plan
- a political donations declaration form

The **notification plan** will:

- be provided on an A4 or A3 size sheet
- be of a scale which will clearly delineate the features of any proposed building
- show the height and external configuration of any proposed building in relation to the site on which it is proposed to be erected
- include a site plan showing the relationship of any proposed building to the boundaries of any allotment
- clearly define any new building or additions to existing buildings by appropriate means of cross hatching, and
- be appropriately dimensioned to indicate size, height and position of any proposed building in relation to the site.

10.0 PERIOD OF TIME FOR SUBMISSIONS

A person may inspect a plan relating to a development application and make submission within fourteen (14) calendar days of the date of the notification of that application.

A copy of the notification plan will be available for inspection at the Council Offices during the notification period.

11.0 FORM OF SUBMISSIONS

Submissions-received in relation to the proposal will be considered in the Council's assessment of the application.

Submissions made in respect of applications must be in writing and addressed to the General Manager. Submissions must clearly indicate the name and address of the person making the submission and details of the proposal to which the submission relates.

All submissions must be accompanied by a signed Political Donations Disclosure form.

Should an objection be part of the submission, the reasons for the objection are to be provided.

12.0 CONSIDERATION OF SUBMISSIONS

Council will consider all submissions received within the specified time period before determining a Development Application.

Council is not bound to adopt or support any objection that may be made in response to neighbour notification in its determination of an application.

Each application will be assessed on its merits, notwithstanding the number of submissions received.

N1 - NOTIFICATION OF DEVELOPMENT APPLICATIONS

13.0 NOTIFICATION TO PERSONS MAKING SUBMISSIONS

Council will inform each person who made a submission of its final decision in determining a development application.

14.0 OTHER NOTIFICATIONS

Council requires that the following types of development be advertised in the local newspaper for a period of not less than 30 days:

- Commercial or industrial development located in close proximity to residentially zoned properties or properties used for residential purposes
- The demolition of a building or work that is a heritage item, but does not include a partial demolition, which is of a minor nature
- Residential flat buildings and multi dwelling housing
- Development for the purposes of conserving, protecting or restoring a heritage item, in the opinion of the Council, warrants public comment
- Development for purposes other than those listed above which, in the opinion of the Council, requires public comment

O1 – ON-SITE SEWAGE MANAGEMENT SYSTEMS

REASON FOR POLICY:

The purpose of this Development Control Plan (DCP) is to promote sustainable On-Site Sewage Management Systems (OSMS) and encourage best practice environmental and health performance standards for wastewater management.

AIM:

The aim of this DCP is to offer guidance in preparing applications and reports to Council for the installation, operation and maintenance of OSMS. It also aims to clarify best practice environmental and health performance standards and how to apply the relevant legislation, Australian Standards and guidelines.

- New South Wales Department of Local Government 1998; Environment and Health Protection Guidelines: On-site sewage management for single households;
- Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000;
- Plumbing Code of Australia 2013;
- Australian/NZ Standard AS3500:2003 Plumbing and Drainage.

1.0 ON-SITE SEWAGE MANAGEMENT SYSTEMS

The use of On-Site Sewage Management Systems are a viable alternative to more costly reticulated sewerage systems in urban fringe, village communities and rural properties. However, in some cases the OSMS failure can lead to environmental and public health concerns.

NSW statutes, Australian standards and industry guidelines have been developed with principle objectives for the:

- prevention of public health risk;
- protection of lands and community amenity;
- protection of surface waters and groundwater;
- conservation and reuse of resources.

2.0 LAND TO WHICH THIS DCP APPLIES

This DCP applies to all land, that cannot be connected to the reticulated sewerage scheme, within the Tumbarumba Shire Council Local Government Area, excluding National Parks as outlined in the Department of Local Government Circular 99/59 and .

3.0 RELATIONSHIP TO OTHER DOCUMENTS

This DCP is to be read in conjunction with the following legislation, Australia Standards and guidelines, as amended:

- Local Government Act 1993 and Local Government (General) Regulation 2005;
- The Australian /NZ Standard AS1547:2000 On-Site Domestic Wastewater Management;

4.0 SYSTEMS COVERED BY THIS DCP

This DCP applies to all systems of on-site sewage management and effluent disposal including but not limited to:

- Septic tank systems,
- Aerated wastewater treatment systems,
- Composting toilets,
- Pit / long drop toilets,
- Effluent pump out systems, and;
- Domestic greywater treatment and reuse systems.

The DCP does not apply to On-site Sewage Management Systems which are listed in Schedule 1 Protection of the Environment (Operations) Act 1997.

5.0 APPLICATIONS AND APPROVALS

5.1 EXEMPTIONS

Council approval for a system is not required if the system is exempt under the provisions of the Local Government Act 1993 and the Local Government (General) Regulation 2005, which include a vessel used for navigation, a registered motor vehicle primarily used for road transport or a OSMS licensed in accordance with Protection of the Environment (Operations) Act 1997.

5.2 OSMS APPLICATIONS

On-site sewage management systems must not be installed or operated in the Tumbarumba Shire Council Local Government Area unless:

- A Local Government Act,1993 Section 68 application is made to Council on the appropriate form, seeking approval to install and operate a system of sewage management, is accompanied by required supporting material and the appropriate fees, and
- Approval in writing to install and operate the system of sewage management has been issued and conditions of the approval have been met.

O1 – ON-SITE SEWAGE MANAGEMENT SYSTEMS

5.2.1 APPLICATION SUPPORTING INFORMATION

The Local Government (General) Regulation 2005 specifies matters that must accompany an application to install a sewage management facility. Necessary information includes:

SITE PLAN

The application must be accompanied by a plan, to scale, showing the location of:

- a) The sewage management facility proposed to be installed or constructed on the premises, and
- (b) any related effluent application areas, and
- (c) any water bores situated within 250m of the OSMS and proposed effluent disposal area, and
- (d) any buildings or facilities existing on, and any environmentally sensitive areas of, any land located within 100 metres of the sewage management facility or related effluent application areas, and
- (e) any related drainage lines or pipework (whether natural or constructed).

EFFLUENT APPLICATION AREA CONSTRUCTION PLAN

A detailed construction plan is required to be submitted to specify the sizing, materials and layout of the effluent application area including:

- A dimensioned cross section of absorption trenches or transpiration beds,
- The layout of the disposal area showing all distribution lines, flow splitter pits and fittings.
- For surface sprinkler irrigation, the actual number and location of sprinklers must be shown and specifications of the sprinklers provided.

SPECIFICATIONS

The application must be accompanied by full specifications of the sewage management facility proposed to be installed or constructed on the premises concerned.

SITE ASSESSMENT

The application must be accompanied by details of the climate, geology, hydrogeology, topography, soil composition and vegetation of any related effluent application areas together with an assessment of the site in the light of those details.

STATEMENT

The application must be accompanied by a statement of:

- (a) the number of persons residing, or probable number of persons to reside, on the premises,
- (b) such other factors as are relevant to the capacity of the proposed sewage management facility.

OPERATION AND MAINTENANCE

The application must be accompanied by details of:

- (a) the operation and maintenance requirements for the proposed sewage management facility, and
- (b) the proposed operation, maintenance and servicing arrangements intended to meet those requirements, and
- (c) the action to be taken in the event of a breakdown in, or other interference with, its operation.

SYSTEM ACCREDITATION

- A copy of the NSW Health Accreditation for the treatment system;
- The application must be accompanied by full specifications of the sewage management facility proposed to be installed or constructed on the premises concerned.
- If motors or pumps are part of the system and not identified as part of the accreditation, the pump specifications are to be supplied.

5.2.2. OSMS DESIGN PARAMETERS

An OSMS application must consider and document design hydraulic loadings, effluent disposal area design loading rate (DLR) or design irrigation rate (DIR), as appropriate and system tank(s) capacity in accordance with AS1547-2000 and NSW Health accreditation.

O1 – ON-SITE SEWAGE MANAGEMENT SYSTEMS

5.2.2 DESIGN HYDRAULIC LOAD

Single dwellings, dual occupancy developments and out buildings shall utilize minimum wastewater flow allowance based on Table 1 for system design purposes.

Population Equivalent (Persons)	Number of Bedrooms	Design Daily Flow (L/day) Reticulated or Bore Water Supply	Design Daily Flow (L/day) Roof Water Storage Tank	Design Daily Flow (L/day) Reticulated or Bore Water Supply	Design Daily Flow (L/day) Roof Water Storage Tank
		Standard Plumbing Fixtures		Water Reduction Fixtures	
2	1	360	280	290	230
4	2	720	560	580	460
5	3	900	700	725	575
6	4	1080	840	870	690
10	5+	1800	1400	1450	1150
Outbuilding containing WC, shower & basin		180	140	145	115

Table 1 – Typical Hydraulic Load – adapted from AS1547:2000 Appendix 4.2D

5.2.3 SEPTIC TANK CAPACITY

Septic tanks shall have a minimum capacity of 3000L, be fitted with an internal baffle and have NSW Health accreditation. Where site soil characteristics include poorly drained soils twin septic tanks systems with a combined capacity of 5000L may be considered for approved.

Population Equivalent (Persons)	Number of Bedrooms	Design Daily Flow (L/day)	Minimum Septic Tank Capacity (L)
1-5	3	Up to 900	3000
6-7	4	900 - 1300	3500
8	5	1300 -1600	4000
9-10	5+	1600-2000	4800

Table 2 – Septic Tank Capacity

5.2.4. SEPTIC TANK MAINTENANCE

Septic tanks shall be desludged as required, and generally at a minimum of every 3 to 5 years. Additional septic tank capacity and regular desludging assists to prevent the transfer of organic fine particulate to the disposal area which can block soil pores and cause disposal area failure. The desludging procedure should ensure that 400-500mm of liquid is retained in the tank and that the tank is immediately refilled with water to prevent the tank from being lifted by soil hydrostatic pressure.

O1 – ON-SITE SEWAGE MANAGEMENT SYSTEMS

5.2.5. BUFFER DISTANCES

NSW Guidelines recommend that buffer distances in accordance with Table 3 be maintained.

System	Recommended Minimum Buffer Distances
All Land application systems	100 metres to permanent surface waters (river, stream, lake etc) 250 metres to domestic groundwater well or bore 40 metres to other waters (farm dams, intermittent waterways and drainage channels)
Surface spray irrigation	metres if area upgradient and 3 metres if area downgradient of driveways and property boundaries 15 metres to dwellings 3 metres to paths and walkways 6 metres to swimming pools
Surface drip and trickle irrigation	6 metres if area upgradient and 3 metres if area downgradient of swimming pools, property boundaries,
Subsurface irrigation	6 metres if area upgradient and 3 metres if area downgradient of swimming pools, property boundaries,
Absorption system	12 metres if area upgradient and 6 metres if area downgradient of property boundary metres if area upgradient and 3 metres if area downgradient of swimming pools, driveways and buildings

Table 3 – Buffer Distances

5.2.6. PUMP OUT SYSTEMS

Where on site disposal of sewage is not viable, and reticulated sewerage is not available, a pump out system may be considered. Pump out systems are not considered best practice and are expensive to maintain. Where a pump out system is proposed, a soil assessment is generally not required (except in the case of a high water table) however the following information must be provided:

- Site assessment;
- Collection well capacity is to be based on the system design hydraulic load calculated in accordance with Section 5.2.3 multiplied by seven days occupation;
- Septic tank and collection well specifications and NSW Health Accreditation;
- Pump specifications if required;
- Site plan showing location of all tanks and plumbing in relation to the building and other site features.

5.2.7. PIT TOILETS

Pit toilets (or cess pits, long drops) have historically been used as a low cost form of sewage disposal, particularly in remote areas. However, they pose a potential to contaminate groundwater and surface waters. Pit toilet applications will be assessed utilizing the following heads of consideration:

- a) The location of the pit toilet is to meet required buffers;
- b) The soil category is to be in the range of 4 (clay loams) to 6 (medium to heavy clays) below 500mm from top level of the pit;

- c) The groundwater level must be in excess of 3m below the base of the pit;
- d) Occupation of the site shall not to exceed 60 days in any 12 month period;

6.0 SUBDIVISION OF RURAL RESIDENTIAL LAND

Proposals for the subdivision of land where a reticulated sewerage scheme is unavailable shall include a detailed report prepared by a suitably qualified person. Such a report shall assess site features and soil characteristics at the subject property, hydraulic water balance and nutrient loading in accordance with AS1547:2000 and 1998 Environment and Health Protection Guidelines: On-site sewage management for single households. The report shall provide recommendations with regard to the method and suitability of treatment and disposal of residential wastewater on each of the proposed allotments.

Subdivision proposals shall utilize a design hydraulic load of 1080L/day for allotments with a reticulated or bore water supply and 840L/day for allotments utilizing on-site roof water storage tank supply. All lots in a proposed subdivision must demonstrate sustainability with respect to on- site sewage management and must make allowance for a suitable reserve area (ie duplicate effluent application area).

7.0 OSMS INSPECTION PROGRAM

7.1. Inspection Process

Council is required to implement and maintain an OSMS

O1 – ON-SITE SEWAGE MANAGEMENT SYSTEMS

inspection program. Property owners will be notified by letter prior to the inspection. Fees are charged for each inspection. Details of fees are available from Council's website www.tumbashire.nsw.gov.au.

7.2. Risk Rating

New sites shall be given a risk rating at the time of approval and existing sites at the time of the first inspection. The risk rating shall determine the frequency of inspections which are:

- High – inspected annually;
- Medium – inspected every four years;
- Low – do not require routine inspection.
- The risk rating is determined on the potential of the system's impact using the following criteria:
- Impact on Public Health;
- Impact on Water Quality;
- Impact on the local environment;
- Impact on Community Amenity;

7.3. REGULAR SERVICING AND COUNCIL INSPECTION OF AERATED WASTEWATER TREATMENT SYSTEMS

Aerated wastewater treatment systems undergo two levels of attention:

a) Regular servicing by an accredited service technician:

This is required as part of the NSW Health Accreditation of the system, and enables the system to be used in NSW. Servicing is generally done on a three monthly basis depending on the accreditation. The owner is required to enter into a service contract with an accredited technician.

b) Council inspection: This is required by the Department of Local Government and is undertaken as part of Council's OSMS Inspection Program on a regular basis determined by the risk assessment rating.

7.4. ACCREDITATION OF SERVICE TECHNICIANS

Where requirements dictate that an on-site sewage management system is due to be serviced in accordance with operational guidelines or in need of repair, the works shall be undertaken by an accredited service technician.

The minimum requirement for acceptance of accreditation as a service technician for Aerated Wastewater Treatment Systems (AWTS), Wet Composting Toilets (WCT), Biological Filter Systems (BFS) or Domestic Greywater Treatment Systems (DGTS) include the completion of an appropriate course of instruction with a suitable training provider in the maintenance and operation of AWTS, WCT, BFS or DGTS and/or demonstrated knowledge in the area of:

- i. System design and treatment processes

- ii. Operation and maintenance requirements
- iii. Performance standards for environment and health protection
- iv. Regulatory requirements and obligations
- v. Consumer's rights
- vi. Occupational health and safety requirements
- vii. Environment protection responsibilities.

Application for accreditation by Council is required for any technician undertaking servicing of AWTS, WCT, BFS or DGTS in Tumbaramba Shire. Applications must include:

- Covering letter requesting accreditation;
- Copies of all training and qualifications;
- Copies of appropriate OH&S procedures (SWMS, SOP etc);
- Copy of the inspection sheet to be used.

R1 – PRIMARY PRODUCTION SMALL LOTS AND LARGE LOT RESIDENTIAL – ZONES RU4 & R5

Objectives:

- To ensure that any development has suitable access and services.
- To minimise the potential conflict between legitimate rural and agricultural uses and adjoining residential activities.
- To ensure that environmental and human health is not compromised.

water courses.

- Drainage lines are to be retained and incorporated into open space areas wherever possible.
- Where heritage items are within close proximity of any proposed subdivision site, the design of the lot layout is to be sympathetic with building with heritage values identified by Council.

1.0 SITE PLANNING AND ORIENTATION

1.1 Subdivision Design

Subdivision designs can be submitted as part of a development application and will be assessed in accordance with meeting the following objectives and controls:

Objectives

- To ensure that the site is planned efficiently and has regard to the environmental, social and economic opportunities inherent to the site.
- To maximise solar access for all development
- To minimise soil disturbance.
- To enhance accessibility.
- To complement the surrounding area.
- To protect natural waterways and bodies.
- To ensure that, where sewer is not available, sufficient measures are put in place to protect public health & the environment.

Controls

- Applicants are required to provide a site plan which describes the manner in which site attributes and constraints have been considered.
- Subdivision layouts are to preserve views from significant topographical features such as

1.2 Lot Sizes

Objectives

- To ensure lot sizes are appropriate to meet the capacity of the land.
- To provide a range of lot sizes to increase the diversity of housing.
- To ensure lots sizes and dimensions are adequate to enable the siting of a dwelling, and maximise private open space, cross ventilation and solar access.

Controls

- The range of lot sizes is to ensure a diversity of housing and to achieve sustainable development. Lots sizes shall be in accordance with Council's L.E.P. Developers are referred to the L.E.P. maps identifying the land to which minimum sizes apply. Generally these sizes will be either 4,000m² or 2,000m² where sewer is available.

1.3 Services Provision

Objectives

- To provide all services to all allotments in a timely manner
- To provide the efficient placement of services including shared trenching.

R1 – PRIMARY PRODUCTION SMALL LOTS AND LARGE LOT RESIDENTIAL – ZONES RU4 & R5

- To ensure an adequate, reliable, safe, efficient and potable supply of water to all allotments.
- To provide stormwater drainage services that adequately deal with normal flows.
- To provide an adequate sewerage system, where sewer is reasonably available, that caters for the total development of the site.

Controls

- Servicing is required to all allotments including the provision of stormwater, reticulated potable water (Tumbarumba & Khancoban townships), sewer (Tumbarumba and Khancoban townships), telephone and electricity.
- Sewered land must be provided with an underground, gravity system which connects to all lots.
- Where subdivision applications are approved, and within 3 months of such approval, documentary evidence must be provided from the following utility authorities, confirming that they can service the proposed subdivision and that arrangements have been made to supply the following underground services:
 - Electricity supply
 - Telecommunications and internet supply
- Unsewered areas such as Jingellic and Rosewood will need to be provided with a report by an appropriately qualified soil scientist or similar which addresses the ability of the site to adequately cater for on-site sewage disposal.
- Where a public water supply is available, fire hydrants shall be provided in accordance with AS 2419 and be delineated by blue

markers in the centre of the road pavement.

- Where public water supply is not available (eg Jingellic and Rosewood), each dwelling must be provided with a minimum rain tank capacity of 40,000 litres.
- Services including stormwater, water, sewer, telephone and electricity are to be provided underground.
- Shared trenches for services are to be used where possible.
- Stormwater drainage infrastructure shall conform to the following requirements:
 - New lots shall drain to a road or piped underground drainage system.
 - On road drainage shall be restricted to a maximum of 100m before being discharged to a piped system.
 - All piped drains shall be sized to take a 1:5 year storm event with roads boxed or blocks raised to ensure that all storm events up to and including 1:100 year can be accommodated within the road or drainage system without flooding onto residential allotments.
- Easements to benefit Tumbarumba Shire Council shall be provided over all stormwater drains, water and/or sewer services located within private land.

2.0 SETBACKS

2.1 Front Setbacks

Objectives

- To ensure that the development establishes appropriate and

R1 – PRIMARY PRODUCTION SMALL LOTS AND LARGE LOT RESIDENTIAL – ZONES RU4 & R5

attractive streetscapes, which reinforce the function of the street and is sensitive to the landscape and environmental conditions of the locality.

- To promote space around separate dwellings and buffers between ownerships.
- To minimise potential conflict between agricultural and residential uses.

The following controls will apply to all development located on the whole site.

- Dwelling setbacks from the primary street are 15m from the front boundary; or
- If there is an existing dwellings on both abutting allotments the average distance of setbacks of the front walls on the abutting allotments; or
- If there is an existing dwelling on one adjoining allotment and no existing dwelling on the other abutting allotment, the same distance as the setback of the front wall of the existing dwelling on the abutting allotment.
- All garages and carports are to be setback at least 6m from the front setback.

2.2 Side & Rear Setbacks

Objectives

- To allow for flexibility in the siting of buildings and the provision of side and rear setbacks.
- To promote space around separate dwellings and buffers between ownerships.
- To minimise for potential conflict between agricultural and residential uses.

Controls

- Dwellings are to be setback a minimum 6m.

3.0 COLOURS & MATERIALS

Objectives

- To ensure that development is attractive and contributes to the streetscape.

Controls

- Roof, external wall and trim colours are to be in neutral tones comprising off whites through to blue greys or natural earth colours suitable to the existing landscape.
- Materials and colours are to be non-reflective.

4.0 ROOF FORM

Objectives

- To encourage the creation of attractive, well designed residential development.

Controls

- Unnecessarily complicated roof forms should be avoided.
- Flat or low pitched roofs are generally discouraged.
- A minimum of 450mm eaves overhang is required where possible.

5.0 PRIVACY & SECURITY

Objectives

- To site and design buildings to meet projected user requirements for visual and acoustic privacy.
- To protect the visual and acoustic privacy of adjoining buildings.

Controls

- In the case of two storey dwellings it is important to design

R1 – PRIMARY PRODUCTION SMALL LOTS AND LARGE LOT RESIDENTIAL – ZONES RU4 & R5

and site the dwelling to minimise overlooking of adjoining properties.

- In order to improve visual and acoustic privacy careful consideration of the location of windows, balconies and outdoor entertaining areas is required.
- Windows in a habitable room that are within 9m of, and allow an outlook to a window of a habitable room in the neighbour's house:
 - Are offset from the edge of one window to the nearest edge of the other by a distance of at least 1.5m; or
 - Have sill heights of at least 1.7m above floor level; or
 - Have fixed obscure glazing in any part of the window below 1.7m above floor level; or
 - Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.
- Windows should not directly overlook the adjoining properties private open space.

6.0 ENERGY EFFICIENCY & SUSTAINABILITY

Objectives

- To provide dwellings with adequate daylight and natural ventilation to habitable rooms and adequate sunlight to private open spaces.
- To reduce total energy use in residential buildings by reducing heat loss and energy consumption for heating and cooling.
- To encourage the use of building materials, that are energy efficient, non harmful and environmentally sound.

Controls

- Minimise windows along western facades.
- The main living area and private open space is to achieve three hours of sunlight between 9.00am and 3.00pm on June 21.
- All development must meet BASIX requirements.

7.0 LANDSCAPING & EXTERNAL WORKS

7.1 Landscaping

Objectives

- To enhance the appearance, amenity and energy-efficiency of new development for the users and for the community in general.
- To encourage the integration of building and landscape elements.
- To encourage the use of water sensitive urban design.
- To enhance the existing streetscape and promote a scale and density of planting that soften the visual impact of buildings.

Generally

- Landscaping shall comprise of a mixture of turf, shrubs and trees with or without delineation and shall be specifically shown and described upon lodgement of development application.
- Landscaping should be at an appropriate scale to the building and enhance the streetscape.
- Indigenous species, especially low water consumption plants, should be used in preference to exotic species, reflecting the vegetation communities of the locality.
- Landscaping is to be designed so as to minimise overlooking between properties.

R1 – PRIMARY PRODUCTION SMALL LOTS AND LARGE LOT RESIDENTIAL – ZONES RU4 & R5

- Planting of low hedges along street frontages, integrated with fencing to help define the boundary are required.
- To preserve traffic sight distances, landscaping within 6m of the intersection of two streets shall be restricted in height to not more than 1 metre.

7.2 Fencing

Objectives

- To ensure that front, side and rear fences contribute to the streetscape and do not detrimentally impact upon adjacent buildings.

Controls

Front Yards

- A fence should be a stock proof fence to a maximum height of 1350mm and/or a hedge to a maximum height of 1300mm across the primary street frontage and along the side boundaries to a setback of 1.0m past the building façade. Refer across for corner lots.
- Front fences shall enable outlook from buildings to the street for safety and surveillance.
- The entrance to the dwelling shall be clearly identifiable.
- Landscaping is to be integrated into the fence design and contribute to the streetscape.
- Appropriate vegetation should be used to provide shade to the northerly and westerly elevations of buildings in summer, while allowing sunlight in winter.

7.3 Driveways

Objectives

- To provide useable, safe and attractive entries which do not dominate the streetscape.

Controls

- Driveways shall have a minimum width of 4.0m for one entry.
- Driveways shall be located to the satisfaction of the Council Engineer.
- Driveways and crossovers onto sealed roads shall be of concrete or asphalt construction and paved to full width.
- Vehicle crossovers onto unsealed roads shall be all weather construction to the satisfaction of Councils engineer.

7.4 Site Facilities & Services

Objectives

- To provide appropriate sewage disposal that minimises potential public health and environmental risks.
- To provide an effective stormwater management system which is sustainable and requires minimal maintenance.
- To ensure site facilities, such as garbage bins and recycling enclosures, recycling bins, mail boxes, clothes drying areas, external storage facilities, exterior lighting and signage are designed to be conveniently reached and require minimal maintenance.
- To ensure facilities are visually attractive and blend in with the streetscape.
- To ensure water tanks are provided with residential development.

Controls

- All sites within reasonable proximity to Council's sewer shall be connected to same.

R1 – PRIMARY PRODUCTION SMALL LOTS AND LARGE LOT RESIDENTIAL – ZONES RU4 & R5

- All sites outside sewerage areas must provide a report from an appropriately qualified person such as a soil scientist that confirms that the site can cope with sewage effluent. The report must detail the design parameters for such disposal system and be in accordance with the Australian Standard 1547 On-site domestic waste water treatment.
- Clothes drying areas shall be provided to each lot in the rear yard.
- Rainwater tanks must be provided with all residential developments. Rainwater tanks must not be located within the front setback.
- A maximum width per crossing 6m.
- Corner allotments - minimum distance crossings are to be located from road intersection 6m
- Minimum separation between crossings 2m
- Minimum distances from common property boundary 0.5m
- Construction shall be carried out in accordance with the annexed drawings entitled "Annexure urban crossings standard drawings".

7.5 Access Road Construction

Objectives

- To ensure that new roads constructed as part of any subdivision are provided to an acceptable standard.
- To minimise nuisance as a result of dust from trafficked areas.
- To ensure all weather access.
- To cater for stormwater run-off from roads.
- To ensure driveways and property access points meet minimum standards and are located appropriately.

Controls

- Prior to commencing construction applicants must submit and receive Council approval for full engineering design plans for roads, kerb and gutter, vehicle crossovers, water and sewer.
- Vehicular Crossings for areas zoned R5 & RU4 shall meet the following minimum requirements:
 - Maximum number of crossings per street frontage 2

- All public roads shall be constructed and bitumen sealed to Council's standard. This includes the following:
 - 250mm crushed rock and/or approved road making gravel pavements
 - 2 coat sealed pavements a minimum of 7.5m wide on primary roads & 6.5m wide in cul de sacs and 15m in court bowls.
- All public roads within the towns and villages of Tumarumba Shire shall be provided with kerbing, guttering and driveway access points to Council's standard.
- Outside the towns and villages, table drains shall be provided. Driveway access points shall incorporate minimum 300mm diameter pipes with headwalls and be a minimum 6m wide. Further information and specifications on access points is contained in Appendix A to this Development Control Plan.

Note: Applicants are advised to refer to the following Circulars for potential additional requirements;
Circular N1- Notification of Development

R1 – PRIMARY PRODUCTION SMALL LOTS AND LARGE LOT RESIDENTIAL – ZONES RU4 & R5

Applications

Circular Z1- Zones and minimum lot size
summary,

Appendix A-Access to properties specification

S1 – OUTDOOR ADVERTISING SIGNS

Objectives

- To encourage the provision of legitimate information and promotional signage associated with the needs of the community and the creation of the image and identity of Tumbarumba Shire
- To identify those key local considerations for outdoor advertising applying to Tumbarumba Shire

1.0 INTRODUCTION

Council has identified that there are a number of key local issues associated with outdoor advertising in both towns and rural locations throughout the Shire.

These controls provide additional local key principles to augment the operation of *State Environmental Planning Policy No 64 (SEPP 64)*.

2.0 KEY LOCAL CONSIDERATIONS

The following are key local principles that apply to outdoor advertising:

- signage must comply with *SEPP 64 – Advertising and Signage Schedule 1 Assessment Criteria (refer Table 1 below)*
- advertising in rural areas may only advertise a facility, activity or service located on the land or direct travelling public to a tourist facility or building or place of scientific, historical or scenic interest within the area
- external illumination to signs must be top mounted and directed downwards

3.0 PROHIBITED ADVERTISING

Council has identified that the following advertising signs are not acceptable methods of outdoor advertising in Tumbarumba Shire:

- electronic trailer mounted road signs used for promotional or advertising
- roof or wall signs projecting above the roof or wall to which it is affixed
- flashing or intermittently illuminated signs
- advertisements on parked motor vehicles or trailers (whether or not registered) for which the principal purpose is for advertising
- signs fixed to trees, lights, telephone or power poles
- signs which could reduce road safety by adversely interfering with the operation of authorized road signs
- signs that are considered to be unsightly, objectionable or injurious to the amenity of the locality, any natural landscape, public reserve or public place
- numerous small signs and advertisements carrying duplicate information
- overhead banners and bunting, except in the form of temporary advertisement for community events and related purposes

S1 – OUTDOOR ADVERTISING SIGNS

Table 1 – Schedule 1 – Assessment Criteria – SEPP 64

Criteria	Assessment
1. Character of the area	<ul style="list-style-type: none"> • Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? • Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?
2. Special areas	<ul style="list-style-type: none"> • Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?
3. Views and vistas	<ul style="list-style-type: none"> • Does the proposal obscure or compromise important views? • Does the proposal dominate the skyline and reduce the quality of vistas? • Does the proposal respect the viewing rights of other advertisers?
4. Streetscape, setting or landscape	<ul style="list-style-type: none"> • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? • Does the proposal contribute to the visual interest of the streetscape, setting or landscape? • Does the proposal reduce clutter by rationalising and simplifying existing advertising? • Does the proposal screen unsightliness? • Does the proposal protrude above buildings, structures or tree canopies in the area or locality?
5. Site and building	<ul style="list-style-type: none"> • Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both?
6. Associated devices and logos with advertisements and advertising structures	<ul style="list-style-type: none"> • Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?
7. Illumination	<ul style="list-style-type: none"> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew?

S1 – OUTDOOR ADVERTISING SIGNS

8. Safety	<ul style="list-style-type: none">• Would the proposal reduce the safety for any public road?• Would the proposal reduce the safety for pedestrians or bicyclists?• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?
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Objectives:

- To provide controls and guidelines for the development of residential land in the R1, R3 and RU5 zones of Tumarumba, Khancoban, Rosewood and Jingellic.
- To support the efficient use of residential land and expand the variety of housing options to increase choice and affordability.
- To set appropriate guidelines for high quality design and landscaping of residential development and to encourage sustainable environmental design.
- To minimise environmental impacts including those relating to odour, noise, effluent disposal and drainage.
- To ensure development positively responds to the character of the surrounding area.

1.0 SITE PLANNING AND ORIENTATION

1.1 Subdivision Design

Subdivision designs can be submitted as part of a development application and will be assessed in accordance with meeting the following objectives and controls:

Objectives

- To ensure that the site is planned efficiently and has regard to the environmental, social and economic opportunities inherent to the site.
- To maximise solar access for all development.
- To minimise soil disturbance.
- To ensure that development provides a safe and positive character.
- To enhance accessibility.
- To minimise visual impacts.
- To complement the surrounding

area.

- To provide diversity of housing.
- To ensure sites adjoining and adjacent to open space are designed to encourage casual surveillance.
- To ensure that development adjacent to public domain elements complements the landscape character, public use and enjoyment of that land.
- To protect natural waterways and bodies.
- To ensure that, where sewer is not available, sufficient measures are put in place to protect public health & the environment.

Controls

- Applicants are required to provide a site plan which describes the manner in which site attributes and constraints have been considered.
- Subdivision layouts are to preserve views from significant topographical features such as water courses.
- Drainage lines are to be retained and incorporated into open space areas wherever possible.
- Where heritage items are within close proximity of any proposed subdivision site, the design of the lot layout is to be sympathetic with building with heritage values identified by Council.

1.2 Lot Sizes

Objectives

- To ensure lot sizes are appropriate to meet the capacity of the land.
- To provide a range of lot sizes to increase the diversity of housing.
- To ensure lot sizes and dimensions are adequate to enable the siting of a dwelling,

and maximise private open space, cross ventilation and solar access.

Controls

- The range of lot sizes is to ensure a diversity of housing and to achieve sustainable development. Lots sizes shall be in accordance with Council's LEP developers are referred to the LEP maps identifying the land to which minimum sizes apply.

1.3 Services Provision

Objectives

- To provide all services to all allotments in a timely manner.
- To provide the efficient placement of services including shared trenching.
- To ensure public safety and amenity through effective street lighting.
- To ensure an adequate, reliable, safe, efficient and potable supply of water to all allotments.
- To provide stormwater drainage services that adequately deal with normal flows.
- To provide an adequate sewerage system, where sewer is reasonably available, that caters for the total development of the site.

Controls

- Servicing is required to all allotments including the provision of stormwater, reticulated potable water (Tumbarumba & Khancoban townships), sewer (Tumbarumba and Khancoban townships), telephone, electricity, and streetlights.
- Sewered land must be provided with an underground, gravity system which connects to all lots.
- Where subdivision applications

are approved, and within 3 months of such approval, documentary evidence must be provided from the following utility authorities, confirming that they can service the proposed subdivision and that arrangements have been made to supply the following underground services:

- Electricity supply
- Telecommunications and internet supply
- Unsewered areas such as Jingellic and Rosewood will need to be provided with a report by an appropriately qualified soil scientist or similar which addresses the ability of the site to adequately cater for on-site sewage disposal.
- Where a public water supply is available, fire hydrants shall be provided in accordance with AS 2419 and be delineated by blue markers in the centre of the road pavement.
- Where public water supply is not available (eg Jingellic and Rosewood), each dwelling must be provided with a minimum rain tank capacity of 40,000 litres.
- Services including stormwater, water, sewer, telephone and electricity are to be provided underground.
- Shared trenches for services are to be used where possible.
- Street lighting is to be provided and is to be consistent with the street type.
- Stormwater drainage infrastructure shall conform to the following requirements:
 - New lots shall drain to a road or piped underground drainage system.
 - On road drainage shall be restricted to a maximum of 100m before being discharged to a piped

- system.
- o All piped drains shall be sized to take a 1:5 year storm event with roads boxed or blocks raised to ensure that all storm events up to and including 1:100 year can be accommodated within the road or drainage system without flooding onto residential allotments.
- Easements to benefit Tumbarumba Shire Council shall be provided over all stormwater drains, water and/or sewer services located within private land.

2.0 STREETScape

The streetscape is important as it provides visual amenity and safety for the resident and visitor and defines the public and private domains. Building siting, height, articulation and landscape contribute to the streetscape.

Active streetscapes increase the public surveillance which assists in reducing crime in the area.

Objectives

- To encourage active street frontages.
- To encourage pedestrian activity throughout the site.
- To provide a safe street network.
- To provide careful consideration to the appearance and safety of laneways.
- To ensure landscaping is complementary with the street type, is of an appropriate scale and is compatible with the area.

Controls

- Dwellings are to be designed to address all adjoining streets, ie corner lots, rear lanes, double

- frontages.
- Dwellings are to be sited on corner lots so that living spaces address both streets with balconies and windows providing casual surveillance. The entry should be from the primary street and the garage located on the secondary street.
- Lots that have double road frontages are to address both frontages.
- Laneways are to incorporate similar urban design elements as streets.
- Access is to be provided to the lot from the secondary street or laneway.
- Landscaping is to incorporate existing vegetation where possible.
- Street name signs shall be provided at all road intersections.
- Street lighting shall be provided in accordance with Australian Standard 1158.3.1.
- Street tree plantings shall be consistent with Council’s Street Tree Management Plan and shall be species suitable for urban areas and shall not be planted in a manner that will cause interference with traffic and pedestrian safety.

3.0 BUILT FORM & DETAIL

3.1 Building Siting

Objectives

- To enhance the liveability of a dwelling and its appearance to the overall streetscape through the siting of the building.
- To preserve and share views.

Controls

- Dwellings are to relate to surrounding development, open space and views.

- The dwelling is to address the street and/or open space with living rooms windows, balconies/verandas and a clearly visible front entry.
- Maximise natural cross ventilation through reducing building depth and appropriate placement of windows.
- Private open space is to be connected to primary living spaces.
- Maximise solar access to private open space and primary living spaces.
- Solar access to the dwelling and adjoining dwellings should not be compromised.
- Ensure acoustic privacy between neighbouring dwellings through placement of windows and setbacks from side boundaries.

3.2 Front Setbacks

Objectives

- To ensure that the development establishes appropriate and attractive streetscapes, which reinforce the function of the street and is sensitive to the landscape and environmental conditions of the locality.
- To ensure parking and garages do not dominate the street frontage.

Controls

Medium Density Residential

- The following controls will apply to all medium density development located on the whole site.
- Medium density development is to have a minimum front setback of 3.0m.
- Verandas, porches, balconies are permitted to project up to 1m forward of the dwelling setback.

Low Density Residential

- The following controls will apply to all low density development located on the whole site.
- Dwelling setbacks from the primary street are:
 - 4.5m for east-west facing lots
 - 5.5m for north-south facing lots
 - Verandas, porches, balconies are permitted to project up to 2m forward of the dwelling setback.
- All attached garages and carports are to be setback at least 1metre from the dwelling façade.

3.3 Side & Rear Setbacks

Objectives

- To allow for flexibility in the siting of buildings and the provision of side and rear setbacks.
- To allow adequate natural light and ventilation to dwellings
- To maximise acoustic privacy for dwellings.
- To encourage active street frontages in laneways.

Controls

Medium Density Residential-Zone R3

Side Setbacks

- A zero lot boundary is permissible for the ground floor along one boundary only. This wall is to be fire rated in accordance with the BCA, have no openings and must not impact upon the solar access for the adjoining dwelling. All other boundary setbacks must comply with BCA and Council setback requirements.
- No walls shall be permitted between 150mm and 900mm, from side boundaries. The

reason for this is to provide enough room for guttering and downpipes (hence the 150mm) but to eliminate “dead space” or narrow, un-useable space between buildings and boundaries.

- Secondary frontage setbacks for all structures shall be a minimum of 2.0m.

All Other Residential Zones (R1 & RU5)

- Single storey dwellings are to be setback a minimum of 900mm from side boundary.
- The second level of a two storey buildings is to be setback 2.0m from the side boundary.
- Walls of single storey dwellings may be built to the side and rear boundaries where:
 - They do not contain any openings unless such openings comply with the fire resistance levels in the BCA and are infilled with translucent or opaque materials; and
 - The wall height and length are such that there will be minimal impact on privacy, use of private open space and solar access to adjoining properties.

Rear Setbacks

- 6.0m minimum setback for predominantly east, west and south facing lots subject to solar access of adjoining properties.
- 6.0m minimum setback for one storey dwellings on predominately north facing lots.
- 7.4m setbacks for two storey dwellings on predominantly north facing lots.
- The minimum setback is to apply only to less than 50% of the width of the allotment. The rear setback can be reduced to 3.0m for a maximum 50% of the width of the

allotment for single storey components. This is not to impact upon solar access to adjoining lots or the dwelling and its private open space.

- In low density areas, secondary frontage setbacks for all structures shall be a minimum 2.0m.

Rear Lanes

- Garages and studios over garages are to be setback 1.0m from any rear lane.

3.4 Building Height & Scale

Objectives

- To ensure that the height, scale and length of new development is not excessive and relates to the local content.
- To encourage building design, that creates desirable living conditions and respects the amenity of surrounding properties.

Controls

- Building siting and height are related to the land form to minimise cut and fill.
- Building forms are to enable view sharing with adjoining development.
- Building bulk distributed over the site to reduce impact on adjoining development.
- Maximum building height for all dwellings is two (2) storeys.

3.5 Building Envelopes

Objectives

- To ensure that the new development is not excessive and provides appropriate amenity.

Controls

- Medium Density Residential
 - Maximum Site Coverage – 55% of the total site area.
 - Maximum Impervious Area – 70% of the total site area.
 - Minimum Pervious Area – 30% of the site area.
- Low Density Residential
 - Maximum Site Coverage – 60% of the total site area.
 - Maximum Impervious Area – 80% of the total site area.
 - Minimum Pervious Area – 20% of the site area.

3.6 External Appearance

Objectives

- To encourage the creation of attractive, well designed residential development.
- To allow flexibility in design and use of materials while encouraging high architectural standards.

Controls

- Every opportunity should be taken to vary each design and enhance individual site features. This can be achieved through the following:
 - Varying each layout to suit the site and to optimise the accommodation of various lifestyles.
 - Providing individual forms, façade treatments, colours and materials.
 - Varying setbacks.

Architectural elements may include gables, bay windows, verandas, awnings, pergolas, articulation of materials.

- Emphasis of the corner of the building through architectural devices or creation of a specific architectural element at the corner. This may include roof

turrets, corner windows, and return verandas, or similar architectural elements.

- The secondary street frontage to houses on corner lots is adequately articulated to maintain a suitable streetscape by addressing both streets.
- The entry to the dwelling should provide shelter and is to be visible from the street and clearly defined either as an element in its own right or as an integral part of a front veranda or porch.
- Elements such as meter boxes, gas bottles and air conditioning units are to be screened from view or integrated into the building and fence or landscape design where possible.

3.7 Articulation

Objectives

- To ensure that articulation is an integrated part of the overall design.
- To provide visual interest.
- To provide privacy.

Controls

- Balconies should be designed over garages in two storey dwellings to reduce the visual dominance of the garage.
- Balconies should be large enough to be useable.
- Link verandas to a living space.
- Privacy screening can be used for verandas and the like.

3.8 Colours & Materials

Objectives

- To ensure that development is attractive and contributes to the streetscape.

Controls

- Roof, external wall and trim colours are to be in neutral tones comprising off whites through to blue greys or natural earth colours suitable to the existing landscape.
- Materials and colours are to be non-reflective.

3.9 Roof Form

Objectives

- To encourage the creation of attractive, well designed residential development.

Controls

- Unnecessarily complicated roof forms should be avoided.
- Flat or low pitched roofs are generally discouraged.
- The roofs of houses on corner lots may require further articulation to maintain an acceptable streetscape.
- A minimum of 450mm eaves overhang is required where possible.

3.10 Private Open Space

Objectives

- To ensure that the open space provided for a dwelling is usable and meets use requirements for privacy, safety, access, outdoor activities and landscaping.

Controls

- Dwelling designs are required to maximise solar access to the main living areas and principle areas of open space. Rooms are to be arranged so that the main living areas and open space are orientated towards north for good solar access in winter.
- Open space areas are of dimensions to suit the requirements of the dwelling

occupants, and to accommodate some outdoor recreational needs as well as providing spaces for service functions.

- Part of the open space is capable of serving as an extension of the function of the dwelling for relaxation, dining, entertainment, recreation and children's play, and being accessed from a main living area of the dwelling.
- Orientation of the open space enables solar access and helps to achieve comfortable year round use.
- A minimum of total area of 35m² per dwelling is to be provided as open space. Any one part of such area is to be not less than 4m x 4m and directly accessible from the living area.
- Screening may be required to maintain privacy. Landscaping solutions may be used to create a screening. Screening should not impact upon solar access.

3.11 Privacy & Security

Objectives

- To site and design buildings to meet projected user requirements for visual and acoustic privacy.
- To protect the visual and acoustic privacy of adjoining buildings.

Controls

- In the case of two storey dwellings it is important to design and site the dwelling to minimise overlooking and overshadowing of adjoining properties.
- In order to improve visual and acoustic privacy careful consideration of the location of windows, balconies and outdoor entertaining areas is required.
- Windows in a habitable room that are within 9m of, and allow an outlook to a window of a

habitable room in the neighbour's house:

- Are offset from the edge of one window to the nearest edge of the other by a distance of at least 0.5m; or
- Have sill heights of at least 1.7m above floor level; or
- Have fixed obscure glazing in any part of the window below 1.7m above floor level.
- Have permanently fixed screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.
- Windows should not directly overlook the adjoining properties private open space.
- At least one habitable room's window shall overlook any adjoining street or public space to allow for casual surveillance.

3.12 Energy Efficiency & Sustainability

Objectives

- To provide dwellings with adequate daylight and natural ventilation to habitable rooms and adequate sunlight to private open spaces.
- To avoid the potential for significant overshadowing of habitable rooms and private open spaces.
- To reduce total energy use in residential buildings by reducing heat loss and energy consumption for heating and cooling.
- To encourage the use of building materials, that is energy efficient, non harmful and environmentally sound.

Controls

- Minimise windows along western facades.

- The main living area and private open space is to achieve three hours of sunlight between 9.00am and 3.00pm on June 21.
- All development must meet BASIX requirements.

3.13 Car Parking

Objectives

- To provide convenient, accessible and safe parking to meet the needs of residents and visitors.
- To encourage the design of access and parking as part of the overall landscape design.

Controls

- The number of off-street car spaces required for a dwelling (except for dwellings with studio apartments over garages) is as follows:
 - Minimum parking spaces – 1
- The minimum number of off-street car spaces required for multi-dwelling housing is as follows:
 - 1 covered parking space per residential unit.
 - 1 visitor space per 4 residential units or part thereof.
- Disabled parking spaces shall comply with AS/NZS 2890.1.
- Where parking is provided under the building a minimum height of 2.1m shall be provided.
- Carports and garages shall face the street or access way and are not more than 7m or 45% of the frontage, which ever is the lesser.
- Free standing garages are not to dominate the streetscape and must be setback at least 1.0m behind the main dwelling façade and located on the secondary road frontage, in the case of corner allotments.

- Garages and carports shall be a maximum of one (1) storey in height.
- All entrances and exits shall be at right angles to the kerb and gutter and shall not be closer than 6.0m from any intersection.
- Landscaping is to minimise the visual impact of vehicular access points.
- Vehicles must be provided with appropriate turning spaces to ensure that all vehicles enter and exit the property in a forward direction.

4.0 LANDSCAPING & EXTERNAL WORKS

4.1 Landscaping

Objectives

- To enhance the appearance, amenity and energy-efficiency of new development for the users and for the community in general.
- To encourage the integration of building and landscape elements.
- To encourage the use of water sensitive urban design.
- To enhance the existing streetscape and promote a scale and density of planting that soften the visual impact of buildings.

Controls

Medium Density Residential

- Minimum 40% of the site area at ground level is to be landscaped

Low Density Residential

- Minimum 45% of the site area at ground level is to be landscaped.

Generally

- Landscaping shall comprise of a mixture of turf, shrubs and trees with or without delineation and

shall be specifically shown and described upon lodgement of development application.

- Landscaping should be at an appropriated scale to the building and enhance the streetscape.
- Indigenous species, especially low water consumption plants, should be use in preference to exotic species, reflecting the vegetation communities of the locality.
- Long term maintenance for the landscaped area must be arranged.
- Swimming pools and outdoor recreation areas may be included in the area designated for landscaping. However, areas such as driveways, parking areas and drying areas are not to be included.
- Landscaping is to be designed so as to minimise overlooking between properties.
- Front yards are to be turfed and landscaped with hedges or low plants. Planting of low hedges along street frontages, integrated with fencing to help define the boundary are required.
- To preserve traffic sight distances, landscaping within 6m of the intersection of two streets shall be restricted in height to not more than 1 metre.

4.2 Fencing

Objectives

- To ensure that front, side and rear fences contribute to the streetscape and do not detrimentally impact upon adjacent buildings.

Controls

Front Yards

- A fence to a height of 900mm and/or a hedge to a maximum

height of 1.0m across the primary street frontage and along the side boundaries to a setback of 1.0m from the building façade. Refer across for corner lots.

- Front fences shall enable outlook from buildings to the street for safety and surveillance.
- The entrance to the dwelling shall be clearly identifiable.
- All dwellings in R1 and R3 zones are required to construct 1800mm high side and rear fences which are not to extend into the front setback. Refer across for rear lanes.
- Landscaping is to be integrated into the fence design and contribute to the streetscape.
- Appropriate vegetation should be used to provide shade to the northerly and westerly elevations of buildings in summer, while allowing sunlight in winter.

4.3 Driveways

Objectives

- To provide useable, safe and attractive entries which do not dominate the streetscape.

Controls

- Driveways shall have a minimum width of 4.0m for one entry.
- Driveways shall be located to the satisfaction of the Council Engineer.
- Driveways shall be of concrete construction and paved to full width and finished with concrete pavers, exposed aggregate, plain concrete or integrally coloured concrete.

4.4 Pergolas, Canopies and Awnings

Objectives

- To ensure that the erection of external structure does not

unreasonably impact upon neighbouring sites.

- To maintain appropriate designs for external structures that are complementary to existing structures.

Controls

- The minimum setback from any other side property boundary for a pergola, canopy and/or awning is 500mm.
- External finished are to be compatible with the dwelling.
- The maximum cumulative area of all awnings, pergolas, canopies, cabanas and gazebos shall not exceed 50m².
- The maximum height, measured vertically from the highest point of the structure to the ground immediately below that point, of any pergola, canopy and/or awning must not exceed 2.7m.

4.5 Site Facilities & Services

Objectives

- To provide appropriate sewage disposal that minimises potential public health and environmental risks.
- To provide an effective stormwater management system that is sustainable and requires minimal maintenance.
- To ensure site facilities, such as garbage bins and recycling enclosures, recycling bins, mail boxes, clothes drying areas, external storage facilities, exterior lighting and signage are designed to be conveniently reached and require minimal maintenance.
- To ensure facilities are visually attractive and blend in with the streetscape.
- To ensure water tanks are provided with residential

development.

Controls

- All sites within reasonable proximity to Council's sewer shall be connected to same.
- All sites outside sewered areas must provide a report from an appropriately qualified person such as a soil scientist that confirms that the site can cope with sewage effluent. The report must detail the design parameters for such disposal system and be in accordance with the Australian Standard 1547 On-site domestic waste water treatment.
- Clothes drying areas shall be provided to each lot in the rear yard.
- Multi dwelling housing shall be provided with a minimum of 30 linear metres of clothes drying line for each residential unit. Where such facilities are likely to be visible from the street, appropriate screening shall be provided.
- Garbage or recycling bin areas, mail boxes and external storage facilities are sited and designed for attractive visual appearance and for efficient and convenient use. Mail boxes should be integrated with landscape, building and fence designs.
- No portion of a building shall be located within a distance of:-
 - 1 metre of a 150mm sewer main or
 - 2m of a 200mm sewer main.
- Rainwater tanks must be provided with all residential developments. Rainwater tanks must not be located within the front setback.

4.6 Access Road Construction

Objectives

- To ensure that new roads constructed as part of any subdivision are provided to an acceptable standard.
- To minimise nuisance as a result of dust from trafficked areas.
- To ensure all weather access.
- To cater for stormwater run-off from roads.
- To ensure driveways and property access points meet minimum standards and are located appropriately.

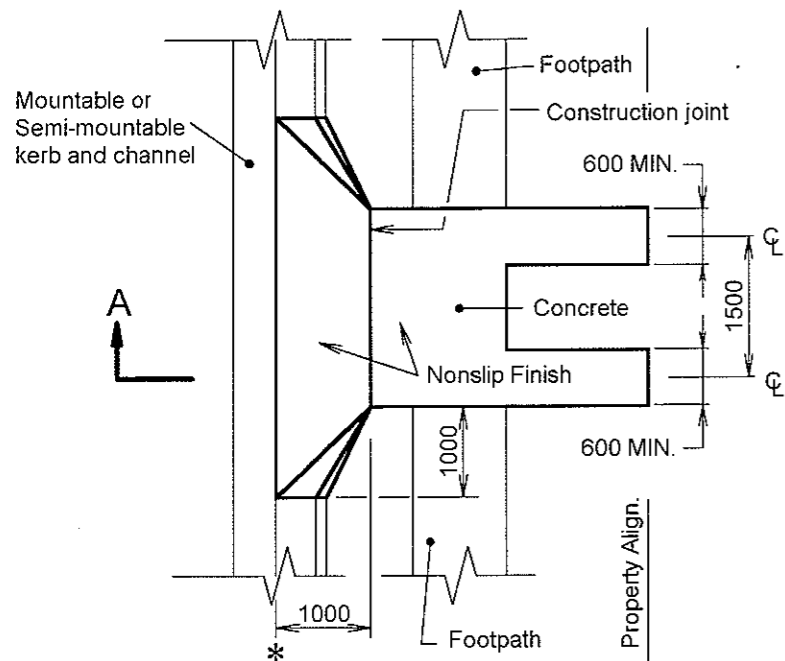
Controls

- Prior to commencing construction applicants must submit and receive Council approval for full engineering design plans for roads, kerb and gutter, vehicle crossovers, water and sewer.
- Vehicular Crossings for areas zoned RU5, R1 and R3 shall meet the following minimum requirements:
 - Maximum number of crossings per street frontage 2.
 - A maximum width per crossing 6m.
 - Corner allotments - minimum distance crossings are to be located from road intersection 6m.
 - Minimum separation between crossings 2m
 - Minimum distances from common property boundary 0.5m.
 - Construction shall be carried out in accordance with the annexed drawings entitled "Annexure urban crossings standard drawings".
- All public roads shall be constructed and bitumen sealed to Council's standard. This includes the following:
 - 250mm crushed rock

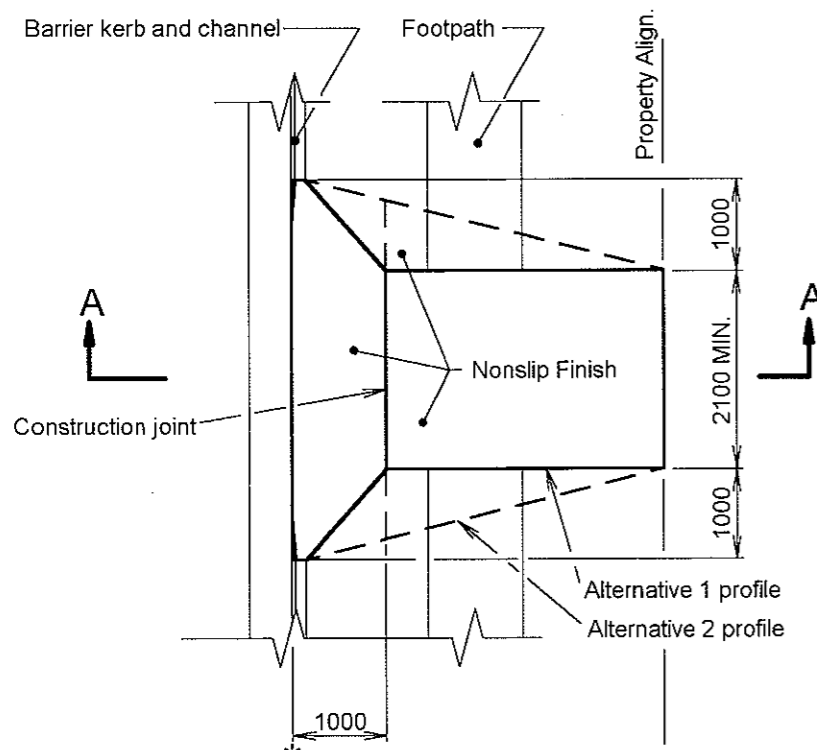
V1 –VILLAGE & RESIDENTIAL – ZONES RU5 & R1, R3

- and/or approved road making gravel pavements.
- 2 coat sealed pavements a minimum of 7.5m wide on primary roads & 6.5m wide in cull de sacs and 15m in court bowls.
- All public roads within the towns and villages of Tumbarumba Shire shall be provided with kerbing, guttering and driveway access points to Council's standard.
- Outside the towns and villages, table drains shall be provided. Driveway access points shall incorporate minimum 300mm diameter pipes with headwalls and be a minimum 6m wide. Further information and specifications on access points is contained in Appendix A to this Development Control Plan.

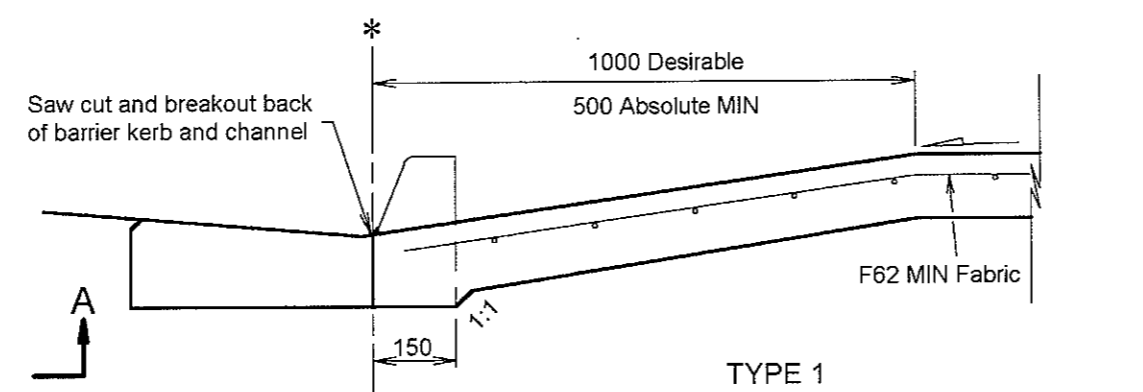
Note: Applicants are advised to refer to the following Circulars for potential additional requirements;
Circular N1-Notification of Development Applications,
Circular V1- Residential annexure urban crossing standard drawings,
Circular Z1- Zones and minimum lot size summary,
Appendix A- Access to properties specification.



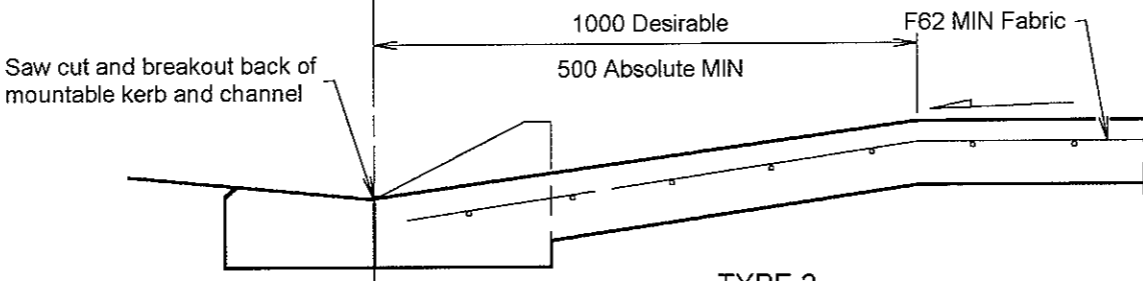
TRACKS ABUTTING MOUNTABLE & SEMI-MOUNTABLE KERB & CHANNEL



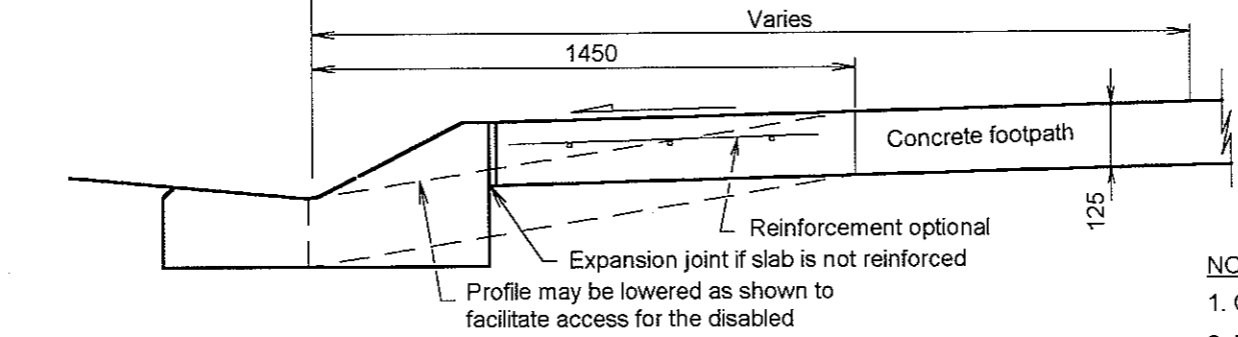
SLAB ABUTTING CHANNEL INVERT BARRIER KERB AND CHANNEL



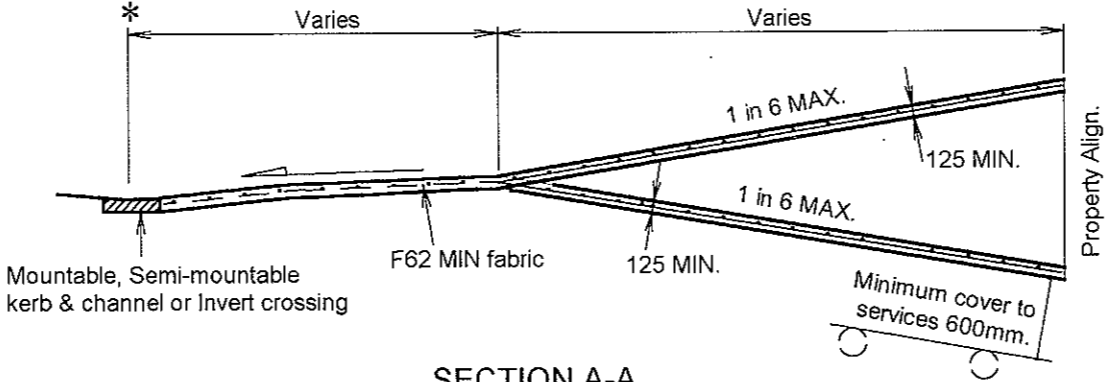
TYPE 1 BARRIER KERB & CHANNEL - BREAKOUT



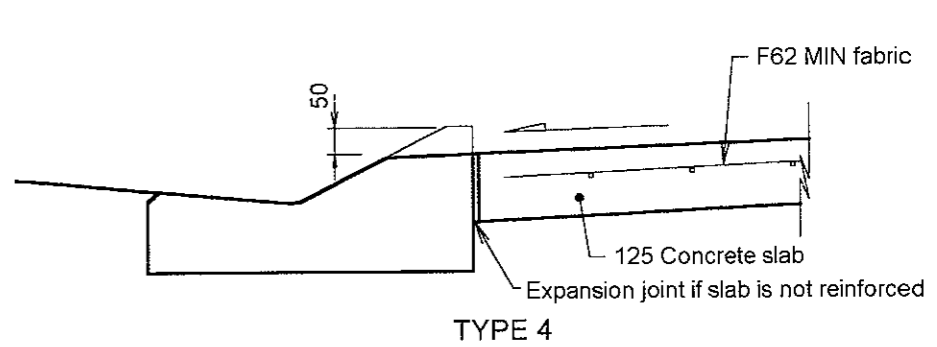
TYPE 2 MOUNTABLE KERB & CHANNEL - BREAKOUT



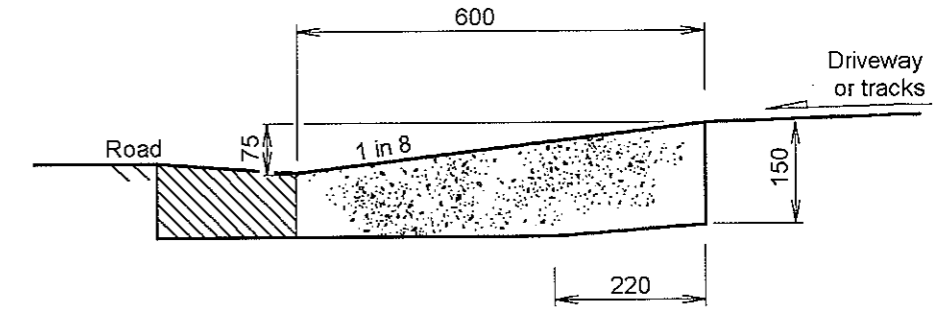
TYPE 3 MOUNTABLE KERB & CHANNEL



SECTION A-A



TYPE 4 MOUNTABLE KERB & CHANNEL - LOWER



TYPE 5 MINIMUM CHANNEL CROSSING

LEGEND
* NOM. kerb line.

- NOTES:
- Crossings are not designed for commercial vehicles.
 - Footpath section to vary where necessary to match concrete footpaths and verge profiles. Footpath earthworks adjoining concrete must be well compacted.
 - Concrete surface tolerance to be $+5mm$ / $-0mm$ over 3 metre sections.
 - Concrete N25 in accordance with AS 1379 and AS 3600.
 - Reinforcement fabric to AS 1304, 50 top and edge cover, lap fabric 250.
 - Approved materials for construction :- Concrete, Paving blocks or Asphalt, refer project drawings.
 - Expansion joints to be 10 thick, full depth closed cell cross linked polyethylene foam (85 - 150 kg/m³) or 10mm thick compressed granulated corkboard, installation to manufactures' instructions.
 - A street opening permit must be obtained from Council. Seek approval of location and levels prior to excavation.
 - Refer project drawings or Local Authority Standard Drawings for verge Type Cross Sections.
 - All dimensions in millimetres.

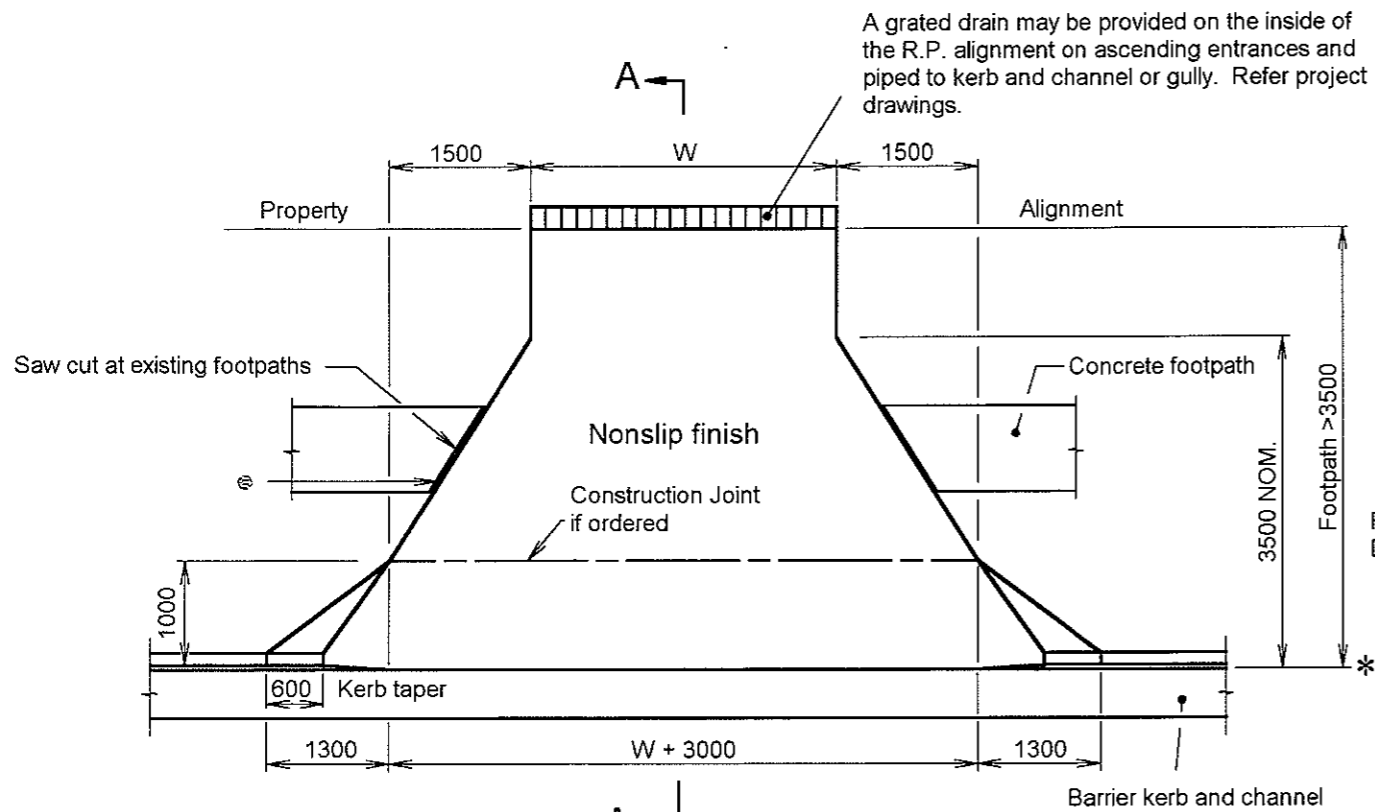
REVISIONS	DATE
B Note 7 revised, note 9 added	6/1/97
A ORIGINAL ISSUE	8/12/95

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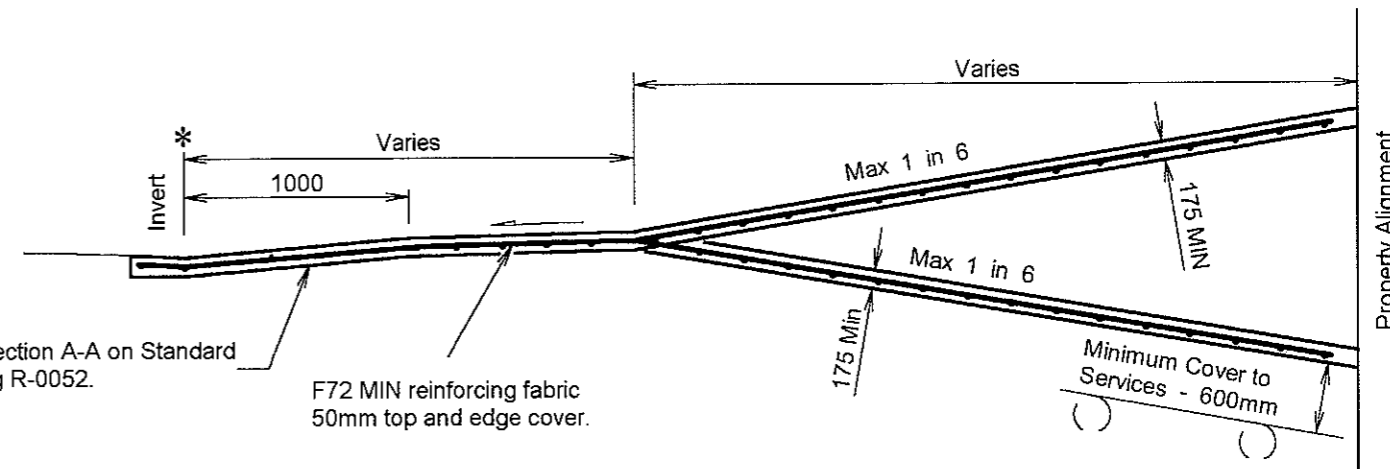


RESIDENTIAL DRIVEWAY
 SLAB AND TRACKS

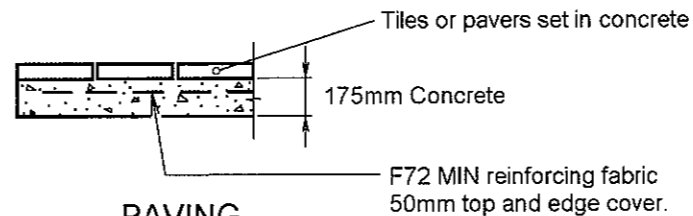
ROAD/STREET
 Standard Drawing
 R-0050



PLAN - WIDE FOOTPATHS



SECTION A - A



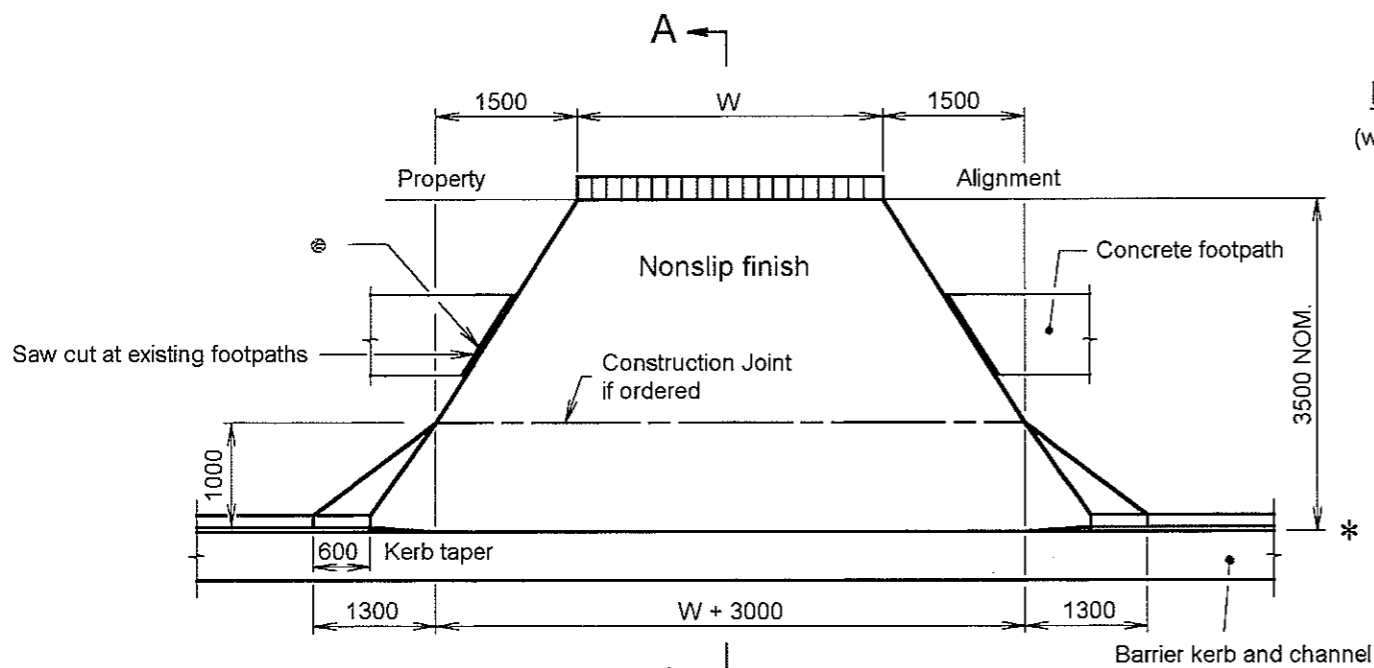
PAVING
(where specified)

NOTES:-

1. Concrete N25 in accordance with AS 1379 and AS 3600.
2. Reinforcing fabric to AS 1304. Lap fabric 250mm.
3. Depths of concrete and reinforcing steel shown are the minimum requirements for good foundation conditions, and average traffic loading. Where this does not apply, depths of concrete and reinforcing shall be increased to suit specific conditions.
4. Design of crossings may vary, refer project drawings.
5. Dimension W, 3.0m One way, 5.5m Two way, refer specification or project drawings.
6. Reprofile adjacent footpath to match driveway. Footpath earthworks adjoining concrete must be well compacted.
7. Existing footpath profile to be maintained where possible.
8. Compaction for subgrade 95% Standard to AS 1289.5.1.1.
9. Where subgrade is less than CBR 5 excavate and provide imported material to satisfaction of the Superintendent.
10. Concrete driveway unless otherwise approved
11. Refer project drawings or Local Authority Standard Drawings for Verge Type Cross Sections.
12. All dimensions in millimetres.

LEGEND

- * NOM Kerb line
- ⊗ Expansion joints to be 10 thick, full depth closed cell cross linked polyethylene foam (85 - 150 kg/m³) or 10mm thick compressed granulated corkboard, installation to manufacturers' instructions.



PLAN - 3.5m FOOTPATH

REVISIONS	DATE
B Note 5 revised, note 11 added	6/1/97
A ORIGINAL ISSUE	8/12/95

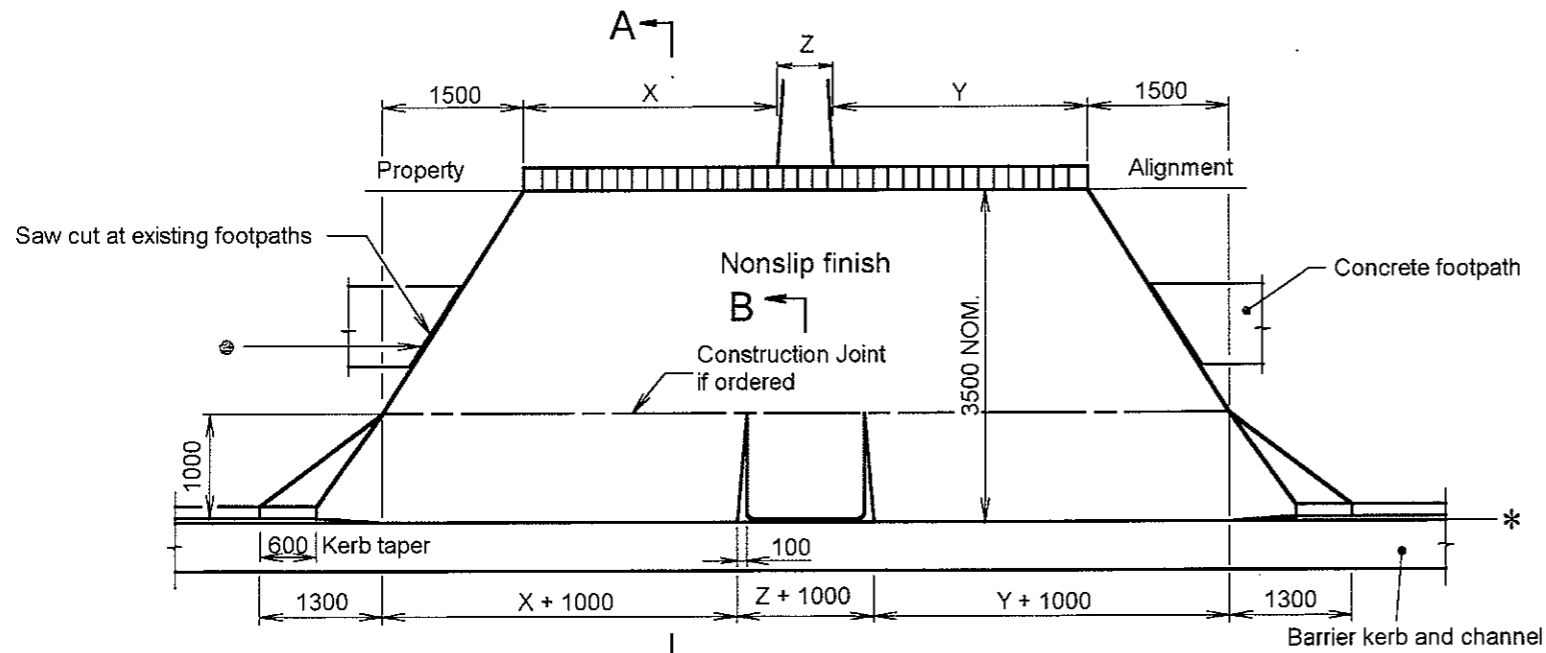
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COMMERCIAL DRIVEWAY SLAB
 TYPE A

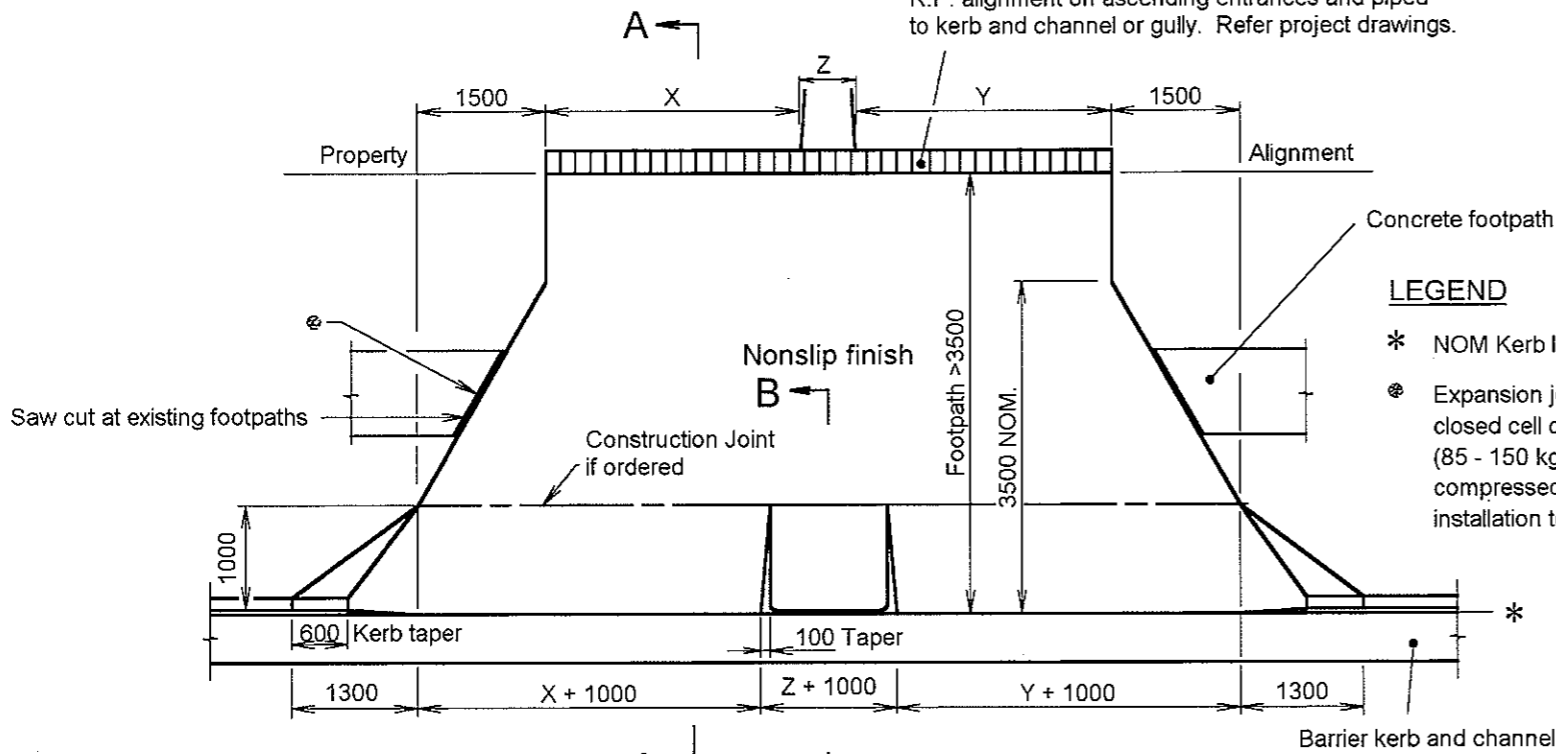
ROAD/STREET
 Standard Drawing
 R-0051

A	B		
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PLAN - 3.5m FOOTPATH

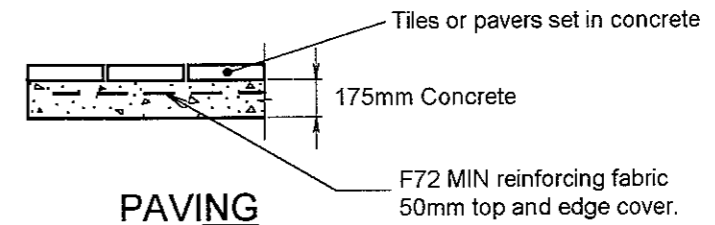
A grated drain may be provided on the inside of the R.P. alignment on ascending entrances and piped to kerb and channel or gully. Refer project drawings.



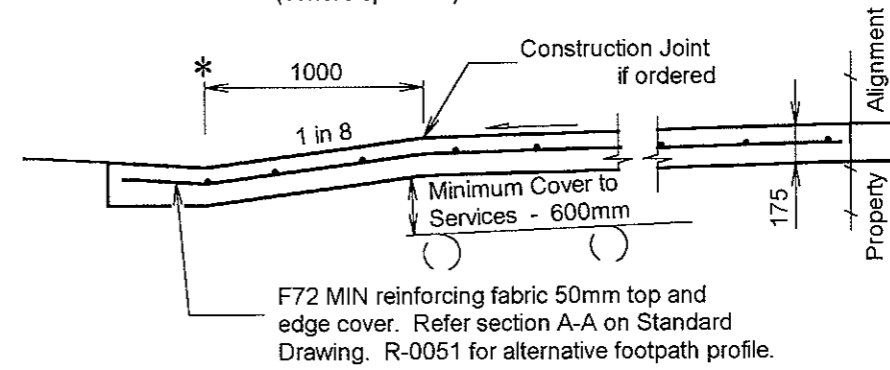
PLAN - WIDE FOOTPATHS

LEGEND

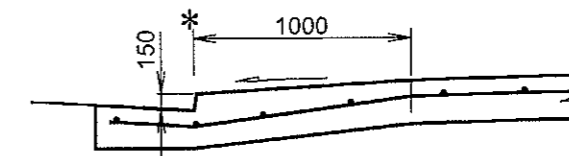
- * NOM Kerb line
- ⊗ Expansion joints to be 10 thick, full depth closed cell cross linked polyethylene foam (85 - 150 kg/m³) or 10mm thick compressed granulated corkboard, installation to manufacturers' instructions.



PAVING
(Where specified)



SECTION A - A



SECTION B - B

NOTES:

1. Concrete N25 in accordance with AS 1379 and AS 3600.
2. Reinforcing fabric to AS 1304. Lap fabric 250mm.
3. Depths of concrete and reinforcing steel shown are the minimum requirements for good foundation conditions, and average traffic loading. Where this does not apply, depths of concrete and reinforcing shall be increased to suit specific conditions.
4. Design of crossings may vary, refer project drawings.
5. Dimensions X, Y, & Z, refer specification or project drawings.
6. Reprofile adjacent footpath to match driveway. Footpath earthworks adjoining concrete must be well compacted.
7. Existing footpath profile to be maintained where possible.
8. Compaction for subgrade 95% Standard to AS 1289.5.1.1.
9. Where subgrade is less than CBR 5 excavate and provide imported material to satisfaction of the Superintendent.
10. Concrete driveway unless otherwise approved.
11. Refer project drawings or Local Authority Standard Drawings for Verge Type Cross Sections.
12. All dimensions in millimetres.

REVISIONS	DATE
B Note 11 added	6/1/97
A ORIGINAL ISSUE	8/12/95

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COMMERCIAL DRIVEWAY SLAB
TYPE B

ROAD/STREET
Standard Drawing
R-0052

Z1 ZONES & MINIMUM LOT SIZE SUMMARY

Zone	Title	Minimum Lot Size (where applicable)
B2	Local Centre	
E1	National Parks and Nature Reserves	
E3	Environmental Management	160 hectares
IN1	General Industrial	
IN2	Light Industrial	
R1	General Residential	450 square metres
R3	Medium Density Residential	250 square metres
R5	Large Lot Residential	4,000 square metres
RE1	Public Recreation	
RE2	Private Recreation	
RU1	Primary Production	40 hectares
RU3	Forestry	
RU4	Primary Production Small Lots	4,000 square metres or 2,000 square metres, where sewer in available
RU5	Village	450 square metres, where sewer is available
SP2	Infrastructure	

Note: Applicants are advised to refer to the following Circulars for potential additional requirements;

Circular R1- Rural small holdings and large lot residential

Circular V1- Village residential-Zones R1, R3 & RU5

APPENDIX A - ACCESS TO PROPERTIES SPECIFICATIONS

ACCESS TO PROPERTIES - General

1. All work on public roads requires Council approval, including the construction of accesses from the road to an adjacent property.
2. Any unauthorised work may be required to be removed.
3. Council's policy is to assist property owners to obtain access at the most economical cost, subject to specification, and will consider an application by an owner or his agent to construct an access.
4. The cost of accesses (Special Crossings in terms of Section 217, Roads Act, 1993) is to be borne by the owner.
5. Applications to construct an access shall be in writing.
6. An owner or his agent having obtained approval to construct an access, will be covered by Council's insurance, providing the specification for the work is adhered to.
7. Specifications for access may vary depending on the location, but will take into account the requirement or otherwise for a pipe culvert, the nature and material of the pipe its length and diameter, the relativity of any pipe in plan and elevation to the road, possible widening of any bitumen seal, approach gradient, sight distance, etc.
8. Council may carry out the work at cost on request.
9. Existing accesses which are unsafe or constructed so as to cause damage to the road or danger to the public may be required to be reconstructed, at the owner's expense.
10. In the event of a currently suitable access required to be altered to suit road reconstruction it shall be done at no cost to the owner.

If such a case, Council will reinstate the access to at least the previous standard.
11. Council may provide a culvert at the intersection of a reserved road and a dedicated road where it is deemed to be justified.

APPENDIX A - ACCESS TO PROPERTIES SPECIFICATIONS

RURAL ACCESS

This section provides that the owner of land adjoining a public road is responsible for the cost of constructing or repairing a "special crossing" as defined by the Act.

The objective of this policy is to ensure that property entrances:

- a. Are consistent in construction and with the class of road that they join.
- b. Are such as to allow effective maintenance by the owner of the access, and by Council of the through road in the vicinity.
- c. Protect the condition of the road.
- d. Provide adequate sight distance and traffic safety.

Note that the road configuration will generally dictate whether a piped culvert is required.

The access shall be constructed to the satisfaction of the Technical Services Department and in accordance with the following specifications.

1. Formation Width - the minimum formation width of a crossing shall be 5m (2 x 2.44m pipes).
2. Reinforced Concrete Pipes and Headwalls
 - a) Diameter - the diameter of the culvert shall be determined for each specific site by Council taking into account the catchment area and the grade of the existing table drain.

The minimum diameter shall be 300mm;
 - b) Class of Pipe - the pipe shall be a concrete minimum Class "2" grade pipe, or other approved material.
 - c) Gradient of Pipe - the desirable minimum grade of the pipe shall be 1 in 100.
 - d) Lateral Position of Pipe - the pipe shall be placed a minimum of 1.75 metres from the edge of bitumen on a sealed road, and generally may be placed in the table drain on an unsealed road. Variations may be accepted depending on circumstances.

APPENDIX A - ACCESS TO PROPERTIES SPECIFICATIONS

Some work may be necessary to alter the shape and position of the table drain.

- e) Invert of Pipe - the pipe invert is to be a desirable minimum of 400mm below the edge of the road, and the shape of the access shall be such that it incorporates a minimum 1.5 metre shoulder width of 3% fall from the through carriageway.
- f) Cover - the cover over the pipe should be at least the pipe outside diameter.
- g) Installation - the pipe may be installed on existing ground, if suitable.

If the existing material is unsuitable then the pipe shall be installed on a compacted bed of gravel or crusher grit with a minimum compacted bed of 150mm.

- h) Backfill - suitable backfill material (graded gravel, crusher grit or suitable excavated material) is to be placed and compacted around the pipes in layers of 150mm (loose);
- i) Headwalls and Cut off Walls - Prefabricated concrete headwalls shall be placed at each end of the pipe (or other approved means of restraining pipe and containing fill such as poured in situ concrete, mortared rock, etc). The joint between the culvert and headwall shall be grouted. A concrete cut off wall 200mm deep (minimum), 150mm thick for the width of the headwall shall be poured under the edge of each headwall to stop under scouring.

3. Pavement

- a) Grass and topsoil shall be removed. Suitable gravel shall then be placed to a minimum compacted depth of 150mm. This dimension will vary according to subgrade quality, which is to be assessed before a bitumen seal is placed.

4. Sealing

The access shall be sealed from the existing bitumen edge of the road to the property boundary, using a two coat seal. A lesser length may be considered on merits. This condition will not be applied to accesses off gravelled roads. Sealing may be required on suitable splays each side to cater for turning movements.

5. Gradients

APPENDIX A - ACCESS TO PROPERTIES SPECIFICATIONS

The access grade shall be a maximum of 1 in 12 and batters formed by the access shall have a maximum slope of 1 in 3.

6. Vegetation

Trees and shrubs shall be cleared off the road reserve so as to provide safe site distance. Removal of plants with trunks in excess of 150mm diameter will require council approval.

7. The access shall normally leave the property boundary and join the roadway at right angles.

8. If approved a reinforced concrete dish may be used in lieu of a reinforced concrete pipe culvert. The concrete dish shall be 150mm thick constructed using 25 MPa concrete, reinforced with 1 layer of F72 mesh centrally placed. The dish shall be placed in the table drain and be of sufficient width to carry the crossing formation.

9. Sight Distance

The access shall be located so as to provide a minimum 1.2 metre/1.2 metre sight distance of 200 metres (100km/hr zones.) This requirement may be varied taking into account road surface, speed zoning and gradients.

10. Application

An application for permission to construct an access is to be made using Council's application form. An inspection fee of \$150.00 is to be paid on application. \$100.00 will be refunded on satisfactory completion of the works.





Tumbarumba
SHIRE COUNCIL

Experience the Magic

STATEMENT OF PURPOSE

This Development Control Plan sets out Council's intention:

VISION

Tumbarumba Shire will be a vibrant, caring, safe, secure and progressive community with a vigorous economy, where residents experience a good quality of life in a beautiful and sustainable environment

MISSION

Tumbarumba Shire Council will provide leadership and support to communities across the Shire through the effective provision of infrastructure and needs based community services