TUMUT SHIRE
DEVELOPMENT
CONTROL PLAN

April 2011

(Adopted 28th June 2011, motion 412)
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(In brackets is the former name of the policy)

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CHAPTER 1: TALBINGO

(Former Development Control Plan No.1 - Talbingo)
Tumut Shire Council

TUMUT DEVELOPMENT CONTROL PLAN
No. 1

Talbingo

November, 1985
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1.1 INTRODUCTION

"The township of Talbingo occupies 'a strategic location in the Region and has the potential to provide accommodation and services to many of the Region's residents and tourists. The impact of tourism, particularly of snow skiing will be a major factor responsible for Talbingo's growth. Further residential development ...(all development)... may need to be planned with strict consideration to the area's natural qualities and constraints".

The above was one of the findings of the Talbingo Planning Study undertaken by D.J. Dwyer & Associates Pty. Ltd. Consulting Engineers, Town Planners and Landscape Architects.

Tumut Shire Council is committed to encourage the development and redevelopment of the Talbingo township in a way which will encourage access to the Kosciuszko National Park and surrounding tourist and recreational facilities while maintaining the unique landscape and rural character of the existing town.

This Development Control Plan - (Talbingo) embodies the findings of Talbingo Planning Study as a strategy for the town's future development.

1.2 NAME OF PLAN

This plan is called "Tumut Development Control Plan No. 1 - Talbingo". It is a Development Control Plan under the provisions of Section 72 of the Environmental Planning and Assessment Act, 1979.

1.3 DATE OF PLAN

This plan came into force on 15th November, 1985 in accordance with Clause 24(2) of the Environmental Planning and Assessment Regulations, 1980.

1.4 LAND TO WHICH THIS PLAN APPLIES

This plan applies to all lands of Residential "B" (village) zoning, being the village of Talbingo as defined by Interim Development Order No. 3 - Shire of Tumut and shown edged heavy black on map which follows.
1.5 STATUTORY PLANNING PROVISIONS

This plan is made under and conforms to the provisions of Interim Development Order No. 3 - Shire of Tumut, which contain the legal planning controls for the development of the Talbingo township.

With the exceptions of junk yards within 90 metres of a main road, mines, offensive or hazardous industries which are expressly prohibited land uses, all development requires the consent of Council.

1.6 PURPOSE OF THE PLAN

The Development Control Plan provides more detailed provisions than are contained in the current planning instrument (Interim Development Order No. 3 - Shire of Tumut).

1.7 AIMS AND OBJECTIVES.

- to ensure that all development takes account of the existing physical constraints of the land.
- to ensure all development takes account of the amenity of adjoining and surrounding lands with respect to sunlight; and daylight, views, privacy, convenience and safety.
- to provide residents, landowners, purchasers and developers with a document which sets out in detail Council’s policies for all development and land uses within Talbingo.
- to provide residential design guidelines to assist applicants in meeting the provisions of Section 90 of the Environmental Planning and Assessment Act in a way which is related to the particular character of Talbingo being situate adjacent the Kosciusko National Park and an area of high visual and physical beauty.
- To encourage development generally within the village of Talbingo
- to ensure development embodies the principles of the National Parks and Wildlife Management Plan for the Kosciusko National Park as stated in the Plan of Management Kosciusko National Park 1982.

1.8 APPLICATION OF PLAN

Council shall take the provisions of this plan into consideration when determining any development at Talbingo.

Council shall also take into consideration those matters listed under Section 90(l) of the Environmental Planning and Assessment Act, 1979 and the provisions of Interim Development Order No. 3.

Council may consent to an application which departs from the provisions of this plan, where it is considered that such departure complies with the intent of this document and where strict compliance is considered unreasonable in the circumstances.

1.9 RELATIONSHIP TO OTHER PLANS

Where there is an inconsistency between this plan and an environmental planning instrument, the provisions of the environmental planning instrument shall prevail. An environmental planning instrument includes a state environmental planning policy, a regional environmental plan, a Local Environmental Plan and a deemed environmental planning instrument (Interim Development Order No. 3 - Shire of Tumut).

The provisions of this Development Control Plan can be superseded by amending Development Control Plans and the provisions of the latter shall then prevail.
1.10 DEFINITIONS

In this plan:

"Development Control Plan" means Tumut Development Control Plan No. 1 - Talbingo.

"Development Control Plan Maps" means the map marked Tumut Development Control Plan No. 1 - Talbingo.

"Deemed Planning Instrument" means interim Development Order No. 3 - Shire of Tumut or subsequent instruments.

"Commercial premises" means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this clause or a building or place used for a purpose elsewhere specifically defined in this clause.

"Deemed Planning Instrument" means interim Development Order No. 3 - Shire of Tumut or subsequent instruments.

"Commercial premises" means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this clause or a building or place used for a purpose elsewhere specifically defined in this clause.

"Department" means the Department of Environmental and Planning constituted under the Environmental Planning and Assessment Act, 1979.

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

"Floor" means that space within a building which is situated between one floor level and the floor level next above or if there is no floor above, the ceiling or roof above.

"Home Industry" means an industry carried on in a building (other than a dwelling-house or a dwelling in a residential flat building) under the following circumstances:

(a) the building does not occupy a floor space exceeding 50 square metres and is erected within the cartilage of the dwelling-house or residential flat building occupied by the person carrying on the industry or on adjoining land owned by that person; and

(b) the industry does not –

(i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise

(ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter; or

(iii) require the provision of any essential service main of a greater capacity than that available in the locality.

"Hotel" means any premises specified in a publican's licence granted under the Liquor Act, 1912.

"Light Industry" means an industry, not being an offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.

"Motel" means a building or buildings (other than a hotel, boarding-house or residential flat building) substantially used for the overnight accommodation of travellers and the vehicles used by them whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

"Parking space" includes any garage or court available for use by vehicles.

"Residential flat building" means a building containing 2 or more dwellings.
"Restaurant" means a refreshment room, cafe, tea room, eating house or the like.

"Shop" means a building or place used for the purposes of selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this clause, a building or place used for a purpose elsewhere specifically defined in this clause.

"Site area" means the area of land to which an application for consent under the Act relates, excluding therefrom any land upon which the development to which the application relates is not permitted by or under the local environmental plan.

"Special interest lodge" means a building or buildings (other than a hotel, motel or residential flat building) substantially used for holiday accommodation for ski club members or members of a similar recreational organisation; but also includes commercial lodges or guest houses.

"Town house" means an attached dwelling more than one storey which does not share any part of the building in common (garage excepted) and may include private open space.

"Villa house" means generally an attached single storey dwelling which does not share any part of the building in common (garage excepted) and may include private open space.
2. PREFERRED LAND USES

2.1 The objectives of a preferred land use policy are:-

- to provide land use guidelines which will protect and enhance the existing and future amenity of all lands within the Development Control Plan.
- to provide development guidelines for residential, tourist, commercial and industrial (service industries) interests.
- to encourage development of the highest quality while having regard to economic realities.
- to protect and enhance the unique townscape qualities of the existing environment while encouraging tourist and recreational orientated development.
- to group together compatible land uses and separate the incompatible.

2.2 The following is a statement of preferred land uses for any given parcel of land within the Development Control Plan. The table should be read in conjunction with the Development Control Plan map.

<table>
<thead>
<tr>
<th>SUBZONE</th>
<th>PERMITTED USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL 'A'</td>
<td>include single family dwellings and dual occupancy dwelling</td>
</tr>
<tr>
<td>RESIDENTIAL 'C'</td>
<td>include multiple dwellings - villa homes, town houses, residential flat buildings, motels and special interest lodges. Refer to separate section for performance</td>
</tr>
<tr>
<td>COMMERCIAL</td>
<td>include restaurants, offices, shops, hotels and other business premises with associated residences</td>
</tr>
<tr>
<td>LIGHT INDUSTRIAL</td>
<td>include town service industries only</td>
</tr>
<tr>
<td>SPECIAL USES</td>
<td>as detailed on Development Control Plan Map, eg. fire station, school and police.</td>
</tr>
<tr>
<td>OPEN SPACE 'A'</td>
<td>include drainage reserves, passive recreation and community facilities; but does not include private open space such as private club house or licensed premises.</td>
</tr>
<tr>
<td>OPEN SPACE 'B'</td>
<td>active/passive recreation including private open space and sports fields</td>
</tr>
</tbody>
</table>

The above states general land uses only, for example a newsagency, butcher shop, takeaway cafe and tea rooms are all considered shops. It should be noted, however, performance standards between differing permitted uses may vary depending upon individual demand created. For example an office will not generate as much demand for off-street parking as a restaurant.
A deviation from the preferred land use table will only be considered following an approved amendment of the Talbingo Development Control Plan (refer to amendment of Development Control Plan Section 1.8).

3. SUBDIVISION OF LAND

3.1 The objectives of the subdivision policy are to:

- ensure all lots created have access to community services such as water, power, and waste disposal.
- ensure all lots created have adequate access, land area, and frontage and can be used in accordance with the stated sub-zone land use table.
- encourage a high level of neighbourhood amenity and traffic safety.

3.2 STAGING

Subdivision is generally the first stage of development in any release area. The staging and size of a release area can influence the efficient and effective use of community services and facilities. A number of small well-planned releases, reflecting demand, are more cost efficient than a large release area.

The design of a subdivision can influence the safety, amenity and comfort for residents of the area.

3.3 STANDARDS

The minimum standards for subdivision shall be those set out in the Local Government and Shires Association of New South Wales Residential Standards Manual, 1982. However the following preferred minimums apply:

- Allotment area (residential) 650m²
- Street width - local access only - 15m.
- Carriageway width - local access only 8m.
- Street width - collector 20m
- Carriageway width - collector 11m

Consideration will also be given to properly designed proposals for cluster development and shared zones.

The subdivider is required to construct or meet the cost of provision of open space, roads, pedestrian ways, water supply, sewerage, stormwater drainage and public utilities as required to serve the allotments being created.

3.4 CONTROLS

All utility services are to be supplied at the subdivision stage.

All services (including electricity) shall be underground.

All utility services are to be designed and constructed to the satisfaction of the Shire Engineer and comply to the subdivision standards stated in Council’s Subdivision Code.
4. CONTRIBUTION TO SERVICES AND FACILITIES (UNDER THE PROVISIONS OF SECTION 94 OF THE ENVIRONMENTAL PLANNING ACT)

4.1 GENERAL EXPLANATION
Council has identified that development within the Talbingo Development Control Plan area will generate the need for the upgrading and creation of a number of essential services and amenities including open space, water and sewage, drainage and community facilities.

Council will require a contribution on new development for the provision of these amenities and services.

The contribution may take the form of either a monetary contribution, the dedication of land or both depending on Council's assessment of the need.

Contributions will relate to the actual value of land to be acquired and / or the actual cost of providing the particular facility or work.

Council will review valuations and the cost of such works at regular intervals. Contributions may be applied to works including:

1. Community and recreational facilities.
2. Water, sewer, drainage works.
3. Local open space.
4. Public carparking.
5. Embellishment of local open space and public carparks.
6. Roads, traffic management systems or facilities.
5. DENSITY CONTROL

5.1 The objectives of density controls for this Development Control Plan are:

* to relate development to services and facilities.
* to achieve a local character which allows for a diversity of dwelling types while maintaining a high standard of amenity for all.
* to relate residential densities to preferred land uses.

5.2 RESIDENTIAL 'A'

Developments shall not have a site area less than 650m2 per dwelling. Each dwelling may include a dual occupancy in accordance with Council's Dual Occupancy Code as may be amended from time to time.

5.3 RESIDENTIAL 'C'

Developments shall not have a population density of site area per dwelling less than:

RESIDENTIAL FLAT BUILDINGS AND THE LIKE
110m2 of site area per small (1 bedroom) dwelling;
160m2 of site area per medium (2 bedroom) dwelling;
220m2 of site area per large (3 bedroom) dwelling.

SPECIAL INTEREST LODGES AND MOTELS
30m2 of site area per bedspace.

The site coverage by any structure or structures in the Residential 'C' land use sub-zone shall not be greater than 40% of the total site area.
6. BUILDING DESIGN AND AESTHETICS

6.1 The objectives of the building design and aesthetics policy in this Development Control Plan are:

* to encourage a variety of building styles which are sympathetic in design and building mediums with the existing landscape.
* to compliment and blend with the general topography and streetscape.
* to maintain and ensure reasonable access to sunlight, daylight and views for all.
* to preserve the existing landscape.
* to protect a neighbour's rights to aural and visual privacy within their dwellings.

6.2 EXPLANATION

All buildings should be designed so as to minimise overlooking of neighbour's windows and private open space, and provide a reasonable degree of privacy while blending with the surroundings.

Building design and aesthetic appearance of all proposed developments will be assessed on their ability to comply with the above objectives.

Failure to substantially meet one or more of the above objectives will result in the applicant being requested to submit amended design plans, or development refusal.

6.3 BUILDING HEIGHT CONTROL

In order to preserve reasonable views for all and maintain the profile of the existing landscape a maximum building height of 7.2m above any point on the natural ground level and up to the line of the ceiling of the top most floor shall apply to all structures within the Development Control Plan area.
7. ACCESS TO VIEWS

7.1 EXPLANATION

Where views are currently enjoyed, or views may be reasonably created, development shall minimise obstruction. The retention of views, however, should not preclude reasonable development rights, i.e. development compatible with the streetscape and adopted building height controls.

Development shall be designed and sited in a way which will maintain, or create access and views enjoyed from other buildings or public places.

Where the height and bulk of a development is likely to block a view, Council will require measures to retain at least part of that view. Measures to be used include building setbacks, gaps between buildings, minimal floor to ceiling heights, raked ceilings to the upper floors and roof forms such as gables.

7.2 SITING AND PLANNING

Generally dwellings should be oriented with their main rooms and windows to the front or rear of the site, with the main private open space to the rear. Side and rear boundaries should be landscaped with screen planting for visual privacy to ground floor areas. If overlooking from windows is unavoidable, placement should be staggered so that viewing is oblique rather than direct with visual screens used to minimise direct viewing.

7.3 SCREENS

Traditional devices to ensure privacy (as well as sun control) include timber lattice screens, external venetian blinds, canvas blinds, window hoods and shutters. These allow light admission and ventilation while maintaining privacy. As the average eye level of an adult is 1500mm above the floor, a sill height of 1200mm - perhaps combined with horizontal screening or a deep sill - will permit viewing out but not down. If overlooking cannot be overcome by other means and light and ventilation is required a sill height of 1600mm will prevent overlooking.

7.4 LANDSCAPING

Landscaping is often the simplest means of achieving privacy. Plant material needs to be chosen carefully to mature to a height to screen while retaining access for light, sunlight and views. Deciduous planting may be used to screen outdoor living areas, decks, etc, which are less likely to be used in the winter. Where site constraints prevent tree and shrub planting, vines hung on frames, high fencing, or pergola structures may be visually more acceptable than screens.
7.5 CONTROL

Any or all of the following measures may, at the discretion of Council, be imposed to achieve aural and visual privacy to the interior of dwellings and their private open spaces.

(a) Where direct overlooking occurs from window to window or window to private gardens and screening is not feasible there should be a minimum separation of 20m or alternatively windows should have a minimum sill height of 1600mm above floor level.

(b) Windows and doors should be located to reduce overlooking and sound transmission. Openable windows and doors and outdoor living areas should be located to the front or back rather than to the sides of dwellings.

(c) Where oblique overlooking occurs from windows, decks or balconies, and viewing out is desired, measures such as fixed horizontal and vertical louvre screens and planter boxes
should be used. The height and projection of screens is to be determined according to the sight line, assuming eye level is 1500mm.

(d) Where sound transmission between windows, decks, or balconies is a problem, solid barriers should be used such as extending wing or party walls.
(e) Landscaping with trees and shrubs which at maturity will screen overlooking should be used to side and rear boundaries.
8. BUILDING MATERIALS

8.1 All external materials will, subject to the constructional requirements of Ordinance 70 under the Local Government Act, 1919, as amended, be considered on merit with regard to design, appearance and the prevention of dilapidation.

Due to the unique and environmentally sensitive nature of the area, external materials of a low reflective nature are preferred. The town is surrounded by National Park and Non-Urban 'C' lands and it is considered highly reflective materials such as white brick or untreated steel are inappropriate within the Development Control Plan area.

All building materials shall have regard to the stated objectives of Building Design and Aesthetics (6.1).
9. BUILDING SETBACKS FOR FRONT, SIDE AND REAR BOUNDARIES FOR RESIDENTIAL SUB ZONES.

9.1 The objectives of the building setback policy in this Development Control Plan are to:-

* maintain and ensure reasonable access to air, sunlight, daylight and views for all.
* maintain sight distance for vehicular safety.
* to provide access space for deliveries and parking.
* provide privacy, and areas for landscaping.
* to permit a flexible approach to building setbacks which may allow greater development potential.

9.2 EXPLANATION
Council has adopted building line controls for front, rear and side boundaries. Building lines are determined by local conditions and relate to height of buildings.

9.3 CONTROL
* Front building line - 6 metres, however if the objectives of pleasant streetscape and adequate privacy are ensured a departure from the above will be considered.

Side or rear boundary setbacks (including side streets):
* For external walls below 3 metres in height the side and rear setback requirement is 3 metres.

Example:

\[
\text{Setback(s)} = 3 + \frac{H-3}{4}
\]

Where H - height of wall in metres at the selected point.
Council may allow buildings closer to the boundary, if it is satisfied that adjoining properties are not adversely affected by the relaxation of such controls, in the following cases:

(1) Where one setback is larger than required the other may be made smaller by a similar amount.

(i) Where one setback is larger than required the other may be made smaller by a similar amount.

(ii) Windowless walls up to 6 metres high may be permitted on or near boundaries.

(iii) Walls up to 6 metres high with windows of which the sills are no less than 1.7 metres from the floor level, may be permitted within 900mm of the side boundary.
10. OFF-STREET PARKING

10.1 The objectives of the off-street parking policy are to:

* provide sufficient space on site for resident and visitor vehicle parking.
* minimise on street parking in residential areas.
* promote safe streets for pedestrians and for efficient traffic flow.

10.2 CONTROL

Council will require developers to provide on site car parking in the following subzones:

<table>
<thead>
<tr>
<th>Subzone</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single dwellings</td>
<td>2 vehicle spaces</td>
</tr>
<tr>
<td>Residential 'C'</td>
<td>1 space per bedroom</td>
</tr>
<tr>
<td>Commercial</td>
<td>As per traffic Authority of New South Wales Guidelines (1982)</td>
</tr>
<tr>
<td>Light Industrial</td>
<td></td>
</tr>
<tr>
<td>Special Uses</td>
<td>Individual assessment of perceived demand.</td>
</tr>
<tr>
<td>Open Space A &amp; B</td>
<td></td>
</tr>
</tbody>
</table>

Council may accept a cash contribution in lieu of part or all of physical provision. Such contribution will be at a rate to be determined from time to time by Council. This money shall be placed in trust fund and be used by Council for development of off-street car parking in the vicinity of the development.

Space and access for the handicapped is to be a consideration in all public parking area submissions.

This policy applies to all new developments, additions and redevelopments or change of use. Each space will be not less than 2.7m x 5.4m and the number of vehicles which can be accommodated will be calculated as per the layout patterns shown in the appendix. All off-street parking shall be landscaped. Off-street parking will not be permitted between the street frontage and a building, unless such will not detract from the appearance, safety or amenity of the area.

Where parking requirements exceed two vehicle spaces, the access and parking areas shall be paved with a dust free surface.

Where parking requirements exceed two vehicle spaces, turning space shall be provided within the site to eliminate the practice of vehicles backing out into the street.

Driveways across the nature strip or footpath shall be limited in location and width as detailed in the Traffic Authority of New South Wales Policy and Guidelines (1982).

Direct access and roadside parking will not be permitted on the major road connecting the Snowy Mountains Highway with Talbingo Power Station. An appropriate service road may be provided.

The overnight parking of large vehicles (tour buses and the like) is prohibited in residential and business subzones, and shall be confined to the area designated “Bus Parking Area”.

Buses will only be permitted in residential and commercial subzones for the loading and unloading of passengers and baggage.

Developments such as special interest lodges, motels and hotels will provide a suitably sealed area on site for the loading and unloading of passengers and baggage.

11. ADVERTISING CONTROL POLICY
11.1 The objectives of the advertising control policy in this Development Control Plan are to:

* Maintain the high visual amenity of the existing commercial, residential and rural landscape.
* Restrict signs that actively compete for a motor driver's attention in the traffic situation.
* Encourage advertising that provide useful information and complements the built environment.

**11.2 EXPLANATION**

Carefully designed and positioned advertising signs can add a unique character to a commercial centre as well as fulfilling the main role of informing, directing and advertising.

However, poorly designed and positioned advertising signs can detract from the pleasant appearance of the buildings, their surrounds and the general amenity of an area.

**11.3 CONTROL**

Council will refuse to permit the erection of any sign where it is of the opinion that the type, position, size, colour, appearance, illumination, animation, content or other characteristics of such a sign may adversely affect:

(1) The amenity of the locality with particular regard to the surrounding rural and residential land uses.

(2) The architectural character or appearance of the building.

(3) The traffic safety.

(4) The streetscape generally.

In addition, advertising shall be limited in the following subzones:

Residential 'A' - Small signs with property name only.

Residential 'C' - Signs denoting motel, lodge or villa name and service provided. Type and size may be limited.

Other zones - Signs that relate to the activity carried out or the products offered, and/or the name of the establishment with the endorsement of any brand names being the minor part of such advertising.

- external advertising is restricted to below roof height.

**Advertising Subject Matter**

Preference will be given to advertising which gives an increased prominence on signs which inform and direct rather than commercially endorse individual products.
12. LANDSCAPING POLICY AND GUIDELINES

12.1 The objectives of the landscaping policy in the Development Control Plan are to:

* Screen and shade developments in various land use subzones.
* Give further aesthetic relief to building and structures, by softening the effect of hard materials.
* Create a pleasant environment in which to work, live and visit.

12.2 EXPLANATION

The Talbingo township currently enjoys a high standard of landscape amenity, both natural and cultivated.

A high landscape profile is seen as an integral part of the Talbingo character and charm, and Council aims to ensure the existing landscape quality is not eroded or compromised by future development.

12.3 CONTROLS

The whole of a development, external to buildings shall be landscaped to Council's satisfaction in accordance with an approved plan. The landscaping plan is to be submitted prior to the release of building plans and all works completed prior to occupation of any building.

Tall trees should be the major elements within any landscape plan. These may be supplemented by shrubs and ground cover plants.

* Planting needs to be in scale with the buildings proposed. Two storey buildings should have trees with a mature height of at least 8-10 metres. Large blank walls should be screened by large trees. If this is not possible, climbing plants could be used.

Example:

* Landscape designs should result in a landscape requiring little maintenance.
* Utility services should be considered.
* Landscape plans should be simple. Groups of a few species should be used in preference to a large number of individual plants.

Example:
Landscaped areas need to be physically separated from driveways, carparks and pedestrian areas. Low timber railings or constructed kerbs will protect landscaping from cars and pedestrian damage.

Existing trees should be retained wherever possible. The provisions of Tumut Shire’s Tree Preservation Order are to apply to this Development Control Plan.

Examples of a landscaping check list and planting schedule and landscape diagrams for various land are included in the appendix.

13. ADVERTISING OF DEVELOPMENTS.

13.1 Council may in addition to its powers and responsibilities under the Environmental Planning and Assessment Act, publicly advertise or exhibit any development it considers will have the potential to adversely affect the physical or social amenity of the people resident in Talbingo.

14. ARCHAEOLOGICAL SITES

14.1 Aboriginal occupation sites have been identified within Talbingo township and more may exist.

The National Parks and Wildlife Service is responsible the protection and preservation of aboriginal relics in New South Wales.

It is illegal to disturb, damage, deface or destroy a relic or Aboriginal place, without written consent of the National Parks.

Any development proposal will be subject to the provisions of the Aboriginal relics section of the National Parks and Wildlife Act, 1974.
APPENDIX

15.1 DEVELOPMENT CONTROL PLAN MAP

Extracts from:

15.2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT SECTION 72
15.2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT REGULATION PART III
15.3 TRAFFIC AUTHORITY GUIDELINES - PAGES 13, 14, 16 AND 24
15.4 EXAMPLES OF LANDSCAPING AND CHECKLIST
TUMUT DEVELOPMENT CONTROL PLAN No. 1

TALBINGO

 Adopted by Council 3rd September, 1985
 Plan came into force November 15, 1985

Jounama Pondage

Private Airstrip

Service Industries

Residential C

Residential A

Residential C

Residential C

General Business

Open Space A

Open Space A

Open Space A

S.U. Police

G.R.

WATITY

WILSON STREET

STREET

STREET

Open Space A

Open Space A

Open Space A

Open Space A

Residential C

Residential C

Residential C

Residential C

Residential C
Development Control Plans

72 (1) Where a council considers it necessary or desirable to provide more detailed provisions than are contained in a local environmental plan in respect of a part or parts of the land to which that plan applies, it may prepare or cause to be prepared a development control plan.

(2) The format, structure, subject-matter and procedures for the preparation, public exhibition, approval, amendment and repeal of a development control plan shall be prescribed.

(3) A development control plan shall generally conform to the provisions of the local environmental plan which applies to the land to which the development control applies.

(4) A development control plan prepared in accordance with this section shall be available for public inspection, without charge, at -
   (a) the office of the council during ordinary hours; and
   (b) such other premises operated or controlled by the council and at such times as may be prescribed.
PART III - DEVELOPMENT CONTROL PLANS

19 (1) A development control plan shall be in the form of a written statement and may include supporting maps, plans, diagrams, illustrations and other materials.

(2) A development control plan shall describe the land to which it applies and identify the local environment plan applying to that land.

20 A development control plan may make provisions for or with respect to any matter for or with respect to which local environment plan may make provision.

21 Where the council decides to prepare a draft development control plan it shall, within 14 days of its decision –

(a) give public notice in a newspaper circulating at least once weekly in the locality of the land to which the draft development control plan is intended to apply.

22 (1) Following the preparation of a draft development control plan, the council shall

(a) give public notice in a newspaper circulating at least once weekly in the locality of the land to which the draft development control plan is intended to apply, of the place at which, the dates on which and the times during which, the draft development control plan may be inspected by the public;

(b) publicly exhibit at the place, on the dates and during the time set out in the notice -

(i) a copy of that draft development control plan; and

(ii) a copy of the relevant local environment plan; and

(c) specify, in the notice, the period (being a period which is or includes the period referred to in subclause (2)) during which submissions may be made to the council in accordance with clause 23.

(2) A draft development control plan shall be publicly exhibited for a period of not less than 21 days in accordance with the notice referred to in subclause (1). [cl 22 am Gaz 178 of 27 Nov 1981]

23 Any person may, during the period referred to in clause 22(1)(c), make, submissions in writing to the council with respect to the provision of the draft development control plan.

24 (1) The council, after giving the notice and exhibiting the plan in accordance with the clause 22, and after considering any submissions made under clause 23, may approve a draft development control plan -

(a) in the form in which it was publicly exhibited; or

(b) in that form with such alterations, arising from its consideration of the submissions, as the council thinks fit.
(2) A development control plan approved under subclause (1) shall come into force on the date (or from a later specified date) that public notice of its approval is given in a newspaper circulating at least once weekly in the locality of the land to which the development control plan applies.

(2A) The council shall furnish to the secretary a certified copy of any development control plan approved under subclause (1).

(3) Where the original document comprising or comprised in a development control plan or the original of any supporting map, plan, diagram, illustration or other material is held in the office of a council, that council shall furnish a certified copy or extract to the person applying for it on payment of the fee equal to that prescribed by clause 59(2).

(4) A copy or extract of a document, plan, diagram, illustration or other material.

(a) may be to the same scale as the original document, map, plan, diagram, illustration or material or may be an enlarged or reduced copy; and

(b) where the original document, map, plan, diagram, illustration or material is coloured, may be a coloured copy or may be a black and white copy.

[cl 24(2A) insrt Gaz 178 of 28 Nov 1981]

25 (1) A development control plan approved under clause 24 may be amended in whole or in part by a subsequent development control plan made in accordance with the provisions of clauses 1924.

(2) In subclause (1), "amended" includes altered, varied or repealed.

(3) A development control plan approved under clause 24 may, notwithstanding subclause (1), be wholly repealed by the council giving public notice of its decision to repeal the plan in a local newspaper circulating at least once weekly in the locality of the land to which that plan applies.

(4) Notice shall not be given under subclause (3) until public notice of the council's intended repeal of the development control plan, and of the reasons therefore, has been given in similar manner at least 14 days prior to the publication of the notice referred to in subclause (3).

(5) A repeal referred to in subclause (3) takes effect from the date of publication of the notice referred to in that subclause.
TRAFFIC AUTHORITY GUIDELINES

13.

4.4 PARKING AREAS

4.4.1 GENERAL DESIGN CRITERIA

Parking areas should generally conform to the following criteria:

(i) parking should be provided off-street, either on-site or in nearby public parking areas where appropriate;

(ii) should be designed generally in accordance with the publication of the National Association of Australian State Road Authorities (NAASRA) entitled "Guide to Traffic Engineering Practice". Note that parking standards are presently under review by a Task Force of the Institution of Engineers, Australia.

(iii) should be suitably signposted internally and also from all access roads;

(iv) should have a separate entrance and exit where more than 50 car spaces are provided, and in any case where a drive-in facility is provided;

(v) should incorporate a rational circulation pattern;

(vi) entrance/exit facilities should be capable of accommodating peak loads;

(vii) should have an all-weather surface designed in accordance with the requirements of the responsible authority;

(viii) should be designed in such a way as to ensure that vehicles enter and leave the area in a forward direction;

(ix) the provision of one-way parking aisles should be encouraged;

(x) Pavement arrows should be provided to indicate clearly the direction of circulation, and parking bays should be clearly delineated;

(xi) adequate space for the manoeuvring of vehicles, particularly rigid and articulated heavy vehicles (where necessary), should be provided;

(xii) should be designed so as to minimise the potential for vehicular/pedestrian conflict, and should in fact provide a pedestrian connection between the car park and the development;

(xiii) dead-end parking aisles should be avoided;

(xiv) Should be located so as to be readily visible and accessible from the frontage road, to encourage its utilisation and discourage on-street parking. Convenience for prospective parkers should be maximized, requiring minimum walking distances and street level approaches;

(xv) outdoor areas containing more than 40 car spaces should be landscaped. However, landscaping should be based on parking design, rather than vice-versa;

(xvi) wheel stops should be provided to protect necessary areas from vehicle encroachment, particularly if used by pedestrians;
(xvii) parking bays for the disabled should be located to allow safe and convenient access to a development. A maximum grade of 8 per cent should be provided on all pedestrian ramps used by the disabled;

(xviii) if speed humps are used, they should be designed to be effective in the reduction of speed and should not create a safety hazard (refer Section 5.4);

(xix) "small car" spaces should not be provided as they are difficult to enforce; and "normal" vehicles could create a hazard if they used such spaces.
DIAGRAM 3: PROHIBITED LOCATIONS OF DRIVEWAYS

3.1

3.2

3.3

PROPERTY BOUNDARY

CURVE TANGENT POINTS

PUBLIC STREET
DIAGRAM 1: 45°, 60° and 90° PARKING

PARKING ANGLE

BAY WIDTH 2.7m

AISLE WIDTH
45° - 4.2m
60° - 5.4m
90° - 7.0m

Note: Bay widths to be measured clear of any obstruction. For end bays, increase Bay Widths by 0.25 metres.

DIAGRAM 2: PARALLEL PARKING

BAY WIDTH 2.7m

AISLE WIDTH 4.2m

BAY LENGTH 6.7m

Note: End bays adjacent to obstructions should be increased by 1 metre.
# LANDSCAPE PLAN CHECKLIST

It is essential to include the following in a landscape plan:

- Northpoint.
- Scale (1:100 or 1:200).
- Main structures on the site (buildings, carparks, fences, retaining walls, surfacing materials).
- Existing trees (including those proposed to be removed).
- Plant names (Botanical and Common names).
- Plant numbers and mature height.
- Planting details (staking, mulching, soil depth, distances-from structures and other plants).

## PLANTING SCHEDULE

| LARGE EVERGREENS | F Restrictions Trees 10-15m |
| Eucalyptus nitens | 10-15m |
| Eucalyptus niphophila  | 10-15m |
| Eucalyptus delegata  | 10-15m |

| SMALL TREES 5-10m | F Restrictions Trees 10-15m |
| Callistemon citrinus | 5-10m |
| Callistemon rigidus | 5-10m |

### EXISTING TREES TO REMAIN

- Eucalyptus, Grevillea, Casuarina, Acacia, Podocarpus, Metrosideros, Bolleana, Melaleuca

### EXISTING TREES TO BE REMOVED

- Eucalyptus, Grevillea, Casuarina, Acacia, Podocarpus, Metrosideros, Bolleana, Melaleuca

---

**DETAIL OF AN ACCEPTABLE LANDSCAPE PLAN**

NB: All Eucalyptus and small trees are to be planted 2m apart. Deciduous trees to be planted 3m apart. Shrub beds and garden covers are planted 600mm apart.

---

**PLANTING DETAIL**

- Stake and weed after 6-12 months.
- Mulch: 100mm deep.
- Hole: 600mm x 600mm x 600mm.
Shrub and
Tree planting
along boundaries
will provide privacy
and screen
evening developments.

Driveway curved
and then narrowed
by perimeter
planting.

Physical barriers
around landscaping
will protect it from
law and pedestrian
damage by low
timber railings and
constructed curbs.

Legend:
- Existing trees to remain
- Proposed trees
- Shrubs planting
- Paved courtyard
- Visitor parking space
- Lawn areas
- Boundary lines
- Flat building

Landscaping diagram of
Flat development

View looking northwest.
View onto street frontage.
LANDSCAPING DIAGRAM OF COMMERCIAL DEVELOPMENT

LEGEND

- PROPOSED LARGE TREES
- PROPOSED SMALL TREES
- SHRUB PLANTING
- PAVED PEDESTRIAN PATH
- BOUNDARY LINE
- BUILDING

SCALE 1:

Tall trees to relate to scale of building and improve the street frontage.

shrub or groundcover planting in entranceway

Pedestrian path

DRIVEWAY TO REAR CARPARKING

PLAN VIEW
Shrub planting between carpark and building enhances the entranceway.

Tall trees to relate to scale of building and improve the street frontage.

Physical barriers around landscaping will protect it from car damage e.g. low timber railings or constructed kerbs.

Legend:
- Proposed Trees
- Shrub Planting
- Boundary Lines
- Factory Building

Scale 1:

Landscaping Diagram of Small Factory Development
PLAN VIEW

PROPOSED TREES.
EXISTING TREES TO REMAIN AND PROTECTED BY PLANTER BEDS AND BARRIERS OR WHEEL-STOPS.

VIEW OF PARKING BAYS WITH DENSE PLANTING BETWEEN ROWS OF CARS AND TALL TREES TO PROVIDE SHADE.

SCALE 1: 90° CAR PARKING
ALTERNATIVE CAR PARKING LAYOUTS
PLAN VIEW

EXISTING TREES TO REMAIN
SCALE 1
CHAPTER 2:

RURAL RESIDENTIAL DEVELOPMENT
RURAL RESIDENTIAL DEVELOPMENT

Development Control Plan No. 2
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5.3 Where can I get help 20
Use this Quickfind method to see what, if any, of the DCP applies to your proposal. IT IS IMPORTANT, HOWEVER, TO ENSURE YOU READ THE ENTIRE DOCUMENT TO UNDERSTAND THE PURPOSE OF THE DCP.

**Question 1**

Do you want to **build a house or sheds** on land that is in:

- any rural zone where the principal objective of the zone is the protection of agricultural land, or
- the 1(c) (Rural (Small Holdings) or the 1(c1) Rural (Rural Residential) zones?

If your answer is "yes" then the matters that Tumut Council will look for when considering your proposal are found in Section 2 of the DCP. Go to that section and prepare your Development Application accordingly. Before you turn there, read the next 2 questions because they may also apply to what you intend to do. If your answer is “no” to this and the next 2 questions, then the DCP does not apply to your proposal.

**Question 2**

Do you want to **subdivide** land that is in:

- any rural zone and contains an existing dwelling
- any rural zone and the new lot(s) are intended for dwellings
- the Rural 1(a) zone for a "concessional lot" or
- the 1(c) (Rural (Small Holdings) or the 1(c1) Rural (Rural Residential) zones?

If your answer is "yes" then the matters that Council will look for when considering your proposal are found in Section 3 of the DCP. Go to that section and prepare your Development Application for subdivision accordingly. Before you turn there, read Question 3 because it may also apply to what you intend to do. If your answer is “no” to this question and Questions 1 and 3, then the DCP does not apply to your proposal.

**Question 3**

Do you want to **build a house or sheds** or **subdivide** land that is zoned 1(c) (Rural (Small Holdings) or 1(c1) Rural (Rural Residential)?

If your answer is "yes" then you will need to look at Section 4 of the DCP. This section lists matters relating to specific locations in the Shire. Some locations have additional matters that relate just to that part of the Council area. If the area that your land is in is not mentioned then the DCP only applies to where you answered “yes” to Question 1 or 2 above. If your answer is "no" to this question and Questions 1 and 2, then the DCP does not apply to your proposal.
1. INTRODUCTION

1.1 How does this DCP work?

This Development Control Plan (DCP) is called “Tumut Development Control Plan No. 2 – Rural Residential Development”. It applies when a Development Application (DA) is submitted to the Council for the construction of buildings (e.g. houses, sheds) on certain rural land within the Shire of Tumut, or for the subdivision of land.

The DCP is an advisory document. That is, it may be varied by the Council if it is considered necessary when a requirement may be inappropriate in a particular situation. However, it provides a clear indication of Council’s preference for the development of land in the locations where the plan applies.

This plan must be read in conjunction with State and Regional Planning Policies, Tumut Local Environmental Plan (LEP) 1990, and other documents that offer guidance for this type of development such as the “Tumut Shire Rural Subdivision Code”, and the “Tumut Engineering Guidelines for Subdivision Developments”. The DCP will be updated from time to time and the details of the updates are noted in Section 1.4.

1.2 What are the aims of the DCP?

The plan is designed to enable Rural Residential development to occur in ways that retain a rural character within a locality. This should be achieved by providing a level of assurance to residents that land development and use in the Rural Residential Zones will consistently be for rural residential living, that there will not be intrusion by industry or farming uses, and that a clearly stated number of matters will be assessed by Council when considering new development proposals. Council’s “Orchard Farming near Rural Dwellings” Policy will be applied in these circumstances.

The plan also acknowledges that the principal purpose of the 1(a) and 1(b) zones is Agriculture. This may be affected by the development of land for rural residential living and this DCP aims to ensure there is not pressure for existing agricultural practice to be altered in light of the new development.

When a dwelling cannot be located at least 150 m from the boundary of land that is zoned for agriculture (usually the 1(a) (Rural Zone) or the 1(b) Rural (Special Agriculture) Zone), Council will require covenants and easements to protect the use of the agricultural land.

The plan works by giving clear indication of the matters Council seeks when people want to develop or subdivide land, from which there will be variation only where there is a clear reason. In other words, a person constructing a house or outbuildings, or developing a subdivision can assume that if they prepare a submission to Council that fits within this DCP, then the proposal should be approved. Obviously the specifics of each proposal shall be looked at, the requirements of the LEP applied, and a formal application will be needed.
1.3 Where does the DCP apply?

This DCP applies to two types of land in the Tumut Shire area.

1. All Rural zoned land where the principal objective of the zone is the protection of agricultural land;
2. All land in the 1(c) (Rural (Small Holdings)) and 1(c1) (Rural (Rural Residential) zones as they appear in Tumut LEP 1990.

These areas are the locations set aside in Tumut LEP 1990 for rural-residential and small holding development and are found:

- on Boundary Road and East Street in Tumut,
- in the Morgans Reserve Road area north-east of Tumut,
- in the Snowy Mountains Highway area north-east of Adelong,
- in the Alta Villa Road area south of Batlow,
- in the Keenans Road area south-east of Batlow, and
- in the Elizabeth Drive area south east of Talbingo.

1.4 Variation of standards

This DCP sets out a range of ‘objectives’ and ‘development standards’ aimed at achieving these objectives. Development proposals must achieve the objectives outlined. Proposals will also be assessed against the development standards as a measure of compliance with the objectives. Strict compliance with the development standards will be required if there is doubt if the objectives will be met. However, compliance with the development standards does not necessarily imply approval. In considering applications, Council will need to be convinced that its overall objectives for rural tourist accommodation are being met.

If variations are sought to the development standards, due to special circumstances, the extent of, and reasons for such variations, must be fully documented and submitted to Council for consideration. Any variation must, in Council’s opinion, be consistent with the objectives of the DCP.

Council may also make additional requirements if it considers that the circumstances of a particular case warrants such.

1.5 When did the DCP come into force?

This plan came into force on 29 November, 1994. There have been some Amendments to the DCP and these are shown in the following table:

<table>
<thead>
<tr>
<th>Amendment No.</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>5 June, 2001</td>
</tr>
<tr>
<td>2</td>
<td>19 December, 2003</td>
</tr>
</tbody>
</table>

1.6 Who can help further?

Council’s Development and Environment Department will be able to help you further if you have questions. Call the Department on (02) 69412 518 or Fax on (02) 69412 679.
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building design and site layout</strong></td>
<td>a) External walls and roofs must not give rise to visual intrusion by virtue of their surfaces, colours or arrangement. Colours must be of a similar tone to that of the surrounding landscape. A sample of external materials must be submitted to Council for approval.</td>
</tr>
<tr>
<td>a) To minimize the visual impacts of development in the locality.</td>
<td>b) Buildings must not be located on prominent ridgelines or knolls.</td>
</tr>
<tr>
<td>b) To discourage larger style buildings that would be out of character with a rural area.</td>
<td>c) Access and power lines to the development must be located having regard for their visual and environmental impact.</td>
</tr>
<tr>
<td>c) To preserve the rural character of the locality.</td>
<td>d) Development must be so located and designed to maximize solar energy collection, and minimize energy use.</td>
</tr>
<tr>
<td>d) To preserve and protect areas of scenic quality.</td>
<td>e) Where applicable, developments must be designed to be sympathetic with heritage qualities of existing development on the site or in the locality. A heritage assessment report may be required to be submitted in certain circumstances.</td>
</tr>
<tr>
<td>e) To preserve and protect items and areas of heritage value.</td>
<td>f) Building forms utilizing natural materials are encouraged, to reflect the development’s location in a rural setting e.g. stone, timber.</td>
</tr>
<tr>
<td>f) To ensure that the scale of development is limited so that it does not dominate the surrounding rural area.</td>
<td>g) Height of buildings is restricted to two stories. The maximum height from the ridge line to the lowest point where the building meets the ground is restricted to 10 metres.</td>
</tr>
<tr>
<td></td>
<td>h) Buildings must utilize materials that ensure reflection and glare does not affect neighbouring areas. The use of large expanses of glass that may cause reflections on other buildings or to other areas are not permitted.</td>
</tr>
<tr>
<td></td>
<td>i) External masonry walls that are bagged and painted so that the colour is similar to the tone of the surrounding natural landscape is encouraged.</td>
</tr>
<tr>
<td></td>
<td>j) Water tanks must be located having regard to their visual and environmental impacts.</td>
</tr>
<tr>
<td></td>
<td>k) Outside clothes drying areas must be screened from public view.</td>
</tr>
<tr>
<td>Objectives</td>
<td>Standards</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Access and Car Parking</strong></td>
<td>a) Safe, legal and practical access must be provided from a public road to the development site.</td>
</tr>
<tr>
<td>a) To ensure legal, safe, and practical access to the development from a public road.</td>
<td>b) The public road providing access to the development site must be a minimum of six (6) metres wide and maintained to a standard suitable for two wheeled-drive conventional motor vehicle.</td>
</tr>
<tr>
<td>b) To minimize adverse environmental impacts caused by the construction of access roads.</td>
<td>c) The provision of access and parking areas must be unobtrusive and sympathetic to the existing landform.</td>
</tr>
<tr>
<td>c) To ensure a satisfactory level of off-street car parking is available.</td>
<td>d) Access roads and parking areas must be designed to minimize earthworks.</td>
</tr>
<tr>
<td>d) Access roads and parking areas must be designed to minimize earthworks.</td>
<td>e) Where a new access road is proposed, it must not have a gradient in excess of 18%.</td>
</tr>
<tr>
<td>e) Where a new access road is proposed, it must not have a gradient in excess of 18%.</td>
<td>f) All access roads with grades in excess of 12% must be sealed.</td>
</tr>
<tr>
<td>f) All access roads with grades in excess of 12% must be sealed.</td>
<td>g) Appropriate soil erosion and sediment control devices must be provided. Permanent devices may be required. Refer to Council’s Erosion Control Guidelines for Building Sites.</td>
</tr>
<tr>
<td>g) Appropriate soil erosion and sediment control devices must be provided. Permanent devices may be required. Refer to Council’s Erosion Control Guidelines for Building Sites.</td>
<td>h) The minimum standard of construction for an access road from a public road to the development will be all-weather gravel, minimum 3.5 metres wide, with 0.5 metre shoulders.</td>
</tr>
<tr>
<td>h) The minimum standard of construction for an access road from a public road to the development will be all-weather gravel, minimum 3.5 metres wide, with 0.5 metre shoulders.</td>
<td>i) Where it is identified that vehicular traffic generated by the development will require upgrading of public roads, Council may require the work to be done at the developers cost.</td>
</tr>
<tr>
<td>Services</td>
<td>Standards</td>
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<tr>
<td>-------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Objectives</strong></td>
<td><strong>Standards</strong></td>
</tr>
<tr>
<td>a) To ensure that a satisfactory level of services exists i.e. water,</td>
<td>a) Developments will be required to demonstrate that sufficient power will</td>
</tr>
<tr>
<td>water, power, etc to a development.</td>
<td>be available to the proposed development. Consideration will also be</td>
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<tr>
<td>b) To ensure that the augmentation of such services does not adversely</td>
<td>required to be given to the level of clearing that will be necessitated</td>
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<td>affect the environment.</td>
<td>by connection to the main grid system.</td>
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<tr>
<td></td>
<td>b) If solar power or other alternatives are proposed, details will have</td>
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<tr>
<td></td>
<td>to be submitted outlining how sufficient power will be made available.</td>
</tr>
<tr>
<td></td>
<td>c) A safe (potable) and adequate water supply must be provided. (refer</td>
</tr>
<tr>
<td></td>
<td>to Council’s Rainwater Tank Policy).</td>
</tr>
<tr>
<td><strong>Environmental performance</strong></td>
<td></td>
</tr>
<tr>
<td>a) To ensure that development occurs in accordance with the principles</td>
<td>a) Development may not be supported on slopes steeper than 18%. Development</td>
</tr>
<tr>
<td>of ecological sustainable development.</td>
<td>on steep land should be undertaken in split level design or pole frame</td>
</tr>
<tr>
<td></td>
<td>construction.</td>
</tr>
<tr>
<td>b) To ensure that the impacts on native flora and fauna, particularly</td>
<td>Note: Due to concern about stability of land with slopes over 18%, it</td>
</tr>
<tr>
<td>threatened species, are taken into consideration.</td>
<td>may be necessary to submit a geotechnical report with the development</td>
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<tr>
<td>c) To minimize the impacts of construction on the environment.</td>
<td>application.</td>
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<tr>
<td>d) To ensure the satisfactory disposal of effluent.</td>
<td>b) Cut and filling of the site should not exceed 1.2 metres.</td>
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<td></td>
<td>c) Efforts should be made to develop areas that have already been</td>
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<tr>
<td></td>
<td>cleared.</td>
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<td></td>
<td>d) Clearing of trees to improve views is not permitted.</td>
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<td></td>
<td>e) Effluent shall be disposed of in accordance with Council’s Septic</td>
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<td></td>
<td>Tank Code.</td>
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<td></td>
<td>f) Suitable arrangements must be made for the storage and disposal of</td>
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<td></td>
<td>solid waste.</td>
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<td></td>
<td>g) Consideration must be given to possible impacts on flora and fauna,</td>
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<td></td>
<td>particularly threatened species which may exist in the locality. An <strong>eight part test</strong> may be required to assess the possible impacts.</td>
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<td></td>
<td><strong>Note</strong>: A species impact statement pursuant to the provisions of the</td>
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<td></td>
<td>Threatened Species Conservation Act may also be required.</td>
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<tr>
<td>Objectives</td>
<td>Standards</td>
</tr>
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<td>------------</td>
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</tr>
<tr>
<td>Impact on rural activities in the area</td>
<td>a) Priority will be given to the ongoing viability of traditional rural industries over rural residential development.</td>
</tr>
<tr>
<td></td>
<td>b) Dwellings must be greater than 150 metres from the property boundary when the land next door is a working farm.</td>
</tr>
<tr>
<td>Potential exists for conflict between rural tourist accommodation and nearby working farms. Aerial spraying, bird scare guns and noise from irrigation pumps are examples of typical farm activities which can cause disturbance to holidaying visitors. There is a danger that tourist accommodation near working farms may raise complaints from the effects of legitimate farm activities on the enjoyment of holidaying visitors.</td>
<td></td>
</tr>
<tr>
<td>Aboriginal cultural heritage</td>
<td>To ensure that proposed development does not adversely impact on aboriginal cultural heritage, development applications will be referred to the local Aboriginal Land Council for comment. If considered appropriate, an Aboriginal Cultural Heritage Assessment Report will be required.</td>
</tr>
<tr>
<td>Aboriginal cultural heritage will be protected and conserved.</td>
<td></td>
</tr>
<tr>
<td>Flooding hazard</td>
<td>a) When relevant development shall be designed in accordance with Council’s Flood Plain Management Policy.</td>
</tr>
<tr>
<td>To ensure that developments take into consideration local flooding.</td>
<td>b) Where development proposes access over creeks and other water courses, flood free access is required to be provided, to a minimum 1 in 20 year recurrent level.</td>
</tr>
</tbody>
</table>
Objectives | Standards
---|---
**Bushfire hazards**
To reduce the potential for bushfire hazard. | a) The design and construction of buildings must be undertaken to minimize the risk of bushfire hazards.  
Note: Refer to the document *Planning for Bush Fire Protection – A Guide for Councils, Planners, Fire Authorities, Developers and Home Owners.*

b) When relevant, developments will be referred to the NSW Rural Fire Service for comment.

c) The provision of access for fire fighting vehicles and/or where necessary the need to be evacuated in case of an extreme bushfire threat. Note; when considered necessary by Council an emergency evacuation plan will be required.

---

2.1 **What does this mean in practice for the person building?**

Any plans for a house or outbuildings must:

a) Demonstrate that the house site is not on land that is too steep. Plans involving construction on land steeper than 18 degrees will require a geotechnical report from a qualified engineer in terms of stability. Plans with contours at regular intervals would show the steepness of the land.

Ideally buildings should be constructed along the contour of the land rather than across it to minimise soil disturbance and soil erosion.

b) Establish that the impact on native vegetation will be minimised by the design that is chosen. Plans showing the location of major exiting vegetation would show this.

c) Establish that the construction will ensure that hilltops are not developed, and that views from a distance will be in relative harmony with the rural landscape, to achieve the aims of the LEP.

When a proposed development or work will impact on the visual catchment of Kosciuszko National Park (i.e. will be unpleasantly noticeable when viewed from the Park), Council will refer the application to National Parks & Wildlife Service for comment.

d) Be on land that is free of flooding or low-lying areas so that effluent is disposed of in a healthy and efficient manner. Given the smaller lot sizes and generally poor absorption capacity of soils, standard septic tank systems are insufficient and unhealthy in the long term. An aerated waste water treatment system or other approved systems are the disposal systems that would be required. Council’s Septic Tank Code will apply.

e) Consider the use of solar design (i.e. northern orientation of the house and living areas).

f) Include reticulated water where it is in a subdivision within the 1 (c) Rural (Small Holdings) or 1(c1) Rural (Rural Residential) zones near Tumut, and mains electricity in all locations.

In all instances where reticulated water supply is not available, Council’s Rainwater Tank Policy will apply.
g) Ensure that access to the land shall have the least possible impact on traffic flows on roads providing a safe driveway location accounting for the location of intersections, significant vegetation, crests, blind corners and the like. One driveway / gateway only shall be permitted.

h) Include setbacks from the front boundary of all buildings of not less than 8 metres in the 1(c1) zone, and 12 metres in the 1 (c) zone unless the LEP requires a greater setback such as on arterial roads.

i) Account for any adjoining land use such as agriculture and whether buildings and water supplies need to be set back the maximum distance from potential conflicts.

j) Where adjacent non-residential uses are an issue, Council will require covenants and easements to protect those uses unless a setback of at least 150m can be achieved.

2.2 What does this mean in practice for the Council?

Council will assess the points just mentioned and may also:

a) Refer the application to the Soil Conservation Service for comment in relation to land stability.

b) Take into account the performance record of septic waste disposal systems in the locality.

c) Take into account the location of rivers, creeks and watercourses in relation to the positioning of septic waste disposal systems.

d) Require landscaped areas to assist with the effectiveness of septic waste disposal.

e) Take into account the fire hazard rating of the locality.

f) Consider whether on-site storage of water should be provided for domestic and/or fire fighting purposes, and that other design measures be incorporated in the proposal to minimise fire risk.

g) Take into account any matter within Council’s “Local Approvals Policy”.

h) Require the submission of further details in order to properly assess the application.
Subdivision of land is not simply a maths exercise. It is much more than dividing the area of land by the minimum lot size permissible. It requires the careful assessment of the constraints of the land and locality, and ensuring that the lots to be created are designed to work within those constraints, not work against them.

The matters Council will look for when assessing any subdivision application affected by the DCP will include the following:

a) Ensuring that steep land is not developed causing erosion.

b) Minimising the removal of native remnant vegetation for roads, services, house sites.

c) Ensuring that views are not adversely affected by intrusion of building sites on hilltops disturbing the natural skyline and that views will be in relative harmony with the rural landscape.

d) Ensuring that flood liable land is not developed for housing.

e) Ensuring that the design enables the best opportunity for housing to use solar access to minimise the use of non-renewable resources (fossil fuels etc).

f) Ensuring that services of water, sealed roads, and electricity are provided to meet the demand for these services that residents expect.

g) Ensuring that vehicle access points to the new lots are located in safe places to minimise road accident potential.

h) Ensuring the risk from bushfires is minimised.

i) Consideration of adjoining land uses which may include rural residential living, industries, quarries or agriculture which may influence how land ought to be developed.

3.1 What does this mean in practice for the subdivider?

Any plans for subdivision of land or buildings must:

a) Demonstrate that each lot provides a house site that is not on land that is too steep. Plans involving land steeper than 18 degrees will require a geotechnical report from a qualified engineer in terms of stability. Plans with contours at regular intervals will be required to determine the slope.

b) Establish that the impact on native vegetation will be minimised by the design that is chosen. Plans showing the location of major existing vegetation would show this.

c) Establish that the lots proposed will ensure that hilltops are not developed, and that views from a distance will be in relative harmony with the rural landscape, to achieve the aims of the LEP.

d) Have land that is free of flooding or low-lying areas to that effluent waste is disposed of in a healthy and efficient manner.

e) Have a lot layout that provides maximum potential for solar design of housing (i.e. northern orientation) and is practical in terms of land use e.g. lots aren’t too long and narrow preventing the practical use of land.

f) Include provision for the extension of reticulated water, mains electricity, and bitumen sealed roads to the lots proposed to be created. Usually these costs are borne by the
subdivider. Road and drainage construction shall be in accordance with the “Tumut Engineering Guidelines for Subdivision and Development”.

g) Demonstrate that access to the proposed lots shall be legal and have the least possible impact on traffic flows on roads, to provide safe driveway locations accounting for the location of intersections, significant vegetation, crests, blind corners and the like.

h) Demonstrate that the proposed subdivision will not conflict with the use of adjoining land, especially where the adjoining land is used for agriculture.

3.2 What does this mean in practice for the Council?

Council will assess the points just mentioned and may also:

a) Refer the application to the Soil Conservation Service for comment in relation to land stability.

b) Refer the application to the National Parks and Wildlife Service for assessment in relation to archaeological and cultural heritage and threatened species.

c) Refer the application to the Department of Agriculture in relation to land capability and previous agricultural use.

d) Seek contributions under Section 94 of the Environmental Planning and Assessment Act 1979 in relation to the provision of services such as roads, the upgrading of existing road networks leading to the locality, public open space and facilities, waste disposal and the like.

e) Take into account the fire hazard rating of the locality.

f) Take into account any matter within Council’s “Local Approvals Policy”.

g) Require the subdivider to submit further details in order to properly assess the application.
4. SPECIFIC AREAS

In addition to the matters contained in earlier sections of the DCP, there are some additional matters relating to specific locations contained in this section. If there appears to be a conflict between the requirements of this section and any other, then the requirements of this section take precedence.

4.1 Boundary Road and East Street, Tumut

House Construction

Any proposal to construct a new house in the Boundary Road 1(c1) zone will be required to provide reticulated sewer to the new house. This provision does not apply to a situation where an existing house is being extended.

Any proposal for house construction in the 1(c1) zone at any location will require sealed road access, and connection to mains water supply.

Subdivision

Any subdivision of land in the 1(c1) zone in the Boundary Road locality will require the provision of reticulated sewer, mains water supply, and sealed road access to all land subject to the application. The only exception is for subdivisions that only make minor adjustments to boundaries (not creating any new lots).

Any subdivision of land in the 1(c1) zone in the East Street/Tumut Plains Road locality will require the provision of mains water supply, and sealed road access to all land subject to the application. The only exception is for subdivisions that only make minor adjustments to boundaries (not creating any new lots). Aerated septic systems, or composting systems are the only appropriate waste water disposal systems in this area unless connection to reticulated sewer is possible. At some stage in the future, when it is more economically viable this locality will be sewered.

4.2 The Morgans Reserve Road area north-east of Tumut

Buffer areas

Agricultural use of the land in the 1 (c) Rural (Small Holdings) zone is permitted under the LEP, sometimes without the need for a DA, sometimes needing a DA. Some agricultural uses may conflict with the use of the land for rural residential living and so it is important to minimise the risk of potential conflict. Those agricultural uses that require a DA should be assessed by Council bearing in mind the location of houses on the adjoining properties, and new houses should also bear in mind the potential for adjoining properties to have some limited form of agricultural use. Accordingly, the location of houses away from property boundaries as far as possible is one effective way to achieve this.

4.3 The Elizabeth Drive area south-east of Talbingo

Connection of subdivision allotments to Council’s water and sewer systems will be required.
4.4 Goobarragandra Valley

The Goobarragandra River originates in the Kosciuszko National Park and flows west for a distance of 60 km to join the Tumut River. Due to high rainfall in the upper catchment, the river has a significant quantity of water flowing through it most of the year.

The section of valley upstream from Kells Lane is regarded by locals and the wider community as an area of high environmental value due to its natural beauty.

Prior to European settlement, the valley was covered by dense forests, dominated by eucalypts, with an understorey of wattles, tea-trees, Grevilleas and other shrubby species.

Since European settlement, there has been a significant change in the landscape due to changes in land management practices. Tree clearing and stock grazing has denuded the flood plains and foothills; leaving them susceptible to erosion. This has resulted in deepening of the water courses, which in turn has lowered the groundwater level adjacent to the water courses and drying up the swamps.

Future development in the valley must be sensitive to this fragile environment.

4.4.1 Environmental Effects

It is inevitable that development in the valley will have some adverse environmental effects e.g. increased traffic, visual impact, wastewater disposal, etc.

In addition to requiring the minimization of adverse impacts, this DCP requires that the development achieve an overall positive environmental impact. This can be achieved by offsetting the unavoidable adverse impact by creating positive environmental impacts, such as:

- creation of riparian zones along the banks of waterways,
- planting of indigenous trees,
- erosion control works
- fencing off remaining trees from stock, including remnant native vegetation.

All work must be carried out in accordance with the Goobarragandra River Management Manual.
4.4.2 Heritage

The Goobarragandra Valley is classified as a heritage item in a draft amendment to the Tumut Local Environmental Plan. This classification is largely in recognition of the fact that in 1824 Hume and Hovell passed through the Valley on their way to Port Phillip Bay from Sydney. A walking track has been created along the route that Hume and Hovell took. This track as regarded as being of state significance and attracts many visitors to the area.

Development must be located and designed in such a way that it will not adversely affect the heritage significance of the valley.

4.4.3 Bushfire

The Goobarragandra Valley generally has a high bushfire hazard classification. The bushfire risk to residents in the valley is made worse by the fact that there is only one road providing both ingress and egress, thereby creating the possibility of people being trapped in the valley.

All applications for rural tourist accommodation in the Goobarragandra Valley will be referred to the NSW Rural Fire Service for approval.

In designing a development proposal, adequate provisions are required for the safety of the community and emergency personnel, and the protection of property. In this regard, buildings shall be design in accordance with the document ‘Planning for Bush Fire Protection – A Guide for Councils, Planners, Fire Authorities, Developers and Home Owners’.

Furthermore, for development other than single dwellings and farm buildings, developers are required to prepare, in consultation with the NSW Rural Fire Service and the Tumut Local Emergency Operations Controller, an Evacuation Plan for residents of rural tourist accommodation.

4.4.4 Threatened Flora and Fauna

A number of threatened flora and fauna exist in the Goobarragandra Valley. Many of them utilize the riparian zone for their survival. A relatively recent discovery is the Tumut Grevillea, which currently is only known to exist along a 4 km stretch of the Goobarragandra River.

In addition to developers undertaking an 8-part test to assess the impact on threatened species, they shall retain all potential habitats of threatened fauna.
5. PREPARING AN APPLICATION

5.1 Before you lodge your application

The operation of rural tourist accommodation within Tumut Shire requires development consent. Many of the delays that occur during processing of applications are the result of inadequate plans or information. Discussing your proposal with Council at an early stage can often reduce delays.

Council staff are available to give general advice on procedures and regulations relating to applications but they do not provide a design consultancy service.

The type of information required will vary depending upon the nature, scale and complexity of the development proposal. Generally, an application must have sufficient information to enable Council to clearly understand the proposal and its impacts.

5.2 Information required

To enable Council to assess a development application, the following information must be provided:

5.2.1 Statement of Environmental Effects

Under the Environmental Planning and Assessment Act 1979 Council is required to take into account various matters relating to the natural and built environment when assessing applications. Applicants are therefore required to undertake a site analysis and detail any likely impacts of the development, particularly on neighbouring properties, and specify how the applicant proposes to minimise the impacts.

A site analysis is the identification of elements such as physical site constraints, natural features, orientation to natural sunlight and the location of neighbours. Such an analysis is seen as the basis for good design.

The Statement of Environmental Effects must address all the issues that are applicable to the proposal. The following is a general guide:

<table>
<thead>
<tr>
<th>Site Suitability</th>
<th>Current and previous uses</th>
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<tbody>
<tr>
<td>Show that the site is suitable for the proposed development. You should consider such things as:</td>
<td></td>
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<tr>
<td>• Site constraints such as flooding, slope, bushfire and subsidence.</td>
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<tr>
<td>• Compatibility with adjoining development.</td>
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<td>• Compatibility with visual setting.</td>
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<td>• Local planning objectives.</td>
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<td>• Size and shape of allotment.</td>
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<tr>
<td>Provide the following details:</td>
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<tr>
<td>• Previous use of the site.</td>
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<tr>
<td>• Present use of adjoining land.</td>
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<tr>
<td>• A statement as to whether or not you are aware that the site is potentially contaminated.</td>
<td></td>
</tr>
<tr>
<td>Privacy, views and overshadowing</td>
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</tr>
<tr>
<td>Show how the proposed development will affect privacy, views and overshadowing.</td>
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</tbody>
</table>
• Proposed air and noise mitigation measures.
• Construction noise.
• Operational noise.

**Operational details**

Describe how the development will operate:

• Number of staff.
• Hours and days of operation.

**Access and traffic**

Show that there is adequate provision for access:

• Vehicle access from a public road to the area or areas in which the accommodation is to be situated (plus other tracks necessary for agricultural use, fire fighting or property maintenance and any tracks that cross Crown land or watercourses, (indicate whether proposed or existing) including any significant earthworks.
• On-site parking.
• Parking calculations.

**Soil and water**

Show how the proposal will deal with all aspects of soil and water management:

• Water supply and storage. Refer to Council’s *Rainwater Tank Policy*.
• Sewage disposal.
• Drainage.
• Flooding.
• Erosion and sediment control.

**Visual privacy**

• Views between proposed accommodation and neighbouring dwellings.
• Use of screen plantings, walls or fences to improve privacy.
• Floodlights and other light spillage.

**Acoustic privacy**

• Separation of proposed accommodation, roads, parking areas and driveways from neighbouring dwellings.
• Measures to mitigate external noise sources.

**Views**

• Impact of the proposed development on views from adjoining or nearby properties.
• Design options for protecting views.
• Views from the proposed development.

**Energy**

Details of power supply and proposed energy conservation i.e. design, materials, solar lighting and heating, ventilation, shading elements, insulation and appliances.

**Flora and fauna**

Show how the proposal will impact on existing flora and fauna, especially any threatened species. If there is likely to be a significant impact, the application must be supported by a more detailed Species Impact Statement and Council will refer the application to the National Parks and Wildlife Service.

**Heritage**

The type of information required depends on whether the proposal relates to a listed heritage item or to a heritage conservation area. Council’s Customer Inquiry Centre can provide you with detailed advice on which requirements apply to your proposal.

**Waste**

Show how solid waste will be stored and disposed, and how the proposal promotes waste minimisation.

All proposals will also require submission of an application for approval to install an on-site sewage management system, including a site and soil assessment. Refer to Council’s *Septic Tank Code*.
5.2.2 Site Plan

A plan of the site drawn to scale (preferably 1:200) and include all of the following details:

- Allotment boundaries and dimensions.
- North point relative to the site.
- Location and name of adjoining roads and laneways.
- Location of any easements, rights-of-way or natural watercourses on or adjoining the site.
- Existing buildings on the site (show outline).
- Location of proposed building work (distinguish from existing buildings by suitable shading).
- Distances from site boundaries to proposed building walls, eaves and guttering.
- Distance from existing buildings.
- Details of existing and proposed stormwater drainage systems.
- Location and type of existing trees on the site.
- Ground levels.
- Any areas proposed to be cut and/or filled (or existing filled areas).
- Location of utility services if not within an easement.
- Soil erosion and sediment control measures to be utilised.
- Details of access and facilities for disabled people.
5.2.3  Floor Plan

A floor plan is required for the entire building works or the portion of any existing building that is proposed to be modified. The plan should be at a minimum scale of 1:100 and indicate all exterior dimensions, wall thicknesses. In the case of alterations or additions, you need to clearly distinguish between existing and proposed building work.

The location of doors and windows must be shown on the plan together with all proposed kitchen, bathroom, water closet and laundry fixtures.

5.2.4  Elevations

The application must include elevations showing the external appearance of each side of the proposed building and at least one section. Drawings shall be of minimum scale 1:100 and clearly show existing and proposed ground levels and their relationship to existing and proposed buildings.

All elevations must be fully dimensioned and include the following details:

- Floor levels in relation to ground levels.
- Finished floor to ceiling height.
- The overall height of the building.
- Roof pitch (degrees).
- Details of all external building materials.

5.3  Where can I get help?

Many people do not feel confident to prepare their own application. There are many sources of private professional assistance. These include architects, plan drawing services, builders, planning consultants, engineers, surveyors, etc.

If you don’t feel competent to prepare and lodge your own application, you should engage professional assistance. This will incur costs but may reduce delays and result in overall cost savings.
4.2 MORGANS RESERVE ROAD AREA, north east of TUMUT
CHAPTER 3:

CAR PARKING

(Former Development Control Plan No.3 – Car Parking)
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A Parking Schedule
B Definitions
C Species Suitable for Planting in Car Parks
Preliminary

The aim of this DCP is to ensure that the needs of users, residents and visitors are met through the provision of safe, convenient, accessible and attractive on and off-street car parking.

As an integral part of transportation, provision for car parking is vital to the economic life of communities. The success of a parking area requires an efficient design that represents a balance between function, economics, safety and aesthetics.

Introduction

What is the purpose of the DCP?

The purpose of this DCP is to indicate Council’s requirements for the provision of adequate on and off-street parking and delivery vehicle facilities in association with development proposals.

Associated with any development is a need to provide adequate parking for residents, visitors, customers and staff. In most situations adequate parking cannot be catered for in the public streets, therefore creating a demand for off-street parking.

There has also been a tendency for commercial property owners in Tumut to extensively develop their land with buildings, while contributing little towards the establishment of public parking areas. This DCP therefore provides a strategy for the provision of public off-street parking in the Tumut Commercial Area.

These car parking requirements are consistent with the RTA’s ‘Guide to Traffic Generating Developments’ most recently amended July 1995.

Name of the DCP

This DCP shall be known as the ‘Tumut Shire Development Control Plan No. 3 – Car Parking’.

Application of DCP

This DCP applies to all applications for Development Consent within the Tumut Shire area.
Commencement of Plan

This DCP was adopted by Council on 26 November 2002 (minute No. 754) pursuant to Section 72 of the Environmental Planning and Assessment Act (1979) and became effective on the 13 December 2002. (Public notice given in the Tumut and Adelong Times on 13 December 2002.

Amendments

Any amendments to this DCP are listed below:

Objectives

The objectives of this DCP are:

a) To ensure sufficient, safe and convenient parking facilities are provided to meet user requirements including pedestrians, cyclists and vehicles;

b) To ensure that adequate loading and unloading facilities are provided and do not impact on other parking provision or pedestrian flow;

c) To ensure that new development does not introduce unnecessary or excessive on-street parking;

d) To ensure a consistent and equitable basis for assessment of parking requirements is provided;

e) To ensure adverse aesthetic impacts of car parks are minimised through the use of appropriate landscaping;

f) To ensure car parking meets the needs of people with disabilities;

g) To ensure car parks are safe for all users and contribute to the appearance of development;

h) To ensure access to and movement within car parks is safe and functional;

i) To encourage the use of alternatives to car transport through the provision of appropriate facilities.
Relationship to Environmental Planning Instruments

This DCP contains development standards for off-street parking and is intended to complement and expand upon the provisions of the ‘Tumut Local Environmental Plan 1990’, which is the Environmental Planning Instrument in the Shire.

In the event of any inconsistency between this DCP and any Environmental Planning Instrument applying to the same land, the provision of the Environmental Planning Instrument prevails.

How does this DCP relate to other DCPs?

The ‘Tumut Local Environmental Plan 1990’ (LEP 1990) provides the objectives, zoning and land use controls for development in the Shire. This DCP provides further detailed guidelines for car parking requirements.

This DCP directs applicants to other references or publications that may be helpful in making an application; these will be highlighted in the ‘Tool Box’, which is included in the right hand column where relevant.

Design Principles

Good urban design can bring quality and a sense of harmony to public and private places, instead of the visual clutter and chaos that often results from lack of co-ordination. Good design can improve the image of an area, as well as safety, which can lead to better economic performance.

This DCP sets out principles and guidelines and outlines standards for good urban design for car parking areas.

Access from the street

Design Principle

Access to and from the site shall be located where it causes the least interference to vehicular and pedestrian traffic on a public road.

Tool Box:
Any control measures specified in the Tumut Local Environmental Plan 1990 can only be varied by a formal objection under the provisions of State Environmental Planning Policy No. 1 (SEPP 1)

Tool Box:
“…Council may, at its discretion waive the requirement for car park sealing for large-scale development or where other circumstances justify a variation. Council will NOT waive the requirement for sealing driveways…”
Acceptable Solution

a. All driveways shall be located so as to obtain maximum sight distances

b. Driveways shall cross the footpath at right angles to the centre line of the road.

c. All developments shall be designed to have the fewest number of driveways possible (preferably one). This allows for a more aesthetically pleasing streetscape and greater opportunity for landscaping. Some developments with a high turnover of traffic, for example service stations and drive-through restaurants may require more than one driveway.

Driveways

Design Principles

Driveways shall:

a. Be designed to enable vehicles to enter the parking space in a single turning movement

b. Be designed to enable vehicles to leave the parking space in no more than two turning movements.

c. Be constructed with a suitable sub-grade material of adequate depth to suit design traffic and be sealed with bitumen (two coats), asphaltic concrete, interlocking pavers or reinforced concrete.

d. The driveway seal shall extend from the edge of the public carriageway to a minimum 10 metres inside the property. Council will not waive the requirement for sealing driveways.

Access and Egress

The entry and exit requirements for parking areas may vary in relation to:

a. Size of vehicles likely to enter the proposed development;

b. The volume of traffic on streets serving the proposed development;

c. The volume of traffic generated by the proposed development;
Pedestrian Movement

Design principle

Pedestrian movement in and around the site should be safe, convenient and legible to both pedestrians and drivers. Pedestrian safety, both on site and at external access / egress points, must be considered in all car-parking designs.

Acceptable Solution

a. Pedestrian areas should be separated from vehicular movement areas where possible.

b. Parking areas are to be designed so that through traffic is appropriately managed or preferentially excluded;

c. Pedestrian entrances / exits are to be separated from the vehicular entrances / exits through the use of physical barriers (for example fencing and bollards), planting (for example garden beds and hedging), and signage;

d. Developments generating a significant amount of pedestrian movement throughout the car park (such as shopping centres) require clear and convenient pedestrian routes to be established. These routes should minimise the number of points at which vehicle and pedestrian paths cross, and be appropriately marked to heighten driver awareness (eg painting, use of contrasting materials, lighting and / or signage);

e. Where pedestrians must cross busy circulation roadways, they shall be guided to a safe crossing point which shall have adequate sight distances and shall be provided with appropriate signs and pavement markings;

f. The design of all car parks shall incorporate a pedestrian system that is not in conflict with major traffic aisles. A clearly defined pedestrian network is to be provided that:

   i. Closely follows pedestrian desire lines;

   ii. Ensures that pedestrian movement through car parks or structures is along aisles, rather than across them; if desire lines do cross aisles, a clearly visible path shall be provided, wide enough to accommodate shopping trolleys and double width strollers.
Tumut Central Business District

Design Objective

Improve pedestrian linkages from car parks to shopping and service conveniences in order to make under-utilised off-street parking more attractive.

Acceptable Solutions:

a. Provision of improved pedestrian links through to Wynyard Street from the car parks in the North West Quadrant which currently do not provide any direct pedestrian linkages;

b. In the North East Quadrant ensure pedestrian linkage through to Wynyard Street (next to the Wynyard Hotel) is upgraded to assist in opening up the existing car park;

c. The pedestrian links in the South East Quadrant from the Fuller Street South car park and the Fuller Street North car parks through to Wynyard Street need to be optimised through improvements to the pedestrian passage and walkway;

d. A pedestrian linkage through the School of Arts building to Wynyard Street upon the formalisation of the car park behind the Star Hotel will allow suitable pedestrian access.

Parking Space and Aisle Design

Design principle

Car Parks shall be designed to achieve ease of manoeuvrability and appropriate sight lines into, from and within the site.

Acceptable Solutions

a. Three basic configurations of parking layouts may be utilised, namely 90 degree angle parking, parking at an oblique angle (normally used in conjunction with one way circulation) or parallel parking.

b. The car parking spaces and circulation aisles shall be arranged in a logical lay out in accordance with Australian Standard 2890.1-Parking Facilities – Off-street Car Parking.

c. Stack Parking will not be permitted except in the following circumstances:

Tool Box:
AS 2890.1 – Parking Facilities – Off-street Car Parking
i. Car repair stations or the like, where car keys are left with the proprietor;

ii. Staff parking where the car keys are deposited in an area accessible to employees;

iii. Residential development where ‘stack’ spaces serve the same dwelling.

d. It is advisable that access driveways be located so as to obtain maximum sight distance. It is necessary that any vehicle entering or leaving the driveway is visible to approaching vehicles and pedestrians. The absolute minimum requirement to achieve this is stopping sight distance.

e. The sight distance required is that which enables the driver of a vehicle waiting to leave a driveway to select a gap in the through traffic, and to join the street without causing a major disruption. This is the desirable sight distance.

f. The desirable sight distance shall be in accordance with Council’s Engineering Development and Design Manual.

**Parking for Persons with a Disability**

**Design Principle**

Parking is to be provided for persons with a disability in appropriate locations to meet demand. These spaces are to be located to allow safe and convenient access within the site. Car parking for people with disabilities must be provided in accordance with the *Building Code of Australia (BCA) Part 3.5 ‘Car parking’*.

**Acceptable Solutions**

a. The location of parking for disabled persons should be close to the entrance of a development;

b. Access from the car park to the development should be by ramps or lift;

c. Designated spaces shall be clearly marked;

**Tool Box:**

*Building Code of Australia Part 3.5 ‘Car Parking’*
Parking for Bicycles, Buses and Motorcycles

Design Principle

Parking spaces should be allocated for vehicles other than cars to ensure users of these travel modes have access to facilities equal to those provided for the private car.

Acceptable Solutions

Bicycles

a. Bicycle parking facilities should be designed to be capable of accommodating and supporting all usual types of bicycle so as to minimise, as far as practicable, damage either in storage or during movement into or out of the parking space;

b. In public areas, especially in prominent locations, every endeavour should be made to provide attractive, well-designed facilities. The aesthetic appearance of bicycle facilities should not however override the requirements for security and ease of use;

c. For safety purposes, the option must be available for bicycles to be locked in a support rail to which there is open access. The rail should be designed so it supports the whole bicycle, and the frame, and both wheels can be locked to it using owner’s own chains and lock;

d. Wherever practicable facilities should be located where there is some passing pedestrian traffic. This will provide a form of supervision which may reduce the likelihood of theft and vandalism;

e. Bicycle parking facilities shall be located so that they do not hinder pedestrian movement having regard to pedestrian volumes normally expected at the location;

f. Bicycle parking shall be arranged so as to minimise the likelihood of injury to passing pedestrians;

g. Bicycle rails should be located:
   i. Clear of entrances / exits or other pedestrian concentrations;
   ii. Clear of opening car doors;
   iii. Clear of attachments for blinds or awnings;
   iv. Clear of access covers set in the pavement;
   v. Clear of other street furniture, loading zones, public transport stops and pedestrian crossings; and
   vi. In on-street situations:

Tool Box:
Australian Standard 2890.4
- Parallel to the kerb or footway unless footpath extension is provided;
- On both sides of the road, wherever demand indicates.

**Buses / Coaches**

Parking for sufficient numbers of vehicles at convenient places (usually at main entrance points) should be provided on-site. However, in some instances on-street waiting areas for public passenger vehicles (buses, coaches and taxis) may not be most appropriate.

**Motorcycles**

a. Motorcycle parking should be provided at the rate of the equivalent of the area of one car parking space per 30 car parking spaces provided. Broadly four motorcycle spaces fit into a typical car space.

b. Locational considerations for motorcycle parking, particularly for long stay parking (such as all day parking) are:
   i. Provision of lighting and good surveillance from other users of the space;
   ii. Provision of a security chain attached to a substantial fixed object;
   iii. Wherever possible that a wall or fence be located on at least one side of each space.

**Landscaping**

**Design Principle**

Landscaping must be provided to ensure that car park construction and use does not have a detrimental impact on the surrounding environment and contributes to the appearance of the development.

Landscaping should not be added as an afterthought to development, but rather as an important part of the overall design. A professionally prepared landscape plan will provide significant benefits to a development.

Suitable trees and shrubs and / or shade sails throughout a parking area are to be provided to provide shelter from wind and sun, and make the area aesthetically pleasing.

**Landscape Area**

**Acceptable Solutions**
a. Car parking areas shall be appropriately landscaped in accordance with the following design principles:
   i. Be of an appropriate scale relative to both the parking area and any adjacent buildings,
   ii. Incorporate existing vegetation where possible;
   iii. Be sensitive to site attributes, such as drainage, views and adjacent buildings;
   iv. Parking areas are designed to allow for drive by surveillance.

b. A minimum width for a landscaped area is 2m to allow adequate space for a tree and associated landscaping.

c. All landscaping is to be adequately protected from potential damage caused by car movements. Provision should be made for extra protection for up to 4 years where the risk of damage to young plants is high. Methods of protection may include:
   i. Provision of wheel stops at least 0.8 metres from the areas that need protection from vehicle encroachment;
   ii. Provision of tree guards;
   iii. Use of kerbs and low walls;
   iv. Use of bollards and chains.

d. Protection and management of valuable existing vegetation and other landscape features, bushland habitat and existing or potential wildlife corridors.

e. Trees should not be planted within two metres of underground services or 1 metre of footpaths and kerbs, unless root barriers are provided.

f. Trees need air and water in the root zone. An area of porous paving should be provided for at least one metre on all sides of trees.

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**Tool Box:**

A landscape plan should be of a suitable scale and include:

- A site plan.
- Fencing along boundaries and within the development (includes height and proposed material).
- Any buildings on adjoining properties within 3m of site boundaries.
- Driveways, car parking areas and vehicular entry/exit points.
- All ground surfaces (materials and colours clearly indicated). This includes lawns, mulched garden beds, hard paving etc.
- Constructed items (retaining walls, outdoor furniture).
- Edge treatments.
- All existing or proposed plantings with clear, simple graphics used to indicate trees, shrubs, ground covers, grasses and climbers.
- A planting schedule describing botanical and common names, ultimate size of plants and number of plants.
- Location of both underground and overhead services so that conflicts with proposed and existing plantings may be minimised.
- A brief outline of soils and mulch types, and proposed treatment of existing soils.
- Details of any on-going maintenance for completed landscaping.
Shade Landscaping
Acceptable Solutions

a. A minimum of 20% of the total landscape area must be permanently landscaped with shade trees, shrubs and groundcovers.

b. Trees should be provided at a rate of at least one pair of trees every fifth parking bay. This rate will provide a good level of shade without compromising unnecessary numbers of potential car parking spaces.

c. The planting of appropriate sized trees and shrubs between car park bays and at access points is encouraged to maintain sight distances and provide shade.

d. Tree species are to be selected for broad canopy cover, and are to be located within the car parks to ensure that a minimum of 60 per cent of the car park is shaded in summer upon the maturity of the trees.

Landscaping for Screening and Visual Enhancement
Acceptable Solutions

a. Depending on the scale and nature of the development, landscaping should be provided throughout the car park as well as at the perimeter.

b. Council encourages the use of quality materials that will improve the appearance of the development.

Vegetation
Acceptable Solution

A list of suitable plants is in Appendix C. The list includes natives and imported vegetation that has been deemed highly suitable for Tumut’s car park microclimates.

Upgrades of Existing Car Parks
Acceptable Solutions

a. Shade sails shall be introduced where appropriate to ensure adequate shade, especially while vegetation matures.

b. A landscape upgrade of the Fuller Street South car park would make the space more attractive for all day parking purposes. An upgrade may include the provision of shade cloth sails, lighting and mature shade trees.
**Lighting**

**Design principle**

For car parks used at night, adequate lighting is required to facilitate safety and encourage use. Provide consistent lighting that does not create shadows and ensure that lighting levels are as high over parking bays as in the rest of the car park.

**Acceptable Solutions**

a. For exterior car parks with low night-time activity, a minimum average illumination of 10 lux and a minimum illuminance of at least 4 lux, should be provided which is twice the levels stated in ‘AS 1158.1 Road Lighting’

b. Wherever parking spaces are reserved for people with disabilities, higher levels of illumination should be specified, generally more than twice the minimum average illuminance. A minimum average illuminance of 50 lux for parking spaces in outdoor car parks should be provided for such car parking spaces.

c. Ensure that lighting is vandal resistant;

d. Ensure that lighting has a wide beam of illumination which reaches the next light;

e. For car parks used at night, ensure that lighting is such that a person can see the inside of a car’s back seat before entering the car.

f. Pay particular attention to lighting levels near exit points and pedestrian access points to reduce theft from vehicles. Ensure that entries and exits to the car park are well lit.

g. Design lighting so that it can be on at all hours after dark while the car park is accessible or operated on a sensor system.

h. Replace broken or damaged lights on a regular basis.

**Crime Prevention and Safety**

**Design Principle**

Car parks must be designed so that the opportunity for crimes to be committed is minimised. Users should feel safe from physical and personal threat.
Acceptable Solutions

a. By manipulating the environmental factors in accordance with the Crime Prevention Through Environmental Design (CPTED) principles, the outcomes will be that the legitimate users of the area have a perception of safety, and in turn the potentially illegitimate users of the area do not feel secure about committing their offence undetected.

b. When designing car parks the two most important principles to be observed are:
   i. Natural Surveillance which is to maximise the opportunity for informal surveillance and casual observation of the area; and,
   ii. Access Control, which is the physical guidance of people through the placement of entrances, exits, landscaping, signs etc.

**Directional Signage**

**Design Principle**

Signage is to be provided to enable users of the parking area to easily navigate into, out of and through the space. It should be a supplement to good layout not a substitute.

**Acceptable Solutions**

a. Parking areas shall be well signposted to indicate their availability.

b. Entry/exit points and individual parking spaces, including those for specific uses (disabled, visitors, employees etc) shall be clearly delineated with line markings and signposts.

c. While excessive use of signs is to be avoided, sign posting should assist drivers to use facilities appropriately. Signs such as ‘visitor parking at rear’, ‘customer parking’ and ‘service vehicles only’ can assist direction where parking facilities are not otherwise visible to drivers.

d. Signage for users once outside their vehicles should direct people to key pedestrian entry and exit points.

**Tool Box:**

- ‘Visitor Parking’
- ‘Customer Parking’ or
- ‘Service Vehicles Only’ can assist drivers
**Pavement Construction**

**Design Principle**

The pavement treatment of car parks should contribute positively to the environmental quality and aesthetic appeal of the area.

**Acceptable Solution**

a. All parking areas shall be constructed with suitable sub-grade material of adequate depth to suit design traffic and shall be sealed with bitumen (two coats), asphaltic concrete, interlocking pavers or reinforced concrete.

b. Council may, at its discretion, waive the requirements for car park sealing for large-scale development or where other circumstances justify a variation. Requests for variations to this DCP in this regard should be submitted with the Development Application, with detailed justification.


**Drainage**

**Design Principle**

Parking areas shall incorporate an adequate drainage system, which prevents runoff to neighbouring properties and pooling of water on-site.

**Acceptable Solutions**


b. For paved areas greater than 30m², concrete kerb and gutter, inlet pits and pipelines connected to an approved drainage system shall be provided to achieve satisfactory disposal of surface stormwater.

c. Consideration is to be given to the use of soaking pits and intensive planting, preferably with trees and shrubs indigenous to the region that would benefit from moisture growing conditions associated with increased runoff.

**Tool Box:**

A drainage Plan shall be submitted to Council for approval with the Development Application and indicate design flow and velocity, pipe sizes and grades, design surface levels, and where appropriate pollutant control devices.
Delivery Vehicle Requirements

Design Principles

Provision must be made on-site, in a convenient location, for delivery vehicles of the type appropriate to the development.

Acceptable Solutions

a. All loading docks are to be used solely for the purpose of loading and unloading. No waste products or merchandise are to be stored in the loading dock.

b. The loading dock may be used for the purpose of loading and unloading of waste products to a garbage collection vehicle.

c. Loading docks shall be located in such a way that vehicles do not stand on any public road, footway, laneway or service road.

d. Depending on the frequency of deliveries, the type of vehicles and the number of traffic movements in the adjacent street, consideration will be given to allowing delivery vehicles to reverse onto the site, and exit in a forward direction. However, the desirable situation is for delivery vehicles to enter and exit the site in a forward direction.

e. All development involving the erection of new buildings is required to provide on-site loading and unloading facilities, except:

   i. Dwelling houses;

   ii. Residential flats with access other than from a Main or County Road

Number and size of delivery bays

a. The number of docks provided shall be determined having regard to the scale and type of use proposed.

b. In this regard, full details of the anticipated:

   - Volume;

   - Frequency of deliveries; and,

   - Type of vehicles likely to be involved, shall be supplied with each Development Application.
c. Loading bays shall conform to the following minimum dimensions:

<table>
<thead>
<tr>
<th>Details</th>
<th>Dimensions (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single dock width</td>
<td>3.5m</td>
</tr>
<tr>
<td>Multi unit dock width (per bay)</td>
<td>4.0 m</td>
</tr>
<tr>
<td>Dock depth - non semi-trailer</td>
<td>8.0m</td>
</tr>
<tr>
<td>Dock depth - semi-trailer</td>
<td>17.0m</td>
</tr>
<tr>
<td>Dock handling area depth for goods movement</td>
<td>3.0 m</td>
</tr>
<tr>
<td>Clearance over goods vehicle movement area</td>
<td>3.6 m</td>
</tr>
</tbody>
</table>

Note: As a guide for small and medium sized premises or small-scale industrial development likely to involve the use of vans, utilities or small trucks only, one delivery bay of adequate size (4m x 8m) will be sufficient.

**Parking Demand**

*General Principles*

In determining the car parking requirements for a development proposal, Council shall take into account the following matters:

- The minimum standards as prescribed in this DCP;
- The likely demand for off-street parking generated by the development;
- The availability of public parking facilities in the general area;
- The probable mode of transport of the users of a development;
- The likely peak parking demand of a proposal;
- The existing traffic volume on the surrounding street network;
- The potential future traffic volumes;
- The desirability of rationalising on-site parking within commercially zoned areas.
Calculation of number of parking spaces

Appendix A specifies the minimum number of off-street parking spaces to be provided for a particular development type and represents the requirements needed to meet the peak parking demand. The figures are based on peak volumes as determined by surveys undertaken by the Roads and Traffic Authority of New South Wales (RTA).

Where the determination of the number of parking spaces required results in a fraction of a space, the total number of spaces required shall be rounded up to the next whole number.

If your development is not listed in the table in Appendix A, please discuss the requirements with Council staff before you lodge your Development Application.

Location of parking areas

Off-street parking should generally be provided on the same site as the development to which it relates. However, Council may be prepared to accept the provision of car parking on adjacent or nearby land subject to the area being legally reserved for the purpose.

Mixed uses

In the case of a combination of uses on the site, each proposed use shall be identified and the respective floor area used to calculate the total parking requirement. Any departure from these requirements will be approved where it can be demonstrated that the peak demand for each land use component of the development is staggered or special circumstances exist. In this regard the applicant shall submit a Parking Profile showing the cumulative parking demand.

Major traffic generating developments

Proposed major traffic generating developments will have their parking requirements considered on merit with particular reference to:

- Likely peak usage times; and
- Extent to which development will attract additional patronage to the area, as opposed to drawing on existing visitations.
In this regard the applicant shall submit to Council for consideration a Traffic and Parking Study by a qualified professional.

**Change of use**

Where a proposal involves the change of use of premises for a purpose that generates a greater parking requirement under this DCP, and Development Consent is required, Council will require additional parking, equivalent to the difference between the current and proposed use of the premises.

Allowance should be made for maximum number of space for uses permitted in the zone even if the proposal requires less than the maximum. The difference in spaces need not be sealed, but need only be reserved for future parking as a landscaped area.

**Additions to existing development**

Where existing premises are being extended and the proposal results in additional **gross floor area**, parking shall be required in accordance with Appendix A of this DCP in respect to the increased floor area.

**Small scale additions**

Council may, at its discretion, waive the parking requirements for small-scale additions where the extension is not directly related to the parking generation potential of the development.

**Complementary parking facilities**

Council may, at its discretion, consider reducing the parking requirements when it can be demonstrated that the peak parking demand is generated outside the hours of 9.00am to 5.00pm and is situated in close proximity to public parking facilities.

The extent of any reduction shall be determined having regard to the parking generation characteristics of the development.
Existing use rights

Nothing in this DCP operates so as to require a lawfully established development that existed immediately before the DCP coming into force, to provide additional car parking, merely as a consequence of the DCP’s adoption.

The use of a premises shall be presumed to be abandoned, unless the contrary is established, if it ceases to be actually so used for a continuous period of 12 months.

Council’s response to existing parking issues

When setting out requirements for developers, it is important for Council to set the example by providing good practices and initiatives. In creating a car parking solutions for Tumut, there are a number of responsibilities Council must initiate:

a. Amalgamate existing and future car parking areas to enable a ‘flow through’ effect from one car park to another, for example between Fuller Street South and the Bowling Club car parks.

b. Demolish unused buildings in the North East Quadrant (behind Tumut Connection), so as to open up the car park;

c. Council to obtain long term security of occupation of the Fuller Street North car park, either a long term lease or acquisition;

d. Expansion of the Fuller Street North Car park west up to the existing motel complex;

e. Opportunity of opening up the basement of the Fuller Fresh development for all day parking. Up to 20 spaces could be made available;

f. Formalisation of the car park behind the Star Hotel for all day and shopper parking purposes, with pedestrian links through the School of Arts building to Wynyard Street. This Hotel car park would become available to hotel patrons at different hours to peak shopping times, for example at night and on weekends;

g. Expansion of the car park into the school site and vacant land south of the RSL would have longer term potential.

h. Construct new parking areas, which although will not improve existing parking, will be needed in the future.

i. Setting the standard for landscaping by installing and maintaining suitable landscaping in all of Council’s grounds.
How to make an application

Consultation with Council staff

It is recommended that applicants consult with Council staff at the planning stage, particularly for major developments or when departures from this DCP are proposed. The pre-application consultation service is offered to assist applicants in the preparation of their submission, which should result in the speedy processing of applications. Appointments can be made through Council’s Development & Environment Department.

Development Applications

Development Applications submitted to Council for any proposal must address, where relevant (this can be determined from clause 2.1) the requirements of this DCP by submitting with the application:

a) Professionally prepared plans showing full details of the proposed:
   - Parking and manoeuvring areas, including pedestrian movement
   - Entry / exit from the street (See clause 3.3)
   - Disabled person parking area (See clause 3.4)
   - Pavement construction (See clause 3.5)
   - Sign posting (See clause 3.6)
   - Landscaping (See clause 3.7)
   - Drainage system (See clause 3.8)
   - Loading / unloading facilities (See clause 6)
   - Garbage collection area.

b) A Traffic Impact Study detailing the proposals:
   - Impact on the local and regional traffic network
   - Impact on peak parking demand.

In this regard the Roads and Traffic Authority’s publication “Guide to Traffic Generating Developments” provides relevant information.
**Referrals**

Under the provisions of the *State Environmental Planning Policy No. 11*, major traffic generating developments, particularly those on or near major roads, require referral by Council to the Roads and Traffic Authority of NSW.

**Adoption of standards**

For the purpose of this DCP, Council has adopted the following standards in regard to the geometric design aspects of access, internal roads and parking areas:

**Australian Standards**

*AS2890.1 : Parking Facilities - Off-street Parking*

*AS 2890.2 : Off-street Parking - Commercial Vehicle Facilities*

*AS 2890.3 : Parking Facilities – Bicycle parking Facilities.*

*AS 2890.5 : Parking Facilities – On-street Parking*

*AS 1428.1 : Design for access and mobility – General requirements for access – New Building Work*

**Road and Traffic Authority of NSW**

*Guide To Traffic Generating Developments*

**AustRoads**

*Traffic Engineering Practice, Part 11: Parking*

**Council’s Engineering Development and Design Manual**

**Council’s Construction Specification**

Where an authority mentioned above updates or revises its publication relating to off-street parking, the applicant or designer must refer to the latest of such publications.

Where referral to the above Authorities results in conflicting standards, the standards determined by Council shall be those that apply; based on the merits of the situation and considering the objectives of this DCP.
Exceptions to standards

Council will assess each application on its merits, and at its discretion, may relax the requirements of this DCP where they are considered unreasonable or unnecessary in the circumstances of a particular case. Council may also make additional requirements if it considers that a development is likely to generate an excessively high parking demand. Where a deviation from this DCP’s requirements is proposed, detailed justification for the departure must be submitted with the Development Application.

Monetary contributions

In the Tumut Commercial Zone 3(a), Council may, at its discretion, pursuant to Section 94 of the Environment Planning and Assessment Act (1979) accept a monetary contribution in lieu of off-street parking, where it is considered impractical or undesirable to provide car parking facilities on the site.

Details relating to monetary contributions are set out in Council’s Section 94 Contributions Plan – Car Parking

Contributed monies will be used for capital works for public parking facilities in the general locality from which the money has been received.

The acceptance of contributions for any development is not guaranteed by the inability to comply with the requirements of this DCP.

Tool Box:
- Environmental Planning and Assessment Act 1979
- Council’s Section 94 Contributions Plan – Car Parking
Appendix A

Parking Schedule
<table>
<thead>
<tr>
<th>Land Use</th>
<th>Original TSC DCP</th>
<th>Problem</th>
<th>Option 1</th>
<th>Option 2</th>
<th>Option 3</th>
<th>Option 4</th>
<th>Option 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td>1 bedroom dwelling 1 space; 2 bedroom dwelling 1.5 spaces; 3 bedroom dwelling 1.5 spaces; 4 bedroom dwelling 2 spaces; visitor parking 0.2 spaces. A minimum of one covered space (pref. A Garage) per dwelling shall be provided</td>
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<tr>
<td>Dwelling Houses</td>
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<td>Doesn't seem to be enough provision</td>
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<tr>
<td>Medium Density Residential</td>
<td></td>
<td></td>
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<tr>
<td>Residential flat buildings</td>
<td></td>
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<tr>
<td>Housing for aged or</td>
<td>Rs. Per SEPP 5</td>
<td>Doesn't give an actual number of parking spaces</td>
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<tr>
<td>disabled persons</td>
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<tr>
<td>Casual</td>
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<tr>
<td>Accommodation</td>
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<tr>
<td>Motels</td>
<td>1 space per unit plus 1 space per 2 employees; if public restaurant is included then add the greater of 1 space per 10m² GFA Restaurant / Function Room, or one space per 3 seats.</td>
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</tr>
<tr>
<td>Hotels</td>
<td>1 space of 10m² of public area and 1 space per bedroom</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Office/ Retail</td>
<td></td>
<td>These two land uses are very diverse - they shouldn't be put in together as requiring the same level of provision.</td>
<td>Commercial Premises: 1 space per 30m² GFA</td>
<td>Major shopping centre where the proposed development includes a mall area: 3 spaces per 50m² GFA plus provision for on site bus and taxi parking to the satisfaction of the Council. Doesn't include a mall. 4 spaces per 50m² GFA plus provision for on site bus and taxi parking to the satisfaction of the Council!</td>
<td>General retail use: 1 space per 25m² floor area accessible to the public</td>
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<tr>
<td>Office/ Retail</td>
<td>1 space per 30m² GFA minimum of 3 spaces</td>
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<tr>
<td>Retail</td>
<td></td>
<td></td>
<td>Commercial Premises: 1 space per 35m² GFA</td>
<td>Major shopping centre: 1 space per 25m² GFA</td>
<td>Commercial Premises: 3 spaces per 35m² GFA</td>
<td>Office Premises: 3 spaces per 50m² GFA Professional Office: 1 space per 50m² GFA</td>
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<tr>
<td>Service Station with</td>
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<tr>
<td>convenience store</td>
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<tr>
<td>Motor Showrooms</td>
<td>1 space per 130m² site area plus 6 spaces per work bay (for vehicle servicing facilities)</td>
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<tr>
<td>Car Tyre retail stores</td>
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<tr>
<td>Roadside Stalls</td>
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<tr>
<td>Drive in liquor stores</td>
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</tbody>
</table>

**Note:** The table above outlines the parking requirements for various land uses as per SEPP 5. The requirements vary based on the type of development and its functions. For instance,很明显地，不同类型的土地用途有不同的停车要求。例如，住宅用途可能需要根据卧室数设定不同的停车配比，而商业和办公用途则可能根据商业面积设定不同的停车配比。
<table>
<thead>
<tr>
<th>Bulky goods retail</th>
<th>Comparison should be drawn with similar developments.</th>
<th>2 space per occupancy or lot, plus 1 space per 50m² GFA</th>
<th>1 space per 50m² GLFA</th>
<th>1 space per 50m² GFA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refreshments</td>
<td>Development with onsite seating: 1 space per 10m² GFA plus greater of: 1 space per 5 seats (internal and external) or 1 space per 2 seats (internal). Development with onsite seating and drive through facilities - Greater of: 1 space per 2 seats (internal) or 1 space per 2 seats (internal and external) plus queuing area for 5 - 12 cars. Requirement seems very high.</td>
<td></td>
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<tr>
<td>Drive through</td>
<td>Queuing area for 10 vehicles in addition to any requirement based on seating or GFA.</td>
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<tr>
<td>Restaurant</td>
<td>Whatever is the greater of: 1 space per 10m² GFA or 1 space per 3 seats.</td>
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<td></td>
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<tr>
<td>Clubs</td>
<td>1 space per 10m² of public area.</td>
<td></td>
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<tr>
<td>Recreation and Tourist Facilities</td>
<td>Underground Cars: 6 spaces per court.</td>
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<tr>
<td>Squash Courts</td>
<td>6 spaces per court.</td>
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<tr>
<td>Tennis Courts</td>
<td>6 spaces per court.</td>
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<tr>
<td>Bowling Alleys</td>
<td>10 spaces for the first green plus 5 spaces for each additional green.</td>
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<tr>
<td>Bowling Greens</td>
<td>1 space per 13m² GFA (desirable), 1 space per 22m² (minimum).</td>
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<tr>
<td>Gymnasium</td>
<td>1 space for the resident manager plus 1 space for each other two employees, plus 1.5 spaces for each long term occupancy site, of which 1 space must be provided on each site, plus 1.1 spaces for each short term occupancy site, of which 1 space must be provided on each site, plus 1 vehicle washing bay for each 100 sites or part thereof, plus 1 covered parking bay or enclosed garage for the repair of motor vehicles for each 100 sites or part thereof.</td>
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<tr>
<td>Caravan Parks</td>
<td>1 space per 10 sites, plus one space per 10 car parking.</td>
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<tr>
<td>Industry</td>
<td>Surveys shall be undertaken by the developer of similar developments and the findings reported to council.</td>
<td></td>
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<tr>
<td>Road Transport Terminals</td>
<td>Transport terminals, bus depots etc: 1 space per commercial vehicle plus 1 space per 2 employees.</td>
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<tr>
<td>Factory</td>
<td>1 space per 100m² GFA or adequate number of spaces based on parking study by the applicant.</td>
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<tr>
<td>Warehouse</td>
<td>1 space per employee.</td>
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<tr>
<td>Health and Community Services</td>
<td>1 space per 100m² GFA.</td>
<td></td>
<td></td>
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<tr>
<td>Professional Consulting Rooms</td>
<td>Comparisons should be drawn with similar developments but generally 3 spaces per consulting room.</td>
<td></td>
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<tr>
<td>Extended hours medical centres</td>
<td>1 space per 25m² GFA</td>
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<tr>
<td>Establishment Type</td>
<td>Space Requirements</td>
<td></td>
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<tr>
<td>---------------------------------</td>
<td>-------------------------------------------------------------------------------------</td>
<td></td>
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<tr>
<td>Child Care Centres</td>
<td>1 space for every 4 children in attendance, whichever is the greater plus drop-off / pick-up facility.</td>
<td></td>
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</tr>
<tr>
<td>Not mentioned in existing parking schedule</td>
<td>1 space per 35m² or 1 space per 4 children, whichever is the greater plus drop-off / pick-up facility.</td>
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<tr>
<td><strong>Educational Establishment</strong></td>
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<tr>
<td>Primary school</td>
<td>1 space per 2 staff members plus 1 space per 10 students</td>
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<tr>
<td>Secondary School</td>
<td>1 space per 1.5 full-time staff plus 1 space per 15 students over the age of 17 / year 12 students</td>
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<tr>
<td>Hospital</td>
<td>1 car space per 4 beds plus 1 space per 2 employees</td>
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<tr>
<td>Public Swimming Pools</td>
<td>1 space per 1.5 full-time staff plus 1 space per 8 students</td>
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<tr>
<td>Place of worship</td>
<td>1 space per 3 seats</td>
<td></td>
<td></td>
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<tr>
<td><strong>Retirement complex</strong></td>
<td>1 space per 4 hostel type units, plus 1 space per nursing home bed, plus 1 covered space per self contained sleeping plus visitor parking at a rate of 50% of resident parking requirement</td>
<td></td>
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<tr>
<td>Brothel</td>
<td>0.5 spaces per service room</td>
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<tr>
<td>Spa salon</td>
<td>1 space per 100m² GFA</td>
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<tr>
<td>Youth Hostel</td>
<td>1 space per 4 beds plus 1 space for proprietor</td>
<td></td>
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<tr>
<td>Bed and Breakfast establishment</td>
<td>1 space for each 5 occupants/fodgers plus 1 space for any resident manager</td>
<td></td>
<td></td>
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<tr>
<td>Veterinary establishment / animal establishment</td>
<td>1 space per 40m² for &lt; 120m² GFA; 1 space per 30m² for GFA 120m² - 1000m²; 1 space per 20m² for &gt; 1000m² GFA</td>
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<tr>
<td>Funeral Parlour</td>
<td>2 spaces per chapel of rest plus 1 space per 15m² chapel seats over 30m² plus 1 space for manager</td>
<td></td>
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</tbody>
</table>
Definitions / Glossary

Access Driveways are the nature strip crossings that provide access to a site and on which vehicles move between frontage road and the site boundary, and vice versa.

Aged Person means a person 55 years or older.

Aisle means area of pavement used by vehicles to gain access to parking spaces.

Articulated vehicle means a semi-trailer or the like.

Arterial Roads carry through traffic from one region or district to another forming principle avenues for traffic. Smooth and safe traffic flow is the priority of these roads. Arterial Roads are generally the responsibility of the RTA.

Average Recurrence Interval (ARI) means the average period between the recurrence of a storm event of a given rainfall intensity. The ARI represents a statistical probability.

Bed and Breakfast establishment means a dwelling house used for the ancillary purpose of providing overnight accommodation for not more than 6 travellers at any one time.

Brothel means a house of prostitution.

Bulky Goods retail means the sale of goods, excluding food and clothing items, which are, in the opinion of the Council, of such a size and shape as to require:

1. A large area for handling, storage and display; and
2. Easy and direct vehicular access to enable the goods to be collected by customers after sale.

Business Park refers to developments that permit a range of land use types in an integrated complex. The developments generally incorporate a number of individual units of similar size. The developments typically include elements of industrial, manufacture, research, warehousing, office space, retail, commercia, refreshment and recreation activities. They’re generally located in industrial areas, and the uses within the park are generally to a scale appropriate for the anticipated workforce and zoning.

Caravan Park means land used as a site for movable dwellings, tents and caravans or other vehicles used for temporary or permanent accommodation and may, in addition to one or more of the foregoing, include cabins.

Car Park means a building or place used for parking vehicles and any manoeuvring space and assess thereto, whether operated for gain or not.

Car Tyre Retail Outlet means a building or place used for the purpose of retailing and fitting tyres to motor vehicles or agricultural machinery.

Child Care Centre means a building or place used for the purpose of supervising or caring for children which:

1. Caters for 5 or more under school age children, whether or not those children are related to the owner or operator of the building or place; and
2. May include an educational function; and
3. May be operated for the purpose of gain, but does not include a building or place providing residential care for those children.

Circulation Aisles are aisles performing the dual function of providing access to car parking spaces and providing access to other aisles.

Circulation Roads are non-arterial, mainly collect and distribute traffic within an area. They may carry some through traffic as they connect the Sub-Arterial road network with the Local Road network. Their use by heavy vehicles as a through route would not generally be appropriate.
Clear Width means the width unobstructed by walls, columns, pipes or the like.

Club means a building or place which is used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or another lawful purpose and which is, or is intended to be, registered under the Registered Clubs Act (1976).

Commercial Premises refers to a building or place used as an office or for other business or commercial purposes. This includes non-medical professional consultancy rooms.

Community Facility means a building or place owned or controlled by a public authority or a body of persons which may provide for the physical, social, cultural or intellectual development or welfare of the local community, but does not include a building or place elsewhere defined in this clause.

Connectivity means the number and quality of connections in the movement network comprised of streets, pedestrian, cycle paths, and public buildings, and places that make it easy or difficult to move around a place.

Convenience Store means a drive-in retail facility, usually developed with the modification of an existing service station, which combines petrol and other goods retailing, with hours of operation extending beyond normal retail hours.

Design Traffic means the vehicles for which a given development must make on-site provision.

Development Site Plans identify the location and extent of all development.

Disabled refers to a person of any age who has a mental, physical or sensory impairment either permanently or for an extended period.

Drive-in Liquor Store means premises licensed for retail under the Liquor Act 1982, where customers drive their motor vehicles to and from the point of sale.

Drive through restaurant means development where customers park their vehicles on-site and walk to the food outlet for takeaway service, with no seating provided for the on-site consumption of food, or
- Development where customers park their vehicles on-site and walk to the food outlet for takeaway service, with seating also being provided for on-site food consumption; or
- Development with the features of the above second category with the addition of a drive through service for customers not wishing to consume food on the premises and includes McDonalds, KFC and the like.

Driveway means a paved area providing vehicular access between a public road and parking or loading area.

Is the vehicle access between the property boundary and the development. The driveway is generally on private property and is an extension of the Access Driveway.

Dual Occupancy Development means development consisting of 2 dwellings (whether or not attached) on one allotment of land.

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

Dwelling House means a dwelling which is the only dwelling erected on an allotment of land.

Education Establishment means a building or place used for education (including teaching) and includes:
1. A school; and
2. A tertiary institution, being a university, college of advanced education, teacher’s college, technical college or other tertiary college providing formal education which is constituted by or under an Act; and

3. An art gallery or museum not used to sell the items displayed in it, whether or not accommodation for staff and students is provided and whether or not used for the purpose of gain.

**Entertainment Facility** means a building or place used for the purpose of entertainment, exhibitions or displays, and includes a public hall, a theatre, cinema, music hall, concert hall, open air theatre, drive-in theatre, function room, night club, reception lounge or the like.

**Environmental Planning Instrument** means a State Environmental Planning Policy, a Regional Environmental Plan or a Local Environmental Plan.

**Extended Hours Medical Centre**: A medical centre is an establishment that is used by health care personnel for professional purposes, but does not comply with the definition of ‘Professional Consulting Rooms’ as outlined below. Extended hours medical centres are those centres with hours of operation extending beyond normal business hours.

**Factory** refers to a place or building used for the purpose of industry where industry means:

- Any manufacturing process within the meaning of the Factories, Shops and Industries Act 1962;
- The breaking up or dismantling of any goods or articles for trade, sale, gain or as ancillary to any business.

**Floor Area – Parking (FAP)** The sum of the areas of each floor of a building comprising the area within the outer face of the external enclosing walls, but excluding:

- Columns, fin walls, sun control devices and any elements, projections or works outside the general line of the outer face of the external wall;
- Lift towers, cooling towers, machinery and plant rooms, and ancillary storage space and vertical air conditioning ducts;
- Car parking specifications which meet requirements of Council and internal access thereto;
- Space for the loading and unloading of goods;
- Toilets;
- Public arcade areas.

**Frontage** is a boundary of a lot that abuts a road.

**Frontage Road** is the road fronting a development from which access is gained via a driveway. Some developments will have more than one frontage road.

**Funeral Parlour** means an establishment with the facilities for the preparation of the dead for burial or cremation, for the viewing of the body and for funerals. Also called a funeral home.

**Gross Floor Area (GFA)** means the sum of the areas of each floor of a building where the floor area is taken to be the area within the internal face of the external enclosing walls as measured at a height of 1400 millimetres above each level, excluding:

a) Columns, fin walls, shading devices, awnings and any other elements, projections or works outside and general lines of the outer face of the external wall;

b) Lift towers, cooling towers, machinery and plant rooms and ancillary storage space and air conditioning ducts;

c) Car parking needed to meet any requirements of the Council and any internal vehicular or pedestrian access to that parking;

d) Space for the loading of goods; and
e) Internal public arcades and thoroughfares, terraces and balconies and the like.

**Gross Leasable Floor Area** is the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lift corridors and other public areas but including stock storage area.

**Gymnasium** refers to a building, room or an number of rooms, used for organised or instructed indoor exercise, typically aerobics, weight/circuit training etc. Ancillary facilities such as health care services, spa/sauna and small apparel sales area are commonly provided within gymnasiums.

**High Density Residential Flat Buildings** refers to a building containing 20 or more dwellings. Usually located on more than 5 levels, have basement car parking and are located in close proximity to public transport services.

**Home Business** means a business, profession or light industry carried on in a dwelling-house or another building within the allotment of a dwelling-house or a dual occupancy development by 1 or more permanent residents of the dwelling-house, in circumstances where the carrying on of the business, profession or light industry does not involve:

a) Use of floor area exceeding 30 square metres;
b) Interference with the amenity of neighbouring residential premises, or the locality as a whole;
c) The display of goods;
d) The display of a sign, other than a non-illuminated sign not exceeding 50 centimetres in width or 25 centimetres in height, indicating the name and occupation of the residents; or
e) Any increase in the capacity of utility service mains in the locality.

**Hospital** means any building or place used for the purpose of providing professional health services (including preventative care, diagnosis, medical or surgical treatment or counselling) to people admitted as in-patients, whether or not outpatients are also cared for or treated.

**Hostel** means a residence which houses aged or disabled persons, and provides cooking, dining, laundering and other care facilities on a shared basis. Hostels are maintained on a full-time basis by persons who have nursing, social work or other similar experience.

**Hotel** means premises specified or proposed to be specified in a hotelier’s licence granted under the Liquor Act 1982.

**Housing for aged or disabled persons** refers to residential accommodation (in any building form) which is used or intended to be used permanently as accommodation for aged person or disabled persons. Housing of this kind may consist of hostels, a grouping of self-contained dwellings, or a combination of both.

**Industry** means any manufacturing process within the meaning of the Factories, Shops and Industries Act 1962; the breaking up or dismantling of any goods or any article for trade or sale or gain or an ancillary to any business.

**Large Dwelling** means a dwelling with floor space more than 90 square metres or a dwelling that contains more than 2 bedrooms or rooms capable of being used as bedrooms.

**Large truck** means a commercial vehicle on a rigid wheelbase with external dimensions greater than 6.5 metres long by 18 metres wide by 3.5 metres high.

**Legibility** is the design of the movement system that provides a sense of direction and connection giving clear signals regarding the spatial layout and geography of an area.

**Light Industry** means the manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods or articles for commercial purposes, in which the process carries on, or the transportation
involved or the machinery or materials used, do not interfere unreasonably with the amenity of the neighbourhood, but does not include development elsewhere defined in this clause.

**Loading bay** means an area of suitable dimensions, either within or outside a building designed for the standing of vehicles whilst loading or unloading goods.

**Loading Dock** is the area for loading and unloading of vehicles generally incorporating a raised platform to facilitate operations. Loading and unloading can however take place from ground level.

**Local Roads** are generally the urban roads that are used solely to access individual lots.

**Local Shop** means a building on land zoned for residential purposes which was constructed for a shop use and which is not suitable on physical or economic grounds for conversion to, or replacement by, a residential use.

**Long term parking** means parking intended to be used by residents, residential visitors, employees or the like.

**Lot** is a parcel of land or space described in a land title.

**Major road** means an arterial or sub-arterial road, where:

1. Arterial road means that predominantly carries through traffic from one region to another forming principal avenues of communication for metropolitan traffic movement. They are usually part of the proclaimed Main Roads system, including highways and freeways. Freeways are those roads having full access control and grade separated intersections, whose primary function is to service large traffic volumes
2. Sub-arterial road means a road that connects the arterial roads to areas of development and carries traffic directly from one part of the region to another. It may also relieve traffic on arterial roads in some instances.

**Minor Road** means a collector road or local road where:

1. Collector road means the road which connects the sub-arterial roads to the local road system in developed areas;
2. Local road means the subdivisional road within a particular developed area. Local roads are used solely as local access roads, but traffic volumes and types of vehicles will depend on the intensity and nature of the development.

**Manoeuvring Areas** is the part of a service area, adjacent to service bays, required by service vehicles to manoeuvre into the bays or to a position beside a loading dock.

**Medium Density Residential Flat building** means a building containing at least 2 but less than 20 dwellings. Includes villas, townhouses, flats, semi-detached house, terrace or row houses and other medium density developments.

**Medium Dwelling** means a dwelling with floor space between 60 square metres and 90 square metres and containing more than 2 bedrooms or rooms capable of being used as bedrooms.

**Minor Drainage System** is the part of the public drainage system in an urban area that carries relatively minor flows. It consists of the system of kerbs, gutters, roadside channels, swales, sumps and underground pipes. It is generally designed to control ‘nuisance flows’ that occur on a day-to-day basis.

**Minor System (or Nuisance) Flooding** in urban areas; comprises relatively minor localised flooding with an ARI of 2-5 years. It occurs due to surcharge of stormwater onto streets and roads. Stormwater infrastructure is usually designed to avoid minor system flooding. These floods can be conveyed to the receiving environment via a constructed system, or can be reduced or eliminated using stormwater source control measures.
**Motel** means a building or buildings used substantially for overnight accommodation of travellers and their vehicles. Whether or not the building or buildings are also used to provide meals for those travellers or the general public.

**Motor Showroom** means a building or place used for the display or sale of motor vehicles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are sold or displayed therein or thereon.

**Motor Vehicle Sales** see **Motor Showroom**

**Office Premises** means a building or place used for the purpose of administration, or for a clerical, technical or professional purpose or the like, but does not include development elsewhere defined in this clause.

**Parking Aisles** are the aisles used by cars to gain access to a parking space.

**Parking Space** means an area of pavement of suitable dimensions that is designed and marked for the parking of a car.

**Performance Criteria** means criteria to be used in the preparation, submission and assessment of development proposals for measuring the performance of the proposal against the relevant development standard.

**Peripheral Business** means the display and retail of goods that satisfy a regional or specialised demand rather than a local retail demand and includes ‘bulky goods by not food or clothing.’

**Place** means a site, area, land, landscape, building or other work, group of buildings, or other works, and may include components, contents, spaces and views. (Note the elements described may include memorials, trees, gardens, parks, places of historical events, urban areas, towns, industrial places, archaeological sites and spiritual and religious places.)

**Place of Worship** means a building or place used for the purpose of religious worship, whether or not the building or place is also used for counselling, social events or religious training by a congregation or religious group.

**Professional Consulting Rooms** means a room or a number of rooms forming part of, attached to, or within the curtilage of, a dwelling-house and used or intended for use by not more than 1 legally qualified medical practitioner, by not more than 1 dentist within the meaning of the Dentists Act 1989, or by not more than 1 health care professional, who practice there the profession of medicine, dentistry or health care, respectively, and who employs not more than 2 employees in connection with that practice.

**Public Building** means a building used as a business or office by a public authority or an organisation established for public purposes.

**Public Car Park** means any premises used for the purpose of accommodating vehicles of members of the public on payment of a fee.

**Public Floor Area** means the area where the public are permitted in a:

- Bar
- Lounge
- Beer garden
- Dining area
- Auditorium; and
- Other similar entertainment area but does not include non-licensed areas in registered clubs.

**Public Swimming Pool** means a pool suitable for swimming.
**Queueing Area** means the area of an entry driveway between the property boundary and a service point.

Is an area of roadway between the entry or exit driveway and the first conflict point or traffic control point within a car parking area, available for the storage of vehicles in a queue.

**Recreation Facility** means a building or place used for sporting activities, recreation or leisure activities, whether or not operated for the purpose of gain, but does not include a building or place elsewhere defined in this clause.

**Registered Club** means a building or place which is used by persons associated, or by a body incorporated, or social, literary, political, sporting, athletic or another lawful purpose and which is, or is intended to be, registered under the Registered Clubs Act 1976.

**Restaurant** means a refreshment room where food is served to customers. It can be either licensed or unlicensed. The definition includes cafes, tearooms, eating houses etc.

**Retail** means to sell in small quantities directly to the ultimate consumer.

**Retail Plant Nursery** means a building or place used for growing plants and selling plants by retail, whether or not landscape supplies (including earth products) or other landscape and horticultural products are also sold.

**Retirement Complex** means a complex designed for retired persons.

**Roadside Stall** is a building or place not exceeding 20m² in floor space or area, where primary products produced on the property on which the building or place is situated are exposed or offered for sale or retail.

**Road transport terminal** is a building or place used for the principal purpose of the bulk handling of goods for transport by road. This includes facilities for the loading and unloading, parking, servicing and repair of those vehicles.

**Rounding Off** means when parking calculations results in a fraction of a whole number, the number of spaces to be provided will be determined by rounding off to the nearest whole number.

**Run-Off** is rainwater that does not soak into the soil, but flows across surfaces, generally hard surfaces, to the nearest drain, water body or water way.

**Self Contained Dwelling** is a dwelling or part of a building (whether attached or not) which houses aged or disabled persons. Private facilities for cooking, sleeping and washing are included in the dwelling, or part of the building.

**Service Bay** means an area within or outside a building specifically designed or intended for the servicing of vehicles or the installation of accessories.

Is a parking bay for service vehicles engaged in loading or unloading and where a loading dock may or may not be provided.

**Service Station** means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil or other petroleum products, whether or not the building or place is also used for one or more the following purposes:

a) The hiring of trailers

b) The retail selling or the installing of spare parts and accessories for motor vehicles;

c) The washing and greasing of motor vehicles;

d) The repairing or servicing of motor vehicles (other than body building, panel beating or spray painting);

e) The retail selling or hiring or small consumer goods.
Service Vehicle is a vehicle used to supply or remove goods or services to or from a development.

Shared Parking means where the number of required car parking spaces to be calculated is for developments incorporating a number of uses (for example, mixed use such as commercial and retail development on the ground floor with residential flats above), a separate calculation is to be made for each use, and a total figure for the combined development subsequently obtained. If, however, it can be proven that the times of peak demand for parking usage for each development are staggered, Council may consider a reduction in the total number of spaces to be provided in a 'shared' car parking area.

Shop means a building or place used for the purpose of selling goods or materials, whether by retail or auction, or of hiring or displaying for the purpose of selling of hiring goods or materials.

Showroom means shop premises which display in a permanent or semi-permanent form, samples only of goods, usually of a bulky nature, whether or not the premises are also used of the storage of stock.

Sight Distance is the distance over which visibility occurs between a driver and an object, or between two drivers, at specific heights above the ground.

Sight Line is a straight line of clear view between two objects over which a sight distance is measured.

Site Area means the area of land to which the application for consent relates.

Small Dwelling means a dwelling with a floor space up to 60 square metres and containing one bedroom or room capable of being used as a bedroom.

Small truck means any small commercial vehicle on a rigid wheelbase with a maximum overall dimension of 6.5 metres long by 1.8 metres with by 3.5 metres high.

Stack Parking means parking spaces in a line, one behind the other.

Stormwater is the runoff from rainfall events.

Streetscape is what is within view of a person, including building and natural form, related to the street.

Sub-Arterial Roads are roads that connect Arterial Roads to areas of development, carry traffic directly from one part of the city to another and may also relieve traffic on arterial roads. Smooth and safe traffic flow is the main priority of these roads. In may instances these roads travel through Centres and should safely facilitate pedestrian and cycle movement.

Tourist Facility is an establishment which provides holiday accommodation or recreation. This may include a boat shed, boat landing facilities, camping ground, hotel, houseboat, marina, motel, playground, refreshment room, water sport facilities, or a club used in connection with any like activities.

Town Centres means Tumut, Batlow, Adelong.

Townhouse means a dwelling within a building which contains more than 2 dwellings where each dwelling has its own entrance and open space for the exclusive use the occupants of the dwelling, but does not include a villa home.

Trade Services means a building or place used for wholesale to trade services and for other activities which support light industry including plumbing / electrical supplies, hire equipment, storage and the like, but does not include a building or place elsewhere defined in this clause.

Transport Depot means a building or place used for the parking or storage of motor powered or motor drawn vehicles used in connection with a passenger transport undertaking, business, light industry or shop.
**Truck Stop** means a building or place located on or near a major road that is used for the principal purpose of providing support facilities for road transport vehicles. Such facilities may include the retailing of fuel, maintenance and repair facilities and overnight accommodation.

**Urban Design** is a process that concentrates not only on how the built form looks, but how it works, how it relates to the natural environment and human behaviour and its ability to provide safe, equitable, stimulating and enterprising environments for people.

**Vehicle Body Repair Workshop** means a building or place used for the repair or vehicles or agricultural machinery, involving body building, panel beating or spray painting.

**Vehicle Repair Station** means the use a building or place for the purpose of carrying out repairs or the selling and fitting of accessories to vehicles or agricultural machinery in conjunction with repairs.

**Vehicle Sales** means the use of the a building or place used for the display of motor vehicles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are sold or displayed.

**Vehicle Threshold Surface** means a paved and/or raised surface to facilitate safe pedestrian access across a public road.

**Veterinary Establishment** means a building or place used for diagnosing or surgically or medically treating animals, whether not animals are kept on the premises for the purpose of treatment.

**Video Store** means a shop where the primary business activity is hiring video cassettes. Ancillary activities might include the retailing of video cassettes and related material.

**Visitor Parking** means car parks designated through the use of signage for the use of visitors only.

**Warehouse** means a building or place used for the principal purpose of storing or handling items (whether goods or materials) which have been produced or manufactured for distribution to other premises, but not if the premises are used for retail sales.

**Work Bay** means a facility that is designed for the repair and maintenance of machinery.

**Youth Hostel** means short to medium supervised lodging for generally young travellers. Also known as Backpackers Hostel.
Appendix C

Species Suitable for Planting in Car Parks
### Trees

#### Native Evergreen
- Angophora Floribunda 12-20m (Rough Bark Apple)
- Callistemon Viminalis 3-9m (Bottlebrush)
- Eucalyptus Cladocalyx 15-30m (Sugar Gum)
- Eucalyptus Gummifera (Bloodwood) 12-30m
- Eucalyptus Leucoxylon (Whitewood) 9-15m
- Eucalyptus Mannifera Subsp Maculosa (Spotted Red Gum) 6-18m
- Eucalyptus Scoparia (Willow Gum) 9-15m
- Eucalyptus Sideroxylon "Pink" (Pink Flowered Iron Bark) 9-15m
- Tristania Conferta (Brush Box) 9-30m
- Eucalyptus Crenulata (Silver Gum) 12-25m
- Eucalyptus Forrestiana (Fuschia gum) 9-15m
- Brachychiton Bidwillii (Little Kurrajong) 9-15m

#### Imported Evergreen
- Calodendrum Capense (Cape Chestnut) 9-15m
- Ulmus Parvifolia (Chinese Elm) 9m

#### Imported Deciduous
- Celtis Australis (Nettle Tree) 9-15m
- Fraxinus Oxycarpa (Desert Ash) 9-15m
- Gleditsia Triacanthos (Honey Locust) 9-15m
- Sapium Sebifrum (Chinese Tallow) 8m
- Tilia Europaea (common Lime) 20m
- Ulmus Parvifolia (Chinese elm) 15m
- Pyrus Calleryana (Ornamental Pear) 10m
- Catalpa Bignoniodes (Indian Bean Tree) 15m
- Liriodendron Tulipifera (Tulip tree) 20m

### Screen Planting

#### Native
- Acacia Fimbriata (Fringed Wattle) 2.5-3.5m
- Acacia Floribunda (Gossamer Wattle) 3-8m
- Acacia Howiltii (Sticky Wattle) 3-8m
- Acacia Longifolia (Golden Wattle) 4-5m
- Acacia Terminalis (Cedar Wattle) 15m
- Banksia Ericifolia (Heath Banksia) 2.5-4m
- Banksia Serratifolia 3m
- Banksia Spinulosa 3m
- Callistemon "Kings Park Special" 3-4m
- Callistemon Salignum (Pine Tips) 2-8m
- Callistemon Viminalis "Dawson River" 5m
- Casurina Glaucia (Swamp Oak) 12m
- Casurina Torulosa (Forest Oak) 15m
- Dodonaeu Viscosa (Sticky Hopbush) 2-5m
- Grevillia "Honey Gem"
- Grevillia "Ivanhoe"
- Grevillia "Hookeriana"
- Grevillia "Porinda Blondie"
- Grevillia "Rosmarinifolia"
- Hakea Saligna (Willow Leaf Hakea) 3-6m
- Leptospermum Petersonii (Lemon Scented Tea Tree) 4m
- Melaleuca Armillaris (Honey Murtle) 4-8m
- Melaleuca Bracteata (Revolution Green) 2m
- Melaleuca Hypericifolia 4-6m
- Melaleuca Nesophila 4m
Pittosporum Undulatum (Sweet Pittosporum) 8m

Imported

**Ground Covers**
- Clivea Miniata
- Grevillia "Proinda Royal Mantle"
- Grevillia Juniperina "Trinerva"
- Grevillia Laufifolia
- Grevillia Obtusiflora "Little Thicket"
- Grevillia Obtusiflora
- Grevillia Gaudichaudii
- Hardenbergia Violacea
- Juniperus Conferta
- Leptosperum Juniperinum
- Horizontalis
- Myopourum Parvifolia
CHAPTER 4:

PUBLIC NOTIFICATION

(Former Development Control Plan No.4 – Public Notification)
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Why Publicly Notify?

Development Applications for certain types of development, draft Local Environmental Plans (LEP) and draft Development Control Plans (DCP) will often attract a level of public interest.

Assessment of any submission made in respect of a Development Application needs to be carried out under Section 79C (1) of the Environmental Planning and Assessment Act 1979. The Act also requires Council to consider submissions made in respect of any draft LEP and draft DCP. These provisions enable the public interest to be captured and considered in the assessment of a Development Application, draft LEP or draft DCP.

The reasons for public notification are to:

1. Improve consultation and communication between Council and the community;
2. Increase public confidence in the development assessment and plan making processes;
3. Provide the public an opportunity to have input into these processes;
4. Ensure that the processes are open, fair and transparent;
5. Emphasise Council’s obligations and rights in the development assessment and plan making processes.
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PART 1 - INTRODUCTION

1.1 Name of the Plan

This plan shall be known as:
Development Control Plan No. 4 – Public Notification.

1.2 Purpose of the Plan

The purpose of this DCP is to establish procedures in identifying those property owners and occupiers affected by the development of land within the Shire of Tumut, and the extent of the notification process required in the development assessment and plan making processes.

1.3 Application of the Plan

This Plan applies to all land in the Tumut Shire area to which a Development Application is required by the Tumut Local Environmental Plan 1990 or is the subject of a draft LEP or draft DCP.

1.4 Relationship to other Plans

Where there is an inconsistency between this plan and any environmental planning instrument applying to the same land, the provision of the environmental planning instrument shall prevail.

1.5 Objectives of the Plan

The objectives of this plan are to:

a) Establish an efficient and effective process for community consultation, which will minimise delays in the processing of Development Applications and improve the quality of decisions;

b) Maintain the community’s right to participate in the development assessment and plan making processes;

c) Foster public appreciation and understanding of the development assessment and plan making processes;

d) Clarify the circumstances to which a Development Application does not require notification; and

e) Detail the form of and requirements for public notification.

f) Identifies Council’s approach to dispute resolution in relation to Development Applications, through conciliation.

1.6 Commencement of the Plan

1.6.1 This Development Control Plan has been prepared in accordance with Section 72 of the Environmental Planning and Assessment Act 1979, as amended.

1.6.2 This Plan was adopted by Council on 16 November, 1999 and came into operation on 19 November, 1999 (being the date notification of the Plan was advertised in the local newspaper).
1.7 Amendments

Any amendments to this Plan are shown in the following table:

<table>
<thead>
<tr>
<th>Amendment No.</th>
<th>Date Adopted</th>
<th>Minute No.</th>
<th>Date Commenced</th>
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<td>591</td>
<td>27 September, 2002</td>
</tr>
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</table>

1.8 Development Applications not requiring public notification

Public notification will not be required for Development Applications involving:

a) Exempt Development;

b) Complying Development;

c) New works involving alterations to an existing building which will not result in changes to the height, elevations or facade of the existing building; and

d) Development which, in the opinion of the responsible Council Officer, will not detrimentally affect the enjoyment of persons on adjoining and neighbouring land, in terms of the matters listed in clause 2.3 of this Plan.

1.9 Development Applications requiring public notification

1.9.1 Public notification will be required for Development Applications for development of a type listed in APPENDIX 2.

1.9.2 Notwithstanding clause 1.9, a Development Application will not be notified for development where, in the opinion of the responsible Council Officer, will not detrimentally affect the enjoyment of persons on adjoining and neighbouring land, in terms of the matters listed in clause 2.3 of this Plan.

1.10 Draft LEP and DCP

Draft LEP and draft DCP shall be advertised in accordance with the requirements of the Act and Regulations.
PART 2 - PROCEDURES

2.1 Who will be notified?

2.1.1 Where notification is required, a notification letter will be sent to the affected persons of adjoining and neighbouring land to the development site.

2.1.2 In identifying the owners of land, Council shall rely on its property system, on the day of preparing the notice. A notification letter forwarded to the manager or Secretary of the Body Corporate, or an Association (under the Community Land Development Act 1989) is taken to be a letter to the owner of each lot within the Body Corporate or Association, as applicable.

2.1.3 If land is owned by more than one person, a notice to one owner is taken to satisfy the requirements of this clause.

2.2 Additional Notification

Certain types of development require additional notification with relevant residents and/or community groups as part of the notification process. These are listed in APPENDIX 3.

2.3 Determining the extent of notification

Council will give notice of a Development Application to affected persons where, in the responsible Council Officer’s opinion, the enjoyment of the land may be detrimentally affected, in relation to:

a) views to and from the land;

b) overshadowing;

c) privacy;

d) pollution, in terms of noise, dust, fumes and the like;

e) the visual quality of the building in relation to the streetscape;

f) the scale or bulk of the proposed building;

g) the siting of the proposed building in relation to the development site boundaries;

h) hours of use;

i) light or reflection;

j) means of access to or provision of parking on the development site;

k) proposed changes to any covenant or easement benefiting the adjoining or neighbouring land;

l) the height, materials and position of fences erected on a boundary, or

m) traffic generation.
2.4 Notification Period

The notification period is 14 days unless otherwise specified by the Act and Regulations, an Environmental Planning Instrument or Development Control Plan. This is further detailed in APPENDIX 2 of this Plan.

2.5 Form of the Notification

The notification letter shall be forwarded to affected persons before the commencement of the notification period and shall contain the following information:

a) the property address to which the Development Application relates;

b) a description of the proposed development;

c) an invitation to view the Development Application;

d) the time and locations to which the Development Application and plans can be inspected;

e) the affected person’s right to lodge a written submission in relation to the application;

f) the time period to which written submissions are to be made to Council;

g) written submissions will become public property; and

h) a Notification Plan.

2.6 Notification Plan

For the purposes of this DCP, the Notification Plan(s) is to:

a) be prepared by the applicant and submitted to Council upon request;

b) be contained in an A4 size sheet(s) and may be a reduced copy of the development plans submitted with the Development Application;

c) be of a scale which will clearly delineate the features of the building;

d) include a site plan, to scale, showing the relationship of the proposed building to the property boundaries;

e) indicate any new buildings or additions to existing buildings by means of cross hatching;

f) indicate the levels of floors, ceilings and ridges in relation to the existing and finished levels of the site;

g) show the location of existing and proposed driveways, trees or other significant features;

h) include any other information which, in the opinion of the responsible Council Officer, is appropriate to the application.
2.7 Notification of an amended Development Application

2.7.1 An applicant may amend a Development Application at any time prior to the determination of the application. In these instances, the responsible Council Officer will re-notify:

a) those persons who made submissions to the original Development Application; and

b) any other affected persons who, in the opinion of the responsible Council Officer, may be detrimentally affected by the amended application (including those persons previously notified of the original Development Application).

2.7.2 Council will charge a notification fee to an amended application requiring additional notification.

2.8 Notification of an application for modification of Development Consent

2.8.1 Council will notify of an application to modify the development consent if, in the assessment of the Development Application the subject of the development consent, the application was placed on notification or advertised.

2.8.2 In those instances where the Development Application was originally notified, the application for modification is to be notified for a minimum 14 days.

2.8.3 Where the Development Application was originally advertised, the application for modification shall be advertised in accordance with Section 96 of the Act and the Regulations.

2.8.4 Notwithstanding clauses 2.10 and 2.11, the application for modification will not be notified or advertised if, in the opinion of the responsible Council Officer, the proposed amendment(s) to the development consent, the subject of the application for modification, is unlikely to prejudice:

a) any person(s) who were previously notified of the Development Application; and

b) any person(s) who previously made a submission in respect of the Development Application; and

c) any matter(s) raised in the previous submission(s) in respect of the Development Application.

2.8.5 Council will notify those persons who previously made submission(s) to the Development Application and any other affected persons who, in the opinion of the responsible Council Officer, may be detrimentally affected by the application for modification.

2.8.6 Council will charge a notification or advertising fee in addition to the fee for modification of the development consent.
2.9 Erection of Site Notice

2.9.1 In addition to the notification and advertising requirements contained elsewhere in this DCP, clause 29 of the Tumut LEP 1990 requires the development listed below to be advertised in the same way as designated development, including the erection of a site notice.

2.9.2 Section 79 (1)(c) of the Act requires notice of the application to be exhibited (site notice) in accordance with clause 84 of the Environmental Planning and Assessment Regulation 2000.

2.9.3 Development requiring the erection of a site notice:

   a) Boarding houses; hotels or motels; residential flat buildings; dual occupancy buildings; cluster housing; units for aged persons; places of public worship; educational establishments; hospitals,

   b) Industries (other than rural industries) in Zone No. 1(a) or 2(v),

   c) Intensive livestock keeping establishments; junk yards; liquid fuel depots; saw-mills; stock and sales yards, and

   d) Designated Development.
3.1 **Form of Submission**

3.1.1 Submissions made in relation to a Development Application, draft LEP or draft DCP must be:

   a) in writing and addressed to the General Manager;

   b) clearly indicate the name and address of the person making the submission; and

   c) clearly indicate the grounds of objection.

3.1.2 Submissions should be lodged with Council by the conclusion of the notification period.

3.2 **Consideration of submissions**

3.2.1 Council will consider all submissions as part of the assessment of the Development Application.

3.2.2 Concerns raised in submissions may be forwarded to the applicant for their response or consideration.

3.3 **Notification of determination**

Council will, on determination of the Development Application, draft LEP or draft DCP, notify those persons who made a submission to the same, of Council’s decision.
4.1 Conciliation

This Part identifies Council’s approach to dispute resolution in relation to Development Applications, through conciliation.

4.2 Conciliation Conference

To formalise the conciliation Conference System and in order to facilitate the expeditious assessment of applications, clause 4.3 identifies the criteria to hold a Conciliation Conference.

4.3 Criteria to hold a Conciliation Conference

4.3.1 The decision to hold a Conciliation Conference is based upon the following criteria:

a) A minimum of five (5) objections to Council’s notification of Development Applications; and

b) An assessment of whether the objections raised relate to one or more of the relevant site specific issues including:

* siting and design,
* views,
* privacy,
* overshadowing,
* noise,
* streetscape,
* public interest,
* access,
* topography,
* any other relevant matter which cannot be overcome by conditions.

4.3.2 Once a decision is made to hold a Conciliation Conference, the authors of submissions received will be notified and invited to attend the Conference.

4.4 Conference Format

4.4.1 The purpose of the Conciliation Conference is to assist in the flow of information between Council, the applicant and objectors and to provide a forum for frank and open discussions on any proposal.

4.4.2 Conciliation Conferences will be chaired by the Mayor, his/her delegate or in his/her absence a Senior Officer of Council. Notice of the Conciliation Conference will be given to all Councillors who will be welcome to attend.

4.4.3 Limits will be placed upon the number of speakers, however, some discretion is allowed where the number of objectors is small or depending upon the nature of the concerns being raised. A Conciliation Conference is not a decision making forum, however, notes from the Conference will be taken and incorporated in a report for referral to Council’s next available meeting.
4.5 Conciliation Outcome

4.5.1 Depending upon the nature of the proposal and the matters raised by both the objectors and the applicant, the outcome of the Conciliation Conference may take the form of one of the following:-

a) referral of the application to Council for determination,

b) additional information or amended plans to be submitted by the applicant.

4.5.2 Should additional information to support an application or amendments to plans be required then a further period of exhibition will be permitted for a period of seven (7) days following receipt of the information / amendments and referral to objectors.

4.5.3 Following this period a report will be prepared on the application and all submissions received for referral to Council for determination.
APPENDIX 1 - DEFINITIONS

The following definitions apply in this DCP:

“Adjoining and neighbouring land” means any land which may be detrimentally affected by the use of, or the erection of a building or work on the development site.

“Advertised Development” means development, other than designated development, identified as advertised development in the Regulations, an Environmental Planning Instrument or Development Control Plan.

“Affected Person” means a person who:

a) owns or occupies a property or building that adjoins or abuts the development site; or

b) in the opinion of the responsible officer, may be detrimentally affected by the use of, or the erection of a building or carrying out of work on the development site.

“Building” includes part of a building and any structure or part of a structure including a swimming pool, but does not include:

a) a manufactured home, a moveable dwelling or associated structure or part of a manufactured home, a moveable dwelling or associated structure, or

b) a temporary structure within the meaning of the Local Government Act 1993.

“Complying Development” has the same meaning as in the Act.

“Designated Development” means any class of development that is declared to be designated development by an environmental planning instrument or the Regulations.

“Development” means –

a) the use of land;

b) the subdivision of land;

c) the erection of a building;

d) the carrying out of a work;

e) the demolition of a building or work; or

f) any other act, matter or thing referred to in section 26 of the Act that is controlled by an environmental planning instrument;

but does not include any development of a class or description prescribed by the Regulations for the purposes of this definition.

“Development Site” means the land to which the Development Application relates.

“Exempt Development” has the same meaning as in the Act.
“Home Business” means a business carried out, or partly carried out, in a dwelling house or dwelling, within the site area of a dwelling house or dwelling, by the permanent residents of the dwelling house or dwelling, and which does not involve:

a) the employment of more than two persons, at any one time, in addition to the permanent residents; or

b) the exhibition of an advertisement (other than an advertisement exhibited on that dwelling house or dwelling to indicate the name or occupation of the resident); or

c) the interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the like; or

d) interference with the amenity of the neighbourhood due to the generation of vehicular traffic, the reduction of car parking in the vicinity of the site, visits by customers or clients, or the like; or

e) exposure to view, from any adjacent premise or from any public place, of any unsightly matter; or

f) the provision of any essential service main of greater capacity than that available in the locality; or

g) a brothel.

“Integrated Development” means development that, in order for it to be carried out, requires development consent and one or more approvals under a particular section(s) of the:

a) Fisheries Management Act 1994;

b) Heritage Act 1977;

c) Mine Subsidence Compensation Act 1961;

d) National parks and Wildlife Act 1974;


f) Rivers and Foreshores Improvement Act 1948;

g) Roads Act 1993;

h) Water Act 1912,

as ascribed under section 91 of the Act.

“Local Development” means development, other than State Significant development, requiring development consent under an Environmental Planning Instrument. Local development may comprise:

a) advertised development;

b) concurrence development;

c) designated development; or

d) integrated development.
“Notification Letter” means the letter sent by Council to an affected person advising of the development application.

“Notification Plan” means the site plan of the proposal which accompanies the notice.

“Owner” means:

a) the person or persons who appear on Council’s property system to be the owner of land, at the date of notification;

b) 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 owner is the body corporate and the individual title owners;

c) in the case of land that is a community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act 1989, the owner is the Association for the parcel.

“Responsible Council Officer” means an officer of Council who will be responsible for the processing and assessment of the development application.

“State Significant Development” means development, other than designated development, which:

a) is declared by a State Environmental Planning Policy or Regional Environmental Plan to be State Significant development and may be carried out with development consent;

b) in the opinion of the Minister, to be of State or Regional significance, is declared by notice in the Government Gazette to be State Significant development and may be carried out with development consent;

c) the Minister has directed to be referred to him for determination; or

d) is prohibited development under Section 89 of the Act;

which the Minister is the consent authority.

“The Act” means the Environmental Planning and Assessment Act, 1979 as amended.

“The Minister” means the Minister of Urban Affairs and Planning.

“The Regulations” means the Environmental Planning and Assessment Regulation, as amended.
## APPENDIX 2

### PUBLIC NOTIFICATION REQUIREMENTS

<table>
<thead>
<tr>
<th>Who will be notified</th>
<th>Local Development</th>
<th>Modification of Development Consent (for applications previously advertised or notified)*</th>
<th>Advertised Development (Local Development)</th>
<th>Advertised Development (State Significant)</th>
<th>Designated Development</th>
<th>Development Control Plans &amp; Local Environmental Plans</th>
<th>Integrated Development (Local Development)</th>
<th>Integrated Development (Designated / State Significance)</th>
<th>State Significant Development (Not Designated Development)</th>
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<th>Notification Period</th>
<th>Local Development</th>
<th>Modification of Development Consent (for applications previously advertised or notified)*</th>
<th>Advertised Development (Local Development)</th>
<th>Advertised Development (State Significant)</th>
<th>Designated Development</th>
<th>Development Control Plans &amp; Local Environmental Plans</th>
<th>Integrated Development (Local Development)</th>
<th>Integrated Development (Designated / State Significance)</th>
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<tr>
<th>Form of Notification</th>
<th>Local Development</th>
<th>Modification of Development Consent (for applications previously advertised or notified)*</th>
<th>Advertised Development (Local Development)</th>
<th>Advertised Development (State Significant)</th>
<th>Designated Development</th>
<th>Development Control Plans &amp; Local Environmental Plans</th>
<th>Integrated Development (Local Development)</th>
<th>Integrated Development (Designated / State Significance)</th>
<th>State Significant Development (Not Designated Development)</th>
</tr>
</thead>
</table>

* Procedures for notifying or advertising of the application is to be read in conjunction with clauses 2.9 to 2.14 of this DCP.

+ To be carried out for those applications requiring advertising in newspaper.
(see clause 2.2 of DCP)

<table>
<thead>
<tr>
<th>APPENDIX 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDITIONAL NOTIFICATION</td>
</tr>
</tbody>
</table>

1. All applications for industrial development in areas zoned other than General Industrial 4(a) and Light Industry 4(b) are to be publicly notified.

2. All applications for rural subdivision are to be referred to Tumut-Brungle Local Aboriginal Land Council for comment on any effects on aboriginal culture.

3. All new industrial, commercial and tourism development in rural zones are to be publicly notified.

4. Subdivisions that, when developed, would have the same effect as medium density development, are to be publicly notified.

5. Upon receipt of an application for a concessional allotment/s, all current landowners within the “existing holding” are to be notified about concessional allotment entitlements.

6. All adjoining landowners of Spot Rezoning or LEP amendment to allow a particular development, are to be notified.

7. All Development Applications for building work on sites containing heritage items listed in the Tumut Local Environmental Plan be publicly notified. This notification requirement does not apply if, in the opinion of Council staff, the proposed work will be of a minor nature and will not adversely affect the heritage significance of the site.
CHAPTER 5:

BROTHELS

(Former Development Control Plan No.5 – Brothels)
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1. INTRODUCTION

This Development Control Plan (DCP) provides planning controls to regulate the activity of brothels within Tumut Shire for the benefit of operators, workers and the community.

This DCP has been prepared in response to the proclamation of the Disorderly Houses Amendment Act, 1995, which decriminalised brothels, making them a legitimate land use under planning law. The provisions within this DCP will be used to assess the appropriateness of an application to conduct a brothel on a particular site.

2. NAME OF THIS PLAN

This DCP may be cited as Tumut Shire Council Development Control Plan No. 5: Brothels, made under Section 72 of the Environmental Planning and Assessment Act, 1979, as amended.

3. LAND TO WHICH THIS PLAN APPLIES

This DCP applies to land zoned General Industrial 4(a) in Tumut only. Brothels are not permitted on land having any other zone or on land zoned 4(a) in Batlow.

4. AIMS

The general aim of this DCP are:

a) To control the location of brothels in areas which are appropriate for the use.

b) To establish controls which address the public health and safety standards for brothels.

5. COMMENCEMENT OF PLAN

This Plan was adopted by Council on 21 December 1999 and came into operation on ……………………, 1999 (being the date the Plan was advertised in the local newspaper).

6. AMENDMENTS

Any amendments to this Plan are shown in the following table:

<table>
<thead>
<tr>
<th>Amendment No.</th>
<th>Date Adopted</th>
<th>Minute No.</th>
<th>Date Commenced</th>
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</table>

7. RELATIONSHIP OF THIS PLAN TO OTHER LEP’S AND DCP’S

This DCP should be read in conjunction with the Tumut Local Environmental Plan 1990 and any DCP’s relating to the land use(s) referred to in this document.
8. VARIATION OF REQUIREMENTS

This DCP sets out a range of objectives and specific standards aimed at achieving these objectives. Council encourages applicants to comply with the standards in this DCP to the maximum extent possible. However, where variations are sought due to special circumstances, the extent of, and reasons for such variations, must be fully documented and submitted to Council for consideration. Council may also make additional requirements if it considers that the circumstances of a particular case warrants such.

9. DETERMINATION OF APPLICATIONS

Council shall determine all Development Applications for brothels. Determination of such applications shall not be delegated to staff.

10. ROLE OF OTHER AGENCIES

Council will regulate brothels with the co-operation of the NSW Police Service and NSW Health Department. The responsibilities of these agencies are set out below:

**NSW Police Service**

All applications for brothels will be referred to the NSW Police Service for comment prior to determination. Once a brothel has been approved, the Police will be responsible for any investigation into alleged criminal activity. This includes drug related activities, violent crime or underage prostitution.

**Public Health**

The NSW Health Department will be responsible for the maintenance of public health. This includes investigation of complaints relating to public health matters, specifically sexually transmitted diseases and contagious diseases.

**Other relevant authorities**

Where Council considers it relevant and/or necessary, applications may also be referred to other authorities or organisations, for example the Sex Workers Outreach Project.
PART B – DEVELOPMENT STANDARDS

11. DEFINITIONS

In this DCP the following definitions are used:

“Act” means the Environmental Planning and Assessment Act, 1979.

“brothel” means a premises habitually used for the purposes of prostitution, or that have been used for that purpose and are likely to be used again for that purpose, or are designed for that purpose. Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

A brothel cannot be considered to be a commercial premises or a home business under any circumstances.

For the purposes of this Plan, an escort agency is not considered to be a brothel, unless it is possible that the premises will be used for sexual activity.

“Council” means Tumut Shire Council.

“Court” means the Land and Environment Court.

“sensitive use” means a church, school, child care centre, community facility, hospital, doctors surgery, medical centre, residential premises, play equipment, club, hotel, bottle shop or other licenses premises, or the like.

12. PLANNING CONTROLS – GENERAL

The Disorderly Houses Amendment Act, 1995, includes within it matters to be considered by Council when assessing an application for a brothel. These are in addition to matters to be considered under the Environmental Planning and Assessment Act, 1979. The requirements set out in clauses 12– 22 will apply to brothels in Tumut Shire.

13. LOCATION

Consideration:  The proximity of the premises to a residence, church, school, community facility, hospital, medical centre, and any place regularly frequented by children for any purpose;

A brothel may not be within reasonable view of a church, school, community facility, Hospital, medical centre, or any place regularly frequented by children for recreational or cultural activities.

‘Reasonable view’ shall be determined taking into account factors such as topography, vegetation, signage, intervening development and similar factors.

Brothels should not be within a 100m radius from the boundary of the nearest property containing a sensitive use regardless of the zoning of that property.
14. IMPACT ON NEIGHBORHOOD

Consideration: Whether the operation of a brothel is likely to cause a disturbance in the neighbourhood, taking into account other brothels operating in the neighbourhood or other land use within the neighbourhood involving similar hours of operation and creating similar levels of noise and vehicular and pedestrian traffic;

Consideration will be given to the impact of brothels given activities with similar operating hours in the area.

15. CAR PARKING

Consideration: Whether sufficient off street parking has been provided;

Parking is to be provided on site at a rate of 1 space per employee, 1 space per room and 1 space for a manager. Stacked parking is not acceptable. Parking areas must be located, designed and lit to maximise safety of workers and clients.

16. ACCESS

Consideration: Whether suitable access has been provided;

A brothel will be regarded in a similar way to any other traffic generating use. Safe vehicle and pedestrian access must be provided appropriate for the size of operation proposed.

Brothels should, where ever possible, provide access for people with disabilities in accordance with the requirements of the Building Code of Australia. Larger establishments (over 5 working rooms) must provide a minimum of one room with an en-suite located and designed to be suitable for use by people with disabilities.

17. AMENITY

Consideration: Whether the operation of the brothel causes a disturbance in the neighbourhood because of its size or the number of people working in it;

The scale of the operation proposed should be appropriate for the surrounding area. Brothels should not cause difficulties with parking, access or safety/security for the surrounding premises.

Consideration: Whether the operation of the brothel interferers with the amenity of the neighbourhood and / or wider community.

Noise, traffic, peace and good order, and any other relevant factors (depending on the size and nature of the operation proposed) will be assessed with a view to ensuring that the use does not have an adverse impact on the neighbourhood and / or wider community.
18. ADVERTISING

**Consideration:** The types of proposed advertising signs or structures;

Signs are subject to development approval from Council. Flashing signs or lights, or signs which include colours or designs which may distract passing motorists will not be permitted. Signage must not include offensive or suggestive material. Signs shall only be illuminated if it will not cause nuisance to any adjoining properties nor interfere with the amenity of the neighbourhood.

Only one sign will be permitted per premises.

It should be noted that it is illegal under the Summary Offences Act to advertise prostitution services.

19. SAFETY

**Consideration:** The safety of clients and workers;

The safety of clients and workers should be protected at all times. Applications submitted should include details on security arrangements to reduce the risk to persons visiting the site. Design of car parks, landscaping and entry areas should facilitate casual or formal observation. Car parks and entrances should be well lit.

20. PRIVACY

**Consideration:** The privacy of patrons;

The privacy of patrons must be considered through the design and internal layout of the premises.

21. VISUAL IMPACT

**Consideration:** The likely visual or traffic impact (if any) on a main road;

Brothels shall be designed to blend with the surrounding environment.

22. HEALTH

**Consideration:** The health of workers and clients be protected;

Premises must comply with the ‘Health and Safety Guidelines for Brothels in NSW’ produced by the NSW Health Department and Workcover.

**Swimming and spa pools** must comply with the NSW Health Department ‘Guidelines for Disinfecting Public Swimming Pools and Spa Pools’

**Separate toilet and shower facilities** must be provided for staff. Sanitary facilities must be kept clean at all times and include adequate provision of soap dispensers, electronic dryers or single use towels.

**En-suites** must be provided to each room, including a toilet, shower and hand basin. Clean towels must be supplied for every client.

23. MANAGEMENT ISSUES
Consideration: Hours of operation;

The hours of operation of a brothel must be appropriate for the area and the surrounding uses.

Consideration: Building Requirements;

All brothels shall comply with the standards for Class 5 buildings (an office building used for professional or commercial purposes) under the Building Code of Australia. Practicable access for disabled persons must be provided.

Consideration: Noise;

The use of the premises shall not give rise to “offensive noise” as defined in the Protection Of The Environment Operations Act.

PART C – RELATED INFORMATION

24. TIME LIMITED APPROVAL

In all cases, any consent granted to a brothel will have an initial maximum life of one year. At the end of this period Council will examine the impact of the brothel on the neighbourhood and compliance with conditions of consent. If the premises is having a significant adverse impact on the amenity of the area, Council may decide not to re-issue consent. This impact would ordinarily be determined on the same basis as closure of a brothel (see clause 25 of this DCP)

25. CLOSURE OF BROTHELS

Council may seek an order of the court to close a brothel in either or both the following circumstances:

1. Operation without consent

For a brothel to operate legally, development consent must be obtained from Council and the details and conditions of that consent must be complied with. If a premises is operating as a brothel without consent, or an approved brothel has substantially altered its operation, Council will seek an order to close the premises as an unauthorised use. This is to protect both the operators of brothels who have sought consent, from competition from unauthorised operators, and to protect the community from inappropriately located or unregulated premises.

2. Operation having a negative impact on the amenity of the area.

If Council receives complaints from residents or occupiers of premises within the vicinity of the brothel, or residents whose children use facilities within the vicinity of the brothel, Council may take action through the court to have the premises closed. An application to close a brothel must be based on one or more of the following factors:
a) The proximity of the premises to a church, school, community facility, hospital, medical centre, or any place regularly frequented by children for recreational or cultural activities;
b) Whether the operation of a brothel is likely to cause a disturbance in the neighbourhood when taking into account other brothels operating in the neighbourhood or other land use within the neighbourhood involving similar hours of operation and creating similar amounts of noise and vehicular and pedestrian traffic;
c) Whether sufficient off street parking has been provided;
d) Whether suitable access has been provided;
e) Whether the operation of the brothel causes a disturbance in the neighbourhood because of its size or the number of people working in it;
f) Whether the operation of the brothel interferes with the amenity of the neighbourhood.

The Court may also take into account any other planning matter which it may consider relevant.

26. RESPONSIBILITIES OF OPERATORS

The operator of a brothel shall be responsible for the conduct of its clients in the same way that a publican is responsible for the conduct of his/her patrons. This particularly applies to the conduct of clients leaving the premises. Operators are also responsible for reporting any suspicion of criminal activity occurring on their premises to the NSW Police Service.

27. MAKING AN APPLICATION

The operation of a brothel with Tumut Shire requires development approval. Applications should be submitted to Council with the following information:

A plan showing:

1. Location of the proposed premises, showing the position of the block in relation to any schools, churches, community facilities, hospitals, medical centres or any place regularly frequented by children for recreational or cultural activities (if relevant);
2. The distance to any residential areas or properties used for residential purposes;
3. Position of the building on the block of land, including distance from boundaries;
4. Floor layout of the building, including the proposed use of each room;
5. Location, number and layout of any parking (existing and proposed) on the land;
6. Location of any landscaping (existing and proposed) on the land;
7. Location, size, content, colour, illumination and number of any proposed advertising signs;
8. Details of the ‘shopfront’ treatment, where applicable;
9. Details of proposed external lighting;

A written statement including:

1. Names and addresses of owners and operators of the business;
2. Number of employees;
3. Hours of operation;
4. General operating procedure, including measures proposed to ensure health and cleanliness standards as contained in this DCP are met;
5. Details on measures proposed to safeguard workers and clients. This should include details of lighting of outside areas, security personnel etc.
6. Details for disposal of contaminated waste.
Council must be notified if any details of the application change. For example hours of operation, number of employees, etc. If the change is significant, it may be necessary to submit a new application. When operators of brothels change, Council must be notified immediately.

28. **PUBLIC NOTIFICATION**

Due to the potential adverse impact of brothels on the amenity of the neighbourhood, all applications for brothels will be advertised in the local newspaper for minimum 28 days, during which time written submissions will be received by Council. The occupiers of adjoining premises will also be advised in writing by Council.

All applications for brothels will also be referred to the NSW Police Service for comment. This is in accordance with the agreement between the Local Government & Shires Association and the NSW Police Service.
Appendix 1
Development Control
Plan No 5

4(a) General Industrial

Proposed 4(b) Light Industrial
CHAPTER 6:

INDUSTRIAL DEVELOPMENT

(Former Development Control Plan No.6 – Industrial Development)
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**Preliminary**

Tumut Shire is in the South West Slopes of NSW. The Tumut environment is pristine and offers an exceptional lifestyle for its residents. The aim of this Development Control Plan (DCP) is to encourage economic growth and job creation through sustainable industrial development that will enhance the urban, village and rural environs without compromising the unique natural environment of the Tumut Shire.

The design quality of the urban landscape affects our ability to attract resources, to generate wealth, and to build safe and liveable communities. (“designing Competitive Places” 1996)

**Introduction**

*What is the Purpose of the DCP?*

To encourage sustainable industries which use resources effectively and are working towards a sustainable position.

To encourage economic development and job creation.

To provide opportunities for investment, new enterprises and technological innovation in industrial development.

To create practical but appealing designs which add to the streetscape and do not detract from the beauty and visual amenity of the locality.

To create a positive work environment within the industrial areas of Tumut Shire.

To encourage innovation in design for industrial development by allowing flexibility in terms of the prescriptive standards, subject to the performance standards.

*Where does the DCP apply?*

To land zoned 1(a) Rural, 4(a) General Industrial, 2(v) Residential Township, 4(b) Light Industrial within the Tumut Local Environmental Plan 1990.
How does this DCP relate to other DCP’s?

Tumut Local Environmental Plan 1990 provides the objectives, zoning and land use controls for development in the Shire. Sections from LEP 1990 relating to Industry will be shown in this DCP in italics.

This DCP provides further detailed guidelines for industrial development.

This DCP directs applicants to other references or DCP’s which may be helpful in making an application – see the “Tool Box” which is on several pages.

Can the DCP be varied?

For each aspect of development this DCP sets out two forms of criteria, each which offer a pathway to suitable development.

Performance Objectives detail the main intention of a certain issue relating to the development. If an applicant can demonstrate that their proposal achieves these objectives then Council will be flexible in terms of the prescriptive standards set out in the Development Standards section. Any submission in support of a variation to the standards set out under Development Standards must be in writing and demonstrate how the objectives will be achieved.

Development Standards set out a range of standards for all aspects of this DCP. Council considers these standards, if followed, are likely to result in achieving the performance objectives of the particular design element.

When did this DCP commence?

This plan was commenced on Friday 21 December 2001.

What Amendments have been made to this DCP?

Any amendments to this DCP are listed in the following table:

<table>
<thead>
<tr>
<th>Amendment</th>
<th>Date</th>
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</table>

Note: Any control measures located in the Tumut Local Environmental Plan 1990 can only be varied by a formal objection to the standard under the provisions of State Environmental Planning Policy No.1 (SEPP 1).
When does a proposal need approval?

In most instances development involving extensions to an existing building, the erection of a new building, a change of use in an existing building and subdivision will require the submission of a development application and consideration of the measures in this DCP.

Are there developments that are “exempt”? 

Yes, State Environmental Planning Policy 60 (SEPP 60) exempts a small range of minor developments from approval. Check with Council for details to see if it affects your proposal.

How to make an application

1. Read this document thoroughly and gain an understanding of the requirements prior to designing a site or finding a building.
2. Consult with Tumut Shire Council staff prior to finalising your plans.
3. Submit a Development Application (DA) form together with the following information:
   - Two copies of plans drawn to scale (1:200) including:
     - Site dimensions
     - Spot levels or contours
     - North point
     - Natural drainage occurring on the site
     - Any areas proposed for fill or already filled
     - Services (easements and utilities)
     - Existing trees
     - Existing and proposed access points
     - Existing buildings on the site
     - Location of structures on neighbouring properties
     - Proposed landscape design including species to be used.
     - Proposed car parking and vehicle movement areas on the site including materials to be used for surfacing of these areas.
   - Two copies of elevations, which illustrate the profile of the building as viewed from any public place. These must include details of surface finishes, construction materials and colour scheme.
   - Two copies of a cross section drawing through the proposed structure, indicating building materials and
construction method from footings right through to the roof.
- Provide notes on the views to and from the site and the built form and character of surrounding development.
- History of the site and in particular location of any potentially contaminated areas.
- Drainage details proposed for the site.
- Erosion and sedimentation control measures to be utilised on the site.
- Location of:
  - Sediment control fencing
  - Hard stand areas for loading and unloading
  - Material storage on the site
  - Underground services and overhead wires
  - Location of hoarding and site fence.

- A Statement of Environmental Effects. This is a description of how the proposal satisfies the aims and objectives of the Tumut LEP 1990, this DCP and Section 79 (c) of the EP &A Act, 1979. The statement is to identify all environmental impacts associated with the development and what measures are proposed to control pollution, and ensure that any impacts are at a level acceptable to the community.

Tool Box
- Environmental Planning and Assessment Act 1979
- Tumut Local Environmental Plan 1990
Performance Objectives and Development Standards

Developments shall achieve all the performance objectives within this plan. The Development standards prescribed on the right are one means of achieving some of the objectives. Developers can depart from the development standards when they can adequately demonstrate (in writing) that the performance objectives will be met.

<table>
<thead>
<tr>
<th>Performance Objectives</th>
<th>Development Standards</th>
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<tbody>
<tr>
<td><strong>Sustainability</strong></td>
<td>Developers to provide a sustainability statement with their application demonstrating the following:</td>
</tr>
<tr>
<td>• For industry to adopt sustainable work practices during development and operation of the business, involving reduction, recycling and reuse.</td>
<td>• That the aggregate use of resources (energy, water and non renewable materials) required for the development is frugal.</td>
</tr>
<tr>
<td>• To ensure that design, building and development works incorporate features, materials and products which conserve or recycle water and achieve energy efficiency.</td>
<td>• That recycling of energy water or materials is being carried out where possible.</td>
</tr>
<tr>
<td>• To preserve and enhance natural site features and vegetation wherever possible.</td>
<td>• The existing environment of the immediate site is being maintained or improved by this development.</td>
</tr>
<tr>
<td>• To avoid development occurring on areas where substantial alteration of existing topography would be required.</td>
<td>• That the proposed industry incorporates “Best Practice” environmental operating standards.</td>
</tr>
<tr>
<td>• To protect soil against erosion and prevent pollutants leaving the site during the construction phase of the development.</td>
<td>• That building and operation techniques will be practiced to ensure water quality leaving the site is maintained or improved from the current quality of run on / off.</td>
</tr>
<tr>
<td>• To protect and enhance water quality in the natural drainage systems and rivers.</td>
<td>• That existing native vegetation on the site will be conserved where possible.</td>
</tr>
<tr>
<td>• To improve the quality of water discharging from the site both during and after the construction phase.</td>
<td>• That cleared areas are appropriately re-vegetated to prevent erosion.</td>
</tr>
<tr>
<td>• To protect and enhance native plant communities.</td>
<td>• Pollution and sediment control devices are to be maintained in good working order.</td>
</tr>
</tbody>
</table>
**Performance Objectives**

<table>
<thead>
<tr>
<th>Development Standards</th>
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<tbody>
<tr>
<td>Minimum Size of Lots</td>
</tr>
<tr>
<td>Minimum lot size 1000 sqm</td>
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<tr>
<td>Minimum frontage 20 metres</td>
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</table>

**Minimum Size of Lots**

To ensure industrial lot sizes are sufficient in size to achieve the following:

- cater for varying industrial uses,
- suit a variety of purposes into the future,
- provide adequate land area for buildings, carparking, vehicle movement, loading, unloading, storage of materials and landscaping,
- have minimum impact on adjoining land uses, and
- will appear orderly and make a valid contribution to the streetscape of Tumut.

**Setbacks**

To ensure that industrial buildings achieve the following:

- adhere to the requirements of the Building Code of Australia,
- create attractive elevations to the street, and
- maintain sufficient area for landscaping.

- Minimum setback of 7.5 metres from the road.
- Minimum setback of 10 metres from Highways or where residential development occurs opposite (but in rural areas this is increased to 20 metres).
- 2.5 metre setback from secondary street for landscaping on corner lots.
Performance Objectives

Parking

To provide ample parking on the site, for staff, clients, visitors and service vehicles.

To ensure that parking areas:

- do not dominate the streetscape,
- allow sufficient area for ease of access and maneuverability of all vehicles.
- are adequately marked and sign posted

To achieve efficient and safe on site maneuvering of vehicles.

To ensure unimpeded flow of traffic on public roads.

To ensure that all entry and exit points are clearly defined and allow adequate sight distance for safety purposes.

Development Standards

- On site carparking is to be provided in accordance with Tumut Shire Council Development Control Plan No.3 – Car Parking

- Designs must ensure that all vehicles enter and leave the site in a forward direction.

- All new Industrial Developments are to provide employee and long stay vehicle parking behind the building line. Customer and visitor parking is permissible forward of the building line.

- In rural zones, no direct access from industries to a main or arterial road (Schedule 3 Tumut LEP 1990)

Tool Box

- Tumut Development Control Plan No.3 – Car Parking

Less than ideal Industrial Area: Hard surfaced areas and cars dominate the streetscape. This has resulted from a combination of inadequate set backs and a lack of landscaping to break up the car parks and building facades.
Landscaping

Provision of landscaped areas which:

- Will help soften the appearance of hard surfaces and are in scale with the height and bulk of the development.
- Provide screening to the development and enhance the streetscape.
- Will be low maintenance.
- Utilise wherever possible Tumut’s native and endemic flora species.
- Lessen visual impact on surrounding residential development.
- Provide shade and break up of car parking areas.
- Retain existing trees and shrubs on site wherever possible.
- Create a more pleasant working environment.

- All landscape beds to be a minimum of 1 metre in width. This size must be increased with the scale of the development (larger blocks need more generous landscaping provision).
- Wheel stops must be installed in car parks to protect plants.
- The site frontages of all new Industrial developments are to have a landscape strip of at least 2 metres between the public footpath and any car park or vehicle movement area on site.
- Landscape strips are to contain a variety of planting forms (trees, shrubs and groundcovers).
- A combination of lawn areas and planting is to be used.
- Side and rear boundary planting is required where the development can be viewed from residences or any public place.
- Suitable edging is required to prevent vehicles moving onto landscaped areas and aid in maintenance of landscaped beds.
- Landscape beds to break up car parking areas at the rate of 1 landscape bed (min 2mx2m) for every 5 vehicle spaces.

Tool Box

- South West Slopes Revegetation Guide
<table>
<thead>
<tr>
<th>Performance Objectives</th>
<th>Development Standards</th>
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<tbody>
<tr>
<td><strong>Storage Areas</strong></td>
<td></td>
</tr>
<tr>
<td>Any storage of goods or materials are to be:</td>
<td>Storage areas are to be identified on development plans.</td>
</tr>
<tr>
<td>• fully screened from public view, and</td>
<td>Storage is to occur behind the building line and be fully screened from public view.</td>
</tr>
<tr>
<td>• be visually unobtrusive to the streetscape.</td>
<td></td>
</tr>
<tr>
<td><strong>Fencing</strong></td>
<td></td>
</tr>
<tr>
<td>Security fencing is to be visually unobtrusive.</td>
<td>Any security fencing in front of the building line is to be open form, decorative in nature and incorporated into the landscape design.</td>
</tr>
<tr>
<td></td>
<td>All fencing is to be constructed of non-reflective material.</td>
</tr>
<tr>
<td><strong>Advertising Signs</strong></td>
<td></td>
</tr>
<tr>
<td>To ensure adequate identification of all industrial premises while preventing the proliferation of advertising signs or structures.</td>
<td>All Advertising signs are to comply with the requirements of State Environmental Planning Policy No. 64 – Advertising Signage.</td>
</tr>
<tr>
<td><strong>Tool Box</strong></td>
<td></td>
</tr>
<tr>
<td>• State Environmental Planning Policy No.64 – Advertising Signage.</td>
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</tr>
</tbody>
</table>
### Performance Objectives

**Dwellings**

Dwellings to be used for managers or caretakers residences are only to be permitted in industrial areas where the need for such a residence is demonstrated.

Adequate private open space provision for dwellings in industrial areas.

### Development Standards

- At least 50 sqm of private open space attributed solely for the use of the occupants of the dwelling

**Industrial Retail Outlets**

Restricted retailing is accepted under the following circumstances:

- Ancillary retailing which is an integral part of the operations of an industrial use;
- Retailing which serves the daily convenience needs of the workforce in the area;

**Bulky Goods Retailing**

Bulky goods sales rooms or show rooms, with suitable access.

- Only goods manufactured, processed or warehoused on the site are permitted to be sold from the development. (Floor space for this activity is to be 25% of the floor area of the building, or 100 m2, whichever is the least).

- Bulky goods are goods or materials which are individually large in size, shape or weight as to require:
  - A large area for handling, storage or display; and
  - Direct vehicular access to the site by members of the public, for the purpose of loading items into their vehicles after purchase, but does not include a building or place used for the sale of foodstuffs or clothing.
  - A floor area for each individual retailer of a minimum of 1000 sqm.
Special Considerations

<table>
<thead>
<tr>
<th>Performance Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Industrial 4(b) Zone</strong></td>
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</tr>
</tbody>
</table>

In addition to the other components of this plan, development within light industrial areas is to pay particular emphasis on ensuring that it:

- Does not compromise the amenity of nearby residential areas.
- Is not a major traffic generator.
- Creates aesthetically attractive building forms and streetscapes.
- Is adequately landscaped to improve privacy and outlook of nearby residences.

- Hours of operation within light industrial areas are to be no greater than 7.00am – 7.00pm Mon – Sat.
- Buildings are in scale with the surrounding residential area.
- Any frontage within view from a residential area is adequately landscaped.
- Security lighting does not negatively affect surrounding residences.
- Signage is unobtrusive.

Light Industry: here opportunity for visual improvement exists
### Performance Objectives

**Rural 1(a) Zone**

- To preserve quality agricultural land for agricultural purposes.
- To preserve the rural areas from industrial creep.
- To support agricultural industry in Rural 1(a) zones.

### Development Standards

- Any industrial development within the Rural 1(a) zone is to be carried out on an allotment that has an area of not less than 2 hectares (for regular sites) and 4 hectares for sites fronting an arterial road *Tumut LEP 1990 – Clause 14*.

- All industries are advertised development in 1(a) zones *Tumut LEP 1990 – Schedule 4*.

**Sites for new development must have**

- **good traffic management characteristics including:**
  - minimum setback of 20 metres where development is located on Rural 1(a) zoned land and fronts an arterial road. *Tumut LEP 1990 – Clause 14*.
  - Sealed road access
  - No direct access from an arterial road

- **sound infrastructure provision including:**
  - legal drainage of stormwater runoff
  - environmentally appropriate waste water disposal to meet health requirements
  - electricity and water supply

- **good visual characteristics including:**
  - substantial landscaping provision
  - buffer zones to adjoining properties and areas the public can see
Performance Objectives

**Village Areas**

In addition to the other components of this plan, industrial development within the villages:

- Will not compromise the amenity of village living areas and other surrounding landuses.

- Will by design, complement the existing character of the village and contribute positively to the streetscape.

Adelong

<table>
<thead>
<tr>
<th>Performance Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Village Areas</strong></td>
<td>Any development in the 2(v) zone can only be carried out if:</td>
</tr>
<tr>
<td></td>
<td>- the floorspace ratio of the building will be no greater than 0.5:1; and</td>
</tr>
<tr>
<td></td>
<td>- the council has taken into account the effect of the development on surrounding land uses. (Tumut LEP 1990 – Clause 18)</td>
</tr>
</tbody>
</table>

All industries are advertised development in 2(v) zones (Tumut LEP 1990 – Schedule 4).

Any industrial development within the Batlow & Adelong Conservation Areas is to consider the Heritage Provisions under Division 7 of the Tumut LEP 1990.

*Offensive or hazardous industries are prohibited in the 2(v) Residential (Village or Township) Zone.*

(Tumut LEP 1990 – Table)

Only service industries are encouraged in the light industrial subzone of Talbingo Village.

(Tumut Development Control Plan No.1)
CHAPTER 7:

RURAL TOURIST ACCOMMODATION

(Former Development Control Plan No.7 – Rural Tourist Accommodation)
RURAL TOURIST ACCOMMODATION

Draft amendment 3

Development Control Plan No.7
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1. Introduction

Vacations which provide a “country holiday experience” are increasing in demand from both domestic and international holiday makers. The economic spin-off from rural tourism provides valued diversification to the traditional agricultural income base of land owners, in addition to strengthening the economy of the Shire.

This Development Control Plan (DCP) has been prepared in response to community concern about the potential impacts of rural tourist accommodation.

Council encourages ‘low-key’ rural tourist accommodation which complements the natural beauty and amenity of the Shire.

2. Name of this DCP

This DCP may be cited as Tumut Shire Council Development Control Plan No. 7 - Rural Tourist Accommodation, made under Section 72 of the Environmental Planning and Assessment Act 1979 (as amended).

3. Land to which this DCP applies

This DCP applies to all land zoned rural 1(a), 1(b), and 1(c) within Tumut Shire.

4. Aims

The aims of this DCP are:

a) To encourage tourism in the shire through the availability of rural accommodation.

b) To establish controls which address the adverse impacts of rural tourist accommodation on the local environment and amenity of the area.

c) Assist applicants in understanding the approval process for rural tourist accommodation.

d) Promote best practice in planning, approving and operating rural tourist accommodation.

e) To maintain the agricultural potential of land.

f) To maintain the rural character of the area.

g) To recognize the inherent risk of bushfire in some rural areas and to ensure that any development is located and designed to minimize this risk.

h) To preserve and complement any natural or heritage characteristics of the area.
5.  Commencement of DCP

This DCP was adopted by Council on 16 December, 2003 and came into effect on 19 December, 2003 (being the date the DCP was advertised in the local newspaper).

<table>
<thead>
<tr>
<th>Amendments</th>
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<tbody>
<tr>
<td>1</td>
<td>28 June 2005</td>
</tr>
<tr>
<td>2</td>
<td>28 June 2005</td>
</tr>
<tr>
<td>3</td>
<td>26 July 2005</td>
</tr>
</tbody>
</table>

6.  Definitions

Under the Environmental Planning and Assessment Act 1979 and Environmental Planning & Assessment Model Provisions 1980, there is no definition for “rural tourist accommodation”. However, definitions exist for the following activities which are permitted in some or all of the rural zones and are generally regarded as “rural tourist accommodation” if located in a rural zone:

“bed and breakfast establishment” means a dwelling-house used for the ancillary purpose of providing overnight accommodation for not more than 6 travellers at any one time.

“holiday cabin” means a building containing a room or suite of rooms used, or intended to be used, only for the overnight accommodation of travellers or for longer term tourist accommodation.

“Hotel” means any premises specified in a publican’s licence granted under the Liquor Act, 1912.

“caravan park” means land used as a site for movable dwellings, tents and caravans or other vehicles used for temporary or permanent accommodation and may, in addition to one or more of the foregoing, include cabins.

“motel” means a building or buildings (other than a hotel, boarding-house or residential flat building) substantially used for the overnight accommodation of travellers and the vehicles used by them whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

“recreation establishment” means health farms, religious retreat houses, rest homes, youth camps and the like but does not include a building or place elsewhere specifically defined in this clause or a building or place used or intended for use for a purpose elsewhere specifically defined in this clause.

“tourist facilities” means an establishment providing for holiday accommodation or recreation and may include a boat shed, boat landing facilities, camping ground, caravan park, holiday cabins, hotel, house boat, marina, motel, playground, refreshment room, water sport facilities or a club used in conjunction with any such activities.
7. **Relationship of this DCP to other Plans**

This Development Control Plan should be read in conjunction with the relevant provisions of the Tumut Local Environmental Plan 1990 and any other relevant Development Control Plans.

8. **Variation of standards**

This DCP sets out a range of ‘objectives’ and ‘development standards’ aimed at achieving these objectives. Development proposals must achieve the objectives outlined. Proposals will also be assessed against the development standards as a measure of compliance with the objectives. Strict compliance with the development standards will be required if there is doubt if the objectives will be met. However, compliance with the development standards does not necessarily imply approval. In considering applications, Council will need to be convinced that its overall objectives for rural tourist accommodation are being met.

If variations are sought to the development standards, due to special circumstances, the extent of, and reasons for such variations, must be fully documented and submitted to Council for consideration. Any variation must, in Council’s opinion, be consistent with the objectives of the DCP. Council may also make additional requirements if it considers that the circumstances of a particular case warrants.

9. **Determination of applications**

If no valid objections are received to a proposed development during the public exhibition period, and the development complies with this DCP, the application may be approved by the assessment officer.

10. **Role of other Agencies**

When Council considers it relevant and/or necessary, applications will also be referred to other authorities or organisations, for example, the National Parks and Wildlife Service, Rural Fire Service, Roads and Traffic Authority, and Department of Infrastructure Planning and Natural Resources.

11. **Additional information**

a) Home Hosting for Rural Tourist Accommodation (Guidelines on Government Approvals for B & B’s, Farmstays and other Tourist Accommodation provided within the home).

b) Purpose Built Rural Tourist Accommodation (Guidelines on Government Approvals for Farm Holiday Resorts, Rural Retreats, Guesthouses, Cabins and Other Purpose Built Rural Tourist Accommodation).

Note: Development of land for Rural Tourist Accommodation may have significant impacts on rates, land tax, income tax, and retirement benefits. Any person contemplation such a development should make appropriate enquiries before submitting a Development Application to Council.

<table>
<thead>
<tr>
<th>Density</th>
<th>Objectives</th>
<th>Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>To preserve the character of rural areas by ensuring that development is of a scale and density in keeping with the surrounding rural area.</td>
<td>Holiday Cabins</td>
</tr>
<tr>
<td>b)</td>
<td>To require sufficient capital investment so as to discourage inappropriate development.</td>
<td>a) The site must comprise a minimum of three (3) cabins and a maximum of ten (10) cabins.</td>
</tr>
<tr>
<td>c)</td>
<td>To preserve the amenity of people living in rural areas.</td>
<td>b) The number of cabins must not exceed an average of one cabin per two (2) hectares.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Building design and site layout</th>
<th>Objectives</th>
<th>Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>g)</td>
<td>To minimize the visual impacts of development in the locality.</td>
<td>a) External walls and roofs must not give rise to visual intrusion by virtue of their surfaces, colours or arrangement. Colours must be of a similar tone to that of the surrounding landscape. A sample of external materials must be submitted to Council for approval.</td>
</tr>
<tr>
<td>h)</td>
<td>To discourage larger style buildings that would be out of character with a rural area.</td>
<td>b) Buildings must not be located on prominent ridgelines or knolls.</td>
</tr>
<tr>
<td>i)</td>
<td>To preserve the rural character of the locality.</td>
<td>c) Access and power lines to the development must be located having regard for their visual and environmental impacts.</td>
</tr>
<tr>
<td>j)</td>
<td>To preserve and protect areas of scenic quality.</td>
<td>d) Development must be so located and designed to maximize solar energy collection, and minimize energy use.</td>
</tr>
<tr>
<td>k)</td>
<td>To preserve and protect items and areas of heritage value.</td>
<td>e) Where applicable, developments must be designed to be sympathetic with heritage qualities of existing development on the site or in the locality. A heritage assessment report may be required to be submitted in certain circumstances.</td>
</tr>
<tr>
<td>l)</td>
<td>To ensure that the scale of development is limited so that it does not dominate the surrounding rural area.</td>
<td>f) Building forms utilizing natural materials are encouraged, to reflect the development’s location in a rural setting e.g. stone, timber.</td>
</tr>
<tr>
<td>m)</td>
<td>To ensure that the development provides a satisfactory level of amenities for guests, while ensuring that it cannot be used for normal residential habitation.</td>
<td>g) Height of buildings is restricted to two storeys. The maximum height from the ridge line to the lowest point where the building meets the ground is restricted to 10 metres.</td>
</tr>
</tbody>
</table>
h) Buildings must utilize materials that ensure reflection and glare does not affect neighbouring areas. The use of large expanses of glass that may cause reflections on other buildings or to other areas are not permitted.

i) External masonry walls that are bagged and painted so that the colour is similar to the tone of the surrounding natural landscape is encouraged.

j) Water tanks must be located having regard to their visual and environmental impacts.

k) Laundry facilities in holiday cabins must not be located in a separate room. Laundrette facilities may be contained within a bathroom or the like. Alternatively, a communal laundry to service several cabins is permitted.

l) Outside clothes drying areas must be screened from public view.

### Access and Car Parking

d) To ensure legal, safe, and practical access to the development from a public road.

e) To minimize adverse environmental impacts caused by the construction of access roads.

f) To ensure a satisfactory level of off-street car parking is available.

### Access and Car Parking (continued)

<p>| | |</p>
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<tr>
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<tbody>
<tr>
<td>j)</td>
<td>Safe, legal and practical access must be provided from a public road to the development site.</td>
</tr>
<tr>
<td>k)</td>
<td>The public road providing access to the development site must be a minimum of six (6) metres wide and maintained to a standard suitable for two wheeled-drive conventional motor vehicle.</td>
</tr>
<tr>
<td>l)</td>
<td>The provision of access and parking areas must be unobtrusive and sympathetic to the existing landform.</td>
</tr>
<tr>
<td>m)</td>
<td>Access roads and parking areas must be designed to minimise earthworks.</td>
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<tbody>
<tr>
<td>n)</td>
<td>Off-street car parking must be provided at the rate of two (2) spaces per accommodation unit, plus one (1) space per two (2) employees.</td>
</tr>
<tr>
<td>o)</td>
<td>Where a new access road is proposed, it must not have a gradient in excess of 18%.</td>
</tr>
<tr>
<td>p)</td>
<td>All access roads with grades in excess of 12% must be sealed.</td>
</tr>
<tr>
<td>q)</td>
<td>Appropriate soil erosion and sediment control devices must be provided. Permanent devices may be required. Refer to Council’s Erosion Control Guidelines for Building Sites.</td>
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<tr>
<td>r) The minimum standard construction for an access road from a public road to a cabin development will be all-weather gravel, minimum width 3.5 metres, with 0.5 metre shoulders. Council may require a higher standard dependant upon the scale of development.</td>
<td>s) Where it is identified that vehicular traffic generated by the development will require upgrading of public roads, Council may require the work to be done at the developers cost.</td>
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<tr>
<th>Services</th>
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<tr>
<td>c) To ensure that a satisfactory level of services exists i.e. water, power, etc to a development.</td>
<td>d) Developments will be required to demonstrate that sufficient power will be available to the proposed development. Consideration will also be required to be given to the level of clearing that will be necessitated by connection to the main grid system.</td>
</tr>
<tr>
<td>d) To ensure that the augmentation of such services does not adversely affect the environment.</td>
<td>e) If solar power or other alternatives are proposed, details will have to be submitted outlining how sufficient power will be made available.</td>
</tr>
<tr>
<td>f) A safe (potable) and adequate water supply must be provided. (refer to Council’s Rainwater Tank Policy).</td>
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</tr>
<tr>
<td><strong>Objectives</strong></td>
<td><strong>Standards</strong></td>
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<td>----------------</td>
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</tbody>
</table>
| **Number of guests**  
The number of guests visiting the premises must not be so great as to change the character of the immediate locality or overtax public facilities and services. | In assessing development applications for rural tourist accommodation, Council will consider the cumulative impact of all development in the locality on public facilities and services. |

| **Maximum period of stay**  
To ensure that rural tourist accommodation is designed for short term accommodation only. | a) The maximum period of stay in rural tourist accommodation shall be twenty eight (28) consecutive days.  
b) A “restriction as to user” pursuant to Section 88 of the Conveyancing Act will be required, preventing occupancy of the rural tourist accommodation for more than twenty eight (28) consecutive days. |

| **Environmental performance**  
e) To ensure that development occurs in accordance with the principles of ecological sustainable development.  
f) To ensure that the impacts on native flora and fauna, particularly threatened species, are taken into consideration.  
g) To minimize the impacts of construction on the environment.  
h) To ensure the satisfactory disposal of effluent. | h) Development may not be supported on slopes steeper than 18%. Development on steep land should be undertaken in split level design or pole frame construction.  
Note: Due to concern about stability of land with slopes over 18%, it may be necessary to submit a geotechnical report with the development application.  
i) Cut and filling of the site should not exceed 1.8 metres.  
j) Efforts should be made to develop areas that have already been cleared.  
k) Clearing of trees to improve views is not permitted.  
l) Effluent shall be disposed of in accordance with Council’s Septic Tank Code.  
m) Suitable arrangements must be made for the storage and disposal of solid waste.  
n) Consideration must be given to possible impacts on flora and fauna, particularly threatened species which may exist in the locality. An eight part test may be required to assess the possible impacts.  
Note: A Species Impact Statement pursuant to the provisions of the Threatened Species Conservation Act may be required. |
<table>
<thead>
<tr>
<th><strong>Objectives</strong></th>
<th><strong>Standards</strong></th>
</tr>
</thead>
</table>
| **Landscaping** | a) A detailed landscape design and rehabilitation plan must be submitted to Council for approval.  
b) Proposals are to include measures to repair past damage and remove exotic species.  
c) Vegetation use for landscaping is limited to endemic native species that are adapted to the particular environment. |
| **Impact on rural activities in the area** | c) Priority will be given to the ongoing viability of traditional rural industries over rural tourist accommodation.  
d) Rural tourist accommodation must be greater than 150 metres from the property boundary when the land next door is a working farm.  
e) The following sign must be displayed in an appropriate location:  
   “This accommodation is located in an agricultural area. Farm activities may cause nuisance or inconvenience from time to time but such activities are essential to the maintenance of the prosperity and character of the area.” |
| **Advertising signs** | a) The principle of development blending with the landscape will apply to the assessment of advertising signs.  
b) Advertising is restricted to one (1) sign on the property, with a max. area of 1 sq.m. The sign must not be illuminated. |
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Standards</th>
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<tbody>
<tr>
<td><strong>Aboriginal cultural heritage</strong></td>
<td>To ensure that proposed development does not adversely impact on aboriginal cultural heritage, development applications will be referred to the local Aboriginal Land Council for comment. If considered appropriate, an Aboriginal Cultural Heritage Assessment Report will be required.</td>
</tr>
<tr>
<td>Aboriginal cultural heritage will be protected and conserved.</td>
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</tbody>
</table>

**Bushfire hazards**

To reduce the potential for bushfire hazard.

d) The design and construction of buildings must be undertaken to minimize the risk of bushfire hazards.


e) When relevant, developments will be referred to the NSW Rural Fire Service for comment.

f) The provision of access for fire fighting vehicles and/or where necessary the need to be evacuated in case of an extreme bushfire threat. Note; when considered necessary by Council an emergency evacuation plan will be required.

**Flooding hazard**

To ensure that developments take into consideration local flooding.

c) When relevant development shall be designed in accordance with Council’s Flood Plain Management Policy.

d) Where development proposes access over creeks and other water courses, flood free access is required to be provided, to a minimum 1 in 20 year recurrent level.
<table>
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<tr>
<th>Objectives</th>
<th>Standards</th>
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<tbody>
<tr>
<td><strong>Good ongoing management</strong></td>
<td><strong>A Management Plan must be submitted to Council with the development application addressing the objective of “good ongoing management”. The Plan should nominate daily, weekly, monthly and annual actions focused on key risk areas, nominating the resources that will be put to work for these purposes. Items in the Management Plan must be site specific. Examples of items include water supply, effluent management, land management, bushfire protection, waste management, fire safety within buildings, ecosystems, kitchen and food handling.</strong></td>
</tr>
</tbody>
</table>

Ensure that management, staff and operational processes and resources, are equipped to sustain sound environmental management practices for the operating life of the development.

Note: Gaining Council development consent is only the start. Success in ensuring continuing environmental sustainability, happy guests and good neighbourly relations requires a commitment to maintenance and management procedures.
The Goobarragandra River originates in the Kosciuszko National Park and flows west for a distance of 60 km to join the Tumut River. Due to high rainfall in the upper catchment, the river has a significant quantity of water flowing through it most of the year.

The section of valley upstream from Kells Lane is regarded by locals and the wider community as an area of high environmental value due to its natural beauty.

Prior to European settlement, the valley was covered by dense forests, dominated by eucalypts, with an understorey of wattles, tea-trees, grevilleas and other shrubby species.

Since European settlement, there has been a significant change in the landscape due to changes in land management practices. Tree clearing and stock grazing has denuded the flood plains and foothills, leaving them susceptible to erosion. This has resulted in deepening of the water courses, which in turn has lowered the groundwater level adjacent to the water courses and drying up the swamps.

Future development in the valley must be sensitive to this fragile environment.

12. Environmental effects

It is inevitable that development in the valley will have some adverse environmental effects e.g. increased traffic, visual impact, wastewater disposal, etc.

In addition to requiring the minimization of adverse impacts, this DCP requires that development achieves an overall positive environmental impact. This can be achieved by off-setting the unavoidable adverse impact by creating positive environmental impacts, such as:

- creation of riparian zones along the banks of waterways,
- planting of indigenous trees,
- erosion control works,
- fencing off remaining trees from stock, including remnant native vegetation.

All work must be carried out in accordance with the Goobarragandra River Management Manual.
13. **Heritage**

The Goobarragandra Valley is classified as a heritage item in a draft amendment to the Tumut Local Environmental Plan. This classification is largely in recognition of the fact that in 1824 Hume and Hovell passed through the Valley on their way to Port Phillip Bay from Sydney. A walking track has been created along the route that Hume and Hovell took. This track is regarded as being of state significance and attracts many visitors to the area.

Development **must** be located and designed in such a way that it will not adversely affect the heritage significance of the valley.

14. **Bushfire**

The Goobarragandra Valley generally has a high bushfire hazard classification. The bushfire risk to residents in the valley is made worse by the fact that there is only one road providing both ingress and egress, thereby creating the possibility of people being trapped in the valley.

All development applications for rural tourist accommodation in the Goobarragandra Valley **must** be referred to the NSW Rural Fire Service for approval.

In designing a development proposal, adequate provisions are **required** for the safety of the community and emergency personnel, and the protection of property. In this regard, buildings shall be designed in accordance with the document ‘Planning for Bush Fire Protection – A Guide for Councils, Planners, Fire Authorities, Developers and Home Owners’.

15. **Threatened flora and fauna**

A number of threatened flora and fauna exist in the Goobarragandra Valley. Many of them utilize the riparian zone for their survival. A relatively recent discovery is the Tumut Grevillea, that currently is only known to exist along a 4 km stretch of the Goobarragandra River.

In addition to developers undertaking an 8-part test to assess the impact on threatened species, they **must** retain all potential habitats of threatened fauna.
PART D – SNAPSHOT OF APPROVAL PROCESS

Meet with Council Officers

Prepare and lodge Development Application and Statement of Environmental Effects

Council may seek more information

Council notification of neighbours and/or Government Authorities

Council decision on Development Application

Development approval issued with conditions

Submit application for building works (Construction Certificate)

Operation commences

On-going good management practice and compliance with conditions
PART E – PREPARING AN APPLICATION

16. **Before you lodge your application**

The operation of rural tourist accommodation within Tumut Shire requires development consent. Many of the delays that occur during processing of applications are the result of inadequate plans or information. Discussing your proposal with Council at an early stage can often reduce delays.

Council staff are available to give general advice on procedures and regulations relating to applications but they do not provide a design consultancy service.

The type of information required will vary depending upon the nature, scale and complexity of the development proposal. Generally, an application must have sufficient information to enable Council to clearly understand the proposal and its impacts.

17. **Information required**

To enable Council to assess a development application, the following information must be provided:

17.1 **Statement of Environmental Effects**

Under the Environmental Planning and Assessment Act 1979 Council is required to take into account various matters relating to the natural and built environment when assessing applications. Applicants are therefore required to undertake a site analysis and detail any likely impacts of the development, particularly on neighbouring properties, and how the applicant proposes to minimise the impacts.

A site analysis is the identification of elements such as physical site constraints, natural features, orientation to natural sunlight and the location of neighbours. Such an analysis is seen as the basis for good design.

The Statement of Environmental Effects must address all the issues that are applicable to the proposal. The following is a general guide:

<table>
<thead>
<tr>
<th><strong>Site Suitability</strong></th>
<th><strong>Current and previous uses</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Show that the site is suitable for the proposed development. You should consider such things as:</td>
<td>Provide the following details:</td>
</tr>
<tr>
<td>- Site constraints such as flooding, slope, bushfire and subsidence.</td>
<td>- Previous use of the site.</td>
</tr>
<tr>
<td>- Compatibility with adjoining development.</td>
<td>- Present use of adjoining land.</td>
</tr>
<tr>
<td>- Compatibility with visual setting.</td>
<td>- A statement as to whether or not you are aware that the site is potentially contaminated.</td>
</tr>
<tr>
<td>- Local planning objectives.</td>
<td></td>
</tr>
<tr>
<td>- Size and shape of allotment.</td>
<td></td>
</tr>
<tr>
<td><strong>Air and noise</strong></td>
<td><strong>Privacy and views</strong></td>
</tr>
<tr>
<td>-------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Show that the proposal will not cause, or be affected by, air or noise emissions. Include details of:</td>
<td>Show how the proposed development will affect privacy and views.</td>
</tr>
<tr>
<td>• Proposed air and noise mitigation measures.</td>
<td></td>
</tr>
<tr>
<td>• Construction noise.</td>
<td></td>
</tr>
<tr>
<td>• Operational noise.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Operational details</strong></th>
<th><strong>Visual privacy</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Describe how the development will operate:</td>
<td></td>
</tr>
<tr>
<td>• Number of staff.</td>
<td>• Views between proposed accommodation and neighbouring dwellings.</td>
</tr>
<tr>
<td>• Hours and days of operation.</td>
<td>• Use of screen plantings, walls or fences to improve privacy.</td>
</tr>
<tr>
<td>• Measures to mitigate external noise sources.</td>
<td>• Floodlights and other light spillage.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Access and traffic</strong></th>
<th><strong>Acoustic privacy</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Show that there is adequate provision for access:</td>
<td></td>
</tr>
<tr>
<td>• Vehicle access from a public road to the area or areas in which the accommodation is to be situated (plus other tracks necessary for agricultural use, fire fighting or property maintenance and any tracks that cross Crown land or watercourses, (indicate whether proposed or existing) including any significant earthworks.</td>
<td>• Separation of proposed accommodation, roads, parking areas and driveways from neighbouring dwellings.</td>
</tr>
<tr>
<td>• On-site parking.</td>
<td>• Measures to mitigate external noise sources.</td>
</tr>
<tr>
<td>• Parking calculations.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Soil and water</strong></th>
<th><strong>Views</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Show how the proposal will deal with all aspects of soil and water management:</td>
<td></td>
</tr>
<tr>
<td>• Water supply and storage. Refer to Council’s Rainwater Tank Policy.</td>
<td>• Impact of the proposed development on views from adjoining or nearby properties.</td>
</tr>
<tr>
<td>• Sewage disposal.</td>
<td>• Design options for protecting views.</td>
</tr>
<tr>
<td>• Drainage.</td>
<td>• Views from the proposed development.</td>
</tr>
<tr>
<td>• Flooding.</td>
<td></td>
</tr>
<tr>
<td>• Erosion and sediment control.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Energy</strong></th>
<th><strong>Flora and fauna</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Details of power supply and proposed energy conservation i.e. design, materials, solar lighting and heating, ventilation, shading elements, insulation and appliances.</td>
<td>Show how the proposal will impact on existing flora and fauna, especially any threatened species. If there is likely to be a significant impact, the application must be supported by a more detailed Species Impact Statement and Council will refer the application to the National Parks and Wildlife Service.</td>
</tr>
<tr>
<td>Heritage</td>
<td>Waste</td>
</tr>
<tr>
<td>------------------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>The type of information required depends on whether the proposal relates to a listed heritage item or to a heritage conservation area. Council’s Customer Inquiry Centre can provide you with detailed advice on which requirements apply to your proposal.</td>
<td>Show how solid waste will be stored and disposed, and how the proposal promotes waste minimisation. All proposals will also require submission of an application for approval to install an on-site sewage management system, including a site and soil assessment. Refer to Council’s Septic Tank Code.</td>
</tr>
</tbody>
</table>

### 17.2 Site Plan

A plan of the site drawn to scale (preferably 1:200) and include all of the following details:

- Allotment boundaries and dimensions.
- North point relative to the site.
- Location and name of adjoining roads and laneways.
- Location of any easements, rights-of-way or natural watercourses on or adjoining the site.
- Existing buildings on the site (show outline).
- Location of proposed building work (distinguish from existing buildings by suitable shading).
- Distances from site boundaries to proposed building walls, eaves and guttering.
- Distance from existing buildings.
- Details of existing and proposed stormwater drainage systems.
- Location and type of existing trees on the site.
- Ground levels.
- Any areas proposed to be cut and/or filled (or existing filled areas).
- Location of utility services if not within an easement.
- Soil erosion and sediment control measures to be utilised.
- Details of access and facilities for disabled people.
17.3 Floor Plan

A floor plan is required for the entire building works or the portion of any existing building that is proposed to be modified. The plan should be at a minimum scale of 1:100 and indicate all exterior dimensions, wall thicknesses. In the case of alterations or additions, you need to clearly distinguish between existing and proposed building work.

The location of doors and windows must be shown on the plan together with all proposed kitchen, bathroom, water closet and laundry fixtures.

17.4 Elevations

The application must include elevations showing the external appearance of each side of the proposed building and at least one section. Drawings shall be of minimum scale 1:100 and clearly show existing and proposed ground levels and their relationship to existing and proposed buildings. All elevations must be fully dimensioned and include the following details:

- Floor levels in relation to ground levels.
- Finished floor to ceiling height.
- The overall height of the building.
- Roof pitch (degrees).
- Details of all external building materials.

18. Public notification

Due to the potential adverse effects of rural tourist accommodation on the environment and amenity of the neighbourhood, all applications will be advertised in the local newspaper for minimum 14 days, during which time written submissions will be received by Council. The occupiers of adjoining premises will also be advised in writing by Council.

19. Where can I get help?

Many people do not feel confident to prepare their own application. There are many sources of private professional assistance. These include architects, plan drawing services, builders, planning consultants, engineers, surveyors, etc.

If you don’t feel competent to prepare and lodge your own application, you should engage professional assistance. This will incur costs but may reduce delays and result in overall cost savings.
CHAPTER 8:
RESIDENTIAL FENCING

(Former Development Control Plan No.8 – Residential Fencing)
RESIDENTIAL FENCING

Development Control Plan No.8
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PART A – PRELIMINARY

1. **Name of this DCP**

This Development Control Plan (DCP) may be cited as *Tumut Shire Council Development Control Plan No. 8 – Residential Fencing*.

2. **Land to which this DCP applies**

This DCP applies to all land zoned residential 2(a), 2(b), and 2(v) under the Tumut Local Environmental Plan 1990.

3. **Aims**

The aims of this DCP are:

   i) To consider the rights of residents to erect fences for creation of private open space.
   
   j) To require fences to be of a standard that will not detract from the streetscape, amenity and values of properties in their vicinity, nor present a hazard to pedestrians or traffic.
   
   k) To assist applicants in understanding the approval process for fences in residential areas, and how to prepare an application.

4. **Commencement of DCP**

This DCP was adopted by Council on 27 January 2004, under Section 72 of the Environmental Planning and Assessment Act 1979 (as amended), and came into operation on 30 January 2004 (being the date the DCP was advertised in the local newspaper).

5. **Relationship of this DCP to other Plans**

This DCP should be read in conjunction with the relevant provisions of the Tumut Local Environmental Plan 1990 and any other relevant Development Control Plans.

6. **Variation of standards**

This DCP sets out a range of ‘objectives’, and ‘development standards’ aimed at achieving these objectives. Fencing proposals **must** achieve the objectives.

Proposals will be assessed against the development standards as a measure of compliance with the objectives. **Strict compliance with the development standards will be required if there is doubt if the objectives will be met. However, compliance with the development standards does not necessarily imply approval. In considering applications, Council will need to be convinced that its overall objectives for residential fencing are being met.**

If variations are sought to the development standards, due to special circumstances, the extent of, and reasons for such variations, must be fully documented and submitted to Council for consideration. Any variation must, in Council’s opinion, be consistent with the objectives of the DCP.

Council may make additional requirements if it considers that the circumstances of a particular case warrants.
7. **When is an application required?**

*State Environmental Planning Policy No. 60* identifies when fencing may be constructed without development consent. The general requirements of SEPP 60 are outlined in this section.

A Development Application and Construction Certificate Application are required for fences in the following situations:

a) Fences over 900 mm in height and erected forward of the building line to any street;

b) Common fences over 1.8 metres in height and erected behind the building line;

c) Masonry or brick fences and retaining walls over 900 mm above ground level, in all situations.

d) Fences within a heritage conservation area or on a site containing a heritage item.

**NOTE:**

1. Fencing and retaining wall details may be submitted with plans for construction of new dwellings to obviate the need for a separate application.
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. GENERAL REQUIREMENTS (all fences)</td>
<td></td>
</tr>
<tr>
<td>d) Ensure that the impact of fences on the streetscape is minimised.</td>
<td>Materials and colours</td>
</tr>
<tr>
<td>e) Ensure that the safe movement of vehicles and pedestrians is not impaired at gateways and street intersections.</td>
<td>a) Materials shall be in keeping with surrounding buildings and fences.</td>
</tr>
<tr>
<td>f) Ensure that existing drainage easements are not adversely affected.</td>
<td>b) Materials shall be non reflective.</td>
</tr>
<tr>
<td>g) Ensure that fences are safe.</td>
<td>c) Colours shall blend with the natural and built surroundings.</td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
<tr>
<td>a) Owners should ascertain for themselves whether their property is subject to a private covenant regarding the erection of fences, as Council is not responsible for their enforcement.</td>
<td>Height</td>
</tr>
<tr>
<td></td>
<td>The maximum height permitted at any point shall be 1.8 m from natural ground level.</td>
</tr>
<tr>
<td>b) Owners should ascertain the precise location of property boundaries to ensure that fences do not encroach. This may involve the engagement of a Land Surveyor. Many old fences are not located on the actual boundaries.</td>
<td>Landscaping</td>
</tr>
<tr>
<td></td>
<td>a) Where fences are required by this DCP to be set back from the boundaries of the site, landscaping shall be provided with species capable of reducing the visual impact of the fence (i.e. height at maturity shall be at least equal to the height of the fence).</td>
</tr>
<tr>
<td></td>
<td>b) Landscaping next to vehicular gates and at street intersections shall provide a safe sight distance for vehicles and pedestrians.</td>
</tr>
<tr>
<td>Vehicular access</td>
<td></td>
</tr>
<tr>
<td>a) Gates shall be hinged so as to open over private land only.</td>
<td></td>
</tr>
<tr>
<td>b) Openings shall be of such dimensions and form that gates can be opened with vehicles fully off the street.</td>
<td></td>
</tr>
<tr>
<td>Drainage lines</td>
<td></td>
</tr>
<tr>
<td>Special consideration must be given to fences across drainage lines. Solid fences are generally unacceptable in such cases, as they will restrict the flow of stormwater.</td>
<td></td>
</tr>
<tr>
<td>Visual security</td>
<td></td>
</tr>
<tr>
<td>The security of private residences can be significantly reduced by the provision of continuous solid fencing, especially on corner blocks. Applicants should give consideration to open form sections within fences to increase visibility for security purposes.</td>
<td></td>
</tr>
<tr>
<td>Safety</td>
<td></td>
</tr>
<tr>
<td>a) Sheet metal fences shall be capped to eliminate sharp edges.</td>
<td></td>
</tr>
<tr>
<td>b) Sharp protrusions are prohibited.</td>
<td></td>
</tr>
<tr>
<td>c) Barbed wire and electric fences are prohibited.</td>
<td></td>
</tr>
<tr>
<td>Objectives</td>
<td>Standards</td>
</tr>
<tr>
<td>------------</td>
<td>-----------</td>
</tr>
<tr>
<td><strong>GENERAL REQUIREMENTS (continued)</strong></td>
<td>Access for public utility meters</td>
</tr>
<tr>
<td></td>
<td>Satisfactory provision must be made for access to public utility meters such as electricity meter, water meter, gas meter, etc. by the relevant Statutory Authorities.</td>
</tr>
<tr>
<td></td>
<td><strong>Construction</strong></td>
</tr>
<tr>
<td></td>
<td>Fences shall be constructed in a good and workmanlike manner.</td>
</tr>
<tr>
<td><strong>9. FRONT FENCES</strong></td>
<td>** Provision of fences**</td>
</tr>
<tr>
<td>a) To ensure that the impact of fences on the streetscape is minimised and the existing natural landscaping is not compromised.</td>
<td>Provide front fences only where they are already common in the area.</td>
</tr>
<tr>
<td>b) To ensure that front fences are safe to pedestrians.</td>
<td><strong>Height</strong></td>
</tr>
<tr>
<td></td>
<td>The maximum permitted at any point shall be 1.8m from natural ground level.</td>
</tr>
<tr>
<td></td>
<td><strong>Visually solid fences</strong></td>
</tr>
<tr>
<td>a) Visually solid fences such as masonry, paling or sheet metal must be set back from the boundary by a distance equivalent to the height of the fence to facilitate landscaping in accordance with section 8 of this DCP.</td>
<td>b) Brushwood fencing shall not be used because of its combustible nature.</td>
</tr>
<tr>
<td></td>
<td><strong>Open-type fences</strong></td>
</tr>
<tr>
<td>a) Where fences are designed such that visibility to the enclosed area is not substantially restricted, the fence location may be considered without any boundary setback.</td>
<td>b) If the fence comprises columns/piers, their width and spacing should be designed to provide a balance across the frontage.</td>
</tr>
<tr>
<td>b) If the fence comprises columns/piers, their width and spacing should be designed to provide a balance across the frontage.</td>
<td>c) Clearance between vertical members shall be equal to, or greater than, the width of the member, with a minimum spacing of 50 mm.</td>
</tr>
<tr>
<td><strong>10. COMMON FENCES FORWARD OF THE BUILDING LINE</strong></td>
<td><strong>Height</strong></td>
</tr>
<tr>
<td>To ensure that adjoining owners are not adversely affected by the fencing of front yards.</td>
<td>Common fences forward of the building line shall not exceed the approved front fence height.</td>
</tr>
<tr>
<td>Objectives</td>
<td>Standards</td>
</tr>
<tr>
<td>------------</td>
<td>-----------</td>
</tr>
<tr>
<td><strong>11. CORNER BLOCKS</strong>&lt;br&gt;To allow the reasonable enclosure of the rear yard areas for privacy and security, while minimising the impact of the fence on the streetscape.</td>
<td><strong>Extent</strong>&lt;br&gt;Visually solid fencing of the secondary frontage of corner blocks may be approved on the boundary but only up to the front building line. Fencing forward of this line shall comply with section 9 of this DCP.&lt;br&gt;&lt;br&gt;&lt;strong&gt;Note&lt;/strong&gt;: Consideration should be given to visually solid fences on the second frontage being set back from the boundary by a distance equivalent to the height of the fence to facilitate landscaping in accordance with section 8 of this DCP.&lt;br&gt;&lt;br&gt;<strong>Height</strong>&lt;br&gt;The maximum height permitted at any point shall be 1.8 m from natural ground level.&lt;br&gt;&lt;br&gt;<strong>Sight lines at intersections</strong>&lt;br&gt;Where a fence is proposed at the intersection of two public roads, special consideration must be given to providing satisfactory site distance for traffic. In the majority of cases, a minimum splay of 3m x 3m should be provided for solid fences more than 900mm high. However, particular locations may require increased splays.</td>
</tr>
<tr>
<td><strong>12. POOL FENCES</strong>&lt;br&gt;To prevent unauthorized access by young children to swimming pools.</td>
<td>Compliance with the Swimming Pools Act 1992 and Australian Standard 1926.</td>
</tr>
</tbody>
</table>
13. **Before you lodge your application**

Many of the delays that occur during processing of applications are the result of inadequate plans or information. Discussing your proposal with Council at an early stage can often reduce delays.

**Applications must have sufficient information to enable Council to clearly understand the proposal and its impacts.**

14. **Information required**

To enable Council to assess a development application and construction certificate, the following information must be provided:

14.1 **Statement of Environmental Effects**

Under the *Environmental Planning and Assessment Act 1979* Council is required to take into account various matters relating to the natural and built environment when assessing applications. Applicants are therefore required to undertake a site analysis and detail any likely impacts of the development, particularly on neighbouring properties and the streetscape. Applicants are then required to state how they propose to minimise any adverse impacts.

A site analysis is the identification of elements such as physical site constraints, natural features, orientation to natural sunlight and the location of neighbours. Such an analysis is seen as the basis for good design.

The Statement of Environmental Effects must address all the issues that are applicable to the proposal. The following is a general guide:

<table>
<thead>
<tr>
<th><strong>Site Suitability</strong></th>
<th><strong>Views</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Show that the site is suitable for the proposed fence. You should consider such things as:</td>
<td>Show how the proposal will impact on views from adjoining or nearby properties.</td>
</tr>
<tr>
<td>• Compatibility with adjoining development.</td>
<td></td>
</tr>
<tr>
<td>• Compatibility with visual setting.</td>
<td></td>
</tr>
<tr>
<td>• Size and shape of allotment.</td>
<td><strong>Vegetation</strong></td>
</tr>
<tr>
<td>• Site constraints such as drainage.</td>
<td>Show how the proposal will impact on existing vegetation.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Access</strong></th>
<th><strong>Stormwater</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Show that there is adequate provision for vehicular access from a public road to the site.</td>
<td>Show how the proposal will deal with water flow across the land.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Heritage</strong></th>
<th><strong>Need</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The type of information required depends on whether the proposal relates to a listed heritage item or to a heritage conservation area. Council can provide you with detailed advice on which requirements apply to your proposal.</td>
<td>A statement setting out the need to fence any area forward of the building line is required for all proposed fences greater than 900mm in height.</td>
</tr>
</tbody>
</table>
14.2 Site Plan

A plan of the site drawn to scale (preferably 1:200) and include all of the following:

- Site boundaries and dimensions.
- North point relative to the site.
- Location and name of adjoining roads and laneways.
- Location of proposed fence, including gate openings, offsets, splay corners, returns, etc.
- Location of any easements, rights-of-way or natural watercourses on or adjoining the site.
- Existing buildings on the site (show outline).
- Location and type of existing trees affected by the proposed fence.
- Any areas proposed to be cut and/or filled.

14.3 Elevations

The application must include elevations showing the external appearance of the proposed fence and overall height. Drawings shall be of minimum scale 1:100.

14.4 Specifications

The application must include specifications of the fence, describing the materials to be used and method of construction.

15. Neighbour Notification

Before considering a development application to erect fencing, Council will advise adjoining property owners and those who, in Council’s opinion, may be adversely affected by the proposed fencing.

Proposals for front fences may also be advertised by Council in the local newspaper, inviting public comment. In such cases, an advertising fee must be paid to Council by the applicant. In assessing and determining applications, Council will take into account matters raised in any submissions received.

16. Dividing Fences Act

Generally, boundary fencing is the shared responsibility of neighbours and the sole responsibility of owners for front fencing. If one owner wants a fence of a higher standard, than that owner will usually pay the difference in cost. Prior to construction of any common boundary fencing, owners should make themselves aware of their responsibilities under the Dividing Fences Act. Should there be any problem it is recommended that the parties contact a solicitor or the nearest Local Court or Community Justice Centre.

The granting of approval by Council to erect common boundary fencing does not negate the land owner’s responsibilities under the Dividing Fences Act. A note to this effect will be added to relevant approvals.

17. Further Information

Should you have any enquiries please contact Council’s Development & Environment Department, Hours 8.30am to 5.00pm Monday to Friday, at:

Riverina Highlands Building
76 Capper Street
TUMUT. NSW. 2720

Phone (02) 69412 518
Fax (02) 69412 679
Email: admin@tumut.nsw.gov.au
Web: www.tumut.nsw.gov.au
CHAPTER 9:

CEDAR CRESCENT & Quandong Ave

(Former Development Control Plan No.9 – Cedar Crescent & Quandong Ave)
CEDAR CRESCENT
& Quandong Ave
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1.1 Introduction
This Development Control Plan (DCP) has been prepared in response to concern by many stakeholders that the demand for real estate has caused an insufficient supply of residential land in Tumut. This resulted in Council resolving at the June 2003 ordinary meeting that "a further report be presented to council investigating the closure of Quandong Ave and the extension of Cedar Crescent cul-de-sac, including the cost of construction". A report was subsequently presented to Council and Council resolved that a draft DCP covering this part of Cedar Crescent and Quandong Ave be prepared in order that there should be some logical control over the manner in which the development of this area proceeds in order that the necessary infrastructure could be put in place before development proceeded.

1.2 Name of the Plan
This plan shall be known as: Development Control Plan No. 9 - Cedar Crescent & Quandong Ave

1.3 Purpose of the Plan
The purpose of this DCP is to enable Council to have control in the design of the eventual development and be able to establish a firm Section 94 Contribution Plan and Section 64 charges related to the preferred design. This plan also details the order, or staging in which the allotments are to be developed to ensure a progressive extension of services to the development. This will help to ensure that service extensions are adequately funded from contributions received.

1.4 Application of the Plan
This Plan applies to the following allotments:

<table>
<thead>
<tr>
<th>Road Name</th>
<th>Allotment Descriptor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cedar Cres</td>
<td>Lot 1 DP 572833</td>
</tr>
<tr>
<td>Quandong Ave</td>
<td>Lot 31 DP 874999</td>
</tr>
<tr>
<td>Cedar Cres</td>
<td>Lot 36 DP 383756</td>
</tr>
</tbody>
</table>

a. Relationship to other Plans
Where there is an inconsistency between this plan and any environmental planning instrument applying to the same land, the provision of the environmental planning instrument shall prevail.

b. Objectives of the Plan
The objectives of this plan are to:

h) Give Council control over the development of the area.

i) Identify Section 94 and Section 64 charges for Council’s preferred design.

j) Detail the order and staging in which allotments are developed in such a way that Council does not carry the burden of the large costs associated with constructing all infrastructure at once.

k) Ensure progressive extension of infrastructure to the development in order that the infrastructure can be adequately funded at any stage.
c. Commencement of the Plan

1.7.1 This Development Control Plan has been prepared in accordance with Section 72 of the Environmental Planning and Assessment Act 1979, as amended.

1.8 Amendments

Any amendments to this Plan are shown in the following table:

<table>
<thead>
<tr>
<th>Amendment No.</th>
<th>Date Adopted</th>
<th>Minute No.</th>
<th>Date Commenced</th>
</tr>
</thead>
<tbody>
<tr>
<td>23/03/04</td>
<td>168</td>
<td>23/03/04</td>
<td></td>
</tr>
</tbody>
</table>

1.9 Draft DCP

Draft DCP shall be advertised in accordance with the requirements of the Act and Regulations following its acceptance by Council.
PART 2 - DEVELOPMENT STAGING

2.1 Development Staging

2.1.1 STAGE 1: Land Acquisition

g. Council acquire or resume land from Lot 1 DP572833 and Lot 31 DP 874999 for the extension of Cedar Crescent.

h. Council acquire or resume land from Lot 1 DP572833, Lot 31 DP 874999 and Lot 36 DP 383756 for the purposes of sewer and stormwater drainage easements.

i. Council acquire Quandong Avenue from the Crown to enable access to the proposed lot 14 of existing Lot 36 DP 383756.

j. Council negotiate with the owner of Lot 36 DP 383756, for the transfer of a portion of the proposed acquired land (being part of Lot 1 572833 and part of Lot 31 874999), to transfer such land so as to form road frontage (to Cedar Crescent) for proposed lots 1, 2, 3, 4, & 5.

2.1.2 STAGE 2: Road Construction – Cedar Crescent

Council will construct the Cedar Crescent road pavement, associated kerb and gutter, stormwater drainage under the road, and under road service crossings.

Note; that until the piped stormwater drainage system is constructed from Simpson Street to Cedar Crescent side entry opening pit, the pit will be temporarily sealed off to prevent the drainage system from receiving stormwater.

2.1.3 STAGE 3: Development of Lot 36 DP 383756 – Proposed Lots 1 - 6, and Lot 14.

Upon payment of the Section 64 and 94 Contributions from the owners of Lot 36 DP 383756, sewerage and stormwater mains will be extended from Simpson Street to the rear of the proposed allotments (in DP 383756), and also to the outlet of the previously constructed stormwater drainage pit on the western side of Cedar Crescent. Other utilities including electricity, telephone and gas would be provided to these allotments at this time.

Services to the proposed Lot 14 including; water supply, electricity, road access, stormwater drainage, and screen planting in Quandong Ave would also be provided at this time.

2.1.4 STAGE 4: Development of Lot 1 DP 572833 and Lot 31 DP 874999 – Proposed Lots 7 to 13

Upon payment of the Section 64 and 94 Contributions by the owners Lot 1 DP 572833 and, or Lot 31 DP 874999, Council water, sewerage and stormwater infrastructure, and public utility services will be extended along Cedar Crescent to serve the proposed lots 7 to 13. Interallotment stormwater drainage will be constructed at a similar time.
STAGE 3 - DEVELOPMENT OF PROPOSED LOTS 1-6 & 14
CHAPTER 10:

HERITAGE CONSERVATION

(Former Development Control Plan No.10 – Heritage Conservation)
HERITAGE CONSERVATION

Development Control Plan No. 10
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INTRODUCTION

PURPOSE OF THIS PLAN

Heritage items, Conservation Areas and archaeological sites individually and collectively have profound importance as valuable links to the past. They provide a source of community identity, evidence of evolution of society’s values, impetus and inspiration for new ideas and revival of the old. They also provide a wonderful source of aesthetic satisfaction and are an increasingly important economic resource.

This Plan is aimed at assisting in the proper care and management of the Shire’s unique built environment.

The Plan is not intended to prevent or hinder development, or introduce requirements which are excessive. Rather, it aims to ensure that appropriate consideration is given to the potential impacts of each proposal, and that the requirements for different types of development are made clearer for applicants and assessment officers alike.

Through its implementation, it is anticipated that the Plan will result in development applications which are accompanied by appropriate and relevant information, providing more certainty for applicants and faster processing of applications.

OBJECTIVES

1. To ensure that new development respects its context and is sympathetic in terms of form, scale, bulk, fabric, colours and textures without mimicking or adversely affecting the significant of heritage items and Conservation Areas and their settings.

2. To provide controls for the development of land in the vicinity of heritage items and Conservation Areas;

3. To provide clear information about the kind of work which will require a development application in particular areas and circumstances, and the nature of the information, which must be submitted with applications.

4. To provide standards for the management, maintenance and conservation of heritage items and places;
EUROPEAN SETTLEMENT

The Tumut valley had been known to Aborigines for many generations, but it was in 1824 that the area first became known to European Australians. Hamilton Hume and William Hovell, with six companions, crossed the Tumut River on 3 November, 1824 during their very significant journey of exploration to Port Philip. The point at which they crossed is now flooded by the waters of Blowering Reservoir.

Settlement followed quickly. Four years later explorer Charles Sturt passed through the valley. Mr Warby settled on the Darbalara run, while James Ross had been granted land at Tumut Plains. In 1832 George Shelley took up Bombowlee, and other settlers soon arrived, taking up land. By 1838 the makings of a village had appeared; the Aboriginal word for the angle of the river at this point, “Doomut”, was soon changed to Tumut.

The early village consisted of several buildings, including an inn, store and blacksmith, and in 1847 a private bridge was built over the river by Messrs Anderson and Foord, helping to supersede the punt which had been operating since 1838.

It was soon realized that the village, located at a point known since as Mill Angle, was susceptible to flooding and in 1848 Surveyor Thomas Townsend surveyed a new town site. By this time, there were already several buildings on this new site, such as a slab courthouse (on the same site as the present Courthouse), lockup and other police buildings, and a hospital. It was this area, at the river end of Wynyard, River and Fitzroy Streets, that was the embryo of the new town.

In 1850 John Madigan built his Queens Arms Hotel and Timothy O’Mara established his Woolpack Hotel, both on opposite corners of the Wynyard and Fitzroy Streets intersection, and further up Wynyard Street the Rising Moon Hotel was trading by 1854. The first All Saints Church was completed in 1857 and the rectory four years later; the first Presbyterian and Catholic Churches were opened in 1856 and 1858 respectively. Both Anglican and Catholic schooling had commenced and the Anglican Denominational School became a National School in 1859. Various commercial businesses such as wheelwright, blacksmith, saddler, tailor etc were established in the town, and by the late 1850s a newspaper had been founded.

Based initially on pastoralism, the town’s economy soon included agriculture, though on a limited scale at first. Wheat growing led to the building of flour mills.

Development of Tumut and the surrounding region was affected by gold mining in the late 1850’s, with the discovery of gold at Adelong and Kiandra. As well as benefiting from increased commercial activity, former diggers settled in the Tumut area boosting its population.

The National Trust identified a Conservation Area in Wynyard Street surrounding the Courthouse and Police Station in the late 1970’s, with Tumut Shire LEP 1990 Amendment No. 11 identifying further Conservation Areas and heritage items in Tumut, Batlow and Adelong.
WHERE THIS PLAN APPLIES

This Development Control Plan applies to the land described as Conservation Areas within Tumut, Batlow and Adelong and items of environmental heritage listed in Schedule 1 of the Tumut Local Environmental Plan 1990 (Amendment No. 11).

AIMS OF THIS PLAN

This Plan aims to ensure that all new development, alterations and additions to existing buildings listed in Schedule 1 of the Tumut Local Environmental Plan 1990 (Amendment No. 11) and the conservation areas of Tumut, Batlow and Adelong, are designed and built in a way that will maintain and enhance their heritage significance by:

1. Providing design guidelines for buildings that should be considered when planning new development;
2. Outlining significant streetscape elements and building styles that should be taken into account when designing new development in the vicinity.

COMMENCEMENT OF THIS PLAN

This DCP was adopted by Council on 25 October, 2005 (resolution No. 635) under Section 72 of the Environmental Planning and Assessment Act 1979 (as amended), and came into operation on 22 December, 2005 (being the date the DCP was advertised in the local newspaper). No submissions regarding the draft DCP were received by Council during the public exhibition period.

RELATIONSHIP OF THIS PLAN TO OTHER PLANS

This DCP should be read in conjunction with the relevant provisions of the Tumut Local Environmental Plan 1990 and any other relevant Development Control Plans.

VARIATION OF DEVELOPMENT STANDARDS

This Plan sets out a range of ‘objectives’, and ‘development standards’ aimed at achieving these objectives. Proposals must achieve the objectives.

Proposals will be assessed against the development standards as a measure of compliance with the objectives. Strict compliance with the development standards will be required if there is doubt if the objectives will be met. However, compliance with the development standards does not necessarily imply approval. In considering applications, Council will need to be convinced that its overall objectives are being met.

If variations are sought to the development standards, due to special circumstances, the extent of, and reasons for such variations, must be fully documented and submitted to Council for consideration. Any variation must, in Council’s opinion, be consistent with the objectives of the DCP.

Council may make additional requirements if it considers that the circumstances of a particular case warrants.
PART 1  GENERAL CONSERVATION GUIDELINES

The following guidelines apply to projects which involve work to conserve an existing historic building or place. Historic places may range from listed heritage items to buildings in a Conservation Area.

1.1 Getting Started

Research

A key principle in heritage conservation is the need to understand the heritage importance or significance of a place before making decisions about how to manage it. A major part of understanding what makes a place special is to understand its history; why it was built, how it was used and how it has changed.

Establishing the constructions date of early buildings is difficult, as there is often little documentary evidence. It is usually necessary, therefore, to rely on observation of the building style.

Documentary research can reveal useful information including old photographs and early records such as title deeds to indicate successive owners.

This information can be found at the Lands Titles Office, libraries, Local Council records, local museums and possibly galleries. Former owners of the building may also be of assistance.

Getting to know the building

A close examination of the fabric will usually be very important. The ‘fabric’ of a building or place refers to the physical material of which it is comprised.

Careful inspection can reveal evidence of original detailing. Painting might reveal the shape of a former iron roof over a verandah, nail holes on verandah posts might show the former location of brackets.

Looking at other similar buildings in the locality can also indicate how missing parts of a building may have appeared, or how things were done.

When you have determined what is significant about a place, this information should help to guide maintenance, repair and conservation work. Wherever possible, original features, materials and finishes should be retained.

Sound Advice

It is advisable, and often necessary to obtain professional advice from experienced people such as heritage architects, engineers, heritage advisors.

The NSW Heritage Office maintains a list of Consultants who specialize in heritage work which can be obtained from Council. Council also has a free Heritage Advisory Service to assist with preliminary advice.
1.2 Conservation Processes

Work on an historic building or place can involve a variety of conservation processes as defined by the Burra Charter.

The Burra Charter establishes the nationally accepted standard for the conservation of places of cultural significance. The Charter advocates a cautionary approach to changing a place, doing as much work as necessary to repair, secure and to make it function, but as little as possible – so the history of the place can continue to be recognized in its physical presence.

The following are Burra Charter definitions of common conservation processes:

Restoration means returning the existing fabric of a place to a known earlier state by removing, adding on or re-assembling existing components without the introduction of new material.

Reconstruction involves introducing material to replace missing elements returning a place as nearly as possible to a known earlier state. Complete rebuilding on the same or another site is unacceptable except as an absolute last resort.

Adaptation means modifying a place to suit the existing use or proposed compatible uses. A compatible use means a use which involves no change to the culturally significant fabric, or changes which require minimal impact.

Adaptation is acceptable where the conservation of the place cannot otherwise be achieved, and where the adaptation does not substantially detract from its cultural significance.

Preservation means maintaining the fabric of a place in its existing state and preventing deterioration.

Maintenance means the continuous protective care of the fabric and the setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction.

Relocation. A building or work should remain in its historical location. Moving a part or all of a building is unacceptable unless this is the sole means of ensuring its survival.

Changes which remove building fabric or introduce new fabric should as far as possible be reversible in order that the earlier appearance may be recovered at a later date.
1.3 Maintaining Old Buildings

Old buildings benefit from routine maintenance. It should be remembered, however, that old buildings have unique characteristics, and it is generally undesirable and sometimes very damaging to try and reverse the effects of age on materials.

While some maintenance can be undertaken by property owners, some types of work such as addressing damp problems or the repointing of masonry requires the expertise of tradespeople experienced in conservation work.

Maintenance

Maintenance is one of the most important parts of conservation work. Regular maintenance should be a regular part of any property management. This means that problems such as water penetration, termite infestation or vandalism do not get out of hand requiring substantial costs to repair.

Advice should be sought from Council’s Heritage Advisor or appropriate industry expert for the following conservation works:

- Repairing and maintaining roofs; including roofing materials, chimneys, gutters and downpipes;
- Repairing and maintaining rendered walls;
- Repairing and maintaining face brick and stonework;
- Paint removal and external cleaning;
- Mortar and repainting;
- Rising and falling damp;
- Doors and window restoration;
- Repairing and maintaining shopfronts;
- Repairing and maintaining timber;
- Internal alterations;
- Colour schemes;
- Landscaping.

Getting the Details Right

When a building is designed, there is generally a consistent approach to details such as window frames, sills, skirting boards, verandah posts and brackets. These existing original features should be retained and maintained.

New work, or repair of the existing details should be in keeping with the original design. The imitation of something from another place such as introducing aluminum lace or shutters is not appropriate as it can detract from the appearance and authenticity of the property.

Missing components such as verandah brackets, fences, and chimneys should be copied carefully and reinstated in their original style.

Internal details such as door and window handles were often special decorative features of a house, and should be retained. Reproduction details can be expensive, so it is preferable to use originals where possible.
PART 2 CONSERVATION AND DESIGN GUIDELINES

The objective of the following guidelines is to ensure that new development involving heritage items and buildings in a Conservation Area will respect and enhance the heritage character of the building and their surrounding area. The following requirements will generally apply to all development covered by the Plan.

GENERAL REQUIREMENTS

2.1 Introduction

It is essential that the scale and siting of new development, including alterations and additions, does not detract from the scale, form, unity, and character of the surrounding area.

It is important to understand the characteristics and features of an area before deciding on the form and style of a new building.

2.2 Sympathetic Design

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. To ensure that new alterations and additions respect the architectural character and style of the building and area concerned.</td>
<td>1. Any new development and alterations or addition must consider the characteristics of the existing building, and buildings in the surrounding area, and sit comfortably in this context.</td>
</tr>
<tr>
<td>2. To maintain and enhance the existing character of the street and the surrounding locality.</td>
<td>2. New work should generally not precisely mimic the design and materials of the building, but be recognizable as new work on close inspection.</td>
</tr>
<tr>
<td>3. To enhance the public appreciation of the area.</td>
<td>3. New development can be contemporary in design when it is well integrated with and related harmoniously to its older neighbours.</td>
</tr>
<tr>
<td>4. To ensure new development respects the character of its surrounds. However, respect does not mean copying. While architectural replicas may appear visually compatible with their surroundings, they can confuse the original buildings in the area and give a false impression of historical development.</td>
<td>4. Mock historical details should not be applied as they will not be of any heritage value themselves, and can confuse our understanding between the “new” and the “old”.</td>
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<td></td>
<td>5. Alterations and additions shall blend and harmonise with the existing building in terms of scale, proportion and materials.</td>
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<tr>
<td></td>
<td>6. Alterations and additions shall not require the destruction of important elements such as chimneys, windows and gables.</td>
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</table>
### 2.3 Siting, Setback and Orientation

<table>
<thead>
<tr>
<th><strong>Objectives</strong></th>
<th><strong>Development Standards</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. To maintain and enhance the existing character of the street and the surrounding area.</td>
<td>1. Generally alterations or additions should occur at the rear of the existing building to minimize visual impact on the street frontage of the building, particularly where the additions and alterations involve a listed heritage item a building which contributes to the heritage character of the Conservation Area.</td>
</tr>
<tr>
<td>2. To ensure that new development and alterations or additions respect established patterns of settlement (i.e. pattern of subdivision and allotment layout, landscaped settings, car parking and fencing).</td>
<td>2. Side additions should not comprise the ability for driveway access to the rear of the block.</td>
</tr>
<tr>
<td>3. To provide an appropriate visual setting for heritage items and heritage conservation areas.</td>
<td>3. No new structures shall be built forward of an established building line.</td>
</tr>
<tr>
<td>4. To ensure that the relationship between buildings and their which contribute to the character of the area are not disturbed or devalued.</td>
<td>4. New development shall be sited behind the building line of any adjoining heritage item, so as not to affect the heritage significance.</td>
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<td>5. An adequate curtilage including landscaping, fencing, and any significant trees shall be retained.</td>
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<td>6. Larger additions can be successful when treated as a separate entity to retain the character of the original building in its own right.</td>
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<td>7. Front and side setbacks shall be typical of the spacing between buildings located in the vicinity of the new development.</td>
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<td>8. The orientation pattern of buildings existing in the area shall be maintained.</td>
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<td></td>
<td>9. Rear additions are generally best stepped back from side building lines.</td>
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<td></td>
<td>10. Archaeological evidence shall not be disturbed without NSW Heritage Office and Council approval.</td>
</tr>
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</table>
2.4 Size and Scale

<table>
<thead>
<tr>
<th>Objective</th>
<th>Development Standards</th>
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</table>
| To ensure that new development including alterations and additions respect the significance and character of the surrounding area. | 1. An alteration or addition shall not be of a size or scale which overwhelms or dominates the existing buildings substantially changes or destroys its identity or changes its contribution and importance in its surrounds.  
2. New houses should generally remain at single storey in areas where the majority of buildings are single storey, so as not to dominate the surrounding area.  
3. Unless it can be demonstrated that greater scale would be appropriate in the individual circumstances, new development and additions must be of the same scale as surrounding development. |

2.5 Roof Form and Shapes

Residential plan and roof forms differ greatly depending on the era of the building.

Hips and gables generally did not span greater than 6.5 metres. If a house was to be wider or longer, another hip or gable or skillion were added.

The basic plan and roof form were often extended at the rear or sides by a skillion roof with a typical 25 degree pitch.

The roof is usually the most influential aspect of the design of new building in a Conservation Area. The shape of a roof and pattern it makes against the sky is generally distinctive in a Conservation Area and should be a primary consideration in the design of new development.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Development Standards</th>
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</table>
| To retain characteristic scale and massing of roof forms within Conservation Areas and on heritage items when designing alterations and additions. | 1. New roofs shall be carefully designed so that they relate to the existing, adjoining roofs in pitch, eaves and ridge height.  
2. Additional rooms can be added to heritage buildings appropriately where roof forms have been carefully integrated into the existing.  
3. New roof elements such as dormer windows and skylights shall not be located where they are visually prominent.  
4. Chimneys shall be retained.  
5. Use of roof materials shall be the same as materials on the existing heritage building and those typically used in the Conservation Area. |
## 2.6 Materials and Colours

<table>
<thead>
<tr>
<th>Objective</th>
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</thead>
<tbody>
<tr>
<td>To ensure that materials and colours used in any new development alterations and additions respect the significance and character of the existing building and surrounding area.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Development Standards</th>
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</thead>
<tbody>
<tr>
<td><strong>General</strong></td>
</tr>
<tr>
<td>1. Traditional combinations of materials used in heritage buildings shall be considered when designing additions.</td>
</tr>
<tr>
<td>2. It may not be appropriate or necessary to replicate the original combination of materials used in the original work. The use of a complementary material might make the increase in scale less noticeable and also enhance later understanding of the changes.</td>
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</tbody>
</table>

For instance, timber weatherboard extensions to brick houses was a common practice which is still appropriate today, as was the use of corrugated iron roofs at the rear of houses behind main roofs constructed with tile or slate.

<table>
<thead>
<tr>
<th>Roofing</th>
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<tbody>
<tr>
<td>1. Original roof material shall be matched in any addition in material and colour. If, however, original roofing is expensive such as slate, corrugated iron is a suitable alternative to the rear.</td>
</tr>
<tr>
<td>2. Traditional stepped flashings, roof vents, gutter moulds, and rainwater heads shall be used.</td>
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</table>

<table>
<thead>
<tr>
<th>Brickwork</th>
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</thead>
<tbody>
<tr>
<td>New face brickwork shall match the existing brick in colour and texture, and type of jointing and mortar colour.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Doors and Windows</th>
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<tbody>
<tr>
<td>Timber windows shall be retained in existing buildings. New doors and widows should be of materials characteristic to the existing building, locality or an approved alternative.</td>
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<table>
<thead>
<tr>
<th>Colour Schemes</th>
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<tbody>
<tr>
<td>1. Additions shall employ colour schemes which do not detract from traditional colour schemes in the area. A number of good reference books on traditional colour schemes are available.</td>
</tr>
<tr>
<td>2. Colour schemes suitable to the period of the building shall be used.</td>
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<tr>
<td>3. Unpainted brick or stone shall remain unpainted.</td>
</tr>
</tbody>
</table>
## 2.7 Design of New Detail and Openings

<table>
<thead>
<tr>
<th>Objective</th>
<th>Development Standards</th>
</tr>
</thead>
</table>
| To ensure that the character and pattern of new door and window openings in any new development, alterations or additions is compatible with the appearance of the original building and the area as a whole. | 1. Alterations shall avoid arbitrary changes to openings or other features which do not fit in with the symmetry or character of the original design.  
2. New detail and openings shall be simple in character using colour and materials which complement the original fabric and the locality.  
3. New doors and windows shall proportionally relate to typical openings of the building or in the locality. |

## 2.8 Evidence for Authentic Reconstruction

<table>
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<th>Objective</th>
<th>Development Standards</th>
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</table>
| To ensure that reconstruction reveals the known significance of the place (i.e. from physical and/or documentary evidence). The building itself may offer clues as to items previously removed such as evidence of handrails in posts, or marks in the footpath where verandah posts were removed. As stated in the Burra Charter, ‘Reconstruction is limited to the completion of a depleted entity and should not constitute the majority of the fabric of the place’. | 1. The reinstatement of a lost feature shall faithfully replicate or copy the original in design, materials, arrangement and position.  
2. Reconstruction shall be identifiable as new work without at the same time making it intrusive. |

## 2.9 Removal of Unsympathetic Alterations and Additions

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
</table>
| 1. To ensure that contributions of all periods to a place are respected.  
2. To ensure that removal of any fabric only occurs when it is of slight significance, and the fabric which is to be revealed is of much greater significance. | Additions which are obviously out of character with the original design may be removed, whereas it may be preferable to retain well integrated additions or substantial alterations to the existing building. |
### 2.10 Services and New Technologies

<table>
<thead>
<tr>
<th>Objective</th>
<th>Development Standards</th>
</tr>
</thead>
</table>
| To minimize any obtrusive effect of new building services and technical equipment in Conservation Areas and on heritage items. | 1. Exhaust vents, skylights, air conditioning ducts and units, solar panels, TV antennae and satellite dishes shall not be visible on the main elevation of the buildings or attached to chimneys where they will be obvious.  
2. In heritage areas they shall be hidden from view as much as possible.  
3. Essential changes to cater for electrical wiring, plumbing or other services should be limited to what is essential to permit the new use to proceed. |

### 2.11 Landscaping

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
</table>
| 1. To maintain the rhythm of gardens, open spaces and tree planting in a heritage streetscape. | 1. When designing new gardens, reference must be made to surviving plants in the locality and on site, which indicate the basic garden structure for the new designs.  
2. When selecting suitable trees, the following must be considered: the varieties that already exist in the area, the size of the tree when mature; the potential of the chosen species to interfere with services, retaining walls and other structures.  
3. Many heritage garden reference books are available to explain typical settings for houses of different styles and periods.  
4. Hard surfaces should be kept to a minimum. |
| 2. To ensure that planting does not compromise important views into or out of conservation areas. | |
| 3. To maintain the landscape character of the locality in any new development. | |
2.12 Fences

Fences form an integral, yet fragile part of heritage areas. The majority of historic fences have disappeared, so it is very important that those authentic fences which remain are preserved.

When repairing an original fence, determine:

- What is significant about the fence?
- Is it unusual or typical of its time?
- Its style?
- Its physical condition.

It is important to retain as much of the old material as possible.

When constructing a new fence and there is insufficient evidence to reproduce the original, it is important to build the fence so that it is in harmony with the existing fences and houses of the street. Ensure that the height matches that of (sympathetic) neighbouring fences, and that the colour scheme is compatible with the house.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Development Standards</th>
</tr>
</thead>
</table>
| To retain original existing fencing and provide for new fencing that is consistent with established patterns. | 1. Original fences should be retained.  
2. Fences should be simple with a level of detail comparable with the house.  
3. Fencing should generally be open or transparent, or backed with a hedge, not solid.  
4. Fences shall be of a scale comparable with the street.  
5. Front fences shall be of materials characteristic to the surrounding area, particular to the street and suitable to the era of the house. Examples include timber picket, low masonry and hedges. |

2.13 Garages, Carports and Sheds

In order to blend with their surroundings, garages, carports and sheds should be sized and detailed in ways that approximate the best elements of traditional architecture in the Heritage Conservation Areas and adjacent Heritage Items.

Traditionally, garages matched the materials of the house. If the house was ‘fibro’ then the garage was ‘fibro’. If the house was brick then the garage was brick. If the house was weatherboard then the garage was weatherboard. This should be kept in mind for garage construction in Heritage Conservation Areas.

Matching of materials needs to be detailed on the drawings. In a brick garage, for example, the brick bond should match the house, not just the colour and size.

Garages were generally not built attached to the house, but were freestanding structures setback from front boundary and generally towards the rear of the block.
**Objective**

To ensure that garages, carports and sheds do not detract from the character of the area and/or heritage item due to inappropriate location, design, materials and colours.

<table>
<thead>
<tr>
<th>Development Standards</th>
</tr>
</thead>
</table>

**General**

1. Garages should preferably be located at the rear or set well back at the side of a building behind the rear building line.
2. Garages and carports shall make reference to any established historic patterns in the street.
3. Double garages should be detached buildings set behind the rear main building line.
4. Existing outbuildings should be maintained and reused wherever possible.
5. Simple open light construction carports are preferable to solid heavily detailed buildings.
6. Traditional “heritage” colour schemes shall be adopted.
7. Roof pitch of minimum 22° or 27° (quarter pitch) or steeper if to match roof pitch of the house. Roof pitches can be broken with a 10 – 12° pitch verandah skillion.
8. Roll barge to be used at roof edges with rolled ridge at top of roof.
9. Gutters shall be in ‘quad’ profile – galvanised or **Colorbond** (square profiles are unsuitable)
10. Downpipes shall be 90mm round profile.
11. Roller doors to garages shall be maximum 2400 wide (2700 wide if entering from lane). Double span roller doors do not match traditional proportions and if double car entrance required, then two 2400 wide doors are acceptable provided they are separated by wall no less than 600 in width.
12. Doors and windows shall be of traditional proportions - i.e. closely match older style doors and windows of house.
13. If metal framed doors and windows to be installed, then use metal architraves.
14. Acceptable single garage proportions are 3000 wide x 6000 long, 2400 high walls, 22° roof pitch rising to ridge of 3400 high. Garage roller door 2400 wide.
15. Acceptable double garage proportions are 6000 wide x 6000 long, 2400 high walls, 22° roof pitch rising to ridge of 4000 high. Two garage roller doors at 2400 wide with wall between doors.
16. Drawings shall note the detail of the above items and specify the colour scheme to be used, including roofs, walls, gutter / downpipes, fascias / barges, roller doors, windows and swing doors.

**Metal Garages**

1. Corrugated “custom orb” profile wall and roof sheeting (0.42 min base metal thickness)
2. Galvanised roof sheeting preferred (not zincalume) or **Colorbond** coating.
### 2.14 New Development in the Vicinity of Heritage Items

In addition to the requirements of the Tumut Local Environmental Plan and matters raised previously, the following principles should be given particular attention when considering new development in the vicinity of heritage items.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure that new buildings provide a setting for the adjoining heritage item so that its historical context and heritage significance are maintained.</td>
<td>1. Development in the vicinity of listed heritage items shall respect and complement the built form character of those items in terms of scale, setback, siting, external materials, finishes and colour.</td>
</tr>
<tr>
<td></td>
<td>2. New development shall have regard to the established siting patterns of the locality.</td>
</tr>
<tr>
<td></td>
<td>3. New development should generally be set back from the line of the adjoining or adjacent heritage item.</td>
</tr>
<tr>
<td></td>
<td>4. The sensitive selection of materials, colours and finishes is important in terms of achieving compatibility with the heritage items.</td>
</tr>
<tr>
<td></td>
<td>5. Height and scale of new buildings shall not obscure or dominate an adjoining or adjacent heritage item.</td>
</tr>
<tr>
<td></td>
<td>6. Development in the vicinity of a heritage item may be contemporary in design.</td>
</tr>
</tbody>
</table>
2.15 New Commercial Buildings in Historic Areas

In addition to the above, new development in commercial precincts within Conservation Areas, or that adjacent to a Heritage item should take into account the following issues.

<table>
<thead>
<tr>
<th>Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure that new development in Conservation Areas maintain the heritage significance of the area and minimises its impact on the streetscape.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Development Standards</th>
</tr>
</thead>
</table>

**Building Heights and Setbacks**

The height of buildings shall reinforce the desired scale and character of the area.

**Services**

Service structures, plant and equipment should be an integral part of the development and shall be suitably screened.

**Roof Form, Parapet and Silhouettes**

In commercial areas, it is the consistency of parapets which make a significant contribution to the architectural character of an area.

1. Where the prevailing pattern of roof forms assists in establishing the character of a townscape, new roof forms shall seek to be compatible with the shape, pitch, and materials of adjacent buildings.
2. Parapet heights and articulation shall be compatible with earlier surrounding buildings.
3. Lightweight materials such as ribbed coloured metals shall not be used on vertical wall or parapet surfaces.
4. New verandahs shall be based on design principles of traditional verandahs with sloping roofs galvanized iron and regularly spaced columns.

**Design of Car Parking Areas.**

Car parking areas shall be located and designed to:

1. Provide landscaping where practicable to shade parked vehicles and screen them from public view.
2. Provide for access off minor streets, and for the screening from public view of such car parking areas from surrounding public spaces and areas.

**On-site Loading and Unloading.**

Facilities for the loading and unloading of service vehicles shall be suitably screened from public view.
2.16 Shopfronts

The quality and style of shopfronts is of great importance as they reflect the quality and style of significant architectural buildings, and enhance the character and interest of footways for pedestrians.

Early shopfronts not only provide a great sense of quality to the shop through their distinctiveness, they also enhance display areas for merchandise.

Retaining original shopfronts is particularly important as they are usually complimentary to the other architectural features of the building where one’s appreciation of the street is primarily at eye level.

The reinstatement of shopfronts in keeping with original building design is encouraged.

Modern shopfronts of large glazing set in an aluminium frame are considered to contribute little to the architectural character of the street front.

The modern tendency to build along the front wall finish without recessed entries also produces a uniform and uninteresting footpath space and does not highlight the entrance to the shop.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. To retain shopfronts which contribute to the heritage significance of the building and surrounding area.</td>
<td>1. Original shopfronts should be retained.</td>
</tr>
<tr>
<td>2. To ensure that new shopfronts complement the significance and character of the existing building and surrounding area.</td>
<td>2. Where the original shopfront has been removed and replaced by an unsympathetic alteration, the reinstatement of earlier styles of shopfront in harmony with the overall building character is desirable.</td>
</tr>
</tbody>
</table>
### 2.17 Signage

<table>
<thead>
<tr>
<th>Objective</th>
<th>Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure that signage respects and enhances the amenity of the area.</td>
<td><strong>New Signage</strong></td>
</tr>
<tr>
<td>Architectural research can reveal old and original signage through historic photo collections and Main Street Studies available at Council and library.</td>
<td>1. The scale, type, design, location, materials, colour, style and illumination of any sign shall be compatible with the design and character of the buildings and should not intrude on the visual qualities of the townscape.</td>
</tr>
<tr>
<td>The Tumut and Adelong Main Street Studies provide many early photographs which can be used as a reference to identify suitable locations for new signs.</td>
<td>2. The architectural characteristics of the building shall always dominate.</td>
</tr>
<tr>
<td>Early original signage has cultural value and should be retained.</td>
<td><strong>Above Awning Signs should:</strong></td>
</tr>
<tr>
<td></td>
<td>1. Be simple in design and avoid a proliferation of advertising which can be confusing and detract from the building and conservation area.</td>
</tr>
<tr>
<td></td>
<td>2. Be located flush with the wall surface.</td>
</tr>
<tr>
<td></td>
<td>3. Not be fluorescent or internally illuminated.</td>
</tr>
<tr>
<td></td>
<td>4. Signs adjacent to heritage items or older buildings in Conservation Areas shall be designed and located sympathetically.</td>
</tr>
<tr>
<td></td>
<td><strong>Colour</strong></td>
</tr>
<tr>
<td></td>
<td>1. Colours shall be sympathetic to the surrounding area and be related to the colours of the building.</td>
</tr>
<tr>
<td></td>
<td>2. The use of entire glazed shopfronts for temporary notices is not considered appropriate, nor is the use of temporary fluorescent signwriting.</td>
</tr>
<tr>
<td></td>
<td>3. The use of bright corporate colours and sign designs which are not related to the architecture or character of the area and building are not considered appropriate.</td>
</tr>
<tr>
<td></td>
<td><strong>Lettering Styles</strong></td>
</tr>
<tr>
<td></td>
<td>Traditional styles of lettering can be interpreted for modern buildings such as the use of raised lettering or traditional styles such as Clarendon, Ionic, Tuscan, Modern and Fat.</td>
</tr>
</tbody>
</table>
2.18 Accessibility

Providing access to building for people with disabilities is required under the Disability Discrimination Act. Heritage places are no exception, however, there is also a need to conserve these places and not alter them in a way which will impact on their heritage significance.

Historic buildings will generally require solutions specific to that site, however, there are a number of principles which, if applied, can assist in developing effective solutions.


Some suggested access principles and solutions for effective accessibility follow.

A thorough approach to improving access to heritage buildings includes the following steps:

1. Identify the heritage value or significance of the place, specifically those parts which have the greatest significance. This can be determined through developing a Conservation Plan, obtaining details on the property from local council, the State Heritage Office or National Trust of NSW, or seeking advice from a conservation professional.

2. Undertake an access audit to determine existing and required levels of accessibility.

Modifications should generally incorporate the following:

1. Making the main or principle public entrance and public spaces accessible including a path to the entrance.
2. Providing accessible toilets.
3. Providing access to goods, services and programs.
4. Creating access to other amenities and secondary spaces.

Solutions should:

1. Be sympathetic and, where possible, reversible.
2. New work should be evident on close inspection.
3. In considering what is sympathetic, matters such as general form, materials, finish, compatibility with architectural details of the original design are guiding principles.
4. Comply with Australian Standards – particularly AS 1428.1
Some suggested approaches to accessibility / heritage issues are as follows:

Access to the principle entry

1. The principle entry needs to be defined, it may not always be the “front door”, but the entry which most people will use.
2. It can be acceptable to develop a second entry which may be more convenient for some people while maintaining the building’s significance.
3. Entries should be located to minimize loss of original elements such as railing, steps and windows.
4. The parking area or public drop off point should be conveniently located to the principle entry.
5. Access paths should have a firm surface. Concrete is best, but well compacted gravel, cement stabilized or consolidated gravel or dirt are also suitable.

Ramps

There is often a level difference between the path and the main floor level. The solutions to these differences are many and might include:

1. Temporary or permanent ramps.
2. Levels of footpath can be raised in some circumstances (requiring Council approval).
3. Shifting steps out from the face of the building and incorporating a ramp behind them.
4. Locating a ramp in a location of low heritage significance.
5. Lifting devices.

Doors

1. Entry doors should have handles at less than 1100m.
2. A clear width of at least 800 mm is necessary. If doors are not wide enough, it might be possible to increase effective opening size by joining two leaves together or using offset hinges.
PART 3  REQUIREMENTS FOR DEVELOPMENT APPLICATION

3.1  When is a Development Application Required?

Council should be consulted before carrying out any changes to buildings or sites which:

a. are listed as heritage items;
b. are in a Conservation Area; or
c. are in the vicinity of heritage items or Conservation Areas.

Development applications will generally be required for proposals which:

a. potentially impact upon the heritage significance of a heritage item; or
b. involve development or use of a component of a Conservation Area which has the potential, in the opinion of Council, to adversely affect that component and/or the character of the Conservation Area.

Applicants should refer to more detailed information provided by Tumut Shire Council’s Developer Information Sheet 1 – Do I Need to Submit a Development Application? and Developer Information Sheet 4 – Submitting a Development Application.

3.2  Conservation Area Development

New development, additions and alterations are those proposals which have the potential to significantly affect the heritage significance of an item or the character of a Conservation Area. These changes therefore require submission of a development application with sufficient supporting information to allow full and proper assessment of potential impacts.

Included in the submission shall be a Statement of Heritage Impact detailing the heritage significance of the item and explanation of the extent and nature of the work.

3.3  Conservation Area Demolitions

Prior to any demolition work commencing you must consult with Council.

Demolition of components of Conservation Areas can significantly affect the appearance of local streets and, over time, change those attributes which give each area its own special character.

Components of a Conservation Area, while not individually listed items, can have a collective significance. Loss of any one of them can erode the significance of the Conservation Area as a whole.

A development application is generally required for partial or total demolition of any building or work in a Conservation Area.

Included in the submission shall be a Statement of Heritage Impact detailing the heritage significance of the item and providing evidence that all options for retention and adaptive reuse have been explored.
CHAPTER 11:

RESIDENTIAL DEVELOPMENT

(Former Residential Development Controls 1 – One & Two Storey Low Density Development)
1.0 General Advice to Applicants

1.3.4 Advertising

Applications will be advertised for 14 days.

1.1 Aims and Objectives

The aims of these residential development controls are to enhance and protect the amenity of new and existing residential areas by,

1.4 Building Applications

Following development consent, a building application must be submitted and approved before building work may commence.

• providing design controls for residential development;

• setting reasonable environmental standards for solar access, privacy, noise, views, vehicular access, parking and landscaping.

1.2 Application of Controls

In assessing development proposals, council will consider all those matters specified in section 90(1) of the Environmental Planning and Assessment Act 1979, the provisions of these controls and other relevant planning instruments.

Council may refuse a development which does not comply with these controls, or may seek to modify a non-complying development by imposing conditions designed to make it comply. Council may also approve a
development which does not comply with these controls where, in its view, a certain control or standard is not appropriate or relevant in that particular case.

Where an applicant departs from these controls, an explanation should be given.

1.3 Development Applications

1.3.1 General

A development application is to consist of:
- development application form;
- three copies of all plans;
- statement of environmental effects;
- application fee;
- written authority of the landowner where the applicant is not the owner.

Note: Users of these controls should consult with council prior to the preparation of plans.

1.3.2 Design

Applicants may find it preferable to use the services of a qualified architect to prepare the development plans and a qualified landscape architect to prepare landscaping plans. All drawings should bear the names of such people or firms.

1.3.3 Statement of Environmental Effects

Each application must be accompanied by a statement of environmental effects which:
- demonstrates that consideration has been given to the environmental impact of the development;
- sets out any measures taken to mitigate any likely adverse environmental impact.

Residential Development Control 1

This document provides design standards for:
- single-storey development, such as villa homes, integrated housing development and detached dwellings on separate allotments;
- two-storey multi-unit development, commonly known as duplexes, townhouses and maisonettes.

Density

Aim/Objective

to provide density controls for a variety of building forms which will achieve the desired character of the residential environment described in section 2.1.

2.0 Residential Development

Controls for One and Two-Storey Low-Density Development

2.1 Description of Residential Environment

Minimum Site Area per Dwelling

Table 1 indicates the appropriate density in site area (m\(^2\)) per dwelling or floor-space ratio (FSR) for small, medium, large and extra large dwellings.

Site area per dwelling is a measure of density. It is obtained by dividing the total site area by the number of dwellings.
## Density/Environment
### Residential Development Control 1

**Table 1: Minimum Site Area per Dwelling**

<table>
<thead>
<tr>
<th>Dwelling Size</th>
<th>Minimum Site Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small &lt;55 m²</td>
<td>225 m²</td>
</tr>
<tr>
<td>Medium 55-84 m²</td>
<td>325 m²</td>
</tr>
<tr>
<td>Large 85-125 m²</td>
<td>440 m²</td>
</tr>
</tbody>
</table>

In zone 2(a), one dwelling or dual occupancy building - 600 m²

Single storey development 0.3 FSR  
Two storey development 0.5 FSR

Parking under buildings is considered to be a storey if it is more than 1.0 m above natural ground level at any point.

*Note: SEPP No. 28 -- Town Houses and Villa Houses restricts development to two storeys in absolute terms. All parking must be underground or at ground level as part of the permitted two-storey limit.*
Typical Sections
Typical Two-Storey Low-Density Development
Residential Development Control 1
2.4 Setbacks

2.4.1 Aims/Objectives
• to permit flexibility in the siting of buildings;
• to minimise adverse impact on adjacent and adjoining properties.

2.4.2 Front
The minimum front setback should be 6.0 m for dwellings, except where adjacent residential development is closer to the front boundary, in which case the setback may be similar.

Carports and/or garages may be sited on the boundary where their width is less than 33% of the site frontage in areas where setback is not an essential part of the streetscope character. The remainder of the frontage must be landscaped.
2.3 Site Requirements

2.3.1 Aims/Objectives

- to encourage variety and choice in housing forms by providing for a broad range of dwelling sizes, regardless of project size;
- to allow the development of small sites without the need for site amalgamation.

2.3.2 Site Frontage

Site frontage should be sufficient to permit vehicular access to the site.

**Carport/Garage Setback**

Residential Development Control 1

2.4.3 Side or Rear

Generally

Side or rear setbacks are to be 2.0 m for walls of height greater than 3.0 m. For walls less than 3.0 m in height, side or rear setbacks are to be 1.0 m. As far as practicable, walls along boundary setbacks shall be broken or staggered to avoid the appearance of unduly massive or long walls.

See Appendix 'A' for details.

Building to Boundary

Subject to ensuring there is no unreasonable adverse impact on the privacy or solar access of adjoining properties, side or rear walls without windows may be built on the boundary. (Walls should be built either on the boundary or set back 1.0 m or more.)

No section of wall built on a side or rear boundary should be longer than 10.0 m. Moreover, such walls should not exceed 50% of the length of the boundary or the length of any adjoining wall on the boundary, whichever is the greater.

Total length of wall shall be less than Yr length of boundary. No setback required if walls are windowless.

Building to Boundary Setback
2.4.4 Projections into Setback Areas

No windows along this wall

Zero setback gives more useful space

The projections permitted into setback areas could include roof eaves, sunhoods, gutters, downpipes, chimney flues, light fittings, electricity or gas meters, and aerials, which may project 600 mm or up to the boundary, if the boundary is less than 600 mm from the building.
2.5 Building Height 2.5.1 Aims/Objectives
- to provide for development projects of a low-rise residential character;
- to minimise the impact of multi-unit housing in areas where there is substantial detached housing.

2.5.2 Maximum Height

Table 2: One-Storey Development AND Two-Storey Development

<table>
<thead>
<tr>
<th>Dwelling Size</th>
<th>Landscaped Area per Dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small</td>
<td>75 m², 90 m², 140 m², 150 m² or equal to area of dwelling, whichever is greater</td>
</tr>
<tr>
<td>Medium</td>
<td></td>
</tr>
<tr>
<td>Large</td>
<td></td>
</tr>
<tr>
<td>Extra Large</td>
<td></td>
</tr>
</tbody>
</table>

The maximum height of the building at any point shall be measured from the natural ground level to the ceiling of the topmost storey or the ridge of the roof. This height should not be more than 7.2 m to the ceiling of the topmost storey or 10.0 m to the top of the ridge.

Private open space at ground level shall have a minimum width and depth of 3.0 m.

Enclosing screen walls or fences should be designed to ensure privacy, both from adjoining communal open space or accessways, and from dwellings and their courtyards.

2.6 Open Space 2.6.1 Aims/Objectives
- to provide open space for recreation and use by residents;
- to enhance the quality of the built environment by providing for landscaping,
2.6.2 Landscaped Open Space
Open space at ground level, suitable for landscaping, shall be provided on site in accordance with tables 2 and 3. Any landscaped area having a width and depth less than 2.0 m shall not be counted as part of required landscaped open space.

An area of private open space shall have a minimum width and depth of 3.0 m

Private Open Space
Areas used for driveways, car parking, drying yards and service areas shall not be included as landscaped open space.

2.7 Solar Access
2.7.1 Aim/Objective

to provide reasonable access to sunlight for living spaces within buildings and open spaces around buildings.

2.7.2 Sunlight Standards
Residential buildings shall be designed to ensure that adjoining residential buildings, and the major part of their landscaped open space, have at least four hours of sunlight between 9.00 a.m. and 3.00 p.m. on 21 June (winter solstice).

New buildings should not obscure sunlight to habitable rooms or open space of adjoining buildings during winter months.

Sunlight Standards

2.7.3 Shadow Diagrams
Council may require an applicant to prepare shadow diagrams showing the impact of a proposal on adjoining residential buildings and their landscaped open space. Such diagrams should be prepared by an architect or surveyor and be based on a survey of the relevant site and adjoining development.

Residential Development Control 1

3.0 General Provisions 3.1 Privacy
3.1.1 Aims/Objectives
• to ensure privacy between dwellings;
• to avoid overlooking of living spaces in buildings and private open spaces.

Windows and balconies of dwellings should be separated or screened from communal areas such as paths, driveways, active open space, etc. Screens could include courtyards walls, hedges and fences, whilst separation could be achieved either by distance or by changes in level.

3.1.2 Privacy
Visual privacy for adjoining properties and within development projects can be achieved by:
• using windows which are narrow, translucent or obscured;
• ensuring that windows do not face directly onto the windows, balconies or courtyards of adjoining dwellings;
• screening opposing windows, balconies and courtyards.

3.1.3 Screening
Where windows or balconies of dwellings are within 12.0 m of windows or balconies of other dwellings, some form of screening or reduction in window areas shall be provided to ensure visual privacy.
Effective screening through courtyard walls and planting is important in separating windows/balconies from communal areas.

3.2 Noise

3.2.1 Aim/Objective
- to contain noise within dwelling units or communal areas without unreasonable transmission to adjoining dwellings.

3.2.2 General
Ensure privacy between buildings by screen planting and offsetting window locations with balcony landscaped space / 12.0 m minimum separation
Screen windows or avoid locating them in this zone if less than 12.0 m between buildings

offset windows where possible
Special care should be taken to:
- locate active recreation facilities, such as swimming pools, away from the bedroom areas of adjoining dwellings;
- design communal courtyards and vehicle driveways to minimise reflected noise;
- make provision for operating plant or equipment that does not disturb neighbours;
- avoid noisy walking surfaces, such as suspended timber or metal decks, and reflective internal surfaces to hallways or other communal areas;
- eliminate plumbing noise between dwellings and between buildings.

3.2.3 Noise Standard
No electrical, mechanical or hydraulic equipment or plant shall generate a noise level greater than 3dBA above ambient $L_{n,ref}$ at the boundaries of the allotment at any time of the day.

Residential Development Control 1
3.5 Landscaping and Site Design

3.6 Facilities/Amenities

3.6.1 Aims/Objectives

- to maintain and enhance the existing streetscape and landscape character;
- to enhance the setting of buildings; to provide for privacy and shade.
- to provide for essential amenities and facilities to be incorporated within residential developments.

3.6.2 Garbage

3.5.2 Design Guidelines

Landscaping shall enhance the natural features of the site and adjoining areas. Existing landscape elements such as rock formations, vegetation or watercourses should, where possible, be preserved.

For developments of fewer than 15 dwellings on any site, an accessible, suitably paved and screened bin- standing area should be provided. A cold-water tap for cleaning bins shall be provided in or adjacent to the bin stand.

Where there are 15 or more dwellings proposed for a site, council may require special arrangements to be made.

3.6.3 Letterboxes

Letterboxes shall be provided in accordance with Australia Post's requirements as listed in its brochure Requirements for the Positioning and Dimensions of Mail Boxes in New Commercial and Residential Developments.

3.6.1 TV Antennas

A master antenna shall be provided for any development of more than two dwellings.

*Good landscape design should enhance the natural features of the site*

In established areas, landscaping should relate to the streetscape and the landscaping of adjoining development. Where possible, landscaped areas should adjoin the landscaped areas of adjacent allotments.

All parts of the site not built upon or paved shall be landscaped with grass, ground covers, shrubs and/or trees.

Regard should be given to the use of sun protection devices (i.e. verandas, pergolas, deciduous trees, etc.) along western facing walls to produce a comfortable microclimate in and around dwellings.

Careful consideration of the layout of external and internal living spaces can increase the occupants' enjoyment of their dwelling. For example, a deck, terrace or balcony could provide an outdoor extension to an internal living room.

3.5.3 Tree Preservation Order

Council has in force a tree preservation order which requires council's consent for the removal or lopping of any tree covered by the order.

Residential Development Control
3.3 Views
3.3.1 Aim/Objective
   to minimise, wherever possible, the obstruction of views from adjoining buildings.

3.4.2 Parking Requirements

Table 4:
The number of spaces to be provided is shown in table 4.

3.3.2 View Analysis
Council may require an applicant to provide a survey showing the position of the proposal on its site, the location of adjoining buildings and the degree of view loss, if any, resulting from the proposal.

3.4 Vehicular Access and Parking
3.4.1 Aims/Objectives

<table>
<thead>
<tr>
<th>Dwelling Size</th>
<th></th>
<th>Spaces per Dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small</td>
<td>1</td>
<td>1.0</td>
</tr>
<tr>
<td>Medium</td>
<td>2</td>
<td>1.5</td>
</tr>
<tr>
<td>Large</td>
<td>3</td>
<td>2.0</td>
</tr>
<tr>
<td>Extra large</td>
<td>4</td>
<td>2.0</td>
</tr>
<tr>
<td>Visitor</td>
<td></td>
<td>1 per 4 dwellings,</td>
</tr>
</tbody>
</table>

(Source: Roads and Traffic Authority of NSW)
- to provide off-street parking for residents and visitors within each development;
- to allow for service vehicle access;
- to ensure vehicular and pedestrian safety;
- to encourage access design to form part of the overall landscape design.

Poor design of vehicular accessway and parking creates a gunbarrelled effect of monotonous and unrelieved garages. This detracts from the appearance of the site and should be avoided.

3.4.3 Reduction in Required Parking

Council may reduce the parking requirements for any development as a result of:
- car ownership levels in the precinct/suburb/area;
- proximity and frequency of public transport;
- street width, traffic volume and parking capacity on the street.

3.4.3.1 Increase in Required Parking

When a site is subject to constraints limiting the availability of on-street parking, Council may require the provision of additional on-site parking.

In particular, when a medium density or dual occupancy development is proposed to be located in a cul-de-sac, a minimum of 2 parking spaces per unit will be required, plus 1 visitor parking space per 2 units.
All geometric standards applicable to site access and parking layout may be found in the Roads and Traffic Authority of NSW publication Policies, Guidelines and Procedures for Traffic Generating Developments. Copies of the publication can be obtained from:

Roads and Traffic Authority of NSW PO Box K198
Haymarket NSW 2000

3.4.4 Geometric Standards

Relevant sections of this publication are reproduced in the appendix.

Good design of vehicular accessways and parking areas as part of the overall landscape treatment is of the utmost importance and will enhance the quality of the development.

Long straight driveways are to be avoided and the use of decorative paving, e.g. brick, is encouraged.

In order to reduce the volume of rainwater run-off and increase the area of landscaping, the area paved for vehicular access should be minimised.

3.7 Council Requirements

3.7.1 Resident car parking spaces are to be covered either as an enclosed garage or carport. Vehicle driveways and car parking areas shall be designed, drained and constructed to Council's standard, with a sealed or paved surface. A concrete vehicle entrance and kerb layback is to be constructed at the street entrance.

Where street frontage is 25 metres or greater and is unkerbed, the developer is to provide concrete kerb and gutter to Council's standard, adjacent to the full frontage of the development.

3.7.3 Drainage of stormwater from roof and paved areas is to be designed and constructed to discharge at a location acceptable to Council.

3.7.4 A contribution is required towards the establishment and improvements of open space and recreational facilities generally, on the following scale:

- for each small dwelling - 50% of Council's open space fee
- for each medium dwelling - 75% of Council's open space fee
- for each large dwelling - 100% of Council's open space fee

(The open space fee is listed under "subdivisions" in Council's fees and charges).

3.7.5 The development fee for residential developments will be that fixed by Council from time to time, plus a fee to cover the cost of advertising the proposal.

3.4.5 Access Design
Residential buildings of multiple occupancy are by definition Class II buildings under Ordinance 70. This requires that:

(a) Each dwelling shall have separate access.

(b) All means of egress from the building shall comply with the requirements of Part 24 Ordinance 70.

(c) External walls of the building shall comply with the requirements of Part 16, Ordinance 70 in regard to Fire Resisting Construction, and the applicants attention is drawn to Clause 17.6 which relates to exemption for conversion of existing buildings for dual occupancy.

(d) Dividing walls between dwellings shall be constructed in accordance with the requirements of Clause 16.11, Ordinance 70, in regard to Fire Resisting Construction and Part 52 of Ordinance 70 in regard to sound insulation.

(e) Ceilings generally to be lined with fire protective materials in accordance with the requirements of Clause 16.12, Ordinance 70, except where the dividing walls between dwellings have a one hour fire resistance rating and extend to the roof.

For two-storey buildings only the underside of the first floor, including support beams and columns shall be lined with a fire protective material in accordance with the requirements of Clause 16.12, Ordinance 70.

(g) A floor dividing separate dwellings shall have a sound transmission class of not less than 45, as required by Clause 52.6 Ordinance 70.

(h) Soil and waste pipes passing from one dwelling to another including those that pass through a floor in the case of two storey construction, shall be enclosed in a duct having the Sound Transmission Class required by clause 52.5, Ordinance 70.

In this clause, a reference to any point on the external wall of a building includes a reference to any point on a balcony attached to the building.

(2) Subject to subclause (3), a person shall not erect a residential flat building on land to which this Policy applies unless the minimum distance between any point on any external wall of the building and a side or rear boundary of the land on which the building is to be erected is not less than-

(a) in the case of a point that is not more than 3 metres above ground level--3 metres; and

(b) in the case of a point that is more than 3 metres above ground level--a distance calculated in accordance with the following formula:

\[ S = 3 + \frac{4}{6} \]
where-

$S$ is the distance in metres;

$H_1$ is the height of the wall at that point (measured in metres above ground level) or 30 metres, whichever is the lesser; and

$H_2$ is the number of metres (if any) by which the height above ground level of the wall at that point exceeds 30 metres.

(3) Where, in respect of a residential flat building, the minimum distance between any point on an external wall and a side boundary is less than the minimum distance required under subclause (2), nothing in subclause (2) prevents a consent authority from granting development consent to the erection of that building if the consent authority is satisfied that any development on adjoining land will not be adversely affected by the erection of the building and-

(a) the point is not more than 7.2 metres above ground level and-

(i) the wall, at that point, does not contain a window facing that boundary; or

(ii) where the wall, at that point, does contain a window facing that boundary, the minimum distance is not less than 1.2 metres, and the window sill is not less than 1.7 metres, above the floor level of the room or the space inside the building in which the window is contained; or

(b) the minimum distance is not less than 50 percent of the minimum distance required under subclause (2) and, in the opinion of the consent authority, the loss of space between the wall and the boundary by reason of the failure to comply with the requirement in subclause (2) is compensated for by reason of another wall or another part of that wall is being set back from a side boundary by more than the minimum distance required under subclause (2).
4 (1) In this Policy, except in so far as the context or subject-matter otherwise indicates or requires-
"dwelling" means a room or suite of rooms occupied or used or so constructed, designed or adapted as to be capable of being occupied or used as a separate domicile;
"residential flat building" means a building containing 3 or more dwellings but does not include a row of 3 or more dwellings attached to each other such as are commonly known as terrace buildings.

(2) In this Policy, a reference to development on adjoining land is a reference to development which has been, is being or may be carried out on adjoining land.

[4329f1] Aims, objectives, etc
5 The aims, objectives, policies and strategies of this Policy are, on the repeal of Schedule 7 to the Local Government Act 1919, to replace, in those local government areas in which they applied, the planning controls for residential flat buildings contained in that Schedule with more flexible and performance-oriented controls.

[43291] Application of Policy
6 This Policy applies to land within the areas specified in Schedule 1, except-(a) land which is, under an environmental planning instrument, within a zone (within the meaning of that instrument) identified in that instrument as being "Business" or "Neighbourhood Business"; or (b) land on which development for the purposes of shops or commercial premises may be carried out, with or without development consent, not being land which is, under an environmental planning instrument, within a zone (within the meaning of that instrument) identified in that instrument as being "Village" or "Township."

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The loss of space between the wall and the boundary by reason of the failure to comply with the requirement in subclause (2) is compensated for by reason of another wall or another part of that wall being set back from a side boundary by more than the minimum distance required under subclause (2).

[43294] Landscaping
9 (1) In this clause, "landscaped area", in relation to a site, means that part of the area of the site which is not occupied by any building and includes so much of that part as is used or to be used for swimming pools or open-air recreation facilities, but does not include so much of that part as is used or to be used for driveways, parking areas or drying yards.

(2) A person shall not erect a residential flat building on a site comprising land to which this Policy applies unless the landscaped area of the site, when measured in square metres, is not less than the number calculated by multiplying by 20 the number of dwellings contained in the building.

[43295] Density control
10 (1) In this clause, "gross floor area", in relation to a building, means the sum of the areas of each floor of the building, where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1.4 metres above each floor level, excluding
(a) columns, fin walls, sun control devices and any elements, projections or works outside the general line of the outer face of the external wall;
(b) lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air-conditioning ducts;
(c) car-park needed to meet any requirements of the consent authority and any internal access thereto; and
(d) space for the loading and unloading of goods.
(2) A person shall not erect a residential flat building on a site comprising land to which this Policy applies unless the ratio of the gross floor area of the building to the site area is less than 1.8:1.

Building conversion

11 (1) This clause applies to a building erected on land to which this Policy applies, being a building which has been used for a purpose other than a residential flat building.

(2) Where

(a) a person makes a development application to convert a building to which this clause applies into a residential flat; and
(b) building so converted would, but for this subclause, fail to comply with clauses 8 or 10, clause 8 or 10, as the case may require, shall not apply to or in respect of the conversion where the consent authority is satisfied that-

(c) the conversion will not adversely affect development on adjoining land; and
(d) the building, before conversion would have failed to comply with that clause to the same or a greater extent.

Relationship to other environmental planning instruments

7 (1) Nothing in this policy authorizes or permits the carrying out of development for the purposes of a residential flat building where the development does not comply with a development standard which applies to the development under any other environmental planning instrument, being an instrument made before, on or after the day on which this Policy took effect.

(2) A local environmental plan made after the day on which this Policy took erect may provide that this Policy or any provision of this Policy specified in the plan, does not apply to or in respect of any land to which that plan applies.

(3) State Environmental Planning Policy No 1-Development Standards applies to and in respect of any development standard specified in this Policy.

PART 2 - MINIMUM STANDARDS FOR RESIDENTIAL FLAT BUILDINGS

Setbacks

8 (1) In this clause, a reference to any point on the external wall of a building includes a reference to any point on a balcony attached to the building.

(2) Subject to subclause (3), a person shall not erect a residential flat building on land to which this Policy applies unless the minimum distance between any point on any external wall of the building and a side or rear boundary of the land on which the building is to be erected is not less than -

(a) in the case of a point that is not more than 3 metres above ground level. 3 metres; and
(b) in the case of a point that is more than 3 metres above ground level -- a distance calculated in accordance with the following formula:

\[ S = 3 + \frac{H_1}{4} - \frac{3}{6} \]

where -

- **S** is the distance in metres;
- **H₁** is the height of the wall at that point (measured in metres above ground level) or 30 metres, whichever is the lesser; and
H2 is the number of metres (if any) by which the height above ground level of the wall at that point exceeds 30 metres.

(3) Where, in respect of a residential flat building, the minimum distance between any point on an external wall and a side boundary is less than the minimum distance required under subclause (2), nothing in subclause (2) prevents a consent authority from granting development consent to the erection of that building if the consent authority is satisfied that any development on adjoining land will not be adversely affected by the erection of the building and -

(a) the point is not more than 7.2 metres above ground level and

(i) the wall, at that point, does not contain a window facing that boundary; or

(ii) where the wall, at that point, does contain a window facing that boundary, the minimum distance is not less than 1.2 metres, and the window sill is not less than 1.7 metres, above the floor level of the room or other space inside the building in which the window is contained; or

(b) the minimum distance is not less than 50 per cent of the minimum distance required under subclause (2) and, in the opinion of the consent authority,

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[432%] PLANNING AND ENVIRONMENT LEGISLATION d 11

(3) Where a person makes a development application to convert a building to which this clause applies into a residential flat building, clause 9 shall not apply to or in respect of the conversion.

[432971
Albury Ashfield Balranald Bathurst Bellingen Berrigan Bingara Bland Blayney Bogan Botany Bourke Brewarrina Cabonne Camden Campbelitown Carrathool Central Darling Cobarm Coffs Harbour Conargo Coolah Coolamon Cootamundra Copmanhurst Corowa Cowra Crookwell Culcairn Deniliquin Dubbo Dumaresq Dungog Drummoyn Evans Forbes Gligandra Glen Innes Gloucester Grafton Goulburn Greater Lithgow Griffith Gundagai SCHEDULE 1

Areas

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Sch 2 , PLANNING POLICY No 20

Wakool Walcha Walgett Warren Warringah Weddin

[Sch 1 am Gaz 146 of 18 December 1942]
Windouran Wingecarribee Wollondilly Yallaroi Young
Text continues on 2160.291
CHAPTER 12:

YARROWLUMLA OUTDOOR ADVERTISING

(Former Yarrowlumla DCP No.2 Outdoor Advertising)
YARROWLUMLA COUNCIL

DEVELOPMENT CONTROL PLAN

NO. 2

OUTDOOR ADVERTISING

Environment and Development Division
Council Chambers
11 Farrer Place Queanbeyan
Telephone: (06) 297 6113

May 1995
This is to certify that the 'Yarrowlumla Development Control Plan No. 2 - Outdoor Advertising' has been prepared in accordance with the provisions of the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation 1994.

Signed:

D R Rouse  
Director, Environment and Development

Dated: 20 June 1995
FOREWORD

Outdoor advertising is a highly visible feature of today's urban and rural areas. Well designed and positioned signs add interest, colour, character and vitality to an area.

Unfortunately however, many signs degrade the environment, particularly in rural areas such as Yarrowlumla. They disfigure interesting buildings and streetscapes and can transform roadsides in the rural areas to cluttered and untidy advertising strips.

The appropriateness of signs varies within different settings - village and rural areas have different needs and are treated separately in this Plan.

Advertising signs and the manner in which they are displayed, are a good indicator of what the community thinks of itself and its environment.

This Development Control Plan (DCP) has been compiled in order to encourage the use within Yarrowlumla of carefully designed and positioned advertising signage which fulfils the role of informing, directing and advertising, whilst also enhancing the character and nature of rural areas, existing buildings and new developments (both village and rural residential). It sets out simple design concepts that will be considered by Council when assessing sign proposals.

The approach taken in this document is intended to help applicant's and Council's planners' prepare and assess outdoor advertising sign proposals.
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ACKNOWLEDGMENT

Council acknowledges the use of the publication entitled "Outdoor Advertising - An Urban Design - Based Approach" produced by the NSW Department of Planning, the Victorian Department of Planning and Housing, and the comments received from the Bungendore Chamber of Commerce in the preparation of this Development Control Plan.
INTRODUCTION

This Development Control Plan has been prepared in accordance with the provisions of the Environmental Planning and Assessment Act (1979) and Regulation (1994).

During the period of exhibition, all members of the public were actively encouraged to respond with suggestions and constructive criticism in relation to the outdoor advertising standards contained in this document, which will be of great importance to the visual amenity of the rural and village areas in Yarrowlumla. All suggestion received were considered by Council prior to the preparation of this final document. Several minor variations to the Draft Plan have been made.

Period Of Exhibition

The Draft Plan was placed on re-exhibition for the period commencing Monday 7 February, 1994, and ending Friday 6 May, 1994. During this period written submissions were received by Council.

The Process

Development Control Plans (DCP’s) deal in greater detail with land use control over selected parts or the whole of a local government area covered by a planning instrument (in this instance Yarrowlumla Local Environmental Plan, 1993). A DCP cannot permit development prohibited by a local environmental plan. DCP’s set out the development control principles that Council will apply when considering applications for development.

For a DCP to be made, certain procedures under the Environmental Planning and Assessment Act (1979) and Regulations (1980) must be complied with. The steps to be taken are set out in the following list:

1. Council decides to prepare a plan and gives public notice.
2. A Draft Plan is prepared by Council.
3. The Draft Plan is exhibited and submissions invited.
4. Draft Plan, with any amendments, is approved by Council.
5. The Plan comes into force after public notice.
6. A Copy of the Plan is forwarded to the Department of Planning.

In accordance with these procedures, Council at its meeting of 12 December 1989 formally resolved to prepare a DCP dealing with outdoor advertising in Yarrowlumla.

A Draft Development Control Plan was then placed on public exhibition for the period commencing 29 January, 1990, and ending 19 March, 1990.

Responding to submissions received and extensive community consultation, Council revised the previously exhibited draft.

Another Draft Plan was placed on exhibition in 1994. At the end of the exhibition period, Council considered submissions received. In view of the content of these submissions, several minor variations were made to the re-exhibited Draft Plan.

Council at its ordinary meeting of 23 May 1995 resolved to adopt Development Control Plan No.2 - Outdoor Advertising, in the form now documented.

What Is Outdoor Advertising?
Outdoor advertising can take many forms from a traffic sign to a commercial billboard, bann­ers and bunting to large inflatable structures. Signs can communicate information via painted, printed, projected or incised surfaces and internal or external forms of illumination.

In this DCP, the term "sign" refers to an "advertisement", whether associated with a structure or not - that is, including all of the above, plus painted walls and posters.

Where Is Advertising Found?

Signs may be on buildings, fascias, windows, walls or roofs. It is sometimes difficult to separate signs from more general architectural features. Free-standing signs may be on frames, on street furniture, bus shelters or on poles (either based in the ground or angled from another structure).

What Do Signs Do?

(i) **Location identification**: the type or name of a business, service or activity conducted on the premises.

(ii) **Promotional signs**: information on a business, product or service which may or may not be provided at the site of the sign.

(iii) **Directional signs**: vehicular and pedestrian traffic control, guidance and information. These signs are generally erected by government agencies and are not usually associated with outdoor advertising.

What Makes a Good Sign?

The effectiveness of any advertising sign is largely determined by:

(a) Content composition;

(b) Visual co-ordination and amenity; and

(c) Colours, lighting, and lettering.

The following is a list of incorrect assumptions that are often held by advertisers:

1. Large numbers of signs will give the passer-by a clear indication of all the merchandise available;

2. When times are tough, a new big sign will help business to pick up;

3. Flashing lights and strobe lights will attract people and make my sign more visible; and

4. Signage over a building has to be monotonous and dull to get Council approval.

The above points will be expanded upon in the following sections of the Plan.

The Purpose, Of This DCP

This DCP aims in simple fashion to balance Council's concern with the impacts of signage and advertising structures against the needs for some segments of the community to advertise. It
provides constructive material that will help in achieving a high standard of design and construction of signs and advertising structures.

The Structure Of This DCP

This DCP is divided into six sections:

Section 1 gives general information about this DCP and its relationship to planning legislation.

Section 2 gives instructions on how to use the DCP as a resource for preparing applications for advertisements.

Section 3 contains general advice on outdoor advertising - the objectives underlying the procedures and standards, general matters for consideration (and submission requirements) and common design issues: environmental character, visibility, safety, design, construction and maintenance.

Section 4 is a step-by-step guide on how to use the facade-grid analysis technique - a simple and effective way to identify sign locations (or opportunities) that fit the form of building facades.

Section 5 gives detailed advice on specific environmental categories or land-use zones as they relate to Yarrowlumla: village areas, rural residential areas and areas of historic or special significance. Each category has specific objectives, a list of appropriate sign opportunities and recommended performance standards. The principal controls are on the number of signs per site and maximum sign area. Generally, there is less emphasis placed on strict numeric standards than in traditional controls.

Section 6 contains provisions with regards to the requirements for tourist directory signs and street banners.

Section 7 outlines the requirements for development consent and statutory requirements.

The approach used in this DCP does not depend on any distinction being made between local identification and promotional signs.

However, in all cases the content of advertising signs should conform to the requirements of Commonwealth or State health, obscenity and electoral regulations.
SECTION 1: GENERAL

Citation
This plan may be cited as "Yarrowlumla Council Development Control Plan Number 2 - Outdoor Advertising".

Date Of Effect
This plan has been prepared in accordance with Section 72 of the Environmental Planning and Assessment Act 1979. It was adopted by Council on 23 May 1995 and applies from 29 May 1995.

Land To Which The Plan Applies
This plan applies to all land in the Yarrowlumla local government area under the Yarrowlumla Local Environmental Plan 1993.

Relationship To The Environmental Planning And Assessment Act 1979
Planning matters in New South Wales are administered under the Environmental Planning and Assessment Act 1979. This legislation permits the preparation of development control plans and the use of such plans in the determination by Councils of development applications (section 72). Section 90(1)(a) of the Act requires a Council to consider, among other things, the provisions of any development control plan in force that applies to the land to which the development application relates.

Relationship To Yarrowlumla Local Environmental Plan 1993
The Development Control Plan (DCP) covers all land to which Yarrowlumla Local Environmental Plan 1993 (YLEP 1993) applies and provides further and generally more detailed provisions applicable to outdoor advertising Yarrowlumla.
SECTION 2: How To Use This DCP

As A Guide In Preparing Applications

This DCP is a useful document to those people who are proposing to erect advertisements. Appropriate locations for signs may be identified by having regard for:

(i) the general design criteria outlined in section 3;
(ii) the facade grid analysis outlined in section 4; and
(iii) the environmental considerations outlined in section 5.

It is important for applicants to be aware of the matters that Council will consider in assessing the application. Such matters are listed in Section 3 and should be used as a checklist in preparing the application.

The following information should be supplied with the application:

- a colour photograph of the site or building showing the location of the proposed sign;
- a colour photograph of adjacent sites or buildings showing the relationship of the proposed sign to existing signs. Note that existing signs may not conform to the desired future character of the area and/or may not even be legal;
- where the proposed signs are aimed at passing cars or where they are in an area of special significance, photographs showing the proposed sign location along the principal lines of view should be provided; and/or
- a simple, scaled drawing showing a site plan, elevations and a section which precisely locates the sign in its architectural or landscape context. The means of support and fixing are to be shown. The drawing should be annotated to show colours, materials, means of illumination, use of animation or other special effects. The location of electrical or other service conduits should be included.
SECTION 3: Objectives, Matters For Consideration And Design Issues

General Objectives

It is anticipated that these guidelines will encourage outdoor advertising in the Yarrowlumla local government area that will:

(i) be adequate and effective, recognising the legitimate need for signs giving directions, business identification and promotion;

(ii) complement and be compatible with both the development on which they are displayed and the character of the surrounding locality. They should not adversely affect the area with their appearance, size, illumination, overshadowing or in any other way;

(iii) be regulated to minimise the extent of visual clutter caused by the proliferation of signs and to encourage the rationalisation of existing and proposed signs;

(iv) not significantly contribute to the character of residential or rural areas; and

(v) not be located where they may be hazardous to passers-by.

Matters For Consideration

The guidelines presented in this DCP will be considered in determining any application for an advertising sign or structure. In assessing an application it will be necessary to decide whether the proposal:

1. conforms to the desired future character of the area or zone as described in the objectives of the zone (YLEP 1993);

2. complements the dominant character of a village or rural landscape;

3. complements the character of a building, site or area; e.g. an historic building, public garden, view of village or rural landscapes (figure 1);

4. conveys the advertiser's message or image while conforming to the surrounding village or rural character;

5. rationalises or reduces the number of existing signs; and

6. adversely affects traffic safety.
Figure 1: Complementing natural features
The following design factors are vital and will be requested in any application:

- number of existing signs on the building (and adjacent buildings);
- placement - visibility;
- dimensions (including depth);
- scale (dimensional or proportional relationship to spaces and other physical elements including buildings, trees or people);
- shape;
- materials, construction details - means of attachment;
- colour;
- purpose of sign; i.e., identification, directional, general advertising;
- reflectivity;
- means of illumination;
- provision of services;
- durability; and
- maintenance provisions.

The four general design issues which should be considered in identifying sign opportunities and/or assessing sign applications are:

- environmental character;
- visibility;
- safety; and
- design, construction and maintenance.

Environmental Character

How signs are designed and where they are placed can significantly affect the character of both the built and natural environment. The grouping of signs can influence the effectiveness of individual signs and can either enhance or (more often) spoil other environmental qualities. The social and economic importance of attractive village and rural landscapes is increasingly being recognised at the state and local levels. Sign design and placement plays an important role in the wider strategy of environmental design for both rural and village areas.

The environmental character desired for an area is therefore the primary criterion for judging the appropriateness of any sign proposal.

Visibility

Topography, road layout, location of existing advertisements, and the speed and direction of the viewer's approach will all affect the relative visibility of a sign.

Signs must face the observer as he or she approaches. As the speed at which an observer approaches a sign increases, so does,

(i) the distance at which it needs to be read;
(ii) the size of the sign; and
(iii) the distance between signs if they are to be distinguished at a distance.

As shown in figure 2, favoured locations for signs include major traffic routes, intersections and changes in road direction where there are long distance or multidirectional views. Opportunities also arise from relative differences in elevation. High wall and sky designs (figure 3) are also aimed at the long distance viewer, up to one kilometre away.

Sign opportunities on buildings may be divided into the following categories:

- ground floor and awning or verandah signs aimed at pedestrians;
first and second floor wall and parapet signs and first floor level pole signs to be read up to 250 metres away, aimed at pedestrians and slow-moving vehicles; and
high wall and sky signs for the long distance viewer up to one kilometre away, aimed at vehicles. This category is not particularly relevant in Yarrowlumla as most buildings are only one or two storeys in height.

These categories are shown diagrammatically in figure 3 in the terminology that will be used throughout this DCP.

Safety

Advertising signs and their supporting structures shall not:

- be hazardous to passers-by;
- obscure a driver's or pedestrian's view of road vehicles, rail vehicles, pedestrians or features of the road, railway or footpath such as junctions, bends, or changes in width;
- be so highly illuminated that they cause discomfort to, or inhibit the vision of approaching drivers or pedestrians;
- be liable to interpretation as an official traffic sign or be confused with instructions given by traffic signals or other devises or impair the conspicuous nature of traffic signals or signs (figure 4).

Design, Construction And Maintenance

Not only should a sign be simple, clear and efficient but it should inspire confidence in the business or product advertised. Building facades should not be visually disfigured by the method of providing electrical services to the sign (figure 5).

Maintenance of signs should be as easy as possible. All signs and advertising structures shall be maintained in a clean, neat and tidy fashion. Sound structural condition and professional standard of finish shall be maintained at the applicants (or owners) expense. If, in Council's opinion, the structure is unsightly, untidy, of doubtful safety or injurious to the amenity of natural areas, Council may by notice in writing direct the advertiser to alter, demolish, or remove the sign or any associated advertising structure.
Figure 2: Favoured locations

Figure 3: Types of signs
Figure 4: Safety

Figure 5: Despoiling the building facade
SECTION 4: The Facade-Grid Analysis Technique (Signs Located in the Village Zones)

The facade-grid analysis is a simple technique used to identify appropriate sign opportunities for developers and occupants.

While the technique relates specifically to traditional building facades (such as those commonly found in country town strip shopping centres), the principles apply to all building forms. Consequently, the technique may be applied to all villages in Yarrowlumla.

Signs do not have to be on a building's front facade. For example, they can be placed on side-walls provided they do not interfere with the adjoining development. In these circumstances the principles of the technique still apply.

The Technique

STEP 1: To identify sign opportunities the facade must be subdivided using the main design lines to form a series of panels. Many traditional building designs can be easily broken into a grid based on the alignments of the parapet (skyline), cornice, verandah, window and door. An example of this procedure is shown in figure 6.

STEP 2: To identify possible sign panels the rectangles of the grid may be used separately or be joined together to form horizontal or vertical panels. Figure 7 shows examples of such panels.

The scale of advertising signs should be compatible with the buildings they are on, as well as with nearby buildings, street widths and other existing signs. In most cases, appropriate dimensions are achieved by restricting signs to grid locations or panels. This ensures that the original architectural character (set by the lines of awnings, window and door openings, parapet lines and setbacks) remains dominant.

On buildings with decorative facades, signs should not be placed on the decorative forms or mouldings. Instead, they should appear on the undecorated wall surfaces, unless architecturally-designed sign panels are provided.

Figure 7 also shows that a building may be given a horizontal or vertical appearance simply by the way in which the sign panels are arranged across or down a building.

STEP 3: Applying the technique to a series of buildings shows the possible panels for the streetscape and provides the basis for developing patterns and themes. Figure 8 shows how the technique produces a uniform and clean series of sign possibilities instead of a haphazard array.

Figure 8 also shows that sign panels do not have to be rectilinear in design or contained in a perimeter margin unless these impose an architectural formality or introduce a continuity with the surrounding area which is presently lacking in the building.

Figure 9 shows how a variation in the technique can be used to help correct discontinuity in the streetscape. The lines of adjacent buildings may be projected across the facade of the building, thereby defining horizontal panels in which signs may be located. This will achieve visual continuity with neighbouring buildings.
Figure 6: Establishing the facade grid
Figure 7: Horizontal and vertical panels
Figure 8: Developing patterns and themes

Figure 9: Improving discontinuities in the streetscape
STEP 4: Not every panel identified using this technique should be used to display a sign. In advising applicants and/or assessing applications, a theme can be developed by placing signs in locations compatible to those on adjoining buildings. In deciding which of the panels is the appropriate space for advertising, the following matters should be considered:

- existing signs;
- the quality of the streetscape; and
- the suggestions contained in this DCP.
SECTION 5: Specific Guidelines By Environmental Category

This section provides guidelines for sign location and design within the following categories of environmental character:

1. Village areas [2(v)(Village) zone]
2. Rural residential areas [1(d)(Rural Residential) zone]
3. Rural areas [1(a)(General Rural) zone]
4. Areas of historic and special significance

The examples referred to can easily be related to local conditions in our villages and the surrounding countryside.

CATEGORY 1: Village Areas

Character
Smaller urban centres, for example Bungendore or Captains Flat have a more limited range of activities and an absence of buildings greater than two storeys in height, compared to larger urban centres located in other local government areas.

In smaller centres the general visual character is usually disjointed. Outdoor advertising signs are generally unto-ordinated. Signs must be effective but their designs, placement and number should reflect the civic and social importance to the community of the village area.

Objectives
The objectives in this category are:

1. To permit adequate identification and business advertising;
2. To enhance the valued environmental character of the local centre or establish an image for the centre. Advertising signs should be used to create a lively atmosphere;
3. To ensure that signs are in keeping with the scale and character of the building to which they are affixed and do not detract from the architectural treatment of the structure;
4. To ensure there is equal access to limited advertising space and to ensure that signs do not crowd the advertiser's message; and
5. To reduce the visual complexity of a streetscape by providing fewer, more effective signs. The greater the number of signs along a street and the more they dominate the streetscape, the less effective is the message on each sign and the greater is the demand for more signs as adjacent businesses compete with each other for domination of a crowded advertising environment (figure 10).

Appropriate Sign Opportunities in the commercial precincts

Signs in smaller centres should aim to attract pedestrians and car occupants (both local and visiting).

To provide information to pedestrians use:

(i) suspended under-verandah signs and ground floor window signs; or
(ii) awning fascia signs, parapet signs or first floor wall face signs.

To provide information to road users, use:

(i) projecting above awning parapet level signs*;
(ii) awning fascia signs; or
(iii) suspended under-verandah signs.

*NOTE:* Above-awning signs can significantly affect the local streetscape. As a result; opportunities are limited and the applicant should consult with Council staff before submitting an application. As a general rule projecting above awning parapet signs will not be permitted.

**Performance Standards; Matters For Consideration**

When assessing an application for a sign in the commercial areas of the village, Council will consider the following:

1. Consult Sections 3 and 4 of these guidelines for general advice on sign placement and management;

2. In general, aim for fewer signs which display easily read information;

3. Street signs are often not easily discernible in shopping areas;

4. Sky signs in local centres are not encouraged;

5. To protect valuable streetscapes sign proposals above awning level will not be encouraged. Particular attention should be given to the impact of painted wall signs and corporate colours. The use of corporate colours should, where possible, be avoided;

6. Internally illuminated or animated signs are not considered to be in character with the village zone and are not encourage; and

7. Signs should either

   (i) re-enforce the architectural design of the building or its streetscape; or
   (ii) contribute to a new image for the building and its streetscape.

For example, either maintain a decorative skyline profile to a parapet, or design a new architecturally appropriate profile to a parapet sign.

More specifically, to achieve either of the above strategies, advertising signs shall:

- relate in location and dimensions to the design of the building on which they are placed;
- align with signs on adjacent buildings, creating visual themes and making signs more easily read by placing them in similar locations on adjacent buildings;
- not project above parapet lines or be constructed so as to obscure views of land forms, vegetation or buildings which provide local environmental character (see figure 11);
- improve visual interest by modifying monotonous parapet lines using decorative and possibly thematic sign silhouettes;
Figure 10: Reducing sign clutter

Figure 11: Considering the landscape
• be used as false parapets on shops without parapets where neighbouring shops have parapets (see section 4 of this DCP);
• be limited in number per premise to promote visibility by reducing crowding or clutter and allowing larger signs than may traditionally have been acceptable;
• Projecting signs are only necessary if businesses rely on the passing trade of road travellers;
• Signs should not adversely affect the amenity of adjoining residential (or other) land uses. In general, physical buffers resulting from topography, road configuration, tree or shrub planting or isolation from a residential area by a road, railway or park will help limit the effect of advertisements on the local business area. Where there is a direct interface, signs should not be permitted on walls facing residences; and
• Where appropriate, it should be a condition of approval for new signs that other undesirable signs be removed.

Number Of Signs Per Site

The number of signs per site is a principle control mechanism used in these guidelines. The options available and limits on numbers are as follows:

(a) forecourt (where a building is set back from the street alignment): one freestanding pole sign;
(b) sign opportunities on the ground floor facade are:
   • awning fascia;
   • one suspended under-verandah sign or cantilevered over footpath sign at standard awning level where there is no verandah;
   • above door head/above display window transom;
   • piers;
   • below window sill (not recommended for visual and maintenance reasons); and
   • on the window glass or the masonry beside a door.

These options are shown graphically in figure 12. A total of four signs are permitted from this group.

(c) Opportunities for upper level signs are:
   • wall face box or applied sign;
   • one projecting vertical sign;
   • or parapet sign. (see figure 12).

A total of one sign is permitted from this category. That is, allow a total of five signs per frontage.

Internally illuminated signs should be restricted to any two of the following three locations:

1. one suspended under-verandah sign or a cantilevered over-footpath sign at standard awning level;
2. above door head/above display window transom; or
3. one projecting vertical sign at parapet or upper floor level.

Which of the various options (particularly upper level signs that are illuminated) will be allowed also depends on existing signs on adjacent buildings. Where there are already too many upper-level (and/or illuminated) signs, alternative locations may be required. Particular verandah fascia or parapet design themes within a streetscape may mean alternative sign opportunities are considered. For example, c3 for b1 (figure 12).
Allow numbers b1, b2, and b6, plus b3, or b4, or b5, plus c1, or c2, or c3.

That is, allow a total of five signs per frontage

Figure 12: Key number of signs per site
Size Of Signs

The size of signs that are permitted are as follows:

1. Total area of advertisements mounted parallel to the face of a building will in general be less than four square metres in area and not more than six square metres.
2. Advertisements projecting from the building or suspended below the awning will in general be less than one square metre in area on each face, and not more than two square metres.
3. The total area of signs on a building shall be less than eight square metres.

A-Frame And Temporary Footpath Signs

The use of "A Frame" signs within the village zones will be permitted, provided that strict guidelines are adhered to. When considering any application for an "A Frame" sign, council will be interested in minimising the proliferation of signs, which would make the existing signage meaningless and unsightly.

This policy, in allowing "A Frame" signs, is not intended to provide opportunities for businesses located away from main road entry routes to advertise on main roads. The only temporary signs that may be erected without development consent include garage sales, auction and real estate display home signs, provided that they are on the property to which they relate.

All approved "A Frame" signs may only be positioned on footpaths outside premises to which they relate, within 1.0 metre from the property boundary and so as not to obstruct lines of traffic sight.

All approved "A Frame" signs are to be constructed so as to avoid protrusions, sharp edges and projecting feet.

All approved "A Frame" signs will be required to be brought in at close of trading each day and not left on the footpath. This will be incorporated as a condition of consent on any development approval relating to such signs.

All "A Frame" signs will require application to and approval from council. Council’s approval number is to be legibly painted on the bottom right hand corner of all approved signs. The purpose of this requirement is to allow the removal of any unapproved sign. Impounding of unauthorised or incorrectly placed "A Frames" is considered to be appropriate action, and will be enforced by council staff.

All applicants for "A Frame" signs are to indemnify council against claims. Persons responsible for any "A Frame" signs are to have the interests of council noted on their public liability insurance policies as "joint insured". Evidence of such will be required prior to any approval being granted.

Before lodging your application for an "A Frame" sign it is recommended that you contact Council’s Environment and Development Division for advice.

Signs Within The Road Reserve

In considering applications for signs in association with public facilities (such as seating, telephone booths, waste bins or bus shelters) careful consideration will be given to where they are placed. Exact location, design and maintenance requirements should be included in any agreement. The applicant should consult with Council Staff prior to submitting an application.

Appropriate Sign Opportunities in the residential precincts
Opportunities are usually restricted to small, carefully located commercial signs - advertising home occupation, home industry or local service. In the case of corner shops or existing uses, opportunities should also be limited, giving particular consideration to the residential context.

Performance Standards: Matters For Consideration

When assessing an application for a sign located in a residential area, Council will consider the following:

1. The only sign permissible on a building used primarily as a residence should be one nameplate or "commercial sign" identifying the office of a professional person, a home occupation or a home industry (figure 13);

2. Generally, such a sign should be located wholly within the boundary of the subject property. In special circumstances, consideration may be given to a sign on the fence fronting a main street;

3. A freestanding sign, where appropriate should be orientated parallel to the street;

4. All "commercial signs" (as above) should have an outline that would fit within a rectangular figure 1.2 metres in length and 0.6 metres in height. Directional signs for tourists and signs relating to existing uses should be no more than two square metres in area. Larger advertising hoardings are inappropriate;

5. The maximum height of a freestanding sign should be 1.5 metres;

6. Signs should be discreet and carefully designed, so as to blend with the residential character and not to attract undue attention;

7. Generally, illuminated signs (internal or floodlit) will not be permitted. One exception to this is the traditional doctor's cube-light. In some circumstances, where spillage of light is not a problem, illumination may be permitted; and

8. Any ancillary signs relating to local shops or to a lawfully established nonconforming use shall be determined on its individual merit, having regard to the scale of development to which it relates and to the character of development in the vicinity. In general, such advertising should:

   - not be permitted on walls facing adjoining residences;
   - be located on the street-facing wall areas of buildings using the facadegrid analysis method (see Section 3), be below the roof eaves line or parapet line, and relate to the architectural appearance of the building and its environs.
   - be as indicated in Category 1. However, unless the business is facing an arterial road, only the suspended below-awning sign should be illuminated [b2] (figure 12).
Figure 13: identification signs
CATEGORY 2: Rural and Rural Residential Areas

Character

The majority of residents in Yarrowumla live in the rural or rural residential zones. Consequently, the expectation is for a high level of amenity - privacy, solar access, low noise level and no visual intrusion from advertising signs or bright lights.

Traditionally, in these areas there are also home occupations, home industries, rural home industries, professional services (for instance, veterinary practices) and local shops or general stores. Also, small pockets or isolated sites of commercial and light industrial use enjoy existing-use rights.

Generally, business activity is minor and advertising is not part of the overall character of such areas.

Objectives

The objectives of this category are:

1. To preserve the rural amenity of the locality within which the sign is to be displayed;
2. To eliminate the proliferation of signs (figure 14);
3. To ensure that those signs which are displayed are in character with the existing and likely future amenity of the rural locality. Protection of the visual character of non-urban areas is of paramount importance. The presentation of roadside land is increasingly relevant to state and national tourism-related industries. It is particularly important to local people;
4. To minimise the visual impact of signs;
5. To prevent the distraction of motorists; and To co-ordinate tourism signs;

Appropriate Sign Opportunities

- Advertisements should not be permitted in rural areas except for names of properties (figure 15), tourism orientated business names relating to the property on which the sign is located and limited directional signs for tourists (figure 16).
- Advertisements should be low key in appearance, with consideration to their shape, colour, medium and construction.
- Hoardings or similar large signs are not acceptable.
- Amusement areas for holiday makers require special consideration to accommodate the required marketing image for the concept without detracting from the character of the rural zones and broader environment.
Figure 14: Proliferation of signs
Figure 15: Identification signs

Figure 16: Tourist directory signs
Performance Standards: Matters For Consideration
When assessing an application for a sign in the rural zones, Council will consider the following:

1. Advertisements should be limited to two opportunities per site: one (doublesided) freestanding sign or one sign located on a relevant building in an architecturally compatible manner;

2. Particular attention needs to be given to signs for petrol stations, accommodation, restaurants, craft shops and sellers of local produce. One double-sided freestanding sign should be permitted per premise adjacent to the property boundary, or one sign on the face of a building where the business is carried out (figure 17);

3. The size and colour of signs will, to some degree, be determined by long distance visibility, as they are often aimed at fast-moving traffic. Colours should, however, be restrained and be compatible with the rural environment;

4. Signs should not be constructed where they are judged to be hazardous to traffic by the New South Wales Roads and Traffic Authority or by Council;

5. Signs should not exceed 1.5 square metres in area;

6. Signs should be designed, finished and maintained to a professional standard;

7. Illuminated signs should only be permitted to operate during those times when the business is open for trading, eg petrol stations, motels and hotels. Illuminated signs may, in many areas, be incompatible with the landscape values of the countryside and therefore not encouraged. The applicant should consult Council's Environment & Development Division in this regard.
Figure 17: Limiting sign numbers
CATEGORY 3: Areas Of Heritage Significance

Character
These areas are sufficiently valued by the community to be worth conserving. Development which enhances their character should be encouraged. Heritage areas may include individual buildings or sites, streetscapes or precincts of architectural, historic, scientific, or landscape importance.

Objective
That outdoor advertising should be designed and located in a manner which conserves the heritage places which have been identified as significant, i.e. protecting and enhancing what is valued about the building or the place.

Appropriate Sign Opportunities
Opportunities for advertising, as well as acceptable media used, may be more limited than in other areas.

Historically, signs were rarely placed on pilasters, architectural moulding or across rustication (incised decorative patterns). They were placed so as to allow the architectural details of buildings to remain prominent.

Generally, sign panels can be determined by dividing a building up into a grid and identifying suitable sign locations (see section 4).

Performance Standards: Matters For Consideration
1. Generally, signs on individual buildings or within areas of special significance should be discreet and should complement the building or area. The architectural characteristics of a building should always dominate. For example, signs should not be placed on cast-iron, first floor verandahs, balustrades or in front of cast-iron verandah frieze work;

2. Advertising should be placed in locations on the building or item which would traditionally have been used as advertising areas. If the building or item has no such locations, advertising will usually be inappropriate (figures 18 and 18a);

3. No signs should break an historic parapet or roof line of a building. A possible exception is single-storey verandah roof-lines, where signs sometimes project above verandah spouting or across the verandah roof;

4. Side-walls provide opportunities, but should be carefully considered;

5. It is not usually necessary to attempt to create or recreate an "historic" character in the advertising, but modern standardised "trademark" advertising will not usually be appropriate. This is unless the presentation is modified by placing the modern sign in a panel with a perimeter margin and surrounding wall surface printed in sympathetic heritage colours;

6. The number of signs should be restricted as follows:
   - up to three sign locations on a building with a verandah and two on a building without a verandah; and
   - one hanging under-verandah sign per premise.

7. In general, there are no standard sizes for signs in heritage areas;
8. As the external colours applied in different historic periods varied and were more limited in range than today, it is wise to research appropriate colour schemes for buildings in heritage areas;

9. Heritage lettering styles may involve shaded letters, the mixing of sizes and styles of letters and ornamental scrolls as relevant to the period of the building;

10. Fluorescent and iridescent paints are inappropriate and are not encouraged;

11. Signs are preferably illuminated by floodlighting. Large back-lit signs will be appropriate only on buildings and items constructed during the period when neon was used. Small neon signs hanging inside the windows of shops can be appropriate because they are more in the nature of a window display than of a dominant townscape element.
Figure 18: Traditional signs

Figure 18(a): Traditional sign locations
SECTION 6 Tourist Directory Signs / Swinging Banners (and other temporary signs).

Tourist directory signs are important in leading motorists to, and/or identifying, a tourist attraction. The basic principle in guiding drivers is that there has been some preparation before commencing a holiday or day trip. Signs, therefore, provide directional information on important destinations (“focal points”) along a road.

Council recognises that it is necessary to provide directory assistance for prospective visitors to the various local tourist attractions.

Clause 33 of the Environmental Planning and Assessment Regulations 1980 (see section 7), which has been adopted for the purposes of YLEP 1993, stipulates that a person may erect an advertising structure only with development consent and then only where the advertisement “...is in the form of a notice directing the travelling public to tourist facilities or activities or to places of scientific, historical or scenic interest.” To ascertain if the premise is recognised as one of the above, the applicant should consult Council’s Environment & Development Division.

Council will only erect or recommend to the Roads and Traffic Authority that it erect a tourist or other directory sign where the Council is satisfied that the safety and convenience of the public warrant it.

On classified main roads, applications should be made to the Divisional Engineer, Roads and Traffic Authority, Goulburn. On non-classified roads, Council is responsible for approving and erecting the signs.

All tourist directory signs are required to meet the design standards of the Roads & Traffic Authority (for example, tourist directory signs must have white lettering on a brown background). In this regard the Roads & Traffic Authority, at the request of Council, is prepared to aid in the design of the signs. All expenses incurred by Council in erecting the signs are to be met by the applicant.

It is recommended that applicants seek current advice on costs and procedures before making an application for a directory sign to be erected.

It is common in country towns for community organisations to erect street banners promoting upcoming functions. Such banners are not encouraged by Council, and their use should be restricted. Any application in the village zone will be considered on its individual merits. Swinging banners across the road in the rural areas will not be permitted. Council’s Environment and Development Division may be contacted for more information.

Temporary signs that may be erected without development consent include garage sales, auction and real estate display home signs, provided that they are on the property to which they relate.

Such signs may only be erected in the rural / rural residential area and shall not be attached to roadside furniture and shall not be placed in any way which will constitute a hazard to traffic.

6.1 Signs within the Road Reserve

Signs will not be permitted within the road reserve. Council may erect or permit to be erected signs in association with public facilities (motorist rest areas, toilets, telephone booths, waste
bins, bus shelters etc). Where Council erects or permits to be erected such signs, careful consideration will be given to their placement. Exact location, design and maintenance requirements must be included in any application.

Under no circumstances are signs to be affixed to trees within the Road Reserve.
Pursuant to the provisions of Yarrowlumla Local Environmental Plan 1993, the Environmental Planning and Assessment Act, 1979, and the Environmental Planning and Assessment Regulations 1980, Council consent is required for all signs. All proposed advertisers should check with Council’s Environment & Development Division as to the statutory requirements that need to be complied with.

Particular attention is to be given to clause 33 of the Environmental Planning and Assessment Model Provisions 1994, (adopted under YLEP 1993) which states:

"33 (1). A person shall not use an advertising structure on land within a residential zone for the purpose of displaying any advertisement, other than an advertisement –

(a) which relates to that land, or to premises situated on that land or adjacent land; and

(b) which specifies one or more of the following particulars:

(i) the purpose for which the land or premises is or are used;
(ii) the identification of a person residing or carrying on an occupation or business on the land or premises;
(iii) a description of an occupation or business referred to in subparagraph (ii);
(iv) particulars of the goods or services dealt with or provided on the land or premises.

(2) A person shall not use an advertising structure on land within a rural zone for the purpose of displaying any advertisement, other than-

(a) an advertisement of the kind permitted in subclause (1); or
(b) a notice directing the travelling public to tourist facilities or activities of to places of scientific, historical or scenic interest."
Checklist for Submitting a Development Application

1. The applicant has consulted with Council staff.
2. Owners consent has been obtained.
3. Two (2) copies of plans and specification to a suitable scale.
4. All other relevant information as specified in this DCP.
5. Location map.
6. Development fee (per sign) has been paid. (NOTE: Fee is subject to change. Council's Environment and Development Division should be contacted for details on the current fee).
CHAPTER 13:

YARROWLUMLA
RURAL and Rural Residential Zones

(Former Yarrowlumla Rural and Rural Residential Zones)
YARROWLUMLA
DEVELOPMENT CONTROL PLAN

RURAL & RURAL RESIDENTIAL ZONES

Eastern Capital City Regional Council
11 Farrer Place
Queanbeyan
Phone: 1300 735 025
September 2004
Yarrowlumla Development Control Plan – Rural Zones was prepared in accordance with the provisions of the Environmental Planning and Assessment Act 1979, and the Environmental Planning and Assessment Regulation 2000. It was approved by Council on 26 March 2002 and came into effect on 12 June 2002.

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APPENDICES
1. Introduction
Development within the Yarrowlumla Council area is controlled by the provisions of the Yarrowlumla Local Environmental Plan 2002 (YLEP 2002), which came into effect on 12 June 2002.

This Development Control Plan (DCP) is intended to establish detailed controls for the development of land zoned 1(a) General Rural, 1(d) Rural Residential and 1(g) Rural Small Holdings under the YLEP 2002.

The rural zones provisions under the YLEP 2002 allow a wide range of land uses and contain only broad development standards. The role of this Development Control Plan is therefore to provide detailed standards and guidelines for people preparing development applications and to assist Council in its consideration and determination of those applications.

In the development of these standards, important matters for consideration were the future quality of lifestyle in the rural zones and the protection of important environmental features. This document aims to control development which has adverse effects on the environment and the amenity of a locality whilst at the same time providing flexibility and the opportunity for individuality when carrying out development.

1.1. What is the plan called?
This plan is called "Yarrowlumla Development Control Plan - Rural Zones".

1.2. When does the plan take effect?
This plan has been prepared in accordance with Section 72 of the Environmental Planning and Assessment Act 1979. It was adopted by Council on 26 March 2002 and applies from 12 June 2002.

1.3. Where does this plan apply?
This plan applies to all land in the Yarrowlumla Council area zoned 1(a) (General Rural), 1(d) (Rural Residential) and 1(g) (Rural Small Holdings) under YLEP 2002.

1.4. How does this plan relate to other plans?
Land use planning and development in Yarrowlumla Shire is regulated by a range of Environmental Planning Instruments prepared in accordance with the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation 2000. These include State Environmental Planning Policies prepared by the state government and the YLEP 2002, which is prepared and administered by the Council. There are currently no regional environmental plans applying to the Council area.

This DCP covers certain land to which YLEP 2002 applies and provides further and generally more detailed provisions applicable to development in the rural zones. In accordance with section 72 of the Environmental Planning and Assessment Act 1979 this plan generally conforms to the provisions of the YLEP 2002. However in the event of any inconsistency, the provisions of the YLEP 2002 will prevail.

This DCP repeals Yarrowlumla Council Development Control Plan No. 3 Rural Residential Zones, Yarrowlumla Council Development Control Plan No. 4 Rural 1(a) General Rural Zone and Yarrowlumla Council Development Control Plan No.6 Rural 1(d1) (Rural Residential) Zone.

1.5. Aims
This DCP aims to:

a) highlight to landowners and developers the need for full and proper consideration of environmental constraints and servicing requirements in relation to proposed development;

b) provide guidance to landholders for the protection of biodiversity values within the Shire;

c) establish criteria to be applied which will determine the allotment density achievable in any area with regard to the subdivision of land; and
d) allow for public participation in the determination of development proposals.

1.6. Objectives
In addition to the aims and objectives of the YLEP 2002, the specific rural planning objectives of this DCP are to:

a) ensure that development maintains the rural character of the locality and minimises disturbance to the landscape and the environment generally;

b) ensure land use is ecologically sustainable, taking into account the environmental capabilities of the land and based on best management practices;

c) ensure that development does not create or exacerbate soil erosion;

d) ensure that the wider community does not bear the cost of servicing rural residential development;

e) ensure agricultural production is not jeopardised by the intensification of development in the rural areas;

f) encourage a flexible approach to the subdivision of land within the 1(a) General Rural zone, ensuring that large productive holdings are not unnecessarily fragmented;

g) ensure that dwelling house lots (lots smaller than 16 hectares) in the 1(a) General Rural zone are suitably located so as to have minimum impact on agriculture in the locality and are not clustered to the extent that they form rural residential communities in inappropriate locations.

h) ensure that allotments created in subdivisions each have a potential house site taking into consideration the potential for surface and ground water pollution and the risk of damage by bushfires or flooding;

i) ensure that all allotments created by subdivision have coinciding legal and physical access to a road maintained by Council;

j) minimise the creation of vehicular access points to major roads;

k) ensure that development is based on catchment management principles and does not have an unsustainable impact on surface and groundwater resources; and

l) preserve prime agricultural land for long term sustainable production.

2. Land use guide
Under the provisions of YLEP 2002 land use activities in each of the rural zones are either:

(a) permitted without the need for Council consent;

(b) permitted only with the consent of Council; or

(c) prohibited.

Clause 11 of the YLEP 2002 includes a table that indicates the land uses that are permissible (with or without Council consent) or prohibited in each zone. Clause 11 also allows Council to grant consent for land uses that are not specifically listed in the table, if the use is consistent with the relevant zone objectives.

In addition, the YLEP 2002 provides for exempt and complying development:

- **Exempt development** is development that meets specified criteria and is of minimal environmental impact (refer to clause 13 of the YLEP 2002). Under section 76(2) of the Environmental Planning and Assessment Act 1979 development consent is not required for exempt development unless the land on which the development is proposed is critical habitat or is part of a wilderness area.
Complying development is development that can be addressed by specified predetermined development standards (refer to clause 14 of the YLEP 2002). This category of development has been introduced to allow for fast tracking of less complex forms of development. Thus if a proposed development complies with the applicable development standards then the application cannot be refused and a complying development certificate must be issued within 7 days of lodgement.

It should be noted that not all uses permissible in the rural zones would be appropriate on all parts of the land covered by this plan. Council will consider all applications on their merits. Consultation should be undertaken with Council's Environment and Development Division prior to a development application being lodged.

3. Minor variations to development standards
Council may approve minor variations of the development standards specified in this plan without amending the plan, where Council is satisfied that such variations will have a minor impact and are consistent with the aims and objectives of the plan. In considering such a proposed variation, Council shall have regard to the need to maintain the consistency of implementation of the plan and to the relevant provisions of the YLEP 2002. Where a proposed development does not comply with a provision of this DCP the applicant should provide sufficient supporting information with the application to justify the variation.

4. Development consent

4.1. Council approval
Development applications are required for all development with the exception of agriculture—general farming, bush fire hazard reduction; cemetery—private burial site, garaging of plant and trucks, home occupations, tree farming (as defined in the dictionary in YLEP 2002) and exempt and complying developments. It should be noted that whilst a development application is not required for complying development, a complying development certificate must be obtained from Council or an accredited private certifier prior to works commencing.

In determining a development application Council will have regard to the impact of the development on the locality, the requirements of the YLEP 2002 and of this DCP, and the other matters specified in section 79C of the Environmental Planning and Assessment Act, 1979. The Council will allow for public participation in the determination process in accordance with its notification policy (see Appendix 1).

Environment and Development Division staff members are available to offer advice on any development proposal, particularly in the early design stages. Council strongly urges all applicants to avail themselves of this service.

4.2. Approvals from State Government authorities
If a development requires development consent from Council and one or more of the approvals listed in Table 1, the development is integrated development under section 91 of the Environmental Planning and Assessment Act 1979.

The assessment of integrated development applications is carried out in conjunction with the relevant approval body. If, after it has assessed the application, the approval body is willing to issue the necessary permit or licence, it will provide its general terms of approval to Council and these are incorporated into Council’s development consent. Separate approval from the approval body is still required, but if such an approval is sought within 3 years of the date of development consent it must be granted and any conditions must be consistent with the development consent. Additional application fees (currently $250 per approval) are payable to Council when the application is made and these are subsequently forwarded to the approval body.

<table>
<thead>
<tr>
<th>Act</th>
<th>Provision</th>
<th>Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fisheries Management Act 1994</td>
<td>s 144</td>
<td>aquaculture permit</td>
</tr>
<tr>
<td></td>
<td>s 201</td>
<td>permit to carry out dredging or reclamation work in any waters</td>
</tr>
<tr>
<td>Act/Amendment</td>
<td>Section(s)</td>
<td>Description</td>
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<tr>
<td>Heritage Act 1977</td>
<td>s 58</td>
<td>approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57 (1)</td>
</tr>
<tr>
<td>Mine Subsidence Compensation Act 1961</td>
<td>s 15</td>
<td>approval to alter or erect improvements within a mine subsidence district or to subdivide land therein</td>
</tr>
<tr>
<td>National Parks and Wildlife Act 1974</td>
<td>s 90</td>
<td>consent to knowingly destroy, deface or damage or knowingly cause or permit the destruction or defacement of or damage to, a relic or Aboriginal place</td>
</tr>
<tr>
<td>Protection of the Environment Operations Act 1997</td>
<td>ss 43(a), 47 and 55</td>
<td>Environment protection licence to authorise carrying out of scheduled development work at any premises.</td>
</tr>
<tr>
<td>Protection of the Environment Operations Act 1997</td>
<td>ss 43(b), 48 and 55</td>
<td>Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a &quot;waste activity&quot; but including any activity described as a &quot;waste facility&quot;).</td>
</tr>
<tr>
<td>Protection of the Environment Operations Act 1997</td>
<td>ss 43(d), 55 and 122</td>
<td>Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity</td>
</tr>
<tr>
<td>Rivers and Foreshores Improvement Act 1948</td>
<td>Part 3A</td>
<td>permit under Part 3A</td>
</tr>
<tr>
<td>Roads Act 1993</td>
<td>s 138</td>
<td>consent to: (a) erect a structure or carry out a work in, on or over a public road, or (b) dig up or disturb the surface of a public road, or (c) remove or interfere with a structure, work or tree on a public road, or (d) pump water into a public road from any land adjoining the road, or connect a road (whether public or private) to a classified road</td>
</tr>
<tr>
<td>Water Act 1912</td>
<td>s 10</td>
<td>licence to construct and use a work, and to take and use water, if any, conserved or obtained by the work, and to dispose of the water for the use of occupiers of land</td>
</tr>
<tr>
<td>Water Act 1912</td>
<td>s 13A</td>
<td>licence to construct a supply work and to take and use water obtained thereby</td>
</tr>
<tr>
<td>Water Act 1912</td>
<td>s 18F</td>
<td>permit to construct and use a work, and to take and use water, if any, conserved or obtained by the work, and to dispose of the water for the use of occupiers of land for any purpose other than irrigation</td>
</tr>
<tr>
<td>Water Act 1912</td>
<td>s 20B</td>
<td>authority to take water from a river or lake for the purposes of a joint water supply scheme</td>
</tr>
<tr>
<td>Water Act 1912</td>
<td>s 20CA</td>
<td>authority to construct a supply work and to take and use water conserved or obtained thereby</td>
</tr>
<tr>
<td>Water Act 1912</td>
<td>s 20L</td>
<td>group licence</td>
</tr>
<tr>
<td>Water Act 1912</td>
<td>s 116</td>
<td>licence to commence sinking a bore or to enlarge, deepen or alter a bore</td>
</tr>
<tr>
<td>Water Act 1912</td>
<td>Part 8</td>
<td>approval to construct a controlled work</td>
</tr>
</tbody>
</table>

Integrated development that requires an approval under the Heritage Act 1977, the Water Act 1912 or the Protection of the Environment Operations Act 1997 is nominated integrated development. Such development applications must be advertised in accordance with Division 7 of the Environmental Planning and Assessment Regulation 2000 for a minimum period of 30 days. Additional fees to cover the cost of advertising will apply.

**4.3. Commonwealth Government approval**

Applicants should note that a separate approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) may be required in addition to development consent from Council. Such approvals are required when a proposed development would, in the opinion of the Commonwealth, have a significant effect on:

- (a) a matter of national environmental significance; or
(b) the environment of the Commonwealth.

The matters of national environmental significance listed in the Act are:

- World Heritage areas
- wetlands protected by international treaty (the Ramsar convention)
- nationally listed threatened species and ecological communities
- nationally listed migratory species
- all nuclear actions
- the environment of Commonwealth marine areas.

In Yarrowlumla Shire, the need for EPBC Act approval is most likely to be triggered by the potential for impacts on nationally listed threatened species and ecological communities. The list of threatened ecological communities includes the *natural temperate grassland of the southern tablelands of NSW* and a number of the listed threatened species may be found in the Shire.

Applicants will need to consult with Environment Australia for a decision as to whether an approval will be needed under the EPBC Act. Further information is available from Environment Australia’s website (www.environment.gov.au).

5. Ecologically sustainable development

The NSW Government adopted the following basic principles of Ecologically Sustainable Development (ESD) in 1992. The Local Government Act 1993 requires Council to take account of ESD in all its decision making, including its assessment of any development proposal under this plan. These factors should also be considered by applicants in establishing project objectives, in site selection and in the project layout, design, technology and operational decisions.

1 The precautionary principle

Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In the application of the precautionary principle, public and private decisions should be guided by:

(a) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and

(b) an assessment of the risk-weighted consequences of various options.

The principle requires decision-making to give the environment the benefit of the doubt.

2 Intergenerational equity

The present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations (that is, a partnership among all of the generations that may use or expect to benefit from the nation’s resources).

3 Conservation of biological diversity and ecological integrity

 Conservation of biological diversity and ecological integrity should be a fundamental consideration.

4 Improved valuation, pricing and incentive mechanisms

Environmental factors should be included in the valuation of assets and services:

(a) polluter pays (that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement), and

(b) the users of goods and services should pay prices based on the full cycle costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any wastes, and

(c) environmental goals having been established should be pursued in the most cost effective way by establishing incentive structures, including market mechanisms which enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.
PART TWO: SUBDIVISION

6. Types of Subdivision

In the 1(d) Rural Residential and 1(g) Rural Small Holdings zones, lots are created for predominantly residential use. In the 1(a) General Rural zone lots will fall into one of three categories:

(a) **Dwelling house lots** (8 – 16 hectares) – where the principal purpose is to provide for the erection of a dwelling house. Dwelling house lots should be located on the land with lower agricultural potential where this does not conflict with the need to protect important areas of native vegetation. They should be located so as to have minimum impact on agriculture in the locality and should not be clustered to the extent that they form rural residential communities in inappropriate locations.

(b) **Agricultural lots** (>16 hectares) – lots created for an agricultural purpose with a dwelling house as an ancillary use. These lots should be of sufficient area to allow for continued agricultural use and the subdivision should be based on the creation of productive land units. This is to be derived from an overall farm plan of the property to be subdivided.

(c) **Farm adjustments** – land sold to an adjoining property owner and then consolidated. Boundary adjustments that will not result in any building contravening the deemed-tosatisfy provisions of the Building Code of Australia, will not create any additional allotments, will not result in any allotment being within more than one zone, and will not change the area of any allotment by more than 10 per cent are exempt development under the YLEP 2002 and do not require Council consent.

7. Statutory requirements under Yarrowlumla LEP 2002

Clause 18 of the YLEP 2002 lists the matters which must be considered by Council before granting consent to the subdivision of land within the rural and rural residential areas of the Shire. Clauses 19 and 20 define the allotment size requirements that must be met in the various zones. To minimise delays and the need for Council to seek further information from applicants, any application for subdivision should include supporting information that addresses these matters.

The Council can also consent to the subdivision of land within Zones 1(a) and 1(d) to create an allotment of any size if the allotment will be used for a purpose other than agriculture or a dwelling, but only if:

(a) the area of the allotment to be created is appropriate for the development for which it is intended to be used; and

(b) where the land is identified as Class 1, 2 or 3 on the map prepared by the Department of Agriculture and held in the office of the Council, there is no reasonable alternative to using the allotment for the proposed development.

Please note that while the following sections include the principal requirements of the relevant clauses in the YLEP 2002, the clauses are not reproduced verbatim and reference should be made to the gazetted LEP document and any amendments. As noted above, in the event of any inconsistency, the YLEP 2002 will prevail.

7.1. Zone No 1(a) (General Rural)

The following lot size restrictions apply in the 1(a) General Rural zone (refer clause 19 of YLEP 2002):

(a) each allotment to be created must have an area of not less than 8 hectares (unless the land is shown on maps prepared by the Department of Agriculture and held at Council’s offices as Class 1, 2, or 3 agricultural land, in which case the minimum size is 16 hectares);

(b) the average area of lots created through successive subdivision of and/or the disposition of parish portions from each 1995 holding of which the land proposed to be subdivided is part, must not be less than 80 hectares at any time;

(c) each proposed allotment that will have a frontage to a main or arterial road must have a frontage to that road of not less than 200 metres or one entry point for vehicles;

(d) each proposed allotment that will have a frontage to a lake or river must have a frontage to that lake or river of not less than 200 metres; and
(e) the land to be subdivided must not have previously been subdivided in accordance with this clause, unless it is the land nominated as the residue lot in the last subdivision which involved the land.

The YLEP 2002 also makes provision for 1995 holdings that are between 88 and 159 hectares in area to be subdivided into two lots if such a subdivision was permissible immediately before the gazettal of the YLEP 1993 (Amendment No 6). Amendment No 6 was gazetted on 13 October 1995, introducing the 80 hectare averaging provision to replace the former concessional lot provisions. A 1995 holding is defined as the total area of adjoining or adjacent allotments, portions or parcels of land held in one ownership on 13 October 1995.

7.2. Zone No 1(d) (Rural Residential)
Land within the 1(d) zone may be subdivided to meet the following conditions (refer clause 20 of the YLEP 2002):

(a) allotments having an area of less than 16 hectares proposed to be created by the subdivision must have an average area of not less than 6 hectares,
(b) none of the allotments may have an area of less than 2 hectares,
(c) allotments having an area of less than 4 hectares must comprise not more than 15 per cent of the land being subdivided,
(d) any allotment having an area of less than 4 hectares must not adjoin or be adjacent to any other allotment having an area of less than 4 hectares, and
(e) each allotment having an area of less than 4 hectares must have frontage to a public road other than a main or arterial road. Land within the 1(d) zone may be subdivided only once.

7.3. Zone No 1(g) (Rural Small Holdings)
Land within the 1(g) zone may be subdivided to a minimum area of 1 hectare if the lots will have access to reticulated water and sewerage systems. Land may also be subdivided if the subdivision will create a title for an existing dwelling by excising an allotment from the land on which it is situated.

8. Additional Requirements
The following broad restrictions on development apply. Council may vary the restrictions or apply more specific restrictions after consideration of the environmental review and supporting documentation (refer to clauses 9 and 10).

(a) Mature native trees are to be protected, especially Yellow Box (Eucalyptus melliodora) which provides habitat for the Regent Honeyeater.
(b) Council may require fencing of selected clumps of native trees to allow for regeneration.
(c) Subdivision proposals must allow for the protection of woodland and forested areas and appropriate vegetated corridors.
(d) Development within areas of significant vegetation communities, (particularly natural grasslands, secondary grasslands or grassy woodlands), identified in the environmental review is to be restricted to light grazing (preferably with no winter/spring grazing) or restricted to low impact recreation. Buildings or roads should not be constructed within areas supporting other vegetation communities identified as significant in the environmental review (eg. wetlands and riparian environments, or native pastures). A key factor in the assessment of significance is whether the vegetation communities are of high or low ecological quality as assessed in the review.

8.1. Requirements for the Upper Jerrabomberra Creek - Royalla 1(d) Area
(a) Physical development other than light agricultural grazing or low impact recreation is not to occur within 400 metres of Jerrabomberra Creek to protect riparian ecological communities, to minimise pollution of the creek and to prevent further degradation of the stream banks.
(b) Additional riparian rights on Jerrabomberra Creek are not to be created by subdivision. A public reserve on each side of Jerrabomberra Creek extending a minimum of 10 metres from the edge of the undisturbed banks is to be dedicated to Council as a contribution under section 94 of the Environmental Planning and Assessment Act 1979.
(c) The National Parks and Wildlife Service is to be consulted regarding development proposals on land near to or containing known populations of *Swainsona recta* adjoining the Canberra-Cooma railway line and shown on Figure 1. The recommendations of the NPWS will be considered in Council's determination of development applications.

8.2. Requirements for the Bywong and Burra/Urila Rural Residential areas

In the Bywong area no access points shall be created onto the Federal Highway. As the Burra/Urila 1(d) area lies within the catchment of the Googong Dam, the increase in the density of development is to be limited. Only those lots that fulfil all the performance standards in relation to lot design, access, topographic suitability and water quality issues will have potential for subdivision. With regard to effluent disposal, septic tanks are not an acceptable form of waste disposal in the Burra/Urila area. All applications for dwelling houses should include provisions for wastewater treatment by either:

(a) aerated treatment system; or

(b) dry composting and a grey water filter.

Based on the findings of the required effluent disposal report (refer clause 9.1.1), Council will determine the type of effluent disposal system that is appropriate for the site.

8.3 Requirements for Murrumbidgee River Corridor land

The YLEP 2002 recognises the environmental sensitivity of land within the Murrumbidgee River corridor and requires that the following additional matters are considered and that Council is satisfied that any impacts will be minimised before development consent is granted:

(a) soil erosion or other land degradation,

(b) loss of scenic amenity,

(c) loss of important vegetation systems or wildlife habitats, and

(d) the cumulative impact of development.

Applicants must ensure that these matters are adequately addressed in the development application and supporting information submitted to Council.
FIGURE 1
Swainsona recta CONSERVATION AREAS

Hatched Areas: Land with conservation and rehabilitation potential for Swainsona recta
(Small purple pea)
9. Subdivision Planning
Detailed information on the characteristics and constraints of the land proposed to be subdivided is critical to the design process to ensure that such matters can be addressed in the subdivision design (Figure 2). As a consequence the design process should not commence until all the relevant information is available. This information is also required to be submitted with a subdivision application so that Council can properly evaluate the proposal and determine the application.

9.1. Specialist Reports Required

9.1.1. On-site Effluent Disposal
A site specific investigation of land capability and hydraulic/nutrient balance (undertaken by a person with qualifications satisfactory to the Council) indicating that the land has adequate capability for on-site effluent disposal without adversely affecting water quality or adjoining land through either surface or sub-surface flows is required. The report should detail geotechnical conditions, percolation rates of soils, hydraulic and nutrient balances (where treated effluent is proposed to be irrigated) and appropriate effluent disposal options for the proposed allotments. The report must be completed in accordance with the publication Environment and Health Protection Guidelines – On site Sewage management for Single Households.

Proposed effluent disposal areas must be located away from significant native vegetation.

9.1.2. Management of Flora and Fauna
An assessment undertaken by a suitably qualified person of the impacts on flora and fauna, including impacts on regionally significant species and vegetation communities and impacts on threatened species is required. Likely impacts of the proposal on threatened flora or fauna should be assessed by carrying out the 8 part test of significance under section 5A of the Environmental Planning and Assessment Act 1979. Particular attention should be given to the vegetation communities described in Appendix 2a and the species listed in Appendix 2b as well as to the relevant species and communities listed in the schedules to the Threatened Species Conservation Act 1995.

The assessment should also identify areas with potential for native vegetation corridors through the land holding proposed to be subdivided. Significant areas of native vegetation on adjoining land and elsewhere in the locality will need to be considered and where appropriate, links provided. In general, corridors should be at least 100 metres wide. Subdivisions should be designed and building envelopes positioned to take account of the location of the corridors. Further advice on vegetation corridors can be obtained from Council, the Department of Infrastructure, Planning and Natural Resources and the NPWS.

Aboriginal Heritage
Aboriginal places or objects in NSW are protected by under section 90 of the National Parks and Wildlife Act 1974, which makes it an offence to disturb, deface, damage or destroy any Aboriginal site or relic without the written consent of the Director General of the National Parks and Wildlife Service (NPWS).

The NPWS has advised that while it is not necessary to prove prior knowledge of the presence of Aboriginal places or objects for a prosecution to proceed, a person who has undertaken reasonable precautions and has exercised due diligence and reasonably believes that their actions would not destroy, deface or desecrate the Aboriginal place or object, has a defence from prosecution. The NPWS considers that archaeological surveys conducted by a qualified archaeologist in consultation with appropriate Aboriginal representatives would support such a defence.
9.1.3. Bush Fire Management
A bushfire management plan must be prepared in consultation with Council's Bushfire Control Officer and submitted with the subdivision application. The plan should outline the most appropriate subdivision design to reduce bushfire threat and allow easy access to all areas for firefighting units.

9.1.4. Agricultural Productivity
Where Class 3 Agricultural Land is proposed to be subdivided a full agricultural assessment of the current production and the potential productivity must be provided.

9.1.5. Areas Visible from Arterial Roads
If house sites are proposed in locations that are visible from the Monaro, Kings, Federal or Barton Highways a visual analysis must be provided. This must address:
- degree silhouetted against skyline; and
- nominated maximum roof line height.

9.2. Design Principles
Subdivision of land is NOT a mathematical exercise in obtaining the maximum number of lots or minimum areas with straight boundaries and square corners. In a good subdivision layout, the boundaries are determined by using sound land use planning techniques. It needs to be recognised that topographic, ecological or other constraints may make the theoretical maximum lot yield unachievable (Figure 3, Figure 4).

The following design practices and strategies must be followed in the subdivision design process and reflected in the subdivision plan submitted for approval:

9.2.1. Natural Environment
Wetlands, water bodies and other sensitive habitats identified in the environmental review must be taken into account in the selection of building envelopes, access tracks and driveways, road locations and boundary fences. Development should be located as far as possible away from significant areas of native vegetation.

The integrity of remnant vegetation areas and wildlife corridors must be preserved and enhanced where possible through fencing and/or supplementary planting.

9.2.2. Historic Relics And Places
Areas of Aboriginal archaeological or European heritage significance must be protected and subdivisions should be designed to accommodate the preservation of heritage sites wherever possible.

If an Aboriginal relic that is known to exist on the land will be destroyed, defaced or damaged a consent will be required from the National Parks and Wildlife Service and the proposal will be integrated development (see clause 4).

9.2.3. Visual impact
To minimise the visual impact of the subdivision visually prominent locations such as scenic hilltops, escarpments, and ridges should be avoided and tree cover preserved wherever possible.

9.2.4. Lot design
Lot shapes should be simple. Lot boundaries should relate to land features such as creeks. Boundaries should be located parallel or perpendicular to the slope but not diagonally across it. Existing fences should be used for lot boundaries where this does not result in inappropriately shaped lots.

Long narrow lots are to be avoided. The width of the lot shall not be less than 100 metres and the depth of the lot shall not exceed the width of the lot by more than 4:1.

Battle axe allotments should be kept to a minimum, but when incorporated within a subdivision the following restrictions shall apply:
(i) maximum length of access corridor shall be 250 metres
(ii) minimum width of access corridor shall be 15 metres.

Wedge shaped allotments are to be kept to a minimum, but when incorporated within a subdivision shall have a minimum road frontage of 15 metres and shall achieve a minimum width of 100 metres at a maximum distance of 100 metres from the subdivision road boundary.

Lot size, shape and character should be varied in accordance with the planning provisions applying under YLEP 2002.

**Building Envelopes**

Every lot must contain at least one building envelope free of major environmental and servicing constraints and having good solar access. The location of building envelopes should reflect the findings of the various investigations carried out in the preparation of the subdivision application (refer clause 9) including the flora and fauna and effluent disposal reports. Where possible building envelopes should be located in areas that have previously been disturbed and should be selected in the context of house sites on adjoining and nearby lots to maximise privacy and maintain the rural character of the area.

Ridge tops should be avoided, as should flood plains, drainage depressions, areas with poor foundation conditions, extreme fire risk, erosion and other natural hazard areas such as frost hollows.

Building envelopes within which a house, ancillary buildings (other than animal shelters with a floor area of not more than 25 m²), water tank and the like could be located, shall:

(a) be a minimum size of 2000 m²;
(b) have a slope not greater than 15 per cent;
(c) be sited taking into account the constraints identified in the environmental review;
(d) be setback a minimum of 50 metres from the front boundary and 15 metres minimum for 2-4 hectare lots and 25 metres for lots over 4 hectares from the side and rear boundaries to ensure adequate distance from the building envelope on adjoining lots; and
(e) be accessible by a track which does not have a grade exceeding 15 per cent (unless it is proposed to be constructed and sealed by the applicant, in which case the grade must not exceed 20 per cent), and does not traverse terrain with a grade exceeding 20 per cent. Access tracks should incorporate drainage and runoff diversion structures.

The access track should avoid areas of significant vegetation and large waterways. Length of driveways and soil disturbance should be minimised. Where a major creek crossing cannot be avoided, the developer shall provide a stable crossing, to the satisfaction of Council.

In the event that crossing a prescribed stream is necessary, the Department of Infrastructure, Planning and Natural Resources will have to be consulted. If a permit from the Department under Part 3A of the Rivers and Foreshores Improvement Act 1948 is required, the proposal will be integrated development (see clause 4.2).

**9.2.5. Roads**

Applicants should consult with the Council concerning the need to provide links to adjoining land likely to be subdivided in the future and to ascertain whether a provisional road network has been developed for the area.

Roads should be designed to avoid the need for large areas of cut and fill and should not be located on steep slopes or prominent hilltops. Roads should not form dams across gullies, creeks or drainage lines. Reference should be made to the NSW Fisheries 1999 publication Policy and Guidelines for Bridges, Roads, Causeways, Culverts and Similar Structures. Any blockage to fish passage requires approval under section 219 of the Fisheries Management Act 1994.

Road alignments should satisfy the principles of road design, including the acknowledgment of speed environment and design speeds, as set out in AUSTROADS Guide to the Geometric Design of Rural Roads, RTA Road Design Guide and ARRB Special Report No 33, A Review of Subdivision Road Design Criteria.

**9.2.6. Erosion and Sedimentation**
Construction on slopes in excess of 15 per cent should be avoided. Natural drainage systems should be preserved and vegetation removal during construction must be minimised. All construction debris must be contained and disturbed areas must be stabilised and revegetated.

All exposed batters and table drains must be stabilised, re-planted and/or top dressed and slope stability on all earthworks must be maintained.

As a condition of consent Council will require an erosion and sediment control plan to be submitted prior to commencement of site works. Farm dams proposed to be built as part of the subdivision should be constructed in the initial stages so that they may act as sediment retention ponds during the construction phases.

**9.2.7. Greenway links and road reserves**

Applicants should consult with the Council concerning any proposed or existing Greenway network in the area. If applicable the subdivision design should provide links to existing Greenways on adjoining land or provide links in accordance with the proposed future development of the network.

Where not required as part of the Greenways network or for other community purposes all Crown Road Reserves within the subdivision shall be closed and consolidated with the allotments being created.

**9.2.8. Extension of Surrounding Developments**

Logical, efficient and environmentally sensitive extensions to electricity supply networks should be planned in consultation with relevant energy authority.

Roads should be extended logically from existing roads so that development will create a road hierarchy. Conflict with major arterial and distributor roads should be avoided.

Extension to existing development shall facilitate social cohesion and provide for recreation facilities in consultation with Council.
FIGURE 4

UNSATISFACTORY LAYOUT
9.2.9. Design of Effluent Disposal Systems
The proposed effluent disposal system must be consistent with the findings of the effluent disposal report.

Effluent should not be disposed on areas supporting significant native vegetation or where run-on to these areas is possible.

Consideration should be given to alternative treatment systems in particularly sensitive areas. Advice should be sought from Council’s Environment and Development Division.

The possibility of constructing a centralised sewage treatment plant to service clusters of allotments should be considered. Such plants have the potential to produce higher quality effluent than treatment units that serve individual allotments.

9.2.10. Non-potable water supply
Before granting consent to the subdivision of land, Council must be satisfied that all allotments have the potential to obtain an adequate non-potable water supply.

The provision of a reticulated non-potable water supply from a communal source (water storage dam or bore) represents a far more efficient use of limited surface and groundwater resources and can avoid potential groundwater contamination problems associated with the proliferation of bores in closely settled rural residential areas. The benefits of such schemes are recognised by the Department of Infrastructure, Planning and Natural Resources (DIPNR) as well as Council.

The Yarrowlumla LEP 2002 requires that subdivision proposals involving five or more lots must include a reticulated non-potable water supply system capable of providing 0.75 megalitres per annum to each lot at the rate of 0.5 litres per second, unless it is proven that the provision of such a system is not practical.

For subdivisions creating less than five lots (or where it is proven that a reticulated system is not practical) each lot must have the potential for either:

(a) a dam with a capacity of 0.75 megalitres and a catchment area of at least 8 hectares; or

(b) where an allotment cannot be provided with a practical dam site due to topographic constraints or the take-up of the harvestable rights for the parent property, a ground water supply with a flow rate of 0.5 litres per second providing a minimum annual supply of 0.75 megalitres.

A licence from DIPNR will be required if the 0.75 ML dam size exceeds the harvestable right for the allotment under the NSW Farm Dams Policy, or if a bore is proposed. Such applications will be nominated integrated development (see cl. 4.2).

The cumulative impacts of additional dams on environmental flows in downstream creeks and rivers must be taken into account. Where bores are proposed, it will be necessary to demonstrate that there will be no adverse impacts on the groundwater resource in the area.

The total volume of water provided from dams and bores must be within the limits of the Maximum Harvestable Right Dam Capacity (MHRDC) and the current DIPNR policy relating to ground water access that would apply to the land prior to subdivision.

9.3.12 Provision of Services
Soil and vegetation disturbance should be minimised by coordinating the placement of driveways, telecommunications, underground electricity and other infrastructure in the one area.
10. Subdivision Applications

The following matters are to be addressed in any application for development consent to subdivide land:

(a) applications are to be made on Council's development application form. Council fees must accompany the application;

(b) the proposal shall be shown on a contour map of scale 1:10,000 with contour intervals not greater than five (5) metres;

(c) existing cadastral boundaries must be shown on a map and all adjoining Crown land (including Crown roads) must be identified;

(d) the proposed lot boundaries, building envelopes and road centre lines shall be established on site and marked accurately. Proposed allotments shall be marked at each corner by one metre high stakes and the centres of building envelopes shall be identified by a one metre high stake with suitable highly visible tape. Road centre lines shall be marked with stakes at 100 metre intervals. This shall be done before the application is submitted;

(e) provision shall be made for coinciding physical and legal access to all proposed lots; and

(f) where any lot being created in a subdivision is of mixed title, the land held under Old System Title within that lot shall be brought under the Real Property Act.

An application for subdivision must be accompanied by an environmental review, which is a full description of the proposal supported by maps, plans and diagrams, as well as separate specialist reports referred to in clause 9.1.

The environmental review must give a clear understanding of the development and its likely environmental impact, describe the proposal, the location, the local topography, adjacent development, adjacent land uses, lot size and layout pattern, land ownership and available services such as roads, electricity, transport, education facilities and emergency services. Layout of subdivisions should be based on an appreciation of the capability of the land to support the development.

An environmental review shall include a map of the constraints to development, clearly indicating:

(a) steeply sloping land, ie >20 per cent, above which house construction is not appropriate;

(b) floodplains and poorly drained land which are also unsuitable for building;

(c) prominent ridgelines visible from surrounding areas;

(d) vegetation cover, including environmentally sensitive areas supporting significant biodiversity, native vegetation, wildlife corridors, habitat for threatened species and endangered ecological communities;

(e) areas that would impinge on the privacy and agricultural operations of neighbouring properties;

(f) sites suitable for dams or artificial wetland areas that would catch sediments and nutrients emanating from the subdivision, particularly during the construction/development stage;

(g) any existing dwelling houses and ancillary buildings on the land and the setback distances from the proposed new lot lines.

(h) agricultural capability with particular attention being given to soils, agricultural land classification (refer to Department of Agriculture maps held by Council), slopes, current land use, extent of land degradation, areas suitable for improved pasture and topography;

(i) property boundaries, size and shape; and

(j) vegetation cover including remnant vegetation, native grasses and improved
pasture.

The location of any of the vegetation communities listed in Appendix 2a and/or listed under the Threatened Species Conservation Act 1995 must be shown on the map.

If the subdivision is approved, a condition of consent will require the delineation of building restriction precincts (building envelopes) on the final surveyed plan of subdivision. An instrument under section 88B of the Conveyancing Act 1919 attaching to the title of the lots created and restricting building to within the precincts will be required, with Council being nominated as the authority with sole power to vary the restriction.

10.1. Section 94 Contributions for Community Facilities
Under the provisions of Section 94 of the Environmental Planning and Assessment Act 1979, Council may require as a condition of development consent, payment of section 94 contributions. Such conditions are imposed only where there will be increased demand for public amenities and public services as a consequence of carrying out the development. The public facilities and services provided by Council that may attract a contribution include waste, community facilities and open space.

Details of the amount levied can be obtained from Council’s Section 94 Plans No 1 – Bungendore and No 3 – Provision of Community Facilities.

Section 94 contributions are also levied for the provision of roads (refer clause 11.4).

11. Road Access

11.1. Introduction
This section sets out Council’s requirements relating to the provision of access roads to serve developments. Table 2 contains the Road Standard Schedule which will be referred to when setting conditions of development approvals.

Applicants for developments will be required to provide new and upgraded roads within subdivisions to the Type indicated based on the number of lots served and the traffic that will be generated.

Applicants will also be required to address impacts of new development on the existing road(s) leading to the development. This will involve:

• Upgrading the existing road(s) to a higher Type when the development causes a level of extra traffic that together with the existing traffic will exceed the maximum traffic volumes allowed for the particular road Type under Table 2.

• Paying a contribution under Council’s Section 94 Plan towards upgrading of access roads leading to developments where existing roads are deficient in alignment, pavement, drainage or safety aspects to cater for the new development.

• Sealing of sections of existing gravel roads where extra traffic generated will cause the need to address dust impacts adjacent to existing or proposed dwellings in accordance with Table 2.

Applicants should also note that Council may have developed a provisional road network design for its area including for specific undeveloped rural residential and rural areas.

Consultation with Engineering Services Division staff is necessary, preferably early in the development of an application. Where a provisional network has not been developed, it may be necessary to discuss proposals at an early stage with adjoining land owners.

11.2. Classification of Road Types
For the purpose of establishing a road hierarchy the following classification of roads is adopted in the Rural 1(a), Rural Residential 1(d) and Environmental Protection 7(e) zones. Road Types 1, 2, 3, 4, 7, 8, 9 and 10 apply in all rural 1(a) and 7(e) zones. Types 1, 2, 3, 5, 6, 7, 8, 9 and 10 apply in rural residential zones.

Private Access Roads To Individual Lots – Road Type 1
Such roads shall be provided when private access is required to be constructed within the boundaries of individual allotments eg driveway from entrance to residence, or for access to an individual property along a right of carriageway or crown road reserve.

The design of this road type focuses more on minimal environmental impact than it does on traffic volume and formal geometric road alignment.

Such roads shall provide unimpeded access for large bushfire fighting trucks with specifications complying with the requirements for vehicle passing opportunities and clear zones adjacent to and above the road as set out in Planning NSW document, Planning for Bushfire Protection, December 2001, clause 4.3.2.

Council will not accept responsibility to maintain this type of road and maintenance will be the responsibility of the property owner served.

There will be no requirement for these roads to be bitumen sealed except over sections where impacts from dust nuisance for adjacent dwellings and from steep grade need to be addressed. See Table 2 and accompanying notes.

Private or Public Roads – Road Type 2

Such roads shall provide access to a maximum of three (3) allotments and be contained within a community title subdivision or right of way in the case of private roads or within a dedicated public road reserve in rural 1(a) zones only in the case of public roads.

Maximum traffic volume for the purpose of design shall be up to 21 vpd.

There will be no requirement for these roads to be bitumen sealed except over sections where impacts from dust nuisance for adjacent dwellings or from steep grade need to be addressed. See Table 2 and accompanying notes.

Private or Public Roads – Road Type 3

Such roads shall provide access to a maximum of five (5) allotments and be contained within a community title subdivision or right of way in the case of private roads or within a dedicated public road reserve in rural 1(a) zones only in the case of public roads.

Maximum traffic volume for the purpose of design shall be up to 35 vpd.

There will be no requirement for these roads to be bitumen sealed except over sections where impacts from dust nuisance for adjacent dwellings or from steep grade need to be addressed. See Table 2 and accompanying notes.

Public Roads – Local Access Roads – Road Type 4

Such roads shall link Type 1, 2 and 3 roads to Type 6, 7, 8, 9 or 10 roads in rural areas.

This Road Type will be specified for serving 6 – 17 lots in rural areas.

Traffic volume for the purpose of design shall be up to 119 vpd.

There will be no requirement for these roads to be bitumen sealed except over sections where impacts from dust nuisance for adjacent dwellings or from steep grades need to be addressed. See Table 2 and accompanying notes.

Public Roads – Cul-de-sac Roads – Road Type 5

Such roads have application in rural residential zones and shall have a maximum length of 1000 metres and be provided with an end turning circle in accordance with Figure 4A.
This Road Type will be specified for serving 1 – 8 lots in rural residential zones.

Maximum traffic volume for the purpose of design shall be up to 56 vpd.

These roads shall be bitumen sealed in accordance with Table 2 and accompanying notes.

Public Roads – Cul-de-sac or Local Access Roads – Road Type 6

Such roads have application in rural residential zones and shall have a maximum length 2000 metres where the road leads to a ‘dead end’. For ‘dead end’ roads a turning circle shall be provided in accordance with Figure 4A. The length of road may be increased where provision is made to link the actual road reserve to adjacent road/recreation reserves and provision is made for alternative egress in case of bushfire.

This Road Type will be specified for serving 9 – 17 lots in a rural residential zone.

Maximum traffic volume for the purpose of design shall be up to 119 vpd.

These roads shall be bitumen sealed in accordance with Table 2 and accompanying notes.

Public Roads – Cul-de-sac or Local Access Roads – Road Type 7

Such roads shall provide local access within Rural Residential Zones, Rural Zones or Environmental protection Zones.

This road will be specified for serving 18 – 39 lots in all zones.

Traffic volume for the purpose of design shall be up to 275 vpd.

These roads shall be bitumen sealed in accordance with Table 2 and accompanying notes.

For ‘dead end’ roads a turning circle shall be provided in accordance with Figure 4A.

Public Road – Local Access – Road Type 8

Such roads provide local access and carry medium levels of traffic in both rural and rural residential areas.

This Road Type will be specified when serving 40 – 99 lots in all zones.

Traffic volume for the purpose of design shall be up to 700 vpd.

These roads shall be bitumen sealed in accordance with Table 2 and accompanying notes.

Public Road – Collector Roads - Road Type 9

Such roads shall provide the spine or collector road within all zones.

This Road Type will be specified when serving 100 – 300 lots.

Traffic volume for the purpose of design shall be 700 – 2100 vpd.

These roads are to be sealed and may be part of the Regional Road network.

Public Roads – Arterial Roads – Road Type 10

Such roads shall provide the main spine or arterial roads within the Council area and will usually be part of the regional road network.

This Road Type will be specified for serving > 300 lots in all zones.

Traffic volume for the purpose of design shall be greater than 2100 vpd.
11.3. Road Dedication/Maintenance
Provided the standards set out in this document are met in relation to public roads Type 2 and above, Council will accept the dedication and subsequent maintenance of these roads. For all roads legal and physical access must coincide.

Council will not accept maintenance responsibility for private roads or private accesses.

11.4. Design and Construction Standards
The standard of each road will be determined at the time of consideration of a Subdivision application having regard to the potential development within the area and Council’s Road Standards Schedule. (See Table 2). Design and Construction shall be in accordance with AUSSPEC #1 Specification Series (as amended by Council from time to time). For all but very minor developments the design and construction of roads and entrances will require the engagement of professionals experienced in such works activities to represent the applicant to ensure sufficient and accurate detail and input is provided to allow expeditious assessment and approval by Council staff.

Prior to the issue of a construction certificate for civil works Council will require the preparation of engineering drawings and specifications by experienced professionals in compliance with the relevant standards.

The documentation shall include a quality management system and inspection and test plans to be implemented during the process of the works. Contractors engaged to carry out civil engineering works must have suitably qualified employees on staff, or engage a suitably qualified superintendent, to ensure that the quality system is fully implemented and quality records are kept and assembled for submission to Council at the end of the work.

The applicant will also need to engage a principal certifier who may be Council or a registered accredited certifier to audit the system and the works and at the completion of construction sign-off that all works have been completed to the plans and specifications and conditions of approval. This will be required prior to the issue of a construction certificate.

11.5. Contribution to Roads Currently Maintained by Council
Where a subdivision will result in increased usage of roads presently maintained by Council, a contribution will be required towards the provision of such roads in accordance with Section 94 of the Environmental Planning and Assessment Act and Council’s adopted Section 94 Contributions Plan(s) for Roads. The charge will be set for each additional lot or equivalent lot created. Council’s Engineering Services Division may be contacted for more information.

11.6. Intersection with Existing Roads
Where the subdivision road connects to Council’s existing road network the intersection shall be constructed in accordance with Council’s requirements based on the NSW Roads and Traffic Authority Road Design Guide (Section 4 Intersections at Grade). Where the subdivision road connects to a State Road or classified Regional Roads the approval of the Roads and Traffic Authority is required.

Construction of the intersection shall involve full reconstruction of the existing Council road over the extent of the intersection unless deemed otherwise by the Council. Where gravel roads adjoin sealed roads, the gravel road branch shall be sealed for a minimum of 50m along the branch and any BAR treatment required opposite the branch road shall also be bitumen sealed.

Contractors or others proposing to carry out intersection works shall be experienced and pre-qualified to the Council’s and/or RTA’s satisfaction.

11.7. Entrances
Entrances to individual allotments from roads shall be constructed to Council or RTA standards in accordance with the road classification as follows:

Local (Council) road, sealed – Type A (Figure 5) for Types 5, 6, 7 and 8.

Local (Council) road, unsealed – Type C (Figure 6)
Local Road Types 9 and 10, Regional Roads and State Roads – As detailed in RTA Road Design Guide, BAR/BAL or RTA Rural Property Access Requirements (Figure 7) or combination of treatments depending on the conditions at the location.

Entrances shall be located to achieve as close as practicable Safe Intersection Sight Distance or better and as an absolute minimum Safe Stopping Distance, as defined in RTA Road Design Guide section 4 for the approach in each direction. In the case of State and classified regional roads, entrance proposals shall be referred to the RTA for comment and/or determination.

11.8. Section 138 Consent
Consent is required under Section 138 of the Roads Act 1993 before any work is undertaken on a public road. A security deposit will be required and public liability etc, insurances indemnifying Council and/or the RTA will be required before consent is given. If consent is required from the RTA under Section 138 the proposal will be integrated development. Contractors or others proposing to carry out works on a public road shall be experienced and pre-qualified to Council’s and/or RTA’s satisfaction.

11.9. School Bus Lay-Bys
For subdivisions involving 2 or more lots along or in the vicinity of school bus routes, Council may require the provision of suitably sited and constructed bus lay-bys to the requirements of Council’s Engineering Services Division.

11.10. Verge Tracks
Council may require as a condition of subdivision, suitable arrangements to be made for the provision of verge tracks for pedestrians and horse riders to traverse along roadsides clear of vehicular traffic.

11.11. Erosion and Sediment Control
Roads are the single largest source of sediment movement from rural subdivisions, both during the construction phase and in the longer term. The following guidelines aim to minimise sediment movement:

• Unsealed roads should have a maximum grade of 15 per cent when erosion resistant gravels are used and 7 per cent where more erodible gravels such as sandy decomposed granites are used. In some circumstances where roads are sealed the grade can be increased to 20 per cent – see notes on Table 2.

• Roads should be located along ridgelines or just off the contour.

• Avoid waterlogged areas.

• Road drainage could include culverts, table drains, mitre drains, rollover banks and level spreaders.

• Culvert invert levels should be placed into the stream bed so as to mimic natural invert levels of the stream bed.

• Culvert inlets and outlets should be adequately stabilised.

• Cut and fill batter slopes should be designed to suit the soil stability.

• Roads should be crowned or have cross fall drainage.

• All disturbed areas should be topsoiled and revegetated.

• Temporary erosion and sediment controls such as sediment fences must be installed before work commences and maintained during construction and through the defects liability period.

• Council as a condition of approval, will require the submission of a soil and water control plan to indicate measures to mitigate against erosion and wash of silt at road construction sites.

11.12. Engineering Specifications
All engineering work should be undertaken to the following specifications:
• AUS-SPEC #1 Development Specification Series Design as amended by Yarrowlumla Council Amendment Record and as otherwise amended by Council from time to time.

• AUS-SPEC #1 Development Specification Series Construction as amended by Yarrowlumla Council Amendment Record and as otherwise amended by Council from time to time.

The above documents can be purchased from Council.

11.13. Number of Entrances per Lot
Entrances shall be limited to one (1) per lot unless approved otherwise by Council.

11.14. Relocation or Improvement of Existing Entrances
An existing entrance that an owner desires to relocate or improve will require an application being made to Council and shall be constructed in accordance with Council’s Standards including bitumen sealing if the entrance fronts a bitumen road.

Unless approved otherwise the relocation of an entrance shall necessitate the complete removal of the existing entrance.

11.15. Addressing of Premises
Council is responsible for the numbering of all lots within the Shire. Rural address numbers are allocated at subdivision stage when the location of driveway entrances is determined. All occupied properties shall be individually numbered. Numbers shall be displayed adjacent to the entrance driveways.

Applicants for subdivisions will be required to pay a fee for Council to undertake a rural addressing exercise for the lots created.

11.16. Road Naming
New subdivision roads serving two or more lots shall be named at the applicant’s expense in accordance with Council’s Code of Practice for the Naming of Roads.

Applicants are required to submit a suitable name or names prior to the issue of a construction certificate to allow the early commencement of the public comment phase of the road naming process. The fee for road naming will be contained in Council’s fees and charges policy.

11.17. Defects Liability Requirements
Applicants undertaking developments will be subject to defects liability responsibility arrangements for roads constructed for two years from the date of practical completion and shall submit a bond as security under Council’s policy to ensure road works have been constructed to a serviceable and durable standard.
### TABLE 2 – RURAL RESIDENTIAL RURAL AND ENVIRONMENTAL PROTECTION ZONE ROAD STANDARD SCHEDULE

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<td>a. Pavements</td>
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<td>b. Curb &amp; Gutter</td>
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<td>c. Sidewalk</td>
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<td>d. Median (m)</td>
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<td>e. Centerline (m)</td>
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<td>Design of Alignment</td>
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<tr>
<td>a. General minimum design speeds (kph)</td>
<td>60</td>
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<td>b. Drivable minimum horizontal curve radius (m)</td>
<td>50</td>
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<td>a. If asphalt surfacing using erosion resistant granular</td>
<td>10</td>
<td>10</td>
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<td>b. If asphalt surfacing using sandy decomposed granite</td>
<td>10</td>
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<td>1 in 100 Years (yr)</td>
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<td>Minimum Sidewalk Thickness (mm)</td>
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<td>Sidewalk Grade (max) (%)</td>
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<tr>
<td>a. Minimum thickness at curb cut</td>
<td>2 x 109</td>
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<td>b. Minimum thickness at centerline</td>
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<td>c. Minimum thickness at low point</td>
<td>2 x 109</td>
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<td>VPD</td>
<td>Vehicles per day</td>
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<td>AADT</td>
<td>Average Annual Daily Traffic</td>
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<td>EMA</td>
<td>Equivalent Standard Arterial</td>
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<td>ROW</td>
<td>Right of Way</td>
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NOTES:

A Design speeds, horizontal and vertical geometry not specified for Type 1 roads. These roads are to be aligned to minimise impact on, or interference/influence of native vegetation (trees, grasses, plants etc) water courses, rock outcrops, archaeological and heritage sites. Vertical geometry is to follow the natural surface and avoid cutting/digging/harder than 0.5m as far as practicable. Longitudinal road drainage where necessary to be turned to at least specified at 20 m/s (max). Intersections on major roads with drainage culvert/causeways at 50 m/s (max) allowed.

B A 4m bitumen seal will only be accepted if alignment allows 17km or greater sight distance along the pavement from car to car to allow motorists approaching each other sufficient reaction time to safely avoid conflicts by sharing the one lane seal; otherwise a minimum seal of 5.6m wide will be required (e.g. over steets and around bends curves).

C verge widths adjacent to contingency as defined in Typical Cross Section illustrated below. Where not specified in table keep to minimum practicable.

D Bitumen sealing of Type 1, 2 and 4 roads will be required to address dust impact under the following circumstances:
   a. Where new roads are constructed:
      i. on a private road where the centroid of the road is within 30m of the near edge of a building envelope or the walls of an existing or proposed dwelling.
      ii. on a public road where the centroid of the road is within 100m of the near edge of a building envelope or an existing or proposed dwelling.
      iii. Where bitumen sealing is required at more than one location under 1 ii above, the bitumen sealing shall be linked between each site if the distance between the side of sealing at each site is less than 200m.
   b. Where use is made of existing roads:
      i. Where any single or staged subdivision or development results in a significant increase in traffic the applicant will be required to construct a bitumen sealed standard any existing gravel road where any existing residence or building envelope lies within 100m of the centroid of the road(s) over which access is being gained to serve the new subdivision development. A significant increase in traffic shall mean:
         a) for Type 2 Roads greater than 1 extra lot
         b) for Type 3 Roads greater than 2 extra lots
         c) for Type 4 Roads (not already sealed) greater than 4 extra lots
         d) for Type 5, 6, 7, 8, 9, 10 Roads greater than 25% increase in existing traffic.

E A reduction in the road reserve width may be permitted in flatter terrain if it can be demonstrated that the road formation, cut and fill kettles, drainage, lateral clearances at top and bottom of kettles of at least 2.5m and necessary horse trails and services can be adequately incorporated within the road boundaries.

F Stock proof fencing shall be provided along road reserves in accordance with Cl2 of YSC Rural & Rural Residential OCP (June 2001) and as amended.

G Lower or higher design speed may be specified in special circumstances to topographical and/or environmental conservation constraints/considerations. Road alignments shall be designed so as to ensure a consistent or gradually changing speed environment so that each curve is not incongruous with the adjoining curves thereby trapping untrained drivers. In this regard where terrain or environment dictate a reduction in speed environment, geometric elements connecting the two speed environments should be designed with appropriate design speeds to provide a gradual transition between elements of not more than 15-20 km/h. All curves and viaducts which have a design speeds less than the posted speed limit shall be provided with appropriate speed warning signs on each approach.

H Larger minimum curve radii may be necessary in situations where drivers’ lines of sight for stopping sight distance and/or safe sight distances to intersections and property entrances are outside the vegetation clearing zones as detailed in Council’s roadside vegetation management policy.
I
Permanent erosion protection, sediment control and revegetation is to be designed and constructed to protect disturbed surfaces along and adjacent to roadbeds, table drains and drainage structures in accordance with sound drainage design and environmental conservation principles and practices. For gravel roads, a small increase in maximum grade may be acceptable if road over sleeper section is finished with a non-erodible or bitumen sealed pavement.

J
Adequate provision shall be made for overtopping in accordance with AustRoads 'Bridge Design Code'.

   (i) Bridge Structure with effective waterway area > 30 m²
   (ii) Major Culvert Structure with effective waterway area > 3 < 30 m²
   (iii) Minor Culvert Structure with effective waterway area < 3 m²

NOTE: Additional erosion control works and/or overtopping structures may be required.

K
Pavement design, materials and construction to be in accordance with AustSpec #1, which refers to specific publications.

L
Cut and fill Roads shall be provided with and turning circles in accordance with Fig 4A. A 2.5m clearance from top of cut of cut/fill batters shall be provided.

M
The provision of the driveway is to comply with the requirements for vehicle access and clear zones adjacent to and above the road, as set out in Planning NSW document, Planning for Bushfire Protection, December 2001, Clause 4.3.2.
FIGURE 4A - TURNING CIRCLE DETAIL

EASTERN CAPITAL CITY REGIONAL COUNCIL
TURNING CIRCLE DETAIL
12. Fencing
The developer shall provide a stock proof fence to all road frontages and public open space areas to the following standard unless Council agrees to a variation prior to erection:

- Fence height 1.2 metres
- Strainers – spacing 100 metres to 120 metres depending on terrain
- Steel posts at 6 metre centres
- Steel droppers, one at centre of span between steel posts
- One 2.5 mm high tensile wire on top
- One carry 2.5 mm high tensile wire
- One bottom 2.5 mm high tensile wire
- 8/90/30 hinged joint netting with each horizontal wire tied to each post and dropper
- One standard galvanised steel farm gate with steel mesh (minimum 3.65 metres) at approved entrance.

With the exception of post and rail as well as mesh fencing (maximum height 1.2 metres) no other types of road frontage boundary fencing (including paling and metal panel fencing of any height) will be permitted in the Rural and Rural Residential zones.

13. Electricity
13.1. Subdivision
High tension power shall be provided by the developer to the boundary of all additional lots created in accordance with the requirements of the electricity supply body. Council may require the electricity mains to be underground where visual intrusion or public safety necessitate. If the route identified requires vegetation clearing Council's Environment and Development Division must be consulted before any work commences.

13.2. Dwelling houses
Internal connections to the dwelling house site should be underground except in cases where tree removal is not required and overhead lines do not visually detract from the landscape. Great Southern Energy should be contacted on the ability to service the land in an early stage of the application.
14. Exempt and Complying Development

Minor developments (e.g., some boundary adjustments, minor structures such as fences and flagpoles) that meet the specified standards in the YLEP 2002 are exempt development and do not require Council consent. Under the YLEP 2002, the erection of single storey dwelling houses (and ancillary development such as carports and garages) on lots in the rural and rural residential zones having defined building envelopes, is *complying development* if it meets the standards defined in the YLEP 2002.

A complying development certificate can be issued by Council or by a private accredited certifier. In assessing an application for a complying development certificate, Council or the accredited certifier must evaluate:

- whether the proposed development is complying development;
- whether it complies with all relevant development standards; and
- whether it complies with the requirements of the YLEP 2002 and this development control plan.

Applications for complying development certificates must be determined within 7 days of lodgement and cannot be refused if the above requirements are met. All complying development certificates will be issued subject to the standard set of conditions listed in Part 3 of Schedule 5 of the YLEP 2002.

15. Development Applications

If the proposal does not meet the requirements of complying development, a development application will be required. The following matters are to be addressed when seeking development consent for the erection of a dwelling house and/or building.

(a) The fee determined by Council must accompany the application. In the case of a building or work, the fee is based upon the estimated cost of the building or work. Other fees that may be applicable relate to inspection fees, septic tank application fees and Long Service Levy

(b) A locality plan indicating the land to which the application relates in relation to surrounding properties, roads etc., must accompany the application.

(c) A site plan (two copies) of the land to which the application relates must accompany the application, and must indicate the following:

(i) the location of the proposed structure, property boundaries, building restriction precinct boundaries (where applicable), dimensions, site area and north point of the land;
(ii) existing vegetation including mature trees on the land;
(iii) the location and uses of existing buildings on the land; and
(iv) any buildings that will be demolished in the development process.

(d) Two copies of a plan to a suitable scale (1:100 or 1:200) fully describing the proposed development shall accompany the application and, where applicable, that plan shall indicate the following:

(i) fully dimensioned floor plans and specifications of proposed buildings showing layout, partitioning, intended uses of each part of the building and room sizes;
(ii) elevations and sections showing proposed external finishes and heights;
(iii) proposed finished levels of the land in relation to buildings and roads;
(iv) building perspective where necessary to illustrate the proposed building;
(v) proposed parking arrangements, vehicular ingress, egress and movements on the land (including dimensions where appropriate);
(vi) proposed landscaping and treatment of the land (indicating plant types and their height at maturity); and
(vii) an application to install a sewerage disposal system together with fee and two copies of proposed drainage layout plan. It should be noted that an effluent disposal report will be required if such a report was not prepared at the subdivision stage.
In the case of residential development, Building Services Corporation Insurance Premiums may have to be paid and/or owner builder permits obtained prior to release of the building plans.

Section 94 contributions may be payable as a condition of development consent. (refer to clauses 10.1 and 11.4).

16. Other Approvals

16.1. Installation of Solid Fuel Heaters

All solid fuel heater installations, including new and second hand heaters and relocation of existing heaters, need approval from Council. The installation must comply with the Building Code of Australia and Australian Standard 2918.

Applications must include the following:
- Floor plan for the location of the solid fuel heater
- Manufacturers details showing setback distances from combustible walls and flue construction

Work cannot start until approval is obtained. Council is to be notified for a final inspection when works are complete.

A certificate from the installer is required for flue installations prior to Council certifying the completed works.

Existing heaters or second hand units and associated flue installations are to be accompanied by the same information as new heaters. Where no manufacturers specifications are available a certificate from a suitably qualified person for setback dimensions from combustible walls and building components is required.

Selection of the solid fuel heater and subsequent use is to comply with the emission recommendations of the NSW Environmental Protection Authority.

Council can provide advice on the most efficient use of your heater.

Gas or oil fired appliances do not require specific Council approval however, a compliance plate and associated certification must be provided to property owners, by a licensed installer.

16.2. Effluent Disposal

Where reticulated sewerage is not available an on-site waste management system must be provided. Under section 68 of the Local Government Act approval for the system must be obtained from Council prior to the installation of the system. Only systems that comply with NSW Health Department guidelines can be approved.

Requirements for approval:

a) Completion of an application form to install the system with appropriate fees
b) Site plan, to scale, showing the location of:
   - the sewage management facility proposed to be installed or constructed on the premises, and
   - any related effluent application areas, and
   - any building or facilities existing on, and any environmentally sensitive areas, of any land located within 100 metres of the sewage management facility or effluent application areas

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

(d) The application must be accompanied by details of the topography, soil composition and vegetation of any effluent application area related to the sewage management facility together with an assessment of the site in light of those details. The location of test pits are to be shown on the site plan. The site assessment must be completed in accordance with the Environment and Health Protection Guidelines: On-site Sewage Management for Single Households.

(e) The application must be accompanied by a statement of:
the number of persons residing, or probable number of persons to reside, on premises, and such other factors as are relevant to the capacity of the proposed sewage management facility.

(f) The application must be accompanied by details of:
the operation and maintenance requirements for the proposed sewage management facility, and
the proposed operation, maintenance, servicing arrangements intended to meet those requirements,
and
that action to be taken in the event of a breakdown in, or other interference with, its operation.

More details can be found in a pamphlet entitled On-site effluent disposal reports available from Council.

17. Bush Fire Hazards
The Yarrowlumla Council area is located within the area of Australia estimated to have one large bushfire every five years. Major fires occurred in the Shire in 1952, 1979, 1983 and 1985.

Dwelling houses in rural and rural residential areas are at much greater risk of bushfire than those built in urban areas, due to the amount of fuel surrounding the houses and the potential for ember attack from bushfires in forested areas in the locality.

As a consequence, prospective home builders should give careful consideration to the design and siting of their new home since these have been found to significantly improve the chances of buildings surviving a bush fire. The CSIRO Division of Building Research has found that to provide a good level of resistance to bush fires a building design needs to:

- prevent the establishment of small spot fires within the structure
- protect the structure from the external environment by providing adequate protective space around the structure
- allow the structure to physically withstand the impact of high wind and radiation stresses for short periods of time.

Research following major bush fires has established the importance of the construction materials; the design; the location with respect to surrounding countryside; and the proximity and type of adjacent vegetation.

Design features known to contribute to the survival of a house in a bushfire include:

- simple plans with low profile roofs and walls to reduce exposure to radiation and wind turbulence;
- lack of valleys or changes of pitch in roof design;
- leaf proof guttering (or no guttering);
- metal roofing or tiles fixed with cyclone clips;
- use of fire resistant sarking under the roofing material;
- fire resistant insulation materials;
- boxed in eaves;
- fire rated doors and frames;
- outside decks of concrete;
- verandah posts of metal rather than timber.

On the other hand features which should be avoided include decorative timber work such as trellises and latticework, timber balconies and verandahs, dormer windows, and skylights. Further information is available from Council or the Department of Bushfire Services and reference should be made to Australian Standard AS3959 – 1999 – Construction of buildings in bushfire prone areas and the Standards Australia publication HB36 – 1993 Building in bushfire prone areas – Information and Advice.
When choosing locations for dwelling houses owners should have regard to the degree of bushfire hazard on the land. In order to minimise vegetation clearance dwellings should be located in existing cleared areas wherever possible. Reference should be made to Clause 30.4 of this plan.

18. Setbacks
Taking into account the requirement for building envelopes, building setbacks from the front boundary shall be a minimum distance of 50 metres.

Building setbacks from side and rear boundaries shall have careful regard to the impact of the proposed structures on adjoining landowners and the amenity of the locality. A minimum distance of 15 metres for lots less than 4 hectares, 25 metres for lots 4 to 80 hectares, and 50 metres for lots exceeding 80 hectares, shall be the required setback from side and rear boundaries.

19. Height
No building shall exceed a maximum height of nine (9) metres measured from the lowest natural ground level at the wall of the building (excluding chimneys, antennae and plumbing stackwork) provided that at all times a line drawn vertically through the building at any point does not intersect more than two (2) floors.

For the purpose of this clause, "floor" includes any habitable area, car parking area, storage area or similar but does not include any area having a vertical measurement not exceeding 1.5 metres between the lowest floor level and natural ground level.

20. Materials and Appearance
All structures should be designed so as to be compatible with the rural character and landscape of the locality. In this regard, particular attention should be given to building location, form, colour and materials used on construction.

Council may require the use of certain colours or materials, if in Council's opinion their usage will provide the development with an appearance compatible with the landscape.

Metal clad structures (including roof) shall not be clad in highly-reflective material unless well screened from view or in an appropriate location.

The use of recycled materials is encouraged by Council. Applicants should use materials that are structurally sound and appropriate to the locality of the development.

21. Energy Efficiency
Energy efficient homes appear very similar to a conventional home, but use the best combination of building orientation, wall and ceiling insulation, efficient water heating and space heating, efficient lighting and efficient appliances. Energy consumption can be reduced by up to 40 per cent when compared to a conventional home.

Incorporating features such as the following into the design will increase the energy efficiency of the building:

living areas and external courtyards should, as far as practicable, be oriented to the north or north east.

Insulation of the building Yarrowlumla Council is a member of the NSW Government’s Energy Smart Homes Program. All newly constructed dwellings must achieve a minimum of a NATHERS (The Nationwide House and Energy Rating Software for Australian Conditions) 3.5 star rating or its equivalent and must be fitted with a 3.5 star rated hot water service. The NATHERS assessment can be undertaken by Council (a price will be provided on application) or applicants can access a private certifier. This requirement also applies to major additions and/or alterations (defined as greater than a 50 per cent increase in gross floor area) to buildings.

All buildings should be designed with solar access in mind. For example living areas and external courtyards should, as far as practicable, be oriented to the north or north east.

22. Erosion and sediment control on building sites
The disturbance associated with the construction of buildings tends to be temporary. To minimise erosion:

cut and fill should be kept to a minimum; a maximum cut of 1.5 metres is recommended;
sediment fencing should be placed around the low side of building sites, particularly near flow lines, to filter sediment from runoff water;

disturbed ground should be kept to a minimum;

grass should be established as early as possible following construction;

runoff during building construction should be diverted to a dam or artificial wetland to minimise nutrient and sediment loss from the site. During construction, the dam should preferably be kept empty between storm events.

Allowing soil to be transported from a construction site to waterways (including stormwater drains) results in phosphorus, micro-organisms, and chemicals polluting waterways.

Sediment control must be undertaken on every construction site and controls shall be installed before the site is disturbed. Particular attention should be given to:

slopes greater than 10 per cent. Runoff from slopes should be intercepted and diverted around all land likely to be disturbed; and

areas of concentrated water flows.

Topsoil removal should be limited to the construction site only. Once topsoil is removed it should be stockpiled for reuse in landscaping. Stockpiles of topsoil, sand, aggregate or other material must be stored clear of any drainage line, natural watercourse or road surface. Sediment fences need to be placed around the stockpile/s. Where it is practicable to do so, stockpiles of topsoil shall be covered.

Advice on appropriate controls may be obtained from Council or other relevant authorities.

Council may require as a condition of consent the preparation of a detailed erosion and sediment control plan.

Landscaping should be considered at the planning stage and if possible commenced prior to construction.

23. Water Supply

23.1. Non-potable Water
Council considers that a suitable non-potable water supply is necessary for land management purposes. A suitable supply is one that provides a storage capacity of 0.75 ML or that can deliver 0.75 ML per annum at the rate of 0.5 litres per second.

23.2. Potable Water
A minimum potable water supply storage of 90,000 litres shall be provided on-site for each dwelling erected on an allotment.

This requirement may be waived or reduced if Council is satisfied that an additional supply of potable water meeting all relevant Department of Health guidelines is available from a permanent watercourse or bore.

Aboveground water tanks shall be sited, coloured, and suitably landscaped so as to minimise their visual impact.

23.3. Fire Fighting Resources
With regard to fire fighting reserves a minimum water supply of 20,000 litres should be maintained with an accessible location to fire vehicles. This can be in the form of:
(a) above or underground tanks;
(b) permanent dam;
(c) permanent creek/river; and/or
(d) swimming pool.

Above or underground tanks used for domestic supply shall provide for the refilling of fire tankers through an access hole at least 200 mm diameter.

24. Waste Management
An average household produces about one tonne of solid waste per year. Approximately one half to two thirds of domestic waste by weight is organic. Another one third is potentially recyclable. Council encourages the minimisation of waste and composting/use of worm farms to reduce the amount of household and commercial waste going into landfill.

Items for recycling may be taken to the recycling areas of Council landfills - Macs Reef Road and Bungendore as well as a number of ‘drop off’ centres around the Shire.

Clause 52(4) of the YLEP 2002 allows on-site domestic waste disposal without Council consent in the 1(a) (General Rural) zones subject to:

(a) the land holding being 80 ha or greater;
(b) only domestic solid waste generated on the property being disposed of on the site;
(c) disposal site being a minimum 100m from any watercourse;
(d) stormwater and seepage being excluded from the disposal area; and
(e) the disposal area being fenced off to exclude stock and the area to be progressively covered.

On site waste disposal is not permitted in the rural residential zones.

25. Internal Driveways
Internal driveways shall be constructed in accordance with the Type 1a Road specification in Table 2 and 3. A maximum grade of 1 in 10 (10 per cent) applies from the intersection with the access road to the lot boundary.

Under the provisions of the YLEP 2002, development approval is required for constructed access tracks other than access tracks on holdings in the 1(a) zone having an area of 80 ha or more. To avoid the need for a separate development application, approval for the internal access should be sought at the dwelling house development application stage, unless the access was approved when the lot was created. Council’s Environment and Development Section should be consulted prior to any construction commencing on site.
PART FOUR: OTHER PROVISIONS

26. Land Management
The objective of clause 62 of the YLEP 2002 is to enable Council and the community to work cooperatively to ensure sustainable land management is practised throughout the Yarrowlumla Shire. This can be achieved by ensuring that all activities on land holdings in the Shire do not result in excessive loss of vegetative ground cover which may lead to erosion, sedimentation, nutrient runoff, noxious weed infestation or other forms of land degradation.

To assist rural landowners and occupiers to manage their land sustainably, Council has gathered the scientific data and advice presented in Appendix 3, based on a 70 per cent vegetative groundcover benchmark.

Good ground cover is the most effective way of minimising rainfall runoff and reducing erosion. In general terms, to minimise runoff and thereby reduce erosion, land managers should aim for at least 70 per cent ground cover on their paddocks. It should be noted that the actual percentage groundcover required on all or part of a particular property may be higher or lower than 70 per cent, depending on such factors as topography, pasture type, season, animal management/welfare and drought.

27. Keeping of Animals
The keeping of any animal on an allotment shall not constitute a nuisance because of its proximity to adjoining properties or become a nuisance because the premises are not adequately maintained.

Agriculture - intensive animal husbandry and animal breeding or training establishments are permissible with Council consent in the rural and rural residential zones.

Agriculture - intensive livestock keeping and animal boarding establishments are prohibited land uses within the Rural Residential Zones, but are permissible with Council consent in the Rural 1(a) zone.

28. Dogs

The keeping of more than four (4) adult dogs (dogs aged six months and over) requires the consent of Council, with the exception of working dogs on holdings within the 1(a) zone having an area greater than 16 hectares.

- In all circumstances Council must be satisfied that:
- adequate kenneling facilities are available on site; the provisions of the Protection of the Environment Operations Act 1997 are being met; and
- the provisions of the Public Health Act 1991 and Regulations thereunder are being met

Dog breeding establishments are permissible, but dog boarding establishments are prohibited in the rural residential zones. Both activities are permissible in the Rural 1(a) zone.

28.2. Classification of Kennels

The following classifications apply to the keeping of dogs.

**Class A Canine Kennels** shall include those kennels housing domestic pets, the number of adult dogs kept being limited to four (4).

**Class B Canine Kennels** shall include those kennels housing show dogs and registered with the NSW Canine Council, the maximum number of dogs kept being nine (9) dogs/bitches excluding puppies under the age of six (6) months and veterans over the age of six (6) years.
**Class C Canine Kennels** shall include those kennels housing greyhounds and registered with the NSW Greyhound Racing Control Board, the maximum number of dogs kept being nine (9) dogs/bitches excluding puppies under the age of six (6) months.

**Class D Canine Kennels** shall include special requirement kennels including those housing working dogs on rural properties or where the number of domestic pets exceed four (4) adult dogs.

### 28.3. Development consent

Development consent is required for Class B and C kennels, and for Class D kennels other than for working dogs on holdings within the 1(a) zone having an area greater than 16 hectares.

Council may require an acoustic report prepared by an accredited acoustic engineer addressing the issue of noise pollution prior to determining a development application.

### 28.4. Registration of Dogs

In accordance with the NSW Companion Animals Act 1998 all dogs over the age of 12 weeks other than working dogs must be permanently identified through microchipping. Working dogs are defined under the Companion Animals Act as dogs used primarily for the purpose of droving, tending, working or protecting stock, including dogs being trained as working dogs.

All dogs over six months of age (other than working dogs) must be registered for life with Council on the NSW Companion Animals Register. Dogs that already have an up to date annual registration with Council can continue to be registered annually until 30 September 2002.

### 29. Cats

Cats are extremely efficient predators on wildlife and in March 2000 were declared a Key Threatening Process under Schedule 3 of the Threatened Species Conservation Act 1995. Residents of rural and rural residential subdivisions are encouraged not to own cats, particularly in areas adjoining remnant native vegetation.

The NSW Companion Animals Act 1998 requires microchipping at 12 weeks of age and lifetime registration at six months of all kittens and any cat that is sold or given away. Existing cats that stay with their current owners do not have to be registered, but must be microchipped or fitted with a collar and identification tag.

### 30. Vegetation Management

#### 30.1. Landscaping

Rural residential development can play a positive role in habitat restoration in degraded and cleared areas. Revegetation programs to link areas of remnant vegetation into corridors to assist migration of native species are extremely important. In areas where only isolated paddock trees exist fencing off of areas will allow regeneration via natural tree seedlings. The *Land for Wildlife* technical bulletins published by the Victorian Department of Natural Resources and Environment and available from the National Parks and Wildlife Service provide practical recommendations on these techniques.

In establishing trees on a rural lot the Greening Australia publication "Growing Trees and Shrubs on the Southern Tablelands" is a useful reference. Copies can be obtained from Greening Australia (ACT), PO Box 538, JAMIESON ACT 2600 or telephone (02) 6253 3035. Contact your local Landcare group as there may be publications specific to your area.

To allow for the regeneration of native vegetation including grasses, shrubs and trees and in turn the enhancement of the amenity of the area, land owners are encouraged to restrict the planting of exotic species for landscaping to areas within building precincts. The planting of the indigenous and regional species listed in Appendix 4 is supported. The plant species listed in Appendix 5 as problem species should not be used in landscaping.

Where *Pinus radiata* is planted for wind breaks such wind breaks should incorporate the native species listed. *Pinus radiata* should not be planted in locations adjoining significant areas of native bushland.
30.2. Vegetation Protection

The maintenance of biodiversity is a global, national and state priority, but any damage to biodiversity occurs at the local level and it is at the local level that it must be managed. A major factor in protecting many aspects of biodiversity and the environment generally is to provide adequate protection for native vegetation communities.

Under the provisions of the YLEP 2002 (clause 36) development consent is required before a person takes, or allows any action to be taken, which ringbarks, cuts down, tops, lops, removes, injures, poisons or wilfully destroys:

(a) any area of native vegetation, or
(b) any live tree having an overall height of 3 metres or more above ground, or a branch span at any height in excess of 3 metres, or
(c) any dead tree having an overall height of 6 metres or more above ground, unless one of the exemptions listed in clause 37 of the YLEP 2002 applies.

Consent may also be required under the Native Vegetation Conservation Act 1997. The Department of Infrastructure, Planning and Natural Resources should be contacted for further information.

30.3. Noxious Plants

Landholders have moral and legal responsibilities to prevent the establishment of noxious weeds and to prevent the spread of weeds from their land to adjoining lands. Noxious weed control is governed by the Noxious Weeds Act 1993.

There are currently approximately forty noxious plants declared under the Act within the Shire (see Appendix 5). The plants causing most concern to Council are Serrated Tussock, St John's Wort, Blackberry, African Lovegrass, Scotch Thistle, Patterson's Curse and Sweet Briar. The action required to be taken to control each noxious weed species depends on the control category into which it has been placed and ranges from notification of Council and full and continuous destruction and suppression to restrictions on sale, propagation and distribution.

It should be noted that under the Noxious Weeds Act 1993 noxious weed control is the responsibility of the occupier of land (the person who has care, control and use of the land), not necessarily the owner.

Council's Environment and Development Division may be contacted for information and advice on eradication of noxious plants.

30.4. Bush Fire Protection

Bush Fire Protection Zones shall be provided in accordance with the Guidelines laid down by the Department of Bush Fire Services "Planning for Bushfire Protection" document and the subsequent policy adopted by Council.

The Bush Fire Protection Zone shall include:
(a) an inner fuel free zone that is free of material or vegetation likely to catch alight from flames, heat or sparks; and
(b) an outer fuel reduced zone in which vegetation is reduced to lessen the chance of flames and sparks reaching the inner zone.

The minimum dimensions of the zones depend on slope and aspect. Further information can be obtained from Council's Fire Control Officer on 6297 1840.

Fuel reduction can be achieved by various methods such as ploughing, grazing, mowing, slashing, and burning or by existing features such as roads and dams. Strict compliance with Council's vegetation protection controls shall be observed in the construction of any Bush Fire Protection Zone.

The placement, density and type of trees within, or close to the Bush Fire Protection Zone shall be determined by the Council and the width of any Bush Fire Protection Zone may be amended by the
Council as circumstances require. Figure 8 provides further guidelines as to the siting and landscaping of dwelling houses so as to maximise protection from bushfires.

31. **Advertising Structures**
Advertisements and advertising structures require development consent in all rural and rural residential zones.

An advertisement or advertising structure may be erected on land within the rural or rural residential zones only where it:
(a) relates to that land, or to premises situated on that land or adjacent land; and
(b) specifies one or more of the following particulars:

(i) the purpose for which the land or premises is or are used;  
(ii) the identification of a person residing or carrying on an occupation or business on the land or premises;  
(iii) a description of the occupation or business on the land or premises;  
(iv) particulars of the goods or services dealt with or provided on the land or premises; or  

(c) is in the form of a notice directing the travelling public to tourist facilities or activities or to places of scientific, historical or scenic interest.

Council's *Development Control Plan No 2 - Outdoor Advertising* applies to all land within the Shire.

32. **Dual Occupancy**
Dual occupancy development means development which results in the erection of two dwellings, one of which having a maximum floor area (excluding vehicle accommodation and verandahs) of 150 square metres, on one allotment of land. Such development may be carried out through the erection of an additional building or through modification of an existing dwelling house.

Dual occupancy development is not permissible in the 1(g) Rural Smallholdings zone and is permissible in the 1(a) and 1(d) zones only if:
(a) a dwelling house can be or has been lawfully erected on the land;  
(b) the proposed development will not substantially interfere with the primary purpose for which the land is intended to be used;  
(c) no additional access to a public road will be required from the land because of the dual occupancy development; and  
(d) domestic wastewater can be effectively disposed of within the boundaries of the land.

The erection or creation of a dual occupancy building on land prone to flooding will not be approved.

33. **Farm Sheds**
Farm sheds (including roofs) shall not be constructed of highly-reflective material.

On rural lots with an area of 16 hectares or less and on rural residential lots, farm sheds shall have a total floor area no larger than 300 m². Not more than 50 per cent of the roof area is to exceed 4 metres in height.

Larger farm sheds may be permitted within the 1(a) General Rural zone on lots that are greater than 16 hectares, provided the applicant can substantiate the rural use of the shed having regard for the size of the holding and its agricultural use.

Farm sheds are not to be used for any commercial purpose without the consent of Council.

34. **Fencing**
Fencing between lots is a matter for landowners subject to the Dividing Fences Act 1991.
Road frontage boundary fencing should be generally consistent with the specification listed in clause 11 with increased height acceptable if required to contain stock (eg deer). Development consent is required for fences greater than 1.8 metres in height. With the exception of post and rail as well as mesh fencing (maximum height 1.2 metres) no other types of road frontage boundary fencing (including paling and metal panel fencing of any height) will be permitted.

**FIGURE 8**

**SITING, DESIGN AND LANDSCAPING DWELLING HOUSES TO MAXIMISE PROTECTION FROM BUSHFIRES**
35. Temporary Occupancy
The YLEP 2002 allows Council to grant consent to the temporary occupancy of caravans and non-residential buildings for short periods of time during the construction of a dwelling. Council will grant consent to such applications only under the following circumstances:

(a) The maximum initial period of temporary occupancy approval is six months. An extension of six months will only be granted if work has progressed to a satisfactory level as judged by Council’s Health and Building Surveyor and the timetable provided with the temporary occupancy application.

(b) Further Council approval will be required for any extension beyond the twelve months allowed in (a) above.

(c) The application for temporary occupancy must include the following:
   i) Timetable for building the dwelling including lockup stage and expected completion date;
   ii) A letter of agreement that the applicant will abide by the terms of the temporary occupancy code;
   iii) Details of toilet, washing, kitchen and bathing facilities as well as proposed method of effluent disposal;
   iv) Details of the type of accommodation proposed, eg. caravan, shed, garage and so on; and
   v) The number of persons proposed to be accommodated in the temporary occupancy.

(d) The siting of the temporary occupancy must not detrimentally affect the amenity of the surrounding properties.

(e) Occupation of the site will not be permitted until after:
   i) Approval of the plan for the dwelling;
   ii) Commencement of the dwelling construction.

   NOTE: as an example, this can be after excavation for footings, or other bona fide evidence of commencement to the satisfaction of Council’s Health and Building surveyor.

(f) Adequate facilities including effluent disposal must be provided and satisfactory inspections carried out prior to any approval to occupy the site.

(g) All sanitary facilities must be maintained in a satisfactory manner throughout the period of temporary occupancy.

(h) Adequate water supply shall be provided to the temporary occupancy.

(i) Applicants are advised that an option to consider is the completion of a portion of the dwelling, which can then be occupied. This will reduce the potential temporary occupancy period. Council’s Environment & Development Division can be contacted in this regard.

(j) The long term use of the building is to be stated at the application stage. Buildings that were initially constructed as garage etc, will not subsequently be approved as residential occupancies (eg dual occupancies).

(k) The building used as the temporary occupancy must be converted to the original use upon occupation of the dwelling with sanitary fittings being removed to the satisfaction of Council’s Health & Building Surveyor.

(l) Any existing unauthorised occupancies are required to gain requisite approval and up to six (6) months may be given to commence the main dwelling.

APPENDICES
APPENDIX 1

NOTIFICATION POLICY

Notification of Applications
The policy relates to all activities that require approval by Council (Part 4 of the NSW Environmental Planning and Assessment Act 1979). Activities may include the construction of dwellings or sheds, the removal of vegetation, earthworks and roads or the use of a building or land for a particular purpose.

Aims and Objectives
The objective of this policy is to protect the amenity of a locality and allow public participation in the development assessment process, whilst achieving a balance between the right of a landowner to reasonably develop his or her land and the rights of nearby residents to visual and aural privacy, views, and sunlight.

The policy aims to:

a) identify the circumstances under which an activity is to be notified;
b) set out procedures for determining when notification is required and who should be notified;
c) giving written notice to persons so identified to enable them to inspect the plans and make a submission in writing.
d) to satisfy the requirements of the Environmental Planning and Assessment Act 1979 relating to the notification of applications for development consent.

PART 1
EXEMPTIONS

When assessing development applications, Council need not notify adjacent landowners of a proposal under the following circumstances:

I. when notice has previously been given pursuant to the Environmental Planning and Assessment Act 1979 and that application is not materially different from the current proposal
II. where the property owner to be notified is the person or one of the persons currently seeking approval
III. where, in the opinion of the Director Environment & Development, the proposal will not detrimentally affect the enjoyment of adjacent land pursuant to the criteria in Part 2 of this policy
IV. where developments have been identified as exempt or complying development.

PART 2
CRITERIA FOR NOTIFICATION

The Director of Environment and Development is Council's delegated authority to determine the property owners requiring notification

The Director (or delegate) in each case must form an opinion as to who may be affected by a proposal and therefore those persons who need to be notified. It may not be appropriate to just notify adjoining owners, however, the extent of notification will be governed by the following criteria.

Views/Outlook
What impact, if any, will the proposal have on the maintenance of views/outlook from other premises. Buildings should be designed to maintain within reason, the views and outlook of existing residences. Views can be taken to relate to distance and intermediate aspects of water views, major topographic features, ridgelines, tree scape, sky scape and/or significant areas of public or private open space. Merely being able to "see" another building does not necessarily constitute grounds for being detrimentally affected. This particularly applies to rural residential areas.

Overshadowing
Buildings should not unreasonably reduce solar access to habitable rooms and recreation areas on adjacent properties.

**Privacy**
Buildings should be sited and designed to minimise the potential for overlooking of or looking into neighbours habitable rooms and recreation areas.

It is conceded that in the urban environment the potential for overlooking is almost unavoidable. Careful considerations can be given to the orientation of windows so that they do not look directly into windows of habitable rooms of adjoining properties at a close distance.

Landscape screening can be utilised to reduce the impact of overlooking.

The proximity of an activity eg. earthworks to adjoining properties shall also be considered.

**Noise Intrusion (Aural Privacy)**
The impact of potential noise intrusion should be addressed in relation to compatibility with the ambient noise level at the relevant boundary of the site.

Noise during the construction period will also be considered.

**Streetscape**
The proposed building should fit comfortably within the existing streetscape by way of compatibility with the character and scale of residential and other development in the immediate vicinity particularly if there is some heritage value involved.

**use**
- The proposed use of the building (including ancillary uses such as swimming pools, tennis courts and so on) may have on the amenity of the area.
- The impacts of roads eg. route and ownership

### PART 3 OTHER MATTERS

**I. Form of Notification:**
Notices will contain:

a) details of:
   - the date of receipt of the application
   - the address to which the application relates;
   - the type of building or development proposed;

b) a copy of the relevant sections of the plan or an invitation to inspect the plans at Council's offices;

c) an invitation to lodge a written submission, with advice that if a submission is in the form of an objection, the grounds of the objection must be stated;

d) the time period within which written submissions will be received;

e) advice that submissions may be shown to the applicant if requested

f) that an option in determination may be that all parties are invited to a conciliation conference.

**II. Period of Notification**
If it is deemed necessary to notify an activity, the period during which submissions will be received and plans can be inspected will not be less than fourteen (14) days (including weekends and public holidays). A longer time may be allocated depending on exceptional circumstances.

**III. Assessment of Submissions**
All submissions received during the notification period will be considered and an assessment made by the Director Environment and Development.
IV. **Notice of Determination**
Following determination of any application notified under this policy all persons who made submissions will be notified of the outcome.

V. **Use of Submissions**
In the interests of resolving issues raised in submissions, Council may provide copies to applicants subject to Council's Privacy and Personal Information Protection Policy and the requirements of relevant legislation.
APPENDIX 2a SIGNIFICANT VEGETATION COMMUNITIES

The following definitions have been provided by the NSW National Parks and Wildlife Service from Benson, J. (1996) What is a Native Grassland? Proc. 11th Ann. Conf. Grasslands Soc. The vegetation communities described are not entirely discrete entities. There may be inter-relationships between the communities. Reference should also be made to Schedules 1 and 2 of the Threatened Species Conservation Act 1995 and Schedules 4 and 5 of the Fisheries Management Act 1994.

1. Natural Grasslands are the grasslands that occupied the landscape at the time of European settlement. Natural temperate grasslands of the Southern Tablelands (NSW and ACT) have been listed under the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999. No communities have been listed in the NSW Threatened Species Conservation Act at this time.

2. Wetlands and riparian environments have a range of conservation importance ranging from predominantly native flora with undisturbed and relatively natural streamflow conditions, to weed infested unnatural flow conditions. Riparian or wetland environments with native sedges and rushes (Juncas and Carex spp.) have a higher conservation value than riparian environments with exotic species such as Phalaris aquatica. Native frogs and avifauna, especially endangered ducks, use habitat in wetland areas.

3. Native Grasslands are defined as follows:
Native grasslands are a composite of vegetation types with few or no trees, in which the dominant species are native grasses. Although sparsely scattered, trees may be present, perennial native tussock grasses and forbs dominate the ground layer. Native grasslands generally occur on flat to gently undulating topography, on fertile, heavy textured soils.

Native grasslands are considered to exist on a continuum. Grasslands with the highest conservation values (i.e. those with a high floral and faunal diversity) exist at one end, and native pastures (dominated by native grasses, but with few associated forb species and low faunal diversity) are at the other end of the continuum.

Indicator species include: Themeda australis (Kangaroo Grass), native orchids, lilies and various forb species.

4. Grassy woodlands are defined as being lowland (non-alpine) woodland ecosystems on relatively fertile soils, in which the understorey is dominated by native grasses and forbs, with relatively few species of shrubs. A preliminary determination to list White Box - Yellow Box Woodland as an endangered ecological community has been made under the Threatened Species Conservation Act 1995.

5. Secondary grasslands are those grasslands that were formerly woodlands with a grassy understorey from which the trees have largely been removed. These grasslands may have high conservation values because they are valuable remnants in their own right. They contain high floristic diversity, often including a diversity of woody plants in addition to species normally associated with grasslands and may also contain threatened species.

6. Native pastures are former native grasslands (natural or secondary) that have undergone some modification due to ploughing, fertilisation and grazing, but still retain elements of natural grasslands. These communities are a mix of native and exotic grasses. Native forbs may be present depending on the disturbance history and grazing regime and are appropriate areas for development or continued agriculture.
APPENDIX 2b
SIGNIFICANT FAUNA AND FLORA SPECIES

Fauna listed under the Threatened Species Conservation Act or Fisheries Management Act 1994:

Delma impar  Striped Legless Lizard
Aprasia parapulchella  Pink-tailed Worm Lizard
Polytelis swainsonii  Superb Parrot
Synemon plana  Golden Sun Moth
Tympanocryptis pinguilla  Grassland Earless Dragon
Xanthomyza phrygia  Regent Honeyleter
Heleioporus australiacus  Giant Burrowing Frog
Suta flagellum  Little Whip Snake
Calyptorhynchus lathami  Glossy Black Cockatoo
Lathamus disolor  Swift Parrot
Miniopterus australis  Common Bent Wing Bat
Phascolarctos cinereus  Koala
Strictonetta naevosa  Freckled Duck
Oxyura australis  Blue Billed Duck
Litoria aurea  Green and Golden Bell Frog
Granitella picta  Painted Honeyleter
Varanus rosenbergi  Rosenbergs Goanna
Climacteris picumnus  Brown Treecreeper
Stagonopleura guttata  Diamond Firetail
Melanodryas cucullata  Hooded Robin (south eastern form)
Pyrrholaemus sagittata  Speckled Warbler
Macquaria australasica  Macquarie Perch
Maccullochella macquariensis  Trout Cod

A number of threatened bat species are also known to occur in the Shire. Other significant fauna
not listed under the Threatened Species Conservation Act, but which should also be assessed
include Cooraboorama canberrae (Canberra Wood Cricket), Keyacris scurra (Morabine
Grasshopper).

Flora listed under the Threatened Species Conservation Act:

Swainsona recta  Small Purple-pea
Swainsona sericea  Silky Swainson-pea
Rutidosis leptorhynchoides  Button Wrinklewort
Prasophyllum petillum  Leek Orchid
Ammobium craspediae  Creeping hopbush
Dodonea procumbens
APPENDIX 3 AVOIDING LAND DEGRADATION

Activities occurring on land holdings should not cause the ground cover to be reduced below 70 per cent at any time taking into account:

- climatic conditions;
- whether the land is being used for cropping;
- naturally occurring areas devoid of ground cover (e.g., rock outcrops, areas beneath tree canopies);
- areas affected by the supplementary feeding of animals; and
- the natural behavioural patterns of animals (e.g., walking along fence lines).

The 70 per cent standard is intended to:

- reflect the average condition of the land;
- set a benchmark which clearly defines land degradation; and
- assist both the community and Council with regard to land use decisions.

The loss of ground cover below the 70 per cent level is typically caused by the keeping of animals in such numbers that the grazing capacity of the land is exceeded.

The Department of Agriculture has classified all land within the Shire according to its agricultural capability and the Department's maps are available for inspection at Council's offices. Rural land in the Shire ranges from Class 3 to Class 5. Most rural residential land falls within Class 3 or 4.

The carrying capacity of land is based on this classification; better quality land being able to carry more stock before degradation begins to occur. If pasture improvement works have been carried out the carrying capacity may be increased. Carrying capacity is expressed in DSE (dry sheep equivalent) and Table A indicates the average carrying capacity in terms of DSE per hectare for various agricultural classifications and pasture types.

### TABLE A CARRYING CAPACITY

<table>
<thead>
<tr>
<th>PASTURE TYPE</th>
<th>AGRICULTURAL CLASSIFICATION</th>
<th>AVE DSE/ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low quality native pasture (mainly summer grass, low legume component)</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Good quality native pasture (e.g., wallaby grass)</td>
<td>4/5</td>
<td>2.5</td>
</tr>
<tr>
<td>Native pasture + sub clover and superphosphate hate</td>
<td>4/3</td>
<td>5</td>
</tr>
<tr>
<td>Sown perennial grass / legume fertilised pasture</td>
<td>3</td>
<td>9</td>
</tr>
</tbody>
</table>

**NOTE:** Dry sheep equivalent (DSE) is based on the annual energy requirements of an adult merino sheep wether weighing 50 kg grazing medium quality pastures with an exercise allowance of 35 per cent.

To determine the carrying capacity for grazing animals other than dry sheep, Table B which is based on advice from the Department of Agriculture and is in accordance with the Rural Lands Protection Act 1989, should be consulted.
TABLE B COMPARISON OF DSEs FOR VARIOUS GRAZING ANIMALS

<table>
<thead>
<tr>
<th>Species</th>
<th>Average Annual DSE Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>cow, breeding</td>
<td>12</td>
</tr>
<tr>
<td>ewe, breeding</td>
<td>2</td>
</tr>
<tr>
<td>fallow doe</td>
<td>2</td>
</tr>
<tr>
<td>red hind</td>
<td>3.5</td>
</tr>
<tr>
<td>ostrich, breeding</td>
<td>4</td>
</tr>
<tr>
<td>goat</td>
<td>1</td>
</tr>
<tr>
<td>emu</td>
<td>4</td>
</tr>
<tr>
<td>alpaca</td>
<td>1</td>
</tr>
<tr>
<td>horse</td>
<td>12</td>
</tr>
<tr>
<td>camels</td>
<td>12</td>
</tr>
<tr>
<td>crossbred ewe</td>
<td>2</td>
</tr>
<tr>
<td>miniature cows</td>
<td>6</td>
</tr>
<tr>
<td>miniature horses</td>
<td>6</td>
</tr>
</tbody>
</table>

As an example, on land with good quality native pasture and an agricultural suitability classification of 4 to 5, four hectares would be expected to be able to support up to 10 alpacas without land degradation problems arising. Two cows would require about ten hectares of this quality land.

Assessing Pastures
The following extract from the NSW Agriculture publication *Prime Pasture Program - Established Field Guide* by M J Keys provides a method that can be used to assess pasture and determine the level of ground cover.

**How Productive is this Paddock? - A Guide to Assessing Pastures**
Checking pastures is as important as checking stock! In assessing any paddock ask, "compared with similar country, does the paddock perform well, about average, or poorly? Pasture composition will often be the key to your answer.

Assessments may be made at any time, but in line with planning pasture work 12 months ahead, early winter is ideal. There is little bare ground at that time, but the pasture is grazed short.

One of the best methods to practically assess pasture composition is to determine the percentage (%) ground cover. A quick and simple method is as follows:

- Stand in the paddock with your feet about half a metre apart. Visualise a square 0.5m x 0.5m (18') in front of your toes.
- Estimate the proportion of this square that each plant type occupies.
- Take at least 5 estimates for a reliable guide.
HINT. Imagine the square divided into quarters; mentally move plants of one type into one quarter - overflowing into the next quarter if necessary to gauge percentage. Repeat for other types in succession.

<table>
<thead>
<tr>
<th>MAKE AN ESTIMATE OF.</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>TOTAL</th>
<th>AVE.</th>
</tr>
</thead>
<tbody>
<tr>
<td>% cover of clover/legumes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% cover of desirable grasses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% cover of broadleaf weeds</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% cover of annual grass weeds</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% bare ground</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>

The 'ideal' pasture has 30% - 40% legume and 60% - 70% productive grass (weeds should be less than 20%).
**APPENDIX 4**

**RECOMMENDED TREES AND SHRUBS FOR YARROWLUMLA SHIRE**

This list provides a useful base list of suitable species for revegetation and landscaping in the Shire. It concentrates primarily on indigenous and regional species, and it is not suggested that other native species will not grow here. However, these species are those that have performed well in the local environment and will most greatly enhance habitat and biodiversity needs as well as other useful and practical property and landscape functions.

<table>
<thead>
<tr>
<th>Species</th>
<th>Common name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia buxifolia</td>
<td>Box-leaf Wattle</td>
</tr>
<tr>
<td>Acacia dealbata</td>
<td>Silver Wattle</td>
</tr>
<tr>
<td>Acacia decurrens</td>
<td>Green Wattle</td>
</tr>
<tr>
<td>Acacia doratoxylon</td>
<td>Currawang</td>
</tr>
<tr>
<td>Acacia falciformis</td>
<td>Hickory Wattle</td>
</tr>
<tr>
<td>Acacia floribunda</td>
<td>White Sallow Wattle</td>
</tr>
<tr>
<td>Acacia genistifolia</td>
<td>Earl Wattle</td>
</tr>
<tr>
<td>Acacia impexa</td>
<td>Lightwood</td>
</tr>
<tr>
<td>Acacia mearnsii</td>
<td>Black Wattle</td>
</tr>
<tr>
<td>Acacia melanoxylon</td>
<td>Blackwood</td>
</tr>
<tr>
<td>Acacia obliquinervia</td>
<td>Mountain Hickory</td>
</tr>
<tr>
<td>Acacia pycnantha</td>
<td>Golden Wattle</td>
</tr>
<tr>
<td>Acacia pravissima</td>
<td>Ovens Wattle</td>
</tr>
<tr>
<td>Acacia rubida</td>
<td>Red-stem Wattle</td>
</tr>
<tr>
<td>Acacia siculiformis</td>
<td>Dagger Wattle</td>
</tr>
<tr>
<td>Allocasuarina littoralis</td>
<td>Black Sheoak</td>
</tr>
<tr>
<td>Allocasuarina nana</td>
<td>Stunted Sheoak</td>
</tr>
<tr>
<td>Banksia marginata</td>
<td>Silver Banksia</td>
</tr>
<tr>
<td>Banksia spinulosa</td>
<td>Hairpin Banksia</td>
</tr>
<tr>
<td>Brachychiton populneus</td>
<td>Kurrajong</td>
</tr>
<tr>
<td>Bursaria lasiophylla</td>
<td>Blackthorn</td>
</tr>
<tr>
<td>Callistemon pallidus</td>
<td>Lemon Bottlebrush</td>
</tr>
<tr>
<td>Callistemon pityoides</td>
<td>Alpine Bottlebrush</td>
</tr>
<tr>
<td>Callistemon sieberi</td>
<td>River Bottlebrush</td>
</tr>
<tr>
<td>Callitris endlicheri</td>
<td>Black Cypress Pine</td>
</tr>
<tr>
<td>Casuarina cunninghamiana</td>
<td>River She-Oak</td>
</tr>
<tr>
<td>Correa reflexa</td>
<td>Native Fuschia</td>
</tr>
<tr>
<td>Daviesia mimosoides</td>
<td>Narrow-leaf Bitter-pea</td>
</tr>
<tr>
<td>Dodonaea viscosa</td>
<td>Ho bush</td>
</tr>
<tr>
<td>Eucalyptus aggregata</td>
<td>Black Gum</td>
</tr>
<tr>
<td>Eucalyptus blakelyi</td>
<td>Blakely’s Red Gum</td>
</tr>
<tr>
<td>Eucalyptus bridgesiana</td>
<td>Apple Box</td>
</tr>
<tr>
<td>Eucalyptus camphora</td>
<td>Mountain Swam Gum</td>
</tr>
<tr>
<td>Eucalyptus cinerea</td>
<td>Argyle Apple</td>
</tr>
<tr>
<td>Eucalyptus dives</td>
<td>Broad-leaved Peppermint</td>
</tr>
<tr>
<td>Eucalyptus goniocalyx x</td>
<td>Bund</td>
</tr>
<tr>
<td>Eucalyptus macrophylla</td>
<td>Red Stringy bark</td>
</tr>
<tr>
<td>Eucalyptus mannifera</td>
<td>Brittle Gum</td>
</tr>
<tr>
<td>Eucalyptus melliodora</td>
<td>Yellow Box</td>
</tr>
<tr>
<td>Eucalyptus nortonii</td>
<td>Large-leaved _ Peppermint</td>
</tr>
<tr>
<td>Eucalyptus ovata</td>
<td>Swamp Gum</td>
</tr>
<tr>
<td>Eucalyptus pauciflora</td>
<td>Snow Gum</td>
</tr>
<tr>
<td>Eucalyptus polyanthemos</td>
<td>Red Box</td>
</tr>
<tr>
<td>Eucalyptus radiata</td>
<td>Narrow-leaved Peppermint</td>
</tr>
<tr>
<td>Eucalyptus rossii</td>
<td>Inland Scribble Gum</td>
</tr>
<tr>
<td>Eucalyptus rubida</td>
<td>Candlebark</td>
</tr>
<tr>
<td>Eucalyptus stellulata</td>
<td>Black Sallee</td>
</tr>
<tr>
<td>Eucalyptus viminalis</td>
<td>Ribbon Gum</td>
</tr>
<tr>
<td>Plant Name</td>
<td>Common Name</td>
</tr>
<tr>
<td>----------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Grevillea arenaria</td>
<td></td>
</tr>
<tr>
<td>Hakea dactyloides</td>
<td>Finger Hakea</td>
</tr>
<tr>
<td>Hakea microcarpa</td>
<td>Small-fruit Hakea</td>
</tr>
<tr>
<td>Hakea sericea</td>
<td>Silk Hakea</td>
</tr>
<tr>
<td>Indigofera australis</td>
<td>Austral Indigo</td>
</tr>
<tr>
<td>Jacksonia scoparia</td>
<td>Dogwood</td>
</tr>
<tr>
<td>Kunzea ericoides</td>
<td>Burgan</td>
</tr>
<tr>
<td>Kunzea parvifolia</td>
<td>Violet Kunzea</td>
</tr>
<tr>
<td>Leptospermum brevipes</td>
<td>Slender Tea-tree</td>
</tr>
<tr>
<td>Leptospermum juniperinum</td>
<td>Prickly Tea-tree</td>
</tr>
<tr>
<td>Leptospermum lanigerum</td>
<td>Wool Tea-tree</td>
</tr>
<tr>
<td>Leptospermum multicaule</td>
<td></td>
</tr>
<tr>
<td>Leptospermum myrtillosum</td>
<td>Heath Tea Tree</td>
</tr>
<tr>
<td>Leptospermum obovatum</td>
<td>River Tea-tree</td>
</tr>
<tr>
<td>Lomatia myricoides</td>
<td>Long-leaf Lomatia</td>
</tr>
<tr>
<td>Melaleuca parvistaminea</td>
<td>Shoalhaven Tea-tree</td>
</tr>
</tbody>
</table>
APPENDIX 5 SIGNIFICANT PROBLEM PLANT SPECIES

1. DECLARED NOXIOUS WEEDS

The following weeds have been declared noxious in Yarrowlumla Shire under the Noxious Weeds Act 1993:

**CATEGORY W1 WEEDS**

Category W1 weeds are notifiable weeds. The presence of any of the following weeds on land must be notified to Council within three days of detection and the weed must be fully and continuously suppressed and destroyed. It is an offence to sell, move or cause to be moved any W1 weed material, or any animal or thing which has W1 weed material in or on it in the Local Control Area.

<table>
<thead>
<tr>
<th>Species</th>
<th>Common name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia karroo</td>
<td>Karroo thorn</td>
</tr>
<tr>
<td>Alternanthera philoxeroides</td>
<td>Alligator weed</td>
</tr>
<tr>
<td>Centaurea maculosa</td>
<td>Spotted kna weed</td>
</tr>
<tr>
<td>Centaurea nigra</td>
<td>Black kna weed</td>
</tr>
<tr>
<td>Chromolaena odorata</td>
<td>Siam weed</td>
</tr>
<tr>
<td>Eichhornia crassipes</td>
<td>Water hyacinth</td>
</tr>
<tr>
<td>Equisetum sp.</td>
<td>Horsetail</td>
</tr>
<tr>
<td>Gymnocoronis spilanthoides</td>
<td>Senegal tea plant</td>
</tr>
<tr>
<td>Hieracium spp.</td>
<td>Hawkweed</td>
</tr>
<tr>
<td>Kochia scoparia</td>
<td>Kochia</td>
</tr>
<tr>
<td>Lagarosiphon major</td>
<td>Lagarosiphon</td>
</tr>
<tr>
<td>Miconia spp.</td>
<td>Miconia</td>
</tr>
<tr>
<td>Nassella tenuissima syn Stipa tenuissima</td>
<td>Mexican feather grass</td>
</tr>
<tr>
<td>Orobanche spp.</td>
<td>Broomrape</td>
</tr>
<tr>
<td>Parthenium hysterophorus</td>
<td>Parthenium weed</td>
</tr>
<tr>
<td>Pistia stratiotes</td>
<td>Water lettuce</td>
</tr>
<tr>
<td>Salvinia molesta</td>
<td>Salvinia</td>
</tr>
</tbody>
</table>

**CATEGORY W2 WEEDS**

Category W2 weeds must be fully and continuously suppressed and destroyed on land that is the responsibility of all private landowners and managers, Local Control Authorities and public authorities.

<table>
<thead>
<tr>
<th>Species</th>
<th>Common name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ailanthus altissima</td>
<td>Tree of heaven</td>
</tr>
<tr>
<td>Carduus nutans</td>
<td>Nodding thistle</td>
</tr>
<tr>
<td>Cassinia arcuata</td>
<td>Sifton bush</td>
</tr>
<tr>
<td>Cenchrus incertus</td>
<td>Sin burr grass</td>
</tr>
<tr>
<td>Cenchrus longispinus</td>
<td>Sin burr rass</td>
</tr>
<tr>
<td>Cestrum parqui</td>
<td>Green cestrum</td>
</tr>
<tr>
<td>Conium maculatum</td>
<td>Hemlock</td>
</tr>
<tr>
<td>Cortaderia spp.</td>
<td>Pampas grass</td>
</tr>
<tr>
<td>Cuscuta campestris</td>
<td>Dodder</td>
</tr>
<tr>
<td>Cytisus scoparius</td>
<td>Scotch, English broom</td>
</tr>
<tr>
<td>Hypericum perforatum</td>
<td>St John’s wort</td>
</tr>
<tr>
<td>Lycium feroecissimum</td>
<td>African boxthorn</td>
</tr>
<tr>
<td>Nassella trichotoma</td>
<td>Serrated tussock</td>
</tr>
<tr>
<td>Rubus fruticosus (agg. spp.)</td>
<td>Blackberry</td>
</tr>
<tr>
<td>Senecio madagascariensis</td>
<td>Fireweed</td>
</tr>
<tr>
<td>Toxicodendron succedaneum</td>
<td>Rhus tree</td>
</tr>
<tr>
<td>Ulex europaeus</td>
<td>Gorse</td>
</tr>
<tr>
<td>Xanthium spp.</td>
<td>Bathurst, Noogoora, Californian, Cockle burrs</td>
</tr>
</tbody>
</table>
CATEGORY W3 WEEDS

Category W3 weeds must be prevented from spreading and their numbers and distribution reduced.

<table>
<thead>
<tr>
<th>Species</th>
<th>Common name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Echium spp.</td>
<td>Paterson's curse, Vipers Italian bugloss</td>
</tr>
<tr>
<td>Eragrostis curvula</td>
<td>African love grass</td>
</tr>
<tr>
<td>Onopordum spp.</td>
<td>Scotch, Illyrian, Stemless thistles</td>
</tr>
<tr>
<td>Rosa rubiginosa</td>
<td>Sweet briar</td>
</tr>
</tbody>
</table>

CATEGORY W4f WEEDS

Category W4f weeds must not be sold, propagated or knowingly distributed and any biological control or other control program directed by a Local Control Authority must be implemented

<table>
<thead>
<tr>
<th>Species</th>
<th>Common name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harrisia spp.</td>
<td>Harrisia cactus</td>
</tr>
<tr>
<td>Opuntia spp.</td>
<td>Prickly ears</td>
</tr>
</tbody>
</table>

CATEGORY W4g WEEDS

Category W4g weeds must not be sold, propagated or knowingly distributed.

<table>
<thead>
<tr>
<th>Species</th>
<th>Common name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cabomba spp.</td>
<td>Cabomba</td>
</tr>
<tr>
<td>Salix spp. other than Salix babylonica, S.reichardtii and S. calodendron</td>
<td>Willows</td>
</tr>
</tbody>
</table>

2. OTHER PROBLEM SPECIES

The following species, while not declared noxious weeds in the Shire, can cause environmental or economic problems in some circumstances. They have the potential to spread rapidly and in some cases can invade relatively undisturbed areas of native vegetation. They should be replaced with other species where possible and if deliberately planted the land manager should take steps to prevent their spread.

<table>
<thead>
<tr>
<th>Species</th>
<th>Common name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia baileyana</td>
<td>Cootamundra Wattle</td>
</tr>
<tr>
<td>Acacia paradoxa</td>
<td>Kangaroo Thorn</td>
</tr>
<tr>
<td>Achillea millefolium</td>
<td>Yarrow</td>
</tr>
<tr>
<td>Carduus pycnocephalus</td>
<td>Slender Thistle</td>
</tr>
<tr>
<td>Carduus tenuiflorus</td>
<td>Slender Thistle</td>
</tr>
<tr>
<td>Carthamus lanatus</td>
<td>Saffron Thistle</td>
</tr>
<tr>
<td>Celtis australis</td>
<td>Nettle Tree</td>
</tr>
<tr>
<td>Centaurea caliprata</td>
<td>Star Thistle</td>
</tr>
<tr>
<td>Cirsium vulgare</td>
<td>Sear Thistle</td>
</tr>
<tr>
<td>Cotoneaster franchetti</td>
<td>Cotoneaster</td>
</tr>
<tr>
<td>Cotoneaster glaucophyllus</td>
<td>Cotoneaster</td>
</tr>
<tr>
<td>Cotoneaster pannosus</td>
<td>Cotoneaster</td>
</tr>
<tr>
<td>Cotoneaster salicifolius</td>
<td>Willow-leaf Cotoneaster</td>
</tr>
<tr>
<td>Cotoneaster simonsit</td>
<td>Cotoneaster</td>
</tr>
<tr>
<td>Crataegus monoya</td>
<td>Hawthorn</td>
</tr>
<tr>
<td>Foeniculum vulgare</td>
<td>Fennel</td>
</tr>
<tr>
<td>Hedera helix</td>
<td>English Ivy</td>
</tr>
<tr>
<td>Ligustrum lucidium</td>
<td>Privet</td>
</tr>
<tr>
<td>Latin Name</td>
<td>Common Name</td>
</tr>
<tr>
<td>----------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td><em>Ligustrum sinense</em></td>
<td>Small-leaved Privet</td>
</tr>
<tr>
<td><em>Lonicera japonica</em></td>
<td>Japanese Honeysuckle</td>
</tr>
<tr>
<td><em>Marrubium vulgare</em></td>
<td>Horehound</td>
</tr>
<tr>
<td><em>Phyllostachys aurea</em></td>
<td>Yellow Bamboo</td>
</tr>
<tr>
<td><em>Pinus radiata</em></td>
<td>Radiata Pine</td>
</tr>
<tr>
<td><em>Populus alba</em></td>
<td>White Poplar</td>
</tr>
<tr>
<td><em>Populus nigra 'Italica'</em></td>
<td>Lombard Polar</td>
</tr>
<tr>
<td><em>Prunus cerasifera</em></td>
<td>Cherry Plum</td>
</tr>
<tr>
<td><em>Prunus serotina</em></td>
<td>Black Cherry</td>
</tr>
<tr>
<td><em>P. racanthera angustifolia</em></td>
<td>a Firethorn</td>
</tr>
<tr>
<td><em>Pyracantha coccinea</em></td>
<td>a Firethorn</td>
</tr>
<tr>
<td><em>P. racantha fortuneana</em></td>
<td>a Firethorn</td>
</tr>
<tr>
<td><em>Robinia pseudoacacia</em></td>
<td>False Acacia</td>
</tr>
<tr>
<td><em>Sollya heterophylla</em></td>
<td>WA Bluebell Creeper</td>
</tr>
<tr>
<td><em>Sorbus domestica</em></td>
<td>Service Tree</td>
</tr>
<tr>
<td><em>Stipa neesiana</em></td>
<td>Chilean Needle Grass</td>
</tr>
<tr>
<td><em>Tradescantia albiflora</em></td>
<td>Wandering Jew</td>
</tr>
<tr>
<td><em>Vinca major</em></td>
<td>Periwinkle</td>
</tr>
</tbody>
</table>
CHAPTER 14:

RURAL and URBAN SUBDIVISION

(Former Shire of Tumut Rural and Urban Subdivision Code)
1. **Allotment Size and Shape.**

1.1 Minimum allotment sizes are specified in Tumut Local Environmental Plan 1990, and include the following:

<table>
<thead>
<tr>
<th>Zone</th>
<th>1(a)</th>
<th>1(b)</th>
<th>1(c)</th>
<th>1(c1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture without a dwelling</td>
<td>Any size</td>
<td>Any size</td>
<td>2 ha</td>
<td>0.5 ha</td>
</tr>
<tr>
<td>Agriculture with a dwelling</td>
<td>150 ha</td>
<td>30 ha</td>
<td>2 ha</td>
<td>0.5 ha</td>
</tr>
<tr>
<td>Rural Residential</td>
<td>1 ha *</td>
<td>30 ha</td>
<td>2 ha</td>
<td>0.5 ha</td>
</tr>
<tr>
<td>Other purposes without dwelling</td>
<td>As appropriate</td>
<td>As appropriate</td>
<td>Not permitted</td>
<td>Not permitted</td>
</tr>
</tbody>
</table>

* Rural Residential allotments in zone 1(a) may only be created utilizing less than five percent of the existing holding, and restricted in accordance with Clause 12 (5), (6) and (7) of the Tumut Local Environmental Plan 1990.

1.2 The shape of each allotment is to be practical for the purpose and the topography. Where the allotment is created for the purpose of a dwelling, suitable dwelling site(s) must be available, given the considerations of access, services, soil stability, drainage, and safeguards from dust, traffic, noise, fire hazard, and flood hazard.

1.3 Subdivisions which create or extend ribbon development along a state or regional road are not permitted.

2. **Access.**

2.1 Each allotment is to be provided with legal and practical vehicular access appropriate for the proposed use. Where a dwelling exists or is intended, the access is to be suitable in all weather for two wheel drive vehicles.

2.2 Direct access to a main road or distributor road is not permitted, where practical access can be gained by a minor road. The number of access points is to be minimized, and access locations shared where possible.
2.3 Access to each allotment may be by public road or private road. Where a private road traverses other landholdings, a right of carriageway is to be provided in favour of the land benefiting by the access. The owners of the benefiting land are to contribute their fair proportion of upkeep of the private road. Council will not contribute to the cost of private road upkeep.

2.4 The standard of road required will be determined by Council, generally on the following basis:

<table>
<thead>
<tr>
<th>No. of dwellings to be served</th>
<th>Road Standard.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 - 4</td>
<td>4m. wide formation with gravel surface.</td>
</tr>
<tr>
<td>5 - 15</td>
<td>6m. wide formation with gravel surface.</td>
</tr>
<tr>
<td>16 - 25</td>
<td>6m. wide formation with 3.7m wide seal.</td>
</tr>
<tr>
<td>25 - 50</td>
<td>8m. wide formation with 6.0m wide seal.</td>
</tr>
</tbody>
</table>

Road construction or upgrading for rural subdivision is to be designed and constructed to plans approved by the Shire Engineer. Drainage and erosion protection are to be included.


3.1 Each allotment intended for a dwelling is to have a potential source of domestic water. In the case of small allotments with limited catchment and no on-site source, a water supply system with a capacity not less than 5 kilolitres per dwelling per day is to be provided. Allotments on the town fringe may be able to be serviced by Council’s water supply system but subdividers will be required to meet or contribute to the cost of extension works involved.

3.2 Each allotment intended for a dwelling is to have electricity supply available. Applicants should consult County Energy for this service. In isolated locations alternate means of power may be considered.

3.3 Each allotment intended for a dwelling is to have adequate scope for disposal of wastewater. Small allotments on the town fringe may require the installation of a holding tank and grinder pump with rising main to Council’s sewer. All other locations require sufficient area of suitable soil for absorption of domestic effluent, or the installation of alternate approved treatment systems.

4.1 Where a subdivision creates or increases a need for community services and facilities, Council may levy the subdivider under Section 94 of the Environmental Planning and Assessment Act for contributions to works such as:

a) construction and/or sealing of roads by Council.
b) augmentation of extension of water or waste water systems.
c) provision or enhancement of recreational facilities
d) drainage.

5. General Requirements.

5.1 This Code is subject to the provision of Tumut Local Environmental Plan 1990, The Environmental Planning and Assessment Act 1979 and the Local Government Act 1919.

5.2 Subdividers are encouraged to discuss their proposals at the concept stage with Council’s planning staff. Telephone 6941 1518 for an appointment.

5.3 Council reserves the right to vary any of the provisions of this Code should the circumstances of the Code make variation desirable.

6. Adoption.

This Code was adopted by Tumut Shire Council at its meeting of 6th August, 1991.

Jim Mumford | Senior Town Planner
Tumut Shire Council | 76 Capper Street, Tumut NSW 2720
P: 02 6941 2531 | F: 02 6941 2679 | M:
E: jmumford@tumut.nsw.gov.au | W: www.tumut.nsw.gov.au
1. Residential Zones.

1.1 Allotment size and shape.

The minimum allotment size is 600 square metres capable of containing a rectangle suitable for building purposes measuring 10 metres by 15 metres, together with space for two vehicles. There is no minimum frontage requirement for individual allotments.

“Battle-axe” shaped allotments are permitted where alternate forms of access are impractical and where the proposal will not inhibit future development of adjoining land. The driveway section of each “battle-axe” allotment is to be drained and paved with concrete, or paving blocks, or bitumen sealed. Where the accessway is to serve more than one dwelling, a reciprocal right of carriageway for each allotment is to be created and the paving is to be concrete or paving blocks.

1.2 Roadways.

The subdivision may provide new roads to give access to each allotment, and/or utilize existing public roads. The layout and geometric design of roads shall comply with current engineering standards and take account of predicted traffic type and volume. Street layout and design should be such as to discourage high traffic speeds. Proposals should be discussed with Council’s Engineering Design section prior to design.

The subdivider is to provide survey, design and construction of new roads, and of existing roads not already kerbed adjacent to or within the subdivision. Construction is to include kerb and gutter and sealed pavement.

Where construction of a short length of kerb and gutter is considered impractical, the cost is to be deposited with Council as a contribution to the future work in that street. If future construction is not anticipated within three years, and a short length of kerb and gutter construction is considered impractical, then the requirement may (at Council’s discretion) be deleted.
LOCAL ACCESS STREETS
Minimum width of road reserve 15 metres
Minimum width of pavement kerb to kerb 8 metres

A lesser width may be considered by Council where it can be shown that on-street parking is not required. Cul-de-sacs are to include a turning circle large enough for the garbage collection vehicle or a removalist van. Recommend minimum diameter 17 metres.

COLLECTOR / DISTRIBUTOR STREETS
Minimum width of road reserve, 20 metres
Minimum width kerb to kerb 11 metres

Nature strips are to be top soiled and grass seeded. Council may require the planting of appropriate canopy street trees at a minimum ratio of 1 tree per new allotment.

As an alternative to the construction of public roads, Council may consider an application to construct an integrated development, with a private access-way serving not more than fifteen dwellings. In these circumstances, the road pavement would need to be concrete or paving blocks, and the entire development designed prior to submission of the subdivision application.

1.3 Pathways.

The subdivision is to provide reasonable and safe pedestrian access to all allotments. In areas where vehicle traffic is low, a grassed nature strip is acceptable. In streets where traffic exceeds 1,000 vehicles per day, a concrete path on one side of the street is to be provided adjacent to each allotment.

Pathways may be required connecting cul-de-sac heads, or other points, with pedestrian routes to schools or commercial areas.

1.4 Drainage.

Each allotment is to have access to stormwater drainage, either to the street kerb and gutter or by interlot drainage pipelines. Stormwater from the subdivision is to be directed (by provision of underground piping where necessary) to existing drainage systems or a defined watercourse.

The drainage system is to be capable of:

a) preventing kerbs overtopping for a 5 year average recurrence interval (ARI) storm.

b) preventing a 100 year ARI storm overflowing into any habitable room or building where damage could be extensive.

c) Retaining natural watercourses as trunk drainage routes where practical, otherwise providing a piped drainage system for a 20 year ARI storm.

1.5 Utility Services.

The subdivider is to provide mains for the supply of water, electricity, telephone, gas and waste water disposal. The minimum size of water main is 100mm diameter. The minimum size of sewer main is 150 mm diameter. Electricity and telephone wiring is to be supplied by underground mains, except where overhead wiring already exists and is not scheduled for replacement. Consideration will be given to bundled cable in the case of overhead wiring. The subdivider is to
arrange for electrical and gas reticulation and telephone cabling with the appropriate authorities (Country Energy and Telstra).

New streets are to be provided with 40 watt fluorescent street lights or equivalent, at not greater than 100 metre spacing.

1.6 Parks and Recreation Space.

The subdivider is to contribute to Council’s trust fund for the acquisition and/or embellishment of park and recreation space that will be accessible to future residents. The contribution rate per allotment is set annually by Council.

Alternatively, large subdivisions may provide a suitable neighbourhood or district park, landscaped and planted, together with appropriate playground equipment. The park area should equate to five percent of the total area of the subdivision.

1.7 Other Community Facilities.

Where the subdivision can be shown to create the need for other community facilities, Council may require a contribution from the subdivider under Section 94 of the Environmental Planning & Assessment Act.

2. Business, Industrial & Special Use Zones.

2.1 Allotment size & shape.

There are no specific minimum allotment sizes in these zones, however, the subdivision should cater for:

a) Business zone – adequate space and access for loading and unloading of commercial vehicles in such a manner that the vehicle will be wholly within the allotment, having in mind the likely use and extent of building on the site.

b) Industrial zone – adequate size and space for articulated vehicles to enter and leave the site in a forward direction, with all loading and unloading wholly within the allotment.

c) Special use zone – the shape and size of each allotment is to be adequate and appropriate for the specific purpose.
2.2 Roadways.

The subdivider may provide new roads to give access to each allotment and/or utilise existing public roads. The layout and geometric design of roads shall comply with current engineering standards and be adequate for the anticipated equivalent standard axles (ESA) for the succeeding twenty years.

The street layout and road width shall be appropriate for the type of vehicles anticipated, generally meeting the turning point of large articulated vehicles. Council may require the planting of appropriate canopy street trees in the nature strip of new roads.

2.3 Drainage.

Each allotment is to have access to stormwater drainage, either to street kerb, to underground piped system or to natural watercourse.

The drainage system is to be designed and constructed to:

a) prevent kerbs overtopping for a 5 year average recurrence interval (ARI) storm.

b) prevent a 100 year ARI storm overflowing into any habitable room or building where damage could be extensive.

c) Retain natural watercourses as trunk drainage routes where practical, otherwise providing a piped drainage system for a 20 year ARI storm.

In calculating runoff, the likelihood of future large sealed or roofed areas is to be taken into account.

2.4 Utility Services.

The subdivider is to provide mains for the supply of water, electricity, gas and telephone and waste water disposal, to capacities adequate for the intended and existing uses of the land. The subdivider is to arrange for electrical and gas reticulation and telephone cabling with the appropriate authorities (Country Energy and Telstra).

New streets are to be provided with 40 watt fluorescent street lights or equivalent, at not greater than 100 m spacing.
3. **General Requirements.**

3.1 This code is subject to the provisions of Tumut Local Environmental Plan 1990, the Environmental Planning & Assessment Act, 1979, and the Local Government Act, 1919.

3.2 Developers are encouraged to refer to other publications, including:

3.3 Developers are encouraged to discuss their proposals at the concept stage with Council’s planning staff. Telephone 6941 2518 for appointment.

3.4 Council reserves the right to vary any of the provisions of this Code should the circumstances of the case make a variation desirable.

Adopted by Council at its meeting of 2\textsuperscript{nd} April, 1991.

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CHAPTER 15:

CONTAMINATED LAND

(Former Contaminated Land Policy)
CONTAMINATED LAND POLICY

Tumut Shire COUNCIL

Policy No. Env.02 Version 1.2

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1. INTRODUCTION

1.1 Background

The purpose of this Policy is to establish "Best Practice" for managing land contamination through the Planning and Development Control Process in Tumut Shire.

The Policy is based on “Guidelines” prepared by the Department of Urban Affairs and Planning and the NSW Environment Protection Authority.

1.2 Key Principles

The Planning and Development Control Process as provided for in the Environmental Planning and Assessment Act 1979 (EP&A Act) plays an important role in the management of land contamination. The integration of Land Contamination Management into the Planning and Development Control System will:

- Ensure that changes of land use will not increase the risk to health or the environment,
- Avoid inappropriate restrictions on land use, and
- Provide information to support decision making and to inform the community.

A key message for Council is that there is a need to:

- First consider the likelihood of land contamination as early as possible in the Planning and Development Control Process,
- Link decisions about development of land with the information available about contamination possibilities,
- Adopt a Policy approach which provides for strategic and statutory planning options, depending on the information about contamination, and
- Exercise statutory planning functions with a reasonable standard of care.

1.3 Objectives

a) To ensure a consistent Policy basis and procedure for Council Officers in dealing with land use planning and development matters, as well as requests for information from the public, where land is or may potentially be contaminated as a result of existing or known previous land use activities,

b) To ensure that Council fulfills its legal obligation of duty of care in relation to land contamination issues,

c) To minimise potential for adverse environmental, social (including public health) and economic consequences which may arise from a failure to identify and respond to issues of potential or actual contamination as part of the land use planning and development process, and

d) Effective risk management for Council and the community by reference to industry “Best Practice” literature and protocols.

1.4 What Is Contaminated Land?

Contaminated land comprises land in, on or under which any substance is present at a concentration above that naturally present in, on or under the land and that poses, or is likely to pose, an immediate or long-term risk to human health or the environment.

1.5 Compliance With The Policy

Part 7A of the EP&A Act provides that if Council acts substantially in accordance with the “Guidelines” when carrying out its planning functions, Council is taken to have acted in good faith. This means that before Council can be found negligent of an act or omission related to a particular planning function, it must be shown that Council did not substantially comply with the “Guidelines.”
1.6 Structure Of The Policy

The Policy has been structured to reflect a logical progression through the Planning Process. That is:-

- Which decision needs to be made,
- What information is needed to make that decision,
- How to get the necessary information,
- How to interpret the information,
- Options available in making decisions,
- Recording information for the future,
- Releasing information to the public, and
- Using information to prevent future contamination.

2. WHICH DECISION NEEDS TO BE MADE?

Land contamination is linked to past uses and may result from activities that took place on, or adjacent to a site, or from activities not directly related to the site. Land contamination arising from activities that took place on or adjacent to a site is attributed to point sources able to cause site contamination as a result of improper chemical handling or disposal practices, or accidental spillages or leakages of chemicals during manufacturing or storage. Activities not directly related to the site may also cause contamination, for example, off-site point sources or contamination from diffuse sources such as polluted groundwater migrating under a site or dust settling out from industrial emissions.

When carrying out planning functions under the EP&A Act Council must consider the possibility that a previous land use has caused contamination on the site and the potential risk to health or the environment from that contamination. Decisions must then be made as to whether the land should be remediated, or the use of the land restricted in some manner, in order to reduce the risk.

2.1 The Decision

The decision that Council will need to make will relate to one of the following planning functions with which it is charged:

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When Council carries out a planning function, the previous land use history needs to be considered as an indicator of potential contamination. Where there is no reason to suspect contamination after acting substantially in accordance with this Policy, the proposal may be processed according to usual practice. However, where there is an indication that the land is, or may be contaminated, appropriate procedures outlined in this Policy should be followed.

Generally, the proponent or the person(s) who will benefit from the granting of the approval must prove that the land is suitable, or can be made suitable, for the proposed use. However, Council is required to exercise its planning functions in good faith and in some cases this may require an investigation by Council or an independent review to confirm the applicant’s claims.
The purpose of this Policy is to provide a guide on what action needs to be taken to demonstrate that planning functions have been carried out in good faith. Obviously, it cannot provide a definitive answer in all cases and Council will need to exercise its own judgement.

2.2 The Policy Context - Strategic Decision Making

The general principle of the “Guidelines” is that Council should adopt a cautionary approach when exercising a planning function. The object of this approach is to enable any land contamination issues to be identified and dealt with at an early stage in the planning process in order to prevent harm and reduce delays and costs.

Consideration of contamination at the strategic level provides an opportunity to consider contamination issues at an early stage, well in advance of statutory approvals for land use changes. An assessment of Council’s broad strategies and policies should be made, based on a general knowledge of past land uses and the potential for contamination. This then provides a context for future decision making.

3. WHAT INFORMATION IS NEEDED TO MAKE A DECISION?

3.1 Introduction.

Before carrying out a planning function, it is essential to consider whether contamination is an issue which is relevant to that function. If it is, investigation may be needed to provide more information about the land to assist in carrying out that function in good faith.

Figure 1. Planning Function Decision Process
Initial Evaluation (see section 3.2) — Is contamination possibly an issue?

Is information sufficient to consider options and make planning decisions (see section 3.3)?

No

Applicant needs to provide further information to ascertain whether the land is suitable for its proposed use. Further information may include one or more of, the following stages (see section 3.4):
Stage 1 — Preliminary Investigation
Stage 2 — Detailed Investigation
Stage 3 — Remedial Action Plan
Stage 4 — Validation and Monitoring

Yes

Council/planning authority makes planning decision and records decisions and factual information.
3.2 Initial Evaluation By Council

An initial evaluation is essential to determine whether sufficient information is available to carry out a planning function. The purpose of the initial evaluation is to determine the likelihood of land contamination and whether further information is required from the applicant.

The initial evaluation can be based on readily available information and should be carried out regardless of the nature of the proposed use. Readily available information may include: records from previous rezonings; Development Applications and Building Applications for the site; property files; information provided by the applicant and the knowledge of Council staff. Information provided by the owner or applicant should be checked against information held by Council on the subject land and, if available, adjoining properties.

Further information may be gained by visiting the site. Site inspections may provide valuable information on previous land uses that may have resulted in land contamination.

3.3 Is Information Sufficient To Consider Options and Make Planning Decisions?

3.3.1 No Further Information Required

After carrying out an initial evaluation, if none of the inquiries suggest that the land may be contaminated or that further inquiry is warranted, the planning process should proceed in the normal way.

3.3.2 Require Further Information

After carrying out an initial evaluation, if there are indications that contamination is, or may be present and Council has insufficient information on which to make a planning decision, the applicant should be asked to provide further information.

A site history may be unclear if there are significant gaps in historical information, or land uses are not described in sufficient detail.

3.4 Information To Be Provided By The Applicant

If contamination is, or may be present, the applicant must investigate the site and provide Council with the information it needs to carry out its planning functions. The appropriate level of investigation will depend on the circumstances and may involve one or more of the stages described below. In broad terms, there are four steps that may be carried out in the Site Investigation Process.

3.4.1 Summary Of The Site Investigation Process

Stage 1 – Preliminary Investigation

The objectives of a preliminary investigation are mainly to identify any past or present potentially contaminating activities; to provide a preliminary assessment of any site contamination; and to provide the basis for a more detailed investigation if required.

Stage 2 – Detailed Investigation

A detailed investigation is only necessary when a preliminary investigation indicates that the land is contaminated or is, or was, formally used for an activity listed in Table 1. The objectives of a detailed investigation are to define the nature, extend and degree of contamination; to assess potential risk posed by contaminants to health and the environment; and to obtain sufficient information for the development of a Remedial Action Plan (RAP) if required.
Stage 3 – Remedial Action Plan (RAP)

The objective of an RAP is to set remediation objectives and document the process to remediate the site.

Stage 4 – Validation and Monitoring

The objective of validation and monitoring is to demonstrate whether the objectives stated in the RAP and any conditions of Development Consent have been achieved.

It should be emphasised that not every site will require all four stages of investigation. An investigation may proceed directly to Stage 2 for example, if it is clear early on that the land has been used for an activity that may cause contamination.

Applicant may also choose not to proceed with the application and terminate the site investigation process at any stage. If an applicant decides to proceed with the application and provide the necessary information for consideration by Council, they should engage suitably qualified Environmental Consultants who are experienced in contaminated site assessment and management.

3.4.2 Evaluation Of The Information Provided By The Proponent

Ultimately, Council needs to be satisfied that a site is suitable for its proposed use, or can and will be made suitable by remediation, on the basis of the known information regarding the site. The EP&A Act requires Council to consider the suitability of land for a proposed development in terms of risk. This will include an evaluation or review of the information submitted by the applicant.

It may be necessary for an independent expert to assist in evaluation. An independent review is carried out by a third party (such as another consultant) who is qualified to deal with the type of land contamination in question and who is independent of both the applicant and the applicant's consultant.

3.4.2.1 What Are Some Of The Issues To Consider When Evaluating Reports?

When evaluating reports during various stages of the site investigation process, section 3.4.2.1 of the “Guidelines” specifies issues to consider at the various stages.

If Council considers, or is advised by the applicant, their consultant or Site Auditor, that the subject site poses a significant risk to health or the environment, the EPA should be notified for possible action under the Contaminated Land Management Act.

3.4.3 What Is A Site Audit?

A site audit is an independent review of any or all stages of the site investigation process. The site audit will lead to the provision of a certificate called a Site Audit Statement, stating for what use the land is suitable. Only Site Auditors accredited by the EPA can issue site audit statements.

Site Auditors are environmental professionals with demonstrated expertise and broad experience in the assessment and remediation of contaminated sites and have a good understanding of relevant NSW Legislation and Guidelines.

Site Auditors can assist Council in providing comment on or verifying information provided by an applicant in relation to site assessment, remediation or validation. Engaging a Site Auditor can also provide greater certainty about the information on which Council is basing its
decision, particularly where sensitive uses are proposed on land that may be contaminated and a statement about the suitability of the site is required.

3.4.4 When Is A Site Audit Necessary?

The general principle should be that a site audit is only necessary when Council:-

- Wishes to verify whether the information provided by the proponent has adhered to appropriate standards, procedures and guidelines.
- Believes on reasonable grounds that the information provided by the proponent is incorrect or incomplete.

In cases where site audits are required, the Auditor is to be selected by the applicant from the current EPA list. The Auditor shall report directly to Council although paid for by the applicant.

3.5 Record Decisions and Information

Council is to record or update its information for all planning decisions or activities relating to a specific parcel of land. This information must then be used when Council carries out subsequent planning functions.

3.6 Summary

The applicant is responsible for investigating contamination issues on the land and demonstrating to Council that planning approval should be granted.

When planning approval is required, Council must evaluate information it already holds and the information provided by the applicant before making a decision.

SEPP 55 enables Council to seek further information for a Development Application from the applicant if the information supplied with the DA is insufficient.

Planning decisions and factual information must be recorded for future use.

4. MAKING THE DECISION

Decision making must be based on adequate and appropriate information. This may necessitate an investigation of land and an evaluation of information, as discussed in Chapter 3.

Council will follow the processes outlined in the “Guidelines” in relation to the following functions:-

- Rezoning,
- Development Control Plan,
- Development Application,
- Modification of a Development Consent, and
- Anything incidental or ancillary to these functions.

4.1 Rezoning Decisions

When a spot rezoning is requested, there is usually a specific development or land use associated with the proposal. In such cases, it would not be appropriate to proceed with the rezoning unless the land was proven suitable for that development or it could be demonstrated that the land could and would be remediated to make the land suitable. This would be particularly important if the land was proposed to be developed for residential, educational, recreational or child care purposes, as the risk to health is higher under those uses than most other uses.
Rezonings that cover a large area (e.g. areas that cover more than one property) usually describe proposed land uses very generally. This makes it difficult for Council to be satisfied that every part of the land is suitable for the proposed use(s) in terms of contamination at the rezoning stage. In these cases, the rezoning should be allowed to proceed, provided measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made.

4.2 Development Control Plans

Consideration of contamination issues when preparing a DCP should be similar to the rezoning process. However, given that the purpose of a DCP is to provide more detailed provisions than a Local Environmental Plan, the investigation of contamination issues will need to be more detailed.

4.3 Development Applications

The relevance of contamination to a decision on a Development Application will vary, depending on the uses specified in the application and the risk associated with those uses. Consideration of risk must include risks during the construction and operation of the development.

If investigations find that contamination makes the land unsuitable for the proposed use and requires remediation, this may be enforced by:-

a) If the remediation requires consent under SEPP 55 (category 1 work):
   - requiring the applicant to amend the DA to include a remediation proposal; or
   - requiring a new and separate DA for the remediation before the DA for the use is considered.

b) If the remediation may be carried out without consent under SEPP 55 (category 2 work):
   - imposing conditions on the Development Consent for the use, requiring remediation to be carried out either before other work commences or before occupation of the site; or
   - issuing a Deferred Commencement Consent for the use, and requiring remediation to be carried out before other work commences.
Figure 2. Options Available In the Development Application Process

Initial Evaluation by consent authority
- readily available information
- development application (DA)
- council records

Is information sufficient for decision making?

Y

Has land been proven suitable for proposed uses without need for further testing or treatment?

N

Such as:
- Preliminary Investigation
- Detailed Investigation
- previous remediation
- statement re: suitability for proposed use
- statement of remediation options available for proposed use (if relevant)

Seek further information from applicant

N

Y

Site audit: may be sought by planning authority

New proposal may be required

DA withdrawn

Remediation required

remediation without consent

remediation with consent

apply conditions requiring remediation before other works; or issue deferred commencement consent

amend DA to include remediation proposal; or new and separate DA for remediation

Record decision and information

Proceed with determination
4.4 Control of Remediation Work

Remediation is generally considered beneficial, as it improves the quality of the environment, reduces health risks and restores land to productive use. Care must therefore be taken not to create disincentives to remediation through complicated and costly planning procedures. However, in some situations remediation work itself has the potential for environmental impact and the planning process must ensure that these impacts are adequately identified and mitigated.

SEPP 55 – Remediation of Land, provides consistent statewide planning and development controls for the remediation of contaminated land.

4.4.1 When Is Consent Required For Remediation?

Development Consent is generally only required for remediation work where there is potential for significant environmental impacts from the work.

SEPP 55 requires that Council be notified fourteen (14) days before any category 2 remediation work takes place.

4.4.2 How Should Remediation Proposals Be Assessed?

The environmental impact of remediation work should be assessed like any other development proposal. The only difference is that the consequences of not carrying out the remediation will need to be considered and weighed up against the environmental impacts of carrying out the work. In this way, remediation work is similar to pollution control work.

4.5 Summary

In carrying out planning functions under the EP&A Act in relation to land that is, or may be, contaminated, Council should take account of the principles summarised below:

- No planning decision should be made unless sufficient information is available to make the decision,
- Development Applications should include sufficient information on past uses of the subject land to allow the suitability of the land for the proposed use to be assessed,
- Changes of use on contaminated land may proceed provided:
  - the land is suitable for the intended use; or
  - appropriate investigation is carried out or restrictions are imposed on any subsequent Development Applications; or
  - conditions are attached to the Development Consent to ensure that the subject land can and will be remediated to a level appropriate to its intended use prior to, or during, the development stage.

5. RECORDING AND USE OF INFORMATION

By following the procedures discussed in Chapters 3 and 4, Council will build up information on land use history, contamination and remediation in the Shire. By recording and managing the information, it will be a valuable resource for use in decision making.

Reliable information is also important in providing accurate advice to the community. It is recognised that contaminated land may cause concern, particularly regarding any potential risk that may be associated with such land. It is understandable, therefore, that the community seeks access to information held by Council on the subject.
Verbal responses to inquiries on the issue of contamination and the remediation of land should not be provided. All responses should be in writing.

5.1 How Should Information Be Recorded and Managed?

Information should be managed to enable easy access to all the relevant information for a particular parcel of land. The relevant information for each parcel of land is to be kept on the property files kept by Council.

The property files should be referred to each time Council makes a planning decision or provides advice.

5.2 How Should S.149 Certificates Be Used?

Under Section 149 of the EP&A Act, a person may request a certificate from Council containing advice on matters about land which are prescribed in the Regulation. This is taken to include restrictions on land use due to risks from contamination. Certificates are issued under S.149 (2).

It should be noted that a S.149 (2) does not, in itself, restrict the use of land. It is simply the mechanism for recording the fact that a Council Policy applies which restricts the use of land.

5.2.1 What Investigation Is Required When Issuing a S.149 Certificate?

Ultimately, the responsibility for investigating the potential for contamination during the sale of land rests with vendor and purchaser (vendor disclosure and “buyer beware”). However, Council has an obligation under section 149 of the EP&A Act to provide known information about restrictions on land use when requested. This means that Council’s records should be checked before a certificate is issued. For contamination issues, this check may be similar to an initial evaluation described in Chapter 3. The objective in checking Council’s records is to determine the type of notation that should be recorded on the certificate under S.149 (2) (i.e. the degree to which the Council Policy is likely to apply), and any additional information that may be useful to the enquirer under S.149 (5).

5.2.2 Notations on S.149 Certificates

Where this Policy restricts the use of land which:

- Has a previous land use history which could have involved the use of contaminants, or
- The site is known to be contaminated, but has not been remediated.

The following notation shall be made on S.149(2) Certificates:

Council has adopted a Policy on contaminated land which may restrict development of the land. This Policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Consideration of Council’s Policy and the application of provisions under relevant State legislation is warranted.

Where this Policy restricts the use of land which:

- Is known to contain contaminants, but
- Has been remediated for a particular use or range of uses and some contamination remains on the site,

the following notation shall be made on S.149(2) Certificates:
Council has adopted a Policy on contaminated land which may restrict development of the land. This Policy is implemented when zoning or land use changes are proposed on lands which are considered to be contaminated, or on lands which have been remediated for a specific use. Consideration of Council’s Policy and the application of provisions under relevant State legislation is warranted.

Where Council’s records do not contain a clear site history and Council cannot determine whether or not the land is contaminated, Council should take a cautious approach. In such cases the following notation shall be made on S.149(2) Certificates:

Council has adopted a Policy on contaminated land which may restrict the development of the land. This Policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council’s Policy and the application of provisions under relevant State legislation is warranted.

5.2.3 **Information Under S.149 (5)**

Information may be provided under S.149 (5) even if no restriction is placed on the land under S.149 (2).

The following information shall be provided on all certificates under S.149 (5):

- Any activities that have occurred on the land and may have resulted in contamination;
- The results of any site investigations held by Council;
- Any notifications of remediation;
- Any Site Audit Statements held by Council;
- Any orders by the EPA under the Contaminated Land Management Act known to Council, and any resulting action if the direction has been carried out.

5.3 **Summary**

- Council should maintain efficient property information systems on which factual information pertinent to contamination is recorded.
- Council must ensure its records are accurate, and up-to-date. It should ensure that stakeholders are aware of the status of the subject land and the planning policy requirements relating to contamination.
- Section 149 (2) certificates issued under the EP&A Act are an appropriate system of legal notification of the application of Council Policies which place restrictions on land use due to risks from contamination.
- Factual information relating to past land use and other matters relevant to contamination may also be provided, even when land use is not restricted. Provision of information under S.149 (5) is a useful means of recording details of land history, assessment, testing and remediation.
- When Council receives S.149 (2) requests for land which has been remediated and hence not restricted by Council’s Policy, applicants should be informed that further information is available under S.149 (5).

When land has been investigated and is not considered to be contaminated, this
6. **RESTRICTION OF LAND USE**

Restriction of land use will be imposed by Council under the following circumstances:

- If the contamination status of land is unknown, no change in use will be approved which may increase the risk of harm until the land has been investigated.
- If contamination causes an unacceptable risk of harm, the use of the land will be restricted to reduce the risk to acceptable levels. If remediation reduces the risk to acceptable levels, no restriction will be necessary.

7. **PREVENTING CONTAMINATION**

Almost all measures dealt with so far in this Policy have been a remedial nature rather than anticipatory. Anticipatory action can be incorporated in Development Consent conditions for new land uses which have potential to pollute.

Measures to prevent possible pollution at its source will help reduce future land contamination and the need for costly remediation work.

A pro-active approach which ensures that the potential for contamination does not occur or that is reduced, must be linked to the nature of the activity on the particular site. Contamination of land may be associated with new developments involving potentially contaminated activities. Therefore, the following principles for a pro-active approach will be applied by Council:

1. Development Applications for new and/or expanding existing developments may be required to include information on potential for the activity to contaminate.
2. In assessing Development Applications for activities which could be potential sources of contamination, Council shall ensure that technical and management controls are adequate to prevent contamination and appropriate conditions of consent (such as Environmental Management Plans) are imposed, to ensure that such controls are applied.
3. Periodic environment audits will be conducted by Council.

8. **SUPERSEDED POLICY NO AND TITLE**

3.61 Contaminated Land

9. **WHO CAN HELP ME FURTHER ?**

Council's Development & Environment Department will be able to help you further if you have questions. Call the Department on (02) 69412518.
Table 1. Some Activities That May Cause Contamination

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosives industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- power stations railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation
ANNEXURE 1.

Proforma “Deferred Commencement” condition of Development Consent.
Indicative only - final condition to be drafted having regard to
the circumstances of each case.

BACKGROUND:

Information available to Council suggests that the previous use of the site may have caused contamination. This includes, but is not necessarily limited to:

- [insert details]

ACTION:

The following matters relating to potential site contamination are therefore to be addressed and resolved to ensure that the site is suitable for its intended use and any necessary remediation activity is carried out safely and in accordance with accepted government and industry protocols:

a) The site should be the subject of appropriate investigation for the existence of contaminants and/or hazards before the development proceeds. Investigation is to be carried out by an appropriately qualified environmental scientist in accordance with the ANZECC/NHMRC “Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites”, in particular Parts 4 and 5 of that document. Related documents that should be referenced are the NSW Environment Protection Authority’s “Draft Guidelines for Consultants Reporting on Contaminated Sites”, “Sampling Design Guidelines” and “Planning Guidelines for Contaminated Land” (Dept. of Urban Affairs and EPA).

b) Results of the initial site evaluation and associated recommendations are to be provided for consideration by Council.

c) In the event that evidence of contamination or hazard is apparent from the initial evaluation, a site specific work plan is to be drawn up in accordance with Part 5 of the ANZECC Guidelines referenced above, to allow for comprehensive investigation of the contamination and development of a remediation program for the site. The work plan and its recommendations are to be provided for approval by Council, before any remediation works proceed.

d) Proposed remediation work, if considered necessary, is to be justified by reference to sampling procedures and testing results, and a remediation and validation plan for the work. After approval of a report on these matters by Council, remediation activity is to be fully completed and validated to Council’s satisfaction. Validation may need to be undertaken by a consultant independent of the initial investigator.

Engagement of any additional consultant would need to be at the developer’s expense and in accordance with Council’s Contaminated Land Policy. A list of approved consultants for the purpose is available from the EPA.

e) The final validation report shall satisfy Council that the site is suitable for its intended use.

Note: Treatment or disposal of any contaminated soil is to be undertaken in accordance with the approved remediation plan (Note: this may in itself require Development Consent and may constitute “Designated Development” for the purposes of the Environmental Planning and Assessment Act 1979 - see Schedule 3 to the Regulation to the Act, 1994).

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CHAPTER 16:

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

(Former Ecologically Sustainable Development Policy)
ECOLOGICALLY SUSTAINABLE DEVELOPMENT POLICY

Policy No: ENV.07    Version No: 1.3

1. PURPOSE

To communicate Council’s commitment to meeting the Shire’s development needs without compromising the ability of future generations to meet their needs.

2. SCOPE

- Council staff involved in the assessment of development applications and/or town planning.
- Owners and developers of any type within the Shire.

3. POLICY STATEMENT

- Council supports the principle of sustainability as the basis for the development of policy, strategy and objectives within the local area.
- Council’s decision making processes will integrate both long and short term environmental, economic, social and equity considerations.
- Council is committed to the integration of environmental issues in local government planning, management and operations.
- Council supports the concept that, where there are threats of serious damage to the environment, lack of full scientific certainty should not be used as a reason for postponing measures to prevent degradation.

4. RESPONSIBILITIES

Manager Development and Environment

5. KEYWORDS AND CROSS REFERENCING

Agenda 21  Sustainable development  Development

6. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES

Section 8 (1) Local Government Act 1993

7. POLICY PREPARED BY: Paul Mullins

8. SUPERSEDING POLICY NO AND TITLE

3.19 Ecologically Sustainable Development Policy

9. MANAGER AUTHORISATION TO IMPLEMENT POLICY:

Paul Mullins, Manager Development & Environment

Date
CHAPTER 17:

EROSION CONTROL for BUILDING SITES

(Former Erosion Control for Building Sites Policy)
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1. INTRODUCTION

Sediment control is an issue on almost every building site. Sure, while it’s fine it’s fine, but control measures need to be in place **BEFORE** it rains.

Soil erosion from building sites is a major pollutant of our watercourses and drainage systems. Soil lost from a building site in a storm is deposited in the stormwater drainage system, streams and rivers. Although the impact from a single block of land maybe minimal, the cumulative result has a dramatic effect on water quality. Some of the serious consequences of soil erosion from building sites include:

a. siltation build-up in the drainage system causing blockages,

b. erosion and scouring of lower land,

c. loss of topsoil limiting growth of native vegetation,

d. ultimate deterioration of the water quality of waterways, with affects such as:
   - an increase in turbidity,
   - an increase in phosphorus levels which boosts the likelihood of contamination by blue-green algae,
   - an increase in the sediment load,
   - ultimate decrease in animal and plant life.

This document aims to provide guidelines to prevent, as much as practical, the amount of soil lost from a building site. The success of this strategy will be dependant very much on the co-operation of owners, builders, contractors and others involved in the construction industry to adhere to these guidelines.

As a general overview, the Council aims to encourage those involved in the construction industry to take reasonable measures to preserve the existing vegetation, provide adequate control measures to prevent soil loss and to rehabilitate the site through interim and long term revegetation strategies.

The soil erosion guidelines will have benefits for all involved. The soil retained can be used to level and landscape the site, being a cost saving to the owner and builder. Less of Council’s funds will be spent on maintaining and replacing drainage lines, being an ultimate cost saving to the ratepayer. If soil erosion is not contained, the health of the waterways will deteriorate, having a detrimental effect for tourists and residents alike. Finally, soil from building sites clogging the storm water drainage system, prevents water from escaping, causing water damage to neighbouring properties.

2. WHO IS RESPONSIBLE

The owner, builder, and developer are responsible for controlling soil erosion and preventing sediment from the building site from being washed in the stormwater drains.

Council may take action under the Protection of the Environment Act 1997 (including on-the-spot fines) if persons allow soil, earth, clay, concrete, concrete washings or similar material to be washed, or placed in a position from where it is likely to be washed into storm water drains.

3. OBJECTIVES

The guidelines have been provided for the following reasons:
3.1. To protect the environment against soil erosion and loss of soil from building sites.

3.2. To prevent the degradation of drainage systems and waterways from the deposition of soil and foreign material from building sites.

3.3. To encourage builders and owner builders to take reasonable measures to create minimal disturbances, and provide necessary control measures to prevent loss of soil.

3.4. To reduce costs in the maintenance of drainage works from the damage caused by soil erosion.

3.5. Prevent flooding damage for individual blocks of land caused by soil blocking drainage lines.

4. GENERAL EROSION CONTROL STRATEGIES FOR ALL BUILDING SITES

4.1. BEFORE COMMENCING BUILDING / DEVELOPMENT WORK

4.1.1. Design and site buildings to minimise cut and fill. Cut and filling of the site should be restricted to a height and depth of maximum one metre. Cut and fill in excess of one metre shall be assessed and approved by Council prior to commencement of work.

4.1.2. Where possible, retain a buffer strip of vegetation or grassed area approximately one metre in width, adjacent to the street gutter or any watercourse.

4.1.3. When appropriate, Sand bags used in conjunction with silt fencing or straw bale sediment filter fencing is to be used on the property boundary.

4.2. DRIVEWAY ACCESS

4.2.1. It is recommended that there is only one access point for vehicles which should be restricted to a width of approximately four metres. Vehicle admittance onto the site shall be restricted during muddy conditions.

4.2.2. Placement of blue metal, gravel or similar materials on driveways is recommended.

4.2.3. Clear silt and debris from footpaths, street gutters and roadways regularly to ensure that sediment is not washed into nearby drains/waterways.
4.3. STOCKPILES

4.3.1. Stockpiles of topsoil, sand, gravel, etc. are valuable. Locate stockpiles so that the material is not on Council’s footpath and not in a position where it can be washed into the gutter or roadway.

4.3.2. Any material accidentally spilled into the gutter or onto the roadway should be removed immediately.

4.3.3. When appropriate, coverage of stockpiles should be provided to prevent loss by wind erosion.

4.4. GENERAL REQUIREMENTS

4.4.1. All sediment control measures should be installed prior to any commencement of work on the site. They should also be retained in a sound and workable condition until completion and should not be removed from the site until permanent rehabilitation measures have been completed.

4.4.2. Builders, developers or owners found causing excessive soil to be deposited into stormwater drains or the kerb and gutter will be required to clean the stormwater pit to Council’s satisfaction. Under extreme cases persons will be liable under the provisions of the Clean Waters Act.

4.5. ROOFWATER DRAINAGE

4.5.1. On completion of the roof cladding, the owner or builder are to ensure that guttering and downpipes are provided and all roof waters are directed to one of the following:

a. Council's street gutter,

b. an inter-allotment stormwater drain,

c. absorption pit (only permitted under exceptional circumstances),

d. other systems approved by Council.
4.6. SITE REHABILITATION AND LANDSCAPING

4.6.1. Stabilise disturbed areas with seeded topsoil or turf as quickly as practical following construction completion.

4.6.2. Use of turfed terraces or turf strips along embankments may provide a quick stabilisation for those areas.

4.6.3. Site trenches and minor excavations should be filled with compacted topsoil to a level which will allow for future settlement and prevent “tracking” of water along the trench.

4.6.4. Stockpiled or unwanted soil should be removed on completion of building construction.

4.6.5. All erosion and sediment control devices should be kept in place for as long as practical or until the site is fully stabilised and/or landscaped.

5. ADDITIONAL REQUIREMENT FOR STEEP SLOPING SITES

5.1. When excavating, diversion channels shall be constructed around the higher levels of the site to intercept and re-direct surface water flows around the construction area. Vegetation or stabilised soil shall be located on the lower side of the dispersion area.

5.2. Place sediment fencing on lower sides of the site to prevent loss of soil to kerb and guttering.

5.3. “Jute” mesh/ geotextile filter fabric or similar material should be used to prevent erosion along the contours of the site to assist in the prevention of soil erosion.

5.4. Portable gravel kerb inlet sediment traps may be used around drainage easement inlet sumps, drainage culverts or kerb drains to filter sediments.

5.5. Filter fencing may be used along the boundary adjoining roadways to prevent vehicles by-passing the designated driveway access.

6. LODGEMENT OF DEVELOPMENT APPLICATIONS

For all Development proposals requiring more then 1 metre of cut and/or fill, an Erosion/Sedimentation Control Plan shall be submitted to Council for approval. No work shall commence prior to approval of the Plan or prior to Development Consent or prior to the issue of a Construction Certificate.

Any proposal which will or may involve considerable ground disturbance or changes in the rate and/or volume of run-off will also be subject to an Erosion/Sedimentation Control Plan. The standard of the Plan will vary depending upon the complexity of the proposal.

7. EROSION / SEDIMENTATION CONTROL PLAN

All Erosion/Sedimentation Control Plans must include an accurate property description, a north point, a scale and accurate contours.

Erosion/Sedimentation Control Plan is to show the following (use as a check list):

- property boundary;
- area of cut and/or fill, the total volume of material involved and where any excess material will be disposed of;
details of access points to construction site;

location, details and dimensions of all permanent and temporary sediment control structures;

location of existing vegetation to be retained and vegetation protection fences;

location of vegetation to be removed;

all existing watercourses and/or drainage structures;

details of the sites catchment area;

temporary and permanent stormwater management;

material stockpile areas;

staging of works, including erosion/sedimentation control;

revegetation techniques.

8. SUPERSEDING POLICY NO AND TITLE

3.81 Erosion Control for Building Sites Policy

9. MANAGER AUTHORISATION TO IMPLEMENT POLICY:

Manager Development & Environment  Date
CHAPTER 18:

BUILDING OVER SEWERAGE MAINS

(Former Building Over Sewerage Mains Policy)
Building over Sewerage Mains Policy
Tumut Shire COUNCIL

Policy No: WWtr.01 Version No: 1.2

2. PURPOSE
To provide guidelines that control the erection of buildings and other structures over Council sewerage mains.

10. SCOPE
All townships within the Tumut Shire having reticulated sewerage.

11. DEFINITIONS
Sewerage main: a pipeline constructed for the conveyance of sewage. Sewerage easement: land dedicated in favour of Council for the access to, and maintenance of sewerage mains. Building or structure: any building or structure including concrete paving.

12. OVERVIEW
Council requires access to sewerage mains for maintenance purposes. It is in Council’s interest to maintain clear access to the alignment of these mains. It is also in the interest of owners to protect the integrity of foundations to dwellings and other buildings by meeting certain requirements of the Building Code if buildings are constructed near trench lines containing sewerage mains. The erection of buildings and other structures is prohibited over sewerage easements. The erection of buildings and other structures over sewerage mains not protected by easements is generally prohibited, however where no alternative exists, approval may be given if Council requirements are met.

13. RESPONSIBILITIES
Manager Development and Environment, Manager Assets

14. KEYWORDS AND CROSS REFERENCING
Sewerage main, easement, building, structure, paving,

15. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES

16. PROCEDURES
- Where an easement exists: The application will normally be refused.
- Where no easement exists: Landowner/s are to apply in writing (with plan of proposal) to Council. If no other suitable, alternative location for the building/structure can be found on the site, Council may approve the application providing that:
  - The affected sewer main is pressure cleaned, and inspected with a Closed Circuit Television Camera (CCTV) to confirm the pipe material type and condition of the pipeline. If the pipeline is constructed of
uPVC material, is in good condition, is deemed sufficiently deep to avoid any influence from proposed footings, and the section to be encroached contains no property connections, or manholes, then approval will normally be granted. This work to be carried out by Council staff at the full cost to the owner.

- Footings/foundations are designed and built in accordance with the requirement of the Building Code of Australia (BCA) Council’s Manager, Development and Environment.

- In the case that the CCTV inspection reveals that the existing sewer is in poor condition, or is constructed in concrete or earthenware pipes, Council will require the owner to replace the affected section of sewer with uPVC material, extending to a distance that is at least 2.0 metres either side of the proposed building.

Where the affected sewer main is a trunk sewer, or a rising main, permission to build over such sewers will not be granted.

Approvals by:
- Manager of Assets and Manager Development and Environment.

17. POLICY PREPARED BY: Manager of Assets

18. SUPERSEDED POLICY NO AND TITLE

3.14 Building over Sewerage Mains Policy

19. MANAGER AUTHORISATION TO IMPLEMENT POLICY

Manager Assets  __________________________________________________

Signature                                                  Date

12. LIFE OF POLICY OR DATE FOR REVIEW: July 2013
(Review must occur within 4 years if no other date is specified.)
CHAPTER 19:

BLOWERING DAM FORESHORE

(Former Blowering Dam Foreshore Policy)
3. PURPOSE

To discourage commercial development at Blowering Dam.

20. SCOPE

- NSW Department of Land and Water Conservation;
- State Forests; and
- anyone lodging a Development Application.

21. DEFINITIONS

Nil.

22. OVERVIEW

This policy discourages commercial development at Blowering Dam so as to preserve the pristine, natural environment.

23. RESPONSIBILITIES

Manager Development and Environment

24. KEYWORDS AND CROSS REFERENCING

Blowering Dam               Blowering Camp

25. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES

Nil.
26. **PROCEDURES**

1. Council supports the preservation of the Blowering Dam foreshore as an attractive venue for day visitors, boating and fishing activities.
2. Council supports the maintenance and enhancement of the State Forest Blowering Camp at its present low key scale.
3. Council does not support the establishment of any new campsites at Blowering Dam.
4. Council does not support the leasing of boat ramps at Blowering Dam.

27. **POLICY PREPARED BY:**

Paul Mullins Manager Development & Environment

28. **SUPERSEDING POLICY NO AND TITLE**

3.91 Blowering Dam Foreshore Policy

29. **MANAGER AUTHORISATION TO IMPLEMENT POLICY:**

Manager Development & Environment _______________________________  Signature  Date

30. **LIFE OF POLICY OR DATE FOR REVIEW:**

(Review must occur within 4 years if no other date is specified.)

July 2013
CHAPTER 20:

ELECTRICAL TRANSFORMER LOCATION

(Former Electrical Transformer Location Policy)
1) PURPOSE

To provide guidelines that control the location and design of electrical transformers where new development requires an upgraded electricity supply.

2) SCOPE

All development within the Shire that requires a new or upgraded electricity supply.

3) DEFINITIONS

aerial bundled cable (ABC) means wrapping low voltage overhead wires, strung between poles along suburban streets, into one single insulated cable.

distribution system means the electricity power lines and associated equipment and electricity structures that are used to convey and control the conveyance of electricity:

(a) to the premises of wholesale and retail customers, up to the point of supply in relation to the premises (which may or may not be situated on the building or land comprising the premises), or
(b) to, from and along the rail network electricity system,

but does not include a transmission system or any lines, equipment and structures prescribed by the regulations.

electricity supply authority means a person or body engaged in the distribution of electricity to the public or in the generation of electricity for supply, directly or indirectly, to the public, whether by statute, franchise agreement or otherwise, and includes:

(a) an energy services corporation within the meaning of the Energy Services Corporations Act 1995, and
(b) a transmission operator or distribution network service provider (in each case within the meaning of the Electricity Supply Act 1995), and
(c) Rail Corporation New South Wales constituted under the Transport Administration Act 1988, and
(d) the Water Administration Ministerial Corporation constituted under the Water Management Act 2000.

electricity transmission or distribution network includes the following components:

(a) above or below ground electricity transmission or distribution lines (and related bridges, cables, conductors, conduits, poles, towers, trenches, tunnels, ventilation and access structures),
(b) above or below ground electricity kiosks or electricity substations, feeder pillars or transformer housing, substation yards or substation buildings.

electricity works means any electricity power lines or associated equipment or electricity structures (whether above, below or on the ground) that form part of the transmission or distribution network and includes mains, wires, cables (including optic fibre cables), pipes or conduits, switches, switchgear, fuses, control equipment, pillars, kiosks, transformers
(including pole-mounted and pad-mounted transformers), substations (including pole-mounted and pad-mounted substations) and their contents, pits, ducts and ancillary works.

**supply**, in relation to electricity, means the supply of electricity by means of a transmission or distribution system.

**transmission system** means any electricity power lines and associated equipment and electricity structures that are a transmission system by virtue of an order in force under section 93 of the Electricity Supply Act 1995.

4) **POLICY STATEMENT**

Council recognises the need of electricity supply authorities to develop infrastructure for the distribution of electricity. This has resulted in the development of pole mounted electrical transformers located in residential areas. Council acknowledges the need for these facilities to be expanded or for new facilities to be developed. This will ensure that the supply of electricity will continue to meet the needs of all electricity users.

Council’s decisions on proposals for the development or expansion of electricity transformers will be based on the following guidelines.

a) Council will support the expansion of existing facilities over the development of new facilities;

b) Where there is a demonstrated need for existing facilities to be expanded, Council will require that the electricity authorities minimise the adverse impact of these facilities on neighbouring properties, and the streetscape;

c) Council will request that major infrastructure is suitably surrounded by appropriate landscaping or screening installed and maintained by the electricity supply authority. This is intended to minimise the visual impact on neighbouring properties;

d) Where there is a demonstrated need to develop major new facilities, Council will support the development of new facilities only in non-residential areas; and

e) Council will request electricity authorities to undertake consultation with the community in regard to proposals and plans relating to major electricity substations. Council’s expectation is that consultation will be undertaken prior to the planned installation or construction of new facilities.

Council also recognises that depending on the size, location and additional electrical load required by new development, electrical infrastructure may need to be extended or upgraded to increase its capacity.

To ensure that a suitable electricity connection is provided to or is available for each lot or end-use customer in a subdivision or other type of development, applicants for the following types of development should liaise with the electricity supplier with regard to the supply availability and upgrading of the network:

a) **Multi-tenanted Residential Developments**

These may be single or multi-dwelling developments. The latter may consist of company title and strata title home units, residential flats (whether strata title or not), non-subdivided dual occupancy developments and subdivisions.

b) **Commercial or Industrial Developments**

These may consist of any non-residential individual customer, or group of customers, small or large, such as:

- schools, shopping centres, offices, swimming pools
• service stations, factories, workshops
• subdivisions

c) Developments in Non-Urban or Rural Areas

These developments may consist of but are not limited to:

• Individual or groups of customers who require a new or increased electricity connection which requires an extension of the existing network. Individual customers are encouraged to determine if other adjacent property owners might wish to join in sharing the connection costs.
• They are also encouraged to consider the alternative of non-grid connected supply such as stand-alone Remote Area Power Systems (RAPS).
• Non-urban subdivisions where the developer is usually required to fund the HV (more likely to be dedicated than in urban areas) as well as the LV reticulation to the development.
• Non-urban commercial or industrial developments such as service stations, farms, pumping stations or rural industries.

Community Title and Community Developments

These are developments where the common estate is held in private ownership. These developments may include:

• Residential or commercial or mixed developments.
• Tumut River Orchard Estate, Tumut Airpark, and the like.
• Small shopping centres, service stations, squash courts, and other similar developments.
• School Developments.
• Primary, secondary or tertiary education schools.
• Community Use Developments.
• A development used by a non-profit local community group and/or Church and without limitation, including Churches, Church Halls, Scout and Guide Halls, Baby Health/Early Childhood Centres and Child Care Centres.

Early discussions with the appropriate Authority are recommended, and applications to Council for development consent must identify requirements for electrical reticulation which will affect the design and layout of the proposed development.

5) COUNCIL POLICY DIRECTION

When Country Energy consults with Council under the Electricity Supply Act and SEPP (Infrastructure) 2007, regarding the installation of new pole mounted or pad mounted transformers, the following principles will be applied:

a) New Pole Mounted Transformers to be installed within the existing grid.

Council will offer no objection where the transformer is to maintain or improve the integrity of the existing supply network.

b) New Pole Mounted Transformer requiring HV line extensions or located on a street frontage that does not have existing overhead supply lines.

Council will require that the transformer be pad mounted and that all electrical connections be underground. As a general principle, Council will not agree to overhead power lines along BOTH sides of a street.

c) Transformer required for a specific new development
When a new development requires installation of a transformer, an area within the development site must be provided for the location of a pad mounted kiosk or transformer. The area is to be sympathetically treated behind a screen or landscaped to address visual amenity and should comply with the landscaping requirements of the service provider.

Where there is a demonstrated need for new pole mounted transformers and aerial conductors, Council requires the use of aerial bundled cables to preserve street trees.

6) RESPONSIBILITIES
Manager Development and Environment

7) KEYWORDS AND CROSS REFERENCING
Aerial bundled cable, substations, supply, transformer

8) DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES
This policy is consistent with the aims and objectives of the Tumut Local Environmental Plan 1990. This policy is subject to the electrical supply requirements for new subdivisions contained within Council’s Rural and Urban Subdivision Codes.

Electricity Supply Act 1995
State Environmental Planning Policy (Infrastructure) 2007

9) POLICY PREPARED BY: C Williams and J Mumford

10) MANAGER AUTHORISATION TO IMPLEMENT POLICY

_________________________________   ____________________
Manager Development and Environment                   Date

11) LIFE OF POLICY OR DATE FOR REVIEW: August 2013
(Review must occur within 4 years if no other date is specified.)
CHAPTER 21:

DWELLINGS in the GENERAL BUSINESS ZONE

(Former Dwellings in the General Business Zone)
DWELLINGS IN GENERAL BUSINESS ZONE POLICY

Tumut Shire COUNCIL

Policy No: TP.05 Version No: 1.3

4. PURPOSE

To clarify under what circumstances residential dwellings may be approved in the General Business 3 (a) zone.

31. SCOPE

All owners and developers.

32. POLICY STATEMENT

Council may permit residential dwellings to be built in the 3(a) General Business zone when they are included as part of a commercial premises and when they do not inhibit the commercial use of the premises.

33. RESPONSIBILITIES

Manager Development and Environment

34. KEYWORDS AND CROSS REFERENCING

General Business 3 (a) zone Development Town Planning

35. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES

Tumut Local Environmental Plan
Environmental Planning and Assessment Act

36. PROCESS

Dwellings in General Business zones will be subject to Development Consent under the Environmental Planning and Assessment Act.

37. POLICY PREPARED BY: Paul Mullins

38. SUPERSEDED POLICY NO AND TITLE

3.32 Dwellings in General Business Zones Policy

39. MANAGER AUTHORISATION TO IMPLEMENT POLICY

.................................................................................................................
Manager Development & Environment Date
CHAPTER 22:

DEVELOPMENT & MAINTENANCE BOND

(Former Development and Maintenance Bond Policy)
1. PURPOSE
To provide a process whereby Developers can provide Council with a monetary bond as security in lieu of physical works remaining to be completed on a development. Such bonds are retained by Council for a time determined by Council, and are refunded to Developers following the satisfactory completion of Development works, and or following the completion of a works maintenance period.

2. SCOPE
This policy applies to any development within the Tumut Shire Council, local government area.

3. DEFINITIONS
Developer – any person/s, business, company, organization that develops and or increases the land use of land/buildings.

Maintenance period – the period of time determined by Council (usually 6 months), following the practical completion of development works, during which Council holds a monetary bond to ensure that the completed works are maintained and or repaired, or reinstated should the need arise during this period. Should the Developer not maintain the works during this period, then Council may call up, or cash in the bond, and arrange for such works to be completed and be funded from the bond.

Works – any physical works required in the development of land.

4. KEYWORDS AND CROSS REFERENCING
Developer, development, works, bond, maintenance period

5. POLICY STATEMENT
Developers carrying out civil works that become public property, are generally required to maintain the works and rectify any defects arising within six (6) months from the date of completion. To ensure that developers meet this responsibility Council requires the lodgement of a Maintenance Bond of 5% of the total value of the civil works. The calculation of the valuation of the Bond must be prepared by a Registered Land Surveyor, Quantity Surveyor or Civic Engineer Registered on NPER-3. All costs must be based on valuations from a recognised construction cost guide. The Bond will be released at the conclusion of the maintenance period.

6. RESPONSIBILITIES
Manager Assets
8. PROCESS

**Development Bond**

Council’s requirements for the acceptance of Bonds for outstanding works in regard to development projects are:

8.1. A Bank Guarantee, Bond or Bank Deposit, prepared in Council’s name (in trust for a developer) be accepted as the normal security for a property development where works required are a condition of Development Consent. The Bank Guarantee, or Bond shall not be time limited.

8.2. Developers be required to provide to Council a valuation of outstanding works, prepared by a Registered Land Surveyor, Quantity Surveyor or Civil Engineer registered on NPER-3. All costs used shall be based on valuations from a recognised construction cost guide (eg: Rawlinsons Australian Construction Handbook)

8.3. The time limit for completion of outstanding works will generally be limited to twelve (12) months, but may be varied depending upon the circumstances of the individual case. If developers fault on completion of outstanding works within the time limit set, Council will call in the Security Deposit and complete the works.

8.4. Council will charge a Development Bond Administration Fee

8.5. Any request by a developer, that Council accept any other form of security for a property development, where works required are a condition of Development Consent, is only to be considered following a report to Council.

8.6. When Development Bonds are accepted by Council, Council also require developers to enter into a suitable Bond Agreement setting out the terms of the Agreement.

8.7. The General Manager be granted Delegated Authority to execute Bond Agreements on Council’s behalf and to determine requests to extend the period of Bonds.

8.8. Development Bonds shall not be less than 125% of the estimated cost of un-completed works.

8.9. Development Bonds generally relate to only 25% of works, but Council will accept a greater percentage based on the circumstances of the individual case. Authority is delegated to the General Manager to determine the extent of works that can be bonded.

9. Policy Prepared By

John Maxwell – Manager Assets

10. Superseding Policy No and Title
11. MANAGER AUTHORISATION TO IMPLEMENT POLICY

Manager Assets .................................................................

Signature

Date........................................
BONDING DEED

This Deed is made on the day

BETWEEN (the Council)

AND: (the Developer)

RECITALS:

A. The Developer has sought and obtained Approvals from the Council.

B. The Developer has agreed to provide a Bond to the Council in respect of obligations imposed by the Approvals and the Council has agreed to accept the Bond on the terms and conditions of this Agreement.

OPERATIVE PROVISIONS:

1. DEFINITION AND INTERPRETATION.

1.1 Land means the land described in Schedule 1.

Approvals means the approvals described in Schedule 2.

Development Works means works to be carried out specified in Schedule 3.

Bond means the amount set out in Schedule 4 together with any interest accrued thereon.

Specified Documents means the documents described in Schedule 5.

Maintenance Works means the works to be maintained described in Schedule 6.

2. BOND

2.1 The Developer must on the making of this Deed lodge with or provide to the Council the Bond.

2.2 The Bond vests in the Council subject to the terms of this Deed.

2.3 If the Bond is paid by the Developer in cash or by bank cheque.

a) the Council shall invest the money in an interest bearing deposit or similar form of investment in the name of the Council and all interest earned shall be reinvested with the money deposit;
b) if the Developer is entitled to repayment of the bond or part of it, then any interest accrued on the amount to be repaid shall also be paid to the Developer.

2.4 If the Bond is not provided by way of cash or bank cheque it must be provided by way of Bank Guarantee.

3. DEVELOPMENT WORKS

3.1 The Developer shall complete the development works by (insert date)

3.2 On satisfactory completion of the development works the Council will release to the Developer that part of the Bond specified as “development works” in Schedule 4.

3.3 If the Developer does not complete the development works as required then the Council is authorised to enter on the land and complete those works and:

a) where the bond is invested appropriate and apply the whole or any part of the bond necessary to meet the costs in doing so, or

b) if the bond or any part of it is provided by way of Bank Guarantee, demand that the guaranteeing bank pay to the Council the amount necessary to meet the costs in doing so.

4. MAINTENANCE WORKS

4.1 The Developer agrees to maintain the maintenance works described in Schedule 6 for the duration of the maintenance period which extends for 6 months from the date that the relevant Council Officer certifies that those works have reached practical completion or until registration of the plan of subdivision identified in Schedule 5, whichever occurs last.

4.2 Upon completion of the maintenance period and at the request of the Developer the Council shall inspect the maintenance works and shall give notice to the Developer of any work that has to be done to bring those works in conformity with the approved construction plans and specifications (the notified work).

4.3 If the Developer satisfactorily completes the notified work then, subject to any other terms of this deed, the Council will release to the Developer that part of the bond specified as “maintenance works” in Schedule 4.

4.4 If the Developer does not complete the notified work then the Council is authorised to enter on the land and complete that work and:

a) where the bond is invested appropriate and apply the whole or any part of the bond necessary to meet the costs in doing so, or

b) if the bond or any part of it is provided by way of Bank Guarantee, demand that the guaranteeing bank pay to the Council the amount necessary to meet the costs in doing so.

5. CONTRIBUTIONS
5.1 The Developer shall pay to the Council contributions pursuant to the approvals in the amount set out as part of the bond in Schedule 4. The contributions must be paid by (insert date).

5.2 If the Developer does not pay the contributions by (insert date) then:

   a) where the bond is invested the Council may appropriate the whole or any part of the bond by way of payment of the contributions, or

   b) if the bond or any part of it is provided by way of Bank Guarantee, demand that the guaranteeing bank pay to the Council the amount of the contributions.

6. RELEASE OF SPECIFIED DOCUMENTS

6.1 In consideration of the Developer entering into this Deed the Council shall forthwith release the specified documents described in Schedule 5.

7. ACCOUNTING BY COUNCIL

When

   a) all works required to be done under this agreement have been completed, and

   b) all payments required to be made under this agreement have been made,

Then

   a) if there are surplus funds remaining invested the Council shall account to the Developer and pay the surplus funds to the Developer;

   b) if payment for contributions together with any works carried out by Council was made pursuant to Bank Guarantee Council shall account to the Developer and release the balance of such guarantee, if any;

   c) if payment for contributions together with any works carried out by Council exceeds the bond then the Council shall account to the Developer for the contributions paid and monies expended and the Developer shall pay to the Council within 14 days of receiving such accounting any shortfall.

8. RELEASE OF SPECIFIED DOCUMENTS

8.1 In consideration of the Developer entering into this Deed the Council shall forthwith release the specified documents described in Schedule 5.
EXECUTED as a deed.

THE SEAL of THE TUMUT SHIRE COUNCIL was hereunto affixed pursuant to a resolution of the Council passed on in the presence of:

............................................................ ............................................................
Signature of authorised person       Signature of authorised person

............................................................ ............................................................
Office held                          Office held

............................................................ ............................................................
Name of authorised person (block letters) Name of authorised person (block letters)

THE COMMON SEAL of is affixed in accordance with its articles of association in the presence of:

............................................................ ............................................................
Signature of authorised person       Signature of authorised person

............................................................ ............................................................
Office held                          Office held

............................................................ ............................................................
Name of authorised person (block letters) Name of authorised person (block letters)

OR

Signed by ............................................................ (Block Letters) Signature

in the presence of: ............................................................ ............................................................

............................................................ Name and address of witness
SCHEDULES

SCHEDULE 1: (Description of Land)

SCHEDULE 2: (Description of Approvals)

SCHEDULE 3: (Description of Development Works)

SCHEDULE 4: (Description of Bond)

SCHEDULE 5: (Description of Specified Documents)

SCHEDULE 6: (Description of Maintenance works)
CHAPTER 23:

FLOOD PLAIN MANAGEMENT

(Former Flood Plain Management Policy)
FLOOD PLAIN MANAGEMENT POLICY

Tumut Shire COUNCIL
Policy No: Bld.06 Version No: 1.3

5. PURPOSE

a) To alert the community to the extent and hazard of flood liable land within the Shire;
b) To inform the community of Council's policy in relation to the development and use of flood liable land;
c) To define a flood standard;
d) To encourage development and construction which is compatible with flood hazard.
e) To reduce the risk and implications of flooding;
f) To support and implement the NSW State Government Flood Prone Land Policy.

40. SCOPE

Persons planning developments in areas known to be affected by flooding.

41. DEFINITIONS

Australian Height Datum (AHD) A common national plane of levels corresponding approximately to mean sea level.
Consent Authority. The Tumut Shire Council, or where an environmental planning instrument specifies a Minister of authority (other than a Council) or the Director of Planning as having the function to determine a development application, that Minister or public authority or the Director as the case may be.
Design Floor Level (DFL) A minimum floor level specified as part of a building control plan.
Development The erection of a building or the carrying out of work; or the use of land or of a building or work; or the subdivision of land.
Flood Relatively high stream flow, which overtops the natural or artificial banks in any part of a stream or river.
Flood Fringe the remaining area of land affected by flooding, after floodway and flood storage areas have been defined.
Floor Level the level expressed by reference to AHD at which peak discharge occurs for a given flood.
Flood Liable Land land, which would be inundated as a result of the standard flood.
Floodplain the portions of a river valley, adjacent to the river channel, which is covered with water when the river overflows during floods.
Flood Standard The flood selected for planning (or Designated Flood) purposes.
Flood Storage's those parts of the floodplain that are important for the temporary storage of floodwaters during the passage of a flood.
Floodways those areas where a significant volume of water flows during floods. They are often aligned with obvious naturally defined channels. Floodways are areas, which, even if partially blocked, would cause a significant redistribution of flood flow, which may in turn adversely affect other areas.

Freeboard a factor of safety usually expressed as a height above the designated flood. Freeboard tends to compensate for factors such as wave action, localised hydraulic effects etc.

Habitable Room a living area such as a lounge room, dining room, rumpus room, kitchen, bedroom.

Peak Discharge the maximum discharge occurring during a flood event

Probability a statistical measure of the expected frequency or occurrence of flooding. For example, a 1-% probability flood has a 1-% probability of occurring or being exceeded in each and any year.

**42. POLICY STATEMENT**

Council has established how it will decide whether or not to approve development applications relating to known flood affected areas.

**Flood Standard.**

The flood of one percent or 1 in 100 year’s probability is the standard flood for the purpose of this policy.

A person shall not carry out development other than non-habitable buildings ancillary to agriculture, recreation areas and sporting grounds on any floodway, as identified by Council, the NSW Department of Public Works or the NSW Department of Natural Resources.

**Application for Development of Flood Liable Lands.**

Where a development or building application is lodged for development of flood liable land, the applicant will be required: -

a) To include adequate information from a registered surveyor or consulting engineer on the levels, flood levels, and anticipate effects of flooding on the development, and of the development on flood behaviour.

b) To satisfactorily demonstrate the development will not increase the flood hazard of flood damage or otherwise adversely affect other properties.

c) To satisfactorily demonstrate that evacuation of people, if required during flooding, can be safely carried out, and that no significant cost or disruption will be caused to the community.

d) To satisfactorily demonstrate that the development and ancillary structures can withstand the forces of flooding. A certificate from a qualified structural/civil engineer should be submitted before construction commences.

e) To provide that the flood level of any habitable room is not less than 0.5 metres above the one percent (1%) probability flood.

**Alterations to Existing Developments.**

Where additions or alterations to existing buildings are proposed, the above requirements should apply - except in particular circumstances where the addition or alteration is minor, and in the opinion of Council, strict compliance would be unreasonable.
43. RESPONSIBILITIES

Manager Development and Environment

44. KEYWORDS AND CROSS REFERENCING

Floodplain            Flood

45. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES


46. POLICY PREPARED BY: Paul Mullins

47. SUPERSEDING POLICY NO AND TITLE

6.01.02  Flood Plain Management Policy

48. MANAGER AUTHORISATION TO IMPLEMENT POLICY:

________________________________________________________________________
Manager Development & Environment                      Date
CHAPTER 24:

FAIRWAY DRIVE ACCESS

(Former Fairway Drive Access Policy)
6. **PURPOSE**
To ensure that future development of land fronting Fairway Drive, Tumut have vehicular access that is safe.

49. **SCOPE**
Owners / developers of properties fronting Fairway Drive

50. **POLICY STATEMENT**
Existing lots that front Fairway Drive will be permitted to have single access to Fairway Drive provided that no hazard is presented to traffic movement and safety.

Council will not consent to subdivisions creating multiple accesses to Fairway Drive. Where no alternative access is available, a single access point to Fairway Drive may be constructed with a service road providing internal access to the new allotments.

This policy will be considered when considering Development Applications.

51. **RESPONSIBILITIES**
Manager Development and Environment

52. **KEYWORDS AND CROSS REFERENCING**
Fairway Drive Access Development Applications

53. **POLICY PREPARED BY**
Manager Development and Environment – Paul Mullins

54. **SUPERSEDING POLICY NO AND TITLE**
3.20 Fairway Drive Access Policy

55. **MANAGER AUTHORISATION TO IMPLEMENT POLICY**
Manager Development and Environment

______________________________  ____________________
Signature                          Date
CHAPTER 25:

INDUSTRIAL LAND

(Former Industrial Land Policy)
1. PURPOSE

To make available a long-term supply of serviced industrial land.

2. SCOPE

- Anyone proposing industrial developments in the Shire.
- Council staff.

3. DEFINITIONS

Industrial land: Land zoned industrial under the Tumut Local Environmental Plan.

5. POLICY STATEMENT

Council will encourage industry clustering and consolidation of the existing industrial area in Tumut to make the best use of existing infrastructure. In addition, Council will endeavor to make available industrial land in these locations:

Land in the vicinity of the Gilmore Timber Mill. Rifle Range Valley.

All new industrial land is to be provided with appropriate infrastructure.

Large-scale development will be encouraged in appropriate rural areas. Council will continue to make provision for such development in its Local Environment Plan.

To the maximum extent possible, Council will avoid ribbon development on the approaches to towns. Council will place a high priority on the visual amenity of industrial development. Where hazardous or offensive industries are deemed suitable for Tumut Shire, these will only be approved for locations where adequate buffers can be provided.

6. RESPONSIBILITY

Manager Development and Environment.

7. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES

Tumut Local Environment Plan 1990

8. POLICY PREPARED BY: Paul Mullins

9. SUPERSEeding POLICY No AND TITLE

3.06 Industrial Land Policy

3.07

10. MANAGER AUTHORISATION TO IMPLEMENT POLICY:

Manager Development & Environment ________________________

Date
CHAPTER 26:

METAL CLAD BUILDING

(Former Metal Clad Building Policy)
Metal Clad Buildings
Policy

Policy No: Bld.01 Version No: 1.4

1. AIMS
To outline the requirements for metal clad buildings with the intent of minimising potential adverse impacts on the environment and surroundings properties caused by glare and/or inappropriate colours.

2. SCOPE
Owners and / or builders of metal clad buildings within the Shire, including rural, residential, commercial and industrial areas.

3. DEFINITIONS

- **Metal cladding**: Any metal product used for external cladding.
- **Colorbond®**: A brand of pre-painted steel cladding.
- **ZincAlume®**: Zinc/Aluminium alloy coated steel cladding.
- **Surrounding Properties**: Properties in the vicinity of the subject property, including those, which while more distant, may also receive adverse impacts such as glare, etc.
- **Assessment Officer**: The Council Officer responsible for the assessment of the relevant Development Application, with appropriate delegation.
- **Rural Buildings**: Farm sheds, machinery sheds and the like on land zoned 1(a), 1(b), 1(c) only.

4. KEYWORDS AND CROSS REFERENCING

Buildings Metal Clad buildings.

5. OVERVIEW

Glare and reflection from metal clad buildings can be a source of nuisance to surrounding properties and can be visually obtrusive. Inappropriate roofing materials can prove to be very prominent particularly in the rural landscape, even when viewed from a distance. Council’s Development Control Plan No. 2 – Rural Residential Development has as one of its primary objectives, the preservation of rural character and the minimization of visual impacts.

However, it is important to note that all building materials reflect sunlight to a greater or lesser degree. Therefore, Council notes the difficulty in prohibiting all reflective building materials. Arbitrary application of prohibitive policies is both ineffective and creates undue hardship on building owners.

It should be noted that the intent of this policy is to allow for reasonable development and a degree of innovation while balancing the priorities of adjacent property owners. The policy is written in performance terms and requires a subjective assessment of impacts.
and aesthetics. This method of policy application and assessment will result in most developments fitting within noted criteria and having minimal impact, however, due to the nature of the materials, some impacts on more distant properties or other sites may occur.

**Discussion**

The effects of weathering on the surface of the metal cladding should be considered. The reflectivity of many materials (such as Zincalume®) will reduce over time. In the case of a Colorbond® pre-painted steel roof, some weathering will occur and the amount of reflected light (glare) will be reduced within twelve (12) months of installation – *(BlueScope Steel Technical Bulletin TB-28 – dated November, 2003)*.

Additionally, the orientation of the building affects the potential glare impacts on surrounding properties. Due to the changing path of the sun, glare will typically be present for part of the year only.

It should also be noted that the thermal efficiency of a building is greatly enhanced by the use of lighter colours and highly reflective cladding materials, i.e. highly reflective materials do not absorb as much heat as other materials and will stay cooler and more comfortable in hot weather. In the interests of environmental sustainability, Council encourages energy efficient design and the utilization of thermally efficient materials, dependent upon excessive adverse impacts on surrounding properties.

Considering the above factors, and the expectation of building owners to reasonably develop their land, Council will apply a case-by-case, merit-based assessment of proposals for metal clad buildings based on the following guidelines.

**Residential (Urban & Rural) and Commercial Buildings and minor outbuildings**

Metal roof/wall cladding to residential and commercial buildings should be pre-painted steel such as Colorbond® but Galvanised or Zinc/Aluminium alloy coated cladding may be approve where the assessment officer has considered potential effects on the amenity of surrounding properties.

Visual prominence and glare shall be considered and notification of potentially affected surrounding properties shall be done in accordance with Council’s *Development Control Plan No. 4 – Public Notification*.

Small prefabricated garden sheds and other similar outbuildings (< 10 sq. m) may be fully clad with Galvanised or Zinc/Aluminium alloy coated material if located behind the building line and so as not cause a nuisance to surrounding properties.

**Industrial Buildings, Workshops and the Like**

Metal cladding on industrial buildings, workshops and the like should be –

a) Pre-painted steel **walls** unless the assessment officer considers that an alternative finish will not adversely effect the amenity of surrounding properties.

b) Galvanised or Zinc/Aluminium alloy coated **roofs** may be considered unless the assessment officer considers that pre-painted steel material is warranted.

**Rural Buildings**
Galvanised or Zinc/Aluminium alloy coated cladding may be permitted on rural buildings, but where pre-painted steel material is considered necessary by the assessment officer the matter shall be submitted to Council for determination.

Council’s *DCP No 2 Rural Residential Development* requires that external materials not give rise to visual intrusion by virtue of their surfaces, colours or arrangement. Buildings must utilize materials that ensure reflection and glare do not adversely affect surrounding properties.

The Development Standards noted by the DCP shall be primary considerations when assessing proposals for metal clad building in rural areas.

6. **RESPONSIBILITIES**

Manager Development and Environment.

7. **DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES**

- Development Control Plan No. 4 – Public Notification
- Development Control Plan No. 2 – Rural Residential Development

8. **POLICY PREPARED BY : Kai McRae**

9. **SUPERCEDED POLICY NO. AND TITLE**

3.24 Metal Clad Buildings Policy

10. **MANAGER AUTHORISATION TO IMPLEMENT POLICY:**

    ………………………………………………………. …………………………………

    Manager Development & Environment              Date

11. **LIFE OF POLICY OR DATE FOR REVIEW: 4 years - July 2013**

    (Review must occur within 4 years if no other date is specified.)
CHAPTER 27:

ON-SITE SEWERAGE MANAGEMENT

(Former On-Site Sewerage Management Code)
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1. **INTRODUCTION**

There is strong demand for rural residential development within the Shire where a reticulated sewerage system is not available.

A major concern of this development is the adverse effects of septic tank and aerated wastewater treatment systems, both individually and accumulatively, on human health and the environment.

On-site sewerage management systems often fail due to the inability of the site to cope with effluent absorption as a result of high clay soils, overloading the systems with large volumes of waste water, inappropriate design, and lack of proper maintenance.

Where connection to a reticulated sewerage system is not practical, installation of a OSSM system is only an acceptable alternative provided site conditions are suitable for effluent disposal (ie: satisfactory soil type, effluent loading, lot size, safe distance from water courses, etc.).

Not all sites have characteristics suitable for sub-surface absorption trench disposal. In such cases, installation of an aerated septic tank with spray irrigation may be an acceptable alternative.

2. **SCOPE**

This Code sets out Council's requirements for ossm systems from domestic premises comprising not more than five (6) bedrooms, i.e., ten (10) persons. Commercial, industrial and large domestic disposal systems will require special consideration not covered by this Code.

3. **APPLICATION**

3.1 **New Materials and Methods**

This Code shall not be interpreted to prevent the use of materials or installation of disposal systems not specifically referred to herein. If it is desired to use materials or install systems not covered by this Code, they shall be submitted to Council for approval and comply with the Plumbing Code of Australia.

3.2 **Unusual Installations**

Certain installations or portions of installations, which are unusual due to particular circumstances, may not be covered in detail by this Code. Details of such installations shall be submitted to Council which, having regard to all of the circumstances may authorise the installation.

4. **DEFINITIONS**

For the purposes of this Code, the definitions contained in *Clause 1.6, AS 1547-2000* are applicable.

5. **FACTORS AFFECTING EFFLUENT DISPOSAL**

Constraints to the performance of ossm systems include:-

- Soil type and its ability to accept effluent.
- Proximity to water courses, dams and surface drains.
- Slope of land.
- Natural ground water conditions.
- Rainfall.
- Flood prone land, etc.

6. **APPROVAL REQUIREMENTS**
1) Under Section 68 of the Local Government Act 1993, before installing or altering any septic tank system, it is necessary for the owner to apply to Council for approval. The application will be subject to a processing fee. The property owner shall not permit any work to commence without written approval.

2) The Local Government (General) Regulations 2005 requires that an owner of an on-site sewage management system shall apply for an Approval to Operate the sewage management system at the same time as an application to install the system is applied for.

Two (3) copies of plans, drawn to scale, and specifications are required to be submitted for approval with the application and shall include the following:-

a) A locality plan of the premises.
b) A floor plan of the building showing the number of bedrooms.
c) A block plan, drawn to scale, showing the relative position of the proposed ossm system, including the disposal area, an alternate disposal area, north point, contour lines and all existing or proposed buildings, driveways, easements, bores, water courses, rivers etc.
d) Manufacturers details of the proposed ossm system, and accreditation by the NSW Department of health.
e) Proposed position of stormwater diversion drains.
f) A Soil Textural Classification Report, prepared by an appropriately qualified person (Soil Technician) in accordance with Clause 3.4.4.1 of AS 1547-2000. The report shall include an accurate site plan indicating the locations where soil samples were taken.
g) Calculations relating to the size of the disposal area in accordance with Clause 8 of this Code, according to the type of system proposed.
h) Source of water supply.
i) Water saving devices to be used. (eg WC.s 6/3 flush, shower roses)
j) Installers details.
k) When installing an aerated wastewater treatment plant, full details to be shown of the irrigation area.
l) When installing a septic tank, full details to be shown of the absorption trenches.
m) When installing an aerated wastewater treatment system, the system needs to be serviced to the manufacture’s specifications; therefore the owner of the system will submit to Council a signed service contract with an accredited technician.

7. TYPES OF DISPOSAL SYSTEMS

7.1 Absorption Trenches

Absorption trenches shall be generally limited to sites where the surrounding soil has an appropriate permeability and the site conditions are unlikely to result in pollution of natural water courses in the event of trench failure.

7.1.1 Self Supporting Arch Trench

1. An approved self supporting arch trench, shall be used.
2. Trenches shall be positioned parallel with the contours of the land, with the bottom of the trenches as level as possible along their entire length, so as to enhance uniform distribution of the effluent.
3. Effluent shall be loaded as close to the mid point of the trench as is possible.
4. Avoid any low spots as extra load will be placed on these points.
5. End caps shall be fitted to the arch.
6. The space adjacent to the arch shall be filled with 10-20mm durable aggregate to within 100mm of finished ground level.
7. Geotextile shall be provided on top of the aggregate prior to top soil and grassing..
9. Where appropriate, a diversion drain shall be constructed along the upstream side of the disposal trench(es) to divert all rain water.

7.2 Aerated Wastewater Treatment systems

7.2.1 General

These systems may be approved by Council as alternatives to the conventional sub-surface disposal systems, as a means of more widely distributing the effluent where the vegetation can directly benefit from such watering. To prevent run-off, the area to be irrigated should be as level as possible and rain water shall be diverted from the area. Steep sloping areas may need to be terraced and bunded.

7.2.2 Effluent Quality

The quality of effluent from aeration systems for application to surface irrigation

7.2.3 Irrigation Areas

Sprinklers with a throw of not more than two metres shall be used and shall produce coarse droplets (instead of a fine mist) to minimise the risk of aerosol dispersion and wind drift of effluent. The plume height shall not be more than 400mm above the finished surface of the irrigation area.

7.2.4 Location of Irrigation Areas

Surface irrigation areas shall be in a location away from regular pedestrian traffic and recreation areas, so that there is no risk of direct spray or wind-driven spray onto such areas. Effluent shall not be used for irrigation of fruit or vegetables. All irrigation areas for on-site waste disposal shall be fenced to prevent the entry of persons or animals.

7.2.5 Preparation of Irrigation Area

When a proposed irrigation area has low permeability, it is particularly important to ensure that the permeability of the soils in the irrigation area is improved and maintained and that there is adequate cover of porous and fertile topsoil to act as immediate storage for effluent applied to it, and to support the rapid growth of vegetation to maximise evapotranspiration.
It may be necessary to import topsoil, but the possibility of improvement of the natural topsoil layer should not be overlooked.

7.2.6 Requirements for Irrigation Area

1. All irrigation pipework and fittings shall comply with all parts of *AS 2439 & 2439.2* or *AS 2698.2*. The distribution irrigation lines shall have a minimum depth of cover of 100mm.

2. There shall be no cross-connection between any irrigation pipework and a potable water supply.

3. Standard household hose taps and garden fittings shall not be used.

4. Along the boundary of the surface irrigation area there shall be at least (2) two warning signs clearly visible to inform the occupants of the premises that recycled water is used for irrigation. Each sign shall have:-
   (a) lettering visible at 3m; and
   (b) wording: Recycled Water
       Avoid Contact
       DO NOT DRINK

5. At the time of commencing to use the system, the warning signs and the landscaping or the surface preparation, or both, of the system must be completed.
Examples of Irrigation Areas

Sewage Treatment Systems

- Area = Q Flow
- D.I.R.
- Designed in accordance with AS 1547-94 Section 26

Treatment Plant

- End plug
- End connector
- Treatment tank
- Primary tank

- Supply line
- 25 kV feed class 'B'
- Max 4 to 5 m
- Min 2 m
- Diversion drain/mound

- Effluent warning sign
- Locate garden bed not more than 25 m from and 3 m above treatment plant

100 sqm - 4 Rotary spray Irrigation kit

- Max slope 1 in 10 or 5°
- Diversion drain/mound
- Natural surface
- 3 m min layer of permeable soil
- Tamper base soil
- H.W. Garden stake with tie

Typical Cross section.

Garden beds to be constructed to the satisfaction of the Local Council, use either - 100 mm thick mulch cover with min 10 selective shrubs planted or - Grass cover with optional shrubs planted
Sewage Treatment Systems

A req'd Q flow
D.I.R.
Designed in accordance with AS 1547.94 Section 24

Treatment Plant

End-plug
Tee
Ball-valve
Treatm. tank
Primary tank
End-connector

Supply line
25 mm Rural class's
High side
3-Metal dome sprays
Effluent warning sign
with flexible sludge hose
Low side

150 Deep trench
Distribution line
25 mm Low density poly
Locate garden bed not more than 25 m from and 3 m above treatm. plant

200 sqm - 3 Dome spray Irrigation kit

Retaining mound
Dome spray
Dormant line
Scarify base soil
300 mm min layer of permeable soil
Natural surface

Typical - Cross section.

Garden beds to be constructed to the satisfaction of the Local Council using either 100 mm thick mulch cover with min. 20 shrubs planted or Grass cover with optional shrubs planted.
Sewage Treatment Systems

A req'd = Q1 (low)

1. D.I.R.

Designed in accordance with AS1547-96 Section 2.6

Treatment Plant

- End-plug
- Tee
- Ball valve
- End-connector
- Treatment tank
- Primary tank
- Supply line
  25mm Rural class B
- approx 50 to 75 m

150 Deep trench

High side

- max slope 1 in 10 or 5°
- max 3 to 4 m
- min 2 m
- max 18 soaker holes

Locate garden bed not more than 25 m from and 4 m above treatment plant

150sqm = 18-5" Drip shallow sub-surface Irr. kit
(soaker holes)

- max 2 to 3 m
- Soaker line
- 12" Low density poly × 550 lg
- 100 High

150 x 150 Paver slab

Natural surface

Mullch

Garden beds to be constructed to the satisfaction of the Local Council use
50mm thick mulch cover overlaying 100 mm thick fertile layer Sandy loam
plant 10 selective shrubs min.
Sewage Treatment Systems

A req'd = \( \frac{Q_{\text{flow}}}{D.L.R.} \)

Designed in accordance with AS1547.94 Section 2.6

Treatment Plant

- End-plug
- Tee
- Ball-valve
- Treatment tank
- Primary tank
- End-connector
- 100 ft Sewer line

Supply line
25 ft Rural class 'A'

Effluent warning sign
Diversion drain/mound

EWS

High side

Distribution line
25 ft Low density poly

Low side

Locate garden bed not more than 25 m from and 3 m above treatment plant.

200 sqm - 3 Dome spray Irrigation kit

- max slope 1 in 10 or 5
- Retaining mound
- Distribution line
- Natural surface
- Scouring base soil
- 300 mm min layer of permeable soil

Typical Cross section:

Garden beds to be constructed to the satisfaction of the Local Council use either 100 mm thick mulch cover with min. 20 shrubs planted or grass cover with optional shrubs planted.

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Dr K M W van Helden
MD Leg. CPD (Surf) IPHE

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Dr K M W van Helden
MD Leg. CPD (Surf) IPHE

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C3 IRRIGATION INSTRUCTIONS

Pressure drip irrigation for shallow subsurface in accordance with AS 1557.

Treatment Plant

- In-line filter
- Air vacuum relief valve
- High point relief valve
- Primary tank
- Trench 100 mm deep
- Pumps: 1½" or 1" supply line

Layout Plan: Effluent Disposal Area

- Plant trees & shrubs
- 100 mm layer or 50 mm sand layer with gravel
- 100 mm deep diversion trench
- 750 mm high diversion trench in compacted layer
- Basal fill
- 300 mm low permeability

Typical - Cross-Section

Disposal area to be constructed and landscaped to the satisfaction of the local council. Claims to any responsibility.

Irrigation system to be installed prior to occupancy.

Residence
7.2.7 Aerated Wastewater Treatment Systems–Exemption from Soil Testing

If a person is installing an Aerated Wastewater Treatment System and can meet all the criteria listed below, they can be exempt from the requirement of soil testing when lodging an application.
Deemed to Satisfy Criteria

1. Parcel of land >2 ha
2. Disposal area >500m²
3. Reserve area for disposal area indicated on plans and >500m²
4. Gradient of land <1:10
5. Distance from any watercourse, dam, significant drainage depression or potable water supply >200m.

7.2.8 Greywater Re-use - includes definition of sub-soil and sub-surface irrigation

Greywater contains solid particles which will cause land application systems to block. Land application systems should have some type of on-line filter installed. Such filters will need frequent maintenance to ensure that greywater flow is not reduced significantly.

As greywater contains both microorganisms and nutrients for their growth, biofilms of microorganisms may develop on the inside of pipes and drippers used to distribute greywater. Biofilms may reduce the effectiveness of the distribution system and may even clog the distribution system when pieces of biofilm slough off.

Unless the correct dispersal piping system is chosen, it is possible for plant roots to grow inside the pipes and cause blockages. Easily replaceable piping systems or those which inhibit microbial and plant root growth should be chosen.

Greywater is both contaminated with micro-organisms and polluted with chemicals and particulates. Although generally not as contaminated as raw sewage greywater still presents a risk to public health. Disinfection is not efficient on untreated greywater so therefore the following greywater management dispersal practices must also be adopted.

Table 1: Suitable Greywater Reuse Application According to Treatment.

<table>
<thead>
<tr>
<th>Treatment</th>
<th>Greywater Reuse Application</th>
</tr>
</thead>
</table>
| Coarsely filtered untreated greywater (excluding kitchen greywater) – greywater diversion device. | • Sub-soil irrigation  
• Sub-surface irrigation |
| Treated and disinfected greywater (to a standard of 20 mg/L BOD₅, 30 mg/L SS and 30 cfu thermotolerant coliforms / 100 mL) – greywater treatment system. | • Sub-soil irrigation  
• Sub-surface irrigation  
• Surface irrigation |
| Treated and disinfected greywater (to a standard of 20 mg/L BOD₅, 30 mg/L SS and 10 cfu thermotolerant coliforms / 100 mL) – greywater | • Sub-soil irrigation  
• Sub-surface irrigation  
• Surface irrigation. |
Outlines the construction and design of other types of disposal methods such as evapotranspiration beds, the Wisconsin Mound System and sub surface drip irrigation systems. Although these applications are not as commonly used as the self supporting arch trench, they may be advantageous in some situations eg – a high water table. These alternate methods are also adopted for the purposes of this Code.

8. DESIGN OF DISPOSAL SYSTEMS

8.1 Estimation of Daily Flows

The design daily flow, shall be in accordance with Appendix 5: Typical domestic wastewater flow design allowances.

8.2 Location of disposal areas

Buffer Distances for On-site Systems

(a) where practical, they are exposed to the prevailing wind and not shaded from the sunlight;
(b) absorption trenches shall have a buffer distance of:
   (i) from a property boundary -
       (A) 6 m, when higher than the disposal area; or
       (B) 12 m, when lower than the disposal area;
   from a swimming pool, driveways and buildings
       (A) 6 m. when higher than the disposal area or
       (B) 12 m. when lower than the disposal area.
   (ii) 3.0 m, between adjoining disposal trenches;
   (iii) 100 m from any river, creek, dam, intermittent watercourse or open drain
   (iv) 250 m from any potable underground water.
(c) surface spray irrigation shall have a buffer distance of:
   (i) 6 m if the area up-gradient and 3 m if area is down-gradient from driveways and property boundaries.
   (ii) shall be min 100 m from any river, creek, dam, intermittent watercourse or open drain; and
   (iii) 250 m from any potable underground water.
   (iv) 15 m to dwellings.
   (v) 3 m to paths and walkways.
   (vi) 6 m to swimming pools.
(d) surface drip and trickle irrigation shall have a buffer distance of:
   (i) 6 m if area up-gradient and 3 m if down-gradient of swimming pools, property boundaries and buildings.

8.3 Permeability of Soil

8.3.1 General

Because of the complexity of the physical and chemical factors that affect the permeability \( P \) of a soil, not less than three representative tests shall be performed to determine the design value for each proposed disposal system. Previous land use can greatly reduce the permeability of a soil, eg. heavy vehicle or animal traffic.

8.3.2 Determination
The permeability of the soil for a disposal system shall be determined by textural classification, by an appropriately qualified person (Soil Technician), in accordance with Appendix 4.1 F of AS 1547-2000.

A report shall be submitted to Council with the ossc application certifying the following:-

(a) For each soil sample (min 3 per site);
   (i) site plan indicating the location and depth of each sample;
   (ii) the classification of the soil; and
   (iii) the test method used.
(b) Reference to the test method, ie. AS 1547-2000, Appendix 4.1F.

8.4 Site Evaluation
The evaluation of the site for a disposal system shall include determination of the following:

(a) Depth and permeability of the soil (see Clause 8.3)
(b) Designation of an alternative area to enable the disposal system to be duplicated in the event of the initial area failing.
(c) The risk of prejudicing adjoining property, underground water supplies, swimming and wading pools and the like, by seepage or run-off from the site.
(d) Any seasonal changes in ground water level and absorptive capacity of the site.
(e) The general climate and its effect on the evaporation or transpiration from the site, eg. seasonal distribution of rainfall, hours of sunshine, prevalence of wind.
(f) The effect of seepage and surface water from surrounding areas at higher levels than the proposed disposal area.
(g) The cumulative effects that may occur from the proposed system in combination with others, including future systems.
(h) The likelihood of any future dual occupancy development on the site.

8.5 Soil Absorption

8.5.1 Non-Dispersive Soils
The rate of absorption of effluent to a non-dispersive soil for absorption trenches shall be determined by its Long Term Acceptance Rate (LTAR) in accordance with Clause 3.5.1.1 of AS 1547-1994. For clay soil with low values of LTAR, either a large disposal area is required or the soil may need to be improved or an aerated wastewater treatment system may be appropriate.

8.5.2 Dispersive Soils
For a clay soil that exhibits a tendency to be dispersive, the P value is not appropriate for determination of the LTAR. Clay soils that exhibit a tendency to be dispersive the LTAR shall be determined in accordance with Clause 3.5.1.2. of AS 1547-1994.

8.6 Sizing of a Disposal Area
Disposal areas for self supporting arch trenches are to be designed in accordance with Clause 4.2A 7.3 of AS 1547.2000.

All disposal area sizings are to be submitted by a soil technician in accordance with Clause 3.4.4.1 of AS 1547-2000.

The design daily flow used in the calculations shall be based on 1.5 persons per bedroom and adopt the typical wastewater flow design allowances from Appendix 4.2D of AS 1547-2000.

9. SEPTIC TANK DESIGN
Council has adopted *Australian Standard 1546.1 1998 (Small Septic Tanks)* as its criteria for septic tanks and collection wells. To ensure compliance with the criteria it is Council's requirement that the AS mark and number be displayed on each septic tank and collection well.

### 10. SIZING OF SEPTIC TANKS

#### 10.1 Septic Tanks

Septic tanks shall have the following capacities:-

- (a) WC only 2050 litres.
- (b) WC and all wastes 3000 litres.
- (c) Maximum capacity 4500 litres

<table>
<thead>
<tr>
<th>All-Waste Septic Tank Capacities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population equivalent (persons)</td>
</tr>
<tr>
<td>1 – 5</td>
</tr>
<tr>
<td>6 – 10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Greywater Septic Tank Capacities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population equivalent (persons)</td>
</tr>
<tr>
<td>1 – 5</td>
</tr>
<tr>
<td>6 – 10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Blackwater Septic Tank Capacities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population equivalent (persons)</td>
</tr>
<tr>
<td>1 – 5</td>
</tr>
<tr>
<td>6 – 10</td>
</tr>
</tbody>
</table>

#### 10.2 Aerated Wastewater Treatment Plant

The capacity of aerated wastewater treatment plant shall be as approved by the NSW Health Department.

### 11. EFFLUENT COLLECTION WELL

#### 11.1 Requirements

Where effluent is to be pumped to a disposal area, the installation of a collection well is required.

#### 11.2 Capacity of Collection Well

The capacity of a collection well shall cater for four times the daily flow.

#### 11.3 Pumping System

When pumping to a disposal area, the collection well shall be provided with an electrically driven pump. The collection well shall be equipped with permanently installed high and low level alarms.

#### 11.4 Anchorage
Collection wells shall be constructed so to prevent them from floating or otherwise moving when subjected to external hydrostatic pressure, especially when the effluent level is low.

12. TREATMENT OF SULLAGE

12.1 General

Sullage shall be treated:
(a) in combination with toilet waste in all-wastewater treatment tanks;
(b) separately in sullage treatment tanks; and
(c) such that the effluent disposal system complies with this Code.

12.2 Sullage Treatment Tank

Sullage treatment tanks are for the removal of settleable solids and floatable fats, oils and greases from sullage and shall have a volume, below the invert of the outlet.

13. DRAINAGE WORK

All drainage work shall be carried out in accordance with Australian Standard 3500.2 & the Plumbing Code of Australia.

14. SEPTIC TANK MAINTENANCE

The amount of grease entering the septic tank from the kitchen would normally be insufficient to warrant the installation of a grease trap, however, the amount of grease entering the system should be kept to a minimum. It is recommended that grease not be disposed of in the sink but placed in a suitable container and disposed of with the normal household garbage.

All detergents, disinfectants and other household cleaners affect the bacterial action within septic tanks and their use should be kept to a minimum. Some manufacturers now make cleaners which are safe for septic tank use, check the labels.

Standard septic tanks produce a sludge which collects on the bottom of the tank and a floating scum on the surface of the liquid. At least once a year lift the inspection covers on the tank to determine the depth of the scum and sludge.

On average the tank will require a complete cleanout every 7 to 10 years, depending upon the load. Failure to clean out a tank when required may cause sludge or scum to be carried out of the tank and into the disposal system. If this occurs not only does the tank have to be cleaned but the disposal system may also have to be reconstructed. Disposal of the tank contents must be approved by Council. Garbage grinders are not permitted as they generate large amounts of sludge which will adversely affect the system.

Naturally the less waste water generated, the less there will be to dispose of. Water consumption should therefore be kept to a minimum. It is recommended that water conservation devices be installed where ever possible, including water efficient shower roses (maximum flow 12 litres/minute).

15. PROHIBITED INSTALLATIONS

Because of the very high clay content in local soils and concern about the cumulative effect of failing septic tank systems, the installation of standard septic tank/absorption trenches are prohibited in the following areas of the Shire: Residential 2(v), Rural Small Holdings 1(c) and Rural Residential 1(c1).

Irrespective of the above, Council will consider the installation of standard septic tank systems in areas zoned Rural Small Holdings 1(c), on properties in the order of 4 hectares, subject to a
restriction being placed on the title deeds of the property stating that the land shall not be subdivided or a boundary adjustments made. Council shall have the right to extinguish or vary the restriction if an aerated wastewater treatment system is installed to replace the standard septic tank system.

16. PREPARED BY:

Ray Whittington

17. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES

- On Site Sewerage Management Plan

18. SUPERSEDING DOCUMENT NO AND TITLE

3.49 Septic Tank Code

19. MANAGER AUTHORISATION:

__________________________________  ________________________
Manager Development & Environment             Date
### APPENDIX 1: SUITABLE TYPES OF VEGETATION FOR WASTEWATER

<table>
<thead>
<tr>
<th>Grasses</th>
<th>Height</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carex spp.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lomandra longifolia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Microlaena stipoides</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oplismenus imbecillis</td>
<td></td>
<td>40 - 80 cm</td>
</tr>
<tr>
<td>Poa lab</td>
<td></td>
<td>Available as lawn turf</td>
</tr>
<tr>
<td>Stipa spp.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ground cover/climbers</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hibbertia scandens</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hibbertia stellaris</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Isotoma fluviatilis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kennedya rubicunda</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scaevola albida</td>
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<td></td>
</tr>
<tr>
<td>Scaevola ramosissima</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veronica plebeia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Viola hederacea</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sedges/grasses/small plants</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anigozanthus flavidus</td>
<td>2m</td>
<td>Kangaroo Paw</td>
</tr>
<tr>
<td>Baumea acuta</td>
<td>Hedge</td>
<td></td>
</tr>
<tr>
<td>Baumea articulata</td>
<td>Hedge</td>
<td></td>
</tr>
<tr>
<td>Baumea juncea</td>
<td>Hedge</td>
<td></td>
</tr>
<tr>
<td>Baumea nuda</td>
<td>Hedge</td>
<td></td>
</tr>
<tr>
<td>Baumea rubiginosa</td>
<td>Hedge</td>
<td></td>
</tr>
<tr>
<td>Baumea teretifolia</td>
<td>Hedge</td>
<td></td>
</tr>
<tr>
<td>Blandfordia nobilis</td>
<td>30-90 cm</td>
<td>Christmas Bell</td>
</tr>
<tr>
<td>Brachyscome diversifolia</td>
<td>Clump</td>
<td>Christmas Bell</td>
</tr>
<tr>
<td>Carex appressa</td>
<td>Hedge</td>
<td>Native Daisy</td>
</tr>
<tr>
<td>Cotula coronopifolia</td>
<td>10-20 cm</td>
<td>Waterbutton</td>
</tr>
<tr>
<td>Crinum pedunculatum</td>
<td>&lt;2m</td>
<td>Swamp Lily</td>
</tr>
<tr>
<td>Cyperus polystachyos</td>
<td>Sedge</td>
<td>Blue Flax Lily</td>
</tr>
<tr>
<td>Dianella caerulea</td>
<td>Low plant</td>
<td></td>
</tr>
<tr>
<td>Epacris microphylla</td>
<td>50cm - 1 m</td>
<td></td>
</tr>
<tr>
<td>Ferns</td>
<td>Tall Grass</td>
<td></td>
</tr>
<tr>
<td>Gahnia spp.</td>
<td>.5 m Rush</td>
<td></td>
</tr>
<tr>
<td>Juncus spp.</td>
<td>5-10 cm</td>
<td></td>
</tr>
<tr>
<td>Lobelia trigonocaulis</td>
<td>Grass</td>
<td></td>
</tr>
<tr>
<td>Lomandra spp.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patersonia fractils</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patersonia glabrata</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patersonia occidentalis</td>
<td>5cm</td>
<td></td>
</tr>
<tr>
<td>Ranunculus graniticola</td>
<td>Reed</td>
<td></td>
</tr>
<tr>
<td>Restio australis</td>
<td>1 m</td>
<td></td>
</tr>
<tr>
<td>Restio tetraphyllus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sowerbaea juncea</td>
<td>Hedge</td>
<td>Rush Lily</td>
</tr>
<tr>
<td>Tetraphylla juncea</td>
<td>&lt;30 cm</td>
<td></td>
</tr>
<tr>
<td>Xyris operculata</td>
<td>&lt;1m</td>
<td>Tall Yellow Eye</td>
</tr>
<tr>
<td>Shrubs</td>
<td>Height</td>
<td>Description</td>
</tr>
<tr>
<td>----------------------------</td>
<td>------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Agonis flexuosa nana</td>
<td>1 - 2.5 m</td>
<td></td>
</tr>
<tr>
<td>Baekea linifolia</td>
<td>1 - 2.5 m</td>
<td></td>
</tr>
<tr>
<td>Baekea utilis</td>
<td>&lt;4 m</td>
<td></td>
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<tr>
<td>Banksia aemula</td>
<td>1 - 7 m</td>
<td></td>
</tr>
<tr>
<td>Banksia robur</td>
<td>0.5 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Bauera ruboides</td>
<td>0.5 - 1.5 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon</td>
<td>2 - 3 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon</td>
<td>2 - 4 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon</td>
<td>3 - 4 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon</td>
<td>3 - 4.5 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon</td>
<td>2 - 3 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon</td>
<td>1 - 2.5 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon</td>
<td>2 - 3 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon citrinus</td>
<td>50 - 80 cm</td>
<td></td>
</tr>
<tr>
<td>Callistemon citrinus</td>
<td>2 - 4 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon citrinus</td>
<td>60 cm - 1 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon linearis</td>
<td>1 - 3 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon macropunctatus</td>
<td>2 - 4 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon pachyphyllus</td>
<td>2 - 3 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon pallidus</td>
<td>1.5 - 4 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon paludosus</td>
<td>3 - 7 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon pinifolius</td>
<td>1 - 3 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon rigidus</td>
<td>1.5 - 2.5 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon salignus</td>
<td>3 - 10 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon shiresii</td>
<td>4 - 8 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon sieberi</td>
<td>1.5 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon sieberi</td>
<td>50 - 80 cm</td>
<td></td>
</tr>
<tr>
<td>Callistemon subulatus</td>
<td>1 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon viminalis</td>
<td>1 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon viminalis</td>
<td>5 - 10 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon viminalis</td>
<td>3 - 5 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon viminalis</td>
<td>50 cm - 1 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon viminalis</td>
<td>1.5 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Callistemon viminalis</td>
<td>2 - 3 m</td>
<td></td>
</tr>
<tr>
<td>Goodenia ovata</td>
<td>1 - 1.5 m</td>
<td></td>
</tr>
<tr>
<td>Hibiscus diversifolius</td>
<td>1 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Kunzea capitata</td>
<td>1 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Leptospermum flavescens</td>
<td>&lt; 2 m</td>
<td></td>
</tr>
<tr>
<td>Leptospermum juniperinum</td>
<td>1 m</td>
<td></td>
</tr>
<tr>
<td>Leptospermum lancigerum</td>
<td>1 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Leptospermum squarrosum</td>
<td>&lt; 2 m</td>
<td></td>
</tr>
<tr>
<td>Melaleuca alternifolia</td>
<td>4 - 7 m</td>
<td></td>
</tr>
<tr>
<td>Melaleuca decussata</td>
<td>1 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Melaleuca lanceolata</td>
<td>4 - 6 m</td>
<td></td>
</tr>
<tr>
<td>Melaleuca squamea</td>
<td>1 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Melaleuca thymifolia</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Burgundy, Eureka, Harkness, Kings Park Special, Mauve Mist, Red Clusters, Reeves Pink, Austrafloia Firebrand, Splendens, White Ice, Austrafloia Little Cobber, Captain Cook, Dawson River, Hannah Ray, Little John, Rose Opal, Western Glory, Swamp hibiscus, Tea-tree, Woolly tea-tree, Tea-tree, Cross-leaved honey myrtle
<table>
<thead>
<tr>
<th>Trees</th>
<th>Height</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia elongata</td>
<td>&gt; 2 m</td>
<td>Gossamer wattle</td>
</tr>
<tr>
<td>Acacia floribunda</td>
<td>2 - 4 m</td>
<td>Willow myrtle</td>
</tr>
<tr>
<td>Agonis flexuosa</td>
<td>5 - 6 m</td>
<td></td>
</tr>
<tr>
<td>Allocasuarina diminuta</td>
<td>1.5 m</td>
<td></td>
</tr>
<tr>
<td>Allocasuarina paludosa</td>
<td>0.5 - 2 m</td>
<td></td>
</tr>
<tr>
<td>Angophora floribunda</td>
<td>Large tree</td>
<td></td>
</tr>
<tr>
<td>Angophora subvelatina</td>
<td>Large tree</td>
<td></td>
</tr>
<tr>
<td>Callicoma serratifolia</td>
<td>&lt; 4 m</td>
<td></td>
</tr>
<tr>
<td>Casuarina cunninghamiana</td>
<td>10 - 30 m</td>
<td>River she-oak</td>
</tr>
<tr>
<td>Casuarina glauca</td>
<td>6 - 12 m</td>
<td>Swamp oak</td>
</tr>
<tr>
<td>Elaeocarpus reticulatus</td>
<td>Large tree</td>
<td>Blueberry ash</td>
</tr>
<tr>
<td>Eucalyptus amplifolia</td>
<td>Large tree</td>
<td></td>
</tr>
<tr>
<td>Eucalyptus botryoides (coastal areas)</td>
<td>10 - 30 m</td>
<td></td>
</tr>
<tr>
<td>Eucalyptus camaldulensis (west of ranges)</td>
<td>15 - 20 m</td>
<td>River’ red gum</td>
</tr>
<tr>
<td>Eucalyptus deanei</td>
<td>Large tree</td>
<td>Blue Mountains blue gum</td>
</tr>
<tr>
<td>Eucalyptus elata</td>
<td>Large tree</td>
<td>River Peppermint</td>
</tr>
<tr>
<td>Eucalyptus grandis</td>
<td>10 - 20 m</td>
<td>Flooded gum</td>
</tr>
<tr>
<td>Eucalyptus longifolia</td>
<td>20 m</td>
<td>Woollybutt</td>
</tr>
<tr>
<td>Eucalyptus pilularis</td>
<td>30 - 40 m</td>
<td>Blackbutt</td>
</tr>
<tr>
<td>Eucalyptus punctata</td>
<td>&lt; 35 m</td>
<td>Greygum</td>
</tr>
<tr>
<td>Eucalyptus robusta</td>
<td>20 - 30 m</td>
<td>Swamp mahogany</td>
</tr>
<tr>
<td>Eucalyptus saligna (coastal)</td>
<td>30 - 50 m</td>
<td>Sydney blue gum</td>
</tr>
<tr>
<td>Eucalyptus tereticornis</td>
<td>30 - 40 m</td>
<td>Forest red gum</td>
</tr>
<tr>
<td>Eucalyptus viminalis (ranges)</td>
<td>20 - 40 m</td>
<td>Ribbon gum</td>
</tr>
<tr>
<td>Acmena smithii</td>
<td>10 - 20 m</td>
<td>Lilli pilli</td>
</tr>
<tr>
<td>Flindersia australis</td>
<td>&lt; 40 m</td>
<td>Native teak</td>
</tr>
<tr>
<td>Hymenosporum flavuurn</td>
<td>3 - 6 m</td>
<td>Native frangipani</td>
</tr>
<tr>
<td>Melaleuca armillaris</td>
<td>3 - 4 m</td>
<td>Bracelet honey myrtle</td>
</tr>
<tr>
<td>Melaleuca decora</td>
<td>4 - 7 m</td>
<td></td>
</tr>
<tr>
<td>Melaleuca ericifolia</td>
<td>6 m</td>
<td></td>
</tr>
<tr>
<td>Melaleuca halmaturorum</td>
<td>4 - 6 m</td>
<td></td>
</tr>
<tr>
<td>Melaleuca hypericifolia</td>
<td>2 - 3 m</td>
<td></td>
</tr>
<tr>
<td>Melaleuca lineariifolia</td>
<td>4 - 8 m</td>
<td>Snow in summer</td>
</tr>
<tr>
<td>Melaleuca quinquenervia</td>
<td>5 - 7 m</td>
<td>Broad paperbark</td>
</tr>
<tr>
<td>Melaleuca squarrosa</td>
<td>6 m</td>
<td></td>
</tr>
<tr>
<td>Melaleuca stypheloides</td>
<td>6 - 15 m</td>
<td></td>
</tr>
<tr>
<td>Melia azedarach</td>
<td>15-20m</td>
<td></td>
</tr>
<tr>
<td>Pittosporum spp.</td>
<td>8 -10 m</td>
<td>Bush cherry</td>
</tr>
<tr>
<td>Syzygium paniculatum</td>
<td>5 - 15 m</td>
<td>Kanuka</td>
</tr>
<tr>
<td>Tristania laurina</td>
<td>2 - 3 m</td>
<td>Golden spray</td>
</tr>
<tr>
<td>Viminaria juncea</td>
<td>2 - 3 m</td>
<td></td>
</tr>
</tbody>
</table>
## APPENDIX 2 TYPICAL WASTEWATER FLOW DESIGN

<table>
<thead>
<tr>
<th>Source</th>
<th>Typical wastewater flow allowance in L/person/day (see Note 1)</th>
<th>On-site roof water tank supply</th>
<th>Reticulated community or a bore-water supply</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Households with standard fixtures (including automatic washing machine)</td>
<td>140</td>
<td>180</td>
<td></td>
</tr>
<tr>
<td>Households with standard water reduction fixtures (see Note 2)</td>
<td>115</td>
<td>145</td>
<td></td>
</tr>
<tr>
<td>Households with full water-reduction facilities (see Note 3)</td>
<td>80</td>
<td>110</td>
<td></td>
</tr>
<tr>
<td>Households with extra wastewater producing facilities</td>
<td>170</td>
<td>220</td>
<td></td>
</tr>
<tr>
<td>Households (blackwater only)</td>
<td>50</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>Households (greywater only)</td>
<td>90</td>
<td>120</td>
<td></td>
</tr>
<tr>
<td>Motels/hotels</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- guests, resident staff</td>
<td>140</td>
<td>180</td>
<td></td>
</tr>
<tr>
<td>- non-resident staff</td>
<td>30</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>- reception rooms</td>
<td>20</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>- bar trade (per customer)</td>
<td>20</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>- restaurant (per diner)</td>
<td>20</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>Community halls</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- banqueting</td>
<td>20</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>- meetings</td>
<td>10</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Restaurants (per diner)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- dinner</td>
<td>20</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>- lunch</td>
<td>15</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>Tea rooms (per customer)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- without restroom facilities</td>
<td>10</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>- with restroom facilities</td>
<td>15</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>School (pupils plus staff)</td>
<td>30</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>Rural factories, shopping centres</td>
<td>30</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Camping grounds</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- fully serviced</td>
<td>100</td>
<td>130</td>
<td></td>
</tr>
<tr>
<td>- recreation areas</td>
<td>50</td>
<td>65</td>
<td></td>
</tr>
</tbody>
</table>

### NOTES:

1. These flows are minimum rates unless actual flows from past experience can be demonstrated.
2. Standard water-reduction fixtures include dual flush 11/5.5 litre water closets, shower-flow restrictors, aerator faucets (taps) and water-conserving automatic washing machines.
3. Full water-reduction fixtures include the combined use of reduced flush 6/3 litre water closets, shower-flow restrictors, aerator faucets, front-load washing machines and flow/pressure control valves on all water-use outlets. Additionally, water reduction may be achieved by treatment of greywater and recycling for water closet flushing (reclaimed water cycling).
CHAPTER 28:

PRIVATE SEWERAGE SERVICE (Pumping System)
PRIVATE SEWERAGE SERVICE
(PUMPING SYSTEM) POLICY

Tumut Shire COUNCIL

Policy No: WWtr.02 Version No: 1.2

7. PURPOSE

To set conditions under which a private sewerage pump out facility may be installed to a property.

56. SCOPE

Urban properties within sewered townships not served by reticulated gravity sewerage mains.

57. DEFINITIONS

Private sewerage pump out facility: an integral pit containing sewerage pump/s that collects sewage from a property and pumps sewage via a rising main (pipe) to an existing gravity sewerage main. The system is installed and maintained by the owner/s of the property/s served. This Policy does not include properties connected by way of Low Pressure Grinder Sewage systems, to common rising, or discharge mains.

58. OVERVIEW

The installation of private sewerage pump out facilities require the approval of Council. Property owners may apply to install a private a sewerage pump out facility to a property that is not served by a reticulated gravity sewerage main.

Approval will only be granted if the owner enters into a written Private Sewerage Installation Agreement with Council for conditions relating to:

- Application to the Manager Assets for an Engineering Construction Certificate for the proposed works, and payment of application and inspection fees.
- Cost of the installation to be by the owner.
- Installation of the works to be by a licenced plumber.
- Materials and methods used to comply to AS 3500 (as amended)
- Cost of maintenance of the entire installation to be by the owner under all circumstances.
- payment of annual sewerage rates/charges to Council
- payment of a developer contribution/headworks charge, in accordance with Tumut Shire Council-Developer Contribution Policy for Water Supply and Sewerage, (as amended), as the connection of the property will incur additional load on the sewerage infrastructure.
- Payment of contributions toward the construction of future gravity sewerage that may serve the property in accordance with Council’s Developer Contribution Policy for Water Supply and Sewerage, (as amended).
- Agree to prepay inspection fees, and the developer contribution/headworks charge.
- The agreement is not transferable and must be renewed should the property be sold.

59. RESPONSIBILITIES
Manager of Assets

60. KEYWORDS AND CROSS REFERENCING

Private sewerage connection  Pump out system   Private sewerage service agreement.

61. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES

- Local Government Act 1993
- Water Management Act 2000
- Private Sewerage Service Agreement
- Council's Fees and Charges Policy

62. PROCEDURES

Where a property is not served by a gravity sewerage main, a property owner may apply to install a private sewerage service (pump out facility) to that property.

Approval will only be granted if the owner enters into a written Private Sewerage Service Agreement with Council.

The Manager of Assets may approve the application if the above procedures are met.

63. POLICY PREPARED BY:

Manager Assets

64. SUPERSEDING POLICY NO AND TITLE

3.85 Private Sewerage Service (Pumping System) Policy

65. MANAGER AUTHORISATION TO IMPLEMENT POLICY:

Manager Assets

Signature  Date

13. LIFE OF POLICY OR DATE FOR REVIEW: 4 years (July 2013)
(Review must occur within 4 years if no other date is specified.)
PRIVATE SEWERAGE SERVICE AGREEMENT

Name of property owner/s…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………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9. Payment of contributions toward the construction of future gravity sewerage that may serve the property in accordance with Council’s Developer Contribution Policy for Water Supply and Sewerage, (as amended).

10. The agreement is not transferable and must be renewed by subsequent owner/s should the property be sold.

INSTRUMENT OF AGREEMENT

I/we, being the owner/s of the property located at Lot…………….DP……………………..
Street…………………………………………Town…………………………………………
This being the property to be provided with a Private Sewerage Service.
In the State of New South Wales
Name/s of Owner/s     Signatures
……………………………………………………………………………………………..
Address of Owner/s…………………………………………………………………………………………..
Herewith agree to the conditions for the provision and maintenance of a Private Sewerage Service to the abovementioned property.

Dated…………………………………………..

Approved For Tumut Shire Council

……………………………………………………
Manager Assets
CHAPTER 29:

RAINWATER TANK

(Former Rainwater Tank Policy)
1. PURPOSE

1.1. To ensure that all rural dwellings are supplied with a safe (potable) water supply, at the time of approval. Council cannot guarantee water quality into the future as there are many factors that Council has no control over.

1.2. To ensure that all rural dwellings are supplied with an adequate volume of water, at the time of approval; for domestic and fire fighting purposes. Council cannot guarantee that the required volume will be adequate in all cases, as there are many factors that Council has no control over.

1.3. To ensure that rainwater tanks installed in urban areas do not detrimentally impact on the amenity of neighbouring properties.

1.4. To encourage the installation of rainwater tanks in urban areas as a means of water conservation.

2. DISCLAIMER

This Policy has been prepared in good faith, exercising due care and attention. However, no representation or warranty, expressed or implied, is made as to the relevance, accuracy, completeness or fitness for purpose of this Policy in respect of any particular user’s circumstances, as there are many variables over which Council has no control. Council shall not be liable to any person or entity with respect to any liability, loss or damage caused or alleged to have been caused directly or indirectly by this Policy.

3. SCOPE

This policy applies to the installation of all rainwater tanks within Tumut Shire.

4. DEFINITIONS

Potable water: Water that is safe to drink and aesthetically pleasing. Ideally, it should be clear, colourless and well aerated, with no unpalatable taste or odour, and it should contain no suspended matter, harmful chemical substances or pathogenic micro-organisms.

First flush device: A device that diverts the first 20 - 25L of roof-water away from a tank as this first flush of water is likely to contain contaminants (dust, bird and animal droppings, leaves, chemical spray drift, etc).

5. POLICY STATEMENT

All water supplies used for drinking, cooking and dishwashing must be potable. The minimum levels of supply required by this Policy are based on a storage for one hundred days of water use.

The minimum levels of supply required by this Policy are based on a storage for one hundred days of water use.
The minimum levels of supply required by this Policy are based on a storage for one hundred days of water use.

These are minimum level only and may not be adequate in all situations given the number of factors involved. Where financial and water resources permit, higher storage levels should be provided.

Experience is always a useful guide and advice should be sought from neighbours that rely on rainwater tanks.

The rational behind the requirements of this Policy is contained in Appendix 1.

6. RURAL AREAS ONLY

This section applies to all dwellings that cannot be serviced by a potable, reticulated water supply.

Minimum water storage required (litres/bedroom):

<table>
<thead>
<tr>
<th>Location</th>
<th>Domestic use only</th>
<th>Kitchen use only</th>
<th>Combined Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shire</td>
<td>15,000</td>
<td>2,500</td>
<td>17,500</td>
</tr>
<tr>
<td>Batlow area only</td>
<td>10,000</td>
<td>1,500</td>
<td>11,500</td>
</tr>
</tbody>
</table>

The above volumes are designed to cater for an average of 1.5 people per bedroom for 100 days (or 117L/person/day which is far less than the normal usage).

Note: In the context of the above table, domestic use means all residential uses excluding the kitchen.

Reduced water storage is permitted for rural dwellings that have an alternate supply of water such as a well, bore or dam. In many cases this water will not be potable but may be used for domestic purposes such as shower, gardens, washing machine etc. If a satisfactory alternate supply of domestic water is provided, the required storage of potable water can be reduced, to 1,500L per bedroom in Batlow and 2,500L per bedroom for the rest of the Shire.

7. RESIDENTIAL AREAS ONLY

7.1. Council is dedicated to protecting and enhancing the environment and supports those residents who are willing to install rainwater tanks in order to conserve future water supplies and enhance the environment.

7.2. Rainwater tanks do not require Council approval if they have a maximum capacity of 10,000 litres, a maximum height of 2.4m above ground level, are located behind the front of any building on the allotment or adjoining allotments, are 450mm or more from the side/rear boundaries of the allotment and do not interfere with the amenity of adjoining premises. In all other situations, a Development Application / Construction Certificate must be lodged with Council detailing the size, height, location and appearance of any proposed tank.

7.3. The design of any tank stand (other than modular style) must be in accordance with the requirements of a Structural Engineer. Remember, a tank may be light but a litre of water weighs a kilogram, therefore, a 10,000 litre tank contains 10,000 kilograms of water (10 tonnes).
7.4. Plumbing from the tank must be kept separate from the reticulated town water supply. Taps associated with the tank must be clearly marked indicating the source of the water.

7.5. If a water pump is installed to service the tank, precautions must be taken to prevent noise from the pump causing annoyance to your neighbours.

7.6. The following factors must be considered in planning the installation:
   a. Distance - locate the pump as far as practicable from your neighbours.
   b. Fences and Barriers - if possible place the pump behind a solid fence, wall or other barrier to reduce the noise impact from the pump.
   c. Noise Enclosure - in some instances the above steps will be insufficient to adequately reduce the noise. In these cases noise enclosures can be constructed or a ready made enclosure installed.

7.7. Where town water supply is available (that complies with the Australian Drinking Water Guidelines) it is recommended that water collected within the tank be used for gardening and outdoor purposes, such as filling swimming pools/spas, washing cars, as well as limited internal use, i.e. water for flushing toilets and washing clothes. It should be noted that contamination of rainwater may occur from a variety of sources (debris in roof gutters, dead animals and industrial fallout). However, should you wish to use the water for human consumption, precautions must be taken to prevent contamination.

8. GENERAL REQUIREMENTS FOR ALL RAINWATER TANKS

8.1. To conserve water resources, good management practices are recommended, including the installation of low volume flush toilets, restricted use of evaporative air coolers, installation of water saver shower heads, recycling of greywater for gardening, etc.

8.2. Roofwater tanks must be roofed to prevent evaporation and contamination of the water. The tank inlet must be screened to prevent the entry of any foreign matter and designed to preclude breeding of mosquitoes.

8.3. Any roof area which is used to catch water that adjoins intensive agriculture, or zone 1(b) will be required to have a first flush device to protect the tank water from potential contamination from chemical spray drift.

8.4. Installation of first flush devices is recommended on all rainwater tanks used to store potable water.

8.5. The top of the tank must be enclosed so as to shield the inside of the tank from light, which encourages the growth of algae and may break down the polymer lining in most metal tanks.

8.6. The tank and supporting structure must be of suitable appearance, design and location, compatible with the surrounding environment. In residential areas, if the tank is not coloured externally (to be compatible with the surrounding environment) it must be screened behind a permanent physical barrier that serves that purpose.

8.7. Overflow from any tank must be diverted away from tank foundations, buildings and other structures so as not to cause damage. It must also not cause a nuisance to neighbouring properties. On rural properties it can be directed onto
gardens or into open stormwater drains. In residential areas it must be directed to an appropriate stormwater drainage system.

8.8. All plumbing and drainage associated with the tank must be installed by a licensed Plumber and Drainer in accordance with the requirements of Australian Standard 3500.

8.9. Any requirements of the NSW Building Sustainability Index (BASIX) shall be complied with. When this Policy and BASIX differ, compliance with BASIX shall prevail.

9. REFERENCES

e. Australian Standard AS 3500.

10. KEY WORDS AND CROSS REFERENCING

rainwater tank; potable water; water storage; water conservation.

11. POLICY PREPARED BY: Paul Mullins.

12. SUPERSEDED POLICY NO AND TITLE

3.38 Rainwater Tank Policy

13. MANAGER AUTHORISATION TO IMPLEMENT POLICY:

Manager Development & Environment ___________________________ Date ___________________________
APPENDIX 1

VARIABLE FACTORS OF WATER STORAGE

There is no formula that will guarantee in all situations, adequate water storage requirements as the degree of variables involved are too great:

1. Number of people residing in the dwelling.
2. Water consumption.
3. Number and type of water appliances used.
4. Size of roof catchment areas.
5. Average annual rainfall and its distribution throughout the year and variations from year to year.
6. Level of security (water can be lost by evaporation and leakage).

In view of the lack of a reliable formula that will guarantee adequate water storage requirements, Council can only attempt to adopt a Policy that is seen to be reasonable. Therefore, where variations to the Policy are sought due to special circumstances, the extent of, and reasons for such variations, must be fully documented and submitted to Council for consideration. Council may also make additional requirements if it considers that the circumstances of a particular case warrants such.

AVERAGE ANNUAL RAINFALL (mm)

The following figures have been supplied by the Department of Agriculture and are based on a 100 year period, which concluded in 1980.

<table>
<thead>
<tr>
<th>TUMUT</th>
<th>BATLOW</th>
<th>ADELONG</th>
</tr>
</thead>
<tbody>
<tr>
<td>812</td>
<td>1,375</td>
<td>784</td>
</tr>
</tbody>
</table>

Calculation of typical roof catchment.

\[
\text{Catchment (L)} = (80\% \text{ or } 0.8) \times \text{Rainfall (mm)} \times \text{Roof Area (m}^2) 
\]

For a house in Tumut of 150m\(^2\) - 0.8 x 812 x 150 \(=\) 97,440 L/annum

Same size house in Batlow - 0.8 x 1,375 x 150 \(=\) 165,000 L/annum

WATER USAGE (inside use only) \(\text{Source-QLD DPIE Waterwise 2000}\)

<table>
<thead>
<tr>
<th>Appliance</th>
<th>Litres / person</th>
</tr>
</thead>
<tbody>
<tr>
<td>toilet (full flush)</td>
<td>12</td>
</tr>
<tr>
<td>bath</td>
<td>50-150</td>
</tr>
<tr>
<td>shower</td>
<td>240-250</td>
</tr>
<tr>
<td>dishwasher</td>
<td>20-90</td>
</tr>
<tr>
<td>washing machine</td>
<td>40-265</td>
</tr>
<tr>
<td>tap running whilst brushing teeth</td>
<td>5</td>
</tr>
<tr>
<td>hand basin</td>
<td>5</td>
</tr>
<tr>
<td>drinking, cooking, household cleaning</td>
<td>8</td>
</tr>
<tr>
<td><strong>Average daily total / person</strong></td>
<td><strong>205</strong></td>
</tr>
</tbody>
</table>
The Policy formula was developed by using the data set out in this Appendix. The figures from the Water Usage Table, are very current and have been used to calculate a practical minimum storage for one hundred (100) days of supply. This water consumption will be different from person to person, however this data has been used as an average figure that will cater for the needs of most people.

The average rainfall figures from the Department of Agriculture show us that Batlow receives a considerable amount of more rain in comparison with other parts of the Shire. Taking this into consideration and the high frequency with which this rainfall occurs, the Batlow region has been given a concession requiring approximately two thirds of the storage that is required in the rest of the Shire.

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CHAPTER 30:

STORMWATER DRAINAGE
CONSTRUCTION & MAINTENANCE

(Former Stormwater Drainage Construction & Maintenance Policy)
8. PURPOSE
   
   i. To provide guidelines for the construction and maintenance of stormwater drainage systems.
   ii. To provide guidance for the selection of stormwater improvement projects.

66. SCOPE

Generally applies to all urban areas, and may also apply to some rural areas within the Tumut Shire.

67. DEFINITIONS

ARI Average Recurrence Interval

68. POLICY STATEMENT

   i. Council does not accept responsibility for maintenance or improvement of natural drainage depressions.
   
   ii. Where installation of pipe drainage results in alteration to line, level or volume of stormwater, Council recognise any adverse affects that may occur downstream in private land and take such steps as necessary to maintain conditions no worse than the pre-existing standard.

   iii. That Council aim at constructing satisfactory stormwater drains, where needed, within urban areas, at the time realising that the extent of work possible is subject to financial restriction and many desirable works cannot be undertaken for this reason.

69. RESPONSIBILITIES

Manager Assets

70. KEYWORDS AND CROSS REFERENCING

Stormwater, maintenance, construction, storm,
71. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES

Tumut Shire Council Management Plan, Aus-Spec design and construction specifications.

72. PROCESS

Effective stormwater drainage for urban areas be achieved by stormwater designs that incorporate the following:

i. Prevent kerbs overtopping for a 5 year ARI storm.

ii. Provide that for a 100 year ARI storm, stormwater shall not flow into any habitable room or other building where damage may be extensive.

iii. Prevent roof water from any building flowing onto other properties in a manner that would cause a nuisance.

iv. Retain trunk drainage routes as natural water courses as far as practical.

v. Where drainage routes cannot be maintained as natural water courses or unobstructed 100 year ARI open channels, provide a piped minor drainage system of 20 year ARI standard.

vi. Take care not to create a hazard to traffic or the public when a road crossing is subject to a 100 year ARI storm.

vii. Require that new developments and reconstruction make necessary provision for stormwater drainage.

viii. Provide that existing developed areas be subject to construction of additional stormwater drains to meet this standard at the rate of 200 lineal metres per annum, subject to funds being available.

Principles for the selection of town works programs

i. Streets and drainage improvements should generally work from the town centre outwards.

ii. Streets and drainage improvements should aim to complete specific areas rather than scatter minor improvements.

iii. Particular drainage problems should have high priority where there is opportunity to minimise scouring or floodings.

iv. Projects which improve traffic safety should be considered.

v. Town areas subject to dust problems should be considered.

vi. The approaches to the town centre or routes used by visitors should be improved where the need exists.

vii. Drainage works, kerb and gutter and pavement construction should be coordinated.

viii. All work should give good value for money expended.

ix. Priority ratings as listed by a needs assessment system be used as a guide.
73. POLICY PREPARED BY: Manager Assets – John Maxwell

74. SUPERSEDED POLICY NO AND TITLE

3.87 Policy for Stormwater Drainage Construction & Maintenance

75. MANAGER AUTHORISATION TO IMPLEMENT POLICY:

Manager Assets

____________________________________________________
Signature Date
CHAPTER 31:

STREET NAMING

(Former Street Naming Policy)
1. PURPOSE
To have a list of pre-approved names for naming of roads in the Shire.

2. SCOPE
All roads in the Shire

3. DEFINITIONS
Applicable to any new road or renaming of a public road.

4. OVERVIEW
Under the Roads Act 1993, Council is required to follow vigorous guidelines when naming or renaming roads under its control and consultation with various government departments is required before any formal adoption can take place.

The names included in this policy have been pre-approved by the various bodies as described under the Roads Act but will still require further community consultation before being formally adopted and/or gazetted.

Under the Roads (General) Regulation 2003 Council has many legal requirements to undertake and as such a formal procedure has been attached to this policy. (Annexure A)

The list of names currently approved under the Roads Act 1993 includes:

**Medical**
- Large
- Mason
- Clouston

**Timber**
- James Carr (planted poplars at Bombowlee)
- De Beuzville (First forester)

**Local Govt. Aldermen**
- Arragon
- Boston
- Gaul (hospital)
- Roddy
- Vanzella
- Knox

**Local Govt. Staff**
- Beegling
- Doon
- Molineaux
- Sedgwick
- Weeden

**Explorers**
- Charles Sturt
- Thomas Boyd

**Bushrangers**
- Lawler
- Gately

**Medical/Women**
- Mary Jane Lindbeck (midwife)
- Miss Massie (first matron of hospital)

**Clergy**
Redford Fox (Anglican)

Lockridge Jones (Anglican)

Brown Hanly (Roman Catholic)

O'Neill ( " " )

Builders

Hoad Wyburn

Snowden Boston

Eberlin Arentz

Vernon

Emery

Police

Murphy (first constables)

Patton

Govt. Officials

Henry Green (first poundkeeper)

Frederick Walker (first CPS)

Henry Hilton (first bailiff, school teacher,)

Chief constable, postmaster)

Henry Bingham (first Commissioner of Crown

Lands 1839)

Aboriginal Tribes / Names

Wiradjuri

Ngunnawal

Walgalu

Budoo Fred

Flora

Grevillea

Kingfisher

Blackwood

Galah

Magpie

Milkmaid

Kookaburra

Gecko

Eucalypt

Bandicoot

Platypus

Wallaby

Ibis

Willow

Echidna

Chicory

Honeyeater

Lyrebird

Honeyeater

5. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES

Department of Lands – The Road Naming Process in NSW (October 2003)

Roads Act 1993 – Division 4, 162 – Naming of public roads.

Guidelines for the Naming of Roads (Geographical Names Board)

6. KEYWORDS AND CROSS REFERENCING

Roads, Streets, Names, Subdivisions

7. POLICY PREPARED BY

Tanya Gaul

8. RESPONSIBILITIES

Manager of Assets

9. SUPERCEDED POLICY NO. AND TITLE

3.31 Street Naming Policy

10. MANAGER AUTHORISATION TO IMPLEMENT POLICY

Manager of Assets………………………………………………………………..
11. LIFE OF POLICY OR DATE FOR REVIEW
Yearly – 1st March 2013. This policy will require updating on a yearly basis to allow for deletion of names used and addition of any further names requested by Council.

(Review must occur within 4 years if no other date is specified).
ANNEXURE A.

Procedure for naming or renaming of roads within Tumut Council.

Council needs to follow the same procedures when naming or renaming new and existing roads under its control.

1. Publish notice of its proposal in the local newspaper allowing for public comment, and

2. Service notice of its proposal on Australia Post, Registrar General, Surveyor General (see Road Naming in NSW Guidelines for address and contact details).

3. Once approval has been received council needs to formally have the name gazetted in the Government Gazette at nswgazette@commerce.nsw.gov.au and place a notice in the local newspaper given a description of the road and its location.

Note: the names listed in the Street Naming Policy have already been approved in principle by the Geographic Naming Board but will required Steps 3 to be undertaken.
CHAPTER 32:

STREET SETBACKS

(Former Street Setback Policy)
1. PURPOSE

To set buildings back from the street as a means of protecting neighbour amenity and assisting in establishment of streetscape character. They may also provide:

a. A landscape and visual setting for the building;
b. Space for carparking;
c. A noise attenuation zone (in which barriers can be constructed);
d. Privacy from the street and facing buildings;
e. A buffer to street activity;
f. An area that allows daylight and sunlight to reach the building;
g. A territorial threshold between the public or communal street and the private home;
h. Continuity with the existing streetscape.

Efficient site utilisation is critical as the demands for available space are many. A requirement for large street setbacks can limit site options and have a detrimental impact upon the quality of other spaces. Conversely, small setbacks can impact negatively on attractive streetscapes, particularly in established areas.

It is possible to design attractive and functional streetscapes with minimal or no setbacks, however this requires a high degree of skill. In such instances, performance criteria are offered for designers to demonstrate that such a proposal is satisfactory.

2. PUBLIC AND COMMUNAL STREET SETBACKS

Differentiation is made between setbacks from public streets and those from communal street. Communal street setbacks (internal to a site containing more than two dwellings) may be related to the carriageway edge. Setbacks from public streets, on the other hand, are measured from the street reservation boundary.

3. SETBACKS IN CONTEXT

Setbacks should relate to the traffic function of the street and to setbacks of adjacent development.

In established areas, the objective is to blend new development into the public streetscape. Adopting similar setbacks to those already existing helps to integrate the new development, and is an important design requirement areas with significant streetscapes and a defined urban character.

Where setbacks of adjacent buildings are approximately the same, it may be better in terms of the streetscape to introduce a new building at the same setback as one of the adjacent buildings, rather than introduce a third setback distance. Where setbacks of adjacent buildings differ significantly, it is usually better to average the setbacks of the two adjacent buildings.
In some established areas close to urban centres, existing setbacks may be less than 3 m. In these cases infill development is best located at the same setback as one or the other of the adjoining dwellings.

4 CARPORTS AND GARAGES

Attitudes to carports and garages fronting the street vary widely. Housing on small lots generally provides a narrow street frontage per dwelling, and carports and garages have the potential to dominate the street’s appearance. This in turn may reduce opportunities for surveillance of the street from dwellings or restrict views of the buildings from the street.

Importantly, opportunities for social interaction can also be diminished because of garaging. Where possible, designers are encouraged to locate covered parking behind the building frontage or in such a way that it is not prominent when viewed from the street.

In situations where garages and carports are provided on the secondary street frontage, setbacks should respect the setback of any existing adjacent development facing the secondary street, and should generally not be located forward of their associated main dwelling.

5. PERFORMANCE CRITERIA

a. The setback of buildings contributes to existing or proposed streetscape character, assists the integration of new development into the public streetscape, makes efficient use of the site and provides amenity for residents.

b. The location of carports and garages does not diminish the attractiveness of the streetscape, does not dominate views of the dwelling from the street and integrates with features of associated dwellings.

6. ACCEPTABLE SOLUTIONS

The acceptable solutions listed below are ONE WAY of meeting the above performance criteria:

6.1 In urban areas, setbacks from the primary street boundary to the foremost edge of the building line (exclusive of any verandah, porch etc) should generally be as follows:

<table>
<thead>
<tr>
<th>Street Setbacks</th>
<th>Minimum frontage setback (m)</th>
<th>Minimum side setback to corner street (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Street</td>
<td>6.0</td>
<td>3.0</td>
</tr>
<tr>
<td>Communal Street e.g. Elmview Gardens, Tumut</td>
<td>3.0</td>
<td>3.0</td>
</tr>
</tbody>
</table>

Note: any entry features, verandahs, porches, porticos or other building elements forward of the 6.0 m building line shall be not greater than 1.5 m deep, i.e. allowing a minimum setback to all building elements of 4.5 m to the primary street boundary.

6.2 In established areas where the setback of an adjacent building is greater than 3 m, infill development is to be set back:

a. The same distance as one or the other of the adjoining buildings, provided the difference between the setbacks of the two adjoining buildings is less than or equal to 2 m; or
b. The average of the setbacks of the adjoining dwellings, if the difference between the setbacks of the adjoining buildings is greater than 2 m.

6.3 In established areas where the setbacks of adjacent buildings are 0-3m, infill development is to be set back the same distance as one or the other of the adjoining dwellings.

6.4 Setback of buildings in heritage streetscapes shall match that of adjacent development.

6.5 Walls of dwellings incorporating a habitable room to be set back a minimum of 1.5 m from shared driveways, communal streets and internal carparks. This setback may be reduced to 1.0 m when there is an intervening fence 1.5m or greater, or where the window sill is a minimum of 1.4m above the driveway.

6.6 In rural and industrial areas setbacks from the primary street boundary should generally be as follows (subject to other LEP provisions, e.g. Arterial Roads):

<table>
<thead>
<tr>
<th>Zone</th>
<th>Minimum frontage setback (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1(a) Rural Zone</td>
<td>10</td>
</tr>
<tr>
<td>1(b) (Rural (Special Agriculture) Zone)</td>
<td>10</td>
</tr>
<tr>
<td>1(c) Rural Small Holdings</td>
<td>10.0</td>
</tr>
<tr>
<td>1(c1) Rural Residential</td>
<td>10.0</td>
</tr>
<tr>
<td>4(a) General Industrial</td>
<td>7.5</td>
</tr>
<tr>
<td></td>
<td>10.0 (from Highways or opposite residential)</td>
</tr>
<tr>
<td>4(b) Light Industrial</td>
<td>7.5</td>
</tr>
<tr>
<td></td>
<td>10.0 (from Highways or opposite residential)</td>
</tr>
</tbody>
</table>

7. RESPONSIBILITY
Manager Development and Environment

8. SUPERSEADING POLICY NO AND TITLE
3.40 Street Setbacks Policy

9. MANAGER AUTHORISATION TO IMPLEMENT POLICY
Manager Development and Environment.......................................................  
Signature  Date