

# Development Control Plan 2015



**Wollondilly**  
Shire Council

# Development Control Plan 2015

Volume 1 – General



**Wollondilly**  
Shire Council

### Revision History

<b>Volume</b>	<b>Current Version</b>
Volume 1	1
Volume 2	1
Volume 3	1
Volume 4	1
Volume 5	1
Volume 6	1
Volume 7	1
Volume 8	1

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## Table of Contents

<b>REVISION HISTORY .....</b>	<b>3</b>
<b>TABLE OF CONTENTS .....</b>	<b>4</b>
<b>PART 1 – PRELIMINARY .....</b>	<b>6</b>
1.1 Introduction .....	6
1.2 Objective .....	6
1.3 Interpretation .....	6
1.4 Application of the volumes of this plan.....	10
<b>PART 2 – GENERAL CONSIDERATIONS FOR ALL DEVELOPMENT .....</b>	<b>11</b>
2.1 Objectives .....	11
2.2 Controls.....	11
<b>PART 3 – VARIATIONS TO THIS PLAN .....</b>	<b>12</b>
<b>PART 4 – COMMUNITY ENGAGEMENT.....</b>	<b>13</b>
4.1 Development applications to be notified .....	13
4.2 Requirements for notification .....	16
4.3 Development applications to be advertised .....	17
4.4 Requirements for advertising .....	18
4.5 Development applications altered prior to determination.....	19
4.6 Applications to modify a development consent.....	19
4.7 Requests for the review of a determination .....	20
<b>PART 5 – COLONIAL HERITAGE (GENERAL) .....</b>	<b>21</b>
5.1 Objectives .....	21
5.2 General Controls .....	21
5.2 Controls for particular development types .....	21
5.2 Adaptive reuse proposals for Heritage items .....	26
<b>PART 6 – HERITAGE (SPECIFIC LOCATIONS).....</b>	<b>27</b>
6.1 Objectives .....	27
6.2 Application.....	27
6.3 Heritage Conservation Area - Menangle.....	27
6.4 Heritage Conservation Area - Picton .....	31
6.5 Heritage Conservation Area - Thirlmere .....	38
6.6 Heritage Conservation Area - Warragamba.....	38
6.7 Heritage Conservation Area - Yerranderie.....	39
6.8 The Greater Blue Mountains World Heritage Area .....	44
<b>PART 7 – ABORIGINAL HERITAGE .....</b>	<b>45</b>
7.1 Objectives .....	45
7.2 Controls.....	45
<b>PART 8 – FLOODING.....</b>	<b>46</b>
8.1 Objective .....	46
8.2 Flood Compatible Construction.....	46
8.3 Declared Flood Affected Land .....	48
8.4 Controls for Declared Flood Affected Land.....	49
8.5 Controls for Suspected Flood Affected Land.....	49
8.6 Controls for Specific Flood Plains .....	49
8.2 Controls.....	50
9.1 Objectives .....	57
9.2 Interpretation .....	57
9.3 Controls.....	57

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<b>PART 10 – TREE REMOVAL .....</b>	<b>60</b>
10.1 Objectives .....	60
10.2 Interpretation .....	60
10.3 Trees/other native vegetation that may be removed without consent and without a permit (i.e. exempt) .....	62
10.4 Trees/other native vegetation that may be removed <del>only with a permit</del> without development consent but require a permit .....	65
10.5 Trees/other native vegetation that may be removed only with development consent.....	66
<b>PART 11 – LANDSCAPING .....</b>	<b>67</b>
11.1 Objectives .....	67
11.2 Recommended Species .....	67
11.3 Banned Species .....	69
11.4 Street Trees .....	69
<b>PART 12 – SIGNAGE .....</b>	<b>70</b>
12.1 Objectives .....	70
12.2 Signage as exempt development.....	70

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## PART 1 – PRELIMINARY

### 1.1 Introduction

The name of this plan is “Wollondilly Development Control Plan 2015”. This plan is made in 7 8 volumes. It applies to all land to which Wollondilly Local Environmental Plan 2011 applies.

### 1.2 Objective

1. To assist in the realisation of the aims of Wollondilly Local Environmental Plan, 2011.
2. The specific controls and volumes of this plan each have objectives as detailed throughout this plan.

### 1.3 Interpretation

In this plan, unless the context clearly indicates otherwise, words have meaning as defined in this section, Wollondilly Local Environmental Plan, 2011, and State Environmental Planning Policy (Exempt and Complying Development Codes), 2008. Where there is an inconsistency between the definitions, the definitions in this section of the plan shall prevail to the extent of the inconsistency but only for the purposes of interpreting this plan.

Term	Meaning
<b>Access Handle</b>	A corridor of land used to provide access for vehicles from the public road network to or through an allotment that would otherwise be inaccessible for vehicles.
<b>Adaptable Dwelling</b>	A dwelling that is designed to facilitate its future conversion to comply with disabilities access standards without structural modification to the building in accordance with AS4299 Adaptable Housing.
<b>Ancillary Buildings</b>	A building (that is not a dwelling) on a residential or rural allotment that is used by the residents of the allotment as a part of their domestic occupation of the land and includes a detached garage but excludes an attached garage.
<b>Any Subdivision</b>	The subdivision of land by Torrens and/or Community Title and/or subdivision by Strata. This definition extends beyond the term “Subdivision of Land” as defined in the Environmental Planning and Assessment Act, 1979.
<b>Blank Wall</b>	A stretch of wall that is a straight wall and does not have any windows or doors.
<b>Building Line</b>	Means the closest point of a wall of a building to a defined boundary (excluding any allowable encroachments) as identified below:
<del>Declared flood affected land</del>	<del>Land that is identified in Clause 8.3 of this volume.</del>
<b>Dormer window</b>	A window set into the structural element of a building that protrudes from the plane of a sloping roof surface. Dormers are used, either in original construction or as later additions, to create usable space in the roof of a building by adding headroom and usually also by enabling addition of windows.

<b>Term</b>	<b>Meaning</b>
<b>Dormitory Room</b>	A room that provides sleeping accommodation for 3 or more adults.
<b>EEC</b>	An Endangered Ecological Community declared by the NSW Government.
<b>Environmental Asset</b>	<p>A contiguous are of land greater than 5000m<sup>2</sup> this is substantially composed of one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ An EEC;</li> <li>▪ Threatened flora;</li> <li>▪ Habitat occupied by threatened fauna or nearby land likely to be required by that fauna for foraging, nesting, mating or other similar needs;</li> <li>▪ Wildlife Corridors; and</li> <li>▪ A natural wetland, groundwater dependant ecosystem or similar.</li> </ul> <p>This definition includes (without limitation): an area of land that would, but for the carrying out of unauthorised works, meet one or more of the above criteria; and an area of land that is partially located on land not included within a planning proposal.</p>
<b>Environmental Landscape</b>	A precinct or area that contains dispersed environmental land or that otherwise forms part of a landscape that has a strongly defined character that the Council considers desirable for retention and enhancement.
<b>Event</b>	A use of land for recreational purposes for a period of no more than 5 consecutive days (or up to 10 days inclusive of related setup and pack up activities) and no more than a total of 52 days in a year.
<b>Fanlight window casement</b>	A pane of glass installed over a door or window.
<b>Finished Floor Levels</b>	Refers to the numerical difference (in metres) between the natural ground level and the floor level of a building at the completion of a development.

Term	Meaning
<b>Flood Planning Level</b>	<p><del>In the case of development for the purposes listed below, the PMF +0.5m</del></p> <ul style="list-style-type: none"> <li><del>▪ Child Care Centres</del></li> <li><del>▪ Community facilities</del></li> <li><del>▪ Educational Establishments</del></li> <li><del>▪ Electricity Generating Works</del></li> <li><del>▪ Emergency Services Facilities</del></li> <li><del>▪ Health Services Facilities</del></li> <li><del>▪ Information and Education Facilities</del></li> <li><del>▪ Liquid Fuel Depots</del></li> <li><del>▪ Offensive or Hazardous Industries</del></li> <li><del>▪ Offensive or Hazardous Storage Establishments</del></li> <li><del>▪ Public Utility Undertakings</del></li> <li><del>▪ Research Stations</del></li> <li><del>▪ Seniors Living</del></li> <li><del>▪ Telecommunications Facilities</del></li> </ul> <p>In all other cases the 1% AEP flood level +0.5m.</p>
<del><b>Flood Vulnerable Building</b></del>	<del>A building that is located on land that is lower than the relevant flood planning level for the intended use of the building.</del>
<b>Formal Landscaping</b>	A garden bed that has fixed edging, a mulched or rock covered surface and planting with ground covers and/or shrubs and/or trees.
<b>French doors</b>	A twin set of doors which are hinged on one of its vertical edges so as to open inwards or outwards.
<b>Front Façade</b>	<del>A façade</del> The front of a building that addresses a public road or a private road in a community title scheme.
<b>Hour of solar access</b>	Exposure for a period of 1 hour to direct sunlight between the hours of 9:00am and 3:00pm on 21 June.
<b>Large Subdivision</b>	<b>Any subdivision</b> that creates more than 100 allotments.
<b>Medium Density Development</b>	Means any development that results in 3 or more dwellings on an allotment of land.
<b>Medium Subdivision</b>	<b>Any subdivision</b> that creates more than 10 allotments but no more than 100 allotments.



Term	Meaning
<b>Minor Subdivision</b>	<p><b>Any subdivision</b> that:</p> <ul style="list-style-type: none"> <li>• Does not create any additional dwelling opportunities (excluding an additional opportunity for a secondary dwelling); and</li> <li>• Does not, by its scale and nature, have any plausible adverse social, environmental or economic impacts; and</li> <li>• Does not involve any allotment on which an item of environmental heritage is situated; and</li> <li>• Does not involve any allotment located within a heritage conservation area; and</li> <li>• Does not result in more than 4 new allotments.</li> </ul> <p>This definition is not intended to be applied to the interpretation of exempt or complying development provisions <b>or to a subdivision carried out under clause 4.2 of Wollondilly Local Environmental Plan 2011.</b></p>
<b>Mirror Reversed</b>	A building that substantially appears to have a vertical axis of symmetry in or about the centre of a Front Façade.
<b>Natural Ground Level</b>	The ground level of a location that would have existed when the subject allotment was registered.
<b>Panelled door</b>	A door with sunk panels set between its frame.
<b>Primary Front Façade</b>	<b>Refers to the front of a building which addresses the primary street frontage on a corner lot.</b>
<b>Public Realm</b>	<b>Refers to land in public ownership and/or privately owned land designed and intended to be accessible to the public.</b>
<b>Repeated Façade</b>	A section of a Front Façade that is repeated or is substantially similar to another section of that Front Façade but not in cases where the section does not contain a door (be it a personal access door or a garage door).
<b>Residential Battle-Axe Allotment</b>	A residential small lot, Standard Residential Lot or residential large lot which only has vehicular access by an access handle.
<b>Residential Large Lot</b>	An allotment of land with an area of between 1500m <sup>2</sup> and <del>4000</del> <b>3999</b> m <sup>2</sup> (inclusive) on which a dwelling may be lawfully constructed.
<b>Residential Small Lot</b>	An allotment of land with an area of between 450m <sup>2</sup> and <del>700</del> <b>699</b> m <sup>2</sup> (inclusive) on which a dwelling may be lawfully constructed.
<b>Rural Lifestyle Lot</b>	An allotment of land with an area between 4000m <sup>2</sup> and 2 hectares on which a dwelling may be lawfully constructed.
<b>Rural Lot</b>	An allotment of land with an area greater than or equal to 2 hectares on which a dwelling may be lawfully constructed.
<b>Secondary Front Façade</b>	<b>Refers to the front of a building which addresses the secondary frontage on a corner lot.</b>
<b>Significant Flood Impact</b>	<del>Any impact on a flood plain resulting from a change within that area changing the behaviour of water in flood conditions.</del>

Term	Meaning
<b>Site Coverage</b>	Means the proportion of a site covered by buildings. However, the following are not included for the purpose of calculating site coverage:  a) any basement; b) porticos that service a door entry; c) any eaves; d) unenclosed balconies above the ground floor of a building.
<b>Small Subdivision</b>	<b>Any subdivision</b> that creates no more than 10 allotments except for a <b>Minor Subdivision</b> .
<b>Standard Residential Lot</b>	An allotment of land with an area of between 700m <sup>2</sup> and <del>1500</del> 1499m <sup>2</sup> on which a dwelling may be lawfully constructed.
<b>Straight Wall</b>	A stretch of wall that continues in a linear fashion without any change to its direction or any articulation.
<b>Suspected flood affected land</b>	Land that is located on the part of a flood plain and that could reasonably be expected to be inundated in a probable maximum flood.
<b>Temporary Markets</b>	A use of land for retail purposes for a period of no more than 2 consecutive days (or up to 4 days inclusive of related setup and pack up activities) and no more than 12 times per year.
<b>Town Centre Residential Lot</b>	An allotment of land with an area less than 450m <sup>2</sup> on which a dwelling may be lawfully constructed.
<b>Wet bars</b>	Any room that contains a sink and is not a kitchen, bathroom or laundry.

#### 1.4 Application of the volumes of this plan

This volume applies to all development requiring development consent on, in or over land ~~to which this plan applies~~ within the Wollondilly Local Government Area.

The volumes of this plan each identify the contexts in which they apply. Developments may be subject to more than one volume of this plan. If there is an inconsistency between the volumes of this plan then the earlier volume shall prevail over the later volume. For example, if there is an inconsistency between Volumes 2 and 5, Volume 2 would prevail because it is found earlier in this plan.

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## **PART 2 – General considerations for all development**

### **2.1 Objectives**

1. To ensure that developments are undertaken with due regard to human safety.
2. To ensure that developments do not unreasonably impact on their surrounds.
3. To ensure that developments achieve a satisfactory level of social equity.

### **2.2 Controls**

1. The consent authority shall consider the following **safety and human health risks** in assessing a development application under this volume:
  - a) Road and traffic hazards;
  - b) Bushfire **threat**;
  - c) Flood **risk**;
  - d) Noise, vibration, pollution, odour, radiation or waste from surrounding land uses;
  - e) Exposure to electricity transmission systems;
  - f) Exposure to radiation from telecommunications infrastructure;
  - g) Potential exposure to children of material (including signage) from any nearby restricted premises and/or sex services premises;
  - h) Hazards from vehicles within car parking areas; and
  - i) Hazard from potential contamination of the land.
2. The consent authority shall consider the suitability of the road network in the vicinity in assessing a development application under this volume.
3. The consent authority must not grant consent to a development application for development within a proclaimed mine subsidence area without the concurrence of the Mine Subsidence Board.
4. The consent authority must not grant consent to a development application for development subject to this volume on land unless it has considered the impact of the development on any system for the management of wastewater present on that land.
5. The consent authority must not consent to the carrying out of development within a drinking water catchment area unless it is satisfied that the proposal will have a neutral or beneficial ~~impact~~ **effect** on water quality.

## **PART 3 – Variations to this plan**

There may be situations where the strict application of the controls in this plan is inappropriate. In such cases ~~the consent authority~~ Council may vary the controls in the plan. The controls in this part apply where a development application proposes to vary a control in this plan. ~~In determining the appropriateness of a control and whether or not to support the variation the consent authority is to apply the same philosophy and approach as that adopted by the NSW Land and Environment Court in the determination of departures from development standards under State Environmental Planning Policy No 1 – Development Standards and Clause 4.6 of the Standard Instrument LEPs Order.~~

### **Controls**

1. In cases where a variation to a control in this plan is sought, the applicant (or person acting on behalf of the applicant) must include in the development application a written request for Council to consider a variation to that control. The written request to vary a control in this plan must:

- Identify the control being varied
- Outline the non-compliance with the relevant control
- Include reasons and justification for the non-compliance
- Outline why compliance with the control is unreasonable or unnecessary in the case of their development

Council may require additional supporting information to justify the request for variation.

2. Council must be satisfied that the variation meets at least one of the following principles before issuing consent for the development:

- The objectives of the standard are achieved notwithstanding non-compliance with the standard;
- The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
- The underlying object or purpose of the control would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;
- The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary or unreasonable;
- The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary.

## PART 4 – Community engagement

The purpose of this part is to ensure that members of the public potentially affected by a proposed development have input into the assessment process before a final decision is made on a development application. It outlines Council's notification and advertising procedure for development applications.

### 4.1 Development applications to be notified

~~All development applications are to be notified in accordance with Clause 4.6 of this volume unless the development is:~~

- ~~▪ Not located in a heritage conservation area; and~~
- ~~▪ Not located on an allotment that contains a heritage item; and~~
- ~~▪ Not located on an allotment that adjoins an allotment that contains a heritage item; and~~
- ~~▪ Not located on flood prone land; and~~
- ~~▪ Not a development that is required to be advertised under Clause 4.2 of this plan; and~~
- ~~▪ Compliant with all relevant controls in Wollondilly Local Environmental Plan, 2011; and~~
- ~~▪ Compliant with all relevant controls in this plan (both in this Volume and in the other relevant volumes); and~~
- ~~▪ Compliant with any covenants and restrictions registered on the allotment; and~~
- ~~▪ Consistent with all requirements of an exemption tabulated below.~~

Table 1 below identifies types of developments in which Council may grant consent without the need to carry out notification and/or advertising of the application. The development type must meet the criteria in the right hand column to be excluded from requiring notification. Any development type that does not meet the exemptions in the table provided below must be notified (and advertised if required by section 4.3 of this plan).

**NOTE: Any development type that does not meet the exemptions in the table provided below requires notification. The exemptions below do not apply to any development to which any one of the following criteria applies:**

- The development is proposed on any land within a heritage conservation area; or
- The development is proposed on land which contains a heritage item; or
- The development is proposed on any land that immediately adjoins a heritage item; or
- The development is proposed on land that is mapped as flood prone land; or
- The development is a type that is not required to be advertised under this plan;
- The development is inconsistent with any restriction on the title of the land in relation to a building envelope or building setback requirement;

**Table 1**

Exemption	Requirements
Type of Development	Criteria which excludes the development from requiring notification

Exemption  Type of Development	Requirements  Criteria which excludes the development from requiring notification
Single storey dwelling houses (including alterations and additions)	<ul style="list-style-type: none"> <li>▪ Have no other dwelling house located on the same allotment</li> <li>▪ Have finished floor levels no greater than 1m above or below the natural ground level</li> <li>▪ <b>Must comply with Council's building line setbacks prescribed in this Plan</b></li> <li>▪ <b>Have no walls less than a metre from the boundary</b></li> <li>▪ Have a total area less than 430m<sup>2</sup></li> <li>▪ <b>If it includes an attached garage must be able to accommodate no more than 2 car parking spaces.</b></li> </ul>
Two storey dwelling houses (including alterations and additions)	<ul style="list-style-type: none"> <li>▪ Have no other dwelling house located on the same allotment</li> <li>▪ <b>Complies with the maximum height of buildings as indicated on the Height of Buildings Map</b></li> <li>▪ <b>Must comply with Council's building line setbacks prescribed in this Plan</b></li> <li>▪ Have a total area less than 430m<sup>2</sup></li> <li>▪ Are setback at least <del>2.5m</del> 10.0m from side boundaries</li> <li>▪ <b>If it includes an attached garage must be able to accommodate no more than 2 car parking spaces.</b></li> </ul>
Carports (residential)	<ul style="list-style-type: none"> <li>▪ Relate to a residential use of the land</li> <li>▪ <b>Must comply with Council's building line setbacks prescribed in this volume</b></li> <li>▪ Be no less than 1m from the side boundaries</li> <li>▪ Be no taller than 4m above ground level (existing)</li> </ul>
Awnings and Pergolas (residential)	<ul style="list-style-type: none"> <li>▪ Relate to a residential use of the land</li> <li>▪ <b>Must comply with Council's building line setbacks prescribed in this volume</b></li> <li>▪ Be no less than 1m from the side boundaries</li> <li>▪ Be no taller than 4m above ground level (existing)</li> <li>▪ <del>Be located beside or behind the dwelling</del></li> </ul>
Gazebos (residential)	<ul style="list-style-type: none"> <li>▪ Relate to a residential use of the land</li> <li>▪ <b>Must comply with Council's building line setbacks prescribed in this volume</b></li> <li>▪ Be no less than 1m from the side boundaries</li> <li>▪ Be no taller than 4m above ground level (existing)</li> </ul>
Retaining walls (residential)	<ul style="list-style-type: none"> <li>▪ Relate to a residential use of the land</li> <li>▪ Be no more than 0.6m high</li> <li>▪ Be no less than 2.5m from the side and rear boundaries</li> <li>▪ Be located beside or behind the dwelling</li> </ul>

Exemption  Type of Development	Requirements  Criteria which excludes the development from requiring notification
Swimming pools (residential)	<ul style="list-style-type: none"> <li>▪ Relate to a residential use of the land</li> <li>▪ Are more than 1 metre from any rear boundary</li> <li>▪ Are located in the rear yard or on a corner lot behind the front and secondary street setbacks of the dwelling</li> <li>▪ Not have any coping or decking that is more than 0.5m above ground level (existing).</li> </ul>
Decks and Balconies (residential)	<ul style="list-style-type: none"> <li>▪ Relate to a residential use of the land</li> <li>▪ Be no more than <del>0.5m</del> 1.0m above ground level (existing)</li> <li>▪ Are located at least 10m from any boundary</li> </ul>
Residential Outbuildings	<ul style="list-style-type: none"> <li>▪ Relate to a residential use of the land</li> <li>▪ Comply with the building line setbacks contained within this volume</li> <li>▪ Be located within Zone R2 or B4 a residential zone (other than R5)</li> <li>▪ Are no less than 900mm from each boundary</li> <li>▪ Are no higher than 3.5 metres above the natural ground level</li> <li>▪ Can accommodate a maximum of two car parking spaces</li> <li>▪ Have a floor area less than 50m<sup>2</sup></li> </ul>
Rural Outbuildings	<ul style="list-style-type: none"> <li>▪ Relate to a residential use of the land</li> <li>▪ Be located within zones R5, RU1, RU2, RU4 or E4</li> <li>▪ Comply with the building line setbacks contained within this Plan</li> <li>▪ Are no less than 10m from any boundary</li> <li>▪ Are no higher than 5.0 metres above natural ground level</li> <li>▪ Have a floor area less than 100m<sup>2</sup></li> </ul>
Telecommunications Facilities	<ul style="list-style-type: none"> <li>▪ Be “low impact facilities” as defined by the legislation of the Commonwealth.</li> </ul>
Tree removal (residential)	<ul style="list-style-type: none"> <li>▪ All cases that result in the removal of less than 10 trees</li> <li>▪ Be located in any residential “R” zone</li> </ul>
Tree removal (rural)	<ul style="list-style-type: none"> <li>▪ All cases that result in the removal of less than 10m<sup>2</sup> of vegetation</li> <li>▪ Be located in any rural “RU” zone</li> </ul>
Tree removal (agricultural)	<ul style="list-style-type: none"> <li>▪ Be located in a RU1 or RU2</li> <li>▪ Be for the purposes of agriculture</li> </ul>
Demolition	<ul style="list-style-type: none"> <li>▪ Be for the demolition of a building that would have been subject to another exemption in this clause if it were being proposed as a new building.</li> </ul>
Septic Tanks	<ul style="list-style-type: none"> <li>▪ No further restrictions</li> </ul>
Rain Water Tanks	<ul style="list-style-type: none"> <li>▪ No further restrictions</li> </ul>

<b>Exemption</b>	<b>Requirements</b>
<b>Type of Development</b>	<b>Criteria which excludes the development from requiring notification</b>
Strata subdivision of existing buildings	<ul style="list-style-type: none"> <li>The existing building is lawful and complies with the Building Code of Australia.</li> </ul>
Subdivision of existing dual occupancy	<ul style="list-style-type: none"> <li>Be located in Zones R2, R3 or B4</li> <li>The existing building(s) is/are lawful</li> </ul>
Health Services Facility	<ul style="list-style-type: none"> <li>Located within Zones B1, B2 or B5</li> <li>Be located wholly within an existing commercial building</li> </ul>
Kiosk	<ul style="list-style-type: none"> <li>Be located within Zones B1, B2 or RE2</li> </ul>

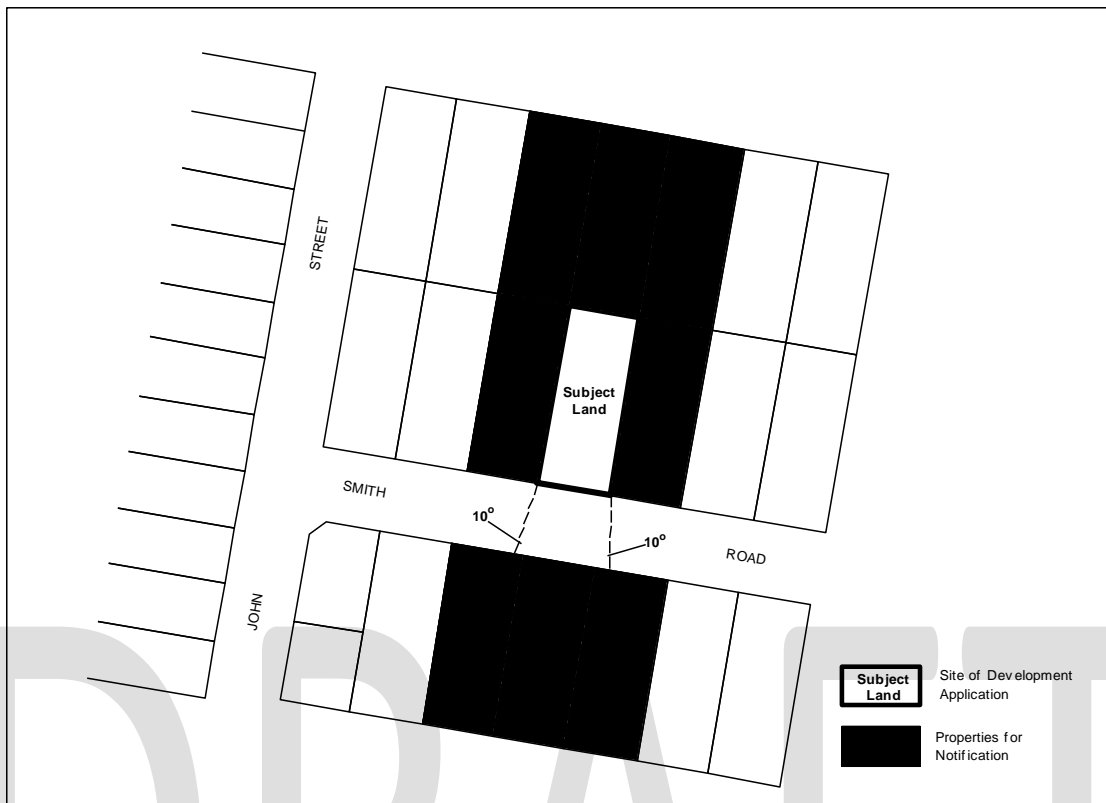
#### **4.2 Requirements for notification**

Development applications that require notification under this plan shall be notified in accordance with the requirements for a “written notice” under Part 6 Division 7 of the Environmental Planning and Assessment Regulations, 2000.

In cases where the owners address recorded in Council’s rating database for a notified property is different to the street address of that property, a “written notice” shall also be sent to “the occupier” at the street address. ~~Nothing in this clause requires a “published notice” for these applications.~~

Where the notification of a development application is required under this plan the Council must provide a written notice of the application to any person who owns or occupies land adjoining the land to which the application relates. Land that is considered to be adjoining the development site is identified in the diagram below:





Council may elect to provide a written notification to owners or occupiers of land beyond those adjoining the development site if Council considers that the nature and scale of the development requires the notification of a broader area.

Where land is held in a strata or community title, the written notice must be forwarded to:

- The manager or secretary of the body corporate (under the Strata Titles Act, 1973 or the Strata Titles (Leasehold) Development Act, 1986) or the Association (under the Community Land Development Act, 1989), and
- The lessor of the leasehold strata scheme concerned and to the owners corporation (if the land is not a lot within the meaning of the Strata Schemes (Leasehold Development) Act, 1986) is taken to be written notice to the owner or occupier of each lot within the Strata Scheme (in accordance with the Environmental Planning and Assessment Regulations); and
- Each individual strata or community title owner, meeting the adjoining land criteria above.

**Note:** Where Council has not been provided with contact details for the association under the Community Land Development Act, 1989 then the association will not be notified.

#### 4.3 Development applications to be advertised

Development for any of the following purposes is advertised **development** under Clause 5 of the Environmental Planning and Assessment Regulations, 2000:

- Air transport facilities
- Animal Boarding or Training Establishments
- Any premises bottle shop, pub, licensed club or hotel requiring a license under the Liquor Act, 2008
- Caravan Parks, Camping Grounds
- Cemeteries, Crematoria, Mortuaries, Funeral Homes
- Child care centres with capacity for 40 or more enrolments
- Correctional centres
- Drive through restaurants
- Electricity generating works (excluding solar panels for domestic use)
- Forestry
- Function Centres
- Heavy industrial storage establishments
- Hostels containing 5 or more boarding rooms
- Intensive livestock agriculture
- Intensive plant agriculture
- Livestock processing industries
- Multi dwelling housing, Seniors housing, Shop top housing and residential flat buildings comprising 5 or more dwellings
- Offensive, hazardous, extractive and heavy industries
- Places of public worship with a capacity greater than 100 people
- Recreation facilities (major), Recreation facilities (outdoor)
- Restricted premises
- Service stations
- Sewerage systems servicing or intending to service more than 2 dwellings
- Sex services premises and brothels
- Subdivision creating 5 or more lots (except for subdivision described in an exemption in Clause 4.1 of this plan),
- Transport Depots, Truck Depots, Depots, Freight Transport Facilities, Passenger Transport Facilities
- Sewerage systems servicing or intending to service more than 2 dwellings
- Tourist and visitor accommodation comprising more than 5 guest rooms
- Any other development that, in the opinion of the consent authority, is likely to have impacts beyond the immediate locality in which it is situated.

Development which constitutes any of the following may also be advertised for the purposes of this plan:

- State Significant Development;
- Nominated Integrated Development;
- Threatened Species Development;
- Class 1 Aquaculture Development;
- Any development that is identified as advertised development under by an environmental planning instrument.

#### **4.4 Requirements for advertising**

Development applications that require advertising under this plan shall be advertised in accordance with the requirements for a published notice of Part 6 Division 7 of the Environmental Planning and Assessment Regulations, 2000.

In cases where the owners address recorded in Council's rating database for a notified property is different to the street address of that property, a "written notice" shall also be sent to "the occupier" at the street address.

In the case of any development that requires advertising, a written notification shall also be sent to the any person who owns or occupies land adjoining the land to which the application relates in the manner prescribed in section 4.2 of this part.

#### **4.5 Development applications altered prior to determination**

Where a development application is altered prior to being determined any community engagement required by this plan (be it notification or advertising) must be undertaken again prior to any granting of development consent unless the alterations are minor only. The notification of any such development must include writing to any prior submitters on the application. **Minor changes involve changes that meet the following:**

- do not increase the size or height of any building associated with the development;
- do not reduce the setbacks of any buildings associated with the development;
- do not impact on solar access achieved by adjoining lands;
- do not result in the change of location of any access driveway or proposed public road;
- In the case of a subdivision of land, where the building envelope is not being moved closer to a boundary that adjoins the development site;
- Do not result in any additional structures or uses that would form part of the development;
- Would not significantly change the appearance or nature of the development;

**NOTE: Council may undertake re-notification where changes are made where Council considers that notification of the changes is necessary and in the public interest to do so.**

#### **4.6 Applications to modify a development consent**

~~Application to modify a development consent shall be subject to the community engagement required by this plan (be it notification or advertising) as though it were a new application unless the modifications are minor only. The notification of any such development must include writing to any prior submitters on the application.~~

Any person may lodge an application to modify a development consent under Section 96 of the *Environmental Planning and Assessment Act, 1979* provided that the changes would result in substantially the same development as that originally approved. Council's requirements in relation to notification of an application to modify a development consent are as follows:

- Any application to modify a consent under section 96(1) of the Act (which involves the correction of minor errors, misdescriptions and miscalculations) does not require any notification to be carried out;
- An application to modify a consent under section 96(1A) of the Act (which involves changes that would have only a minimal environmental impact) would require as a minimum notification to any previous submitters;
- An application to modify a consent under Section 96(2) of the Act (which involves other changes) would require as a minimum notification to adjoining landowners and previous submitters;

- An application to modify a consent under Section 96(AB) of the Act (which involves modifications to development consents issued by the Land and Environment Court) would require as a minimum notification to adjoining landowners and previous submitters;

NOTE: Council may determine to carry out additional notification or advertising of any application under 96(1A) or 96(2) or 96(AB) depending on the nature of the changes and whether Council sees it in the public interest to do so.

#### **4.7 Requests for the review of a determination**

Any request for a review of the determination of a development application under Section 82A of the Environmental Planning and Assessment Act, 1979 shall be subject to the community engagement requirements of this plan (be it notification or advertising) as though it were a new application unless it is identical to the original application or any modifications are minor only. ~~The notification of any such development must include writing to any prior submitters on the application.~~ Council must notify all previous submitters of a request for review of determination in accordance with the requirements of this plan.

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## **PART 5 – Colonial Heritage (General)**

### **5.1 Objectives**

The objectives of heritage conservation are:

- (a) To establish good design principles to guide development to and around heritage items,
- (b) To ensure development is sympathetic to the overall heritage values and characteristics of the area,
- (c) To identify local heritage character and heritage elements of the built environment, and
- (d) To ensure the retention and management of heritage values identified for each conservation area and specific precinct.

### **5.2 General Controls**

1. Development of heritage items and development on land within heritage conservation areas shall demonstrate consistency with the NSW Guidelines for Development in Conservation Areas '*Design in Context*'. In particular the impact of the following aspects of a development should be considered:
  - **Height and scale** - must respect the predominant scale (building height, bulk, density and massing) of the heritage buildings in the vicinity in order to retain the prevailing scale of the Conservation Area. The impact of an inappropriately scaled building cannot be compensated for by building form, design or detailing.
  - **View corridors** - must be retained to and from significant features within the Conservation Area.
  - **Architectural style and form** - must be compatible with the existing heritage buildings in the vicinity.
  - **Materials, detailing and colour schemes** - must respect the materials of the existing heritage buildings in the vicinity.
  - **Siting** - must respect existing patterns of building setbacks of heritage buildings from property boundaries, which contribute to the harmony of the streetscape.
  - **Cumulative impact** - must be considered to ensure that the characteristic features of the conservation area that give harmony and cohesiveness to streetscapes and individual buildings are not eroded.

### **5.2 Controls for particular development types**

#### **1. Advertising and Signage**

The following requirements apply to advertising and signage where proposed on a listed heritage item building or on land which contains a heritage item or on land within a heritage conservation area.

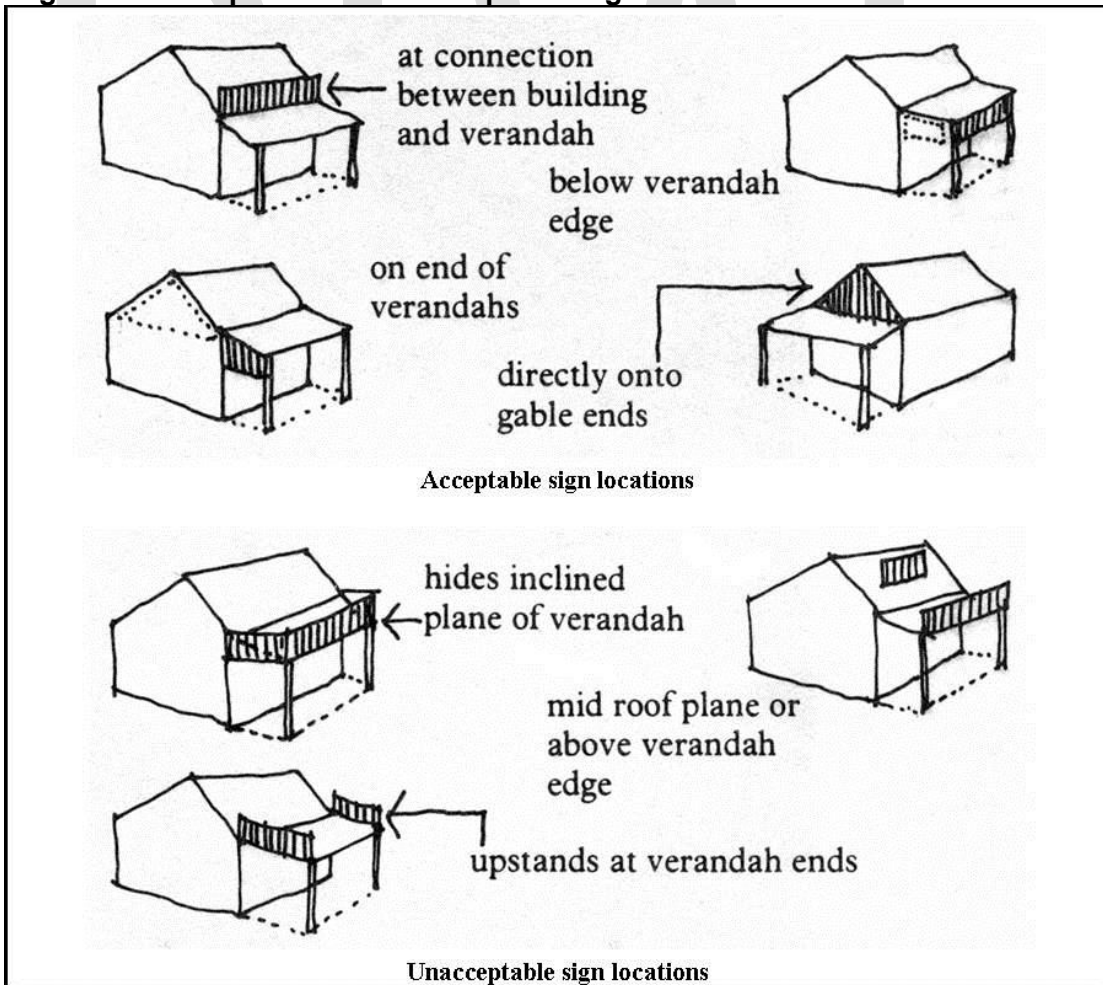
1. Advertising and business signage must be designed to complement the heritage quality of the building.
2. Signage is not to compete with architectural features of the building or to dominate the streetscape.
3. Signs (which may include the wording content and lettering styles) that would have an adverse impact on the heritage character of buildings will not be supported.
4. The location of signage must be consistent with the historic setting.

*Note: Refer to Figure 1 for an example picture of acceptable sign location and Figure 2 representing acceptable and unacceptable sign locations*

**Figure 1 – Photographic representation of an acceptable sign location**



**Figure 2 – Acceptable and unacceptable sign locations**



1. Architectural treatments must be consistent with the existing form of building (in the case of development of a heritage listed building) and the built form of the conservation area (in the case of a development within a conservation area). Consideration shall be given of the elements of building design such as the scale, plan, roof form, verandahs, walls, fenestration, building materials and colour, and existing outbuildings.
  2. For renovation or restoration, significant exterior elements of heritage buildings and/or buildings that contribute to the heritage character of a conservation area must be retained.
  3. The roof pitch of any addition or extension must be complementary to the existing roof pitch of the heritage building (if altering a heritage building) and/or of the pitch established in the character of the heritage conservation area (if altering a building in a heritage conservation area).
  4. Additions or extensions must not overwhelm the any heritage listed building being extended or located in the vicinity in a heritage conservation area.
  5. Front setback areas of heritage buildings and/or buildings that contribute to the heritage character of a conservation area must be retained.
  6. The front facades of individual heritage items must not be significantly altered from their original form, as viewed from primary and secondary street frontages.
  7. Where possible, existing fences, gates and retaining walls and other ancillary structures should be retained where in style with the heritage item.
- 3. Demolition of Heritage Items**
1. Heritage Items subject to this volume will not be permitted to be demolished unless there exists exceptional circumstances what warrant the demolition. In considering if there are exemption circumstances the consent authority shall consider:
    1. If the building can reasonably be expected to be used for a permissible use within the zone if it were to remain (including the likelihood that any required repairs could reasonably be expected to be undertaken); and
    2. The extent of the impact on the broader community and future generations of the loss of the item.
- 4. Subdivision of land containing a heritage item and/or land within a heritage conservation area**
1. Must not compromise or adversely affect any historic layout of the subject lot and heritage significance of the original lot pattern.
  2. Must not compromise the curtilage of any heritage item or significant complimentary building, garden, driveway or other relic.
  3. Where a heritage impact assessment is required, it must consider the likely location of future buildings and/or building envelopes.
- 5. Colours and built form on sites containing heritage items and within heritage conservation areas**
1. Works must use only the colours identified in Figure 3.
  2. Existing weatherboard walls are to be maintained in situ or may only be replaced with timber weatherboards. Lightweight over-cladding in imitation weatherboards (e.g. plastic, fibrous cement or metal) is prohibited.
  3. Roofs may only be corrugated, galvanised, clay tiled, clay slate or stone slate. Square profile or “cliplock” corrugated roofing is not permitted.
  4. Roof drainage may only be exposed gutters of quad, ogee or half-round profile in galvanised finish, with round downpipes in galvanised finish. Square profile or “cliplock” roofing is not permitted.

5. Window and glazed door framing may only be timber framed except in commercial shopfronts where a metal frame size approximating timber (such as Vantage Magnum) may be considered.
6. Windows and glazed doors must be vertically proportioned to match the best historic examples in the conservation area or vicinity. Windows should be double-hung or casement sash types (not sliders or hopper windows over a fixed sash).
7. Original front verandahs are to be retained in all new work and restoration must match original proportions and details.
8. Chimneys must not be removed unless they are structurally unsound and unable to be restored.
9. Commercial development car parking must be provided behind the main building alignment. Parking areas and access driveways should be visually discreet and must be accessed via a rear lane where available.
10. Verandahs must not be enclosed. Ground floor verandahs should not be enclosed by balustrades unless required under the BCA.
11. Original unpainted brickwork and stonework should remain unpainted.
12. Paint schemes should be simple. Applied finishes to external walls should be of subtle, earthy tones that complement the streetscape. Typically, this would be one color for the body of the building and one or two colors for the trim.
13. Plant species types and landscaping formations found in and around the Heritage Conservation area should be featured in new developments.

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**Figure 3 – Palette of acceptable colours**

*Note:* Creams to be used for walls. Dark colours for timber joinery only. Close equivalents from other manufacturer’s colour ranges may be considered. French Grey was an interior colour only (Source: Pascal Heritage Colour Chart c1980).



**5.2 Adaptive reuse proposals for Heritage items**

1. Any proposal involving the adaptive reuse of a heritage item must demonstrate that:
  1. The new use requires minimal alterations to significant fabric and building elements, and that any changes to these are reversible or have minimal impact on the heritage significance of the item.
  2. Any internal changes where visible from a public street do not compromise the external heritage significance of the building.
  3. Alterations and/or additions must meet the requirements for alterations and additions as provided in this section and the adaptive re-use must maintain the understanding of the building's original use.

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## **PART 6 – Heritage (Specific Locations)**

### **6.1 Objectives**

The objectives of heritage conservation are:

- (a) To provide specific guidance and controls for development of key conservation areas in Wollondilly.

### **6.2 Application**

These controls apply in addition to the controls contained in Part 6 of this volume. Where there is an inconsistency between Parts 5 and 6 of this volume Part 6 shall prevail to the extent of the inconsistency.

### **6.3 Heritage Conservation Area - Menangle**

#### **Character Description**

Menangle Village, created in the 1850's and 1860's, is unique in that it has remained essentially contained within the settlement boundaries formed by village development by the second decade of the 20th century. It was established by the Macarthur family for their estate workers and was centred on St James' Church, then later the school and the general store.

The town has had a strong association with the dairy industry, which developed following the opening of the railway after construction of the railway bridge over the Nepean River in 1863. The railway line became the commercial focus of the village and the growing dairy industry and the historic character of the village, as we see it today, is largely a reflection of the railway-related development that took place in the late 19th and early 20th centuries.

Further evidence of the association with the dairy industry includes buildings such as the Camden Estate Central Creamery (1910) and Rotolactor (1952) and worker cottages for the nearby Camden Park Estate (1870's to 1920's). The Macarthurs of nearby Camden Park Estate patronised the Village and were directly responsible for many of the fine buildings in Menangle, which assisted the village to grow and gives its character. They paid for St James's church (including Horbury Hunt's nave in 1876 and Sulman's chancel and steeple in 1898) and in circa 1904 they built the present General Store (used by the Estate as its buying agent for all provisions, stores, seeds fuel etc),

#### **Objectives**

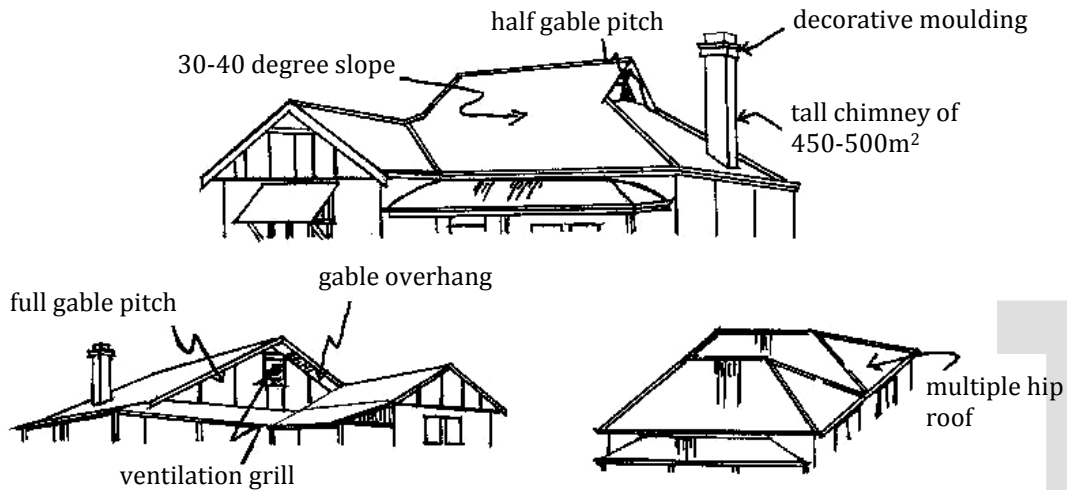
- (a) To ensure development is sympathetic to the heritage character of the Menangle heritage conservation area,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of Menangle, and
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements.

#### **Controls**

1. New development must have a minimum front building set back of 6 metres.
2. Maximum allotment width of 25 metres where located within a residential or commercial zone along Menangle Road within the Heritage Conservation Area.
3. All dwellings must have a front building façade width of between 7.5 and 10.5 metres.
4. The height of a new dwelling is not to exceed one storey in height.

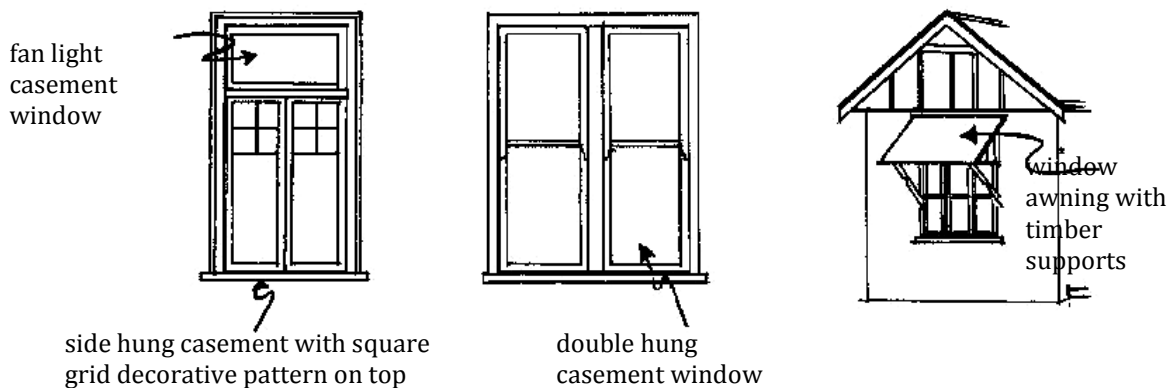
- The pitch of new roofs must generally match the slope of existing earlier dwellings which average 30 to 40 degrees in slope. To provide contrast and variety to roof forms, gable overhangs, eaves, half gables and ventilation grills are encouraged to be used as devices to give a visual interest and help new developments relate sympathetically to the architectural character of the existing buildings. Dwelling roofs should have a corrugated finish. Roofs can be either painted or be colorbond. Colours should be similar to those found elsewhere in Menangle.

**Figure 1 – Examples of Traditional Roof Forms**



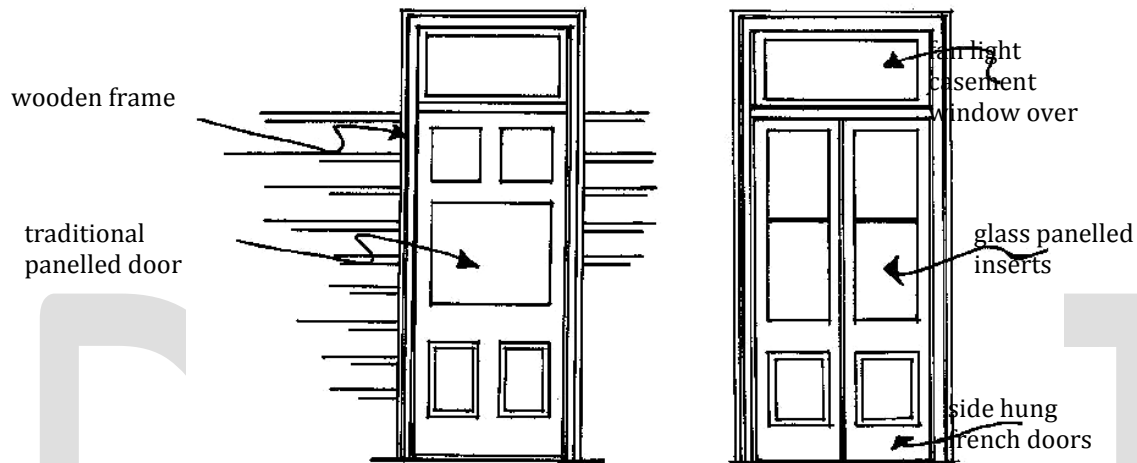
- Chimneys are a prominent aspect of many roofs in Menangle, most of the existing chimneys have a single flue and are approximately 450 to 500 square millimetres and located at the back or side elevations. The incorporation of chimneys in the design of new dwellings should achieve a similar dimension and scale to those earlier dwellings. The decoration of new chimneys should also be in the form undertaken on the earlier dwellings.
- Windows must be timber framed. They are to reflect examples used in early cottages within the village. Vertically proportioned timber frame side hung easements and double hung sash windows must be used. Fanlight casement windows can be used above windows and doors for extra glazing and light.
- Window awnings, roofed with corrugated galvanised iron, flat sheet steel, ripple iron or timber shingles with timber supports may be used where appropriate to the design of the dwelling. Square profile or “cliplock” roofing is not permitted.

**Figure 2 – Examples of Window Styles and Use of Awning Hoods**



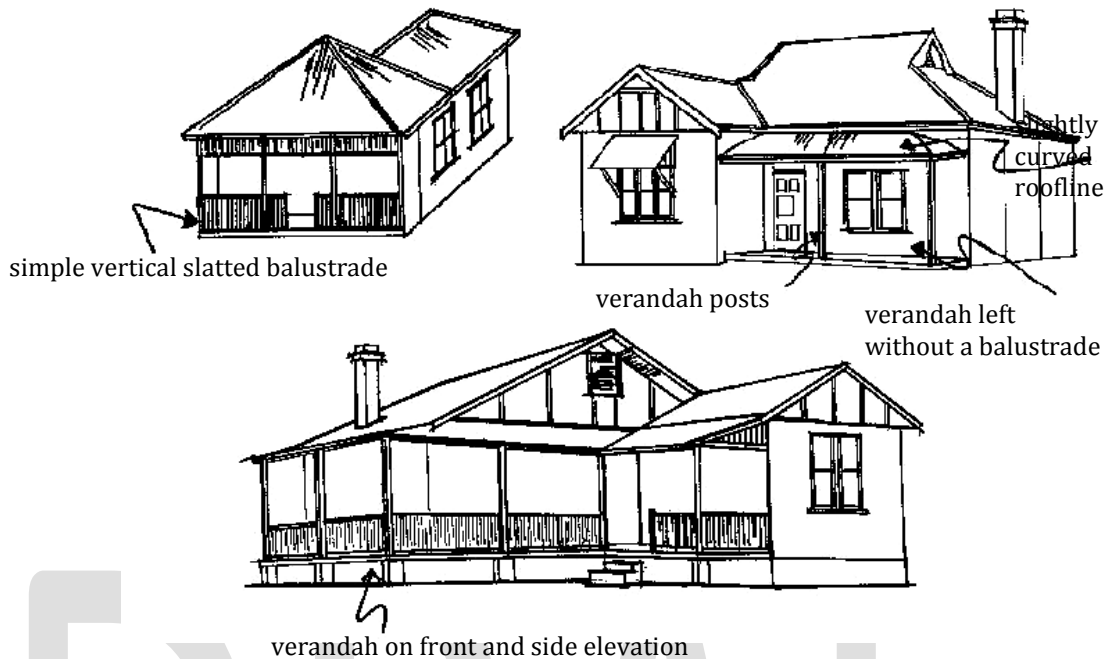
9. Doors must reflect the examples used in early cottages within the village. External doors on major elevations must be timber consisting of up to five panels with the top two or three panels of which may be glazed.
10. French doors can be used on front and/or side elevations opening onto a verandah, following the general design character of traditional village examples. French doors must be of timber frame and panelled base sections, narrow vertical proportions and 1 to 3 panes of glass.

**Figure 3 – Doors used in Early 20th Century Dwellings**



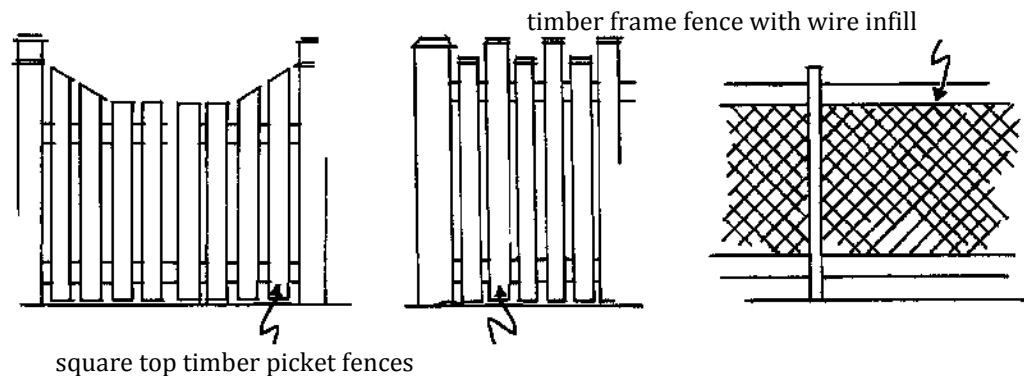
11. Verandahs contribute to a house's Heritage character. The predominant shape of verandahs within the village consists of a slightly curved verandah roof of a convex profile. Bullnosed and concave profile verandah roofs are not considered to be appropriate forms for Menangle and therefore are not encouraged. Verandahs should be constructed of the same or similar materials used for the residence as a whole. Timber shall be used for verandah framing and balustrades as well as for decorative detailing. Verandahs can also be left without a balustrade, or may be fitted with simple vertical slated balustrades. Cast iron or pre-cast concrete verandah posts and balustrades are acceptable, so long as they are characteristic of existing styles and forms used on earlier cottages.

**Figure 4 – Examples of Verandah Styles & Forms in Menangle**



12. External walls may be only timber weatherboard, bagged or rendered brick, or face brick to match the colour and texture of the bungalow at 106 Menangle Road.
13. Driveways may only be gravel, brick drive strips, clay brick unit pavers, asphalt, 8% black oxide coloured concrete (to match asphalt) in broom finish.
14. Fences
  - A. Front fences must be constructed to a height of 1.2 metres (*as per Housing Code*). Front fences must be constructed of wooden picket, wooden post and rail, or wire mesh enclosed by wooden post and rails. Timber paling fences are the preferred option for side and rear boundary fences.
  - B. Except for hedges, all fencing in front of the main elevation of the house must be able to be seen through (i.e. not a solid wall).
  - C. Fence types must only be one of the following and consistent with the style of building being fenced:
    - woven wire with steel posts and rails in timber sizes,
    - wire with timber strainer posts,
    - mesh with timber strainer posts,
    - timber post and rail,
    - timber picket or timber paling.
  - D. All front fences and boundary fences to the road must be constructed to a maximum height of 1.2 metres above natural ground level.
  - E. All present and future front boundary hedges shall be maintained at a maximum height of 1200 mm above natural ground level.
  - F. Fencing along boundaries to public open spaces, where installed, shall be either of wire or wire mesh utilising timber straining posts or of timber post and rail design to a maximum height of 1400 mm.
  - G. Hedges, trees and shrubs may be planted for privacy.
  - H. Internal boundary fences including those between lots, where installed, shall match the fencing along boundaries to public open spaces OR be stone or timber paling construction to a maximum height of 1600 mm not extending forward of the building line.
  - I. Neighbours may plant hedges, trees or shrubs in addition to or instead of fencing.
  - J. Hollow section metal picket and metal sheet fencing are not permitted.

**Figure 5 – Traditional Fence Construction Used in Menangle**



15. Landscaping should utilise species of trees appropriate to Menangle including brushbox, silky oaks, pepper trees, monterey cypress, poplars and canary island palms, jacaranda and various eucalypt species. Slightly smaller trees and hedge planting should also be used for screen planting. Appropriate species include camellias, crepe myrtles and common olive. Vines on trellises and low shrub planting and flowering perennials in traditional cottage garden plans are encouraged

#### 6.4 Heritage Conservation Area - Picton

##### Picton Heritage Conservation Precincts

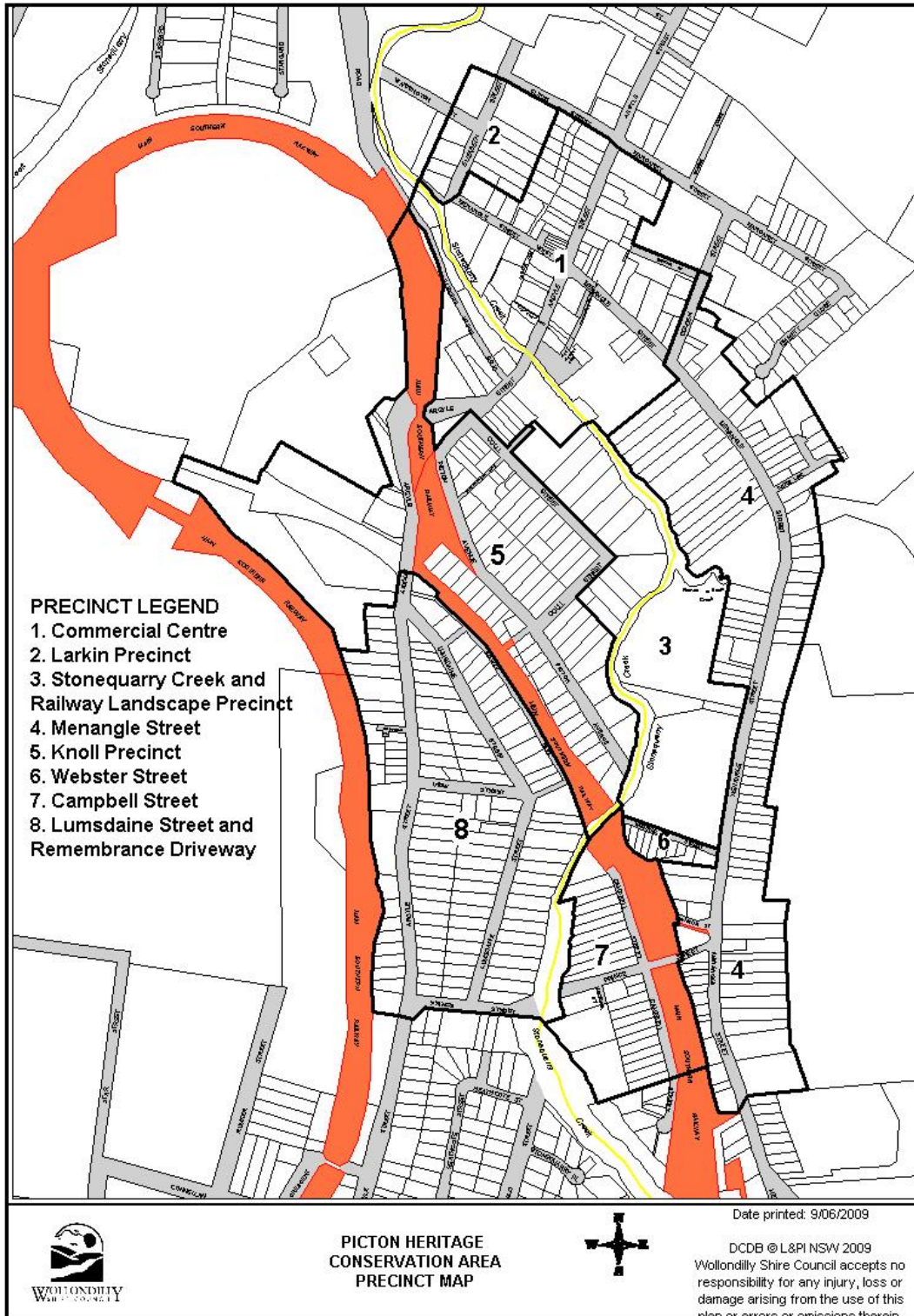
Distinct precincts are identifiable within the heritage conservation areas in the Picton town centre, namely:

1. Commercial Centre.
2. Larkin Precinct.
3. Stonequarry Creek and Railway Landscape Precinct.
4. Menangle Street.
5. The Knoll Precinct.
6. Webster Street.
7. Campbell Street.
8. Lumsdaine Street and Remembrance Driveway

Specific character description, development objectives and controls are provided for each precinct within the Picton Heritage conservation Area that reflects their unique character and contribution towards the overall heritage significance of the town.

These precincts are shown on Map 1 below.

**MAP 1 – PICTON HERITAGE CONSERVATION AREA PRECINCTS**





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**Precinct 1 – Commercial Centre****Character Description**

The commercial centre precinct forms a part of the private town of Picton subdivided on Major Antill's Estate Jarvisfield in 1841. Key historic buildings within the precinct include the Picton Lockup and Court House (1865), the former CBC Bank and Coach House (1882), the former Post Office (1892), the George IV Inn (1839) located on the southern banks of Stonequarry Creek and the adjacent Stonequarry Creek Bridge Piers (1899). There are also a number of shops dating from the late 19th and early 20th centuries. The former Wollondilly Shire Hall (1915) in Menangle Street demonstrates the historic importance of the town as the municipal and administrative centre of the Shire in the early 20th century.

There is a cluster of significant buildings and associated railway infrastructure extending from Stonequarry Creek up the rise south along Argyle Street, starting with the former railway hotel (circa 1880), Anglican rectory (circa 1860) and finishing the commercial precinct with the railway bridge or 'hole in the wall' (1918) which merges into Precinct 5 – The Knoll Precinct.

**Objectives**

- (a) To ensure development is sympathetic to the heritage character of the Commercial Centre Precinct,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the Commercial Centre Precinct,
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements,
- (d) To encourage the retention of significant shop fronts,
- (e) To promote the retention and reinstatement of original and characteristic shop front elements, and
- (f) To ensure that alteration, additions and the construction of new buildings do not compromise the integrity and consistency of the commercial centre.

**Precinct 2 – Larkin Precinct****Character Description**

The Larkin Precinct is characterised by low lying flood prone land adjacent to Stonequarry Creek, containing examples of early detached cottages built by Thomas Larkin who constructed the first steam mill in the region. Key historic buildings include the St Marks Anglican Church (1857), and associated pioneer cemetery and gardens and cottages in Elizabeth Street (circa 1830) built by Thomas Larkin. Unfortunately there are unsympathetic residential buildings constructed within the precinct which detract from the overall heritage significance of the area.

**Objectives**

- (a) To ensure development is sympathetic to the heritage character of the Larkin Precinct,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the Larkin Precinct,
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements,
- (d) To ensure development reflects the traditional architectural design and form of the existing cottages in the precinct, and
- (e) To encourage re-vegetation and weed eradication of the Stonequarry Creek riparian zone as part of future development activities.

**Controls**

1. The architectural form of new dwellings must be designed in sympathy with the simple character of existing Larkin cottages in Elizabeth Street and must utilise traditional building elements and design.
2. Fences must be constructed of wire mesh with wooden support posts.
3. New dwellings must have a gable roof pitch with a minimum 30 degree angle.
4. Development in this Precinct must be constructed in accordance with the flood controls contained in this Volume.

### **Precinct 3 - Stonequarry Creek Precinct**

#### **Character Description**

This precinct is characterised by Stonequarry Creek, its associated floodplain and vegetated riparian buffers. In conjunction with Victoria Park, enclosed by a group of significant exotic trees of heritage value and the surrounding playing fields on the Picton Show lands, the precinct forms a unique vegetated and semi-rural backdrop to Picton. Due to the presence of the floodplain there are a limited number of buildings within the precinct.

#### **Objectives**

- (a) To ensure development is sympathetic to the heritage character of the Stonequarry Creek Precinct,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the Stonequarry Creek Precinct,
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements,
- (d) To retain the semi-rural and relatively undeveloped open feel of the Precinct, and
- (e) To encourage re-vegetation and weed eradication of the Stonequarry Creek riparian zone as a requirement of future development activities.

#### **Controls**

1. Development in this precinct must be constructed in accordance with the flood controls contained in this Volume.
2. Development must maintain the visual landscape character of Victoria Oval.
3. Development on or adjoining Victoria Oval must ensure minimum impact on existing old cattle yards and the existing bunya pine.

### **Precinct 4 – Menangle Street**

#### **Character Description**

The Menangle Street Precinct provides an aesthetic heritage gateway into Picton, which is due to the number of 19th and early 20th century buildings appearing at intervals along the road. Key historic buildings include the Imperial (former Terminus) Hotel (1863), Wendover House (1886), and the former Great Southern Hotel (circa 1885). The development of the railway yards and associated infrastructure in the 1890s led to the development of a small commercial area near the railway station.

Key historic buildings in the Precinct include the Jarvisfield Store (1863), Stationmasters House (1877) and Railway Station (1863), former Furrier's factory (1920) and the former railway turntable and inspection pit for the Great Southern Railway Line.

The well established landscaping along the street incorporates a mix of introduced deciduous and native trees adding to the visual context and overall gateway feel of the Menangle Street approach into Picton. Unfortunately there have been unsympathetic residential flat buildings constructed along Menangle Street which detract from the overall heritage character of the precinct.

### **Objectives**

- (a) To ensure development is sympathetic to the heritage character of the Menangle Street Precinct,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the Menangle Street Precinct,
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements,
- (d) To recognise the heritage significance of Menangle Street in providing the historic gateway to the town of Picton,
- (e) To ensure medium density infill development is undertaken to be sympathetic to the heritage and gateway character of the Precinct, and
- (f) To encourage re-vegetation and weed eradication of the Stonequarry Creek riparian zone.

### **Controls**

1. New development, including infill, must have regard to the importance of Menangle Street as the historic gateway to Picton and reflect the architectural characteristics of existing buildings.
2. New development is to maintain existing historic sandstone kerb and guttering in-situ. (Note: listed as a heritage item under Schedule 5 of the LEP)
3. Fences must be constructed of wire mesh with wooden support posts.
4. Development in this Precinct must be constructed in accordance with flood controls in this Volume.
5. Any proposed new development on allotments backing onto Stonequarry Creek must consider revegetation and weed eradication measures as part of any landscape plan.

## **Precinct 5 – The Knoll Precinct**

### **Character Description**

The Knoll Precinct is characterised by a number of significant one and two storey heritage buildings which provide it with a sense of place and denote its contribution towards the development of Picton. The precinct can be divided; firstly into railway infrastructure and associated buildings along Argyle Street and secondly, residential cottages on the northern side of the main southern railway line.

The railway bridge or 'hole in the wall' (1918) begins at the rise into the hill with the former main line railway tunnel, commonly known as the mushroom tunnel (circa 1860). The significant area to the north of the main southern railway line is residential in character with significant weatherboard and brick cottages along Picton Avenue built in the early 20th century, which feature the railway line as a backdrop and have significant views over Picton towards Antill.

A significant structure in the Precinct is the railway viaduct over Stonequarry Creek, constructed between 1863 and 1867, located adjacent to the park and the old Picton swimming pool at the end of Picton Avenue.

### **Objectives**

- (a) To ensure development is sympathetic to the heritage character of the Precinct,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the Precinct, and
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements.

### **Precinct 6 – Webster Street**

#### **Character Description**

The small cottages of Webster Street are thought to have been built for railway workers, mainly in the 1890s. They tend to show similar design character and style, particularly evident from complementary rooflines and front verandahs although most have been extended at the rear elevation. From the street, the significant cottages of Webster Street show evidence that their original form is still intact, and provide an historic link to the development of the railway in Picton.

#### **Objectives**

- (a) To ensure development is sympathetic to the heritage character of the Webster Street Precinct,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the Webster Street Precinct,
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements,
- (d) To maintain the existing view corridor across Victoria Park towards Antill,
- (e) To maintain the historic significance of the single row of weatherboard cottages purpose built to house railway workers, and
- (f) To encourage in-fill development that reflects the simple design character of the existing railway cottages.

#### **Controls**

1. Renovation, maintenance and restoration must be simple in architectural design and be sympathetic with the modest character of the existing cottages in the precinct.

### **Precinct 7 – Campbell Street**

#### **Character Description**

The Campbell Street cottages have local significance as evidence of the town's early residential development along the railway line, associated with the Jarvisfield subdivision initiated by Antill. More generally, it is also significant because of its contribution to the important stock of early buildings and townscape features of the town as a whole and the Picton Heritage Conservation Area. Its proximity to the railway station and relative consistency of style, form and materials strengthens this contribution. The group also has local aesthetic and streetscape significance as a typical representative group of modest Federation period (c1890 to c1915) cottages.

As documented in historic photographs taken c1900, the original Campbell Street railway workers' cottages were built mainly by the 1890s. Most of the cottages were of a simple colonial style, with timber weatherboard walls and a steep pitched hipped, tin roof over the original cottage, sometimes with a skillion roof addition at the rear. Two are later Arts and Crafts style influenced cottages, built c1915. Two cottages, one at each end of the street were more substantially built brick wall structures thought to have been built for more senior railway officers. Historic photographs dating from circa 1900 show most of the backyards as being open and used for garden, vegetable and tree planting. By 2007 a few of the cottages had been extended and a few newer cottages had been built in the street. Overall, Campbell Street is the most significantly intact colonial period streetscape in the Shire.

**Objectives**

- (a) To ensure development is sympathetic to the heritage character of the Campbell Street Precinct,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the Campbell Street Precinct,
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements,
- (d) To maintain the aesthetic and architectural character design of the Campbell Street Precinct as intact row of purpose built railway cottages, and
- (e) To encourage the restoration of existing cottages and maintain the visual continuity of the Precinct from the Campbell Street frontage.

**Controls**

1. Development must be designed in sympathy with the best characteristics of this historic late Victorian period streetscape.

**Precinct 8 – Lumsdaine Street and Remembrance Driveway****Character Description**

The precinct is of heritage significance in that it represents a transitional area of development between lower Picton, now the main town centre, and upper Picton, formerly known as Redbank. Lumsdaine Street contains a highly intact grouping of late 19th century residences representing the boom period of Picton's growth (circa 1860 – 1910) built facing the railway line that have significant view lines of, Stonequarry Creek, the Prince Street Bridge and the main southern railway line.

The stretch of Remembrance Drive contains a number of significant homes built in the 19th and early 20th centuries, which are generally grouped together in three or four adjoining properties. Well established landscaped gardens and mature trees add to the character of the precinct. Homes of particular significance include Fairview (circa 1900) and the former gatehouse and toll keeper's cottage (1867) built adjacent to the former level crossing site of the Picton – Mittagong Railway Line.

**Objectives**

- (a) To ensure development is sympathetic to the heritage character of the Precinct,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the Precinct,
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements,
- (d) To ensure that alterations and extensions to existing buildings are sympathetic in design maintaining / restoring the original architectural features, and

- (e) To maintain significant view lines to the main southern railway line, Stonequarry Creek and the Prince Street Bridge for any new development in Lumsdaine Street.

### **6.5 Heritage Conservation Area - Thirlmere**

#### **Character Description**

The Conservation Area contains local significance as a village centre and a relatively intact late 19th century streetscape relating to the construction of the southern railway line. Many of the residences particularly along Thirlmere Way, relate directly to the construction of the line and the commercial buildings in the main street generally reflect the railway village character of Thirlmere. Thirlmere is known to railway enthusiasts as the home of the NSW Rail Transport Museum (otherwise identified as Thirlmere Rail Heritage Centre).

Further significant themes contributing towards the heritage of Thirlmere include the timber industry, early pastoralist and agricultural pursuits in the surrounding district, the building of the Queen Victoria Hospital for sufferers of tuberculosis in 1886, and the post World War I and II migration of Estonians who settled west of the village and were significant contributors towards the development of poultry production in the Shire.

The first major impetus to development was the 1882 subdivision of Creighton's 1850 grant and a total of three main subdivisions completed during the 1880s, which formed the basis of Thirlmere's settlement pattern today. This minor land boom led to the construction of several substantial buildings including shops, the Welcome Inn, the public school (1888) and the railway station. Thirlmere railway station, originally called Redbank was opened in 1883.

#### **Objectives**

- (a) To ensure development is sympathetic to the heritage character of the Thirlmere Heritage Conservation Area,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the Thirlmere Heritage Conservation Area,
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements,
- (d) To encourage the development of new commercial buildings that are sympathetic in design to existing heritage buildings incorporating skillion verandahs to the edge of the street, and
- (e) To retain the historic association of Thirlmere and the former great southern railway line with any new development.

#### **Controls**

1. New Commercial Buildings must incorporate skillion verandahs that extend over the footpath to the street edge.

### **6.6 Heritage Conservation Area - Warragamba**

#### **Character Description**

The township of Warragamba is significant through its direct association with the development of the Metropolitan Water Supply System in NSW. Although originally built as temporary accommodation for workers constructing Warragamba Dam, the township is unique in that it has survived as opposed to other purpose built accommodation towns for the construction of the Metropolitan and Snowy Mountains Dams, which are no longer intact.

The conservation area is significant in its design, with a central park featuring established trees and the town hall which has significant views west to the Greater Blue Mountains World Heritage Area. The town centre incorporates commercial buildings, the church and the school.

The existing commercial strip within the Warragamba town centre forms the boundaries of the heritage conservation area. This area has been identified due to its significant history and potential for redevelopment which recognises past historic connections and to encourage development which is attractive to the tourism industry and does not detract from the visual setting of the area. It is recognised that existing buildings within the heritage conservation area are generally non-contributory elements which in some cases are in bad disrepair and could benefit from a revitalisation in line with the heritage character of the Warragamba township.

### **Objectives**

- (a) To ensure development is sympathetic to the heritage character of the Warragamba Heritage Conservation Area and the town itself,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the Warragamba Heritage Conservation Area,
- (c) To encourage the removal or upgrading of non-contributory elements in the area so as to enhance the setting of contributory elements,
- (d) To encourage the redevelopment of commercial zoned land in Warragamba,
- (e) To encourage the simple, post WWII architectural design character features for new buildings within the conservation area,
- (f) To maintain the existing view corridor from the conservation area west to the Blue Mountains World Heritage Area, and
- (g) To ensure new development maintains the historic significance and association of the town with the construction of Warragamba Dam.

### **Controls**

1. New building design must be sympathetic to and reflect the simple, post WWII architectural design character of original buildings within the Warragamba village.
2. New commercial buildings must maintain significant view lines west to the Blue Mountains World Heritage Area where present.
3. Simple designed skillion verandahs that extend over the footpath are encouraged when designing new commercial buildings within the precinct.

## **6.7 Heritage Conservation Area - Yerranderie**

### **Character Description**

The Yerranderie Conservation Area is a partially intact mining town located in the far west portion of the Shire, west of Lake Burragorang within the greater Blue Mountains World Heritage Conservation Area. The settlement is encompassed on three sides by precipitous cliffs.

European activity within the area commenced in the early 1800's and prospered in the 1890's following the discovery of silver ore in the area. The population reached a peak of 2000 in 1911. The Depression, industrial disputes, transport difficulties and poor market conditions contributed towards the decline in mining operations, most of which had ceased by the mid 1930's. The area was further isolated by the flooding of the Burragorang Valley which cut direct access from Camden and Picton in 1960. The isolation and location factors contribute towards Yerranderie's heritage significance and representation of an early 1900's mining settlement.

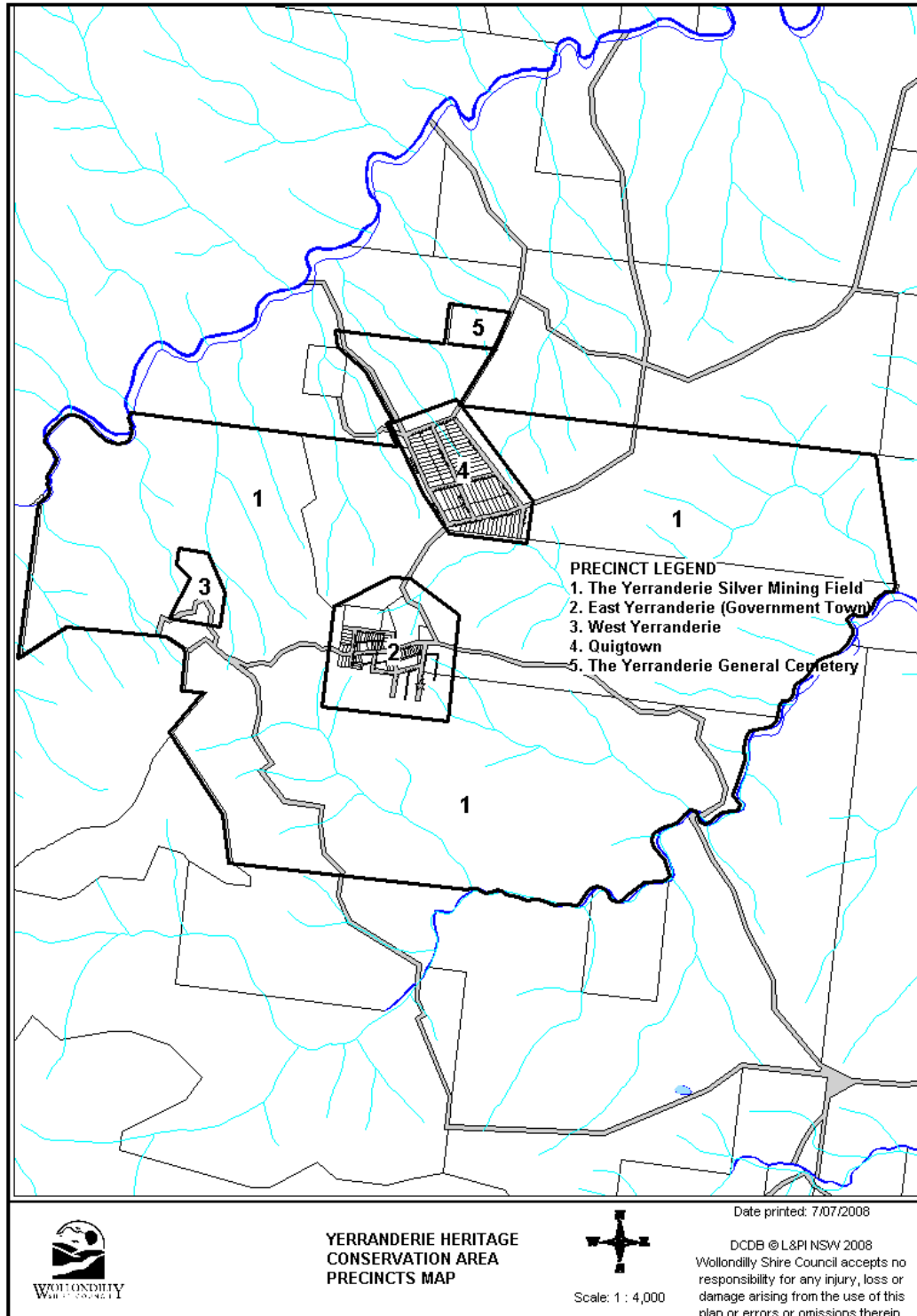
There are five main precincts of the Yerranderie Heritage Conservation Area namely:

1. Yerranderie Silver Mine Field and General Cemetery
2. East Yerranderie (Government Town)
3. West Yerranderie
4. Quigtown

5. The Yerranderie General Cemetery

For the purposes of this DCP, the Yerranderie Heritage Conservation Area has been divided into these precincts that comprise the conservation area. These are shown on Map 2 below.

**MAP 2 – YERRANDERIE HERITAGE CONSERVATION AREA PRECINCTS**





## **Precinct 1 - The Yerranderie Silver Mining Field**

### **Character description**

The Yerranderie Silver Mining Field is comprised of five mines containing a rich assemblage of large and small mining equipment of the 1910' to 1920's period. Significant former mines include the Boreblock Mine 1904 (Silver Peak Mine consisting of crushers and mine shafts) and Bartlett's Mine 1898 (a diagonal shaft). The site also contains the Silver King Mine and Wollondilly Mine (consisting of steam winding engines). The Yerranderie Silver Mining Field is often the collective term used to describe the whole area identified as the Yerranderie Heritage Conservation Area, as it was the major elements contributing to the development of the Yerranderie Settlement.

### **Objectives**

- (a) To retain physical evidence of Yerranderie's past settlement and mining activities,
- (b) To actively conserve a full range of evidence representing the history of development of the area as a silver mining town,
- (c) To reinforce and promote the character and identity of the Yerranderie Silver Mining Field recognising its contribution towards the development of the area and sense of place,
- (d) To promote understanding and appreciation of Yerranderie's cultural heritage resources to encourage appropriate conservation activities by private owners, visitors and resource managers,
- (e) To present and interpret the historic evidence of the silver mining field for the enjoyment and education of people associated with early mining activities and visitors of the area, and
- (f) To protect remaining graves and fencepost remains in-situ from disturbance and regeneration of vegetation within the vicinity of the general cemetery.

### **Controls**

1. Visible remains, graves, ruins, and structures associated with the mining fields must be conserved and retained in situ. Any development within the vicinity of such items requires an archaeological survey.
2. Any new development must assist in the interpretation of the former silver mining fields as an educational resource.

## **Precinct 2 - East Yerranderie (Government Town)**

### **Character description**

The East Yerranderie Group consists of a mixture of original buildings, a number of sites, remains, ruins and several new dwellings. Significant original buildings include the former Police Station (1896), Courthouse (1906/07), St Senan Catholic Church (1907) and Deacon's cottage.

### **Objectives**

- (a) To ensure development is sympathetic to the heritage character of the East Yerranderie Precinct,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the East Yerranderie Precinct,
- (c) To retain in situ and protect all remaining archaeological evidence of the role of East Yerranderie including the clearly visibly remains, ruins and areas of previous social activity in the town,
- (d) To retain the historic layout where it has not been disturbed by the airstrip and new residences,
- (e) To minimise the impact of new development by encouraging development of appropriate scale, materials and alignment,

- (f) To maintain the views to surrounding bushland and escarpments and retain the open character of the settlement,
- (g) To interpret both the individual sites and the East Yerranderie Group as a whole, and
- (h) To undertake further documentation and archaeological survey of the settlement.

#### **Controls**

1. Visible remains, ruins, and structures such as Bud Singh's shop, various houses, the Silver Mines Hotel, must be conserved and retained in situ. Any development within the vicinity of such items requires an archaeological survey.
2. The sites of the former social activities namely the roller skating rink, cricket ground and racecourse must be conserved and retained in situ.
3. New development must retain the historic layout and setbacks of the town where it has not been disturbed by the airstrip and new residences.
4. New buildings must be designed and constructed to reflect the scale of existing heritage items within the town, utilising matching building materials, architectural form, historic building alignment and setback.
5. Building height is restricted to a maximum of one storey.
6. Any modification or restoration of existing heritage buildings must incorporate interpretative signage to be located at the primary street boundary.

#### **Precinct 3 - West Yerranderie**

##### **Character description**

The West Yerranderie Group consists of eight original buildings and several sites and remains of original structures. The remaining structures used for both domestic and commercial activities. Significant buildings remaining include Mrs. Barnes Boarding House (built prior to 1907), the former post office (circa 1907) and general store.

##### **Objectives**

- (a) To ensure development is sympathetic to the heritage character of the West Yerranderie Precinct,
- (b) To ensure that the design and materials used in new buildings, restoration and renovation of existing buildings is appropriate in scale and form to the character of the West Yerranderie Precinct,
- (c) To retain the original town layout, historic building alignments and setbacks for any new development,
- (e) To retain in situ, protect and to encourage the ongoing documentation of remaining archaeological sites,
- (f) To encourage the use of similar materials and a vernacular style of new buildings and garden plantings to reflect the original character of the settlement,
- (g) To maintain key views to the peak and surrounding escarpments,
- (h) To continue to interpret the role of West Yerranderie as part of the original broader settlement and mining fields with its range of residential, commercial, religious and recreational activities which can be understood through the location of various sites, remains, ruins and existing structures, and
- (i) To utilise the opportunities for the future use of West Yerranderie as an educational resource.

##### **Controls**

1. The Methodist Church, the Oddfellows Hall, the butcher's shop, the tennis court, Bartlett House and prior mining field archaeological sites must be retained in situ.
2. New buildings must be constructed of a combination of galvanised iron and timber sympathetic to the character of existing buildings.
3. Building height is restricted to a maximum of one storey.

4. Any modification or restoration of existing heritage buildings must incorporate interpretative signage to be located at the primary street boundary.

#### **Precinct 4 - Quigtown**

##### **Character description**

Quigtown has no original buildings remaining and is covered by vegetation regrowth. Despite this, Quigtown is a rich collection of sites and remains and ruins from the original development offer archaeological potential. It was noted in the 1992 Heritage Survey, three streets that form part of the original subdivision - Yerranderie, Hilder and Dobson Streets - remain visible and that several new dwellings had been constructed on the southern side of Yerranderie Street.

##### **Objectives**

- (a) To conserve the entire Quigtown area as an archaeological site to retain its layout and remains that encapsulate the residential activities which developed this part of the Yerranderie settlement,
- (b) To protect fragile elements such as garden edgings, original plantings, bases of fireplaces, dwellings water tanks and fence posts in situ from disturbance, removal, and reuse and from regeneration of vegetation, and
- (c) To encourage further archaeological survey and documentation of Quigtown.

##### **Controls**

1. Archaeological surveys are required for all new development.
2. New buildings must match the scale, architectural features and historic setbacks of the settlements original buildings.
3. Retain remnant garden plantings with any re-development.
4. Visible remains, ruins, and structures associated with early settlement must be conserved and retained in situ.

#### **Precinct 5 - The Yerranderie General Cemetery**

##### **Character description**

The Yerranderie General Cemetery is located to the north of Quigtown. The area dedicated for the cemetery is 4.5 hectares and is split into four denominations. There is 0.3 hectares of the site utilised containing approximately 39 burial sites. The oldest noted burial site is dated 23/5/1908, however there may be earlier graves that are unmarked. The site is covered by native vegetation re-growth and there are tangible remains of an early post and rail fence along the western boundary.

### **Objectives**

- (a) To present and interpret the historic evidence of the general cemetery as an educational resource demonstrating the social conditions and fabric of Yerranderie's early inhabitants,
- (b) To protect remaining graves, fencepost remains and other fragile elements in-situ from disturbance and regeneration of vegetation, and
- (c) To encourage ongoing maintenance of the general cemetery area.

### **Controls**

1. New burials must be consistent in style and alignment to the existing graves.

## **6.8 The Greater Blue Mountains World Heritage Area**

The Greater Blue Mountains was inscribed on the World Heritage List in 2000. The World Heritage criteria against which the Greater Blue Mountains was listed remain the formal criteria for this area, which may be revised periodically.

The Greater Blue Mountains World Heritage Area covers 10,000 square kilometres of wild bushland. The eight connected conservation areas of Wollemi, Yengo, Gardens of Stone, Blue Mountains, Kanangra-Boyd, Nattai and Thirlmere Lakes National Parks and Jenolan Karst Conservation Reserve make up Australia's most accessible World Heritage Area. It extends 220 km from the Southern Highlands to the Hunter Valley, and from western Sydney to the farming tablelands of the Great Divide.

The Area has a complex border, in part defined by the distribution of privately owned areas of adjacent land, and is the primary catchment for Sydney's water supply with Lake Burrangong the main holding facility. The region is also an important tourist destination for residents and visitors, supported by increasing levels of urban development and road networks.

The Greater Blue Mountains provides outstanding examples representing on-going ecological and biological processes significant in the evolution of Australia's highly diverse ecosystems and communities of plants and animals, particularly eucalypt-dominated ecosystems.

Six Aboriginal language groups treasure connections with the Country of the Greater Blue Mountains that reach back into ancient time. They are the Dharawal and Gundungurra people (in the south), the Wiradjuri (in the west and north-west), and the Wanaruah, Darkinjung, and Darug (in the north-east).

*The Greater Blue Mountains World Heritage Area Strategic Plan* provides the broad management principles for the area, and establishes the framework for the integrated management, protection, interpretation and monitoring of the values of the eight reserves that comprise the GBMWhA. Land management of the area is carried out by the National Parks and Wildlife Service, which is part of the NSW Office of Environment and Heritage, with additional resources provided by the Australian Federal Government through the Department of the Environment, Water, Heritage and the Arts.

*Source: Website for the Department of Environment and Climate Change*

## **PART 7 – Aboriginal Heritage**

### **7.1 Objectives**

- (a) To achieve appropriate means of **conservation**, management and protection for archaeological sites, Aboriginal objects and Aboriginal places of heritage significance.
- (b) To achieve compliance with the requirements of the National Parks and Wildlife Act, 1974 and associated Regulations and guidelines with respect to **Aboriginal objects and Aboriginal places of heritage significance**.
- (c) To consider and manage Aboriginal objects and Aboriginal places of heritage significance at the earliest practical stages in the land development process.

### **7.2 Controls**

An indigenous heritage and archaeological report must be prepared for any development application on land which contains a known Aboriginal object or Aboriginal place of heritage significance. The report must be prepared by a suitably qualified archaeologist. The report must be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal objects in NSW. A report may also be required at the discretion of the assessing officer where:

1. There is impact or disturbance to the content, or within the immediate vicinity (100 metres) of a known Aboriginal object or Aboriginal place of heritage significance;
2. There is impact or disturbance to, or within the immediate vicinity (100 metres) of a previously recorded or known Aboriginal object or Aboriginal place of heritage significance and can include a cultural landscape, an existing or former ceremonial ground, a burial ground or cemetery, a story place or mythological site, a former Aboriginal reserve or historic encampment, or an archaeological site of high significance;
3. A proposal (including subdivision) which affects primarily undeveloped land (irrespective of land size) and has the following site features:
  - river frontage
  - creek line
  - sandstone exposures at ground level larger than 5m<sup>2</sup>
  - sandstone cliff line or isolated boulder higher than 2m
  - disturbance to the roots, trunk, branches, of old growth trees, which are native to the Wollondilly Shire and greater than 150 years of age.
4. Ensure that all works cease in the vicinity of any previously unidentified Aboriginal objects or places identified during excavation and construction and that the following be notified
  - a) The Office of Environment and Heritage NSW (OEH)
  - b) A qualified archaeologist
  - c) Aboriginal stakeholders.
5. Ensure that should human skeletal remains be discovered that the following process will be undertaken:
  - a) The remains will be reported to the police and the state coroner.
  - b) Wollondilly Shire Council and the land owner will be notified of the find.
  - c) Aboriginal stakeholders will be notified of the find.
  - d) OEH NSW will be notified.
6. If the skeletal remains are of Aboriginal ancestral origin an appropriate management strategy will be developed in consultation with the Aboriginal stakeholders.
7. The find will be recorded in accordance with the National Parks and Wildlife Act 1974 (NSW) and the NSW NPWS Aboriginal Cultural Heritage Standards and Guidelines Kit.
8. The findings will be incorporated into any proposed Aboriginal Heritage Plan's management regime.

**PART 8 – Flooding**

**8.1 Objective**

To reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods, utilising ecologically positive methods wherever possible.

**8.2 Flood Compatible Construction**

1. ~~The part of any flood vulnerable building works that is below the flood planning level must use only flood compatible materials as tabulated below:~~

<b>BUILDING COMPONENT</b>	<b>FLOOD COMPATIBLE MATERIAL</b>
<del>Flooring and Sub-floor Structure</del>	<del>concrete slab-on-ground monolith construction (no clay fill) suspended reinforced concrete slab.</del>
<del>Floor Covering</del>	<del>clay tiles concrete, precast or in situ concrete tiles epoxy, formed-in-place mastic flooring, formed-in-place rubber sheets or tiles with chemical set adhesives silicone floors formed-in-place vinyl sheets or tiles with chemical set adhesive ceramic tiles, fixed with mortar or chemical set adhesive asphalt tiles, fixed with water resistant adhesive</del>
<del>Wall Structure</del>	<del>solid brickwork, blockwork, reinforced, concrete or mass concrete</del>
<del>Roofing Structure (for Situations Where the Relevant Flood Level is Above the Ceiling)</del>	<del>reinforced concrete construction galvanised metal construction</del>
<del>Doors</del>	<del>solid panel with water proof adhesives flush door with marine ply filled with closed cell foam painted metal construction aluminium or galvanised steel frame</del>
<del>Wall and Ceiling Linings</del>	<del>fibre-cement board brick, face or glazed clay tile glazed in waterproof mortar concrete concrete block steel with waterproof applications stone, natural solid or veneer, waterproof grout glass blocks glass plastic sheeting or wall with waterproof adhesive</del>
<del>Insulation</del>	<del>foam (closed cell types)</del>

<b>BUILDING COMPONENT</b>	<b>FLOOD COMPATIBLE MATERIAL</b>
<b>Windows</b>	<del>aluminium frame with stainless steel rollers or similar corrosion and water resistant material.</del>
<b>Nails, Bolts, Hinges and Fittings</b>	<del>brass, nylon or stainless steel removable pin hinges hot dipped galvanised steel wire nails or similar</del>

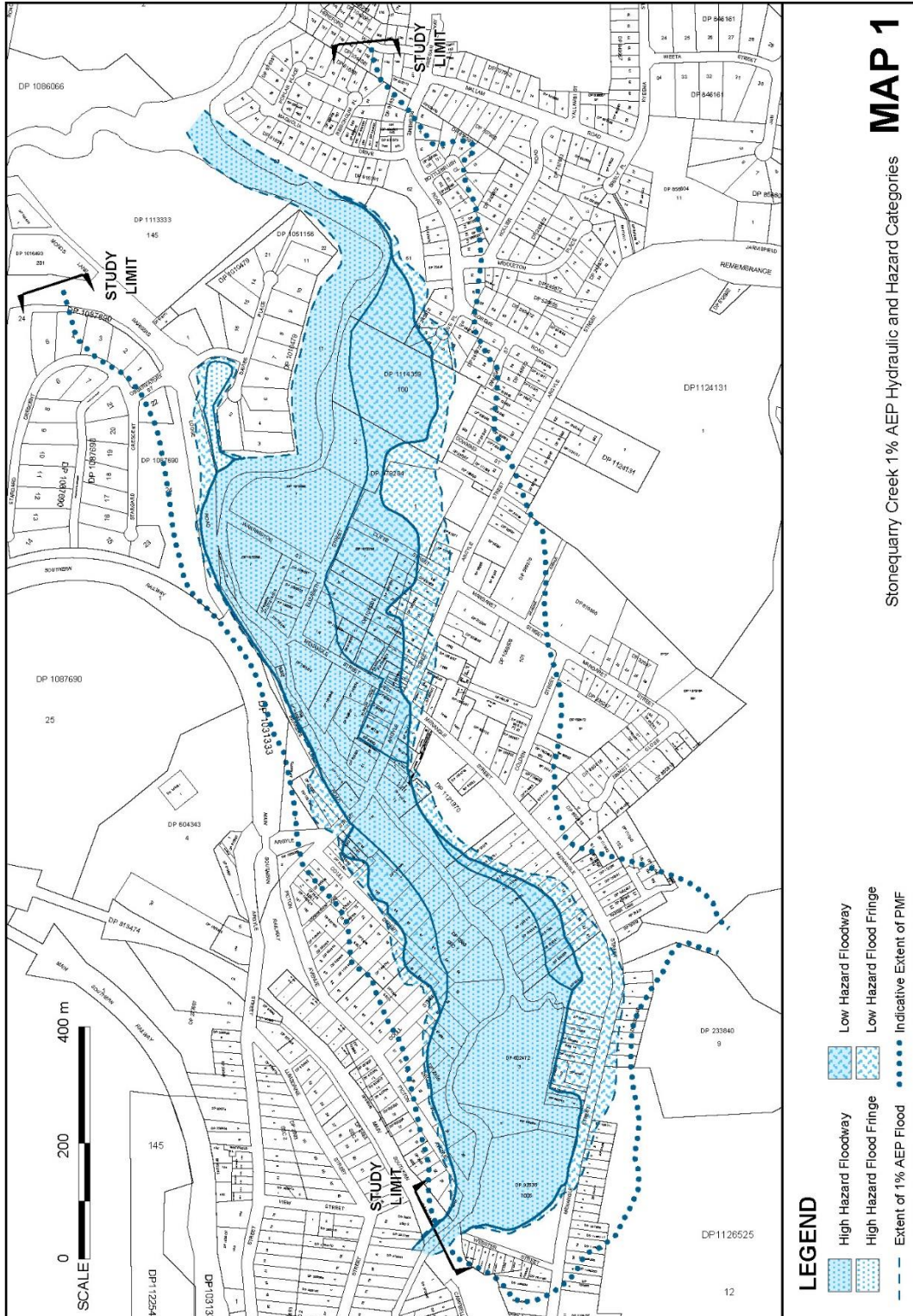
~~2. The electrical and mechanical materials, equipment and installation must conform to the following requirements for the part of any flood vulnerable building works that is below the flood planning level:~~

- ~~(a) Subject to the approval of the relevant authority the incoming main commercial power service equipment, including all metering equipment, must be located above the relevant flood level. Measures must be available to easily disconnect the premises from the main power supply.~~
- ~~(b) All wiring, power outlets, switches, etc., should, to the maximum extent possible, be located above the relevant flood level. All electrical wiring installed below the relevant flood level should be suitable for continuous submergence in water and should contain no fibrous components. Earth core leakage systems (or safety switches) are to be installed. Only submersible type splices should be used below the relevant flood level. All conduits located below the relevant flood level should be so installed that they will be self draining if subjected to flooding.~~
- ~~(c) All equipment installed below or partially below the relevant flood level should be capable of disconnection by a single plug and socket assembly.~~
- ~~(d) Should any electrical device and/or part of the wiring be flooded it should be thoroughly cleaned or replaced and checked by an approved electrical contractor before reconnection.~~
- ~~(e) Heating and air conditioning systems should, to the maximum extent possible, be installed in areas and spaces of the premises above the relevant flood level. When this is not feasible every precaution should be taken to minimise the damage caused by submersion according to the following guidelines.~~
- ~~(f) Heating systems using gas or oil as a fuel should have a manually operated valve located in the fuel supply line to enable fuel cut-off.~~
- ~~(g) All heating equipment and fuel storage tanks should be mounted on and securely anchored to a foundation pad of sufficient mass to overcome buoyancy and prevent movement that could damage the fuel supply line. All storage tanks should be vented to an elevation of 600 millimetres above the relevant flood level.~~
- ~~(h) All ductwork located below the relevant flood level should be provided with openings for drainage and cleaning. Self draining may be achieved by constructing the ductwork on a suitable grade. Where ductwork must pass through a water-tight wall or floor below the relevant flood level, the ductwork should be protected by a closure assembly operated from above relevant flood level.~~

**8.3 — Declared Flood Affected Land**

**1. — Stonequarry Creek — Picton**

All land within the “Indicative Extent of PMF” is Declared Flood Affected Land under this plan.





#### **8.4 — Controls for Declared Flood Affected Land**

- ~~1. The consent authority shall not consent to any work on declared flood affected land unless it is satisfied that any building or other works have been provided with adequate flood proofing.~~
- ~~2. The consent authority shall not consent to any work on declared flood affected land unless it is satisfied that any building or other works will not result in a significant flood impact.~~
- ~~3. The consent authority shall not consent to any flood vulnerable building unless it is provided with evidence from a suitably qualified engineer detailing that the structure can withstand the likely conditions experienced during the storm event used to determine the flood planning level for that type of development.~~
- ~~4. The consent authority shall not consent to any flood vulnerable building unless it is satisfied that permanent, fail-safe, maintenance-free measures are incorporated in the development to ensure the timely, orderly and safe evacuation of people in the event of a flood.~~
- ~~5. Any habitable floor of a flood vulnerable building must not be less than the applicable Flood Planning Level. The consent authority shall not grant development consent to a building subject to this control unless it has imposed a condition of consent requiring submission of a surveyor's certificate detailing compliance with the applicable floor level under this control.~~
- ~~6. Extensions to existing flood vulnerable buildings may be permitted without raising floor levels subject to controls 8.4 (1) to (4) of this volume.~~
- ~~7. Subdivision of declared flood affected land shall be permitted only where all lots created can be provided with a building envelope entirely outside of the flood affected land and each building envelope will have access to permanent, maintenance-free and fail-safe provisions for evacuation such as continuously rising roads linking with high ground.~~

#### **8.5 — Controls for Suspected Flood Affected Land**

- ~~1. For the purposes of applying this plan, the consent authority is to consider any suspected flood affected land to be a declared flood affected land unless evidence is provided to show that the development will be entirely above the relevant flood planning level based on a site specific flood assessment prepared by a suitably qualified person.~~

#### **8.6 — Controls for Specific Flood Plains**

##### **1. — Stonequarry Creek — Picton**

- ~~1. It is recognised that in the commercial zone of Picton, a requirement to set floor levels at the Flood Planning Level would unduly impact upon the streetscape and commercial viability of the town centre. Accordingly the floor level controls for a permitted structure have been relaxed in this area to allow a minimum floor level of RL 157.2 providing Council is satisfied that at least one of the following clauses is fulfilled:
  - ~~— (a) a minimum of 2/3 of the floor area to be above the Flood Planning Level; or~~
  - ~~— (b) flood shutters to be installed together with all ancillary devices needed to seal the building to a minimum height of the Flood Planning Level; or~~~~

- ~~(c) sufficient shelving to be installed to allow stock to be readily raised above the Flood Planning Level; or~~
- ~~(d) any other flood protection works which can be demonstrated to Council's satisfaction to provide an equivalent degree of flood protection to the measures identified above.~~

~~2. All landscaping must comply with the relevant provisions of the Stonequarry Vegetation Management Plan.~~

## **8.2 Controls**

There are a number of areas in Wollondilly Shire which are subject to inundation by flooding or overland stormwater flows. If Council has any doubts as to whether an area is flood prone or subject to stormwater inundation it will require a report as to the extent of flooding from a suitably qualified Engineer or Surveyor. Controls for flood affected land are identified in Table C and applied based on the combination of land use category (refer to Table A) and flood risk precinct for the site (refer table B or further information may be available from Council via an application for flood information).

Table C and the associated Key provides development controls which apply to flood affected land including overland flow flooding unless a Current Floodplain Risk Management Plan provides site specific controls.

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**Table A – Land use Category Definitions**

LAND USE CATEGORY DEFINITIONS						
Critical Utilities and Uses	Subdivision	Residential	Commercial/Industrial	Tourist or Rural Related Development	Recreation and Non-Urban	Concessional Development
<ul style="list-style-type: none"> <li>Child care centres</li> <li>Educational establishments</li> <li>Electricity generating works</li> <li>Liquid fuel depots</li> <li>Offensive or hazardous industries</li> <li>Public utility undertakings (including generating works which are essential to evacuation during periods of flood or if affected would unreasonably affect the ability of the community to return to normal activities after flood events)</li> <li>Research stations</li> <li>Seniors living</li> <li>Telecommunication facilities and networks</li> </ul>	<ul style="list-style-type: none"> <li>Subdivision of land which involves the creation of new allotments, with potential for further development</li> </ul>	<ul style="list-style-type: none"> <li>Caravan parks – long term sites only</li> <li>Exhibition homes and villages</li> <li>Home business, Home occupations, Home-based child care</li> <li>Residential accommodation</li> <li>Tourist and visitor accommodation</li> <li>Additions or alterations to dwellings to create greater than 30m<sup>2</sup> additional habitable floor area</li> <li>Garages or outbuildings with a minimum floor area of 40m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>Air transport facilities</li> <li>Amusement centres</li> <li>Bulky goods premises</li> <li>Business premises</li> <li>Car parks</li> <li>Depots</li> <li>Entertainment facilities</li> <li>Freight transport facilities</li> <li>Function centres</li> <li>Funeral chapels</li> <li>Health services facilities (other than Hospitals)</li> <li>Highway service centres</li> <li>Industries</li> <li>Industry retail outlets</li> <li>Landscaping and garden supplies</li> <li>Nightclubs</li> <li>Office premises</li> <li>Passenger transport facilities</li> <li>Places of public entertainment</li> <li>Places of public worship</li> <li>Public administration buildings</li> <li>Registered clubs</li> <li>Restricted premises</li> <li>Retail premises</li> <li>Rural industries</li> <li>Rural supplies</li> <li>Service stations</li> <li>Sex services premises</li> <li>Storage premises</li> <li>Timber and building supplies</li> <li>Transport depots</li> <li>Vehicle body repair workshops</li> <li>Vehicle repair stations</li> <li>Vehicle sales or hire premises</li> </ul>	<ul style="list-style-type: none"> <li>Agriculture</li> <li>Environmental facilities</li> <li>Extractive industries</li> <li>Farm buildings</li> <li>Recreation areas and minor ancillary structures (e.g. toilet blocks or kiosks);</li> <li>Restriction facilities</li> <li>Roadside stalls</li> <li>Utility installations (other than critical utilities)</li> </ul>	<ul style="list-style-type: none"> <li>Caravan parks – short term sites only</li> <li>Recreation areas</li> <li>Recreation facilities</li> </ul>	<p><u>Residential accommodation:</u></p> <ul style="list-style-type: none"> <li>Additions and alterations to an existing dwelling up to 30m<sup>2</sup> of additional habitable floor area (once only). No structures are permitted in floodway</li> <li>Garages or outbuildings with maximum floor area of 40m<sup>2</sup> (medium risk) or 20m<sup>2</sup> (high risk)</li> <li>Redevelopment for the purposes of substantially reducing the extent of flood affectation to the existing building.</li> </ul> <p><u>All Other development:</u></p> <ul style="list-style-type: none"> <li>Additions or alterations to an existing building of not more than 20% of the floor area or 150m<sup>2</sup> whichever is the lesser (once only). No structures are permitted in floodway.</li> <li>Redevelopment for the purposes of substantially reducing the extent of flood affectation to the existing building</li> </ul>

**Note: the land uses described in this table are defined under Wollondilly Local Environmental Plan 2011**

	<p>Essential Community Facilities</p>	<ul style="list-style-type: none"> <li>• Community facilities and Information and education facilities which may provide an important contribution to the notification or evacuation of the community during flood events</li> <li>• Emergency services facilities</li> <li>• Hospitals</li> </ul>
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**Table B – Flood Risk Precinct Definitions**

**High Flood Risk Precinct**

In the absence of a detailed assessment with a Floodplain Risk Management Plan (that takes precedence over this definition), the following definition applies. The High Hazard Flood Risk Precinct has been defined as the area within the envelope of land subject to a high hydraulic hazard (as defined with the provisional criteria outlined in the Floodplain Development Manual and must be deemed to include the transition zone without a comprehensive study) in a 1% AEP (1in 100 year ARI) flood event.

**Medium Flood Risk Precinct**

In the absence of a detailed assessment with a Floodplain Risk Management Plan (that takes precedence over this definition), the following definition applies. The Medium Hazard Flood Risk Precinct has been defined as land below the 1:100 year ARI flood level plus 0.5m freeboard (Flood Planning Level) that is not within the High Flood Risk Precinct.

**Low Flood Risk Precinct**

In the absence of a detailed assessment with a Floodplain Risk Management Plan (that takes precedence over this definition), the following definition applies. The Low Hazard Flood Risk Precinct has has been defined as all other land within the floodplain (ie; within the extent of the Probable Maximum Flood or PMF) but not identified within either the High Flood Risk or the Medium Flood Risk Precinct where risk of damages are low for most land uses.

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**Table C – Controls** (Refer to Key to Table C)

Planning Consideration			Land Use Categories (Refer Table A)								
			Essential Community Facilities	Critical Utilities and Uses	Subdivision	Residential	Commercial/Industrial	Rural related Development	Recreation & Non-Urban	Concessional Development	
Flood Risk Precinct (Refer Definitions)	Low Risk	FL	Floor Level	FL5	FL5						
		BC	Building Components								
		SS	Structural Soundness	SS3	SS3						
		HY	Flood Affectation								
		EV	Evacuation								
		MD	Management & Design			MD3	MD3	MD3	MD3	MD3	MD3
	Medium Risk	FL	Floor Level	Unsuitable	Unsuitable		FL1 or FL4	FL2 or FL3	FL2 or FL3	FL1 and/or FL2	FL1 or FL2 or FL3 or FL4
		BC	Building Components	Unsuitable	Unsuitable		BC1	BC1	BC1	BC1	BC1
		SS	Structural Soundness	Unsuitable	Unsuitable	SS2	SS1 SS2	SS1 SS2	SS1 SS2	SS1 SS2	SS1 SS2
		HY	Flood Affectation	Unsuitable	Unsuitable	HY2 HY3 HY4 HY5	HY2 HY3 HY4 HY5	HY2 HY3 HY4 HY5	HY2 HY3 HY4 HY5	HY2 HY3 HY4 HY5	HY2 HY3 HY4 HY5
		EV	Evacuation	Unsuitable	Unsuitable		EV1 EV2	EV1 EV2	EV1 EV2	EV1 EV2	EV1 EV2
		MD	Management & Design	Unsuitable	Unsuitable	MD1					MD2
	High Risk	FL	Floor Level	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable	FL1 and/or FL2	FL1 or FL2 or FL3 or FL4
		BC	Building Components	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable	SS1	SS1
		SS	Structural Soundness	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable		
		HY	Flood Affectation	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable	HY1 HY2 HY6	HY1 HY2 HY6
		EV	Evacuation	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable		
		MD	Management & Design	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable	Unsuitable		MD2

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**Key to Table C – Controls**

FL Floor Level

- FL1 Any habitable floor of a permitted structure must not be less than the applicable Flood Planning Level. The submission of a surveyor's certificate must be required on forming up of the structure, certifying that floor is not less than the required level.
- FL2 The floor level of a permitted structure must give due consideration to the flood damages associated with over floor flooding and complete an economic analysis if a floor level below the flood planning level is proposed.
- FL3 Minor extensions may be permitted without raising floor levels, provided Council is satisfied that the cumulative effect of such extensions is not significant.
- FL4 Council may permit an existing dwelling to be extended at the level of the existing ground floor level, such extension to be not more than 30% of the area of the ground floor of the existing building on a once only basis
- FL5 The floor of any development must be above the Probable Maximum Flood Level. The submission of a surveyor's certificate must be required on forming up of the structure, certifying that floor is not less than the required level.

BC Building Components

- BC1 Any portion of a permitted structure below the Flood Planning Level must be constructed of flood compatible (flood damage resistant) materials.

SS Structural Soundness

- SS1 Any permitted structure (including foundations and support) must require information to be provided by a competent engineer indicating that the structure can withstand the likely conditions experienced during the 1% AEP Flood without suffering significant damage.
- SS2 Any permitted structure (including foundations and support) must require information to be provided by a competent engineer indicating that the structure can withstand the likely conditions experienced during the PMF without suffering Structural Failure.
- SS3 Any permitted structure (including foundations and support) must require information to be provided by a competent engineer indicating that the structure can withstand the likely conditions experienced during the PMF Flood without suffering significant damage.

HY Flood Affection

- HY1 Filling or otherwise obstructing floodways must not be permitted.
- HY2 Fencing must be compatible with the nature of flooding and be designed to pass flood flows during flood events up to the Flood Planning Level.
- HY3 Any permitted development must require adequate information to be provided by a competent engineer indicating that the proposed development will be unlikely to significantly increase the 5% AEP and 1% AEP flood levels or peak flood flow velocities on adjacent properties
- HY4 Any permitted filling of land in Floodway areas must require compensatory works such as excavated floodways to be provided to ensure that there is no adverse affect on flood levels.
- HY5 Subdivision of land in Floodway areas must not be permitted unless the applicant is able to demonstrate that a significantly better outcome in terms of flood risk is achieved.
- HY6 Council will only consider development in High Hazard Floodway areas that does not alter flood behaviour and is compatible with the high hazard rating.

EV Evacuation

- EV1 The applicant must satisfactorily demonstrate that permanent, fail-safe, maintenance-free measures are incorporated in the development to ensure the timely, orderly and safe evacuation of people in the event of a flood
- EV2 Development in High Hazard areas must be designed to allow easy evacuation.

MD Management and Design

MD1 Subdivision of land within the extent of the Designated Flood is undesirable, however, subdivision may be permitted provided the applicant demonstrates that the proposed subdivision:

- (a) Fully complies with all relevant provisions of this Policy
- (b) Contains permanent, maintenance-free and fail-safe provisions for evacuation such as continuously rising roads linking with high ground.
- (c) Does not incorporate proposals for high-risk land uses such as hospitals, nursing homes or aged accommodation.

MD2 A notation will be included on the development consent for non-habitable additions or alterations, outbuildings and swimming pools; stating that the land is subject to flooding and that the building may be inundated by flood waters from time to time.

MD3 Applicants proposing subdivision or rezoning will be required to satisfactorily demonstrate that their proposal minimises the flood hazard to occupants and provides for flood evacuation by measures such as roadways rising continuously towards high ground.

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## **PART 9 – Environmental protection**

### **9.1 Objectives**

1. To improve and maintain environmental outcomes for the areas mapped as natural resources biodiversity and natural resources water under Wollondilly Local Environmental Plan, 2011.
2. To improve and maintain environmental outcomes for unmapped areas of biodiversity and/or riparian value.
3. To maintain ~~strategic links to between identified~~ environmentally ~~sensitive areas~~ land and provide ~~wildlife habitat and riparian~~ corridors and ~~appropriate~~ buffer zones ~~adjacent to these areas~~.

### **9.2 Interpretation**

The following definitions are used in this part:

- Avoid** In the first instance the applicant must make all reasonable attempts to avoid any impact on environmentally sensitive land. This involves relocating the development or changing the design of the proposal to prevent any works associated with the development occurring within environmentally sensitive areas.
- Minimise** Where it is not possible to “avoid” any areas of environmentally sensitive land, every attempt shall be made to “minimise impacts”. In this part minimise means designing and constructing the development so that any impact on environmentally sensitive land is of a minor scale and significance only.
- Mitigate** Where it is not possible to “avoid” or “minimise” any impact on environmentally sensitive land, any impacts must be “mitigated”. In this part “mitigate” means taking all reasonable steps to relieve any impacts associated with works in environmentally sensitive land such as rehabilitation or re-establishment of affected areas.

#### **Native Vegetation**

Means any of the following types of indigenous vegetation:

- (a) trees (including any sapling or shrub, or any shrub);
- (b) understorey plants;
- (c) groundcover (being any type of herbaceous vegetation);
- (d) plants occurring in a wetland.

Vegetation is indigenous if it is a species of vegetation, or if it comprises species of vegetation, that existed in the state before European settlement.

### **9.3 Controls**

1. ~~Development carried out on areas mapped as ‘sensitive land’ on the Natural Resources – Biodiversity Map and the Natural Resources Water Map under Wollondilly Local Environmental Plan, 2011, shall not be cleared or otherwise disturbed unless the impacts are offset through bio banking or a similar environmental conservation arrangement shall occur so as to either avoid, minimise or mitigate any adverse impact as detailed in Clause 7.2 and 7.3 of Wollondilly Local Environmental Plan 2011.~~

2. If a development is not able to avoid, minimise or mitigate an adverse impact on sensitive land mapped on the Natural Resources Biodiversity Map, the vegetation shall not be cleared or otherwise disturbed unless the impacts are offset through biobanking or a similar conservation arrangement.
3. The consent authority shall not grant consent to any development that would result in the clearing or other disturbance of an environmental asset unless it is satisfied that any adverse impacts will be offset through bio banking or a similar environmental conservation arrangement.
4. ~~In determining an application to clear land within an environmental landscape the consent authority must be satisfied that the total development will not have a net adverse impact on the visual character of that landscape.~~
5. ~~Watercourses mapped in the Natural Resources – Water map under Wollondilly Local Environmental Plan, 2011, shall not be cleared or otherwise disturbed but will be retained in the long term for environmental purposes.~~
6. Any development application a site that includes sensitive land For watercourses mapped that is identified on the Natural Resources – Water map under Wollondilly Local Environmental Plan, 2011 with a riparian buffer distance, ~~the application~~ must include an accurate survey of riparian buffer distances to determine the exact location of the buffer which is to be measured from the top of bank of each side of the watercourse. It should be noted that the LEP maps are indicative and based on watercourse centre lines. These maps do not identify the location of the top of banks of watercourses as it is not the intent of the map to show this and the position of watercourse centre lines shown is only approximate. The map seeks to identify what buffer distance is to be applied to each watercourse and not the special extent of that buffer on the ground.
7. All stormwater generated from any development shall be treated to an acceptable standard to maintain water quality. In determining the “acceptable standard” the consent authority shall be mindful of the relevant guidelines of the State and Federal Governments. This treatment must be undertaken upstream outside any areas mapped as sensitive land under the Natural Resources – Water map under Wollondilly Local Environmental Plan, 2011.
8. Nothing in this section prevents minor works on environmental land for the purposes of providing infrastructure.
9. Where a development is proposed on sites which do not contain areas mapped on the Natural Resources Water or Natural Resources Biodiversity maps and contain native vegetation, the development shall be located in accordance with the following (in order of preference):
  - i) on cleared parts of the site wherever possible; or
  - ii) in locations where the least amount of vegetation removal would be required (e.g. close to roads) if the development is not able to be located wholly in a cleared area; or
  - iii) If the development is not able to be located wholly in a cleared area, then the development should be located on parts of the site in which the vegetation is determined as being of the least significance and recovery potential.

This includes consideration of vegetation removal for any main buildings, ancillary buildings, asset protection zones, effluent disposal areas and access driveways that may be required for the development.

10. In cases where native vegetation removal is required a flora and fauna report from an appropriately qualified ecologist may be required to satisfy compliance with any of the controls listed above.

**Note:** Compliance with the above controls does not guarantee that consent would be granted for the development; the requirements of the *Threatened Species Act, 1995*, *Native Vegetation Act, 2003* and the *Environmental Protection and Biodiversity Conservation Act, 1999* would need to be satisfied if approval is required under those acts of legislation.

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## **PART 10 – Tree removal**

### **10.1 Objectives**

~~To provide detail for the application of Clauses 5.9 and 5.9AA of Wollondilly Local Environmental Plan and to achieve the objectives of that these clauses~~

The objectives of this part are as follows:

1. Identify trees and other native vegetation for the purpose of clause 5.9(3) of Wollondilly Local Environmental Plan 2011 which states the following:

*“(3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:*

- (a) development consent; or*
- (b) a permit granted by the Council”*

2. Identify trees and other native vegetation that:

- may be removed without a permit or development consent
- may be removed with a permit
- may be removed only with development consent

### **10.2 Interpretation**

In this section a reference to removing a tree is a reference to the full range of activities described in Clause 5.9 (3) of Wollondilly Local Environmental Plan, 2011. That is, the ringbarking, cutting down, topping, lopping, removing, injuring or wilfully destroying of any tree.

In this section Native Vegetation

Means any of the following types of indigenous vegetation:

- (a) trees (including any sapling or shrub, or any shrub);
- (b) understorey plants;
- (c) groundcover (being any type of herbaceous vegetation);
- (d) plants occurring in a wetland.

Vegetation is indigenous if it is a species of vegetation, or if it comprises species of vegetation, that existed in the state before European settlement.

In this section a tree is considered to be a tree or shrub which meets one of the following:

- a) is greater than 3 metres in height; or
- b) has a circumference of 450mm at 1 metre above ground level; or

c) has a branch span of greater than 3 metres.

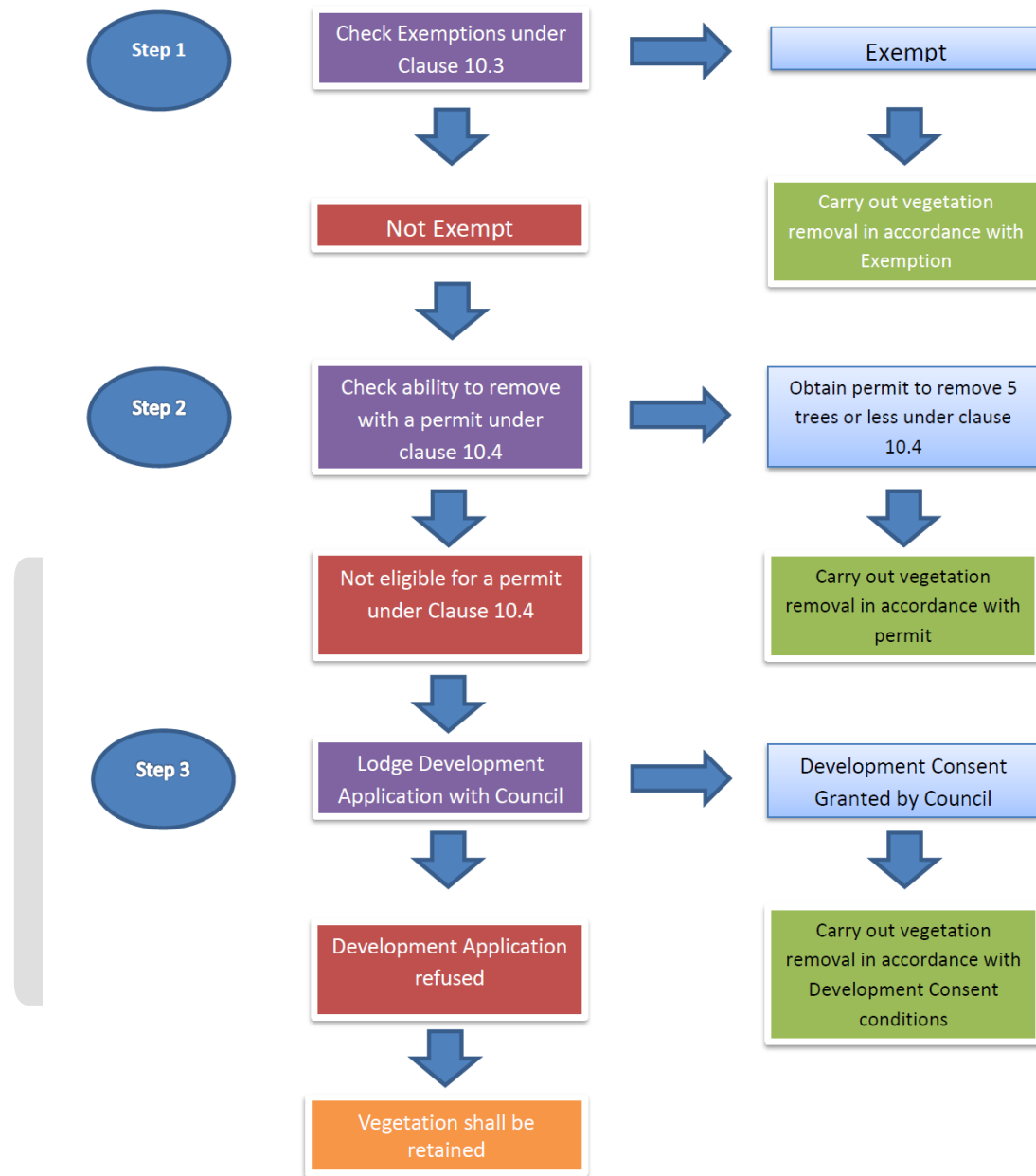
In this section a Development Consent refers to a consent that is issued by Council under the Environmental Planning and Assessment Act, 1979 authorising the removal of more than five trees or 50m<sup>2</sup> of other native vegetation. A Complying Development Certificate is NOT taken to be a development consent.

In this section a Permit refers to a permit that is issued by Council that authorises the removal of 5 trees or less, or no more than 50m<sup>2</sup> of other native vegetation.

In this section Exempt Tree/Vegetation Removal refers to native vegetation that may be removed without the need for a permit or development consent (or any other approval from Council).

Applicants should refer to the flowchart below in determining the necessary approvals required:

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**10.3 Trees/other native vegetation that may be removed without consent and without a permit (i.e. exempt)**

1. ~~A tree may be removed without development consent if it meets the requirements of Wollondilly Local Environmental Plan, 2011, and any one of the exemptions below:~~

Any of the following tree removal activities may be carried out without the need to obtain either tree removal permit or development consent from Council:

1. Removal of a tree or other vegetation species that is a declared noxious weed by the NSW Government under the *Noxious Weeds Act, 1993* or that is a species of tree identified below, regardless of size (unless the tree is listed as a heritage item):

1. African Olive (*Olea europaea*)

2. Bamboo (*Phyllostachys spp. bambusa spp, Aundanaria*)
3. Black locust (*Robinia pseudoacacia spp*)
4. Box Elder (*Acer negundo*)
5. Camphor Laurel <20 metres in height only (*Cinnamomum camphora*)
6. Canary Island Date Palm (*Phoenix canariensis*)
7. Cassia (*Senna pendula*)
8. Chinese Celtis (*Celtis sinensis*)
9. Cocos palm/queen palm (*Syagrus romanzoffiana*)
10. Leighton's green Pine (*Cupressocyparis x leylandii*)
11. Cootamundra wattle (*Acacia baileyana*)
12. Coral Tree (*Erythrina x sykesii*)
13. Cotoneaster (*Cotoneaster spp.*)
14. Date Palm (*Phoenix dactylifera*)
15. Evergreen Alder (*Alnus jorulensis*)
16. Evergreen Ash (*Fraxinus griffithii*)
17. Golden wreath wattle (*Acacia saligna*)
18. Honey Locust (*Gleditsia triacanthos*)
19. Ice cream bean (*Inga edulis*)
20. Privet (*Ligustrum spp*)
21. Oleander (*Nerium oleander*)
22. Peppercorn (*Schinus spp*)
23. Radiata Pine <20 metres in height only (*Pinus Radiata*)
24. Poplar <20 metres in height only (*Populus spp.*)
25. Queensland Silver Wattle (*Acacia podalyriifolia*)
26. Rhus (*Toxicodendron succedaneum*)
27. Rubber Tree (*Ficus elastica*)
28. Silky Oak (*Grevillea robusta*)
29. Slash Pine (*Pinus elliotii*)
30. Sweet Pittosporum (*Pittosporum undulatum*)
31. Tree Lucern (*Tagasaste Chamaecytisus palmensis*)
32. Tree of Heaven (*Ailanthus altissima*)
33. Umbrella Tree (*Schefflera actinophylla*)
34. Wild Tobacco Tree (*Solanum mauritianum*)
35. Willow (*Salix spp.*)
36. Yellow Bells (*Tecoma stans*).

- ~~a) The tree is of a species that is a declared noxious weed by the NSW Government.~~
- ~~b) The tree is located within 3 metres of an existing lawfully constructed building or access driveway.~~
- ~~c) The tree is located within 3 metres of a building or access driveway authorised by a development consent. For the purposes of this exemption a complying development certificate is NOT a development consent.~~
- ~~d) The tree is less than 1m tall.~~

2. Removal of a tree or other form of native vegetation that is located within 3 metres of an existing lawfully constructed building or access driveway. (In this control a tree is to be measured from the external part of the trunk of the tree to the building).
3. Removal of a tree or other form of native vegetation that is located within 3 metres of a building or access driveway authorised by a development consent. (In this control a tree is to be measured from the external part of the trunk of the tree to the building). For the purposes of this exemption a complying development certificate is NOT a development consent.

4. Removal of any tree or other form of native vegetation that Council is satisfied is dying or dead and is not required as the habitat of native fauna. The owner of the land (or persons acting on their behalf) on which the tree or vegetation exists must provide to Council written justification, including photographs, from an arborist or other suitably qualified person. Works must not be undertaken until Council has provided written advice that it is satisfied that the tree or vegetation is dying or dead.
5. Removal of a tree or other form of native vegetation that Council is satisfied is a significant imminent risk to human life or property. Works must not be undertaken until Council has provided written advice that it is satisfied that the tree or vegetation poses an immediate danger to people or property.
6. Removal of a tree or other form of native vegetation being carried out under the following legislation:
  - a) Action required, or authorised to be carried out under the *Electricity Supply Act 1995*, the *Roads Act, 1993* or the *Surveying and Spatial Information Act 2002*.
  - b) The Clearing of Native Vegetation that is authorised by a development consent or a Property Vegetation Plan under the *Native Vegetation Act, 2003*.
  - c) Functions as required to protect persons from dangers to their safety and health, and to protect property from destruction or damage, arising from floods and storms under the *State Emergency Services Act, 1989*.
  - d) Tree works for which an order or permit has been issued by the NSW Rural Fire Services under the *Rural Fires Act, 1997*.
  - e) Any tree removal authorised for removal from the NSW Rural Fire Service 10/50 Vegetation Clearing Code of Practice for NSW.
  - f) Removal carried out in accordance with a license, permit, authority or approval under the *Water Act, 1912* or the *Water Management Act, 2000*.
  - g) Removal for the purpose of the construction, operation and maintenance of infrastructure by Water NSW in the exercise of its land management activities within SP2 zones, including roads, tracks, viewing platforms, signs and recreation facilities.
  - h) Trees on Crown Lands within the meaning of the *Crown Lands Act, 1993* or on crown public roads within the meaning of the *Roads Act, 1993*, where removal is being undertaken or authorised by the Department of Lands.
  - i) Any clearing carried out in accordance with an order under the *Trees (Disputes between Neighbours) Act, 2006* or other like Neighbourhood Dispute legislation.
7. Trees or other form of vegetation to be pruned as part of routine pruning of fruit trees, or commercial horticulture or forestry operations.
8. Amenity Pruning within Australian Standards.
2. ~~For the purposes of Clauses 5.9 and 5.9AA the trees referred to in Clause 8.3 (1) of this volume are not prescribed for the purposes of Clause 5.9. All other trees are prescribed for the purposes of Clause 5.9.~~



**10.4 ~~Trees/other native vegetation that may be removed only with a permit without development consent but require a permit~~**

~~In addition to the requirements of Clause 5.9 of Wollondilly Local Environmental Plan 2011, the Council may only issue a permit for the removal of trees if the proposed tree removal meets any one of the descriptions below:~~

- ~~a. If it is located within a R2, R3, B1, B2 or B4 zone:
  - ~~i. No more than 5 trees are proposed for removal; and~~
  - ~~ii. The tree(s) is/are not located within a Natural Resources Biodiversity Area.~~~~
- ~~b. If it is located within a IN1, IN2, RU1, RU2, RU4 zone:
  - ~~i. No more than 5 trees are proposed for removal; and~~
  - ~~ii. The tree(s) is/are not located within a Natural Resources Biodiversity Area; and~~
  - ~~iii. The tree(s) is/are not located within 100m of an existing stand of native vegetation covering more than 5,000m<sup>2</sup> of land.~~~~
- ~~c. If it is located within an Asset Protection Zone and the Council is satisfied that the removal of the tree is the most reasonable way to achieve technical compliance with the guidelines issued by the NSW Rural Fire Service.~~

1. The Council may issue a permit for the removal of no more than 5 trees provided that:
  - a) The tree does not form part of a heritage is within a heritage conservation area, or that forms part of an aboriginal object or that is within an aboriginal place of heritage significance; and
  - b) The retention of the tree is not required by a development consent condition or a section 88B restriction as to user that prohibits tree clearing or removal of the tree in question; and
  - c) The tree has not been identified as containing tree hollows or significant habitat or food source; and
  - d) The tree is not located within a Natural Resources Biodiversity Area or that is within the Natural Resources – Water layer under clauses 7.2 and 7.3 of Wollondilly Local Environmental Plan 2011; and
  - e) Must not form part of a vegetation community which has been identified as an endangered ecological community or threatened ecological community under any Act of legislation.
  - f) Council has not issued a permit to remove trees or other native vegetation under this clause in the previous 2 years for the subject property.
2. The Council may issue a permit for the removal of no greater than 50m<sup>2</sup> of native vegetation (other than a tree) under this section provided that no permit to remove trees or other native vegetation under this section has been issued in the previous 2 years for the subject property.

Note: Council has the ability to refuse a permit for the removal of no greater than 50m<sup>2</sup> of native vegetation if the vegetation is affected by controls 1(a) to 1(f) above and Council

considers that greater assessment is required. In this regard a development application is required for the vegetation removal.

**10.5 Trees/other native vegetation that may be removed only with development consent**

~~Any tree not covered by Clauses 8.3 or 8.4 of this volume may be removed only with development consent.~~

1. Any tree or other native vegetation removal which cannot be carried out as exempt development under clause 10.3 of this volume or by obtaining a permit under clause 10.4 of this volume may only be removed with development consent.

**Note:** In cases where the tree and/or native vegetation removal is required in association with a development requiring consent under Part 4 of the *Environmental Planning and Assessment Act, 1979*, the removal of vegetation will also require consent and may require assessment under part 5A of the Act.

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**PART 11 – Landscaping**
**11.1 Objectives**

1. To encourage the planting of endemic species in landscaping.
2. To reduce the **risk impact** of landscaping on the environmental, infrastructure and human safety.
3. To create a landscape character that is defined by native vegetation and not introduced species.

**11.2 Recommended Species**

Tabulated below are the recommended plant species for the various localities in the Shire.

**Table 1: Recommended Groundcover and Small Shrub Species (under 1 metre) for the Shire**

Botanic name	Common Name	Comments
<i>Acacia myrtifolia</i>	Myrtle Wattle	Most well drained soils
<i>Clematis glycinoides</i>	Old Man's Beard	Well drained soils
<i>Dillwynia retorta</i>	Healthy Parrot Pea	Sandy and clay soils
<i>Hardenbergia violaceae</i>	Purple Twining-pea	sandy, clay and rocky soils
<i>Indigophora australis</i>	Native Indigo	Grows on shale and rocky slopes
<i>Kennedia rubicunda</i>	Dusky Coral Pea	Tolerates dry conditions
<i>Lomandra logifolia</i>	Spiny-head Mat Rush	Requires moist soil
<i>Patersonia sericea</i>	Silky Purple Flag	Sandy soils
<i>Pimelia linifolia</i>	Rice Flower	Tolerates dry soils
<i>Rubus parvifolius</i>	Native Raspberry	Very hardy, most soils
<i>Stypantra glauca</i>	Nodding Blue Lily	Most soils, good drainage
<i>Viola hederaceae</i>	Native Violet	Needs moist soil

**Table 2: Recommended Shrub Species (1 to 5 metres) for the Shire**

Botanic name	Common Name	Comments
<i>Acacia binervata</i>	Two-veined Hickory	Favours moist sites
<i>Acacia floribunda</i>	White Sallow or Sally Wattle	Sandy alluvial soil
<i>Acacia linifolia</i>	Flax-leaved Wattle	Sandy, clay soils
<i>Acacia longifolia</i>	Sydney Golden Wattle	Sandy soils
<i>Acacia terminalis</i>	Sunshine Wattle	Well drained soils
<i>Banksia serrata</i>	Old Man Banksia	Prefers sandy, well drained soil
<i>Banksia spinolosa</i>	Hairpin Banksia	Light to moderately heavy soils
<i>Bursaria spinosa</i>	Blackthorn	Dry to wet sclerophyll forest
<i>Callistemon salignus</i>	Willow Bottlebrush	Tolerates wet conditions
<i>Grevillea mucronulata</i>	Green Spider-flower	Sandy to clay soils
<i>Grevillea sericea</i>	Pink Spider-flower	Sandy soils
<i>Hakea dactyloides</i>	Finger Hakea	Mostly sandy soils
<i>Kunzea ambigua</i>	Tick Bush	Well drained soils
<i>Leptospermum polygalifolium</i>	Yellow Tea-tree	Frost hardy, well drained soils
<i>Ozothamnus diosmifolius</i>	Everlasting Paper Daisy	Variety of soils
<i>Persoonia levis</i>	Broad-leaf Geebung	Well drained soils
<i>Persoonia pinifolia</i>	Pine-leaf Geebung	Hardy, most well drained soils

**Table 3: Additional Shrub Species: Oakdale, Werombi and Theresa Park area**

Botanic name	Common Name	Comments
<i>Callistemon citrinus</i>	Crimson Bottlebrush	Most soils
<i>Dodonaea triquetra</i>	Common Hop bush	Well drained sandy soils
<i>Hakea sericea</i>	Silky Hakea	Well drained soils

**Table 4: Additional Shrub Species: Douglas Park, Wilton and Appin area**

Botanic name	Common Name	Comments
<i>Hakea sericea</i>	Silky Hakea	Well drained soils

**Recommended Tree Species by locality**
**Table 5: Southern Area: Bargo, Buxton, Tahmoor and Thirlmere:**

Botanic name	Common Name	Comments
<i>Acacia elata</i>	Cedar Wattle	Sand, loam or clay soils
<i>Acacia mearnsii</i>	Black Wattle	Does not tolerate dry or poor soils
<i>Angophora floribunda</i>	Rough-barked Apple	Tolerates most soil types
<i>Angophora subvelutina</i>	Broad-leaved Apple	Woodland tree
<i>Casuarina cunninghamiana</i>	River She-oak	Will survive heavy clay or sandy soils
<i>Allocasuarina littoralis</i>	Black She-oak	Woodland tree
<i>Eucalyptus baueriana</i>	Blue Box	Prefers well drained soil
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark	Shallow and sandy soils
<i>Eucalyptus globoidea</i>	White Stringybark	Well watered sandy or alluvial soils
<i>Eucalyptus haemastoma</i>	Scribbly Gum	Skeletal sandstone soils
<i>Eucalyptus moluccana</i>	Grey Box	Loamy soils
<i>Eucalyptus punctata</i>	Grey Gum	Soils of low to medium fertility
<i>Eucalyptus tereticornis</i>	Forest Red Gum	Soils of medium to high fertility
<i>Eucalyptus viminalis</i>	Ribbon or Manna Gum	Fertile loamy soils
<i>Melaleuca lineariifolia</i>	'Snow in summer'	Very hardy, clay or shale soils
<i>Melaleuca styphelioides</i>	Prickly leaved Paperbark	Drought tolerant, sandstone and shale soils

**Table 6: Central Area: Douglas Park, Appin, Wilton, Picton, The Oaks, Razorback, Mt Hunter Cawdor and Menangle**

Botanic name	Common Name	Comments
<i>Acacia decurrens</i>	Sydney Green Wattle	Heavy soils
<i>Acacia elata</i>	Cedar Wattle	Sand, loam or clay soils
<i>Acacia mearnsii</i>	Black Wattle	Does not tolerate dry or poor soils
<i>Acacia parramattensis</i>	Parramatta Wattle	Very frost hardy
<i>Angophora floribunda</i>	Rough-barked Apple	Tolerates most soil types
<i>Angophora subvelutina</i>	Broad-leaved Apple	Woodland tree
<i>Brachyciton populneus</i>	Bottle tree	Needs good drainage
<i>Casuarina cunninghamiana</i>	River She-oak	Will survive heavy clay or sandy soils
<i>Allocasuarina littoralis</i>	Black She-oak	Woodland tree
<i>Eucalyptus amplifolia</i>	Cabbage Gum	Loamy soils
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark	Shallow and sandy soils
<i>Eucalyptus eugenoides</i>	Thin-leaved Stringybark	Clay soils

<i>Eucalyptus globoidea</i>	White Stringybark	Well watered sandy or alluvial soils
<i>Eucalyptus haemastoma</i>	Scribbly Gum	Skeletal sandstone soils
<i>Eucalyptus maculata</i>	Spotted Gum	Sandy and clay soils
<i>Eucalyptus moluccana</i>	Grey Box	Loamy soils
<i>Eucalyptus punctata</i>	Grey Gum	Soils of low to medium fertility
<i>Eucalyptus tereticornis</i>	Forest Red Gum	Soils of medium to high fertility
<i>Melaleuca linearifolia</i>	'Snow in summer'	Very hardy, clay or shale soils
<i>Melaleuca stypheloides</i>	Prickly-leaved Paperbark	Drought tolerant, sandstone and shale soils

**Table 7: Northern Area: Oakdale, Werombi, Theresa Park, Warragamba and Silverdale**

Botanic name	Common Name	Comments
<i>Acacia parramattensis</i>	Parramatta Wattle	Very frost hardy
<i>Angophora costata</i>	Smooth-barked Apple	Sandy soils
<i>Callitris rhomboidea</i>	Port Jackson Pine	Drought tolerant
<i>Allocasuarina torulosa</i>	Forest Oak	Well drained soils
<i>Eucalyptus creba</i>	Narrow-leaved Ironbark	Shallow and sandy soils
<i>Eucalyptus eximia</i>	Yellow Bloodwood	Drought tolerant
<i>Eucalyptus longifolia</i>	Woollybutt	Heavy moist soils
<i>Eucalyptus maculata</i>	Spotted Gum	Sandy and clay soils
<i>Eucalyptus moluccana</i>	Grey Box	Loamy soils
<i>Eucalyptus pilularis</i>	Blackbutt	Clay and sandy soils
<i>Eucalyptus punctata</i>	Grey Gum	Soils of low to medium fertility
<i>Eucalyptus tereticornis</i>	Forest Red Gum	Soils of medium to high fertility
<i>Melaleuca linariifolia</i>	'Snow in summer'	Very hardy, clay or shale soils
<i>Melaleuca linearifolia</i>	'Snow in summer'	Very hardy, clay or shale soils
<i>Syncarpia glomulifera</i>	Turpentine	Most soils

### 11.3 Banned Species

The following species are not to be used in landscaping within Wollondilly:

- Conifers,
- Species specified in Clause 10.3(1)(a) of this volume,
- Species identified as Noxious Weeds under the Noxious Weeds Act,
- Species identified as a weed under any adopted policy of Council.

### 11.4 Street Trees

Street tree planting must comply with the Council's Tree Risk Management Plan.

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## **PART 12 – Signage**

### **12.1 Objectives**

1. To provide controls for the implementation of the Advertising structures in commercial or industrial zones section of Schedule 2 of Wollondilly Local Environmental Plan, 2011.
2. To ensure signage that is exempt development does not have adverse impacts on traffic safety and pedestrian amenity.
3. To ensure ~~exempt~~ signage that is carried out as exempt development does not significantly detract from the amenity of the commercial and industrial built environments.

### **12.2 Signage as exempt development**

1. To be an exempt advertising structures under Schedule 2 of Wollondilly Local Environmental Plan, 2011, the structure must:
  - a. Not be located within a road reserve; and
  - b. Be a fixed sign; and
  - c. In the case of a sign attached to a building have no part of the sign higher than the part of the building on which it is attached; and
  - d. Not be located within 100m of a heritage item or a heritage conservation area
  - e. No be located within 100m of a classified road; and
  - f. Be designed and installed in accordance with the requirements of a professional engineer; and
  - g. Not be used for the promotion or advertising of any product or business other than a business operation from the site on which the structure is located; and
  - h. Not be used for the promotion or advertising of any sex services premises, brothel or restricted premises; and
  - i. Be the one and only advertising structure on the lot constructed as exempt development under this schedule.

# Development Control Plan 2015

Volume 2 – Urban Release Areas



**Wollondilly**  
Shire Council

**Table of Contents**

**TABLE OF CONTENTS**..... 2

**PART 1 – PRELIMINARY** ..... 3

    1.1 Introduction ..... 3

    1.2 Objectives ..... 3

    1.3 Parts of this DCP-Volume..... 3

**PART 2 – URBAN RELEASE AREAS** ..... 4

    2.1 Wilton Park, Wilton (Bingara Gorge) ..... 4

    2.2 Marsh Road, Silverdale (Former Lion Safari Park) ..... 16

    2.3 Picton, Tahmoor, Thirlmere New Urban Lands (PTT)..... 20

    2.4 Land Between Picton Tahmoor and Thirlmere (commonly known as PTTAG) ..... 22

    2.5 Clearview (664, 740 and 760 Thirlmere Way and 25 Star Street, Picton) ..... 23

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**PART 1 – PRELIMINARY**

**1.1 Introduction**

Clause 6.3 of Wollondilly Local Environmental Plan requires a development control plan to address certain matters prior to the grant of development consent for ~~a range of developments for the development of land within an Urban Release Area~~. This volume details how this Development Control Plan satisfies the requirements of this clause across its volumes.

**1.2 Objectives**

1. To satisfy the requirements of Clause 6.3 of Wollondilly Local Environmental Plan.
2. To achieve the objectives of Clause 6.3 of Wollondilly Local Environmental Plan.

**1.3 Parts of this ~~DCP~~ Volume**

This ~~DCP~~ volume has two parts. The first being this introductory part and the second being the provisions relating to each Urban Release Area.

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**PART 2 – Urban Release Areas**

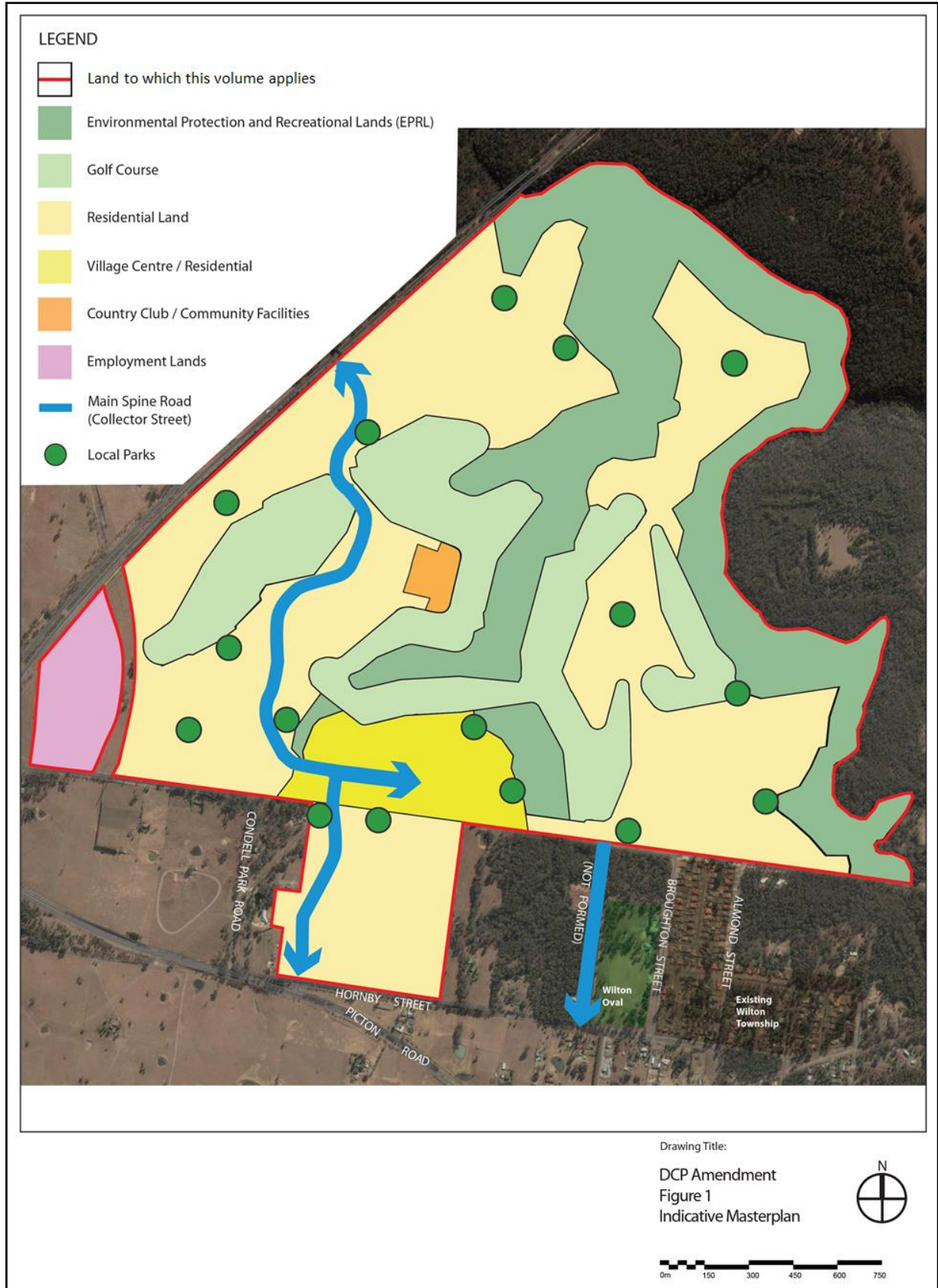
**2.1 Wilton Park, Wilton (Bingara Gorge)**

**Objectives**

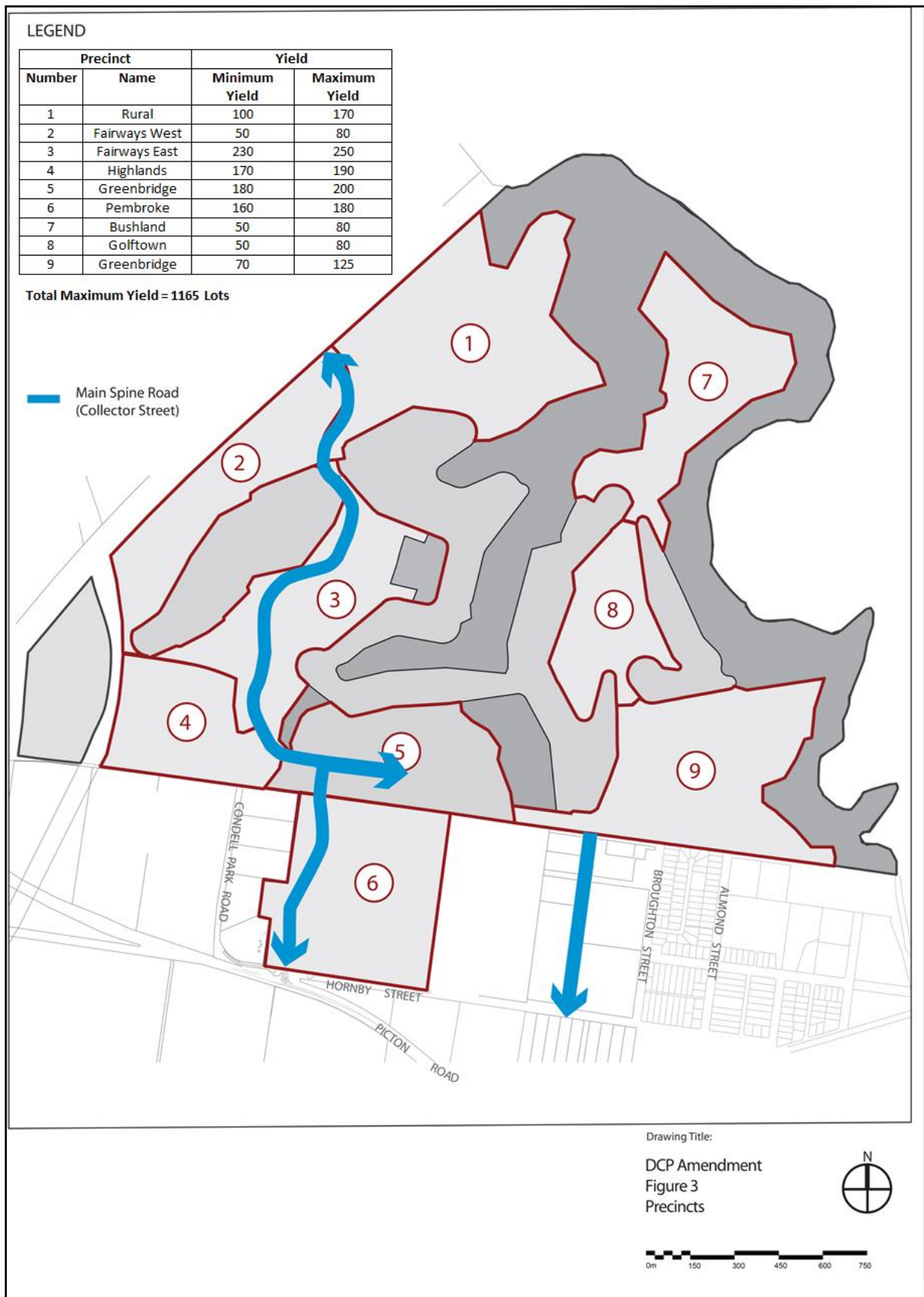
1. To minimise the risk to life, property and amenity as the result of underground mining activities (including aboveground supporting infrastructure).
2. To minimise the risk to life, property and amenity as the result of the underground gas pipeline that runs through the site.
3. To ensure development of this precinct has regard for the landscape features of the site and its surrounds.
4. To ensure the density of development is controlled so that suitable infrastructure can be provided in earlier stages of the development.
5. To limit the overall density of development to ensure that:
  - a) The precinct is developed in line with community expectations
  - b) The development does not compromise or overwhelm regional infrastructure
  - c) The development does not prematurely change the nature of the broader locality prior to master planning for the Wilton Junction Investigation Area being finalised and approved by the NSW Government.
6. To ensure a consistent road network through the urban release area.
7. To promote connectivity with the existing Wilton Village.
8. To improve pedestrian access and connectivity between housing, open space networks, community facilities, public transport, local activity centres and schools.

**Maps**

Map 1: Master Plan



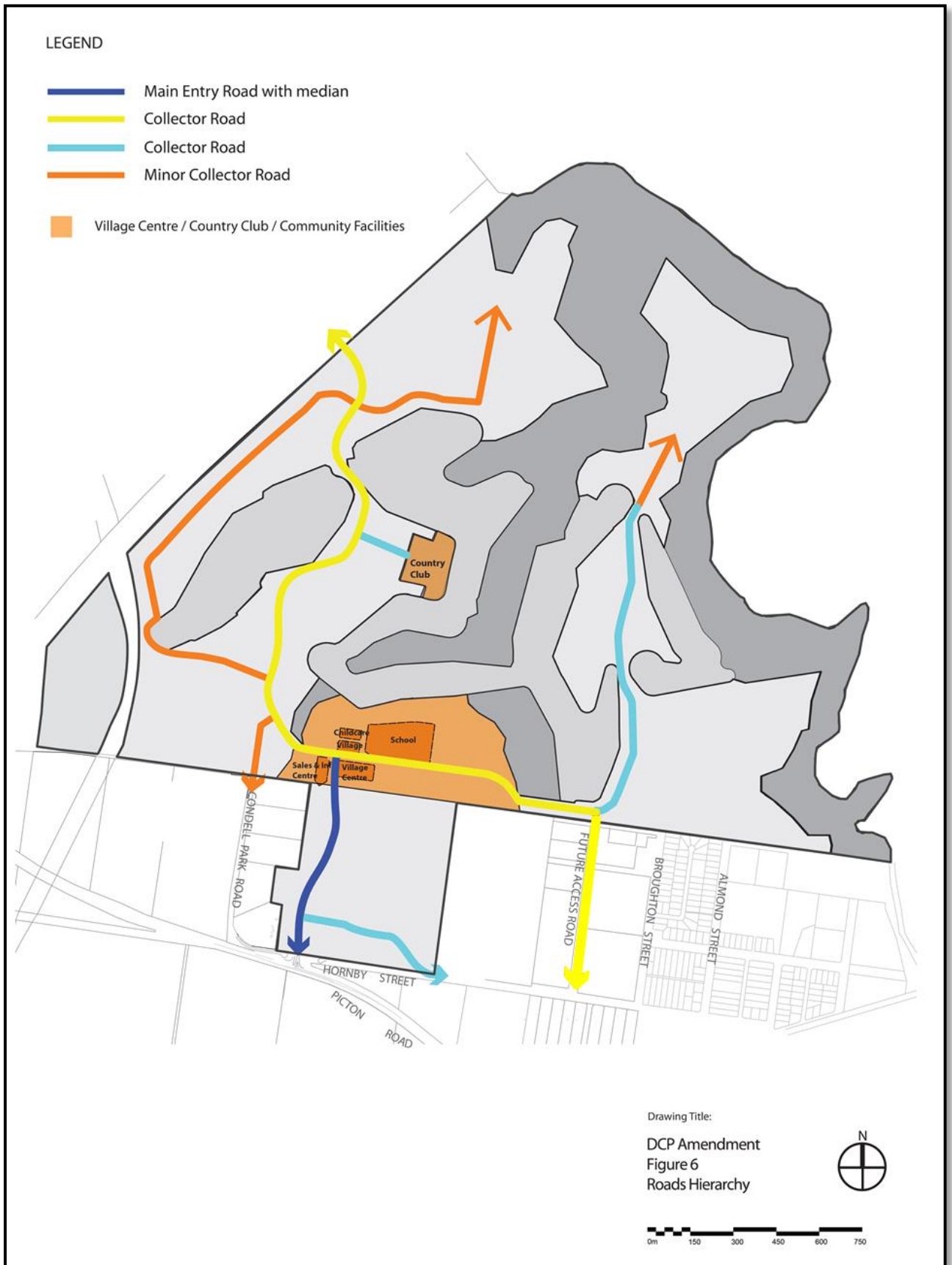
Map 2: Precinct Allotment Allocation



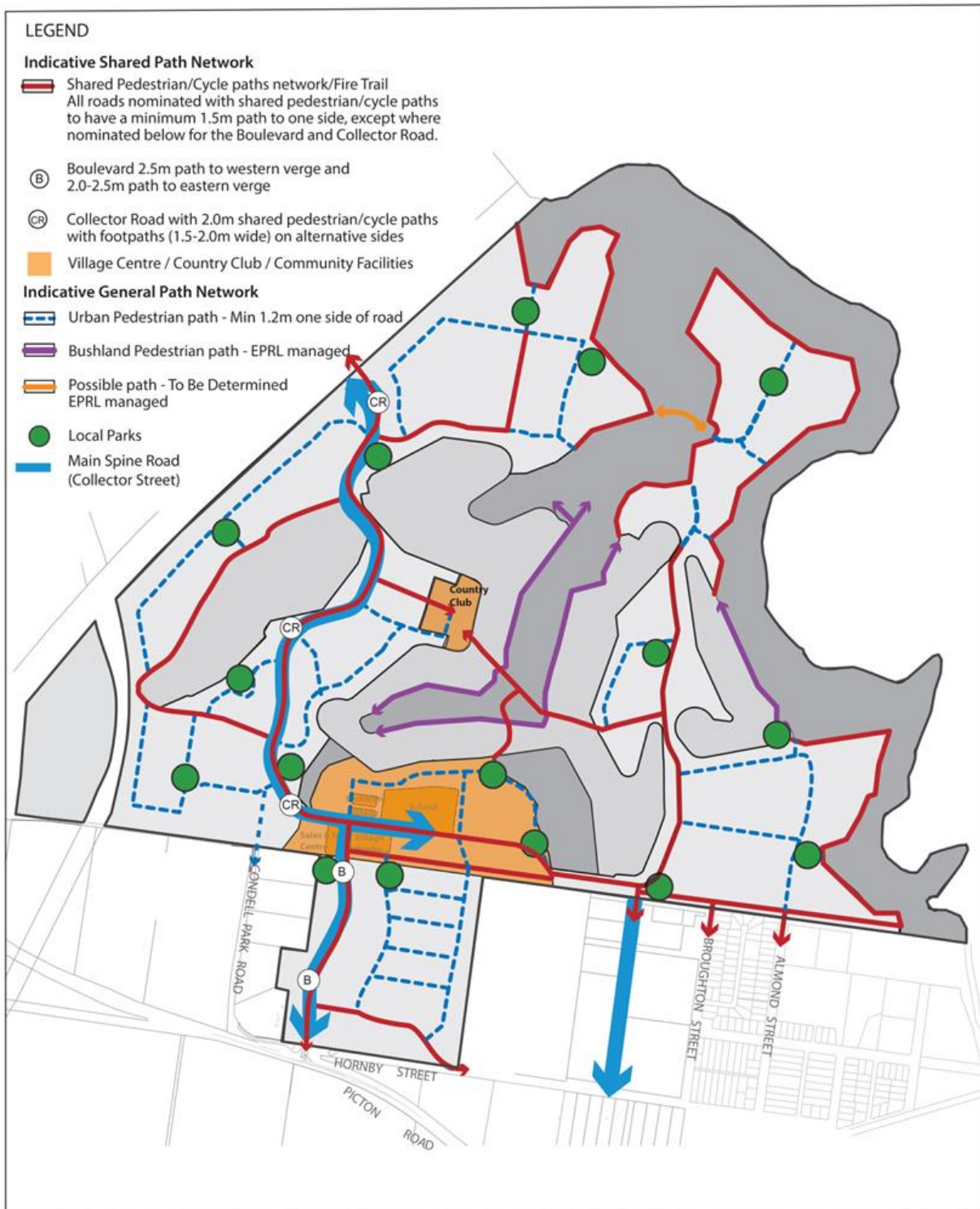
Map 3: Mining Infrastructure



Map 4: Road Hierarchy-Delete Map



Map 5: Cycleways and Pedestrian Linkages



Drawing Title:

DCP Amendment  
Figure 4  
Indicative Paths Network



0m 150 300 450 600 750

## Controls

1. The development is to be generally undertaken in accordance with Map 1: Master Plan.
2. Prior to determining any application for subdivision the consent authority must be satisfied that the ultimate development of each precinct ~~identified in~~ is carried out in accordance with the lot yields identified in Map 2: Precinct Allotment Allocation will ultimately result in a number of residential lots that is between the maximum and minimum yields (inclusive) tabulated on that map.
3. Prior to determining any application for subdivision the consent authority must be satisfied that the ultimate development of this Urban Release Area will not result in more than 1165 residential lots.
4. In controls 2 and 3 a **residential lot** means any lot that is intended to contain one or more dwellings.
5. The consent authority must have regard to the impact of a development on the potential future mining of the site prior to granting consent for that development. It must not grant such a consent unless it is satisfied that the surface development will not unreasonably impact on potential future or current underground mining.
- ~~6. Collector roads shall be provided within the urban release area in accordance with Map 4: Road Hierarchy. The following specifications apply as minimum standards for roads identified on that map:~~

Road Category	Colour on Map	Design Speed (km/h)	Reserve Width (m)	Road Profile* (m)	Other Requirements
A1	Dark Blue	50	32	<del>6.5-6-7-6-6.5</del>	
A2	Yellow	50	22	<del>5.5-11-5.5</del>	<del>Principal circulation roads. Geometry in accordance with the state deed. Footpaths on both sides of the street. Cyclists to be accommodated off carriageway.</del>
A3	Light Blue	50	19	<del>3.5-11-4.5</del>	<del>Principal circulation roads. Geometry in excess of that of minor collector road in accordance with AMCORD. Footpaths on both sides of the street. Cyclists to be accommodated off carriageway.</del>
A4	Orange	50	16	<del>4-8-4</del>	<del>Principal circulation roads.</del>



					<p><del>Geometry in excess of that of minor collector road in accordance with AMCORD.</del></p> <p><del>Footpaths on both sides of the street.</del></p> <p><del>Cyclists must be accommodated either on or off the carriageway.</del></p>
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\* underlined numbers are road pavement.

~~7. Roads not specified in control 5-6 shall be provided within the urban release area in accordance the following specifications based on road type and the vehicle movements expected if developed to maximum capacity as detailed on Map 2: Precinct Allotment Allocation:~~

<b>Road Category</b>	<b>Traffic Volume (veh/day)</b>	<b>Design Speed (km/h)</b>	<b>Reserve Width (m)</b>	<b>Road Profile* (m)</b>	<b>Other Requirements</b>
A2	>3000	50	22	5.5- <u>11</u> -5.5	<p><del>Principal circulation roads.</del></p> <p><del>Geometry in accordance with the state deed.</del></p> <p><del>Footpaths on both sides of the street.</del></p> <p><del>Cyclists to be accommodated off carriageway.</del></p>
B1	1500-3000 (inclusive)	50	16	4- <u>8</u> -4 or 3.5- <u>8</u> -4.5	<p><del>Footpath to be provided on one side of the street.</del></p> <p><del>Cycleways and paths to be provided generally in accordance with Map 5: Cycleways and Pedestrian Linkages.</del></p> <p><del>Geometry in excess of that of minor collector road in accordance with AMCORD.</del></p> <p><del>Cyclists must be accommodated either on or off the carriageway.</del></p>
B2	300-1500 (exclusive)	40	15	4- <u>7</u> -4 or 3.5- <u>7</u> -4.5	<p><del>Footpath to be provided in cases where the street is a link to a catchment for a bus route or main pathway or main cycleway containing more than 50 lots.</del></p> <p><del>Cycleways and paths to be provided generally in accordance with Map 5: Cycleways and Pedestrian</del></p>

					<del>Linkages: Geometry in excess of that of minor collector road in accordance with AMCORD. Cyclists must be accommodated either on or off the carriageway.</del>
<del>B3</del>	<del>100-300 (inclusive)</del>	<del>25</del>	<del>14</del>	<del>3.5-7-3.5</del>	<del>Cycleways and paths to be provided generally in accordance with Map 5: Cycleways and Pedestrian Linkages.</del>
<del>B4</del>	<del>&lt;100</del>	<del>15</del>	<del>11.5</del>	<del>3.5-5.5-2.5</del>	<del>Cycleways and paths to be provided generally in accordance with Map 5: Cycleways and Pedestrian Linkages.</del>
<del>G1</del>	<del>&lt;300</del>	<del>25</del>	<del>13</del>	<del>3.5-6-3.5</del>	<del><b>No through road portion of a cul-de-sac road only</b> Cycleways and paths to be provided generally in accordance with Map 5: Cycleways and Pedestrian Linkages.</del>

6. ~~Cycleways and footpaths shall be provided generally in accordance with map 5 contained in this volume.~~
7. ~~Transport infrastructure shall be provided in accordance with the following table:~~

<b>Road Category</b>	<b>Road Type</b>	<b>Design Speed (km/hr)</b>	<b>Max Daily Flow (veh/day)</b>	<b>Reservation Width (m)</b>	<b>Carriageway Width</b>	<b>Road Profile</b>	<b>Concrete Footpath</b>	<b>Other Criteria/Guidelines</b>
A1	Main Entry Road	50	>6000	32	2 x 6 (with a 7m median)	6.5-6-7-6-6.5	Yes	<ul style="list-style-type: none"> <li>• Road provides a main access to Wilton Parklands</li> <li>• Footpaths on both sides of street</li> <li>• Cyclists to be provided off carriageway</li> </ul>
A1(b)	Main Entry Road - Extension	50	>6000	27.5	2 x 6 (with a 2.5m median)	6.5-6-2.5-6-6.5	Yes	<ul style="list-style-type: none"> <li>• Provide main access to Wilton Parklands – with narrower median</li> <li>• Footpaths on both sides of the street</li> <li>• Cyclists to be provided off carriageway</li> </ul>

Road Category	Road Type	Design Speed (km/hr)	Max Daily Flow (veh/day)	Reservation Width (m)	Carriageway Width	Road Profile	Concrete Footpath	Other Criteria/Guidelines
A2	Main Spine Road – Road from Spine Road to Broughton Street (collector road)	50	6000	22	11	5.5-11-5.5	Yes	<ul style="list-style-type: none"> <li>• Principle circulation road – geometry as per state deed</li> <li>• Footpaths on both sides of the street</li> <li>• Cyclists to be provided off carriageway</li> <li>• Road geometry in excess of that minor collector road as defined by AMCORD</li> </ul>
A3	Hornby Street Deviation (minor collector road)	50	3000	19	11	3.5-11-4.5	Yes	<ul style="list-style-type: none"> <li>• On street parking provided on both sides of the road</li> <li>• Footpath on one side of street</li> <li>• Cyclists to be provided off carriageway</li> <li>• Road geometry in excess of that minor collector road as defined by AMCORD</li> </ul>
B1	Minor Collector Road	50	3000	16	8	4.0-8-4.0	See criteria	<ul style="list-style-type: none"> <li>• Apply to standard residential streets serving more than 50 lots</li> <li>• Footpath on one side of street</li> <li>• Cyclists to be provided on street, or off carriageway as per network to be approved by Council</li> <li>• Road geometry in excess of that of minor collector road as defined by AMCORD</li> </ul>
B2	Local Street	40	1500	15	7	4.0-7-4.0	See Criteria	<ul style="list-style-type: none"> <li>• Apply to standard residential streets serving 50 lots or less</li> <li>• Footpath on one side of street when catchment to bus route or main pathway/cycleway exceeds 50 lots</li> <li>• Cyclists to be provided for on-street, or off carriageway</li> </ul>

Road Category	Road Type	Design Speed (km/hr)	Max Daily Flow (veh/day)	Reservation Width (m)	Carriageway Width	Road Profile	Concrete Footpath	Other Criteria/Guidelines
								<p>where shown on plan no. PML7697 by Delfin Lend Lease, as per network to be approved by Council.</p> <ul style="list-style-type: none"> <li>Road geometry in excess of that of minor collector road as defined by AMCORD.</li> </ul>
C1	Cul-de-sac	25	300	14	7	3.5-7-3.5	No	<ul style="list-style-type: none"> <li>Apply to Standard Cul-de-sacs</li> <li>Cyclists to be provided for on-street as per network to be approved by Council</li> </ul>
D1	Residential Accessway	15	300	11.5	5.5	3.5-5.5-2.5	No	<ul style="list-style-type: none"> <li>Restrict servicing a maximum of 10 lots</li> <li>Cyclists to be provided for on-street as per network to be approved by Council</li> </ul>

8. Prior to granting development consent for any subdivision of land within the urban release area the consent authority must be satisfied that All reasonable efforts have been made to ensure that:
- The views of the parkland setting are maximised. This includes the open spaces, golf course, environmental lands and the Razorback Range.
  - The visual impact of the development on Picton Road and the Hume Highway have been minimised.
  - The visual impact of the development on the surrounding landscape (including the village of Wilton) have been minimised.
  - Existing high amenity features of the site will be protected, retained and incorporated into the development to maximise the amenity benefit of those features. These features include dams, watercourses, stands of significant vegetation, geological features, vantage points for viewing distant views and vistas and environmental lands.
9. Development consent must not be granted for the development of any school, childcare centre, seniors living, health care facility or similar sensitive land use within 750 metres of the gas pipeline within the urban release area unless the consent authority is satisfied that the risks of that pipeline to human safety have been adequately mitigated.
10. The ecologically sensitive land contained in precinct 1 (identified in map 2 of this volume) must be retained and any development within this precinct must ensure that any

stormwater that drains to Stringybark creek must be suitably treated to match pre-development flows.

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**2.2 Marsh Road, Silverdale (Former Lion Safari Park)**

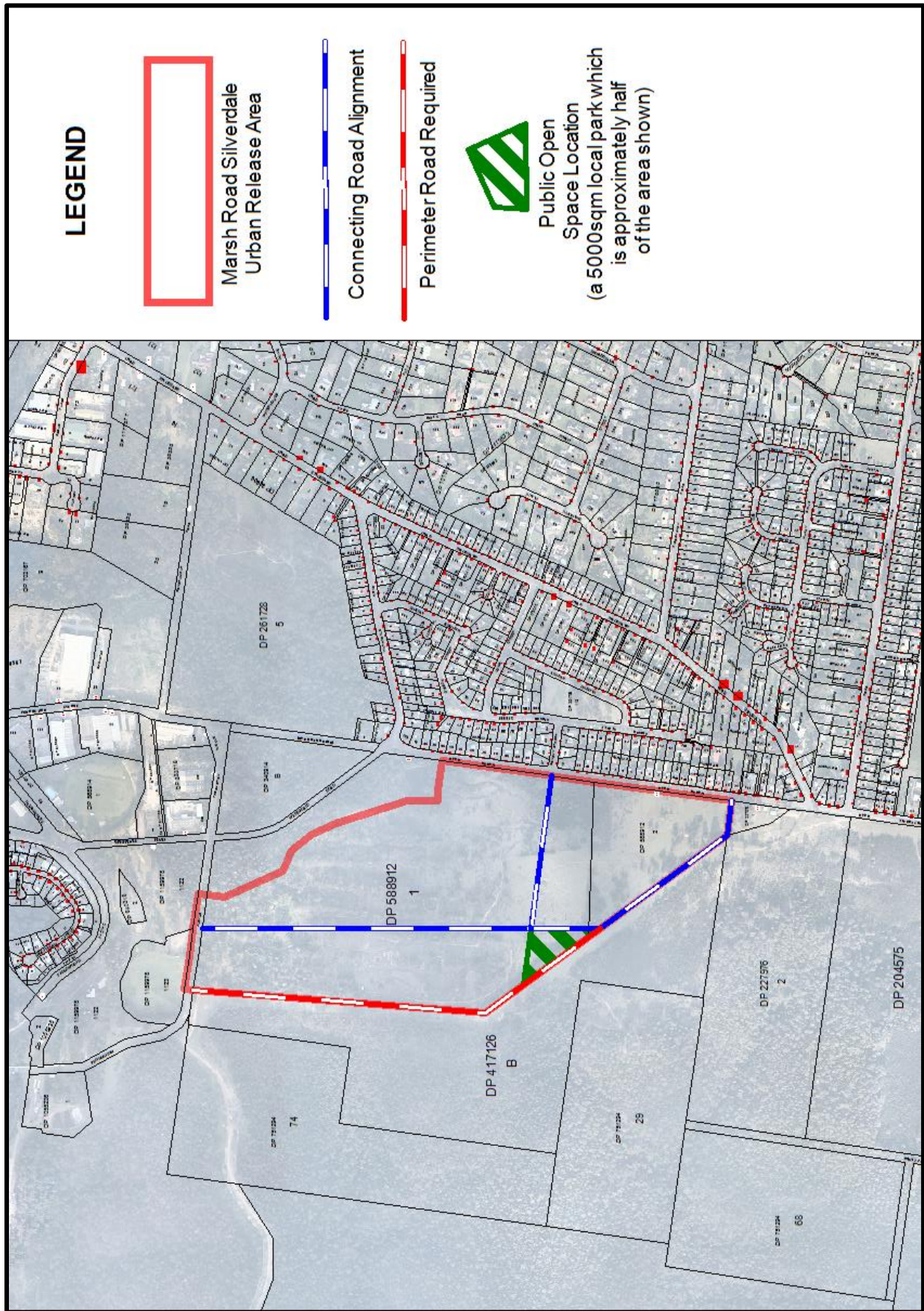
Requirement of LEP	Control(s)
<p>(a) <i>a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,</i></p>	<p>1. The development of the land is to be staged to ensure that intersections are <del>to be</del> provided to allow for a connecting road through the development generally in accordance with the map provided as Figure 1 of this section.</p> <p>2. The development staging shall ensure that housing is delivered to front Marsh Road <del>and Farnsworth Avenue as early as practical in the development in the first stage of the development.</del></p> <p>3. The development may be undertaken in any number of stages.</p>
<p>(b) <i>an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,</i></p>	<p>1. The road hierarchy shall ensure that roads step down from the connecting roads provided generally in accordance with the map provided as Figure 1 of this section to progressively lower volume roads.</p> <p>2. <del>There is to be no access from the perimeter road directly on to Production Avenue.</del> Transport and pedestrian access along the perimeter road shall only be provided in accordance with the structure plan in figure 1 of this volume on privately owned land where an easement or other form of landowners consent has been provided.</p>
<p>(c) <i>an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,</i></p>	<p>The site does not contain any features warranting special controls under this volume. The objective of this provision is achieved by satisfying Parts 9 and 10 of Volume 1 and Section 2.9 of Volume 3 of this plan. The most significant native vegetation on the site is zoned E2 Environmental Conservation and is excluded from the urban release area.</p>

Requirement of LEP	Control(s)
(d) a network of passive and active recreational areas,	<p>1. This development is to utilise the existing facilities at Warragamba and is to provide a local park of approximately 5000m<sup>2</sup> generally in the location identified in Figure 1. It should be noted that a park of this size will occupy approximately half of the area identified.</p> <p>2. Council may consider an alternate location for the park running east-west across the central portion of the site provided that it can be demonstrated that any stormwater flows through this park would achieve a neutral or beneficial effect on water quality before leaving the site.</p> <p>3. An off-carriageway pedestrian shared pathway is to be provided for the perimeter of the urban release area and is to be connected to the existing footpath in Warradale road along both Marsh Road and Production Avenue.</p>
(e) stormwater and water quality management controls,	Are to be provided in accordance with Section 2.3 of Volume 3 of this plan.
(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,	<p><u>Bushfire</u> Development is to comply with the most recent version of the NSW Rural Fire Service's Planning for Bushfire Protection. Perimeter roads are to be provided in the locations identified in Figure 1.</p> <p><u>Flooding</u> Development is to comply with Part 8 of Volume 1 of this plan.</p> <p><u>Contamination</u> Development is to comply with State Environmental Planning Policy No. 55 – Remediation of Land.</p>
(g) detailed urban design controls for significant development sites,	The precinct contains no significant development sites.
(h) measures to encourage higher density living around transport, open space and service nodes,	The site contains no areas which are particularly desirable for higher density living.
(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,	Neighbourhood shops shall only be located at intersections of Marsh Road with new roads servicing the precinct.
(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.	The precinct will rely on existing facilities at Warragamba.

Requirement of LEP	Control(s)
<i>(a) measures to protect the water quality in, and the ecological integrity of, any special area in the vicinity of that land,</i>	The development shall be provided with an integrated stormwater reticulation and treatment system to achieve a neutral or beneficial <b>impact effect</b> on the quality of stormwater leaving the site.
<i>(b) security measures of any special area in the vicinity of that land,</i>	The boundary of the urban release area with Lot B DP 417126 shall be provided with security fencing to the satisfaction of <del>Sydney Catchment Authority Water NSW</del> . <del>The maintenance and retention of this fencing shall be secured on future residential lots through appropriate covenants on the lots.</del> This fencing shall be provided outside the perimeter road indicated on the plan in figure 1 of this volume. The maintenance and retention of this fencing shall be subject to an appropriate maintenance agreement between Water NSW and the developer of the site which shall be completed prior to the issue of any development consent for the subdivision site.
<i>(c) measures to ameliorate any adverse affect on the operation of the Sydney Catchment Authority helipad that is adjacent to that land.</i>	Prior to determining a development application for development to which Clause 6.3 of Wollondilly Local Environmental Plan 2011 applies, the consent authority shall be satisfied that: <ul style="list-style-type: none"> <li>a) Any dwelling to be constructed on a lot created by subdivision of the land <del>will</del> <b>shall</b> be acoustically treated to ameliorate any adverse noise impacts from the nearby <del>Sydney Catchment Authority Water NSW</del> helipad; and</li> <li>b) Any structure erected on a lot created by subdivision of the land <del>will</del> <b>shall</b> be of a height that <del>it</del> does not result in any adverse effect on the operation of the nearby <del>Sydney Catchment Authority Water NSW</del> helipad.</li> </ul>



Figure 1: Conceptual Layout



**2.3 Picton, Tahmoor, Thirlmere New Urban Lands (PTT)**

Requirement of LEP	Control(s)
(a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,	1. The development of the land <del>is to</del> shall be staged to ensure that access roads are provided generally in accordance with the relevant requirements controls contained in Part 3 of Volume 3 of this plan. 2. The development of each precinct may be undertaken in any number of stages.
(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,	1. The road hierarchy shall be provided in accordance with the relevant provisions controls contained in Part 3 of Volume 3 of this plan.
(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,	1. The objective of this provision is otherwise achieved by satisfying Parts 9 and 10 of Volume 1 and Section <del>2.9</del> 2.8 of Volume 3 of this plan.
(d) a network of passive and active recreational areas,	<del>These developments are to</del> The development of these sites shall utilise the existing facilities at Tahmoor, Thirlmere and Picton.
(e) stormwater and water quality management controls,	These measures <del>are to</del> shall be provided in accordance with Section 2.3 of Volume 3 of this plan.
(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,	<u>Bushfire</u> Development is to comply with the most recent version of the NSW Rural Fire Service's Planning for Bushfire Protection.  <u>Flooding</u> Development is to comply with Part 8 of Volume 1 of this plan.  <u>Contamination</u> Development is to comply with State Environmental Planning Policy No. 55 – Remediation of Land.
(g) detailed urban design controls for significant development sites,	These <del>precincts</del> lands contain no significant development sites.
(h) measures to encourage higher density living around transport, open space and service nodes,	The site contains no areas which are particularly desirable for higher density living.
(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,	Neighbourhood shops should only be <del>located at</del> situated in locations that maximise the distance between the neighbourhood shop and existing commercial centres.

*(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.*

The precincts will rely on existing facilities at Tahmoor, Thirlmere and Picton.

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**2.4 Land Between Picton Tahmoor and Thirlmere (commonly known as PTTAG)**

<b>Requirement of LEP</b>	<b>Control(s)</b>
<i>(a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,</i>	1. The development may be undertaken in any number of stages. 2. There is no particular requirement for any part of the precinct to be developed before or after any other.
<i>(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,</i>	1. The road hierarchy shall be provided in accordance with the provisions contained in Part 2 of Volume 3 of this plan.
<i>(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,</i>	The objective of this provision is otherwise achieved by satisfying Parts 7, 8, 9, 10 and 11 of Volume 1 and Part 2 of Volume 3 of this plan.
<i>(d) a network of passive and active recreational areas,</i>	Lots created by the future subdivision of the site would utilise the existing facilities at Tahmoor, Thirlmere and Picton.
<i>(e) stormwater and water quality management controls,</i>	These measures are to be provided in accordance with Sections 2.3 and 3.8 of Volume 3 of this plan.
<i>(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,</i>	<u>Bushfire</u> Development is to comply with the most recent version of the NSW Rural Fire Service's Planning for Bushfire Protection.  <u>Flooding</u> Development is to comply with Part 8 of Volume 1 of this plan.  <u>Contamination</u> Development is to comply with State Environmental Planning Policy No. 55 – Remediation of Land.
<i>(g) detailed urban design controls for significant development sites,</i>	The land contains no significant development sites.
<i>(h) measures to encourage higher density living around transport, open space and service nodes,</i>	The site contains no areas which are particularly desirable for higher density living.
<i>(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,</i>	Neighbourhood shops are not to be provided with the precinct.
<i>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.</i>	The precinct will rely on existing facilities at Tahmoor, Thirlmere and Picton.

**2.5 Clearview (664, 740 and 760 Thirlmere Way and 25 Star Street, Picton)**

**Indicative Concept Plan**



*Urbis November 2013*

Requirement of LEP	Control(s)
<p><i>(a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,</i></p>	<p>1. Ensure that the development is generally in accordance with the Indicative Concept Plan prepared by Urbis dated November 2013. Proposed roadworks include</p> <ul style="list-style-type: none"> <li>i) construction of Antill Street West</li> <li>ii) a roundabout at the intersection of Rumker Street and Thirlmere Way</li> <li>iii) the lowering of Thirlmere Way at the railway underpass.</li> </ul> <p>2. The development may be undertaken in any number of stages.</p>
<p><i>(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,</i></p>	<p>1. The major circulation routes and connections are indicated in the Indicative Concept Plan.</p> <p>2. Primary road access is to be provided from Star Street.</p> <p>3. Pedestrian and cyclist routes will be provided in accordance with Wollondilly DCP (2011 or 2015) and include the</p>

	<p>provision of a pedestrian path along Thirlmere Way underneath the railway bridge.</p>
<p>(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,</p>	<p>1. Riparian areas shall be vegetated in accordance with the environmental protection provisions in Volume 1 of Wollondilly DCP (2011 or 2015) and the NSW Office of Water <i>Riparian Corridor Guidelines for Waterfront land (2012)</i></p> <p>2. Cumberland Plain Woodland will be protected through a Vegetation Management Plan. Further details are included under Controls for Specific Locations in the subdivision chapter of Wollondilly DCP (2011 or 2015).</p> <p>3. Protection of visually prominent areas with larger lots and location of building envelopes as detailed in Controls for Specific Locations in the subdivision chapter of Wollondilly DCP (2011 or 2015).</p>
<p>(d) a network of passive and active recreational areas,</p>	<p>The location and area of any required recreational areas will be determined through more detailed planning as part of any future subdivision application.</p>
<p>(e) stormwater and water quality management controls,</p>	<p>The <i>Flood Study and Water Cycle Strategy Overview</i> (Hyder 2014) provided a basis for further detailed planning in accordance with the provisions for stormwater and water quality management in the Wollondilly DCP (2011 or 2015).</p>
<p>(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,</p>	<p><u>Bushfire</u> Development is to comply with <i>Planning for Bushfire Protection (NSW RFS 2006)</i>.</p> <p><u>Flooding</u> Development is to comply with provisions for flood prone land in Volume 1 of Wollondilly DCP (2011 or 2015).</p> <p><u>Contamination</u> Development is to comply with <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> and the “Land Contamination” provisions in the Site Specific Controls section in the subdivision chapter of Wollondilly DCP (2011 or 2015).</p>
<p>(g) detailed urban design controls for significant development sites,</p>	<p>The precinct contains no significant development sites.</p>
<p>(h) measures to encourage higher density living around transport, open space and service nodes,</p>	<p>The location of the land is not considered suitable for higher density living.</p>
<p>(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,</p>	<p>The site does not contain commercial land. Neighbourhood shops are permitted in the R2 Low Density Residential zone and would be subject to assessment under the</p>

	relevant provisions in Wollondilly DCP (2011 or 2015) and Wollondilly LEP 2011.
<i>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.</i>	<ol style="list-style-type: none"> <li>1. This development is to utilise the existing facilities in Picton.</li> <li>2. Parking will be accommodated on each individual residential allotment.</li> </ol>
<i>(a) measures to protect the water quality in, and the ecological integrity of, any special area in the vicinity of that land,</i>	<ol style="list-style-type: none"> <li>1. The development shall be provided with an integrated stormwater reticulation and treatment system to achieve a neutral or beneficial impact on the quality of stormwater leaving the site.</li> <li>2. The site will be connected to the Sydney Water wastewater network.</li> </ol>

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# Development Control Plan 2015

Volume 3 – Subdivision of Land



**Wollondilly**  
Shire Council



**Table of Contents**

<b>TABLE OF CONTENTS.....</b>	<b>2</b>
<b>PART 1 – PRELIMINARY .....</b>	<b>3</b>
1.1 Introduction .....	3
1.2 Objectives .....	3
1.3 Parts of this DCP .....	3
<b>PART 2 – GENERAL REQUIREMENTS FOR ALL DEVELOPMENT.....</b>	<b>4</b>
2.1 Traffic and Transport .....	4
2.2 Wastewater .....	9
2.3 Stormwater .....	9
2.4 Lot Size and Shape .....	11
2.5 Landscape and Character .....	13
2.6 Delivery of Housing Variety in Residential Zones .....	13
2.7 Corner Allotments .....	13
2.8 Building Envelopes .....	14
2.9 Environmental Protection .....	14
2.10 Noise Amenity .....	15
2.11 Non-Residential Development .....	15
2.11 Agricultural Subdivision .....	15
<b>PART 3 – CONTROLS FOR SPECIFIC LOCATIONS.....</b>	<b>17</b>
3.1 Picton West.....	17
3.2 Thirlmere East .....	17
3.3 Thirlmere South .....	19
3.4 Tahmoor West .....	20
3.5 Tahmoor South.....	21
3.6 Tahmoor East.....	22
3.7 Avon Dam and Hawthorne Roads, Bargo .....	24
3.8 Land Between Picton, Tahmoor and Thirlmere (commonly known as PTTAG) .....	25
3.9 Montpelier Drive Residential Land (The Oaks) .....	26
3.10 Clearview (664, 740 and 760 Thirlmere Way and 25 Star Street, Picton) .....	27

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## **PART 1 – PRELIMINARY**

### **1.1 Introduction**

This Volume provides controls for development for the subdivision of land by Torrens, Community and Strata Title.

### **1.2 Objectives**

The object of this volume is to ensure ~~subdivisions are that the subdivision of land is~~ undertaken in a way that achieves positive planning outcomes.

### **1.3 Parts of this DCP**

The requirements contained within Parts 2 and 3 ~~of this volume~~ apply to all development to which this plan applies.

Part 3 applies ~~only~~ to specific locations. On the date of first adoption of this volume there were no provisions in this part.

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**PART 2 – GENERAL REQUIREMENTS FOR ALL DEVELOPMENT**

**2.1 Traffic and Transport**

**Objectives**

1. To ensure ~~subdivisions~~ that new allotments created by the subdivision of land are provided with adequate public roads.
2. To ensure ~~subdivisions~~ that the subdivision of land is only undertaken in locations where the road network is able to provide, or be made capable of providing adequate servicing.
3. To ensure new roads are safe and efficient.
4. To ensure access points for rural subdivisions are located at safe locations within the road network.
5. To ensure pedestrian and cycle paths are provided where required to maximise the uptake of healthy and sustainable transport options.
6. To ensure splay corners are dedicated at intersections so that intersections can be maintained to maximise sight distances and to maximise flexibility to upgrade intersections in the long term.

**Controls**

1. All new public roads must comply with Council’s design specifications including kerb and guttering, drainage pedestrian paths and street lighting.
2. All access handles must comply with the following minimum widths:

Description	Minimum Land Width <del>width of access handle</del>	Minimum Pavement Width
Residential (R1, R2 or R3) servicing only 1 allotment	5m	3m
Residential (R1, R2 or R3) servicing 2 or 3 allotments	6m	4m
Residential (R1, R2 or R3) servicing more than 3 allotments	<del>New public road to council's design specification</del> Not Permitted.	
<del>Residential (R3) servicing 2 or more allotments</del>	<del>New public road unless the internal road is to be part of a community lot under a community title or strata title scheme.</del>	
Large Lot Residential Zones (R5) servicing 1, 2 or 3 allotments	10m-15m	4m
Rural (All RU zones, E3, E4 and R5) servicing 1,2 or 3 allotments	15m	4m
Rural (All RU zones, E3, E4 and R5) and large lot residential servicing more than 3 allotments	New public road to council’s design specification	
Employment (All IN, B and RE zones)	10m	8m

3. In the case of an access handle servicing one allotment the access handle must wholly be part of the allotment it is servicing.
4. In the case of an access handle servicing more than one allotment the access handle must be part of each of the allotments it is servicing with reciprocal rights of carriageway provided.

5. Road infrastructure enhancement shall be provided to existing roads in accordance with the following table unless the improvements are already present:

<b>Zone</b>	<b>Small Subdivision Requirements (&lt;10 Lots)</b>	<b>Medium Subdivision Requirements (10 – 100 Lots)</b>	<b>Large Subdivision Requirements (&gt;100 Lots)</b>
<b>RU1</b>	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.
<b>RU2</b>	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.
<b>RU4</b>	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.
<b>R1</b>	Road <del>shoulder</del> , kerb and gutter, drainage for all frontages. <del>Remove redundant laybacks.</del> Install street lighting. Install pedestrian footpaths as required in Council's design specifications <del>to all road frontages of the site</del>	Road <del>shoulder</del> , kerb and gutter, drainage for all frontages. <del>Remove redundant laybacks.</del> Install street lighting. Install footpaths/ sharepaths/ cycleways as required in Council's design specifications <del>to all road frontages of the site</del>	Road <del>shoulder</del> , kerb and gutter, drainage for all frontages. <del>Remove redundant laybacks.</del> Install street lighting. Install footpaths/ sharepaths/ cycleways as required in Council's design specifications <del>to all road frontages of the site and the nearest village centre</del> the nearest available network connection to the village centre.

Zone	Small Subdivision Requirements (<10 Lots)	Medium Subdivision Requirements (10 – 100 Lots)	Large Subdivision Requirements (>100 Lots)
R2	<p>Road <del>shoulder</del>, kerb and gutter, drainage for all frontages.</p> <p><del>Remove redundant laybacks.</del></p> <p>Install street lighting. Install pedestrian footpaths as required in Council's design specifications <del>to all road frontages of the site</del></p>	<p>Road <del>shoulder</del>, kerb and gutter, drainage for all frontages.</p> <p><del>Remove redundant laybacks.</del></p> <p>Install street lighting. Install footpaths/ sharepaths/ cycleways as required in Council's design specifications <del>to all road frontages of the site</del></p>	<p>Road <del>shoulder</del>, kerb and gutter, drainage for all frontages.</p> <p><del>Remove redundant laybacks.</del></p> <p>Install street lighting. Install footpaths/ sharepaths/ cycleways as required in Council's design specifications <del>to all road frontages of the site and the nearest village centre</del> the nearest available network connection to the village centre.</p>
R3	<p>Road <del>shoulder</del>, kerb and gutter, drainage for all frontages.</p> <p><del>Remove redundant laybacks.</del></p> <p>Install pedestrian footpaths as required in Council's design specifications to all road frontages of the site</p>	<p>Road <del>shoulder</del>, kerb and gutter, drainage for all frontages.</p> <p><del>Remove redundant laybacks.</del></p> <p>Install street lighting. Install footpaths/ sharepaths/ cycleways as required in Council's design specifications to all road frontages of the site</p>	<p>Road <del>shoulder</del>, kerb and gutter, drainage for all frontages.</p> <p><del>Remove redundant laybacks.</del></p> <p>Install street lighting. Install footpaths/ sharepaths/ cycleways as required in Council's design specifications to <del>all road frontages of the site and the nearest village centre</del> the nearest available network connection to the village centre.</p>
R5	<p>Road <del>shoulder, kerb and gutter</del>, drainage for all frontages.</p> <p><del>Remove redundant laybacks.</del></p> <p><del>Install pedestrian footpaths as required in Council's design specifications to all road frontages of the site</del></p> <p>Kerb and Gutter or Grass Swale as appropriate.</p>	<p>Road <del>shoulder, kerb and gutter</del>, drainage for all frontages.</p> <p><del>Remove redundant laybacks.</del></p> <p>Install street lighting. Install footpaths/ sharepaths/ cycleways as required in Council's design specifications <del>to all road frontages of the site</del></p>	<p>Road <del>shoulder, kerb and gutter</del>, drainage for all frontages.</p> <p><del>Remove redundant laybacks.</del></p> <p>Install street lighting. Install footpaths/ sharepaths/ cycleways as required in Council's design specifications to <del>all road frontages of the site and the nearest village centre</del> the nearest available network connection to the village centre.</p>

<b>Zone</b>	<b>Small Subdivision Requirements (&lt;10 Lots)</b>	<b>Medium Subdivision Requirements (10 – 100 Lots)</b>	<b>Large Subdivision Requirements (&gt;100 Lots)</b>
<b>B1</b>	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.
<b>B2</b>	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.
<b>B4</b>	As for R2 zone if subdivision is intended for residential development and as for B1 if intended for commercial development.	As for R2 zone if subdivision is intended for residential development and as for B1 if intended for commercial development.	As for R2 zone if subdivision is intended for residential development and as for B1 if intended for commercial development.
<b>B5</b>	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.
<b>IN1</b>	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.
<b>IN2</b>	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.

Zone	Small Subdivision Requirements (<10 Lots)	Medium Subdivision Requirements (10 – 100 Lots)	Large Subdivision Requirements (>100 Lots)
IN3	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.
RE1	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.
RE2	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.	All road frontages to be constructed to Council specifications including shoulder, kerb, gutter, drainage, lighting, footpaths, car parking, signage, sharepaths, and cycleways.
E2	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.
E3	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.
E4	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.	Requirements will be determined on a case by case basis to ensure adequate infrastructure is available for the development.

6. All intersections and new vehicular access points to public and/or private roads must have the relevant safe intersection sight distance for the relevant speed environment.
7. New street lighting must use only LED type lights.
8. Access handles servicing more than 1 allotment in a rural, residential or environmental zone must be provided with a streetlight within ~~40m of the point~~ a reasonable proximity (to be determined by Council and imposed as a condition of development consent) to the point where the access handle connects to the public road. **Where existing street lighting in the vicinity of the site is deemed to be adequate by Council this condition does not apply.**

9. Splay corners shall be provided for newly created corner lots with the following sizes:

Zone	Splay Size
Rural Zones	10m by 10m
Residential Zones	4m by 4m
Business Zones	4m by 4m
Industrial Zones	10m by 10m
Recreation Zones	4m by 4m
Environmental Zones	10m by 10m

## 2.2 Wastewater

### Objectives

1. To ensure wastewater generated by development can be managed without harm to the natural environment or human health.
2. To encourage sustainability in wastewater disposal by preventing the use of pump out systems which require significant energy inputs for the transport of waste.
3. To ensure development within the Sydney Drinking Water Catchment has a neutral or beneficial effect on water quality.

### Controls

1. All lots created must have access to one or more of the following:
  - a. A reticulated sewage scheme operated by the relevant statutory sewage authority; or
  - b. A private reticulated sewage scheme operated by person licensed under relevant legislation; or
  - c. Sufficient land with the correct physical and chemical characteristics to allow for the wastewater to be treated and disposed of within the boundaries of the lot.
2. A “pump out” system is not a satisfactory method of wastewater disposal for the purposes of Control 1.
3. Any subdivision that is carried out on unsewered land (i.e. carried out under control 1(c) above) must meet the requirements of Council’s “On-site Sewage Management System and Grey Water re-use Policy”.

## 2.3 Stormwater

### Objectives

1. To ensure stormwater is appropriately managed to prevent environmental harm and to reduce the risk of damage to property and human life.
2. To ensure stormwater is appropriately managed to minimise long term flooding impacts on and from developments.
3. To ensure that development within the Sydney drinking water catchment has a neutral or beneficial effect on water quality.

### Controls

1. ~~All subdivisions~~ Development involving the subdivision of land must demonstrate that stormwater management arrangements ~~to~~ will allow for drainage to be directed to either a natural water body or a constructed stormwater management system without causing significant environmental harm or risks to human health and safety.



2. Medium and Large subdivisions must include provision of integrated stormwater management systems to achieve Water Sensitive Urban Design outcomes. These shall be detailed in an assessment report (a **Water Cycle Management Study or Similar**) to be submitted with the development application which must include modelling of both water quantity and quality **and must also include a short and long term maintenance management plan.**
- ~~3. All stormwater infrastructure to be dedicated to Council must be low maintenance.~~

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## 2.4 Lot Size and Shape

### Objectives

- To ensure regular and practical allotments that will encourage the orderly and economic use of land.

### Controls

- Lots (other than lots in residential zones) shall have the following minimum dimensions:

Zone	Minimum Lot Width	Minimum Lot Width (Corner allotment)	Minimum Lot Depth
RU1	50m	50m	50m
RU2	50m	50m	50m
RU4	30m	30m	50m
E3	30m	30m	50m
E4	30m	30m	50m
Other Zones	N/A	N/A	N/A
B5	In the case of a subdivision intended for residential development refer to control 2. There are no minimum dimensions for subdivision intended for commercial development.		

- Lots in residential zones shall have the following minimum dimensions:

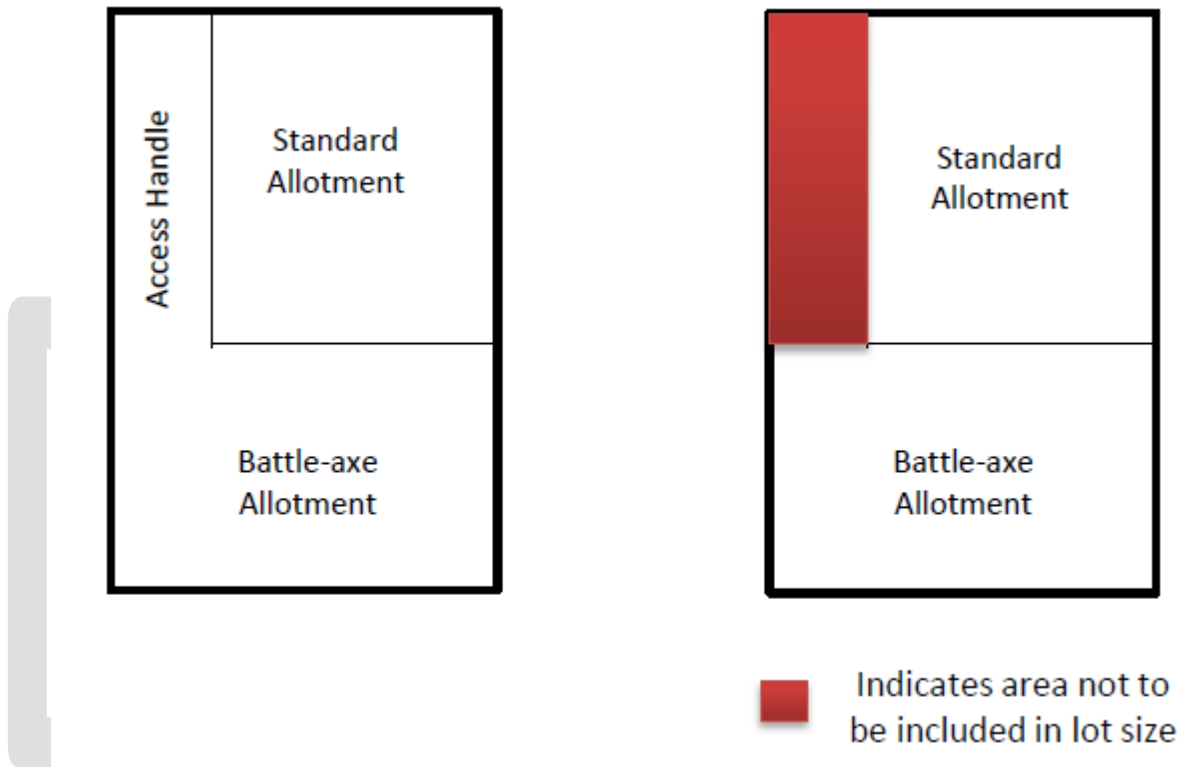
Area	Minimum Lot Width	Minimum Lot Width (Corner allotment)	Minimum Lot Depth
Less than 450m <sup>2</sup>	12m	12m	20m
Between 450m <sup>2</sup> and 650m <sup>2</sup> (inclusive)	13m	15m	20m
Between 650m <sup>2</sup> and 1500m <sup>2</sup> (exclusive)	15m	20m	25m
1500m <sup>2</sup> or Greater	20m	30m	30m

- These controls do **not apply** to subdivision that places each dwelling on its own allotment in the following cases:
  - The subdivision of a dual occupancy or medium density development that is existing and lawful; or
  - The subdivision of a proposed dual occupancy or medium density development that complies with all other relevant controls in Wollondilly Development Control Plan, 2015.
- These controls do not apply to land to be dedicated to Council for roads, environmental reserves or for public open space.
- Lots that are irregularly shaped because of their location in the road network and/or because of constraints of the site may proceed in spite of a non-compliance with controls 1 and 2 if the consent authority **is satisfied** that the lots, when **development developed**, will be **able to accommodate** capable of supporting:
  - a dwelling with a footprint of at least 150m<sup>2</sup> ; and
  - Any required asset protection zone wholly within the proposed lot boundaries**
  - If the subdivision occurs on unsewered land that the site can adequately accommodate any effluent disposal area that is required;**

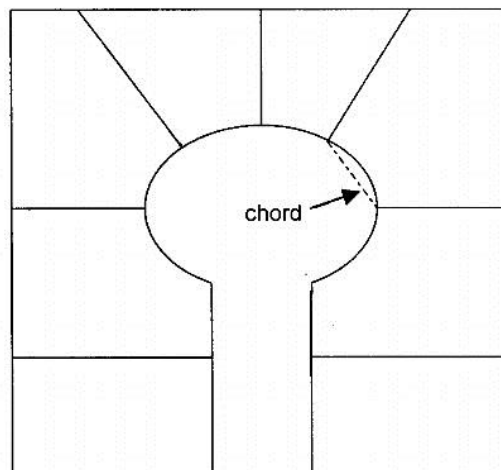
and the resulting character of that development would be consistent with the character of the area.

Council may require the submission of specialist studies to justify development carried out under this control.

- For the purposes of calculating minimum lot size for land within an R1, R2 or R3 zone, the area of the battle-axe handle is not included in the calculation of the area of a lot which it services. This is shown in the diagram below:



- Proposed lots which face onto a cul-de-sac head shall achieve a minimum “chord” width of 10 metres. The area considered to be the chord of the cul-de-sac is demonstrated in the diagram below.



The width of any lot at the front building line shall be in accordance with the table above in control 2.

## 2.5 Landscape and Character

### Objectives

1. To ensure subdivisions are designed in a way that maintains or enhances the landscape character of the surrounding area.

### Controls

1. ~~Subdivisions~~ The subdivision of land in environmental and rural zones must demonstrate, to the satisfaction of the consent authority that the location of all building envelopes and access driveways will not result in degradation of the landscape character of the surrounding area.
2. ~~Subdivisions~~ The subdivision of land in residential zones must ensure that there are no two access handles along the same property boundary.
3. Access handles to lots in residential zones (excluding R5 Large Lot Residential zones) must be provided with landscaping between the edge of the driveway pavement and the property boundary. The minimum width of such landscaping shall be 1m at all points. Formal landscaping is not required for those parts of access handles where driveways connect the access handle to vehicle parking or manoeuvring areas.
4. Landscaping required by control 2.5(3) shall be provided with:
  - a. An automatic watering system; and
  - b. A mix of ground covers and shrubs that are appropriate for the width of the handle; and
  - c. A mulched or rocked garden bed with permanent edging.
5. Landscaping for access handles shall not obscure the buildings at the rear of the handle.
6. ~~Subdivision~~ The subdivision of land that ~~proposing~~ proposes the opening of a new public road must include embellishment of the new road verges in accordance with Council's Street Tree Risk Plan.

## 2.6 Delivery of Housing Variety in Residential Zones

### Objectives

- ~~1. To ensure a variety of lot sizes and dwelling types are provided.~~
- ~~2. To avoid a monoculture of allotment sizes and undesirable landscape character.~~
- ~~3. To ensure residential land is not underdeveloped.~~

### Controls

- ~~1. Medium and Large Subdivision proposals in the R2 zone must achieve a lot yield in accordance with the following table:~~

<del>Minimum Allotment Size (LEP 2011)</del>	<del>Minimum number of lots per hectare of R2 land</del>
<del>450m<sup>2</sup></del>	<del>12</del>
<del>700m<sup>2</sup></del>	<del>5</del>
<del>975m<sup>2</sup></del>	<del>5</del>

- ~~2. Lots created with an area more than 3 times the minimum allotment size for the zone shall not be included in calculating lot yield.~~

## 2.7 Corner Allotments

### Objectives

1. To plan corner allotments at the subdivision stage to ensure safe vehicular access and maximum amenity for the streetscape.

### Controls

1. Corner allotments in residential zones shall be provided with a building envelope to identify the primary and secondary setbacks.
2. Corner allotments in residential zones shall nominate a vehicular access point to allow the safety of the access point to be assessed with reference to any nearby intersection.
3. These controls do not apply to proposed corner allotments on which a dwelling is already constructed.

## 2.8 Building Envelopes

### Objectives

1. To identify the constraints on rural and environmental land at the subdivision stage.
2. To ensure integrated housing lots are provided with adequate covenants for a future zero lot line.

### Controls

1. Each lot created by subdivision of land within rural and environmental zones shall be provided within a building envelope that includes all developable land and excludes the following land:
  - a. Land that is moderate or higher risk of geotechnical instability; and
  - b. Land that is within a setback identified in Volume 3 4 of this DCP; and
  - c. Land that is within 40 metres of the top of bank of a watercourse; and
  - d. Land that contains significant native vegetation; and
  - e. Land that has been identified as being subject to the 1% AEP flood extent; and
  - f. Land that is required for an asset protection zone under a Bushfire Safety Authority; and
  - g. Land that is subject to a transmission line or other utility service easement; and
  - h. Land that is visually prominent **or located upon a ridgeline** and upon which the construction of a dwelling would degrade the landscape character of the area.
2. Town Centre Residential Lots and residential small lots may be created **with where a building envelope allows for** one boundary as a zero lot line boundary. If such a boundary is to be created then satisfactory easements must be provided on the adjoining lot for eave overhang, drainage, maintenance and any other relevant matter. **The subject easement must be registered as a restriction on the title of the burdened lot prior to the issue of any Subdivision Certificate for the land.**

## 2.9 Environmental Protection

### Objectives

1. To ensure significant native vegetation and other environmental assets are not lost in the provision of asset protection zones.

### Controls

1. ~~Subdivisions of sites~~ **The subdivision of land that include comprises** significant stands of native vegetation must provide for asset protection zones for all future development outside of that vegetation. The allotment size and layout must facilitate this provision.
2. ~~Subdivisions of sites that include watercourses or other environmental assets must provide for asset protection zones for all future development outside of that vegetation. The allotment size and layout must facilitate this provision.~~

3. The layout of any proposed subdivision must be designed to limit or avoid any adverse impacts on watercourses and native vegetation and prevent future development occurring on steep and constrained lands.

## 2.10 Noise Amenity

### Objectives

- ~~1. To ensure that noise impacts on future dwellings are considered and identified at subdivision.~~

### Controls

- ~~1. The consent authority must consider noise impact on any proposed lot located within the Southern Rail Line. This may require an acoustic assessment for properties that are within the ranges identified by the NSW Government. Where acoustic treatment is required an appropriate restriction as to user is to be registered on the plan of subdivision.~~

## 2.11 Non-Residential Development

### Objectives

1. To ensure that the subdivision of land is carried out with due regard to other forms of existing non-residential development in the locality.

### Controls

1. When the subdivision of land is proposed in an area where an existing nearby non-residential use may impact on future residents, the consent authority must be satisfied that the new development would not restrict the ability of the existing development to meet amenity requirements in relation to issues such as noise, odour and the like in accordance with the principles established in the case of *Inghams Enterprises vs Kira Holdings*.

## 2.11 Agricultural Subdivision

### Objectives

1. To ensure agricultural land is not fragmented and degraded by inappropriate subdivision.

### Controls

1. These controls relate to ~~subdivisions reliant upon~~ the subdivision of land carried out under Clause 4.2 of Wollondilly Local Environmental Plan, 2011.
- ~~2. In demonstrating that a subdivision is for the purpose of primary production the applicant must satisfy the consent authority that:~~
  - ~~a. The loss of land for fencing, setbacks, duplication of services and stormwater management will not amount to more than 5% of the total area of the land; and~~
  - ~~b. The lots created can reasonably be expected to be used for agriculture in terms of available land, access to water and satisfactory separation from other uses that may result in land use conflict; and~~
  - c. That the use of the land, including storage of equipment, will be satisfactory from a security perspective if the lots do not have a dwelling to provide supervision.
2. Any development application for the subdivision of land under this clause must include a Total Farm Management Assessment which identifies the following:

- 
- Details of the most suitable agricultural uses for the site taking into account soil type, agricultural land classification, slope, pasture/grass type, drainage characteristics of the site, microclimate and proximity to dwellings on adjoining lands; and
  - The agricultural use to be undertaken on each proposed lot; and
  - The nomination of an agricultural envelope within each lot which demonstrates that sufficient land is available for the nominated agricultural use for that lot. The agricultural envelope shall exclude areas of the site required for boundary setbacks, services (including on-site wastewater disposal), drainage and other infrastructure and the like; and
  - Provide evidence that the lots are large enough to prevent the onset of rural land use conflict by way of odour, spray drift etc from the proposed agricultural use; and
  - Indicate the source of water supply for the use; and
  - Provide an Economic Feasibility Assessment of the intended agricultural uses on each of the lots.
  - That the use of the land, including storage of equipment, will be satisfactory from a security perspective if the lots do not have a dwelling to provide supervision.
3. A restriction shall be placed on the title of each lot created under clause 4.2 of Wollondilly Local Environmental Plan stating that the lot shall only be used for the purposes identified in the Total Farm Management Assessment endorsed by Council and that the lot(s) shall no dwelling shall be erected on the lot burdened.

DRAFT

## PART 3 – CONTROLS FOR SPECIFIC LOCATIONS

### 3.1 Picton West

#### Application

- This section applies to ~~Lot 1 DP 995172 located at Rumker Street, Star Street and Connellan Crescent~~ land identified on the structure plan below which is part of an Urban Release Area (refer to Volume 2, Section 2.3):



#### Objectives

- To ensure roads and pathways in future subdivision of the land is ~~provided with a highly permeable road network~~ provide direct connections to the internal and external road network.

#### Controls

- Roads and pathways shall be provided ~~to ensure a direct link between Rumker and Star Streets within the development~~ generally in accordance with the structure plan above.

### 3.2 Thirlmere East

#### Application

- This section applies to the land identified on the structure plan map below which is part of an Urban Release Area (refer to Volume 2, Section 2.3):





**Objectives**

1. To ensure future subdivision of the land is provided with ~~a highly permeable road network direct connections to the external and internal road network.~~
2. To ensure the protection of significant natural waterways and vegetation.
3. To provide infrastructure to support the provision of public transport.

**Controls**

1. All land within 30 metres of the top of bank of Redbank Creek shall be protected by the establishment of a covenant on the land restricting development on that part of the site to only vegetation ~~maintenance management~~ for environmental outcomes. The covenant shall also require, as a positive covenant, the land to be managed in accordance with a vegetation management plan approved by Council or the NSW Office of Environment and Heritage.
2. ~~Roads and pathways shall be provided to ensure a enable direct links between Brundah Road and Rita Street generally in accordance with the structure plan to existing roads and areas within the site identified on the structure plan.~~
3. The habitat tree identified on the structure plan shall be retained with a suitable environmental curtilage. ~~The tree and curtilage shall be provided with covenants as described in control 1.~~ The tree and associated curtilage shall be retained wholly within one lot. A restriction as to user shall be placed on the title of the lot where the habitat tree and curtilage are situated which requires the habitat tree and its nominated curtilage to be retained for environmental purposes.
4. ~~A bus stop with shelter shall be provided along the existing bus route in Thirlmere Way and linked to the precinct via a shared pathway along Rita Street in consultation with Picton Buslines. This must be provided prior to the release of any subdivision certificate for any allotment in the precinct with an area less than 2Ha Staged construction of a pathway from the site along Rita Street and Turner Street to the existing bus shelter in Thirlmere Way shall be undertaken as part of any subdivision application and staging of the pathway shall be proportional based on the number of lots generated.~~

- ~~The land identified as EEC on the structure plan shall be conserved unless approval is obtained by way of a Species Impact Statement or an equivalent process.~~

### 3.3 Thirlmere South

#### Application

- This section applies to the land identified on the structure plan map below which is part of an Urban Release Area (refer to Volume 2, Section 2.3):



#### Objectives

- To ensure that roads and pathways in future subdivision of the land ~~is provided with a highly permeable road network~~ are suitably connected to the external and internal road network.
- To provide infrastructure to support the provision of public transport.

#### Controls

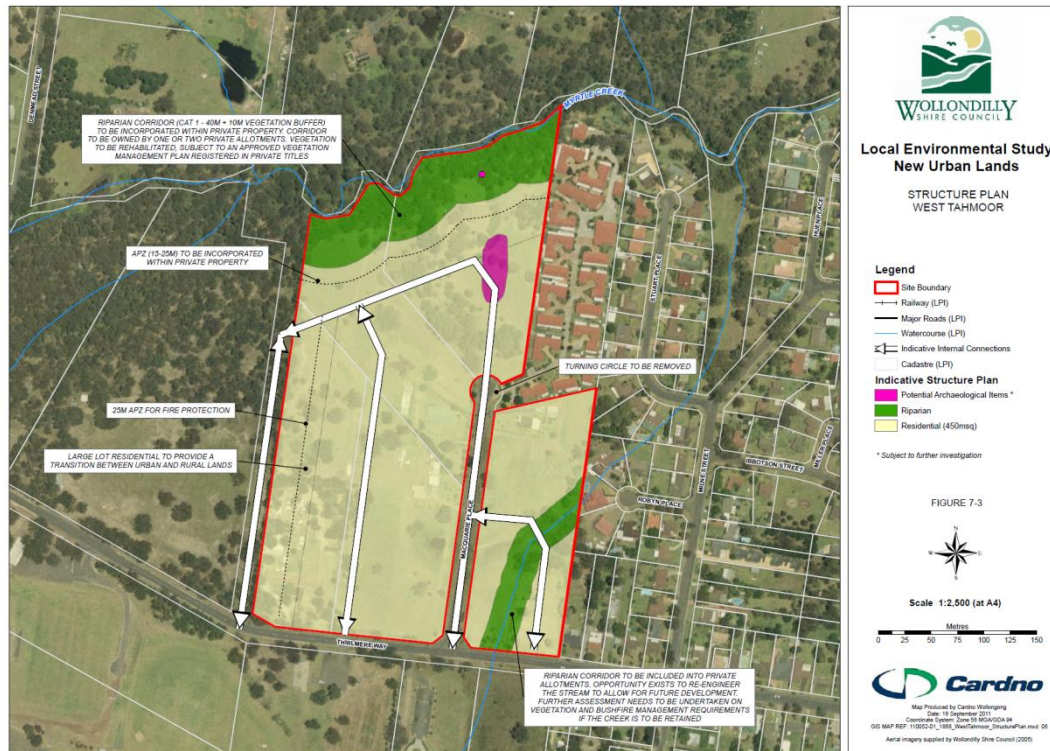
- Each existing lot shall fully construct and upgrade the public road for any part of its existing road frontages that have not been constructed to the standard specified in Council's Design Specification. The roads shall be completed prior to the release of any subdivision certificate for any allotment with an area less than 2Ha to be created from the existing lot.
- The *recommended connection between Antill and Dennis Streets* identified on the structure plan shall be incorporated into the road network for the development of each existing lot within the precinct.
- A bus stop with shelter shall be provided along the existing bus route in Thirlmere Way and linked through the precinct via a shared pathway along the *recommended connection between Antill and Dennis Streets*.
- The subdivision of land identified as *Potential Heritage Item* shall not proceed prior to a heritage assessment being prepared to the satisfaction of the consent authority. A subdivision proposal for this land may not proceed unless it is consistent with the recommendations of such an assessment.

5. Roads and pathways shall be provided generally in accordance with the structure plan and enable direct links to the road network and area within the site identified on the structure plan.

### 3.4 Tahmoor West

#### Application

1. This section applies to the land identified on the structure plan map below:



#### Objectives

1. To ensure roads and pathways within future subdivision of the land is are provided with a highly permeable direct links to the road network.
2. To ensure the protection of significant natural waterways and vegetation.
3. To provide infrastructure to support the provision of public transport.
4. To provide for a transition in lot sizes appropriate to the visual character of the locality.
5. To ensure aboriginal heritage is protected.

#### Controls

1. All land within 50 metres of the top of bank of Myrtle Creek shall be protected by the establishment of a covenant on the land which provides the following:
  - i. Restrict development on that part of the site to only vegetation maintenance management for environmental outcomes.
  - ii. prohibit the fencing of this land
  - iii. require the land to be managed in accordance with a vegetation management plan approved by Council or the NSW Office of Environment and Heritage.
2. The land identified as potential archaeological items shall be assessed as having high potential for aboriginal artefacts under Clause 3.10 in accordance with Clause 5.10 of Wollondilly Local Environmental Plan, 2011.

3. In addressing the requirements of Clause 3.6, developments shall provide larger allotments along Thirlmere Way and the western edge of the precinct.
4. Roads and pathways shall be provided substantially generally in accordance with the structure plan and enable direct links to the road network and area within the site identified on the structure plan.
5. A bus stop with shelter to be provided along the existing bus route in Thirlmere Way.

### 3.5 Tahmoor South

#### Application

1. This section applies to the land identified on the structure plan map below which is part of an Urban Release Area (Refer to Volume 2, Section 2.3):



#### Objectives

1. To ensure ensure roads and pathways within future subdivision of the land is are provided with a highly permeable direct links to the road network.
2. To provide infrastructure to support the provision of public transport.
3. To mitigate adverse impacts of the adjoining rail corridor on future residential development.
4. To mitigate the risks of development on Aboriginal artefacts and sacred sites.
5. To ensure the protection of significant vegetation.
6. To provide for a transition in lot sizes appropriate to the visual character of the locality.

#### Controls

1. All land within 30 metres of the top of bank of the watercourses identified on the structure plan shall be protected by the establishment of a covenant on the land which provides the following:
  - i. restricts development on that part of the site to only vegetation maintenance management for environmental outcomes;
  - ii. prohibits the fencing of this land;

- iii. requires, as a positive covenant, the land to be managed in accordance with a vegetation management plan approved by Council or the NSW Office of Environment and Heritage.
2. The habitat trees identified on the structure plan shall be retained with a suitable environmental curtilage. ~~The tree and curtilage shall be protected by the establishment of a covenant on the land restricting development on that part of the site to only vegetation maintenance for environmental outcomes. The covenant shall also prohibit the fencing of this land require, as a positive covenant, the land to be managed in accordance with a vegetation management plan approved by Council or the NSW Office of Environment and Heritage.~~ A restriction as to user shall be placed on the title of the lot where the habitat tree and curtilage are situated which requires the habitat tree and its nominated curtilage to be retained for environmental purposes.
3. ~~In addressing the requirements of Clause 3.6,~~ Developments shall provide larger allotments along the southern and western edges of the precinct.
4. Roads and footpaths shall be provided ~~substantially~~ generally in accordance with the structure plan to enable direct links to the existing road network and within the site identified on the structure plan.
5. A bus stop with shelter to be provided along the existing bus route in Byron Road.
6. ~~The land identified as potential archaeological items shall be assessed as having high potential for aboriginal artefacts under Clause 3.10~~ Any identified archaeological items on the site shall be assessed in accordance with the requirements of Volume 1 Part 7 of this DCP.
7. ~~A shared pathway from the north east corner of the precinct along Pitt Street to Thirlmere Way shall be provided to connect with the existing pathway prior to the release of any subdivision certificate for any allotment within the precinct with an area less than 2Ha. Staged construction of a pathway from the north east corner of the site to Thirlmere Way along Pitt Street shall be undertaken as part of any subdivision application and staging of the pathway shall be proportional based on the number of lots generated.~~

#### Notes

1. Part of this precinct was not rezoned by the Wollondilly Local Environmental Plan Amendment Number 3, 2014 (the LEP amendment). This plan has been prepared on the basis of the entire site having been rezoned. As development for the purposes of **Road** is permissible across the entire precinct before and after the LEP amendment it is anticipated that the development of the residentially zoned part of the site can be undertaken in accordance with these controls.
2. It is anticipated that the remainder of the site will be rezoned as part of a future amendment to Wollondilly Local Environmental Plan, 2011. These provisions are applied to the entire site in anticipation of it being wholly rezoned in the long term.

### 3.6 Tahmoor East

#### Application

1. This section applies to the land identified on the structure plan map below ~~which is part of an Urban Release Area (Refer to Volume 2, Section 2.3):~~



**Objectives**

1. To ensure roads and pathways within future subdivision of the land is are provided with a highly permeable direct links to the road network.
2. To provide infrastructure to support the provision of public transport.
3. To mitigate the risks of development on Aboriginal artefacts and sacred sites.
4. To ensure the protection of significant natural waterways and vegetation.

**Controls**

1. The habitat trees identified on the structure plan shall be retained with a suitable environmental curtilage. ~~The tree and curtilage shall be provided with suitable covenants to ensure they are protected.~~ A restriction as to user shall be placed on the title of the lot where the habitat tree and curtilage are situated which requires the habitat tree and its nominated curtilage to be retained for environmental purposes.
2. The subdivision of land identified as *Potential Heritage Item* shall not proceed prior to a heritage assessment being prepared to the satisfaction of the consent authority. A subdivision proposal for this land may not proceed unless it is consistent with the recommendations of such an assessment.
3. Roads and pathways shall be provided generally in accordance with the structure plan and enable direct links to the external road network and area within the site identified on the structure plan.
4. ~~The land identified as potential archaeological items shall be assessed as having high potential for aboriginal artefacts under Clause 3.10~~ Any identified archaeological items on the site shall be assessed in accordance with the requirements of Volume 1 Part 7 of this DCP.

**Notes**

1. Part of this precinct was not rezoned by the Wollondilly Local Environmental Plan Amendment Number 3, 2014 (the LEP amendment). This plan has been prepared on the basis of the entire site having been rezoned. As development for the purposes of **Road** is permissible across the entire precinct before and after the LEP amendment it is anticipated

that the development of the residentially zoned part of the site can be undertaken in accordance with these controls.

2. It is anticipated that the majority of the remainder of the site will be rezoned as part of a future amendment to Wollondilly Local Environmental Plan, 2011. These provisions are applied to the entire site in anticipation of it being wholly rezoned in the long term.

### 3.7 Avon Dam and Hawthorne Roads, Bargo

#### Application

1. This section applies to the following allotments:
  - a. 67 Avon Dam Road (Lot 9 DP 877774)
  - b. 77 Avon Dam Road (Lot 132 DP 851807)
  - c. 214 Hawthorne Road (Lot 8 DP 877774)
  - d. 218 Hawthorne Road (Lot 7 DP 877774)
  - e. 235 Hawthorne Road (Lot 1 DP 877774)
  - f. 245 Hawthorne Road (Lot 2 DP 877774)

#### Objectives

1. To encourage alternative modes of transport to the site.
2. To ensure hazards such as flooding are managed effectively.
3. To ensure riparian land is protected.
4. To ensure native vegetation is maintained and improved.
5. To provide a convenient vehicular and shared pathway route for future residents to local amenities.
6. To reduce the number of lots fronting Avon Dam Road.
7. To reduce the number of lots potentially impacted by road traffic and rail noise.
8. To ensure that contaminated land is suitably assessed and remediated prior to residential development.
9. To ensure that required infrastructure is provided if development is staged.
10. To ensure water quality is maintained and improved.

#### Controls

1. ~~For the purposes of Clause 7.1(4) of State Environmental Planning Policy No. 55 – Remediation of Land, Lot 8 DP 877774 is taken to be potentially contaminated land. Any future subdivision of Lot 8 DP 877774 requires the submission of a Phase 2 Contaminated Site Assessment in order to satisfy the requirements of Clause 7(1) of State Environmental Planning Policy 55 – Remediation of Land.~~
2. ~~The habitat trees identified on the structure plan shall be retained with a suitable environmental curtilage. The tree and curt ledge shall be provided with covenants to ensure its conservation in perpetuity.~~
3. An east-west road link which incorporates a shared pathway route on the northern side of this road shall be provided between Hawthorne Road and Avon Dam Road.
4. The lot layout shall ensure that where possible lots between Avon Dam Road and Hawthorne Road front the east-west road link.
5. A shared pathway shall be constructed along the full length of the frontage of the site on the eastern side of Avon Dam Road and along the frontage of properties within the site on the ~~northern~~ south western side of Hawthorne Road.
6. For the purposes of Volume 1 of this plan, the site is to be regarded as being at risk of flood.
7. The existing culvert in Hawthorne Road shall be replaced with a culvert which has capacity to manage a 1% AEP (100yr) flood level and this shall be installed prior to release of the first Subdivision Certificate.

8. A Vegetation Management Plan (VMP) for all restored or reconstructed riparian areas of the site shall be submitted with each development application for lots containing NRW mapped areas and shall be based on the document Controlled activities - Guidelines for Vegetation Management Plans by DECCW (2010).
9. Existing mature Cumberland Plain Woodland (CPW) species shall be maintained and the mapped NRW area around the watercourse shall be revegetated using indigenous CPW species.
10. The watercourse shall be protected and rehabilitated to mimic a natural creek system and this work shall be completed prior to release of the Subdivision Certificate for the land on which the watercourse is located.
11. A Section 88B instrument with a Restriction on the Title to require the ongoing restoration and maintenance of riparian corridors shall be registered on the title for those lots containing NRW mapped land.

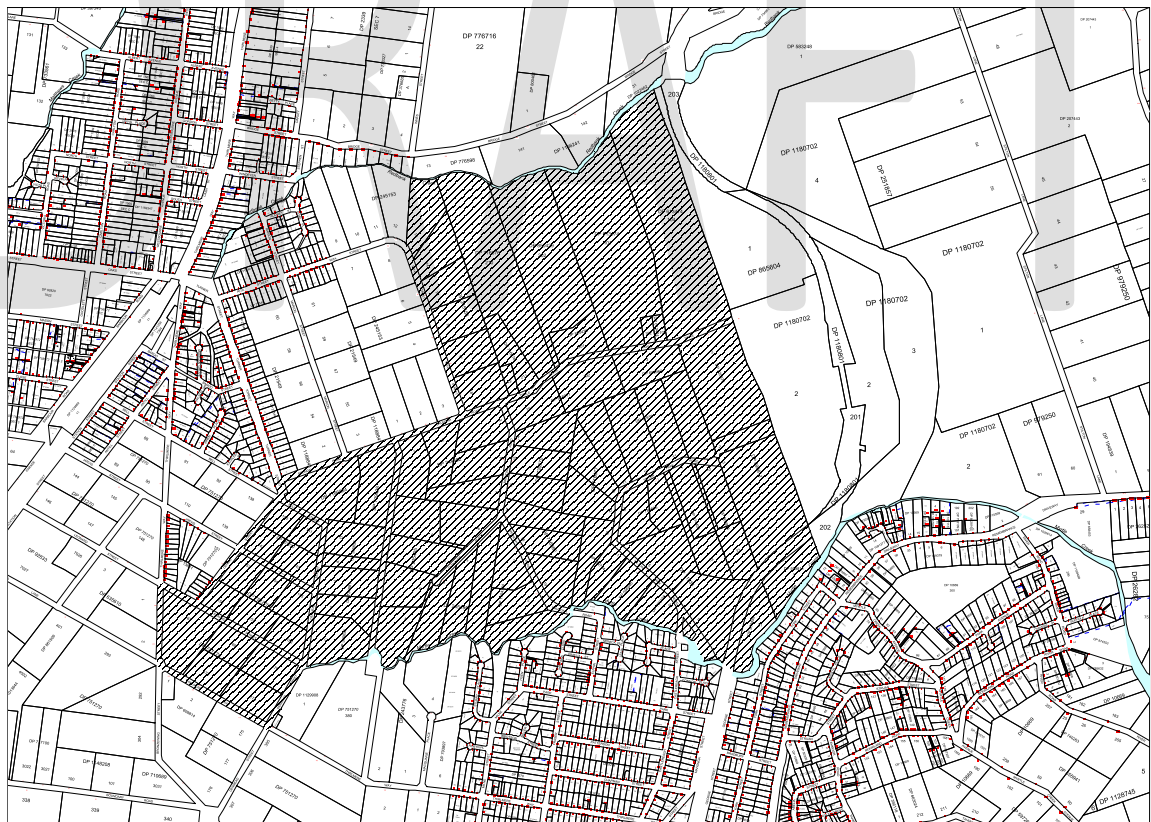
**Notes**

1. For further detail on the location of flood prone land refer to Appendix C in the Flood Study prepared by SEEC (March 2011).

**3.8 Land Between Picton, Tahmoor and Thirlmere (commonly known as PTTAG)**

**Application**

1. This section applies to the land identified on the map below:



**Objectives**

1. To ensure future subdivision of the land has regard to the capacity of downstream stormwater infrastructure.
2. To ensure aboriginal heritage is appropriately considered in the assessment of subdivisions in the PTTAG precinct.



### Controls

1. Prior to the grant of consent for any subdivision of land to which this clause applies must demonstrate that all downstream stormwater infrastructure, including culverts, are adequate for post development flows or can and will be upgraded to accommodate such flows.
2. The consent authority shall consult with local aboriginal groups as a part of the assessment for any subdivision application within the PTTAG precinct and may require additional archaeological assessment on a site by site basis.

### 3.9 Montpelier Drive Residential Land (The Oaks)

#### Application

1. This section applies to the land identified on the map below:



#### Objectives

1. To minimise the impacts on the scenic qualities of the rural and heritage landscape.
2. To improve road efficiency and permeability between residential areas.
3. To minimise rural land use conflict.
4. To maintain water quality in the drinking water catchment.
5. To reduce Council's maintenance burden.
6. To minimise the potential risk to life and property, and mitigate noise, from use of the nearby airfield.
7. To ensure habitable buildings are not impacted by potential "dam failure" from the large dam located on the adjoining property to the south.
8. To ensure that contaminated land is suitably assessed and remediated prior to residential development.

#### Controls

1. Provide a subdivision layout to achieve an overall density of 9 lots per hectare with a graduating range from 10 lots per hectare at the northern end decreasing to 8 lots per hectare at the southern end of the site.

2. Lots shall be oriented to the main access road and fenced with open style rural fencing.
3. The front of the site along Montpelier Drive shall be landscaped and fenced with open style rural fencing.
4. The main access to the site shall be from Montpelier Drive via the unformed public road reserve adjoining the southern end of the site. This access road shall be constructed in accordance with Council design requirements and align with Jooriland Road on the western side of Montpelier Drive.
5. Vehicular access to Hardwicke Street will only be allowed during emergencies.
6. Internal road and shared pathway links shall be provided to the adjoining northern residential area.
7. The main access road shall be landscaped on its southern boundary with suitable vegetation prior to release of any subdivision certificate to achieve a suitable buffer from noise and dust associated with rural activities on adjoining land.
8. All stormwater treatment systems shall be maintained and monitored by the developer for a period of 5 years after construction of the subdivision is completed for the whole site and these systems shall be demonstrated to be functioning effectively before being handed over to Council. Note: The letter of offer by the landowner on 26 August 2014 to enter into a planning agreement at the development application stage to provide additional funds for maintenance of these systems beyond the 5 year period.
9. The height of any new structure or tree shall be restricted to below the maximum permissible height as detailed in Figure 4 Height Limitations of the *Aviation Risk Assessment* by Rehbein Airport Consulting, 31 March 2014. Details of this restriction shall be included within a Section 88B instrument to accompany any application for a subdivision certificate and shall be registered on the title of all lots.
10. A noise assessment shall accompany all development applications for dwellings and detail design features to achieve an Aircraft Noise Reduction goal of approximately 20dBA in accordance with AS 2021. Details of this building restriction shall be included within a Section 88B instrument to be lodged with any application for a subdivision certificate and shall be registered on the title of all lots.
11. Uses such as hospitals, schools, child care centres and seniors living developments although permissible in the R2 Low Density Zone are not recommended for this site due to the potential risk from aircraft using the nearby east-west runway. Council shall only consider a proposal for such uses if an assessment indicates that these risks can be mitigated effectively.
12. All habitable buildings shall be constructed above the PMF flood level and to achieve this, building envelopes on affected lots shall be detailed on plans lodged as part of any development application for subdivision. Details of this building restriction on affected lots shall be included within a Section 88B instrument to accompany any application for a subdivision certificate and shall be registered on the title of all such lots.
13. For the purpose of Clause 7(4) of State Environmental Planning Policy No. 55 – Remediation of Land the site is taken to contain potentially contaminated land and shall require further assessment and remediation prior to any development consent being granted for subdivision.

### **3.10 Clearview (664, 740 and 760 Thirlmere Way and 25 Star Street, Picton)**

#### **Application**

1. This section applies to the land identified on the map below:



### Mine Subsidence

#### Objectives:

- (a) To ensure any potential impacts of mining are minimised for any future development of the site.

#### Requirements:

1. Dwellings must be constructed in accordance with the most current 'Surface Development Guidelines' available at the time of consideration of any development application for the site which apply to the adjacent mine subsidence district as provided by the Mine Subsidence Board.

### Land Contamination

#### Objectives:

- (a) To ensure remediation measures are undertaken to address any potential contaminants to enable the land to be used for residential purposes.

*Note: Potential contaminants were identified on the site at rezoning stage (as part of a 'Limited Preliminary Site Investigation' Report prepared in support of the Clearview Planning Proposal) which identified measures to be undertaken at development assessment stage.*

#### Requirements:

- i. This site is identified as being contaminated for the purposes of State Environmental Planning Policy 55 – Remediation of Land.

### Land Instability and Landscape Character

#### Objectives:

- (a) To ensure development is located on land which is not subject to instability.
- (b) To ensure development is not located on ridgelines.

**Requirements:**

1. The location of building envelopes for the purposes of a dwelling house must be indicated on any plans submitted with a subdivision application for any allotments located above the 250 AHD contour.
2. Building envelopes shall also be located in accordance with WDCP 2011 control 3.8 in Volume 10 Subdivision of Land.

**Biodiversity**

The following requirements apply to all allotments identified as containing Cumberland Plain Woodland on the Clearview Vegetation Map.

**Clearview Vegetation Map (prepared by Cumberland Ecology)**



**Objectives:**

- (a) To protect and improve remnant vegetation species identified on the site.
- (b) To maintain Cumberland Plain Woodland trees which are important for biodiversity and landscape character.

**Requirements:**

1. Lots subdivided within the area indicated on the Clearview Vegetation Map (CVM) shall ensure that Cumberland Plain Woodland (CPW) is consolidated to reduce fragmentation (ie. reducing the edge to area ratio).
2. A building envelope for dwellings and ancillary structures shall not impact on CPW detailed on the CVM.
3. Asset Protection Zones (APZs) shall be located outside of any CPW.
4. A Vegetation Conservation Management Plan (the Plan) shall be prepared by a consultant registered with the *Ecological Consultants Association of NSW* and submitted with the development application for subdivision. The Plan shall detail the long-term maintenance and improvement of CPW identified on the CVM. The plan shall:

- a. Detail measures to ensure the CPW is maintained to improve biodiversity outcomes
  - b. Detail provisions to ensure that dead and hollow trees and stags are protected.
5. Cumberland Plain Woodland identified on the CVM cannot be cleared for the purpose of fencing of allotment boundaries or for provision of infrastructure and utilities or driveways.
6. A Restriction on the Title shall be registered on the title of all lots containing CPW and shall include the following measures:
  - a. Requirement to implement the Vegetation Conservation Management Plan.
  - b. Detail that APZs shall not impact on CPW
  - c. Detail that CPW cannot be cleared
    - for the purpose of fencing of allotment boundaries or
    - for the provision of infrastructure, utilities or driveways.

DRAFT

# **Development Control Plan 2015**

Volume 4 – Residential Development



**Wollondilly**  
Shire Council

**Table of Contents**

<b>TABLE OF CONTENTS</b> .....	<b>2</b>
<b>PART 1 – PRELIMINARY</b> .....	<b>3</b>
1.1 Introduction .....	3
1.2 Objectives .....	3
1.3 Parts of this DCP .....	6
1.4 How to apply this volume.....	6
<b>PART 2 –GENERAL REQUIREMENTS FOR ALL DEVELOPMENT</b> .....	<b>7</b>
2.1 Alterations and Additions .....	7
2.2 Residential Development in the B4 Mixed Use Zone .....	7
2.3 Effect of Building Envelopes .....	8
2.4 Conversion of Buildings .....	8
2.5 Determining what constitutes an adjoining lot under this plan (for the purpose of calculating setbacks) .....	8
2.6 <del>Assessment of Tree Removal</del> .....	9
2.7 Wet bars .....	10
2.8 Driveways .....	10
2.9 Setbacks .....	10
2.10 Non-Residential Development.....	10
2.11 Special Requirements for Parking areas near dwellings.....	11
2.12 Stormwater .....	11
2.13 Temporary Occupation .....	12
3.1 Single Dwelling Houses (Town Centre Residential Lots) .....	14
3.2 Single Dwelling Houses (Residential Small Lots).....	18
3.3 Single Dwelling Houses (Standard Residential Lots) .....	22
3.4 Single Dwelling Houses (Residential Large Lots) .....	26
3.5 Single Dwelling Houses (Rural Lifestyle Lots).....	29
3.6 Single Dwelling Houses (Rural Lots) .....	31
3.7 Ancillary Buildings (Town Centre Residential Lots, Residential Small Lots and Standard Residential Lots) .....	32
3.8 Ancillary Buildings (Residential Large Lots) .....	32
3.9 Ancillary Buildings (Rural Lifestyle Lots and Rural Lots).....	34
3.10 <del>Housing and Ancillary Development</del> Dwellings on Residential Battle-Axe Allotments .....	35
3.11 Swimming Pools .....	37
3.12 Car Ports.....	37
3.13 Retaining Walls.....	38
3.14 Secondary Dwellings .....	39
3.15 <del>Dual Occupancy in Zones other than R3 Medium Density Residential</del> Development in R2 and R3 zones .....	43
3.16 Dual Occupancy Development in Rural and Environmental Zones .....	47
3.17 Medium Density Development other than Residential Flat Buildings.....	49
3.18 Residential Flat Buildings .....	54
3.19 Hostels and Boarding Houses .....	59
3.20 Shop top housing.....	64
3.21 Exhibition Homes and Villages .....	66
<b>PART 4 – CONTROLS FOR SPECIFIC LOCATIONS</b> .....	<b>67</b>
4.1 Avon Dam and Hawthorne Roads, Bargo .....	67
4.2 Bingara Gorge Estate .....	67
4.3 Montpelier Drive Residential Land.....	68

## PART 1 – PRELIMINARY

### 1.1 Introduction

This Volume provides controls for development for the purposes of residential accommodation and other related land uses and any development ancillary to those uses ~~and forms part of the Wollondilly Development Control Plan 2011. A Development Control Plan is only a part of the Planning System in NSW.~~ This volume is intended to provide guidance to the community, developers and Council in the design of residential developments. When Council considers a development application it must consider this plan AND the other plans and laws that apply. This means that in some cases Council may approve a development that does not follow all of the controls in this plan. It also means that in other cases Council may refuse a development that does follow all of the controls in this plan.

### 1.2 Objectives

The object of this volume is to ensure **that** residential accommodation development achieves the aims of Wollondilly Local Environmental Plan, 2011 by ~~promoting residential development while~~ ensuring **that residential** development achieves excellent planning outcomes. The specific objectives referred to in this volume are detailed below:

#### 1. Visual Character **and amenity**

- 1.1. To ensure **that** in-fill development is compatible with existing landscape characters.
- 1.2. To establish an aesthetically pleasing landscape character for residential areas.
- 1.3. To create attractive streetscapes **and ensure that** development does not dominate the landscape by excess bulk, **height** or inappropriate scale.
- 1.4. **To ensure that dwellings on corner lots address both street frontages and provide a suitable level of visual interest when viewed from the secondary street frontage.**

#### 2. Vehicular Access, Car Parking and Traffic

- 2.1. To ensure **that** dwellings have access to car parking that is practical for occupants.
- 2.2. To ensure **that** vehicular access and car parking are designed in a way that minimises risk to occupants.
- 2.3. To reduce the incidence of vehicles parking across road verges.
- 2.4. To ensure **that** development is provided with adequate car parking **based on the likely intensity of the proposed use.**
- 2.5. To encourage the use of a variety of transport modes.

#### 3. Encouraging Healthier Lifestyles

- 3.1. To encourage the provision of ~~yards to allow for private active recreation space~~ **private open space areas that are accessible from a living area and that achieve adequate visual and acoustic privacy for occupants.**
- 3.2. To encourage the provision of common open space **areas** for higher density residential development ~~to~~ **that** contributes to the wellbeing of occupants.
- 3.3. To encourage the provision of open space for ~~accommodation developments~~ **buildings used for residential accommodation purposes** to allow for recreation opportunities and a higher **level of amenity within the development.**
- 3.4. **To ensure that the habitable rooms and private open space areas of new dwellings achieve adequate levels of solar access.**
- 3.5. **To ensure that any new dwelling does not unreasonably reduce the level of solar access achieved by the habitable rooms or private open space areas of adjoining dwellings.**

#### 4. Crime Prevention Through Environmental Design

- 4.1. To reduce the **incidence onset** of entrapment areas and other public areas that have poor passive surveillance.
- 4.2. Maximise passive surveillance of public roads.

#### 5. Privacy



- 
- 5.1. To ensure ~~that~~ development does not result in ~~private open space being “over looked” by other private open space and/or~~ overlooking of windows and private open space areas of adjoining dwellings.
- 5.2. To ensure ~~sufficient~~ separation between dwellings to provide high amenity living.
- 6. Water Sensitive Urban Design**
- 6.1. To encourage the retention of land as “deep soil” exposed for infiltration of rainwater.
- 6.2. To retain, as far as practicable, natural stormwater flows.
- 6.3. To ensure stormwater from buildings is collected and conveyed in a manner that does not cause environmental harm.
- 7. Services**
- 7.1. To ensure stormwater management systems are low maintenance and resilient.
- 7.2. To ensure stormwater management systems can accommodate flows from storms with a low annual exceedence probability.
- 8. Waste Management**
- 8.1. To ensure waste storage and disposal from premises does not result in adverse amenity impacts on those premises or the surrounding environment.
- 9. Ecologically Sustainable Development**
- 9.1. To reduce the need to export fill from a site.
- 9.2. To ensure ~~developments are constructed that the development of land for residential purposes is carried out~~ in a way that ~~minimises the wastage makes efficient use~~ of natural resources.
- 10. Environmental Protection**
- 10.1. To ensure ~~developments do that the development of land does~~ not result in adverse impacts on the biophysical environment.
- 10.2. To consider the impact of development on the natural environment in balance with the reasonable expectation that a dwelling can be constructed on rural allotments where Wollondilly Local Environmental Plan 2011 permits the construction of a dwelling.
- 11. Social Equity**
- 11.1. To ensure ~~developments that residential development~~ provides a variety of housing that includes a proportion of housing that can be readily adapted to be suitable for occupation by people with a disability to promote social equity.
- 11.2. To ensure ~~that~~ boarding house and hostel developments are provided in a manner that balances the positive social contribution of these developments with the needs and expectations of surrounding land uses.
- 11.3. To ensure ~~that~~ boarding house and hostel developments are only provided ~~near~~ ~~within a reasonable proximity to~~ appropriate public transport.
- 11.4. To ensure ~~that~~ boarding house and hostel developments provide a satisfactory level of amenity to occupants.
- 11.5. To ensure ~~developments that residential development~~ is accessible for people with a disability.
- 12. Housing Delivery**
- 12.1. To ensure ~~developments that residential development~~ provides a range of dwelling types and sizes to meet the needs of the whole community in a way that promotes social equity.
- 12.2. To ensure ~~that~~ residential land resources are not underdeveloped by inappropriate development staging that would lead to sterilisation.
- 12.3. To ensure the delivery of appropriate affordable housing is not hindered by the inappropriate provision of parking to Secondary Dwellings that would permit the use of the building in a manner other than that intended by the Secondary Dwellings provisions of Wollondilly Local Environmental Plan, 2011.
- 12.4. To ensure ~~that~~ land within medium density zones is neither overdeveloped nor underdeveloped.
- 12.5. To ensure land within low density residential zones is not overdeveloped.
- 13. Economic Development**
-

- 13.1. To ensure **that** residential development is not antipathetic to the objectives of business zones.
  - 13.2. To ensure **that** business development in residential areas is undertaken in a way that is sensitive to surrounding land uses.
  - 13.3. To provide guidance in the determination of whether a development is or is not farm stay accommodation.
  - 13.4. To ensure that developments for visitor accommodation are not inappropriately used for long term residential purposes.
- 14. Appropriate Integration with State Environmental Planning Policies and Wollondilly Local Environmental Plan, 2011.**
- 14.1. To ensure **that** this plan is consistent with the framework established by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
  - 14.2. To ensure that land that is large enough to be subdivided under Wollondilly Local Environmental Plan, 2011, is subject to the most appropriate controls and Section 94 developer contribution and not inappropriately developed as a dual occupancy.
  - 14.3. To ensure compliance with the provisions of Wollondilly Local Environmental Plan, 2011.
  - 14.4. To ensure that ancillary buildings constructed under this volume are not of an excessive scale that is beyond what can reasonably be expected to be used for domestic purposes.
  - 14.5. **To ensure that development achieves consistency with the Building Code of Australia.**
- 15. Swimming Pools**
- 15.1. To maximise the safety of swimming pools.
- 16. Maintenance**
- 16.1. To ensure **that** buildings can be maintained in the long term.

### 1.3 Parts of this DCP

The requirements contained within Part 2 ~~and 3~~ apply to all development to which this plan applies.

Part 3 applies to ~~the following~~ specific types of residential accommodation development.

Part 4 applies to the following specific locations:

- Avon Dam Road and Hawthorne Road in Bargo
- ~~The PTT New Urban Lands Precincts in Picton, Tahmoor and Thirlmere~~
- Bingara Gorge Estate at Wilton

### 1.4 How to apply this volume

The controls in this volume which apply to single dwellings and ancillary structures have been divided into various lot types which are depicted in the following table:

<b>Lot type</b>	<b>Lot size</b>
Town Centre Residential Lot	<450m <sup>2</sup>
Residential Small Lot	450m <sup>2</sup> -699m <sup>2</sup>
Standard Residential Lot	700m <sup>2</sup> -1499m <sup>2</sup>
Residential Large Lot	1500m <sup>2</sup> -3999m <sup>2</sup>
Rural Lifestyle lot	4000m <sup>2</sup> -2ha
Rural Lot	Greater than or equal to 2ha

If a single dwelling or ancillary structure is proposed the reference should be made to the relevant section based on the lot type above.

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## **PART 2 –GENERAL REQUIREMENTS FOR ALL DEVELOPMENT**

### **2.1 Alterations and Additions**

#### **Objectives**

1. To provide clarity and consistency in the assessment of applications to alter and expand development subject to this volume.
2. To provide clarity and consistency in the assessment of applications for continued use of unauthorised works.

#### **Controls**

1. A proposal for alterations and/or additions to an existing development shall be assessed as though both the existing and proposed development were proposed as a single application.
2. The controls within this plan shall apply only to the alterations and/or additions and shall not be retrospectively applied to existing development that was lawfully undertaken.
3. This control applies to development sites that include existing unauthorised works where an application seeks consent for continued use of those works. Unauthorised works shall be assessed under this plan in the same way that the works would have been assessed if the application had been made prior to the work being undertaken.

### **2.2 Residential Development in the B4 Mixed Use Zone**

#### **Objectives**

1. To provide clarity in the assessment of applications for Residential Development in the B4 Mixed Use Zone.
2. To ensure equity and consistency of character between residential development in the B4 Mixed Use Zone and nearby residential zones of similar density.

#### **Controls**

1. Development for detached dwelling houses (including ancillary developments) in the B4 Mixed Use Zone shall be assessed as though it were undertaken in the R2 Low Density Residential Zone.
2. Attached dual occupancies (including ancillary developments) in the B4 Mixed Use Zone shall be assessed as though it were undertaken in the R2 Low Density Residential Zone.
3. Medium density residential development (including ancillary developments) in the B4 Mixed Use Zone shall be assessed as though it were undertaken in the R3 Medium Density Residential Zone.
4. Development for residential flat buildings (including ancillary developments) in the B4 Mixed Use Zone shall be assessed as though it were undertaken in the R3 Medium Density Residential Zone.
- ~~5. Residential development within the B4 Mixed Use Zone shall not exceed the density of development permitted in the nearest residential zone unless the site is located in a particularly desirable location for higher density development because:
  - ~~a. It has superior access to a commercial centre; and~~
  - ~~b. It has superior access to public transport; and~~
  - ~~c. The site has physical characteristics that make it highly suited to higher density development.~~~~

### **2.3 Effect of Building Envelopes**

#### **Objectives**

1. To permit and encourage the master planning of built form in subdivisions at the subdivision stage.

#### **Controls**

1. These controls apply to any allotment that is burdened by a restriction on title benefitting Council that has been imposed as the result of a condition of development consent on the subdivision of the land.
2. Where there is an inconsistency between the restriction and any control in this volume the restriction shall prevail but only in so far as it relates to:
  - a. A building setback; and/or
  - b. A building height restriction.
3. Notwithstanding control 2, no garage may be located within 5.5m of any boundary of a property with a public road.

### **2.4 Conversion of Buildings**

#### **Objectives**

1. To ensure that buildings to be adapted or converted to a use subject to this volume achieves the same standards that would be required if a new building were erected.
2. To ensure development is appropriate in its landscape.
3. To ensure development has a satisfactory level of amenity.

#### **Controls**

1. These controls apply to development for the purpose of converting an existing building into a development type subject to this volume.
2. The development shall be assessed as though the development were being proposed as a new building.

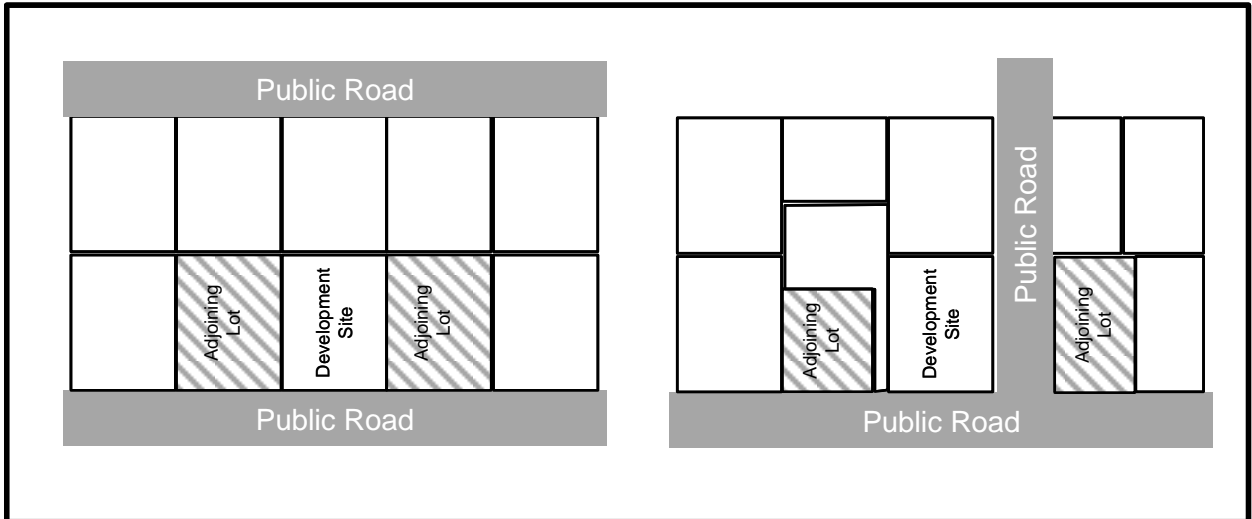
### **2.5 Determining what constitutes an adjoining lot under this plan (for the purpose of calculating setbacks)**

#### **Objectives**

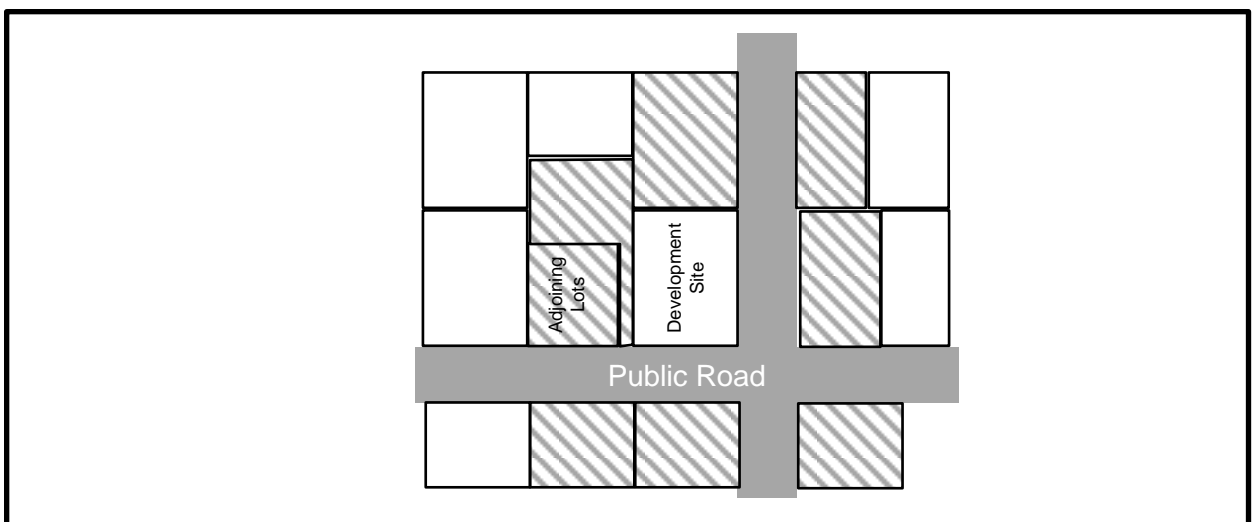
1. To provide clarity in the determination of what constitutes an adjoining lot under this plan.

#### **Controls**

1. In the case of a control relating to a setback from a road boundary of an allotment the adjoining lots are the lots on either side of the site that also have a boundary to that road ignoring any access handle or other road that may be present. This is represented below:



2. In the case of any other control the adjoining lots are the lots that share a boundary with the development site and the lots that would share such a boundary but for the presence of a public road or access handle. This includes lots that share a common corner of a boundary even if this is the only common boundary. This is represented below:



## 2.6 — Assessment of Tree Removal

### Objectives

- ~~1. To ensure the clearing of trees is appropriately considered in the assessment of development applications under this volume.~~

### Controls

- ~~1. In assessing the impact of a proposal under this plan the consent authority shall assume that all trees will be cleared within:~~

- ~~a. 3 metres of every building, pool, driveway and other structure; and~~  
~~b. Within any asset protection zone required.~~

## 2.7 Wet bars

### Objectives

1. To ensure that proposed wet bars are not readily adaptable to provide additional kitchens that would lead to a different use under the relevant environmental planning instruments.

### Controls

1. Wet bars shall have a counter area no greater than ~~4m<sup>2</sup>~~ 3m<sup>2</sup>.
2. Wet bars shall not be provided with ovens, cooktops or dishwashers.

## 2.8 Driveways

### Objectives

1. To ensure that residential developments are provided with suitable vehicular access.

### Controls

1. Driveways shall be ~~sealed concrete~~ for all residential development in the R1, R2, R3 zones.
2. Driveways shall be ~~bitumen~~ sealed for dual occupancy development in the E4 zone ~~or within rural zones if permitted by an Environmental Planning Instrument.~~
3. Driveways shall be ~~concrete or bitumen~~ sealed for all residential development in the R5 zone.
4. Driveways shall be sealed or all weather gravel for all other development under this volume.

## 2.9 Setbacks

### Objectives

1. To clarify that a building may exceed a setback in this volume.

### Controls

1. Where there is a setback fixed for a building anywhere in this volume a building will be taken to comply if it is setback by an amount equal to or greater than the numerical standard provided.

## 2.10 Non-Residential Development

### Objectives

1. To ensure that residential developments are undertaken with due regard to other forms of development in the vicinity.

### Controls

1. Development subject to this volume must demonstrate that it will not result in unreasonable impacts on existing non-residential development in the vicinity including (without limitation):
  - a. Agriculture
  - b. Education Facilities
  - c. Recreation Facilities

- d. Industries
- e. Business Undertakings.

## 2.11 Special Requirements for Parking areas near dwellings

### Objectives

1. To ensure that access doors located near dwelling vehicle parking areas are designed to minimise the risk of a low speed roll over incident.
2. To ensure that dwellings have an effective barrier to prevent people from coming into conflict with motor vehicles.

### Controls

1. Where a door is provided which has direct access (within 3 metres) to a parking area, the door shall be consistent with the following requirements:
  - a) The door leaf shall swing into the dwelling and not into the garage or parking area; and
  - b) No sliding or concertina door of any type shall be used; and
  - c) The door leaf shall be fitted with a hydraulic self-closing fixture that is a minimum size 2 spring strength in accordance with AS4145.5.

Note: In the case of unusually high or heavy doors, windy or draughty conditions, or special installations a larger power size of door closer should be used; and

- d) Any door latch or passage set shall be installed at a minimum of 1500mm above finished floor level; and
- e) Any bolt or function that could, in normal usage, render a door leaf non-self-latching shall not be incorporated.

Note: A non-self-latching bolt (e.g. a dead bolt) will prevent the door from closing if left protruding while the door is open. Any electrically operated locking devices or bolts shall be self-latching in the event of power failure and any activation switches installed 1500mm above finished floor level; and

- f) If pairs of doors are used both leaves are to be self-closing and self-latching and shall include a selective sequence closing device.

**Note:** For the purpose of this control, a parking area includes, but is not limited to an attached or detached garage, car port or an open hardstand car parking space.

## 2.12 Stormwater

### Objectives

1. To ensure that stormwater from buildings is collected and conveyed in a manner that does not cause environmental harm.
2. To retain, as far as practicable, natural stormwater flows.

### Controls



1. Stormwater from new dwellings (other than water to be recycled for use on site) must be directed to at least one of the following to Council's specifications:

- Street drainage system;
- Drainage easement;
- Natural drainage path.

Council may consider the use of absorption trenches or similar on large lot residential and rural lots where one of the measures above cannot be satisfied.

2. Where common drainage treatment methods are unable to suitably convey stormwater from the dwelling to one of the systems described in control (1) above, Council may require the creation of drainage easements over adjoining properties to carry stormwater from the site.
3. The proposed dwelling and any associated stormwater drainage measures shall account for the existing drainage patterns of the area and shall not contribute to any localised ponding, nuisance flooding on adjoining properties, or impacts to overland flow or natural drainage paths.
4. All stormwater disposal systems shall be in accordance with Council's Engineering Design Specifications.

### **2.13 Temporary Occupation**

These provisions apply to an application for temporary residential occupation of a building or structure, other than a dwelling during the construction of the first house on the site.

#### **Objectives**

1. To ensure that temporary occupation would not be detrimental to the existing natural and built environment.
2. To ensure that temporary occupation is carried out over a timeframe which can reasonable be considered as being on a "temporary" basis.
3. To avoid the use of structures for the purposes of temporary occupation which could remain capable of being readily converted for occupation after temporary occupation has ceased.

#### **Controls**

1. The temporary occupation of a structure is not permitted in residential (R) zones.
2. The temporary occupation of a structure is only permitted on a site which contains an existing consent for a dwelling house which has not lapsed.
3. Temporary Occupation of a structure must not involve the occupation of a shed as a dwelling or domicile. Council may consider a shed with a bathroom facility however the place of residence during temporary occupation must be within a separate structure such as a caravan.
4. Suitable arrangements for wastewater disposal where temporary occupation is permitted in unsewered areas must be provided.

5. Council must not consent to the temporary occupation of a structure for greater than two (2) years.

## PART 3 – SPECIFIC LAND USE CONTROLS

### 3.1 Single Dwelling Houses (Town Centre Residential Lots)

These provisions apply to developments for dwelling houses on Town Centre Residential Lots (area less than 450m<sup>2</sup> on which a dwelling can be lawfully constructed).

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	The total portion of the site covered by buildings shall not exceed 60% of the site area.	1.2, 1.3, 3.1, 6.1 & 6.2.
2	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
3	Cut shall be limited to 1.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
4	The overall bulk, scale, height and proportion of the dwelling shall be consistent with the existing streetscape character of the area.	1.2, 1.3
5	The roof form of dwellings shall be modulated or articulated to provide visual interest and shall not use bright reflective materials.	1.2, 1.3
6	<del>Any</del> The front façade must feature a personal access door.	1.2, 1.3
7	<del>Each frontage of the lot to a public road must be addressed by the dwelling. A dwelling is taken to address a frontage if the façade of the dwelling visible from that frontage meets the front façade requirements of this volume and has the appearance of dwelling front façade.</del>  The front façade of any dwelling must address the street. In this regard the front facade shall include a combination of at least two (2) of the following: <ul style="list-style-type: none"> <li>• an entry feature or portico;</li> <li>• bay windows;</li> <li>• the use of a balcony, deck, pergola, terrace or verandah along the frontage;</li> <li>• Roof overhangs;</li> <li>• Awnings over windows which blend with the design of the dwelling;</li> <li>• A combination of other architectural features suitable to Council which enhance the front façade of the dwelling.</li> </ul>	1.2, 1.3 & 4.2
8	On corner allotments, the building façade on the secondary street frontage shall address the street in accordance with control (7) above.	1.2, 1.3 & 4.2
9	Where the primary front façade is addressed by way of a building feature such as a balcony, deck, pergola, terrace or verandah, roof overhang, awning and the like, the feature shall “wrap around” the dwelling and continue along the secondary front façade for a minimum length of 3m.	1.2, 1.3, 1.4 & 4.2
10	Any fencing along the primary frontage (or secondary street frontage on a corner lot) must be of a height that would not visually obstruct the building features provided in accordance with control (7) to (9)	1.2, 1.3, 1.4 & 4.2

	above when viewed from the street.	
11	Any front façade (and secondary front façade on corner lots) must have no stretch of blank wall greater than 5.0m in length.	1.2, 1.3, 1.4, 4.2
12	Any front façade (and secondary front façade on corner lots) must have no stretch of straight wall greater than 10.0 metres in length.	1.2, 1.3, 1.4
13	A side or rear façade must have no stretch of blank wall greater than 12.0 metres.	1.2, 1.3, <del>4.4</del>
14	No more than 50% of the front façade shall be garage doors.	1.2, 1.3, <del>4.4</del>
15	The number of garage doors visible to the street shall be limited to 2. In this control a double garage door shall be counted as 2 doors.	1.2, 1.3, <del>4.4</del>
16	The front façade shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, <del>4.4</del> , 4.2
17	Dwellings must appear no greater than two (2) storeys in height.	1.1, 1.2, 1.3, <del>4.4</del>
<b>Setbacks</b>		
18	Where there is a dwelling on each adjoining lot, the setback for the dwelling from any primary road shall be the average setback of the existing adjoining dwellings plus or minus 10%. Such a setback shall be no less than 3m for lots less than 300m <sup>2</sup> . In all other cases the front setback shall be no less than 4.5m.	1.1, 1.2, 1.3, <del>4.4</del>
19	Where there is a dwelling on one adjoining lot the front setback for the dwelling shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 3m for lots less than 300m <sup>2</sup> . In all other cases the front setback shall be no less than 4.5m.	1.1, 1.2, 1.3, <del>4.4</del>
20	Where there is no dwelling on an adjoining lot the front setback shall be 3m for a lot with an area less than 300m <sup>2</sup> and 4.5m for all other Town Centre Residential Lots.	1.2, 1.3, <del>4.4</del>
21	The minimum side setback shall be 0.9m. Except in cases where a zero lot line has been nominated at the subdivision stage and satisfactory easements have been provided over the adjoining allotment.	1.2, 1.3, <del>4.4</del> , 5.2
22	The minimum rear setback shall be <del>3.0m</del> 8.0m for a two (2) storey dwelling and <del>900mm</del> 3.0m for a single storey dwelling or a single storey part of a two (2) storey dwelling.	1.2, 1.3, <del>4.4</del> , 5.1, 5.2
23	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be 2.0m.	1.2, 1.3, 1.4
24	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.	14.1
25	<del>No part of any garage shall be located within 5.5 metres of a frontage of the site to a public road.</del>  Any garage attached to a dwelling shall be setback a minimum of 1 metre behind the front building line of the dwelling or 5.5 metres from the front street boundary, whichever is greater.	1.2, 1.3, <del>4.4</del> , 2.1, 2.2, 2.3
26	Awnings and other building features that do not form a wall of a room may be located between the building setback to a primary and/or secondary road but shall not extend more than 1.5m in front of that building setback.	1.2, 1.3, <del>4.4</del>
27	Eaves and other building features that do not form a wall of a room may be located within the side and rear building setbacks but shall not extend more than 450mm into that building setback.	1.2, 1.3, <del>4.4</del>

<b>Private Open Space</b>		
28	A minimum principal area of private open space must be provided with the following characteristics: <ul style="list-style-type: none"> <li>a. Gradient no steeper than 1:20 (Rise:Run)</li> <li>b. Width no less than 3 metres in any direction</li> <li>c. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom (i.e a living area)</li> <li>d. Have an area no less than 16 square-metres.</li> <li>e. Must not be located in the front building setback nor the setback from a secondary frontage.</li> <li>f. Not be used for clothes drying, effluent disposal or garbage storage</li> </ul>	3.1, 6.1
<b>Solar Access</b>		
29	Sunlight is to be available to at least 50% of the dedicated private open space area of the dwelling for at least 3 hours between 9:00 am and 3:00 pm on June 21.	1.3, 3.4
30	A new dwelling shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.	1.3, 3.5
<b>Parking, Access and Vehicular Safety</b>		
31	<del>A minimum of one parking space must be provided wholly on the site. Such a space or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the dwelling house.</del>  A minimum of one (1) car parking space which is directly accessible for vehicles must be provided on the site behind the building line in the form of a carport, garage or hard stand space or any combination of these.  Stacked car parking spaces may be considered forward of the building line in addition to the one (1) car parking space required above.	2.1, <del>2.2</del> , 2.3, 2.4 14.1
32	An open hard stand car parking space must measure <del>at least</del> a minimum of 2.6m wide <del>and</del> by 5.4m long.	2.1, 2.2, 14.1
33	Garages shall have sufficient area to accommodate a parking space of 2.6m x 5.4m per allocated parking space.	2.1, 2.2, 2.4
34	Garage doors shall have a minimum width of 2.4 metres.	2.1, 2.2
<b>Privacy</b>		
35	<del>Dwellings must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.</del>  Wherever possible, dwelling shall be designed to avoid overlooking the main living areas, private open spaces areas and windows of habitable rooms of adjoining dwellings.	5.1, 5.2
36	The outlook from second storey windows, balconies, stairs, landings, terraces or decks is to be screened where a direct view is available into the private open space areas of an existing adjoining dwelling to prevent overlooking.	5.1,
37	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1, 5.2
38	In cases where windows of habitable rooms on a dwelling have a	5.2

	direct outlook onto windows of habitable rooms of adjacent dwellings, the windows of the proposed dwelling shall be offset by a sufficient distance to limit direct views between windows.	
<b>Stormwater</b>		
39	<del>Stormwater from new buildings must be gravity fed to a constructed or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.</del>	6.2, 7.1, 7.2
<b>Waste Management</b>		
40	Dwellings shall be provided with bin storage areas in a location clear of private open space and out of view from any public space including any public road.	1.2, 1.3, 3.1, 8.1

### 3.2 Single Dwelling Houses (Residential Small Lots)

These provisions apply to developments for dwelling houses on Residential Small Lots (area between 450 m<sup>2</sup> and 699m<sup>2</sup> on which a dwelling can be lawfully constructed). They do NOT apply to Residential Battle-Axe Allotments.

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	The total portion of the site covered by buildings shall not exceed 60% of the site area.	1.2, 1.3, <del>4.4</del> , 3.1, 6.1 & 6.2.
2	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
3	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
4	The overall bulk, scale, height and proportion of the dwelling shall be consistent with the existing streetscape character of the area.	1.2, 1.3
5	The roof form of dwellings shall be modulated or articulated to provide visual interest and shall not use bright reflective materials.	1.2, 1.3
6	<del>Any</del> The front façade must feature a personal access door.	1.2, 1.3 & <del>4.2</del>
7	<del>Each frontage of the lot to a public road must be addressed by the dwelling. A dwelling is taken to address a frontage if the façade of the dwelling visible from that frontage meets the front façade requirements of this volume and has the appearance of dwelling front façade.</del>  The front façade of any dwelling must address the street. In this regard the front facade shall include a combination of at least two (2) of the following: <ul style="list-style-type: none"> <li>• an entry feature or portico;</li> <li>• bay windows;</li> <li>• the use of a balcony, deck, pergola, terrace or verandah along the frontage;</li> <li>• Roof overhangs;</li> <li>• Awnings over windows which blend with the design of the dwelling;</li> </ul> A combination of other architectural features suitable to Council which enhance the front façade of the dwelling.	1.2, 1.3, 4.2
8	On corner allotments, the building façade on the secondary street frontage shall address the street in accordance with control (7) above.	1.2, 1.3, 1.4, 4.2
9	Where the primary front façade is addressed by way of a building feature such as a balcony, deck, pergola, terrace or verandah, roof overhang, awning and the like, the feature shall “wrap around” the dwelling and continue along the secondary front façade for a minimum length of 3.0m.	1.2, 1.3, 1.4, 4.2
10	Any fencing along the primary frontage (or secondary street frontage on a corner lot) must be of a height that would not visually obstruct the building features provided in accordance with control (7) to (9) above when viewed from the street.	1.2, 1.3, 1.4, 4.2
11	Any front façade (and secondary front façade on corner lots) must	1.2, 1.3, 1.4, 4.2

	have no stretch of blank wall greater than 5.0m in length.	
12	Any front façade (and secondary front façade on corner lots) must have no stretch of straight wall greater than 10.0 metres in length.	1.2, 1.3, 1.4
13	A side or rear façade must have no stretch of blank wall greater than 12.0 metres.	1.2, 1.3, <del>1.4</del>
14	No more than 50% of the front façade shall be garage doors.	1.2, 1.3, <del>1.4</del>
15	The number of garage doors visible to the street shall be limited to 2. In this control a double garage door shall be counted as 2 doors.	1.2, 1.3, <del>1.4</del>
16	The front façade shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, <del>1.4</del> , 4.2
17	Dwellings must appear no greater than two (2) storeys in height.	1.1, 1.2, 1.3, <del>1.4</del>
<b>Setbacks</b>		
18	Where there is a dwelling on each adjoining lot, the setback for the dwelling from any primary road shall be the average setback of the existing adjoining dwellings plus or minus 10%. Such a setback shall be no less than 4.5m.	1.1, 1.2, 1.3, <del>1.4</del>
19	Where there is a dwelling on one adjoining lot the front setback for the dwelling shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 4.5m.	1.1, 1.2, 1.3, <del>1.4</del>
20	Where there is no dwelling on an adjoining lot the front setback shall be 4.5m.	1.2, 1.3, <del>1.4</del>
21	The minimum side setback shall be 0.9m.	1.2, 1.3, <del>1.4</del> , 5.2
22	The minimum rear setback shall be 8.0m for a two (2) storey dwelling and 3.0m for a single storey dwelling or a single storey part of a two (2) storey dwelling.	1.2, 1.3, <del>1.4</del> , 5.1, 5.2
23	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be <del>2m</del> 2.5m.	1.2, 1.3, 1.4
24	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.	14.1
25	<del>No part of any garage shall be located within 5.5 metres of a frontage of the site to a public road.</del>  Any garage attached to a dwelling shall be setback a minimum of 1 metre behind the front building line of the dwelling or 5.5 metres from the front street boundary, whichever is greater.	1.2, 1.3, <del>1.4</del> , 2.1, 2.2, 2.3
26	Awnings and other building features that do not form a wall of a room may be located between the building setback to a primary and/or secondary road but shall not extend more than 1.5m in front of that building setback.	1.2, 1.3, <del>1.4</del>
27	Eaves and other building features that do not form a wall of a room may be located within the side and rear building setbacks but shall not extend more than 450mm into that building setback.	1.2, 1.3, <del>1.4</del>
<b>Private Open Space</b>		
28	A minimum principal area of private open space must be provided with the following characteristics: a. Gradient no steeper than 1:20 (Rise:Run) b. Width no less than 3 metres in any direction c. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom (i.e. a living area) d. Have an area no less than 24 square-metres. e. Must not be located in the front building setback nor the	3.1, 6.1



	setback from a secondary frontage. f. Not be used for clothes drying, effluent disposal or garbage storage	
<b>Solar Access</b>		
29	Sunlight is to be available to at least 50% of the dedicated private open space area of the dwelling for at least 3 hours between 9:00 am and 3:00 pm on June 21.	1.3, 3.4
30	New development shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.	1.3, 3.5
<b>Parking, Access and Vehicular Safety</b>		
31	<del>A minimum of one parking space must be provided wholly on the site. Such a space or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the dwelling house.</del>  A minimum of one (1) car parking space which is directly accessible for vehicles must be provided on the site behind the building line in the form of a carport, garage or hard stand space or any combination of these.  Stacked car parking spaces may be considered forward of the building line in addition to the one (1) car parking space required above.	2.1, <del>2.2</del> , 2.3, 2.4 14.1
32	An open hard stand car parking space must measure <b>at least a minimum of 2.6m wide and by 5.4m long.</b>	2.1, 2.2, 14.1
33	Garages shall have sufficient area to accommodate a parking space of 2.6m x 5.5m per allocated parking space.	2.1, 2.2, 2.4
34	Garage doors shall have a minimum width of 2.4 metres.	2.1, 2.2
<b>Privacy</b>		
35	<del>Dwellings must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.</del>  Wherever possible, dwelling shall be designed to avoid overlooking the main living areas, private open spaces areas and windows of habitable rooms of adjoining dwellings.	5.1, 5.2
36	The outlook from second storey windows, balconies, stairs, landings, terraces or decks is to be screened where a direct view is available into the private open space areas of an existing adjoining dwelling to prevent overlooking.	5.1
37	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1, 5.2
38	In cases where windows of habitable rooms on a dwelling have a direct outlook onto windows of habitable rooms of adjacent dwellings, the windows of the proposed dwelling shall be offset by a sufficient distance to limit direct views between windows.	5.2
<b>Stormwater</b>		
39	<del>Stormwater from new buildings must be gravity fed to a constructed or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.</del>	6.2, 7.1, 7.2
<b>Waste Management</b>		

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40	Dwellings shall be provided with bin storage areas in a location clear of private open space.	1.2, 1.3, 3.1, 8.1
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### 3.3 Single Dwelling Houses (Standard Residential Lots)

These provisions apply to developments for dwelling houses on Residential Small Lots (area between 700 m<sup>2</sup> and 1499m<sup>2</sup> on which a dwelling can be lawfully constructed). They do NOT apply to Residential Battle-Axe Allotments.

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	The total portion of the site covered by buildings shall not exceed 50% of the site area.	1.2, 1.3, <del>4.4</del> , 3.1, 6.1 & 6.2.
2	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
3	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
4	The overall bulk, scale, height and proportion of the dwelling shall be consistent with the existing streetscape character of the area.	1.2, 1.3
5	The roof form of dwellings shall be modulated or articulated to provide visual interest and shall not use bright reflective materials.	1.2, 1.3
6	<del>Any</del> The front façade must feature a personal access door.	1.2, 1.3 & 4.2
7	<p><del>Each frontage of the lot to a public road must be addressed by the dwelling. A dwelling is taken to address a frontage if the façade of the dwelling visible from that frontage meets the front façade requirements of this volume and has the appearance of dwelling front façade.</del></p> <p>The front façade of any dwelling must address the street. In this regard the front facade shall include a combination of at least two (2) of the following:</p> <ul style="list-style-type: none"> <li>• an entry feature or portico;</li> <li>• bay windows;</li> <li>• the use of a balcony, deck, pergola, terrace or verandah along the frontage;</li> <li>• Roof overhangs;</li> <li>• Awnings over windows which blend with the design of the dwelling;</li> </ul> <p>A combination of other architectural features suitable to Council which enhance the front façade of the dwelling.</p>	1.2, 1.3
8	On corner allotments, the building façade on the secondary street frontage shall address the street in accordance with control (7) above.	1.2, 1.3, 1.4, 4.2
9	Where the primary front façade is addressed by way of a building feature such as a balcony, deck, pergola, terrace or verandah, roof overhang, awning and the like, the feature shall “wrap around” the dwelling and continue along the secondary front façade for a minimum length of 3.0m.	1.2, 1.3, 1.4, 4.2
10	Any fencing along the primary frontage (or secondary street frontage on a corner lot) must be of a height that would not visually obstruct the building features provided in accordance with control (7) to (9) above when viewed from the street.	1.2, 1.3, 1.4, 4.2

11	Any front façade (and secondary front façade on corner lots) must have no stretch of blank wall greater than 5.0m in length.	1.2, 1.3, 1.4, 4.2
12	Any front façade (and secondary front façade on corner lots) must have no stretch of straight wall greater than 10.0 metres in length.	1.2, 1.3, 1.4
13	A side or rear façade must have no stretch of blank wall greater than 12.0 metres.	1.2, 1.3, <del>1.4</del>
14	No more than 50% of the front façade shall be garage doors.	1.2, 1.3, <del>1.4</del>
15	The number of garage doors visible to the street shall be limited to 3. If 3 doors are proposed at least 1 door must be setback behind the other 2 by no less than 0.5m. In this control a double garage door shall be counted as 2 doors.	1.2, 1.3, <del>1.4</del>
16	The front façade shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, <del>1.4</del> , 4.2
17	Dwellings must appear no greater than two (2) storeys in height.	1.1, 1.2, 1.3, <del>1.4</del>
<b>Setbacks</b>		
18	Where there is a dwelling on each adjoining lot, the setback for the dwelling from any primary road shall be the average setback of the existing adjoining dwellings plus or minus 10%. Such a setback shall be no less than 4.5m.	1.1, 1.2, 1.3, <del>1.4</del>
19	Where there is a dwelling on one adjoining lot the front setback for the dwelling shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 4.5m.	1.1, 1.2, 1.3, <del>1.4</del>
20	Where there is no dwelling on an adjoining lot the front setback shall be 4.5m for a lot with an area less than 900m <sup>2</sup> and 6.5m for other <del>standard</del> residential lots.	1.2, 1.3, <del>1.4</del>
21	The minimum side setback shall be 0.9m.	1.2, 1.3, <del>1.4</del> , 5.2
22	The minimum rear setback shall be 8.0m for a two (2) storey dwelling and 3.0m for a single storey dwelling or a single storey part of a two (2) storey dwelling.	1.2, 1.3, <del>1.4</del> , 5.1, 5.2
23	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be 2.5m for a lot with an area less than 900m <sup>2</sup> and 3m for other residential lots.	1.2, 1.3, 1.4
24	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.	14.1
25	<del>No part of any garage shall be located within 5.5 metres of a frontage of the site to a public road.</del>  Any garage attached to a dwelling shall be setback a minimum of 1 metre behind the front building line of the dwelling or 5.5 metres from the front street boundary, whichever is greater.	1.2, 1.3, <del>1.4</del> , 2.1, 2.2, 2.3
26	Awnings and other building features that do not form a wall of a room may be located between the building setback to a primary and/or secondary road but shall not extend more than 1.5m in front of that building setback.	1.2, 1.3, <del>1.4</del>
27	Eaves and other building features that do not form a wall of a room may be located within the side and rear building setbacks but shall not extend more than 450mm into that building setback.	1.2, 1.3, <del>1.4</del>
<b>Private Open Space</b>		
28	A minimum principal area of private open space must be provided with the following characteristics: a. Gradient no steeper than 1:20 (Rise:Run)	3.1, 6.1

	<ul style="list-style-type: none"> <li>b. Width no less than 3 metres in any direction</li> <li>c. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom (i.e. a living area)</li> <li>d. Have an area no less than 24 square-metres.</li> <li>e. Must not be located in the front building setback nor the setback from a secondary frontage.</li> <li>f. Not be used for clothes drying, effluent disposal or garbage storage</li> </ul>	
<b>Solar Access</b>		
29	Sunlight is to be available to at least 50% of the dedicated private open space area for each dwelling for at least 3 hours between 9:00 am and 3:00 pm on June 21.	1.3, 3.4
30	New development shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.	1.3, 3.5
<b>Parking, Access and Vehicular Safety</b>		
31	<p><del>A minimum of one parking space must be provided wholly on the site. Such a space or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the dwelling house.</del></p> <p>A minimum of two (2) car parking spaces which are directly accessible for vehicles must be provided on the site behind the building line in the form of a carport, garage or hard stand space or any combination of these.</p> <p>Stacked car parking spaces may be considered forward of the building line in addition to the two car parking spaces required above.</p>	2.1, 2.2, 2.3, 14.1
32	An open hard stand car parking space must measure <del>at least</del> a minimum of 2.6m wide <del>and</del> by 5.4m long.	2.1, 2.2, 14.1
33	Garages shall have sufficient area to accommodate a parking space of 2.6m x 5.5 metres per allocated parking space.	2.1, 2.2, 2.4
34	Garage doors shall have a minimum width of 2.4 metres.	2.1, 2.2
<b>Privacy</b>		
35	<p><del>Dwellings must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.</del></p> <p>Wherever possible, dwellings shall be designed to avoid overlooking the main living areas, private open spaces areas and windows of habitable rooms of adjoining dwellings.</p>	5.1, 5.2
36	The outlook from second storey windows, balconies, stairs, landings, terraces or decks is to be screened where a direct view is available into the private open space areas of an existing adjoining dwelling to prevent overlooking.	5.1
37	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1, 5.2
38	In cases where windows of habitable rooms on a dwelling have a direct outlook onto windows of habitable rooms of adjacent dwellings, the windows of the proposed dwelling shall be offset by a sufficient distance to limit direct views between windows.	5.2
<b>Stormwater</b>		
39	<del>Stormwater from new buildings must be gravity fed to a constructed</del>	6.2, 7.1, 7.2

	<del>or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.</del>	
<b>Waste Management</b>		
40	Dwellings shall be provided with bin storage areas in a location clear of private open space.	1.2, 1.3, 3.1, 8.1

### 3.4 Single Dwelling Houses (Residential Large Lots)

These provisions apply to developments for dwelling houses on Residential Large Lots (area between 1500m<sup>2</sup> and 3999m<sup>2</sup> on which a dwelling may be lawfully constructed). They do NOT apply to Residential Battle-Axe Allotments.

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	The total portion of the site covered by buildings shall not exceed 40% of the site area.	1.2, 1.4, 3.1, 6.1 & 6.2.
2	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
3	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
4	The overall bulk, scale, height and proportion of the dwelling shall be consistent with the existing streetscape character of the area.	1.2, 1.3
5	The roof form of dwellings shall be modulated or articulated to provide visual interest and shall not use bright reflective materials.	1.2, 1.3
6	<del>Any</del> The front façade must feature a personal access door.	1.2, 1.3
7	<del>Each frontage of the lot to a public road must be addressed by the dwelling. A dwelling is taken to address a frontage if the façade of the dwelling visible from that frontage meets the front façade requirements of this volume and has the appearance of dwelling front façade.</del>  The front façade of any dwelling must address the street. In this regard the front facade shall include a combination of at least two (2) of the following: <ul style="list-style-type: none"> <li>• an entry feature or portico;</li> <li>• bay windows;</li> <li>• the use of a balcony, deck, pergola, terrace or verandah along the frontage;</li> <li>• Roof overhangs;</li> <li>• Awnings over windows which blend with the design of the dwelling;</li> <li>• A combination of other architectural features suitable to Council which enhance the front façade of the dwelling.</li> </ul>	1.2, 1.3 & 4.2
8	On corner allotments, the building façade on the secondary street frontage shall address the street in accordance with control (7) above.	1.2, 1.3, 1.4, 4.2
9	Where the primary front façade is addressed by way of a building feature such as a balcony, deck, patio, pergola, terrace or verandah, roof overhang, awning etc, the feature shall “wrap around” the dwelling and continue along the secondary front façade for a minimum length of 3.0m.	1.2, 1.3, 1.4, 4.2
10	Any fencing along the primary frontage (or secondary street frontage on a corner lot) must be of a height that would not visually obstruct the building features provided in accordance with control (7) to (9) above when viewed from the street.	1.2, 1.3, 1.4, 4.2
11	Any front façade (and secondary front façade on corner lots) must	1.2, 1.3, 1.4, 4.2

	have no stretch of blank wall greater than 5.0m in length.	
12	A side or rear façade (and secondary front façade on corner lots) must have no stretch of blank wall greater than 12.0 metres.	1.2, 1.3, 1.4
13	No more than 50% of the front façade shall be garage doors.	1.2, 1.3, <del>1.4</del>
14	The number of garage doors visible to the street shall be limited to 3. In this control a double garage door shall be counted as 2 doors.	1.2, 1.3, <del>1.4</del>
15	The front façade shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, <del>1.4</del> , 4.2
16	Dwellings must appear no greater than two (2) storeys in height.	1.2, 1.3, <del>1.4</del>
<b>Setbacks</b>		
17	Where there is a dwelling on each adjoining lot, the setback for the dwelling from any primary road shall be the average setback of the existing adjoining dwellings plus or minus 10%. Such a setback shall be no less than 10m.	1.1, 1.2, 1.3, <del>1.4</del> , 2.1, 2.2, 2.3
18	Where there is a dwelling on one adjoining lot the front setback for the dwelling shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 10m.	1.1, 1.2, 1.3, <del>1.4</del> , 2.1, 2.2, 2.3
19	Where there is no dwelling on an adjoining lot the front setback shall be 10m.	1.2, 1.3, <del>1.4</del> , 2.1, 2.2, 2.3
20	The minimum side setback shall be 1.5m.	1.2, 1.3, <del>1.4</del> , 5.2
21	The minimum rear setback shall be 8.0m.	1.2, 1.3, <del>1.4</del> , 5.1, 5.2
22	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be 5m.	1.2, 1.3, 1.4
23	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.	14.1
24	<del>No part of any garage shall be located within 5.5 metres of a frontage of the site to a secondary public road.</del>  Any garage attached to a dwelling shall be setback a minimum of 1 metre behind the front building line of the dwelling or 5.5 metres from the front street boundary, whichever is greater.	1.2, 1.3, <del>1.4</del> , 2.1, 2.2, 2.3
25	Awnings and other building features that do not form a wall of a room may be located within the building setback to a primary and/or secondary road but shall not extend more than 1.5m into that building setback.	1.2, 1.3, <del>1.4</del>
<b>Private Open Space</b>		
26	A minimum principal area of private open space must be provided with the following characteristics: g. Gradient no steeper than 1:20 (Rise:Run) h. Width no less than 3 metres in any direction i. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom (i.e. a living area) j. Have an area no less than 24 square-metres. k. Must not be located in the front building setback nor the setback from a secondary frontage. l. not be used for clothes drying, effluent disposal or garbage storage	3.1, 6.1
<b>Solar Access</b>		
27	Sunlight is to be available to at least 50% of the dedicated private open space area for each dwelling for at least 3 hours between 9:00 am and 3:00 pm on June 21.	1.3, 3.4



28	New development shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.	1.3, 3.5
<b>Parking, Access and Vehicular Safety</b>		
29	<del>A minimum of one parking space must be provided wholly on the site. Such a space or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the dwelling house.</del>  A minimum of two (2) car parking spaces which are directly accessible for vehicles must be provided on the site behind the building line in the form of a carport, garage or hard stand space or any combination of these.  Stacked car parking spaces may be considered forward of the building line in addition to the two car parking spaces required above.	2.1, <del>2.2</del> , 2.3, 2.4 14.1
30	An open hard stand car parking space must measure <del>at least</del> a minimum of 2.6m wide <del>and</del> by 5.4m long.	2.1, 2.2, 14.1
31	Garages shall have sufficient area to accommodate a parking space of 2.6m x 5.5 metres per allocated parking space.	2.1, 2.2, 2.4
32	Garage doors shall have a minimum width of 2.4m.	2.1, 2.2
<b>Privacy</b>		
33	<del>Dwellings must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.</del>  Wherever possible, dwellings shall be designed to avoid overlooking the main living areas, private open spaces areas and windows of habitable rooms of adjoining dwellings.	5.1, 5.2
34	The outlook from second storey windows, balconies, stairs, landings, terraces or decks is to be screened where a direct view is available into the private open space areas of an existing adjoining dwelling to prevent overlooking.	5.1
35	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1, 5.2
<b>Waste Management</b>		
36	Dwellings shall be provided with bin storage areas in a location clear of private open space.	1.2, 1.3, 3.1, 8.1

### 3.5 Single Dwelling Houses (Rural Lifestyle Lots)

These provisions apply to developments for dwelling houses on Rural Lifestyle Lots (area between 4000m<sup>2</sup> and 2 hectares on which a dwelling may be lawfully constructed).

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	Dwellings must appear no greater than two (2) storeys in height.	1.2, 1.3, 1.4
2	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
3	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
4	The overall bulk, scale, height and proportion of the dwelling shall be consistent with the existing streetscape character of the area.	1.2, 1.3
5	The roof form of dwellings shall be modulated or articulated to provide visual interest and shall not use bright reflective materials.	1.2, 1.3
6	<del>Any</del> The front façade must feature a personal access door.	1.2, 1.3
7	<del>Each frontage of the lot to a public road must be addressed by the dwelling. A dwelling is taken to address a frontage if the façade of the dwelling visible from that frontage meets the front façade requirements of this volume and has the appearance of dwelling front facade.</del>  The front façade of any dwelling must address the street. In this regard the front facade shall include a combination of at least two (2) of the following: <ul style="list-style-type: none"> <li>• an entry feature or portico;</li> <li>• bay windows;</li> <li>• the use of a balcony, deck, pergola, terrace or verandah along the frontage;</li> <li>• Roof overhangs;</li> <li>• Awnings over windows which blend with the design of the dwelling;</li> </ul> A combination of other architectural features suitable to Council which enhance the front façade of the dwelling.	1.2, 1.3 & 4.2
8	<del>On corner allotments, the building façade on the secondary street frontage shall address the street in accordance with control (7) above.</del>	1.2, 1.3, 1.4, 4.2
9	<del>Where the primary front façade is addressed by way of a building feature such as a balcony, deck, patio, pergola, terrace or verandah, roof overhang, awning etc, the feature shall “wrap around” the dwelling and continue along the secondary front façade for a minimum length of 3 metres.</del>	1.2, 1.3, 1.4, 4.2
10	<del>Any fencing along the secondary street frontage on a corner lot must be post and wire or post and rail and shall not visually obstruct the building features provided in accordance with controls (7) to (9) above when viewed from the street.</del>	1.2, 1.3, 1.4, 4.2
11	Any front façade must have no stretch of blank wall greater than 5.0m in length.	1.2, 1.3, 1.4, 4.2
12	A side or rear façade must have no stretch of blank wall greater than	1.2, 1.3, <del>1.4</del>

	12.0 metres.	
13	No more than 50% of the front façade shall be garage doors.	1.2, 1.3, <del>1.4</del>
14	The number of garage doors visible to the street shall be limited to 3. In this control a double garage door shall be counted as 2 doors.	1.2, 1.3, <del>1.4</del>
15	The front façade shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, <del>1.4</del> , 4.2
<b>Setbacks</b>		
16	Where there is a dwelling on each adjoining lot, the setback for the dwelling from any primary road shall be the average setback of the existing adjoining dwellings plus or minus 10%. Such a setback shall be no less than 10m.	1.1, 1.2, 1.3, <del>1.4</del> , 2.1, 2.2, 2.3
17	Where there is a dwelling on one adjoining lot the front setback for the dwelling shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 10m.	1.1, 1.2, 1.3, <del>1.4</del> , 2.1, 2.2, 2.3
18	Where there is no dwelling on an adjoining lot the front setback shall be 10m.	1.2, 1.3, <del>1.4</del> , 2.1, 2.2, 2.3
19	The minimum side setback shall be 2.5m.	1.2, 1.3, <del>1.4</del> , 5.2
20	The minimum rear setback shall be 8.0m.	1.2, 1.3, <del>1.4</del> , 5.1, 5.2
21	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be 5m.	1.2, 1.3, 1.4
22	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.	14.1
23	<del>Any garage attached to the dwelling shall be located a minimum of 1 metre behind the front building line of the dwelling.</del>	<del>1.2, 1.3, 2.1, 2.2, 2.3</del>
24	No part of any garage shall be located within 5.5 metres of a frontage <del>of the site</del> to a secondary public road. <del>Any detached garage on a corner lot shall also be located so as not to obstruct any building feature required by control (7) to (9) in this section.</del>	1.2, 1.3, 1.4, 2.1, 2.2, 2.3
25	Awnings and other building features that do not form a wall of a room may be located within the building setback to a primary and/or secondary road but shall not extend more than 1.5m into that building setback.	1.2, 1.3, <del>1.4</del>
<b>Parking, Access and Vehicular Safety</b>		
26	A minimum of one parking space must be provided wholly on the site. Such a space or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the dwelling house.	2.1, 2.2, 2.3, 14.1
27	An open hard stand car parking space must measure <del>at least a minimum of</del> 2.6m wide <del>and by</del> 5.4m long.	2.1, 2.2, 14.1
28	<del>Garage doors shall have a minimum width of 2.4m.</del>	<del>2.1, 2.2</del>
<b>Privacy</b>		
29	Dwellings must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.	5.1, 5.2
30	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1, 5.2

### 3.6 Single Dwelling Houses (Rural Lots)

These provisions apply to developments for dwelling houses on Rural Lots (area greater than 2 hectares on which a dwelling may be lawfully constructed).

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
2	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
3	Any front façade must feature a personal access door.	1.2, 1.3
4	Any front façade must have no stretch of blank wall greater than 5.0m in length.	1.2, 1.3, 1.4, 4.2
5	No more than 50% of the front façade shall be garage doors.	1.2, 1.3, 1.4
6	The number of garage doors visible to the street shall be limited to 3. In this control a double garage door shall be counted as 2 doors.	1.2, 1.3, 1.4
7	The front façade shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, 1.4, 4.2
8	Dwellings must appear no greater than two (2) storeys in height.	1.2, 1.3, 1.4
<b>Setbacks</b>		
9	The front setback of a dwelling shall be a minimum of 18.0m from the front (street) boundary.	1.2, 1.3, 1.4, 2.1, 2.2, 2.3
10	The minimum side setback shall be 5.0m.	1.2, 1.3, 1.4, 5.2
11	The minimum rear setback shall be 10.0m.	1.2, 1.3, 1.4, 5.1, 5.2
12	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be 10m.	1.2, 1.3, 1.4
13	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.	14.1
14	Notwithstanding the above setback controls, no dwelling shall be located on a part of the site that is on a ridgeline or within a visually prominent area that would be detrimental to the landscape character of the locality.	1.1, 1.3, 10.1
<b>Environmental Protection</b>		
14	<del>There is a general principle that it is acceptable to construct a dwelling on any allotment on which a dwelling can be lawfully erected. This means that such an allotment containing native vegetation, however significant it maybe, should be able to support a dwelling house. The location and bushfire construction level shall be selected to retain the most valuable vegetation and to minimise the total extent of clearing. This provision does not extend to land that is subject to other constraints such as flooding or landslip that would render the land unsuitable to support a dwelling.</del>	<del>10.1, 10.2</del>

**3.7 Ancillary Buildings (Town Centre Residential Lots, Residential Small Lots and Standard Residential Lots)**

These provisions apply to developments for buildings ancillary to dwellings on town centre residential lots, residential small lots and Standard Residential Lots.

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	The total portion of the site covered by buildings shall not exceed 50% of the site area for lots over 700m <sup>2</sup> and 60% of the site area for lots less than 700m <sup>2</sup> .	1.2, 1.4, 3.1, 6.1 & 6.2.
2	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
3	Cut shall be limited to 1.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
4	Any façade visible from any public road must have no stretch of blank wall greater than 5.0 metres in length.	1.2, 1.3, 1.4
5	Any façade visible from any public road must have no stretch of straight wall greater than 10.0 metres in length.	1.2, 1.3, 1.4
6	Any façade (other than a façade visible from a public road) must have no stretch of blank wall greater than 10.0 metres.	1.2, 1.4
7	The height of any ancillary building shall not exceed 5.0m. In this control building height is measured from the highest point <del>on</del> of the building to the natural ground level immediately below.	1.2, 1.3, 1.4
8	Shipping containers shall not be used as ancillary buildings.	1.2, 1.3
9	<del>The floor area of any ancillary building shall not exceed 120m<sup>2</sup>.</del>	<del>1.2, 14.4</del>
<b>Setbacks</b>		
9	Ancillary buildings shall be located no less than 1.0m behind the <del>front building line</del> of the dwelling <del>on primary road frontages and the secondary front building line</del> for secondary frontages.	1.2, 1.3, 1.4, 2.1, 2.3
10	Ancillary buildings shall be set back <del>no less than 500mm from side and rear boundaries</del> in accordance with the requirements of the Building Code of Australia.	1.2, 1.4
<b>Stormwater</b>		
11	<del>Stormwater from new buildings must be gravity fed to a constructed or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.</del>	<del>6.2, 7.1, 7.2</del>

**3.8 Ancillary Buildings (Residential Large Lots)**

These provisions apply to developments for buildings ancillary to dwellings on Residential Large Lots (area between 1500m<sup>2</sup> and 3999m<sup>2</sup> on which a dwelling may be lawfully constructed).

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	The total portion of the site covered by buildings (including dwellings) shall not exceed 40% of the site area.	1.2, 1.4, 3.1, 6.1 & 6.2.
2	Filling of land shall not increase the natural ground level by more than	1.2, 1.3, 5.1 & 6.2

	1.0m.	
3	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
4	Any façade visible from any public road must have no stretch of blank wall greater than 5.0 metres in length.	1.2, 1.3, 1.4
5	Any façade visible from any public road must have no stretch of straight wall greater than 10.0 metres in length.	1.2, 1.3, 1.4
6	Any façade (other than a façade visible from a public road) must have no stretch of blank wall greater than 10.0 metres.	1.2, 1.4
7	The height of any ancillary building shall not exceed 5.0m. In this control building height is measured from the highest point on the building to the natural ground level immediately below.	1.2, 1.3, 1.4
8	Shipping containers shall not be used as ancillary buildings.	1.2, 1.3
9	The floor area of any ancillary building shall not exceed <del>400m<sup>2</sup></del> 180m <sup>2</sup> .	1.2, 14.4
<b>Setbacks</b>		
10	Ancillary buildings shall be located no less than 1.0m behind the <b>front building line</b> of the dwelling <b>on primary road frontages and the secondary front building line for</b> secondary frontages.	1.2, 1.3, 1.4, 2.1, 2.3
11	Ancillary buildings shall be set back no less than 900mm from side and rear boundaries.	1.2, 1.4

### 3.9 Ancillary Buildings (Rural Lifestyle Lots and Rural Lots)

These provisions apply to developments for buildings ancillary to dwellings on Rural Lifestyle Lots and Rural Lots. THESE CONTROLS DO NOT APPLY TO DEVELOPMENTS FOR BUILDING TO BE USED FOR RURAL PRODUCTION PURPOSES. Those structures are to be assessed under Volume 2 8 of this development control plan.

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
2	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
3	Any façade visible from any public road must have no stretch of blank wall greater than 10.0 metres in length.	1.2, 1.3, 1.4
4	The height of any ancillary building shall not exceed 5.0m in the case of a Rural Lifestyle Lot and 7.0m in the case of a Rural Lot. In this control building height is measured from the highest point on the building to the natural ground level immediately below.	1.2, 1.3, 1.4
5	Shipping containers shall not be used as ancillary buildings.	1.2, 1.3
6	The floor area of any ancillary building shall not exceed <del>400m<sup>2</sup></del> 240m <sup>2</sup> .	1.2, 14.4
<b>Setbacks</b>		
7	Ancillary buildings shall be located no less than 5.0m behind the front <del>building line</del> of the dwelling.	1.2, 1.3,
8	<del>Ancillary buildings shall be located no less than 1.0m behind the front building line of the secondary street frontage on corner lots.</del>	1.2, 1.3, 1.4
9	Ancillary buildings shall be set back no less than <del>900mm</del> 5.0m from side and rear boundaries.	1.2, 1.4
<b>Environmental Protection</b>		
10	Ancillary buildings and their relevant asset protection zones must be located to result in no clearing of significant stands of native vegetation.	10.1

**3.10 Housing and Ancillary Development Dwellings on Residential Battle-Axe Allotments**

These provisions apply to developments for dwellings on a Residential Battle-Axe Allotment.

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	The total portion of the site covered by buildings shall not exceed 50% of the site area exclusive of access handle.	1.2, 1.4, 3.1, 6.1 & 6.2.
2	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
3	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
4	No façade shall have a stretch of blank wall greater than 12.0 metres.	1.2, 1.3, 1.4
5	The design of dwellings on battle-axe allotments shall be generally consistent with the design of surrounding dwellings in terms of bulk, scale and materials.	1.2, 1.3
6	The roof form of dwellings shall be modulated or articulated to provide visual interest and shall not use bright reflective materials.	1.2, 1.3
7	Dwellings constructed on a Battle-Axe Allotment must be no more than one storey in height.	1.2, 1.3, 1.4, 5.1
<b>Setbacks</b>		
8	The minimum setback to the front and rear boundaries shall be 3.0m.	1.2, 1.3, 1.4, 5.1, 5.2
9	The minimum side setback shall be 1.5m.	1.2, 1.4
10	Eaves and other building features that do not form a wall of a room may be located within the building setbacks but shall not extend more than <del>1.5m</del> 450mm into that building setback.	1.2, 1.3, 1.4
<b>Private Open Space</b>		
11	A minimum principal area of private open space must be provided with the following characteristics: <ul style="list-style-type: none"> <li>a. Gradient no steeper than 1:20 (Rise:Run)</li> <li>b. Width no less than 3 metres in any direction</li> <li>c. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom (i.e. a living area)</li> <li>d. Have an area no less than 24 square-metres.</li> <li>e. Must not be located adjacent to the access handle</li> <li>f. Not be used for clothes drying, effluent disposal or garbage storage</li> </ul>	3.1, 6.1
<b>Parking, Access and Vehicular Safety</b>		
12	A minimum of two (2) parking spaces must be provided wholly on the site. Such a space or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the dwelling house.	2.1, 2.2, 2.3, 14.1
13	An open hard stand car parking space must measure <del>at least</del> a minimum of 2.6m wide <del>and</del> by 5.4m long.	2.1, 2.2, 14.1
14	Garages shall have sufficient area to accommodate a parking space of 2.6m x 5.5m per allocated parking space.	2.1, 2.2, 2.4
15	Garage doors shall have a minimum width of 2.4 metres.	2.1, 2.2
<b>Solar Access</b>		
16	Sunlight is to be available to at least 50% of the dedicated private open space area for each dwelling for at least 3 hours between 9:00 am and 3:00 pm on June 21.	1.3, 3.4
17	New development shall not result in less than 3 hours of sunlight to	1.3, 3.5



	the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.	
<b>Privacy</b>		
18	<del>Dwellings must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.</del>  Wherever possible dwellings shall be designed to avoid overlooking the main living areas, private open space areas and windows or habitable rooms of adjoining dwellings.	5.1, 5.2
19	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1, 5.2
<b>Stormwater</b>		
	<del>Stormwater from new buildings must be gravity fed to a constructed or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.</del>	<del>6.2, 7.1, 7.2</del>
<b>Waste Management</b>		
20	Dwellings shall be provided with bin storage areas in a location clear of private open space.	1.2, 1.3, 3.1, 7.1

### 3.11 Swimming Pools

These provisions apply to developments for swimming pools that are provided ancillary to residential development.

Setbacks																
1	Swimming pools shall not be constructed between a dwelling and a property boundary to a public road on Standard Residential Lots nor on Residential Large Lots.	1.2, 1.3, 1.4														
2	Pool fencing shall be provided at least 1m from the water's edge of the pool.	15.1														
3	Pools shall only be provided within 40 metres of a dwelling.	15.1														
Site Coverage																
4	The total portion of the site covered by all pools and buildings (including dwellings) shall not exceed <del>the following: 40% of the site area for a Residential Large Lot and 50% of the area of a Standard Residential Lot.</del>	1.2, 1.3, 1.4, 3.1, 6.1, 6.2														
	<table border="1"> <thead> <tr> <th>LOT SIZE</th> <th>SITE COVERAGE</th> </tr> </thead> <tbody> <tr> <td>Town Centre Lots (&lt;450m<sup>2</sup>)</td> <td>60%</td> </tr> <tr> <td>Residential Small Lots (451m-700m)</td> <td>60%</td> </tr> <tr> <td>Standard Residential Lots (700-1500)</td> <td>50%</td> </tr> <tr> <td>Residential Large Lots (1500-4000)</td> <td>40%</td> </tr> <tr> <td>Rural Lifestyle Lots (4000-2ha)</td> <td>N/A</td> </tr> <tr> <td>Rural Lots (&gt;2ha)</td> <td>N/A</td> </tr> </tbody> </table>	LOT SIZE	SITE COVERAGE	Town Centre Lots (<450m <sup>2</sup> )	60%	Residential Small Lots (451m-700m)	60%	Standard Residential Lots (700-1500)	50%	Residential Large Lots (1500-4000)	40%	Rural Lifestyle Lots (4000-2ha)	N/A	Rural Lots (>2ha)	N/A	
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Standard Residential Lots (700-1500)	50%															
Residential Large Lots (1500-4000)	40%															
Rural Lifestyle Lots (4000-2ha)	N/A															
Rural Lots (>2ha)	N/A															
Environmental Protection																
5	Swimming pools shall not be located in locations that would have an adverse impact on significant stands of native vegetation by either the construction of the pool or by the provision of an asset protection zone or defensible space.	10.1														

### 3.12 Car Ports

These provisions apply to developments for car ports.

Building Design																
1	The total portion of the site covered by buildings <del>shall not exceed the following: (including dwellings) shall not exceed 50% of the site area for a Standard Residential Lot and 40% of the site area for a residential large lot.</del>	1.2, 1.4, 3.1, 6.1 & 6.2.														
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Rural Lifestyle Lots (4000-2ha)	N/A															
Rural Lots (>2ha)	N/A															
2	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2														
3	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1														
4	The height of any car port shall not exceed 5.0m. In this control building height is measured from the highest point on the building to the natural ground level immediately below.	1.2, 1.3, 1.4														
Setbacks																

5	<del>Car ports shall be located no less than 5.5 metres from the boundary of the site to any road or the relevant front setback for a dwelling whichever is greater.</del>  Car ports shall be setback a minimum of 1 metre behind the front building line of the dwelling or 5.5 metres from the front street boundary, whichever is greater.	1.2, 1.3, 1.4, 2.1, 2.3
6	<del>Car ports shall be set back no less than 200mm from side and rear boundaries</del> achieve a boundary setback which is in accordance with the requirements of the Building Code of Australia.	1.2, 1.4
<b>Stormwater</b>		
7	<del>Stormwater from new buildings must be gravity fed to a constructed or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.</del>	<del>6.2, 7.1, 7.2</del>

### 3.13 Retaining Walls

These provisions apply to developments for ~~car ports~~ retaining walls.

Retaining Wall Design		
1	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
2	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
3	Retaining walls in front of dwellings shall be designed to minimise their impact on the streetscape.	1.2, 1.3, 1.4
4	Retaining walls within 0.5 metres of a property boundary shall be no greater than 1.0 metres in height.	1.2, 1.3, 1.4, 5.1

### 3.14 Secondary Dwellings

These provisions apply to developments for secondary dwellings.

Control		Objectives (refer to Clause 1.2)
<b>General Controls</b>		
1	<del>If the secondary dwelling is attached to an existing dwelling the building as a whole must comply with all controls in the relevant Section of this plan as though it were a single dwelling.</del>	Refer to clauses in the relevant section of this plan
2	<del>If the secondary dwelling is not attached to an existing dwelling then it must comply with all controls the relevant Section of this plan as though it were an ancillary building.</del>	
<b>Building Design</b>		
3	<del>A detached secondary dwelling must have a clear visual character of either a shed or a small dwelling. A building that appears to be a hybrid of a shed and dwelling shall not be permitted.</del>	1.2, 1.3, 1.4
<b>Parking, Access and Vehicular Safety</b>		
4	<del>A secondary dwelling shall be provided with no more than one (1) parking space.</del>	12.3

**Note 1:** The permissible floor area for a Secondary Dwelling is 60m<sup>2</sup> or 25% of the total floor area of the principal dwelling whichever is the greater, subject to the secondary dwelling definition in Wollondilly LEP 2011 Clause 5.4(9).

**Note 2:** The **gross floor area** means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
  - (b) habitable rooms in a basement or an attic, and
  - (c) any shop, auditorium, cinema, and the like, in a basement or attic,
- but excludes:**
- (d) any area for common vertical circulation, such as lifts and stairs, and
  - (e) any basement:
    - (i) storage, and
    - (ii) vehicular access, loading areas, garbage and services, and
  - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
  - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
  - (h) any space used for the loading or unloading of goods (including access to it), and
  - (i) terraces and balconies with outer walls less than 1.4 metres high, and
  - (j) voids above a floor at the level of a storey or storey above.

**Note 3:** Where conversion of an existing structure (such as a shed) to a secondary dwelling is proposed, the person carrying out the development needs to be aware of construction standards that may apply under the Building Code of Australia. Technical advice from a building professional should be sought in this regard prior to submitting the development application.

**Controls**

<b>Control</b>		<b>Objectives (refer to Clause 1.2)</b>														
<b>Building Design</b>																
1	<p>The total portion of the site covered by buildings shall not exceed the following:</p> <table border="1"> <thead> <tr> <th>LOT SIZE</th> <th>SITE COVERAGE</th> </tr> </thead> <tbody> <tr> <td>Town Centre Lots (&lt;450m<sup>2</sup>)</td> <td>60%</td> </tr> <tr> <td>Residential Small Lots (451m-700m)</td> <td>60%</td> </tr> <tr> <td>Standard Residential Lots (700-1500)</td> <td>50%</td> </tr> <tr> <td>Residential Large Lots (1500-4000)</td> <td>40%</td> </tr> <tr> <td>Rural Lifestyle Lots (4000-2ha)</td> <td>N/A</td> </tr> <tr> <td>Rural Lots (&gt;2ha)</td> <td>N/A</td> </tr> </tbody> </table>	LOT SIZE	SITE COVERAGE	Town Centre Lots (<450m <sup>2</sup> )	60%	Residential Small Lots (451m-700m)	60%	Standard Residential Lots (700-1500)	50%	Residential Large Lots (1500-4000)	40%	Rural Lifestyle Lots (4000-2ha)	N/A	Rural Lots (>2ha)	N/A	1.2, 1.3, 3.1, 6.1 & 6.2
LOT SIZE	SITE COVERAGE															
Town Centre Lots (<450m <sup>2</sup> )	60%															
Residential Small Lots (451m-700m)	60%															
Standard Residential Lots (700-1500)	50%															
Residential Large Lots (1500-4000)	40%															
Rural Lifestyle Lots (4000-2ha)	N/A															
Rural Lots (>2ha)	N/A															
2	A detached Secondary Dwelling shall have the clear visual character of either a shed or a small dwelling. A building that appears to be a hybrid, of a shed and dwelling shall not be permitted.	1.1, 1.2, 1.3														
3	A Secondary Dwelling shall not be in the form of a converted shipping container.	1.2, 1.3, 14.4 & 14.5														
4	<p>The Secondary Dwelling must include the following:</p> <ol style="list-style-type: none"> <li>1) A minimum of one habitable room; and</li> <li>2) Kitchen sink and facilities for the preparation and cooking of food; and</li> <li>3) A bath or shower; and</li> <li>4) Clothes washing facilities, comprising at least one washtub and space in the same room for a washing machine; and</li> <li>5) A closet pan (toilet) and washbasin.</li> </ol>	1.2, 1.3, 14.4 & 14.5														
5	External building materials and colours incorporated in the Secondary Dwelling shall be compatible with the existing character of the locality.	1.2, 1.3														
6	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2														
7	Cut shall be limited to 1.0m below natural ground level for Town Centre Residential Lots and 2.0m below natural ground level for all other lot types.	1.2, 1.3, 4.1, 6.2 & 9.1														
8	Any front façade must have no stretch of blank wall greater than 5.0 metres.	1.2, 1.3, 4.2														
9	Any front façade must have no stretch of straight wall greater than 10.0 metres in length.	1.2, 1.3														
10	A side or rear façade must have no stretch of blank wall greater than 12.0 metres.	1.2, 1.3														
11	Any Secondary Dwelling on a battle-axe lot shall be single storey.	5.1														
<b>Setbacks</b>																
12	<p>The setbacks for a Secondary Dwelling to the side and rear boundary and secondary street frontages shall be in accordance with the following table:</p> <table border="1"> <thead> <tr> <th>Lot Type</th> <th>Side Setback</th> <th>Rear Setback</th> <th>Secondary Road setback (on corner lots)</th> </tr> </thead> <tbody> <tr> <td>Town Centre Residential Lots (Less than</td> <td>0.9m</td> <td>3.0m</td> <td>2.0</td> </tr> </tbody> </table>	Lot Type	Side Setback	Rear Setback	Secondary Road setback (on corner lots)	Town Centre Residential Lots (Less than	0.9m	3.0m	2.0	1.1, 1.2, 1.3, 14.1						
Lot Type	Side Setback	Rear Setback	Secondary Road setback (on corner lots)													
Town Centre Residential Lots (Less than	0.9m	3.0m	2.0													

	450m <sup>2</sup> )				
	Residential Small Lots	0.9m	3.0	2.5	
	Standard Residential Lots	0.9m	3.0	2.5m for lots under 900m <sup>2</sup> , 3.0m for all other lots	
	Residential Large Lots	1.5m	5.0m	5.0m	
	Rural Lifestyle Lots	2.5m	5.0m	5.0m	
	Rural Lots	10.0m	10.0m	10.0m	
13	Secondary Dwellings in residential zones shall be setback behind the front building line of the principal dwelling on the site.				1.1, 1.2,
14	Secondary Dwellings in rural and environmental zones shall be setback a minimum of 18 metres from the front street boundary.				1.2, 1.3
15	Any attached garage attached to the Secondary Dwelling shall be located at least 1.0m behind the front building line of the Secondary Dwelling.				1.2, 1.3, 2.1, 2.2, 2.3
<b>Access</b>					
16	The Secondary Dwelling shall have its own independent front door entry.				1.2, 1.3, 14.5
17	The Secondary Dwelling shall utilise the same street entry point for both vehicles and pedestrians as the principal Dwelling. On corner lots a separate vehicle access on the Secondary street frontage to service the principal dwelling may be considered.				1.2, 2.2, 14.4
<b>Private Open Space</b>					
18	The Secondary Dwelling must achieve a minimum principal area of private open space at ground level with the following characteristics: <ul style="list-style-type: none"> <li>a) Gradient no steeper than 1:20 (Rise:Run)</li> <li>b) Width no less than 3 metres in any direction</li> <li>c) Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom (i.e. a living area)</li> <li>d) Have an area no less than 24 square-metres.</li> <li>e) Must not be located adjacent to the access handle</li> <li>f) Not be used for clothes drying, effluent disposal or garbage storage</li> </ul>				3.1, 6.1
19	Open style fencing to a maximum height of 1.5 metres may be used if separation is required to screen the private open space.				3.1, 14.4
20	A Secondary Dwelling that is located on the first floor (above the principal dwelling) must have an allocated private open space area such as a balcony or terrace that is accessible directly from the living area. The minimum requirements are identified in the table below:				3.1, 6.1
	<b>Type</b>	<b>Minimum Balcony/Terrace Requirement</b>	<b>Minimum Dimension Requirement</b>		
	Studio	8m <sup>2</sup>	2.4m		
	1 Bedroom	10m <sup>2</sup>			
	2 bedrooms	12m <sup>2</sup>			
21	Where it can be demonstrated that a Secondary Dwelling which is situated on the first floor is unable to provide open space, Council may consider the provision of a space at ground level at a location directly visible from the floor living area of the Secondary Dwelling.				3.1, 6.1
<b>Parking and Vehicle Safety</b>					

22	A minimum of one (1) car parking space shall be provided wholly on the site for the Secondary Dwelling. Such a space or spaces may be an open hard stand space or a car port of garage, whether attached to or detached from the dwelling house.	2.1, 2.3, 2.4
23	A Secondary Dwelling shall be provided with no more than two (2) car parking spaces.	2.4, 14.4
24	A car parking space must measure a minimum of 2.6m wide by 5.4m long.	2.1, 2.2, 2.4
25	Garage doors shall have a minimum width of 2.4 metres.	2.1, 2.2
<b>Privacy</b>		
26	A Secondary Dwelling located on the first floor must not result in unreasonable overlooking into the private open space or windows of habitable rooms of adjoining dwellings.	5.1, 5.2
27	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1, 5.2
<b>Solar Access</b>		
28	Sunlight is to be available to at least 50% of the dedicated private open space area for the secondary dwelling for at least 3 hours between 9:00 am and 3:00 pm on June 21 and shall not reduce the solar access achieved by the principal dwelling on the site.	1.3, 3.4
29	The Secondary Dwelling shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.	1.3, 3.5
<b>Waste Management</b>		
30	The Secondary Dwelling shall be provided with a bin storage area in a location clear of the private open space.	1.2, 1.3, 3.1, 8.1

**3.15 Dual Occupancy in Zones other than R3 Medium Density Residential Development in R2 and R3 zones**

~~These provisions apply to developments for dual occupancy on land upon which this development can be lawfully undertaken but not on land within Zone R3 Medium Density Residential under Wollondilly Local Environmental Plan, 2011.~~

These provisions apply to development for the purposes of dual occupancy housing on land within Zone R2 Low Density Residential and R3 Medium Density Residential under Wollondilly Local Environmental Plan 2011.

Control		Objectives (refer to Clause 1.2)
<b>Lot Size</b>		
4	<del>Dual Occupancy development shall not be undertaken on Town Centre Residential Lots, Residential Small Lots nor Residential Large Lots.</del>	<del>12.5, 14.2, 14.3</del>
1	A dual occupancy development may only be carried out on land which is capable of connecting into a reticulated sewerage scheme or private sewer scheme.  NOTE: Where there is doubt over the availability of reticulated sewer, Council may request confirmation of the ability of additional dwellings to connect into the scheme by either the service provider or operator of the reticulated sewer scheme (in the case of a private sewer scheme).	
2	Dual occupancy development shall only be permitted on lots which: <ul style="list-style-type: none"> <li>• Have an area no less than 975m<sup>2</sup> and no greater than 1400m<sup>2</sup> where a detached dual occupancy is proposed.</li> <li>• Have an area no less than 800m<sup>2</sup> and no greater than 1400m<sup>2</sup> where an attached dual occupancy is proposed.</li> </ul>	12.5, 14.3
3	For proposed dual occupancy dwellings in which the configuration of the two dwellings would be side by side, the minimum frontage of the original lot shall be no less than 24 metres.	1.2, 12.5
4	For proposed dual occupancy dwellings in which one dwelling is located directly behind the other (in a battle axe formation), the minimum frontage of the existing lot shall be no less than 18 metres.	1.2, 12.5
5	Dual occupancy development on an existing battle-axe allotment is not permitted.	1.2, 1.3, 12.5,
6	Where one dual occupancy dwelling is located behind the other, the access way servicing the rear lot shall be a minimum of 5 metres in width and incorporate a 3m sealed driveway in accordance with Engineering Council's Design Code.	1.2, 2.2, 12.5
<b>Building Design</b>		
7	The maximum site coverage shall be 50%. (The site coverage shall be based on the original lot before any subdivision of the dual occupancy development has occurred).	1.2, 1.3, 1.4, 3.1, 6.1, 6.2
8	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
9	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1



10	<p><del>Each frontage of the lot to a public road must be addressed by a dwelling. A dwelling is taken to address a frontage if the façade of the dwelling visible from that frontage meets the front façade requirements of this volume and has the appearance of dwelling front facade.</del></p> <p>The front façade of any dwelling must address the street. In this regard the front facade shall include a combination of at least two (2) of the following:</p> <ul style="list-style-type: none"> <li>• an entry feature or portico;</li> <li>• bay windows;</li> <li>• the use of a balcony, deck, pergola, terrace or verandah along the frontage;</li> <li>• Roof overhangs;</li> <li>• Awnings over windows which blend with the design of the dwelling;</li> <li>• A combination of other architectural features suitable to Council which enhance the front façade of the dwelling.</li> </ul> <p>Note: A different combination of entry features shall be used for each dual occupancy dwelling to avoid mirror imaging or repeated facades.</p> <p>A building element such as that described above may encroach 1.5 metres into the articulation zone provided that Council considers the building element will have a beneficial design outcome.</p>	1.2, 1.3 & 4.2
11	<p><del>On corner allotments, the building façade on the secondary street frontage shall address the street in the manner prescribed in control (10) above.</del></p>	1.2, 1.3, 1.4, 4.2
12	<p><del>Where the front façade is addressed by way of a balcony, deck, patio, pergola, terrace or verandah, awning feature or roof overhang, the feature shall “wrap around” the dwelling and continue along the secondary front façade for a minimum length of 3.0m.</del></p>	1.2, 1.3, 1.4, 4.2
13	<p><del>Any fencing along the primary frontage (or secondary street frontage on a corner lot) must be of a height that would not visually obstruct the building features provided in accordance with control (10) to (12) above when viewed from the street.</del></p>	1.2, 1.3, 1.4, 4.2
14	<p><del>Any</del> The front façade must feature a personal access door.</p>	1.2, 1.3
15	<p>Any front (and secondary front facade on corner lots) façade must have no stretch of blank wall greater than 5.0m in length.</p>	1.2, 1.3, 1.4, 4.2
16	<p>A side or rear façade must have no stretch of blank wall greater than 12.0 metres.</p>	1.2, 1.3, 1.4
17	<p>No more than 50% of the front façade shall be garage doors.</p>	1.2, 1.3, 1.4
18	<p>The number of garage doors visible to the street shall be limited to 3. In this control a double garage door shall be counted as 2 doors.</p>	1.2, 1.3, 1.4
19	<p>The front façade of each dual occupancy dwelling shall be provided with at least one habitable room with a window looking out onto the public road.</p>	1.2, 1.3, 1.4, 4.2
20	<p>Dual occupancy developments must not:</p> <ul style="list-style-type: none"> <li>▪ Be mirror reversed;</li> <li>▪ Have a repeated façade;</li> <li>▪ Locate garages at the centre of the building’s front façade; nor</li> <li>▪ Present an excessively bulky front façade.</li> </ul>	1.2, 1.3, 1.4

<b>Setbacks</b>		
21	Where there is a dwelling on each adjoining lot, the setback for the dwelling from any primary road shall be the average setback of the existing adjoining dwellings plus or minus 10%. Such a setback shall be no less than 4.5m. <b>In the case of a battle-axe style dual occupancy, this control only applies to the front dwelling.</b>	1.1, 1.2, 1.3, 1.4
22	Where there is a dwelling on one adjoining lot the front setback for the dwelling shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 4.5m. <b>In the case of a battle-axe style dual occupancy, this control only applies to the front dwelling.</b>	1.1, 1.2, 1.3, 1.4
23	Where there is no dwelling on an adjoining lot the front setback shall be 4.5m. <b>In the case of a battle-axe style dual occupancy, this control only applies to the front dwelling.</b>	1.2, 1.3, 1.4
24	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be <del>2m</del> <b>2.5m</b> for a lot with an area less than 900m <sup>2</sup> and 3m for other residential lots.	1.2, 1.3, 1.4
25	The minimum side setback shall be 0.9m.	1.2, 1.3, 1.4, 5.2
26	The minimum rear setback shall be 8.0m for a two (2) storey dwelling and 3.0m for a single storey dwelling or a single storey part of a two (2) storey dwelling.	1.2, 1.3, 1.4, 5.1, 5.2
27	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.	14.1
28	<del>No part of any garage shall be located within 5.5 metres of a frontage of the site to a public road.</del>  <b>Any garage attached to a dwelling shall be setback a minimum of 1 metre behind the front building line of the dwelling or 5.5 metres from the front street boundary, whichever is greater.</b>	1.2, 1.3, 1.4, 2.1, 2.2, 2.3
29	Awnings and other building features that do not form a wall of a room may be located between the building setback to a primary and/or secondary road but shall not extend more than 1.5m in front of that building setback.	1.2, 1.3, 1.4
30	Eaves and other building features that do not form a wall of a room may be located within the side and rear building setbacks but shall not extend more than 450mm into that building setback.	1.2, 1.4
<b>Private Open Space</b>		
31	A minimum principal area of private open space must be provided for each dwelling with the following characteristics: <ul style="list-style-type: none"> <li>a. Gradient no steeper than 1:20 (Rise:Run)</li> <li>b. Width no less than 3 metres in any direction</li> <li>c. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom <b>(i.e. a living area)</b>.</li> <li>d. Have an area no less than 24 square-metres.</li> <li>e. Must not be located in the front building setback nor the setback from a secondary frontage</li> <li>f. Not be used for clothes drying, effluent disposal or garbage storage</li> </ul>	3.1, 6.1
<b>Parking, Access and Vehicular Safety</b>		
32	A minimum of one parking space must be provided wholly on the site	2.1, 2.2, 2.3, 14.1

	for each dwelling. Such a space or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the dwelling house.	
33	An open hard stand car parking space must measure at least 2.6m wide and <del>5.4m</del> 5.5m long.	2.1, 2.2, 14.1
34	<del>Garage doors shall have a minimum width of 2.4 metres.</del>	<del>2.1, 2.2</del>
<b>Privacy</b>		
35	Dwellings must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.	5.1, 5.2
36	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1, 5.2
37	The rear dwelling of a battle-axe style dual occupancy development shall be single storey.	1.2, 1.3, 1.4, 5.1
<b>Stormwater</b>		
38	<del>Stormwater from new buildings must be gravity fed to a constructed or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.</del>	<del>7.1, 7.2</del>
<b>Solar Access</b>		
39	<del>Sunlight is to be available to at least 50% of the dedicated private open space area of the dwelling for at least 3 hours between 9:00 am and 3:00 pm on June 21.</del>	<del>1.3, 3.4</del>
40	<del>A new dwelling shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.</del>	<del>1.3, 3.5</del>
<b>Waste Management</b>		
41	Each dwelling shall be provided with a bin storage area in a location clear of private open space.	1.2, 1.3, 3.1, 8.1
<b><del>Attached Dual Occupancy in Environmental Living (E4) zones</del></b>		
	<del>Attached dual occupancy developments in the E4 Environmental Living Zone shall:</del> <ul style="list-style-type: none"> <li><del>a. Be attached by way of a common wall with a minimum length of 1.0m; and</del></li> <li><del>b. Shall incorporate complimentary roof lines and other architectural features to ensure that the development has the appearance of a single dwelling.</del></li> </ul>	<del>1.2, 1.3</del>

**3.16 Dual Occupancy Development in Rural and Environmental Zones**

These provisions apply to development for the purposes of dual occupancy housing in rural and environmental zones (where permitted by an Environmental Planning Instrument) under Wollondilly Local Environmental Plan, 2011.

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	Dwellings must appear no greater than two (2) storeys in height.	1.2, 1.3, 3.1, 6.1 & 6.2.
2	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
3	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
4	Any front façade must have no stretch of blank wall greater than 5.0m in length.	1.2, 1.3, 4.2
5	A side or rear façade must have no stretch of blank wall greater than 12.0 metres.	1.2, 1.3,
6	No more than 50% of the front façade shall be garage doors.	1.2, 1.3,
7	The number of garage doors visible to the street shall be limited to 3. In this control a double garage door shall be counted as 2 doors.	1.2, 1.3,
8	The front façade shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, 4.2
9	The front façade of each dwelling shall feature a personal access door.	
10	All Dual Occupancy Development shall be compatible on terms of bulk, scale, size and height with dwellings on adjoining lands and shall use colours and materials which are complementary to the existing character of the area.	1.2, 1.3,
11	Dual Occupancy development in rural and environmental zones must ensure that the dwellings are physically attached by way of a common wall under the same roofline and have the general appearance of a single dwelling-house (rather than two individual dwellings) when viewed from the primary street frontage. Structures such as carports, breezeways, pergolas, covered awnings and the like are not acceptable as a mode of attachment.	1.1, 1.2, 1.3, 14.3, 14.5
12	The common wall which attaches the two dwellings must allow a connection of at least 50% of the length of that wall.	1.1, 1.2, 14.3
13	Dual Occupancy Development in rural and environmental zones shall incorporate complementary and integrated rooflines and other architectural features to ensure that the development has the appearance of a single dwelling.	1.1, 1.2, 1.3, 14.3, 14.5
14	Garage doors located between the two (2) dwellings should be avoided to ensure that the building retains the overall appearance of one (1) dwelling.	1.1, 1.2, 1.3, 14.3
<b>Setbacks</b>		
15	The front setback of the dual occupancy development shall be a minimum of 18m from the front (street) boundary.	1.1, 1.2, 1.3

16	The minimum side setback shall be 5.0m.	1.1, 1.2, 1.3
15	The minimum rear setback shall be 10.0m.	1.2, 1.3
16	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be 10.0m.	1.2, 1.3, 1.4, 5.2
17	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, are adopted by this volume.	1.2, 1.3, 5.1, 5.2
<b>Private Open Space</b>		
18	A minimum principal area of private open space must be provided for each dwelling with the following characteristics: <ul style="list-style-type: none"> <li>g. Gradient no steeper than 1:20 (Rise:Run)</li> <li>h. Width no less than 3 metres in any direction</li> <li>i. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom (i.e. a living area).</li> <li>j. Have an area no less than 24 square-metres.</li> <li>k. Must not be located in the front building setback nor the setback from a secondary frontage</li> <li>l. Not be used for clothes drying, effluent disposal or garbage storage</li> </ul>	3.1, 6.1
<b>Solar Access</b>		
19	Sunlight is to be available to at least 50% of the dedicated private open space area of the dwelling for at least 3 hours between 9:00 am and 3:00 pm on June 21.	1.3, 3.4
20	A new dwelling shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.	1.3, 3.5
<b>Parking, Safety and Vehicular Access</b>		
21	A minimum of two (2) parking spaces shall be provided on the site for each dwelling behind the front building line in the form of a car port, garage or hard stand space or any combination of these.	2.1, 2.3, 2.4, 14.1
22	An open hard stand car parking space must measure a minimum of 2.6m wide by 5.4m long.	2.1, 2.2, 14.1
23	Garages shall have sufficient area to accommodate a parking space of 2.6m x 5.5m per allocated parking space.	2.1, 2.2, 2.4
24	Garage doors shall have a minimum width of 2.4 metres.	2.1, 2.2
<b>Waste Management</b>		
26	Each dwelling shall be provided with a bin storage area in a location clear of private open space.	1.2, 1.3, 3.1, 8.1

### 3.17 Medium Density Development other than Residential Flat Buildings

These provisions apply to development for the purposes medium density housing under Wollondilly Local Environmental Plan 2011 but do not apply to residential flat buildings.

Control		Objectives (refer to Clause 1.2)
<b>Density</b>		
1	<p>Residential development to which these provisions apply must achieve a minimum density of 25 lots per hectare rounded down to the nearest dwelling.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><b>Example</b> A 1,345m<sup>2</sup> allotment is 0.1345 Ha.</p> <math display="block">\begin{aligned} \text{Minimum Yield} &amp;= 25 \times \text{lot area in hectares} \\ &amp;= 25 \times 0.1345 \\ &amp;= 3.3625 \\ &amp;= 3 \text{ dwellings} \end{aligned}</math> </div>	12.4
2	<p>Residential development to which these provisions apply must not exceed a maximum density of 45 lots per hectare rounded down to the nearest dwelling.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><b>Example</b> A 1,345m<sup>2</sup> allotment is 0.1345 Ha.</p> <math display="block">\begin{aligned} \text{Maximum Yield} &amp;= 45 \times \text{lot area in hectares} \\ &amp;= 45 \times 0.1345 \\ &amp;= 6.0525 \\ &amp;= 6 \text{ dwellings} \end{aligned}</math> </div> <p><b>NOTE:</b> where the above formula enables a maximum number of 2 dwellings on the site, the development shall be assessed as a dual occupancy in accordance with section 3.15 of this volume, unless a variation to this control is requested to enable a higher number of dwellings on the site.</p>	12.4
3	<p>In determining the density of development under these provisions land used for the following purposes is not taken into account:</p> <ul style="list-style-type: none"> <li>▪ Environmental Conservation</li> <li>▪ Public Roads</li> <li>▪ Land reserved for future development</li> <li>▪ Dedication to Council as public open space</li> <li>▪ Basins, wetlands and similar stormwater management systems (water tanks are to be included in the calculation)</li> </ul>	12.4
<b>Building Design</b>		
4	The total portion of the site covered by all pools, buildings and paving shall not exceed 75% of the site area.	1.2, 1.3, 1.4, 3.1, 6.1 & 6.2.
5	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
6	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 &

		9.1
7	Dwellings which front the street shall adopt a traditional orientation where living rooms, front door entries, paths to entry, verandahs and the like address the street rather than neighbouring properties.	1.1, 1.2, 1.3, 4.2, 12.5
8	The design of any medium density development shall ensure that the development contributes to the visual interest of the street and shall avoid long rows of attached dwellings, long straight driveways and uniform roof designs throughout the development.	1.1, 1.2, 1.3, 4.1, 12.5
9	<p>Each frontage of the lot to a public road must be addressed by the dwelling. A dwelling is taken to address a frontage if the façade of the dwelling visible from that frontage meets the front façade requirements of this volume and has the appearance of dwelling front facade.</p> <p>The front façade of any dwelling fronting the street must actively address the street. In this regard the front facade shall include a combination of at least two (2) of the following:</p> <ul style="list-style-type: none"> <li>• an entry feature or portico;</li> <li>• bay windows;</li> <li>• the use of a balcony, deck, pergola, terrace or verandah along the frontage;</li> <li>• Roof overhangs;</li> <li>• Awnings over windows which blend with the design of the dwelling;</li> <li>• A combination of other architectural features suitable to Council which enhance the front façade of the dwelling.</li> </ul>	1.2, 1.3 & 4.2
10	<del>Any</del> The front façade of any dwelling in the development must feature a personal access door.	1.2, 1.3
11	<del>Any</del> The front façade of any dwelling in the development must have no stretch of blank wall greater than 5.0m in length.	1.2, 1.3, <del>4.4</del> , 4.2
12	A side or rear façade of any dwelling in the development must have no stretch of blank wall greater than 12.0 metres.	1.2, 1.3, <del>4.4</del>
13	No more than 50% of the front façade of any dwelling in the development shall be garage doors.	1.2, 1.3, <del>4.4</del>
14	The number of garage doors forming part of any dwelling that are visible to the street shall be limited to 2. In this control a double garage door shall be counted as 2 doors.	1.2, 1.3, <del>4.4</del>
15	The front façade of any dwelling which has frontage to a public road shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, <del>4.4</del> , 4.2
16	Medium density developments must not: <ul style="list-style-type: none"> <li>▪ Be mirror reversed;</li> <li>▪ Have a repeated façade;</li> <li>▪ Locate garages at the centre of the building's front façade; nor</li> <li>▪ Present an excessively bulky front façade.</li> </ul>	1.2, 1.3, <del>4.4</del>
17	One dwelling per five provided in a medium density development (rounded down) shall be provided as an adaptable dwelling in accordance with AS4299 Adaptable Housing. Plans which demonstrate compliance with this standard shall be submitted with any development application for a Medium Density Development.	11.1
<b>Setbacks</b>		
18	Where there is a dwelling on each adjoining lot, the setback <del>for the</del>	1.1, 1.2, 1.3, <del>4.4</del>

	<del>dwelling</del> for the dwelling(s) fronting the primary road shall be the average setback of the existing adjoining dwellings plus or minus 10%. Such a setback shall be no less than 4.5m.	
19	Where there is a dwelling on one adjoining lot the front setback <del>for the dwelling</del> for the dwelling(s) fronting the primary road shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 4.5m.	1.1, 1.2, 1.3, <del>1.4</del>
20	Where there is no dwelling on an adjoining lot the front setback <del>for the dwelling(s) facing the primary road</del> shall be 4.5m for a lot with an area less than 900m <sup>2</sup> and 6.5m for other residential lots.	1.2, 1.3, <del>1.4</del>
21	The minimum side setback <del>for any dwelling</del> shall be 0.9m from land not included in the development.	1.2, 1.3, <del>1.4</del> , 5.2
22	The minimum rear setback <del>for any dwelling</del> from land not included in the development shall be 8.0m for a two (2) storey dwelling and 3.0m for a single storey dwelling or a single storey part of a two (2) storey dwelling.	1.2, 1.3, <del>1.4</del> , 5.1, 5.2
23	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.	14.1
24	<del>No part of any garage shall be located within 5.5 metres of a frontage of the site to a public road.</del>  Any garage attached to a dwelling shall be setback a minimum of 1 metre behind the front building line of the dwelling or 5.5 metres from the front street boundary, whichever is greater.	1.2, 1.3, <del>1.4</del> , 2.1, 2.2, 2.3
	For dwellings not fronting the street, any garage attached to the dwelling shall be located no less than 1 metre behind the front building line of the dwelling.	
25	Awnings and other building features that do not form a wall of a room may be located between the building setback to a primary and/or secondary road and shall not extend more than 1.5m in front of that building setback.	1.2, 1.3, <del>1.4</del>
26	Eaves and other building features that do not form a wall of a room may be located within the side and rear building setbacks but shall not extend more than 450mm into that building setback.	1.2, <del>1.4</del>
27	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be <del>2m</del> 2.5m for a lot with an area less than 900m <sup>2</sup> and 3m for other residential lots.	1.2, 1.3, 1.4
<b>Private Open Space</b>		
28	A minimum principal area of private open space must be provided for each dwelling with the following characteristics: <ul style="list-style-type: none"> <li>a. Gradient no steeper than 1:20 (Rise:Run)</li> <li>b. Width no less than 3 metres in any direction</li> <li>c. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom (i.e. a living area)</li> <li>d. Have an area no less than 24 square-metres.</li> <li>e. Must not be located in the front building setback</li> <li>f. Not be used for clothes drying, effluent disposal or garbage storage</li> </ul>	3.1, 6.1
<b>Common Open Space</b>		
29	The size of the principal area of private open space for each dwelling may be reduced to 10 square-metres if an area of common open	1.2, 3.2



	<p>space is provided for the development with the following characteristics:</p> <ol style="list-style-type: none"> <li>a. Gradient no steeper than 1:20 (Rise:Run)</li> <li>b. Width no less than 6 metres in any direction</li> <li>c. At least 3 hours of solar access to 50% of the area (ignoring shadowing caused by trees).</li> <li>d. Provided with suitable fixed embellishment comprising a minimum of: <ol style="list-style-type: none"> <li>a. Seating and tables at the rate of 6 seats and one table per 3 dwellings rounded up to the nearest whole number.</li> <li>b. Barbeque facilities at the rate of 1 barbeque per 3 dwellings rounded up to the nearest whole number</li> <li>c. Children's play equipment</li> </ol> </li> <li>e. Have a total area no less than 8 square-metres per dwelling</li> <li>f. Must not be located in the front building setback <ol style="list-style-type: none"> <li>g. Not be used for effluent disposal or garbage storage</li> <li>h. Be secured from public access but available to all occupiers in the development.</li> </ol> </li> </ol>	
<b>Solar Access</b>		
30	Sunlight is to be available to at least 50% of the dedicated private open space area of all dwellings in the development for at least 3 hours between 9:00am and 3:00pm on 21 June.	1.3, 3.4
31	Any dwelling within a medium density development shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00am and 3:00pm on 21 June.	1.3, 3.5
<b>Parking, Access and Vehicle Safety</b>		
32	A minimum of one (1) parking space shall be provided on the site for each dwelling. Such a space, or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the dwelling.	2.1, 2.3, 2.4, 14.1
33	An open hard stand car parking space must measure <del>at least</del> a minimum of 2.6m wide <del>by</del> 5.4m long.	2.1, 2.2, 14.1
34	A minimum of one (1) visitor parking space per three (3) dwellings (rounded up) must be provided wholly on the site. Such a space or spaces may be an open hard stand space or car port or a garage, whether attached to or detached from the <del>building dwelling</del> . Visitor parking must be appropriately signposted on the site.	2.1, 2.2
35	A minimum of one (1) parking bay measuring a minimum of 2.6m by 5.4m shall be located on the site and dedicated as a vehicle wash bay. The wash bay shall be within adequate distance of a water source (i.e. a tap) and shall drain to a landscaped area on the site.	2.1, 2.2, 2.4, 6.2
36	Garages shall have sufficient area to accommodate a parking space of 2.6m x 5.4m per allocated parking space.	2.1, 2.2, 2.4
37	Garage doors shall have a minimum width of 2.4 metres.	2.1, 2.2
38	The width of any access driveway and the overall design of the development shall enable vehicles to enter and leave the site in a forward direction.	2.2
39	Provision shall be made for footpaths/sharepaths/cycleways to be provided to the nearest available network connection to the village centre in accordance with Council's Design Specifications.	2.5, 11.5
<b>Landscaping</b>		
40	At least 10% of the area of the site shall be formally landscaped with	1.2, 1.3, 1.4, 5.2, 6.1

	an automated water system to be provided.	
<b>Privacy</b>		
40	Wherever possible, dwellings shall be designed to avoid overlooking the main areas, private open space areas and windows of habitable rooms of adjoining dwellings.	5.1, 5.2
41	The outlook from second storey windows, balconies, stairs, landings, terraces or decks is to be screened where a direct view is available into the private open space areas of an existing adjoining dwelling to prevent overlooking.	5.1
42	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1, 5.2
<b>Stormwater</b>		
43	<del>Stormwater from new buildings must be gravity fed to a constructed or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.</del>	7.1, 7.2
<b>Waste Management</b>		
44	The development shall be provided with on-site waste management facilities to allow for: <ul style="list-style-type: none"> <li>a) the collection of domestic waste from each dwelling; and</li> <li>b) the storage of the waste out of sight of any publically accessible place, dwelling window, area of private open space and area of common open space; and</li> <li>c) the collection of domestic waste from the development by waste collection vehicles; and</li> <li>d) An area at the front of the lot immediately adjoining the public road shall be dedicated for the Council Communal Rubbish Collection service. In this regard the area shall be void of trees/landscaping and the like to enable a suitable area for rubbish to be placed during the collection.</li> </ul>	1.2, 1.3, 8.1
<b>Environmental Protection</b>		
45	<del>Development must be designed and located to result in no clearing of significant stands of native vegetation.</del>	10.1

### 3.18 Residential Flat Buildings

These provisions apply to developments for residential flat buildings.

Control		Objectives (refer to Clause 1.2)
<b>Density</b>		
1	<p>Residential development to which these provisions apply must achieve a minimum density of 25 lots per hectare rounded down to the nearest dwelling.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><b>Example</b> A 1,345m<sup>2</sup> allotment is 0.1345 Ha.</p> <math display="block">\begin{aligned} \text{Minimum Yeild} &amp;= 25 \times \text{lot area in hectares} \\ &amp;= 25 \times 0.1345 \\ &amp;= 3.3625 \\ &amp;= 3 \text{ dwellings} \end{aligned}</math> </div>	12.4
2	<p>Residential development to which these provisions apply must not exceed a maximum density of 45 lots per hectare rounded down to the nearest dwelling.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><b>Example</b> A 1,345m<sup>2</sup> allotment is 0.1345 Ha.</p> <math display="block">\begin{aligned} \text{Maximum Yeild} &amp;= 45 \times \text{lot area in hectares} \\ &amp;= 45 \times 0.1345 \\ &amp;= 6.0525 \\ &amp;= 6 \text{ dwellings} \end{aligned}</math> </div>	12.4
3	<p>In determining the density of development under these provisions land used for the following purposes is not taken into account:</p> <ul style="list-style-type: none"> <li>▪ Environmental Conservation</li> <li>▪ Public Roads</li> <li>▪ Land reserved for future development</li> <li>▪ Dedication to Council as public open space</li> <li>▪ Basins, wetlands and similar stormwater management systems (water tanks are to be included in the calculation)</li> </ul>	12.4
<b>Building Design</b>		
4	The total portion of the site covered by all pools, buildings and paving shall not exceed 75% of the site area.	1.2, 1.3, 1.4, 3.1, 6.1 & 6.2.
5	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
6	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
7	<p><del>The building is taken to address a frontage if the façade of the dwelling visible from that frontage meets the front façade requirements of this volume and has the appearance of dwelling front facade.</del></p> <p>The front façade of any residential flat building must address the street. In this regard the front facade shall include a combination of at least two (2) of the following:</p>	1.2, 1.3 & 4.2

	<ul style="list-style-type: none"> <li>• an entry feature or portico;</li> <li>• bay windows;</li> <li>• the use of a balcony, deck, pergola, terrace or verandah along the frontage;</li> <li>• Roof overhangs;</li> <li>• Awnings over windows which blend with the design of the dwelling;</li> <li>• A combination of other architectural features suitable to Council which enhance the front façade of the dwelling.</li> </ul>	
8	On corner allotments, the building façade on the secondary street frontage shall address the street in accordance with control (7) above.	1.2, 1.3, 1.4, 4.2
9	Where the front façade is addressed by way of a balcony, deck, patio, pergola, terrace or verandah, awning feature or roof overhang, the feature shall “wrap around” the building and continue along the secondary front façade for a minimum length of 3.0m.	1.2, 1.3, 1.4, 4.2
10	Any fencing along the primary frontage (or secondary street frontage on a corner lot) must be of a height that would not visually obstruct the building features provided in accordance with control (7) to (9) above when viewed from the street.	1.2, 1.3, 1.4, 4.2
9	<del>Any</del> The front façade must feature a personal access door.	1.2, 1.3
10	Any front façade (and secondary front facade on corner lots) must have no stretch of blank wall greater than 5.0m in length.	1.2, 1.3, 1.4, 4.2
11	Any front façade (and secondary front façade on corner lots) must have no stretch of straight wall greater than 10.0m in length.	1.2, 1.3, <del>4.4</del>
12	A side or rear façade must have no stretch or blank wall greater than 12.0 metres.	1.2, 1.3, <del>4.4</del>
13	No more than 50% of the front façade shall be garage doors.	1.2, 1.3, <del>4.4</del>
14	The number of garage doors visible to the street shall be limited to 2. In this control a double garage door shall be counted as 2 doors.	1.2, 1.3, <del>4.4</del>
15	The front façade shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, <del>4.4</del> , 4.2
16	Residential Flat Building developments must not: <ul style="list-style-type: none"> <li>▪ Be mirror reversed;</li> <li>▪ Have a repeated façade;</li> <li>▪ Locate garages at the centre of the building’s front façade;</li> <li>▪ Be greater than 2 storeys in height; nor</li> <li>▪ Present an excessively bulky front façade.</li> </ul>	1.2, 1.3, <del>4.4</del>
17	No more than 50% (rounded up) of the dwellings in a residential flat building may have 4 or more bedrooms.	12.1
18	No more than 60% (rounded up) of the dwellings in a residential flat building may have 3 bedrooms.	12.1
19	At least 20% (rounded down) of the dwellings in a residential flat building with more than 10 dwellings must have one or two bedrooms.	12.1
20	At least 30% (rounded down) of the dwellings in a residential flat building with more than 5 dwellings must be adaptable dwellings.	11.1
<b>Setbacks</b>		
21	Where there is a dwelling on each adjoining lot, the setback for the building from any primary road shall be the average setback of the existing adjoining dwellings plus or minus 10%. Such a setback shall be no less than 6.5m.	1.1, 1.2, 1.3, <del>4.4</del>

22	Where there is a dwelling on one adjoining lot the front setback for the building shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 6.5m.	1.1, 1.2, 1.3, <del>4.4</del>
23	Where there is no dwelling on an adjoining lot the front setback shall be 6.5m.	1.2, 1.3, <del>4.4</del>
24	The minimum side setback shall be 0.9m from land not included in the development.	1.2, 1.3, <del>4.4</del> , 5.2
25	The minimum rear setback from land not included in the development shall be 8.0m for a two (2) storey building and 3.0m for a single storey building or a single storey part of a two (2) storey building.	1.2, 1.3, <del>4.4</del> , 5.1, 5.2
26	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.	14.1
27	<del>No part of any garage shall be located within 5.5 metres of a frontage of the site to a public road.</del>  Any garage attached to the residential flat building shall be setback a minimum of 1 metre behind the front building line of the building or 5.5 metres from the front street boundary, whichever is greater.	1.2, 1.3, <del>4.4</del> , 2.1, 2.2, 2.3
28	Awnings and other building features that do not form a wall of a room or a balcony may be located between the building setback to a primary and/or secondary road shall not extend more than 1.5m in front of that building setback.	1.2, 1.3, <del>4.4</del>
29	Eaves and other building features that do not form a wall of a room may be located within the side and rear building setbacks but shall not extend more than 450mm into that building setback.	1.2, <del>4.4</del>
30	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be 6m.	1.2, 1.3, 1.4
<b>Private Open Space</b>		
31	A minimum principal area of private open space must be provided for each dwelling with the following characteristics: <ul style="list-style-type: none"> <li>a. Gradient no steeper than 1:20 (Rise:Run)</li> <li>b. Width no less than 3 metres in any direction</li> <li>c. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom</li> <li>d. Have an area no less than 8 square-metres.</li> <li>e. Must not be located in the front building setback</li> <li>f. Not be used for clothes drying, effluent disposal or garbage storage</li> <li>g. <del>The principal area of private open space may be provided on a balcony or verandah that is no less than 8 square metres and complies with the solar access provisions in this part.</del></li> </ul>	3.1, 6.1
<b>Common Open Space</b>		
32	An area of common open space shall be provided for the development with the following characteristics: <ul style="list-style-type: none"> <li>a. Gradient no steeper than 1:20 (Rise:Run)</li> <li>b. Width no less than 6 metres in any direction</li> <li>c. At least 3 hours of solar access to 50% of the area (ignoring shadowing caused by trees).</li> <li>d. Provided with suitable fixed embellishment comprising a minimum of:</li> </ul>	1.2, 3.2

	<ul style="list-style-type: none"> <li>a. Seating and tables at the rate of 6 seats and one table per 3 dwellings rounded up to the nearest whole number.</li> <li>b. Barbeque facilities at the rate of 1 barbeque per 3 dwellings rounded up to the nearest whole number</li> <li>c. Children's play equipment</li> <li>e. Have a total area no less than 20% of the area of the site</li> <li>f. Must not be located in the front building setback</li> <li>g. Not be used for effluent disposal or garbage storage</li> <li>h. Be secured from public access but available to all occupiers in the development.</li> </ul>	
<b>Solar Access</b>		
33	Sunlight is to be available to at least 50% of the dedicated private open space area of each dwelling within the Residential Flat Building for at least 3 hours between 9:00 am and 3:00 pm on June 21.	1.3, 3.4
34	The development shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.	1.3, 3.4
<b>Parking, Access and Vehicle Safety</b>		
35	A minimum of 1.5 parking spaces per dwelling (rounded up) must be provided wholly on the site. Such a space or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the building.	2.1
36	An open hard stand car parking space must measure <del>at least a</del> <b>minimum of 2.6m wide and by 5.4m long.</b>	2.1
37	A minimum of 1 visitor parking space per three (3) dwellings (rounded up) must be provided wholly on the site. Such a space or spaces may be an open hard stand space or a carport or garage, whether attached to or detached from the building.	2.1
38	<del>Provision shall be made for footpaths/sharepaths/cycleways to be provided to the nearest available network connection to the village centre in accordance with Council's Design Specifications.</del>	2.5, 11.5
<b>Landscaping</b>		
39	At least 10% of the area of the site shall be formally landscaped with an automated water system to be provided. Up to 5% of the site area may be counted for both common open space and formal landscaping.	1.2, 1.3, 1.4, 5.2, 6.1
<b>Privacy</b>		
40	<del>Dwellings must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.</del>  Wherever possible, dwellings shall be designed to avoid overlooking the main living areas, private open spaces areas and windows of habitable rooms of adjoining dwellings.	5.1
41	<del>The outlook from second storey windows, balconies, stairs, landings, terraces or decks is to be screened where a direct view is available into the private open space areas of an existing adjoining dwelling to prevent overlooking.</del>	5.1, 5.2
42	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1
<b>Stormwater</b>		
	<del>Stormwater from new buildings must be gravity fed to a constructed</del>	7.1, 7.2

	<del>or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.</del>	
<b>Waste Management</b>		
43	<p>The development shall be provided with onsite waste management facilities to allow for:</p> <ul style="list-style-type: none"> <li>a) the collection of domestic waste from each dwelling</li> <li>b) the storage of the waste out of sight of any publically accessible place, dwelling window, area of private open space and area of common open space.</li> <li>c) The collection of domestic waste from the development by waste collection vehicles.</li> <li>d) <del>An area at the front of the lot immediately adjoining the public road shall be dedicated for the Council Communal Rubbish Collection service. In this regard the area shall be void of trees/landscaping and the like to enable a suitable area for rubbish to be placed during the collection.</del></li> </ul>	1.2, 1.3, 8.1
<b>Environmental Protection</b>		
42	<del>Development must be designed and located to result in no clearing of significant stands of native vegetation.</del>	10.1

### 3.19 Hostels and Boarding Houses

These provisions apply to developments for Hostels and Boarding Houses in Wollondilly Shire. In these controls a reference to a boarding house is also a reference to a Hostel.

Control		Objectives (refer to Clause 1.2)
<b>Density</b>		
1	<p>Development to which these provisions apply must achieve a minimum density of 4 boarding rooms per 1,000m<sup>2</sup> of allotment area rounded down to the nearest whole boarding room.</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p><b>Example</b> A 1,345m<sup>2</sup> allotment.</p> <math display="block">\begin{aligned} \text{Minimum Yeild} &amp;= 4 \times \frac{\text{lot area in m}^2}{1000} \\ &amp;= 4 \times \frac{1345}{1000} \\ &amp;= 5.38 \\ &amp;= 5 \text{ boarding rooms} \end{aligned}</math> </div>	11.2
2	<p>Residential development to which these provisions apply must not exceed a maximum density of 8 boarding rooms per 1,000m<sup>2</sup> of allotment area rounded down to the nearest whole boarding room.</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p><b>Example</b> A 1,345m<sup>2</sup> allotment.</p> <math display="block">\begin{aligned} \text{Maximum Yeild} &amp;= 8 \times \frac{\text{lot area in m}^2}{1000} \\ &amp;= 8 \times \frac{1345}{1000} \\ &amp;= 10.76 \\ &amp;= 10 \text{ boarding rooms} \end{aligned}</math> </div>	11.2
3	<p>In determining the density of development under these provisions land used for the following purposes is not taken into account:</p> <ul style="list-style-type: none"> <li>▪ Environmental Conservation</li> <li>▪ Public Roads</li> <li>▪ Land reserved for future development</li> <li>▪ Dedication to Council as public open space</li> <li>▪ Basins, wetlands and similar stormwater management systems (water tanks are to be included in the calculation)</li> </ul>	11.2
<b>Site Selection and Transport</b>		
4	<p>Boarding house and hostel developments must only be provided within 400m of the following train stations:</p> <ul style="list-style-type: none"> <li>• Douglas Park</li> <li>• Picton</li> <li>• Tahmoor</li> <li>• Bargo</li> </ul>	11.2



<b>Building Design</b>		
5	The total portion of the site covered by all pools, buildings and paving shall not exceed 75% of the site area.	1.2, 1.3, 1.4, 3.1, 6.1 & 6.2.
6	Filling of land shall not increase the natural ground level by more than 1.0m.	1.2, 1.3, 5.1 & 6.2
7	Cut shall be limited to 2.0 metres below natural ground level.	1.2, 1.3, 4.1, 6.2 & 9.1
8	<p><del>Each frontage of the lot to a public road must be addressed by the building. The building is taken to address a frontage if the façade of the dwelling visible from that frontage meets the front façade requirements of this volume and has the appearance of dwelling front facade.</del></p> <p>The front façade of any dwelling must address the street. In this regard the front facade shall include a combination of at least two (2) of the following:</p> <ul style="list-style-type: none"> <li>• an entry feature or portico;</li> <li>• bay windows;</li> <li>• the use of a balcony, deck, pergola, terrace or verandah along the frontage;</li> <li>• Roof overhangs;</li> <li>• Awnings over windows which blend with the design of the dwelling;</li> <li>• A combination of other architectural features suitable to Council which enhance the front façade of the dwelling.</li> </ul>	1.2, 1.3 & 4.2
9	On corner allotments, the building façade on the secondary street frontage shall address the street in accordance with control (8) above.	1.2, 1.3 & 4.2
10	Where the primary front facade is addressed by way of a building feature such as a balcony, deck, pergola, terrace or verandah, roof overhang, awning and the like, the feature shall wrap around the dwelling and continue along the secondary front facade for a minimum length of 3.0m.	1.2, 1.3, 1.4 & 4.2
11	Any fencing along the primary frontage (or secondary street frontage on a corner lot) must be of a height that would not visually obstruct the building features provided in accordance with control (8) to (10) above when viewed from the street.	1.2, 1.3, 1.4 & 4.2
12	<del>Any</del> The front façade must feature a single personal access door.	1.2, 1.3
13	Any front façade must have no stretch of blank wall greater than 5.0m in length.	1.2, 1.3, 1.4, 4.2
14	Any front façade must have no stretch of straight wall greater than 10.0m in length.	1.2, 1.3, 1.4
15	A side or rear façade must have no stretch or blank wall greater than 12.0 metres.	1.2, 1.3, 1.4
16	No more than 50% of the front façade shall be garage doors.	1.2, 1.3, 1.4
17	The number of garage doors visible to the street shall be limited to 2. In this control a double garage door shall be counted as 2 doors.	1.2, 1.3, 1.4
18	The front façade shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, 1.4, 4.2
19	Hostels and Boarding Houses developments must not: <ul style="list-style-type: none"> <li>▪ Be mirror reversed;</li> </ul>	1.2, 1.3, 1.4

	<ul style="list-style-type: none"> <li>▪ Have a repeated façade;</li> <li>▪ Locate garages at the centre of the building's front façade;</li> <li>▪ Be greater than 2 storeys in height; nor</li> <li>▪ Present an excessively bulky front façade.</li> </ul>	
20	Each boarding room must have an area of between 16 and 25m <sup>2</sup> (excluding any area used for the purposes of private kitchen or bathroom facilities).	11.4
21	A Communal living area must be provided at the rate of 12m <sup>2</sup> per 5 boarding rooms or part thereof.	11.4
22	No boarding rooms may be occupied by more than two adult lodgers (except for a Hostel which may provide dormitory rooms).	14.3
23	Adequate kitchen, laundry and bathroom facilities must be provided for lodgers.	11.4
24	If the boarding house has capacity to accommodate 20 or more lodgers then it must be provided with an onsite boarding room or dwelling for a boarding house manager.	11.4, 14.1
25	If the boarding house is proposed in a business zone then no part of the ground floor may be used for residential purposes.	13.1
26	At least one boarding room per five boarding rooms (rounded down) provided in a boarding house (excluding a hostel) shall be an accessible room complying with relevant Commonwealth Standards for disabilities access.	11.5
27	At least one hostel room per five hostel rooms provided in a hostel (rounded down) shall be an accessible room complying with relevant Commonwealth Standards for disabilities access.	11.5
<b>Setbacks</b>		
28	Where there is a dwelling on each adjoining lot, the setback for the building from any primary road shall be the average setback of the existing adjoining dwellings plus or minus 10%. Such a setback shall be no less than 4.5m.	1.1, 1.2, 1.3, 1.4
29	Where there is a dwelling on one adjoining lot the front setback for the building shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 4.5m.	1.1, 1.2, 1.3, 1.4
30	Where there is no dwelling on an adjoining lot the front setback shall be 6.5m.	1.2, 1.3, 1.4
31	The minimum side setback shall be 0.9m from land not included in the development.	1.2, 1.3, 1.4, 5.2
32	The minimum rear setback from land not included in the development shall be 8.0m for a two (2) storey building and 3.0m for a single storey building or a single storey part of a two (2) storey building.	1.2, 1.3, 1.4, 5.1, 5.2
33	The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume.	14.1
34	No part of any garage shall be located within 5.5 metres of a frontage of the site to a public road.	1.2, 1.3, 1.4, 2.1, 2.2, 2.3
35	Awnings and other building features that do not form a wall of a room or a balcony may be located between the building setback to a primary and/or secondary road shall not extend more than 1.5m in front of that building setback.	1.2, 1.3, 1.4
36	Eaves and other building features that do not form a wall of a room may be located within the side and rear building setbacks but shall not extend more than 450mm into that building setback.	1.2, 1.3, 1.4

37	For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be 6m.	1.2, 1.3
<b>Common Open Space</b>		
38	An area of common open space shall be provided for the development with the following characteristics: <ul style="list-style-type: none"> <li>a. Gradient no steeper than 1:20 (Rise:Run)</li> <li>b. Width no less than 3 metres in any direction</li> <li>c. At least 3 hours of solar access to 50% of the area (ignoring shadowing caused by trees).</li> <li>d. Provided with suitable fixed embellishment comprising a minimum of: <ul style="list-style-type: none"> <li>a. Seating and tables at the rate of 6 seats and one table per 3 dwellings rounded up to the nearest whole number.</li> <li>b. Barbeque facilities at the rate of 1 barbeque per 3 dwellings rounded up to the nearest whole number</li> <li>c. Children’s play equipment</li> </ul> </li> <li>e. Have a total area no less than 20m<sup>2</sup></li> <li>f. Must not be located in the front building setback</li> <li>g. Not be used for effluent disposal or garbage storage</li> <li>h. Be secured form public access but available to all occupiers in the development.</li> </ul>	3.2
<b>Solar Access</b>		
39	Sunlight is to be available to at least 50% of the dedicated private open space area of each dwelling within the Residential Flat Building for at least 3 hours between 9:00 am and 3:00 pm on June 21.	
40	The development shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.	
<b>Parking, Access and Vehicle Safety</b>		
41	<del>For each 5 boarding rooms (or part thereof) parking shall be provided at the rate of:</del> <ul style="list-style-type: none"> <li>▪ <del>One (1) bicycle space; and</del></li> <li><del>One (1) motorcycle space.</del></li> </ul> <p>Parking shall be provided at the rate of a minimum of one (1) bicycle space and one (1) motorcycle space per every five (5) bedrooms in the development.</p>	2.4
42	Vehicle Parking shall be provided at the rate of: <ul style="list-style-type: none"> <li>▪ One (1) parking space per boarding room that is not a dormitory room; and</li> <li>▪ 0.5 parking spaces per bed in a dormitory room (rounded up).</li> </ul>	2.4
43	All driveways and car parking are to be sealed and line marked and be sufficient to allow vehicles to enter and leave in a forward direction.	2.4
44	Development to which this clause applies shall not be undertaken on a residential battle-axe allotment.	1.2, 1.3, 1.4, 11.2
45	A minimum of One (1) visitor car parking space shall be provided per three (3) rooms in the case of a boarding house or one space per three (3) dormitories in the case of a hostel.	2.1
46	Provision shall be made for footpaths/sharepaths/cycleways to be provided to the nearest available network connection to the village	2.5, 11.5

	centre in accordance with Council's Design Specifications.	
<b>Landscaping</b>		
47	At least 10% of the area of the site shall be formally landscaped with an automated water system to be provided.	1.2, 1.3, 1.4, 5.2, 6.1
<b>PRivacy</b>		
48	<del>The development must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.</del>  Wherever possible, dwellings within the hostel or boarding house shall be designed to avoid overlooking the main living areas, private open spaces areas and windows of habitable rooms of adjoining dwellings.	5.1, 11.2
49	The outlook from second storey windows, balconies, stairs, landings, terraces or decks is to be screened where a direct view is available into the private open space areas of an existing adjoining dwelling to prevent overlooking.	
50	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1
<b>Stormwater</b>		
51	<del>Stormwater from new buildings must be gravity fed to a constructed or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.</del>	6.2, 7.1, 7.2
<b>Waste Management</b>		
52	The development shall be provided with onsite waste management facilities to allow for: a) the storage of the waste out of sight of any publically accessible place, dwelling window, area of private open space and area of common open space; and b) The collection of domestic waste from the development by waste collection vehicles.	1.2, 1.3, 8.1
<b>Environmental Protection</b>		
53	<del>Development must be designed and located to result in no clearing of significant stands of native vegetation.</del>	10.1

### 3.20 Shop top housing

These provisions apply to developments for Shop top housing in Wollondilly Shire.

Control		Objectives (refer to Clause 1.2)
<b>Building Design</b>		
1	The first floor of the development shall be constructed as a commercial development in accordance with the relevant provisions of Volume 5 of this plan.	1.1, 1.3, 13.1
2	The front façade of each floor of shop top housing shall be provided with at least one habitable room with a window looking out onto the public road.	1.2, 1.3, 1.4, 4.2
3	Shop top housing developments must not: <ul style="list-style-type: none"> <li>▪ Be mirror reversed;</li> <li>▪ Have a repeated façade; nor</li> <li>▪ Present an excessively bulky front façade.</li> </ul>	1.2, 1.3, 1.4
4	If more than 10 shop top housing units are proposed then at least one dwelling per five dwellings (rounded down) provided shall be an accessible dwellings complying with relevant Commonwealth Standards for disabilities access.	11.5
5	Shop top housing must not exceed the building footprint of the ground floor commercial part of the building.	1.3, 13.1, 13.2 14.3,
<b>Site Selection and Amenity</b>		
6	Shop top housing must only be provided with 400m of an area of eligible public open space. In this clause <b>eligible public open spaces</b> means an area of public park with an area no less than 3,000m <sup>2</sup> and with children’s play equipment and restrooms. Nothing in this control prevents an applicant from proposing works to enhance a public park to make it an eligible public open space.	11.2
<b>Private Open Space</b>		
7	<b>A balcony or verandah which provides</b> a minimum principal area of private open space must be provided for each dwelling with the following characteristics: <ol style="list-style-type: none"> <li>a. Width no less than 2.5 metres in any direction</li> <li>b. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom</li> <li>c. Have an area no less than 8 square-metres.</li> <li>d. Must not be located in the front building setback of the ground floor</li> <li>e. Not be used for garbage storage</li> </ol>	3.1, 6.1
<b>Parking, Access and Vehicular Safety</b>		
8	<b>A minimum of</b> One (1) car parking space shall be provided for each dwelling and one (1) visitor parking space shall be provided for every 5 dwellings (rounded <del>down</del> <b>up</b> ). Where this parking is located within a parking lot used by commercial development suitable measures shall be provided to ensure they are reserved for residential use to the satisfaction of the consent authority.	2.4
<b>Solar Access</b>		
9	<b>Sunlight is to be available to at least 50% of the dedicated private open space area of each dwelling within the Residential Flat Building for at least 3 hours between 9:00 am and 3:00 pm on June 21.</b>	1.3, 3.4

10	Wherever possible, the living areas within dwellings shall be given a northern orientation to maximise solar access.	1.3, 3.4
<b>Privacy</b>		
11	The development must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.	5.1, 11.2
12	A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.	5.1
<b>Waste Management</b>		
13	The development shall be provided with onsite waste management facilities to allow for: <ul style="list-style-type: none"> <li>a) the storage of the waste out of sight of any publically accessible place, dwelling window, area of private open space and area of common open space; and</li> <li>b) The collection of domestic waste from the development by waste collection vehicles.</li> </ul>	1.2, 1.3, 8.1

### 3.21 Exhibition Homes and Villages

These provisions apply to developments for Exhibition Homes and Villages within Wollondilly Shire.

#### Objectives

1. To ensure developments for display homes are suitable for their commercial and final residential use.
2. To ensure exhibition villages are provided with suitable infrastructure to support their commercial use.

#### Controls

1. Development for an exhibition home shall be assessed under this volume as though it were being constructed as a dwelling.
2. If a variation is required to any control in this volume the applicant must, in addition to any other need to justify the variation, justify the departure in the light of the public interest matter that arises from a display home being contrary to the provisions of this volume as display homes are seen by the community as a model for new dwelling construction.
3. Exhibition homes must be provided with off-street car parking for patrons at the rate tabulated below. This parking may be provided at the individual exhibition homes or at a centralised car park.

Number of Exhibition Homes	Number of Car Parking Spaces
1 – 5	3 per exhibition home
5 – 10	15 + 2 per exhibition home over 5
10 or more	25 + 1 per exhibition home over 10

4. Where a central parking area is provided it must:
  - a. Comply with Council's design specification for a public car park
  - b. Be located within 200m of all of the exhibition homes by a continuous pedestrian pathway
  - c. Have an intended use after the exhibition village is closed.
5. Where parking is provided at an individual exhibition home it must be constructed and finished in a way that will give the appearance of a private driveway or parking spot when the exhibition village is closed.

## PART 4 – CONTROLS FOR SPECIFIC LOCATIONS

### 4.1 Avon Dam and Hawthorne Roads, Bargo

#### Application

1. This section applies to the following allotments:
  - a. 67 Avon Dam Road (Lot 9 DP 877774)
  - b. 77 Avon Dam Road (Lot 132 DP 851807)
  - c. 214 Hawthorne Road (Lot 8 DP 877774)
  - d. 218 Hawthorne Road (Lot 7 DP 877774)
  - e. 235 Hawthorne Road (Lot 1 DP 877774)
  - f. 245 Hawthorne Road (Lot 2 DP 877774)

#### Objectives

1. To ensure that contaminated land is suitably assessed and remediated prior to residential development.
2. To ensure potential noise and vibration impacts from road and railway sources are minimised for new sensitive receivers.

#### Controls

1. For the purposes of Clause 7.1(4) of State Environmental Planning Policy No. 55 – Remediation of Land, Lot 8 DP 877774 is taken to be potentially contaminated land. **In this regard, it must be demonstrated that either the land is not contaminated or, if the land is contaminated ensure that appropriate measures have been taken to make the land suitable for a residential use.**
2. Development applications for noise impacted dwellings should detail design and architectural treatments which may be required to reduce noise to acceptable levels and these may include all or some of the following:
  - a. upgrading of glazing;
  - b. the sealing of gaps around windows and doors;
  - c. sealing of wall vents;
  - d. the upgrading of doors to solid door;
  - e. reconfiguration of internal spaces to provide non sensitive rooms adjacent to the Avon Dam Road frontage.

### 4.2 Bingara Gorge Estate

#### Application

1. This section applies to the Wilton Park Urban Release Area under Wollondilly Local Environmental Plan, 2011.

#### Objectives

1. To provide a different front setback for some lots to retain consistency throughout the Bingara estate.

#### Controls

1. For land within the Wilton Park Urban Release Area Control ~~13~~ 17 in Clause ~~4.4~~ 3.4 shall be taken to read:

*Where there is a dwelling on one adjoining lot the front setback for the dwelling shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 7m.*



### **4.3 Montpelier Drive Residential Land**

#### **Application**

1. This section applies to the following allotments:
  - a) 780 Montpelier Drive, The Oaks (Lot 601 DP 735032)
  - b) 790 Montpelier Drive, The Oaks (Lot 1 DP 1043567)

#### **Objectives**

1. To mitigate noise impacts from the nearby airfield.
2. To provide separation between the urban-rural edge to minimise rural land use conflict.

#### **Controls**

1. A noise assessment shall accompany all development applications for dwellings and shall detail how building design and building materials for noise attenuation shall meet the noise level objectives for 'sleeping areas and dedicated lounges' in AS 2021 which will require an Aircraft Noise Reduction goal of approximately 20dBA. This should be able to be achieved through standard building construction methods.
2. All dwellings along the southern end of the site shall be set back a minimum of 10 metres from the front boundary of each allotment.

# **Development Control Plan 2015**

Volume 5 – Commercial and Community Uses



**Wollondilly**  
Shire Council

## Table of Contents

<b>TABLE OF CONTENTS</b> .....	<b>2</b>
<b>PART 1 – PRELIMINARY</b> .....	<b>3</b>
1.1 Introduction .....	3
1.2 Objective .....	3
1.3 Parts of this volume .....	3
<b>PART 2 – GENERAL REQUIREMENTS FOR ALL COMMERCIAL AND COMMUNITY USES</b> .....	<b>5</b>
2.1 Sustainability.....	5
2.2 Setbacks .....	5
2.3 Building Design.....	6
2.4 Open space .....	8
2.5 Outdoor eating and seating .....	8
2.6 Landscaping .....	9
2.7 External storage .....	9
2.8 Public realm .....	9
2.9 Access and Traffic Generation .....	10
2.10 Parking and Manoeuvring.....	11
2.11 Waste Management .....	15
2.12 On-site waste water and stormwater management.....	16
<b>PART 3 – SPECIFIC LAND USE CONTROLS</b> .....	<b>17</b>
3.1 Amusement centres.....	17
3.2 Bulky goods premises .....	17
3.3 Child care centres.....	17
3.4 Community facilities, Entertainment Facilities, Function centres, Places of Public Worship and Registered Clubs .....	17
3.5 Home-based child care.....	18
3.6 Landscape and garden supplies, Timber and building supplies, Wholesale Supplies.....	18
3.7 Restricted premises.....	18
3.8 Service stations .....	19
3.9 Sex service premises, Home occupations (sex services) .....	19
3.10 Educational establishments.....	20
3.11 Health services facilities .....	20
3.12 Funeral chapels and Funeral homes .....	20
<b>PART 4 – CONTROLS FOR SPECIFIC LOCATIONS:</b> .....	<b>21</b>
4.1 Maps and Definitions .....	21
4.2 Appin.....	25
4.3 Bargo .....	25
4.4 Belimba Park .....	26
4.5 Picton.....	26
4.6 Tahmoor .....	26
4.7 The Oaks .....	28
4.8 Thirlmere.....	28
4.9 Warragamba and Silverdale .....	29

## PART 1 – PRELIMINARY

### 1.1 Introduction

This Volume provides controls for development for the purposes of commercial, community and other related land uses and any development ancillary to those uses and forms part of the Wollondilly Development Control Plan 2011.

### 1.2 Objective

The object of this volume is to ensure commercial and community development achieves the aims of Wollondilly Local Environmental Plan, 2011 by promoting economic activity and local job creation while ensuring developments achieve excellent planning outcomes.

### 1.3 Parts of this volume

The requirements contained within Part 2 apply to all development to which this ~~plan~~ volume applies.

Part 3 applies to the following specific land uses:

Land Use	Clause
Amusement centres	<del>4.1</del> 3.1
Bulky goods premises	<del>4.2</del> 3.2
Child care centres	<del>4.3</del> 3.3
Community facilities	<del>4.4</del> 3.4
Educational establishments	<del>4.10</del> 3.10
Entertainment Facilities	<del>4.4</del> 3.4
Function centres	<del>4.4</del> 3.4
Funeral chapels	<del>4.12</del> 3.12
Funeral homes	<del>4.12</del> 3.12
Health services facilities	<del>4.11</del> 3.11
Home occupation (Sex Services)	<del>4.9</del> 3.9
Home-based child care	<del>4.5</del> 3.5
Landscape and garden supplies	<del>4.6</del> 3.6
Place of public worship	<del>4.4</del> 3.4
Registered clubs	<del>4.4</del> 3.4
Restricted premises	<del>4.7</del> 3.7
Service stations	<del>4.8</del> -3.8
Sex service premises	<del>4.9</del> 3.9
Timber and building supplies	<del>4.6</del> 3.6

Part 4 applies to the following specific locations:

- Appin
- Bargo
- Belimba Park
- Picton
- Silverdale
- Tahmoor

- The Oaks
- Thirlmere
- Warragamba

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## Part 2 – General Requirements for all Commercial and Community uses

### 2.1 Sustainability

#### Objectives

1. To ensure the application of Ecologically Sustainable Development (ESD) principles at all stages of development including demolition, construction and ongoing use over time.

#### Controls

1. Timber sourced from old growth forests may not be used in development subject to this volume.
2. Impacts to groundwater must be minimised by:
  - a) Ensuring no contaminated runoff enters the groundwater system; and
  - b) Retaining and protecting significant stands of native vegetation; and
  - c) Minimising cut and fill; and
  - d) Maximising landscaped areas that are deep soil and are hydraulically connected to the natural soil and groundwater system.
3. All development resulting in more than 200 square metres of new GFA must provide rainwater collection tank(s) to collect rainfall and runoff from roof areas. The minimum volume of the tank(s) shall be 1,000 litres per 100m<sup>2</sup> (rounded down to the nearest 100m<sup>2</sup>) of new GFA. Such tank(s) must have their overflows connected to a point for suitable integration with the natural or constructed stormwater drainage system.
4. Water from rainwater collection tank(s) must be used for at least one of the following:
  - a) Irrigation and maintenance of landscaped areas;
  - b) Cleaning and maintenance of built development;
  - c) Toilet flushing;
  - d) Laundry purposes; or
  - e) Car washing.
5. All plumbing fittings connected to potable water supply must be Triple A or higher rated devices.
6. Connection to recycled water is required if serviced by a dual reticulation system. Such water shall be used for all of the purposes listed above at control 4. The requirement to provide water tank(s) ~~shall be waived~~ **does not apply** if the development is connected to a recycled water system.
7. Commercial developments where the ~~project costs~~ **capital investment value** are more than \$500,000 and that result in more than 100m<sup>2</sup> of new GFA must install a photovoltaic system to complement consumption of electricity from the grid system. The capacity of the system must be no less than 5kW per 100m<sup>2</sup> of new GFA. Details of the system shall be provided to the consent authority prior to the granting of any development consent.

### 2.2 Setbacks

#### Objectives

1. To establish a desired relationship between the street and footpath, public spaces, private spaces and buildings,

2. To create and maintain a streetscape character appropriate for towns and villages, and
3. To provide continuity in the streetscape.

### Controls

1. The following setbacks apply for development under this volume:

Zone	Front Setback (m)	Side Setback (m)	Rear Setback (m)
B1	0	0	0
B2	0	0	0
B4	0	0	0
R2	Consistent with surrounding development	0.9	Consistent with surrounding development
R3	Consistent with surrounding development	0.9	Consistent with surrounding development
R5	Consistent with surrounding development	0.9	Consistent with surrounding development
IN2	Consistent with surrounding development	0.9	Consistent with surrounding development
IN3	Consistent with surrounding development	0.9	Consistent with surrounding development
RE1	0	0	0
RE2	Consistent with surrounding development	0	Consistent with surrounding development

2. The creation of laneways, alcoves, recesses or other narrow spaces are not permitted.

## 2.3 Building Design

### Objectives

1. To achieve safe, attractive, equitable and functional buildings.
2. To enhance and protect the public space adjacent to commercial premises.
3. To preserve the broader rural village character of the towns and their centres.

### Controls

1. Buildings on sites adjoining public open space must not cast a shadow onto more than one third of that open space between the hours of 10am and 2pm during the winter solstice (measured at ground level).
2. Colourbond materials shall not be used in the external construction of buildings within the Business (B) Zones unless they account for less than 25% of each front elevation.
3. External materials used for newly constructed or extended commercial buildings within the business (B) zones shall be consistent with the materials used in adjoining commercial development or shall have a superior quality external finish.
4. Shipping containers shall not be used for storage within developments for commercial or community purposes.

5. Building designs must ensure that main entry and exit points are readily identifiable to intending patrons.
6. All building facades visible from a public place must be designed to reduce bulk and enhance the appearance of the building using appropriate architectural features, articulation and finishes.
7. Commercial developments must have active frontages for the majority of the total frontage of the development to public spaces including roads and reserves. An active frontage must have a minimum of 75% glazing area which must be transparent.
8. All facades must be designed in accordance with **the Crime Prevention through Environmental Design (CPTED) Guidelines** including allowance for casual surveillance of streets and other public places.
9. There must be a universally accessible **and** continuous path of travel to connect the public footpath to all car parking areas and the main public entry and exit point of a building.
10. Other uses within a basement car parking area (like switch rooms and waste storage areas) must be physically separated from vehicle and pedestrian movement.
11. The applicant for any proposal for mixed use development shall demonstrate, to the satisfaction of the Consent Authority, that the development provides adequate amenity to any proposed and/or existing residential use.
12. Building services, fittings and utilities (including, without limitation, downpipes, conduits and vents and air conditioning units and components) must be integrated with the features of any facade fronting public open space or a public street.
13. Building lights shall illuminate buildings and signs from the top-down rather than the bottom-up to reduce light spill into the night sky.
14. Lift towers and overruns, satellite dishes, motor rooms and service plants, air conditioning units, antennae, telecommunications devices, vent pipes and the like must not be visible from any publically accessible place.
15. Security shutters and roller doors on primary facades to a public street are not permitted unless they are open form or transparent. Security devices must be integrated within the design of the shop front structure.
16. The design and siting of Automatic teller machines (ATM's) must allow for queuing of users without obstructing the free movement of pedestrians and others within the public footpath and must be structurally protected to prevent ram-raid opportunities.
17. Commercial and community buildings constructed within a rural or residential zone must be designed to compliment the character of the established built form of the locality. Building and infrastructure that contrast with the established built forms in the locality shall not be used in any rural or residential zone.
18. Commercial and community building developments that will result in **an increase in a** floor area greater than 400m<sup>2</sup> shall provide amenities for the changing of infants and shall accommodate for both male and female parents/guardians undertaking this activity.



## 2.4 Open space

### Objectives

1. To provide a variety of open spaces integrated with, and enhancing, the design and function of buildings such as verandahs, courtyards, balconies and roof top gardens,

### Controls

1. Communal Open Space must be provided for developments exceeding the thresholds tabulated below at the rate provided in the table:

Use	Threshold (m <sup>2</sup> )	Rate
Office Premises	250	8 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Retail Premises	900	4 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Community Facilities	250	16 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Food Premises	500	4 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Health Services Facilities	250	4 m <sup>2</sup> per 100 m <sup>2</sup> of GFA

2. Communal open space for residential development on the same or adjoining land cannot be counted towards open space required by this clause. Public open space on land immediately adjoining the commercial development site may be considered as an offset to the provision of Communal Open Space within a development site providing it is suitably embellished.
3. Communal Open space shall ~~be no~~ not be narrower than 3 metres in each and every direction.
4. Communal Open space must be located and designed to be compatible with any nearby residential uses. There must be no direct line of sight to residential private open spaces and windows.
5. Communal open space must be suitably embellished for outdoor eating and must be provided with waste management facilities.
6. Communal open space must be sited and designed to achieve a minimum of 3 hours of solar access (measured at ground level) to at least 50% of its area between the hours of 9:00am and 3:00pm on the winter solstice.

## 2.5 Outdoor eating and seating

### Objectives

1. To encourage aesthetically attractive, comfortable, convenient and safe outdoor furniture for seating and eating areas ancillary to nearby premises or for general public use,

### Controls

1. A minimum 1.8 metres wide linear, unobstructed pedestrian movement pathway must be maintained through the public footpath at all times.
2. Outdoor seating and eating areas operating outside daylight hours must be provided with lighting to the relevant Australian Standard.

3. Portable heating devices that are gas powered ~~and~~ must be fitted with safety devices that automatically shutdown the device when tilted.

**NOTE: Where the use of a public road reserve is proposed for commercial activities separate approval is required from Council and/or NSW Roads and Maritime Services. Where Council approval is required reference should be made to Council's policies relevant to use of public spaces for commercial activities.**

## 2.6 Landscaping

### Objectives

1. To achieve landscaping that is integrated with the design, layout and scale of development and is sensitive to site attributes, streetscape, views and vistas.

### Controls

1. Landscaping around the external perimeter of new commercial buildings with a GFA greater than 1,000m<sup>2</sup> must be provided at the rate of at least 20m<sup>2</sup> of consolidated / continuous planted area for every 500m<sup>2</sup> GFA and address the street frontages.
2. Landscaping for new commercial developments shall be in the form of garden beds and achieve the following:
  - a) Use at least 50% native vegetation;
  - b) Use only low maintenance vegetation;
  - c) Reduce or eliminate the need for fencing;
  - d) Use only vegetation that will not damage infrastructure; and
  - e) Provide adequate landscaped area for plants when fully grown.
3. All plant species in landscaping must be non-toxic and low-allergen.
4. Contiguous landscaping areas with an area greater than 50m<sup>2</sup> shall be provided with and automatic irrigation system(s).

## 2.7 External storage

### Objectives

1. To ensure wastes are stored in a safe location that does not ~~distract~~ detract from the aesthetic qualities of commercial developments.

### Controls

1. There shall be no storage of goods or waste in areas that are visible to the public or patrons of facilities.

## 2.8 Public realm

### Objectives

1. To create and maintain a consistent character for each town and village centres through the development of a public realm strategy addressing on-street parking, public footpath, public / street furniture, signage and street trees.

### Controls

1. All works within the public domain must comply with Council's adopted Design and Construction Specification, Plans of Management and any other strategy adopted by Council for public spaces.

2. Where a driveway crosses a public road frontage and is 5 metres or wider the vehicle lanes on the driveway must be separated to provide a pedestrian refuge within the footpath.
3. Where on street parking is not already provided (including paved shoulder and kerb and guttering) along the full frontages of the site it shall be installed prior to the occupation of any development subject to this volume.

## 2.9 Access and Traffic Generation

### Objectives

1. To provide the opportunity to access development sites by the widest feasible variety of transport modes,
2. To ensure delivery areas are **suitable suitably** isolated from patron traffic to promote pedestrian safety.

### Controls

1. Service and delivery vehicles must have a separate access for developments with a GFA greater than 500m<sup>2</sup>. This access may not be shared with the access to be used by patrons of the development.
2. Commercial premises must be provided with a minimum of one (1) loading / unloading space with sufficient capacity for the site.
3. **Forward entry/exit onto the street from the loading/unloading space must be provided.**
4. Premises exceeding the thresholds provided below must provide secured storage areas for bicycles, skateboards, prams and the like at the specified ratio. The secured area must be either within the main building or within a shed or similar structure protected from the weather and located to provide appropriate casual surveillance.

Use	Threshold (GFA m <sup>2</sup> )	Rate
Office Premises	500	2 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Retail Premises	750	0.5 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Community Facilities	200	2 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Food Premises	500	1 m <sup>2</sup> per 100 m <sup>2</sup> of GFA
Health Services Facilities	400	0.5 m <sup>2</sup> per 100 m <sup>2</sup> of GFA

5. Premises exceeding the threshold in **control** (3) above must provide showering amenities and personal storage lockers for staff for the storage of clothing and other personal items.
6. Where secured storage areas are required the minimum dimensions shall be 2 metres wide in each and every direction.
7. Sites located on a shared pathway route adopted by Council must construct the section of the pathway within the appropriate frontage(s) of the site and connect to the existing pathway network where required by the Consent Authority.

8. Bicycle racks shall be provided for any retail development subject to this plan with a GFA greater than 500m<sup>2</sup>. Bike racks shall be provided at the rate of 1 bicycle “space” per 100m<sup>2</sup> of retail GFA.
9. Where new public roads are created street lighting shall be provided in accordance with relevant Australian Standards.
10. Where existing public roads adjoining commercial developments are not provided with adequate street lighting, additional lighting shall be provided in accordance with relevant Australian Standards.

## 2.10 Parking and Manoeuvring

### Objectives

- (a) To achieve vehicle parking and manoeuvring spaces that do not dominate the streetscape, and
- (b) To ensure developments accommodate parking demands of private land uses within private property.

### Controls

1. The construction of vehicle parking and manoeuvring areas must comply with Council's adopted Design and Construction Specifications.
2. Vehicle parking that is located within the front setback ~~it~~ must be physically separated by permanent safety structures from road pavement and must not detract from the aesthetics of the streetscape.
3. Where security doors or gates are proposed to control access to vehicle parking an intercom system must be provided to facilitate access. Such doors and gates must also be positioned to ensure vehicles stand clear of the public footpath and any specified pedestrian access while the doors and gates are opening.
4. All above ground parking areas with more than 12 parking spaces must be landscaped including shade trees provided at the rate of one (1) canopy tree for every four (4) car parking spaces of part thereof. Shade trees must be located to provide shade to parked vehicles.
5. Manoeuvring space must be sufficient to permit all vehicles to enter and leave a site in a forward direction in accordance with relevant Australian Standards.
6. Parking areas must be linked via a pedestrian path with the nearest public footpath.
7. Parking spaces adjoining pedestrian accesses must be provided with wheel stops or upright kerbs **to protect the safety of pedestrians.**
8. Parking areas for developments that operate outside of daylight hours must be lit in accordance with relevant Australian Standards.
9. Multi-unit complexes must provide a consolidated car parking area for patrons. **~~At least 50% of the parking spaces must be not reserved for any particular tenancy or unit. No more than 50% of the total parking spaces on site shall be allocated to a single unit.~~**

10. Parking must be provided at the rate tabulated below. ~~The amount provided shall be the sum of all component uses in a mixed use development.~~ The number of spaces shall be rounded up to the nearest whole number of spaces.

Note: In a mixed use development the total number of car parking spaces shall be sum of the number of parking spaces required for each component use.

a) Numerical Parking Rates

Land use	Minimum Car Parking Requirement
Bowling Green	30 spaces for first green + 15 spaces for each additional green
Child care premises (excluding home based child care)	1 space for every 4 children in attendance. The number of children shall be determined in accordance with the numbers licensed by the NSW Government.
Car tyre retail outlets	The greater of: 3 spaces per 100 m <sup>2</sup> of GFA, or 3 spaces per work bay
Crematoria	1 car parking space per 4 seats plus 1 car parking space per funeral service area
Education establishments – Schools (no students over 16 years of age)	1 car parking space per full time equivalent staff member; and 1 car parking space per 100 students; and 1 bicycle and 1 motorcycle space per 25 car parking spaces in excess of the first 25 car parking spaces
Education establishments – Schools (with students over 16 years of age)	1 car parking space per full time equivalent staff member; and 1 car parking space per 30 students; and 1 bicycle and 1 motorcycle space per 25 car parking spaces in excess of the first 25 car parking spaces
Education establishments – Tertiary Institutions (i.e. university, TAFE and the like)	1 car parking space per 5 seats or 10 spaces per 100m <sup>2</sup> of GFA, whichever is the greater. 1 bicycle and 1 motorcycle space per 25 car parking spaces in excess of the first 25 car parking spaces
Exhibition Homes	Two (2) car parking spaces per exhibition home in a separate car park in addition to parking required for the ultimate residential use.
Food and Drink Premises	The greatest of: 12 spaces per 100 m <sup>2</sup> of GFA; or 1 space per 5 seats (internal and external); or 1 space per 2 seats (internal); and  Where a drive through is proposed queuing area for 12 cars.
Function centres	15 spaces per 100m <sup>2</sup>
Funeral chapels	1 car parking space per 4 seats plus 1 car parking space per funeral service area

<b>Land use</b>	<b>Minimum Car Parking Requirement</b>
Funeral homes	1 car parking space per 4 seats plus 1 car parking space per funeral service area
Garden Centres	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Golf courses	50 spaces per 9 holes
Gymnasium	4.5 spaces per 100m <sup>2</sup> GFA
Hardware and Building Supplies	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Health services facilities – health consulting rooms	3 car parking spaces per consulting room; and 1 car parking space per 2 employees.
Health services facilities – medical centres	4 spaces per 100 m <sup>2</sup> GFA; and 1 space for each full time staff member; and 1 space should be designated for servicing/emergencies
Highway Service Centres (includes a truck stop)	1 truck parking space and 1 car parking space per motel unit
Home based child care Home business Home industries Home occupations	One (1) car parking space per staff member other than permanent residents in addition to parking required for the residential use. Additional parking for patrons depending on the nature of the development and its location in the road network.
Home occupation – sex services	No more than 2 spaces beyond the minimum required for the residential use.
Kiosks	2.5 car parking space per 100m <sup>2</sup> of GFA.
Landscape and garden supplies	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Landscaping Materials Supplies	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Markets	3 spaces per stall
Mortuaries	1 car parking space per 4 seats plus 1 car parking space per funeral service area
Motor showroom	0.75 spaces per 100 m <sup>2</sup> site area + 6 spaces per work bay (for vehicle servicing facilities)
Neighbourhood Shops	2.5 car parking space per 100m <sup>2</sup> of GFA.
Office and Business premises	2.5 car parking space per 100m <sup>2</sup> of GFA.
Paintball	10 spaces per paintball field
Place of public worship	1 car parking space per 6 seats. 1 bicycle and 1 motorcycle space per 25 car parking spaces in excess of the first 25 car parking spaces.
Plant Nurseries	Whichever is greater of 15 spaces or 0.5 spaces per 100m <sup>2</sup> of site area.

Land use	Minimum Car Parking Requirement
Pubs	1 space per 2 m <sup>2</sup> of public bar area, plus 1 space per 5m <sup>2</sup> of lounge, beer garden, auditorium, billiard room, plus parking space for other uses in accordance with this table.
Recreation Facilities (indoor)	3 spaces per court or alley or lane
Respite Day Care Centres	One (1) car parking space per staff member other than permanent residents in addition to parking required for the residential use. Additional parking for patrons depending on the nature of the development and its location in the road network.
Restricted premises	2.5 car parking space per 100m <sup>2</sup> of GFA.
Retail premises	2.5 car parking space per 100m <sup>2</sup> of GFA.
Road side stalls	4 spaces
Rural Supplies	5 spaces
Service stations	6 spaces per work bay; and 5 spaces per 100 m <sup>2</sup> GFA of any convenience store; and the greater of 15 spaces per 100 m <sup>2</sup> GFA of any food premises; or 1 space per 3 seats of any food premises.
Sex service premises	2 car parking space per room where sex services are provided.
Shopping centres	
GFA ≤ 10,000	6.1 spaces per 100 m <sup>2</sup> of GLFA
10,000 < GFA ≤ 20,000	5.6 spaces per 100 m <sup>2</sup> of GLFA
20,000 < GFA ≤ 30,000	4.3 spaces per 100 m <sup>2</sup> of GLFA
GFA > 30,000	4.1 spaces per 100 m <sup>2</sup> of GLFA
Timber and building supplies	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Timber Yards	Whichever is greater of 15 spaces or 0.5 spaces per 100 m <sup>2</sup> of site area.
Vehicle repair stations	4 car parking spaces per service work bay for up to 2 bays, plus 6 car parking spaces per service bay for each additional bay.
Video Store	6 spaces per 100m <sup>2</sup> GFA
Wholesale supplies	One (1) space per 50m <sup>2</sup> of GFA

b) Other Development

Development for purposes not listed above shall be provided by car parking at similar rate to other comparable developments having regard to the nature of the particular proposal and its location in the road network. Development that shall be assessed on this basis includes, but is not limited to:

- i. Amusement centres
- ii. Bulky good premises
- iii. Cellar Door premises

- iv. Cemeteries
  - v. Charter and Tourism Facilities
  - vi. Community facilities
  - vii. Drive In Liquor Store
  - viii. Emergency Services Facilities
  - ix. Entertainment facilities
  - x. Environmental Facilities
  - xi. Exhibition Villages
  - xii. Health services facilities – hospitals
  - xiii. Information and Education Facilities
  - xiv. Leisure Centres
  - xv. Markets (Temporary)
  - xvi. Public Administration Buildings
  - xvii. Recreation areas
  - xviii. Recreation Facilities – Major
  - xix. Recreation Facilities – Outdoor
  - xx. Registered clubs
  - xxi. Research Stations
  - xxii. Veterinary hospitals
11. Car parking areas shall be designed, embellished and located to minimise adverse visual impacts in the locality.
12. Large developments for retail (or mixed use including retail) that give rise to a need for 200 or more car parking spaces shall provide one (1) space for Seniors and one (1) for parents with prams for each 100 spaces (rounded down) required by this volume. Such spaces shall measure no less than 2.8m x 5.5m and shall be signposted and marked with line marking paint. They shall be located to minimise travel distance to the entry points for the facility. The spaces required by this clause are not in addition to the spaces that are otherwise required by this plan.

## **2.11 Waste Management**

### **Objectives**

1. To ensure appropriate waste storage and collection facilities,
2. To minimise risk to health and safety associated with handling and disposal of waste and recycled material and ensure optimum hygiene,

### **Controls**

1. A completed Site Waste Minimisation and Management Plan (SWMMP) complying with the template in Appendix A of the NSW Office of Environment and Heritage's Model Waste must accompany an application for commercial buildings greater than 500m<sup>2</sup> in GFA or any commercial development that is likely to produce hazardous waste products.
2. There must be convenient access from each tenancy and/or larger waste producing area of the development to the waste/recycling storage room(s) or area(s). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s).
3. Every development must include adequate waste/recycling storage area(s) to accommodate all relevant waste management processes and storage.



4. Special arrangements for storage, collection and disposal of medical and hazardous waste must be detailed in the Site Waste Minimisation and Management Plan (SWMMP).
5. Waste/recycling storage areas must not be visible from outside of the building or by patrons.

## 2.12 On-site waste water and stormwater management

### Notes

The following documents will be used by Council (without limitation) in assessing any development application:

- Managing Urban Stormwater: Soils and Construction (Volume 1 – The Blue Book provides guidance during the construction of urban subdivisions and is available from Landcom. Volume 2 provides guidance for erosion and sediment control for a range of other activities)
- [www.environment.nsw.gov.au/stormwater/publications.htm](http://www.environment.nsw.gov.au/stormwater/publications.htm)
- Model Code of Practice for erosion and sediment control (A resource guide for local Councils – Landcom)
- Managing urban stormwater: harvesting and reuse  
[www.environment.nsw.gov.au/stormwater/publications.htm](http://www.environment.nsw.gov.au/stormwater/publications.htm)
- Australian Runoff Quality [www.ncwe.org.au/arq](http://www.ncwe.org.au/arq)

### Objectives

1. To minimise the impacts of urban development on the environmental values of waterways, groundwater systems and bushland areas,

### Controls

1. On sites without reticulated sewer, provision shall be made for the disposal of treated effluent in a manner that minimises the risk to the natural environment and to human health.
2. All stormwater management systems shall comply with Council's Design & Construction Specification.
3. For developments providing more than 1000m<sup>2</sup> of new GFA, a detailed stormwater treatment assessment shall be provided detailing how the development will result in improved stormwater quality and will achieve the principals of Water Sensitive Urban Design.

## Part 3 – Specific Land Use Controls

### 3.1 Amusement centres

#### Objectives

1. To mitigate potential adverse social impacts from amusement centres.

#### Controls

1. Amusement centres that provide gambling opportunities must also provide entertainment activities that are not related to gambling of any type. Gambling must occupy an area no more than 50% of the area used for non-gambling entertainment activities.

### 3.2 Bulky goods premises

#### Objectives

1. To ensure that general retailing is not inappropriately carried out as bulky good retailing.

#### Controls

1. Any ancillary items to be sold in conjunction with the nominated bulky goods must not ~~be greater~~ occupy more than 30% of the available display space.

### 3.3 Child care centres

#### Objectives

1. To ensure traffic circulation system and availability of a variety of transport modes allow safe drop off and collection of children.

#### Controls

1. If there is a footpath/cycle way/share way within 100m of the proposed development ~~then the development~~ then a link from the development to that network must be provided in the form of a concrete share way in accordance with Council's Design Speciation and with a width no less than 2.0 metres.

### 3.4 Community facilities, Entertainment Facilities, Function centres, Places of Public Worship and Registered Clubs

#### Objectives

1. To provide for access to the site by a variety of modes of transport including pedestrians, cyclists, public transport, service and emergency vehicles,
2. To encourage safe, efficient and coordinated, universally accessible circulation network to, from and within the site for staff and patrons,
3. To provide facilities that contribute positively to the neighbourhood in terms of design, bulk and car parking provision.

#### Controls

1. The sites for these facilities must satisfy the following criteria:
  - a) Be located within 400 metres of public transport that is accessible for pedestrians via a universally accessible path of travel; and
  - b) Have at least one (1) frontage to a public street

2. Bulky buildings shall be sited and provided with architectural treatments to ensure it is compatible with the streetscape.
3. The main entry / exit areas must have adequate dimensions to ensure patrons do not overflow onto the public footpath and road reserve and suitable to accommodate people gathering informally. For buildings with a capacity greater than 200 patrons (as determined by the Building Code of Australia) a foyer must be provided with a minimum size of 20m<sup>2</sup> per 100 patrons.
4. A concrete shared pathway no less than 2.0 metres wide must be constructed in the footpath reserve for all street frontages of the site and must be connected to any existing footpath/cycle way/share way network within 100m of the development.
5. Spaces external to the building and within the development site which are likely to be frequently used by staff or patrons are to be provided with lighting in accordance with the relevant Australian Standards and designed so as to not spill light and glare onto adjoining private property.
6. The building must be designed to be low maintenance and to accommodate a wide variety of uses and crowd sizes.

### **3.5 Home-based child care**

#### **Objectives**

1. To ensure the risk of bushfire to home-based child care is appropriately mitigated.

#### **Controls**

1. Home-based child care located within bushfire prone areas must operate in accordance with a bushfire risk management plan. This plan is to be based on an early exit strategy and must avoid staying and defending.

### **3.6 Landscape and garden supplies, Timber and building supplies, Wholesale Supplies**

#### **Objectives**

1. To encourage premises which are compatible with the streetscape and minimise any impacts on the amenity of the locality.

#### **Controls**

1. Goods displayed externally must be maintained in good order and a tidy manner as viewed from any public place and must not obstruct or occupy any space required for parking and manoeuvring, pedestrian movement, loading and unloading.
2. Application of water, fertilisers, pesticides and the like must be contained wholly within the goods display and storage areas to protect the amenity of customers and neighbours and people using adjoining and nearby public spaces.

### **3.7 Restricted premises**

#### **Objectives**

1. To ensure that restricted premises are discreet, sensitively located and are not prominent within the locality.

### **Controls**

1. The location of restricted premises (other than an access corridor to the premises) must not be located at the ground floor or street level of a building or within 1.5 metres, measured vertically, above or below the ground floor or street level of the building.
2. Restricted premises must not be located ~~less than~~ **within** 200 metres ~~from of~~ the nearest boundary of any allotment developed for the purposes of a school, community facility, childcare centre, medical centre, place of public worship, hospital or any use specifically indented to attract children.
3. No internal rooms or spaces of the restricted premises, other than an access corridor to the restricted premises, are to be visible from a public place or retailing premises.
4. No objects, products or goods related to the restricted premises may be visible from outside the premises

## **3.8 Service stations**

### **Objectives**

1. To ensure service stations are compatible with surrounding land uses in terms of traffic.

### **Controls**

1. The design and orientation of all lighting must ensure no adverse impact on approaching vehicles or neighbouring properties in terms of glare and light spill.
2. Tankers must be able to enter and leave the site in a forward direction and be able to deliver fuel to a site without reversing. Parking is prohibited in areas where tanker access and egress is impeded. Tankers must be able to be positioned so as they do not obstruct other vehicles while servicing the site.

## **3.9 Sex service premises, Home occupations (sex services)**

### **Objectives**

1. To ensure that the safety of all staff and visitors is maintained when approaching, entering and leaving the premises,
2. To ensure that the nuisance to neighbouring properties is minimized through the clear numbering of premises,
3. To ensure that the premises maximizes the safety and security of visitors and staff.

### **Controls**

1. Premises must be clearly numbered, with the number clearly visible from the street.
2. Sex-related products, signage, workers or performers must not be displayed in any area visible to the public domain.
3. The interior of any sex services premises must not be visible from any place in the public domain.
4. Where the interior of a sex services premises may be visible from neighbouring buildings, adequate measures must be taken to screen the interior of the building, for example using blinds, obscured/opaque glass, screens etc.

5. A security system, including a duress system linked to a central base and monitored at all times, must be provided and made available to all staff.

### 3.10 Educational establishments

#### Objectives

1. To provide for access to and within the site by a variety of modes of transport including pedestrians, cyclists, public transport, service and emergency vehicles,
2. To ensure **an appropriate** traffic circulation system and availability of a variety of transport modes to allow safe drop off and collection of students, staff and visitors.

#### Controls

1. Secure storage must be provided for bicycles, skateboards, scooters and the like in addition to any requirements under Part 3 of this volume. Such storage must be provided at the rate of 20m<sup>2</sup> per 100 students. The storage space must ~~be no~~ **not be** narrower than 2 metres in each and every direction.
2. Bus stops for schools must ensure that the bus can fully leave the travel lane during loading and unloading of passengers.
3. If there is a footpath/cycle way/share way within 100m of the proposed development then the development then a link from the development to that network must be provided in the form of a concrete share way in accordance with Council's Design Speciation.

### 3.11 Health services facilities

#### Objectives

1. To encourage **a** safe, efficient and coordinated, universally accessible circulation network to, from and within the site for staff, patients and visitors.

#### Controls

1. A concrete shared pathway no less than 2.0 metres wide must be constructed in the footpath reserve for all street frontages of the site and must connect to any existing pathway network within 100m of the site.
2. Spaces external to the building and within the development site which are likely to be frequently used by staff, visitors or patients are to be provided with lighting in accordance with the relevant Australian Standards for public places and designed so as to not cause light spill and glare onto adjoining private property.

### 3.12 Funeral chapels and Funeral homes

#### Objectives

1. To ensure funeral homes do not have unreasonable adverse impacts on the amenity of adjoining development and the general locality,

#### Controls

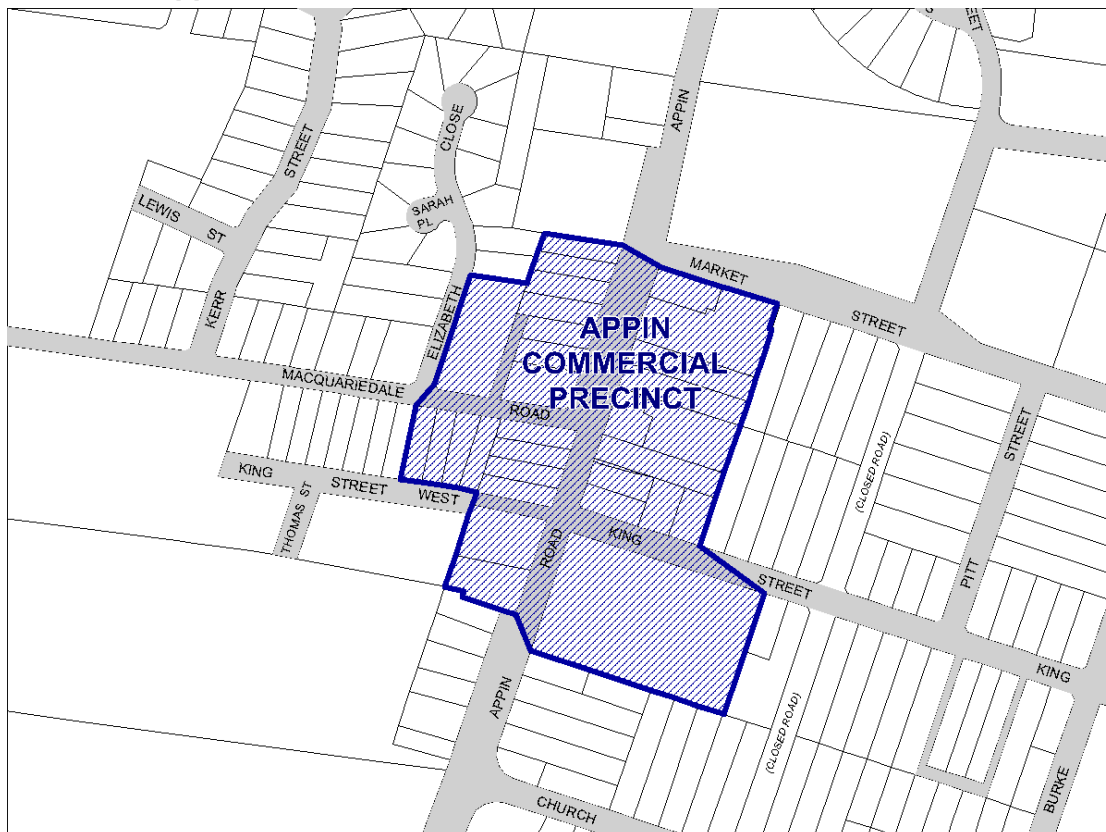
1. The main entry / exit areas must have adequate dimensions to ensure patrons do not overflow onto the public footpath and road reserve and suitable to accommodate people gathering informally.

## Part 4 – Controls for Specific Locations:

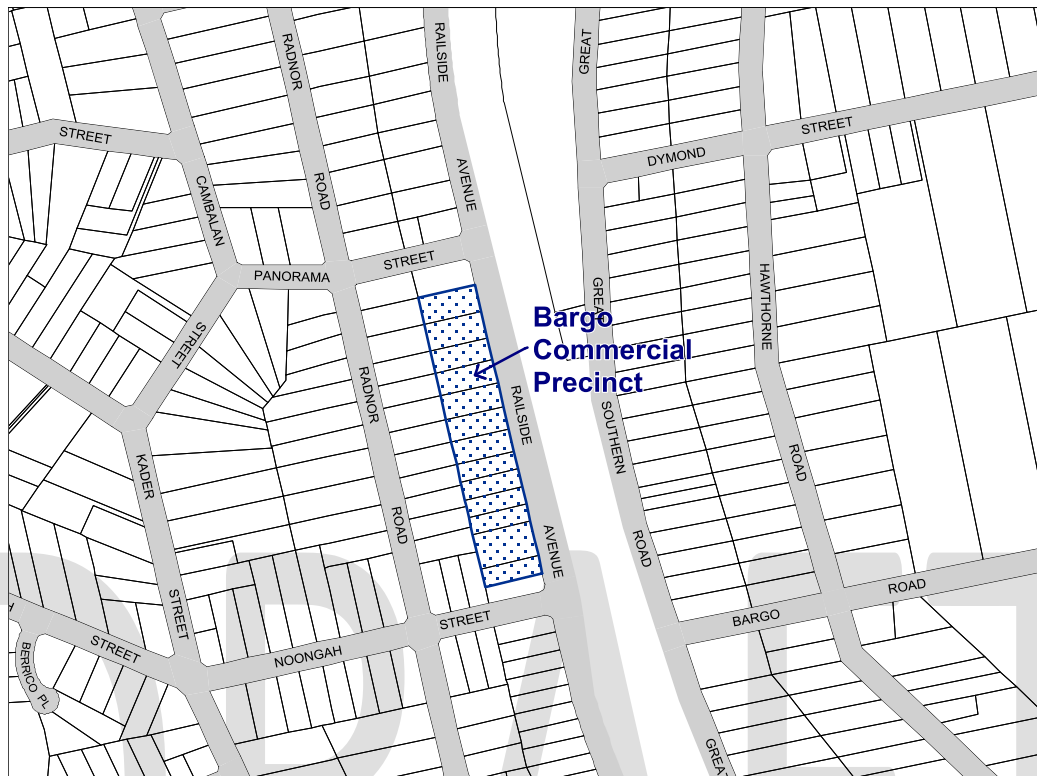
### 4.1 Maps and Definitions

1. In this section Commercial Building refers to any building for which the construction or use is subject to this volume.
2. A reference to a map in this part is a reference to one or more of the maps below:

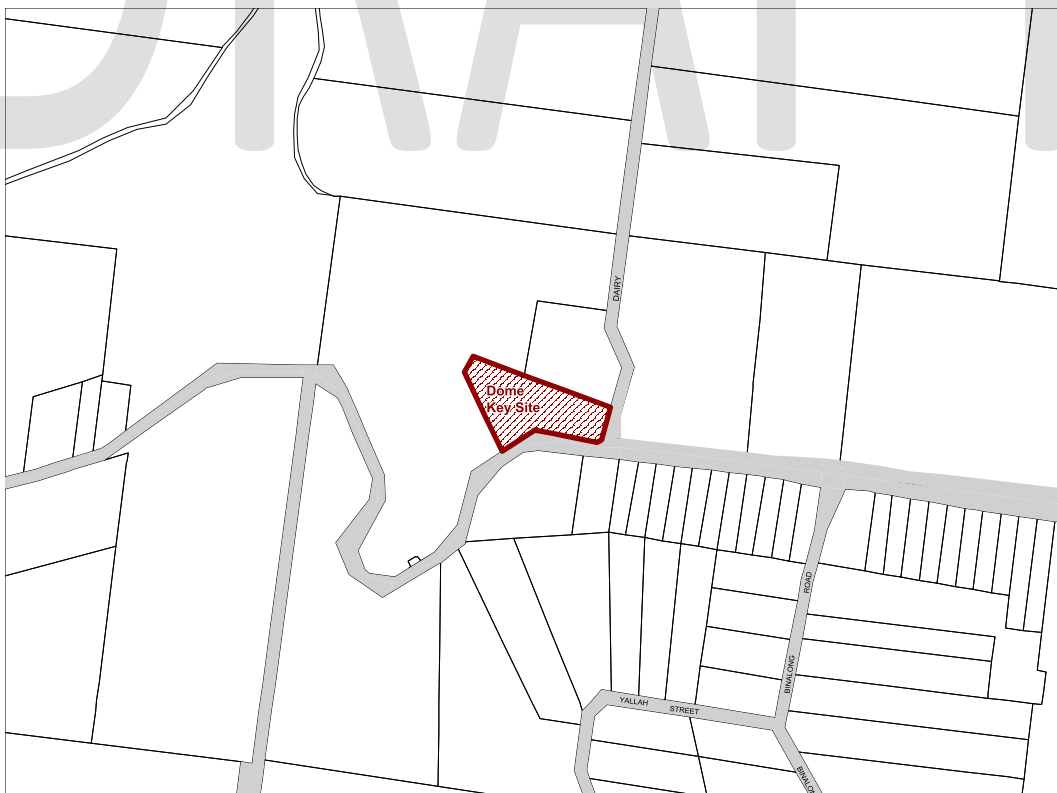
#### 5.1.1 4.1.1 Appin



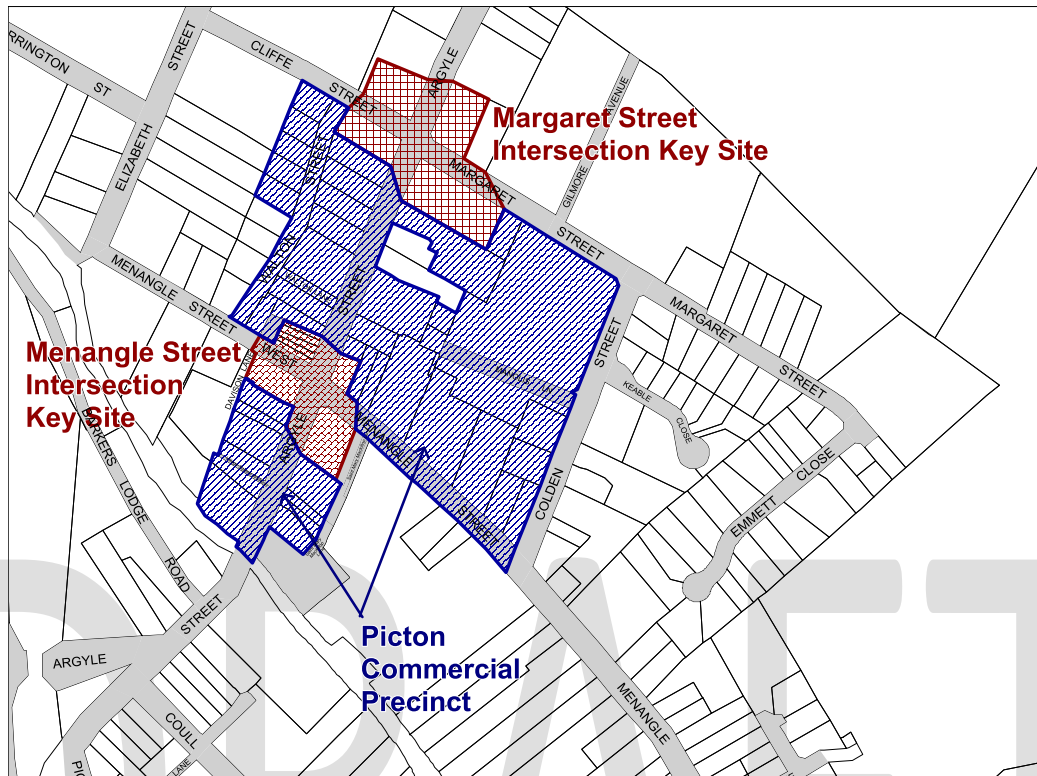
**5.1.2 4.1.2 Bargo**



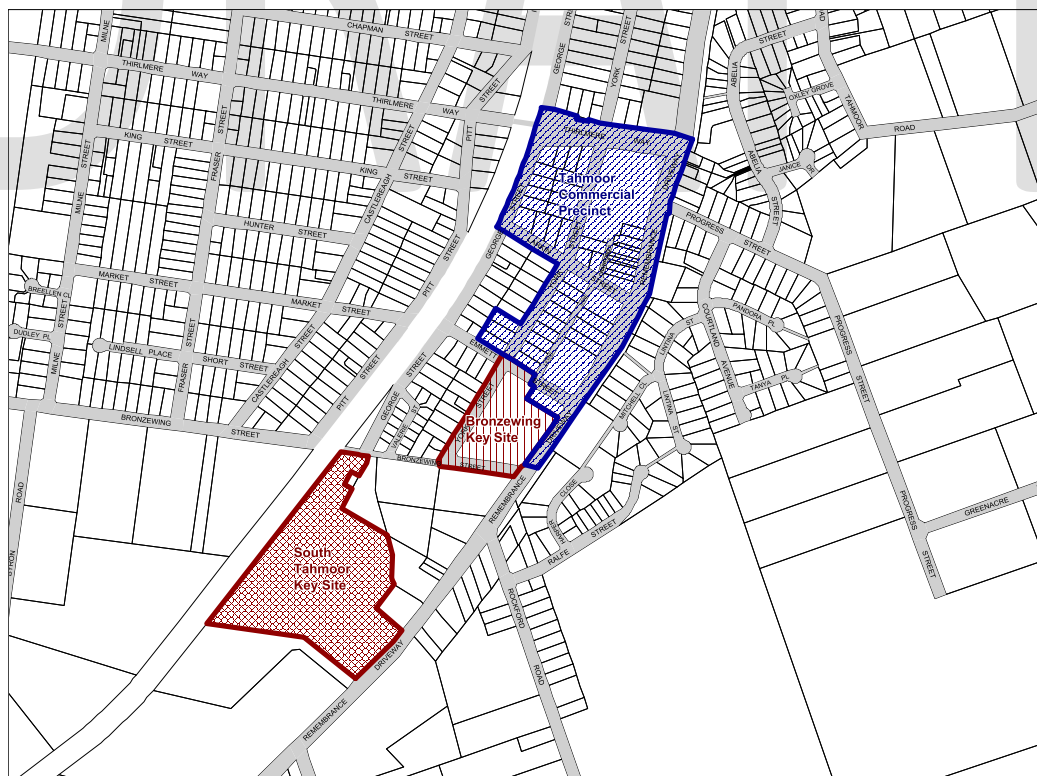
**5.1.3 4.1.3 Belimba Park**



**5.1.4 4.1.4 Picton**

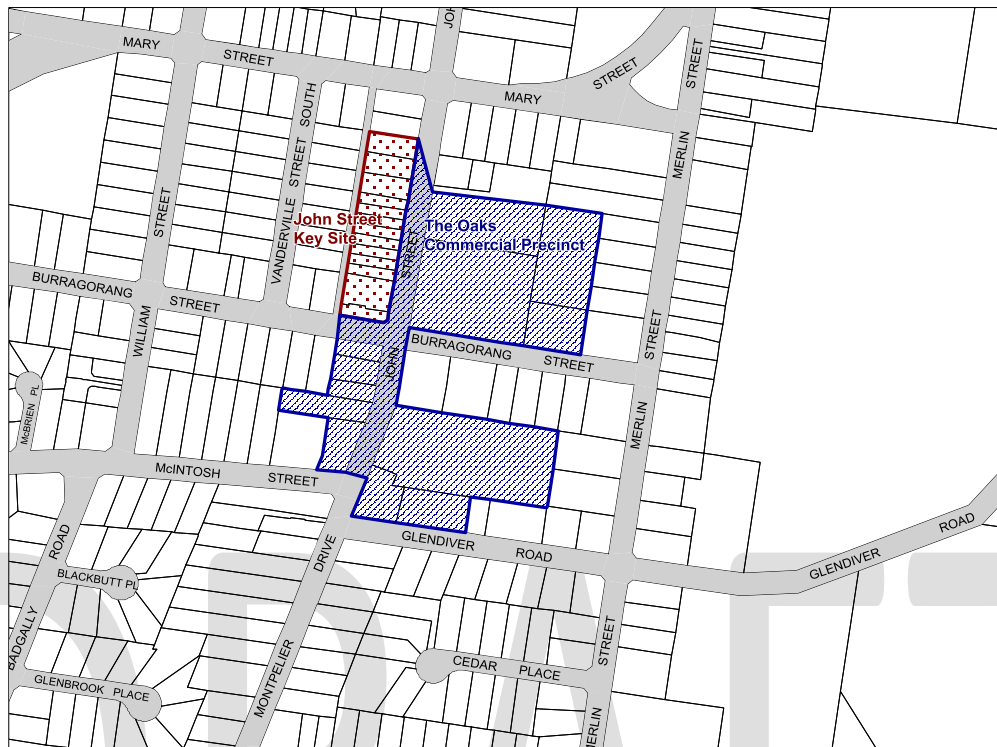


**5.1.5 4.1.5 Tahmoor**

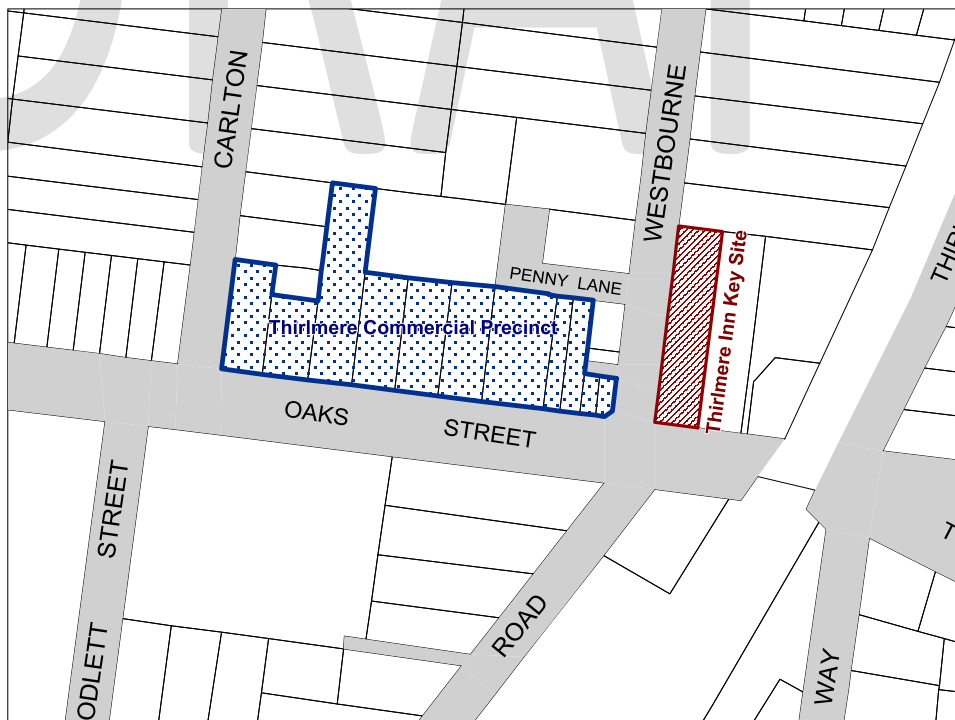




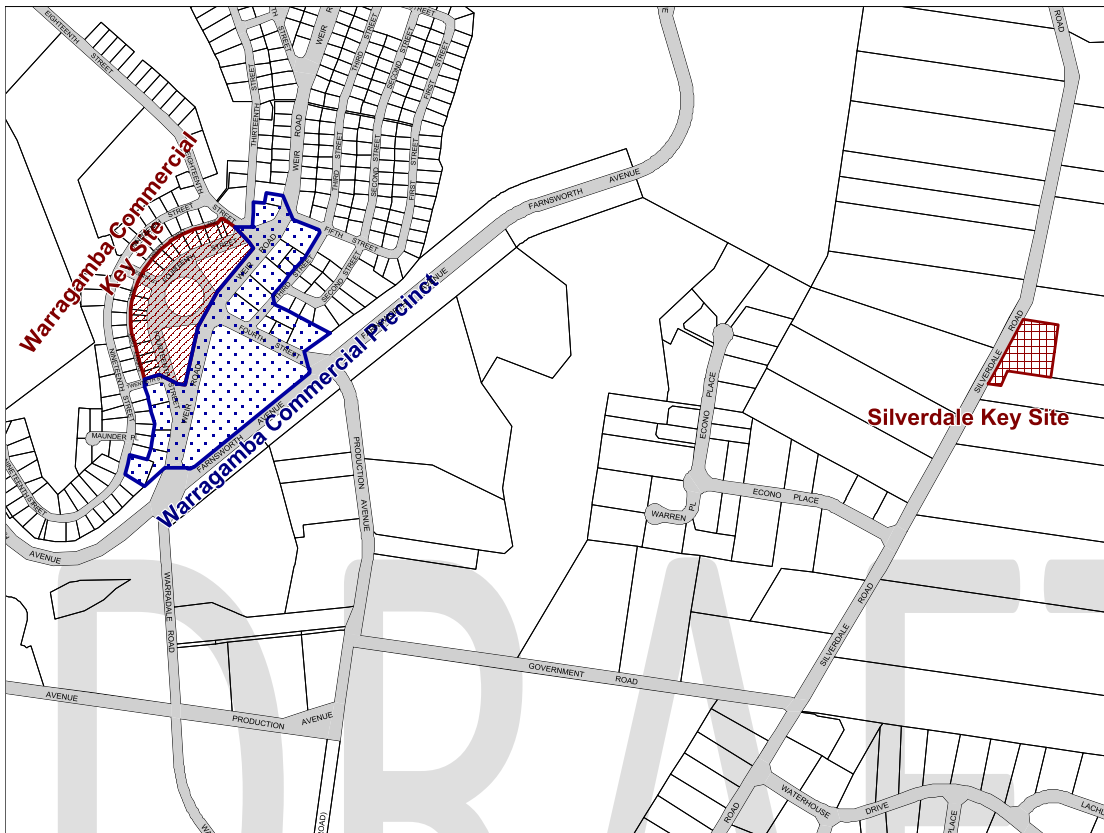
**5.1.6 4.1.6 The Oaks**



**5.1.7 4.1.7 Thirlmere**



**5.1.8 4.1.8 Warragamba and Silverdale**



**4.2 Appin**

**Objectives**

1. To ensure commercial and community development contributes to the character and amenity of Appin.

**Controls**

1. Commercial buildings within the Appin Commercial Precinct shown in Map 4.1.1 must be designed to ensure that the roof pitch is visible within the public domain. The use of parapets and other roof screen structures is not permitted.

**4.3 Bargo**

**Objectives**

1. To ensure commercial and community development contributes to the character and amenity of Bargo.

**Controls**

1. Commercial buildings within the Bargo Commercial Precinct shown in Map 4.1.2 shall be sited to ~~located~~ ensure car parking is located between the building and RAILSIDE AVENUE. The buildings shall be setback to accommodate 2 rows of car parking spaces and a continuous awning shall be provided across the front of new commercial buildings.
2. The carparking areas required by Control 1 of this clause shall be connected to similar parking on adjoining lots where such parking is existing.

#### 4.4 Belimba Park

##### Objectives

1. To ensure location appropriate amounts of car parking are provided.

##### Controls

1. The Dome Key Site shown in Map ~~4.1.8~~ 4.1.3 is isolated from a supporting population and is, therefore, more car dependent than the other commercial centres. For this reason, development within this site shall provide car parking at a rate of 150% the amount otherwise required under part ~~3~~ 2 of this ~~plan~~ volume.

#### 4.5 Picton

##### Objectives

1. To ensure commercial and community development contributes to the character and amenity of Picton.
2. To promote efficient and safe all weather access for pedestrians in Picton.

##### Controls

1. Commercial buildings within the Picton Commercial Precinct shown in Map ~~4.1.3~~ 4.1.4 shall be sited with a setback no greater than 1 metre from any boundary of the site with Margaret, Colden, Menangle and/or Argyle Streets.
2. Commercial buildings referred to in Control 1 shall provide an awning from the façade of any building to Margaret, Colden, Menangle and/or Argyle Streets that shall extend from the building façade to a point 0.8 metres from the edge of the road pavement.
3. Commercial buildings within the Margaret Street Intersection Key Site shown in Map ~~4.1.3~~ 4.1.4 shall:
  - a) Be designed to principally address the intersection of Cliffe, Argyle and Margaret Streets;
  - b) Incorporate adequate setbacks to allow for safe sight distances at the intersection;
  - c) Minimise setbacks to each street frontage
  - d) Ensure no vehicular access is provided directly to Argyle Street
4. Commercial buildings within the Menangle Street Intersection Key Site shown in Map ~~4.1.3~~ 4.1.4 shall be designed with due regard to its visual impacts on both items of heritage significance located at the intersection.
5. Council has an adopted strategy to deliver more public car parking in Picton. Proponents may, in lieu of providing some or all of the car parking in accordance with Part ~~3~~ 2 of this ~~plan~~ volume, make contribution towards the provision of such parking through dedication of particular lands and through financial contributions as part of a Voluntary Planning Agreement.

#### 4.6 Tahmoor

##### Objectives

1. To ensure commercial and community development contributes to the character and amenity of Tahmoor.

2. To ensure location appropriate amounts of car parking are provided and are appropriately sited.
3. To encourage the use of rear lane access for vehicles to promote pedestrian access and mobility.

### Definitions

1. In this clause **Local Principal Road** means York Street, Remembrance Driveway, Emmett Street and Larkin Street.
2. In this clause **Local Laneway** means Lewis Lane, Crawford Lane and any other new public road created within the Tahmoor Commercial Precinct or Bronzewing Key Site (as shown in Map 4.1.4 4.1.5) that gains access from a Local Principal Road.

### Controls

1. Vehicular access shall not be provided to any land within the Tahmoor Commercial Precinct (as shown in Map 4.1.4 4.1.5) from a Local Principal Road if the land also has frontage to a Local Laneway.
2. Commercial buildings within the Tahmoor Commercial Precinct shown in Map 4.1.3 4.1.5 shall be sited with a setback no greater than 1 metre from any boundary of the site with a Local Principal Road.
3. Commercial buildings referred to in Control 2 shall provide an awning from the façade of any building to a Local Principal Road that shall extend from the building façade to a point 0.8 metres from the edge of the road pavement.
4. Awnings within the Remembrance Driveway Road Reserve shall use posts only if the posts will not adversely impact on landscaping within the road reserve.
5. Commercial buildings within the Tahmoor Commercial Precinct shown in Map 4.1.3 4.1.5 that have frontage to Remembrance Driveway shall be credited one (1) car parking space for each 5 metres of frontage to Remembrance Driveway towards the car parking required by Part 3 2 of this volume.
6. Car parking for future development of the Bronzewing Key Site as shown in Map 4.1.3 4.1.5 shall be provided in that corner of the site closest to the intersection of Bronzewing Street and York Street with vehicular access from York Street. This parking shall front to Bronzewing Street and shall have direct pedestrian access to that public road.
7. **Clauses Controls 8 to 12 below** shall apply only to those parts of the South Tahmoor Key Site that are zoned B5 Business Development.
8. Buildings shall not be constructed within:
  - a) 10 metres of ~~the boundary of the South Tahmoor Key Site with any any boundary of the site which adjoins land that is zoned~~ B2 or R3 zoned land under Wollondilly Local Environmental Plan, 2011; and
  - b) 5 metres of the frontage of the site to Remembrance Driveway.
9. All land within 10 metres of the southern site boundary shall only be used for landscaping. All landscaping within this area shall be locally endemic species.

10. There shall be no vehicular access to the site unless that access is from a public road within the South Tahmoor Key Site or from a roundabout on Remembrance Driveway.
11. The site contains areas of significant vegetation as identified in Wollondilly Local Environmental Plan, 2011. These areas are to be conserved unless a suitable offsetting arrangement has been made and approved by Council and any relevant NSW Government Agencies/Ministers.
12. Any development of the site shall be designed to ensure the safety and amenity of Tahmoor Public School.
13. All electrical services (including high voltage transmission) shall be underground.

#### **4.7 The Oaks**

##### **Objectives**

1. To ensure commercial and community development contributes to the character and amenity of The Oaks.
2. To ensure location appropriate amounts of car parking are provided.

##### **Controls**

1. Development within The Oaks Commercial Precinct shown in Map ~~4.1.5~~ 4.1.6 shall address John Street.
2. ~~Development within the John Street Key Site shown in Map 4.1.6 shall be exempted from providing car parking under Part 3-2 of this plan.~~ A reduced amount of car parking required under Part 2 of this volume may be considered for development within the John Street key site shown in map 4.1.6 based on the substantial amount of off street car parking provided on the opposite side of John Street. This reduction will be considered for customer car parking only excluding any disabled car parking required for the development.
3. Development within the John Street Key Site shown in Map ~~4.1.5~~ 4.1.6 shall not provide vehicular access from John Street but shall instead utilise the rear laneway.
4. Commercial buildings within the John Street Key Site shown in Map ~~4.1.5~~ 4.1.6 shall be sited with a setback no greater than 1 metre from any boundary of the site with John Street.
5. Commercial buildings referred to in Control 3 shall provide an awning from the façade of any building to John Street that shall extend from the building façade to a point 0.8 metres from the edge of the road pavement. Such awnings shall be provided with heritage themed posts.

#### **4.8 Thirlmere**

##### **Objectives**

1. To ensure commercial and community development contributes to the character and amenity of Thirlmere.

### Controls

1. Commercial buildings within the Thirlmere Commercial Precinct shown in Map ~~4.1.6~~ 4.1.7 shall be sited with a setback no greater than 1 metre from any boundary of the site with Oaks Road.
2. Commercial buildings referred to in Control 1 shall provide an awning from the façade of any building to Oaks Road that shall extend from the building façade to a point 0.8 metres from the edge of the road pavement. Such awnings shall be designed in a similar style to the awnings of the Thirlmere Inn located on the Thirlmere Inn Key Site shown in Map ~~4.1.6~~ 4.1.7.
3. Council has an adopted strategy to deliver more public car parking in Thirlmere. Proponents may, in lieu of providing some or all of the car parking in accordance with Part ~~3~~ 2 of this ~~plan~~ volume, make contribution towards the provision of such parking through dedication of particular lands and through financial contributions as part of a Voluntary Planning Agreement.

## 4.9 Warragamba and Silverdale

### Objectives

1. To ensure commercial and community development contributes to the character and amenity of Warragamba.
2. To ensure location appropriate amounts of car parking are provided.

### Controls

1. Development within the Warragamba Commercial precinct shown in Map ~~4.1.7~~ 4.1.8 shall be limited to one (1) storey in height.
2. The Warragamba Commercial Precinct has access to an unusually large amount of on street car parking. For this reason development within this precinct shall be credited one (1) parking space per 300m<sup>2</sup> of site area (that is the area of the registered allotment of land).
3. Development within the Warragamba Commercial Key Site shown in Map ~~4.1.7~~ 4.1.8 shall be exempted from providing patron car parking under Part ~~3~~ 2 of this ~~plan~~ volume. Staff parking is to be provided and shall be accessed from the rear laneway only.
4. The Silverdale Key Site shown in Map ~~4.1.7~~ 4.1.8 is isolated from a supporting population and is, therefore, more car dependent than the other commercial centres. For this reason development within this site shall provide car parking at a rate of 150% the amount otherwise required under part 3 of this ~~plan~~ volume.

# **Development Control Plan 2015**

Volume 6 –Tourism and Events



**Wollondilly**  
Shire Council

## Table of Contents

<b>TABLE OF CONTENTS</b> .....	<b>2</b>
<b>PART 1 – PRELIMINARY</b> .....	<b>3</b>
1.1 Introduction .....	3
1.2 Objectives .....	3
1.3 Parts of this DCP .....	3
<b>PART 2 - GENERAL REQUIREMENTS FOR ALL DEVELOPMENT</b> .....	<b>4</b>
2.1 Environmental Protection .....	4
2.2 General Requirements .....	4
<b>PART 3 – CONTROLS FOR SPECIFIC LAND USES</b> .....	<b>5</b>
3.1 Hotel and Motel Accommodation.....	5
3.2 Bed and Breakfast Accommodation and Farm Stay Accommodation .....	5
3.3 Serviced Apartments .....	7
3.4 Temporary Markets .....	10
3.5 Events.....	10

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**PART 1 – PRELIMINARY**

**1.1 Introduction**

This Volume provides controls for **the development and use of land** for tourism related **development uses** including visitor accommodation, events and markets.

**1.2 Objectives**

The object of this volume is to ensure **that** tourism **related** developments are undertaken in a way that achieves positive planning outcomes.

**1.3 Parts of this DCP**

The requirements contained within Parts **2 and 3** apply to all development to which this **plan volume** applies.

Part 3 applies to specific **locations types of tourist uses**. On the date of first adoption of this volume there were no provisions in this part.

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**PART 2 - GENERAL REQUIREMENTS FOR ALL DEVELOPMENT**

**2.1 Environmental Protection**

**Objectives**

1. To ensure significant environmental assets are not adversely impacted by development subject to this volume.

**Controls**

1. Development subject to this volume must not result in the removal of significant stands of native vegetation.
2. Development subject to this volume shall not result in negative impacts that are not minor on watercourses or other environmental assets.

**2.2 General Requirements**

**Objectives**

1. To ensure that tourist and accommodation uses achieve a standard of development that is complementary to the existing residential environment and ensures that development is carried out in an appropriate manner.

**Controls**

1. The development of land for the purposes of Tourist and Visitor Accommodation (being Hotel or Motel Accommodation, Bed and Breakfast Accommodation, Farm Stay Accommodation or Serviced Apartments) must comply with the requirements of Part 2 of Volume 4 of this plan.

## PART 3 – CONTROLS FOR SPECIFIC LAND USES

### 3.1 Hotel and Motel Accommodation

#### Objectives

1. To ensure the development is consistent with the character of the surrounding neighbourhood,
2. To encourage and promote a high quality standard of accommodation.

#### Controls

1. Accommodation must not be provided to the same person or persons for more than a 3 month period. Where accommodation is provided for more than 28 consecutive days there must be no more than two persons per room.
2. The maximum number of persons accommodated in a bedroom shall be determined on the basis of 3.25m<sup>2</sup> per person per sleeping room.
3. Soundproof transmission reduction in the wall and ceiling construction by reason of the layout or location of the building may be required.
4. A maximum of 1 advertising sign no greater than 2.0m<sup>2</sup> in size is permitted on the site. No illuminated or neon signs are permitted.
5. Where reception facilities are provided, 1 parking space per 5m<sup>2</sup> of public floor area~~s~~ must be provided (may include on-street car parking where located within an existing commercial centre).
6. If the development involves non-accommodation uses (restaurants, function rooms etc) those other uses must comply with the relevant volumes of this Development Control Plan.
7. In addition to any car parking required for other uses on the site, the development shall provide two (2) parking spaces and one (1) parking space per visitor bedroom.

### 3.2 Bed and Breakfast Accommodation and Farm Stay Accommodation

#### Objectives

1. To ensure the development is consistent with the character of the surrounding neighbourhood,
2. To encourage and promote a high quality standard of accommodation.
3. To assist in the implementation of appropriate farm stay accommodation.

#### Controls

1. Development~~s~~ subject to this clause must comply with the building design and setback controls for a dwelling in Volume 4 of this plan.
2. Visitor bedrooms shall accommodate no more than 2 guests.
3. An area of open space shall be provided for patrons of the development with a total area no less than 20m<sup>2</sup>.
4. The development shall ~~be provided with~~ meet the following requirements:
  - a) Car parking shall be provided at the rate of one (1) parking space per visitor bedroom.
  - b) All driveways and car parking are to be sealed and line marked.
  - c) Bed and Breakfast accommodation shall not be provided on a residential battle-axe allotment.
5. Fixtures within the development shall be provided in accordance with the following specifications:
  - a) Shower heads are to have a flow rate no greater than 9 litres per minute

- b) Taps for hand washing are to have a flow rate no greater than 7.5 litres per minute  
c) Toilets are to be 3, 4 or 5 Star and to be plumbed to source water from either a recycled water scheme or from a roof water tank. Mains potable water is not to be used in toilet flushing for this type of development.
6. The use of incandescent and halogen light globes is not permitted in developments subject to this clause. All light sources are to be fluorescence globes/tubes or LEDs.
7. The development must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.
8. A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.
9. ~~Stormwater from new buildings must be gravity fed to a constructed or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.~~
10. The development shall be provided with onsite waste management facilities to allow for:  
a) the storage of the waste out of sight of any publically accessible place, dwelling window, area of private open space and area of common open space; and  
b) The collection of domestic waste from the development by waste collection vehicles.
11. **Developments that provide visitor accommodation must be open to bookings from the general public and must provide accommodation for periods of no greater than 72 consecutive days.**
12. Farm stay accommodation must be provided only on a working farm as a secondary business to primary production under Wollondilly Local Environmental Plan, 2011. In determining that a property is a working farm the consent authority must be satisfied that the dominant use of the land is one of the following:  
a) An intensive agricultural activity on the land that has benefit of an existing consent right under Section 109 of the Environmental Planning and Assessment Act, 1979; or  
b) An intensive agricultural activity on the land that has benefit of a Development Consent under the Environmental Planning and Assessment Act, 1979; or  
c) An extensive agricultural activity on the land that is not a hobby and that is an independent use of the land to its domestic occupation.
13. In determining that the farm stay accommodation is a secondary business to primary production the consent authority must be satisfied that:  
a) That the gross income generated by the accommodation will be substantially less than that generated by the primary production; and  
b) No more than 5% of the area of the land will be used for the farm stay accommodation purpose; and  
c) That the accommodation is designed to have no adverse impact on the primary production. This includes (without limitation) biosecurity, noise, odour and traffic impacts; and  
d) That the accommodation will be compatible with the primary production use of the land and will not be subject to undesirable odour, noise and other amenity impacts; and  
e) That the farm is managed as a bona fide business.

14. Applicants for farm stay accommodation developments must provide a business plan for both the farm and the farm stay accommodation to allow the application to be assessed under **controls 12 and 13 above**.

### 3.3 Serviced Apartments

#### Objectives

1. To ensure the development is consistent with the character of the surrounding neighbourhood,
2. To encourage and promote a high quality standard of accommodation.

#### Controls

- 1 The total portion of the site covered by all pools, buildings and paving shall not exceed 75% of the site area.
- 2 Filling of land shall not increase the natural ground level by more than 1.0m.
- 3 Cut shall be limited to 2.0 metres below natural ground level.
4. ~~The overall bulk, scale, height and proportion of the building shall be consistent with the existing streetscape character of the area.~~
5. ~~The roof form of the building shall be modulated or articulated to provide visual interest and shall not use bright reflective materials.~~
6. ~~Each frontage of the lot to a public road must be addressed by the Serviced Apartment building(s). A building is taken to address a frontage if the façade of the dwelling visible from that frontage meets the front façade requirements of this clause.~~

The front façade of any Serviced Apartment must address the street. In this regard the front facade shall include a combination of at least two (2) of the following:

  - an entry feature or portico;
  - bay windows;
  - the use of a balcony, deck, pergola, terrace or verandah along the frontage;
  - Roof overhangs;
  - Awnings over windows which blend with the design of the dwelling;
  - A combination of other architectural features suitable to Council which enhance the front façade of the building.
7. On corner allotments, the building façade on the secondary street frontage shall address the street in accordance with control (6) above.
8. Where the primary front façade is addressed by way of a building feature such as a balcony, deck, patio, pergola, terrace or verandah, roof overhang, awning etc, the feature shall “wrap around” the building and continue along the secondary front façade for a minimum length of 3.0m.
9. Any fencing along the primary frontage (or secondary street frontage on a corner lot) must be of a height that would not visually obstruct the building features provided in accordance with control (7) to (9) above when viewed from the street.
10. Any front façade (and secondary front façade on corner lots) must feature a personal access door other than a door used only for emergency evacuation of the building.

11. Any front façade (and secondary front façade on corner lots) must have no stretch of blank wall greater than 5.0m in length.
12. Any front façade must have no stretch of straight wall greater than 10.0m in length.
13. A side or rear façade must have no stretch of blank wall greater than 12.0 metres.
14. No more than 50% of the front façade shall be garage doors.
15. The number of garage doors visible to the street shall be limited to 2. In this control a double garage door shall be counted as 2 doors.
16. The front façade shall be provided with at least one habitable room with a window looking out onto the public road.
17. Serviced Apartments developments must not:
  - Be mirror reversed (as defined in volume 3 of this plan);
  - Have a repeated façade (as defined in volume 3 of this plan);
  - Locate garages at the centre of the building's front façade;
  - Be greater than 2 storeys in height; nor
  - Present an excessively bulky front façade.
18. Where there is a dwelling on each adjoining lot, the setback for the building from any primary road shall be the average setback of the existing adjoining dwellings plus or minus 10%. Such a setback shall be no less than 6.5m.
19. Where there is a dwelling on one adjoining lot the front setback for the building shall be plus or minus 10% of the setback of the adjoining dwelling. Such a setback shall be no less than 6.5m.
20. Where there is no dwelling on an adjoining lot the front setback shall be 6.5m.
21. The minimum side setback shall be 0.9m from land not included in the development.
22. The minimum rear setback from land not included in the development shall be 8.0m for a two (2) storey building and 3.0m for a single storey building or a single storey part of a two (2) storey building.
23. The methods for determining primary and secondary roads and setbacks prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes), 2008, are adopted by this volume. The method for determining an adjoining lot in Volume 3 4 of this plan are adopted by this control.
24. ~~No part of any garage shall be located within 5.5 metres of a frontage of the site to a public road.~~

Any garage attached to a dwelling shall be setback a minimum of 1 metre behind the front building line of the Serviced Apartment or 5.5 metres from the front street boundary, whichever is greater.
25. Awnings and other building features that do not form a wall of a room or a balcony may be located between the building setback to a primary and/or secondary road shall not extend more than 1.5m in front of that building setback.

26. Eaves and other building features that do not form a wall of a room may be located within the side and rear building setbacks but shall not extend more than 450mm into that building setback.
27. For corner or irregular allotments with multiple road frontages the setback from any secondary road shall be 6m.
28. An area of open space shall be provided for patrons of the development with the following characteristics:
  - a. Gradient no steeper than 1:20 (Rise:Run)
  - b. Width no less than 3 metres in any direction
  - c. At least 3 hours of solar access to 50% of the area (ignoring shadowing caused by trees).
  - d. Provided with suitable fixed embellishment comprising a minimum of:
  - e. Have a total area no less than 20m<sup>2</sup>
  - f. Must not be located in the front building setback
  - g. Not be used for effluent disposal or garbage storage
  - h. Be secured from public access but available to all patrons in the development.
  - i. Must be separate from and additional to any Private Open Space for a dwelling or other development on the land.
29. A new dwelling shall not result in less than 3 hours of sunlight to the habitable rooms of an adjoining dwelling and 50% of the private open space area of any adjoining property between 9:00 am and 3:00 pm on June 21.
30. Car parking shall be provided at the rate of 1.2 parking spaces per visitor bedroom (rounded up to the nearest whole space) with an additional one (1) space for deliveries/staff/contractors.
31. Garages shall have sufficient area to accommodate a parking space of 2.6m x 5.4m per allocated parking space.
32. Garage doors shall have a minimum width of 2.4 metres.
33. All driveways and car parking are to be sealed and line marked.
34. Fixtures within the development shall be provided in accordance with the following specifications:
  - a) Shower heads are to have a flow rate no greater than 9 litres per minute
  - b) Taps for hand washing are to have a flow rate no greater than 7.5 litres per minute
  - c) Toilets are to be 3, 4 or 5 Star WELS rated and to be plumbed to source water from either a recycled water scheme or from a roof water tank. Mains potable water is not to be used in toilet flushing for this type of development.
35. The use of incandescent and halogen light globes is not permitted in developments subject to this clause. All light sources are to be fluorescence globes/tubes or LEDs.
36. ~~The development must not result in unreasonable overlooking into the private open space or windows of habitable rooms in the vicinity.~~

Wherever possible, dwelling shall be designed to avoid overlooking the main living areas, private open spaces areas and windows of habitable rooms of adjoining dwellings.

The outlook from second storey windows, balconies, stairs, landings, terraces or decks is to be screened where a direct view is available into the private open space areas of an existing adjoining dwelling to prevent overlooking.

37. A window that has a sill height of 1.7m or more above the floor level within the room shall be taken to have no potential for overlooking.

In cases where windows of habitable rooms on a dwelling have a direct outlook onto windows of habitable rooms of adjacent dwellings, the windows of the proposed dwelling shall be offset by a sufficient distance to limit direct views between windows.

- ~~35. Stormwater from new buildings must be gravity fed to a constructed or natural stormwater system. The use of charged lines is not permitted for stormwater connections except for connections conveying roof water to tanks within the property.~~

38. The development shall be provided with onsite waste management facilities to allow for:
- the storage of the waste out of sight of any publically accessible place, dwelling window, area of private open space and area of common open space; and
  - The collection of domestic waste from the development by waste collection vehicles.

39. **Developments that provide visitor accommodation must be open to bookings from the general public and must provide accommodation for periods of no greater than 72 consecutive days.**

### 3.4 Temporary Markets

#### Objectives

- To ensure the development is consistent with the character of the surrounding neighbourhood,
- To ensure markets do not have adverse environmental impacts.

#### Controls

- Temporary markets may only be undertaken on sites with access to sanitary facilities to the satisfaction of the consent authority.
- The consent authority must not consent to a development application for temporary markets unless it is satisfied that waste can be managed in accordance with a waste management plan to prevent pollution of the environment and loss of amenity.
- Temporary markets may only be undertaken on sites with access to car parking to the satisfaction of the consent authority.

### 3.5 Events

#### Objectives

- To ensure the development is consistent with the character of the surrounding neighbourhood,
- To ensure markets do not have adverse environmental impacts.

#### Controls

- Events may only be undertaken on sites with access to sanitary facilities to the satisfaction of the consent authority.



2. The consent authority must not consent to a development application for events unless it is satisfied that waste can be managed in accordance with a waste management plan to prevent pollution of the environment and loss of amenity.
3. Events ~~may~~ **must** not be undertaken on sites that do not have adequate access to public roads with capacity for the traffic likely to be generated by the event.
4. Events likely to attract more than 200 people must be ticketed on a pre-booked only basis. Tickets may not be sold at the gate.

**NOTE: Nothing in this plan prevents a site from being used for more than one event each year.**

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# Development Control Plan 2015

Volume 7 – Industry and Infrastructure



**Wollondilly**  
Shire Council

**Table of Contents**

<b>TABLE OF CONTENTS .....</b>	<b>2</b>
<b>PART 1 – PRELIMINARY .....</b>	<b>3</b>
1.1 Introduction .....	3
1.2 Objective .....	3
<b>PART 2 – GENERAL REQUIREMENTS FOR ALL DEVELOPMENT.....</b>	<b>4</b>
2.1 Building setbacks .....	4
2.2 Building design.....	4
2.3 Parking and access.....	5
2.4 Signage.....	6
2.5 Open storage areas.....	6
2.6 Landscaping.....	7
2.7 Fencing .....	7
2.8 Waste management .....	7
2.9 Stormwater management .....	10
2.10 Ecological sustainability and Energy conservation .....	11
2.11 Noise.....	12
2.12 Open Space .....	12
<b>PART 3 – SPECIFIC LAND USE CONTROLS .....</b>	<b>14</b>
3.1 Rural industry and Depots (including Transport depots and Truck depots).....	14
3.2 Self storage units .....	14
3.3 Warehouse or Distribution centre .....	15
3.4 Vehicle body repair workshops and Vehicle repair stations .....	15
3.5 Freight transport facilities and Passenger transport facilities .....	16
3.6 Waste or Resource management facilities .....	16
3.7 Telecommunications facility.....	18
<b>PART 5 – MALDON EMPLOYMENT GENERATING LANDS - SPECIAL PROVISIONS .....</b>	<b>22</b>
5.1 Introduction .....	22
5.2 Objectives for Development .....	22
5.3 Location .....	22
5.4 Special Provisions for Development .....	23

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## **PART 1 – PRELIMINARY**

### **1.1 Introduction**

This volume provides controls for **the development and use of land** for the purposes of industrial and also transport and infrastructure related land uses and forms part of the Wollondilly Development Control Plan 2011.

### **1.2 Objective**

1. To provide for development that protects the scenic qualities of **the Wollondilly Shire Area**.
2. To ensure that industrial development has a neutral or beneficial effect on the natural and built environments.
3. To provide employment opportunities that significantly contribute to economic activity within Wollondilly Shire.
4. To provide controls for industrial development that will encourage the use of land for sustainable and viable industrial activities.
5. To ensure the most efficient use of industrial land **that** is consistent with the existing amenity of the area.
6. To ensure the orderly provision of services and infrastructure.
7. To ensure good vehicular access, circulation and loading facilities on industrial sites **and these do not to avoid** impacts on **the** pedestrian and vehicular mobility in the locality.
8. To ensure adequate on-site car parking is provided.
9. To ensure access to adequate services **are is** provided for the disposal of waste.
10. To promote high standards of architecture, landscaping and building design that is visually attractive in form, design, colour and scale.
11. To ensure that industrial developments are suitably designed and landscaped without restricting their viability through over regulation.
12. To ensure industrial development is undertaken in a manner that minimises land use conflicts.
13. To ensure buildings do not adversely affect views from adjoining zones, classified roads (Picton Road and Remembrance Driveway) or other public spaces.
14. To ensure soil conservation and sediment control measures are implemented during and post-construction.
15. To permit development which serves the daily convenience needs of persons working within industrial areas.
16. To encourage the integration of land use and transport, and provide for environments that are highly accessible and conducive to walking, cycling and the use of public transport.

**PART 2 – General Requirements for all development**

**2.1 Building setbacks**

**Objectives**

- (a) To provide satisfactory separation between industrial buildings,
- (b) To mitigate land use conflict between industrial land uses and other land uses,
- (c) To provide sufficient setbacks along major roads for the planting of landscaping elements so as to visually screen industrial development, and
- (d) To provide safe and efficient ingress and egress in and around industrial properties.

**Controls**

1. Setbacks for buildings erected on industrial zoned land ~~are~~ shall be in accordance with the following table:

	<b>Setback requirements</b>
<b>Front setback</b>	30 metres from an arterial road 10 metres all other roads
<b>Side and rear setback</b>	Nil setback required except as provided by this table and subject to bushfire and water course separations
<b>Setbacks from boundaries adjacent to zones other than industry zones IN2 and IN3.</b>	10 metres from adjoining residential, commercial or open space zones.

**2.2 Building design**

**Objectives**

- (a) To encourage attractive design that is both functional and considers the surrounding streetscape,
- (b) To ensure that industrial development does not have adverse impacts on the amenity of the area, and
- (c) To encourage the provision of employee facilities such as canteens, lunch parks, child-minding centres and recreation facilities.

**Controls**

General

1. Buildings must not occupy more than 50% of the site area.
2. Office floor space and associated rooms used for administrative purposes must occupy no greater than 30% of the gross floor area.
3. Street facades and visually prominent elements of any structure must be articulated to minimise their impact on the streetscape.
4. Loading areas, driveways, rubbish, storage and roof-top equipment must not be located adjacent to residential zones
5. External and security lighting should be positioned to avoid light spillage to nearby non-industrial development.

## 2.3 Parking and access

### Objectives

- (a) To ensure that adequate provision is made for off street parking, appropriate to the volume and turnover of traffic generated by the development,
- (b) To ensure that adequate manoeuvring areas are available on-site to permit forward entry and exit of vehicles,
- (c) To enable the efficient functioning of parking areas, loading bays and access driveways,
- (d) To ensure that parking areas and access ways are constructed with a smooth trafficable surface and to avoid conflict between pedestrians and vehicles, and
- (e) To ensure parking areas are visually attractive and designed and constructed to encourage safe usage.

### Controls

1. Car parking, manoeuvring areas, driveways, access, signposting and loading bays must be designed in accordance with Council's Design Specification.
2. Vehicles are to enter and leave the subject site in a forward direction.
3. Where through vehicle travel paths are not able to be provided (for example, where a zero setback is proposed) all lots must provide sufficient level space on-site for rigid and articulated vehicle turning areas. This space must be unobstructed and clear of drainage lines, power poles and parking spaces.
4. The number of parking spaces required for industrial uses is detailed below in Table 1. The ~~RTA publication 'Policies, Guidelines and Procedures for Traffic Generating Developments'~~ [RMS Guide to Traffic Generating Developments](#) will also be referred to when determining traffic requirements for certain uses.

**Table 1. Parking and Loading Requirements**

Use	Requirements
Industrial Development	1 space per 70m <sup>2</sup> of net floor area with a minimum of 3 spaces per industrial unit
Ancillary office space	1 space per 35m <sup>2</sup> of net floor area
Depot, Freight transport facility, Transport depot, Truck depot, Rural industries	Traffic Study required unless low scale (will be determined by the assessing officer)
Vehicle repair workshop or station	3 spaces per work bay, except where more than 2 work bays are proposed and a Traffic Study is required to determine the number of spaces
<u>All Industrial Developments</u> Access space for disabled persons	Minimum 1 space per 100 spaces. If less than 100 spaces then at least 1 space 3m wide, clearly marked and close as practicable to building entrances
Loading Bays	Number and size required will be dependent on the type and scale of development and the range of trucks,

Use	Requirements
	heavy vehicles or special vehicles accessing the site

- A Traffic/Parking Study may be required to establish requirements for large scale uses which generate additional traffic or uses which have a range of parking, access or loading requirements. Where developments require a study the applicant will need to undertake an assessment of a similar type of development in a similar location to determine the appropriate access and number of parking spaces and/or related facilities required. The ~~Roads and Traffic Authority~~ **Roads and Maritime Services** have guidelines available in relation to undertaking a traffic impact assessment.
- When calculating the number of car spaces required any part spaces must be rounded up to the nearest whole number.
- All loading and unloading must be undertaken within the curtilage of the site and in the designated loading areas.

## 2.4 Signage

### Note

Reference must be made to any relevant state policy which applies to advertising and signage.

### Objectives

- (a) To ensure that signage is carefully designed and used as a positive design element,
- (b) To permit the display of information concerning the identification of premises and the name of the occupier and activity conducted on the site,
- (c) To ensure a coordinated approach to advertising where multiple sites are occupied, and
- (d) To minimise the negative visual impact of cluttered and untidy advertising signs.

### Controls

1. All signage must be contained within the subject site and must be limited to information that directly relates to the use of the site.
2. The number and content of signs is to be minimised to prevent visual clutter and in this respect multi-unit developments must contain one free standing sign at the front of the development which details all relevant information about the premises.
3. Signage must be designed as an integral part of the design of the overall development.
4. Directory boards at the entrance to a multi-unit industrial development is preferred to individual signage.

## 2.5 Open storage areas

### Objectives

- (a) To minimise the visual impact of open storage areas on the **area streetscape**, and
- (b) To assist in making vehicle and pedestrian entrances discernible from the street for anyone looking for a particular business.

### Controls

1. Land between any road and the façade of any building or visible from a public road, must not be used for the storage, sale or display of goods.
2. Areas used for storage must be suitably screened.
3. Dedicated open storage areas must be appropriately drained and constructed in suitable materials to prevent soil disturbance.

4. External storage of unregistered vehicles, vehicle parts, used building materials, scrap materials or other industrial waste is not permitted, except for sites which support emergency services facilities or tow truck storage yards.

## 2.6 Landscaping

### Objectives

- (a) To minimise the impact of any development on the amenity and streetscape of the area through the use of landscaping, without compromising bushfire safety, and
- (b) To encourage landscaping that enhances the industrial locality and provides a natural/functional/pleasant outdoor area for employees and visitors.

### Controls

1. All new development must provide a minimum 2.5 m wide landscape strip which must be suitably landscaped and maintained, across the street frontage of any site (excluding access ways).
2. Edging is to be provided to retain mulch, enable mowing if necessary and to protect the landscaping from damage by vehicles.
5. All landscaping areas must be installed and with an appropriate management regime in place prior to use of the site.
6. Additions to existing industrial buildings or new ancillary buildings and works are not permitted to encroach on landscaping.
7. Provision must be made for shade trees in outdoor off-street parking areas and be planted to a minimum of 1 shade tree per 10 car spaces. Landscaping areas for these trees must be a minimum of 2 metres wide and allow for deep soil planting.
8. For rear and side setbacks, where a development directly adjoins a zone other than industrial (known as the interface zone) a 2.5 metre landscaped area must be provided.
9. Where practical utilise species that are endemic to the local area. Refer to Council's Recommended Planting Species List in Volume 1 of this DCP (~~Clause 2.4 Section 11.2~~, Table 1 - 7).

## 2.7 Fencing

### Objectives

- (a) To ensure that the impact of fences on the streetscape and public places is minimised,
- (b) To allow reasonable enclosure of yard areas for privacy and security,
- (c) To ensure the safe movement of vehicles does not adversely impact on gateways and street intersections,
- (d) To protect drainage easements from the effects of fencing, and
- (e) To ensure that adjoining owners are not adversely affected by fencing on the front yard of the adjoining property.

### Controls

1. Fencing within industrial areas must be no greater than or equal to 1.8 m in height along property boundaries and within properties.
2. Where provided, front fencing must be located behind the required landscaped area setback.

## 2.8 Waste management

Industrial developments typically produce a diverse range of waste products. Some of these waste products may be hazardous and require compliance with established laws/protocols that are additional to this Section. Other waste products are similar in nature to commercial and domestic waste streams. Mixing waste products limits potential reuse and recycling opportunities and may



distribute toxic material through a larger volume of wastes. The purpose of these requirements ~~are~~ **is** to ensure new developments and changes to existing developments are designed to maximise resource recovery (through waste avoidance, source separation and recycling) and to ensure appropriate, well-designed storage and collection facilities are accessible to occupants and service providers.

The following requirements apply to industrial development including changes of use requiring a development application. In addition, there are general requirements for all land uses contained within volume 1 of this plan.

### **Objectives**

- (a) To ensure appropriate waste storage and collection facilities,
- (b) To maximise source separation and recovery of recyclables,
- (c) To ensure waste management facilities are as intuitive for occupants as possible and readily accessible to occupants and service providers,
- (d) To ensure appropriate resourcing of waste management systems, including servicing,
- (e) To minimise risk to health and safety associated with handling and disposal of waste and recycled material and ensure optimum hygiene,
- (f) To minimise adverse environmental impacts associated with waste management, and
- (g) To discourage illegal dumping by providing on site storage, and removal services.

### **Controls**

1. ~~A completed Site Waste Minimisation and Management Plan (SWMMP) complying with the template in Appendix A of the Office of Environment and Heritage's Model Waste Not DCP must accompany an application for industrial buildings in accordance with Council's Guidelines for submitting a DA.~~
2. ~~There must be convenient access from each tenancy and/or larger waste producing area of the development to the waste/recycling storage room(s) or area(s). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s).~~
3. Every development must include a designated general waste/recycling storage area or room(s) constructed in accordance with the requirements of the Building Code of Australia (BCA) and designed in accordance with the requirements below), as well as designated storage areas for industrial waste streams (designed in accordance with specific waste laws/protocols).

### Location and appearance

1. Waste/recycling storage areas must be integrated into the design of the overall development. Materials and finishes that are visible from outside should be similar in style and quality to the external materials used in the rest of the development.
2. Waste/recycling storage areas must be located and designed in a manner that reduces adverse impacts upon neighbouring properties and the streetscape. The location and design of the areas should minimise adverse impacts associated with:
  - the proximity of the area to dwellings
  - the visibility of the area
  - noise generated by any equipment located within the area
  - noise generated by the movement of bins into and out of the area
  - noise generated by collection vehicles accessing the site; and
  - odours emanating from the area.

### Size

1. Waste/recycling storage areas must be of adequate size to comfortably accommodate all waste and recycling bins associated with the development.

2. The waste/recycling storage room/areas must be able to accommodate bins that are of sufficient volume to contain the quantity of waste generated (at the rate described below) between collections.

#### Layout

1. The gradient of waste/recycling storage area floors and the gradient of any associated access ramps must be sufficiently level so that access for the purpose of emptying containers can occur in accordance with WorkCover NSW Occupational Health and Safety requirements.
2. Within waste/recycling storage areas, containers used for the storage of recyclable materials should be kept separate from (but close to) general waste containers — so that the potential for contamination of recyclable materials is minimised.

#### Access: waste/recycling collection

1. There must be convenient access from each tenancy and/or larger waste producing area of the development to the waste/recycling storage room(s) or area(s). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s).
2. The development must be designed to allow access by collection vehicles used by the nominated waste contractor. Wherever possible, the site must be configured to allow collection vehicles to enter and exit the site in a forward direction and so collection vehicles do not impede general access to, from and within the site. Access driveways to be used by collection vehicles must be of sufficient strength to support such vehicles.
3. Servicing arrangements for the emptying of bins must be compatible with the operation of any other loading/unloading facilities on-site.
4. Access for the purpose of emptying waste/recycling storage containers must be able to occur in accordance with WorkCover NSW Occupational Health and Safety requirements.

#### Access: general

1. Vermin must be prevented from entering the waste/recycling storage area.

#### Surfaces

1. Waste/recycling storage areas must have a smooth, durable floor and must be enclosed with durable walls/fences that extend to the height of any containers which are kept within **the area**.

#### Doors/gates

1. Doors/gates to waste/recycling storage areas must be durable. There must be a sign adjacent to the door/gate that indicates that the door/gate is to remain closed when not in use. All doors/gates are to be openable from both inside and outside the storage area and must be wide enough to allow for the easy passage of waste/recycling containers.

#### Services

1. Waste/recycling storage areas must be serviced by hot and cold water provided through a centralised mixing valve. The hose cock must be protected from the waste containers and must be located in a position that is easily accessible when the area is filled with waste containers.
2. The floor must be graded so that any water is directed to a sewer authority approved drainage connection located upon the site. In the **Sydney Metropolitan Area (SMA)** this is Sydney Water.

#### Signage

1. Waste/recycling storage areas must include signage that clearly describes the types of materials that can be deposited into recycling bins and general garbage bins.

### Management

1. Arrangements must be in place for the regular maintenance and cleaning of waste/recycling storage areas. Waste/recycling containers must only be washed in an area which drains to a sewer authority approved drainage connection. In the Sydney Metropolitan Area (SMA) this is Sydney Water. The Better Practice Guide for Waste Management in Multi-Unit Dwellings (Department of Environment and Climate Change, 2007) gives detailed information about waste recycling/storage rooms and facilities.
2. Depending upon the size and type of the development, it might need to include separate waste/recycling storage room/area for each tenancy and/or larger waste producing areas.
3. Bins must be stored in the designated waste/recycling storage room(s) or area(s).
4. Arrangements must be in place in all parts of the development for the separation of recyclable materials from general waste. Arrangements must be in place in all parts of the development for the movement of recyclable materials and general waste to the main waste/recycling storage room/area.
5. ~~The waste/recycling storage room/areas must be able to accommodate bins that are of sufficient volume to contain the quantity of waste generated between collections.~~
6. The type and volume of containers used to hold waste and recyclable materials must be compatible with the collection practices of the nominated waste contractor.
7. Waste management storage rooms/areas must be suitably enclosed, covered and maintained so as to prevent polluted wastewater runoff from entering the stormwater system.
8. A waste/recycling cupboard must be provided for each and every kitchen area in the development. Each waste/recycling cupboard must be of sufficient size to hold a minimum of a single day's waste and to hold separate containers for general waste and recyclable materials.
9. Premises that discharge trade wastewater must do so only in accordance with a written agreement from the local sewer authority. In the SMA this is Sydney Water. Sydney Water defines trade wastewater as 'any liquid, and any substance contained in it, which may be produced at the premises in an industrial and commercial activity, but does not include domestic wastewater (e.g. from hand-basins, showers and toilets).'
10. Arrangements must be in place regarding the regular maintenance and cleaning of waste management facilities. Tenants and cleaners must be aware of their obligations in regards to these matters.
11. ~~Production, storage and disposal of hazardous wastes (such as contaminated or toxic material or products) require particular attention. The appropriate laws and protocols should be observed.~~

## **2.9 Stormwater management**

The following documents will be used by Council (but not limited to) in assessing any development application:

- Managing Urban Stormwater: Soils and Construction (Volume 1 – The Blue Book provides guidance during the construction of urban subdivisions and is available from Landcom. Volume 2 provides guidance for erosion and sediment control for a range of other activities) [www.environment.nsw.gov.au/stormwater/publications.htm](http://www.environment.nsw.gov.au/stormwater/publications.htm)
- Model Code of Practice for erosion and sediment control (A resource guide for local Councils – Landcom)
- Managing urban stormwater: harvesting and reuse [www.environment.nsw.gov.au/stormwater/publications.htm](http://www.environment.nsw.gov.au/stormwater/publications.htm)
- Australian Runoff Quality [www.ncwe.org.au/arg](http://www.ncwe.org.au/arg)

### **Objectives**

- (a) To minimise the volume of stormwater flows and demand for water and sewer infrastructure by encouraging and facilitating opportunities for water reuse and recycling,
- (b) To ensure that industrial developments are designed to prevent pollutants entering the stormwater disposal system,
- (c) To ensure that the quality of water discharged from a development is treated appropriately to avoid adverse impacts on receiving waters,
- (d) To ensure post-development peak stormwater runoff from frequent storm events does not exceed that which occurred prior to development taking place, and
- (e) To ensure stormwater runoff is collected and disposed in an appropriate manner.

### **Controls**

1. For all development in existing or proposed urban areas consent must not be granted for development unless the assessing officer is satisfied that:
  - (a) the stormwater management system includes all reasonable management actions to minimise impacts on and contribute to the achievement or protection of relevant environmental values,
  - (b) Water sensitive urban design principles\* are incorporated into the design of the development, and
  - (c) The stormwater management system complies with Council's requirements.

\* For the purposes of clause 1 (b) above, the principles of water sensitive urban design can be summarized as follows:

- (a) Protection and enhancement of natural water systems (creeks, rivers, wetlands, estuaries, lagoons, groundwater systems etc.),
- (b) Protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments,
- (c) Minimisation of harmful impacts of urban development upon water balance and surface and groundwater flow regimes,
- (d) Integration of stormwater management systems into the landscape in a manner that provides multiple benefits, including water quality protection, stormwater retention and detention, public open space and recreational and visual amenity, and
- (e) Reduction in potable water demand by using stormwater as a resource.

## **2.10 Ecological sustainability and Energy conservation**

### **Objectives**

- (a) To ensure built form, landscape and site planning embodies energy efficiency and ecologically sustainable development principles,
- (b) To encourage development that demonstrates appropriate use of energy efficient materials in construction wherever possible, and
- (c) To encourage development that demonstrates appropriate solar access, natural ventilation and use of landscape elements for micro-climate control, and
- (d) To reduce potable water mains demand of non-residential development by promoting water-efficient appliances, fit for purpose alternative water use.

### **Controls**

1. Any development application for industrial development on land affected by this DCP must be supported by documentation which identifies how the proposed land use will meet the objectives of cleaner production, conservation and minimisation of resources and waste production.
2. A Sustainability Assessment is required to demonstrate where viable ecologically sustainable measures are proposed, which may incorporate some or all of the following in the building design:

- Potential for effluent re-use
  - Water minimisation techniques, including water recycling
  - Waste minimisation techniques, including recycling
  - Incorporate water efficient design principles. Rainwater must be collected and stored for re-use as on-site irrigation
  - Use porous paving materials to minimise runoff
  - Use drainage swales to slow down stormwater runoff and increase on-site infiltration
  - Salinity hazard investigations
  - Comfort levels and reduction on artificial lighting and ventilation. Orientate buildings to the North with overhang measures to protect from summer sun
  - A selection of an energy efficient heating/cooling system
  - Heating/cooling systems must target only those spaces which require heating or cooling and ensure efficient distribution/redistribution of warm/cool air.
  - Where a space heating or cooling system is installed, it must be selected for maximum energy efficiency
  - Light switches at room exits, dimmer switches, motion detectors for lighting doorways, entrances or outdoor security lighting, automatic turn-off switches used for outdoor purposes
  - If evergreens are planted within the northern quadrant of the building, they must be spaced well away from the building so as not to obstruct the winter sun of any building.
3. Where necessary demonstrate adequate site restoration, rehabilitation or remediation measures for the site.
  4. Connection to recycled water is required if serviced by a dual reticulation system for non-potable uses (i.e. toilet flushing, irrigation, car washing, firefighting and certain industrial purposes where applicable).
  5. Installation of 3 star WELS rated water efficient showerheads, 6 star WELS rated water tap outlets, 5 star WELS rated urinals and 4 star WELS rated toilet cisterns are required for all amenities.

## 2.11 Noise

### Objectives

- (a) To ensure the intensification and expansion of existing industrial facilities and construction of new future industrial development does not adversely impact on surrounding rural and residential development, and
- (b) To ensure that appropriate traffic management measures are applied to direct industrial traffic from industrial sites onto the arterial network.

### Controls

1. Noise sources must be located away from residential areas and noise mitigation measures such as fencing, earth mounding and other acoustic measures will be considered within the development. These measures must not compromise any other provision in this Development Control Plan or on the achievement of minimum solar access requirements of neighbouring properties.
2. Development may be is required to comply with the NSW Industrial Noise Policy ~~or~~ and may require noise attenuation measures specified by an independent acoustic consultant.

## 2.12 Open Space

### Objectives

- (a) To promote accessible, functional and safe open space for employees within industrial developments.

### Controls

1. Where an individual premises or an industrial complex (or equivalent) is employing 5 or more staff in total, an area of open space must be provided:
  - which is readily accessible, and
  - contains seating, solar access and shade.
2. The open space area provided in accordance with ~~clause control~~ 1 above can be included as part of any landscaped area of the site.

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## **PART 3 – Specific land use controls**

### **3.1 Rural industry and Depots (including Transport depots and Truck depots)**

#### **Objectives**

- (a) To provide development guidelines for the sustainable development of rural industries, and
- (b) To ensure colours used are complimentary to the surrounding landscape and blend into the rural character of the Shire.

#### **Controls**

##### Location and building setbacks

1. Buildings used for rural industries must not be located in visually prominent locations such as ridgelines and must not be erected on slopes in excess of 15 degrees.
2. Certain industries may require a more significant setback to be determined by the assessing officer.
3. Where industries are proposed in rural zones the minimum requirements are (as per igloos).

##### Building colour

1. The colour of a building used for the purpose of a rural industry must match or blend with the colour of existing structures and buildings on the property and must be in keeping with the natural features of the surrounding environment.

##### Parking and Access

1. Site access roads in rural areas may need to be sealed depending on the nature of the proposal.

### **3.2 Self storage units**

#### **Objectives**

- (a) To ensure there is adequate area on-site to allow for vehicle manoeuvring,
- (b) To ensure that any sites in the vicinity of residential areas are managed appropriately to minimise disruption to residents, and
- (c) To ensure that the site is managed appropriately.

#### **Controls**

1. Access into and throughout the site and egress from the site must be in a forward direction.
2. Sufficient access width must be provided to allow for the loading and unloading of goods into units without impeding through traffic on-site.
3. Hours of operation must be determined in relation to the location of the site and must be restricted on sites in the vicinity of residential areas.
4. Premises must be designed and managed to reduce potential noise and lighting impacts on nearby residential areas.
5. The storage of hazardous, flammable or toxic materials is prohibited in the self storage units. Notice must be given to tenants of units to this effect.
6. All deliveries must take place within the site and not in adjoining streets.
7. Sales of manufactured goods, products or services to the general public is prohibited direct from the approved self storage units.

### **3.3 Warehouse or Distribution centre**

#### **Objectives**

- (a) To ensure the development does not compete with development in local commercial centres,
- (b) To maintain separation between the warehouse and distribution uses, and
- (c) To ensure there is adequate area on-site for movement of goods and manoeuvring of vehicles safely.

#### **Controls**

1. No retailing directly to the general public ~~must~~ shall be undertaken from the premises.
2. The distribution/office/display area of the site must not comprise more than 30% of the net floor space.
3. Buildings must comprise two functional elements: an office/display component which is usually a public access zone; and an industrial /storage activity area which is a private zone. These areas must be clearly delineated and signage must be provided to prevent public access to private areas.
4. The site must be provided with a loading dock and goods handling area to serve the intended use. Development of new sites where the end user and product are not known must provide loading facilities adequate for prime mover and trailer.

### **3.4 Vehicle body repair workshops and Vehicle repair stations**

#### **Notes**

- A spray painting booth is classified as a work bay for the purposes of calculating car parking provision.
- An activity such as a car oven for drying paint cannot be classified as a car space.
- Environmental guidelines for development of motor vehicle repair premises and any licensing requirements are provided by the NSW Office of Environment and Heritage at [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au) and Sydney Water Corporation at [www.sydneywater.nsw.gov.au](http://www.sydneywater.nsw.gov.au)

#### **Objectives**

- (a) To ensure that vehicle repair developments do not have a detrimental impact on the amenity of surrounding areas,
- (b) To ensure that premises are maintained satisfactorily, and
- (c) To ensure that all vehicular parking is catered for on-site.

#### **Controls**

##### Facilities

1. Proposals and equipment for spray painting should be detailed in the development application.

##### Management

1. The premises must be maintained in a clean and tidy state at all times.
2. All materials, trade waste and equipment must be stored wholly within the factory building and not in adjacent forecourts, access ways, car parking areas or on Council's footpaths.
3. All work must be carried out within the property and not in adjacent foyers, yards, access ways, car parking areas or on Council's footpaths.
4. All sealed surfaces accessible to vehicles, including standing areas access ways and work bays, are to be fully drained and comply with the requirements of the Protection of the Environment Operations Act 1997 and related regulations.
5. Water discharges from car wash bays are to comply with any Trade Wastewater permit required from Sydney Water Corporation.



### Parking

1. Motor vehicles awaiting repair; under repair or awaiting pick up either by tow truck or customer; being stored or parked, must be accommodated within the site or building. Any proposed or required customer parking area must not be used for the storage of vehicles.
2. No vehicle brought to premises for maintenance, servicing, repair, detailing or painting is to stand or park in adjacent or nearby streets whilst under the control of the manager or staff of the premises.
3. On-site provision is to be made for the delivery of vehicles to the site.
4. Vehicles including tow trucks are to enter and leave in a forward direction so as not to disrupt the flow of on-street traffic.

## **3.5 Freight transport facilities and Passenger transport facilities**

### **Definitions**

**parking space** means a space dedicated for the parking of a motor vehicle, including any manoeuvring space and access to it, but does not include a car park. [as defined in the Standard Instrument]

### **Objectives**

- (a) To ensure that there is minimal impact on the surrounding locality from increased levels of traffic and manoeuvring of large vehicles.

### **Controls**

1. The number of vehicle parking spaces provided must be based on one space for each vehicle present at the time of peak vehicle accumulation on the site.
2. Under no circumstances is the parking of vehicles on a public street acceptable.
3. Provision must be made for both fleet vehicles and contract/operator vehicles.
4. Provision on-site for heavy vehicle parking bays in addition to parking spaces will require separate assessment.
5. In addition to the above, 3 vehicle spaces per 2 ~~lubrication or~~ service bays must be **required provided** for ancillary services conducted on the site (servicing, repairs and the like).

## **3.6 Waste or Resource management facilities**

### **Objectives**

- (a) To minimise the overall environmental impacts of waste,
- (b) To maximise, through design, the opportunities to deal with industrial waste **and** reduce the demand on waste disposal by providing detailed criteria for the consideration of design and management of recycling, composting and waste storage and collection,
- (c) To provide industrial waste management systems that allow for ease of use by occupants and ease of service by collection contractors,
- (d) To encourage building designs and construction techniques that will minimise waste generation,
- (f) To assist in achieving Federal and State Government waste minimisation targets **and** promote development design that is appropriate and provides convenient waste storage, recycling and collection facilities on site,
- (g) To encourage the orderly and economic development of waste management facilities in appropriate locations, and
- (h) To encourage the minimisation of human and environmental health impacts from the location and operation of waste management facilities.

## Controls

### Location

1. The waste operations area of a landfill or organic waste processing facility must be sited:
  - at least 500 metres from the boundaries of the allotment and
  - at least 500 metres from the nearest dwelling, shop, office, public institution or other building designed primarily for human occupation
  - at least 250 metres from a public open space reserve, forest reserve, national park, conservation zone or policy area
  - at least 100 metres from the nearest surface water (whether permanent or intermittent and
  - entirely outside of any 1 in 100 year average recurrence interval flood event area
2. The waste operations area of a landfill must not be located on land that is subject to land slipping and/or with ground slopes greater than 10%, except where the site incorporates a disused quarry.
3. The waste operations area of an organic waste processing facility must not be located on land that is subject to land slipping and/or ground slopes greater than 6%.
4. The waste operations area of an organic waste processing facility must not be located on land where the interface of engineered landfill liner and natural soils would be within any of the following:
  - 15 metres of unconfined aquifers bearing groundwater with less than 3000 mg/L total dissolved salts
  - 5 metres of groundwater with a water quality of 3000 to 120000 mg/L total dissolved salts
  - 2 metres of groundwater with a water quality greater than 12 000mg/L total dissolved salts
5. Applications for development are to be accompanied by a Waste Management Plan (WMP). The WMP accompanying the application must demonstrate appropriate design of facilities and on-going management techniques that minimise waste and the WMP will include the following details:
  - type of future use for the development
  - types of waste to be generated
  - estimated volume of waste to be generated per week
  - show on plans and describe on-site storage and/or treatment facilities for waste
  - state the destination for waste produced to licensed facilities
  - provide for ongoing monitoring and auditing of the site in accordance with licensing requirements under the Protection of the Environment Operations Act 1997

A Trade Wastewater permit may be required from Sydney Water Corporation for the disposal of wastewater.

### Storage

1. Adequate storage for waste materials must be provided on site. Ideally waste storage containers must be kept inside a building or buildings.
2. All waste must be removed at regular intervals and not less frequently than once per week.
3. All waste storage areas must be screened from view from any other adjoining residential or rural zoned property or public place.

### Noise/Odour/Litter

1. Waste management facilities must be located and designed to minimise adverse impacts on both the site and surrounding areas from the generation of surface water and groundwater pollution, traffic, noise, odours, dust, vermin, weeds, litter, gas and visual impact
2. Separation and/or noise attenuation must be used to ensure noise generation associated with the waste management operation does not unreasonably interfere with the amenity of sensitive land uses.

3. The development must comply with the NSW Industrial Noise Policy.
4. Litter control measures that manage wind blown litter must be provided to the satisfaction of Council.

#### Drainage

1. Sufficient area must be provided within the waste operations area for the:
  - maximum expected volume of material on the site at any one time
  - containment of potential groundwater and surface water contaminants
  - diversion of clean stormwater away from the waste and potentially-contaminated areasWhere required, a leachate barrier must be provided between the operational areas and underlying soil and groundwater.

#### Access

1. Waste management sites must be accessed by appropriately constructed and maintained roads.
2. Chain wire mesh must be erected on the perimeter of a waste management facility to prevent access other than at entry points.
3. Plant, equipment or activities that could cause a potential hazard to the public must be enclosed by a security fence.

#### Sustainable gas emissions

1. Landfill activities that have a total capacity exceeding 230 000 cubic metres must make sustainable use of landfill gas emissions. For smaller landfill activities, if the sustainable use of the landfill gas emissions is not practical or feasible, flaring must be used to avoid gases being vented directly into the air.

*Environmental guidelines for development and any licensing requirements are provided by the NSW Office of Environment and Heritage at [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au) and Sydney Water Corporation at [www.sydneywater.nsw.gov.au](http://www.sydneywater.nsw.gov.au)*

### **3.7 Telecommunications facility**

#### **Objectives**

- (a) To apply a precautionary approach to the deployment of telecommunications infrastructure,
- (b) To minimise Electromagnetic Radiation (EMR) exposure to the public by ensuring telecommunications facilities are not located near sensitive land uses including dwellings, educational establishments, child care centres and hospitals, where practicable and reasonable,
- (c) To encourage the provision of telecommunications facilities to provide access to meet current and future servicing needs for telecommunications for the general public and local communities, and
- (d) To provide a consistent approach that benefits council, the community and carriers.

#### **Controls**

##### Servicing needs

1. ~~The plan for the facility~~ Any telecommunications facility must include measures to restrict public access to the antenna(s) and associated infrastructure. Approaches to the antenna(s) must contain appropriate signs warning of EMR and providing contact details for the facility manager.
2. Where relevant, proposals must comply with the BCA for the purposes of construction and the relevant exposure levels as directed by the Australian Communication Authority (ACA) and the Australian Radiation Protection and Nuclear Safety Authority.
3. Development Applications must also consider each of the following:
  - Minimizing transmitter power to that required to achieve coverage requirements;

- Choosing or designing antennae which minimise emission in directions not required for coverage;
  - Selecting the option that results in the lowest exposures (if alternative sites are available or if there are different options for mounting antennae on a single site).
4. The applicant must provide a mapped analysis of cumulative EMR effect with the Development Application.
  5. The applicant is responsible for the maintenance and upgrading of infrastructure and site.
  6. Should any emissions other than electromagnetic radiation arise from the installation and operation of the infrastructure, the operator must notify Council and the Department of Environment and Climate Change and recommend a preferred strategy of amelioration.
  7. Council must be notified when infrastructure and associated screening structures are to be removed when it is no longer in use, and the allotment must be restored.
  8. Each development must provide a legible weatherproof sign visible to the public in the immediate location of the telecommunications facility.

#### Visual amenity

1. Antennas and supporting infrastructure must be designed to ameliorate the visual or cumulative visual impact from the public domain and adjacent area ensuring that the development as carried out is in keeping with the streetscape or the surrounding environment, or both.
2. ~~Ensuring that it must be ensured that~~ the scale of the development is in keeping with the locality, bearing in mind that the scale may be affected by the intended coverage of the network or facility.
3. Planting and landscaping of the site must be provided to minimise the impact of structures.
4. The facility must be integrated with the design and appearance of any building or structure on or within which it is located screening, where practical, any equipment associated with the development so as to reduce its visibility.
5. The development must not obstruct views of significant vistas, landmarks or heritage items
6. ~~Cluttering of telecommunication facilities on a single building or structure is not acceptable.~~
7. Buildings must be an appropriate colour and texture to match the colour and pattern of the background.

#### Location

1. ~~An application for a Telecommunications Facility must~~ demonstrate particular consideration of likely sensitive land uses. Sensitive land uses may include areas where occupants are located from long periods of time (e.g. residences); and that are frequented by children (e.g. schools and child care centres).
2. ~~The~~ design of antennas and supporting infrastructure should minimise or reduce the cumulative visual impact from the public domain and adjacent areas.
3. Within the local context, the infrastructure design must take into account: colour, texture, form, bulk and scale.
4. Broadband and other cabling must be located underground
5. Telecommunications infrastructure, including mobile base stations must be setback from residential zones, dwellings, educational establishments, child care centres, hospitals or other sensitive land uses to the satisfaction of the assessing officer.
6. Details are also to be submitted with the Development Application on proposed monitoring to ensure compliance with exposure levels.
7. An applicant must demonstrate that in selecting a site for a communications facility (not including a domestic satellite dish), it has adopted a precautionary approach to minimise the EMR exposures to the public by:
  - providing written confirmation that the proposed facility complies with the relevant Australian exposure standard as prescribed by the Australian Communications Authority
  - providing a site locality analysis plan

- providing a 360 degree prediction map and illustrating the EMR exposure levels and cumulative impact of a proposed facility
- 8. A communications facility (not including a domestic satellite dish) must not be located:
  - on a heritage item;
  - in the vicinity of a heritage item;
  - in an area of heritage significance; or
  - in an area that will impact on endemic flora and fauna
- 9. A written statement is to be prepared and must explain how the proposed telecommunications facility has responded to the site analysis and the objectives of this DCP.
- 10. For facilities covered by the LIF Determination, the carrier is to consult with affected community, irrespective of Council boundaries, as required by the ACIF Code.
- 11. The application must provide Council with the results of its community consultation undertaken for facilities covered by the LIF Determination.

#### Co-location

Co-location is the practice of locating a number of different telecommunication facilities, often owned by different carriers, on one facility or structure.

1. Telecommunications facilities should be co-located with other utilities wherever this is technically practical, commercially viable and achieves the best environmental outcome and, in particular:
  - telecommunications lines should be located within an existing underground conduit or duct, and
  - antennae (and similar structures) should be attached via the use of combiners to existing utility poles, towers, structures, buildings or other telecommunications equipment so as to minimise clutter.
2. Efforts made to co-locate are to be demonstrated by the carrier and if co-locating is not proposed it must be demonstrated why it is not viable in the vicinity.
3. The carriers' network master plan for the subject infrastructure type must be included to identify opportunities for co-location or sharing of facilities within or between carriers. Co-location is not a desirable option where:
  - Cumulative emissions are significant,
  - The infrastructure is visually unacceptable,
  - There are physical and technical limits to the amount of infrastructure that structures are able to support; or
  - The required coverage cannot be achieved from the location.
4. **Any application** must demonstrate a precautionary approach and effective measures to minimise any negative impacts of co-location.
5. ~~Efforts to co-locate are to be demonstrated by the carrier. The carriers' network master plan for the subject infrastructure type must be included to identify opportunities for co-location or sharing of facilities within or between carriers.~~

#### Health

1. Telecommunications facilities must be designed, installed and operated to comply with standards relating to human exposure to electromagnetic energy appearing in any applicable codes or standards made under any applicable law of the Commonwealth.

#### Installation

1. Steps ~~should~~ **are required to** be taken to minimise any obstruction of pedestrians and traffic, and disruption to the enjoyment of adjoining properties, while the **development facility** is being ~~carried-out~~ installed.

2. Work ~~should~~ **shall** be carried out during times that cause minimal disruption to public access and the enjoyment of adjoining properties.
3. Traffic control measures ~~should~~ **shall** be taken during construction in accordance with AS 1742.3—1996 Manual of Uniform Traffic Control Devices open trenching should be guarded in accordance with AS 1165—1982 Traffic Hazard Warning Lamps.
4. Steps ~~should~~ **shall** be taken to minimise soil erosion arising from the siting and installation of telecommunications facilities.
5. Threatened species and critical habitats ~~should~~ **shall** be avoided, and disturbance to vegetation should be minimised and. At the conclusion of the work, **impacted vegetation** should be restored by the carrier to the satisfaction of the relevant landowner and, if the work is being carried out under a development consent, to the satisfaction of the consent authority.
6. Street furniture, paving and other existing facilities removed or damaged during construction ~~should~~ **is to** be reinstated or rectified by the carrier and the costs of doing so should be borne by the carrier.

DRAFT

## Part 5 – Maldon Employment Generating Lands - Special Provisions

### 5.1 Introduction

These provisions are additional to the controls outlined in Volume 5 7. Reference should also be made to applicable controls in Volume 1 – General which applies to all development in Wollondilly Shire.

### 5.2 Objectives for Development

The following objectives and controls are based on the specialist studies which were undertaken for the rezoning of the above land to IN1 General Industrial and E2 Environmental Conservation.

#### Overall Objectives

- a) To ensure development is serviced adequately by water and sewer.
- b) To achieve the provision of a sustainable water supply.
- c) To ensure the efficiency of Picton Road is maintained.
- d) To encourage **alternative alternate** modes of transport to the site.
- e) To ensure hazards such as bushfire, flooding and mine subsidence are managed effectively.
- f) To ensure noise and dust emissions are controlled effectively.
- g) To ensure cultural heritage is conserved.
- h) To ensure biodiversity is managed effectively.
- i) To ensure native vegetation is maintained and improved.
- j) To retain the overall rural landscape character.
- k) To provide an attractive landscaped entrance to Picton township.

### 5.3 Location

Maldon Employment Generating Lands are located at Picton Road, Maldon and include the following properties:

#### Address

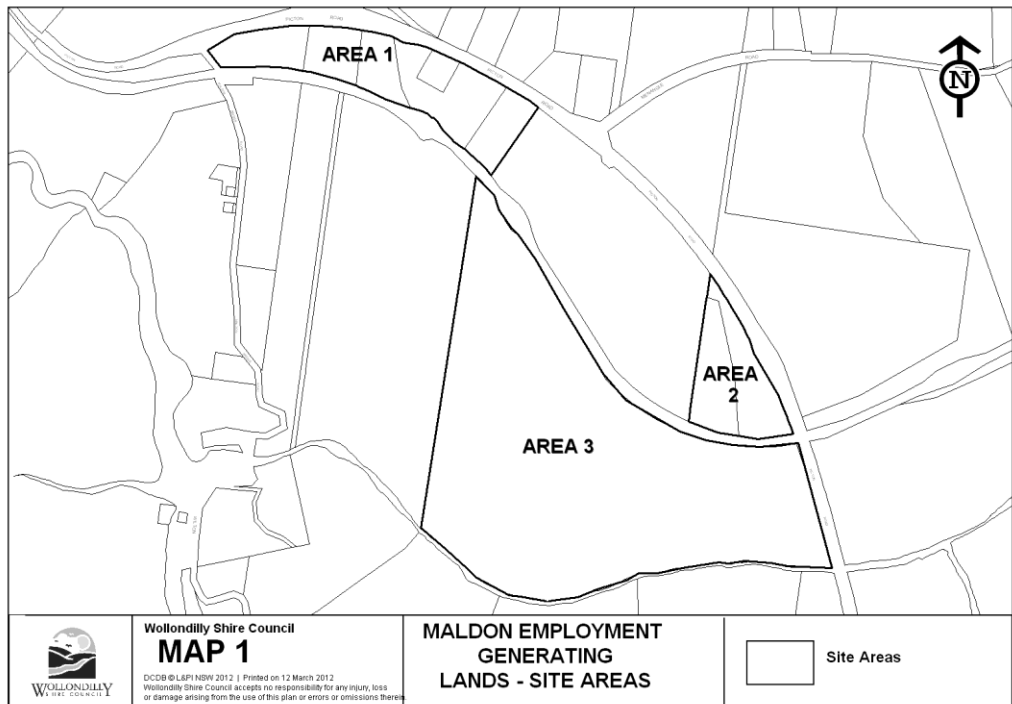
200 Picton Road  
240 Picton Road  
250 Picton Road  
270 Picton Road  
290 Picton Road  
300 Picton Road  
Part of 330 Picton Road  
390 Picton Road  
400 Picton Road

#### Cadastre (Lot and Deposited Plan)

Lot 2 DP 818975  
Lot 1 DP 732582  
Lot 2 DP 732582  
Lot 1 DP 105348  
Lot 3 DP 732582  
Lot 31 DP 731012  
Part of Lot 1 DP 1128013  
Lot 30 DP 826690  
Lot 31 DP 826690

The employment lands comprise three areas which are outlined on Map 1 below:

**Map 1 – Site Map**



## 5.4 Special Provisions for Development

### 5.4.1 Subdivision

#### Objectives

- a) To ensure subdivision is undertaken sustainably
- b) To ensure vehicular access minimises impact on Picton Road.
- c) To ensure there is adequate road infrastructure to maintain efficient traffic flow on Picton Road.

#### Controls

1. Subdivision ~~shall only be permissible~~ is only permitted in association with a nominated land use and a demonstrated satisfactory water supply and wastewater management assessment.
2. A plan detailing vehicular access ~~and incorporating that incorporates~~ internal road links to service all proposed and future lots shall be submitted with any future development application for subdivision of the land.
3. No access into Area 1 (indicated on the map) shall be permitted from Maldon Bridge Road.
4. Vehicular access across the Aboriginal Heritage Conservation Zone at 330 Picton Road, Maldon being Lot 1 DP 1128013 shall only be provided if approval to modify consent DA-318-12-2004 from the Minister for Planning and concurrence from the Office of Environment and Heritage and the Tharawal Local Aboriginal Land Council and the Cubbitch Barta Native Title Claimants Aboriginal Corporation is submitted with the



development application for subdivision.

5. Access into the site shall be provided by a roundabout which is able to cater for traffic movement from B Double trucks and shall be funded by developers of the site.
6. Vehicular access into any future subdivision of land in Area 1 shall include provision of a bridge over Carriage Creek and shall be funded by agreement with all landowners/developers in Area 1.
7. Vehicular access including a bridge over the Main Southern Railway into Area 3 shall be funded by the landowner/developer of Area 3.
8. Road widening of Picton Road required to provide access and or improve traffic movement into and from the site shall be funded by the developer.
9. The subdivision plan shall detail an on-site PMF refuge to provide an evacuation point during sudden severe storm and flooding events.

#### **5.4.2 Water Supply**

##### **Objectives**

- a) To ensure potable and non-potable water supplies are adequate to satisfy all needs of the proposed development including fire fighting.
- b) To minimise the reliance on Sydney Water's water supply infrastructure to achieve water supply objectives.
- c) To promote environmentally sustainable water supply solutions to potable and non-potable water supply through the collection, treatment and reuse of site stormwater and wastewater resources.
- d) To ensure protection of surface and groundwater resources.
- e) To minimise risk to health and safety associated with the supply of potable and non-potable water resources.

##### **Controls**

1. Development shall only be permissible in association with a satisfactory water supply assessment.
2. A water supply assessment shall be required to:
  - investigate and report on water supply requirements (potable, non-potable and fire protection) for the proposed development;
  - investigate and report on available potable and non-potable resources (Sydney Water Feasibility application to be conducted as part of this assessment);
  - nominate a water supply strategy and provide sufficient security modelling utilising local climate records;
  - assess environmental impact / nominate recommendations for minimising impact on surface and groundwater resources with respect to water supply (i.e. water balance modelling).
  - assess fire protection requirements including fire hydrant and onsite fire storage and booster system design for the proposed development.
3. The water supply assessment shall be undertaken to satisfy relevant Council and industry guidelines and Australian Standards regarding potable and non-potable water supply and fire protection.

4. Stormwater harvesting management solutions shall be sustainable and shall not lessen levels of surface water and groundwater required for sustaining adjoining bushland and riparian areas.
5. Non-potable supply sources such as roof water collection, necessary on-site stormwater detention infrastructure and treated on-site wastewater shall be used to satisfy requirements for non-potable uses such as toilet flushing, irrigation, cleaning and industrial processes where applicable.

### **5.4.3 Wastewater Management**

#### **Objectives**

- a) To ensure on-site wastewater management solutions are adequate to satisfy all needs of the proposed development.
- b) To conserve and reuse resources (water, nutrients and organic matter)
- c) To minimise the risk to public health and safety associated with on-site sewage management.
- d) To ensure the protection of surface and groundwater resources
- e) To ensure the protection of land and native flora and fauna through implementation of sustainable on-site sewage management solutions.
- f) To protect community amenity
- g) To promote ecologically sustainable development.

#### **Controls**

1. Development shall only be permissible with a demonstrated satisfactory wastewater management strategy.
2. An on-site wastewater and geotechnical assessment shall be submitted to -
  - Investigate and report on sewage generation rates from the proposed development.
  - Investigate and report on environmental and geotechnical constraints to on-site sewage disposal.
  - Nominate minimum standards of acceptable on-site sewage treatment.
  - Determine minimum effluent disposal/irrigation requirements based on moisture and nutrient modelling and incorporating buffer/setback requirements to relevant site features.
  - Provide specifications for the nominated treatment and disposal system including a site location plan.
3. The on-site wastewater and geotechnical assessment shall be undertaken in accordance with relevant Australian Standards, State government policy and Council's "On-site Sewage Management Systems and Greywater Re-use Policy."
4. Wastewater management systems shall be ecologically sustainable and shall not impact on adjoining bushland and riparian areas or surface water and groundwater resources.
5. On-site sewage management systems shall be designed and managed to ensure they do not interfere with the quality of life or reduce the amenity of surrounding rural residents.

### **5.4.4 Stormwater Management**

#### **Objectives**

- a) To provide standards for achieving the sustainable use of stormwater.
- b) To ensure water quality is maintained and improved.
- c) To ensure there is sufficient water available for environmental purposes.

### **Controls**

1. A Stormwater/Water Quality Management Plan (SMP) with detailed design of all stormwater management measures shall be undertaken for each development and **be** in accordance with Council's Engineering Design Specifications.
2. A maximum of 50% impervious site coverage including buildings and hardstand areas shall be permissible.
3. On- Site Detention (OSD) tanks shall be provided with a minimum Specific Site Storage Requirement (SSR) of 125 KL/ha (with a 50% impervious site cover) to achieve **a** specified Permissible Site Discharge of 230 L/s/ha.
4. Each development shall have a rainwater tank with all roof runoff being directed to this tank and collected rainwater shall be re-used on-site for non-potable purposes such as toilet flushing and irrigation.
5. Each development shall have a raingarden filter unit with a minimum size of 59.5 m<sup>2</sup>/ha and raingarden filters shall consist of a 0.5 m deep sand filter with underdrain.
6. Each development shall have an appropriately sized Gross Pollutant Trap (GPT) for removal of gross pollutants prior to discharge of hardstand runoff to raingardens and OSD tanks.
7. Stormwater runoff from the proposed road reserve shall be directed to appropriately sized GPT(s) prior to discharge from the site.
8. Stormwater runoff from the proposed road reserve shall be directed from GPT(s) to an outlet swale prior to discharge from the site. Outlet swales are to have a minimum area of 150 m<sup>2</sup>/ha road reserve.
9. A report detailing proposed ongoing maintenance of on-site detention facilities shall be submitted with any application for development.
10. Details of individual lot on-site stormwater detention and drainage design and ongoing maintenance for such shall be detailed in Section 88B instruments submitted with subdivision plans and then registered on the title of each lot.

#### **5.4.5 Transport Management**

##### **Objectives**

- a) To provide infrastructure to service alternative modes of transport.

##### **Controls.**

1. A shared pathway shall be provided for each development along Picton Road in accordance with the Wollondilly Bike Plan prior to release of the Occupation Certificate.
2. An assessment of public transport infrastructure requirements to service the area shall be submitted with each development application.

#### **5.4.6 Bushfire Hazard Protection**

##### **Objectives:**

- a) To afford occupants of any building adequate protection from exposure to a bushfire;
- b) To provide for a defensible space to be located around buildings;
- c) To provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent direct flame contact and material ignition;
- d) To ensure that safe operations access and egress for emergency service personnel and residents is available;
- e) To provide for ongoing management and maintenance of bushfire protection measures, including fuel loads in the Asset Protection Zone [APZ];
- f) To ensure that utility services are adequate to meet the needs of firefighters and others assisting in bushfire fighting

### Controls

1. An assessment of the level of hazard posed to future development by the land or adjacent land and how the hazard may change as a result of the development shall be incorporated in a Bushfire Management report submitted with an application for development.
2. The Defendable Space setback detailed in Table 1 shall be provided to the future General Industrial buildings located adjacent to the bushfire prone vegetation around the Nepean River and Carriage Creek:

**Table 1 – Defendable Space Setbacks**

Aspect	Vegetation within 140m of development	Predominant Vegetation Formation Class [Table A2.1 Planning for Bushfire Protection 2006]	Effective Slope of Land for 100 metres from buildings	Available width of Defendable Space to proposed building
South of development within Area 3	Western Sandstone Gully Forest in the Nepean River corridor	Forest	> 25 degrees downslope into the Nepean River	Defendable Space of more than 50 metres to be provided to buildings adjacent to the Nepean River vegetated corridor / buffer zone.
West of development within Area 3	Shale Sandstone Transition Forest in the Carriage Creek corridor	Forest	10 - 18 degrees downslope to the west	Defendable Space of more than 50 metres to be provided to buildings adjacent to the Carriage Creek vegetated corridor / buffer zone.
South of development on Lot 3 in DP 732582 & Lot 31 in DP 731012	Shale Sandstone Transition Forest on the adjoining land to the south	Forest	< 10 degrees downslope to the south	Defendable Space of more than 31 metres to be provided to the south of buildings located to the north of the adjoining land

2. Management of the defendable spaces/landscaped areas shall comply with the following:
  - Maintain a clear area of low cut lawn or pavement adjacent to the building;
  - Keep areas under shrubs and trees raked and clear of combustible fuels;

- Utilise non-flammable materials such as Scoria, pebbles and recycled crushed bricks as ground cover to landscaped gardens in close proximity to buildings;
  - Non-flammable material shall not contain substances which are likely to impact on the adjoining environmental conservation zone and riparian corridors or leach into waterways and groundwater.
  - Trees and shrubs should be maintained in such a manner that tree canopies are separated by 2 metres and understorey vegetation is not continuous [retained as clumps];
3. Future buildings located adjacent to any bushfire hazard shall be constructed to comply with BAL 40 standards pursuant to A.S. 3959 – 2009 – ‘Construction of Buildings in Bushfire Prone Areas’. The following construction standards are also recommended in addition to the specifications of BAL 40 – A.S. 3959 - 2009:
- Access doors both pedestrian and vehicular to the buildings shall be fitted with seals that seal the bottom, stiles and head of the door against the opening/frame to prevent the entry of embers into the building. Particular attention shall be paid to the gap at the head of the curtain of the roller doors, where mohair type seals can be used;
  - Any external vents, grilles and ventilation louvres shall have stainless steel mesh with a maximum aperture of 2mm square fitted to prevent the entry of embers into the building or be fitted with a louvre system which can be closed in order to maintain a maximum aperture or gap of no more than 2mm.
  - Roof ventilators shall be fitted with stainless steel flymesh [2mm aperture] to prevent the entry of embers into the building or be fitted with a louvre system which can be closed in order to maintain a maximum aperture or gap of no more than 2mm.
4. The fire-fighting water supply to the future buildings and for bushfire prevention shall comply with the Building Code of Australia [BCA], Australian Standard A.S. 2419.1 – 2005 and Planning for Bushfire Protection 2006.
5. Public Road access shall comply with, as a minimum, the deemed-to-satisfy provisions of Section 4.2(1) of Planning for Bushfire Protection 2006.
6. An Asset Protection Zone comprising an inner protection zone and an outer protection zone shall be located outside of the environmental conservation and riparian areas.
7. A perimeter road of minimum 8.0 metre formed width shall be provided to the southern and western aspect of the future development adjoining the Nepean River and Carriage Creek corridors within Area 3 for fire safety purposes. This perimeter road shall be designed to provide a two-way loop road which connects to the main access road across the railway line. Internal connector roads shall be provided to permit safe evacuation from the perimeter road to the main access road to Area 3.
8. A Bushfire Evacuation Plan shall be submitted with any development application for buildings located within 100 metres of the bushfire prone vegetation.

#### **5.4.7 Flood Prone Land**

##### **Objectives**

- a) To ensure development does not increase flood levels along Picton Road in the vicinity of Carriage Creek.
- b) To ensure development does not increase flood levels on adjoining properties.

##### **Controls**

1. ~~Demonstrate that~~ Any **future** proposed development shall not adversely affect flood behaviour on-site or on adjoining properties.
2. Provide an assessment of the impact of development on changes in flood behaviour (flow, flow-paths, velocity, etc.) by defining the floodway and flood storage areas on each lot and

determine whether compensatory works and/or management measures are required to offset these increases for the full range of flooding.

3. Prepare an emergency response plan which shall provide safe flood evacuation and shall ensure limited impact on critical infrastructure.
4. No building is permissible within the high hazard flood areas.
5. Provide minimum Flood Planning Levels for proposed buildings and infrastructure located within flood affected areas outside of the high hazard areas.
6. Flood proofing of buildings shall be undertaken in areas affected by floodwaters.

*Note: For further detail on the location of flood prone land refer to Figure 11 in the Hydrology Study prepared by Martens Consulting Engineers (March 2011).*

#### 5.4.8 Noise and Lighting impact management

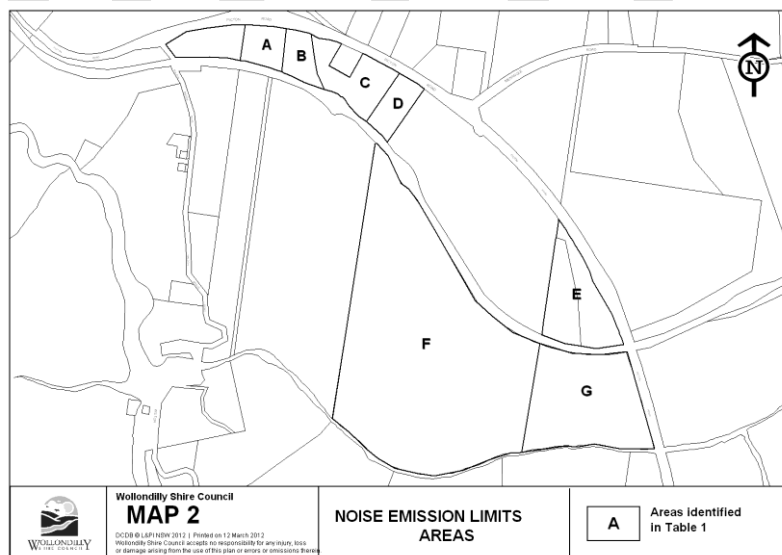
##### Objectives

- a) To ensure potential noise impacts from development are mitigated for existing rural residential sensitive receivers.
- b) To provide a framework for assessing the cumulative impact of noise from new development
- c) To ensure the lighting of development does not impact on surrounding rural residents and the habitat of nocturnal native fauna.

##### Controls

1. A noise assessment shall be lodged for each development which **indicates demonstrates** that **the** sound power level within each of the areas outlined in Map **3 2 shall would** not exceed the noise emission limits identified in Table 2.

**Map 2 – Noise Emission Limits Areas**



**Table 2 – Noise Emission Limits**

Area	Noise Limits – Sound Power Level dB(A)		
	Daytime	Evening	Night-time
A	101	101	101
B	100	97	97
C	103	98	98
D	100	96	96
E	102	102	102
F	106	106	106

G	102	102	102
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*Footnote: The development has been divided into seven land packages to define the appropriate noise criteria. The noise assessment has considered the cumulative noise impact of all existing industrial developments in addition to those proposed in this development. The noise emission limits are the maximum allowable limit for each parcel of land to achieve the appropriate noise criteria at nearby receivers. The existing go-kart track property has been excluded as it would currently exceed these requirements.*

2. Sleep disturbance ~~should~~ shall be assessed individually for each development at the Development Application stage to ensure rural residential sensitive receivers ~~shall~~ would not be adversely impacted as a result of the proposal.
3. Noise attenuation and noise management procedures if required ~~should~~ shall be detailed to ensure sensitive receivers are not adversely impacted.
4. Noise emissions ~~should~~ shall be assessed by each proposal at the development application stage to ensure compliance with the criteria provided in the Maldon Employment Lands rezoning Noise Impact Assessment by AECOM dated 23 March 2012.
5. All reasonable and feasible noise mitigation ~~measures should~~ shall be installed by each development to ensure the potential noise impacts on nearby existing rural properties ~~is~~ are minimised. If the proposal is to be operational during the night-time period from 10pm to 6 am, the development must be able to show that it would not result in sleep disturbance at nearby properties.
6. A plan of proposed lighting of the development shall demonstrate that light spill will not impact on the amenity of surrounding rural residents or the habitat of native fauna in nearby bushland areas.

#### **5.4.9 Air Quality Management**

##### **Objectives**

- a) To ensure air quality is not impacted by hazardous emissions or odour from new development.
- b) To ensure existing industries are not impacted by emissions from new development.

##### **Controls**

1. A separate air quality impact assessments for those uses which are likely to emit odour or hazardous chemicals or heavy metals shall be submitted with each development application.
2. A report outlining detailed management practices to ensure the reduction and control of dust and odour emissions shall be submitted with each development application.

### 5.4.10 Aboriginal Heritage Conservation

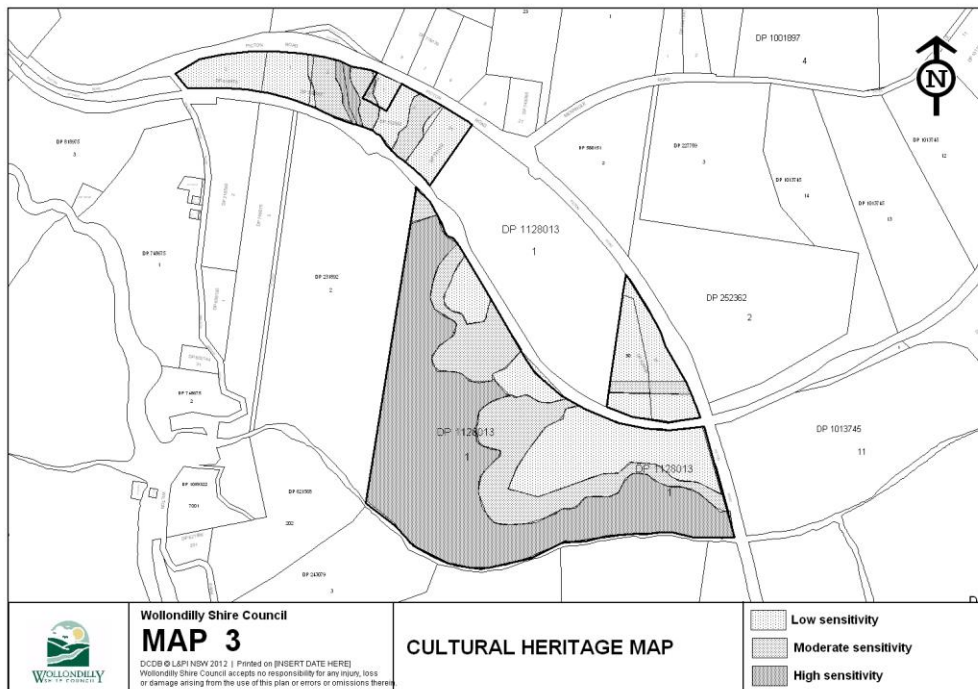
#### Objectives

- a) To ensure potential areas of high and moderate archaeological sensitivity are investigated prior to development.

#### Controls

1. Archaeological test excavations shall be undertaken within areas of low and moderate (archaeological) sensitivity within Area 3 detailed on Map 3 prior to any future development to provide certainty about the presence, extent and significance of subsurface archaeological deposits.
2. Archaeological test excavations shall be undertaken within areas of moderate (archaeological) sensitivity within Area 1 and Area 2 detailed on Map 3 prior to any future development to provide certainty about the presence, extent and significance of subsurface archaeological deposits.
3. Archaeological test excavations must follow the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (the Code) (DECCW 2010).
4. Any aboriginal archaeological deposits found on-site shall be recorded and with the approval of the Tharawal Local Aboriginal Land Council and the Cubbitch Barta Native Title Claimants Aboriginal Corporation and the Office of Environment and Heritage, placed in the Aboriginal Conservation Area located on the north western end of Lot 1 DP 1128013 (see Map 3).

**Map 3 – Cultural Heritage**



*Note: For additional detail on the areas identified in Map 3 see Figure 6 of the Aboriginal and Non-Aboriginal Heritage Study by Biosis dated March 2011.*



#### **5.4.11 Mine Subsidence Building Design**

##### **Objectives**

- a) To provide design parameters for industrial buildings to mitigate the potential impact of mine subsidence.

##### **Controls**

1. Proposed buildings, structures, plant, equipment and associated services and infrastructure should be designed to meet the design requirements of the Mine Subsidence Board. The Board will provide the developers of the employment sites with design parameters, which normally include maximum values of vertical subsidence, tilt, strain and curvature that need to be accommodated in the design of the buildings and associated structures and services. The Mine Subsidence Study design parameters for buildings and structures for the Maldon land were identified as follows:

- Maximum vertical subsidence 900 mm
- Maximum tilt 6 mm/m
- Maximum tensile strain 2 mm/m
- Maximum compressive strain 2 mm/m
- Minimum radius of curvature 7.5 km

- ~~2. Design parameters will need to be confirmed by the design structural engineers of each structure with the Mine Subsidence Board prior to the commencement of design.~~

3. The building design should be certified as satisfactory by the Mine Subsidence Board and this certification submitted with the development application.
4. Design guidelines recommended for industrial buildings potentially affected by mine subsidence are attached as Appendix 1.

#### **5.4.12 Biodiversity Conservation**

##### **Objectives**

- a) To ensure consistency with the principles of total catchment management.
- b) To maintain and improve riparian and habitat corridors
- c) To maintain water quality and aquatic ecology in the river system.
- d) To minimise fragmentation of environmentally significant land.
- e) To ensure fire management regimes **shall do** not impact on environmental conservation areas and riparian corridors.

##### **Controls**

1. Any future subdivision and associated infrastructure shall be designed to ensure riparian and environmental conservation zones are not impacted.
2. Stormwater management features such as open drainage, retention or detention basins and permanent ponds shall be designed to include habitat features which may include rock armoured drainage lines with low cascades, voids and cavities and permanent ponds with habitat features such as roosting/resting islands and margins with dense plantings of sedges, rushes and reeds.
3. Groundwater and Groundwater Dependant Ecologies shall be assessed as part of any development in accordance with Clause 7.3 (3) (e) of the WLEP.
4. A Vegetation Management Plan (VMP) for all retained native vegetation and restored or reconstructed riparian areas of the site shall be submitted with each development

application and shall be based on the document *Controlled activities - Guidelines for Vegetation Management Plans by DECCW (2010)*.

5. In any future subdivision land within Area 3 zoned E2 Environmental Conservation along the Nepean River and Carriage Creek shall be retained in one landholding and maintained in accordance with the Vegetation Management Plan. Note: There may be options for biobanking this E2 land which may be considered by any future landowner.
6. Asset Protection Zones (APZ's) shall be located outside of environmental conservation zones and riparian corridors.
7. Any future development application shall provide details of permanent markers installed by survey around the boundary of the environmental conservation zone to delineate the limit of the Asset Protection Zones.
8. A Section 88B instrument with a Restriction on the Title to require the ongoing maintenance of Asset Protection Zones, weed control and restoration of environmentally degraded areas in the environmental conservation zoned land shall be ~~submitted with the development application for subdivision for these~~ placed on the title of any lots containing bushfire hazard and/or environmental conservation zones.

#### **5.4.13 Landscape and Scenic Protection**

##### **Objectives**

- a) To maintain the rural cultural character.
- b) To ensure an urban industrial landscape does not eventuate.
- c) To ensure the scale and bulk of new development does not increase the visual impact of existing development.
- d) To provide landscaping buffers to soften the impact of industrial development.

##### **Controls**

1. A fully integrated landscape master plan shall be prepared for future development proposals and shall include street tree plantings with limited connectivity to reduce the risk of bushfire hazard.
2. Revegetation works including street tree plantings shall consist of locally occurring native species (see ~~Section 2.4 11.2~~ Landscaping of Volume 1, WDCP).
3. Large scale and bulky buildings and structures shall be sited to minimise additional visual impact on the rural landscape character.
4. Buildings and hardstand areas (parking, storage, roads and access etc) shall comprise a total of **no more than** 50% of the lot size.
5. Natural colours and muted tones shall be used for the exterior of buildings.
6. Development shall be restricted to existing cleared areas to protect the scenic quality of the riverine corridor.
7. A 20m landscape buffer to Area 3 along the Picton Road frontage shall be provided within the building setback to be consistent with that provided to the current Allied Mills development and shall incorporate 4 rows of large trees, on a mound of approximately 1m in height.

8. A 10m landscaping buffer shall be provided for Areas 1 and 2. (Buffer areas between the road and lot boundaries are highly important in softening the visual impact of industrial development).
9. **Future development shall** maintain and enhance existing vegetated areas around the riverine corridor.

#### **5.4.14 Electricity Supply**

##### **Objectives**

- a) To ensure development does not impact on the security of electricity supply.

##### **Controls**

1. Any future proposed development on sites affected by transmission lines should detail compliance with Endeavour Energy requirements and demonstrate that the development and use of the site will not impact on the security of the supply.

#### **Appendix 1**

##### **Mine Subsidence Design Principles for Industrial Buildings**

- The principles adopted for the design of buildings on reactive clay sites can be used in situations where mining induced ground curvature has to be accommodated.
- The recommendations given in AS 2870-2011 should be followed and it should be remembered that mining induced movements have to be accommodated in addition to all normal design requirements.
- A thorough geotechnical survey at design stage is required particularly where the building is to be founded directly on rock.
- Building directly over or close to a fissure or fault should always be avoided.
- Stepping of buildings may be required where it is not possible to avoid a fissure or fault.
- A more rigorous analysis of the foundation to soil interaction should be undertaken when designing any large rigid structure.
- Rigid foundation beams should be designed to span a distance of half their length or cantilever one third of their length.
- The transfer of ground strains into a structure can occur due to friction beneath or alongside foundations and by earth pressures on the sides of foundations. The foundations should therefore be detailed to reduce the friction between the ground and the foundation and separate the foundation structure from the soil.
- This can be achieved by designing slabs and footings to be as smooth as possible on the underside and by providing a sliding layer of sand at least 150 mm thickness beneath the footings with a polythene membrane on top. On reactive clay sites the sand layer should be omitted. Compressive fillers or void formers can be used alongside footings in the ground to reduce the effect of compressive strains but should also be avoided on reactive clay sites.
- Alternatively the building may be founded on piers or independent footings but in such cases slabs should be designed as suspended slabs with void former beneath them and with sliding joints where they are supported on the piers or footings. Where strains are high greater attention to the design of sliding joints may be necessary and proprietary joints may be useful in some instances to minimise frictional forces.
- Buildings should also be split into smaller sections where appropriate with suitable movement joints carried through the superstructure and this will also assist in accommodating ground curvature.

- Care should be taken to ensure that drainage pipes and other services are free to move where they are built into a structure. This can be achieved using protective sleeves with compressible filler surrounding the pipe or service.
- Buildings should be designed to articulate and hence should be provided with joints to separate the building into smaller elements. Useful guidance for the design of articulated walling is provided in the Cement and Concrete Association's Technical Note 61. Flexible forms of construction are desirable and storey height openings can be a convenient way of creating vertical joints in the structure.
- Masonry arches should be avoided but if these are required they should be tied at foundation level and across the top of the arches and should be rigidly supported on a reinforced concrete foundation. Alternatively, they can be articulated by the provision of vertical joints in the columns between adjacent arches.
- Internal linings are normally the first to suffer as subsidence occurs with cracking at wall to wall junctions, wall to ceiling junctions and sometimes at board joints. Suspended ceilings are therefore advantageous but where conventional linings are used, provision for movement should be made by introducing movement joints. These can be provided between cornice and wall and to coincide with any points of articulation or weakness in the linings such as at the head of door or window openings.
- Brickwork or masonry should be used in shorter panels where possible and the spacing between vertical joints should not exceed 6 metres. The spacing and width of joints will be determined by the subsidence parameters making due allowance for expansion, brick growth, shrinkage and reactive soil movements. In extreme cases it may be necessary to consider providing cavity walls internally to coincide with articulation joints so that greater freedom of movement can be provided.
- When the shape in plan of the building is complex it may be difficult to accommodate the differential movements and twisting of the structure and in such cases it would be advantageous to split the building into separate elements joined by a flexible link.
- Generally tilts will be quite small and the residual tilt on completion of mining will in most cases still be within acceptable limits. When the mining plan is known it is possible to be more specific about the probable residual tilt for a particular site but at the time of design it is likely that a conservative approach will be necessary. Some provision should therefore be made in the design of a building for future releveling of the structure should this be required.
- Buildings with suspended floors can be more easily relevelled by jacking than those built on ground bearing slabs. If, however, the slabs are designed with future jacking in mind it is possible to build in provisions for future adjustment.
- Some industries have equipment that must be kept perfectly level and would be adversely affected even at low levels of tilt. Equipment can be designed with a provision for releveling, so that the equipment can be adjusted as subsidence occurs.
- Some of the more sensitive structures, such as radar systems, satellite antenna towers, turbines and larger tanks can be designed in such a way that they can be adjusted in level as subsidence occurs.

High racking systems in warehouses can also be designed so that they can be adjusted in level, though any tilt in the floor slabs greater than 0.5 mm/m could present operational difficulties for high-lift fork lift trucks.

# **Development Control Plan 2015**

Volume 8 – Primary agricultural and Rural uses



**Wollondilly**  
Shire Council

**Table of Contents**

<b>TABLE OF CONTENTS</b> .....	<b>2</b>
<b>PART 1 – PRELIMINARY</b> .....	<b>3</b>
1.1 Introduction .....	3
1.2 Objective .....	3
<b>PART 2 – GENERAL REQUIREMENTS FOR ALL DEVELOPMENT</b> .....	<b>4</b>
<b>PART 3 – SPECIFIC LAND USE CONTROLS</b> .....	<b>5</b>
3.1 Animal boarding or training establishments .....	5
3.2 Aquaculture .....	7
3.3 Intensive livestock agriculture.....	7
3.4 Intensive plant agriculture .....	11
3.5 Farm buildings.....	15
3.6 Earth dams.....	17
<b>PART 4 – CONTROLS FOR SPECIFIC LOCATIONS:</b> .....	<b>19</b>

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## **PART 1 – PRELIMINARY**

### **1.1 Introduction**

This Volume provides controls for the development and use of land for the purposes of primary agricultural or rural land uses and any development ancillary to those uses and forms part of the Wollondilly Development Control Plan 2015.

### **1.2 Objective**

The objectives of this volume are as follows:

- (a) To promote and encourage rural and agricultural enterprises,
- (b) To encourage development that protects the rural amenity, natural landscape features of significance and scenic qualities of Wollondilly Shire,
- (c) To ensure that agricultural activities have a neutral or beneficial effect on water quality,
- (d) To ensure that the establishment of new, or expansion of existing farms will not adversely impact on biodiversity, endangered ecological communities and threatened species,
- (e) To minimise the potential for land use conflict, and
- (f) To ensure that the opportunity for long term sustainable agricultural production is maximised.

Council is unlikely to grant consent to development unless Council is of the opinion that the development is consistent with all of the objectives of this Volume.

Controls in this Plan can only be varied where there are no viable alternatives due to the physical limitations of the land and it can be demonstrated that the proposed use will still meet the objectives.

**Part 2 – General Requirements for all Development**

None at time of adoption.

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## Part 3 – Specific Land Use Controls

### 3.1 Animal boarding or training establishments

#### 3.1.1 Siting and design

##### Objectives

- To minimise the impacts of animal boarding or training establishments on neighbouring properties resulting from noise, odour, traffic, dust, waste water and other waste products,
- To control the impacts of animal boarding or training establishments by appropriate site buffer or setback distances, and
- To minimise the impacts of development on the natural environment.

##### Controls

- ~~All following proposed~~ New structures or ~~the~~ expansion of existing structures for the purpose of dog kennels, are required to comply with the minimum separation distances outlined below:

Minimum setback/separation distances	
Front building setback	65 metres
Side or rear building setback	25 metres
All residential zones	300 metres
Any dwelling on a neighbouring property	200 metres

##### Note

Where rural land uses emit odour, the above separation distances are minimums only. Consideration will be given to OEH's policy on 'Assessment and management of odour from stationary sources in NSW' (November 2006) taking into consideration the site characteristics and the merits of each application.

#### 3.1.2 Sustainable noise management

##### Objectives

- To minimise the impact of animal boarding and training establishments on the amenity of surrounding land. ~~uses~~.

##### Controls

- ~~The development~~ must comply with the Industrial Noise Policy of the Environment Protection Authority and any relevant policy.
- Sound-proofed holding sheds for all distressed animals must be provided.

#### 3.1.3 Waste and water management

##### Objectives

- To encourage the sustainable management of waste and water generated from the proposed establishment.

##### Controls

- ~~Any application for an Animal Boarding or Training Establishment~~ must demonstrate that waste can be managed without detriment to the environment.

2. Stormwater must be disposed of in a manner that does not interfere with adjoining land uses.
3. Stormwater and wastewater generated from the cleaning of structures and yard areas will require treatment to remove pathogens prior to being reused on-site for irrigation purposes.
4. Applications are to demonstrate that an adequate water supply (reticulated water, rainwater tanks and surface waters) is available to support the proposed development.
5. Applications must not solely rely on reticulated water supply to service the needs of the development and must demonstrate an integrated approach to water management using alternate water sources in conjunction with reticulated water.
6. Stormwater drains are to be wide, gently sloping open drains that are well vegetated to minimise erosion potential and facilitate filtering of solid particles contained in the runoff.

#### **Additional Controls – Dog kennels**

In addition to the controls above, the following apply to animal boarding and training establishments for the purpose of dog kennels:

1. The flooring of kennels must be constructed from concrete to facilitate ease in cleaning and must be a minimum of 75mm thick.
2. Concrete flooring must have a graded fall to the front opening and must be serviced by a catchment drain that is integrated into the on-site wastewater management system prior to any reuse on-site.
3. Yard areas must be designed to allow cleansing and removal of refuse and must be fully turfed or concreted. Brick, asphalt or earth yard areas are not permitted.

#### **3.1.4 Transport and access**

##### **Objectives**

- (a) To minimise the noise and environmental impacts of vehicle movements to and from the site, and
- (b) To ensure adequate access to the development is provided.

##### **Controls**

1. Internal access roads must be of all weather design constructed and have turning areas adequate for large articulated vehicles where required.
2. The location of roads, parking and turning areas must recognise potentially sensitive areas such as neighbouring houses.
3. The timing and manner of transport activities associated with the development including the frequency, times, routes and number of animal deliveries and pick-ups, feed deliveries and clean-outs must take into consideration the impact on adjoining neighbours.
4. Car parking and manoeuvring areas for vehicles must be constructed in accordance with Council's Design Specifications.

### 3.1.5 Landscaping

#### Objectives

- To encourage the use of landscaping to provide a buffer between the animal boarding or training establishment and surrounding land uses,
- To encourage the use of landscaping to provide visual screening and shade for animals, and
- To ensure landscape species are suitable having regard to surrounding structures, bushfire prone areas and the use of native species.

#### Controls

- Landscaping around site structures and site boundaries will be required where the proposed use impacts on adjoining land uses and scenic amenity.
- All plantings are to be in groups, consist of advanced stock and are to be a minimum of 12m from buildings to allow adequate air movements. In bushfire prone areas, fire retardant species must be utilised and separation from buildings must be consistent with the requirements of Planning for Bushfire Protection.
- The mature height of tall species should be sufficient to intercept a direct line of sight from a neighbouring dwelling or roadway (measured 2m above the natural ground level).
- Landscaping must not impede on any required area for on-site effluent disposal.
- Refer to Council's Recommended Planting Species List in Volume 1 of this DCP (~~Clause 2.4 Section 11.2~~, Tables 1 – 7).

## 3.2 Aquaculture

#### Objectives

- To minimise the impact of natural water-based aquaculture on the natural environment, and
- To encourage sustainable ~~agricultural~~ aquaculture practices.

#### Controls

- Development must address the requirements of any relevant Planning and Development Assessment Guidelines **including the requirements of SEPP 62 – Aquaculture**.
- Any farm buildings or structures proposed in conjunction with aquaculture must be in accordance with the requirements of **Section 3.3 3.5** of this Volume.

## 3.3 Intensive livestock agriculture

### 3.3.1 Siting and setbacks

#### Objectives

- To ensure that the impacts of development such as air, dust, water, odour, noise and visual amenity are minimised by identifying minimum buffer or setback requirements, and
- To allow for the development of intensive livestock agriculture in locations which are suited to sustainable production.

#### Controls

- Development for the purposes of intensive livestock agriculture, are required to comply with the minimum buffers distances outlined below:

Minimum setback/separation distances		
	Intensive livestock agriculture (except Poultry farms)	Poultry farms
Front building setback	175 metres	50 metres
Side or rear building setback	150 metres	50 metres

Minimum setback/separation distances		
	Intensive livestock agriculture (except Poultry farms)	Poultry farms
Dwelling on same property	100 metres	50 metres
Any dwelling on a neighbouring property	150 metres	150 metres
All residential zones	500 metres	500 metres

**Note**

Where rural land uses emit odour, the above separation distances are minimums only. Consideration will be given to OEH's policy on 'Assessment and management of odour from stationary sources in NSW' (November 2006) taking into consideration the site characteristics and the merits of each application.

2. Development must be in accordance with the "Blue Book" Code of Practice for Animal Care produced by the Department of Primary Industries.
3. Sites with a slope greater than 3-4% must not be used for intensive livestock agriculture.
4. Sites that have residual chemicals in the soil such as ~~organ-chlorides~~ organochlorides and arsenic must not be used for intensive livestock agriculture.
5. Development must be located having regard to the topography and microclimate of the area to ensure concentration of odours cannot occur.

**3.3.2 Noise, odour and dust**

**Objectives**

- (a) To minimise noise, odour and dust impacts ~~of~~ from Intensive livestock keeping establishments on the amenity of surrounding land uses, and
- (b) To encourage healthy, sustainable practices to minimise the impact of development.

**Controls**

1. Where possible, buildings and facilities are to be located out of the line of sight of adjoining neighbours.
2. Locate all stationary noise generating machinery within sheds and where practical away from property boundaries.
3. Ensure that feed grain is stored in a dry storage area to prevent fermentation.
4. Prevent entry of drainage/seepage water into site sheds and storage facilities through the construction of earth contour banks and drainage.
5. Feeding troughs and self-feeders must be designed to minimise any spillage that could potentially contribute to odour emissions.
6. Appropriately silenced forklifts should be utilised to reduce night noise generation.
7. Noise levels generated must not exceed the requirements of the NSW Industrial Noise Policy (NSW EPA, 2000).
8. Industry Best Practice Management measures developed to eliminate or reduce odour are to be ~~employed~~ undertaken.
9. Where practical, major truck deliveries and produce transport should be scheduled between the hours of 7am to 6pm weekdays, 7am to 1pm Saturdays. It is noted that exceptional circumstances may mean deliveries are conducted outside these hours on occasions.

**Additional controls for poultry sheds**

1. All poultry sheds are to be appropriately cleaned out after every batch.
2. Sheds or structures must be adequately ventilated.

3. Shed curtains or shutters must be utilised during shed clean outs (to minimise the impact of dust on adjoining land users). As far as practicable, dust generated must stay within property boundaries.
4. The type of litter material chosen for shed floors must have regard to its propensity to produce dust.

### **3.3.3 Soil, waste and water management**

#### **Note**

Applicants are advised to consult with the requirements for Earth dams contained within **Section 3.4 3.6** of this **Volume 2**, when designing sedimentation ponds.

#### **Objectives**

- (a) To minimise the impact of stormwater and surface run-off on receiving water courses or water bodies and on adjacent lands, and
- (b) To ensure drainage systems efficiently control water flows and minimise the impact on natural drainage patterns of the site.

#### **Controls**

1. Local drainage patterns are to be maintained and stormwater flows effectively managed.
2. Development must incorporate the construction of stormwater diversion banks, sedimentation ponds and the installation of a wastewater treatment system to divert and treat wastewater and run-off.
3. Suitable impermeable sedimentation pond structures must be constructed that will not contaminate surface and ground waters.
4. Development must provide appropriate methods for the adequate management and handling of litter, manure, composting and removal of dead animals.
5. Runoff from feeding pens and site buildings (sealed or compacted) is to be collected in sedimentation ponds prior to any irrigation on-site. Contaminated waters must be suitably treated before reuse on the farm.
6. All sedimentation ponds are to be de-sludged to remove build-up of solid effluent when their storage capacity is reduced by more than 25%.
7. Loads of litter, manure and **feed feed** being transported to the property are to be adequately covered.
8. Prompt and safe disposal of feed by-products is to be arranged where recycling is not possible to avoid the harbouring of pests and vermin.
9. Diversion banks may need to be constructed to intercept and divert runoff away from manure stockpiles and carcass disposal areas.
10. Runoff from shed roofs, access tracks and hard stands (sealed or compacted) is to be collected and stored on site. Note: Any runoff existing on the site must be free of sediment.

### **3.3.4 Transport and access**

#### **Objectives**

- (a) To minimise the noise and environmental impacts of vehicle movements to and from the site, and
- (b) To ensure adequate access to the development is provided.

#### **Controls**

1. Internal access roads must be of all weather design **constructed construction** and have turning areas **adequate for to accommodate** large articulated vehicles and **be** designed to minimise the amount of backing by trucks/forklifts where required.

2. The location of roads, parking and turning areas must recognise potentially sensitive areas such as neighbouring houses.
3. The timing and manner of transport activities associated with the development including the frequency, times, routes and number of animal deliveries and pick-ups, feed deliveries and clean-outs must take into consideration the impact on adjoining neighbours.
4. Car parking and manoeuvring areas for vehicles must be constructed in accordance with Council's Design Specifications.

### 3.3.5 Landscaping

#### Objectives

- (a) To mitigate the potential noise, dust and odour impacts of proposed intensive livestock developments, and
- (b) To minimise the visual impacts of development on the surrounding landscape.

#### Controls

1. Where native vegetation is limited in its capacity to provide visual screening then the following vegetation design controls apply:

On-site Application	Design Control
Site boundaries – vegetative windbreak	3 rows <del>to</del> of vegetation to be established and maintained
Site boundaries – vegetative screen	Rows of vegetation to be established and maintained
Around Site Structures	Grassed areas are to be kept maintained
Earth Dam Banks	Grassed areas are to be kept maintained
Open Stormwater Drains	Grassed areas are to be kept maintained

2. Landscaping must incorporate a mixture of trees, shrubs and groundcovers, and where practicable utilise species that are endemic to the Shire of Wollondilly.
3. All plantings are to be in groups, consist of advanced stock and are to be a minimum of 12m from sheds (other than tunnel ventilated sheds) to allow adequate air movements. In bushfire prone areas, fire retardant species must be utilised and separation from buildings must be consistent with the requirements of Planning for Bushfire Protection.
4. The mature height of tall species **used in site landscaping** should be sufficient to intercept a direct line of sight from a neighbouring dwelling or roadway (measured 2m above the natural ground level).
5. Tree planting must not impede on the available area for on-site effluent disposal.
6. Refer to Council's Recommended Planting Species List in Volume 1 of this DCP (**Clause 2.4 Section 11.2**, Tables 1 – 7).

### 3.4 Intensive plant agriculture

#### 3.4.1 Siting and design

##### Objectives

- (a) To minimise the impacts of horticulture on adjoining properties,
- (b) To control the impacts of horticulture by appropriate site buffer or setback distances, and
- (c) To minimise the impacts of development on the natural environment.
- (d) To provide a consistent approach to planning for the development of new horticulture farms and facilitate additions to existing farms.

##### Controls

1. ~~All proposed structures are~~ **Intensive Plant Agriculture** is required to comply with the minimum separation distances outlined below unless the impacts can be mitigated through a Council approved design:

Minimum setback/separation distances			
	Horticulture (field based)	Controlled environment structures (igloos)	Viticulture
Front building setback	Nil	20 metres	40 metres
Side or rear building setback	Nil	20 metres	40 metres
All residential zones	50 metres	50 metres	50 metres
Dwelling on same property	20 metres	20 metres	20 metres
Any other dwelling (whether on a neighbouring property)	50 metres	50 metres	50 metres

**Note:** Where rural land uses emit odour, the above separation distances are minimums only. Consideration will be given to OEH's policy on 'Assessment and management of odour from stationary sources in NSW' (November 2006) taking into consideration the site characteristics and the merits of each application.

2. Development for the purposes of intensive plant agriculture must accommodate future expansion of the farm while maintaining recommended buffer distances.
3. Must not be located ~~on~~ in visually prominent ~~locations~~ areas such as ridgelines and highly exposed areas.
4. Must, where possible, be sited in locations that maximise opportunities for cooperative packing and labour pooling.
5. Must, where practical, be sited in locations that minimise impact to the amenity of surrounding land uses.
6. Sites with a slope greater than 10% must not be used for intensive plant agriculture, other than for the purposes of viticulture, which may be located on slopes up to 20%.

### 3.4.2 Design and construction of controlled environment structures

#### Objectives

- (a) To minimise the visual impact of structures associated with controlled environment horticulture,
- (b) To encourage the minimal use of pesticides through improved design of structures, and
- (c) To encourage development within close proximity to major markets, adequate labour supply, major transport links and extension services.

#### Controls

1. All controlled environment structures, including covering materials, are to be kept well maintained and in good condition.
2. The orientation of controlled environment structures must be in a north-south orientation and must consider the direction of prevailing winds to take advantage of cooling summer breezes.
3. Where possible, controlled environment structures are to be a minimum of 6 metres in height to encourage adequate ventilation, provide optimal growing environment and increase the overall efficiency.
4. Development must include the planting and maintenance of vegetative screens and windbreaks.
5. Controlled environment horticulture structures are to be raised to facilitate the drainage of stormwater away from structures.

### 3.4.3 Noise and odour

#### Objectives

- (a) To minimise the noise and odour impacts of Intensive plant agriculture on the amenity of surrounding land uses.

#### Controls

1. ~~Where possible, site building and facilities are to be located out of the line of visual impact of neighbouring dwellings.~~ Where possible, buildings and facilities are to be located out of the line of sight of adjoining neighbours.
2. Prevent entry of drainage/seepage water into site sheds and storage facilities through the construction of earth contour banks and drainage.
3. Appropriately silenced forklifts should be utilised to reduce night noise generation.
4. Noise levels generated must not exceed the requirements of the NSW Industrial Noise Policy (NSW EPA, 2000).
5. Where practical, major truck deliveries and produce transport should be scheduled for reasonable hours of the day. Council acknowledges that farmers need to access markets early in the morning therefore requiring night time vehicle movements.
6. Locate all stationary noise generating machinery within sheds and where practical away from property boundaries.

### 3.4.4 Soil, waste and water management

#### Objectives

- (a) To minimise the impact of development on soil erosion,
- (b) To encourage the improvement of soil organic matter and reduce soil compaction,
- (c) To minimise the impact of stormwater and surface run-off on receiving water courses or water bodies and on adjacent lands, and
- (d) To ensure drainage systems efficiently control water flows and minimise the impact on natural drainage patterns of the site.



### Controls

1. Intensive plant or horticultural operations are to incorporate grassed inter-row areas or cover crops between production areas crop rows in order to:
  - reduce erosion potential,
  - improve soil organic matter,
  - provide trafficable areas in wet weather,
  - act as biological filters for water run-off, and
  - reduce pest and disease levels.
2. The existing soil moisture content must be assessed prior to undertaking any cultivation practices to avoid damage to the soil structure from cultivating when too dry or moist.
3. Cultivation between crop rows must be minimised and only undertaken for moisture retention and ground preparation.
4. Viticulture farms are to incorporate cover crops in their overall farm management practices to reduce erosion potential, improve soil organic matter and reduce pest and disease levels.
5. Any cultivation of the site must follow the natural contour lines to increase soil water retention and to minimise erosion potential.
6. Applications are to demonstrate that an adequate water supply is available to support the proposed development. The use must not solely rely on reticulated water supply to service the needs of the development and must demonstrate an integrated approach to water management using alternate water sources in conjunction with reticulated water.
7. Water quality tests must be performed to demonstrate that levels of salts, minerals, and pH are suited for horticultural use **where irrigation is proposed through the use of water extracted from an adjoining/nearby river.**
8. Stormwater drains are to be wide, gently sloping open drains that are well vegetated to minimise erosion potential and facilitate filtering of solid particles contained in the runoff.
9. Local drainage patterns are to be maintained and stormwater flows effectively managed.
10. Development must incorporate the construction of stormwater diversion banks, sedimentation ponds and the installation of a wastewater treatment system to divert and treat wastewater and run-off.
11. Runoff from site buildings (sealed or compacted) is to be collected in sedimentation ponds prior to any irrigation on-site. Contaminated waters must be suitably treated before reuse on the farm.
12. Diversion banks may need to be constructed to intercept and divert runoff away from any composting areas.
13. Viticulture farms must consider soil types and their suitability for the production of grapes over the proposed development site.

### 3.4.5 Pest Management

#### Notes

Intensive plant agriculture or horticultural land uses **must not** utilise pesticides for the control of insects, diseases and weeds that pose a risk to the production of crops. Under the NSW Pesticides Act 1999, it is an offence to use a pesticide in a way that *‘causes injury or likely injury to another person, damage or likely damage to another person’s property or harm to a non-target plant’*. Users or persons intending to use pesticides are to undertake **a the necessary** chemical application and certification training.

#### Objectives

- (a) To ensure pest management is undertaken in a responsible and sustainable manner.

#### Controls

1. Pesticide use must meet the requirements of any relevant pesticide legislation (currently being the *NSW Pesticides Act 1999* and associated regulations such as the *Pesticides Regulation 2009*, *Pesticides Amendment (Records) Regulation 2001* and the *Pesticides Amendment (User Training) Regulation*, administered through the NSW Office of Environment and Heritage).
2. The storage, transport, and keeping of records for all pesticides used in intensive plant agriculture farms are to be in accordance with any relevant legislation (~~currently being the *NSW Pesticides Regulation 1995*~~ repealed).

### 3.4.5 Transport and access

#### Objectives

- (a) To minimise the noise and environmental impacts of vehicle movements to and from the site, and
- (b) To ensure adequate access to the development is provided.

#### Controls

1. Internal access roads must be of all weather design ~~constructed construction~~ and have turning areas ~~adequate for to accommodate~~ large articulated vehicles where required.
2. The location of roads, parking and turning areas must recognise potentially sensitive areas such as neighbouring houses.
3. The timing and manner of transport activities associated with the development including the frequency, times, routes and number of deliveries and pick-ups must take into consideration the impact on adjoining neighbours.

### 3.4.6 Landscaping

#### Objectives

- (a) To mitigate ~~the potential odour and drift spray impacts of potential impacts associated with odour and spray drift from~~ proposed intensive plant developments, and
- (b) To minimise the visual impacts of development on the surrounding landscape.

#### Controls

1. Where native vegetation is limited in its capacity to provide visual screening then the following vegetation design controls apply:

On-site Application	Design Control
Site boundaries – vegetative windbreak	3 rows <del>to</del> of vegetation to be established and maintained
Site boundaries – vegetative screen	Rows of vegetation to be established and maintained
Around Site Structures	Grassed areas are to be kept maintained
Around Controlled Environment Structures	Grassed areas are to be kept maintained
Earth Dam Banks	Grassed areas are to be kept maintained
Permanent crops such as orchards etc.	Grassed areas maintained. Cover crops to be managed to maximise the benefit to the horticultural commodity produced.
Open Stormwater Drains	Grassed areas are to be kept maintained

2. All plantings are to be in groups, consist of advanced stock and are to be a minimum of 12m from structures to allow adequate air movements. In bushfire prone areas, fire retardant

- species must be utilised and separation from buildings must be consistent with the requirements of Planning for Bushfire Protection.
3. The mature height of tall species should be sufficient to intercept a direct line of sight from a neighbouring dwelling or roadway (measured 2m above the natural ground level).
  4. Landscaping must not impede on the available area for on-site effluent disposal.
  5. The mature height of tall species must not impede or shade the available growing area for horticultural crops.
  6. Landscaping must incorporate a mixture of shrubs and groundcovers, and where practical utilise species that are endemic to the Shire of Wollondilly.
  7. Refer to Council's Recommended Planting Species List in Volume 1 of this DCP (~~Clause 2.4 Section 11.2~~, Tables 1 - 7).

### 3.5 Farm buildings

#### 3.5.1 Siting and Design

##### Objectives

- (a) To ensure that farm buildings are designed and constructed to minimise the visual impact with the character of the rural landscape, and
- (b) To ensure that farm buildings are sited to minimise the visual impact on the amenity of the rural landscape.

##### Controls

1. Must not be located in visually prominent ~~locations~~ areas such as on ridgelines or vantage points.
2. Must not be erected on slopes in excess of 10%.
3. Maximum 2 metres cut and 1 metre fill.
4. Must comply with the minimum setbacks for a single dwelling house in ~~Section 2.3 of Volume 3 – Residential and Tourist and visitor accommodation~~ Volume 4 of this DCP, from all property boundaries, unless otherwise provided by this Volume.

#### 3.5.2 Bulk and scale

##### Objectives

- (a) To minimise the impact of development on the landscape.
- (b) To ensure the size of the buildings relate to its intended use, the size of the property and dominant land use.

##### Controls

1. The maximum size of a farm building in zones **R5 Large Lot Residential**, **E3 Environmental Management** and **E4 Environmental Living** must not exceed 300m<sup>2</sup>.
2. The cumulative total of all farm buildings must not exceed 500m<sup>2</sup> on any one property in zones **R5 Large Lot Residential**, **E3 Environmental Management** and **E4 Environmental Living**.
3. The maximum size of a farm building in zones **RU1 Primary Production**, **RU2 Rural Landscape** and **RU4 Primary Production Small Lots** must not exceed 500m<sup>2</sup>, unless the applicant can justify additional size is required to undertake the principle land use. The applicant must also specify the additional measures to be taken to minimise the impact of the farm building on the amenity of neighbouring land uses.

### 3.5.3 Building height

#### Objectives

- (a) To minimise the visual impact of farm buildings on the surrounding landscape, particularly in prominent locations such as ridgelines and crests.

#### Controls

1. The maximum building height of a farm building in zones **R5 Large Lot Residential, E3 Environmental Management** and **E4 Environmental Living** is 7 metres, or no higher than the ridgeline of any existing dwelling on the property, whichever is less. Where a proposed farm shed is of an American barn style, additional height may be considered where environmental impact is considered minimal.
2. Maximum building height of a farm building in zones **RU1 Primary Production, RU2 Rural Landscape** and **RU4 Primary Production Small Lots** is 7 metres.

### 3.5.4 Colour

#### Objectives

- (a) To minimise the visual impact of farm buildings and to ensure colours used are complimentary to the surrounding landscape and blend into the farming character of the Shire.

#### Controls

1. The colour of a farm building must match or blend with the colour of existing structures and buildings on the property and be in keeping with the natural features of the surrounding environment.
2. For vacant land, the colour of the farm building must be taken from the key features of the surrounding environment (dominant vegetation, soils, rock features).
3. Materials must be non-reflective.
4. Farm buildings constructed with galvanised corrugated iron or zincalume are encouraged, to assist in integrating new farm sheds into the existing rural landscape.

### 3.5.5 Landscaping

#### Objectives

- (a) To encourage the use of landscaping to provide a visual buffer between the farm building and surrounding land uses.
- (b) To ensure landscape species are suitable having regard to surrounding structures, bushfire prone areas and the use of native species.

#### Controls

1. Landscaping must be provided in all rural zones where a farm building will be visible from neighbouring allotments and existing native vegetation cover does not provide adequate screening of the structure.
2. Landscaping must incorporate a mix of trees, shrubs and groundcovers, and where practical, incorporate plants that are endemic to the Shire of Wollondilly.
3. All plantings are to be in groups and consist of advanced stock.
4. In bushfire prone areas, fire retardant species must be used.
5. Tree species used to screen farm buildings must have a height at maturity that is above the highest roof ridgeline of the building.

6. Landscaping must be setback 2 to 2.5 times the height of mature species chosen or a minimum of 12 metres (whichever is the greater) from the farm structure.
7. Refer to Council's Recommended Planting Species List in Volume 1 of this DCP (~~Clause 2.4 Section 11.2~~, Tables 1 - 7).

### 3.6 Earth dams

#### Objectives

- (a) To ensure that earth dams are constructed to a safe standard, and
- (b) To minimise the impact of dam construction on neighbouring properties and on the surrounding natural environmental features.

#### Controls

1. The width of a dam crest must be a minimum of 3 metres for a 3 metre high dam wall. The crest must increase in width 500mm from every metre above a 3 metre high dam wall.
2. A minimum of 1.0 metre is to be established for freeboard (the ~~height from the water level to distance between the highest water level and~~ the top of the dam wall). This must increase by 10% for every metre over a 3 metre high wall.
3. Soils predominantly consisting of gravels; organic soils or peat must not be used for dam construction or batters. The material used to construct an embankment should be sufficiently impervious to keep seepage low and ~~to be ensure that dam walls remain~~ stable. ~~A~~ Soils with 25% clay content ~~or greater~~ are ideal to form an impervious barrier.
4. The dam embankment must contain at least 200mm of compacted top soil and ~~be~~ planted with a good soil holding grass. Trees and shrubs must not be planted on the embankment.
5. The slope of the embankment batters must ~~confirm with conform to~~ the ratio of 3.0 horizontal to 1.0 vertical for both upstream and downstream slopes.
6. An earth bywash is required on all dams in order to pass surplus runoff around the dam which would otherwise pass over the embankment. The bywash must be a minimum of 6 metres in width.
7. The width of the outlet from the bywash must not be less than the inlet width and must not direct flow onto the downstream toe. The bywash cut batter must have a maximum steepness of 1.5:1.
8. The bywash is to be excavated 75mm below the top water level and backfilled with compacted topsoil and planted with a suitable holding grass such as kikuyu. No trees or shrubs are to be planted in the bywash area.
9. In spring fed dams and dams that consistently receive a large amount of surface water, a piped spillway may be required to act as an outlet. The spillway is to have an inlet of at least 100mm below the level of the bywash. Generally a 150mm pipe is suitable for this purpose.
10. To avoid erosion ~~and~~ cracking of soil around spillway pipes and movement of water along the pipe line, gypsum should be applied below, above and around the pipe for a minimum distance of 2 metres. The trench for the pipe is to be cut into the natural ground under the earth bank or through a compacted section of bank. The base width of the pipe trench is generally about 300mm wider than the diameter of the pipe. The trench should be cut and the pipe installed as early as possible in the construction process to allow the excavation time to settle and compact as cutting through the completed embankment creates a point of weakness which may result in failure.
11. The bywash or spillway water from an earth dam should not have an adverse effect on neighbouring properties. Dams are to be sited so that excess water is contained on the property on which they are located before meeting with a watercourse downstream.
12. All farm dams are required to have a cut-off trench. The cut-off trench is to be constructed along the entire length of the embankment. It does not need to extend across the bywash. The trench must be taken down at least 300mm into the impervious soil and backfilled with impervious material ensuring it is less than 600mm below the natural surface.

13. The earth dam must not be located near or adjoining a natural wetland, floodplain or riparian area, affect and shall be designed and located to avoid any impact on remnant vegetation or threatened species.

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**Part 4 – Controls for Specific Locations:**

None at time of adoption.

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