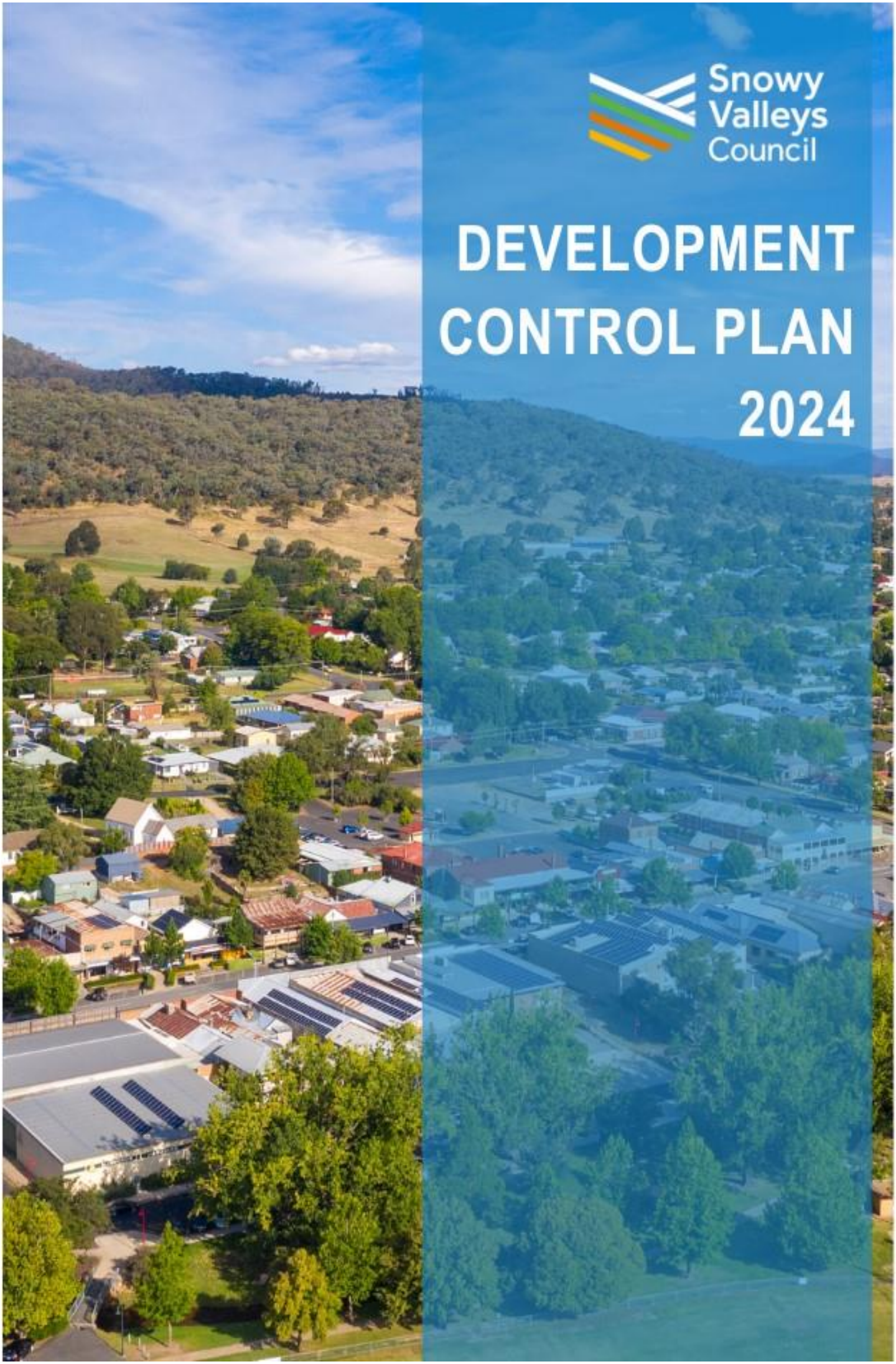


Snowy Valleys Council

DEVELOPMENT CONTROL PLAN 2024

Table of Contents

1.0 Introduction to the Development Control Plan

1.1 DCP Objectives

The overall objectives of the *Snowy Valleys Development Control Plan 2024* are to:

- achieve the aims and standards in Council's Local Environmental Plan by providing more detailed controls for development;
- outline Council policies, standards and identify the preferred future direction for development design within the Snowy Valleys Council area; and
- assist with the preparation of development proposals by providing proponents a guide to the community's expectation for development

1.2 General Principles for Development

The following are the general principles for development that apply in the Snowy Valleys Council area.

- ***Consider the character of the neighbourhood*** *- When designing your development, take into account where appropriate the style and character of the neighbourhood including landscaping, building setbacks, materials and roof forms.*
- ***Maintain the quality of the streetscape*** *- Attractive streetscapes, comprising trees, gardens, building facades (i.e. the exterior of the building), fences and walls need to be maintained and where possible enhanced.*
- ***Use the site's attributes to your advantage*** *- Take advantage of the attributes of the site; use its slope, its orientation, its established visual or landscape quality to enhance the development.*
- ***Ensure appropriate building height, bulk and form*** *- The scale and form of new buildings should be in keeping with the predominant surrounding buildings. Roof forms and building heights should match those of neighbouring buildings. Minimise building bulk and height on or near boundaries to avoid overshadowing and overlooking neighbours.*
- ***Protect Heritage*** *- Protect existing heritage buildings, streetscapes or the curtilage of heritage buildings. Use related building forms, matching materials and window and door proportions to complement existing heritage buildings. Keep any new building as far as possible from any heritage gardens. New work should not dominate the streetscape.*
- ***Ensure landscape qualities are retained*** *- Retain established trees and vegetation where possible. Limit the extent of hard paving, car parking and driveways to prevent increased stormwater run-off.*
- ***Provide for good solar access*** *- Provide for good solar access in all new developments and avoid overshadowing of neighbours.*
- ***Maximise views, however respect privacy*** *- Maintain views and privacy as well as those of your neighbours. Use screens, planting and walls, to maintain visual privacy for neighbours and to reduce noise.*

- ***Safer by Design –*** *focus on the planning and design of developments to provide safety and security to the wider community. This is achieved by creating environmental and social conditions that aim to create the perception or reality of capable guardianship within the built environment.*

Photograph 1 – Commercial development and building design addressing the streetscape

1.3 Application of the Development Control Plan (DCP)

This DCP is known as ***Snowy Valleys Development Control Plan 2024*** pursuant to Division 3.6 of the *Environmental Planning and Assessment Act 1979* (EPA Act).

This DCP applies to the whole of the Snowy Valleys Local Government Area.

This DCP contains more detailed provisions than the Tumbarumba Local Environmental Plan 2010 and the Tumut Local Environmental Plan 2012 applying to the Snowy Valleys Region. In the event of a conflict between this DCP and Council's Local Environmental Plans the relevant Local Environmental Plans prevail.

This DCP applies from the date of adoption by Council. The date of adoption and amendments to the DCP is listed in **Section 2.0 – Amendments to the DCP**.

1.4 Strategic Links

Council has developed a range of plans and strategies to help guide decision making and provide services for the community.

Council's Community Strategic Plan – *Snowy Valleys 2028 - Our Vision Our Future* is an overarching 10-year plan that is prepared by Council and the community based on community priorities.

This Plan identifies the community's aspirations for the future and outlines strategies to achieve them. The five themes that have influenced the preparation of this DCP are:

Theme 1: Our Towns and Villages

We celebrate and nurture the unique character of our towns and villages

Theme 2: Growth Through Innovation

We have economic development activities which provide community longevity, vibrancy and a sustainable future

Theme 3: Our Natural Environment

We care and protect our natural environment to ensure future generations can experience and enjoy its beauty

Theme 4: Communication and Engagement

We have engaged communities that actively participates in local decision making

Theme 5: Our Infrastructure

We strive to continually improve our local infrastructure

Figure 1 – Snowy Valley Council Local Government Area

1.5 How To Use The Development Control Plan

The Development Control Plan (DCP) is designed to provide a guide to the preparation of a development proposal.

When using the DCP the majority of development controls are contained within specific sections that relate to the type of development proposed. There are also technical and advisory components of that apply to all types of development (see **Section 2.0**).

Each part of the DCP also includes one or all of the following:

- **Definitions** – Each section may contain specific definitions and terms to assist in understanding the application of the relevant development controls.
- **Objectives** – Each specific section has specific objectives which describe what Council aims to achieve.
- **Subject Headings** – These are listed by subject and are in numerical order
- **Development Controls** - These are standards and guides adopted by Council and the community to express expectations of development design.

1.6 Variations to the DCP

Council may consider a variation to the provisions of this DCP, other than those standards included in other legislation.

Where a variation of a numerical standard is proposed this will be considered by Council. Council will keep a register of approved variations to the numerical standards of the DCP.

Council will only consider a variation where it is justified in writing and where the design of the proposed development in Council's opinion meets the stated objectives of the development controls.

1.7 Notification of Development Applications (Repealed)

Note: Refer to Council's Community Participation Plan (CPP)

1.8 Disclaimer

Council provides the information contained in this DCP in good faith. In some cases, this DCP only provides a summary of legislative provisions and technical codes.

This DCP also includes information that does not strictly meet the requirements of Division 3.6 of the *Environmental Planning and Assessment Act 1979*.

This DCP is for use by Council and the public. The DCP is aimed to allow participation by the public in the development of Council policy.

The information contained in this document is a guide to only some of the provisions that relate to development. Compliance with the requirements of this DCP will not necessarily mean that a development will be approved.

Always seek independent advice in relation to property purchases or investment decisions. This information should not be relied upon in reaching a decision to purchase a property.

1.9 Acknowledgements

Council acknowledges that Development Control Plans prepared by Byron Shire Council, City of Ryde, Campbelltown City Council, Temora Shire Council, Parkes Shire Council, Upper Hunter Shire Council, Wollondilly Shire Council, Upper Lachlan Shire Council, Dubbo City, Mid-Western Regional, Muswellbrook Shire, Orange City, Tamworth Regional and Wagga Wagga City Councils and Wollongong City Council were researched in the preparation of this DCP. A number of provisions have been used from these DCPs.

Council also acknowledges use of information from AMCORD.

2.0 Amendment to the DCP

2.1 Objectives

The objectives of this Chapter are to:

- identify the process for amending the DCP and providing for public participation
- provide an update on amendments to the *Snowy Valleys Development Control Plan 2019*, and
- identify the date of adoption of the DCP by Council and subsequent amendments

2.2 Date of Adoption of Original Plan and Date When Plan Comes Into Force

This plan was exhibited for public comment in accordance with the *Environmental Planning and Assessment Act 1979 and Regulations*. Council adopted this plan on the 24th October 2019. Subsequent amendments to the plan are listed below. This plan came into force as of the 18th November 2019 (being the date specified in the public notice in the local newspapers in accordance with the then-Clause 21 of the *Environmental Planning and Assessment Regulations 2000*).

In accordance with Clause 14(4) Environmental Planning and Assessment Regulation 2021: A development control plan comes into effect on—

(a) the day on which the notice of the council's decision to approve the plan is published on its website, or

(b) a later day specified in the notice.

2.3 Amendments to Snowy Valleys Development Control Plan 2019

Where Council resolves to prepare an amendment to the *Snowy Valleys Development Control Plan 2019*, these must be exhibited for a minimum period of 28 days.

Note: this includes updates in relation to legislative changes, alternations to standards, name changes and the like.

In accordance with Clause 13 of *Environmental Planning and Assessment Regulation 2021*, after a draft development control plan is prepared, the council must publish the following on its website:

(a) the draft development control plan
(b) the relevant local environmental plan or deemed environmental planning instrument,
(c) the period during which submissions about the draft plan may be made to the council.

In accordance with Clause 14(4) Environmental Planning Assessment Regulation 2021, a development control plan comes into effect on:

(a) the day on which the notice of the council's decision to approve the plan is published on its website, or

(b) a later day specified in the notice.

2.4 List of Amendments

Purpose of Amendment	Section Amended	Date Amendment Effective (Public Notice Under Clause 14 EPA Regulations 2021)
2019 – Merging of DCP's	Various	24 October 2019 (Council)
2022 – Repeal cl.1.7	Clause 1.7	30 September 2022
2023 – Administrative amendments	Various	16 November 2023 (Council) (M235/23)

3.0 Requirements Applying to All Types of Development

3.1 Objectives

The objectives of this Chapter are to:

- identify the requirements applying to all types of development in the DCP, and
- establish the necessary standards for new development.

3.2 Development Controls

This Chapter applies to all new development requiring approval from Council.

In addition to this Chapter please refer to ***Development Application and Construction Certificate Application Lodgement Checklist*** for those information requirements needed to respond to the Development Controls contained in this section and elsewhere in this Plan.

3.2.1 Vehicle Access Standards

Vehicle access to all development is to be designed to be safe.

Adequate sight distance, in each direction, is to be provided for any internal site/property access road.

Internal access roads will join any public road at 90 degrees (where practical or within plus or minus 15 degrees) and entrances are to be located so vehicles do not queue onto the public road.

The type of access for a particular development will be determined by Council and will take into consideration factors such as fall, drainage, traffic vision and specific site conditions.

Note: Approval for access on Council public roads requires approval under the Roads Act 1993.

3.2.2 Bushfire

On land that is mapped as bush fire prone land a development must comply with the relevant NSW Rural Fire Service (RFS) Planning for Bushfire Protection Guidelines and AS3959.

These Guidelines address the level of risk, asset protection zones, the design of access roads and fire trails, water supply, emergency services and impacts on the environment.

3.2.3 Car Parking

3.2.3.1 Car Parking Requirements

Sufficient on-site car parking is to be provided for all development proposals.

The demand for car parking generated by any development should be provided for on-site (on the development site).

Larger and more complex development applications may require a specific Parking Study or Traffic Impact Assessment to justify the proposed development in terms of access, provision of car parking and impact on the local road network.

The *Building Code of Australia* Part 1 prescribes the minimum requirements for the provision of parking spaces for people with disabilities. This Plan does not relieve an applicant of any obligation to comply with the *Building Code of Australia*.

Bicycle parking/racks are required for commercial and industrial developments as specified in this DCP.

To determine the required car parking to be provided to support development within the Snowy Valleys Council area Gross Floor Area (GFA) is used within this DCP.

Gross Floor Area is defined as:

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.

Parking requirement rates included in the following Car Parking Requirements Table 1 are to be calculated in accordance with proposed gross floor area (GFA) and rounded-up to the next highest whole number.

Where a building or site is utilised for more than one category of use included in the following table, then the parking requirements for each individual use will be cumulatively applied.

Where the land use is not specified it will be categorised into one of the like headings by Council and the number of spaces calculated accordingly.

Note: Any development which does not provide the prescribed rate of parking shall be merit assessed on the overall need to provide the required parking onsite. Parking in the defined CBD area may not be an impediment to establishing new business and such applications may be referred to full Council for consideration and determination.

Note: For the purposes of change of use development existing buildings within the main street area, a prescribed onsite parking rate shall not apply.

Table 1: Car Parking Requirements

LAND USE	CAR PARKING REQUIREMENT
Commercial	
Business and Office Premises	1 space per 40 m^2 of GFA
Bulky Goods Premises	1 space per 50 m^2 of GFA.
Cellar Door Premises	1 space per 6.5 m^2 of GFA accessible to public and staff parking
Cafes	1 space per 6.5 m^2 of customer service area which includes outdoor dining areas.
Entertainment Facilities (theatre, cinema, music hall, concert hall and dance hall and the like)	1 space per 10 m^2 of GFA or 1 space per 4 seats, whichever is the greater.
Function Centres	1 space per 6.5 m^2 of customer service area.
Funeral Homes (including Mortuaries and Chapels)	1 space per 10 fixed seats or 1 space per 10 m^2 of gross floor area if seats not affixed, whichever is the greater.
Garden Centres	1 space per 500 m^2 of site area (minimum of 5 spaces) plus 1 space per staff member provided on-site in peak periods. Any ancillary uses would incur parking at the rate specified for that use in the table. Provision should be made for car & trailer combinations at strategic locations.
Hardware & Building Supplies	10 spaces plus 1 space per 130 m^2 of GFA dedicated to display. Provision should be made for car & trailer combinations at strategic locations.
Highway Service Centres	Transport Assessment Study required
Industrial Retail Outlets	1 space per 35 m^2 of GFA. Plus 1 space per 160 m^2 of outdoor display area.
Kiosks	1 space per 6.5 m^2 of customer service area.
Landscaping Material Supplies	0.5 spaces per 100 m^2 of site area. Provision should be made for car & trailer combinations at strategic locations.
Neighbourhood Shops	1 space per 35 m^2 of customer service area.
Markets	2 spaces per stall
Plant Nurseries	0.5 spaces per 100 m^2 of site area. Provision should be made for car & trailer combinations at strategic locations.
Pubs	1 space per 5 m^2 of bar, lounge, beer garden, auditorium, games room, restaurant. Plus 1 space per 3 employees (maximum staff level at peak time).

LAND USE	CAR PARKING REQUIREMENT
Registered Clubs	1 space per 5 m^2 of bar, lounge, beer garden, auditorium, games room, restaurant. Plus 1 space per 3 employees (maximum staff level at peak time).
Restaurants	1 space per 6.5 m^2 of customer service area which includes outdoor dining areas
Restricted Premises	1 space per 40 m^2 GFA
Roadside Stalls	Minimum of 4 spaces.
Rural Supplies	5 spaces plus 1 space per 130 m^2 of areas (indoor and outdoor) dedicated to display.
Service Stations	Requirements are additive: 6 spaces per work bay. 5 spaces per 100 m^2 GFA of convenience store. If Restaurant present, then greater of: 15 spaces per 100 m^2 of GFA, or 1 space per 3 seats.
Sex Service Premises	2 spaces per room used for the provision of sex services.
Shops	1 space per 35 m^2 of customer service area.
Take-away Food and Drink Premises	**Developments with no on-site seating** – 12 spaces per 100 m^2 GFA. **Developments with on-site seating** – 12 spaces per 100 m^2 GFA, plus greater of: 1 space per 5 seats (internal and external), or 1 space per 2 seats (internal). **Developments with on-site seating and drive-through facilities** – greater of 1 space per 2 seats (internal), or 1 space per 3 seats (internal and external), plus queuing area for 5 to 12 cars.
Timber Yards	0.5 spaces per 100 m^2 of site area. Provision should be made for car & trailer combinations at strategic locations.
Vehicle Sales or Hire Premises	1 space per 100 m^2 site area. 6 spaces per work bay (for vehicle servicing facilities).
Veterinary Hospitals	1 space per 65 m^2 of GFA with a minimum of 3 spaces per consulting room, plus 1 space per employee.
Wholesale Supplies	Assessed on merit
Educational	
Educational Establishments including Schools	1 space per staff member. 1 space per 10 senior students (Year 11 & up). Adequate drop off/pick up area for cars and buses.

LAND USE	CAR PARKING REQUIREMENT
Health	
Health Consulting Rooms	1 space per 65 m^2 of GFA with a minimum of 3 spaces per consulting room, plus 1 space per employee (including medical practitioners)
Hospitals	1 space per 10 beds. 1 space per resident or staff doctor. 1 space for each employee on duty at any one time. Ambulance parking.
Medical Centres	1 space per 65 m^2 of GFA with a minimum of 3 spaces per surgery, plus 1 space per employee (including medical practitioners)
Community/Public	
Child Care Centres	1 space for every 4 children in attendance plus sufficient parking for staff
Community Facilities	1 space per 10 m^2 of GFA or 1 space per 4 seats, whichever is the greater.
Correctional Centres	Assessed on merit
Emergency Services Facilities	Assessed on merit
Industrial Training Facilities	Assessed on merit
Information & Education Facilities	1 space per staff member. 1 space per 10 senior students (Year 11 & up). Adequate drop off/pick up area for cars and buses.
Places of Public Worship	1 space per 10 m^2 of GFA or 1 space per 4 seats, whichever is the greater.
Public Administration Building	1 space per 40 m^2 of GFA.
Respite Day Care Centres	1 space per employee.
Research Station	1 space per employee.
Recreation	
Recreation Areas	Assessed on merit.
Recreation Facilities (indoor)	3 spaces per court/alley (where relevant) or 1 space per 25 m^2 GFA
Recreation Facilities (outdoor)	3 spaces per court/alley (where relevant) or 1 space per 50 m^2 GFA

LAND USE	CAR PARKING REQUIREMENT
Tourist/Visitortor	
Backpackers' Accommodation	1 space per 5 beds or 1 space per 5 bedrooms (whichever is greater) plus 1 space per 2 staff
Bed & Breakfast Accommodation	1 space per guest bedroom. 2 spaces for the permanent occupants of the dwelling.
Hotel Accommodation	1 space per unit (see other hotel component requirements)
Motel Accommodation	1 space per unit + 1 space per 2 employees. **If Restaurant included**, then add the greater of 1 space per 6.5 m^2 of GFA of the restaurant. **If Function Room included**, then add the greater of 1 space per 3 seats.
Serviced Apartments	1 space per unit + 1 space per 2 employees. **If Restaurant included**, then add the greater of 1 space per 6.5 m^2 of GFA of the restaurant. **If Function Room included**, then add the greater of 1 space per 3 seats.
Rural Industries	
Agricultural Produce Industries	Assessed on merit
Livestock Processing Industries	Assessed on merit
Sawmill or Log Processing Industries	Assessed on merit
Stock & Sale Yards	Assessed on merit
Industries	
General Industries	1 space per 90 m^2 of GFA.

LAND USE	CAR PARKING REQUIREMENT
Heavy Industrial Storage Establishments (including Hazardous Storage Establishments, Liquid Fuel Depots & Offensive Storage Establishments)	1 space per 90 m^2 GFA OR 1 space per employee whichever is greater, PLUS 1 space per 150 m^2 of GFA of open yard area. 1 space per transport vehicle present at the time of peak vehicle accumulation on site.
Light Industries (including Light Technology	1 space per 90 m^2 of GFA.
Storage Premises (including Self-storage Units, Depots & Warehouse or Distribution Centres)	1 space per 90 m^2 GFA OR 1 space per employee whichever is greater, PLUS 1 space per 150 m^2 of GFA of open yard area. 1 space per transport vehicle present at the time of peak vehicle accumulation on site.
Vehicle Body Repair Workshops	5 spaces per vehicle work bay.
Vehicle Repair Stations	3 spaces per vehicle work bay.
Infrastructure	
Freight Transport Facilities	1 space per 90 m^2 GFA OR 1 space per employee whichever is greater, PLUS 1 space per transport vehicle present at the time of peak vehicle accumulation on site.
Heliport & Helipad	Assessed on merit
Passenger Transport Facilities	Assessed on merit

LAND USE	CAR PARKING REQUIREMENT
Transport & Truck Depot	1 space per on site staff PLUS 1 space per transport vehicle present at the time of peak vehicle accumulation on site. Vehicle Wash Bay Minimum 1 vehicle wash bay of a size that can accommodate the largest vehicle typically visiting the site.
Waste or Resource Management Facilities (including Resource Recovery Facilities, Waste Disposal Facilities & Waste or Resource Transfer	Assessed on merit
Residential	
Boarding Houses	1 space per 3 beds or 1 per bedroom + 1 visitor space per 5 beds or 1 visitor space per 5 rooms + (whichever is the greater) + 1 space per 3 employees.
Group Homes	2 spaces per employee.
Hostels (aged care)	1 space per 10 beds (visitor parking). 1 space per 2 employees. 1 space per ambulance.
Residential Flat Buildings	2 spaces per unit, plus visitor parking at the rate of 1 space per 5 units or part thereof in excess of the first 4 units.
Residential Care Facilities	Self-contained units – 2 spaces per 3 units + 1 space per 5 units (visitor parking). 1 space per 10 beds (visitors) + 1 space per 2 employees + 1 space per ambulance
Seniors Housing	Self-contained units – 2 spaces per 3 units + 1 space per 5 units (visitor parking). 1 space per 10 beds (visitors) + 1 space per 2 employees + 1 space per ambulance.
Shop Top Housing	2 spaces per unit, plus visitor parking at the rate of 1 space per 5 units or part thereof in excess of the first 4 units.

3.2.3.2 Car parking layout

Car parking must be clearly defined to scale on a site plan lodged with the Development Application.

The layout and dimensions of car parking areas are to be provided in accordance with AS/NZ 2890.1, AS/NZ 2890.6 and AS 2890.2.

The location of on-site car parking should have regard to the following criteria:

- site conditions, including slope and drainage
- visual amenity and adjacent sites
- relationship of car parking to the building layout
- relationship of car parking to the street, including any footpaths, and
- ease of access.

3.2.3.3 Car parking for changes of use in existing commercial buildings

Change of use of all enclosed floor space within existing approved buildings is to be exempt from car parking standards referred to in 'Table 1 : Car Parking Requirements' above to facilitate increasing the use of existing vacant buildings in the commercial areas of all towns and villages throughout the Snowy Valleys.

Photograph 2 – Car parking area incorporating tree planting

3.2.4 Construction Over Council Land and Services

Approval must be obtained from Council, prior to the commencement of any construction, works, activities on public land, including roads, easements, stormwater connections, water

mains and connections, sewerage mains and connections, Council car parks, footpaths, driveways or nature strips.

A hoarding or fence must be erected between the work site and a public place where:

- the work involved in the development is likely to cause pedestrian or vehicle traffic in a public place to be obstructed or altered, and/or
- the building involves the enclosure of a public place in accordance with NSW Authority requirements.

Where a hoarding fence is required to be erected upon public land, including any road, road related area, footpath or nature strip, prior written approval must be obtained from Council.

Where the site work is likely to be hazardous to persons in a public place, the work site must be kept lit between sunset and sunrise.

Council requires clear access to sewerage mains for maintenance purposes and needs to ensure that sewerage mains are protected from potential damage caused by excavation and or loads imposed by buildings and other structures.

It is also in the interest of owners to protect the integrity of foundations to dwellings and other buildings by meeting certain requirements of the Building Code of Australia if buildings are constructed near trench lines containing sewerage mains.

The construction of buildings and other structures is prohibited over easements. The construction of buildings and other structures over sewerage mains not protected by easements is generally prohibited, however where no alternative exists, approval may be given if Council is satisfied that there will be no future adverse impacts.

Refer to Council's Adopted Policy *"Building in the Vicinity of Sewerage Mains"*

3.2.5 Contaminated Land

Council has adopted a policy for the identification and management of contaminated lands. This policy must be considered as part of any development proposal that may involve land that is contaminated.

3.2.6 Cut and Fill

A site plan must be provided that shows all areas of cut and fill on the site. For any development the maximum level of cut should not exceed 1.0 metre below the ground level (existing) and the maximum level of fill must not exceed 1.0 metre above ground level (existing), when measured at any corner of the building platform (Figure 1)

The amount of cut and fill is to be assessed on a merit basis for lots that have steep topography where cut and fill is expected to exceed one (1) metre.

Factors to be considered within the merit assessment include:

- setback of retaining walls from boundaries

- the number of retaining walls reducing the overall height of cut and fill i.e. terraced retaining walls or stepped retaining walls

- the impact on the neighbouring property. Note: maximum of 2m cut is permissible if the retaining wall is minimum of 300mm from any side or rear boundary to a property.

These controls do not relate to land zoned RU1, RU4 or C3 in any Local Environmental Plan

The maximum restriction on cut and fill is not applicable where the excavation is incorporated into the dwelling to satisfy minimum car parking requirements up to a maximum height of 2 metres (Figure 2)

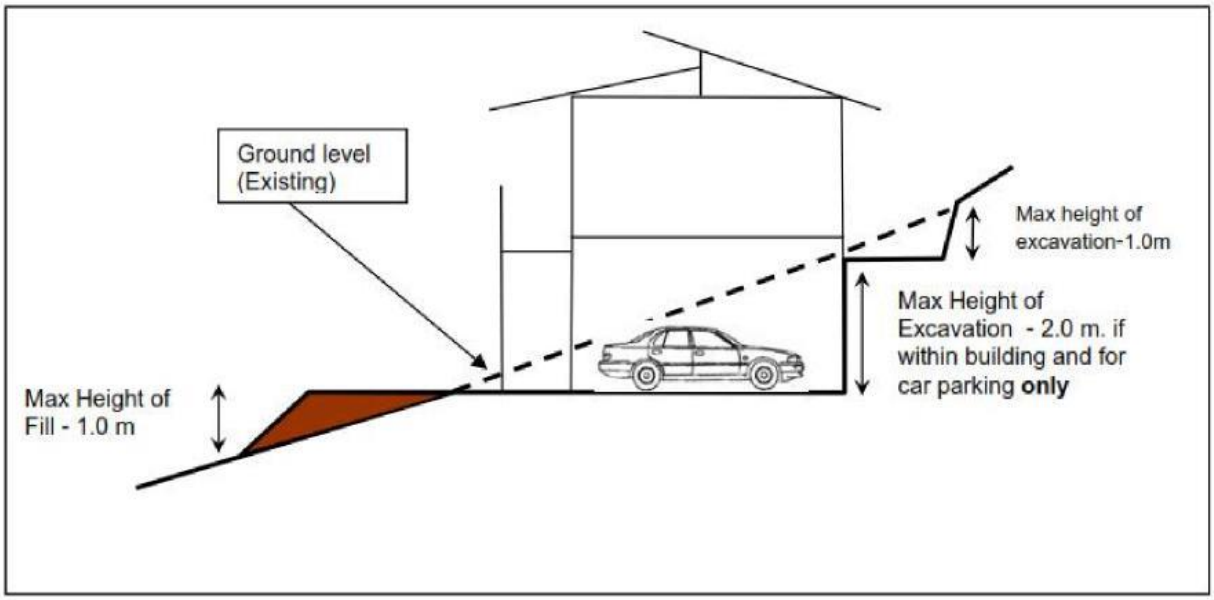


Figure 1: Cross section of cut and fill for a building for car parking

Where cut and fill is proposed for swimming pools, the earthworks are to have a maximum depth of no more than 2 metres. Where a swimming pool is partially benched into the side of a hill to create an infinity edge or similar, the pool is to extend no more than 1 metre out of the ground (Figure 3).

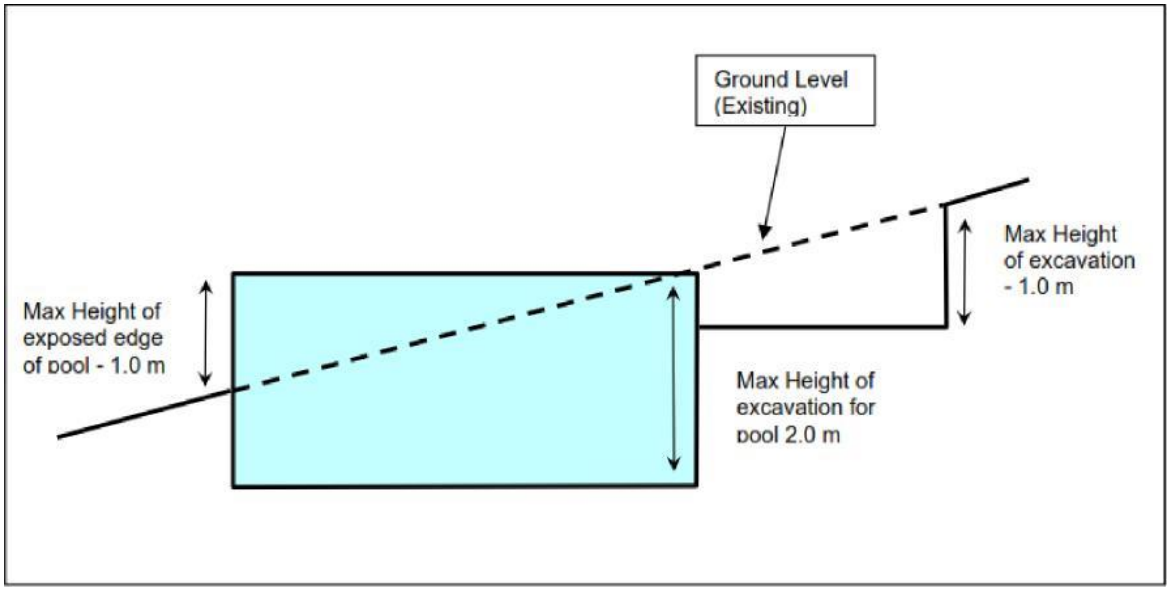


Figure 2: Cross section of cut and fill for a swimming pool on slope

Where pools are to be located on sloping land or on land considered by Council as geotechnically constrained, appropriate geotechnical investigations to be carried out by a suitably qualified engineer. Details are to be submitted with the development application demonstrating that the site is suitable for the proposed pool.

Where in-ground water tanks and effluent disposal systems are proposed, there are no specific restrictions limiting the depth of earthworks. However, if located on sloping land details on geotechnical constraints are to be submitted with the development application.

Engineering detail by a suitably qualified structural or geotechnical engineer is to be submitted for cut and fill on land with a gradient exceeding 15%. Where cut and fill of more than 1 metre is proposed engineering details may be required for structural retention of cut and fill.

No fill is to be deposited in the vicinity of native vegetation.

All basement excavations must be setback a minimum of 900mm from the property boundaries.

Any excavation within the zone of influence of any other structure must ensure that adequate ameliorative measures are implemented to protect the integrity of any structure.

Development incorporating any cut or fill is to ensure that the minimum cross fall is1% to any adjoining waterway and batters to be no steeper than 2H: 1V ('H' stands for 'horizontal distance' and 'V' stands for the term 'Vertical distance). Batters in public areas are to be no steeper than 6H: 1V.

Any excavation within the zone of influence for any other structure or building will require Structural Engineering advice demonstrating that adequate and appropriate measures are to be implemented to protect the integrity of any structure.

3.2.7 Demolition

All demolition work is required to comply with AS2601-2001 - The Demolition of Structures (as amended) in accordance with a detailed work plan prepared by a suitably qualified person.

The detailed work plan must provide:

- the details of the licensed demolition contractor engaged to carry out the work (including name, address and building licence number),
- information on hazardous materials within the site that lists details of methods to prevent air, noise and water pollution and the escape of hazardous substances from the site,
- details of the removal and disposal of any asbestos or other hazardous substances from the site and/or damaged during demolition,
- where any demolition work is to be undertaken within the zone of influence of any other structure a dilapidation assessment of the work, and
- dilapidation report is required for adjacent infrastructure to the site (kerbs, footpaths, driveways, roads and drainage.)

Where appropriate demolished materials are to be recycled for reuse on the site.

3.2.8 Development Near Electrical Easements

All proposed activities within and immediately adjacent to electricity easements and infrastructure require approval from the relevant utility providers. Proponents need to include the distance from any proposed structure to the electrical easement on any plan as outlined in clause 2.48 of the State Environmental Planning Policy (Transport and Infrastructure) 2021. Proponents must consult with these agencies and obtain the relevant approvals (and provide copies to Council) when submitting a development application.

3.2.9 Erosion and Sediment Control

Runoff is to be managed to prevent any land degradation including offsite sedimentation. Arrangements are to be implemented to instigate revegetation of earthworks to minimise erosion.

Site activities must be planned and managed to minimise soil disturbance.

Catch drains or diversion banks are to be designed and constructed to divert water around any area of soil disturbance.

All stockpiles are to be located within the sediment control management area and must not be located within an overland flow path.

No filling is to be carried out within 2 metres of any property boundary unless Council is satisfied that privacy, overshadowing, stormwater management and access issues have been addressed.

An Erosion and Sediment Control Plan may be required with a development application that proposes construction and/or activities involving the disturbance of the land surface within a site. Reference should be made to the NSW Governments Managing urban stormwater: soils and construction, Volume 1 commonly referred to as ‘The Blue Book’.

3.2.10 Flooding

Development must not occur on land that is affected by the 1 in 100-year ARI event unless the development is consistent with, and meets the requirements of, the NSW Floodplain Development Manual. This includes development on land affected by stormwater flow from a main stream, local creek or overland flow.

On land affected by flooding Council will require an assessment of the impact of new development on changes in flood behaviour (flow, flow-paths, velocity, etc.) by defining the floodway and flood storage areas and determine whether works and/or management measures are required.

Building, other than minor works to existing buildings, is prohibited within identified high hazard flood areas.

3.2.11 Heritage

New development, additions and alterations are proposals which have the potential to significantly affect the heritage significance of a heritage item or the character of a Heritage Conservation Area.

These changes require the submission of a development application with sufficient supporting information to allow full and proper assessment of potential impacts. A Statement of Heritage

Impact detailing the heritage significance of the item and explanation of the extent and nature of the work must be submitted with the development application.

The Statement of Heritage Impact will assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item or conservation area.

The objective of the Conservation and Design Guidelines in this DCP is to ensure that new development involving heritage items and buildings in a Conservation Area will respect and enhance the heritage character of the building and their surrounding area.

The specific requirements of the DCP will generally apply to all development covered by the Plan. Chapter 7 of this DCP provides more information relating to the conservation of local heritage.

3.2.12 Landscaping

Landscape design is to enhance the visual character of the development and complement the design/use of spaces within and adjacent to the site.

Landscape design will retain and enhance the existing native flora and fauna characteristics of a site wherever possible.

Landscape design is to add value to the quality and character of the streetscape.

Landscaping must maximise the use of locally indigenous and other drought tolerant native plants and avoid the use of invasive species.

Adequate sprinkler or dripper systems must be incorporated in the landscape design.

3.2.13 On-site Wastewater Management

Where available, development must be connected to Council's reticulated sewerage system.

Where a site is not serviced by a reticulated sewerage system an approved wastewater management system is to be installed.

The type of wastewater management system will be determined having regard to Lot size and slope, soil classification and proximity to water courses.

These systems are to be designed and installed to comply, as relevant, with the requirements of the:

- *Environment and Health Protection Guidelines On Site Sewage Management for Single Households* and *AS 1547*
- *NSW Guidelines for the Management of Private Recycled Water Schemes 2008*
- *NSW Guidelines for Greywater Reuse in Sewered, Single Household Residential Premises 2007*
- *Department of Environment & Conservation NSW, Environmental Guidelines Use of Effluent by Irrigation, 2004*
- *AS/NZS 1547: On-site Domestic Wastewater Management (as amended)*
- *AS/NZS 3500 National Plumbing and Drainage Standards and NSW Code of Practice – Plumbing and Drainage (as amended)*

- *AS/NZS 1546.1 On-site domestic wastewater treatment units Part 1: Septic Tanks (as amended)*
- *AS/NZS 1546.2 On-site domestic wastewater treatment units Part 2: Waterless composting toilet (as amended)*
- *AS/NZS 1546.3: On-site domestic wastewater treatment units Part 3: Aerated Wastewater treatment systems (as amended)*
- *AS/NZS 3500 National Plumbing and Drainage Standard (as amended)*
- *National Water Quality Management Strategy-Australian Guidelines for Water Recycling (Phase 1) 2006, and*
- *National Water Quality Management Strategy-Australian Guidelines for Water Recycling Stormwater Harvesting and Reuse 2009.*

All applications for onsite wastewater management systems will require a site-specific wastewater report for all proposed wastewater facilities located on the site. The report must be prepared by a suitably qualified person/company specialising in wastewater management systems.

All wastewater management systems must observe the following minimum buffer distances:

- 100 metres to permanent surface waters,
- 250 metres to domestic groundwater well, and
- 40 metres to other waters

3.2.14 Provision of Services

3.2.14.1 Sewerage

Where available all new development must be connected to Council's reticulated sewerage system at no cost to Council or have suitable arrangements in place for such a connection to be made.

Connection to Councils sewer reticulation system must be carried out and constructed by an approved contractor.

Where access to reticulated sewer is not available, arrangements must meet Council requirements in relation to on-site wastewater management or the mains extended where practical. Council may require connection to a sewer main located within 75m of the property boundary.

3.2.14.2 Water supply

Development shall be provided with an adequate water supply connection to Council mains or have suitable arrangements in place for the provision of an adequate water supply service. Council may require connection to a water main located within 225m of the property/development boundary. Where connection to the reticulated water supply system is not available, new development is to be provided with sufficient water storage to cater for all relevant activities of the proposed use of the development and for bushfire fighting purposes where required, as per the RFS Planning for Bushfire Protection Guidelines (as amended).

3.2.14.3 Electricity

Development must be provided with an adequate connection to grid supplied electricity services or its equivalent in accordance with the supply Authority. Transformers and associated

infrastructure is to be contained within the development. Alternative electricity sources for development other than in urban zones may be considered where the applicant can demonstrate the provision of reticulated services is prohibitive due to cost of connection or there is a clear environmental benefit in not connecting to mains infrastructure (e.g. enables supply from renewable sources). Details are to be provided with the development application.

Where no reticulated electricity is proposed to be supplied to an allotment, the proponent shall prepare, after approval by Council, a section 88B instrument under the Conveyancing Act 1919. This instrument will be registered with Lands Registry Services and will provide notification to any potential purchaser that the land is not connected to the grid and alternate power sources will be required to supply the land.

3.2.14.4 Telecommunications

Development must be provided with access to the telecommunications network. Arrangements are to be made for the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual Lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

Proponents are to have regard to other new technologies to improve telecommunications speeds for the internet and other computer-based communication devices, and to facilitate new and evolving industries.

3.2.15 Retaining Walls

Any retaining wall that is not complying or exempt development, and is higher than 600mm, must be designed by a structural engineer and made from appropriate material.

Any retaining wall must not adversely alter surface flows to adjoining private land.

3.2.16 Safer By Design

Crime Prevention Legislative Guidelines requires that Council ensure that certain developments provide safety and security to users and the community. The guidelines contain two parts. Part A details the need for a formal crime risk assessment (Safer By Design Evaluation) to be done in conjunction with trained police. Part B outlines basic Crime Prevention Through Environmental Design (CPTED) principles and strategies that can be used to justify the modification to proposals to minimise risk. If a development presents a crime risk, the Crime Prevention Guidelines are to be used to justify modification of the development to minimise crime risk.

3.2.17 Stormwater/roof Water Management

Stormwater, roof water and rainwater tank overflow must be collected and disposed of (under gravity) directly to a road or street, to another Council-approved drainage system/ device or where Lot size is of sufficient size (i.e. rural areas) managed and retained within the site.

Where stormwater cannot be discharged directly to a road or other Council drainage facility, a drainage easement of a suitable width is to be created over a downstream property(s) allowing for the provision of a drainage pipe of suitable size to adequately drain the proposed development to a Council drainage facility. This does not apply to single residential developments.

The stormwater system design and construction should minimise the environmental impact of urban run-off on other aspects of the natural environment (creeks and vegetation) by employing techniques which are appropriate and effective in reducing run-off and pollution.

The stormwater system design must identify the locations, layouts and sizes of stormwater pipes and pits, the minimum grades and capacity of stormwater pipes, and existing and proposed stormwater easements, site contours and overland flow path/s.

All stormwater systems must be sized to accommodate the 1 in 100-year ARI event or relevant specifications regarding stormwater included in the National Construction Code.

4.0 Residential Development

4.1 Objectives

The objectives of this Chapter are to:

- encourage good design and amenity in residential development, and
- establish local development criteria for the siting and design of residential development, privacy, noise, vehicular access, parking and open space.

4.2 Definitions

This Chapter applies to development defined as ***residential accommodation*** under the relevant Local Environmental Plan.

4.3 BASIX

The BASIX State Environmental Planning Policy (SEPP), which commenced on 1 July 2004, aims to ensure consistency in the implementation of the BASIX scheme throughout the State by overriding provisions of development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

The BASIX assessment tool assesses residential development by looking at the three components of sustainable building design being water use, greenhouse gas emissions due to energy consumption and thermal comfort.

The BASIX web site identifies if your development proposal requires a BASIX certificate (see www.basix.nsw.gov.au)

This DCP includes additional sustainability initiatives relevant to Snowy Valleys Council.

Where landscaping is identified as a BASIX commitment, applicants are advised that:

- A planting schedule must be provided with the Development Application
- Lawn is not permissible (as per State requirements), and

4.4 SEPP (Exempt and Complying Development Codes) 2008

There are three (3) options for approval of housing and associated development within residential, large lot residential and rural zones in the Snowy Valleys Council area. These are:

- Exempt development - does not require consent from Council
- Complying development - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, or
- Development application.

The standards for Exempt and Complying housing development are addressed in (State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

This DCP identifies those standards relevant to housing development that require development approval from Snowy Valleys Council.

4.5 Dwelling Houses in Residential and Village Zones

The following development controls relate to dwelling houses and ancillary residential buildings in the *R1 General Residential Zone, R2 Low Density Residential Zone, R3 Medium Density Zone* and *RU5 Village Zone* across the Council area.

Some development controls are general in nature and other controls are based on existing or proposed Lot sizes within the relevant zone.

Table 1 is a summary of the relevant controls for dwelling houses based on relevant Lot sizes in residential and village zones (except large lot residential zone)

Other matters relevant to the development of single dwelling houses are addressed in the remainder of the Chapter.

Table 1 – Summary of residential development

Lot Size	200m^2-250m2	250m2-300m2	300m2 – 450m2	450m2 – 600m2	600m2 – 900m2	900m2 – 1500m2	1 5
Height	Maximum 8.5m from natural ground level						
Site coverage	65%	60%	55%	50%	50%	40%	30%
Landscaping	10%	10%	15%	20%	30%	40%	45%
Setbacks							
Front (vacant immediately adjoining lands fronting primary street)	4.5m				6m		10m
Front (houses on immediately adjoining lands fronting primary street)	Existing or split the difference		Existing or split the difference			Existing or split the difference	Existing or split the
Rear	Single storey - 3m Two storey – 10m		Single storey – 4.5m Two Storey – 8m			Single storey – 5m Two storey – 12m	Single storey – 10m
Side	Single storey – 900mm Two storey – 2m. Two-storey stepped setback – To be assessed on merit.						
Private Open Space	16m2			24m2			
Car Parking	A minimum of 2 off-street car parking spaces with 1 space located behind the building						

Notes to Table

- *To calculate the front setback in existing residential areas refer to the Building setbacks section 4.5.2.*
- *For side setbacks refer to the Building setbacks section 4.5.2.*
- *Site coverage means the proportion of a site area covered by buildings, excluding swimming pools.*

4.5.1 Building Design

Council encourages building design opportunities that vary each house design and make the most of enhancing individual site features. This can be achieved by varying each house layout to suit the site and to optimise the accommodation of various lifestyles. This can also be achieved by providing individual forms, façade treatments, colours, materials and by varying building setbacks.

Council encourages roofs, external walls and trim colours to be in neutral tones from off-whites through to blue-greys or natural earth colours. Materials and colours are to be non-reflective finish.

The roofs of houses on corner lots may require further articulation to maintain an acceptable streetscape. A minimum of 450mm eaves overhang is desirable where possible.

Photograph 3 – Residential housing and building design

4.5.2 Building Setbacks - General

In established residential areas the setback will be consistent with the average setback of neighbouring houses that share the same primary street frontage.

Verandas, porches, balconies are permitted to project up to 2m forward of the dwelling setback to the primary street based on merit.

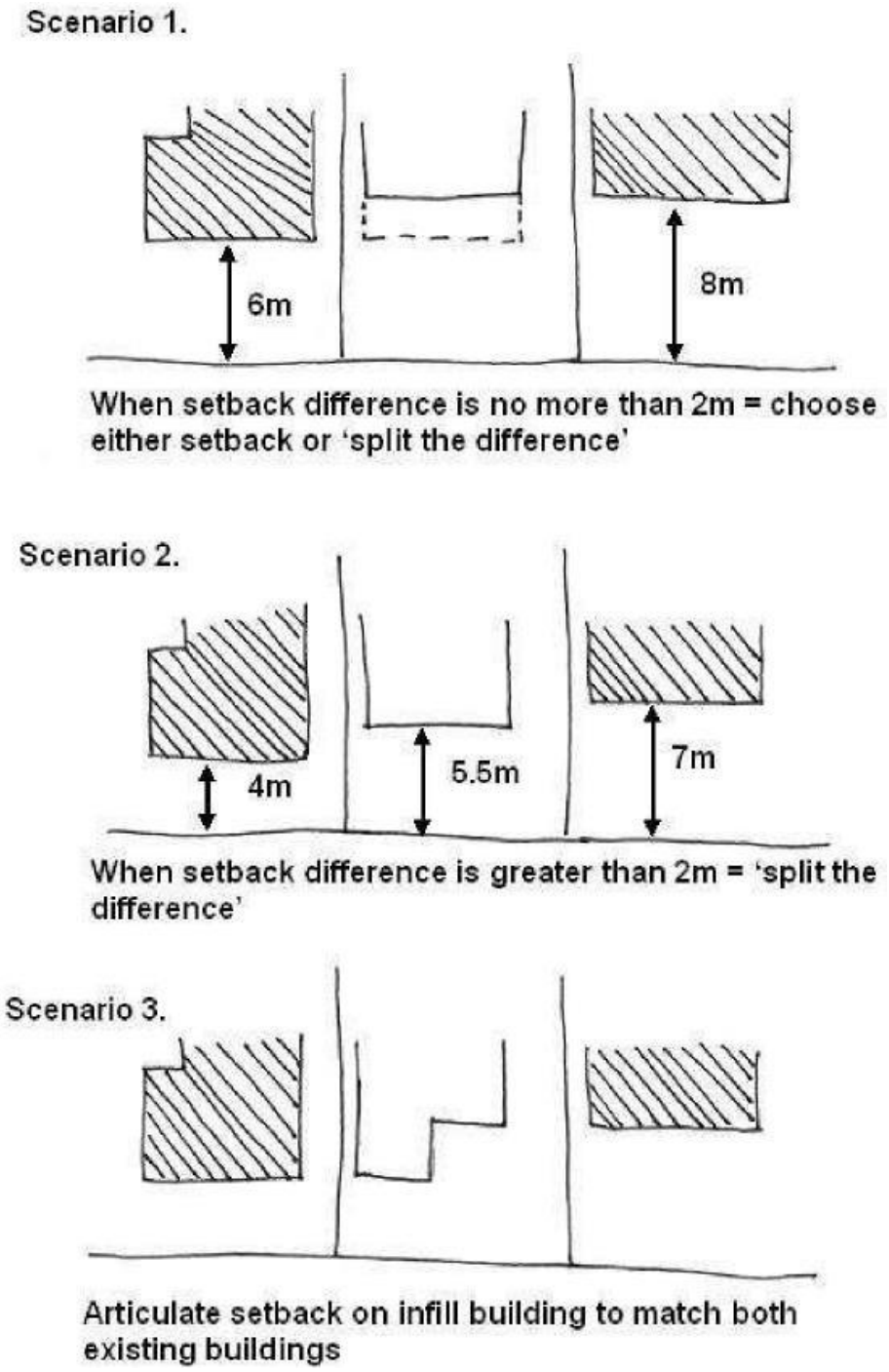


Figure 1: Boundary setbacks in established residential areas

For a corner block, the setback of the side elevation to the secondary boundary may be reduced up to 3.0 metres. The external appearance of the dwelling house secondary with a street frontage on corner Lots is to be articulated to maintain a suitable streetscape to address both streets.

Walls of single storey dwellings may be built to the side boundaries where they comply with the requirements of the Building Code of Australia and demonstrate that there are no adverse impacts on adjoining premises. Council shall require a boundary survey by a registered surveyor to support this.

Where a dwelling house has frontage to more than (2) roads or laneways, the front, side and rear setbacks are to be assessed on merit.

A minimum of 2 off-street car parking spaces are required to be provided on the site with at least 1 space located behind the building line.

4.5.4 Carports and Garages

The siting and design of carports and garages must take into account possible impacts on adjoining and nearby dwellings and other development, including structural stability, visual impacts, overshadowing, materials and colours, heritage considerations and impacts on stormwater or flooding.

Garages and carports are to be single storey in height, allowing for consideration of storage space in the roof area. The maximum overall height to ridge level of carports and garages is 4.5m above existing ground level.

Garages and carports are not permitted to be located forward of the primary and secondary building lines.

Setbacks to side and rear boundaries are to be in accordance with the Building Code of Australia.

All garages and carports, whether attached or free-standing, are to be setback at least 0.5 metre from the dwelling house front façade.

Attached carports and garages are to face the primary street or access and are not to be more than 7m or 45% in length of the Lot frontage, whichever is the lesser.

4.5.5 Fencing

Fences forward of the primary setback area to the building line are to be a maximum 1200 mm high.

Any front fences in excess of 1200 mm will be assessed on merit having regard to the impact of the fence on the streetscape and the aesthetics of the proposed fence.

On corner Lots fencing of the secondary frontage will be permitted on the boundary generally up to the 6-metre building line to the street. Fencing forward of this line must comply with fencing standards forward of the primary setback.

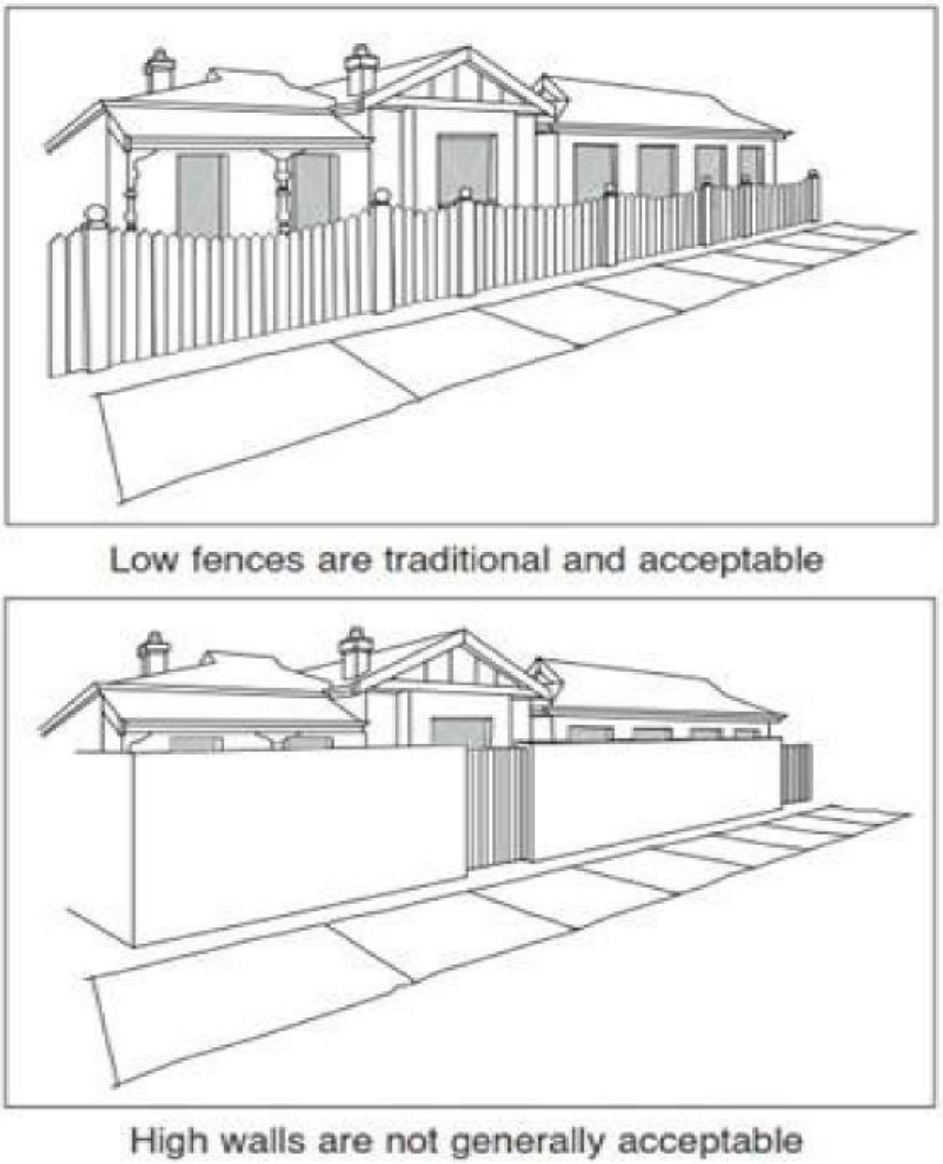


Figure 2: Acceptable and not-acceptable examples of boundary fencing

Other side boundary fences are to be a maximum of 1.8 metres high. Barbed/razor wire or electrified fencing in residential areas is not permitted.

Solid front fences to main roads or highways for the purposes of noise attenuation and privacy are permitted to be a height of 1.8 metres however only where:

- the length of the fence does not exceed 5 metres without articulation or detailing to provide visual interest,
- the fence is constructed of materials which are consistent with those used in the development on the site and adjoining developments (other than solid metal panels or chain wire fencing),
- the proposed materials for construction have demonstrated capacity to attenuate noise, and
- the appearance of the fence is softened with landscaping.

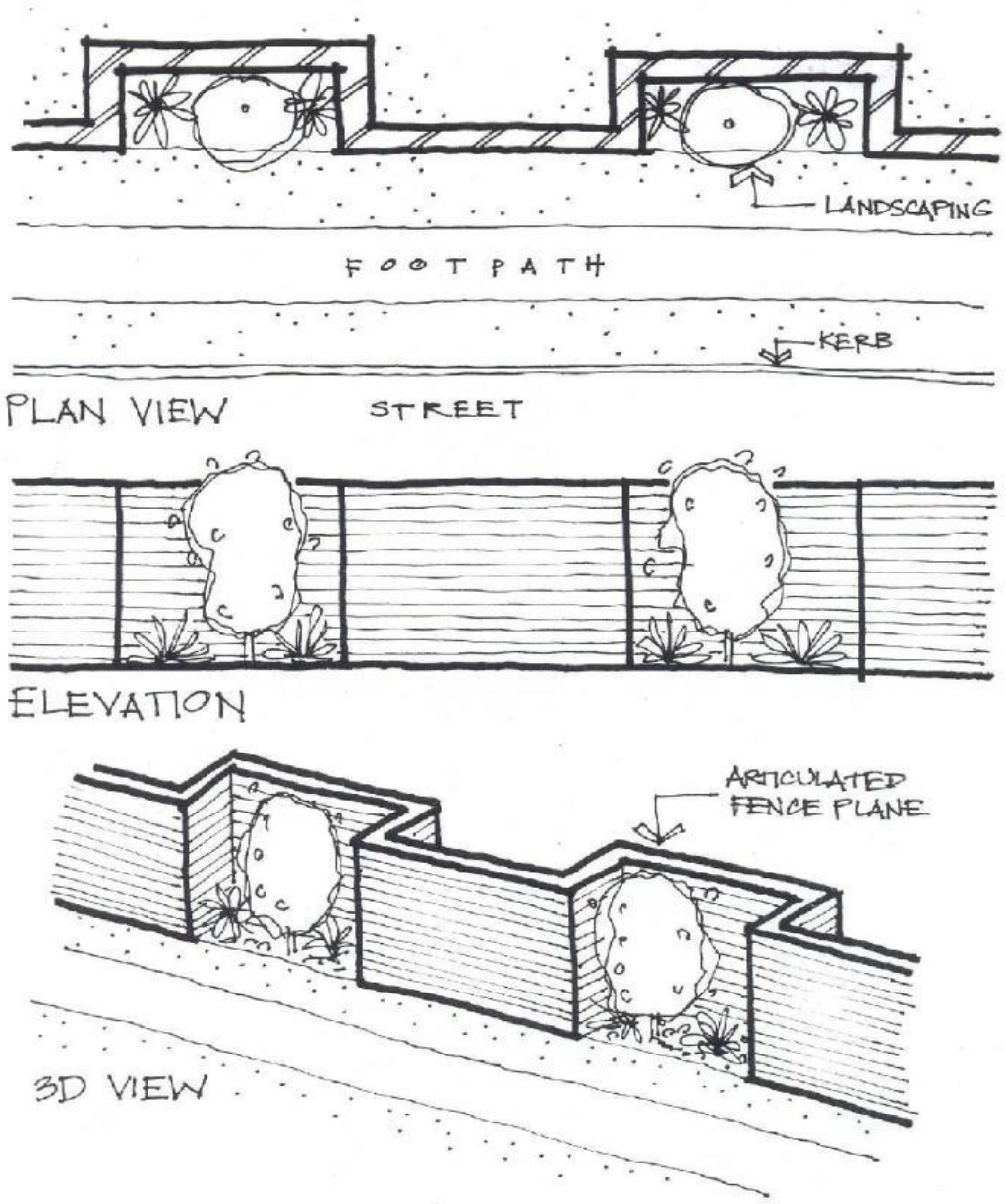


Figure 3: Articulated fencing (3m intervals)

Fencing on corner Lots is either splayed, set-back, reduced in height or transparent to maintain visibility for motorists.

Refer to Council's Engineering Planning and Design Manual regarding the extent of the splay and the radius of the kerb return.

4.5.6 Landscaping

Refer to Section 3 Requirements Applying to all Types of Development.

4.5.7 Private Open Space

Private open space areas are to be orientated to achieve good solar access to achieve comfortable year-round use.

4.5.8 Retaining Walls

Refer to Section 3 Requirements Applying to all Types of Development.

4.5.9 Privacy

To maintain privacy levels the building layout must avoid, where practical, overlooking neighbours, must include screening windows, balconies and outdoor areas as well as separating buildings and living areas.

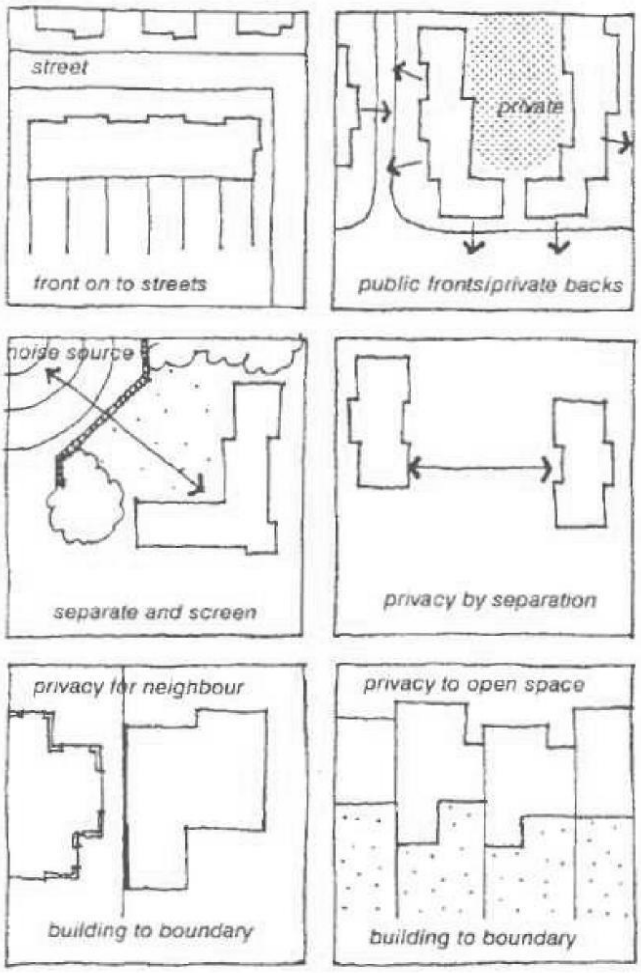


Figure 4: Privacy options for residential development

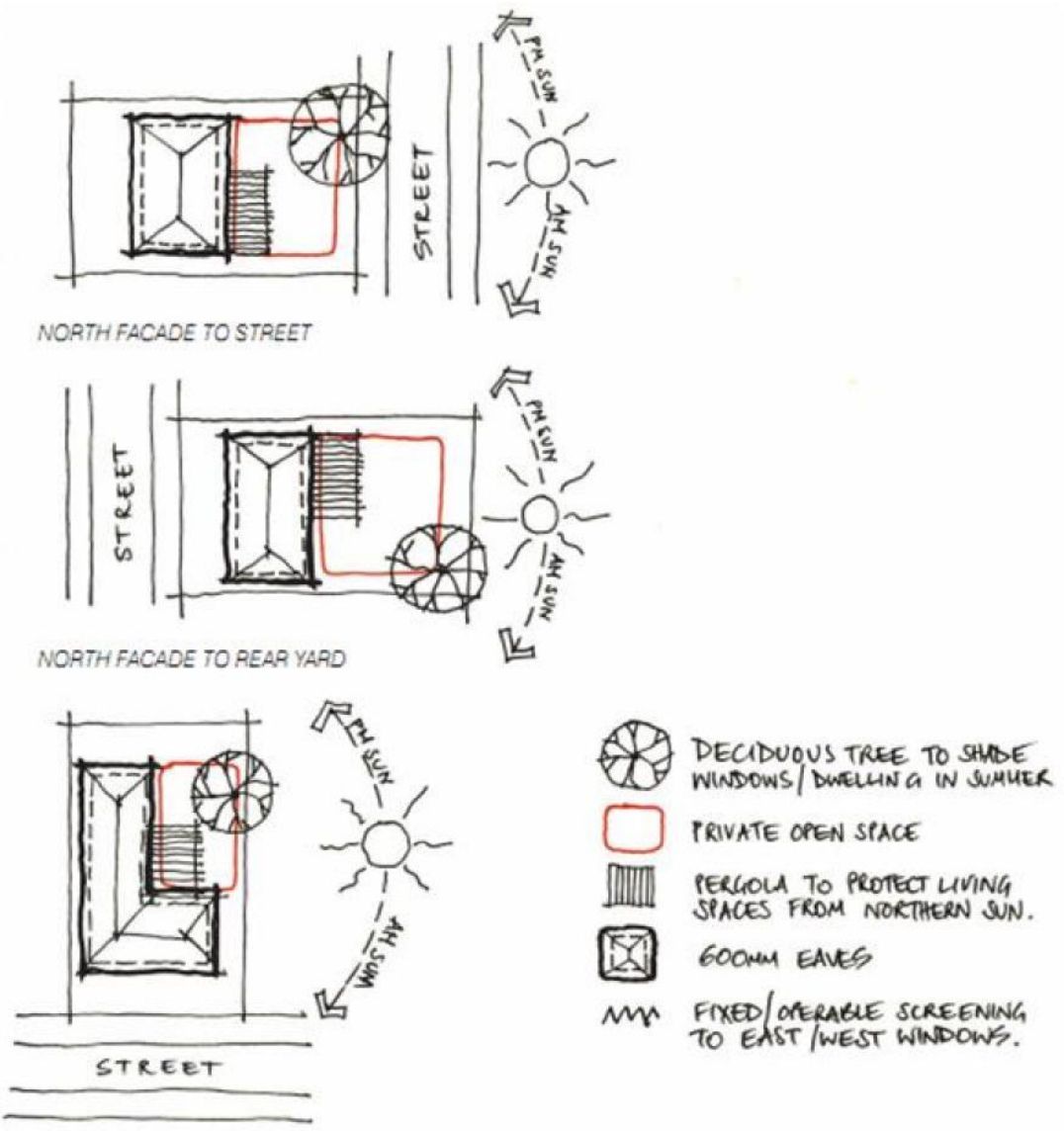


Figure 5: Solar passive design for houses

4.5.10 Services

Where available, the dwelling house must be **connected to Council's reticulated water supply** and sewerage system.

Where a site is not serviced by a reticulated sewerage system an approved wastewater management system is to be installed.

Where no reticulated water supply is available, a water supply with a minimum of 45,000 litres of potable water is to be provided onsite.

Bush fire prone land would need additional water for firefighting purposes in accordance with clause 3.2.2.

Refer to Section 3 Requirements Applying to all Types of Development.

4.5.11 Stormwater Management

Refer to Section 3 Requirements Applying to all Types of Development.

4.6 Second Hand/Relocatable Dwellings

4.6.1 General Requirements

Second hand/relocatable dwellings are also subject to those development controls applying to the relevant location/zoning.

In addition to controls contained in this DCP the following are applicable to these types of dwellings:

- The appearance of a second hand or relocatable dwelling must be compatible with or complementary to the existing streetscape, character and standard of surrounding development in the area,
- The external appearance of a second hand or relocatable dwelling is to be in keeping with the likely standard of future new development in the locality, and second hand or relocatable dwellings are to be in a sufficiently safe condition.

4.7 Dwelling Houses in Large Lot Residential, Rural and Environmental Management Zones

The following controls apply to dwelling houses in the *R5 Large Lot Residential Zone, RU1 Primary Production, RU4 Primary Production Small Lots Zone and E3 Environmental Management Zone.*

4.7.1 Access

Internal access roads are to be graded and gravelled to a standard where wet weather does not impede access by two-wheel drive vehicles.

All internal access roads should have an unobstructed width of at least 3.0 metres. *Refer to Section 3 Requirements Applying to all Types of Development.*

4.7.2 Building Siting, Height and Scale

The height of all buildings, including dwelling houses and ancillary buildings, is not to exceed 8.5m from natural ground level.

Dwellings and associated outbuildings are to be sited to maintain the rural character of the area. This includes the separation of buildings and minimisation of long lengths of access roads or other works that substantially disturb natural landforms and vegetation or have potential to increase soil erosion risk.

New buildings shall be sited to blend with the natural topography and avoid ridgetops in order to reduce visual impact.

4.7.3 Building Setbacks

The setback of all buildings including the dwelling house and ancillary buildings from the primary street frontage is to be a minimum of 10 metres.

The building lines of side and rear boundary is to be a minimum of 6 metres. This should be increased wherever possible to avoid land use conflicts.

Greater setbacks are encouraged to avoid impacts from roads, access ways and agriculture.

4.7.4 Impacts of Agriculture

The operation of the horticultural industry within the Council area can have adverse amenity impacts on rural residential land owners.

Frosts are a major threat to the horticultural industry. Helicopters and ground-based fans are sometimes used when weather conditions are likely to result in frost damage to fruit.

The use of helicopters and ground-based fans for frost mitigation may result in a noise nuisance to nearby residents.

Pecking of fruit by birds results in significant damage to fruit and loss of income to farmers. Gas Powered Bird Scare Guns are used to minimise this damage. The explosions are generated by guns fed by gas cylinders and triggered by timing devices. Birds are usually only active between sunrise and sunset.

The use of helicopters for aerial spraying is practiced in the SVC Council area. The downdraft of the rotor forces sprays onto plants in a saturating rain. It permits rapid and economic application of chemicals.

The Environment Protection Authority places numerous controls on agricultural spraying and these include minimum distances to dwellings and spray drift.

People living near orchards have indicated a desire to be advised of what chemicals are being sprayed, when, and for what purpose. Their concerns can be easily addressed by the placement of appropriate signs on the road frontage of the affected orchards.

Council has no jurisdiction over aerial or ground-based spraying of farm chemicals.

This is controlled by the Environment Protection Authority. Agricultural spraying must be conducted in such a manner so as to minimise spray drift.

People considering rural living are advised to familiarise themselves with the NSW “Right to Farm” Policy.

4.7.5 Farm Sheds and Outbuildings

Farm sheds and outbuildings are not to be constructed of highly reflective material..

4.7.6 Fencing

Rural type boundary fencing is preferred, and fencing should be of an open style or transparent that is rural in character.

Solid masonry or solid panel fences are not encouraged.

Front fences may be constructed from any material other than prefabricated metal sheeting.

The maximum height of a front fence, including any columns, is to be 1.5m.

4.7.7 Number of Buildings

Council does not set an upper limit on the number of buildings that may be built on a Lot of land. However, it will consider the cumulative impacts of large numbers of buildings on a single block of land having regard to the visual and landscape amenity of the area.

4.7.8 On-site Wastewater Management

Where a site is not serviced by a reticulated sewerage system an approved wastewater management system is to be installed.

Refer to Section 3 Requirements Applying to all Types of Development.

4.7.9 Stormwater Management

Roof water is to be collected and managed onsite in suitable rainwater tanks. *Refer to Section 3 Requirements Applying to all Types of Development.*

4.7.10 Temporary Accommodation

The temporary occupation of caravans in conjunction with the construction of a permanent dwelling may be approved subject to the following conditions:

- Occupation of the caravan will not be permitted until such time as a Development Application / Construction Certificate has been approved for a permanent dwelling on the subject land.
- A time limit of six months applies to the occupation of the caravan.
- This time limit may be extended at the discretion of Council if substantial progress has been made on the construction of the permanent dwelling.
- Adequate toilet / waste disposal facilities, water supply, electricity, clothes washing, and food preparation facilities shall be provided in conjunction with the occupation of a caravan.

4.7.11 Water Supply

Where no reticulated water supply is available, a water supply with a minimum of 45,000 litres of potable water is to be provided onsite.

Bush fire prone land would need additional water for firefighting purposes in accordance with clause 3.2.2.

Refer to Section 3 Requirements Applying to all Types of Development.

4.7.12 Waste Management

No on-site domestic solid waste disposal is permitted. Domestic solid waste must be either collected by a waste collection transportation disposal service or is disposed of to a Council waste or resource management facility.

4.8 Secondary Dwellings

In addition to the development controls applying to dwelling houses the following specific controls also apply where secondary dwellings are permitted with consent of Council.

4.8.1 General Controls

There is no specific minimum area of land for a secondary dwelling.

4.8.2 Access

Vehicular access to both the principal (existing) and secondary dwelling is to be from a single common driveway or access road.

Refer to Section 3 Requirements Applying to all Types of Development.

4.8.3 Building Types

The use of temporary buildings and moveable structures as secondary dwellings is not acceptable. These include, but are not limited to caravans, and shipping containers.

4.8.4 Building Design and Siting

Where the secondary dwelling involves an extension to an existing dwelling, the second dwelling is to be constructed of the same materials of as the existing dwelling, or the existing dwelling shall be renovated to match the proposed external materials of the new secondary dwelling.

Detached secondary dwellings are to be setback a minimum of 5 metres from the principal existing dwelling.

A two-storey secondary dwelling will only be considered where the principal existing dwelling is two storeys.

4.8.5 Private Open Space

The minimum private open space for the secondary dwelling must be 40 per cent of the floor area of the secondary dwelling. The private open space is to be capable of being an extension to indoor living areas and directly accessible from the rear or side of the dwelling.

4.9 Rural Worker Dwellings

In addition to the development controls applying to dwelling houses the following specific controls apply where rural worker dwellings are permitted with consent of Council.

4.9.1 General Controls

The rural worker dwelling is located away from any activities associated with use of the land for agricultural or rural industries so that occupants are not detrimentally impacted upon by unreasonable noise, dust, odour or chemical spray.

The viability of the agricultural and/or rural industry requiring employment of a rural worker is demonstrated with written justification providing a detailed breakdown of the duties that the rural worker is required to carry out. The justification should also explain why these duties would require a necessary or desirable presence onsite. Security alone is not a sufficient reason.

4.9.2 Access

Rural worker dwellings are to be located to utilise existing property access arrangements.
Refer to Section 3 Requirements Applying to all Types of Development.

4.10 Dual Occupancy

Dual occupancy means a dual occupancy (attached) or a dual occupancy (detached):

- **Dual occupancy (attached)** means 2 dwellings on one Lot of land that are attached to each other but does not include a secondary dwelling.

- **Dual occupancy (detached)** means 2 detached dwellings on one Lot of land but does not include a secondary dwelling.

Dual occupancies are permitted with consent of Council in the relevant zones contained in Council's Local Environmental Plan where a dwelling house can or has been lawfully erected. The following development controls relate to dual occupancy development in relevant zones across the Council area.

Some development controls are general in nature and other controls are based on existing or proposed Lot sizes within the relevant zone.

Table 2 is a summary of the relevant controls for dual occupancies based on relevant Lot sizes. Other matters relevant to the development of dual occupancies are addressed in the remainder of the Chapter.

Table 2 – Summary of dual occupancy development controls by lot size

Lot Size	600m2 – 900m2 900m2 – 1500m2	1500m2 +
Height	Maximum 8.5m from natural ground level	
Site coverage (% of site area covered by buildings)	25%	
Landscaping (includes lawns and paddocks)	50%	
Setbacks		
Front (vacant immediately adjoining lands fronting primary street)	6m	10m
Front (houses on immediately adjoining lands fronting primary street)	Existing or split the difference	
Rear	Single storey - 3m Two storey – 8m	Single storey – 10m Two Storey – 15m
Carparking	Car parking is based on no of bedrooms - 1 bedroom - 1 car space 2 bedrooms - 1.5 car spaces and 3 bedrooms or more - 2 car spaces	

Notes to Table

- *To calculate the front setback in existing residential areas, refer to the Building setbacks section 4.5.2.*
- *For side setbacks refer to the Building setbacks section 4.10.2.*
- *Site coverage means the percentage of site area covered by buildings, excluding swimming pools.*

4.10.1 Area Requirements

The minimum site area requirement for a dual occupancy development is 600m2.

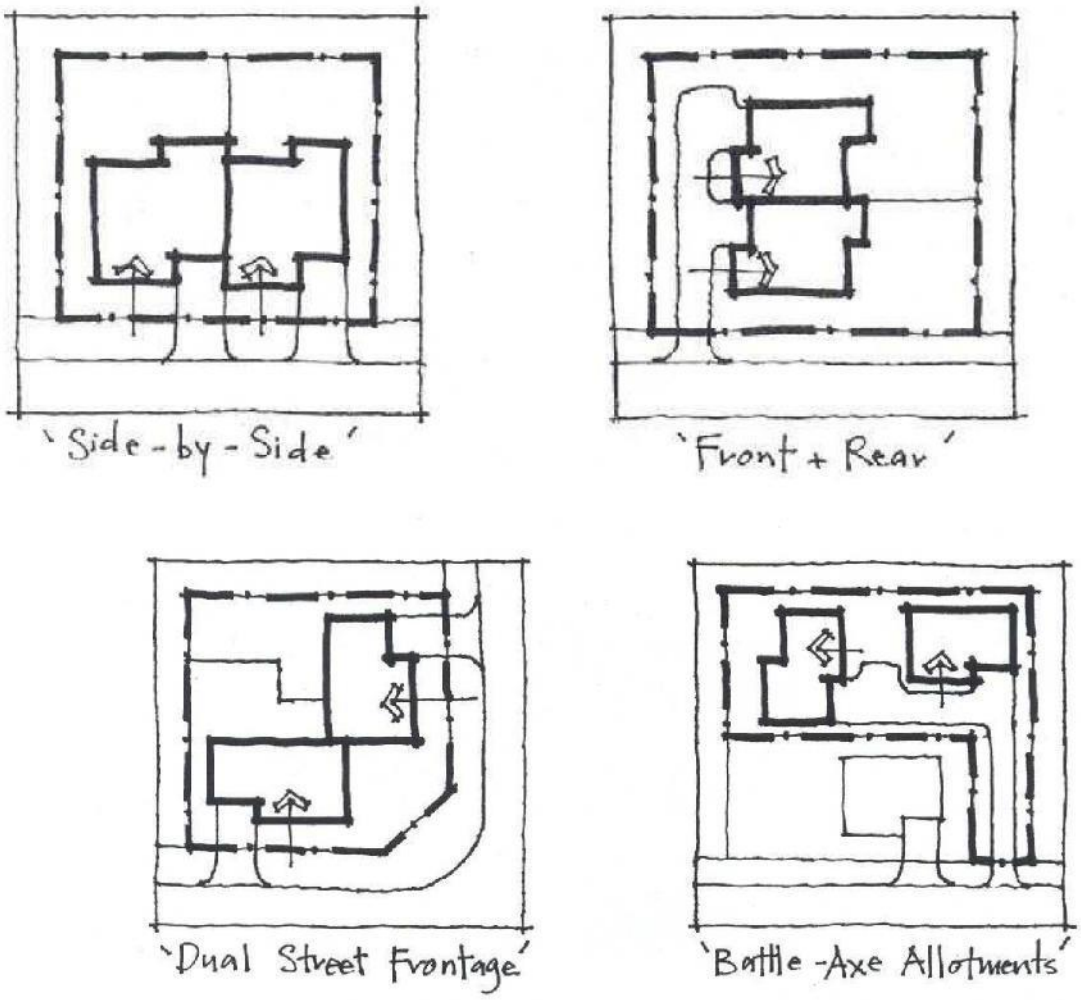


Figure 6: Dual occupancy layout options

4.10.2 Building Setbacks

The building lines to side boundaries for single-storey dual occupancies are to be a minimum of 0.9 metre.

The second level of two-storey dual occupancies is to be setback 2.0m from the side boundary.

4.10.3 Car Parking

1 car parking space for studios or one- or two-bedroom dwellings

2 car parking spaces for each dwelling containing more than 2 bedrooms

4.10.4 Carports and Garages

The siting and design of carports and garages must take into account possible impacts on adjoining and nearby dwellings and other development, including structural stability, visual impacts, overshadowing, materials and colours, heritage considerations and impacts on stormwater or flooding.

Garages and carports are to be single storey in height, allowing for consideration of storage space in the roof area. The maximum overall height to ridge level of carports and garages is 4.5m above existing ground level.

Garages and carports are not permitted to be located forward of the front building line.

Setbacks to side and rear boundaries are to be in accordance with the Building Code of Australia.

All garages and carports, whether attached or free-standing are to be set back at least 1metre from the front façade.

Attached carports and garages are to face the primary street or access and are not to be more than 7m or 45% in length of the Lot frontage, whichever is the lesser.

4.10.5 Fencing

Fences within the front primary setback area to the building line are to be a maximum 1200 mm high.

Any front fences in excess of 1200 mm will be assessed on merit having regard to the impact of the fence on the streetscape and the aesthetics of the proposed fence.

4.10.6 Services

Where available, the dual occupancy is to be connected to Council's reticulated water supply and sewerage system.

Where a site is not serviced by a reticulated sewerage system an approved effluent disposal system is to be installed.

Where no reticulated water supply is available, water supply with a minimum of 45,000 litres of water is to be provided onsite per dwelling.

Refer to Section 3 Requirements Applying to all Types of Development.

4.10.7 Stormwater Management

Refer to Section 3 Requirements Applying to all Types of Development.

4.10.8 Subdivision

Torrens title subdivision of a detached dual occupancy development is permitted, and the minimum Lot size must be equal to the specified minimum Lot size in the relevant Local Environmental Plan.

4.11 Multi-Dwelling Housing

The following controls apply to multi-dwelling housing where this type of development is permitted with the consent of Council.

Photograph 4 – Medium density housing contributing to the streetscape

4.11.1 Area Requirements

The minimum site area for multi-dwelling housing is 900m2.

4.11.2 Building Height

The development is not to exceed 8.5m in height.

4.11.3 Building Setbacks

For regular-shaped and sited lots, the front setbacks are to be six (6) metres. The side setbacks are to be three (3) metres for single-storey development and 3.75 metres for two-storey development. The rear setbacks are to be 4.5 metres.

For a corner block, one of the street boundary setbacks may be reduced to 3.0 metres to the building.

Irregular-shaped and sited lots will be assessed on merit (i.e. site specific).

4.11.4 Car Parking

The following car parking requirements apply:

- One car parking space for ‘studios’ or one-bedroom dwellings,
- Two (2) car parking spaces for each dwelling containing more than two (2) bedrooms; and
- One (1) visitor space per three (3) dwellings.

Stacked parking will be considered on merit.

All vehicular parking spaces shall be sealed (bitumen, concrete or paving) in accordance with AS/NZ 2890.1.

Visitor car parking is to be clearly marked and accessible.

4.11.5 Carports and Garages

The siting and design of carports and garages must take into account possible impacts on adjoining and nearby dwellings and other development, including structural stability, visual impacts, overshadowing, materials and colours, heritage considerations and impacts on stormwater or flooding.

Carports and garages will generally not be permitted to be located in front of the front building line. Carports and garages should utilise similar design, colours and buildings materials as those of the dwelling. Garages and carports are to be single storey in height, allowing for consideration of storage space in the roof area. The maximum overall height to ridge level of carports and garages is 4.5m above existing ground level.

4.11.6 Clothes Drying Facilities

Each dwelling is to be provided with clothes drying yard and line. The clothes drying area shall be suitably located and/or screened to ensure that the clothes line is not visible from any public street or area. Each dwelling unit is to be provided with at least 7.5 metres of clothes line.

4.11.7 Essential Services

The developer will be required to make suitable arrangements with other authorities regarding connection to electricity, telecommunications network etc.

Refer to Section 3 Requirements Applying to all Types of Development.

4.11.8 Fencing

Fences forward of the primary setback area to the building line are to be a maximum 1200 mm high and must be at least 70% visually permeable.

Fences forward of the primary setback should be constructed of materials that complement the materials used in the development.

Boundary fences, other than those which front a primary setback, must be a maximum of 1.8m in height.

The height of boundary fences that front a primary setback will be considered on their merit.

On corner Lots fencing of the secondary frontage will be permitted on the boundary generally up to the 6-metre building line to the street. Fencing forward of this line is to comply with fencing standards forward of the primary setback.

If a boundary fence with a secondary frontage is of solid construction, then indents not less than 600 mm by 300 mm must be provided in the fence to allow landscaping to soften the impact of the fence at 3m intervals.

Boundary fences which face another street or abut a public space (including laneways) must be constructed of materials similar to the front fence.

4.11.9 Floor Space to Site Area Ratio

The total floor space of all buildings (site coverage) within a multi-unit dwelling development will not exceed 40% of the site area of the Lot.

4.11.10 Internal Access

All trafficable areas within the site are to be sealed (bitumen, concrete, or paving) and suitably drained.

All vehicles must be able to enter and leave the site in a forward direction.

Internal access roads must be a minimum of 3m in width.

Refer to Section 3 Requirements Applying to all Types of Development.

4.11.11 Landscaping

Appropriate vegetation shall be used to provide shade to northerly and westerly elevations of buildings in summer, while allowing sunlight in winter. The provision of landscaping to the street frontage of new developments should be substantial and should attempt to enhance the appearance of the development and assist with streetscape integration.

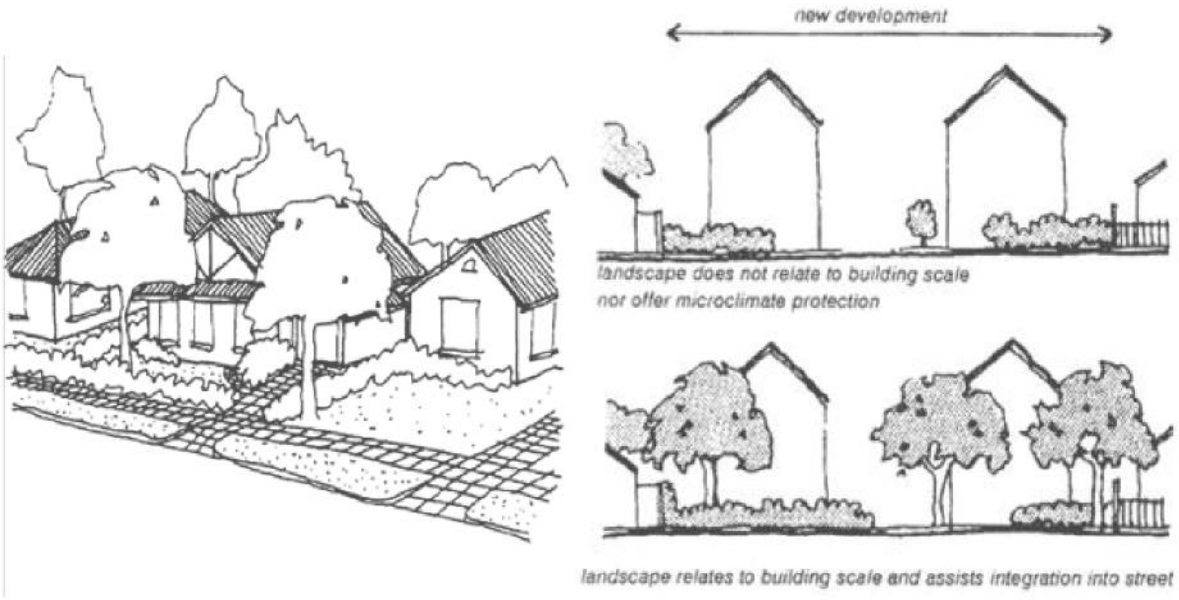


Figure 8: Streetscapes for multi-dwelling housing

Private open space areas shall be landscaped to provide areas of shade in summer and sunlight in winter. Landscaping should also attempt to improve privacy and minimise overlooking between buildings and/or private open space.

Refer to Section 3 Requirements Applying to all Types of Development.

4.11.12 Letterboxes

Separate letterboxes are to be provided for each dwelling in an accessible position, connected by a paved path.

4.11.13 Pedestrian Access/Footpath

Separate pedestrian access is to be provided within the site to ensure safe pedestrian movement.

Photograph 5 – Pedestrian access integrated with landscaping and siting of buildings

4.11.14 Privacy

A minimum 9-metre separation is to be provided between the windows of habitable rooms of facing units or adjacent existing dwellings. This distance shall be increased to 12 metres for windows above first floor level. The separation distance may be reduced where it can be demonstrated to the satisfaction of Council that adequate privacy will be gained from:

- landscape screening either by existing dense vegetation or new planting that can achieve a 75 per cent screening effectiveness within three (3) years;
- off-setting windows or splaying windows;
- provision of screens; and
- provision of courtyard walls

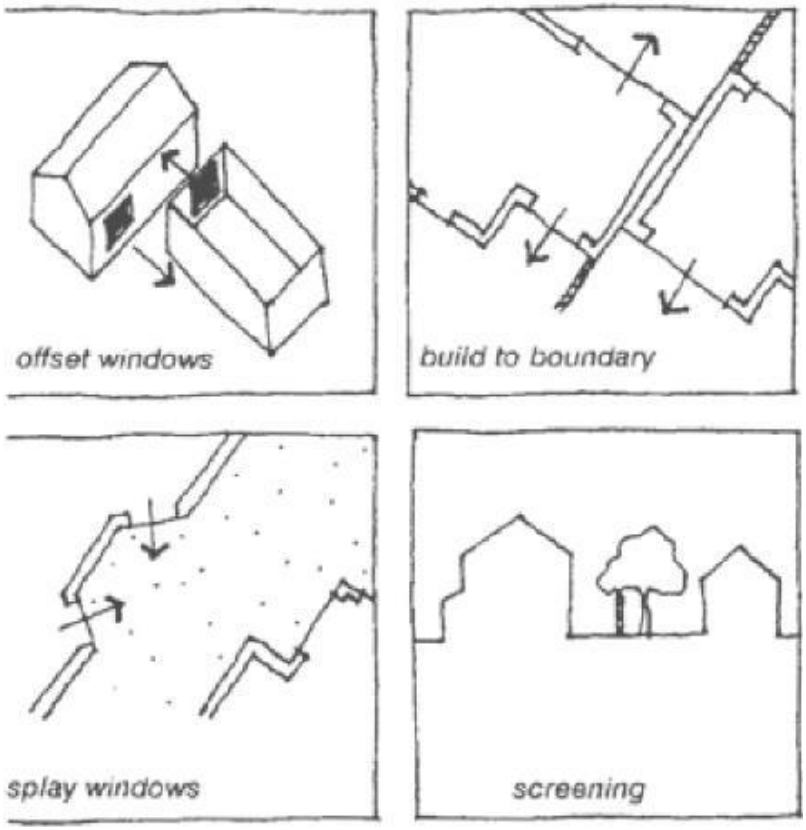


Figure 9: Privacy arrangements for multi-dwelling housing

4.11.15 Private Open Space

A minimum of 18m^2 of private, useable, open space is to be provided for each dwelling. The minimum dimensions for the private open space must be a minimum dimension of three (3) metres.

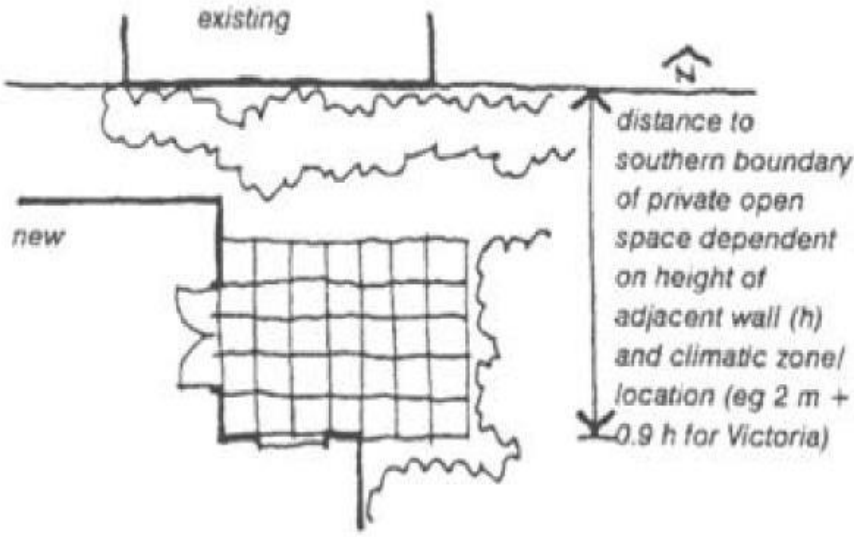


Figure 10: Private open space for multi-dwelling housing

Private open space shall be directly accessible from the main living areas of the dwelling. Where the dwelling is located above ground level, a balcony is to be provided having a minimum area of 6 m^2 and a maximum area of 12m2.

4.11.16 Stormwater Management

Stormwater design plans are to be submitted with the Development Application.

Refer to Section 3 Requirements Applying to all Types of Development.

4.11.17 Street Numbering

Each dwelling will include an appropriate street number for easy identification.

4.11.18 Vehicular Access

Vehicular access, including driveways, cross overs and layback, to the site is to be located **and constructed in accordance with Council's adopted** Urban Driveway Construction Specification.

Refer to Section 3 Requirements Applying to all Types of Development.

4.11.19 Waste Management

A garbage bin receptacle area will be provided for each individual unit and must be designated on the floor plan and/or site plan.

4.11.20 Water Supply

Water supply design plans are to be submitted with the Development Application.

The size of the water service will be in accordance with **Council's adopted** Planning and Design Manual.

Refer to Section 3 Requirements Applying to all Types of Development.

5.0 Commercial Development

5.1 Objectives

The objectives of this Chapter are to:

- provide development controls for various retail, business, entertainment and community land uses across the Snowy Valleys Council area,
- encourage economic and employment opportunities,
- support appropriate commercial development in existing zoned areas,
- ensure that the commercial environment is attractive and safe,
- reinforce the primary office and retail functions of the local centre zone and the mixed-use zone, and
- encourage development that strengthens the economies of towns and villages that enhances their distinctive heritage streetscapes and characteristics.

5.2 Definitions

This Chapter applies to types of commercial development permitted in *E1 Local Centre Zone, MU1 Mixed Use Zone* and the *RU5 Village Zone*.

5.3 Development Controls

5.3.1 Building Design

All commercial premises on the ground level of a building facing the street or public car parking areas are to include large windows and doors to encourage the interaction between pedestrians and the development to provide an “active” edge.

Development on a corner site must include architectural features that address both street frontages.

Building facades can be articulated by use of colour, arrangement of elements such as verandas over footpaths and by varying building materials.

Post supported verandas, awnings, balconies, and edges of awnings must be setback a minimum of 600mm from the back of the existing or proposed kerb line.

Design of new development is to be sympathetic to heritage buildings and designed to meet the guide and controls expressed in the DCP.

Consideration must be given to external infrastructure (air conditioning ducts, plant rooms and stairs) and how they can be screened from view from a public place. This type of external infrastructure is generally not appropriately located immediately adjacent to residential premises or fronting the primary street frontage.

Where possible, use elements that emphasis the horizontal form of established development, for example through the use of verandas.

Excessive lengths of blank walls are not encouraged in the front facade. Where blank walls are unavoidable on side or rear facades, consider breaking the visual impact through the

provisions of landscaping, or, by creating visual interest through patterning of the facade, use of signage or public art.

Awnings should be designed to integrate with the architecture of the building facade and provide continuous shelter for pedestrians. Awnings ideally should follow consistent heights above the footpath with a minimum height to the underside of the awning of 3.2 metres.

Building entrances should be well defined and well lit.

Where Shop-top housing is proposed it must be integrated into the development, having direct access from the street frontage or laneway.

Photograph 6 – Small commercial infill integrated into the commercial area with good relationship to the street

5.3.2 Building Heights

Building heights should generally be a maximum of two to three storeys so as to blend in with, and reinforce, the existing streetscape.

5.3.3 Building Setbacks

No minimum building setbacks apply in the *B1 Neighbourhood Centre, B2 Local Centre Zone, B4 Mixed Use Zone* and the *RU5 Village Zone* for commercial development or re-development. In developing or redeveloping a commercial site consideration must be given to:

- the need for building setbacks to accommodate site features such as outdoor dining areas, disabled access and landscaping,
- the setbacks of existing adjoining buildings, and
- the National Construction Code requirements for setbacks and fire safety

Where development in the *B4 Mixed Use Zone* and the *RU5 Village Zone* adjoins a residential building the minimum side or rear setback must be 3 metres.

5.3.4 Car Parking and Access

Refer to Section 3 Requirements Applying to all Types of Development.

5.3.4.1 Car Parking Requirements for Commercial Development

For commercial areas where off street parking is provided to existing developments this must be retained. Car parking requirements for commercial developments are based on the net increase in demand for parking created by that development. The decision of what is considered to be net increase will be merit based depending on the nature of the proposal and other relevant factors. It is recommended that to discuss this at a pre-lodgment meeting.

5.3.4.2 Commercial Change of Use

Where it is proposed to change the use of an existing retail premises/ floor space to a restaurant, dining, and/or take away food premises, additional car parking spaces may be required where car parking cannot be physically provided on site.

Refer to Section 3 Requirements Applying to all Types of Development and in particular 3.2.3.3.

5.3.4.3 Off Peak Commercial Development

Off-Peak development is commercial development which operates or carries out business outside the peak demand periods for parking, which is generally between 9.00 am and 5.00 pm weekdays.

Council will have regard to the characteristics of the proposed development, its hours of operation and the availability of publicly accessible parking in walking distance of the development site.

Where it can be demonstrated that the time of peak demand for parking associated with the proposed development and the existing adjacent land uses do not coincide, or where common usage reduces total demand, a lower level of parking provision might apply.

5.3.4.4 Location of Commercial Parking Areas

Off-street parking areas are to be located so that they are readily accessible to principal staff and/or customer entrances.

The location of on-site parking areas should have regard to the following:

- site conditions
- visual amenity of the development and adjacent sites
- proximity of parking areas to any neighbouring residential areas
- relationship of parking areas to the building
- relationship of parking areas to the street, including the footpath and pedestrian crossing points, and
- ease of access to and from the street

5.3.4.5 Commercial Car Parking Layout

All parking areas are to generally incorporate a rational circulation pattern. Dead-end parking aisles will not be permitted except in small parking areas or areas reserved for a specific low turnover (e.g. staff parking areas).

The turning paths and manoeuvring requirements for cars are to be designed in accordance with AS/NZ 2890.1 and the turning paths and manoeuvring requirements for commercial vehicles are to be designed in accordance with AS 2890.2.

Adequate space is to be made for the manoeuvring, loading and unloading of rigid and articulated heavy vehicles.

Parking areas are to be suitably marked by lines or other approved means to indicate the layout and circulation pattern of traffic.

5.3.4.6 Fencing and Lighting

The use of lighting is to be considered where night use of car parking areas is involved.

Where parking areas are utilised at night and are located adjacent to residential development, consideration needs to be given to the positioning of lighting and location of driveways to minimise light glare and traffic noise.

In such cases fencing and/or landscaping may be necessary to protect the amenity of adjoining residential areas.

5.3.4.7 Internal Road Design

All internal roads and driveways are to be designed for low-speed environments.

Details of internal road design standards are specified in AS 2890.2

5.3.4.8 Pedestrians

Commercial car parking areas should be designed to minimise the potential for vehicular/pedestrian conflict.

Depending on the size of the proposed car parking area separate pedestrian pathways between parking areas and building access points is required. These pathways are to be wide enough to accommodate disabled access.

5.3.4.9 Accessible Commercial Car Parking

Council and developers have a responsibility to ensure the provision of readily accessible parking for disabled persons.

Accessible parking is to be provided in accordance with the Building Code of Australia.

Dimensions and gradients for disabled parking spaces to comply with AS/NZ 2890.6.

5.3.4.10 Landscaping of Commercial Car Parking Areas

Parking areas are to be landscaped to provide shade, improve the visual amenity of large all-weather surfaces and to provide a buffer from neighbouring areas.

Landscaping is to form an integral part of the parking layout and be used to separate conflicting vehicular and pedestrian traffic movement.

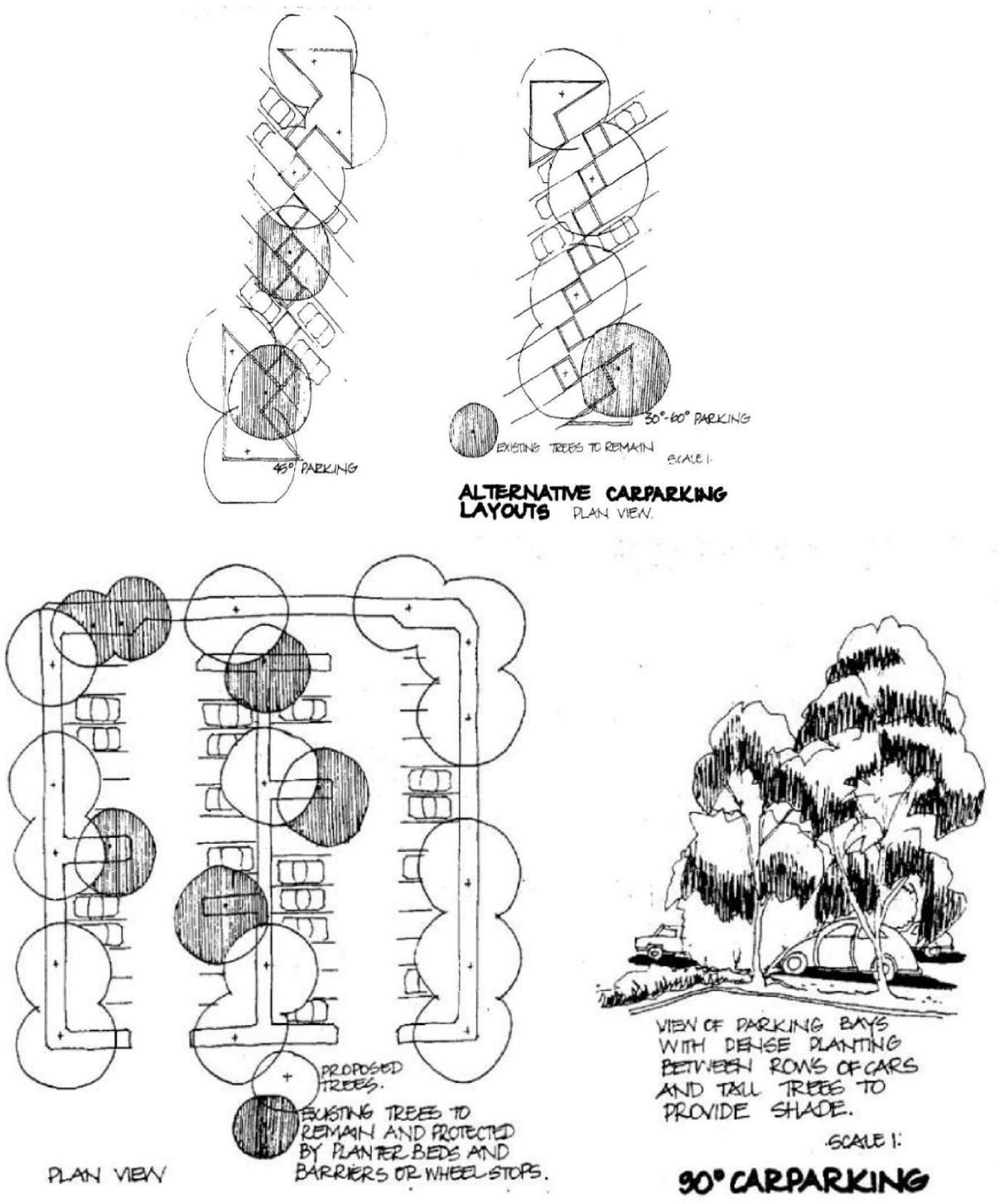


Figure 1: Landscaping of commercial car parking areas

Care should be taken in the selection of plant species not to block signs and to allow ingress and egress points to be clearly visible.

Plants should be selected and located to avoid maintenance problems such as interference with overhead wires, underground conduits, damage to paved areas by root systems, and leaf and branch litter. Trees with large surface roots, excessive girth, brittle limbs, fruits which drop and trees which attract large numbers of birds should be avoided in parking areas.

Planting of shade trees within parking areas should be protected from damage from vehicles (e.g. tree guards/wheel stops).

Landscaping provision for sun control (shading) is to be provided. A desirable tree planting rate for sun control is 1 shade tree for every 6-8 car parking spaces.

5.3.4.11 Bicycle Parking

Priority areas for bicycle parking facilities are the central business districts, town pools, town libraries and sporting facilities. Institutions such as schools are also significant bicycle destinations.

There will be some high employment generating developments that will need to provide bicycle parking facilities. The level of parking provision for these developments will be determined using the following:

- developments generating less than 10 car parking spaces - N/A; and
- developments generating more than 10 car parking spaces - 1 bicycle parking bay per 10 car parking spaces.

Where bicycle parking is required, safe and convenient locations are to be chosen.

The security and protection of bicycles is critical in parking design. Bicycle parking facilities are to allow cyclists to secure the frame and two wheels of a bicycle to a fixed, secure stand, preferably with the cyclist's own lock and chain.

In some situations, it may be necessary to provide undercover parking or more secure bike parking facilities.

5.3.4.12 Construction

Commercial car parking areas and vehicular accesses to them are to be paved with concrete, bitumen, paving stones or other material in accordance with Council's adopted Engineering Planning and Design Manual.

The standard of construction is dependent on the type of vehicles that will use the parking facility as well as the level of vehicular activity associated with the development and shall be in accordance with Council's adopted Urban Driveway Construction Specification.

Drainage of paved surfaces is to be provided to the satisfaction of Council.

All trafficable surfaces are to be bunded with a suitable kerb to assist in stormwater management and prevent the movement of vehicles on non-trafficable areas.

Parking areas are to be barricaded from non-traffic areas by kerbs, barriers or landscaping. Paved parking spaces are to be defined by painted lines or other approved means.

5.3.4.13 Service Vehicles and Loading Docks

Service vehicle areas are to be provided off-street in safe and convenient locations.

For commercial developments with site conditions that preclude the provision of onsite loading areas, on-street deliveries are to be undertaken within designated loading zones.

Loading facilities are to be designed with reference to Council's adopted Engineering Planning and Design Manual.

In larger commercial developments, service areas are to operate independently of other parking areas.

5.3.4.14 Signage

Parking areas should be well signposted to indicate the availability of off-street parking, with exit and entry points clearly visible from both the street and the site.

Pavement arrows are to clearly indicate the direction of traffic circulation. Parking areas are to be clearly delineated as well as spaces for specific uses (e.g. disabled, employees, visitors, pedestrians).
Parking areas that are subject to frequent night time use by the public should utilise reflective materials for signs and line marking.

5.3.4.15 Access

Vehicles must be able to enter and leave commercial car parking areas or a site in a forward direction.

Access to commercial car parking areas is to be located so as to be readily visible and accessible from the road frontage. Accesses should also be located where they will cause least interference with vehicular and pedestrian movement on public roads and need to provide adequate visibility.

Direct access will be limited from existing or proposed high volume roads wherever an alternative access can be provided.

Driveways are not permitted in close proximity to intersections or where sight distance is considered inadequate by Council.

The number of driveways to be provided from any site to any one street frontage should be generally limited to one combined ingress and egress.

The potential for on-street queuing shall be eliminated by the provision of sufficient standing area for vehicles entering parking and loading areas.

Access is to be designed in accordance with Council's adopted Urban Driveway Construction Specification.

Refer to Section 3 Requirements Applying to all Types of Development.

5.3.5 Commercial Use of Council Footpaths

For guidance regarding Council standards and requirements for commercial use of footpath areas refer to Council's relevant current outdoor dining policy.

Photograph 7 – Commercial use of Council footpath is subject to Council approval

5.3.6 Erosion and Sediment Control

Refer to Section 3 Requirements Applying to all Types of Development.

5.3.7 Fencing

Landscaping for new commercial developments is to reduce or eliminate the need for fencing. Fencing for security and property access control will be treated on their merit.

5.3.8 Flooding

Any commercial development must not adversely affect flood behaviour on-site or on adjoining properties.

Refer to Section 3 Requirements Applying to all Types of Development.

5.3.9 General Outdoor Lighting

Lighting in commercial areas should not be obtrusive especially with regard to adjoining residential development and residential zones in accordance with relevant Australian Standards.

5.3.10 General Signage

Signage within commercial areas must:

- if attached to a building, be no higher than roof level,
- **permit adequate identification and business advertising that conveys advertisers'** messages and images while complementing and conforming to both the development on which it is displayed and the character of the surrounding locality,
- if detached from a building be no higher than 6m above natural ground level,
- ensure that advertising does not lead to visual clutter through proliferation of signs,
- do not reduce the safety of operation of any road or pedestrian path, and
- must be in a form an integrated part of the building façade, architectural design and scale of the building.

Photograph 8 – Commercial signage complimenting the building design and streetscape

Council does not support above roof signage in commercial areas to maintain the visual amenity and important streetscapes of the Council area and to avoid the proliferation of signage. This is also reinforced in heritage conservation of items and significant heritage areas.

In commercial areas a maximum of one (1) pole or pylon sign per site is permitted. A minimum clearance of 2.6 metres is required from the underside of the pole or pylon sign and the ground level. The maximum advertising area for a pole or pylon sign upon a site located within a business zone is 8 m^2.

The maximum height for a pole or pylon sign upon a site located within a commercial area is 6 metres above ground level, provided the height of the sign does not protrude above the dominant skyline (including any buildings, structures or tree canopy)

Advertising that is not exempt development should be identified in the development proposal.

Figure 2: Signage in commercial areas

5.3.11 Heritage

Commercial development associated with Heritage items and Heritage Conservation areas will consider the design advice contained within this DCP and consider the impacts of the development on heritage significance.

Refer to Section 3 Requirements Applying to all Types of Development.

5.3.12 Landscaping

Landscaping of commercial development is to be integrated into the design and siting of new buildings.

Photograph 9 – Integration of landscaping, fencing and pedestrian access Refer to Section 3 Requirements Applying to all Types of Development.

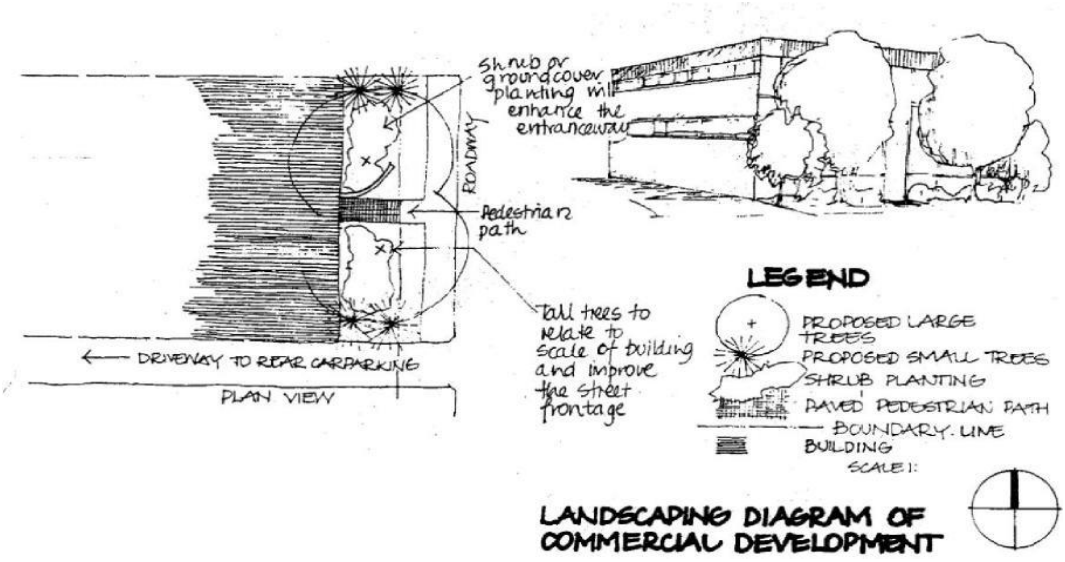


Figure 3: Landscaping of commercial development

5.3.13 Noise

Commercial developments are to minimise the impact on adjoining residential land uses.

Suitable controls appropriate to the type of commercial development are to be implemented in the building and site design.

An acoustic report may be required depending on the type/use of the development.

5.3.14 Public Areas

In order to create and maintain a consistent character for each town and village it is necessary to consider and demonstrate how the proposed development fits into the broader townscape and how it is compatible with the treatment of adjoining public spaces in terms of architectural style, landscape treatment and pedestrian and vehicular circulation.

Any public area enhancement programs and/or projects planned by Council would be considered when assessing the relationship of the proposed development with communal areas.

The public realm strategy will have regard to any public area enhancement programs and/or projects planned by Council.

Photograph 10 – Integrating commercial development design to compliment public areas

5.3.15 Services

Commercial development must be provided with water, sewer, and stormwater appropriate for the scale of the development.

Developments are to demonstrate adequate provision for storage and handling of solid waste.

Liquid wastes (excluding domestic waste form a hand basin, shower, bath or toilet) are to be discharged to Council's sewer system in accordance with Council's Liquid Trade Waste requirements.

No building can be located within an easement for the purposes of utility infrastructure or over the top of any existing utility services.

Water and sewer mains structures are to be located in accordance with Council's adopted Planning and Design Manual.

Where feasible development is to be connected to Council's reticulated water supply and sewerage system in accordance with Council's adopted Planning and Design Manual.

Power and communication systems should be provided in accordance with the requirements of the appropriate authority.

Contributions for Water and Sewerage will apply to commercial development. *Refer to Section 3 Requirements Applying to all Types of Development.*

5.3.16 Shop Top Housing

Shop-top housing describes a building type with residential dwellings above commercial, in most cases retail space. Generally, this building type occurs on land zoned for commercial purposes. Shop-top housing includes 1 or more dwellings over two levels associated with ground level commercial space.

Shop-top housing provides accommodation in proximity to the amenity, conveniences and activities offered by centres such as entertainment and dining and social benefits such as community services.

Shop-top comprises of either two or three storeys with the commercial component occupying the whole of the ground level of the building and in some cases the first level as well.

Apartment layouts on the first level can be designed to allow for home/office or future commercial uses. These buildings are characterised by being built to the street alignment and the side boundaries and are oriented to the street front and the rear of the Lot.

Building elevations must have a high level of urban design consistency between all buildings along the street and they strongly define a built edge to the street space.

The challenge for shop-top housing is to ensure that the residential component of the building does not preclude quality commercial space nor stifle the growth and development of the place as a commercial and civic centre. The primary and overriding purpose of land within town centres is to provide for the current employment, commercial, entertainment and civic needs of the community therefore development is to safeguard the flexibility and growth opportunities of these uses.

As such residential uses are of secondary importance to the commercial component of this building type and are to result in economically viable commercial spaces for the occupants and future owners in the immediate and longer term.

5.3.16.1 Building Design

Shop-top housing is to have a street elevation consistent with other buildings in the street in terms of height and vertical and horizontal proportions.

The design of external building elements is to make a positive contribution to the attractiveness of the streetscape and the local commercial area and contribute to a consistent built character along the street.

The building's street elevation is to be designed to give emphasis to enclosing the street space along the street boundary.

Building elevations for corner buildings, which are by their location often highly visible, are to be well designed and respond to the different characteristics of the streets they address.

Colonnades are generally not acceptable along main streets unless there is a historic precedent of colonnades along the street.

Uses on ground level are to be commercial (generally retail).

Circulation space used to access upper-level dwellings may occupy up to 15% of the Lot frontage.

For the commercial component of Shop-top Housing these must provide awnings along the commercial main street.

Awnings are to follow the general alignment and pattern of existing awnings in the street and complement the height, depth and form of the desired character or existing pattern of awnings.

Uses on the first floor can be either residential or commercial.

5.3.16.2 Floor space ratio

Shop-top housing will have a 2:1 maximum Floor Space Ratio.

Floor Space Ratio is the ratio of the Gross Floor Area of all buildings on a site to the site area.

5.3.16.3 Setbacks

In new areas Shop-top Housing is to be built to the street boundary.

In established areas Shop-top Housing is to be built to the street boundary.

On corner sites in new and existing areas the setback along the secondary street (the street to which the building has its secondary frontage) is 3m.

At grade parking must be located a minimum of 6m setback from the building's front elevation or to the rear of the site.

Side setbacks are to comply with the National Construction Code.

5.3.16.4 Storage

In addition to kitchen cupboards and bedroom wardrobes accessible storage facilities will be provided and located conveniently for dwellings.

5.3.16.5 Sunlight and Privacy to Dwellings

Living spaces are to be located predominantly to the north where the orientation of the Lot makes this possible.

Living room and kitchen windows, terraces and balconies are to avoid a direct view into neighbouring dwellings or neighbouring private open space.

Dwellings are to be designed to minimise the impacts of noise generating uses such as traffic, air conditioners, pumps, and other mechanical equipment.

5.3.16.6 Private Open Space

Private open space (balconies/terraces) must be provided at a minimum of 16m2 with minimum dimension of 3m.

5.3.17 Small Scale Commercial Developments

5.3.17.1 Food Premises

The following controls apply to the establishment of food premises, permanent and mobile, within existing commercial areas.

The construction, design & fit-out of food premises must meet the following standards:

- *Food Act 2003 (legislation.nsw.gov.au)*
- *Food Standards Codes (foodauthority.nsw.gov.au)*
- *AS4674-2004 – Fit out of food premises*
- *AS1668.1-1998 and AS1668.2-1991 – Mechanical Ventilation*
- *Building Code of Australia (BCA)*

Council has adopted as the standard for all food premises/food stores the *Australian Standard AS 4674 -- Design, Construction and Fit out of Food Premises.*

The Australian Standard promotes a national and uniform satisfactory hygienic standard and to facilitate easy cleaning and maintenance.

The following matters are addressed in the Australian Standard:

- Construction
- Materials
- Finish
- Installation of fixtures
- Installation of fittings
- Installation of equipment

- Washing facilities
- Food conveyors
- Ventilation
- Window displays
- Special facilities e.g. staff toilet accommodation

Copies of the Australian Standard are available through the following website *http://www.standards.org.au/*

Food premises are inspected routinely and Council charges an inspection fee in accordance with Council's Fees and Charges Policy. Mobile Food vans/food stalls/etc., that operate either on a permanent basis or periodical basis, are subject to the same requirements as other food premises.

5.3.17.2 Residential Dwellings converted to Commercial Premises

The conversion of residential dwellings for commercial uses in commercial zones is permissible and generally suits professional uses. Council requires that the following matters are addressed in these types of proposals:

- clear identification of the floor space of the building to be converted to commercial use
- details of any alterations to the façade and any other elevations (if any)
- provision of car parking
- landscaping
- access for disabled persons and compliance with the requirements of the EPA Act and Regulations and the BCA
- fire protection and structural capacity of the premises

5.3.18 Stormwater Management

Stormwater must be conveyed to Council's stormwater management system.

Refer to Section 3 Requirements Applying to all Types of Development.

5.3.19 Waste Management

For new developments, including demolition, the capacity, size, construction and placement of solid waste, liquid waste and recyclable storage facilities are to be determined according to estimated amounts supplied by the applicant of waste and recyclables generated, safe means of collection, cleanliness and unobtrusive effects on the building and neighbourhood.

Ready access to commercial waste containers by collectors and collection vehicles must be provided. Where waste containers are located within close proximity to street frontages these are to be screened with aesthetically pleasing walls and/or landscaping where practical.

Sites for disposal of excavated material, demolition and builder's waste are to be nominated by the developer at the time of construction.

Developments are to be designed so that all liquid waste and spillage are contained and properly disposed of. Developers are referred to Council's Trade Waste Policy.

6.0 Industrial Development

6.1 Objectives

The objectives of this Chapter are to:

- encourage economic growth and job creation through industrial development opportunities and effective communication of the applicable development controls,
- ensure a high standard of light and general industrial development,
- specify community expectations for the design of industrial developments,
- mitigate the potential impacts of industry on other land uses,
- provide for a range of land uses, services and facilities that support the local community, and
- promote industrial development that will create a positive environment that supports existing towns and villages.

Photograph 11 – Good design, siting, fencing and landscaping can enhance industrial areas

6.2 Definitions

This Chapter applies to types of industrial development permitted with Council's consent in the *IN1 General Industrial Zone, IN2 Light Industrial Zone, RU1 Primary Production Zone* and the *RU5 Village Zone*.

6.3 Development Standards

6.3.1 Air Quality

The emission of air impurities is to be controlled and limited to the standards allowed by the relevant legislation.

An air quality impact assessment may be required for proposals with the potential to generate significant impacts on local air quality such as odour or dust.

6.3.2 Building Design

Building elevations to the street frontage or where visible from a public road, reserve, railway or adjoining residential area must incorporate variations in facade treatments, roof lines and building materials.

All walls fronting a road or street are to be of brick, masonry, tilt up concrete or of a colorbond material. Any raw concrete or block work surfaces must be appropriately coloured. The implementation of composite building materials is encouraged.

Secondhand wall sheeting must not be used.

Paint colours chosen for external finishes are not to reflect excessive light and create undue glare.

Details of building materials and colours are to be submitted with any development application.

Council may consider the use of materials such as timber panelling, pre-coloured metal cladding and glazing in conjunction with a reasonable proportion of brick, finished concrete or decorative masonry block.

Low scale building elements such as display area, offices and staff amenities are to be located at the front of the premises.

Photograph 12 – Office location at the front entry to the building and site

The fire rating requirements of the National Construction Code may influence the setbacks and materials used on external walls.

6.3.3 Building Heights

Building heights are considered on a merit basis depending on the nature of the proposed industrial development.

Building heights for industrial development adjacent to residential areas should generally take into account the scale of the adjoining residential development. Privacy and overlooking of adjoining residential developments is to be considered.

6.3.4 Building Setbacks

A minimum building line of 10 metres is to be provided along the frontage of any highway in any industrial or village area or where residential development is located adjoining or opposite the site.

A minimum building line of 20 metres is to be provided along the frontage of any road in rural areas.

Buildings fronting onto other roads in industrial or village areas are to be set back 7.5 metres from the front property boundary.

Side and rear setbacks must meet Building Code of Australia (BCA) requirements. Despite these requirements a minimum preferred setback of 3m to the side and rear boundaries wherever possible.

A 5-metre setback applies from the secondary street on corner Lots.

Where industrial development is proposed in the IN1 General Industrial Zone and the RU5 Village Zone and adjoins a wholly residential building the minimum side or rear setbacks will be assessed on merit depending on the type of industrial development. Depending upon the height and scale of the proposed industrial development Council may require setbacks greater than the minimum.

Photograph 13 – Building setbacks and fencing to main road frontages

6.3.5 Car Parking and Access

Refer to Section 3 Requirements Applying to all Types of Development.

6.3.5.1 Accessible Industrial Car Parking

Accessible car parking must be located as close as practicable to the main entrance to the building and comply with the requirements of AS/NZ 2890.6.

At least one accessible parking space is to be provided at each development. More spaces may be required in accordance with the Building Code of Australia (BCA).

Photograph 14 – Location of accessible industrial car parking

6.3.5.2 Location of Industrial Car Parking Areas

Off-street parking areas should be located so that they are readily accessible to principal staff and/or customer entrances and where possible be located behind the front building line.

6.3.5.3 Layout

The turning paths and general manoeuvring requirements for cars, trucks and semi-trailers are to be designed with reference to AS 2890.2.

Where necessary, adequate space is to be made for the manoeuvring of rigid and articulated heavy vehicles.

6.3.5.4 Fencing and Lighting

Where parking areas utilised at night are located adjacent to residential development, consideration should be given to the positioning of lighting and location of driveways to minimise headlight glare and traffic noise.

In such cases fencing and/or landscaping may be necessary to avoid loss of amenity to residential areas.

6.3.5.5 Internal Road Design

All internal roads and driveways are to be designed for low-speed environments.

The width of internal driveways will depend on the manoeuvring characteristics of the largest vehicle anticipated to use the site.

6.3.5.6 Landscaping of Industrial Car Parking Areas

Parking areas are to be landscaped to provide shade, improve the visual amenity of large all-weather surfaces and to provide a buffer from neighbouring areas.

Landscaping is to form an integral part of the parking layout and be used to separate conflicting vehicular and pedestrian traffic movement.

Care should be taken in the selection of plant species not to block signs and to allow ingress and egress points to be clearly visible.

Plants should be selected and located to avoid maintenance problems such as interference with overhead wires, underground conduits, damage to paved areas by root systems, and leaf and branch litter. Trees with large surface roots, excessive girth, brittle limbs, fruits which drop and trees which attract large numbers of birds should be avoided in parking areas.

Planting of shade trees within parking areas shall be protected from damage from vehicles (eg tree guards/wheel stops).

Industrial developments are to have a landscape strip of at least 2 metres between the public footpath and any car park or vehicle movement area on site.

Landscape beds to break up car parking areas at the rate of 1 landscape bed for every 5 vehicle spaces.

Landscaping provision for sun control (shading) is to be provided. A suitable planting rate for sun control is 1 shade tree for every 6-8 car parking spaces.

Adequate provision of landscaping is required around the perimeter of car parking areas.

6.3.5.7 Bicycle Parking

There will be some high employment generating industrial developments that will need to provide bicycle parking facilities. The level of parking provision for these developments will be determined using the following ratios:

- developments generating less than 10 car parking spaces - N/A, and
- developments generating more than 10 car parking spaces - 1 bicycle parking bay per 10 car parking spaces.

Where bicycle parking is required, safe and convenient locations are to be chosen.

The security and protection of bicycles is critical in parking design. Bicycle parking facilities are to allow cyclists to secure the frame and two wheels of a bicycle to a fixed, secure stand, preferably with the cyclist's own lock and chain.

In some situations, it may be necessary to provide undercover parking or more secure parking facilities.

6.3.5.8 Construction

All car parking areas, loading bays, vehicular entrances to public roads and internal driveways servicing car parking and loading areas must be drained and sealed with concrete, bitumen or similar impervious material and line marked.

In respect of industries located in rural zones, Council may consider utilising all-weather surfaces for car parking areas. In these circumstances:

- Justification must be provided giving reasons as to why the car park should not be sealed.
- It needs to be demonstrated that the use of an all-weather surface would not detrimentally impact upon neighbours.
- Drainage of the all-weather surface must be addressed.

Developers are to refer to Council's adopted Urban Driveway Construction Specification.

Details of drainage of paved surfaces is to be provided. All trafficable surfaces should be bounded with a suitable kerb to assist in stormwater management and prevent the movement of vehicles on non-trafficable areas.

Parking areas are to be barricaded from non-traffic areas by kerbs, barriers or landscaping. Paved parking spaces are to be defined by painted lines or other approved means.

6.3.5.9 Service Vehicles and Loading Docks

Adequate provision is made for the loading and unloading of materials and goods.

All loading and unloading is to take place within the curtilage on the site. 6.3.5.10 Internal Car Parking Signage

Parking spaces shall be grouped into distinct parking areas and signposted to ensure safe and convenient parking and pedestrian movement.

6.3.5.10 Vehicular Access

Vehicles are to enter and leave the site in a forward direction.

Access to parking areas should be located so as to be readily visible and accessible from the road frontage. Accesses should also be located where they will cause least interference with vehicular and pedestrian movement on public roads and shall provide adequate visibility.

Direct access will be limited from existing or proposed high volume roads wherever an alternative access can be provided.

Council discourages direct access from and to main roads.

Driveways will not be permitted in close proximity to traffic signals, intersections or where sight distance is considered inadequate by Council.

The number of driveways to be provided from any site to any one street frontage is to be generally limited to one ingress and one egress.

The potential for on-street queuing should be eliminated by the provision of sufficient standing area for vehicles entering parking and loading areas.

Access is to be designed in accordance with Council's adopted Urban Driveway Construction Specification.

Refer to Section 3 Requirements Applying to all Types of Development.

6.3.6 Dwellings in Industrial Zones

Dwellings to be used for manager's or caretaker's residences are only permitted in industrial areas where the need for such a residence is adequately demonstrated to Council and the residence, while fundamental to the industrial use, is ancillary to that use.

Only one residence is permitted on an industrial site.

A caretaker's residence is limited to a floor space of 60 m^2 only.

Amenity, private open space, noise and methods to mitigate these impacts on the residents need to be fully considered and addressed.

Separate car parking is provided to service any caretaker's residence.

6.3.7 Erosion and Sediment Control

Refer to Section 3 Requirements Applying to all Types of Development.

6.3.8 Fencing

In general, Council encourages the use of mesh fencing around the perimeter of the site. Ornamental fencing will be allowed along the front property boundary. There may also be the need to provide solid fencing in some circumstances to screen open storage areas.

6.3.9 Flooding

Any industrial development must not adversely affect flood behaviour on-site or on adjoining properties.

Refer to Section 3 Requirements Applying to all Types of Development.

6.3.10 Hazardous Goods and Site Contamination

The storage and/or use of hazardous goods or chemicals must comply with the relevant legislation and policy relevant to the type of goods and chemicals. This includes relevant hazardous materials policy, contaminated land policy and fire safety provisions.

Details of materials and management are to be provided with the development application.

6.3.11 Industrial Retail Outlets

Only goods manufactured, processed, or warehoused on the site are permitted to be sold from an industrial retail outlet as part of the overall development.

The floor space for any retail activity is to be 25% of the floor area of the building, or 400 m2, whichever is the lesser.

6.3.12 Industrial Development in Rural areas

Industrial development in rural areas must satisfy the following criteria for the site:

- sealed road access,
- avoid direct access from a main or arterial road where possible,
- adequate supporting infrastructure including legal drainage of stormwater and management for runoff, wastewater disposal, electricity and sufficient water supply, and
- adequate area within the site for buffers to adjoining properties and public areas.

6.3.13 Industrial Development in Village areas

Industrial developments within the villages of the Snowy Valleys Council area must not compromise the amenity of village living areas and other surrounding land uses.

Any industrial development must complement the existing character of the village, have no adverse impacts in the precinct and contribute positively to the existing streetscape.

6.3.14 Landscaping

Adequate landscaping is to be provided along street elevations and public reserves and around the perimeter of open storage areas. Advanced planting is required along street elevations.

Low gradient earth mounding (not steeper than 1:4) and dense landscaping can also improve visual quality and minimise noise.

All landscape beds to be a minimum of one (1) metre in width. This size must be increased with the scale of the development (larger blocks need more generous landscaping provision).

Refer to Section 3 Requirements Applying to all Types of Development.

6.3.15 Noise

All industries should be conducted so as to avoid unreasonable noise and interference to adjacent or adjoining land use. Special precautions must be taken to avoid nuisance in neighbouring residences.

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.

A noise impact statement may be needed to demonstrate compliance with the relevant legislation and applicable industrial noise policy and that the proposed development will not have an adverse impact on the amenity of surrounding areas and any existing residences.

6.3.16 Open Space

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. The open space area can be included as part of any landscaped area of the site.

6.3.17 Open Storage Areas

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. Areas used for storage must be suitably screened.

Dedicated open storage areas must be appropriately drained and constructed in suitable materials to prevent soil disturbance and dust nuisance.

6.3.18 Outdoor Lighting

Lighting should not be obtrusive, especially with regard to adjoining residential development and residential zones.

6.3.19 Services

Industrial developments will be required to connect to Council's water and sewerage system in accordance with Council's adopted Planning and Design Manual unless it can be demonstrated that the development does not require effluent disposal facilities on the site.

Where the operation of the premises involves the maintenance, repair or washdown of machinery, adequate silt traps and oil grease arresters are to be provided. All treated wastewater shall be discharged to Council's sewerage system and all decanted fuels/oils and grit shall be separately disposed of to Council's satisfaction in accordance with Council's Liquid Trade Water requirements.

No building can be located within an easement for the purposes of utility infrastructure or over the top of any existing utility services.

Contributions for Water and Sewerage will be applicable to industrial development. *Refer to Section 3 Requirements Applying to all Types of Development.*

6.3.20 Sex Service Premises

Council's responsibility in relation to "sex services premises" centres primarily on land use planning under the Environmental Planning and Assessment Act 1979. Responsibility for safe health practices in the workplace rests with the NSW Department of Health, while the Authority is the primary authority regarding occupational health and safety issues in any workplace. Sex workers and brothel owners/proprietors must comply with Section 79 of the Public Health Act 2010.

Sex service premises are only permitted with consent of Council in Industrial zones only.

The following controls apply to the design and siting of sex service premises in industrial areas:

- The building design is to be compatible with the surrounding built form (to discreetly blend into the streetscape).
- Only one separate street level access is permitted and there must be no other internal access to any other tenancy.
- The entrances, exits and external appearance shall be well lit but not to the extent where it becomes a prominent feature in the streetscape.
- Sex services premises shall not display sex workers, or sex related products from the windows, doors or outside of the premises. Activities relating to sex services premises

shall be contained wholly within the building and are not to be visible from the windows, doors or outside of the premises.

- No signs shall be permitted which, in the opinion of Council, are lewd, sexually explicit, or offensive.
- “A” frame signs and signs with flashing lights are not permitted.
- Signage will, however, clearly identify the number of the building only so as to minimise potential nuisance to neighbours.
- Sex services premises will minimise potential nuisance to neighbours in the street by displaying the building number in one location only, in a discrete manner that is clearly visible from the street and is no larger than 300mm wide by 150mm high.
- The paint finishes on external walls should not be such that they become a prominent feature in the streetscape (e.g. fluorescent or excessively bright colours).
- The premises must comply with the requirements of the Building Code of Australia and access for people with a disability should be provided in accordance with all relevant legislation. In particular, the Disability Discrimination Act (DDA) requires that major entrances to premises to which the public is entitled to enter need to be designed and constructed to provide equitable treatment of users and meet minimum standards of grade, doorway width and connectivity.
- Crime Prevention through Environmental Design (CPTED) issues should be addressed at the design/concept stage of the development.
- 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.

A plan of management must be submitted for all types of sex services premises. The premises operator and the premises owner will both be held responsible for ensuring that the premises are run in accordance with an approved plan of management. Consent applies to the land and subsequently the owner must be party to the plan of management.

6.3.21 Signage

In general, advertising will only be permitted to be displayed or erected on land which directly relates to the use of that land. This means that all business and company signage related to a development must be located on the site of the development.

The maximum size of business and company signage is $10m^2$. Any advertising sign or structure in excess of $10m^2$ or not specified as exempt will require separate approval from Council.

Photograph 15 – Signage relevant to the activity and size of the building

6.3.22 Site Coverage

No building/s is to occupy more than 60% of the total site area.

6.3.23 Small Scale Industrial Developments

Small scale industrial developments are generally those activities that are relatively small in scale with minimal impacts.

Council considers these developments on their individual merit having regard to the specific controls in this Chapter. All of the relevant controls in the DCP must be addressed in the statement of environmental effects.

6.3.24 Stormwater Management

Stormwater shall be conveyed to Council's stormwater management system. *Refer to Section 3 Requirements Applying to all Types of Development.*

6.3.25 Waste Management

For new developments, including demolition, the capacity, size, construction and placement of solid waste, liquid waste and recyclable storage facilities are to be determined according to estimated amounts supplied by the applicant of waste and recyclables generated, safe means of collection, cleanliness, and unobtrusive effects on the building and immediate adjoining areas.

Refuse and trade waste material should be stored in the one area to await regular collection.

External storage areas are to be located behind the building line and screened from any public road, reserve, or nearby residence. Chemical storage areas may need to provide perimeter bunding to safeguard against spillage and contamination of surface waters.

Onsite incineration is generally not permitted as a means of industrial waste disposal. Sites for disposal of excavated material, demolition and builder's waste are to be identified.

Developments are to be designed so that all liquid waste and spillage are contained and properly disposed of.

Developers are referred to Council's Trade Waste Policy.

7.0 Heritage

7.1 Introduction

Heritage items, Conservation Areas and archaeological sites individually and collectively have profound importance as valuable links to the past. They provide a source of community identity, evidence of evolution of society's values, impetus and inspiration for new ideas and revival of the old. They also provide a wonderful source of aesthetic satisfaction and are an increasingly important economic resource.

Photograph 16 – Heritage buildings and important community services

Through its implementation, it is anticipated that development applications will be accompanied by appropriate and relevant information, providing more certainty for applicants and faster processing of applications.

It is advisable, and often necessary, to obtain professional advice from experienced people such as heritage architects, engineers, and heritage advisors. The NSW Office of Environment & Heritage maintains a list of consultants who specialise in heritage work which can be obtained. Council also has a free Heritage Advisory Service to assist with preliminary advice.

Refer to Section 3 Requirements Applying to all Types of Development.

7.2 Objectives

The objectives of this Chapter are to:

- ensure that new development respects its context and is sympathetic in terms of form, scale, bulk, fabric, colours and textures without mimicking or adversely affecting the significant of heritage items and Conservation Areas and their settings,

- provide controls for the development of land in the vicinity of heritage items and Conservation Areas,
- provide clear information about the kind of work which will require a development application in particular areas and circumstances, and the nature of the information which must be submitted with applications, and
- provide standards for the management, maintenance and conservation of heritage items and places.

This Chapter applies to those types of development permitted with Council's consent in Commercial, Residential and Heritage Conservation Areas.

This Chapter applies to the whole of the local government area including townships and villages of Tumut, Tumbarumba, Khancoban, Jingellic, Laurel Hill, Rosewood, Batlow, Adelong and Brungle.

7.3 Conservation Processes

Work on an historic building or place can involve a variety of conservation processes as defined by the Burra Charter. The Burra Charter is a document which was developed in 1999 by the Australian Chapter of the International Council on Monuments and Sites (ICOMOS) for the conservation of places of cultural significance. It is a statement of conservation principles which are applicable to Australia designed to provide sound guidance on heritage assessment and heritage management practices.

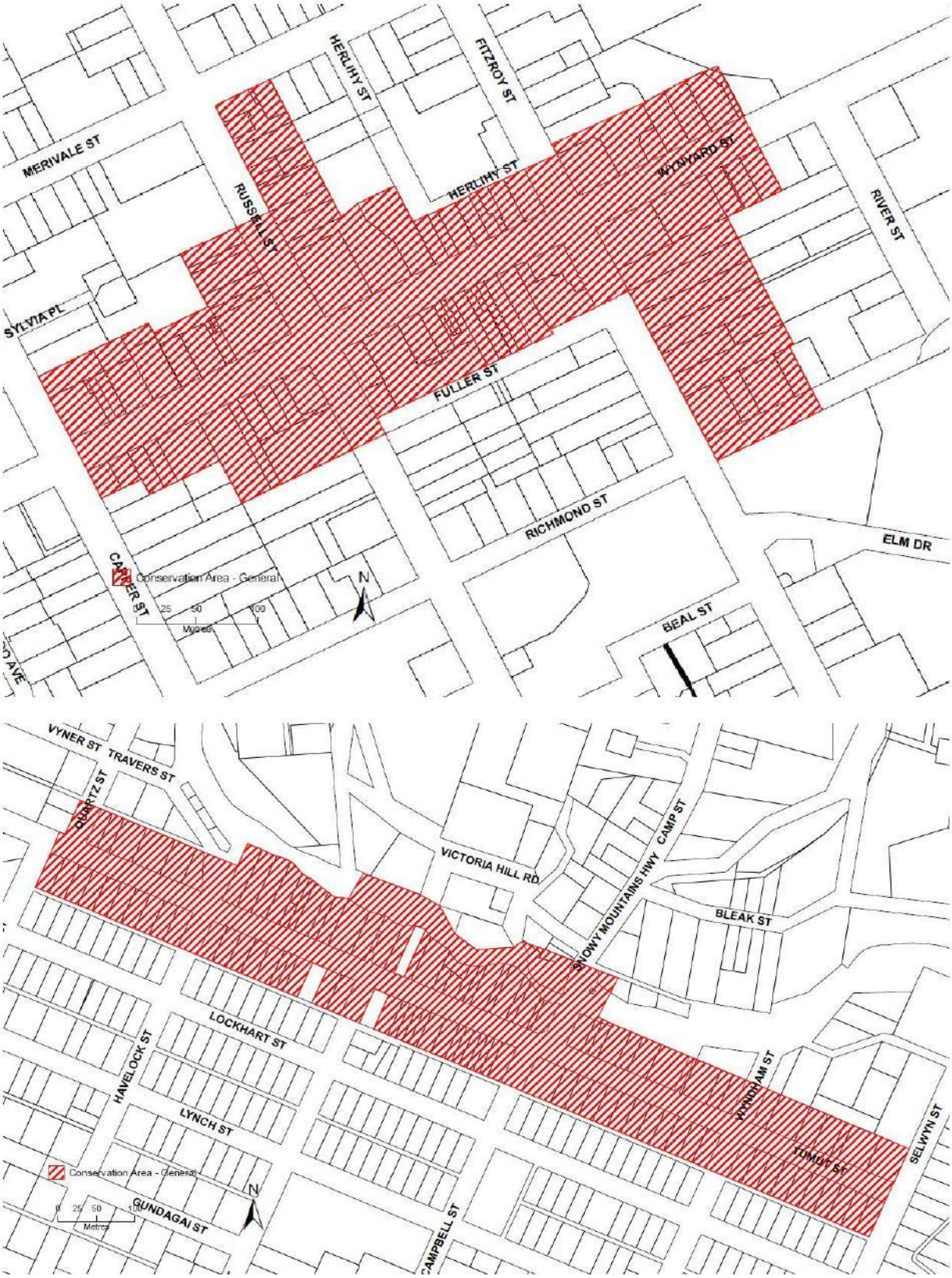


Figure 1 – Heritage Conservation Areas – Tumut and Adelong

Snowy Valley Council adopts the principles of the Burra Charter in this DCP. Any development application and supporting heritage documentation must be prepared in accordance with the Burra Charter principles. Council will apply these principles in assessing any proposed development upon land containing a heritage item or within a heritage conservation area or any land adjacent to a heritage item or conservation area.

7.4 Maintaining Old Buildings

Old buildings benefit from routine maintenance. It should be remembered, however, that old buildings have unique characteristics, and it is generally undesirable and sometimes very damaging to try and reverse the effects of age on materials.

Maintenance is one of the most important parts of conservation work. Regular maintenance should be a regular part of any property management. Advice should be sought from Council's Heritage Advisor or appropriate industry expert for the following conservation works:

- Repairing and maintaining roofs; roofing materials, chimneys, gutters and downpipes
- Repairing and maintaining rendered walls
- Repairing and maintaining face brick and stonework
- Paint removal and external cleaning
- Mortar repairs and repainting
- Rising and falling damp
- Doors and window restoration
- Repairing and maintaining shopfronts
- Repairing and maintaining timber
- Internal alterations, and
- Colour schemes

Photograph 17 – Maintenance is part of ongoing property management

7.5 Demolition / Removal of Heritage Items

Demolition and removal of Heritage Items and buildings in Conservation Areas are generally not supported.

In assessing applications for demolition Council will consider:

- the heritage significance of the building or item,
- the structural condition, and
- the contribution of the item or building makes to the streetscape.

Generally, an approval for demolition of a heritage item will contain a condition of consent to archive and record the building or item prior to its demolition. This must be undertaken in accordance with guidelines produced by the Office of Environment and Heritage Division – *"How to prepare archival recordings for Heritage items".*

Contact Council to arrange a meeting with the Heritage Advisor if you are considering demolition of a Heritage Item.

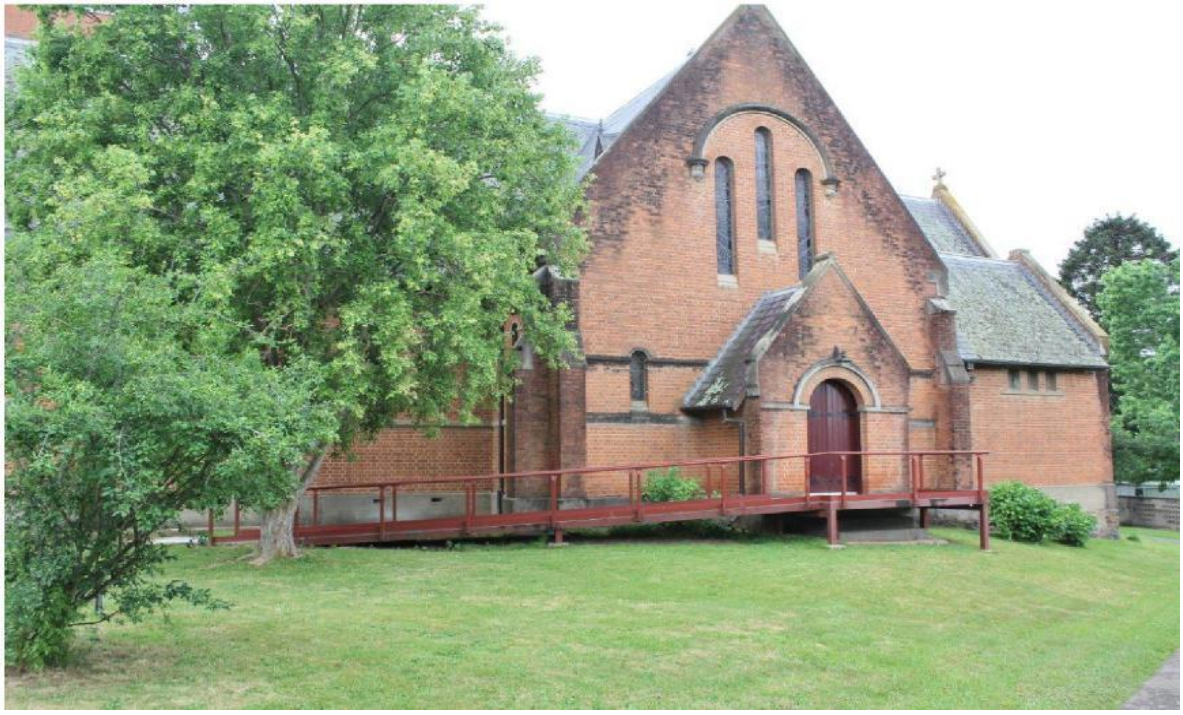
7.6 Conservation and Design Guidelines – General Requirements

These guidelines are structured in a way to identify the objective/s of each section and identify the specific development controls applying to that section.

7.6.1 Sympathetic Design

The objectives are to:

- ensure that new alterations and additions respect the architectural character and style of the building and the character of its surrounds, and
- maintain and enhance the existing character of the street and the surrounding locality.



Photograph 18 – Alterations to accommodate access must consider the characteristics of the building

7.6.1.1 Development Controls

Any new development and alterations or addition must consider the characteristics of the existing building, and buildings in the surrounding area, and sit comfortably in this context.

Alterations and additions shall blend and harmonise with the existing building in terms of scale, proportion and materials.

New development can be contemporary in design when it is well integrated with, and related harmoniously to, its older neighbours.

Alterations and additions shall not destroy important elements such as chimneys, windows and gables.

7.6.2 New/Infill Development in the Vicinity of Heritage Items/Conservation Area

The objective is to ensure that new buildings provide a setting for the adjoining heritage item and when within a conservation area, so that is historical context and heritage significance are maintained.

7.6.2.1 Development Controls

Development in the vicinity of listed heritage items shall respect and complement the built form character of those items in terms of scale, setback, siting, external materials, finishes and colour.

New / infill development shall have regard to the established siting patterns of the locality.

The sensitive selection of materials, colours and finishes is important in terms of achieving compatibility with the heritage item / conservation area.

Height and scale of new / infill buildings shall not obscure or dominate an adjoining or adjacent heritage item and conservation area.

Development in the vicinity of a heritage item may be contemporary in design.

7.6.3 Change of Use of a Heritage Item

The objective is to ensure that an existing building / heritage item can be adapted for a new use, thus retaining the significance and general appearance of the building.

7.6.3.1 Development Controls

Adaptive reuse of a heritage building or item must retain:

- all significant fabric and architectural detail of the heritage building. If a site, any features of the site that contributes to the heritage status of that site, and
- the general appearance of the building so that its original role can be readily interpreted.

7.6.4 Siting, Setback and Orientation

The objectives are to:

- maintain and enhance the existing character of the street and the surrounding area,

- ensure that new development and alterations or additions respect established patterns of settlement (i.e. pattern of subdivision and Lot layout, landscaped settings, car parking and fencing), and
- provide an appropriate visual setting for heritage items and heritage conservation areas.

7.6.4.1 Development Controls

Generally, alterations or additions should occur at the rear of the existing building to minimise visual impact on the street frontage of the building, particularly where the additions and alterations involve a listed heritage item a building which contributes to the heritage character of the Conservation Area

No new structures shall be built forward of an established building line.

Larger additions can be successful when treated as a separate entity to retain the character of the original building in its own right.

Front and side setbacks shall be typical of the spacing between buildings located in the vicinity of the new development.

Rear additions are generally best stepped back from side building lines. The orientation pattern of buildings existing in the area shall be maintained.

7.6.5 Size and Scale and Roof Forms

The objective is to ensure that new development including alterations and additions and massing of roof forms respect the significance and character of the surrounding area.

7.6.5.1 Development Controls

An alteration or addition shall not be of a size or scale which overwhelms or dominates the existing buildings substantially changes or destroys its identity or changes its contribution and importance in its surrounds.

New roofs shall be carefully designed so that they relate to the existing, adjoining roofs in pitch, eaves and ridge height. Chimneys shall be retained.

Unless it can be demonstrated that greater scale would be appropriate in the individual circumstances, new development and additions must be of the same scale as surrounding development.

New roof elements such as dormer windows and skylights shall not be located where they are visually prominent.

Use of roof materials shall be the same as materials on the existing heritage building and those typically used in the Conservation Area.

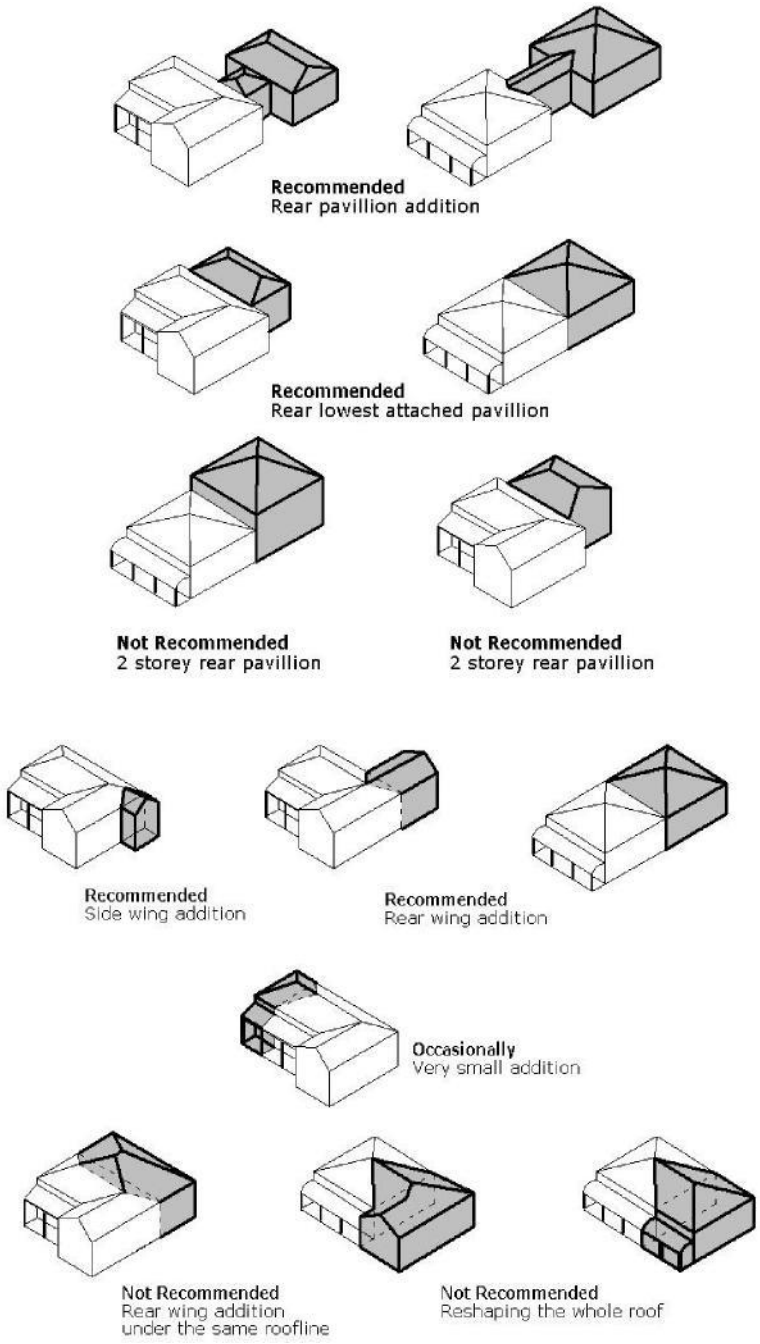


Figure 2 – Suitable ways of extending an original building.

7.6.6 Materials and Colours

The objective is to ensure that materials and colours used in any new development, alterations and additions respect the significance and character of the existing building and surrounding area.

7.6.6.1 Development Controls

Traditional combinations of materials used in heritage buildings shall be considered when designing additions.

Additions shall employ colour schemes which do not detract from traditional colour schemes in the area. A number of good reference books on traditional colour schemes are available.

Colour schemes suitable to the period of the building shall be used.

Unpainted brick or stone shall remain unpainted.

7.6.7 Removal of Unsympathetic Alterations and Additions

The objectives are to ensure that:

- contributions of all periods to a place are respected, and
- the removal of any fabric only occurs when it is of slight significance, and the fabric which is to be revealed is of much greater significance.

7.6.7.1 Development Controls

Additions which are obviously out of character with the original design may be removed, whereas it may be preferable to retain well integrated additions or substantial alterations to the existing building.

7.6.8 Services and New Technologies

The objective is to minimise any obtrusive effect of new building services and technical equipment in Conservation Areas and on heritage items.

7.6.8.1 Development Controls

Exhaust vents, skylights, air conditioning ducts and units, solar panels, TV antennae and satellite dishes shall not be visible on the main elevation of the buildings or attached to chimneys where they will be obvious.

In heritage conservation areas they shall be hidden from view as much as possible.

7.6.9 Landscaping

The objectives are to:

- maintain the rhythm of gardens, open spaces and tree planting in a heritage streetscape,
- ensure that planting does not compromise important views into or out of conservation areas, and
- maintain the landscape character of the locality in any new development.

7.6.9.1 Development Controls

- Many heritage garden reference books are available to explain typical settings for houses of different styles and periods.

When designing new gardens, reference must be made to surviving plants in the locality and on site, which indicate the basic garden structure for the new designs.

When selecting suitable trees, the following must be considered: the varieties that already exist in the area; the size of the tree when mature; the potential of the chosen species to interfere with services, retaining walls and other structures.

Hard surfaces should be kept to a minimum.

7.6.10 Fences

The objectives are:

- when constructing a new fence and there is insufficient evidence to reproduce the original, it is important to build the fence so that it is in harmony with the existing fences and buildings of the street,
- to ensure that the height matches that of (sympathetic) neighbouring fences, and that the colour scheme is compatible with the house, and
- to retain original existing fencing and provide for new fencing that is consistent with established patterns.

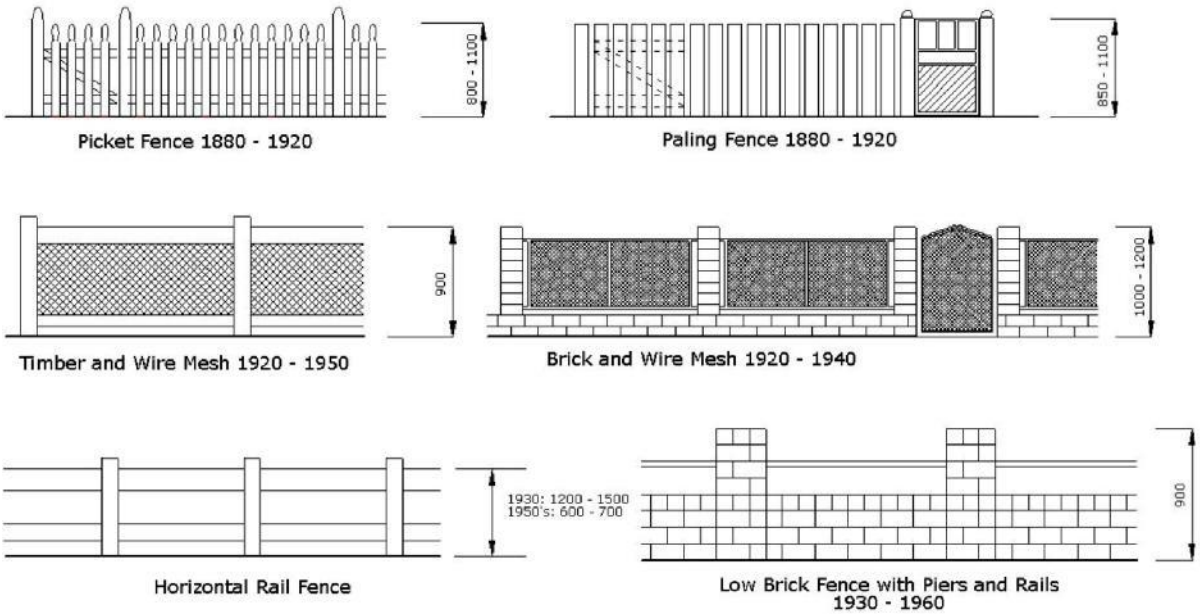


Figure 3 – Fencing Types - Details

7.6.10.1 Development Controls

Original fences should be retained.

Fences should be simple with a level of detail comparable with the building.

Fencing should generally be open or transparent, or backed with a hedge, not solid.

Fences shall be of a scale comparable with the street.

Front fences shall be of materials characteristic to the surrounding area, particular to the street and suitable to the era of the house. Examples include timber picket, low masonry and hedges.

7.6.11 New Ancillary Structures, Garages, Carports and Sheds

In order to blend with their surroundings any proposed ancillary structure, garages, carports and sheds should be sized and detailed in ways that approximate the best elements of traditional architecture in the Heritage Conservation Areas and adjacent Heritage Items.

Any proposed ancillary structure (e.g. garages, sheds, pergolas, etc.) were generally not built attached to the house, but were freestanding structures setback from front boundary and generally towards the rear of the block.

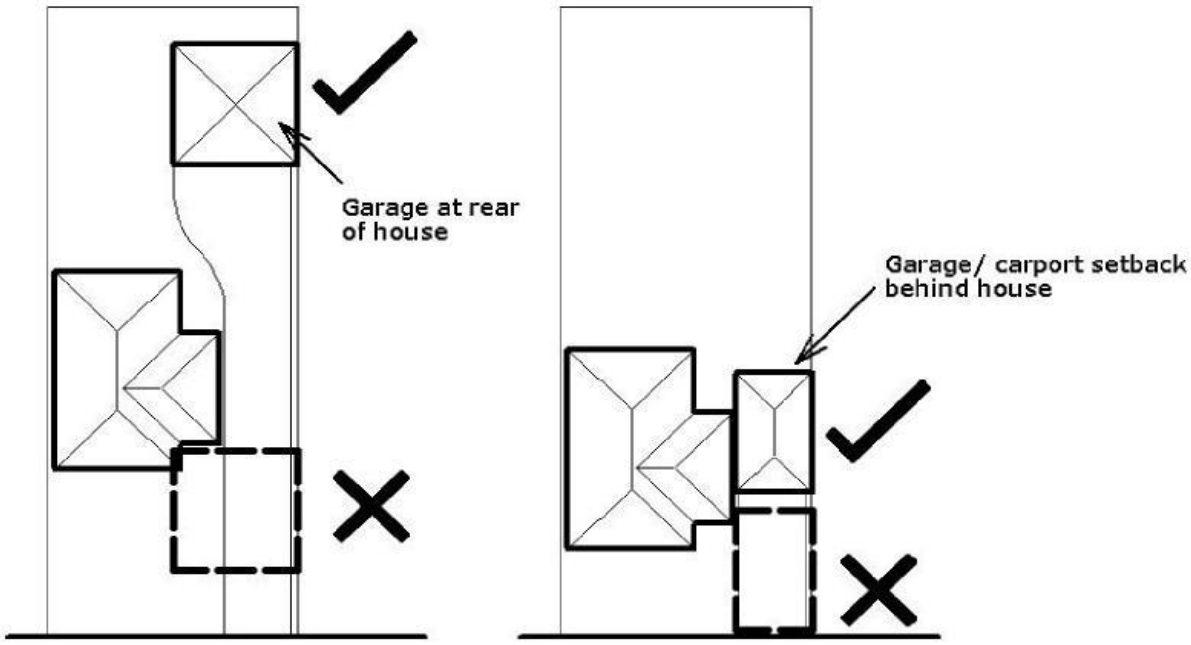


Figure 4 - Consider the location of the proposed structure in relation to the principal building, boundaries and other details of the site

The objective is to ensure that garages, carports, sheds, etc do not detract from the character of the area and/or heritage item due to inappropriate location, design, materials and colours.

7.6.11.1 Development Controls

- An ancillary structure that is to be situated upon a Lot that contains an item of heritage significance must:
    - not be located between the building line and the street frontage,
    - be no greater than one storey with an attic,
    - be constructed of materials complementary to the main dwelling,
    - be located between the rear of the dwelling and the rear boundary,
    - have corrugated “custom orb” profile wall and roof sheeting, and
    - have galvanised roof sheeting (not Zincalume™) or Colorbond™ coating
- Garages should:
    - have simple rectangular plans,
    - have doors restricted to single car width,

- have a roof form which is gabled or hipped with roof pitch equal or less than that of the main dwelling,
- be detached from the existing house,
- be set to the rear of the dwelling, and
- be constructed of materials of simple character i.e. weatherboards, vertical shiplap boards and corrugated metal roof sheeting

- Carports should:
  - be of timber frame construction,
  - have a roof pitch slightly lower than that of the main building (generally 25° skillion rooflines are generally not appropriate),
  - be detached from the existing house,
  - be set to the rear of the dwelling, and
  - standard proprietary steel frame carports and garages are not appropriate.

7.6.12 Shopfronts

Retaining original shopfronts is particularly important as they are usually complimentary to the other architectural features of the building where one's appreciation of the street is primarily at eye level. The reinstatement of shopfronts in keeping with original building design is encouraged.

Modern shopfronts of large glazing set in an aluminium frame are considered to contribute little to the architectural character of the street front. The modern tendency to build along the front wall finish without recessed entries also produces a uniform and uninteresting footpath space and does not highlight the entrance to the shop.

The objectives are to:

- retain shopfronts which contribute to the heritage significance of the building / surrounding heritage conservation area, and
- ensure that new shopfronts complement the significance and character of the existing building and surrounding heritage conservation area.

Photograph 19 – Integrating new shop fronts into original building design

7.6.12.1 Development Controls

Original shopfronts should be retained.

Where the original shopfront has been removed and replaced by an unsympathetic alteration, the reinstatement of earlier styles of shopfront in harmony with the overall.

7.6.13 Signage

Early original signage has cultural value and should be retained. Architectural research can reveal old and original signage through historic photo collections at local libraries, local museums and online historical websites.

The objective is to ensure that signage respects and enhances the amenity of the area.

Figure 4 – Example of heritage signage

7.6.13.1 Development Controls

New signage shall be compatible with the design and character of the buildings and shall have the scale, type, design, location, materials, colour, style and illumination so as not to intrude on the visual qualities of the townscape

Building upper facade signs shall be simple in design and avoid a proliferation of advertising which can be confusing and detract from the building and conservation area.

Not be fluorescent or internally illuminated.

Signs adjacent to heritage items or older buildings in Conservation Areas shall be designed and located sympathetically.

Colours of new signs shall be sympathetic to the surrounding area and be related to the colours of the building.

The use of bright corporate colours and sign designs which are not related to the architecture or character of the area and building are not considered appropriate.

7.6.14 Accessibility

Providing access to building for people with disabilities is required under the Disability Discrimination Act. Heritage places are no exception, however, there is also a need to conserve these places and not alter them in a way which will impact on their heritage significance.

Historic buildings will generally require solutions specific to that site, however, there are a number of principles which, if applied, can assist in developing effective solutions.

“Access to Heritage Places Guidelines: NSW” is a useful and practical booklet, regarding accessibility issues, published in 2018 by Eric Martin & Associates.

A thorough approach to improving access to heritage buildings includes the following steps:

- Identify the heritage value or significance of the place, specifically those parts which have the greatest significance. This can be determined through developing a Conservation Plan, obtaining details on the property from local council, the State Heritage Office or National Trust of NSW, or seeking advice from a heritage professional
- Undertake an access audit to determine existing and required levels of accessibility.

Modifications should generally incorporate the following:

- Making the main or principle public entrance and public spaces accessible including a path to the entrance
- Providing accessible toilets
- Providing access to goods, services and programs
- Creating access to other amenities and secondary spaces.

Access solutions should:

- Be sympathetic and, where possible, reversible.
- New work should be evident on close inspection.
- In considering what is sympathetic, matters such as general form, materials, finish, and compatibility with architectural details of the original design, are guiding principles
- Comply with the applicable Australian Standards – particularly AS 1428.1 or subsequent revisions.

8.0 Locality Based Controls

8.1 Objectives

The objectives of this Chapter are to:

- identify the locality based controls applying to specific locations, villages and towns in the Snowy Valleys Council area, and
- establish the relevant matters for consideration when dealing with development in these areas as defined by figure 1 – Goobarragandra Valley.

8.2 Adelong Commercial Area

Council is committed to encouraging the retention of verandahs in the Adelong commercial area.

Council encourages owners to maintain these structures in good repair and / or that they be replaced with similar structures as the need arises.

Furthermore, Council will preserve trees in this commercial precinct to the maximum extent possible or replace trees as required. Council will encourage further planting programs in the commercial area.

8.3 Goobarragandra Valley

8.3.1 Background

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

The area defined by *Figure 1 Goobarragandra Valley* is regarded by locals and the wider community as an area of high environmental value due to its natural beauty.

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

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

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

The Goobarragandra Valley has historic significance. In 1824 Hume and Hovell passed through the Valley on their way to Port Phillip Bay from Sydney. A walking track has been created along the route that Hume and Hovell took. This track is regarded as being of state significance and attracts many visitors to the area.

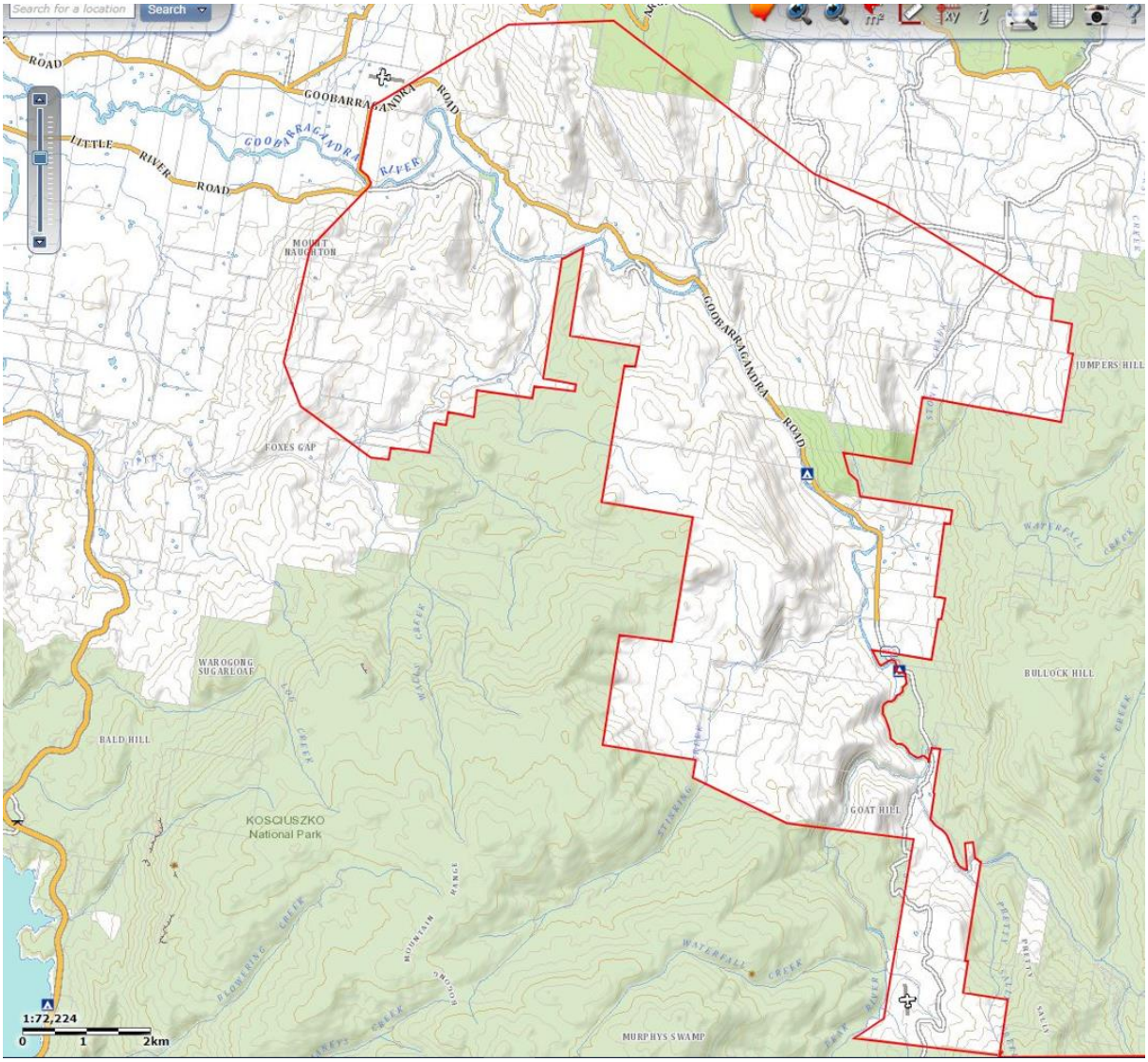


Figure 1 Goobarragandra Valley

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

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

8.3.2 Key Development Controls

The following are the key development controls, in addition to the other relevant controls in the DCP that apply to the Goobarragandra Valley.

In addition to requiring that new development minimise any adverse impacts in the Valley, Council requires that any new development achieves an overall positive environmental impact.

This is to be achieved by off-setting the unavoidable adverse impact by adding creating environmental improvements, including as applicable to the development site:

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

In designing a development proposal to address bushfire, apart from meeting relevant bushfire planning guidelines, Council requires that adequate provision is made for the safety of the community and emergency personnel, as well as the protection of property.

Any septic tanks proposed to be located within 100m of the Goobarragandra river shall be considered by Council to be high risk onsite wastewater management systems and shall be inspected by Council not later than every 2 years.

In addition to developers undertaking assessments of the impacts of development on biodiversity, Council seeks to retain all potential habitats of threatened fauna in the Valley.

8.4 Talbingo

8.4.1 Background

The township of Talbingo occupies a strategic location in the region and has the potential to provide accommodation and services to many of the region's residents and tourists. These specific locality based controls reflect the findings of Talbingo Planning Study as a strategy for the town's future development.

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

8.4.2 Key Development Controls

The following are the key development controls, in addition to relevant controls in the DCP that are relevant to Talbingo.

8.4.2.1 Preferred Land Use Policy

Talbingo is located within the *RU5 Village Zone* and *R5 Large Lot Residential Zone.* However, Council has endorsed a preferred land use policy based around the original endorsed strategy for the Township.

The purpose of this policy is to protect and enhance the unique townscape qualities of the existing urban environment while encouraging tourist and recreational orientated development.

The preferred land use policy is identified in **Figure 2**.

8.4.2.2 Building design, views and external materials

Council considers that to reflect the unique location of the Township the following building design controls apply.

To protect views to the lake, open space and landscape of the Township a maximum building height of 7.2m above any point on the natural ground level will apply to all structures.

Buildings are to be designed and sited in a way which will maintain, or create access to, existing views enjoyed from other buildings or public places.

Due to the unique and sensitive nature of the area, external materials of a low reflective nature are preferred. The Town is surrounded by a National Park and it is considered highly reflective materials such as white brick or untreated steel are inappropriate within the Township.

8.4.2.3 Advertising Signs

Council encourages signage that maintains the high visual amenity of the existing commercial, residential, and rural landscape of the Township.

Advertising signage must provide useful information that complements the built environment.

8.4.2.4 Landscaping

Talbingo enjoys a high standard of landscape amenity, both natural and cultivated. A high landscape profile is seen as an integral part of the Talbingo character and charm, and Council aims to ensure the existing landscape quality is not eroded or compromised by development that does not address this landscape quality.

8.4.2.5 Archaeological Significance

Aboriginal occupation sites have been identified within Talbingo Township and more may exist. Any development proposal involving ground disturbance may require assessment of the archaeological significance of the site including a search of the Aboriginal Heritage.

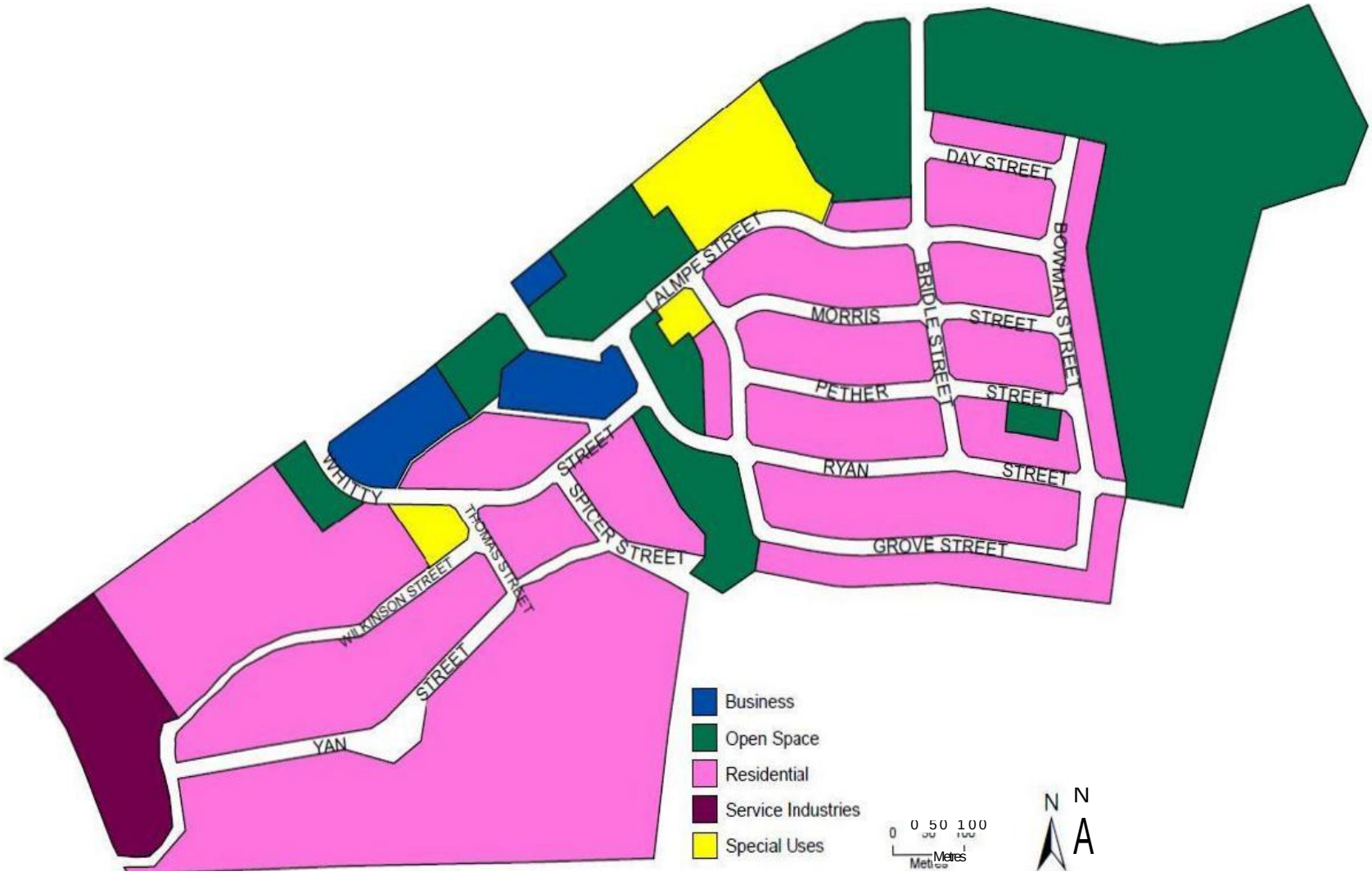


Figure 2 Talbingo preferred land use policy

9.0 Subdivision

9.1 Objectives

The objectives of this Chapter are to:

- ensure that subdivision proposals consider the environmental, social and economic opportunities of a site,
- encourage subdivisions that promote sustainable design, and
- provide all essential services to all new Lots.

9.2 Definitions

This Chapter applies to all subdivisions as defined by the *Environmental Planning and Assessment Act 1979.*

9.3 Greenfield Residential Subdivision

Greenfield residential subdivision *means undeveloped land that has been identified and zoned by Council for future residential subdivision*.

The following are those development controls applying to Greenfield residential subdivisions.

9.3.1 Subdivision Design

Where practical, greenfield subdivision design will locate recreational areas, shops and other facilities including bus stops within walking distance (400 m) of new residences.

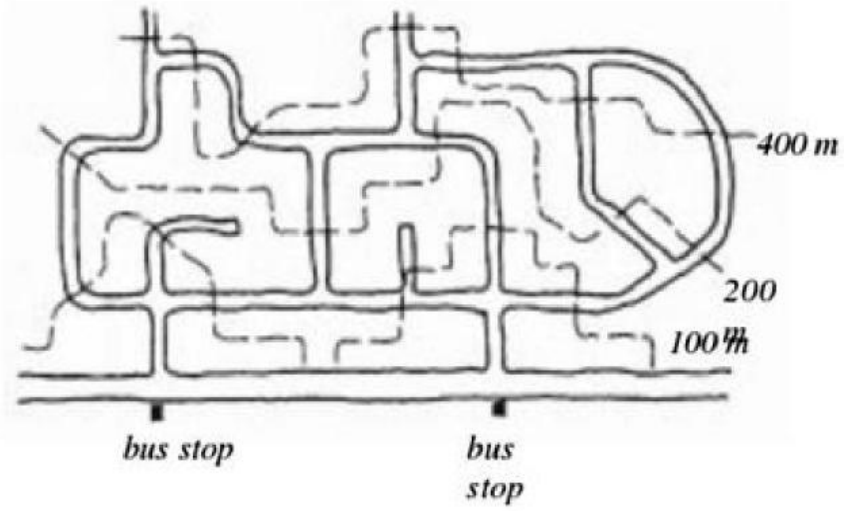


Figure 1: Subdivision design - 400m walking distance

Footpaths are to be provided in accordance with Council's Planning and Design Manual.

Subdivision design will provide or link to existing or proposed shared pathway networks.

Watercourses, natural vegetation, and natural features are to be retained and incorporated within the subdivision design.

Battle-axe Lots are to be minimised in the subdivision design.

Street networks are to provide good external connections for local vehicle, pedestrian and cycle movement. Their design is to promote functional movement of vehicles while limiting speed and avoiding any detours to through traffic in accordance with Council's Planning and Design Manual.

Photograph 20 – Subdivision layout incorporating street tree planting and footpath access

Subdivision layouts are to preserve views from significant topographical features. Drainage lines are to be retained and incorporated into open space areas wherever possible.

A range of Lot sizes is to ensure a diversity of housing and to achieve sustainable development.

9.3.2 Road Layout and Design

Align streets east-west and north-south wherever possible.

Aim for north-south streets within 20° west and 30° east of true north. Aim for east-west streets within 30° south and 20° north of true east.

Public road access is required to all Lots. No direct access to classified, arterial or sub arterial roads is permitted where alternatives are available. Provision is to be made for both a primary and a secondary access to greenfield developments.

Subdivision layouts will make provision, where required, for road connection to adjoining undeveloped residential land. Roads to be designed having regard to both the topography of the site and the requirements of stormwater overland flow paths.

The subdivision road hierarchy is to be clearly defined. Road network design should include consideration of vehicular, pedestrian and cyclist safety and will incorporate appropriate facilities and opportunities for pedestrian and bicycle movement.

The alignment, width and design standard for all roads will be in accordance with the expected traffic volume, type of traffic and desired road speed.

Road pavement requirements will be determined based on vehicle movements.

9.3.3 Lot Sizes and Frontage

Lot sizes are to comply with the relevant Minimum Lot Size Map in Council's Local Environmental Plan (LEP).

Lot size and dimensions are to take into account the slope of the land and must minimise earthworks/retaining walls associated with future dwelling construction.

Cul-de-sacs should be minimised within residential subdivisions. Battle axe Lots are not encouraged.

Any battle-axe Lots must provide a minimum access width of 6.0 metres, where more than 1 lot is serviced by the access way and sealed.

9.3.4 Open Space

Land to be dedicated to Council for open space as part of a residential subdivision will be of a standard acceptable to Council to facilitate its use for various open space purposes.

Council anticipates that from dedicated open space land:

- individual parkland parcels will be large enough and be level in slope to cater for a variety of passive recreational activities;
- parkland is of a size that is capable of carrying substantial recreation infrastructure;
- good natural surveillance features, good road frontage, access, both spatially and physically;
- minimisation of maintenance costs through design and layout;
- not confined by narrow drainage corridors and back fences;
- located within 400 metres of most dwellings in the subdivision; and
- Council will not accept "pocket" parks or similar.

Council will consider as open space land:

- Areas adjoining drainage areas however this does not include areas identified for dual usage; and
- Smaller blocks of open space that are relatively square in shape and have at least two (2) road frontages (i.e. a corner block).

Where dedication of open space land is not viable or practical based on the size of the subdivision Council may accept a contribution toward provision of open space.

9.3.5 Landscaping and Street Trees

Existing native trees are retained wherever possible.

Landscaping species selected are suitable for the local climate and require a minimal amount of watering.

Advanced street shade trees, based on the ratio of at least one tree per new Lot, are to be provided in accordance with Council's recommended Street Tree species list (see Appendix 1) and in consultation with Council staff to ensure both appropriateness for location and also to ensure that there are no conflicts with infrastructure including streetlighting, driveways and also stormwater management systems.

Council will consider the use of deciduous trees for street tree planting where it can be demonstrated that street tree shadows will adversely impact solar access.

Photograph 21- Successful use of deciduous street trees within a residential subdivision

9.3.6 Services

The design and provision of utility services must conform to the requirements of the relevant service authorities.

Water and sewerage services are to be provided to each Lot at the full cost of the developer, where reticulated supplies are available.

The development is to be connected to the relevant services including telecommunications, electricity and gas, where available, in accordance with the requirements of the relevant authority. Electricity supply is to be provided via underground trenching.

Easements to benefit Snowy Valleys Council will be provided over all stormwater, water and/or sewer services located within private land.

9.3.7 Stormwater Management

The stormwater system design is to optimise the interception, retention and removal of water-borne pollutants through the use of appropriate criteria prior to their discharge to receiving waters.

The stormwater system design should minimise the environmental impact of urban run-off on other aspects of the natural environment (creeks and vegetation) by employing techniques which are appropriate and effective in reducing run-off and pollution.

Drainage from development site is not in excess of drainage from the site during its pre-development state and a preliminary design must be submitted with any development application.

Stormwater design and works are to be undertaken in accordance with Council's adopted Planning and Design Manual.

9.4 Infill Residential Subdivision

Infill residential subdivision means a subdivision of an existing Lot or Lots within an existing neighbourhood.

9.4.1 General Controls

Infill residential subdivisions are to display 'good neighbour' design approach in relation to privacy, landscaping, sunlight, views, and parking, e.g., in cases where neighbouring structures are sited very close to the boundary, the development is to provide more generous setbacks.

Subdivision design is to take into account the conservation of heritage items, heritage features and trees.

Infill subdivision can benefit from adjacent public open space.

9.4.2 Smaller Lot Controls

Lots below 750 and greater than 225 m^2 are permitted within certain locations across the Council area.

The purpose of this variation to the normal Lot size is to encourage closer urban settlement and infill within proximity to existing towns and villages.

9.4.2.1 Small Lot Subdivision - Design Principles

Council encourages good subdivision design practice for smaller Lots less than 750 m^2 that will:

- promote the efficient use of land,
- ensure that subdivision provides a variety of Lot sizes that meet community and economic needs,
- ensure that subdivision does not prejudice the orderly development of land; and
- require adequate street frontages and dimensions for standard, battle-axe, and irregular shaped Lots.

On Lots below 750m^2 Lot design and size subdivision proposals must demonstrate that Lot sizes provide sufficient area to accommodate the siting and construction of a dwelling and ancillary outbuildings as well as providing for vehicular access and parking.

Lots are also required to be orientated to facilitate the siting of dwellings to take advantage of northerly aspect and have dimensions to allow adequate on-site solar access, taking into account likely dwelling size and the relationship of each Lot to the street.

9.4.2.2 Small Lot Subdivision - Lot Frontages and Building Areas

Conventional subdivision design has resulted in wide street frontages, larger block sizes, increased road lengths and servicing requirements, and higher costs per Lot. With increasing diversity in housing preferences, there can be more flexibility in Lot shapes to optimise the use of each Lot in terms of aspect, house siting and private open space.

In general, Council encourages for Lots between 225m^2 and 750m^2 a minimum Lot frontage of 14m or greater.

Battle axe and irregular Lots are generally discouraged however, where these Lots are proposed they must have a minimum rectangular building area of 250m^2 with a minimum width of 12 metres.

Utilisation of laneways as the major frontage for infill Lots is to be avoided.

9.4.2.3 Small Lot Subdivision - Access Using Rear Laneways

Lanes may be used for small-Lot subdivisions to provide rear access for car parking. They may also be used for Lots fronting parks or major streets.

Council has identified the following matters to be considered when using laneways for access to smaller Lot subdivisions:

- Lanes are not to be treated as only a means of access - they are to be designed as a pleasant and safe street network designed to create activity and provide for passive surveillance.
- The safety of lanes is critical and these are to be designed according to Safer by Design principles.
- Lanes are to link to other streets with no dead ends and they must provide visual connection from one end to the other.
- Lanes must be designed to accommodate a clearly defined entry onto the lane rather than a rear gate with windows or balconies that look into the lane.
- Lanes need to be wide enough to provide for street lighting, where necessary and street lighting, if required, will be at the developers' expense.
- Lanes need to wide enough to provide for suitable tree planting.
- Rear fences along lanes should be partly transparent and narrow inset areas of the fence line are to be avoided to allow adequate site distances for pedestrians and vehicles. Lane widths will be assessed on merit to determine whether there is sufficient setback and privacy to adjoining dwellings that does not solely rely on the provision of fencing.
- Lanes will need to be designed and upgraded to be shared zones for pedestrians and vehicles.
- A minimum lane width of 6 metres is required adjacent to a garage door to allow vehicles to enter and exit.
- Garbage bin storage areas should be screened.

9.4.2.4 Services

The design and provision of utility services will conform to the requirements of the relevant service authorities.

Water, sewerage and stormwater services are to be provided to each Lot at the full cost of the developer.

Electricity supply is provided via underground trenching in accordance with the requirements of the energy supply authority.

Easements to benefit Snowy Valleys Council will be provided over all stormwater, water and/or sewer services located within private land.

9.5 Commercial Subdivision

9.5.1 General Controls

In the main commercial areas Council has no minimum size for commercial subdivisions. Commercial Lots are to be sized to accommodate suitable site areas for buildings, vehicle manoeuvring, car parking and landscaping.

Easements to benefit Snowy Valleys Council will be provided over all stormwater, water and/or sewer services located within private land.

9.6 Industrial Subdivision

9.6.1 General Controls

Industrial Lots should be sized to accommodate development, storage areas and vehicle delivery and manoeuvring requirements.

No more than two Lots are to share a battle axe handle access.

Adequate buffers between industrial development, open space and residential areas are to be incorporated into the subdivision design where required.

Smaller industrial Lots may be considered based on user requirements, however, industrial proposals requiring significantly smaller areas than the standard will be encouraged to locate in factory units or existing strata titled industrial buildings.

Lots with frontage to depth ratios of less than 1:2, and battle-axe blocks, will generally not be permitted.

9.6.2 Landscaping and Street Trees

Existing native trees are retained wherever possible.

Landscaping species selected are suitable for the local climate and require a minimal amount of watering.

Advanced street trees, based on the ratio of one tree per new Lot, are to be provided in accordance with Council's recommended Street Tree species list (see **Appendix 1**).

Council will consider the use of deciduous trees for street tree planting where it can be demonstrated that street tree shadows will adversely impact solar access.

9.6.3 Services

The design and provision of utility services will conform to the requirements of the relevant service authorities.

Water and sewerage services are to be provided to each Lot at the full cost of the developer.

Electricity supply is provided via underground trenching in accordance with the requirements of the energy supply authority.

Easements to benefit Snowy Valleys Council will be provided over all stormwater, water and/or sewer services located within private land.

9.6.4 Stormwater Management

The stormwater system design is to optimise the interception, retention and removal of water-borne pollutants through the use of appropriate criteria prior to their discharge to receiving waters.

The stormwater system design should minimise the environmental impact of urban run-off on other aspects of the natural environment (creeks and vegetation) by employing techniques which are appropriate and effective in reducing run-off and pollution.

Drainage from development site is not in excess of drainage from the site during its pre-development state.

Stormwater design and works are to be undertaken in accordance with Council's adopted Planning and Design Manual.

9.7 Large Lot Residential Subdivisions

9.7.1 General Considerations

Council will consider the following matters when assessing a subdivision within Zone No R5 Large Lot Residential:

- the availability of reticulated water services or, if those services are unavailable, the capacity of the land to provide an adequate domestic water supply,
- the ability of the land to accommodate on-site septic disposal of household waste,
- the standard and capacity of public roads serving the land,
- the availability of other utility services,
- topography of the land,
- the range and mix of Lot sizes,
- those measures required at the interface of rural residential and adjoining agricultural areas,
- the need to be sited away from intensive agriculture, rural industries, and potential conflicting rural uses, and
- the need to maintain a semi-rural character in the area.

9.7.2 Battle-axe Blocks

Battle-axe blocks are generally not supported however in the case where a battle-axe arrangement is unavoidable, the minimum width of the access will be 9 metres with a constructed access driveway of not less than 6 metres.

The area of the access will not be taken into account in determining the area of the Lot.

All battle axe handles must be sealed and provided with drainage subject to detailed investigation of existing site conditions and the amenity of the area.

9.7.3 Lot Design

Each Lot created in a subdivision is to have a minimum road frontage of 40 metres.

Corner Lots shall have a minimum road frontage of 40 metres on the primary road and 35 metres on the secondary road. Lots at the head of a cul-de-sac are to have a minimum road frontage of 10 metres, widening to at least 35 metres at the building line.

The siting of Lot boundaries will have regard to drainage lines, waterways, dams and other significant features.

9.7.4 Services

All Lots are to be supplied with stormwater, telephone and electricity.

New Lots must drain to a road or piped underground drainage system.

Where available reticulated potable water and sewer is to be connected to each Lot
All services are to be provided underground.

Sewered land must be provided with an underground gravity system which connects to all Lots**.**

Where sewer is unavailable Lots must have sufficient area to accommodate an on-site wastewater management system in accordance with the Environment and Health Protection Guidelines – Onsite Sewage Management for Single Households.

A site-specific investigation of land capability and hydraulic/nutrient balance (undertaken by a person with qualifications satisfactory to the Council) indicating that the proposed Lots have adequate capability for on-site effluent disposal without adversely affecting water quality or adjoining land through either surface or sub-surface flows will be required.

The site-specific investigation will need to detail geotechnical conditions, percolation rates of soils, hydraulic and nutrient balances (where treated effluent is proposed to be irrigated) and appropriate effluent disposal options for the proposed Lots.

The use of on-site sewage management systems should not contribute to an adverse cumulative impact on soils and water in the area.

Easements to benefit Snowy Valleys Council will be provided over all stormwater, water and/or sewer services located within private land.

9.7.5 Site Area Requirements

Minimum Lot sizes (where a dwelling is proposed) in new subdivisions are to be in accordance with the relevant Local Environmental Plan.

It is preferable that a range and mix of Lot sizes be provided, particularly in large rural residential estates that should also have regard to site and market conditions, and to the surrounding rural character and scenic quality of the area.

Lots larger than the minimum may also be provided fronting arterial roads (unless alternative access is provided), where site conditions require a larger area for farm dam catchments or for septic disposal or to accommodate environmentally sensitive land that is not reserved under public ownership.

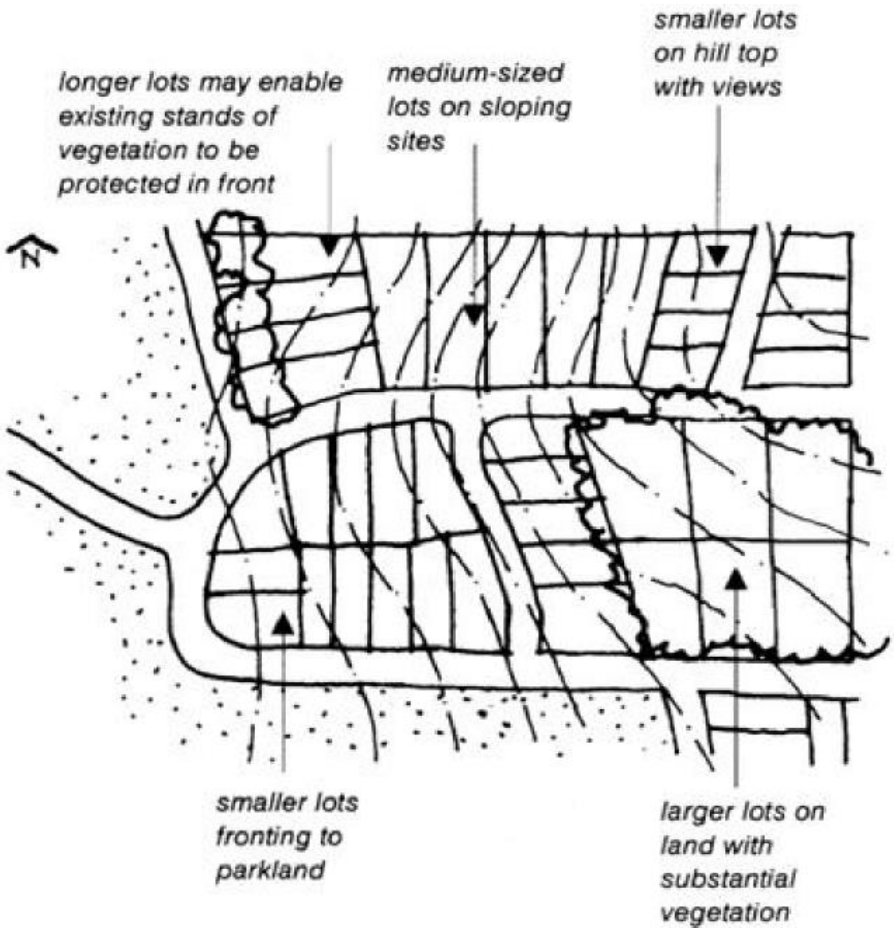


Figure 2: Large Lot residential subdivision design

9.8 Rural Subdivisions- Dwelling houses

9.8.1 General Considerations

Council will consider the following matters when assessing a subdivision for the purposes of a dwelling house within the *RU1 Primary Production Zone* and *C3 Environmental Management Zone*:

- the rural character of the locality
- the disturbance to the rural landscape and the environment
- the environmental capabilities of the land
- soil erosion
- servicing the development
- fragmentation of rural land
- surface and ground water pollution
- the risk of bushfires or flooding
- legal and physical access to a road maintained by Council
- the creation of vehicular access points to major roads
- protection of prime agricultural land for long term sustainable production

In considering the subdivision proposal Council will consider how:

- the subdivision will accommodate future and existing structures and be suitable for appropriate likely future land uses and site activities, and
- the subdivision proposal responds to the existing site attributes and constraints.

9.8.2 Adjoining Development

The subdivision design and layout is to consider adjoining or nearby development, in relation to possible land use conflicts, the need for any buffer areas and the impacts of the subdivision on primary production activities on adjoining land.

9.8.3 Fencing

Stock proof rural type fencing must be provided to all road frontages and public areas.

With the exception of post and rail as well as mesh fencing, no other types of road frontage boundary fencing (including paling and metal panel fencing of any height) will be permitted.

9.8.4 Lot size, Shape and Orientation

Lot shapes should be simple.

Lot boundaries should relate to land features such as creeks. Boundaries should be located parallel or perpendicular to the slope but not diagonally across it. Existing fences should be used for Lot boundaries where this does not result in inappropriately shaped Lots.

Long narrow Lots are to be avoided. Battle axe Lots are to be avoided.

Wedge shaped Lots are to be kept to a minimum and must have a minimum road frontage of 15m.

Each Lot in the proposed subdivision should be able to accommodate a building envelope of 600m^2 in size. The building envelope should contain an area for a future dwelling house and associated ancillary buildings to the domicile.

The building envelope is to generally exclude land:

- within 40 metres of the top of bank of a watercourse,
- that contains significant native vegetation,
- that has been identified as being subject to the 1% AEP flood extent,
- that is subject to a transmission line or other utility service easement,
- required for onsite effluent disposal,
- utilised to house structures required for agricultural undertakings such as farm buildings,
- required for an asset protection zone under a Bushfire Safety Authority,
- Identified as having moderate or higher risk of geotechnical instability, and
- 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.

The design and layout of the building envelope will take into account site topography, geological conditions, existing soils and drainage and will minimise the need for landform modification when buildings are placed within the envelope. The envelope must be designed to limit or avoid any adverse impacts on watercourses and vegetation and prevent future development occurring on any steep and constrained lands.

The subdivision proposal must demonstrate, to the satisfaction of Council that the location of all building envelopes and access driveways will not result in degradation of the landscape character of the surrounding area.

9.8.5 Natural Hazards and Risks

The subdivision design and layout will identify and take into account natural site features such as significant native vegetation, wildlife corridors, topography and rock outcrops

The subdivision design and layout will identify and take into account natural hazards such as bushfire, flooding and geotechnical conditions.

9.8.6 On-site Wastewater Management

Lots must have sufficient area to accommodate an on-site wastewater management system in accordance with the Environment and Health Protection Guidelines – Onsite Sewage Management for Single Households.

A site-specific investigation of land capability and hydraulic/nutrient balance (undertaken by a person with qualifications satisfactory to the Council) indicating that the proposed Lots have adequate capability for on-site effluent disposal without adversely affecting water quality or adjoining land through either surface or sub-surface flows will be required.

The site-specific investigation will need to detail geotechnical conditions, percolation rates of soils, hydraulic and nutrient balances (where treated effluent is proposed to be irrigated) and appropriate effluent disposal options for the proposed Lots.

The use of on-site sewage management systems should not contribute to an adverse cumulative impact on soils and water in the area.

9.8.7 Roads and Access

New rural roads are to be designed and constructed in accordance with Council's Planning and Design Manual. These roads are to be dedicated to Council as public roads.

Where road access is proposed from a Crown Road in accordance with the transfer the road must be transferred from Crown Lands to Council prior to the commencement of any road works at no cost to Council. The transfer of the road to Council does not necessarily change the extent of Council's adopted road maintenance areas.

Where new Lots gain access from a Crown road, the road is to be upgraded and constructed to meet the minimum standards specified in Council's Planning and Design Manual.

All existing public roads fronting or within the proposed Lots must be wholly within the road reserve.

A maximum of two (2) rural Lots may gain access from a right of carriageway within the subdivision, which should connect directly to a dedicated public road under the care and control of Council. A Section 88B instrument setting out the terms of the right of carriageway (including maintenance responsibilities) will be required.

The right of carriageway should be constructed to a standard that will allow all weather two-wheel drive access. All-weather, two-wheel drive access should be provided to all new Lot Entrances shall be limited to one (1) per Lot unless approved otherwise by Council.

Entrances to individual Lots from public roads shall be constructed to Council standards. Where the relocation of an entrance is required the complete removal of the existing entrance will be required.

For subdivisions involving 2 or more Lots along or in the vicinity of school bus routes, Council may require the provision of suitably sited and constructed bus lay-bys.

9.8.8 Rural Addressing

Rural address numbers are allocated by Council when the location of driveway entrances is determined. All occupied properties will be individually numbered. Numbers must be displayed adjacent to the entrance driveways.

9.8.9 Services

Each new Lot must have direct access to a suitable telecommunications and electricity supply. Satisfactory arrangements are to be made with the relevant utility provider.

Alternative power sources for subdivision and development can be considered where it can be demonstrated that the economic cost and/or likely environmental impact of connection is unacceptable.

9.8.10 Water Supply

Where no reticulated water supply is available, a water supply with a minimum of 45,000 litres of potable water is to be provided on site.

Bush fire pone land would need additional water for firefighting purposes in accordance with clause 3.2.2.

10.0 Appendices

Appendix 1 – Street Trees List

Council List of Preferred Street Tree Species

Exotic species	Common name	Height (m)	Deciduous/Evergreen
Acer buergerianum	*Trident Maple*	*4*	*D*
Acer negundo	*Box Elder*	*15*	*D*
Acer palmatum	*Japanese Maple*	*3-4*	*D*
Acer rubrum	*Canadian Maple*	*20*	*D*
Acer Saccharum	*Sugar Maple*	*12*	*D*
Aesculus hippocastanum	*Horse Chestnut*	*15*	*D*
Albizzia	*Mimosa*	*8*	*D*
Alnus	*Alder*	*12*	*D*
Betula pendula	*Silver Birch*	*9*	*D*
Chamaecyparis funebris	*Weeping Cyprus*	*9*	*E*
Cornus species	*Dogwood*	*2-9*	*D / E*
Cupressocyparis leylandii	*Leyland Cyprus*	*9-30*	*E*
Cupressus macrocarpa	*Monterey Cyprus*	*2-30*	*E*
Cupressus sempervirens	*Mediterranean*	*4-12*	*E*
Eriobotrya japonica	*Loquat*	*6-9*	*E*
Fraxinus 'Raywood'	*Claret Ash*	*10*	*D*
Fraxinus excelsior 'Aurea'	*Golden Ash*	*15*	*D*
Lagerstroemia indica sp	*Crepe Myrtle*	*2-8*	*D*
Liquidambar formosana	*Chinese Sweet Gum*	*12*	*E*
Liquidambar styraciflua	*American Sweet Gum*	*20*	*E*
Pistacia chinensis	*Chinese Pistachio*	*8*	*D*
Platanus X hispanica	*London Plane Tree*	*15*	*D*
Poplus sp	*Poplar*	*20-40*	*D*
Protea eximia	*Broad Leafed Sugarbush*	*2*	*E*
Prunus sp.	*Plum/Cherry*	*4*	*D*
Pyrus sp.	*Pear*	*15*	*D*
Pyrus ussuriensis	*Manchurian Pear*	*10*	*D*
Quercus coccinea	*Scarlet Oak*	*15*	*D*
Quercus palustris	*Pin Oak*	*15*	*D*
Quercus Robur	*English Oak*	*30*	*D*
Robinia pseudoacacia	*Robinia - Mop Top*	*5*	*D*
Sapium sebiferum	*Chinese Tallow*	*6-12*	*D*
Thuja sp.	*White Cedar*	*15-20*	*E*
Ulmus glabra	*Golden Elm*	*30*	*D*
Ulmus parvifolia	*Chinese Elm*	*18*	*D*
Viburmum	*Viburmum*	*3*	*D / E*
Zelkova serrata	*Japanese Zelkova*	*20*	*D*

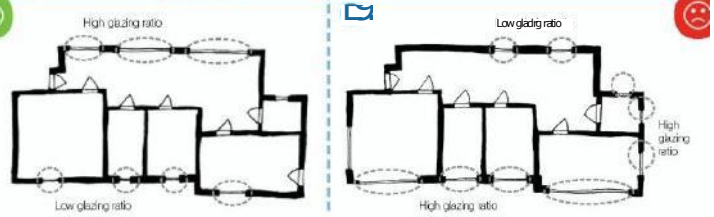
Native species		Height (m)	Deciduous/Evergreen
Acacia sp	*Wattles*	*1-15*	*E*
Banksia sp	*Australian*	*1-15*	*E*
Brachychiton populneus	*Kurrajong*	*15*	*E*
Callistemon	*Bottlebrush*	*2-15*	*E*
Callistemon citrinus cv.	*Lemon bottlebrush*	*3*	*E*
Callistemon viminalis cv.	*Weeping Bottlebrush*	*2-9*	*E*
Corymbia citriodora	*Lemon Scented Gum*	*50*	*E*
Eucalyptus blakelyi	*Blakely's Red Gum*	*20*	*E*
Eucalyptus camaldulensis	*River Red Gum*	*45*	*E*
Eucalyptus cinera	*Silver Dollar Tree*	*15*	*E*
Eucalyptus ficifolia	*Red Flowering Gum*	*9*	*E*
Eucalyptus Globulus	*Tasmanian Blue Gum*	*10-60*	*E*
Eucalyptus leucoxylon	*Yellow Gum*	*30*	*E*
Eucalyptus manifera	*Manna Gum*	*12*	*E*
Eucalyptus melliodora	*Yellow box*	*20*	*E*
Eucalyptus nicholii	*Black Peppermint Willow*	*15*	*E*
Eucalyptus paniculata	*Grey Ironbark*	*30*	*E*
Eucalyptus polyanthemos	*Red Box*	*20*	*E*
Eucalyptus Scoparia	*Wallangarra White*	*12*	*E*
Eucalyptus sideroxylon	*Red or Mugga*	*20*	*E*
Grevillea robusta	*Southern Silky Oak*	*30*	*E*
Grevillea 'Superb'	*Grevillea 'Superb'*	*1-2*	*E*
Hakea salicifolia	*Willow-Leaved Hakea*	*6*	*E*
Leptospermum	*Tea Tree*	*1-8*	*E*
Melaleuca amillaris	*Bracelet Honey Myrtle*	*9*	*E*
Melaleuca linariifolia	*Narrow-Leaved Paperbark*	*9*	*E*
Melaleuca styphelioides	*Prickly Paperbark*	*20*	*E*
Nothofagus gunni	*Deciduous Beech*	*2*	*D*
Stenocarpus sinatus	*Firewheel Tree*	*10-15*	*E*

Note: The species listed have been selected because they are commercially available and are suitable for the local climate.

Appendix 2 – Residential Building Design Guidelines

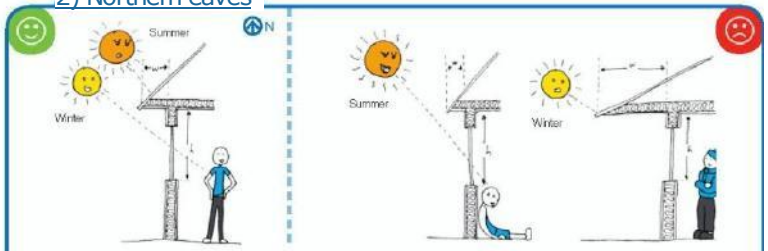
sustainable design principles

1) Northern glazing



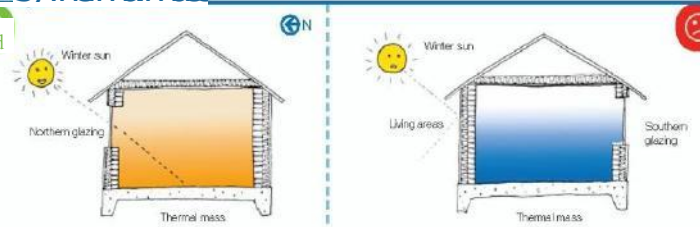
Buildings should have a high glazing ratio on their northern face to maximise solar energy and minimise glazing on the south side to reduce heat losses.

2) Northern eaves



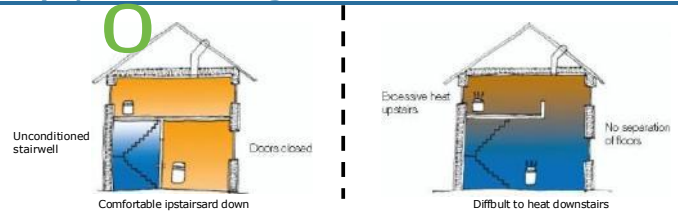
Building eaves should be designed so their width 'w' equals 45% of the window height 'h'.

3) Thermal mass



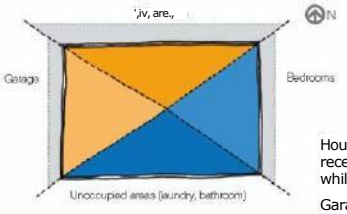
'Thermal mass should be positioned to collect heat from the winter sun, while being protected from the summer sun.

4) Separated living



Separated floors can be heated or cooled evenly and independently, minimising energy use. Other habitable areas should also be separated from each other to ensure low use areas are not heated or cooled unnecessarily.

5) Home Layout



Houses should be laid cut so that living areas receive the most warmth from the winter sun, while being protected from the hot summer sun.

Garages should be orientated to the west.

Victorian Local Sustainability Accord

Sustainability Fund

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Disclaimer: These principles have been

guide. For more detailed information we recommend using Your Home Technical Manual, available online at wwwyourhome.gmtau/technical. Every effort has been made to ensure information is hue and accurate at the time of publication.

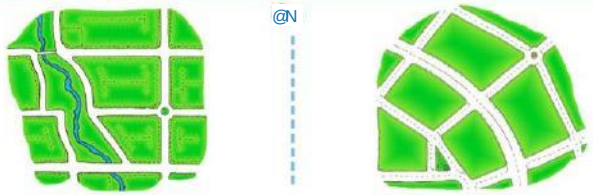
Produced by the Moreland Energy Foundation, December 2011.

Appendix 3 – Residential Subdivision Design Guidelines

A quick guide to

energy efficient subdivisions

1) Street alignment



Housing performs best on true east-west or north-south lots, where heat gain is easier to control. Street orientations outside 20° west and 30° east of true north, and 30° south and 20° north of true east should be avoided. Curved streets make it difficult to achieve good lot orientation.

2) Density

Higher densities (narrower lot width) should be located on sites with the greatest potential for good solar access even if built to the side boundary. Larger lots can better accommodate poor solar access than smaller lots.

3) Building height and topography

Homes on east-west lots can overshadow neigibouring properties to the south if they are taller (ie two-store or the street has a south-facing slope. Wider lots or increased side setbacks are potential solutions.

4) Product Building

Building product varies, so it is worth considering the type of housing likely to be built within the subdivision. Product with side-orientated living areas suit east-west lots and rear-orientated living areas suit north-south lots.

5) Transport connections

Cul-de-sacs and other dead-end streets increase the length of transport trips to local amenities, therefore creating unnecessary greenhouse gas emissions. A permeable subdivision layout, which includes dedicated walking and cycling infrastructure ensures that amenities can be accessed by sustainable transport modes.

More information

General approaches to subdivision deisgn can be found at the CSIRO study:
http://yourdevelopment.org/factsheetiviewid/21
Note: this is applicable for subdivisions of between 10 and 100 lots only and that additional energy related guidelines would be expected for larger scale projects.

Victorian Local Sustainability Accord

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Disclaimer: These principles have been developed for southern Australia and apply only to locations between 20°S and 40°S. They should be used only as a guide. For more detailed Information we recommend using Your Home Technical Manual, available online at www.youtome.gov.auttechnical. Every effort has been made to ensure information is true and accurate at the time of publication.

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