

# Bland Shire Development Control Plan



2012



## GENERAL INFORMATION

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# 1.0 ADMINISTRATION

## 1.0.1 Adoption

This Development Control Plan (DCP) is known as the Bland Shire Development Control Plan 2012.

The plan was adopted by Council, pursuant to section 72 of the Environmental Planning and Assessment Act 1979 and Regulation at its meeting held on 19 March 2013 and came into force on 25 March 2013.

## 1.0.2 Application

This plan applies to all land in the Bland Local Government Area to which the Bland Local Environmental Plan 2011 applies.

This DCP repeals the Bland Development Control Plan 1999 and the Development Control Plan Onsite Effluent Disposal in Non-Sewered Areas, Use of Footpath policy, B&B Guidelines and Tree Preservation Order.

This Plan is required to provide detailed controls to supplement the provisions of the Bland Local Environmental Plan 2011.

This Plan is to be performance based to ensure that Council has the opportunity to assess development with a merit orientated approach to permit development which is determined to be consistent with predetermined objectives.

## 1.0.3 How does the DCP relate to other controls in the LEP?

This DCP is made under the environmental planning instrument, “Bland Local Environmental Plan 2011” (the LEP), which contains the statutory planning controls for development within the Bland Shire. The DCP cannot prohibit or permit a use that is allowed or prohibited under the LEP. The purpose of the DCP is to provide additional detailed controls for various types of development which supplement or expand on the controls within the LEP.

*Note: Users should review the controls in the LEP before consulting this DCP in determining the controls that apply to particular forms of development. In the event of an inconsistency between this DCP and the Bland LEP, the LEP takes precedence.*

*State Environmental Policies override the Bland Local Environmental Plan 2011 and this DCP, therefore users are advised to consult these policies to determine the latest position.*



### ***1.0.4 How will Council assess development against the DCP?***

Where a development application is lodged relating to land which this plan applies, Council will take the provisions of this plan into consideration in determining that application as required in assessing development under Section 79C of the Environmental Planning and Assessment Act.

Council may consent to an application which departs from the acceptable solutions of this Plan, but only where the departures would have planning merit and the development would achieve the performance outcomes sought under the plan.

### ***1.0.5 What are the parts of the DCP?***

This DCP is divided into Chapters. This Chapter is the introduction to the DCP, which sets out how the DCP relates to other planning instruments, the purpose of the DCP, and how to use this DCP.

**Chapter 1** deals with the general administrative provisions including the development application process and notification requirements

**Chapter 2** deals with Subdivision, with controls across a number of zones. Other subdivision is controlled solely by the LEP.

**Chapter 3** deals with controls that relate to residential dwelling development in a number of zones, including rural dwellings and Single Residential Dwelling.

**Chapter 4** deals with controls that relate to Multi-Residential Dwelling developments in a number of zones.

**Chapter 5** deals with controls that relate to Commercial, Retail and Business developments in a number of zones.

**Chapter 6** deals with controls that relate to Enterprise Corridor- B6 Zone

**Chapter 7** deals with controls that relate to Industrial developments in a number of zones.

**Chapter 8** deals with controls that relate to development within the villages.

**Chapter 9** deals with controls that relate to Primary Production developments.

**Chapter 10** deals with controls that relate to Heritage Conservation in a number of zones.

**Chapter 11** deals with controls that relate to Car Parking and Access requirements for developments in a number of zones.

**Chapter 12** deals with controls that relate to Tree Removal and Lopping in a number of zones.



**Chapter 13** deals with controls that relate to Footpath Display and Use in a number of zones.

**Chapter 14** deals with controls that relate to Use of Shipping Containers in a number of zones.

**Chapter 15** deals with controls that relate to Restricted Premises in a number of zones.

**Chapter 16** deals with controls that relate to B&B and Farm Stay developments in a number of zones.

**Chapter 17** deals with controls that relate to Animal Boarding, Breeding or Training Establishments in a number of zones.

**Chapter 18** deals with controls that relate to Advertising Signs in a number of zones.

**Chapter 19** deals with controls that relate to Onsite Effluent Disposal in Non-Sewered areas in a number of zones.

### ***1.0.6 What is the relationship between acceptable solutions, objectives and performance outcomes?***

This DCP is a *performance-based* document. In other words, performance outcomes are required to be achieved by developments, rather than compliance with numerical standards alone. Those outcomes are described in the objectives within the DCP, and the performance outcomes listed within each section. Acceptable solutions within the DCP document are one way (but not necessarily the only way) of meeting the requirement.

There will be circumstances where compliance with the numerical standards may not achieve the best planning outcome. A performance-based approach allows Council to consider alternatives to the planning standards where there is planning merit and the objectives and performance outcomes of the DCP are achieved.

The planning standards are described in this DCP as "acceptable solutions". This means that in most circumstances compliance with these standards will achieve an acceptable outcome. With good design, however, it is usually possible to achieve a better outcome than the outcomes described under "acceptable solutions" although this would usually require use of skilled professionals such as architects and town planners in preparing and lodging applications.

At times, Council may not support an application that complies with the acceptable solutions, if it does not comply with the objectives and/or performance outcomes of this DCP. Council has responsibilities under Section 79C of the Act to assess the overall planning merit of an application. Those considerations may suggest that an application should not be approved.



### ***1.0.7 Can the requirements be varied?***

Council may consider minor variations to this Policy on written application to Council stating reasons why this policy should be varied. Council's staff will determine approval of variations of up to 10% of any numeric standard.

Where an alternative design requires significant variation to the performance outcomes a detailed Statement of Environmental Effects must be provided with the development application.

The Statement of Environmental Effects must address in detail each variation as well as provide justifications and/or reasons as to why the performance outcomes can not be achieved.

The final determination of significant variations and the development application may require a report to an Ordinary Meeting of Council.

### ***1.0.8 What if my development isn't covered by this DCP?***

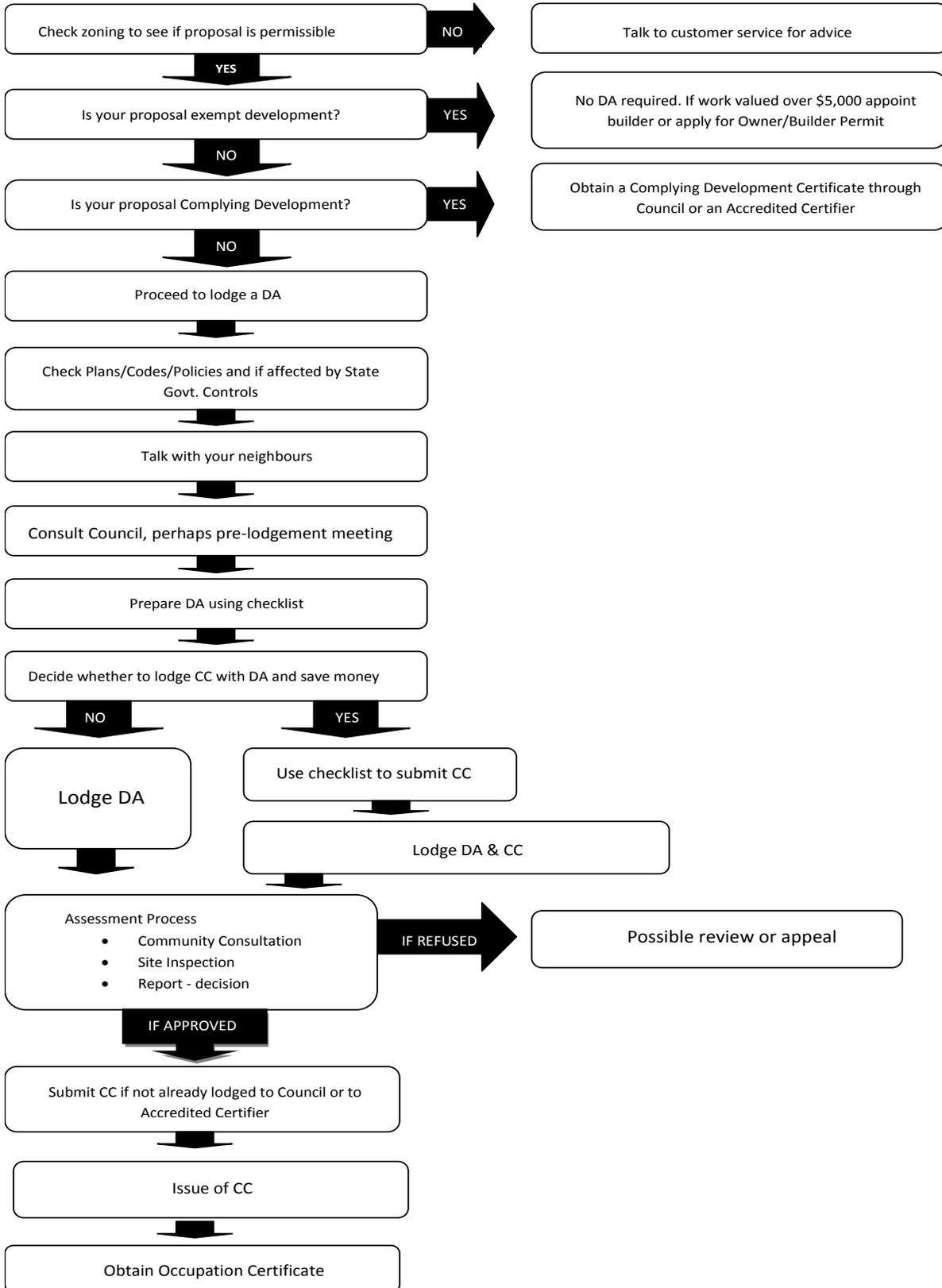
If the specific development being considered is not covered by this DCP there are two approaches that can be taken. The first is to use any of the best practice guidelines/codes of practice listed in Appendix A or, alternatively, another industry best practice guideline/code of practice that you may be aware of. A copy of this should be submitted with the application.

Alternatively, the development can look to comply with suitable controls from similar development types that are described within this DCP.

*Note: In the above cases you should seek advice from Council staff prior to preparing or lodging your application.*



# 1.1 The Development Application Process





## 1.2 Preparation of a Development Application

### 1.2.1 Preparing a Preliminary Proposal

The first stage in preparing a development application is the preparation of a preliminary proposal. Draft or concept plans should be developed on the basis of a site analysis. The site analysis needs to take into account:

- The type of development that you are wanting to achieve (for example an industrial development using heavy machinery; a town house development etc)
- The constraints and opportunities of the site including such issues as grades, soil types, utilities, access, size and depth of the land etc
- Surrounding development and potential impacts
- The main planning controls applying to the site through the LEP and DCP

The purpose of the analysis and preliminary proposal is to identify specific issues or potential problems with the proposal, including any substantial areas of non-compliance with Council's controls. The preliminary proposal can then be revised to attempt to address as many of the issues and problems as possible. The revised proposal can then be discussed at a pre-lodgement meeting with Council

### 1.2.2 What is a pre-lodgement meeting?

Before you prepare the actual development application one or more pre-lodgement meetings with Council is strongly advised. Generally, Council will undertake up to two pre-lodgement meetings without charge. At the first meeting you should outline what it is you are intending to do, together with providing some preliminary plans for discussion. Council staff can advise at these meetings on any initial issues/problems they see with the proposal, together with the level of information that would need to be submitted with a full application. Subsequent plans can also be reviewed by Council however it needs to be clear that Council cannot design your proposal for you.

The guidelines in regard to the requirements and objectives of a Pre-lodgement Meeting can be found on Council's website [www.blandshire.nsw.gov.au](http://www.blandshire.nsw.gov.au).

Pre-lodgement meetings may be booked by contacting Council's Development Services Department.

*Note: Pre-lodgement discussions can also be held at the counter if suitable staff are available and/or the proposal is straightforward. These discussions, however, would be at a less detailed level as staff would not have had the opportunity to review your proposal prior to the meeting.*

**Important Note:** Pre-lodgement meetings constitute general advice only and are held in a without prejudice context. They provide an indication as to the potential issues that might arise with an application or proposal. If significant issues are identified at a pre-lodgement meeting, a second meeting is advisable once the proposal has been further developed to address those issues. A pre-lodgement meeting, even if favourable, does not guarantee an approval from Council, as a full consideration of the proposal can only be given once it is lodged with all supporting information.



### ***1.2.3 Standard Information Requirements for Development Applications***

Providing clear and detailed information with your application is the best way to ensure that it is processed quickly. In this respect “over documentation” is preferred to “under documentation”.

Council has a set of standard information requirements which should cover most development applications. Not all of the information listed below would be relevant to all applications and advice regarding specific information required for a proposal can be obtained at a pre-lodgement meeting. Council has developed guidelines for Statement of Environmental Effects, including some guidelines for some common development types. These are available on Council’s website [www.blandshire.nsw.gov.au](http://www.blandshire.nsw.gov.au).

#### ***1.2.3.1 Standard Information Requirements***

The standard information requirements for a development application are two full size sets or one electronic set (lodged by email if chosen) of plans plus four notification/advertising sets at A4 or A3 (for larger developments), drawn to an appropriate scale and indicating:

- Site plans:
  - Plans shall demonstrate compliance with performance standards identified in relevant sections
  - Site dimensions, area of land and north point (preferably on the basis of a re-establishment survey)
  - Adjoining streets, boundaries and buildings
  - Location and uses of all buildings on the site and on adjoining lands
  - Existing and finished contours to AHD (in particular highlighting areas and extent of cut and/or fill – where cut and fill will exceed 1 metre, a geotechnical report is required)
  - Setbacks and building lines
  - Number and dimensions of car parking areas and driveways
  - Site plan including turning circle movement for 85<sup>th</sup> percentile vehicle is required for buildings of BCA classes 2 to 9 and multi-dwelling housing
  - Location and type of waste disposal facilities
  - Location of watercourses, depressions, easements, right of ways, power poles, substations, manholes, footpaths and road crossings on or near the land
  - Location and capacity of drains, detention basins, sediment and pollution traps
  - Building and trees proposed for removal/demolition
- Building plans:
  - Internal layout of proposed buildings showing the use of all rooms/areas
  - Roof plans
  - Elevations (with the street elevation(s) also including immediately adjoining buildings)
  - Cross sectional elevation including natural and finished ground level provision for access for persons with disabilities



- Concept landscape plans:
  - Trees to be retained and removed (including species of any proposed for removal)
  - Material of all paved and hard standing areas
  - Landscaping approach (canopy trees, shrubs, ground covers, grassed areas)
  - Height and type of construction of fences
  - Shadow diagrams
  - For multi-dwelling residential development of two storeys, or single storey where the development is up-slope and towards the sun (when viewed from the proposed development)

*Note: Plans of buildings should generally be at 1:100; with other plans generally at 1:200 or 1:500. Detailed landscaping plans would be required following any approval from Council. These would need to show full details of species, planting methods etc)*

### **1.2.4 Statement of Environmental Effects**

For many developments of minor impact, it may be possible to use one of the proforma Statement of Environmental Effects provided on Councils website [www.blandshire.nsw.gov.au](http://www.blandshire.nsw.gov.au). For more significant developments, a formal Statement of Environmental Effects must accompany the application. This statement describes, among other things:

- What the development is, and (mainly for commercial or industrial development) how it would operate (number of employees, hours of operation, traffic movements and deliveries, processes carried out, wastes generated, waste disposal)
- What the potential impacts of the development are (these could include noise, vibration, traffic, odour, light-spill, wastes generated, stormwater runoff)
- What risks there are to the development from natural site conditions (eg geotechnical conditions, flooding, bushfire) and human caused hazards (eg storage of dangerous materials)
- How the development takes these matters into account and mitigates any adverse environmental effects on the site or in the locality
- A review of the proposal against the statutory controls within the LEP and also against the controls within the DCP. Any variation to the acceptable solutions within the DCP needs to be justified showing how the performance outcomes and objectives of the DCP are being achieved
- Supporting photographs, models, photomontages and the like may be helpful for large scale developments, in particular

Full guidelines for preparing a statement of environmental effects can be found on Council's website [www.blandshire.nsw.gov.au](http://www.blandshire.nsw.gov.au).

### **1.2.5 Designated Developments**

Designated developments are required to be accompanied by an Environmental Impact Statement (EIS). This must be based on specifications issued by the Director General of the NSW Department of Planning and Infrastructure. If you are planning a designated development, it is strongly advised that you contact Council regarding a planning focus meeting which would include Council staff together with key State government agencies who would be involved in the application before Department of Planning and Infrastructure terms are sought.



## ***1.2.6 Construction Certificate***

A construction certificate can be sought at the same time as a development application. In this instance, the following is also required:

- Compliance with Council's Onsite Management Policy for onsite waste disposal (where relevant)
- Structural engineers details
- Details of site management
- Details of sediment and erosion control
- Details of onsite sanitary facilities (during construction)
- Provision of safety fencing during construction (to WorkCover requirements)
- Construction standard plans

## ***1.2.7 Other Acts and Approvals***

Additional applications and information may be required under other relevant legislation, such as the Protection of the Environment Operations Act 1997, the Building Code of Australia and the Local Government Act 1993.

With integrated development, the general terms of approval under other Acts are incorporated within development approvals. A development approval does not, however, constitute an approval under any of these other Acts.

In particular, most development will require a construction certificate in addition to a development approval. Structural engineering design is required where a combined development application and construction certificate is lodged.

## ***1.2.8 Development Application Form***

A development application form must be completed with all applications.

Council forms, including development application forms can be accessed on Council's website at [www.blandshire.nsw.gov.au](http://www.blandshire.nsw.gov.au).

For an application to be properly made, the necessary information must also be provided with the application form, and the appropriate fee paid.

The development application form must be signed by all the owners of the land, or alternatively, written authorisation provided with the application. Note that for applications by a company, a company seal may be required depending upon that company's constitution.



### ***1.2.9 Assessment***

Once an application has been lodged and receipted, it will undergo an initial assessment to ensure that there is sufficient information for Council to properly assess the application. This assessment will also include checking permissibility of the proposal against the planning controls. During the initial assessment period Council may request additional information from the applicant.

If the information requested is not provided in a timely manner or is insufficient or of a poor quality Council may potentially determine the applications without this additional information by way of refusal due to insufficient information being provided to allow for a full assessment to occur.

Applications will be referred, where required, to Council's internal departments and state agencies. In addition, where considered necessary by Council staff, or in accordance with the policies of those committees, applications will receive consideration by relevant committees of Council prior to determination.

Selected Council staff have designated authority to generally determine applications except in the following circumstances:

- Objections have been received
- Substantial policy variation is proposed in the application and there is no reasonable offset

Where either of the above occurs, the determining authority may be the elected Council.

## **1.3 Development Application Notification Policy**

### ***1.3.1 About Notification***

Many applications require notification. Notification involves writing to the adjoining, adjacent and potentially affected land owners and occupiers (neighbour notification) and any public authority that may have an interest in the application (agency referral), and inviting them to make submissions. In some circumstances, applications would also be notified in a local newspaper (advertised development).

Council would make copies of submission available to applicants, and invite them to respond to the issues raised, prior to determining applications.

When submissions are reported to Council, submitter names are generally made available to Councillors and staff, however the general approach is not to publish names unless permission is given.



### ***1.3.2 Statutory Obligations***

Council has certain obligations under the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979 (EPA Act) to notify owners of land whose enjoyment of that land may be affected by proposed development.

Certain categories of development (i.e. Designated Development, State Significant Development, Integrated Development and Advertised Development) are required to be exhibited in accordance with the procedures for notification prescribed by the EPA Act and Regulations.

### ***1.3.3 Neighbour Notification***

#### ***1.3.3.1 Development that will not be notified***

Council **will not notify** the following development types except where Council deems necessary:

- Exempt and complying development
- Detached single storey dwellings in R5 and RU1 zones (other than second-hand dwellings) that are compliant with the acceptable solutions of this DCP.
- The following ancillary structures and alterations:
  - Ancillary structures associated with single storey dwellings (including single carports, pergolas, garden sheds and the like, which are sited 1 metre from any boundary, sited behind or in-line with the existing building line and side boundary setbacks and comply with Council's building setbacks in this plan excluding swimming pools..
  - Alterations to an existing single storey single dwelling where the works will not result in any change of height and are sited behind or in-line with the existing building line of the existing building
  - Ancillary structures associated with multi-dwelling housing including carports, pergolas, garden sheds and the like which are sited 1 metre from any boundary, sited behind or in-line with the existing building line and comply with Council's building setbacks
  - Alterations associated with multi-dwelling housing where the works will not result in any change of height, external configuration or external façade of the existing building sited behind or in-line with the existing building line and comply with Council's building setbacks
- Subdivisions
  - For boundary adjustment or consolidation of not more than two (2) allotments to one (1)
  - For strata title purposes

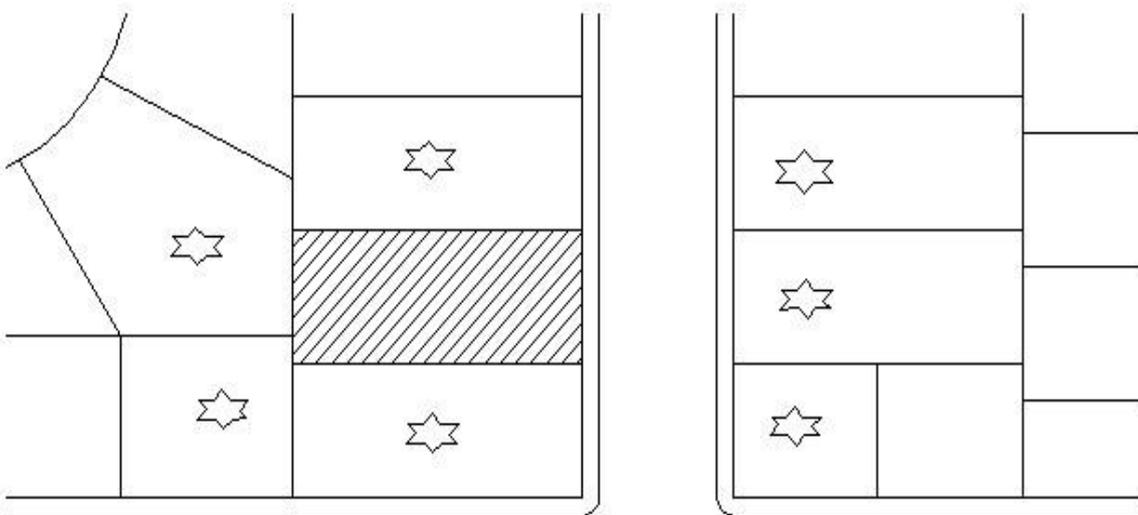


- Commercial or industrial development being:
  - Commercial and industrial alterations and additions including change of use that are minor in their impact on adjoining development and the local environment
- Applications for internal alterations and renovations for any building in any zone where the works are non-structural and are contained entirely within the existing building envelope including recladding of buildings, replacement of windows and doors

### 1.3.4 Notification

Development not covered by Section 1.3.3.1 will be notified in the following ways:

- Those persons who own land either adjoining the side and rear boundaries, or adjacent to the subject land or as may potentially be affected by the subject development (see diagram below)
- An association for a community, precinct or neighbourhood parcel within the meaning of the “Strata Schemes (Leasehold Development) Act 1986” and the “Strata Schemes (Freehold Development) Act 1973”
- If, in the opinion of Council or its delegated officers, the enjoyment of any other land may be affected by the proposed development:
  - The owners of such other land
  - The owners of land separated only by a pathway, driveway or similar thoroughfare from the proposed development





### ***1.3.5 Criteria for Required Neighbour Notification***

The extent of neighbour notification will be determined having regard to the following:

- The siting of the building and its proximity to boundaries
- The design of the building, and in particular its height, bulk and scale and its relationship to the character of existing development in the vicinity and the streetscape
- The use of proposed rooms and the possible effect on adjoining land due to overlooking and loss of privacy
- The views to and from adjoining land
- Any overshadowing of adjoining land
- Natural drainage of the site, and possible changes in response to the proposed works and the impacts that this may have on adjoining properties
- The likelihood of the adjoining land being detrimentally affected by noise
- Any relevant matter for consideration under section 79C of the EPA Act

### ***1.3.6 Form of Notice***

Written notice shall contain the following information:

- The property description or address of the site affected by the application
- A description of the specific development for which approval is being sought
- The name of the applicant
- An invitation to inspect the application
- Details of where the application can be inspected
- A statement that any person may make a submission in writing
- The time within which written submissions will be received

Advice that:

- The information within a written submissions may be included in a report to Council
- Council is subject to Freedom of Information Act 1982 and Government Information (Public Access ) Act 2009 legislation, and that copies of written submissions may be made available to any persons entitled to lodge an application under this legislation

### ***1.3.7 Plans to Accompany Notice***

Notice of a development application must be accompanied by plans of the proposed development, in an approved form, showing the height and external configuration of the building/structure in relation to the site on which it is proposed to be erected. Such plans must:

- Be clearly drawn to a scale of 1:100 (min), or to the satisfaction of Council
- Include all elevations sufficient to delineate the development
- Include a site plan showing the relationship of the proposed building to the boundaries of the allotment
- Be clearly dimensioned to indicate size, height and position of building



- Indicate the levels of floors, ceilings and ridges in relation to the levels of the site and accurate ground levels adjacent to the elevations of the building being shown if required
- Include any other information Council, or its delegated officer, considers appropriate

Should the form of plan and details described be inappropriate to the circumstances of the case of the proposal the plan shall be in a form approved by Council staff with the appropriate delegation.

To facilitate the distribution of plans of the proposal to those owners or persons required to be notified, the applicant shall submit four (4) A4 copies of the plan in the approved form or such further copies as may be required in the circumstances of the case.

### ***1.3.8 Exhibition Period***

An application shall be available for inspection from the date of notice of the application for a minimum period of fourteen (14) calendar days

During the exhibition period, any person may inspect, free of charge, during the ordinary office hours of Council, an application which has been notified whether or not that person has been, or is entitled to be, given notice under the provisions of this policy.

Extracts of a development application relating to the erection of a building will be made available, upon request, to interested persons free of charge. This information shall include:

- Details of the applicant and the land to which the application relates, and
- A plan of the building that indicates its height and external configuration, as erected, in relation to the site on which it is to be erected.

*Note: Residential floor plans are not available under the Privacy Act. All other information submitted with the application, including supplementary information, is available for the cost of reproduction, according to Council's current schedule of fees and charges. Reproduction may include photocopying or provision of an electronic copy of the material.*

### ***1.3.9 Notification – Advertised Development***

Notification will also be given in a local newspaper on at least two (2) occasions for the following advertised development:

- Animal boarding and training establishments
- Boarding houses
- Extractive industries
- Hotels/motels
- Intensive livestock keeping
- Heavy and Offensive Industries
- Sex service premises and restricted premises



In addition where Council considers that community interest in a development proposal may be wider than the immediate vicinity of the development site, notification may also be given in a local newspaper.

### **1.3.10 Submissions**

Submissions in respect of an application must be received by Council within the date on the notice relating to the application. Additional period may be determined by relevant staff in some circumstances.

A submission may be made by any person whether or not that person has been, or is entitled to be, given notice under the provision of this Policy.

Submissions must be made in writing and, if by way of objection, must state the reasons for the objection. All submissions must be addressed to the General Manager.

All submissions will be acknowledged, and it may be possible to address Council through the Public Forum at the Ordinary Meeting of Council (see Section 1.3.12 below).

### **1.3.11 Council Must Consider Submissions**

In determining applications, Council and/or delegated officers of Council, must consider all submissions under the provisions of this policy, before the application is determined.

### **1.3.12 Council Meeting Policy (Public Forum)**

If the development to be considered by the Council at a Council meeting, representations regarding the development may be made by interested members of the public at the meeting. Council's policy with respect to Public Forum sessions can be found on Council's website [www.blandshire.nsw.gov.au](http://www.blandshire.nsw.gov.au).

### **1.3.13 Notification of Determination of Application – Persons making Submissions**

Any person who makes a submission in relation to an application will be notified, in writing, of Council's decision.



## 2 Subdivision

### 2.1 Objectives

- To ensure that land is developed in a manner that is appropriate to the existing or preferred character of the area
- To ensure that land is developed in a way that will minimise impacts on the natural environment and will allow for the efficient and equitable distribution of public amenities and services
- To ensure that access arrangements are appropriate

### 2.2 Function Statement

- Minimise the length of roadway and public services required to service the subdivision, while complying with the other performance outcomes of this section
- Ensure that a diverse range of lot sizes are available including allotments with potential for dual occupancy or multi-unit housing
- To ensure that lots are of a sufficient size and shape for the proposed and expected use
- Adequate safe area for building and access where the site is subject to constraints such as flooding, subsidence, slip, bush fire or any other risk
- Layouts which conserve any significant site features in environmentally sensitive areas,
- Layouts which contribute to the scenic quality, landscape and character of the locality
- Required building setbacks from front, side and rear boundaries
- To ensure allotments are serviced with public utilities in accordance with the requirements of the various authorities
- To ensure that layouts consider Crime Prevention through Environmental Design (CPTED) principles; Lots are provided with appropriate services
- Constraint-free building envelopes are available
- The use of rights-of-carriageway is minimised

### 2.3 Performance Criteria and Acceptable Solutions

The performance criteria and acceptable solutions vary depending on the relevant zoning of the land in question therefore the requirements have been separated into three (3) tables being

- RU1 Rural Zone
- R1 General Residential and RU5 Village
- R5 Large Lot Residential



<b>RU1 Rural Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>Access</b>			
<b>PS1</b>	All allotments have legal and practical access including alternative emergency access as may be required by the development.	<b>AS1</b>	Each allotment created has legal access to a public road or a Crown road (duly formed or upgraded for the purpose) either through direct frontage, a right of way arrangement, or by consolidation with an existing allotment.
<b>PS2</b>	Adequate physical access is available to a new allotment, being an allotment created for agricultural purposes or of sufficient size so as to have the right to apply for a dwelling.	<b>AS2.1</b>	For lots created for agricultural purposes: <ul style="list-style-type: none"> <li>a) A right as to user is provided on the title to any allotment created for agricultural purposes (that does not have a constructed physical access provided or already available at the time of creation).</li> <li>b) at such time as the allotment is no longer in the same ownership as the directly abutting allotment; and</li> <li>c) Any such access is to be constructed prior to the transfer of title, and consists of a recessed gate (sufficient that an articulated vehicle can stand clear of the road carriageway) OR a cattle grid TOGETHER WITH a piped crossing over the table drain constructed to Council's Engineering Subdivision and Development Guidelines.</li> </ul>



RU1 Rural Zones			
	Performance Criteria		Acceptable Solutions
		<b>AS2.2</b>	<p>For lots created with the right to apply for a dwelling:</p> <ul style="list-style-type: none"> <li>a) Access is provided to a non-classified road where possible, and in accordance with Council's Engineering Subdivision and Development Guidelines.</li> <li>b) Where access to a classified road is necessary, this is provided in accordance with RMS standards for access to a rural dwelling;</li> <li>c) Street numbering is provided in accordance with the rural addressing scheme;</li> </ul>
		<b>AS2.3</b>	<p>Standard of construction for roads built and roads fronted or other road network facilities are provided as part of the development application, such standards to incorporate the requirements specified in Council's Engineering Subdivision and Development Guidelines.</p> <p>Subdivisions exceeding 25 lots shall have their main subdivision service road connect to the existing road network in at least two (2) locations.</p>
<b>PS3</b>	Site servicing, including any easements that may be required, and disposal of sewage and waste water.	<b>AS3.1</b>	<ul style="list-style-type: none"> <li>a) Any electricity services are provided by way of overhead wiring;</li> <li>b) Where land has been identified as previously having a potentially contaminating land use, a report from a suitably qualified consultant is to be submitted to Council demonstrating that the land is suitable for the intended use.</li> </ul> <p>Separation distances are consistent with Table 3.1. - Chapter 3.</p>



<b>R1 General Residential and RU5 Village Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>Subdivision Layout</b>			
<b>PSR1</b>	Provide road widths that are consistent with the township or village concerned, within a logical hierarchy of roads.	<b>ASR1.1</b>	Provide minimum road carriageway widths in accordance with Council's Engineering Guidelines for Subdivision and Development
		<b>ASR1.2</b>	Provide verges to each side of road carriageways in accordance with Council's Engineering Guidelines for Subdivision and Development
		<b>ASR1.3</b>	Road Construction <ul style="list-style-type: none"> <li>• All roads created as part of the subdivision are to be sealed and provided with kerb and guttering, and are designed and constructed in accordance with Council's Engineering Guidelines for Subdivision and Development, where applicable</li> <li>• All existing street shoulders adjacent to the subdivision are sealed and provided with kerb and guttering.</li> <li>• All roads created as a part of the subdivision are dedicated to Council to become public roads.</li> </ul>
		<b>ASR1.4</b>	Any street and advisory signs that are required are manufactured, located and erected in accordance with Council's Engineering Guidelines for Subdivision and Development
<b>PSR2</b>	All intersections shall be designed for safe traffic management.	<b>ASR2</b>	Avoid four-way intersections, and provide a minimum spacing between intersections of 40 metres (may be 20 metres for minor access roads and cul de sacs);



<b>R1 General Residential and RU5 Village Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PSR3</b>	Minimise the use of cul de sacs, and where these are provided provide adequate minimum frontages to facilitate reasonable access and dwelling construction.		
<b>PSR4</b>	Minimise the use of battle axe allotments.	<b>ASR4</b>	Have no more than 5% battle axe allotments.
<b>PSR5</b>	Avoid long dead-end streets, so as to optimise access by service and emergency vehicles.	<b>ASR5.1</b>	Have cul de sacs accessing no more than 15 dwellings.
		<b>ASR5.2</b>	Provide, where feasible, two access points for subdivisions of over 30 allotments (compulsory for subdivisions of over 200 allotments)
<b>PSR6</b>	Respond to natural features of the site, including grades, watercourses, aspect and soil types.	<b>ASR6.1</b>	Orientate at least 70% of allotments north-south or east-west, where possible.
		<b>ASR6.2</b>	Provide larger allotments on south facing slopes.
<b>PSR7</b>	Provide, where necessary, public open space of usable size, grades and shape, conveniently located to serve the residents of the subdivision OR alternatively contribute to the upgrading of public open space in the vicinity and/or access to that space in accordance with any contributions plan that may be in force.	<b>ASR7.1</b>	Maintain natural watercourses and incorporate within open space areas.
		<b>ASR7.2</b>	Provide 5% of land as public open space for subdivisions of 30 allotments or more, or, alternatively contribute an equivalent amount (costed at residential land value) for open space purchase and/or embellishment and/or access to open space in the vicinity.
<b>PSR8</b>	Locate building envelopes so that there is equitable distribution of views.	<b>ASR8</b>	Arrange the layout so as to maximise access to existing views for both existing and proposed allotments.
<b>Site Design</b>			
<b>PSR9</b>	Undeveloped allotments provide for an energy efficient dwelling house and any ancillary buildings and facilities.	<b>ASR9</b>	A minimum lot size of 500 m <sup>2</sup> for R1 zoned land or 2000m <sup>2</sup> in RU5 (Non-sewered) zoned land is achieved or exceeded.



<b>R1 General Residential and RU5 Village Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PSR10</b>	Undeveloped allotments provide for outdoor landscaping and recreation space.	<b>ASR10</b>	All allotments can accommodate a building envelope of 16 metres x 9 metres; such building envelope to be no closer than 1 metre to any side or rear boundary, or 5 metres to the front boundary, and located so that an 8 metre high dwelling on the envelope would not overshadow an existing dwelling more than 50% of their private open space or north-facing roof between 9.00am and 3.00pm on 21 June.  <i>Note: Building envelopes need not be implemented by way of an 88B instrument, however, if the developer chooses to do so, such restriction will be endorsed by Council.</i>
<b>PSR11</b>	Undeveloped allotments provide for onsite car parking	<b>ASR11</b>	All allotments have a minimum width of 18 metres at a point 5 metres back from the front boundary except east-west orientated lots (i.e. within 15 degrees of east-west) which have a minimum width of 20 metres at that same point.
<b>PSR12</b>	Undeveloped allotments provide for a buffering allowance from sensitive or offensive uses.	<b>ASR12</b>	See Table 3.1.- Chapter 3
<b>PSR13</b>	Vehicular access is provided to and from the site.	<b>ASR13</b>	Where battle axe allotments are provided, no more than two such allotments may be serviced by a shared driveway.
<b>Servicing</b>			
<b>PSR14</b>	Site servicing, including any easements that may be required, and disposal of sewage and waste water.	<b>ASR14.1</b>	Power is provided in the form of underground services, in accordance with the requirements of Essential Energy.
		<b>ASR14.2</b>	Street lighting is provided in accordance with the requirements of Essential Energy.
		<b>ASR14.3</b>	A layback is provided to each allotment created, consistent with the parking and access chapter of this DCP OR roll-over kerb is provided.



R1 General Residential and RU5 Village Zones		
	Performance Criteria	Acceptable Solutions
		<p><b>ASR14.4</b> All allotments created are provided with a sewer connection, the connection to which is designed and constructed in accordance with Council's Engineering Guidelines for Subdivision and Development OR where sewer is not available, are able to satisfy the requirements of Chapter 20.</p>
		<p><b>ASR14.5</b> All allotments created are provided with a connection point to Goldenfields Water County Council (GWCC) water mains, the connection to which is designed and constructed in accordance with Goldenfields Water County Council requirements.</p>
		<p><b>ASR14.6</b> All allotments created are drained directly to the street drainage system or to be drained to the street system via an inter-allotment drainage system constructed in accordance with Council's Engineering Guidelines for Subdivision and Development.</p> <p><i>Note: Inter-allotment drainage would be required for all allotments with a cross-fall where any portion of the allotment drains through any adjoining allotment, or where the allotment drains away from the street.</i></p>
		<p><b>ASR14.7</b> Written confirmation is provided by a telecommunications provider stating that facilities are available to each allotment or that other suitable arrangements have been made.</p>
		<p><b>ASR14.8</b> Written confirmation is provided by a natural gas company stating that facilities are available to each allotment or that other suitable arrangements have been made.</p>
		<p><b>ASR14.9</b> Easements are provided where necessary to permit unrestricted access for sewerage, water and drainage purposes.</p> <p><i>Note: easement widths provide at least 1 metre clear access either side of the facility protected by the easement.</i></p>



R1 General Residential and RU5 Village Zones		
	Performance Criteria	Acceptable Solutions
		<p><b>ASR14.10</b> Development contributions to headwork and/or development servicing plan charges, if required.</p> <p><i>Note: Contact should be made with Council's Engineering Services Department and Goldenfields Water County Council to determine these charges, which are payable prior to the release of any construction certificate or subdivision certificate.</i></p>



<b>R5 Large Lot Residential Zone</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>Subdivision Layout</b>			
<b>PSLL1</b>	To provide for lifestyle allotments that are capable, should future demand require, of being efficiently re-subdivided into standard residential allotments.	<b>ASLL1.1</b>	Has at least one connection point to an existing public road.
		<b>ASLL1.2</b>	Provides for future road connectivity to adjoining development sites
		<b>ASLL1.3</b>	Provides a connection point or potential future connection point to all public roads adjoining the development site.
<b>PSLL2</b>	To ensure that roads are constructed to a standard that is durable and suitable for the proposed development, and which are capable of being upgraded to serve standard residential allotments.	<b>ASLL2</b>	Provides road reserves in accordance with Council's Engineering Guidelines for Subdivision and Development.
<b>Site Design</b>			
<b>PSLL3</b>	To provide for lifestyle allotments that are capable, should future demand require, of being efficiently re-subdivided into standard residential allotments.	<b>ASLL3.1</b>	Allotments have a minimum frontage and width of 90 metres.
<b>Road Design</b>			
<b>PSLL4</b>	To ensure that roads are constructed to a standard that is durable and suitable for the proposed development, and which are capable of being upgraded to serve standard residential allotments.	<b>ASLL4</b>	<ul style="list-style-type: none"> <li>All roads part of the subdivision are constructed to all weather standards and are designed and constructed in accordance with Council's Engineering Guidelines for Subdivision and development.</li> <li>Drainage swales to roadways (where required) are provided with a low flow pipe to Council's Engineering Services Department specifications and are graded to permit mowing with a gang mower or similar.</li> <li>All roads created as part of the subdivision are dedicated to Council to become public roads.</li> </ul>



<b>R5 Large Lot Residential Zone</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
			<ul style="list-style-type: none"> <li>Any street and advisory signs that are required are manufactured, located and erected in accordance with Council's Engineering Guidelines for Subdivision and Development.</li> </ul>
<b>Servicing</b>			
<b>PSLL5</b>	Water Water supply capable of servicing the needs of the proposed development is provided.	<b>ASLL5</b>	<ul style="list-style-type: none"> <li>Where a reticulated water supply is provided connection to such system;</li> <li>Where not serviced by a water supply each allotment must able to accommodate a minimum of 45,000 litre rainwater tank, or a 20,000 litre rainwater tank if supplemented by an alternative water supply.</li> </ul>
<b>PSLL6</b>	Electricity Access to an electricity supply capable of servicing the proposed development is provided.	<b>ASLL6</b>	<ul style="list-style-type: none"> <li>By extending and constructing an electricity supply capable of meeting the demands of the development.</li> <li>By locating development where ready access to an electricity supply is available or</li> <li>By demonstrating self sufficiency with alternative power sources such as wind and/or solar power generation systems.</li> </ul>
<b>PSLL7</b>	Telecommunications Access to telecommunications capable of servicing the development is available.	<b>ASLL7</b>	<ul style="list-style-type: none"> <li>By extending and constructing telecommunication facilities capable of meeting the needs of the development;</li> <li>By locating proposed developments where they can be serviced by a telecommunication provider; or</li> <li>By demonstrating self sufficiency with alternative telecommunication equipment (e.g. satellite technology)</li> </ul>



<b>R5 Large Lot Residential Zone</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>Access</b>			
<b>PSLL8</b>	Road Access Access is provided from a dedicated public road maintained by Council.	<b>ASLL8</b>	In accordance with Council's Engineering Guidelines for Subdivision and Development
<b>PSLL9</b>	Sight Distances There is adequate sight distance to allow safe manoeuvring to and from the property.	<b>ASLL9</b>	<ul style="list-style-type: none"> <li>• Access points join the public road at 90°;</li> <li>• Entrances are located so that vehicles do not queue onto the public road;</li> <li>• Where the subject land is adjacent to an intersection the access is located at least 6 metres from the corner of the allotment adjacent to the intersection.</li> </ul>

### **2.4 Design Suggestions and Variations**

Variation to the acceptable solutions would need to be supported by a comprehensive Statement of Environmental Effects including a detailed site analysis which addresses the performance outcomes sought for subdivision. Any proposed variation must be presented in accordance with Clause 1.0.7 of this DCP.

All variations will be considered in accordance with Clause 1.0.7 of this DCP.

## 3 Dwellings

### 3.1 Rural Dwellings

#### 3.1.1 Information to be provided

The following information provides a guide to the minimum information requirements that Council will need to assess the application:

- An extract of a topographic map (or similar) map showing the property (including the allotment proposed for the dwelling and any holding/overall property boundary), the location of the dwelling and the location of powerlines
- Electricity and any other utilities available or burdening the land
- Evidence of the size of the allotment, property and/or holding (e.g. copy of the deposited plan, title certificate or similar)
- The location of the proposed access road to the dwelling, and its proposed point of connection with the public road network (*Note: this point of connection must comply with the Bland LEP 2011 and must comply with the access requirements for rural properties*)
- Should the property be identified as bushfire prone land, a Planning for Bushfire Checklist completed for the specific development. *Note: This self-assessment checklist is available from Council or the NSW Rural Fire Service.*
- The location of dams, streams and the like, including upstream drainage, drainage under public roads that flow into the site
- Details of the dwelling including plan and elevation, drawn to an appropriate metric scale, and indicating the north point
- Details of water supply including source of supply, and where that is from a tank, details of the calculations so as to ensure that water supply will be adequate to service the dwelling. *Note: Water supply information needs to address "Planning for Bushfire Protection" requirements and Council's DCP requirements as appropriate.*
- Details of both solid and liquid waste disposal, including type of on-site sewer management system (septic)
- Submission of a BASIX Certificate

#### 3.1.3 Objectives

- To ensure that rural dwellings and ancillary development are located and designed in a manner appropriate to the character and productive potential of the surrounding area and the existing development pattern



### 3.1.4 Performance Criteria and Acceptable Solutions

Performance Criteria		Acceptable Solutions	
<b>PRD1</b>	Dwelling sites are identified and are provided with safe connection to the public road network.	<b>ARD1.1</b>	Access to the dwelling from the public road network complies with the provisions of this DCP relating to access to rural properties and RMS requirements (where relevant).
<b>PRD2</b>	Visual and other impacts (including glare) on neighbours and the rural landscape are minimised.	<b>ARD2.1</b>	The dwelling is not within 20 metres of the boundary to an allotment where that allotment is used primarily for residential purposes.
		<b>ARD2.2</b>	The dwelling is not within 30 metres of a public road.
		<b>ARD2.3</b>	The dwelling is not located within 50 metres of a ridge line.
		<b>ARD2.4</b>	Materials (including large areas of glass and the use of 'zincalume' or similar reflective materials) are selectively used so that a glare nuisance is not caused to surrounding neighbours or public roads.
<b>PRD3</b>	Adequate area exists for onsite waste disposal.	<b>ARD3</b>	The dwelling is not located within 200 metres of a creek, upslope of a dam or watercourse, in accordance with chapter 20. (Note: This is to ensure that onsite disposal of waste – e.g. septic – is managed in an environmentally sensitive manner).
<b>PRD4</b>	Development does not adversely affect the environment or agricultural pursuits on the subject or neighbouring lands.	<b>ARD4</b>	The dwelling is not located within the distances of the land uses outlined in Table 3.1 of this Chapter
<b>PRD5</b>	Dwellings are located so as adequate water supply can be provided	<b>ARD5</b>	Where no reticulated water supply is available, roof areas and 45,000lt tanks are provided. Such reserve to be over and above BASIX requirements.



**Table 3.1 Minimum separation distances between agricultural uses and rural dwellings**

Land Use	Minimum Separation Distance
Piggeries <ul style="list-style-type: none"> <li>Housing and waste storage</li> <li>Waste utilisation area</li> </ul>	<ul style="list-style-type: none"> <li>500 metres</li> <li>250 metres</li> </ul>
Feedlots <ul style="list-style-type: none"> <li>Yards and waste storage</li> <li>Waste utilisation area</li> </ul>	<ul style="list-style-type: none"> <li>500 metres</li> <li>250 metres</li> </ul>
Other intensive livestock operation	<ul style="list-style-type: none"> <li>300 metres</li> </ul>
Grazing of stock	<ul style="list-style-type: none"> <li>50 metres</li> </ul>
Cropping	<ul style="list-style-type: none"> <li>200 metres</li> </ul>
Horticulture	<ul style="list-style-type: none"> <li>Chapter 19 Spray Drift</li> </ul>
Greenhouse and controlled environment horticulture	<ul style="list-style-type: none"> <li>200 metres</li> </ul>
Rural industries including feed mills and saw mills	<ul style="list-style-type: none"> <li>500 metres</li> </ul>
Abattoirs	<ul style="list-style-type: none"> <li>1000 metres</li> </ul>
Potentially hazardous or offensive industries	<ul style="list-style-type: none"> <li>1000 metres</li> </ul>
Mining, petroleum production and extractive industries	<ul style="list-style-type: none"> <li>500 metres</li> <li>1000 metres where the proposal involves blasting</li> </ul>
Existing or current sheep and cattle yard sites	<ul style="list-style-type: none"> <li>150 metres</li> </ul>
Existing or current livestock dip sites	<ul style="list-style-type: none"> <li>300 metres</li> </ul>
Disused mining areas	<ul style="list-style-type: none"> <li>300 metres</li> </ul>

**3.1.5 Design Suggestions and Variations**

Council is aware that full compliance with all acceptable solutions with respect to rural development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.



## 3.2 Single Residential Development

### 3.2.1 Application

This chapter applies to all zones where residential development is permissible, except rural and environmental zones.

Single residential development includes a single dwelling, all landscaping and access/service areas, as well as any outbuildings, such as garden sheds, detached studios/workshops etc.

### 3.2.2 Definitions

**Site coverage (gross building area)** means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

- Ancillary outbuildings such as swimming pools, sheds, garages and the like
- Any basement
- Any part of the awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary
- Any eaves
- Unenclosed balconies, decks, pergolas and the like

**Habitable room** means a room used for normal domestic activities other than a bathroom, toilet, pantry, walk-in wardrobe and other places of a specialised nature occupied neither frequently nor for extended periods of time.

**Private open space** means an area of land or of a building (such as a balcony or uncovered roof terrace) which is ancillary to a dwelling and intended for the exclusive use of the occupants of the dwelling and located and designed so as to offer visual privacy to the occupants.

### 3.2.3 Objectives

- To ensure that residential development is of high visual quality and amenity, while minimising amenity impacts on surrounding development
- To set appropriate environmental criteria for solar access, privacy, noise, vehicular access, parking and open space

### 3.2.3 Performance Outcomes and Acceptable Solutions

All Residential Zones			
Performance Criteria		Acceptable Solutions	
PD1	Development respects the character of the neighbourhood by:		
PD1.1	Being respectful of, without necessarily imitating, the style and character of adjoining houses and gardens including the scale, materials, roof forms and types of trees.	AD1.1	Design cues are drawn from surrounding dwellings, including window forms, external facade treatments and roof materials and pitches that are common to the neighbourhood.



<b>All Residential Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PD1.2</b>	Providing attractive streetscapes, comprising trees, gardens, building facades (i.e. the exterior of the building), fences and walls.	<b>AD1.2.1</b>	Landscaping is provided to the street frontage, which includes canopy trees, shrubs and grass.
		<b>AD1.2.2</b>	Gables over garages facing streets are avoided. <i>Note: Dutch gables are considered satisfactory.</i>
		<b>AD1.2.3</b>	Fencing forward of the front building setback is in a material other than pre-coated metal is respectful of neighbourhood character, and does not exceed a height of 1.2 metres.
		<b>AD1.2.4</b>	Residential dwellings avoid fibrous cement (unless painted) and metal cladding of walls (unless as an architectural feature).
<b>PD1.3</b>	Preserving established trees and gardens.	<b>AD1.3</b>	Existing canopy trees are protected where possible in accordance with Chapter 12 Tree Removal or Lopping
<b>PD2</b>	<b>Development takes advantage of the attributes of the site by:</b>		
<b>PD2.1</b>	Using its slope, its orientation to the sun, and any established landscape quality to create useable outdoor spaces and views.	<b>AD2.1.1</b>	Dwellings are designed to take advantage of views
<b>PD2.2</b>	Minimising paved areas.	<b>AD2.2.1</b>	Permeable areas are at least 40% of the site.
<b>PD2.3</b>	Opening up living areas directly onto courtyards and gardens, which benefits from good sunlight.	<b>AD2.3.1</b>	Dwellings are sited to minimise conflict on views and to not have high occupancy rooms directly overlooking neighbouring lands and areas where a reasonable expectation of privacy may be expected in an adjacent existing dwellings.
<b>PD3</b>	<b>Development is of appropriate building height, bulk and form by:</b>		
<b>PD3.1</b>	Being respectful of the predominant surrounding building forms, roof forms and building heights.	<b>AD3.1</b>	Design cues are drawn from surrounding dwellings, including window forms, external facade treatments and roof materials and pitches that are common within the neighbourhood



<b>All Residential Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PD3.2</b>	Minimising building bulk and height on or near boundaries to avoid overshadowing and overlooking of neighbours.	<b>AD3.2.1</b>	Buildings are restricted to a maximum of two storeys above natural ground level at any point, or 8 metres, whichever is the lesser. Note: 8 metres is to be measured from natural ground level to the highest structural point of the building, not including antennae, spires, etc.
		<b>AD3.2.2</b>	Dwellings do not overlook the secluded private open space area of an adjoining dwelling (either within or adjacent to the development), by use of techniques such as building setbacks, windows 1.7 metres above finished floor level, opaque glass, screens, landscaping and the like.
		<b>AD3.2.4</b>	Windows of developments are not directly facing windows of other development, unless: <ul style="list-style-type: none"> <li>• Separated by a distance of at least 2 metres or</li> <li>• Obliquely offset by at least 45° or</li> <li>• Provided with screening, are opaque.</li> </ul>
<b>PD4</b>	<b>Development protects the Heritage qualities of the area by:</b>		
<b>PD4.1</b>	Respecting existing heritage buildings, streetscapes or gardens close to the development.	<b>AD4.1</b>	The development complies with the Chapter 10 –Heritage Conservation of this DCP.
<b>PD5</b>	<b>Development provides adequate solar access by:</b>		
<b>PD5.1</b>	Viewing BASIX compliance as a bare minimum.	<b>AD5.1</b>	NSW BASIX targets met or exceeded.
<b>PSR5.2</b>	Providing good sunlight to living areas and avoiding overshadowing of neighbours and established garden areas.	<b>AD5.2</b>	At least 50% of the minimum required secluded private open space of a development (including within the development and adjoining developments) has sunlight between the hours of 9.00am and 3.00pm on 21 June.



<b>All Residential Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PD5.3</b>	Planning the internal layout of a house to ensure good daylight to living areas.	<b>PD5.3</b>	Habitable room windows have at least 1.8 metres separation from the wall of an adjoining building.  <i>Note: Council will require shadow diagrams to illustrate the extent of overshadowing of neighbours for all two storey development, and for single storey development that is both upslope and in the direction of the sun from existing residential development.</i>
<b>PD5.4</b>	Locating parking in the shadow of the buildings.	<b>AD5.4</b>	Vehicular parking should not be on the north side of a dwelling's high occupancy rooms (during daylight hours).
<b>PD6</b>	<b>Development creates clear address and access by:</b>		
<b>PD6.1</b>	Ensuring dwellings adjoining the street frontage address the street.	<b>AD6.1</b>	Dwellings adjoining a street frontage address the street frontage of the development. <i>Note: This means that front doors and windows to habitable rooms are part of the front facade of the dwelling. Direct access to parking can also be considered.</i>
<b>PD7</b>	<b>Development provides access and parking by:</b>		
<b>PD7.1</b>	Providing adequate parking for the type of dwelling.	<b>AD7.1.1</b>	Parking is provided at a rate in accordance with the parking sections of this DCP and external access ways and parking areas are sealed with bitumen, concrete (preferably coloured textured) or pavers.
		<b>AD7.1.2</b>	Open car parks are a minimum of 2.6 metres wide by 5.5 metres long. Car parks adjoining one wall are a minimum of 2.8 metres wide by 5.5 metres long.
<b>PD7.2</b>	Ensuring that access driveways and garage frontages do not visually dominate development.	<b>AD7.2</b>	Access driveways serving dwellings within: <ul style="list-style-type: none"> <li>• R1 and Business Zones have crossovers of concrete construction to the property boundary.</li> <li>• R1 zone are concreted (preferably coloured), sealed or paved</li> <li>• R5 zone are constructed of an all weather surface.</li> </ul>



<b>All Residential Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PD7.3</b>	Ensuring vehicle access to and from the site is safe.	<b>AD7.3.1</b>	Cross grades for access ways and parking areas do not exceed 4% grade.
		<b>AD7.3.2</b>	Access driveways are provided with a cross-over in accordance with Council's Engineering Subdivision and Development Guidelines.
<b>PD7.4</b>	Minimising the number and width of access driveways consistent with the traffic function of those driveways.	<b>AD7.4.1</b>	Access is provided through a single access driveway from a public road (other than a laneway).
		<b>AD7.4.2</b>	Access driveways directly serving double garages do not exceed 3.5 metres in width at the property boundary.
		<b>AD7.4.3</b>	No lane access is relied on for site access/egress
<b>PD8</b>	<b>Development provides facilities consistent with the residential use of the land including:</b>		
<b>PD8.1</b>	Recreation/passive enjoyment areas.		
<b>PD8.2</b>	Clothes drying facilities	<b>AD8.2</b>	Clothes drying facilities (either an outdoor drying area or mechanical dryer) are provided in accordance with Basix requirements
<b>PD8.3</b>	Outdoor service areas	<b>AD8.3</b>	Garbage bin storage areas are minimised on the north side of dwellings if immediately adjacent to the building.
<b>PD9</b>	<b>Development is served by necessary utilities and services including:</b>		
<b>PD9.1</b>	Telephone/data, water, sewer, power and gas.	<b>AD9.1.1</b>	Water, telephone/data, sewer, power (underground) and gas services are provided, where available
		<b>AD9.1.2</b>	Development within R1 and Business zones is to be sewered. Development within R% should be sewered where sewer is available.
		<b>AD9.1.3</b>	Single dwelling houses on an allotment greater than 2 hectares in Zone R5 may be considered by Council without reticulated water and sewerage.
<b>PD9.2</b>	Onsite water storage	<b>AD9.2</b>	Water storage tanks shall be no closer to side and rear boundaries than 900 mm and if adjacent to the dwelling it is serving, not on the north side of that dwelling.



All Residential Zones			
	Performance Criteria		Acceptable Solutions
PD9.3	Drainage	AD9.3	<i>Note: Headworks and/or development servicing plan charges may be applicable to the development. Refer to the Bland Shire Council's and Goldenfields Water County Council development contributions plans.</i>

### 3.2.4 Additions Zone Based Performance Outcomes and Acceptable Solutions Requirements

R1 General Residential Zone			
	Performance Criteria		Acceptable Solutions
PD10			
PD10.1	Using its slope, its orientation to the sun, and any established landscape quality to create useable outdoor spaces and views.	AD10.1.1	Site coverage (gross building area) does not exceed 40% of the site.
		AD10.1.2	Secluded private open space is provided for the dwelling.
PD10.2	Minimising paved areas.	AD10.2.1	Permeable areas are at least 40% of the site.
		AD10.2.2	A maximum of 30% of the area forward of the front building setback is occupied by paving, access driveways or the like.
PD10.3	Protecting the views and privacy of neighbours	AD10.3.1	Wall lengths on a boundary or on a street frontage do not exceed 8 metres. <i>Note: Articulation by wall offsets in permissible.</i>
PD10.4	Ensuring setbacks from the street alignment do not vary dramatically from those in the rest of the street.	AD10.4.1	Buildings are setback: <ul style="list-style-type: none"> <li>• At least 5 metres from the primary street frontage and at least 3 metres from any secondary street frontage.</li> <li>• Two storey buildings have the upper level setback from side or rear boundaries by 3 metres, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul>



<b>R5 Large Lot Residential Zone</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PD11</b>			
<b>PD11.1</b>	Using its slope, its orientation to the sun, and any established landscape quality to create useable outdoor spaces and views.	<b>AD11.1</b>	Private open space is provided for the dwelling.
<b>PD11.2</b>	Ensuring setbacks from the street alignment do not vary dramatically from those in the rest of the street.	<b>AD11.2</b>	Buildings are setback 20 metres from the front and side boundaries.

<b>B2 Local Centre Business Zone</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PD12</b>			
<b>PD12.1</b>	Using its slope, its orientation to the sun, and any established landscape quality to create useable outdoor spaces and views.	<b>AD12.1.1</b>	Site coverage (gross building area) does not exceed 75% of the site.
		<b>AD12.1.2</b>	Private open space is provided for each dwelling at a minimum rate of 30m <sup>2</sup> per dwelling which is able to contain a rectangle of 5 metres x 3 metres and any other area has a minimum useable width of at least 2 metres.
<b>PD12.2</b>	Minimising paved areas	<b>AD12.2</b>	Permeable areas are at least 10% of the site.
<b>PD12.3</b>	Protecting the views and privacy of neighbours	<b>AD12.3</b>	Wall lengths on a boundary or on a street frontage do not exceed 8 metres. Articulation by wall offsets is permissible.
<b>PD12.4</b>	Ensuring setbacks from the street alignment do not vary dramatically from those in the rest of the street.	<b>AD12.4</b>	Two storey buildings have the upper level setback from side or rear boundaries by 2 metres, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

### ***3.2.4 Design Suggestions and Variations***

Council is aware that full compliance with all acceptable solutions with respect to residential development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved.

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.



# 4 Dual Occupancy and Multi-dwelling Residential Development

## 4.1 Objectives

- To ensure that residential development is of high visual quality and amenity, while minimising impacts on surrounding development

## 4.2 Definitions

**Building facade** means the external face of a building.

**Dual Occupancy** means two dwellings on a lot

**Multi-dwelling** means two or more dwellings on a lot.

## 4.3 Performance Outcomes and Acceptable Solutions

All Residential Zones			
Performance Criteria		Acceptable Solutions	
<b>PMD1</b>	<b>Development respects the character of the neighbourhood by:</b>	<b>AMD1</b>	<b>Character of the Neighbourhood</b>
<b>PMD1.1</b>	Being respectful of, without necessarily imitating the style and character of adjoining houses and gardens including the scale, materials, roof forms and types of trees.	<b>AMD1.1</b>	Design cues are drawn from surrounding dwellings, including window forms, external facade treatments and roof materials and pitches that are common within the neighbourhood.
<b>PMD1.2</b>	Providing attractive streetscapes, comprising trees, gardens, building facades, fences and walls.	<b>AMD1.2.1</b>	Landscaping is provided to the street frontage, which includes canopy trees, shrubs and grass.
		<b>AMD1.2.2</b>	Gables over garages facing streets are avoided. Note: Dutch gables are considered satisfactory.
		<b>AMD1.2.3</b>	Residential dwellings avoid fibrous cement (unless painted) and metal cladding of walls (unless as an architectural feature).
		<b>AMD1.2.4</b>	Fencing forward of the front building setback is in a material which is respectful of neighbourhood character, and does not exceed a height of 1.2 metres.
		<b>AMD1.2.5</b>	Driveways to rear dwellings are not fenced forward of the front building setback.



<b>All Residential Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PMD1.3</b>	Preserving established trees and gardens.	<b>AMD1.3</b>	Existing canopy trees are protected where possible in accordance with the Chapter 12 Tree Removal or Lopping.
<b>PMD2</b>	<b>Development takes advantage of the attributes of the site, by:</b>		
<b>PMD2.1</b>	Using its slope, its orientation to the sun, and its established landscape quality to create useable outdoor spaces and views.	<b>AMD2.1</b>	Private open space is provided for each dwelling at a minimum rate of 48m <sup>2</sup> per dwelling, which is able to contain a rectangle of 8 metres x 4 metres and which has a minimum useable width of 3 metres.
<b>PMD2.2</b>	Combining neighbourhood gardens to maintain the landscape character of the area.	<b>AMD2.2</b>	Landscaped areas for each unit shall be combined to have an aggregate garden as opposed to small minimalist efforts.
<b>PMD2.3</b>	Minimising paved areas.	<b>AMD2.3.1</b>	Permeable areas of the site are at least 20% of the site.
		<b>AMD2.3.2</b>	A maximum of 30% of the area forward of the front building setback is occupied by paving, access driveways or the like.
<b>PMD2.4</b>	Keeping the floor area of the new building to a minimum through efficient planning so as to retain as much of the existing backyard and garden as possible and to minimise site coverage and maximise setbacks from the boundaries.	<b>AMD2.4</b>	Site coverage (gross building area) does not exceed 60% of the site.
<b>PMD2.5</b>	Ensuring setbacks from the street alignment do not vary dramatically from those in the rest of the street.	<b>AMD2.5</b>	Building walls are set back: <ul style="list-style-type: none"> <li>• At least 5 metres from the primary street frontage and at least 3 metres from any secondary street frontage.</li> <li>• Two storey buildings have the upper level set back from side or rear boundaries by 3 metres, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul>
<b>PMD3</b>	<b>Development is of appropriate building height, bulk and form by:</b>		
<b>PMD3.1</b>	Being respectful of the predominant surrounding building forms, roof forms and building heights.		



<b>All Residential Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PMD3.2</b>	Minimising building bulk and height on or near boundaries to avoid overshadowing and overlooking of neighbours.	<b>AMD3.2.1</b>	Buildings are restricted to a maximum of two storeys above natural ground level at any point, or 8 metres whichever is the lesser.  <i>Note: 8 metres is to be measured from natural ground level to the highest structural point of the building, not including antennae, spires etc)</i>
		<b>AMD3.2.3</b>	Dwellings do not overlook the private open space area of an adjoining dwelling (either within or adjacent to the development), by use of techniques such as building setbacks, windows 1.7 metres above finished floor level, opaque glass, screens, landscaping and the like.
		<b>AMD3.2.3</b>	Windows of developments are not directly facing windows of other development, unless: <ul style="list-style-type: none"> <li>• Separated by a distance of at least 2 metres,</li> <li>• Obliquely offset by at least 45°, provided with screening, are opaque, or are above 1.7 metres in height above the finished floor level.</li> </ul>
		<b>AMD3.2.4</b>	Dwellings do not overlook the private open space area of an adjoining dwelling (either within or adjacent to the development), by use of techniques such as windows 1.7 metres above finished floor level, opaque glass, screens, landscaping and the like.
<b>PMD4</b>	<b>Development protects the heritage qualities of the area by:</b>		
<b>PMD4.1</b>	Respecting existing heritage buildings, streetscapes or gardens close to the development.	<b>AMD4.1</b>	The development complies with the Chapter 10 –Heritage Conservation of this DCP.



<b>All Residential Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PMD5</b>	<b>Development provides good environmental performance access by:</b>		
<b>PMD5.1</b>	Providing good sunlight to living areas and avoiding overshadowing of neighbours and established garden areas.	<b>AMD5.1.1</b>	At least 50% of the minimum required secluded open space of a dwelling within or adjoining the development has sunlight between the hours of 9.00 am and 3.00 pm on 21 June.
		<b>AMD5.1.2</b>	Habitable room windows have at least 1.8 metres separation from the wall of an adjoining building.  <i>Note: Council will require shadow diagrams to illustrate the extent of overshadowing of neighbours for all two storey development, and for single storey development that is both upslope and in the direction of the sun from existing residential development.</i>
<b>PMD5.3</b>	Planning the internal layout of a dwelling to ensure good daylight to living areas.	<b>AMD5.3</b>	High occupancy rooms utilised during daylight hours should have a northern aspect, where possible.
<b>PMD5.4</b>	Locating parking in the shadow of the buildings.	<b>AMD5.4</b>	Vehicular parking should not be on the north side of a dwelling's high occupancy rooms (daylight hours).
<b>PMD6</b>	<b>Development creates clear address and access by:</b>		
<b>PMD6.1</b>	Ensuring dwellings adjoining the street frontage address the street.	<b>AMD6.1</b>	Dwellings adjoining a street frontage address a street frontage of the development.  <i>Note: this means front doors and windows to habitable rooms are part of the front facade of the dwelling. Direct access to parking for front dwelling(s) can also be considered.</i>
<b>PMD6.2</b>	Providing each dwelling with clear and distinct access, preferably visible from a public street.	<b>AMD6.2</b>	The development shall be designed such that public access to all occupancies is readily discernible from the front driveway access.



<b>All Residential Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PMD7</b>	<b>Development provides access and parking by:</b>		
<b>PMD7.1</b>	Providing adequate parking for the number and type of dwellings.	<b>AMD7.1.1</b>	Parking is provided at a rate in accordance with Chapter 11 – Car Parking and Vehicle Access of this DCP and is sealed with bitumen, concrete (preferably coloured) and textured or pavers.
		<b>AMD7.1.2</b>	Open car parks are a minimum of 2.6 metres wide by 5.5 metres long.  Note: For multi-dwelling development credit may be given for overhangs into garden areas by 0.5 metres provided appropriate wheel stops or barriers are provided.
		<b>AMD7.1.3</b>	Car parks adjoining one wall are a minimum of 2.8 metres wide by 5.5 metres long.
		<b>AMD7.1.4</b>	Enclosed car parks are a minimum of 3 metres wide by 6 metres long.
		<b>AMD7.1.5</b>	Visitor car parking (where required) is easily accessible and clearly designated.  For development in cul-de-sacs, the site is to have a minimum frontage that enables one car to be parked in front of the site to avoid site and street congestion
<b>PMD7.2</b>	Ensuring that access driveways and garage frontages do not visually dominate development.	<b>AMD7.2.1</b>	Garages in buildings directly addressing the street do not project in front of other parts of the dwelling and, preferably, are recessed behind the front facade of the dwelling.
<b>PMD7.3</b>	Ensuring vehicle access to and from the site is safe.	<b>AMD7.3.1</b>	Vehicles accessing dwellings (other than dwellings served directly from the street frontage) as well as visitors to a development must be able to enter and leave the development in the forward direction.  <i>Note: The 85<sup>th</sup> percentile vehicle must be able to turn onsite in no more than a two-point turn.</i>



All Residential Zones			
	Performance Criteria		Acceptable Solutions
PMD7.4	Minimising the number and width of access driveways consistent with the traffic function of those driveways.	AMD7.4.1	Access is provided through a single consolidated access driveway from a public road (other than a laneway)
		AMD7.4.2	No lane access is relied on for site access/egress.
		AMD7.4.3	Access driveways directly serving double garages do not exceed 3.5 metres in width at the property boundary.
		AMD7.4.4	Access driveways serving: <ul style="list-style-type: none"> <li>Up to two dwellings are concreted (preferably coloured), sealed or paved and are no more than 3 metres in width along their length.</li> <li>Between 3 and 5 dwellings are concreted (preferably coloured), sealed or paved and are no more than 3.5 metres in width.</li> </ul> <i>Note: Access driveways may exceed the above minima at the kerb by no more than 0.5m.</i>
		AMD7.4.5	Access driveways are provided with a cross-over in accordance with Council's Engineering Subdivision and Development Guidelines.
		AMD7.4.6	Cross grades for access ways and parking areas do not exceed 4% grade.
		AMD7.4.7	Footpath is provided to all frontages of the development in accordance with Council's Engineering Subdivision and Development Guidelines
		AMD7.4.8	If not already provided, roadways directly adjacent to the development are to be provided with kerb and gutter, including, where necessary, shoulder widening and seal to Council's standard.



<b>All Residential Zones</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PMD8</b>	<b>Development provides facilities consistent with the residential use of the land including:</b>		
<b>PMD8.1</b>	Letterboxes.	<b>AMD8.1</b>	Letterboxes are provided for each dwelling.
<b>PMD8.2</b>	Clothes drying facilities.	<b>AMD8.2</b>	Clothes drying facilities (either an outdoor drying yard or mechanical dryer) are provided for each dwelling with drying yards screened from public areas and common access areas of the development. (Note: Tilt type clothes lines are preferred for better use of recreational areas).
<b>PMD8.3</b>	Garbage bin storage.	<b>AMD8.3</b>	Garbage bin storage is available for each dwelling in a screened area behind the front building line and accessible to the street without passing through the dwelling.
<b>PMD8.4</b>	Outdoor service areas.	<b>AMD8.4.1</b>	Drying yards or garbage bin storage areas are not to be within the defined for private open space.
		<b>AMD8.4.2</b>	Space is available to locate an outdoor storage area of 6m <sup>3</sup> for each dwelling. <i>Note: This could include a garden shed or dedicated space within a garage that does not reduce the floor area of that garage below the minimum dimensions.</i>
<b>PMD9</b>	<b>Development is served by necessary utilities and services including:</b>		
<b>PMD9.1</b>	Telephone/data, water, sewer, power and gas.	<b>AMD9.1.1</b>	Separate water, telephone/data, sewer, power (underground) and gas services are provided to each dwelling, where available
<b>PMD9.2</b>	Onsite water storage.	<b>AMD9.2</b>	Water storage tanks shall be no closer to side and rear boundaries than 900 mm and if adjacent to the dwelling it is serving, not on the north side of that dwelling.
<b>PMD9.3</b>	Drainage  <i>Note: Headwork's and/or development servicing plan charges may be applicable to the development. Applicants are advised to contact Council's Engineering Services Department to determine these charges, which are payable prior to the release of any Construction Certificate.</i>	<b>AMD9.3</b>	All roof and surface water drainage shall be designed to provide for conveyance of these flows as per AS3500 after considering the Australian Rainfall Guidelines, to the appropriate road, public stormwater drainage system or watercourse where approved to do so.



#### 4.4 Additional Zone Based Performance Outcomes and Acceptable Solutions Requirements

<b>B2 Local Centre Business Zone</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PMD10</b>			
<b>PMD10.1</b>	Using its slope, its orientation to the sun, and its established landscape quality to create useable outdoor spaces and views.	<b>AMD10.1.1</b>	Dwellings are designed to take advantage of views.
		<b>AMD10.1.2</b>	Secluded private open space is provided for each dwelling at a minimum rate of 30m <sup>2</sup> per dwelling which is able to contain a rectangle of 5 metres by 3 metres and any other area has a minimum useable width of at least 2 metres.
<b>PMD10.2</b>	Minimising paved areas	<b>AMD10.2.1</b>	Permeable areas shall be at least 10% of the site.
<b>PMD10.3</b>	Keeping the floor area of the new building to a minimum through efficient planning so as to retain as much of the existing backyard and garden as possible and to minimise site coverage and maximise setbacks from the boundaries.	<b>AMD10.3</b>	Site coverage (gross building area) does not exceed 75% of the site.

#### 4.4 Design Suggestions and Variations

Multi-dwelling residential development involves numerous trade-offs. In this respect, full compliance with all acceptable solutions outlined may not be possible. Where an acceptable solution is not achieved, the specific trade-off made should be described in accordance with clause 1.0.7.

Council will consider alternative designs provided that the performance outcomes are achieved.

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.



# 5 Commercial, Business and Retail Development

## 5.0.1 Application

This chapter of the DCP applies to all zones where commercial development is permissible, but with specific provisions relating to the B1, B2, B5 and B6 zones. Specific provisions applying to the B6 zone are included in Chapter 6 of this DCP.

## 5.0.2 Objectives

- Commercial and retail development is carried out in such a way as to protect and enhance the character and economic function of the Shire, including the entrances to towns, whilst protecting the environment

## 5.0.3 Performance Outcomes and Acceptable Solutions

Performance Criteria		Acceptable Solutions	
PC1	To ensure that development is consistent with existing or future character and that building heights are consistent with the prevailing heights for commercial and retail development within the immediate vicinity.	AC1.1	Shop fronts are true to the style of the existing building and the top and bottom floors of existing buildings are consistent in style and colour scheme.
		AC1.2	The character of old buildings is protected and new development is consistent with the bulk and scale of a rural town, containing historic buildings.
		AC1.3	Appearance of development is appropriate to neighbouring buildings and the wider area.
		AC1.4	No existing windows are painted over.
		AC1.5	Buildings avoid fibrous cement (unless painted) and metal cladding of walls (unless as an architectural feature).
		AC1.6	Building front setbacks are consistent with adjoining buildings, or if adjoining buildings have different setbacks, with the average of those setbacks.
PC2	To ensure that safe and efficient passage is available between street frontages and car parking areas.	AC2.1	Pedestrian linkages between shop fronts and public parking areas are retained or provided in convenient locations where possible. These are well lit at all times, and contain no dead ends or other places possible to conceal a person.



	Performance Criteria		Acceptable Solutions
		<b>AC2.2</b>	Primary access to a development is available from a street, not rear lane.
<b>PC3</b>	To ensure that parking is of sufficient quantity, and provided in a safe and efficient manner.	<b>AC3.1</b>	Parking complies with the provisions of Chapter 11 of this DCP.
		<b>AC3.2</b>	The redevelopment of parking areas should not detract from the character of the surrounding area.
<b>PC4</b>	To provide shop top housing OR in commercial development in the upper stories of multi-storey development (where zone permits).	<b>AC4</b>	No part of the building shall exceed 9 metres when measured vertically from the natural ground level immediately below that part. This excludes any architectural or service features such as parapets or antennae.
<b>PC5</b>	To ensure zone B6 has a well landscaped presentation with simple centralised entrance signage.	<b>AC5</b>	Signage is appropriate to the building and the surrounding area in accordance with Chapter 18 of this DCP.
<b>PC6</b>	To ensure that sites area is appropriately serviced.	<b>AC6.1</b>	Developments are provided with water, sewer, power, telecommunications and gas in accordance with the relevant authorities requirements.
		<b>AC6.2</b>	Developments dispose of waste through a trade waste agreement if necessary.

### ***5.0.4 Design Suggestions and Variations***

Council is aware that full compliance with all acceptable solutions with respect to commercial development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.



## 5.1 Food Premises – Additional Provisions

### 5.1.1 Application

This chapter of the DCP applies to all commercial food and drink premises.

### 5.1.2 Objectives

- To ensure that food preparation and storage protects public health and protects Council infrastructure

### 5.1.3 Definitions

**Food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:

- A restaurant or cafe
- Take away food and drink premises
- A pub.

### 5.1.4 Performance Criteria and Acceptable Solutions

	Performance Criteria		Acceptable Solutions
PF1	Food preparation and storage areas are constructed to allow easy cleaning;	AF1	Compliance with the Australian Standard for Food Premises (AS4674);
PF2	Food is stored in accordance with good practice;		
PF3	Handling of food minimises risks to public health;		
PF4	Adequate customer facilities are provided;	AF4	Provision of customer sanitary facilities (as required by the BCA).
PF5	Disposal of wastes to the public sewer is within the capacity of that infrastructure (both in terms of the quantity and type of material being disposed of).	AF5	Compliance with Council's Trade Waste Policy;
PF6	Location of trade waste facilities shall enable easy access for servicing.		



## 5.2 Shop-top Housing – Additional Provisions

### 5.2.1 Objectives

To facilitate the provision of shop-top housing to:

- Increase the diversity of housing stock within West Wyalong, in particular make effective use of unutilised or underutilised first floor space within the West Wyalong Town Centre
- Increase the active life of, and improve passive surveillance of the West Wyalong Town Centre

### 5.2.2 Definitions

**Shop-top housing** means one or more dwellings located above ground floor retail premises or business premises.

### 5.2.3 Performance Outcomes

	Performance Criteria		Acceptable Solutions
PST1	To provide parking at a rate which recognises the town centre location of shop-top housing and, in particular, the access to services and facilities.	AST1	Parking is provided at the rate of 1 space per dwelling, such parking to be in addition to the commercial requirements of the building.
PST2	To ensure adequate services and facilities are available.	AST2.1	Clothes drying facilities (either an outdoor drying area or mechanical dryer) are to be provided
		AST2.2	Common garbage facilities are provided, at ground level, screened from any street or lane.
PST3	To ensure usable private open space is provided, noting that this may not be secluded.	AST3	Private open space is provided for each dwelling at a minimum rate of 12m <sup>2</sup> per dwelling, with a minimum depth of 2.4 metres.
PST4	To ensure developments are designed and constructed to provide for the health and safety of the occupants.	AST4.1	Each dwelling has a minimum area of 50m <sup>2</sup> .
		AST4.2	Access at ground level is separate from the access to any commercial building and does not exceed 1.8 metres in width across the frontage of the building.
		AST4.3	The development complies with the Chapter 10 –Heritage Conservation of this DCP.
		AST4.4	All construction complies with the BCA.
		AST4.5	Avoid fibrous cement (unless painted) and metal cladding of walls (unless as an architectural feature).



	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PST5</b>	Development is served by necessary utilities and services including: <ul style="list-style-type: none"> <li>• Telephone/data</li> <li>• Water, sewer, power and gas</li> <li>• Onsite water storage</li> <li>• Drainage.</li> </ul>	<b>AST5</b>	Separately metered power and water is provided to each dwelling.  <i>Note: Headwork and/or development servicing plan charges may be applicable to the development. Applicants are advised to contact Council's Engineering Services Department to determine these charges, which are payable prior to the release of any Construction Certificate.</i>

**5.2.4 Design Suggestions and Variations**

Council is aware that full compliance with all acceptable solutions with respect to rural development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.



## 6 Enterprise Corridor (B6) Zones – Additional Provisions

### 6.1 Objectives

- To establish a future character for buildings that address the Newell Highway

### 6.2 Performance Outcomes and Acceptable Solutions

	Performance Criteria		Acceptable Solutions
PE1	Signage is simple, effective and centralised.	AE1	Site signage (other than on a building) is consolidated into a single pylon sign wholly contained within the site boundary.
PE2	Vehicle access is safe, shared and centralised (particularly where access is gained from a classified road).	AE2.1	Access is gained by means other than direct access from the Newell Highway where practicable.
		AE2.2	Access and egress is available to the site in a forward direction.
		AE2.3	Access, parking and signage are to RMS standards (Referral required).
PE3	Gateways to West Wyalong and Wyalong achieve quality development that enhances the character of the towns and avoids “ribbon style” commercial and retail development.	AE3.1	Any facades visible from the Newell Highway to be constructed of brick, decorative masonry, glass or other quality materials.
		AE3.2	Frontages are upgraded to standards required in Chapter 5 of this DCP.
PE4	Parking is easily visible and accessible.	AE3.3	Development achieves a floor space ratio of no more than 0.5:1
		AE4.1	Parking is directly visible from the street frontage.  <i>Note: Including in front of the building.</i>
		AE4.2	Parking is provided in accordance with the provision of Chapter 11 of this DCP
PE5	The key gateways to West Wyalong and Wyalong are enhanced, in particular along the Newell Highway.	AE5.1	Existing canopy trees are protected and incorporated into site landscaping, where possible.
		AE5.2	Landscaping is provided to the land between the building and the Newell Highway, such landscaping to include canopy trees compatible with the visual landscape of the locality.
PE6	Buildings are well set back from the Newell Highway and are enhanced by quality landscaping.	AE6	Buildings are set back at least 15 metres from the Newell Highway street frontage and 3 metres from any side boundary.



	Performance Criteria		Acceptable Solutions
PE7	Development is served by necessary utilities and services including: <ul style="list-style-type: none"> <li>• Telephone/data</li> <li>• Water, sewer, power and gas</li> <li>• Onsite water storage</li> <li>• Drainage</li> </ul>	AE7.1	Water, telephone/data, sewer, power (underground) and gas services are provided, where relevant.

### 6.3 Design Suggestions and Variations

#### Design Suggestions

- a) Front setbacks may be varied where lot sizes are of insufficient depth to achieve the setback from the Newell Highway.
- b) Developments should provide visitor and customer parking at the front of the development or in a clear visible location identifiable easily upon entry to the site.
- c) Access points and signage are consolidated where possible.

#### Variations

Council is aware that full compliance with all acceptable solutions with respect to enterprise corridor development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.



# 7 Industrial Development

## 7.1 Introduction

This chapter applies to industrial developments in the IN1 General Industrial zone, IN2 Light Industrial Zone, RU1 Primary Production zone and RU5 Village zone.

## 7.2 Objectives

- To ensure availability and a range of suitable industrial land with appropriate infrastructure
- To ensure that noise and air pollution are maintained within acceptable environmental limits
- To encourage employment opportunities and development in the Bland Local Government Area

## 7.3 Referral to Government Authorities

Council may determine to refer (for reasons other than integrated development), a development application to one or more government authorities for comment, such as the Roads and Maritime Services (RMS) or Environmental Protection Authority (EPA).

When an application is referred to a government authority for comment, (for reasons other than integrated development) such comment must be received by Council within 28 days of being notified. In the event that comment has not been received within 28 days of being notified it will be deemed that the government authority concurs with the proposal.

## 7.4 Performance Criteria and Acceptable Solutions

	Performance Criteria		Acceptable Solutions
	<b>Setbacks</b>		
<b>PI1</b>	<b>Front/Road Setbacks</b> Setbacks complement the streetscape and allow for landscaping and open space between buildings.	<b>AI1</b>	Front setbacks are of an area and dimension to allow the landscaping of the building's frontage.
<b>PI2</b>	<b>Side and Rear Setbacks</b> Side and rear setbacks provide emergency services access and reduces adverse impacts on adjoining properties.	<b>AI2</b>	<ul style="list-style-type: none"> <li>• Side and rear setbacks are wide enough to provide access for emergency services.</li> <li>• To minimise effects of noise and vibration on adjoining buildings; and</li> <li>• To provide opportunity for landscaping.</li> </ul>



	Performance Criteria		Acceptable Solutions
	<b>Building Design</b>		
<b>PI3</b>	<b>Building Design</b> Buildings are designed to integrate with the streetscape and be compatible with their surroundings.	<b>AI3</b>	Facades adopt a contemporary appearance relating to the function of the building.
<b>PI4</b>	<b>Building Height</b> Building height is maintained at a scale appropriate to the location of the development.	<b>AI4</b>	<ul style="list-style-type: none"> <li>• Building height generally does not exceed two storeys</li> <li>• Building height does not adversely impact on the visual amenity of the locality</li> </ul>
<b>PI5</b>	<b>Ancillary Uses</b> Ancillary uses are designed, constructed and located in a sympathetic manner which enhances the visual amenity of the development.	<b>AI5</b>	Showroom display areas, offices, staff amenities and other low-scale building elements should be, wherever practicable, located at the front of the premises and constructed in brick or masonry materials.
<b>PI6</b>	Ancillary office space is designed to be integral to the industrial development.	<b>AI6</b>	The office component of the development is ancillary to the functions of the industry, warehouse or factory etc.
<b>PI7</b>	<b>Security</b> Building design facilitates surveillance of streets and open spaces.	<b>AI7</b>	Buildings address the street and open spaces where applicable to allow surveillance.
<b>PI8</b>	<b>Building Materials</b> The form, colours, textures and materials of buildings should enhance the quality and character of the industrial precinct.	<b>AI8</b>	<ul style="list-style-type: none"> <li>• External walls and roofing materials are to be of a non-reflective material, such as brick, concrete block, rendered concrete or masonry, metal or fibre cement cladding systems or pre-coloured metal sheeting;</li> <li>• All external building materials shall be of a neutral colour appropriate to the site. High contrast, white, bright and reflective surfaces are not acceptable.</li> </ul>
	<b>Landscaping</b>		
<b>PI9</b>	<b>Site Planning</b> Landscaping is considered as a component of the site planning process and reflects the scale of the development.	<b>AI9</b>	Landscaping plan is to be provided with Development Application.



	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PI10</b>	Existing trees and shrubs Development is designed to maximise the number of trees retained onsite.	<b>AI10</b>	<ul style="list-style-type: none"> <li>Where there are existing trees onsite, the building design provides for their protection, where possible.</li> <li>During site work and construction, protective measures will be required around trees to be retained.</li> </ul>
<b>PI11</b>	<b>Visual Amenity</b> Landscaping is used to soften the impact of buildings, as a screen to visual intrusions, parking areas and for recreation space.	<b>AI11</b>	Landscaping is provided in the front setback areas to soften the appearance of buildings and improve the streetscape.
<b>PI12</b>	<b>Water Efficiency</b> Landscaping should use indigenous species of a low water demand.	<b>AI12</b>	<ul style="list-style-type: none"> <li>Landscaping design should incorporate species indigenous to the area and those which will not cause damage to adjacent buildings or driveways;</li> <li>Adequate fixed underground watering equipment is to be installed in all landscaped areas.</li> </ul>
<b>Vehicular Access, Parking and Hardstand Areas</b>			
<b>PI13</b>	<p><b>Ingress and Egress</b> Ingress and egress points are located and sized to facilitate the safe and efficient movement of vehicles to and from the site.</p> <p>Note: The design vehicle used to determine the width of the ingress, egress, driveways, accessways and manoeuvring areas is to be the largest vehicle likely to enter the site.</p> <p>The minimum design vehicle for:</p> <ul style="list-style-type: none"> <li>IN2 Light Industry zone is a prime mover and semi-trailer (19 metres); and</li> <li>IN1 General Industrial zone is a B-Double (25 metres).</li> </ul>	<b>AI13</b>	<ul style="list-style-type: none"> <li>Vehicle access driveways are not within 6 metres of an intersection or break in a median strip;</li> <li>Ingress and egress points are constructed in accordance with Council's Engineering Subdivision and Development Guidelines at a width determined by the turning path of design vehicle using Austroads – Design Vehicles and Turning Path Templates;</li> <li>Ingress and egress points are signposted.</li> </ul> <p>Where separate ingress and egress points are proposed the ingress point is the first point reached when approaching the site by road from the side of the road upon which the development is located; and</p> <ul style="list-style-type: none"> <li>Where a separate ingress and egress are provided they must be separated by a minimum distance of 3 metres.</li> </ul>



	Performance Criteria		Acceptable Solutions
PI14	<p><b>Accessways</b> Accessways and driveways are sized to facilitate the safe and efficient movement of vehicles to, from and within the site.</p> <p>Note: The dimensions mentioned are minimums only. It is still required that the width be suitable given the turning path of the required vehicle design.</p>	AI14	<ul style="list-style-type: none"> <li>• Driveways have a minimum width of:               <ul style="list-style-type: none"> <li>○ 6 metres where separate ingress and egress is provided;</li> <li>○ 8 metres where a combined ingress and egress is provided.</li> </ul> </li> <li>• The grade of all accessways, driveways and manoeuvring areas comply with Australian Standard 2890.1 and 2;</li> <li>• All internal accessways, manoeuvring areas etc are provided with directional signposting and line marking;</li> <li>• All internal accessways are of a width and geometry to facilitate the safe and efficient movement of the design vehicle; and</li> <li>• All vehicles are able to enter and leave the site in a forward direction.</li> </ul>
PI15	<p><b>Car Parking</b> Car parking does not adversely impact upon the visual amenity of the site and the locality.</p>	AI15	<ul style="list-style-type: none"> <li>• Where car parking is proposed to be located forward of the building it has been demonstrated that it is essential and it is provided in accordance with the following:               <ul style="list-style-type: none"> <li>○ Car parking is not located within 1.5 metres of the property boundary;</li> </ul> </li> </ul>
PI16	Car parking is conveniently located and easily accessed.	AI16	Visitor car parking is conveniently located to the main visitor entrance to the building.
PI17	Car parking areas are designed to facilitate the safe movement of vehicles and provide a sufficient number of spaces for the projected needs of the development.	AI17	<p>Car parking areas are designed in accordance with AS2890.1.2004</p> <p>The number of car parking spaces provided is in accordance with Chapter 11 – Car Parking and Vehicle Access of this DCP.</p>
PI18	<p><b>Loading/Unloading and Manoeuvring Areas</b> Facilities are provided onsite for the loading and unloading of goods.</p>	AI18	<ul style="list-style-type: none"> <li>• Onsite loading and unloading areas are provided;</li> <li>• No loading or unloading is undertaken on a footpath, public road, laneway or service road etc; and</li> <li>• Loading and unloading areas are designed and provided to facilitate their use by the design vehicle.</li> </ul>

	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PI19</b>	Manoeuvring areas are provided to ensure that the design vehicle can enter and leave the site in a forward direction.		
<b>PI20</b>	<b>Sealing and Drainage</b> All driveways, car parks, loading, unloading, manoeuvring areas etc are appropriately drained and sealed.	<b>AI20</b>	<ul style="list-style-type: none"> <li>All areas are sealed in accordance with Council's Engineering Subdivision and Development Guideline;</li> <li>All sealed areas are drained to Council's stormwater system;</li> <li>No surface drainage is discharged across Council's footpaths or reserves.</li> </ul>
	<b>Fencing</b>		
<b>PI21</b>	Fencing and Screen Walls Fencing and screen walls do not adversely impact upon the visual amenity of the area.	<b>AI21</b>	Fencing does not exceed a maximum height of 2.4 metres.
<b>Soil and Water Quality and Noise Management</b>			
<b>PI22</b>	<b>Soil Erosion</b> Adequate provision is made for measures during construction to ensure that the land form is stabilised and erosion is controlled.	<b>AI22</b>	An Erosion and Sediment Control Plan is prepared by a properly qualified professional using recognised and locally implemented hydrological, hydraulic, hydrogeological, soils water quality, biological data and design methodologies.
<b>PI23</b>	<b>Water Quality</b> The system design optimises the interception, retention and removal of water-borne pollutants through the uses of appropriate criteria, prior to their discharge to receiving waters.	<b>AI23</b>	<ul style="list-style-type: none"> <li>The Erosion and Sediment Control Plan is to comply with OEH's "Managing Urban Stormwater, Soils and Construction"; and</li> <li>Adequate pollution interception, "first flush systems" are in place to comply with the EPA, Environment Protection Manual "Stormwater First Flush Pollution" or its equivalent.</li> </ul>
	<b>Stormwater Management</b>		
<b>PI24</b>	Drainage from development sites is consistent with the predevelopment stormwater patterns.	<b>AI24</b>	The stormwater discharge for development sites does not exceed the five year ARI storm event.
<b>PI25</b>	Drainage systems should be designed to ensure safety and minimise stormwater inundation of habitable floor areas.		
	<b>Noise Management</b>		
<b>PI26</b>	The hours of operation of noise generating activities are restricted to avoid any noise nuisance upon surrounding residential areas.	<b>AI26</b>	The hours of operation of industrial activities in the IN2 Light Industrial Zone are between 7.00am and 6.00pm Monday to Friday



## 7.5 *Design Suggestions and Variations*

### **Design Suggestions**

- a) The necessary fire ratings under the Building Code of Australia need to be achieved when parts of the building are constructed to a boundary.
- b) Crime and safety issues in NSW Police “Safer by Design” such as lighting, security and cameras where needed should be considered in the planning of the development.
- c) Siting for economy under the BCA may cause severe constraints. The maximum use of the site should be entertained as opposed to ‘dead’ setback zones.
- d) Narrow and/or unfrequented areas which would be difficult to maintain should be avoided.
- e) Signage can either be included with the initial development application, or subject to a separate application to Council, unless the signage is exempt development. (Note: Exempt and Complying development is included under the Bland Local Environmental Plan 2011, SEPP 60 Exempt and Complying Development and SEPP No 64 Advertising and Signage)
- f) ‘Nose in’ parking, directly off a public road, is generally discouraged but may be accepted for existing development adjoining a local road where the following is able to be achieved:
  - i. Not within 10 metres of an intersection
  - ii. A public footpath of 1.5 metres is able to be provided
  - iii. Not located where the road alignment would limit visibility of all vehicles entering or leaving the parking area.
  - iv. Only on a lightly trafficked road
  - v. The road carriageway has a minimum width of 12 metres from kerb to kerb.

### **Variations**

Council is aware that full compliance with all acceptable solutions with respect to industrial development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved.

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.

## 8 Village Development

### 8.1 Introduction

This chapter applies to the RU5 Village zone in the villages of Barmedman, Mirrool, Tallimba, Ungarie and Weethalle.

### 8.2 Objectives

- To promote a sense of community and village character with an understanding and acceptance of adjoining rural practices
- To promote service activities which meet the recreational, cultural and commercial needs of the local community
- Maintenance of a low urban density and design of buildings and works to be in sympathy with the character of the village
- To promote the use of sustainable natural resource management principles in development proposals

### 8.3 Performance Criteria and Acceptable Solutions

	Performance Criteria		Acceptable Solutions
	<b>Visual Privacy</b>		
<b>PV1</b>	Direct overlooking of main internal living areas and private open spaces of other dwellings is minimised by building layout, location and design of windows and balconies, screening devices and landscape or remoteness. Effective location of windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass. Where these are used, they should be integrated with the building design and have minimal negative effect on residents' or neighbours' amenity.		
	<b>Physical Infrastructure and Lot Layout</b>		
<b>PV2</b>	Allotment to be of a suitable size to allow for the practical installation of the proposed development include waste water disposal.	<b>AV2.1</b>	Allotments have a minimum area of 2000m <sup>2</sup> in the villages of Mirrool, Tallimba and Weethalle and a minimum of 500m <sup>2</sup> in the villages of Barmedman and Ungarie.



	Performance Criteria		Acceptable Solutions
		<b>AV2.2</b>	Details of the proposed means of servicing (water, sewer, stormwater, power and telecommunications) allotments are provided.
		<b>AV2.3</b>	All proposed allotments have access for a dedicated public road maintained by Council. Where as dedicated road maintained by Council does not provide access to the proposed allotment, such access is to be provided at full cost to the developer to Council's standard.
	<b>Village Character</b>		
<b>PV3</b>	Existing character of the village is maintained.	<b>AV3</b>	Development is setback a minimum distance of 5 metres from the front boundary and 1.2 metres from the rear and side boundaries (Mirrool, Tallimba and Weethalle) and development is to be setback a minimum of 5 metres from the front boundary and 900mm from the rear and side boundaries in the villages of Barmedman and Ungarie.
	<b>Services</b>		
<b>PV4</b>	<b>Water</b> Water supply capable of servicing the needs of the proposed development is provided.	<b>AV4</b>	<ul style="list-style-type: none"> <li>• Where a reticulated water supply is provided connection to such system is required</li> <li>• Where not serviced by a reticulated water supply, provide each; dwelling/allotment with at least 45,000 litre potable water storage, or 20,000 litre potable water supply if supplemented by an alternative supply; and</li> <li>•</li> </ul>
<b>PV5</b>	<b>Electricity</b> Access to an electricity supply capable of servicing the proposed development is provided.	<b>AV5</b>	<ul style="list-style-type: none"> <li>• By extending and constructing electricity supply capable of meeting the needs of the development;</li> <li>• By locating development where ready access to an electricity supply is available; or</li> <li>• By demonstrating self sufficiency with alternative power sources such as wind and/or solar power generation systems.</li> </ul>



	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PV6</b>	<b>Telecommunications</b> Access to telecommunications capable of servicing the proposed development is available.	<b>AV6</b>	<ul style="list-style-type: none"> <li>By extending and constructing telecommunication facilities capable of meeting the needs of the development;</li> <li>By locating proposed developments where they can be serviced by a telecommunication provider; or</li> <li>By demonstrating self sufficiency with alternative telecommunication equipment (eg satellite technology)</li> </ul>
	<b>Access</b>		
<b>PV7</b>	<b>Road Access</b> Access is provided from a dedicated public road maintained by Council		
<b>PV8</b>	<b>Sight Distances</b> There is adequate site distance to allow safe manoeuvring to and from the property.	<b>AV8</b>	<ul style="list-style-type: none"> <li>Access points join the public road at 90°;</li> <li>Entrances are located so that vehicles do not queue onto the public road;</li> <li>Where the subject land is adjacent to an intersection the access is located at least 6 metres from the corner of the allotment adjacent to the intersection.</li> </ul>
<b>PV9</b>	<b>Parking and Manoeuvring</b> There is ample space for parking and manoeuvring of vehicles on the property, to avoid traffic movements of site.	<b>AV9</b>	Vehicles can enter and leave the site in a forward direction. This is not essential for a dwelling house.
<b>PV10</b>	Parking and manoeuvring areas are constructed of all-weather materials to safely accommodate vehicles at all times.	<b>AV10</b>	Parking and manoeuvring areas are provided in a manner which is suitable for the purpose of the proposed development and in accordance with Chapter 11– Car parking of the DCP.
<b>PV11</b>	<b>Drainage</b> Accesses are constructed so that they do not impede the flow of stormwater.	<b>AV11</b>	<ul style="list-style-type: none"> <li>Culvert pipes are provided where required;</li> <li>Accesses are constructed to maintain the flow of stormwater through table drains and other drainage structures.</li> </ul>
<b>PV12</b>	Car park and manoeuvring areas are constructed and drained to prevent the ponding of water.	<b>AV12</b>	Car parks and manoeuvring areas are sealed in accordance with Chapter 11– Car parking of the DCP and drained to the table drain or Council's stormwater system.



	Performance Criteria		Acceptable Solutions
	<b>Design for Access and Mobility</b>		
<b>PV13</b>	Developments are designed in accordance with Australian Standard 1428.1 – 4 Design for Access and Mobility.		
<b>PV14</b>	<b>Natural Hazards</b> The impacts of natural hazards such as fire, flood and wind storms are reduced.	<b>AV14</b>	<ul style="list-style-type: none"> <li>• Design buildings to comply with Planning For Bushfire Protection, where applicable; and</li> <li>• Avoid siting buildings near depressions and water courses.</li> </ul>

### 8.4 Design Suggestions and Variations

#### Variations

Council is aware that full compliance with all acceptable solutions with respect to village development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved.

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.

## 9 Primary Production

### 9.1 Introduction

This Development Control Plan applies to the areas of the Bland Local Government Area that are zoned RU1 Primary Production.

The aim of this Development Control Plan is to protect and enhance the existing agricultural land within the RU1 Primary Production zone and to remove threats to the continuation of the current land use.

### 9.2 Objectives

- Provide guidance to developers in the design of development proposals situated in the RU1 Primary Production zone and the submission of development applications
- Reinforce and supplement the aims, objectives and development standards contained in the Bland Local Environmental Plan 2011
- Promote sustainable natural resource management principles including the precautionary principle, intergenerational equity, conservation of biological diversity and ecological integrity

### 9.3 Performance Criteria and Acceptable Solutions

	Performance Criteria		Acceptable Solutions
<b>Site Integration</b>			
<b>PPP1</b>	<b>Adjoining Uses</b> Consideration is given to the nature of adjoining uses so as to obtain optimum amenity and privacy.	<b>APPP1</b>	<ul style="list-style-type: none"> <li>• Set back dwellings and other buildings at least 150 metres from adjoining boundaries, where possible;</li> <li>• Allow for ample buffers between possible sources of noise, odour and air emissions, dust generating uses and potential pollutants such as aerial spraying etc (see Table 3.1 Chapter 3 for additional information on buffers).</li> </ul>
<b>PPP2</b>	<b>Prevailing Winds</b> Developments are located and designed to address prevailing winds.	<b>APPP2</b>	<ul style="list-style-type: none"> <li>• Orient and design developments to reduce the impact from hot summer winds and cold winter winds;</li> <li>• Locate potentially odorous uses down wind of the main residential part of the property and adjoining properties;</li> <li>• Be aware of neighbouring uses such as feedlots and plan to locate new residential uses so as to address potential impacts; and</li> </ul>



	Performance Criteria		Acceptable Solutions
			<ul style="list-style-type: none"> <li>Use trees as windbreaks around development to mitigate adverse effect of prevailing winds.</li> </ul>
<b>PPP3</b>	<p><b>Existing Opportunities</b> Developments are located in order to make best use of existing infrastructure and resources.</p>	<b>APP3</b>	<ul style="list-style-type: none"> <li>Locate development in close proximity to existing development where appropriate;</li> <li>Locate development upon the poorer quality agricultural land, keeping the remaining land for agricultural production;</li> <li>Locate development in close proximity to existing services, access road, etc.</li> </ul>
<b>PPP4</b>	<p><b>Natural Hazards</b> The impacts of natural hazards, such as fire, flood and wind storms are reduced.</p>	<b>APP4</b>	<ul style="list-style-type: none"> <li>Design buildings to comply with Planning For Bushfire Protection, where applicable;</li> <li>Avoid siting buildings near obvious depressions and watercourses or on flood prone land;</li> <li>Identify evacuation and alternative evacuation paths.</li> </ul>
<b>Servicing</b>			
<b>PPP5</b>	<p><b>Water</b> Water supply capable of servicing the needs of the proposed development in terms of domestic, stock, fire fighting and other needs is available.</p>	<b>APP5</b>	<ul style="list-style-type: none"> <li>By providing each dwelling with at least 45,000 litre potable rain water storage, or 20,000 litre potable rain water storage if supplemented by an alternative reliable water supply;</li> <li>Using alternative water supplies such as bores and wells for uses other than drinking, cooking and ablution purposes;</li> <li>Using other buildings as catchment for freshwater tanks, and connecting water reticulation.</li> </ul>
<b>PPP6</b>	<p><b>Electricity</b> Access to an electricity supply capable of servicing the proposed development.</p>	<b>APP6</b>	<ul style="list-style-type: none"> <li>By locating development where <b>ready</b> access to an electricity supply is available; or</li> <li>By demonstrating self sufficiency with alternative power sources (e.g. wind, solar power generation systems).</li> </ul>
<b>PPP7</b>	<p><b>Telecommunications</b> Access to telecommunications capable of servicing the proposed development is available.</p>	<b>APP7</b>	<ul style="list-style-type: none"> <li>By locating proposed developments where they can be serviced by a telecommunication provider; or</li> <li>By demonstrating self sufficiency with alternative telecommunication equipment (e.g. satellite technology).</li> </ul>



	Performance Criteria		Acceptable Solutions
PPP8	<p><b>Service Corridors</b> The location of proposed service corridors are chosen to minimise the impact on the environment and the agricultural use of the land.</p>	APP8	<ul style="list-style-type: none"> <li>• By locating proposed service corridors so as they avoid stands of native vegetation and thus remove the need for land clearing;</li> <li>• By locating proposed service corridors along fence lines to reduce the impact on the agricultural use of the land.</li> </ul>
<b>Access</b>			
PPP9	<p><b>Sight Distance</b> There is adequate sight distance to allow safe manoeuvring to and from the property.</p>	APP9	<ul style="list-style-type: none"> <li>• Sight distance of at least 150 – 200 metres in each direction is provided for each standard rural access;</li> <li>• Access roads join the main road at 90°;</li> <li>• Entrances are located so vehicles do not queue onto the public road (eg setback of gateway).</li> </ul>
PPP10	<p><b>All Weather Access</b> There is all weather access provided from the development to the public road.</p>	APP10	Access is granted and gravelled to a standard where wet weather does not impede two wheel drive vehicles.
PPP11	<p><b>Access in times of flood</b> Access is flood free where possible to allow safe transit during and after periods of heavy rain.</p>	APP11	<ul style="list-style-type: none"> <li>• Establish access roads upon flood free land where possible;</li> <li>• Provide an alternative route for access in times of flood.</li> </ul>
PPP12	<p><b>Emergency Vehicles</b> Access for emergency vehicles is available in times of fire, flood and other emergencies.</p>	APP12	<ul style="list-style-type: none"> <li>• Ensure access is unimpeded by thick timber where possible to enable emergency vehicle access in fire/high wind situations;</li> <li>• Access should have an unobstructed width of at least 3 metres; and</li> <li>• Accesses passing through closely timbered areas should also be provided with 6 metre wide passing bays approximately every 100 metres.</li> </ul>
PPP13	<p><b>Property Identification</b> Property access must clearly identify the property address</p>	APP13	The installation of a Rural Address sign as per Council's Rural Addressing Policy.



### ***9.3 Design Suggestions and Variations***

#### **Variations**

Council is aware that full compliance with all acceptable solutions with respect to primary production development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved.

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.

## 10 Heritage Conservation

### 10.1 Objectives

- Protect heritage significance by minimising impacts on the significant elements of heritage items
- Encourage alterations and additions which are sympathetic to the building's significant features and which will not compromise heritage significance
- Ensure that alterations and additions respect the scale, form and massing of the existing building
- Encourage materials, finishes and colours that are suitable to the period of the building
- Encourage heritage items to be used for purposes appropriate to their heritage significance
- Encourage development in the vicinity of a heritage item to be designed and sited to protect the significance of the heritage item

### 10.2 Notes on development in an area with potential heritage or archaeological significance

#### Aboriginal heritage and archaeology

Aboriginal objects and sites are protected under the *National Parks and Wildlife Act 1974* (NP&W Act) and can be discovered in a wide variety of areas. If at any point during the development process an Aboriginal object or site is discovered or suspected, the National Parks and Wildlife Service should be contacted immediately and any works must cease immediately. A permit is required to damage or disturb Aboriginal sites under Section 90 of the NP&W Act.

#### Archaeology – European Settlement

Development on land containing a heritage item or within the heritage conservation area should consider the potential for archaeological remains from previous buildings on the site. For example, evidence of previous structures or relics could be revealed during excavation. In some circumstances, a permit may be required under the *Heritage Act 1977* before excavating or disturbing a site.

Contact Council if you think this could be relevant to your site. If a person believes they have uncovered a relic, work should cease and the Heritage Council and Council should be notified.

### 10.3 Performance Criteria and Acceptable Solutions

The performance criteria and acceptable solutions vary depending on the proposed development therefore the requirements have been separated into five (5) tables New Development, Additions and Alterations, Garages and Carports, Adaptive reuse of heritage item and Development in the Vicinity of a Heritage Item.



<b>New Development</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PH1</b>	New development (including the replacement of existing buildings) achieves a future character that provides for one or two storey development, but does not directly copy or imitate past architectural styles. It is respectful of existing development both directly adjoining and in the immediate area;	<b>AH1.1</b>	Design new work to respect the scale, form, massing and style of the existing building, and not visually dominate the original building.
		<b>AH1.2</b>	Infill development is to reflect the characteristic buildings in the vicinity in terms of bulk, scale, roof form, setbacks and materials.
		<b>AH1.3</b>	Setbacks are to reflect the patterns of adjoining houses and the general pattern of the street.
		<b>AH1.4</b>	Use pitched roofs with terracotta tiles or corrugated steel and traditional flashings
		<b>AH1.5</b>	Contemporary design is acceptable where it is sympathetic to the characteristic built form of the conservation area, particularly in terms of bulk, scale, height, form or materials.
		<b>AH1.6</b>	Designs that have open front verandahs are encouraged
		<b>AH1.7</b>	Use a variety of wall materials to break up the mass of the building and provide detail to the front elevations.
		<b>AH1.8</b>	Colour schemes are to reflect the period and detail of the property.



<b>Alterations and Additions</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PH2</b>	Changes and modifications are respectful of the original architectural design of the building, unless that design is incompatible with buildings in the immediate vicinity, in which case the design is to be respectful of those buildings	<b>AH2.1</b>	Avoid changes to the front elevation - locate new work to the rear of, or behind the original building section.
		<b>AH2.2</b>	Design new work to respect the scale, form, massing and style of the existing building, and not visually dominate the original building.
		<b>AH2.3</b>	The original roof line or characteristic roof elements are to remain identifiable and not be dwarfed by the new works.
		<b>AH2.4</b>	Retain chimneys and significant roof elements such as gables and finials where present.
		<b>AH2.5</b>	Ensure that the new work is recognisable as new, "blending in" with the original building without unnecessarily mimicking or copying.
		<b>AH2.6</b>	Complement the details and materials of the original roof including ridge height and slopes without compromising the ability to interpret the original form.
		<b>AH2.7</b>	New materials are to be compatible with the existing finishes. Materials can differentiate new work from original building sections where appropriate, for example by the use of weatherboards where the original building is brick or by the use of "transitional" materials between old and new.
		<b>AH2.8</b>	Retain front verandahs. Reinstating verandahs and removing intrusive changes is encouraged, particularly where there is physical and/or historic evidence of such.



Alterations and Additions			
	Performance Criteria		Acceptable Solutions
		<b>AH2.9</b>	Select materials to be compatible, but not necessarily matching the materials of the building. The materials should complement the period and style of the heritage item.
		<b>AH2.10</b>	Colour schemes are to reflect the period and detail of the property
		<b>AH2.11</b>	Painting or rendering face brick is generally not supported

Garages and Carports			
	Performance Criteria		Acceptable Solutions
<b>PH1.2</b>	Minimise visual intrusion from garages and carports, and require structures to be located behind the building line.	<b>AH1.2.1</b>	Where possible, car access should be from a rear lane.
		<b>AH1.2.2</b>	Where no rear lane access is available, locate the garage or carport behind the building line, or preferably to the rear of the property. Alterations that require removal of original features on a front elevation or require demolition of significant building fabric to enable car access will not be supported.
		<b>AH1.2.2</b>	Materials are to be compatible with the materials of the main building. Any detailing is to be subservient to the detailing or decorative features of the main building.
<b>PH1.3</b>	Establish parameters for the proportion and detailing of garage and carports	<b>AH1.3.1</b>	<ul style="list-style-type: none"> <li>Single garage – 2700mm wide x 6000mm long, 2400mm walls, 27 degree roof pitch rising to an apex 3400mm high. Garage roller door 2400mm wide.</li> </ul>



Garages and Carports	
Performance Criteria	Acceptable Solutions
	<ul style="list-style-type: none"> <li>Double garage – 6000mm wide x 6000mm long, 2400mm walls, minimum 27 degree roof pitch rising to apex 3900mm high. Two roller doors 2400mm wide in 3 equal wall bays.</li> </ul> <p><i>Note: Roof pitch 27 degrees (quarter pitch) or steeper to match the roof pitch of the house. Roof pitches can be broken with a 10 to 12.5 degree pitch verandah skillion.</i></p>
	<p><b>AH1.3.2</b></p> <p>Walls can be in Custom Orb corrugated metal, weatherboards, painted fibre cement sheet or face brick.</p>
	<p><b>AH1.3.3</b></p> <p>Galvanised corrugated metal roof preferred rather than Zinalume.</p>
	<p><b>AH1.3.4</b></p> <p>Roll barge and roll top flashings.</p>
	<p><b>AH1.3.5</b></p> <p>Gutters are to be quad or ogee profile and galvanised.</p>
	<p><b>AH1.3.6</b></p> <p>Doors may be tilt doors of a simple design and neutral colour. Roller doors may be considered on merit.</p>
	<p><b>AH1.3.7</b></p> <p>Where a carport is to be constructed to the side of a house:</p> <ul style="list-style-type: none"> <li>Single car – setback at least 1m from the principal building line or level with the back of the front verandah.</li> <li>Use a skillion or flat roof form in corrugated metal with the high point set below the eave of the principal building form. Length is to be no more than half the length of the side of the building to which it is attached.</li> </ul>
	<p><b>AH1.3.8</b></p> <p>Double carports can be considered on rear lanes.</p>



<b>Adaptive reuse of Heritage Items</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PH3</b>	Encourage heritage items to be used for purposes appropriate to their heritage significance.	<b>AH3.1</b>	The adaptive reuse of a heritage item should minimise alterations or interference with significant fabric. The changes are to enable the continued interpretation of the original use.
		<b>AH3.2</b>	Ensure that new services are sympathetically installed especially where upgrading is required to satisfy fire or BCA requirements.

<b>Development in the Vicinity of a Heritage Item</b>			
	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PH4</b>	Encourage development in the vicinity of a heritage item to be designed and sited to protect the significance of the heritage item.	<b>AH4.1</b>	Alterations and additions to the buildings and structure, and new development is to be designed to respect and complement the heritage item in terms of building envelope, proportions, materials, colours, finishes and building street alignment.
		<b>AH4.2</b>	Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by: <ul style="list-style-type: none"> <li>• Providing an adequate area around the heritage item to allow its interpretation.</li> <li>• Retaining original or significant landscaping associated with the heritage item.</li> <li>• Protecting and allowing the interpretation of archaeological features associated with the heritage item.</li> <li>• Retaining and respecting significant views to and from the heritage item.</li> </ul>
<b>PH3</b>		<b>AH3</b>	Visible air conditioning plant to the main street frontage is avoided.



## ***10.4 Design Suggestions and Variations***

### **Variations**

Any proposed variations or non-compliance with this chapter may require the submission of a Heritage Impact Statement prepared by an experienced heritage architect as listed with the NSW Department of Planning Heritage Branch.

Council will consider alternative designs provided that the performance outcomes are achieved.

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.

# 11 Car Parking and Vehicle Access

## 11.1 Objectives

- To provide safe and accessible car parks
- To provide sufficient car parks to serve the needs of particular developments

## 11.2 Performance Outcomes and Acceptable Solutions

### 11.2.1 Access, movement & circulation

	Performance Criteria		Acceptable Solutions
<b>PCP1</b>	Parking operations are logical and the circulation pattern clearly defined through the use of appropriate traffic management measures.	<b>ACP1</b>	Compliance with Australian Standard AS2890 Part 1 and 2
<b>PCP2</b>	Parking areas are designed to operate in a safe manner for drivers and pedestrians.	<b>ACP2.1</b>	All car parking areas shall be lit in accordance with the relevant Australian Standard
		<b>ACP2.2</b>	Vehicles enter and leave the site in a forward direction.
<b>PCP3</b>	Finished surface of the car park, driveway, turning circle and loading areas is of a suitable material for the proposed activity.	<b>ACP3.1</b>	Unless specified to a different standard elsewhere in this DCP, all car parking areas, driveways, turning areas and loading areas are paved in either a bitumen seal coat, asphaltic or bituminous concrete, cement concrete, concrete paving blocks, brick paving blocks, all weather pavement or other suitable material.  <i>Note: The standard of paving required will be dependent upon the type of development proposed, with regard to traffic loadings including turning movements of heavy vehicles. For specific details refer to Council's Engineering Subdivision and Development Guidelines.</i>
<b>PCP3</b>	Pedestrians are separated from vehicular traffic as much as physically possible.	<b>ACP3</b>	Pedestrian thoroughfares are provided throughout the car parking area to fully separate pedestrian and vehicular traffic
<b>PCP4</b>	For one way traffic, circulation is in the clockwise direction.		
<b>PCP5</b>	Solid walls or other obstructions to visibility are avoided on the inside of tight turns.		



	Performance Criteria		Acceptable Solutions
<b>PCP6</b>	Entry/Exit points are clearly marked to avoid any confusion. Within the car park, signs are provided where necessary so that drivers wishing to leave the car park may do so by the most efficient route. Signposting is easily seen and understood.	<b>ASP6</b>	Separations of entry and exits comply with Tables 11.3
<b>PCP7</b>	Directional markings are clearly set out on the pavement in such a manner as to be easily readable and understandable to the users of the car park.		
<b>PCP8</b>	All parking bay delineations, arrows and other information for drivers painted on the pavement are marked using white (or high contrast) paint or approved markers. Delineations are not less than 75 mm or greater than 100 mm wide.  <i>Note: In certain situations, the installation of signs to Council's satisfaction may be required over and above the normal requirements. Signposting and marking for parking areas are to be submitted with the development application for Council's consideration.</i>		
<b>PCP9</b>	Where the development generates a reasonable volume of traffic, separate entry and exit locations are provided with suitable separation between the access points.	<b>ACP10.1</b>	The design of access points and internal circulation areas is such that entry to and exit from the site is made by driving in a forward direction.  <i>Note: The reversing of vehicles onto the street will generally be accepted, except for single residential dwelling houses and dual occupancies. Some minor relaxation may be permitted in this matter depending on the conditions of the site, the location of the site and the nature of the development.</i>



	Performance Criteria		Acceptable Solutions
<b>PCP10</b>	Good sight distance is provided onto footpath areas from vehicles leaving car parking areas.		
<b>PCP11</b>	Garages in residential development are capable of easy entry and exit.	<b>ACP11</b>	When garages are provided in parking areas associated with residential developments, the following minimum dimensions are achieved: <ul style="list-style-type: none"> <li>• Minimum internal width: 3.0 metres</li> <li>• Minimum width between door jambs: 2.75 metres</li> <li>• Minimum aisle widths to allow adequate access to garages are: <ul style="list-style-type: none"> <li>○ 6.7 metres where the door jamb width is 2.75 metres</li> <li>○ 6.2 metres where the door jamb is 2.90 metres</li> </ul> </li> </ul>
<b>PCP12</b>	Grades of parking areas are minimised, consistent with achieving adequate drainage	<b>ACP12.1</b>	All car parking areas shall be sealed and effectively graded and drained.
		<b>ACP12.2</b>	The maximum acceptable grade for sloping parking (including access aisles) is 10%. For all areas the minimum longitudinal grade and the minimum cross fall grade is as shown in Table 11.4
<b>PCP13</b>	Turning circles are to cater for the range of vehicle sizes anticipated to utilise the site.	<b>ACP13.1</b>	Turning circles are calculated using the 85 <sup>th</sup> percentile vehicle (see Appendix F) and for trucks appropriate turning templates from AS2890 Part 2 are utilised for rigid and articulated vehicles (see Appendix F), as required to service the development.
		<b>ACP13.2</b>	In a large residential development of 12 or more dwellings of the type which includes building back from the street, provision is made for delivery vehicles, etc to be accommodated close to a suitable entrance to the building.
<b>PCP14</b>	Delivery areas are separated (either physically or through timed deliveries) from customer parking areas.	<b>ACP14</b>	These vehicles are able to drive in a forward direction when both entering and leaving the site.
<b>PCP15</b>	Provisions are made in the design of loading docks so that delivery vehicles do not conflict with customer traffic.	<b>ACP15</b>	Loading docks provide for the relevant design vehicle that will serve the development.  <i>Note: The provisions of AS2890.2 are applicable.</i>



**Table 11.2 Selection of Driveway Type – Heavy Vehicles**  
(see Table 11.3 for details of driveway types)

Heavy Vehicle Type	Road Frontage Type	Driveway Type
RIGID	Major	5-6
	Minor	4-5
ARTICULATED	Major	6
	Minor	5-6

**Table 11.3 Driveway Types**

Type	Entry Width in Metres	Exit Width in Metres	Minimum Separation of driveways in Metres	Splay at Kerb line in Metres
1	2.5-6	Combined	NA	-
2	6-9	Combined	NA	2
3	6	4-6	1-3	2
4	6-8	6-8	1-3	2
5	8-9	8-9	3	2
6	9	9	3	2
7	Direct feed from a controlled intersection via a dedicated public roadway			

**NOTE:**

Type 1 and 2 driveways are most frequently required in a typically 'small' development, i.e. panel beating workshop. Types 3 through 7 would apply to developments such as transport depots and heavy industry.

**Table 11.4 Minimum longitudinal grade and minimum cross fall**

Type of Surface	Minimum Longitudinal Grade	Minimum Cross fall
Bituminous Seal Coat	0.5%	3.0%
Asphaltic Concrete	0.5%	2.5%
Cement Concrete	0.35%	2.0%



## 11.2.2 Design Suggestions and Variations

### Design Suggestions

- a) 90 degree parking angles usually result in the most efficient use of an area unless it is either irregular in shape or is a multiple of an angled parking module which would result in an acceptable functional design.
- b) Roads within car parks may be two-way, but the circulation pattern and parking distribution should be designed to encourage a predominantly unidirectional flow of traffic.
- c) **Stack Parking:** Stack parking is not generally supported. If supported in the circumstances of the case, would be counted at 0.5 spaces per stack space provided. Each dwelling or other premises is to be fully self-contained with respect to parking.
- d) **Drainage of Paved Areas:** It is recommended that concept designs for the drainage of paved areas be submitted to Council in conjunction with the development application. Applicants should consult with Council's Engineering Services Department to obtain current standards and requirements.
- e) **General:** A parking or access design that complies with the relevant Australian Standard (AS2890) and any relevant State Environmental Planning Policies will be considered.

### Variations

Council is aware that full compliance with all acceptable solutions with respect to car parking and vehicle access may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved.

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.

## 11.3 Number of Car parking Spaces required

	Performance Criteria		Acceptable Solutions
PNC1	New car parks are sufficient in number and design to provide appropriately for the needs of new development.	ANC1.1	Car parking is provided at the rate set out in Table 11.5
		AN1.2	Car parking is provided on the site of the development.



**Table 11.5 – Number of Car Parking Spaces Required**

Land and Building Use		Rate of Provision
<b>Accommodation</b>	Backpackers' accommodation, Boarding Houses, Hostels, Hotels (unlicensed) and similar uses.	1 space per 3 guest rooms, plus 1 space for a manager, plus 1 space per 3 employees or part thereof.
	Tourist and visitor accommodation (other than backpackers' accommodation)	1 space per guest room or unit, plus 1 space per 2 staff employed, plus 1 space per 7.5 square metres of bar and lounge areas
<b>Commercial, Business and Industrial</b>	Warehouse or distribution centre	1 space per 300 square metres of gross leasable floor area
	Office premises	1 space per 50 square metres of gross leasable floor area
	Business premises	1 space per 35 square metres of gross leasable floor area
	Industries	1 space per 2 staff employed, or 1 space per 100 square metres of gross leasable floor area (whichever is the greater)
<b>Educational Establishments</b>	Notes for all educational establishments	Note: Council will require the provision of onsite set down and pick-up areas for buses and cars taking students to or from the school or college. Specific requirements depending on the education use must also be met. Consultation with Council is strongly suggested as part of the site design process.
	Pre-school, infants and primary schools	1 space per staff employed, plus 2 service spaces.
	Secondary schools	1 space per staff employed, plus 2 service spaces, plus 1 space per 10 senior students (Years 11 and 12)
	Tertiary schools and colleges	1 space per staff employed, plus 2 service spaces, plus 1 space per 5 students, plus 1 space per live-in student where residential accommodation is provided.
<b>Health Services Facility</b>		1 space per 3 beds and/or 3 spaces per health car professional attending to outpatients, plus 1 space for each resident or staff doctor, plus 1 space for each 3 employees.



**Table 11.5 – Number of Car Parking Spaces Required (cont.)**

Land and Building Use		Rate of Provision
<b>Hospitality, entertainment and recreation</b>	Food and drink premises	1 space per 10 square metres of service area
	Registered clubs	1 space per 2 staff employed, plus 1 space per 10 square metres of bar and lounge areas
	Bowling clubs	10 spaces per green or rink
	Function centre	1 space per 3 guests (from BCA calculated occupancy)
	Entertainment facility	1 space per 5 seats
	Squash courts, tennis courts and bowling alleys	3 spaces per court or alley
	Sports stadiums	1 space per 10 seats (or BCA calculated occupancy, whichever is the higher)
<b>Places of public worship, funeral homes</b>		1 space per 10 seats, or, if no seats, 1 space per 10 square metres of gross leasable floor area.
<b>Residential</b>	Dual Occupancy	One or two bedroom unit: 1 onsite car parking space per unit Three bedroom unit: 2 onsite car parking spaces per unit (at least one space to be covered)
	Multi dwelling housing (i.e. three or more dwellings – whether attached or detached – on one lot of land) and residential flat buildings.	One bedroom dwelling: 1 space (undercover) per dwelling Dwellings containing two or more bedrooms: one additional space per dwelling (may be covered or uncovered); Visitor parking: One space per three dwellings or part thereof (may be uncovered)
	Seniors' housing (other than a hostel)	1 space per 5 units plus 1 space for resident manager or as per requirements under SEPP (Housing for Seniors or People with a Disability) 2004, whichever is the lesser
<b>Retail and services</b>	Shops, (including supermarkets less than 900 square metres gross leasable floor area)	1 space per 35 square metres of gross leasable floor area
	Supermarkets (900 square metres gross leasable floor area or greater)	1 space per 20 square metres of gross leasable floor area
	Service stations	1 space per 6 bowsers with additional spaces to be provided for other onsite uses in accordance with this Table.
	Vehicle body repair workshops and Vehicle repair stations	4 spaces per service bay



**Table 11.5 – Number of Car Parking Spaces Required (cont.)**

	Vehicle sales or hire premises	1 space per 100 square metres of gross leasable floor area of the building plus 1 space per 320 square metres of open display area. Note: this assumes one space is required per 16 cars displayed. One car display – equals 20 square metres.
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*Note: This DCP defines parking standards for frequently encountered uses. The Council will define a requirement for use not referred to in the DCP according to the merits of the specific case. The RTA Guide to Traffic Generating Development may be utilised in this instance, noting that this document requires updating and may not be relevant in all instances.*

### **Explanatory Notes**

1. *In this Chapter, Gross Leasable Floor Area means the overall usable area of the building excluding amenities, stairways, lift wells and plant rooms.*
2. *Unless otherwise stated ancillary or incidental uses will be assessed as part of the main user of the building i.e. the office of a supermarket will be included in the area of the supermarket and will not be treated as a separate office use.*
3. *A use comprising a combination of two or more uses such as combined vehicle sales and vehicle repair stations will be assessed as if the two uses existed independently and the required onsite parking provisions will be the aggregation of the independently derived requirements.*
4. *For the purposes of Table 4.1 'bedroom' is taken to be any room which would be available for use as a bedroom without structural alteration to the dwelling.*
5. *The parking provision for restaurants and function rooms may be reduced where it is demonstrated that the time of peak demand for parking associated with each facility does not coincide with peak usage of existing available parking or where common usage reduces total demand. Each case will be considered on its individual merits.*
6. *If the calculation of required car spaces results in a non-integer value such as 3.6 then this shall be rounded up or down according to the following rule:*
  - a. *Partial values less than 0.5 can be rounded down (eg 4.4 can be rounded down to 4)*
  - b. *Partial values of 0.5 or more should be rounded up (eg 4.5 and 4.7 would both be rounded up to 5).*

## **11.4 Design Suggestions and Variations**

A design that complies with the relevant Australian Standard and/or any relevant State Environmental Planning Policies will be considered acceptable.

Council normally expects the provision of car parking to be on the site of the development other than for developments within the B1 Neighbourhood Centre and B2 Local Centre zone excluding vacant land. If parking is not able to be provided, contributions for the provision of parking would be considered in accordance with any parking contribution plan applying to the area.



## **Variations**

Council is aware that full compliance with all acceptable solutions with respect to car parking and vehicle access may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved.

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.



## 12 Tree Removal or Lopping

### 12.1 General Information

This section applies to all zones except RU1 and RU3 and should be read in conjunction with Clause 5.9 of the Bland Shire LEP 2011.

### 12.2 Objectives

- To provide a regulatory framework for the preservation of trees in order to maintain the visual integrity of West Wyalong Township and the village areas of Bland Shire
- To ensure that all development is carried out with sensitivity to trees in the vicinity

### 12.3 Definition

**“Prescribed Tree”** trees having a height of more than 3.7 metres or a branch spread exceeding 2.4 metres in diameter. A prescribed tree does not include any noxious weed species as declared for the Bland LGA, dying, dead, dangerous tree or any fruit tree.

**“Lopping”** reducing the height or pollarding (branch spread) of the tree by more than 10 per cent. Excludes pruning of any tree for regeneration.

### 12.4 Performance Criteria and Acceptable Solutions

	Performance Criteria		Acceptable Solutions
PT1	Trees are protected, unless they are an environmental weed species;	AT1.1	Development is designed to avoid impact on designated trees unless this would reduce the development yield of the property;
		AT1.2	Designated trees are retained where not directly impacted by a development or where they are not within 3 metres (measured from the trunk) of a building approved as part of a development or where they would create a safety risk for traffic unless a qualified arborist has assessed the tree and found that by reason of its health or otherwise that it is not worthy of retention;
PT2	Management of existing trees minimises the threat to the long term survival of the tree.	AT2	Pruning or protection works are carried out in accordance with Australian Standard 4373;



## 13 Footpath Display and Use

### 13.1 Application

This chapter applies to land zoned B1 Neighbourhood Centre, B2 Local Centre and B6 Enterprise Corridor.

### 13.2 Objectives

- To ensure safety and convenient passage of all pedestrians when using public footpaths
- To ensure the maintenance of clear view lines for both pedestrians and motorists, particularly near pedestrian crossings, street corners and key intersections
- To ensure adjoining premises are not adversely affected by any business use of footpath areas
- To protect Council and the public interest while permitting effective use of public footpaths for business purposes
- To effectively address risk management issues for Council
- To ensure that public amenities will not be compromised by the provision of business use of footpath areas
- To enhance the economic viability of our local business by offering consent to use public footpaths for business purposes
- To encourage trading by providing a more vibrant atmosphere for shoppers
- To provide and active and integrated street front
- To maintain visibility and exposure of shop fronts

### 13.3 Duration of Permit

Council may issue approvals for periods of one year or three years. Applications to renew an approval must be received by Council two (2) weeks prior to the lapse of the existing consent to allow time for processing of the application. Reminder notices will be sent out by Council one (1) month prior to the expiry of the approval.

### 13.4 Public Liability Insurance

As retailers will be using public property to place their signs or goods, the retailer will need to hold a current public liability insurance policy with a minimum of \$20,000,000 protection which covers the placing of articles on the footpath. A Certificate of Currency from the retailer's insurance company must be included with the application. The Certificate of Currency must identify Bland Shire Council as an interested party.

### 13.5 Indemnity/Guarantee

Bland Shire Council accepts no responsibility for claims of damages, which may arise out of the placing of articles on the footpath. Accordingly, to obtain a permit, applicants must indemnify the council against any claim, action suit or demand arising out of or in any way connected to the placing of articles on the footpath.

**Note: If the applicant is a Company the indemnity must be guaranteed by an individual.**



## 13.6 General Conditions applicable to all Approvals

- a) Council will not accept responsibility for damage to any item placed upon the footpath pursuant to this policy
- b) The full cost of maintenance and/or repairs to the paved footpath and the unpaved or nature strip area of the footpath, damaged as a result of placement or display of goods, shall be that of the operator of the business
- c) It shall at all times be the responsibility of the applicant, subject to an approval to trade or dine on the Council's footpath, to maintain and keep clear the footpath, kerb and gutter in an adjacent roadway, of all litter, waste, spillage of foodstuffs which may be attributed to diners who have used the footpath pursuant to this approval.
- d) A right of access with all utility services authorities which have infrastructure within the footpath for the purpose of repair, maintenance and installation. There is no compensation payable for interruption that may be caused by such works.

## 13.7 Signs

### 13.7.1 Objectives

- To permit limited footpath-based signage that is not distracting to motorists

### 13.7.2 Performance Outcomes and Acceptable Solutions

	Performance Criteria		Acceptable Solutions
<b>PFS1</b>	Signage is stable and not able to be moved by wind.	<b>AFS1.1</b>	Advertising signs are of stable construction and weighted or placed so as to prevent them being moved by the wind.
		<b>AFS1.2</b>	Signs are of a durable material and finish and are attached to a well constructed frame
<b>PFS2</b>	Signage is clearly associated with the premises to which they relate.	<b>AFS2</b>	Advertising signs are displayed outside the premises to which they relate and only at times during those hours the premises are open to the public.
<b>PFS3</b>	Signage is of a size and shape so as to maintain pedestrian access along footpaths while complying with disability legislation.	<b>AFS3.1</b>	The maximum dimensions of an advertising sign shall be 900mm wide and 1000mm high, no part of the sign shall protrude beyond the main body of the sign.
		<b>AFD3.2</b>	Advertising signs are displayed no less than 600 mm from the kerb line and no less than 1800mm from the building line.



	Performance Criteria		Acceptable Solutions
PFS4	Signage presents a professional appearance.	AFS4.1	Advertising signs are professional quality. Note: Portable electric signs, illuminated, revolving, spinning or flashing signs are prohibited. Approvals will not be granted for advertising signs to be placed on stationary vehicles, attached to street poles, parking control signs, street furniture and/or trees.
		AFS4.2	The sign is to be maintained in a neat and tidy condition

### 13.7.3 *Alternative Approaches and Design Suggestions*

Persons wishing to place advertising signs relating to premises that do not have a street frontage may be granted an approval to place an advertising sign on a nearby footpath only on the presentation of the written permission of the proprietor of the business outside which the sign is to be placed.

## 13.8 *Tables and Chairs*

### 13.8.1 *Objectives*

To permit street dining in a way that preserves the access function of the footpath, preserves cleanliness and tidiness, and maintains visual amenity outside of operating hours.

### 13.8.2 *Performance Outcomes and Acceptable Solutions*

	Performance Criteria		Acceptable Solutions
PFD5	Seating is clearly associated with the premises to which they relate.	AFD5.1	Tables and chairs are placed outside the premises to which they relate and only at times during which those premises are open to the public.
		AFD5.2	Table service is only provided to patrons occupying tables and chairs on footpaths where the patron pays for goods and services within the curtilage of the premises to which such chair and tables relate.
PFD6	Seating is located so as to maintain pedestrian access along footpaths while complying with disability legislation.	AFD6.1	Tables and chairs are placed so that: <ul style="list-style-type: none"> <li>At all times a minimum 1800mm clearance is maintained throughout any approved configuration, adjoining the building line, and free from any obstruction</li> <li>No barrier or table/chair is placed closer than 600 mm to the kerb edge</li> </ul>



	Performance Criteria		Acceptable Solutions
			<ul style="list-style-type: none"> <li>Barriers are ensconced or incorporated to enclose existing obstacles such as light posts or electricity poles (where existing)</li> </ul> Any street bins are not obscured in any way.
		<b>AFD6.2</b>	The designated footpath dining area shall be enclosed by means of portable metal framed barricade where there are three (3) or more table settings proposed or is proposed to be located adjacent to the kerb. The barricade shall be set back a minimum of 600mm from the kerb line to permit pedestrian access to and from parked motor vehicles. Barricades shall be purpose designed for footpath dining and where they incorporate advertisement panels, advertisements shall be restricted to the advertising of products sold on the premises.
<b>PFD7</b>	Seating presents a professional appearance.	<b>AFD7.1</b>	Timely action is taken to ensure that no litter remains on tables or is able to be caused by loose articles.
		<b>AFD7.2</b>	Condiments, food, cutlery and dishes when not in immediate use, are sealed from contamination by dust, insects and other contaminants while left at/on the tables and chairs.
		<b>AFD7.3</b>	Compliance with conditions and regulations relating to the preparation, storage and serving of food in a public place complies with the <i>Food Act 2003</i> .
		<b>AFD7.4</b>	All structures (tables, chairs and barriers) are temporary and portable and are removed at the close of trade each day
		<b>AFD7.5</b>	All footpath dining furniture shall be to an approved structural and aesthetic standard and of matching thematic design.
		<b>AFD7.7</b>	The designated footpath dining area shall be maintained in a clean and tidy condition at all times.



	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PFD8</b>	Accessories are stable and not able to be moved by wind.	<b>AFD8</b>	Any umbrella used in conjunction with a table and chairs: <ul style="list-style-type: none"> <li>• Has a minimum height of above ground of 2100 mm</li> <li>• Do not protrude beyond the kerb at any time</li> <li>• Is stable and not able to be moved by wind</li> </ul>

### **13.8.3 Alternative Approaches and Design Suggestions**

Any modification to the above would be considered by Council, particularly where the modification is respectful of the needs of persons with disabilities.

## **13.9 Goods and Charity Bins**

### **13.9.1 Objectives**

- To permit the display of goods and location of charity bins in a way that preserves the access function of the footpath, preserves cleanliness and tidiness, and maintains visual amenity outside of operating hours.

### **13.9.2 Performance Outcomes and Acceptable Solutions**

	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PFG9</b>	Goods or charity bins displayed are clearly associated with the premises to which they relate.	<b>AFG9.1</b>	Goods for display or sale are only placed outside the premises to which they relate and only at such times during which those premises are open to the public.
<b>PFG10</b>	Goods or charity bins displayed are located so as to maintain pedestrian access along footpaths while complying with disability legislation.	<b>AFG10.1</b>	Charity bin provision, and placement, does not exceed one (1) per establishment seeking to provide such an item.
		<b>AFD10.2</b>	Goods or charity bins shall not encroach onto the footpath by more than one (1) metre.
		<b>AFD10.3</b>	At all times a minimum 1800mm clearance is maintained throughout any approved configuration, adjoining the building line, and free from any obstruction



	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PFG11</b>	Goods or charity bins displayed, present a professional appearance.	<b>AFG11</b>	Displays do not exceed 1100 mm in height for general goods and 1500 mm for clothes racks.
<b>PFG12</b>	Display stands are stable and not able to be moved by wind.	<b>AFG12.1</b>	Goods for display or sale are not affixed to any premises, footpath, parking control sign, street furniture or pole.
		<b>AFG12.2</b>	Display stands for goods are: <ul style="list-style-type: none"> <li>• Of stable construction</li> <li>• Have no part protruding beyond the main body of the stand, and</li> <li>• Are placed so as to prevent them being moved by wind or other forces.</li> </ul> <p><i>Note: Clothes racks are prevented from movement either by locked wheels or a solid frame.</i></p>
		<b>AFG12.3</b>	Where the goods displayed are foodstuffs they are placed at a minimum height of 750 mm above the footpath.
		<b>AFG12.4</b>	Foodstuffs are packed in durable, dustproof, weatherproof and tamper proof containers.

### **13.9.3 Alternative approaches and design suggestions**

Council is aware that full compliance with all acceptable solutions with respect to footpath display and use development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved.

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.



## 14 Use of Shipping Containers

### 14.1 General Information

The use of shipping containers for any purpose requires development consent unless the shipping containers are fully located within a building as part of an approved use or are part of the operation of the transport depot or related approved activity.

Note:

**The use of shipping containers on land zoned R1 is strictly prohibited.**

The use to which the shipping container is to be put must be permissible use within the relevant zone, and be related to the predominant use of the land.

### 14.2 Objectives

- To ensure adequate amenity/streetscape protection when the installation of shipping and/or storage containers are approved
- To apply development controls through guidelines for the installation of containers
- To provide guidelines for the approval of shipping and/or storage containers

### 14.3 Functional Statement

- The use of the container relates directly to and is ancillary to the predominant approved use of the property
- Containers are only to be used in conjunction with an approved use or development on the land

### 14.4 Performance Criteria and Acceptable Solutions

Permanent Use			
	Performance Criteria		Acceptable Solutions
<b>PSC1</b>	<b>Permanent use of containers;</b>		
<b>PSC1.1</b>	Containers are not visually intrusive when viewed from a public place or adjoining property;	<b>ASC1.1.1</b>	Containers are fully screened from a public place and any adjoining property on land zoned R5 & RU5;
		<b>ASC1.1.2</b>	Containers are not located within front or side setback distances (as provided for within the relevant R5, RU1 & RU5 zone);
		<b>ASC1.1.3</b>	Containers are limited to one container per property on land zoned R5 & RU5;
<b>PSC1.2</b>	Containers are in good condition and are installed in a structurally stable manner;	<b>ASC1.2.1</b>	Containers are free of major rust, are painted in a colour consistent with other development on the site on land zoned R5& RU5;



	Performance Criteria		Acceptable Solutions
		<b>ASC1.2.2</b>	Are installed and tied down to a concrete slab or foundations capable of supporting the combined weight of the container and contents on land zoned R5& RU5;
		<b>ASC1.2.3</b>	Containers are placed on hard-stand such as compacted gravel or the like on land zoned R5& RU5;
<b>PSC1.3</b>	Containers are not located over services or utilities;	<b>ASC1.2.4</b>	Containers are not located over mains water or sewer lines, or over an easement on land zoned R5, RU1 & RU5;

<b>Temporary Use</b>			
	Performance Criteria		Acceptable Solutions
<b>PSC2</b>	<b>Temporary use of containers</b>		
<b>PSC2.1</b>	Containers are located so as to minimise visual impact;	<b>ASC2.1.1</b>	Containers are not located within front or side setback distances (as provided for within the relevant R5, RU1 & RU5 zone);
		<b>ASC2.1.2</b>	Containers are free of major rust, are painted in a colour consistent with other development on the site or surrounding lands on land zoned R5& RU5;
		<b>ASC2.1.3</b>	Containers are located so as to minimise visual intrusion to the public realm and adjoining property;
		<b>ASC2.1.4</b>	No more than one container is used for temporary purposes on land zoned R5 & RU5;
<b>PSC2.2</b>	Containers are used for temporary purposes for a time not exceeding six months;	<b>ASC2.2.1</b>	The temporary purpose is not to exceed six months;

### **14.5 Alternative approaches and design suggestions**

Council is aware that full compliance with all acceptable solutions with respect to use of shipping containers development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved.

Any proposed variation will be considered in accordance with Clause 1.0.7 of this DCP.



## 15 Restricted Premises and Sex Services Premises

### 15.1 Objectives

The objectives of this section of the DCP are:

- To ensure restricted premises and sex service premises are appropriately located to minimise offence to the community and mitigate any adverse social impacts
- To ensure that access to these premises is safe for patrons and staff
- To ensure that these premises are designed to minimise the impact and presence of the development in the locality
- To ensure that these premises operate at times where they will have least impact on the community and surrounding neighbourhood

*Note: that Council may give consideration to a time-limited consent, in the circumstances of the case, in particular where Council is of the opinion that a limited period of operation is necessary to fully assess whether a sex service premises or restricted premises could operate in a satisfactory manner. Within this period the applicant shall be entitled to seek an amendment under Section 96(2) of the Environmental Planning and Assessment Act 1979 to allow an extension to the operation of the brothel. Council may then decide to either allow the sex services premises or restricted premises to operate for a further period or decline to amend the period of operation, in which case the sex services premises or restricted premises shall cease operation on the expiration of the consent.*

### 15.2 Additional Information - Plans

The following additional information must accompany any development application for a sex service premises or restricted premises:

- A fully dimensioned Location Plan, drawn to scale, showing proximity and location to nearby churches, schools, community facilities, hospitals, bus stops, parks and recreation facilities used by children, such as amusement arcades, sporting fields etc and distance from any residential zone or from properties used or partly used or capable of being lawfully used for residential purposes (other than ancillary dwellings)
  - Type of land uses carried out on adjacent and nearby properties; and
  - The location of any other sex services premises or restricted premises in the vicinity
- A Floor Plan and Elevation Plans of the building drawn to scale which indicates the proposed use of each room and shows compliance with the Building Code of Australia and the Disability Discrimination Act 1992
- Entrances to and exits from the site
- The exterior colour scheme of the proposed development
- Details of the existing and proposed external lighting



## 15.3 Performance Criteria and Acceptable Solutions

	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PRP1</b>	Sex service premises or restricted premises are not located in such concentration (either alone or in combination with other sex-related businesses) as to result in the creation of a “red light” district;	<b>ARP1.1</b>	Is not located within 100 metres access of any other sex service premises or restricted premises;
		<b>ARP1.2</b>	Is not be located in or adjoining licensed premises, motels, boarding or guest houses;
<b>PRP2</b>	Access to or from a sex service premises or restricted premises is not near or within view from a church, hospital, bus stop, school or any place frequented by children for recreational or cultural activities;	<b>ARP2.1</b>	Is not located within a 150 metre access of existing dwellings and hospitals;
		<b>ARP2.2</b>	Is not located within a 200 metre access from churches, schools, recreation areas and childcare centres;
		<b>ARP2.3</b>	Does not adjoin a residential flat, a residential flat building, an activity operated by a religious institution, a restaurant, a supermarket, a video shop, or amusement parlours and/or arcades;
<b>PRP3</b>	Patrons of sex service premises or restricted premises do not loiter outside the premises;		
<b>PRP4</b>	Access to the premises is clearly illuminated in order to discourage loitering and to ensure the safety of patrons and staff;	<b>ARP4</b>	Provides adequate outdoor lighting;
<b>PRP5</b>	Sex service premises or restricted premises are designed to be compatible with the built form of adjacent premises;		
<b>PRP6</b>	Disabled persons are able to comfortably access the development.	<b>ARP6</b>	Provides access for disabled persons is provided to the development in accordance with the Disability Discrimination Act, 1992 and the Building Code of Australia.



## ***15.5 Additionally, a sex service premises***

- a) is not in a “shop front” premises
- b) does not contain more than 4 separate rooms for the purposes of sex services
- c) is provided with a waiting room of at least 20 square metres in size
- d) The sex service premises is fitted with the necessary facilities and services for Class 6 buildings under the Building Code of Australia
- e) all windows are covered with blinds or curtains at all times
- f) complies with the Department of Local Government guidelines for sex services premises

*Note: these guidelines should be considered in the preparation of any development application. Council would condition any consent to be fully compliant with these guidelines.*



## 16 Bed and Breakfast and Farm Stay Accommodation

### 16.1 Objectives

- To minimise the impacts on adjoining neighbours from Bed and Breakfast and farm stay developments
- To ensure these developments operate well from an internal design perspective

### 16.2 Functional Statement

- Development is in-scale with surrounding development
- Generation of noise is minimised
- Overlooking of neighbouring properties is avoided
- Signage is discreet
- On-site parking is safe and convenient and provided at the rate outlined in Chapter 11 of this DCP
- Any changes to the building address neighbourhood character
- The internal design provides clear "zones" for visitors only, owners only, and shared spaces

### 16.3 Performance Criteria and Acceptable Solutions

	Performance Criteria		Acceptable Solutions
<b>PBB1</b>	The development operates in a safe and healthy manner;	<b>ABB1</b>	Comply with the NSW Local Government and Shires Associations Guidelines for Bed and Breakfast Operations, 1998;
<b>PBB2</b>	The development operates within the capacity of existing services and facilities or these are upgraded appropriately;		
<b>PBB3</b>	The development is of modest scale.	<b>ABB3</b>	Guest rooms are limited to 5rooms (Clause 5.4 of the Bland LEP 2011).  <i>Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.</i>

### 16.4 Alternative approaches and design suggestions

Alternative codes of practice or design guidelines would be considered on merit.

# 17 Animal Boarding, Breeding or Training Establishment

## 17.1 General Information

(Applies to Zones RU1, RU5 and IN1)

*Note: Consent requirements vary depending upon the number of animals. Wherever there is a business purpose, or animals are bred or trained for competition, consent is normally required. Non-business companion animals are considered on merit.*

## 17.2 Objectives

- To ensure that these developments are well-located with respect to minimising noise nuisance and visual impact

## 17.3 Performance Criteria and Acceptable Solutions

	Performance Criteria		Acceptable Solutions
<b>PAB1</b>	<b>Dog boarding and training establishments:</b>		
<b>PAB1.1</b>	Are located on land of sufficient size to ensure that good acoustic buffers are available to any existing dwelling, or potential site of a new dwelling;	<b>AAB1.1.1</b>	Are located at least 150 m from the boundary of an adjoining property;
		<b>AAB1.1.2</b>	Provide any training tracks as far removed as practicable from existing dwellings on adjoining lands;
		<b>AAB1.1.3</b>	Contain kennels and outdoor exercise areas within an enclosed space;
<b>PAB1.2</b>	Do not create a nuisance by way of public health or odour;	<b>AAB1.2</b>	Comply with the requirements of the NSW Animal Welfare Code of Practice No.5 – Dogs and Cats in Animal Boarding Establishments and NSW Animal Welfare Code of Practice Breeding Dogs and Cats as appropriate.
<b>PAB1.3</b>	Visually present in a manner so as to avoid long uninterrupted walls or fences.	<b>AAB1.3</b>	Provide landscaping to screen any fence or wall longer than 15 m;
<b>PAB2</b>	<b>Catteries:</b>	<b>AAB2</b>	Comply with the requirements of the NSW Animal Welfare Code of Practice No.5 – Dogs and Cats in Animal Boarding Establishments and NSW Animal Welfare Code of Practice Breeding Dogs and Cats as appropriate
<b>PAB3</b>	<b>Horse training establishments:</b>	<b>AAB3.1</b>	Are located at least 100 m from the boundary of adjoining property;
		<b>AAB3.2</b>	Ensure that run off from any training ring or stables area is appropriately treated through a water quality control facility before entering an adjoining property or watercourse;



## ***17.4 Alternative approaches and design suggestions***

Alternative codes of practice or design guidelines would be considered on merit.



## 18 Advertising Signs

### 18.1 Objectives

- To ensure that advertising conveys the advertiser's messages and images while complementing and conforming to both the development on which it is displayed and the character of the surrounding locality
- To prevent any adverse effect on the area in which the signage is to be located in terms of appearance, size, illumination, overshadowing or in any other way
- To prevent visual clutter through the proliferation of signage including moveable signs located on public roads
- To permit adequate identification and business advertising
- To enhance the environmental character of an area
- To ensure that there is equal access to limit advertising displays and to ensure that clients do not crowd the advertisers' message

### 18.2 Definitions

**Advertising Sign** means any advertising structure, other than those described below, that displays a logo/branding and/or promotes items for sale or the like.

**Under-awning sign** means a sign attached to the underside of an awning (other than the fascia or return end).

**Business identification sign** means a sign:

- a) That indicates:
  - (i) The name of the person or business, and
  - (ii) The nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- b) That may include the address of the premises or place and a logo or other symbol that identifies the business,

But that does not contain any advertising relating to a person who does not carry on business at the premises or place.

**Fascia sign** means a sign attached to the fascia or return of an awning or fascia of a verandah.

**Flush wall sign** means a sign that is below the awning level that is fixed flush or painted directly onto the exterior wall of a building.

**Moveable sign** means an 'A' frame or sandwich board sign, inverted 'T' sign, a flat sign or a banner displayed on a public street or road.

**Painted wall Sign** means a sign painted onto a wall of a building.



**Pole or pylon sign** means a sign erected on a pole or pylon independent of any building or other structure.

**Projecting wall sign** means a sign attached to the wall of a building (other than the transom of a doorway or display window) and projecting horizontally more than 300 mm.

**Real estate sign** means an advertisement in respect of a place or premises to which it is affixed which contains only a notice that the premises are for sale or letting together with the particulars of the sale or letting.

**Temporary sign** means an advertisement of a temporary nature.

**Window sign** means a sign attached to, or displayed on, the shop window.

### 18.3 Performance Criteria and Acceptable Solutions

	Performance Criteria		Acceptable Solutions
PA1	The sizes, shape, design and siting of a sign shall be consistent with the existing and intended environmental character of the area within which it is to be located.	AA1	Signs facing residences should be limited in size and be low contrast in colour.
P2	Signs must be orientated to maximise visibility to intended observers to minimise the need for excessively large signage or the proliferation of signs.	AA2.1	The number of signs per site shall be limited as set out in 18.4
		AA2.2	The size of individual signs shall be in accordance with 18.5
		AA2.3	The total area of an advertisement mounted parallel to the facade of the building should not exceed 4 m <sup>2</sup> for smaller properties (with less than 200 m <sup>2</sup> of floor space) and not more than 6 m <sup>2</sup> for larger properties (with greater than 200 m <sup>2</sup> of floor space). The total area of signs on a building shall not exceed 8 m <sup>2</sup> .
PA3	Advertising signs and structures should not be hazardous to passers-by, should not obscure drivers' or pedestrians' travelling view, should not be so highly illuminated that they cause discomfort or inhibit the vision of drivers or pedestrians and should not be liable to interpretation as official traffic signs causing confusion.	AA3	Different forms of advertising structures shall conform with the specifications contained in 18.6 of this chapter



	Performance Criteria		Acceptable Solutions
PA4	Signs should reinforce the architectural style of a building or streetscape by: <ul style="list-style-type: none"> <li>• Relating to the dimension and design of the building on which it is to be placed</li> <li>• Align with signs on adjacent buildings creating visual scenes, and</li> <li>• Not project above parapet lines or obstruct the view of landforms, vegetation or buildings which contribute to the character of an area.</li> </ul>	AA4.1	Internal illuminated signs are only to be provided in the under awning location.
		AA4.2	Signs shall not be erected directly on top of an awning, roofline or verandah.
		AA4.3	Advertising signs should be consistent with the principles contained within the “West Wyalong Main Street Heritage Study” (September 1998)
PA4.2	Signs on heritage items should be discrete and should complement the building or area. The architectural characteristics of a building should always dominate (eg signs should not be placed on cast iron, first floor verandahs, balustrades or in front of cast iron verandah frieze work).		
PA4.3	Signs should be placed in locations on the buildings of items which would traditionally have been used as advertising areas.		
PA5	Signs should not have significant impact upon the amenity of the surrounding area.	AA5	Illuminated or moving advertising signs should not be located within direct view of a residence, unless separated by a distance of more than 50 metres or ameliorated by landscaping or some other approved screening device.

## 18.4 Number of Signs per Site

Business/Building Identification Signs	
Location on Building	Number of Signs
Ground floor facade	<ul style="list-style-type: none"> <li>• 1 fascia sign per awning</li> <li>• 1 suspended under awning/verandah sign OR cantilevered over footpath sign of standard awning level where there is no verandah</li> <li>• 1 sign above door head/above window transome</li> </ul>
Upper level signs	<ul style="list-style-type: none"> <li>• 1 wall face applied panel sign</li> <li>• 1 projecting vertical sign</li> <li>• 1 parapet panel sign</li> </ul>



Advertising Signs	
Location on Building	Number of Signs
Forecourt and footpath	<ul style="list-style-type: none"> <li>• 1 portable sign</li> </ul>
Ground floor facade	<ul style="list-style-type: none"> <li>• 1 fascia sign per awning</li> <li>• 1 suspended under awning/verandah sign OR cantilevered over footpath sign of standard awning level where there is no verandah</li> <li>• 1 sign above door head/above window transom</li> </ul>
Upper level signs	<ul style="list-style-type: none"> <li>• 1 wall face applied panel sign</li> <li>• 1 projecting vertical sign</li> <li>• 1 parapet panel sign</li> </ul>

### 18.5 Business/Building Identification Signs: Definitions and Specifications

Advertising Structure	Requirements
Under Awning Sign	<ul style="list-style-type: none"> <li>• Maximum size of 1.0 m<sup>2</sup> (each side)</li> <li>• Erected horizontal to the ground and at no point less than 2.6 metres from the ground</li> <li>• Not to project beyond the awning</li> <li>• Securely fixed by metal supports</li> </ul>
Fascia Sign	<p>Awnings:</p> <ul style="list-style-type: none"> <li>• Shall not project above or below the fascia or return end of the awning to which it is attached.</li> <li>• Shall not extend more than 300 mm from the fascia or return end of the awning.</li> <li>• Shall not exceed 50% of the length of the awning</li> </ul> <p>Verandahs:</p> <ul style="list-style-type: none"> <li>• Maximum height of 175 mm with 150 mm high lettering.</li> <li>• Shall not exceed 50% of the length of the awning</li> </ul>
Flush Wall Sign	<ul style="list-style-type: none"> <li>• Maximum size 2.5m<sup>2</sup>.</li> <li>• Shall not project above or beyond the wall to which it is attached.</li> <li>• See design guidelines for alternatives</li> </ul>
Painted Wall Sign	<ul style="list-style-type: none"> <li>• Maximum size 2.5m<sup>2</sup></li> </ul>
Pole or Pylon Sign	<ul style="list-style-type: none"> <li>• Maximum height of 6.1 metres above the ground.</li> <li>• Maximum size 2.5m<sup>2</sup> per face. Minimum height above ground level shall be 2.6 metres above the ground where it projects.</li> </ul>
Projecting Wall Sign	<ul style="list-style-type: none"> <li>• Maximum height 6.1 metres above ground level</li> <li>• Maximum size 1.5m<sup>2</sup> per face.</li> <li>• Shall be at least 2.6 metres above the ground</li> <li>• Must be erected at right angles to the wall of the building to which it is attached</li> <li>• Shall not project more than 1m.</li> </ul>
Window Sign	<ul style="list-style-type: none"> <li>• Minimum size of 1.5m<sup>2</sup> or 25% of window area, whichever is the greater.</li> </ul>



## 18.6 Advertising Structures: Definitions and Specifications

Advertising Structure	Requirements
Advertising Panel	<ul style="list-style-type: none"> <li>• Not to extend laterally beyond the wall</li> <li>• To be in keeping with the parapet design scale</li> </ul>
Under Awning Sign	<ul style="list-style-type: none"> <li>• Maximum size of 1.0 m<sup>2</sup> (each side)</li> <li>• Erected horizontal to the ground and at no point less than 2.6 metres from the ground</li> <li>• Not to project beyond the awning</li> <li>• Securely fixed by metal supports</li> </ul>
Fascia Sign	<ul style="list-style-type: none"> <li>• Awnings:</li> <li>• Shall not project above or below the fascia or return end of the awning to which it is attached.</li> <li>• Shall not extend more than 300 mm from the fascia or return end of the awning.</li> <li>• Verandahs:</li> <li>• Maximum height of 175 mm with 150 mm high lettering.</li> </ul>
Flush Wall Sign	<ul style="list-style-type: none"> <li>• Maximum size 2.5m<sup>2</sup>.</li> <li>• Shall not project above or beyond the wall to which it is attached.</li> <li>• See design guidelines for alternatives</li> </ul>
Moveable Sign	<ul style="list-style-type: none"> <li>• As per Chapter 13 – Footpath Display and Use Requirements</li> </ul>
Painted Wall Sign	<ul style="list-style-type: none"> <li>• Maximum size 2.5m<sup>2</sup></li> </ul>
Pole or Pylon Sign	<ul style="list-style-type: none"> <li>• Maximum height of 6.1 metres above the ground.</li> <li>• Maximum size 2.5m<sup>2</sup> per face. Minimum height above ground level shall be 2.6 metres above the ground where it projects.</li> </ul>
Projecting Wall Sign	<ul style="list-style-type: none"> <li>• Maximum height 6.1 metres above ground level</li> <li>• Maximum size 1.5m<sup>2</sup> per face.</li> <li>• Shall be at least 2.6 metres above the ground</li> <li>• Must be erected at right angles to the wall of the building to which it is attached</li> <li>• Shall not project more than 1m.</li> </ul>
Real Estate Sign	<ul style="list-style-type: none"> <li>• In the case of an advertisement in respect of residential or rural premises relating to letting, sale by private treaty or sale by auction:</li> <li>• Does not exceed 2.5m<sup>2</sup></li> <li>• Has returns not exceeding 180mm, or</li> <li>• In the case of an advertisement in respect of commercial and industrial premises does not exceed 3.5m<sup>2</sup> in area, and</li> <li>• Is not displayed for more than 14 days after letting or completion of the sale of the premises or place to which the sign relates.</li> </ul>



Advertising Structure	Requirements
Temporary Sign	<ul style="list-style-type: none"> <li>• Announces any local event of a religious, educational, cultural, political, social or recreational character.</li> <li>• Relates to any temporary matter in connection with such an event which may include advertisements such as banners, bunting, posters or inflatable structures.</li> <li>• Advertising which is not of a commercial nature (except for the name(s) of an event's sponsor(s),</li> <li>• Excludes advertisements, such as bill posters, which are not removed by the advertiser within 14 days after the advertised event.</li> </ul>
Window Sign	<ul style="list-style-type: none"> <li>• Minimum size of 1.5m<sup>2</sup> or 25% of window area, whichever is the greater.</li> </ul>

## 18.6 Illumination Requirements

**Illumination** means a sign that is illuminated (as to any part of the advertising area) by an external or internal light source and whether or not included in any other class of advertising structure.

### 18.6 Prohibited Signage

The following types and style of Business/ Building Identification and Advertising Signage are prohibited and will not be considered nor supported by Council.

**Above-awning sign** means a sign attached to the upper side of an awning (other than the fascia or return end).

**Fin sign** means a sign erected on or above the canopy of a building.

**Flashing sign** means a sign that is illuminated (as to any part of the advertising area) at frequent intervals by an internal source of artificial light and whether or not included in any other class of advertising structure.

**Moving sign** means a sign attached to a building and capable of movement by any source of power (whether or not included in any other class of advertising structure).

**Roof sign** means a sign erected on or above the roof or parapet of a building.

**Top Hamper sign** means a sign erected on or above the roof or parapet of a building.

## 18.4 Alternative approaches and design suggestions

Council is aware that full compliance with all acceptable solutions with respect to advertising sign development may not be possible. In this respect, where an acceptable solution is not achieved, an alternative design should be presented in accordance with the Clause 1.0.7 of this DCP.

Council will consider alternative designs provided that the performance outcomes are achieved



## 19 Onsite Effluent Disposal in Non-Sewered Areas

### 19.1 General Information

This chapter applies to all land within the Bland Local Government Area that is not capable of being connected to a reticulated sewerage system of Council.

### 19.2 Objectives

- The prevention of the spread of disease by micro-organisms
- The prevention of the spread of foul odours
- The prevention of contamination of water
- The prevention of degradation of soil and vegetation
- The implementation of measures to discourage insects and vermin
- To ensure that persons do not come into contact with untreated sewage or effluent (whether partially treated or not) in their ordinary activities on the premises concerned
- To encourage the re-use of resources (including nutrients, organic matter and water)
- To minimise any adverse impacts on the amenity of the land on which it is installed or constructed and other land in the vicinity of that land

### 19.3 Performance Criteria and Acceptable Solutions

	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PWD1</b>	The minimisation of any adverse impacts on the amenity of the land on which it is installed or constructed and other land in the vicinity of that land	<b>AWD1</b>	Compliance with Council's Onsite Effluent Disposal in Non- Sewered Area Policy.
<b>PWD2</b>	Prevent the spread of disease by micro-organisms	<b>AWD2</b>	Compliance with Council's Onsite Effluent Disposal in Non- Sewered Area Policy.
<b>PWD3</b>	The prevention of the spread of foul odours	<b>ADW3</b>	Compliance with Council's Onsite Effluent Disposal in Non- Sewered Area Policy.
<b>PWD4</b>	Preventing contamination of water	<b>AWD4</b>	Compliance with Council's Onsite Effluent Disposal in Non- Sewered Area Policy.
<b>PWD5</b>	Preventing degradation of soil and vegetation	<b>AWD5</b>	Compliance with Council's Onsite Effluent Disposal in Non- Sewered Area Policy.
<b>PWD6</b>	Ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned	<b>AWD6</b>	Compliance with Council's Onsite Effluent Disposal in Non- Sewered Area Policy.
<b>PWD7</b>	The re-use of resources (including nutrients, organic matter and water)	<b>AWD7</b>	Compliance with Council's Onsite Effluent Disposal in Non- Sewered Area Policy.



	<b>Performance Criteria</b>		<b>Acceptable Solutions</b>
<b>PWD8</b>	Adequate area of land is provided for the adequate disposal of wastewater generated.	<b>AWD8</b>	A minimum lot size of 2000m <sup>2</sup> or where a lesser area is byway of a report from suitable qualified consultant.

### ***19.4 Alternative approaches and design suggestions***

Alternative codes of practice or design guidelines would be considered on merit.

Copy of Council's Onsite Effluent Disposal in Non- Sewered Area Policy can be obtained on Council's website. [www.blandshire.nsw.gov.au](http://www.blandshire.nsw.gov.au)



## **APPENDIX A**

### ***Codes of Practice***

Bland Shire Council endorses the following Codes of Practice and reference documents.

*(Note: This Appendix is advisory and not part of the formal DCP)*

The following list contains details on how to obtain a copy of documents referred to in the text:

- The Bland Local Environmental Plan 2011 (LEP) can be freely accessed through Bland Council's website and the NSW Government Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).
- The following Acts (and any other NSW Acts) can be freely accessed through the NSW Government Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) and other websites:
  - Environmental Planning and Assessment Act 1979 (and Regulations)
  - Protection of the Environment Operations Act 1997
  - Local Government Act, 1993
  - Roads Act, 1993
  - Strata Schemes (Leasehold Development) Act 1986
  - Strata Schemes (Freehold Development) Act 1973
  - Community Land Development Act, 1989
  - National Parks and Wildlife Act, 1974
  - Heritage Act 1977
- The following Act (and any other Federal Acts) can be freely accessed through the Commonwealth of Australia Law website ([www.comlaw.gov.au](http://www.comlaw.gov.au)) and other websites:
  - Disability Discrimination Act 1992
- All State Environmental Planning Policies (SEPPs) can be freely accessed through the NSW Department of Planning website ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)), including the following SEPPs mentioned in the DCP:
  - Exempt and Complying Development Codes SEPP 2008
  - Infrastructure SEPP 2007
  - Housing for Seniors or People with a Disability SEPP 2004
  - Remediation of Land (SEPP No. 55)
- The Building Code of Australia (BCA) is only available through paying the appropriate fee. It is recommended that those wishing to check certain BCA requirements in regards to a proposed development contact Council or their building/planning professional.
- The document *Design in Context; Guidelines for Infill Development in the Historic Environment* is available from the Heritage Office website at [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au).
- "Planning for Bushfire Protection" and other useful documents can be freely accessed on the NSW Rural Fire Service website ([www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)).
- The guideline document *Managing Land Contamination - Planning Guidelines - SEPP 55- Remediation of Land – DUAP/EPA 1998* can be found at [www.planning.nsw.gov.au/assessingdev/pdf/gu\\_contam.pdf](http://www.planning.nsw.gov.au/assessingdev/pdf/gu_contam.pdf).
- Information regarding Council's *Engineering Guidelines for Subdivision and Development* and other Engineering standards and requirements are available from Council's Engineering Department.



- Guidelines and Policies regarding noise and the *NSW Industrial Noise Policy* can be found at the NSW Department of Environment, Climate Change and Water website ([www.environment.nsw.gov.au/noise](http://www.environment.nsw.gov.au/noise))
- All forms to do with making a development application can be obtained from Council or Council's website.
- The document *Design in Context: Guidelines for Infill Development in the Historic Environment* can be accessed through the Department of Planning website ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au))
- If further details of Council's Notification policy are required, then this document can be accessed on the Council website or at the counter.
- Specifications issued by the Director General of the NSW Department Planning for the formation of an Environmental Impact Statement (EIS) can be accessed through the NSW Department of Planning website ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au))
- Council's current schedule of fees and charges can be found in the Management Plan which is available from the Council website or by contacting Council.
- Details of Australian Standards can be found online, however, Council, building professionals and suppliers can help with specific questions relating to these standards.
- NSW Department of Health guidelines and other Information can be found at the website ([www.health.nsw.gov.au](http://www.health.nsw.gov.au))
- Details of the different aspects of the 7 part test can be found in section 5A of the *Environmental Planning and Assessment Act 1979*, and access to this Act is available as stated above.
- Information requests regarding the RTA Guide to Traffic Generating Development and other standards or requirements should be directed through Council.
- Information relating to the Environmental Protection Authority and licensing can be accessed through the website as listed above. Although the EPA is now a part of the Department of Environment Climate Change and Water, certain statutory functions and powers continue to be exercised in the name of the EPA.
- Details relating to Country Energy requirements can be found on the Country Energy website ([www.countryenergy.com.au](http://www.countryenergy.com.au)).
- Details relating to Jemina (Gas) requirements can be found on the Jemina website. ([www.jemina.com.au](http://www.jemina.com.au)).
- Details relating to telecommunications requirements can be found by contacting the Subdivisions section of Telstra. ([www.telstra.com.au/smartcommunity/](http://www.telstra.com.au/smartcommunity/))
- Details relating to Australia Post requirements can be found on the Australia Post website ([www.auspost.com.au](http://www.auspost.com.au)).
- The NSW Police Force program *Safer by Design* is available on the Police Force website. ([www.police.nsw.gov.au/community\\_issues/crime\\_prevention](http://www.police.nsw.gov.au/community_issues/crime_prevention)).
- The Code of Practice for Bed and Breakfast establishments is the *NSW Local Government and Shires Associations Guidelines for Bed and Breakfast Operations, 1998*;