



Cootamundra Shire Council Development Control Plan 2013



COOTAMUNDRA 1922.

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VERSION CONTROL

No	Date adopted	Date effective	Council Resolution	Brief Description
0.1	Draft	25-Nov-13	N/A	Presented to Council Workshop for discussion
0.2	Draft	09-Dec-13	N/A	Presented to Council Meeting for Adoption to place on Public Exhibition
0.3	Draft	09-Dec-13	Adopted	Document to be placed on Public Exhibition
0.4	10 th February 2014	17 th February 2014	Adopted at Council Meeting 10 th Feb 2014	Document adopted with amendments at February 2014 Council Meeting
0.5	Draft	3 rd February 2015	N/A	Presented to Corporate Services Committee for consideration
	Draft	Public exhibition 13 th March to 10 th April 2015	N/A	Public exhibition of draft amendment to DCP "Chapter 4 Rural Subdivision" regarding telecommunications services in RU4 Zone minimum lot size 5 ha
	14 th April 2015	1 st May 2015	Adopted at Council Meeting on 14 th April 2015	Draft amendment to DCP "Chapter 4 Rural Subdivision" regarding telecommunications services in RU4 Zone with a minimum lot size 5 ha adopted by Council
0.6	19 th October 2015	2 nd November 2015	Adopted at Council Meeting on 19 th October 2015	Amendments to Chapter 2 "Residential Development" regarding multiple aspects of the chapter.

CHAPTER 1 – GENERAL INFORMATION

INTRODUCTION

This plan is called “Cootamundra Development Control Plan 2013” (the DCP).

The DCP applies to all land in the Cootamundra Shire to which the Cootamundra Local Environmental Plan (LEP) 2013 applies.

This plan was adopted by Council on 10th February 2014 and came into force on 17th February 2014.

This DCP is made under the Environmental Planning Instrument, the “**Cootamundra Local Environmental Plan 2013**” (the LEP), which contains the statutory planning controls for development within the Shire of Cootamundra.

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.

Notes:

- 1. The LEP should be considered before using this DCP to determine the controls that apply to particular forms of development. In the event of an inconsistency between this DCP and the Cootamundra LEP, the LEP takes precedence.**
- 2. Terms in this plan are in accordance with the Dictionary in the LEP . Where there is a term not used in the Dictionary, its ordinary meaning applies or it is separately defined in the DCP.**

THE PLANNING CONTEXT

Planning in NSW is governed by the *Environmental Planning and Assessment Act 1979*. The Act establishes a hierarchy of environmental planning instruments and policies. These are State Environmental Planning Policies (SEPP), Local Environmental Plans (LEP) and Development Control Plans (DCP). SEPPs and LEPs are known as environmental planning instruments.

A Local Environmental Plan is a legal document that sets the planning framework at a local level by specifying land use zones, the uses that are permitted or prohibited in those zones as well as certain development standards, subdivision, heritage conservation, and flood planning. The plan that applies to the Cootamundra Shire is the *Cootamundra LEP 2013*.

A Development Control Plan is a Council policy that provides further guidance in relation to the provisions of the LEP. It contains guidelines, objectives, and requirements for dwellings, subdivision, building design, infrastructure and other development matters. It is not a statutory plan but it is a legal consideration that Council is required to consider in the assessment of a development application.

OBJECTIVES, PERFORMANCE CRITERIA AND ACCEPTABLE SOLUTIONS

The DCP consists of this written document and includes all sketches, diagrams, illustrations and maps. It comprises an introduction with separate chapters on different types of development such as subdivision, dwellings and car parking.

The DCP is a performance-based document and has a series of objectives, performance criteria and acceptable solutions for different types of development.

The performance criteria achieved by development are the requirement rather than compliance with numerical standards alone. The outcomes are described in the objectives and the performance criteria listed within each section. The Acceptable solutions are one way (and not the only way) of satisfying the requirement.

Performance criteria indicate ways in which the objectives may be achieved. They are intended to assist development planning by giving examples of ideal design elements for different types of development.

Acceptable solutions are the specific requirements of Council that satisfy the performance criteria for that type of development. This means that in most circumstances compliance with these standards will achieve an acceptable outcome. The acceptable solutions may be varied on merit where it can be clearly demonstrated that the objectives for the design element can still be achieved or where site constraints are such that compliance with controls is not possible or where extenuating circumstances exist.

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. Note that unless the acceptable solution is a legislative requirement, Council may accept other solutions where the performance criteria are satisfied.

Note:

Council may not support an application that complies with the acceptable solutions, if it does not comply with the objectives and/or performance criteria of the DCP.

Council, in its assessment of a development application, is also required to consider the matters under Section 79C of the *Environmental Planning and Act, 1979*, to assess the overall planning merit of an application.

1.1 The Development Application Process

The standard information requirements for a Development Application

Council has a set of standard information requirements which cover most development applications. Not all of the information listed below will be relevant to all applications and advice regarding specific information required for a proposal can be obtained at a pre-lodgement meeting.

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

Site plans:

- Site dimensions, area of land and north point (preferably on the basis of a re-establishment survey)
- Adjoining streets, boundaries and buildings
- Location, height and species of existing and street trees
- Existing and finished contours to AHD (in particular highlighting areas and extent of cut and/or fill – where cut and/or fill will exceed 1m, a geotechnical report is required)
- Setback and building lines
- Number and dimensions of car parking areas and driveways
- Site plan including turning circle movement for 85th percentile vehicle is required for buildings of BCA classes 2 to 9 and multi-dwelling housing
- Location and type and waste disposal facilities
- Location of watercourses, depressions, easements, right of ways, power poles, substations, manholes, footpaths and rod crossings on or near the land
- Location and capacity of drains, detention basins, sediment and pollution traps
- Buildings 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 (minimum scale 1:100):

- 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 all multi-dwelling residential development of two storeys or more
- Any single dwelling house of two storeys or more located within three (3) metres from an adjoining residential property boundary
- Any other development where it is considered by the Council, given the location, height and orientation of the development may result in adverse impacts by over-shadowing on the adjoining properties.

Note:

Plans of buildings should generally be at a scale of 1:100; with other plans generally at 1:200 or 1:500.

1.2 Statement of Environmental Effects

All development applications are required to include a Statement of Environmental Effects (SEE). Council has developed guidelines for preparing a Statement of Environmental Effects, including guidelines for some common types of development which is suitable for proposals with minimal impact only.

For more significant developments, a formal Statement of Environmental Effects must accompany the application. This Statement should describe:

- What the development is, and (mainly for commercial or industrial development) how it will 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 (e.g. geotechnical conditions, flooding, bushfire) and human caused hazards (e.g. 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 photos, models, photomontages and the like may be helpful for large scale developments, in particular.

1.3 Additional information

Having regard to individual circumstances, such as the location or the complexity of an application, Council may also require specialist studies to explain potential environmental impacts and mitigation measures. These studies may include:

Traffic and Parking

Generally a traffic study would be required where more than 20 car parking spaces are proposed with a development, or where required by the Infrastructure SEPP. A parking study would be required for most uses that cannot provide the DCP acceptable solution for parking provision, or where the use is not described in the DCP.

Noise

Where an industry or land use is in close proximity to residential development and/or it is likely the development would exceed the NSW EPA Noise Guidelines for the relevant development type.

Flora and Fauna

Where significant areas of vegetation are to be removed, particularly native vegetation approval is required under the *Native Vegetation Act* .

A Seven part test is recommended for all sites where native vegetation is affected, and more substantial studies may be required based on the outcome of that test.)

Heritage Study

A heritage study may be required where development affects or potentially affects a heritage item listed in the LEP (Clause 5.10 and Schedule 5) or is within a Heritage Conservation Area (refer to Chapter 7).

Heritage Items may be affected by development on the land on which the item is located, or changes to the item itself, but also may be affected by development on adjoining lands.

Geotechnical Study

Where land is inherently unstable, has been filled, is on slopes above 15%, or where substantial cut and fill is required.

Soil Contamination Study

Where land has had a history of any of the following uses: acid/alkali plant and formulation; agricultural/horticultural activities; airports; asbestos production and disposal; chemicals manufacture and formulation; defence works; drum re-conditioning works; dry cleaning establishments; electrical manufacturing (transformers); electroplating and heat treatment premises; engine works; explosives industry; gas works; iron and steel works; landfill sites; metal treatment; mining and extractive industries; oil production and storage; paint formulation and manufacture; pesticide manufacture and formulation; power stations; railway yards; scrap yards; service stations; sheep and cattle dips; smelting and refining; tanning and associated trades; and waste storage and treatment.

Further details are provided in the document *Managing Land Contamination – Planning Guidelines – SEPP 55- Remediation of Land – DUAP/EPA 1998*) and in Council’s adopted Policy “*Council’s actions in relation to land identified as Potentially Contaminated*” which is available from Council.

Council has a list of properties which may be potentially contaminated land and a copy of Council’s policy for potentially contaminated land is included in Appendix 2.

Asbestos Study

An asbestos study may be required where a building is proposed to be demolished, that was constructed prior to 1985 and included fibrous sheeting as a construction material. Industrial or commercial developments involving asbestos lagged pipes and the like where these are proposed to be disturbed would also require such a study.

Waste Management Study

A Waste Management Study may be required for commercial or industrial developments that generate waste and for developments where substantial demolition is proposed.

Bushfire Study

Where the development is in a bushfire hazard area as identified on the bushfire prone land maps prepared by the NSW Rural Fire Service, a study must be carried out in accordance with the requirements of the latest edition of “*Planning for Bushfire Protection*” document prepared by the NSW Rural Fire Service.

Essential Services

Under the BCA a Fire Safety report is required for class 2 to 9 buildings inclusive.

1.4 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.cootamundra.nsw.gov.au.

The development application form must be signed by all the owners of the land, or, alternatively, written authorisation provided with the application. Where a development application is lodged by a company, a company seal may be required.

1.5 Designated Development

Designated development refers to large scale development which has the potential to have major impacts on the environment or on nearby residents. Development which is classed as designated is listed in the *Environmental Planning and Assessment Act 1979* (the Act) and includes cattle feed lots, piggeries, abattoirs, mining, extractive industries where such development is of a particular type and scale listed in the Act.

Designated development is required to be accompanied by an Environmental Impact Statement (EIS) based on specifications issued by the Director General of the NSW Department of Planning and Infrastructure.

1.6 Other Acts and approvals

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

Where development is integrated development, the general terms of approval required under other legislation are incorporated into a development consent.

Where a new structure is proposed the development will also require a Construction Certificate from Council in addition to a development approval.

1.7 Notification of Development Applications

Purpose

To allow property owners and residents in the vicinity of proposed development to have the opportunity to comment on the proposed development.

Neighbour Notification

This policy is additional to any statutory obligation to notify covered by notification provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act), it's Regulations and the notification provisions of the *Cootamundra Local Environment Plan 2013*.

Notifications of application for development consent involving the erection of a building shall be sent to property owners as determined by this policy.

Notifications of application for development consent not involving the erection of a building shall be sent to adjoining property owners and to any other person deemed to be effected by the proposal, as determined by Council's Manager Development Services.

A period of ten (10) working days shall be allowed for comment by any person notified.

Neighbour notification of development applications

Council will give notice of an application for development approval involving the erection of a building to persons who appear to Council to own the land adjoining the land to which the application applies if, in Council's opinion, the enjoyment of the adjoining land may be detrimentally affected by the proposed building after its erection.

Criteria concerning notification of development applications

a) The matters to which Council will have regard when forming its opinion as to whether or not the enjoyment of adjoining land may be detrimentally affected by a proposed building after its erection are as follows:-

- The views to and the views from the adjoining land,
- The over shadowing of adjoining land,
- The privacy of the adjoining land,
- The likelihood of the adjoining land being detrimentally affected by noise, smoke, dust, odour, reflection of light, or the like,
- The streetscape,
- Increase in stormwater run-off.
- Any matter named as relevant in this policy.

b) Council will automatically regard as a matter with potential to detrimentally effect the enjoyment of adjoining land any of the following circumstances;

- Buildings with floor area greater than 100m² closer than 3m to the boundary line;
- Buildings with floor areas less than or equal to 100m² closer than 0.9m from the boundary line;
- Buildings of greater than one storey less than 6m from the boundary line;
- Buildings which wholly or partially are constructed in front of a building line.
- Buildings less than or equal to 10m from any boundary line in areas designated as RU1; RU2; RU4; E3 of Cootamundra Local Environmental Plan 2013.

Meaning of adjoining

For the purpose of this section, land adjoins other land if and only if it abuts that other land or is separated from it only by a pathway, driveway or similar thoroughfare.

Time of notice

The notice must be given as soon as practicable after the Development Application is received by Council and at least 10 working days before the Application is determined.

Notice to group

A notice to an association for a community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act 1989 or to a Body Corporate for a parcel within the meaning of the Strata Titles Act 1973 or the Strata Titles (Leasehold) Act 1986 is taken to be a notice under this section to the owner of each lot within the parcel concerned.

Notice to one owner

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

Notice of application not required in certain cases

Council is not required to give notice of the making of an application for approval to erect a building to a person if;

- it has given notice to a person of the making of a Development Application (within the meaning of the Environmental Planning and Assessment Act 1979) relating to the same proposal, and the plans of the proposed building showing the height and external configuration in relation to the site on which it is proposed to be erected were available for inspection at the time the notice of the Development Application was given, and there has been no significant change to the height and external configuration as shown on those plans; or
- the owner of the adjoining land is the person, or one of the persons, who made the application for approval to erect the building; or
- drawings submitted with the application include the names and addresses and signatures of those persons eligible to be notified, on the plan of the proposed buildings showing the height and external configuration in relation to the site; or
- The application is accompanied by signed letters from each person eligible to be notified indicating that they have been made fully aware of the proposal having seen a plan of the proposed buildings showing the height and external configuration and have no objection to the proposal.

Approved form of notice

Notice must be given in writing and detail the type of development proposed including height, size, location, colour and materials etc.

Inspection of plans

A copy of the submitted site plans and elevations as well as any other plans or specifications deemed necessary will be provided attached to the written notice. In addition a person may inspect plans relating to a Development Application within 10 working days from the date on which notice was given. Floor plan layouts of residential dwellings, buildings containing high security requirements or corporate secrets will not be made available for inspection. The plans will be made available for inspection at Council's offices, Wallendoon Street, Cootamundra during normal office hours.

Making of submissions

A person may make a submission in writing to Council concerning an application for development within 10 working days from the date on which notice was given.

Consideration of submissions

Council must consider all submissions made within the period allowed for the making of submissions before it determines the application.

Notice of determination of application

Council must give a copy of the notice of determination of an application for approval to each person who made a submission.

Consultation

Purpose of consultation

The need for consultation is widely accepted and embodied in most democratic organisations. The requirement for Council to consult with its residents is provided for in the Local Government Act, 1993, and the Environmental Planning and Assessment Act, 1979, and has been supported in decisions made in the Land and Environment Court.

This Council has adopted the principle of encouraging public consultation on a full range of matters including management and financial planning, urban and rural planning, development decisions and community service provisions.

Public consultation represents an important part of Council's responsibilities in respect of its consideration of Development Applications. Council's consultation procedures extend not only to initial notification of development applications but also to the area of dispute resolution and conciliation where objections are received to proposals, and to notification of decisions.

This Policy identifies Council's approach to dispute resolution through conciliation.

Conciliation

Conciliation conferences

To formalise the conciliation conference system and in order to facilitate the expeditious assessment of all applications this section identifies the criteria to hold a Conciliation Conference.

Criteria to hold a conciliation conference

The decision to hold a conciliation conference is based upon the following criteria and will be made by full Council:

- a) A minimum of four (4) objections to Council's notification of a Development Application; and
- b) An assessment of whether the objections raised relate to one or more of the relevant site specific issues including:-
 - siting and design,
 - views,
 - privacy,
 - overshadowing,
 - noise,
 - streetscape,
 - public interest,
 - access,
 - topography,
 - other relevant matters which cannot be overcome by placement of approval conditions.

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

Conference format

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

Conciliation Conferences will be chaired by the Mayor, his/her delegate or in his/her absence a Senior Officer of Council and be held at Council's Administration Offices unless otherwise agreed by the Mayor and the applicant. Notice of the Conciliation Conference will be given to all Councillors, who may attend only with the concurrence of the objectors.

Limits will be placed upon the number of speakers, although, some discretion will be allowed where the number of objectors is small dependant upon the nature of the concerns being raised.

A Conciliation Conference is not a decision making forum, however, notes from the Conference will be taken and incorporated in a report for referral to Council's next available meeting.

Conciliation outcome

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

- a) referral of the development application to Council for determination,
- b) a request for additional information or amended plans to be submitted by the applicant.

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

Following this period a report will be prepared on the application and all submissions received and will be placed before the Council for determination.

CHAPTER 2 – RESIDENTIAL DEVELOPMENT

SINGLE DWELLINGS, MULTI-DWELLING HOUSING, RESIDENTIAL FLAT BUILDINGS AND GRANNY FLATS

Introduction

This section of the DCP applies to the R1 General Residential; R3 Medium Density Residential, R5 Large Lot Residential, RU4 Primary Production Small Lots and RU5 Village Zones.

2.1 Building Line Setbacks

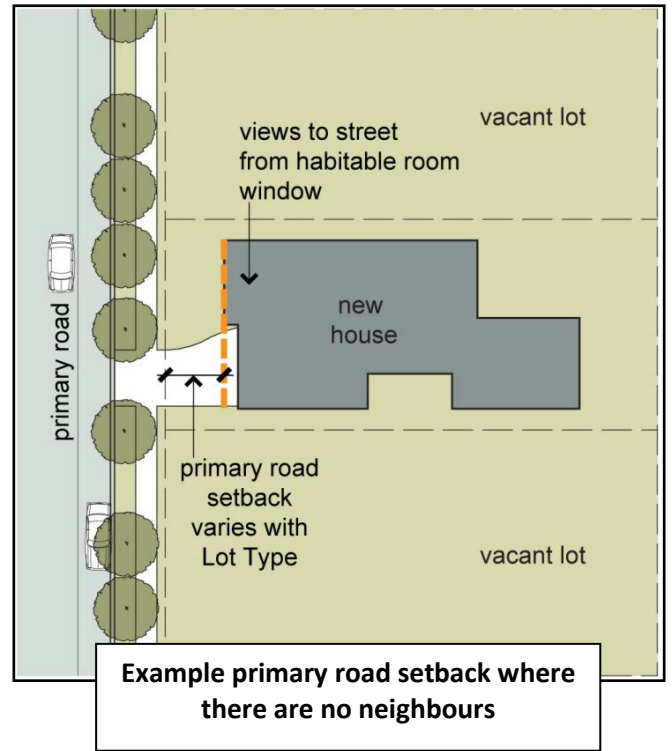
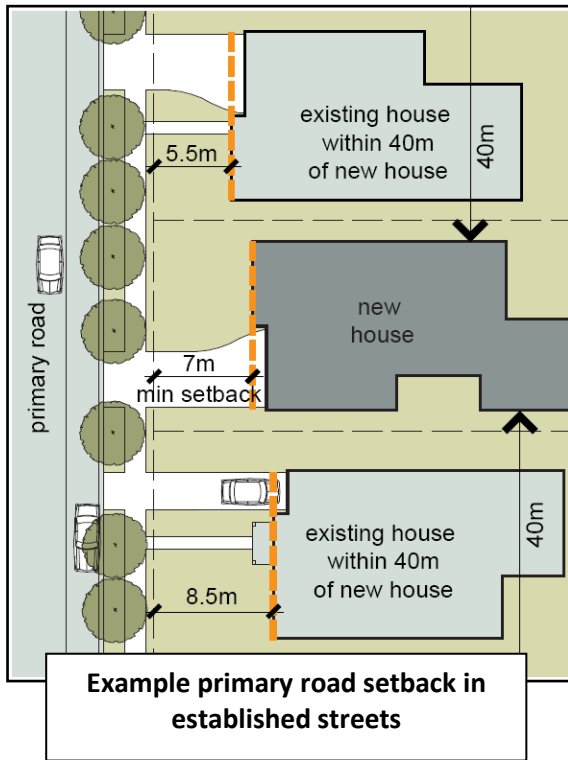
Objective

To regulate the minimum distance that buildings need to be setback from roads for properties situated within the R1 General Residential; R3 Medium Density Residential, R5 Large Lot Residential; RU4 Primary Production Small Lots and RU5 Village land use zones.

Front Primary Building Line Setbacks - General Requirements

Council requires a dwelling house, dual occupancy dwellings and granny flats to maintain a minimum setback from its primary road frontage.

Front Primary Building Line Setback Requirements											
Performance Criteria	Acceptable Solutions										
<p>Front setbacks are generally consistent with those of adjoining development.</p> <p>The setback of a building is related to its height and also to the width of the street in which it is located, in such a way to ensure pedestrians and other users of the area do not feel buildings are overbearing.</p> <p>Setbacks provide space for residents to feel an adequate sense of visual and acoustic privacy when using rooms fronting the street.</p> <p>The scale and appearance of new development is compatible and sympathetic to existing development in the locality. (particularly where the site has some heritage significance or distinctive character).</p>	<p>1. Where there are existing neighbouring houses within forty (40) metres of the subject allotment, an average of the front setbacks of the nearest two neighbouring houses, with the same primary road frontage must be maintained.</p> <p>2. Where there are no neighbouring houses (i.e. dwelling houses within 40m) a minimum setback from the primary road frontage will vary from 4.5 metres to 10 metres depending on the table below.</p> <table border="1"> <thead> <tr> <th>Lot size</th> <th>Setback</th> </tr> </thead> <tbody> <tr> <td>Lots up to 600m²</td> <td>4.5 metres</td> </tr> <tr> <td>600m² up to 900m²</td> <td>4.5metres</td> </tr> <tr> <td>900m² up to 1500m²</td> <td>6.5metres</td> </tr> <tr> <td>1500m² or greater</td> <td>10.0 metres</td> </tr> </tbody> </table>	Lot size	Setback	Lots up to 600m ²	4.5 metres	600m ² up to 900m ²	4.5metres	900m ² up to 1500m ²	6.5metres	1500m ² or greater	10.0 metres
Lot size	Setback										
Lots up to 600m ²	4.5 metres										
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900m ² up to 1500m ²	6.5metres										
1500m ² or greater	10.0 metres										

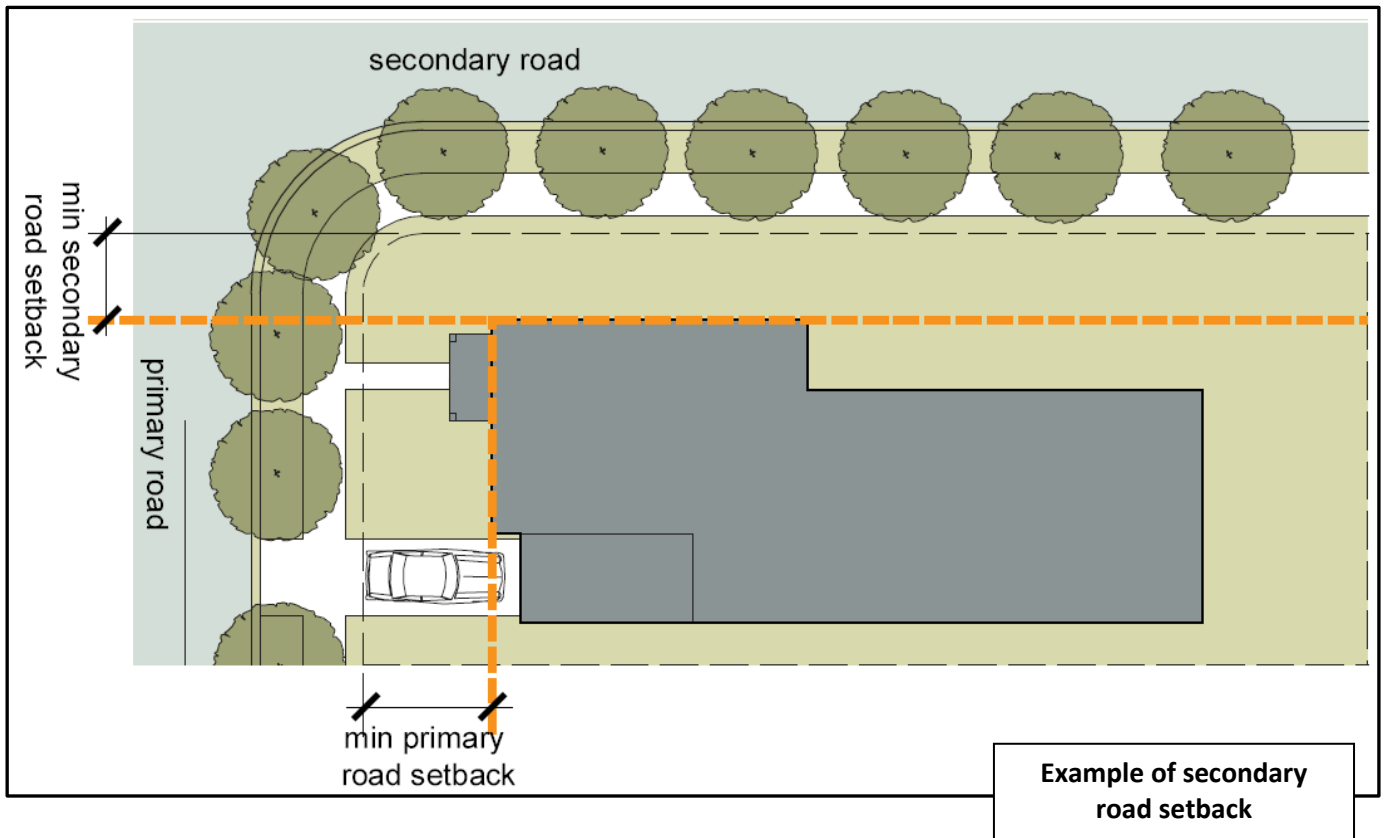


Secondary Building Line Setbacks For Corner Lots - General Requirements:

Dwellings on a corner allotment will have two building line setback requirements. The primary building line setback is measured from the shortest front boundary with a road. The secondary building line is measured from the additional or longest road boundary.

Council requires that a dwelling house, dual occupancy dwellings or a granny flat, if located on a corner allotment, must maintain a minimum setback from its secondary road frontage.

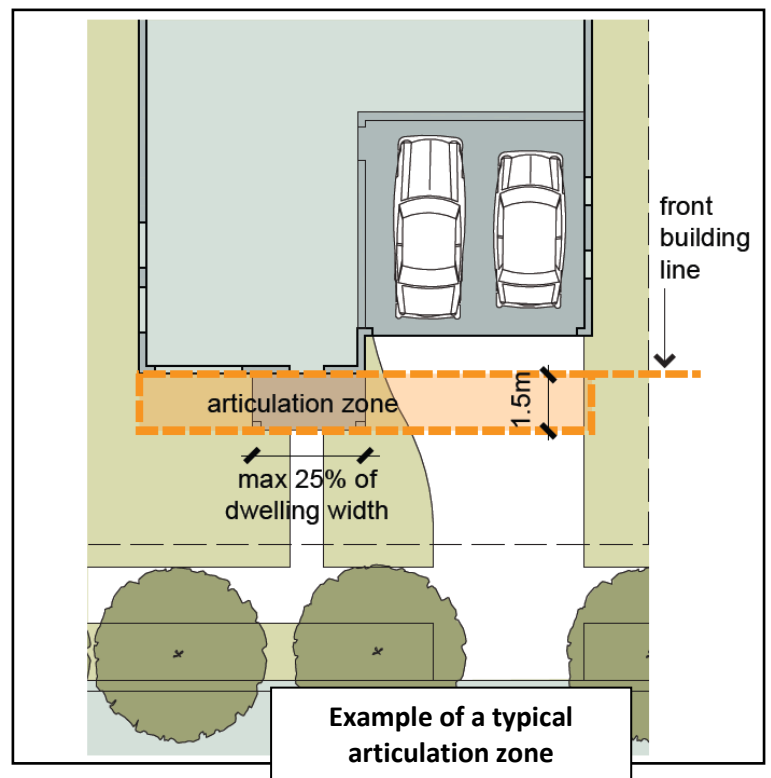
Secondary Building Line Setback											
Performance criteria	Acceptable solutions										
Setbacks from secondary frontages shall improved traffic visibility on corner allotments. Ensures adequate room for possible future road widening works. Setbacks provide space for residents to feel an adequate sense of visual and acoustic privacy when using rooms fronting the street. Parking and garages do not dominate the frontage of the development.	Dwelling houses on a corner allotment must maintain a setback from the secondary road boundary ranging from 2 to 5 metres depending on the area of the allotment as defined in the table below.										
	<table border="1"> <thead> <tr> <th>Lot size</th> <th>Secondary Setback</th> </tr> </thead> <tbody> <tr> <td>Lots up to 600m²</td> <td>2 metres</td> </tr> <tr> <td>600m² up to 900m²</td> <td>3 metres</td> </tr> <tr> <td>900m² up to 1500m²</td> <td>3 metres</td> </tr> <tr> <td>1500m² or greater</td> <td>5 metres</td> </tr> </tbody> </table>	Lot size	Secondary Setback	Lots up to 600m ²	2 metres	600m ² up to 900m ²	3 metres	900m ² up to 1500m ²	3 metres	1500m ² or greater	5 metres
	Lot size	Secondary Setback									
	Lots up to 600m ²	2 metres									
	600m ² up to 900m ²	3 metres									
900m ² up to 1500m ²	3 metres										
1500m ² or greater	5 metres										



Setbacks For Articulation Zones - General Requirements:

Within the front setback of a dwelling house an ‘articulation zone’ may be incorporated where the dwelling has a primary road setback of at least three (3) metres.

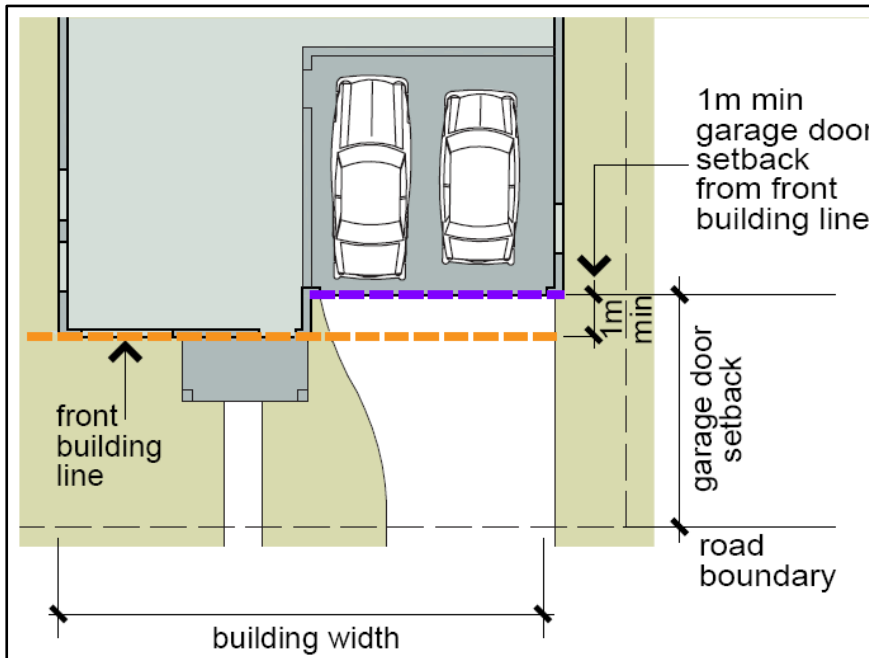
1. This zone is a notional area projecting 1.5m forward of the front building line within which additional building elements such as entry features and porticos, balconies, decks, verandahs and bay windows may be built.
2. Up to 25% of the articulation zone, when viewed from above, may include building elements. An awning or other feature over a window and sun shading feature are not included in the maximum area of the articulation zone.



Setbacks For Garages, Sheds And Carports - General Requirements:

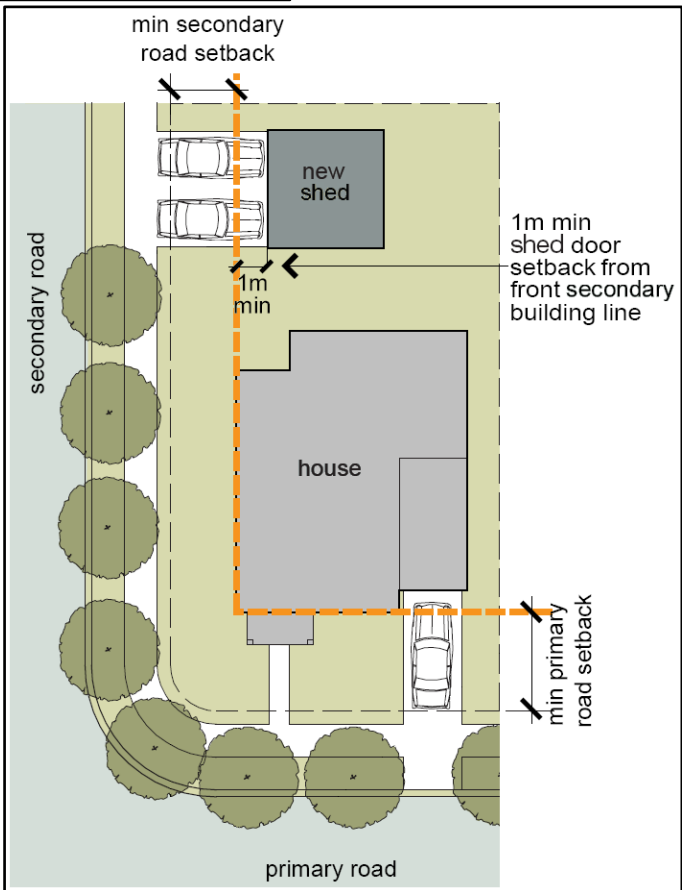
In order to provide a diverse and attractive streetscape the house's presentation to the street should be dominant and the impact of garages sheds and carports on the streetscape should be minimised.

Garages, sheds and carports must be setback at least 1m from the primary or secondary building line.



Typical garage setback requirement from primary road frontage

Typical shed setback requirement from secondary road frontage



Building Line Variations

To ensure consistency in development throughout the Shire, compliance with the policy provisions will be required unless a specific variation to this chapter has been approved by the Council.

Variations to the building line provisions must be made in writing and are to accompany a Development Application for the project. The following steps below outline the process in assessing the application for a building line variation.

1. The written application must outline the reasons why the proposal cannot meet the policy provisions, (ie. An existing easement has reduced available building envelope). It must outline what extra measures have been employed to enhance the appearance of the proposal and lessen its impacts on the existing streetscape, (ie. The use of a mixture of materials and the inclusion of screening landscaping).
2. The application will be notified to both adjoining and adjacent land owners who are deemed by Council, to be impacted on by proposal. These landowners will be invited to view plans of the proposal and submit comments as they deem appropriate.
3. Council's determining officer may choose to grant variations to the building line under delegated authority so long as the variation is considered minor and will have minimal impacts on the locality.
4. Council's determining officer will prepare a report to Council outlining the proposal and the variations to the policy provisions. The report will make a recommendation as to whether the variation should be supported or rejected based on the applicants consideration to the performance criteria and likely impacts on the locality.
5. Council will determine the outcome of the application to vary the policy provisions based on the report.
6. If the variation was supported, Council's determining officer will continue to assess the Development Application in accordance with the *Environmental Planning and Assessment Act 1979* and make an appropriate determination.
7. If the variation was rejected, the applicant will be given the opportunity to vary the design of the proposal and resubmit an additional building line variation if warranted. Otherwise Council's determining officer will determine the Development Application as refused based on non-compliance with Council's DCP and the considerations under the *Environmental Planning and Assessment Act 1979*.

2.2 Site Coverage and Floor Area Limitations

Introduction

This section of the DCP applies to the R1 General Residential; R3 Medium Density Residential, R5 Large Lot Residential and RU5 Village Zones and applies to single dwellings, dual occupancy dwellings and associated outbuildings.

Note:

Where a dual occupancy dwelling is proposed, site coverage and floor area limitations are applicable to each individual dwelling and not the building as a whole. Calculations should be formulated based on the percentage of land area occupied by each individual tenancy and not the total size of the allotment itself. (See Figure 1 – Example)

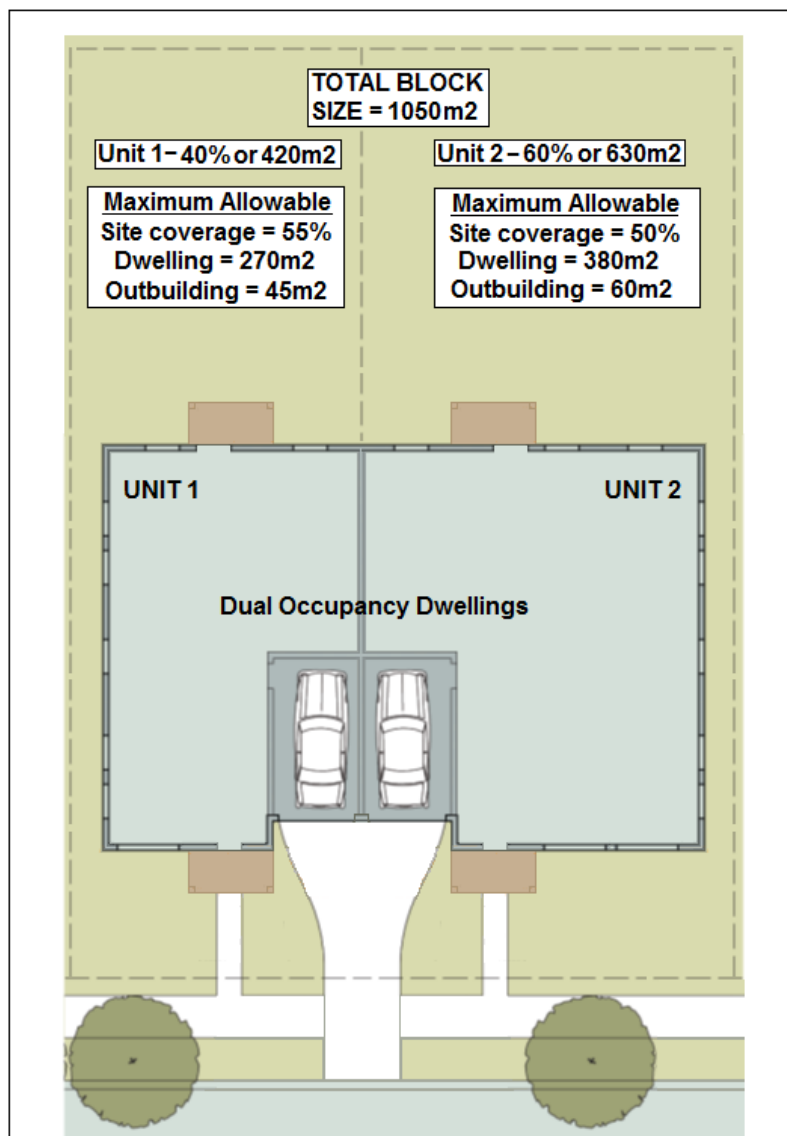


FIGURE 1 - EXAMPLE

Objectives:

1. To regulate the maximum floor area of buildings on residential allotments within the R1 General Residential; R3 Medium Density Residential, R5 Large Lot Residential and RU5 Village Zones.
2. To ensure that adequate area on the allotment is provided for landscaping, parking and 'principal private open space'.
3. To minimise any adverse impacts very large dwellings, garages, sheds and other outbuildings may have on the residential amenity of adjoining and adjacent properties.

General requirements

1. Clause 5.4 of the LEP has specific floor area requirements for home businesses and home industries.
2. The maximum floor area for a home business is a combined total of 60 square metres.
3. The maximum floor area for a home industry is a combined total 60 square metres.

Notes:

For the purpose of this section, an **outbuilding** means any of the following:

1. balcony, deck, patio, pergola, terrace or verandah that is detached from or not under the same roof line of a dwelling house,
2. cabana, cubby house, fernery, garden shed, gazebo or greenhouse,
3. carport that is detached from or not under the same roof line of a dwelling house,
4. garage that is detached from or not under the same roof line of a dwelling house,
5. shade structure,
6. garden shed.

Maximum Site Coverage of ALL Development		
Performance Criteria	Acceptable Solutions	
Ensure that the development is of a sufficient size for dwellings, dual occupancies and secondary dwellings That there is adequate means for access, parking, landscaping, useable gardens and outdoor areas and natural runoff. The footprint of Swimming pools can be included as part of the total open space. To retain compatibility with site context and avoid over development resulting from excessive site cover.	The site coverage of the dwelling house and all ancillary development on an allotment must not exceed the maximum percentage or maximum area specified in the table, whichever is the greater (floor area is calculated on the buildings footprint, measured from external walls or posts).	
	Lot size	Percentage
	Less than 450 m2	65%
	450 to 900 m2	60% or 292m ²
	901 to 1500 m2	50% or 540m ²
	Greater than 1500 m2	40% or 750m ²
Allotments in R3 Zone	80%	

Maximum Floor Area for Single Dwelling Houses (excluding allotments within the R3 Zone)		
Performance Criteria	Acceptable Solutions	
Ensure adequate area to provide separation between buildings, landscaping and private open space.	The floor area of a single dwelling house on an allotment must not be more than the following table (floor area is calculated on the buildings footprint, measured from external walls or posts).	
To maintain development patterns that are compatible with the established character of established residential areas.	Lot size	Area
	Less than 450 m2	290m ²
	450 to 600 m2	360m ²
	601 to 900 m2	420m ²
	901 to 1500 m2	470m ²
	Greater than 1500 m2	600m ²
Maximum Floor Area for Outbuildings		
Performance Criteria	Acceptable Solutions	
Ensure adequate area to provide separation between buildings, landscaping and private open space.	The floor area of a single outbuilding on an allotment must not be more than the following table (floor area is calculated on building footprint measured from external walls or posts).	
To maintain development patterns that are compatible with the established character of established residential areas.	Lot size	Area
	Less than 600 m2	50m ²
	601 to 900 m2	70m ²
To ensure that large single outbuildings more suited to industrial, commercial or agricultural localities are not erected in residential areas.	Greater than 900 m2	110m ²
	Provision for additional open structures is provided, such as verandas and carports to be added to any outbuilding so long as the open structure does not exceed 50% of the total allowable floor area of the sites maximum outbuilding size. The open structure can be constructed as part of the same building, under the same roofline and/or on the same concrete slab, so long as the open structure has a minimum of three open sides.	
Minimum Principal Private Open Space Requirements		
Performance Criteria	Acceptable Solutions	
Provide quality, usable private open space for dwelling occupants.	Each dwelling house must be provided with an area devoted to 'principal private open space' which is an area that is directly accessible from, and adjacent to, a habitable room, other than a bedroom and is at least 3 metres wide and is not steeper than 1:50 gradient.	
Ensure adequate areas for recreation and outdoor living.		
Ensure good connection between dwellings and open spaces.	Lot size	Percentage
	Less than 600 m2	5%
	600 to 900 m2	10%
	901 to 1500 m2	20%
	Greater than 1500 m2	30%
	Allotments in R3 Zone	5%

Site Coverage and Floor Area Variations

To ensure consistency in development throughout the Shire, compliance with the policy provisions will be required unless a specific variation to this chapter has been approved by the Council.

Variations to the site coverage and floor area limitations must be made in writing and are to accompany a Development Application for the project. The following steps below outline the process in assessing the application for a site coverage and floor area limitations variation.

1. The written application must outline the reasons why the proposal cannot meet the policy provisions, (ie. An existing easement has reduced available building envelope). It must outline what extra measures have been employed to enhance the appearance of the proposal and lessen its impacts on the existing streetscape, (ie. The use of a mixture of materials and the inclusion of screening landscaping).
2. The application will be notified to both adjoining and adjacent land owners who are deemed by Council, to be impacted on by proposal. These landowners will be invited to view plans of the proposal and submit comments as they deem appropriate.
3. Council's determining officer may choose to grant variations to the site coverage and floor area limitations under delegated authority so long as the variation is considered minor and does not involve more than 5% of the original permitted in the DCP provisions.
4. In other cases Council's determining officer will prepare a report to Council outlining the proposal and the variations to the policy provisions. The report will make a recommendation as to whether the variation should be supported or rejected based on the applicants consideration to the performance criteria and likely impacts on the locality.
5. Council will determine the outcome of the application to vary the policy provisions based on the report.
6. If the variation was supported, Council's determining officer will continue to assess the Development Application in accordance with the *Environmental Planning and Assessment Act 1979* and make an appropriate determination.
7. If the variation was rejected, the applicant will be given the opportunity to vary the design of the proposal and resubmit an additional site coverage and floor area variation if warranted. Otherwise Council's determining officer will determine the Development Application as refused based on non-compliance with Council's DCP and the considerations under the *Environmental Planning and Assessment Act 1979*.

2.3 Residential Driveway Safety Requirements

Introduction

This section of the DCP applies to all residential development in all zones involving the erection of new or major alterations to, residential dwellings classified in the Building Code of Australia as being Class 1 Class 2 and Class 10.

Objectives

The main objectives of this policy is to incorporate building design elements and prevention methods that could help reduce the risk of Low Speed Roll Overs (LSRO) associated with residential dwellings.

To achieve this, residential development shall be designed to reflect vehicle and occupant safety principles. In this regard, where there is:

- (a) A garage, carport or covered vehicle housing area **attached** to a Class 1 or Class 2 residence; and
- (b) A connecting door is proposed between a garage, carport or covered vehicle housing area **attached** to a Class 1 or Class 2 residence; these shall have an effective barrier to prevent people (including specifically infants) from coming into conflict with motor vehicles.

Definitions

Covered Vehicle Area is defined as any of the following or any combination thereof-

- (a) Covered vehicle parking area that's open sided such as a carport or the like.
- (b) Garage being a roofed and enclosed space for parking vehicles. Enclosed refers to any or all sides.
- (c) Any concrete vehicle parking space with no cover at time of construction.

Connecting door is any door that adjoins a 'covered vehicle area' on or in the immediate adjoining wall (parallel or at any angle thereto), but does not include the front entrance door to the premises.

NOTE: for the purpose of this definition, immediate adjoining wall includes any wall of a dwelling or part thereof within 3 metres of the bounding construction of the 'covered vehicle area' whether attached or covered or not.

General requirements

The requirements of this policy are considered satisfied if a means (manual or electronic) is put in place to restrict a dwelling's occupant or visitor from bringing into potential harm and occupant of that dwelling, whilst parking the motor vehicle. This may be done by any or a combination of the means contained in this section.

Note - Compliance with this section is achieved if one of the options below is satisfied.

Example 2. Connecting Door - Barrier Installation;

If a door is provided in any part of any wall that has all or part within 3 metres of an adjoining vehicle parking area such installation shall have a door assembly fitted with fittings and fixtures that shall be a minimum of:

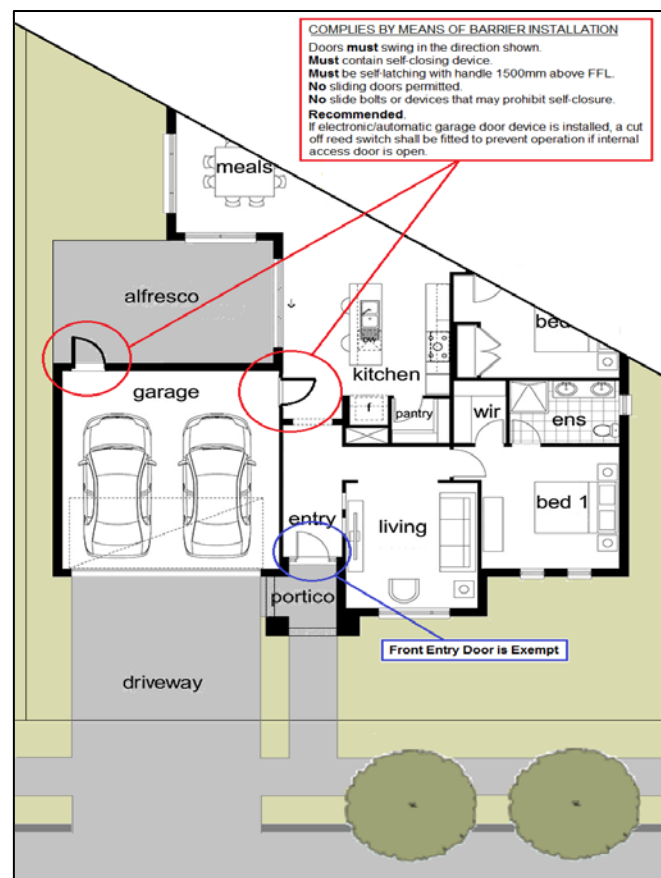
- (a) the leaf door shall swing inward of the dwelling; and
- (b) no sliding or concertina door of any type shall be used; and
- (c) the door leaf shall be fitted with a hydraulic self-closing fixture that is at minimum a size 2 spring strength in accordance with AS4145.5.

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

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

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

- (f) If pairs of doors are used both leaves are to be self-closing and self-latching and shall include a selective sequence closing device.
- (e) **RECOMMENDED FOR ADDED SAFETY (Not Specifically Required)** - if electronic/automatic garage door device is installed, a cut off reed switch shall be fitted to prevent operation if internal access door is in, or opening to, an open position.



2.4 Granny Flats (Secondary Dwellings)

Introduction

The NSW Government has adopted a State policy titled “*State Environmental Planning Policy (Affordable Rental Housing)*”. The purpose of the policy is to increase the amount and diversity of affordable types of housing in the State.

Objectives

One of the main objectives of the policy which is relevant to the Cootamundra Shire is to support innovative styles of affordable housing, including granny flats. Council does not currently have a policy for this type of housing and the purpose of this policy is to present a draft set of guidelines for this type of development in the Shire based on the requirements of the State policy.

- To allow development for granny flats to provide self-contained accommodation for a family member, a relative or as rental accommodation for others.
- To establish a set of guidelines to allow for granny flat development in the Cootamundra Shire having regard to the provisions of *State Environmental Planning Policy (Affordable Rental Housing)*.

Definitions

The SEPP refers to a granny flat as a “secondary dwelling” and the main dwelling on the property as the “principal dwelling”.

“**Principal dwelling**” means the main dwelling on the property.

“**Secondary dwelling**” means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the *principal dwelling*), and
- (b) is located within, or is attached to, or is separate from, the principal dwelling

“**The SEPP**” means State Environmental Planning Policy (Affordable Rental Housing)

The granny flat can be used as self-contained accommodation for a family member, a relative or as rental accommodation.

“**Land use Zones**”

(a) Residential Zones

Under the Cootamundra Local Environmental Plan 2013 Granny Flats or ‘Secondary Dwellings’ are permitted within the R1 General Residential, R3 Medium Density Residential and R5 Large Lot Residential zones.

(b) Rural Residential Zones

Under the Cootamundra Local Environmental Plan 2013 Granny Flats or ‘Secondary Dwellings’ are permitted within the RU1 Primary Production and RU2 Rural Landscape zones

Granny Flats or Secondary Dwellings are defined as 'prohibited development' in the RU4 Primary Production Small Lots, and RU5 Village zones.

(d) Other Zones

Granny flats are not permitted in any other land use zones in the Shire.

General requirements

- There are three main ways in which granny flats may be developed.

These are:

1. The conversion of part of an existing house to incorporate a granny flat (See Figure 1). The alterations to the existing house must be internal alterations and the only change to the exterior is the new entrance to the granny flat.
2. An extension to an existing Dwelling (See Figure 2)
3. The construction of a new detached granny flat (See Figure 3)

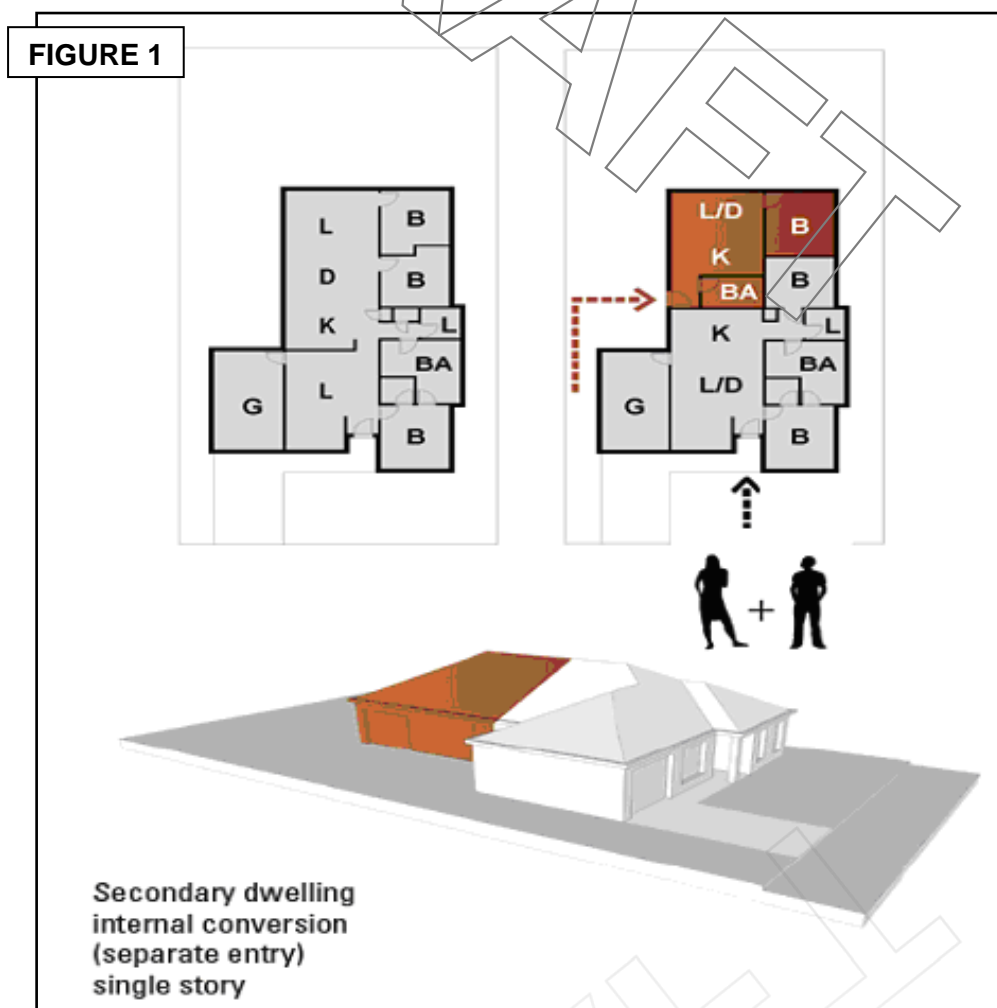


FIGURE 2

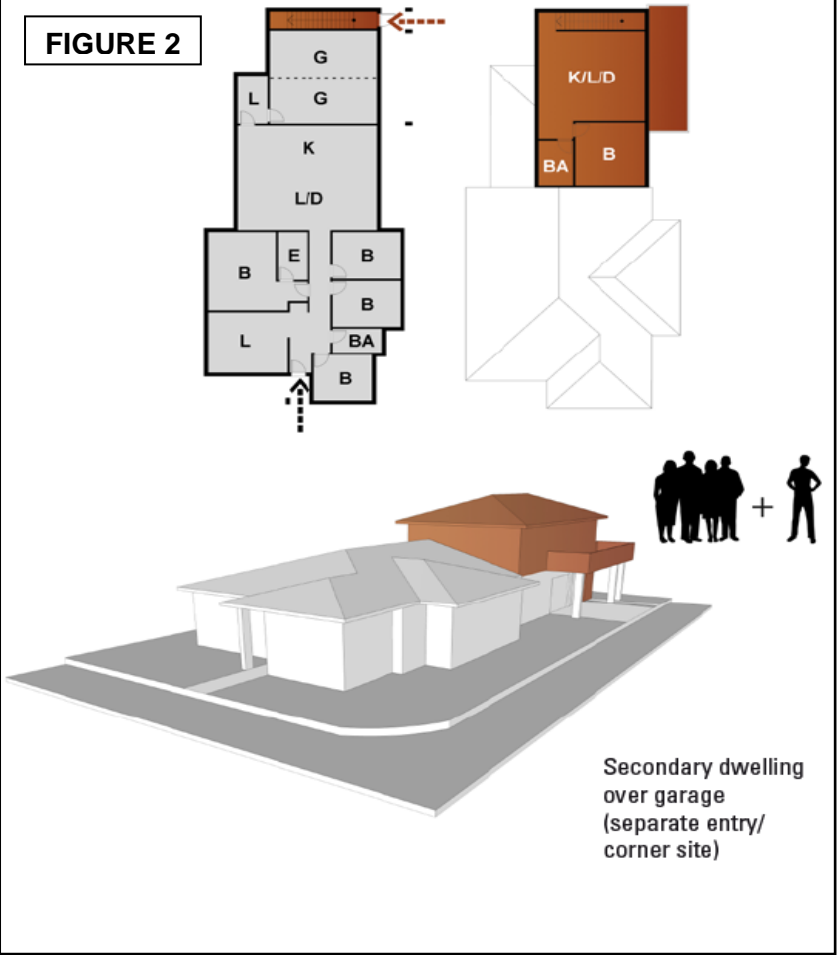
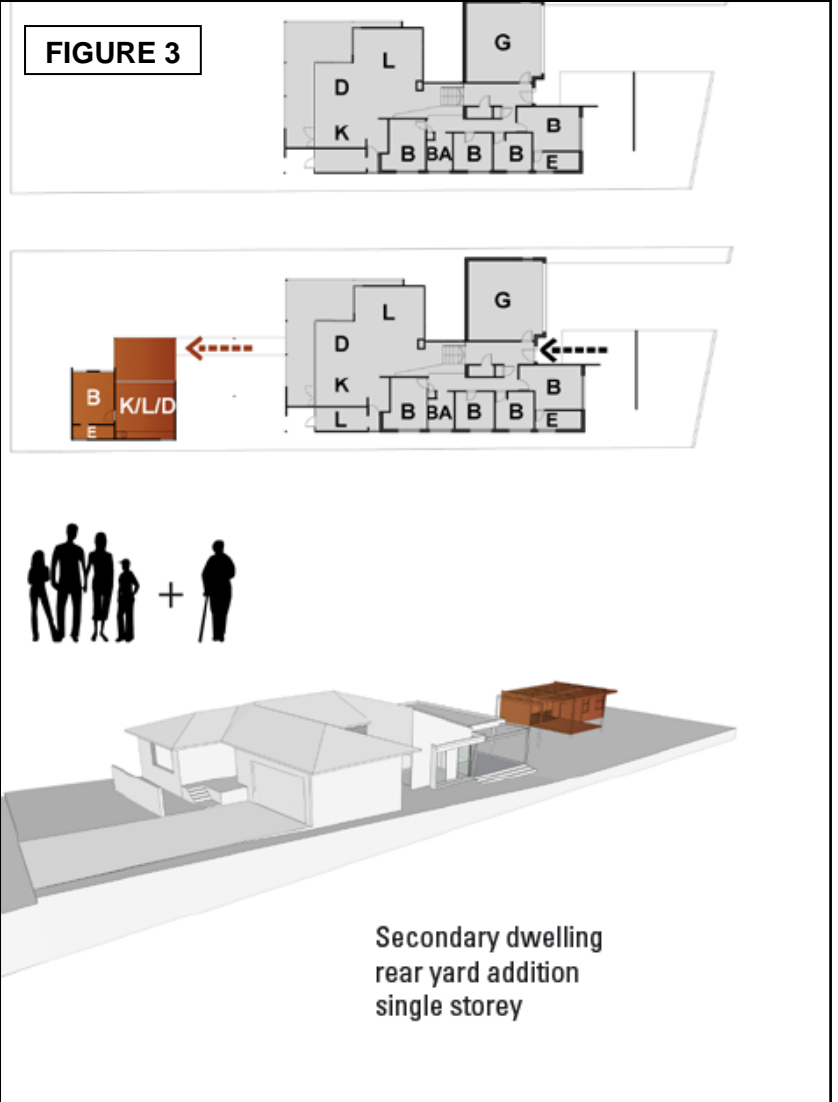


FIGURE 3



- A maximum of one house and one granny flat can be permitted on a single allotment of land.
- The total floor area permissible for a granny flat is 60 square metres. An additional 12 square metres is permissible for attached decks, patios, verandahs and the like.
- Council will only permit vehicle access to a granny flat from the principal road access to the allotment on which it is proposed to construct the granny flat.
- The main dwelling and the granny flat must be constructed on the same allotment of land. Council will not permit any type of subdivision of the land on which a granny flat is constructed, including Torrens title, strata subdivision or community title scheme.
- The granny flat must satisfy the requirements of the Building Code of Australia (BCA). Advice regarding the BCA requirements can be obtained from Council.
- An application must be made to Council for approval to construct a granny flat. Approval can be sought from Council in either of the following two ways:
 - a. A Complying Development Application, or
 - b. A Development Application.

2.5 Multi-Dwelling Housing and Residential Flat Buildings

Introduction

This section of the DCP applies to the R1 General Residential and R3 Medium Density Residential zones in the LEP

Note:

Multi-dwelling housing and residential flat buildings including dual occupancy dwellings are not permitted within the “Florence Gardens Estate” being allotments facing Mary Angove Crescent and Chelonia Street Cootamundra. *Reason:* The nature of this estate does not allow for the increased residential density associated with multi-dwelling and residential flat building development as the estate does not contain residential kerb and guttering or integrated stormwater drainage.

Objective

To ensure that multi dwelling housing and residential flat buildings provide a high quality of amenity for residents and minimise the impacts on adjoining residential development.

General Requirements

1. The development must be permissible with Council’s consent in the table of the land use zone which applies to the parcel of land. For the purposes of this section, a dwelling includes a unit, villa, townhouse, or the like.
2. **Multi-dwelling housing** means 3 or more dwellings (whether attached or detached on one lot of land, each with access at ground level includes but does not include a residential flat buildings.
3. **Residential flat building** means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

Note:

Plans must demonstrate how the performance criteria have been satisfied.

Site Design	
Performance Criteria	Acceptable Solutions
The development uses the slope of the land, its orientation to the sun and other site attributes to achieve an appropriate design for the specific site.	<p>Cut and fill is limited to a maximum of 1 metre cut and 1 metre fill.</p> <p>Construction within registered easements or over utilities is prohibited.</p> <p>Construction over any natural watercourse or drainage line through the land is prohibited.</p> <p>The location of the access has regard to street trees, structures or fixtures in the road reserve.</p>

Neighbourhood Character	
Performance criteria	Acceptable solutions
The development provides an attractive streetscape including trees, gardens, building facades (i.e. the exterior of the building), fences and walls;	<p>Fencing forward of the front building line is::</p> <ul style="list-style-type: none"> (a) an open style (pickets, vertical stiles, slats or palings); or (b) landscaped screen planting, no greater than 1.2m in height. <p>Dwellings facing the street frontage are designed with the following:</p> <ul style="list-style-type: none"> (a) The primary entrance door to the dwelling faces the street frontage. (b) The front elevation incorporates windows to habitable rooms. (c) Materials (including large areas of glass and the use of reflective materials) do not create a glare nuisance to surrounding neighbours or public roads; <p>Landscaping is provided to the street frontage, including trees, shrubs and grass;</p> <p>Driveways to rear dwellings are not fenced forward of the front building setback.</p>
Provide each dwelling with clear and distinct access, preferably visible from a public street.	The development is designed so that public access to all dwellings is readily visible from the front driveway access.
Dwelling setbacks from the street alignment do not vary dramatically from those in the rest of the street in order to preserve neighbourhood and street	Dwelling setbacks comply with the setback requirements in Chapter 2.

presence.	
Dwellings are appropriately located on the site with setbacks to adjoining or adjacent properties that ensure the privacy; overshadowing and amenity of adjoining and adjacent properties.	Dwelling setbacks comply with the setback requirements of Section 2.
Dwellings consider the character of the neighbourhood streetscape.	Dwellings are designed have regard to the style and character of adjoining houses and gardens including the scale, materials, roof materials and pitches, windows and facades.

Dwelling height, bulk and form	
Performance criteria	Acceptable solutions
Dwellings minimise building bulk, form and height on or near boundaries to avoid overshadowing and overlooking of neighbours.	<p>Dwellings are restricted to the following (whichever is the lesser):</p> <ul style="list-style-type: none"> (a) a maximum of two storeys above natural ground level at any point, or (b) 8 metres, <p>Note: A height of 8 metres is to be measured from natural ground level to the highest structural point of the dwelling, not including antennae, spires etc.</p> <p>Wall lengths exceeding 8m shall have wall offsets, openings or articulation of some manner.</p>
The development minimises hardstand areas for aesthetics and stormwater and surface water nuisance impacts;	<p>Permeable areas are at least 20% of the site;</p> <p>A maximum of 30% of the area forward of the front building setback is occupied by paving, access driveways or the like;</p> <p>Site coverage (<i>gross building area</i>) does not exceed 60% of the site.</p>
The development creates usable outdoor living spaces for residents	<p>Private open space is provided for the dwelling by adjoining living rooms or the like within the dwelling.</p> <p>Private open space is provided for each dwelling (immediately adjoining that dwelling) at a minimum area of 24 m² per dwelling.</p> <p>Note: For the purposes of achieving the required minimum area above, no part of the minimum area shall have a width of less than 3m.</p>

Access and parking	
Performance criteria	Acceptable solutions
The development provides adequate parking for the development in order to avoid site and street congestion.	<p>Car parking is provided in accordance with the requirements in chapter 5.</p> <p>Car parking space dimensions comply with the requirements in chapter 5.</p> <p>Visitor parking (where required) is accessible and clearly designated by line-marking and signage;</p> <p>All parking areas and trafficable areas on-site are sealed with bitumen, concrete or pavers.</p> <p>The width of internal access ways comply with the requirements in chapter 5.</p>
The development is designed to ensure sufficient circulation and movement on site is achieved to allow vehicles to enter and leave the site in a forward direction.	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 a forward direction.
The development is designed to provide safe vehicle access to and from the site.	<p>Access is provided through a single access driveway from a public road;</p> <p>Laneway access is not permitted for site access/egress unless there are exceptional circumstances</p>
The development minimises the number and width of access driveways (from road edge to property boundary)	<p>Access driveways directly serving double garages do not exceed 3.5m in width at the property boundary.</p> <p>Access driveways are concreted, sealed or paved to Council's standard and if serving:</p> <p>(a) two dwellings are no more than 3m in width along their length; or</p> <p>(b) more than 2 dwellings, are no more than 5.5m in width.</p>
<p>Access driveways through the road reserve (from road edge to property boundary) are of a safe and suitable standard.</p> <p>NOTE: 'access driveway' is defined as being from the road edge to the property boundary</p>	<p>Access driveways (from road edge to property boundary) serving dwellings are constructed to Council's standard.</p> <p>Cross grades for access driveways and parking areas do not exceed 4% grade.</p>

The development provides road infrastructure suitable for the development.	Where not currently 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 standards. The cost of these works are to be paid by the developer.
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Services	
Performance criteria	Acceptable solutions
Dwellings are connected to Council's reticulated water and sewer systems where available or obligated to be connected under relevant legislation and Council's Development Servicing Plan;	Council's reticulated water service and sewer service shall be connected separately to each dwelling.
Dwellings have appropriate stormwater drainage connected into Council's existing stormwater infrastructure.	All stormwater from the property is disposed of without causing nuisance to other properties by way of connection to Council's existing stormwater drainage system or other suitable arrangements such as easements. For 3 or more dwellings, all roof and surface water drainage shall be designed to provide for conveyance of these flows per AS3500 after considering the Australian Rainfall and Runoff Guidelines, to the appropriate road, public stormwater drainage system or watercourse where approved to do so.
The development contributes towards the provision of services and infrastructure.	Payment of any headworks contributions for water and/or sewer and Section 94 and 94A contributions are made as applicable. Note: refer to Council's Water and Sewer-Strategic Business Plan and Section 94A "Contributions Plan for Other Developments"

Facilities	
Performance criteria	Acceptable solutions
The development makes provision for facilities which are designed and located to ensure that visual amenity is not detrimentally affected: <ul style="list-style-type: none"> • Letterboxes; • Clothes drying facilities; • Garbage bin storage; • Outdoor service areas 	Letter-boxes are provided for each dwelling in accordance with Australia Post requirements; Letter boxes are of the same, similar or complimentary materials to that of the development. Letterboxes are designed and located so as not to impede the vision of vehicles entering and leaving the site

	<p>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. Drying areas are not to be within the minimum rectangle area defined for private secluded open space.</p> <p>Garbage bin storage is provided to the dwellings either:</p> <ul style="list-style-type: none">(a) in a communal, secure and screened area accessible to the street; or(b) in an area within the curtilage of each dwelling that is not within the minimum rectangle area defined for private open space without passing through the dwelling. <p>Space is available to locate an outdoor storage area of 6m³ for each dwelling.</p> <p>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.</p>
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2.6 Bed And Breakfast and Farm Stay Development

Introduction

This section applies to any land use zone in the LEP where bed and breakfast and farm stay development is permissible with Council's consent

Objectives

1. To minimise the impact of bed and breakfast and farm stay developments on adjoining neighbours.
2. To ensure these developments operate well from an internal design perspective.

General Requirements

1. The development must satisfy the requirements of Clause 5.4(1) of the LEP in relation to maximum number of guest rooms:
 - (a) The maximum number of bedrooms for guest accommodation for bed and breakfast accommodation is 4 bedrooms
 - (b) The maximum number of bedrooms that can be provided for guest accommodation for farm stay accommodation is six bedrooms.

Notes:

Development that provides for a certain number of guests or bedrooms may involve a change in the class of building under the *Building Code of Australia*.

Bed and Breakfast and Farm Stay development	
Performance Criteria	Acceptable Solutions
The development operates in a safe and healthy manner; The development operates within the capacity of existing services and facilities or these are upgraded appropriately;	The development complies with the NSW Local Government and Shire Associations Guidelines for Bed and Breakfast Operations, 1998.

CHAPTER 3 – BUSINESS AND INDUSTRIAL DEVELOPMENT

3.1 Business, Industrial and Village Zones

Introduction

This section of the DCP applies to the business, industrial and village zones in the LEP. These zones are the Business B3 Commercial Core; IN1 General Industrial, IN2 Light Industrial; IN3 Heavy Industrial and RU5 Village land use zones.

Objectives

General Requirement

1. Clause 5.4 of the LEP has specific floor area requirements for industrial retail outlets. Under the LEP, the floor area of a retail floor an industrial retail outlet must not exceed:
 - (a) 40 % of the gross floor are of the industry or rural industry located on the same land as the retail outlet, or
 - (b) 400 square metres, whichever is the lesser.

General Requirements	
Performance criteria	Acceptable solutions
New car parks are sufficient in number and design to provide for the needs of new developments.	Car parking is provided at the rate set out in Table in chapter 5. Car parking is provided on the site of the development;
Adequate space is provided on site to accommodate service and delivery vehicles in new development	Provision is made on-site at a convenient location for the type of delivery service vehicles appropriate to the type of development, and according to the requirements of the particular land use as shown in the "Parking Requirements" Table in chapter 5.
	Waste is to be disposed of in an environmentally acceptable manner to the satisfaction of Council and in accordance with relevant provisions of the <i>Protection of the Environment Operations Act 1997</i> and Council's Trade Waster Policy

CHAPTER 4 - SUBDIVISION

4.1 Rural Subdivision

Introduction

This section of the DCP applies to the subdivision of land in the Rural RU1 Primary Production, Rural RU4 Primary Production Small Lots and Environmental Management E3 Zones

Objectives

1. To ensure that an appropriate level of services are available to the subdivided land.
2. To ensure that access arrangements are appropriate for the type of subdivision;

General Requirements

1. All subdivision requires development consent from Council in accordance with the requirements of Clause 2.6 of the LEP unless it is exempt or complying development (see notes below).
2. The minimum site area requirements for different areas of the Shire are indicated on the Lot Size Maps of the LEP.
3. The Lot Size Maps of the LEP do not apply to all areas; for example, the business and industrial areas of Cootamundra. However, requirements for these types of subdivision are specified in Chapter 3 of the DCP.
4. Additional subdivision requirements for the RU1 Primary Production; and RU4 Primary Production Small Lots for the purpose of primary production are provided in Clause 4.2 of the LEP.
5. Battle axe allotments will not be permitted in the RU4 Primary Production Small Lots land use zone.
6. A “battle axe allotment” means an allotment at the rear of a subdivision where vehicular access is provided by an access corridor, access way, right-of-carriageway or the like.
7. Rights of carriageway will not be permitted as acceptable access to new allotments in any zone unless the applicant can demonstrate exceptional circumstances.

Notes:

1. **Some minor subdivisions such as boundary adjustments and some strata subdivisions are exempt development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and can be permitted without development consent.**

2. Applicants are advised to contact Council to determine whether the proposed subdivision is exempt or complying development.

Rural Subdivision	
Subdivision layout	
Performance Criteria	Acceptable solutions
<p>All new lots have legal and practical access to a dedicated public road;</p> <p>"public road" means:</p> <p>(a) any road that is opened or dedicated as a public road, whether under the Roads Act 1993 or any other Act or law, and and</p> <p>(b) any road that is declared to be a public road for the purposes of the Roads Act 1993</p>	<p>Each allotment created has legal access to a public road either through direct frontage , or by consolidation with an existing allotment that has public road access;</p> <p>Battle axe allotments will not be permitted in the RU4 Primary Production Small Lots land use zone.</p> <p>Rights of carriageway will not be permitted as acceptable access to new allotments in any zone unless the applicant can demonstrate exceptional circumstances.</p> <p>Where lots created have a dwelling entitlement: Access is provided to a non-classified road and in accordance with Council’s Engineering Standard.</p> <p>Where access to a classified road is necessary , the access is provided in accordance with RMS standards for access to a rural dwelling;</p> <p>Property numbering is provided in accordance with the rural addressing scheme;</p>

Servicing	
Performance Criteria	Acceptable solutions
<p>All new lots with a dwelling entitlement are provided with appropriate services.</p>	<p>Electricity, water, sewer and, telecommunications are available and provided to the new lots.</p> <p>Where reticulated water is not available, a water storage tank with a minimum capacity of 60, 000 L is provided on each allotment and</p>

	<p>of that, water storage with a minimum capacity of 20, 000 L is provided for fire fighting purposes with a 40mm Storz water coupling suitable for connection to the local fire brigade water tanker.</p> <p>Notwithstanding the above servicing requirements, telecommunications services will not be required for a subdivision of land zoned RU4 Primary Production Small Lots which has a minimum lot size of 5 hectares, when the NBN broadband network has been installed in the Cootamundra Shire.</p>
<p>The subdivision of land with dwelling entitlements provides constraint –free building envelopes</p>	<p>Bushfire prone land, flood prone land, slope are identified and considered and appropriate building envelopes are identified on the development application plan.</p>
<p>The development provides a means of funding local infrastructure and services required as a result of the subdivision</p>	<p>Payment of any Section 94 or Section 94A contributions applicable to the development is made.</p>
<p>The subdivision provides safe and appropriate vehicle access for residents</p>	<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:</p> <p>A 2 coat bitumen sealed standard with a 20 metre wide road reserve, 8 metre road formation width and 7 metre seal width. The road pavement is to be designed to meet the requirements of the Ausroads design guidelines with a minimum gravel pavement thickness of 250mm.</p> <p>Subdivisions exceeding 25 lots have their main subdivision service road connect to the existing road network in a least two locations.</p>

4.2 Residential Subdivision

Introduction

This section of the DCP applies to the subdivision of land in the General Residential R1 and Medium Density Residential R3 land use zones in the LEP.

Objectives

1. To ensure that land is developed in a manner that is appropriate to the existing or preferred character of the area;
2. 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.

General Requirements

1. All subdivision requires development consent from Council in accordance under Clause 2.6 of the LEP unless it is exempt or complying development (see notes below).
2. The minimum site area requirements for different areas of the Shire are indicated on the Lot Size Maps of the LEP.

Notes:

1. **Some minor subdivisions such as boundary adjustments and some strata subdivisions are exempt development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and can be permitted without development consent.**
2. **Applicants are advised to contact Council to determine whether the proposed subdivision is exempt or complying development.**

Residential subdivision	
Subdivision layout	
Performance Criteria	Acceptable solutions
All intersections are designed for safe traffic movement	Avoid four-way intersections, and provide a minimum spacing between intersections of 40m (may be 20m for minor access roads and cul de sacs);
The design minimises the use of cul-de-sacs, and where these are provided provide adequate minimum frontages to facilitate reasonable access and dwelling construction	Avoid cul-de-sacs where possible;
The provide road widths that are consistent with the character of the area and Council's hierarchy of roads	Provide minimum road carriageway widths in accordance with Council's engineering guidelines for subdivision and development.

The design minimises the use of battle-axe allotments;	Have no more than 5% battle-axe allotments
The design has regard to natural features of the site, including grades, watercourses, aspect and soil types;	Maintain natural watercourses and incorporate within open space areas;
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;	Provide 10% 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;
The design provides building envelopes so that there is an equitable distribution of views;	Arrange layout so as to maximise access to existing views for both existing and proposed allotments;

Servicing	
Performance criteria	Acceptable solutions
Vehicle access is provided to each allotment	<p>A layback is provided to each allotment in accordance with Council's standard for construction</p> <p>Where battle-axe driveways are provided, no more than two allotments may be serviced by a shared driveway.</p>
The development shall be serviced appropriately and connected to Council's reticulated water and sewer systems and provide connection to power, gas and telecommunications	<p>All allotments created are provided with a connection to Council's water mains, in accordance with Council's standards.</p> <p>All allotments created are drained directly to the street drainage system or to receiving waters OR are drained to the street system or receiving waters via an inter-allotment drainage system constructed in accordance with Council's Engineering Guidelines for Subdivision and Development.</p> <p>Note: inter-allotment drainage would be required for all allotments with a cross-fall where any portion of the allotment drains through an adjoining allotment, or where the allotment drains away from the street;</p>

	<p>All allotments created are provided with a sewer connection, designed and constructed in accordance with Council's standards.</p> <p>Underground power is provided in accordance with the requirements of Essential Energy</p> <p>Street lighting is provided accordance with the requirements of Essential Energy</p> <p>Written confirmation is provided by the natural gas company stating that facilities are available to each allotment or that otherwise suitable arrangements have been made.</p> <p>Written confirmation is provided by a telecommunications carrier stating that facilities are available to each allotment or that otherwise suitable arrangements have been made.</p> <p>Easements are provided wherever necessary to permit unrestricted access for sewerage, water and drainage purposes</p> <p>Payment of any headworks contributions for water and sewer</p> <p>Payment of any Section 94 development contributions applicable to the development.</p>
<p>The development provides a means of funding local infrastructure and services required as a result of the subdivision</p>	<p>Payment of any headworks contributions for water and sewer.</p>

4.3 Subdivision in the RU4 Primary Production Small Lots, RU5 Village and R5 Large Lot Residential Zones

Introduction

This section of the DCP applies to the subdivision of land for residential purposes in the RU4 Primary Production Small Lots; RU5 Village and R5 Large Lot Residential Zones.

Objectives

1. To ensure that large lot residential allotments function effectively for residential lifestyle purposes, and are developed in a way that provides for future re-subdivision;
2. That the subdivision of land provides for an appropriate level of servicing and infrastructure

General Requirements

1. All subdivision requires development consent from Council in accordance under Clause 2.6 of the LEP unless it is exempt or complying development (see notes below).
2. The minimum area requirements for the subdivision of land are indicated on the **Lot Size Maps** of the LEP.

Notes:

1. **Some minor subdivisions such as boundary adjustments and some strata subdivisions are exempt development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and can be permitted without development consent.**
2. **Applicants are advised to contact Council to determine whether the proposed subdivision is exempt or complying development.**

Subdivision in the RU4 Primary Production Small Lots; RU5 Village and R5 Large Lot Residential Zones.	
Subdivision layout	
Performance Criteria	Acceptable solutions
All new lots have legal and practical access to a public road;	Each allotment created has legal access to a public road either through direct frontage , or by consolidation with an existing allotment that has such access; Battle axe allotments are not acceptable access to lots. ; Rights of carriage way are not acceptable access to lots

	<p>For lots created with the right to apply for a dwelling:</p> <p>Access is provided to a non-classified road where possible, and in accordance with Council’s Engineering Subdivision and Development guidelines;</p> <p>Where access to a classified road is necessary , this is provided in accordance with RMS standards for access to a rural dwelling;</p>
<p>The subdivision provides safe and appropriate vehicle access for residents</p>	<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:</p> <p>A 2 coat bitumen sealed standard with a 20 metre wide road reserve, 8 metre road formation width and 7 metre seal width. The road pavement is to be designed to meet the requirements of the Ausroads design guidelines with a minimum gravel pavement thickness of 250mm.</p> <p>Subdivisions exceeding 25 lots have their main subdivision service road connect to the existing road network in a least two locations.</p> <p>Subdivisions exceeding 25 lots shall have their main subdivision service road connect to the existing road network in a least two locations.</p> <p>Property numbering is provided in accordance with the rural addressing scheme;</p>

Servicing	
Performance Criteria	Acceptable solutions
<p>All new lots with a dwelling entitlements are provided with appropriate services;</p>	<p>Electricity, water, and, telecommunications are available and provided to the new lots.</p>

	<p>Written confirmation is provided by a telecommunications carrier stating that facilities area available to each allotment or that suitable arrangements have been made.</p> <p>Where reticulated water is available, all allotments created are provided with a connection point to Council’s water mains, the connection to which is designed and constructed in accordance with Council’s standard.</p> <p>Water storage with a minimum capacity of 20, 000 L is provided for fire fighting purposes. With a 40mm Storz water coupling suitable for connection to the local fire brigade water tanker.</p> <p>Where sewer is available, allotments are connected to the sewer</p> <p>Where sewer is not available, adequate provision is made to enable allotments to provide an appropriate effluent treatment system for dwellings</p>
<p>The subdivision of land for dwelling entitlements provides building envelopes that are constraint –free</p>	<p>Bushfire prone land, flood prone land, slope are identified and considered and appropriate building envelopes are identified on the development application plans</p>
<p>The development provides a means of funding local infrastructure and services required as a result of the subdivision</p>	<p>Payment of any Section 94 or Section 94A contributions applicable to the development</p>
<p>The subdivision provides roads that 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.</p>	<p>All roads created as a part of the subdivision are sealed and are designed and constructed in accordance with Council’s Engineering Guidelines for Subdivision and Development.</p>

4.4 Industrial Subdivision

Introduction

This section of the DCP applies to the subdivision of land in the Industrial IN1 General Industrial; IN2 Light Industrial and IN3 Heavy Industrial land use zones in the LEP.

Objectives

1. To ensure that industrial allotments function effectively for industrial purposes;
2. To ensure that new industrial allotments provide an appropriate level of servicing and infrastructure

General Requirement

1. All subdivision requires development consent from Council in accordance under Clause 2.6 of the LEP unless it is exempt or complying development (see notes below).

Notes:

1. **Some minor subdivisions such as boundary adjustments and some strata subdivisions are exempt development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and can be permitted without development consent.**
2. **Applicants are advised to contact Council to determine whether the proposed subdivision is exempt or complying development.**

Industrial Subdivision	
Subdivision Layout	
Performance Criteria	Acceptable Solutions
To achieve satisfactory ratio of depth to frontage of new industrial allotments that respond to typical industrial building forms and which ensure heavy vehicles can adequately manoeuvre on site.	Design industrial allotments which: Have a minimum frontage and square width of 24m, and a minimum area of 2000m ² . Are a regular size and shape with a depth to width ratio not exceeding 2:1. Are serviced by underground electricity, water, sewer and telecommunications in accordance with the relevant authorities' requirements.
To ensure that roads are constructed to a standard that is durable and suitable for the proposed use.	Roads created to serve an industrial subdivision:

	<p>Have a minimum road reserve width of 25m (for roads with dual frontage) or 19m (for roads with single frontage);</p> <p>Have a minimum carriageway width of 13m;</p> <p>Avoid, where practicable, dead-end roads, however if these are provided, a minimum turning head of 25m is provided;</p> <p>Are constructed in accordance with Council's Engineering Subdivision and Development Guidelines.</p>
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Servicing	
<p>To ensure that new industrial allotments provide an appropriate level of servicing and infrastructure</p>	<p>Water, sewer, power, telecommunications and gas are provided, in accordance with the relevant authorities requirements and in accordance with Council's Engineering Subdivision and Development Guidelines;</p> <p>Development contributes, if required, headworks and/or development servicing plan charges.</p>

CHAPTER 5 – CAR PARKING AND VEHICLE ACCESS

LAND USE ZONES

Introduction

This section of the DCP applies to all land use zones in the LEP where car parking is required as a result of new development.

Objectives

1. To provide guidelines for the provision of parking associated with new development.
2. To ensure that new development provides sufficient car parking to serve the needs of that development.

General Requirements

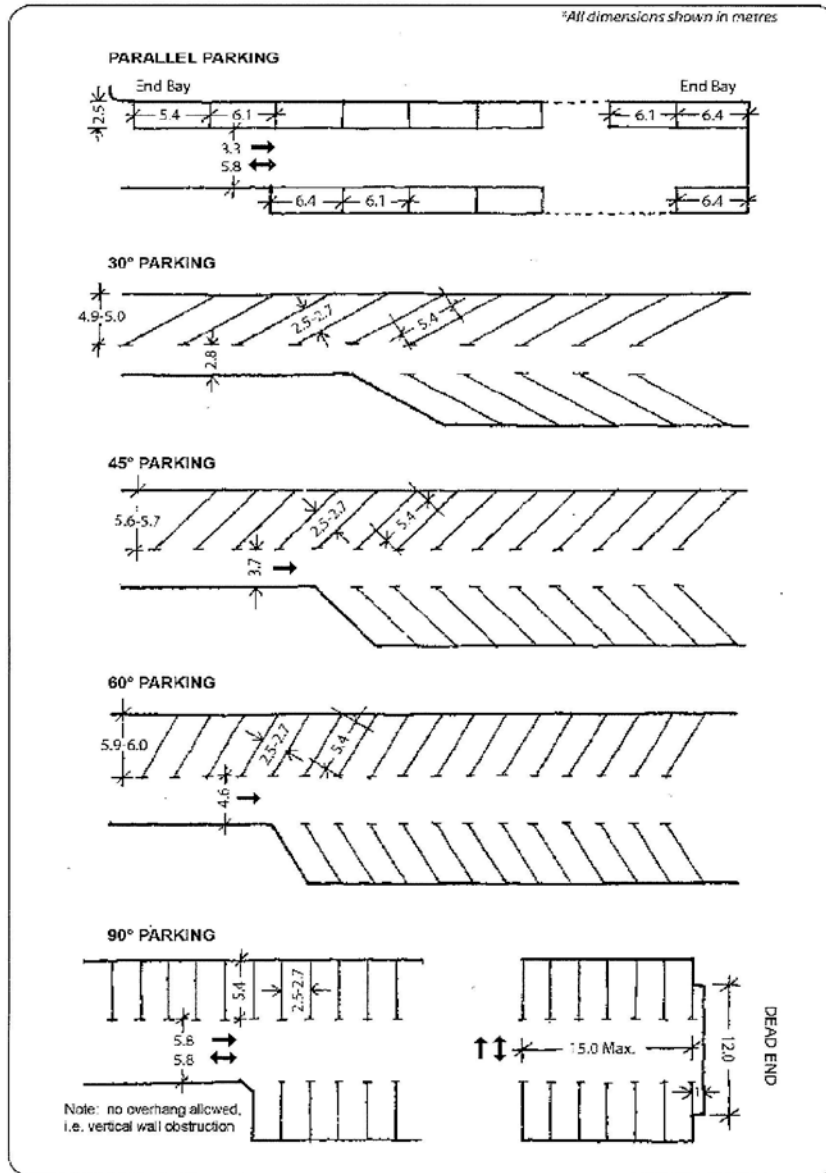
1. The provisions of this chapter will be applied to new development.
2. Off-street car parking provision currently provided to existing developments shall be retained. Additional parking spaces required for any new development or redevelopment shall comply with the provisions of this chapter.
3. In the case of a change in the use of an existing building, Council will apply the provisions of this DCP if it considers that the proposed new use will produce a substantially different parking requirement than those attributable to the existing use.
4. The total number of on-site parking spaces provided in association with new development will be determined in accordance with the recommended ratios set out in this Chapter; subject to any qualifications or exceptions which may be applicable in the circumstances of the case. In this regard, parking proposals that provide less parking than required by this Chapter will be required to be supported by a parking study.
5. Where there is an inconsistency between this Chapter and an Australian Standard, the Australian Standard will prevail.

Note:

Variations to the car parking requirements will be considered on the individual merits of the application. Refer to Variation of Development Standards in Section

Car Parking and Vehicle Access Requirements	
Performance Criteria	Acceptable solutions
New car parks are sufficient in number and design to provide for the needs of new developments.	<p>Car parking is provided at the rate set out in the table below.</p> <p>Car parking is provided on the site of the development;</p>
Parking areas are designed to operate in a safe manner for drivers and pedestrians.	<p>Vehicles enter and leave the site in a forward direction;</p> <p>All parking spaces are suitably marked by lines or spaces indicated by other approved means</p>
Parking bays are readily accessible and provided adequate area is for the turning and manoeuvring of vehicles;	<p>Unless specified to a different standard elsewhere in this DCP, all car parking areas, driveways, turning areas and loading areas are paved in either bitumen seal coat, asphaltic or bituminous concrete, cement concrete, concrete paving blocks, or brick paving blocks.</p> <p>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;</p> <p>Free and uninterrupted access to car parking areas is maintained at all times.</p>

Recommended Carpark Dimensions



Parking Requirements

Land Use	Parking Requirements
Residential	
Dwelling houses	1 - 2 spaces per dwelling
Medium density residential flat buildings	1 space per unit +1 space for every 5 x 2 bedroom unit +1 space for every 2 x 3 bedroom unit +1 space for 5 units (visitor parking)
Housing for aged and disabled persons	<i>Resident funded developments</i> Self-contained units: 2 spaces per 3 units +1 space per 5 units (visitor parking) Hostel, nursing and convalescent homes: 1 space per 10 beds (visitors) +1 space per 2 employees +1 space per ambulance
	<i>Subsidised development</i> Self-contained units: 1 space per 10 units (residents) +1 space per 10 units (visitor parking) Hostel, nursing and convalescent homes: 1 space per 10 beds (visitors) +1 space per 2 employees +1 space per ambulance
Casual Accommodation	
Motels	1 space for each unit + 1 space per 2 employees <i>If restaurant included then <u>add the greater of:</u></i> 15 spaces per 100m ² GFA of restaurant / function room, or 1 space per 3 seats
Hotels –traditional –tourist	Comparisons should be drawn with regard to similar developments
Office and Commercial	
Commercial premises	Unrestrained situation: 1 space per 40m ² GFA Restrained situation: refer to council parking code

Retail		
Shopping centres	GLFA (m2)	spaces per 100m2 GLFA
	0-10,000	6.1
	10,000-20,000	5.6
	20,000-30,000	4.3
	over 30,000	4.1
Service stations and convenience stores	Requirements are additive: <ul style="list-style-type: none"> ➤ 6 spaces per work bay ➤ 5 spaces per 100m2 GFA of convenience store <i>(if restaurant present, then <u>greater of</u>:</i> <ul style="list-style-type: none"> ➤ 15 spaces per 100m2 GFA, or ➤ 1 space per 3 seats) 	
Motor showrooms	0.75 spaces per 100m2 site area + 6 spaces per work bay (for vehicle servicing facilities)	
Car tyre retail outlets	whichever is the <u>greater of</u> : 3 spaces per 100m2 GFA, or 3 spaces per work bay	
Roadside stalls	4 spaces	
Drive-in liquor stores	Not applicable	
Markets	2.5 spaces per stall (customers only)	
Bulky goods retail stores	Comparisons should be made with similar developments	
Video stores	6.1 spaces per 100m2 GFA	
Refreshments		
Drive-in take-away food outlets	Developments with no on-site seating: 12 spaces per 100m2 GFA Developments with on-site seating: 12 spaces per 100m2 GFA <u>or greater of</u> : 1 space per 5 seats (internal and external), or 1 space per 2 seats (internal) Developments with on-site seating and drive through facilities: <u>greater of</u> : <ul style="list-style-type: none"> ➤ 1 space per 2 seats (internal), or ➤ 1 space per 3 seats (internal and external) plus queuing area for 5 to 12 cars (see 5.8.1)	

Restaurants	<u>whichever is greater of:</u> 15 spaces per 100m ² GFA, or 1 space per 3 seats
Clubs	Comparisons should be drawn with similar clubs
Recreational and Tourist Facilities	
Recreational facilities	3 spaces per court
squash courts	
tennis courts	3 spaces per court
bowling alleys	3 spaces per alley
bowling greens	30 spaces for first green +15 spaces for each additional green
Gymnasiums	Metropolitan regional centres 3 spaces per 100m ² GFA Metropolitan sub-regional centres 7.5 spaces per 100m ² GFA (desirable) 4.5 spaces per 100m ² GFA (minimum)
Tourist facilities	
caravan parks	1 space per caravan site
Road Transport facilities	
Road transport terminals	Surveys should be undertaken of similar developments
Container depot	Surveys should be undertaken of similar developments
Truck stops	1 truck parking space per motel unit + 1 car space per 2 employees <i>For restaurant facilities, <u>the greater of:</u></i> 15 spaces per 100m ² GFA, or 1 space per 3 seats
Industry	
Factories	1.3 spaces per 100m ² GFA
Warehouses	1 space per 300m ² GFA
Business parks	1.5 spaces per 100m ² of total GLA. 1.8 spaces per 100m ² gross leasable office/ showroom leasable factory / warehouse are (where information on component developments is available)
Plant nurseries	<u>Whichever is greater of:</u> 15 spaces; or, 0.5 spaces per 100m ² of site area.

Health and Community Services	
Professional consulting rooms	Comparisons should be drawn with similar developments
Extended hour medical centres	4 spaces per 100m ² GFA
Child care centres	1 space for every 4 children in attendance
Private Hospitals	Comparisons should be drawn with similar developments (Refer to Section 5.12.4)
Public Car Parks	
Public car parks	not applicable

Notes

1. Parking spaces, unless stipulated otherwise, are for cars.
2. Depending on land use type, parking for delivery/service vehicles, courier vehicles, bicycles should also be provided.
3. The Council will define a requirement for uses not referred to in the DCP according to the merits of the specific case.

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 on-site parking provisions will be the aggregation of the independently derived requirements.
4. For the purpose 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 where common usage reduces total demand. Each case will be considered on its individual merits.

Historic Parking Deficiency

The parking requirement calculated under these controls (i.e. "Guide to Traffic Generating Developments Version 2.2") for proposals to redevelop, carry out alterations or additions or change the use of an existing building in the B3 Commercial Core zone under the Cootamundra LEP 2013 will be discounted by any historic parking deficiency which applies to the building.

The historic parking deficiency is determined by calculating the number of parking spaces required for a lawfully established existing building and subtracting the number of parking spaces currently available on site or elsewhere for use in association with such building.

The “historic parking deficiency provision” will not be applied to:

- (a) “greenfield” development sites; i.e., where an existing site is vacant land or where an existing building is demolished;
- (b) The parking requirement calculated under these controls (i.e. “*Guide to Traffic Generating Developments Version 2.2*”) is 10 car parking spaces or more;

Service and delivery vehicles

Objective

To ensure that provision is made on-site for service and delivery vehicles including garbage trucks, buses, coaches and delivery vehicles.

Service and delivery vehicles	
Performance criteria	Acceptable solutions
Adequate space is provided on site to accommodate service and delivery vehicles in new development	Provision must be made on-site at a convenient location for the type of delivery service vehicles appropriate to the type of development, and according to the requirements of the particular land use as shown in the table above.
The design of maneuvering and parking areas for service and delivery vehicles is integrated with site planning and landscaping	The minimum carriageway width for two-way movement of service vehicles, buses and coaches within a development site is 6 metres with adequate provision for maneuvering at corners.
The layout of the service area is designed to facilitate operations relevant to the development and to thus discourage on-street loading and unloading	All vehicles are able to enter and leave a site in a forward direction
The service area is a physically defined location which is not used for other purposes, such as the storage of goods and equipment.	<i>Australian Standard 2890.2 - 1989 Commercial Vehicles Facilities</i> is to be used for the design of maneuvering of service vehicles appropriate to particular developments

<p>Where possible, the movements of service vehicles and cars are separated</p>	<p>The dimensions of a service bay depend on the vehicle to be accommodated. Generally, the minimum width should be 3.5 metres. For courier vehicles, standard car parking space dimensions are usually satisfactory</p>
<p>Pick up and drop off facilities for taxis are included for business developments where appropriate</p>	<p>The heights of the loading platform in the service bay and of the service bay itself will vary with vehicle type and loading/unloading methods up to a maximum of 5.0 metres where access to the top of the load is required. Bay height should be clear of sprinkler systems, air ducts and other protuberances</p>
<p>Internal circulation roadways are adequate for the largest vehicle anticipated to use the site</p>	<p>Where vehicles with hydraulic tailgate loaders might use a dock, the provision of a cavity 3.0 metres wide by 2.4 metres deep at the base of the dock allows normal dock face rear end loading in most situations. In situations where the bed heights of the trucks likely to use the dock will vary substantially, the installation of a dock leveller would aid loading and unloading</p>
<p>Adequate space and facilities for the loading and unloading of goods is provided on site appropriate to the type and scale of development</p>	

CHAPTER 6 – ENVIRONMENTAL MANAGEMENT

6.1 Bushfire Prone Land

Introduction

This section applies of the DCP applies to all area of the Shire identified as bushfire prone land on the maps produced by the NSW Rural Fire Service.

Objective

To ensure that bushfire protection measures are implemented during the planning and design phase so that the risk to the community is minimised.

Performance criteria	Acceptable solutions
Subdivision and building design incorporate appropriate measures to protect life and property in the event of a bushfire	An assessment of the potential impact of bushfire on property mapped as bushfire prone and of bushfire protection measures is prepared and submitted with the development application All new development on land mapped as bushfire prone is to comply with the guideline <i>Planning for Bushfire Protection 2006</i> (or equivalent)
The impact of fire protection measures on flora and fauna, amenity and natural features is minimised	
Topography and site features are utilised to respond to bushfire and to aid protection of property	
Building materials are selected to maximise resistance to fire	
New development is provided with a safe and secure water supply for fire-fighting and protection	
The site layout, building envelopes and landscaping creates an asset protection zone and allows for ease of access to and from other buildings	
The road layout, design and construction considers the needs of emergency vehicles and possible evacuation	

6.2 Flood Prone Land

Introduction

This section applies of the DCP applies to all areas of the Shire identified as flood prone land.

Objective

To ensure that flood protection measures are implemented during the planning and design phase so that the risk to the community is minimised.

Notes

1. Flood studies have been carried out for Cootamundra and Stockinbingal.
2. Flood prone land is shown on the LEP maps
3. Flood levels for different areas of Cootamundra and Stockinbingal based on the flood studies are available from Council. However, these levels are required to be determined on site by a registered surveyor.

Flood prone land	
Performance criteria	Acceptable Solutions
That flood risk to life and property associated with the use of land is minimised	An assessment of the impact of a 1:100 ARI flood event and of flood protection measures is to be carried out and submitted with all applications to develop land that is mapped as a flood planning area in the <i>Cootamundra LEP 2013</i>
New development on flood prone land is compatible with the flood hazard of the land	Building envelopes that are located above the flood planning level are shown on subdivision plans
New development does not affect flood behaviour that causes an increase in the potential flood affectation of other development or properties, or the natural environment	A Certificate is provided by a registered Surveyor certifying that all habitable floor areas are constructed 500mm above the known 1: 100 ARI flood height AHD and certifying the actual finished level of the total site
New development incorporates measures that manage risk to life from flood and does not result in unsustainable social and economic costs to the community as a consequence of flooding	

6.3 Potentially Contaminated Land

Introduction

This section applies of the DCP applies to all parcels of land in the Shire that have been identified as being potentially contaminated land having regard to the use of that land in the past.

Objectives:

1. To ensure that Council's adopted policy with regard to potentially contaminated land and the legislative requirements in relation to potentially contaminated land is complied with in Council's consideration of development applications.
2. To ensure that contaminated land is remediated to reduce the risk of harm to human health or the environment.

Note:

Council maintains a register of potentially contaminated land.

Potentially contaminated land	
Performance criteria	Acceptable solutions
The extent of contamination and any necessary works to remediate the land are identified	<p>If the land is potentially contaminated due to a former use or is within an investigation area then a preliminary assessment must be carried out in accordance with the contaminated land planning guidelines that takes into account the extent to which it is proposed to carry out development on that land for residential, educational, recreational or child care purposes</p> <p>That the Council's adopted Policy "Council Actions in relation to Land Identified as Potentially Contaminated" included in Appendix 1 is satisfied.</p>
Contaminated land is remediated as appropriate for former land uses and as required for the proposed land use	

6.4 Buffers to Primary Industry and Infrastructure

Objective

To ensure that existing and potential quarrying, extractive industries, energy generating facilities and public infrastructure are protected but do not cause land use conflict with adjoining rural and residential activities.

Buffers to primary industry and infrastructure	
Performance criteria	Acceptable solutions
Rural dwellings and tourist accommodation are separated from quarries and extractive industries to minimise any adverse impacts on the amenity of residents due to dust, fumes, noise and odours	Building envelopes for rural dwellings and tourist accommodation are to have a separation distance of 500 metres from the boundary of the property on which a quarrying or an extractive industry is operating or on which development consent has been issued for a quarry or extractive industry
Quarrying and extractive industries operations are not threatened by the proximity of rural dwellings and tourist accommodation	Vegetation buffers may be used to reduce the total separation distance between rural dwellings/tourist accommodation and quarrying or extractive industries taking into account the scale of operations, processes used, topography and climatic conditions
Quarrying and extractive industries impact on the natural environment and competing primary industries to an acceptable extent	Building envelopes for rural dwellings and tourist accommodation are to have a separation distance of 100 metres from the boundary of the property on which forestry activities, including carbon sequestration, are taking place or on which approval has been issued for forestry activities or carbon sequestration
Rural dwellings and tourist accommodation do not depend on land within a different ownership for the provision of buffers	Building envelopes for rural dwellings and tourist accommodation are to have a separation distance from infrastructure assets and renewable energy generating facilities that is determined on merit having regard to topography, climatic factors, environmental features and the scale of operations
Public and private forestry activities, including carbon sequestration, are maintained whilst at the same time ensuring that rural communities and public facilities are not adversely impacted by the carrying	In determining the appropriate separation distance between building envelopes for rural dwellings/tourist accommodation and renewable energy generating facilities reference is to be made to relevant and in-

out of these activities	force NSW Government guidelines
Infrastructure assets, including renewable energy generating facilities such as wind farms, solar farms, sewerage treatment plants and waste management facilities, do not impact adversely on the amenity of dwellings due to noise, odour and appearance	
Riparian vegetation and water quality in significant watercourses is protected	

CHAPTER 7 - HERITAGE

HERITAGE CONSERVATION AREA

Introduction

This section applies of the DCP applies to the Heritage Conservation Areas of Cootamundra Stockinbingal and Wallendbeen as well as to the list of heritage items.

The Local Environmental Plan (referred to as LEP in this chapter) requires consent for all development and demolition proposals in heritage conservation areas and it specifically lists separate heritage items.

The NSW Government also has local places on the NSW State Heritage Register.

This DCP chapter applies to buildings, places and conservation areas identified in the heritage schedule of the LEP.

Objectives

1. To ensure that new development, including the adaptive re-use of heritage buildings, and alterations and additions, are compatible with and respectful of recognised heritage values and the historic context.
2. To ensure that all new development is compatible with desired visual, built and landscape character of heritage conservation areas by setting standards which will ensure this.
3. To ensure that land use and level of activity reflect the scale of heritage streetscapes.

Notes

1. **The boundaries of the heritage conservation areas for Cootamundra, Wallendbeen and Stockinbingal are shown on the LEP maps.**
2. **The heritage items are listed in Schedule 5 of the LEP.**
3. **Clause 5.10 of the LEP has requirements regarding heritage development.**
4. **Detailed heritage guidelines are provided in Appendix 1 of the DCP**

General requirements

Archaeological assessment

An archaeological assessment may be required in areas of potential archaeological potential. This may particularly apply to land that supported early European settlement or that has pre-European ground surface (undisturbed or “green-field” land).

Heritage Conservation Management Plans

Council may require a heritage conservation management plan for large developments or if the proposed development impacts on a heritage item. In addition to the information required for a heritage impact statement, the plan should set out conservation policies and mechanisms to retain heritage values. For preparation of the plan, the applicant is advised to study the guide documents provided by NSW Heritage Branch.

Referral to the NSW Heritage Branch

If the proposed development materially impacts on an item of state heritage significance, then the NSW Heritage Branch is the consent authority. Council then refers the application to NSW Heritage Branch. Council may refer other applications for comment if there is reason to believe that the proposal might impact on an item of state heritage significance.

General requirements	
Performance criteria	Acceptable solutions
The fabric of heritage items and places, including landscaping and vegetation that contributes to heritage significance, is conserved	An assessment of the impact of new development on heritage significance may be required where the development proposed is on a property that is listed in Schedule 5 of <i>Cootamundra LEP 2013</i> or is on land that is within the vicinity of a listed heritage item, or is within the Cootamundra; Stockinbingal and Wallendbeen Heritage Conservation Areas
Settlement identity, scenic values, historic streetscapes and traditional patterns of settlement are retained	A heritage conservation management plan may be required that contains conservation policy and actions to be taken to conserve heritage significance where the development proposed is on a property that is listed in Schedule 5 of <i>Cootamundra LEP 2013</i>
New development, including alterations and additions to a heritage item and development within the Cootamundra; Stockinbingal and Wallendbeen Heritage Conservation Areas, demonstrates an understanding of the heritage significance and context of the place	When upgrading access to heritage buildings, reference should be made to the document <i>Improving Access to Heritage Buildings, A practical guide to meeting the needs of people with disabilities</i> published by the Australian Council of National Trusts and the Australian Heritage Commission, 1999, to assist with providing access facilities

New development, including alterations and additions to a heritage item and development within the Cootamundra; Stockinbingal and Wallendbeen Heritage Conservation Areas, retains the visual setting and streetscape and landscape character that contributes to heritage significance	
New development, including alterations and additions to a heritage item and development within the Cootamundra; Stockinbingal and Wallendbeen Heritage Conservation Area respects the historical context, the scale and proportion of buildings, and the overall setting	

Subdivision	
Performance criteria	Acceptable solutions
<p>To retain the development and subdivision pattern of conservation areas including their characteristic rhythm and spacings of built form;</p> <p>To retain significant curtilages, views and vistas and landscape elements associated with individual heritage items; and</p> <p>To retain the original subdivision pattern in conservation areas.</p>	<p>Subdivision of land must comply with the minimum allotment size requirements of the LEP and with this heritage design chapter.</p> <p>Subdivision applications for land either in the vicinity of, or on which heritage items are situated, or in conservation areas are required to be accompanied by adequate plans, showing the building envelopes, siting and setbacks of the proposed buildings, that must demonstrate to Council's satisfaction that:</p> <p>The allotment and building spacing, i.e., frontage widths, side and front boundary setbacks, are typical;</p> <p>The rhythm of buildings in the streetscape of conservation areas is retained;</p> <p>Vistas and views to and of heritage items and significant buildings, especially the principal elevations of buildings, are not interrupted or obscured;</p> <p>the landscape quality of the streetscape in conservation areas is retained;</p>

	<p>The setting of the heritage item and a satisfactory curtilage, including important landscape and garden elements, are retained;</p> <p>The scale and form of proposed new construction or buildings is compatible with the dominant heritage elements;</p> <p>The essential qualities of the streetscape and building style, on which the locality's heritage depends, are preserved in the new development. Where new or more recent development in the vicinity of the proposal varies older development standards and the essential heritage characteristics of a locality, the proposal is to ignore these recently introduced characteristics, e.g. two storeys in an otherwise single storey locality, in favour of using the prevailing predominantly original development as a guide to desired character for further development;</p> <p>The subdivision will not require demolition that would adversely affect the streetscape; and</p> <p>The contours and natural features of the site have been retained.</p>
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Corner Allotments	
Performance criteria	Acceptable solutions
To ensure that the characteristics of the conservation area or heritage item are considered from both streets.	<p>Significant parts of the original building must be retained, including main frontage and side frontage. Rear additions generally do not require retention;</p> <p>The scale of additions and alterations must respect the existing ridge or eaves heights;</p> <p>Where additions are attached, detailing including finishes and materials must be appropriate to the original;</p>

	<p>Where additions are detached or commercial development is proposed, contemporary solutions must respect the scale, bulk and detailing of the original without poor mimicry;</p> <p>Car parking must be located to the rear of the secondary street frontage. Double garages forward of the building line are not acceptable;</p> <p>Fencing to the secondary street frontage must not exceed 1800mm in height;</p> <p>Landscaping is required to both street boundaries, and a landscaping concept plan is required with the submission of a development application; and</p> <p>New development must be located to minimise impact on existing prominent trees.</p>
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Multi - Housing Development	
Performance criteria	Acceptable solutions
To ensure that multi-unit residential development will be consistent with the existing density, form, scale, architectural and streetscape character of the conservation area and/or heritage item.	<p>Allowable density is calculated by dividing the number of dwellings by the total area of residential land excluding roads and excluding flood prone land. Densities shall be a maximum of one small dwelling unit (one bedroom) per 250 m² lot area, one medium dwelling unit (two bedrooms) per 350 m² lot area; and one large dwelling unit (three or more bedrooms) per 450 m² lot area, provided always that the development meets the floor space ratio requirements.</p> <p>Building bulk is to be minimised. Well-known architectural devices are constructing in single storey; separating out garages under a different roof; following natural ground levels where possible to avoid abrupt changes of level; and separating large floor areas into separately roofed areas.</p>

	<p>The first (or leading) villa unit in a group is to face the primary street frontage and its design must be consistent with the best historical examples in the adjoining streetscape.</p> <p>A detailed landscape plan to be prepared by a qualified Landscape Architect, or alternatively a specialist landscape designer as approved by Council.</p> <p>The design should be consistent with design elements (roof, scale etc) identified for all development for the conservation area and heritage items.</p>
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Commercial and retail development	
Performance criteria	Acceptable solutions
<p>To ensure that commercial development achieves a sympathetic relationship with the conservation area of which it is a part in terms of its scale, massing, character, setback, orientation, materials and detailing; and</p> <p>To ensure that commercial development respects the established streetscape, and the patterns of development, including setbacks, siting, landscape settings, car parking, height, dominant ridge line and building envelope by displaying architectural “good manners” and respecting the significant characteristics of nearby and adjoining development.</p>	<p>Commercial can be contemporary in design however, the scale, form and detail must not detract from the scale, form, unity, cohesion and predominant character of buildings and development (i.e. streetscape/landscape elements) around it;</p> <p>Commercial development in the vicinity of a heritage item must respect the visual curtilage of that item;</p> <p>Commercial development must not visually dominate, compete with or be incompatible with the scale (size, height and bulk) of existing buildings either on the site or in the vicinity of the proposal;</p> <p>Commercial development must be sited to correspond with the existing pattern of relationships between buildings and their sites. Front boundary setbacks are to be equivalent to those of neighbouring buildings. Side setbacks must be consistent with existing patterns;</p>

	<p>Commercial design is to be integrated into the established character of the area and, in particular, of heritage buildings, incorporating basic design elements such as the characteristic roof form and massing of the original development, proportions of windows, doors and verandahs;</p> <p>Commercial design must not visually dominate, compete with or be incompatible with the form of existing buildings of heritage significance, either on the site or in the vicinity of heritage items;</p> <p>New development must be in moderate conformity (repeat the scale, roof pitch, materials, colours and architectural treatments without poor mimicry) with the best examples of historic buildings in the locality;</p>
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Demolition	
Performance criteria	Acceptable solutions
To retain original buildings that preserve the historical integrity of conservation areas and heritage items.	<p>Except where a building presents an immediate threat to public safety, the total demolition of a building shall not be permitted unless an application for a replacement building within a garden setting is approved. Where a development proposal is not an improvement over the original building, then there are no grounds for replacing the original building.</p> <p>Where in the opinion of the Council, neglect of a building has contributed to the building becoming structurally unsound so as to necessitate total demolition; redevelopment of the site shall not exceed the gross floor area of the building. Additions to a replacement building shall not be permitted within 3 years of completion of the replacement building.</p>

	<p>The partial demolition of original external building fabric of buildings shall only be permitted in the context of permitted alteration or additions.</p> <p>Demolition of a building may be carried out no earlier than 6 weeks prior to the commencement of construction of an approved replacement building.</p> <p>Alteration to, or demolition of, internal building fabric of buildings may be permitted provided the external building fabric of the building is not adversely affected.</p> <p>Total demolition of existing pre-1950 buildings shall not be permitted unless:</p> <p>The building is so structurally unsound as to be beyond reasonable economic repair. The application must include a professional structural assessment in support of demolition; or</p> <p>The existing condition poses a significant health or safety risk that is beyond reasonable economic repair. The application must include a professional structural or health assessment in support of demolition; or</p> <p>In the opinion of Council, the integrity of the built form and street elevations of an original building has been extensively and irreversibly diminished by unsympathetic alterations and additions AND any replacement development conforms to this plan.</p>
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Shopfronts	
Performance criteria	Acceptable solutions
To ensure that original elements are retained and where new elements occur, that the character and patterns of shopfronts and their construction is clearly related to the proportions, placement and scale of shopfronts of the existing heritage fabric	<p>Retain and repair/restore original shopfronts. Authentic reconstruction is encouraged. Original timber and metal shopfront framing must be retained;</p> <p>New shopfronts are to be compatible with the proportions, position, size and detailing of the best historical examples of original shopfronts.</p> <p>Encourage recessed doorways so that hinged doors can open outwards.</p>

Signs	
Performance criteria	Acceptable solutions
To ensure that signs do not compete with architectural features of the building nor dominate the streetscape.	<p>Commercial advertising banners and placards are prohibited;</p> <p>Business signs must be designed to complement the visual quality of the building or conservation area streetscape;</p> <p>Signs must not have an adverse impact on the heritage character of buildings or conservation area;</p> <p>Business signs on fascias of verandah beams or awnings must be no larger than the fascia.</p> <p>Signs should be of colour and lettering appropriate to the period style of the building; and</p> <p>Subdued colours should be used and signs should be spot lit instead of self-illuminating;</p>

Colours	
Performance criteria	Acceptable solutions
To ensure that external colours provide consistency and harmony in conservation areas and for heritage items.	New development should reflect surrounding buildings in the selection of external materials and finishes. Roof materials and wall surfaces are particularly critical.

	<p>External painting in colours that complies with the heritage colour palette below should not require a development application, provided that Council is notified of the proposal and considers that the scheme does not reduce heritage values. Other colour proposals may require a referral to the Council Heritage Adviser.</p>
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<p>Design elements</p>
<p>Note: Design elements refer to the setting; scale; proportion, façade, doors windows, detailing and colours of a building or other structure.</p>

<p>Setting</p>	
<p>Performance criteria</p>	<p>Acceptable solutions</p>
<p>To provide an appropriate visual setting for heritage items and buildings within conservation areas, including landscaping, fencing and car parking;</p> <p>To maintain and enhance the existing heritage character of the streetscape and the vicinity;</p> <p>To ensure that new development respects the established patterns in the streetscape, including setbacks, siting, landscaped settings, car parking and fencing.</p>	<p>New developments must respect established patterns of setbacks, spacing of dwellings, landscape character, car parking and fencing.</p> <p>The side and front setbacks are to be typical of the spacing of buildings both from each other and from the street in the particular locality, such that the rhythm of buildings in the streetscape is retained;</p> <p>No new structures are to be built forward of the established street building line;</p> <p>An adequate curtilage, including landscaping, fencing and any significant trees, is to be retained;</p> <p>The established landscape character of the locality including height of canopy and density of boundary landscape plantings must be retained in any new development;</p> <p>Development in the vicinity of a heritage item must respect the visual curtilage of that item;</p> <p>New developments must respect the existing character of the streetscape.</p>

Roof	
Performance criteria	Acceptable solutions
To retain the characteristic scale and massing of roof forms within the conservation area, and of heritage items.	<p>New roofs must reflect the materials, size, shape, pitch, eaves, ridge height, and bulk of original historic roofs in the locality, and be in proportion with the proposed building;</p> <p>Residential roofs must reproduce detailing of the best historical examples in the vicinity and be pitched 25 to 30 degrees;</p> <p>Attic rooms are to use existing roof form to retain original street appearance of the building;</p> <p>The location of attic room extensions must not adversely affect significant views;</p> <p>Skylights must not be used on the front plane of roofs;</p> <p>Retention of chimneys is required. Where possible, structures attached to the exterior roof must not be located where visible on the principal elevations of buildings;</p> <p>New or replacement roof materials may be either galvanised corrugated iron, clay slates, Marseilles pattern clay tiles or stone slates, provided that they are appropriate to the style and location;</p> <p>Colorbond shall not be permitted;</p> <p>Additions should disturb the original roof form as little as possible; and</p> <p>Roof elements such as dormers and skylights should not be located where visually dominant and should be kept below the ridge line;</p>

Scale, mass & form	
Performance criteria	Acceptable solutions
<p>To ensure that the scale of new development is in harmony with the streetscape and that it does not dominate existing heritage items, nor reduces their contribution to the existing pattern of development.</p>	<p>Scale (including height, bulk, density and number of storeys) of new work must relate visually to the scale of adjacent buildings. Unless it can be clearly demonstrated that greater scale would be appropriate in the individual circumstances, new buildings and additions are to be of the same scale as the surrounding development;</p> <p>Two storey development is encouraged for commercial and mixed commercial/residential buildings in main street village locations and town CBD;</p> <p>Where single storey development predominates in residential areas, new residential building shall not exceed one storey plus pitched roof with dormer windows (often referred to as one and a half storeys);</p> <p>Extensions must not visually compete with the original form of the existing buildings which they alter. This means that as far as practicable, the external wall outlines, footprint and roof shape of the original building is to be visible, unaltered and visually discernible from additions. Additions are generally expressed with a separated building mass and roof. The accepted method is a separate building attached by a low link to the original. Original roofs that are stretched or blended to cover additions are generally not acceptable.</p>

Proportion	
Performance criteria	Acceptable solutions
<p>To ensure that new development respects the proportions of elements of existing heritage fabric; and</p> <p>To ensure that new development has regard to the architectural character and style of the Item or conservation area setting.</p>	<p>New work and extensions must respect the proportions of major elements of significant existing fabric including doors, windows, openings and verandahs.</p>

Facade	
Performance criteria	Acceptable solutions
<p>To retain the existing façade proportions, fabric, scale and massing and character;</p> <p>To ensure that new development does not or reduce the importance of original verandahs;</p> <p>To ensure new verandahs do not conflict with heritage significance or character.</p>	<p>Two storey façades must only be proposed where surrounding development is of a predominantly two storey scale, that is in some village main streets and the town CBD;</p> <p>Original unpainted brickwork, sandstone and block work must not be rendered or painted.</p> <p>Bay widths must be limited to match those of surrounding significant development;</p> <p>Alteration of the form and materials of principal elevations is not appropriate unless associated with acceptable reconstruction works;</p> <p>Original sunhoods, blinds, awnings and skirts to principal elevations must be retained and repaired. Authentic construction or reconstruction is supported;</p> <p>Original verandahs are to be retained and restored. Infilling of verandahs is not encouraged. Additional verandahs must not compete with the importance of the original and must be simple in design, and based on existing detail or an understanding of appropriate designs for each period or style;</p> <p>New buildings must take into account the significance and design of verandahs in the locality, the methods of their incorporation in building designs and their harmonising role in streetscapes;</p> <p>Alteration to original façades which are of heritage significance is not supported;</p> <p>Designs should reflect the type of façade historically used in each locality in massing, details, materials and colours, without cheap imitation;</p>

	<p>Balconies on front façades are not appropriate (unless consistent with historic style).</p> <p>External wall repairs/refurbishment: Matching materials must be used in repairing the fabric of external surfaces. New development should use materials similar to or compatible with that of original buildings in the locality. In the case of new face brickwork, the colour and texture of the brick, the type of jointing, and mortar colour should be carefully matched.</p>
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Doors and windows	
Performance criteria	Acceptable solutions
<p>To ensure that original elements are retained and where new elements occur, that the character and patterns of door and window openings and their construction is clearly related to the proportions, placement and scale of fenestration patterns of existing heritage fabric.</p>	<p>Doors and windows in new buildings are to be compatible with the proportions, position and size of those typical of the locality.</p> <p>Retain and repair/restore original doors and windows to principal elevations. Authentic reconstruction is encouraged. Original leadlight and coloured glass panes must be retained;</p> <p>New doors and windows in additions are to be compatible with the proportions (“vertically proportioned”), position, size and detailing of existing doors and windows; Traditional windows for example, were timber framed, double-hung or casement sashes, commonly made up of 2’ (600mm) or 2’6” (750mm) wide frames, with a height of 3’ (900mm) or 4’ (1,200mm).</p> <p>Window/door types adopted from post-1970 suburban housing estate designs do not harmonise with traditional window designs of heritage settings.</p> <p>Windows and glazed doors should be timber framed.. Aluminium windows, provided they approximate timber in section, may be considered as an alternative for timber windows only in new buildings</p>

Detailing	
Performance criteria	Acceptable solutions
<p>To ensure that new development has a level of detail which is appropriate to its context; and</p> <p>To ensure that new development has regard to the architectural character and style of the heritage item or conservation area setting but does not incorporate elaborate new detailing in a period style that would prevent interpretation of what is original and what is new.</p>	<p>New work and extensions in conservation areas must have a level of detail that is similar to and complements that of surrounding heritage fabric; and</p> <p>New work must adopt a simple character which uses external finishes, colours and textures which complement the heritage fabric, rather than be a poor imitation of historic buildings.</p>

Colours	
Performance criteria	Acceptable solutions
<p>To ensure that external colours provide consistency and harmony in conservation areas and for heritage items.</p>	<p>New development should reflect surrounding buildings in the selection of external materials and finishes. Roof materials and wall surfaces are particularly critical .</p> <p>External painting in colours that complies with the heritage colour palette below should not require a development application, provided that Council is notified of the proposal and considers that the scheme does not reduce heritage values. Other colour proposals may require a referral to the Council Heritage Adviser.</p>

Car parking, garages & other structures	
Performance criteria	Acceptable solutions
<p>To allow for reasonable on site car parking while retaining the character and significance of the conservation area or heritage item;</p> <p>To ensure that car parking facilities do not have any adverse visual impact upon heritage streetscapes;</p> <p>To ensure that garaging and driveways are visually discreet;</p>	<p>Access</p> <p>Existing rear lane access is to be utilised in preference to front access;</p> <p>Existing side vehicular access is to be utilised;</p> <p>Driveways are to be to side boundaries; and Development which removes existing access must not preclude future garages behind the building line.</p>

<p>To exclude carports and inappropriately detailed outbuildings that are incompatible with the architecture of the conservation area or heritage item; and</p> <p>To ensure that outbuildings do not detract from the heritage significance of the item or conservation area through inappropriate siting, or excessive scale, bulk, visibility or materials.</p>	<p>Location</p> <p>Uncovered car spaces may be provided forward of the building line;</p> <p>Garages must be located behind the building alignment; and</p> <p>Underfloor garage parking is not permitted as does not harmonise with historic buildings.</p> <p>Scale</p> <p>The garage/outbuilding must be smaller than the main building.</p> <p>Maximum width of a driveway at street frontage is to be 3.5m; and</p> <p>Garages are to occupy no more than 20% of street frontages;</p> <p>Appearance</p> <p>Carports shall not be permitted.</p> <p>Materials, form, and details of outbuildings are to harmonise with the dwelling, with steep pitched (typically 25-30 degree) roofs, timber boarded doors, timber framed double hung windows, or other detailing to match that of the dwelling.</p> <p>Garage structures are to be subservient to the residence;</p> <p>Garage doors visible from the street should be timber faced and detailed to match historical examples.</p> <p>Structures forward of the building line must be screened with vegetation;</p> <p>Garage doors and structures are to be recessed at least 1,500 mm behind the primary façade to create a shadow line.</p> <p>Roller doors visible from any public place shall not be permitted.</p>
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	<p>Wall and roof materials may match that of the house or be corrugated galvanised iron.</p> <p>Commercial car parking areas, if proposed, should include a detailed landscape plan. A minimum of 15% of car park area must be allocated to deep soil landscaping with shade trees (large shade tree instead of every eighth car park is deemed to comply). Garages in multi-unit developments must be under a separate roof from the dwelling, Traditionally, garaging was in a separate outbuilding, which took secondary place to the main building (the dwelling). In keeping with the “secondary place” status, doors were timber boarded, barn style doors.</p>
	<p>In considering any application for permission to erect an outbuilding (including a garden shed or store), Council will consider:</p> <p>The location of the proposed structure in relation to the principal building, boundaries and other details of the site;</p> <p>The proposed form, scale, materials and colours of the structure; in this regard colours and materials should be recessive. The relative prominence and visibility of the proposed structure from the street frontage or frontages of the site and neighbouring properties and the need for landscaping such as screening or planting to ensure that the proposed structure is well integrated with its intended site; and</p> <p>The retention of any significant outbuildings which form part of a historical curtilage</p>

Fences	
Performance criteria	Acceptable solutions
<p>To provide fencing that reinstates the original form of fencing, that is consistent with and does not detract from the established patterns of the street.</p>	<p>Front fencing must be of materials characteristic to the architecture of the building and particular to the street.</p> <p>Front fencing, where installed, must be one of the following types where it is consistent with the style of building being fenced: masonry fencing to 700mm maximum; open fencing such as pickets or palisade to 1,200 maximum, hedging to 1,200mm maximum.</p> <p>Fencing along boundaries to public open spaces, where installed, must be either of wire or wire mesh or of timber post and rail design or iron railing to a maximum height of 1,400 mm. Hedges, trees and shrubs may be planted for privacy.</p> <p>Internal boundary fences including those between lots, where installed, must match the fencing along boundaries to public open spaces or be stone or timber paling construction.</p> <p>Colorbond sheet and hollow metal ('pool type') fencing is not permitted.</p>

Garden elements, paving & driveways	
Performance criteria	Acceptable solutions
<p>To retain or reinstate landscaped settings for heritage items and components of conservation areas; and</p> <p>To conserve any original landscape planting separating public from private domain and to 'frame' the view of each building and its front garden.</p>	<p>In the case of heritage items, soft landscaping shall not obscure the main building from the street, in order to allow the main building to maintain its contribution to the streetscape. Soft landscaping includes trees, shrubs, grass and garden beds;</p> <p>Hard surfaces are to be kept to a minimum. As a guide, 70% of the area forward of the building line is to be soft landscaped;</p> <p>Screening of hard surfaced areas with vegetation is encouraged;</p>

	<p>Garden structures are to be appropriate to primary buildings in terms of scale, style, and materials;</p> <p>Driveways and paths may be paved with black asphalt, 8% black oxide concrete to match asphalt, gravel, stone or clay brick pavers. Stamped, stencilled, exposed aggregate or plain concrete, or bright coloured paving, shall not be permitted; and</p> <p>Hedges along front boundaries and along side boundaries forward of the building line and the maintenance of hedges to heights of not more than 1200mm is encouraged</p>
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