Snowy River Development Control Plan 2013

SNOWY MONARO
REGIONAL COUNCIL

As adopted by Council on 16 March 2023 (Resolution 58/23)

Came into force on 29/03/2023

Record of Versions

Name of Amendment	Adopted by Council on	Resolution	Came into Force on (date of notice on Council website)
Original (Issue 1)	26/11/2013	202/13	20/12/2013
Amendment 1 (Issue 2)	17/10/2019	362/19	11/11/2019
Amendment 2 (Issue 3)	17/03/2022	58/22	07/04/2022
Amendment 3 (Issue 4)	16/03/2023	58/23	29/03/2023

Contents

A1 Introduction

Contents

1. Name of this Plan and Commencement

This plan is called the Snowy River Development Control Plan 2013 (DCP 2013). The DCP has been prepared under Section 74C of the Environmental Planning and Assessment Act 1979 and Regulation 2000.

This plan was adopted by Council on 26 November 2013 and came into effect on 20 December 2013.

2. Purpose of this DCP

The purpose of DCP 2013 is a source of information covering the technical, legislative and administrative aspects of development within the Snowy River Shire. It provides detailed provisions to guide development so that it achieves the aims and objectives of the Snowy River Local Environmental Plan 2013. The DCP includes detailed objectives and controls for ensuring well designed, quality land use and development within the Snowy River Shire.

3. Land to which this DCP applies

This plan applies to all land to which the Snowy River Local Environmental Plan 2013 applies excluding the site specific Development Control Plan T2 Tyrolean Village Stage 3.

4. Who is the consent authority

Unless otherwise stated, the consent authority for development under Snowy River DCP 2013 is the Snowy River Shire Council.

5. Relationship with other plans

This DCP should be read in conjunction with the provisions of the Environmental Planning & Assessment Act and the Snowy River LEP 2013. If there is any inconsistency between this DCP and the LEP, the LEP prevails. This DCP repeals all previous DCPs applying in the Snowy River Shire excluding the site specific Development Control Plan T2 Tyrolean Village Stage 3.

6. Interpretation

Terms in this DCP generally have the meaning ascribed to them in the Dictionary of the Snowy River LEP 2013 or the Act. A reference in this DCP to any Australian Standard or legislation includes a reference to any amendment or replacement as made.

Each development application will be assessed having regard to the Snowy River LEP 2013, this DCP, the DA assessment matters listed in Section 79C of the Act and any other policies adopted by the consent authority.

7. How to use this DCP

The structure and format of this DCP follows a hierarchy of information from the general to the specific. This DCP 2013 is divided into six (6) parts (A-F) as set out below.

Part A Introduction

This Part sets out the format and legal framework for the DCP and includes information requirements for development applications and the details of Councils public notification requirements.

Part B Rural Localities, Towns and Villages

This Part provides background information for the rural localities and the towns and villages of Jindabyne, Adaminaby, Berridale and Dalgety.

Part C General Controls

This Part will apply to all DAs and should be read first to determine how these provisions apply. This Part covers subdivision, design (views and landscape, crime prevention through design) car parking, traffic and access, heritage, tree preservation and landscaping, signage and advertising, natural hazard management, environmental management, energy and water efficiency, water supply and effluent disposal and waste management and recycling.

A development application will need to reference and address the relevant provisions for the type of development proposed.

Part D Residential Development

This Part applies to development of forms of residential accommodation throughout the Shire.

Part E Non Residential Development

The Part provides objectives and controls for a range of developments including tourist accommodation, agriculture and rural industry, commercial and retail development (footpath dining and trading), industrial development, recreation facilities and educational establishments.

Part F Controls for Specific Sites and Localities

This Part includes detailed controls for specific sites and localities including the Jindabyne Town Centre and the Berridale and Adaminaby Village Centres, Dalgety Village and rural residential estates around Jindabyne and Berridale.

8. Contents of DCP Chapters

Each Chapter in this DCP is arranged in several sections, with each section containing:

Objectives which state what Council is seeking to achieve; and

Controls that include detailed provisions and development controls, and are ways of achieving the stated objectives.

No single provision or development control is more important than another. Council may approve a development application that does not meet all of the provisions and development controls where it can be demonstrated that due to specific site conditions, or where the relevant objectives have been satisfied, variation to the requirements will yield a better or comparable planning solution for the site. Written justification is required for any proposed variation to the controls in the Snowy River DCP.

9. Which DCP Chapter applies to my development?

The table (below) identifies, in relation to most common types of development and land uses, the relevant Chapters of the DCP that would apply to an application for a particular type of development. Applicants are advised to consult with Council prior to preparing a development application.

Summary Matrix Table

Key Land Use Types[1]	Snowy River DCP 2013										
	Part A Introduction	**Part B Rural Localities, Towns & Villages**	**Part C General Planning Considerations**	**Part D Residential**	**Part E Non Residential**						**Part F Specific Sites & Localities**
					E1	**E2**	**E3**	**E4**	**E5**	**E6**	
AGRICULTURE	✓	✓	✓			✓					
Animal boarding or training establishments	✓	✓	✓								
Farm buildings	✓	✓	✓			✓					
RESIDENTIAL ACCOMMODATION	✓	✓	✓	✓							
Home based child care	✓	✓	✓								
Home business	✓	✓	✓								
Home occupations	✓	✓	✓								
TOURIST & VISITOR ACCOMMODATION	✓	✓	✓		✓						
Camping grounds	✓	✓	✓		✓						
Caravan parks	✓	✓	✓		✓						
Eco-tourist facilities	✓	✓	✓		✓						
BUSINESS PREMISES	✓	✓	✓				✓				
OFFICE PREMISES	✓	✓	✓				✓				
RETAIL PREMISES	✓	✓	✓				✓				
RURAL INDUSTRIES	✓	✓	✓			✓					

[1] Important - refer to Snowy River LEP 2013 to see if a particular land use is permissible in the particular land use zone.

Key Land Use Types1	Snowy River DCP 2013										
	Part A Introduction	Part B Rural Localities, Towns & Villages	Part C General Planning Considerations	Part D Residential	Part E Non Residential						Part F Specific Sites & Localities
					E1	E2	E3	E4	E5	E6	
INDUSTRIES	✓	✓	✓					✓			?
Vehicle body repair workshops and stations	✓	✓	✓					✓			?
HEAVY INDUSTRIAL STORAGE ESTABLISHMENTS	✓	✓	✓					✓			?
STORAGE PREMISES	✓	✓	✓					✓			?
Depots	✓	✓	✓					✓			?
EDUCATIONAL ESTABLISHMENTS	✓	✓	✓							✓	?
SIGNAGE	✓	✓	✓								?
Other land use terms relating to recreation (eg. Recreation facilities)	✓	✓	✓						✓		?

Key:

✓???control or part of Chapter applies to proposed development;

?controls may apply if development in specific site or locality

A2 Development Application Requirements

Background

A Development Application (DA) is an application to Council to carry out various types of development. Development is defined in the Environmental Planning &Assessment Act, 1979 to include:

the use of land, and
the subdivision of land, and
the erection of a building, and
the carrying out of a work, and
the demolition of a building or work, and
any other act, matter or thing referred to in section 26 that is controlled by an environmental planning instrument,

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

Different types of development include (but are not limited to):

- erecting a new building or structure (including outbuildings, swimming pools, retaining walls);
- altering or adding to an existing building or structure;
- demolishing a building or structure;
- subdividing land or a building;
- carry out earthworks, excavation of filling;
- changing the use of land or a building; or
- displaying or erecting an advertising sign.

1. Preparing a Development Application

The following provides an outline to the steps involved in preparing a development application.

Step 1 Check the zoning of the land under the Snowy River LEP 2013 to determine whether the proposed development is allowed in the zone.

Step 2 Check the exempt and complying provisions in the Snowy River LEP 2013 and State Environmental Planning Policy (Exempt and Complying Development Codes).

Step 3 Determine which clauses of the Snowy River LEP 2013 apply to the site and/or type of development.

Step 4 Determine which Chapters of this DCP applies to the site and/or type of development. Carefully work through the general (Part A and Part C) and specific (Parts B, D, E, F) objectives and controls that are relevant to the proposed development.

Step 5 Meet with Council staff to discuss proposal and identify any likely issues of concern.

Development Application Form: with relevant supporting survey, drawings or plans and a written statement will need to be lodged with Council. To assist in preparing and lodging a DA, Council has prepared a Development Application Guide and a range of information checklists which are available on Council's website and in hard copy. The Development Application Guide and checklists are also useful references to ensure that relevant matters are addressed in the development proposal.

Development applications are assessed on their merits under s79C of the Environmental Planning & Assessment Act, 1979 which, among other things, requires consideration of environmental planning instruments (including the Snowy River LEP 2013) and development control plans (Snowy River DCP 2013).

Seeking relevant information is an important first step in preparing a DA. Council offers a pre-lodgement meeting to identify key issues at an early stage, this is encouraged for large or complex proposals. In addition a town planner is available to answer enquiries during business hours.

All DAs are expected to comply with the Building Code of Australia (BCA) and relevant Australian Standards (AS).

This Chapter of the DCP identifies the required information for particular types of development, additional information may also be identified in individual Chapters.

2. Site Analysis

The key design step prior to preparing a plan is undertaking a site analysis. This in principally expressed in a sketch drawing (site analysis plan) of the subject site and surrounding which accurately identifies and explains:

- key features of the site; and
- how the proposed development relates to those features and immediate surroundings.

The site analysis allows for constraints and opportunities that relate to the site and adjoining land to be recognised, and may include both natural and built environmental features on or around the site. A complete site analysis may include a plan (or series of plans), photos, elevations, perspectives and supporting texts.

A site analysis must be submitted for all development applications that involve external building work, except minor additions and outbuildings and must identify the following:

- scale and north point;
- site dimensions and site area;
- spot levels and contours;
- easements for drainage, services and rights of carriageway burdening or benefiting the subject property;
- location of existing vegetation on the site including species, height, spread of established trees and spot levels at their base;
- natural features such as rock outcrops, ledges or watercourse;
- major trees on adjacent properties and any area of overhang;
- surrounding land;
- location and height of buildings and other structures on the site and all other hard surfaces including paving and driveways;
- calculation of built-upon areas;
- heritage items and conservation areas on the site and in the vicinity;
- views to and from the site;
- visual character features including lot sizes, fencing, kerbs, setbacks, spatial separation, access arrangements, street tree planting, native vegetation and private gardens as well as the architecture of individual residences and buildings;
- fences and boundaries;
- street frontage features such as street trees;
- existing means of stormwater drainage and any existing stormwater detention systems;
- built form and character of adjacent and nearby development (streetscape);
- location, height and use of neighbouring buildings or structures;
- adjacent areas of private open space and any windows or doors facing the subject site;
- any difference in levels between adjacent properties boundaries;
- location and spot levels of street frontage features such as road pavement, gutter, footpath and trees;
- views and solar access enjoyed by adjacent residents;
- pedestrian and vehicular access to/from the site; and
- overshadowing of the site by neighbouring structures and/or vegetation.

Additional information may be required for certain types of development:

- soil type;
- rare or threatened species of flora or fauna;
- significant noise sources on or around the site, such as noisy roads;
- prevailing winds;
- identification of any contaminated soils on the site; and
- level of bushfire risk (refer Chapter C7 Natural Hazard Management).

A written statement is to be provided which demonstrates how the design of the development responds to the features identified in the site analysis.

3. Site Planning and Layout

The submission of a Statement of Environmental Effects and a detailed site development plan is to demonstrate how the proposed development meets the objectives and provisions of the Environmental Planning & Assessment Act, Snowy River LEP 2013 and this DCP.

The site layout and planning is to integrate the proposed development with the surrounding environment through careful consideration of the features of the site and its surrounds including:

- maintaining visual and scenic attributes viewed to and from the site;
- protecting view corridors and visually prominent sites;
- designing buildings to face the street and open space areas;
- ensuring the features identified in the site analysis are considered in the building, streetscape and landscape design;
- ensuring adequate pedestrian, cycle and vehicle links to the street and any open space networks;
- bushfire asset protection zones;
- maintaining streetscape and amenity;
- ensuring solar access to living areas;
- designing open space areas to contribute to the character of the development, which are cost-effective to maintain and where possible contribute to stormwater management; and
- reducing noise levels by minimising noise entry.

The proposed location of buildings on the site should:

- ensure the amenity of neighbouring properties is maintained or enhanced;
- facilitate solar access;
- protect significant vegetation and allow for the provision of landscaping and provide area for additional tree plantings to grow to maturity;
- ensure that the location of an Asset Protection Zone (APZ) is within the developable land area and does not require the clearing of land into adjoining properties or into land zoned E2 Environmental Conservation or E3 Environmental Management.
- facilitate efficient use of the site; and
- minimise bushfire hazard by preserving a ‘fuel free’ zone (where development is adjacent to high bushfire hazard areas).

This may be achieved by:

- carefully integrating development into the existing streetscape through the site analysis process
- choosing external colours and finishes that are sensitive to the site and locality
- retaining significant landscape and vegetation elements
- considering views to the sites as well as those from the site

4. What information is required?

4.1. Development Application (Subdivision)

The depth and scope of the information required to be submitted with a subdivision application will depend on the scale of the development and its likely impact.

Minor Subdivisions, which generally comprise five (5) allotments or less; and

- No road opening;
- Boundary adjustments (which don't fall within exempt development);
- Strata subdivision of existing buildings; or
- Three (3) agricultural allotments or less.

Major Subdivisions, which generally comprise six (6) or more allotments creates: and

- Road opening required;
- Community Title subdivisions;
- Staged subdivisions;
- Subdivisions with objections under cl.4.6 (Exceptions to development standards) of Snowy River LEP 2013;
- Residential subdivisions under cl.4.1C (Exceptions to minimum lot sizes for certain residential development); or
- Four (4) agricultural allotments or more.

All applications for subdivisions (both minor subdivisions and major subdivisions) must include:

- Fully completed Subdivision Application Form.
- Statement of Environmental Effects addressing the heads of consideration as outlined in Section 79c of the Environmental Planning & Assessment Act.
- A contour plan of the land (drawn to a suitable metric scale) indicating the location and dimensions of proposed subdivision boundaries:
    - Minor subdivisions: It is not necessary that a registered surveyor draw this plan for minor subdivisions, provided the plan is drawn accurately to scale and is clearly legible. The plan should include details of any existing buildings or significant features on the land.
    - Major subdivisions: The contour plan is required to be drawn by a registered surveyor and should include details of any existing buildings or significant features on the land.

- Details on the size, frontage and depth of each of the proposed allotments in the subdivision.
- A statement of the intended use of each of the proposed allotments.
- Details of the proposed means of obtaining access to the land and to each of the proposed lots. In some cases, it shall be necessary to submit documentary evidence

confirming the availability of concurrent practical and legal access to the land.

- Details of the proposed means of providing services (e.g. water, drainage, sewerage, telephone, power etc.) to the subdivision. In some cases it may be necessary to include preliminary designs of the proposed water and sewerage reticulation for the subdivision. Detailed engineering plans are generally not required until lodgment of an application for a construction certificate.
- For subdivision of land not connected to town sewer it may be necessary to submit documentary evidence indicating the suitability of the land and the proposed means of effluent disposal for future development of the lots.
- The location of existing easements on the land.
- The approximate location of any existing and proposed buildings, including dwellings on the land.
- Details on the location of trees, streams or lakes on or adjacent to the land.
- If an Assessment of Significance' (AOS) has found that there would be a significant impact on threatened species, habitats or endangered ecological communities, a Species Impact Statement for subdivision of all land in rural, environment protection and large lot residential zones (refer Section 4.12 of the Environmental Planning & Assessment Act) should be provided.
- Details on matters that may deem the application to be "Integrated Development" (refer Environmental Planning & Assessment Act).
- Details on proposed methods of bushfire mitigation (if bush fire affected) including Asset Protection Zones (APZs) and any potential impact on areas significant for biodiversity (as identified in LEP 2013 Biodiversity Mapping).
- Where site is physically degraded land (for example land affected by gully erosion or salinity), the development application is to be accompanied by an investigation and report by a suitably qualified professional, that documents the rehabilitation actions and ongoing future management of the site to address such degradation.
- Where development is proposed on any land subject to significant infestation of noxious weeds or pest animals, the development application is to be accompanied by an investigation and report by a suitably qualified professional that documents the actions to reduce and/or remove such infestations and ongoing future management to address reinfestation.

Applications for subdivisions identified as ***major subdivisions*** (refer above) must include:

- Environmental Impact Statement (if designated development) prepared in consultation with the Director of the Department of Planning.
- A Social Impact Study is required for all commercial and residential subdivisions comprising twenty (20) or more allotments.
- Plans addressing the following matters: landscaping (both individual lots and whole site), soil and water management, erosion and sediment control, staging of the works and environmental protection plan.
- A community management statement (community title subdivision).

A **subdivision certificate** application to Council must be accompanied with the following:

- completed application form with owners consent;
- relevant application fees;
- relevant inspection fees;
- original linen plan of subdivision as prepared by a registered surveyor;
- five (5) full size copies of the linen plan of subdivision;
- two (2) copies of the Section 88B instrument as prepared by either a surveyor or solicitor;

- section 64 & 94 contributions payable; and
- compliance certificates for any construction works.

4.2. Development Application (Other Than Subdivision)

The depth and scope of the information required to be submitted with a development application will depend on the scale of the development and its likely impact. A development application submission will require the following information as a minimum to show what is being proposed and its impact (if any) on the natural environment, adjoining sites and surrounding neighbourhood:

- completed development application form;
- statement of environmental effects;
- context and site analysis (refer above);
- architectural drawings (elevations, plans and sections);
- details of proposed signage;
- survey plans;
- shadow diagrams, including elevations showing shadow impacts on any walls (and windows) of adjoining development and areas of open space must be submitted with the development application for all new buildings of two or more storeys; and
- waste management plan.

Depending on the type and scale of the proposed development, the following information may also be required:

- heritage impact statement and/or conservation management plan (refer Chapter C4 Heritage);
- landscape plans and planting schedule;
- landscape management plan (for development in the Scenic Protection Areas) of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposal;
- drainage and stormwater management plans;
- transport and/or parking studies;
- acoustic/noise report;
- contamination and remediation report; and
- community management statement (refer Chapter E1 Tourist Development).

Industrial Development: in addition to the minimum requirements as outlined above and in the development application form, the following information must also be submitted with a development application for industrial development:

- proposed boundary fencing and security lighting;
- proposed waste disposal methods;
- proposed signage to be erected;
- methods of stormwater disposal;
- location and extent of storage areas; and
- details of external colours and finishes.

4.3. Development Application (Tree Works)

Any development application for consent to carry out tree works (refer Chapter C5 Tree Preservation and Landscaping) must contain, as a minimum, the following information:

- written consent of the owner of the land where the tree is growing;
- details of the reasons for the proposed tree works;
- description of the existing tree/s, including:
  - site plan showing the location of the tree/s to be removed or pruned, drainage and sewer pipes and mains, all buildings, paved areas and overhead power lines
  - species type (common name and botanical name if known)
  - approximate height, canopy spread and trunk diameter at one (1) metre above ground level of individual trees (or group of trees). Trees to be inspected should be identified on site with tape, spray paint or non-permanent marker.
- description of existing trees on adjoining land (information details as required above):
  - within three (3) metres of the site boundaries (including street and park trees)
  - where the canopy of a tree overhangs the site boundary.
- any proposed landscape treatments, identifying:
  - trees to be retained and protected;
  - methods of retention and/or protection during any works;
  - proposed new plantings (species, mature heights and canopy spreads);
  - altered soil levels, including cut and fill details;
  - site drainage, including siltation and erosion controls to be implemented where necessary; and
  - proposed horticultural details, including growing mediums, mulching and irrigation.
- an Arborist's Report may be required to be submitted with an application;
- details of replacement trees are to be provided with a development application. If a tree is to be removed, Council will require a suitable tree to be replanted in its place.

Note: tree works on a site which is identified as a heritage item or within a heritage conservation area must be in accordance with Clause 5.9(7) and 5.10(2) of the Snowy River LEP 2013 (also refer Chapter C4 Heritage).

4.4. Information Requirements for Landscaping

The following landscaping information is required to be submitted with a development application:

Category 1: includes small-scale proposals such as dwelling houses, dual occupancies and semi-detached dwellings (excluding relocatable dwellings) in urban or rural-residential areas and additions to dwellings. Minor commercial and industrial development with a floor space not exceeding 100m^2 is also included in this category.

- landscaping details including existing vegetation, trees to be removed, proposed methods of revegetation, location of existing site features are to be included in the Site Analysis Plan (refer above).

Category 2: includes proposals that are significant in their cumulative impact rather than individual sites. This category includes all types of residential accommodation (other than those is Category 1 above), residential subdivisions, rural residential subdivisions, industrial and commercial developments.

- written submission from a landscape designer that outlines:
  - objectives of the landscaping;
  - how existing vegetation and site features are to be retained;
  - impact of landscaping on adjoining properties;
  - types of soil on-site;
  - proposed water supply to service landscaped areas; and
  - proposed maintenance arrangements for the landscaping.

- detailed Landscape Plan drawn to scale that shows:
  - name (botanical and common) of all species of trees, shrubs and grasses proposed to be planted;
  - number, location and average height of each tree and shrub;
  - extent and location of grassed areas;
  - location and construction of artificial site features such as pools, retaining walls, garbage enclosures and terraces;
  - position of site boundaries, buildings, driveways, walkways, parking and turning areas; and
  - schedule of planting and treatment of landscaped areas.

Written details of the landscape design are to ensure species chosen are: frost hardy, suitable for the particular location, commercially available, and include plants that are indigenous to the region.

Category 3: includes proposals that are highly visible or are of such value that they require high quality landscape design and construction. These developments are likely to have a major impact on the visual environment. All types of development may fall into this category including dwelling houses in rural areas.

- written submission from a landscape designer that outlines:
  - objectives of the landscaping;
  - location and mature height of existing and proposed trees and shrubs;
  - how existing vegetation and site features are to be retained;
  - how landscaping will provide a setting to soften the starkness of buildings when viewed from a distance;
  - where perimeter planting will be carried out to screen the development;
  - proposed water supply to service landscaped areas; and
  - proposed maintenance arrangements for landscaping.

- detailed Landscape Plan drawn to scale that shows:
  - name (botanical and common) of all species of trees, shrubs and grasses proposed to be planted;
  - number, location and average height of each tree and shrub;
  - position of landscaping to site boundaries;
  - schedule of planting and treatment of landscaped areas.

Written details of the landscape design are to ensure species chosen are: frost hardy, suitable for the particular location, commercially available, and include plants that are indigenous to the region.

Category 4: includes proposals that are located in environmentally sensitive areas (as identified in the Snowy River LEP 2013), pose ecological or environmental impact and require specific skills in landscape design and construction. This category includes extractive industries (eg quarries), large industrial developments and development likely to have an impact on the ecological environment or rivers, streams, wildlife habitat or lake foreshores.

- detailed Landscape Management Plan prepared by a qualified landscape architect that outlines:
  - objectives of the landscaping;
  - details of proposed landscaping work;
  - information on how the plan will address site specific matters (eg staged revegetation);
  - details of the retention and improvement of soil and water quality;
  - details of retention and integration of remnant vegetation;
  - maintenance of existing vegetation; and
  - site rehabilitation and revegetation.

4.5. Other Information Requirements

Flood Prone Land

The detailed information requirements for development applications on flood prone land are contained in Chapter C7 Natural Hazard Management.

Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan is a plan showing how to minimise erosion and trap sediment occurring as a result of development or building activity. The complexity of the sediment and erosion control plan will vary on the nature and scale of development and the amount of ground disturbance.

Weed Management

Where development is to be located on a property with a current weed notice or history of weed notices, a weed management plan is to accompany the development application. The weed management plan must identify: weeds to be controlled and in what area they are to be controlled; and timeframe and method of control to be employed.

Flora and Fauna Report

Where the proposed development requires the removal of native vegetation or the disturbance of habitats to native bird and animals then a Flora and Fauna report will be required to be carried out by a suitably qualified person.

Crown Roads

An applicant wishing to construct a Crown public road is required to obtain Council's concurrence to the ownership of the road being transferred to Council. Where the applicant cannot obtain the concurrence of Council to the transfer of ownership, the application for road construction will not be accepted.

Access by undedicated roads (including undedicated Crown reserve roads, Forestry roads and Livestock Health and Pest Authority reserves) requires the consent of the public authority (e.g. Roads and Maritime Services) and will only be permitted in similar circumstances to those for rights of carriageway and subject to the same conditions applicable to rights of carriageway.

Waste Management Plan

A waste management plan details the type and estimated volume of waste to be generated during demolition and construction and respective recycling, reuse and disposal methods. The plan also identifies the type, size and number of bins and space for storage of bins and bulky waste (refer Chapter C10 Waste and Recycling). Information and forms for waste management plans are available from Council's planning department.

A3 Public Notification

Please refer to Snowy Monaro Regional Council's Community Participation Plan (CPP) for development application notification requirements in accordance with Division 2.6 of the Environment Planning and Assessment Act 1979.

B1 Rural Locality Statements

Contents

1. Rural Locality Statements

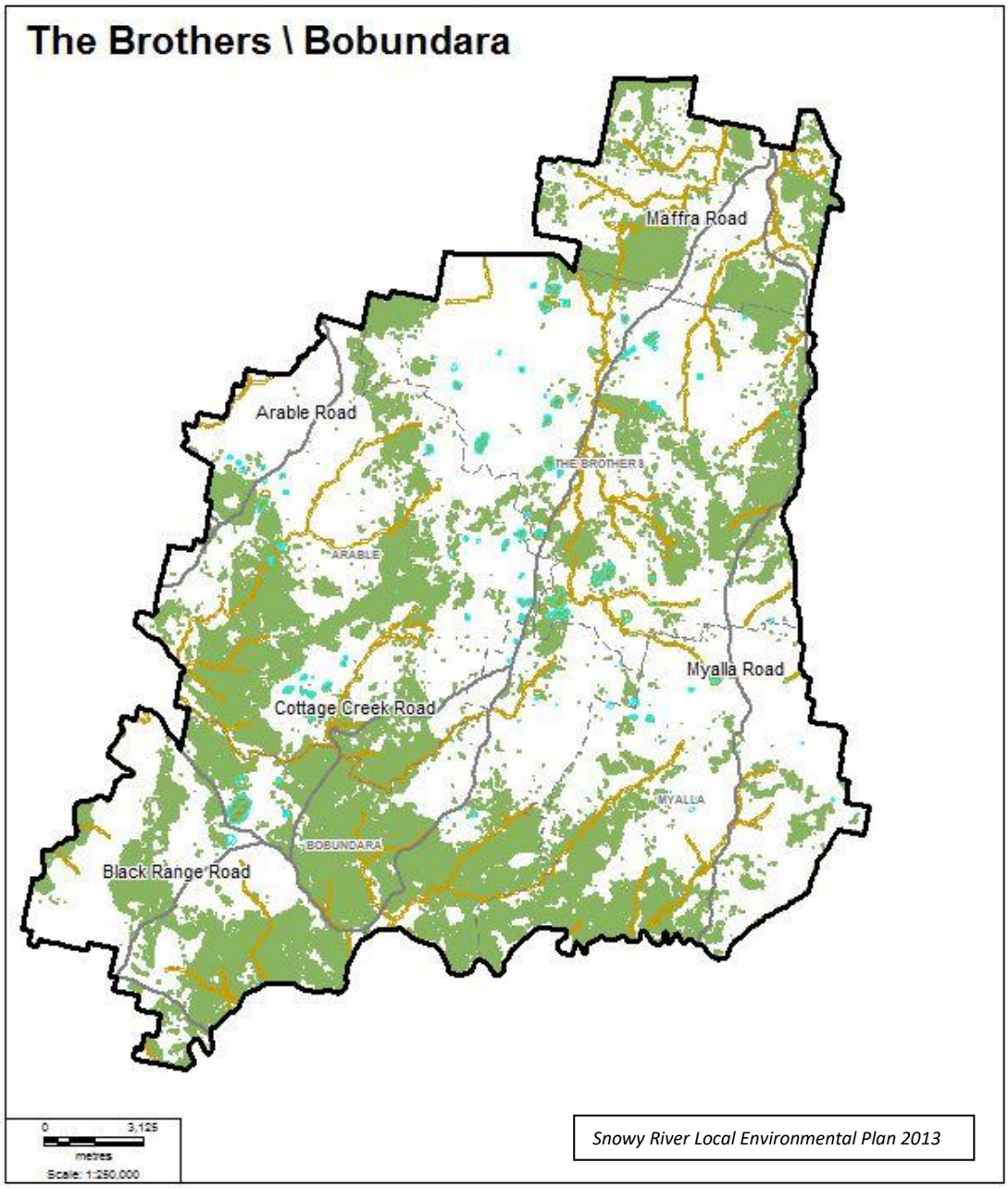
The Locality boundaries were established using Parish, County, bushfire brigade, Landcare group and Geographic Names Board boundaries. These localities acknowledge that settlement patterns, natural topography and water catchments and so on differ across the Shire. For example, the median size of farms and the type of vegetation is vastly different from one part of the Shire to another. The localities are therefore social and physical in their nature.

This Chapter documents the rationale behind the forming of the locality boundaries including comments on landscape, topography, vegetation, catchment, geology, architectural characteristics (including property size) and settlement patterns, and the Shire's specific planning response to each locality.

Development proposals will be assessed against the provisions of the Snowy River LEP 2013, locality planning response and other provisions provided in this DCP.

1.1. Brothers – Bobundara

Locality Map for Brothers – Bobundara



Terrestrial Biodiversity, Riparian Land and Watercourses, Wetlands

Legend

Wetlands

Riparian Land and Watercourses

Terrestrial Biodiversity

Rational for Brothers – Bobundara

Characteristics	Comments
Landscape	Flat to rolling topography.
Vegetation	Naturally treeless plains dominated by dry tussock grasslands with some remnants of savanna woodland on hilltops.
Geology	Tertiary basalt with granites in the east of the area. Sediments are also present.
Land Use	Predominantly agriculture.
Resources	N/A
Significant flora, fauna, archaeological or heritage values	The biodiversity mapping layer model shows that the Ecological Endangered Communities (EECs) found with the Brothers Bobundra Locality include Snowgum Grassy Woodland, Natural Temperate Grassland and Upland Wetlands. These vegetation communities also provide habit to rare and threatened fauna such as the Striped Legless Lizard (*Delmar impar*), Grassland Earless Dragon (*Tympanocryptis pinguicolla*), Little Whip Snake (*Suta flagellum*), Gang-gang cockatoo (*Callocephalon fimbriatum*),
Settlement pattern	Mostly medium to large farms. Most holdings in the 100-200 ha range. Majority are larger than 100 ha. Large farms (holdings greater than 800 ha) exist in this locality.

Key Planning Response for the Locality

(a) Maintain and support the medium to larger sized farms.

(b) Facilitate part time grazing or alternative rural enterprises by recognising that lot size can be variable.

(c) Enable farm adjustment where possible.

(d) Median holding size for the locality is 141 ha and average holding size is 379 ha. Minimum lot size for subdivision will not result in any greater fragmentation of the rural land.

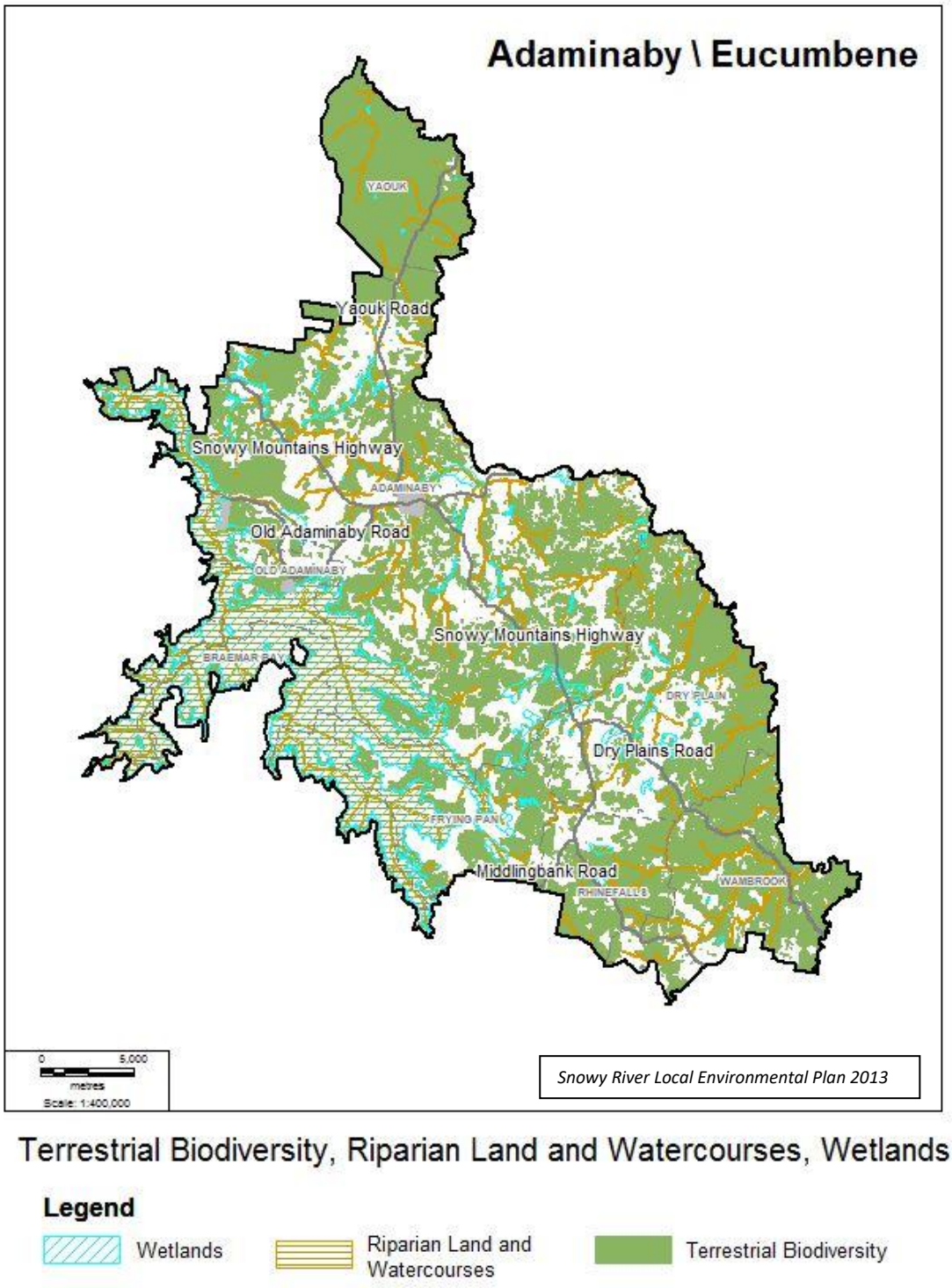
(e) Minimum lot size for dwelling consent (refer Snowy River LEP 2013) is based on the Department of Primary Industry's 'farm size' calculator.

(f) Low pressure for residential development.

(g) Locality has less attraction for tourist development compared to the localities with lakes and mountains.

1.2. Adaminaby – Eucumbene

Locality Map for Adaminaby – Eucumbene



Rational for Adaminaby – Eucumbene

Characteristics	Comments
Landscape	The topography of the region is mostly rolling to undulating hills. Protected land is present in the eastern parts of the Yaouk locality.
Vegetation	Cut tail – Ribbon Gum communities constitute the majority of the vegetation. Some Red Stringy Bark – Snappy Gum and White Sally – Black Sally communities are present along with grasslands and grassy woodlands.
Geology	The geology consists of granites, sediments and tertiary basalt.
Land Use	Predominately agriculture. The areas around Lake Eucumbene foreshore have tourist developments and are attractive for recreational uses associated with the Lake.
Resources	N/A
Significant flora, fauna, archaeological or heritage values	Land significant for flora and fauna occurs predominantly in the Yaouk area and the eastern edge of the district along the Murrumbidgee corridor. The biodiversity mapping layer model shows that the EEC's found within this locality include the Snowgum Grassy Woodland, Natural Temperate grasslands, and also Montane Peatlands and Swamps which ia predicted for the northern area of Adaminaby/Eucumbene.
Settlement pattern	There is one (Scenic Drive) rural residential estate in the Adaminaby area and some small lot subdivisions in the Wambrook, Rhine Falls and Dry Plains areas. Most holdings are between 42 ha and 200 ha in size.

Key Planning Response for the Locality

(a) Maintain and support the medium to larger sized farms.

(b) Facilitate part-time grazing or alternative rural enterprises by recognising that lot size can be variable.

(c) Enable farm adjustment.

(d) Median holding size for the locality is 96 ha and average holding size is 181 ha. Subdivision will not result in any greater fragmentation of the rural land.

(e) Minimum lot size for dwelling consent (refer Snowy River LEP 2013) is based on the Department of Primary Industry's farm size calculator.

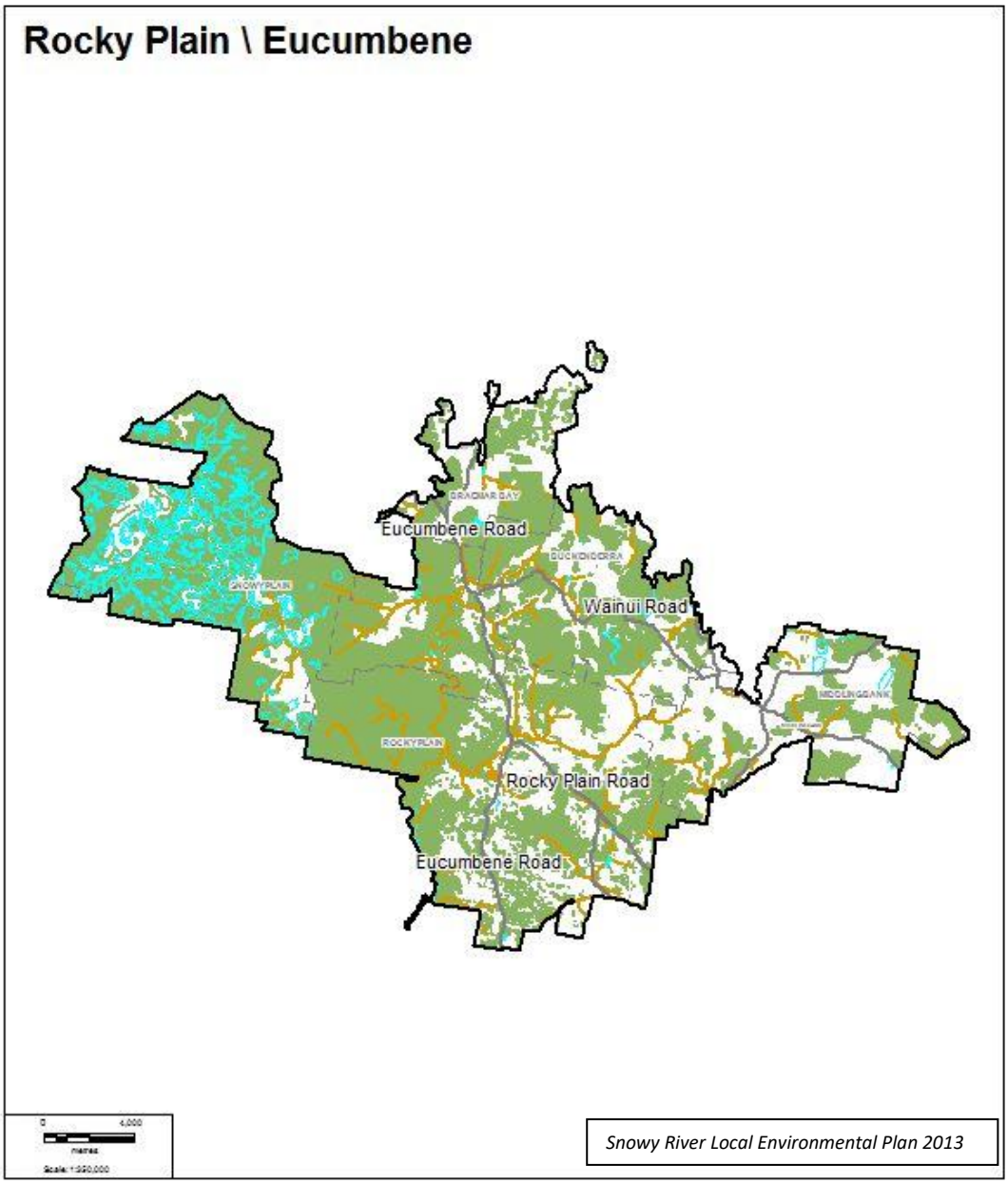
(f) Pressure from residential development is localised around existing settlements.

(g) Landscape amenity is very high in areas adjacent to the Lake and within the visual catchment to the Lake.

(h) Locality has high attraction for tourist developments associated with fishing and lake-based activities and in areas adjoining the National Park.

1.3. Rocky Plain – Eucumbene

Locality Map for Rocky Plain – Eucumbene



Terrestrial Biodiversity, Riparian Land and Watercourses, Wetlands

Legend

Wetlands

Riparian Land and Watercourses

Terrestrial Biodiversity

Rational for Rocky Plain – Eucumbene

Characteristics	Comments
Landscape	The topography of the area ranges from undulating in the east to hilly and rugged in the west. Protected lands are present throughout the area.
Vegetation	White Sally – Black Sally communities are the major vegetation communities. Some open Snowgum forest to the west.
Geology	Predominately granite.
Land Use	Predominately agriculture.
Resources	N/A
Significant flora, fauna, archaeological or heritage values	The Snowy Plain and Nimmo localities have substantial areas identified as land significant for flora and fauna. Snowgum Grassy Woodland and Natural Temperate Grassland EEC's are located within the central and Eastern part of the Rocky Plain-Eucumbene locality. The Snowy River catchment EEC also runs through the central and western parts of this locality.
Settlement Pattern	The Eucumbene Cove settlement is found at the northern part of the district. There are no residential estates and limited small lot subdivisions. Most holdings are between 40 and 200 ha in size. Large farms (holdings greater than 800 ha) exist in this locality.

Key Planning Response for the Locality

(a) Maintain and support the medium to larger sized farms.

(b) Facilitate part-time grazing or alternative rural enterprises by recognising that lot size can be variable.

(c) Enable farm adjustment.

(d) Median holding size for the locality is 144 ha and average holding size is 223 ha. Subdivision will not result in any greater fragmentation of the rural land.

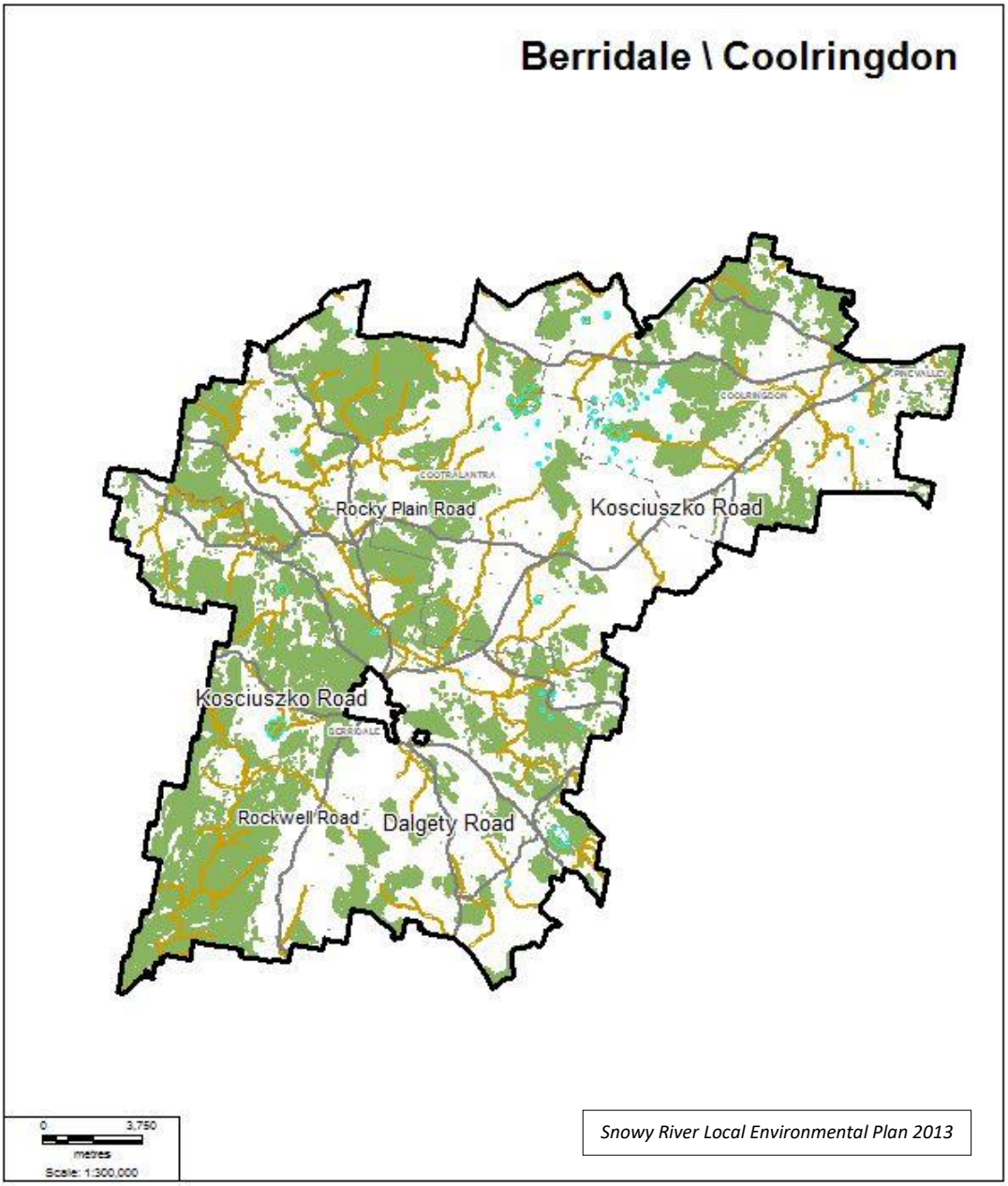
(e) Minimum lot size for dwelling consent (refer Snowy River LEP 2013) which is based on the Department of Primary Industry's 'farm-size' calculator.

(f) Locality has landscape amenity and is desirable for small rural lot subdivisions particularly in areas adjoining the Eucumbene River.

(g) Locality is attractive for tourist developments, particularly around Lake Eucumbene and in the Snowy Plains area adjacent to the National Park

1.4. Berridale – Coolringdon

Locality Map for Berridale – Coolringdon



Terrestrial Biodiversity, Riparian Land and Watercourses, Wetlands

Legend

Wetlands

Riparian Land and Watercourses

Terrestrial Biodiversity

Rational for Berridale – Coolringdon

Characteristics	Comments
Landscape	The topography of the area consists mainly of rolling hills increasing in steepness to hilly rugged areas. Granite outcrops are a visual feature of this landscape.
Vegetation	Grasslands and White sally – Black sally communities are the major vegetation types.
Geology	Granite is the main parent material with some tertiary basalt and sediments. Cainozoic sediments and intrusive igneous material is also present as isolated outcrops.
Land Use	Predominately agriculture.
Resources	Extractive resources present at Deegans Hill and Carwoola.
Significant flora, fauna, archaeological or heritage values	Limited areas of land significant for flora and fauna on the western boundary of the Berridale locality and through the Coolringdon locality. Snowgum Grassy Woodland is found along the Western Boundary along with Natural temperate grasslands scattered through the South West, Central and North Eastern parts of this Locality. These EECs also provide habitat to a range of threatened species including Brown Treecreeper (*Climacteris picumnus*), Speckled Warbler (*Pyrrholaemus sagittata*).
Settlement Pattern	This district contains the village of Berridale. Mostly small to medium farms 40 ha to 200 ha in area. There is one rural residential estate (Ivy Cottage) adjacent to Berridale and small lot residential subdivisions in the Mt Gladstone and Pine Valley areas. Some large farms (holdings greater than 800 ha) exist in this locality.

Key Planning Response for the Locality

(a) Maintain and support small, medium and larger sized farms.

(b) Facilitate part-time grazing or alternative rural enterprises by recognising that lot size can be variable.

(c) Enable farm adjustment.

(d) Median holding size for the locality is 79 ha and average holding size is 166 ha. Subdivision will not result in any greater fragmentation of the rural land.

(e) Minimum lot size for a dwelling consent (refer Snowy River LEP 2013) is based on the Department of Primary Industry's 'farm-size' calculator.

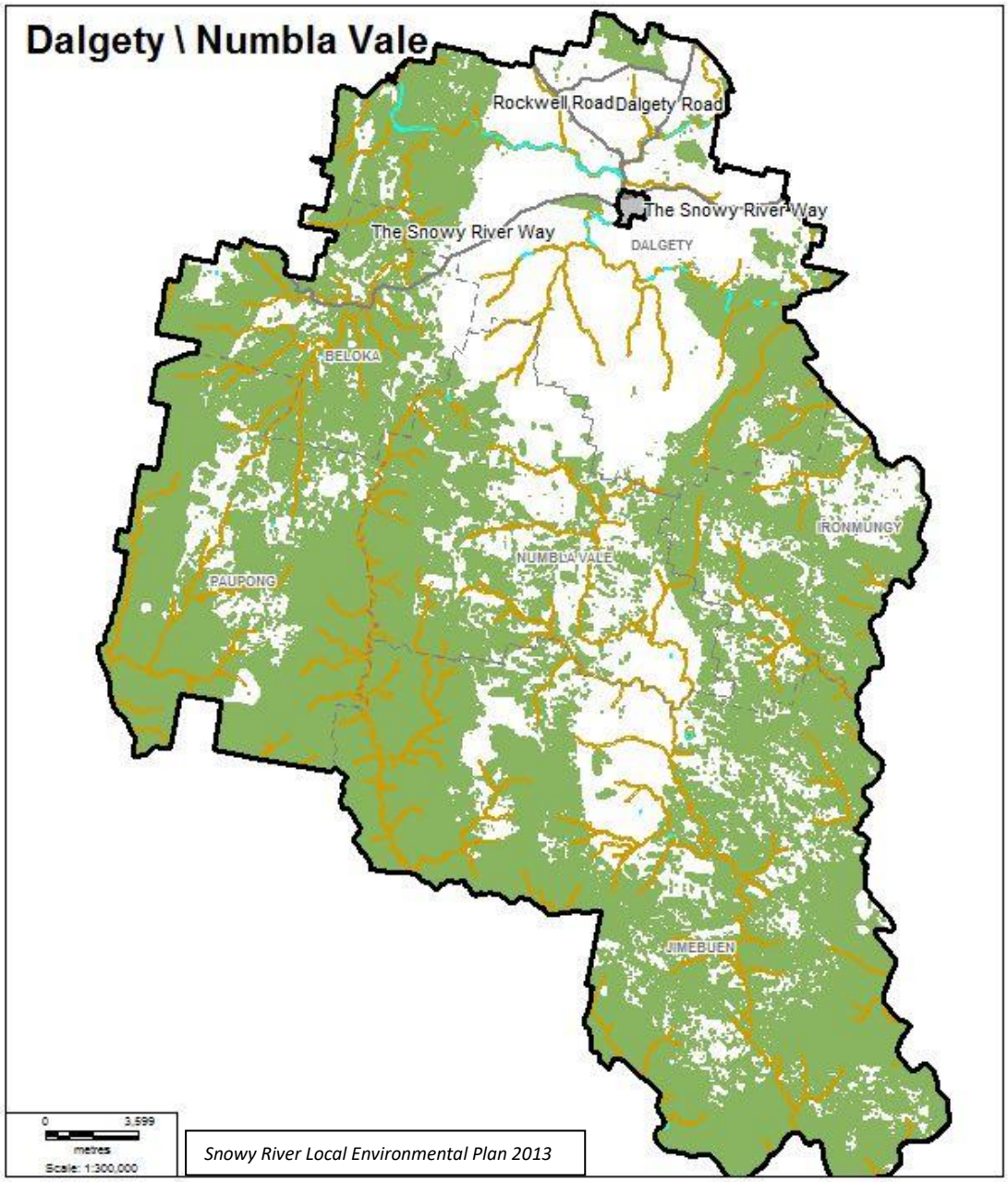
(f) Pressure for low-density residential development (small rural lots) – particularly along the Dalgety Road, and areas adjoining the Kosciuszko Road.

(g) Parts of the locality have high landscape amenity (eg. Varneys Range).

(h) Locality is attractive for tourist developments, due to proximity to Jindabyne, and traffic through the locality via the Kosciuszko Road.

1.5. Dalgety – Numbla Vale

Locality Map for Dalgety – Numbla Vale



Terrestrial Biodiversity, Riparian Land and Watercourses, Wetlands

Legend

Wetlands

Riparian Land and Watercourses

Terrestrial Biodiversity

Rational for Dalgety – Numbla Vale

Characteristics	Comments
Landscape	Mix of open grassland, undulating and some steep valleys.
Vegetation	The native vegetation consists of yellow box – red gum communities, grasslands and montane eucalypt woodland.
Geology	The parent material of the region consists of granites and sediments.
Land Use	Predominantly agriculture. The south of the region is adjacent to the Kosciuszko National Park. The district contains some of the Shire's highest priority weed infestations.
Resources	Extractive resources present at Hickeys Crossing.
Significant flora, fauna, archaeological or heritage values	The district contains land significant for flora and fauna along the Snowy River corridor. EEC's include Snowgum Grassy Woodland, Natural Temperate Grassland and Snowy River Catchment. The aquatic ecological community in the catchment of the Snowy River in NSW was listed as an EEC by the Fisheries Scientific Committee (FSC). The effect of the listing is to protect native fish including the Southern Pygmy Perch (*Nannoperca australis*) and River Blackfish (*Gadopsis marmoratus*) which are listed as threatened species.
Settlement Pattern	Mostly small to medium sized farms. No residential estates. Small lot subdivisions around Dalgety. A couple of large farms (holdings greater than 800 ha) exist in the locality.

Key Planning Response for the Locality

(a) Maintain and support medium to larger sized farms.

(b) Facilitate part-time grazing or alternative rural enterprises by recognising that lot size can be variable.

(c) Enable farm adjustment.

(d) Median holding size for the locality is 104 ha and average holding size is 214 ha. Subdivision will not result in any greater fragmentation of the rural land.

(e) Minimum lot size for dwelling consent (refer Snowy River LEP 2013) is based on the Department of Primary Industry's 'farm-size' calculator.

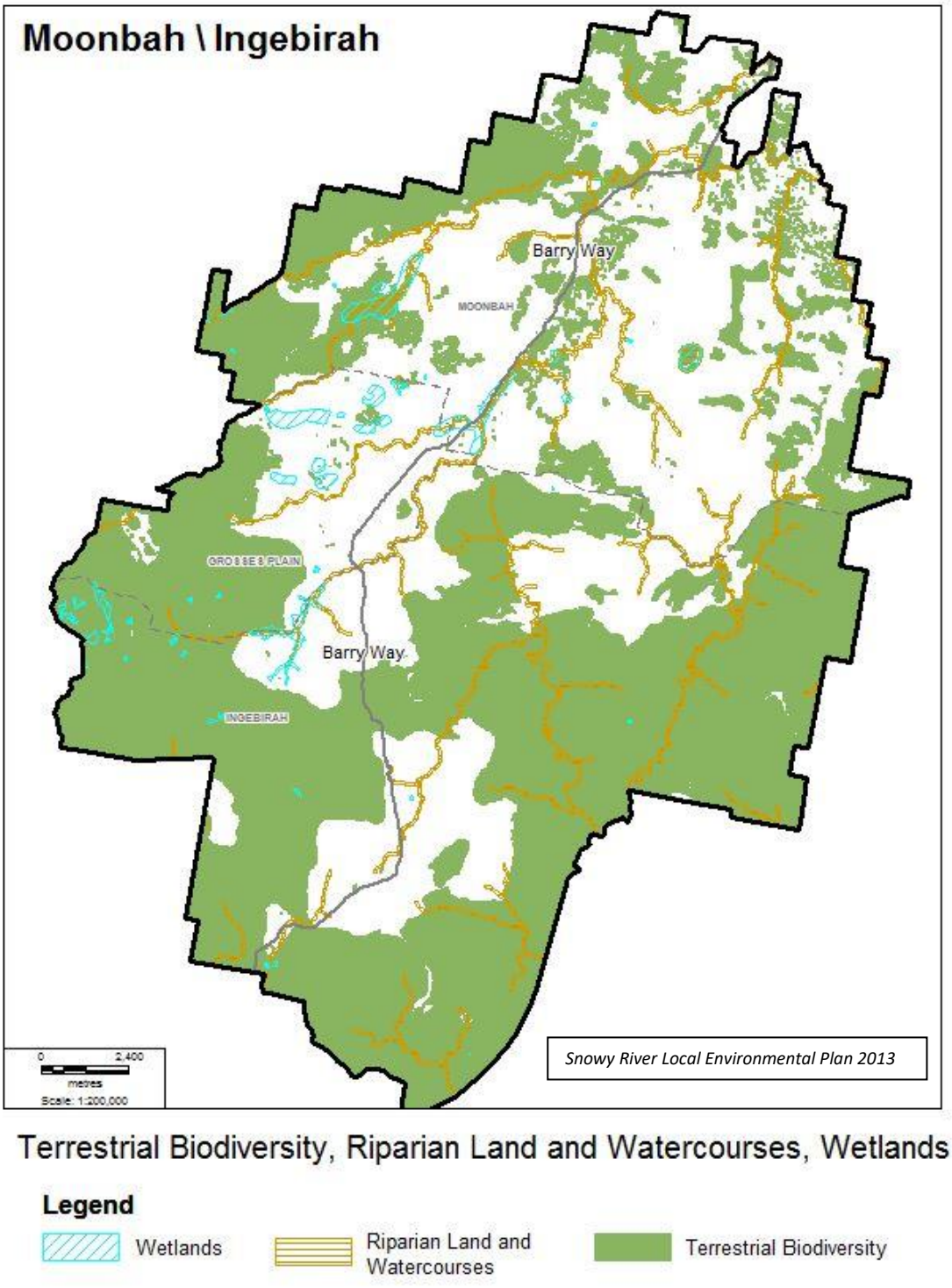
(f) Pressure for small rural lot subdivision exists in areas of higher landscape amenity, such as adjoining the Snowy River and the National Park.

(g) Areas of high landscape amenity adjoining the National Park.

(h) Locality is attractive for tourist developments associated with the heritage of the area and the Snowy River.

1.6. Moonbah – Ingebirah

Locality Map for Moonbah – Ingebirah



Rational for Moonbah – Ingebirah

Characteristics	Comments
Landscape	Undulating hills to steeper mountain foothills along the northwest border of the area. Protected lands are scattered throughout Moonbah. Some broad alluvial flood plains and valley flats throughout the area.
Vegetation	Dominated by Snow Gum – Black Sally communities. Snowgum woodland to montane forest and some grassland and grassy woodlands.
Geology	The underlying geology is granite.
Land Use	The major landuse is agriculture. A large part of the area is adjacent to the Kosciuszko National Park. Limited tourism uses along the Dalgety Road and the Barry Way.
Resources	N/A
Significant flora, fauna, archaeological or heritage values	The Northern area Moonbah/Ingebirah locality contains land significant for flora and fauna. Significant EECs for this area include Snowgum Grassy Woodland and Snowy River Catchment.
Settlement Pattern	Mostly medium to small farms with some small lot subdivisions and rural residential estates (Abington Park and Cobbin Creek).

Key Planning Response for the Locality

(a) Maintain and support medium to larger sized farms.

(b) Facilitate part-time grazing or alternative rural enterprises by recognising that lot size can be variable.

(c) Enable farm adjustment.

(d) Median holding size for the locality is 26 ha and average holding size is 115 ha. Subdivision will not result in any greater fragmentation of the rural land.

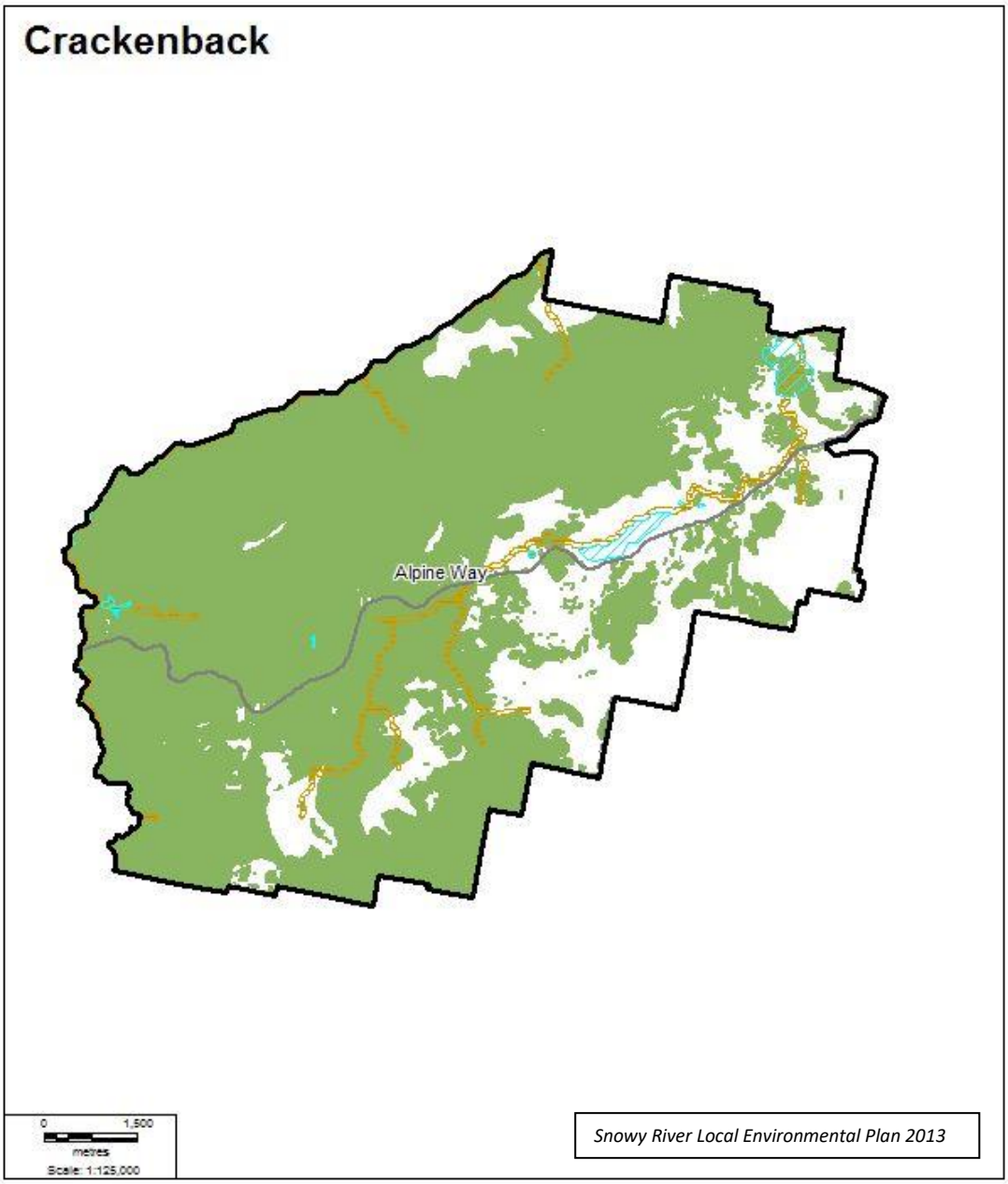
(e) Minimum lot size for dwelling consent (refer Snowy River LEP 2013) is based on the Department of Primary Industry's 'farm-size' calculator.

(f) Locality has high landscape amenity and is attractive for small rural lot subdivisions.

(g) Locality is attractive for tourist developments due to proximity to the National Park, Jindabyne and landscape amenity.

1.7. Crackenback

Locality Map for Crackenback



Rational for Crackenback

Characteristics	Comments
Landscape	Undulating to hilly and rugged.
Vegetation	Montane forest, alpine wetland heathland and snow gum woodland.
Geology	Underlying geology is granite.
Land Use	Small farms, tourism and residential land uses.
Resources	Extractive resources present at 'The Gap'.
Significant flora, fauna, archaeological or heritage values	The Crackenback districts proximity to Kosciuszko National Park makes it an area of special significance. EECs located within this district include Snowgum Grassy Woodland, as well as Montane Peatlands and Swamps which are found within the South West and Central parts of the locality. This site supports a large area of threatened species habitat.
Settlement Pattern	No properties greater than 400 ha. Mostly small farms, with several small lot subdivisions and rural tourist and resort developments throughout the area. Pockets of small lot subdivisions exist in areas such as Penderlea, Wollondibby Road, Tigers Hill and Westons Road.

Key Planning Response for the Locality

(a) Lower value for agriculture in this locality.

(b) Landscape protection is the paramount planning issue.

(c) Infrastructure constraints related to the capacity of the Alpine Way.

(d) Minimising opportunities for conflict between National Park and adjoining land uses is a major planning consideration in this locality.

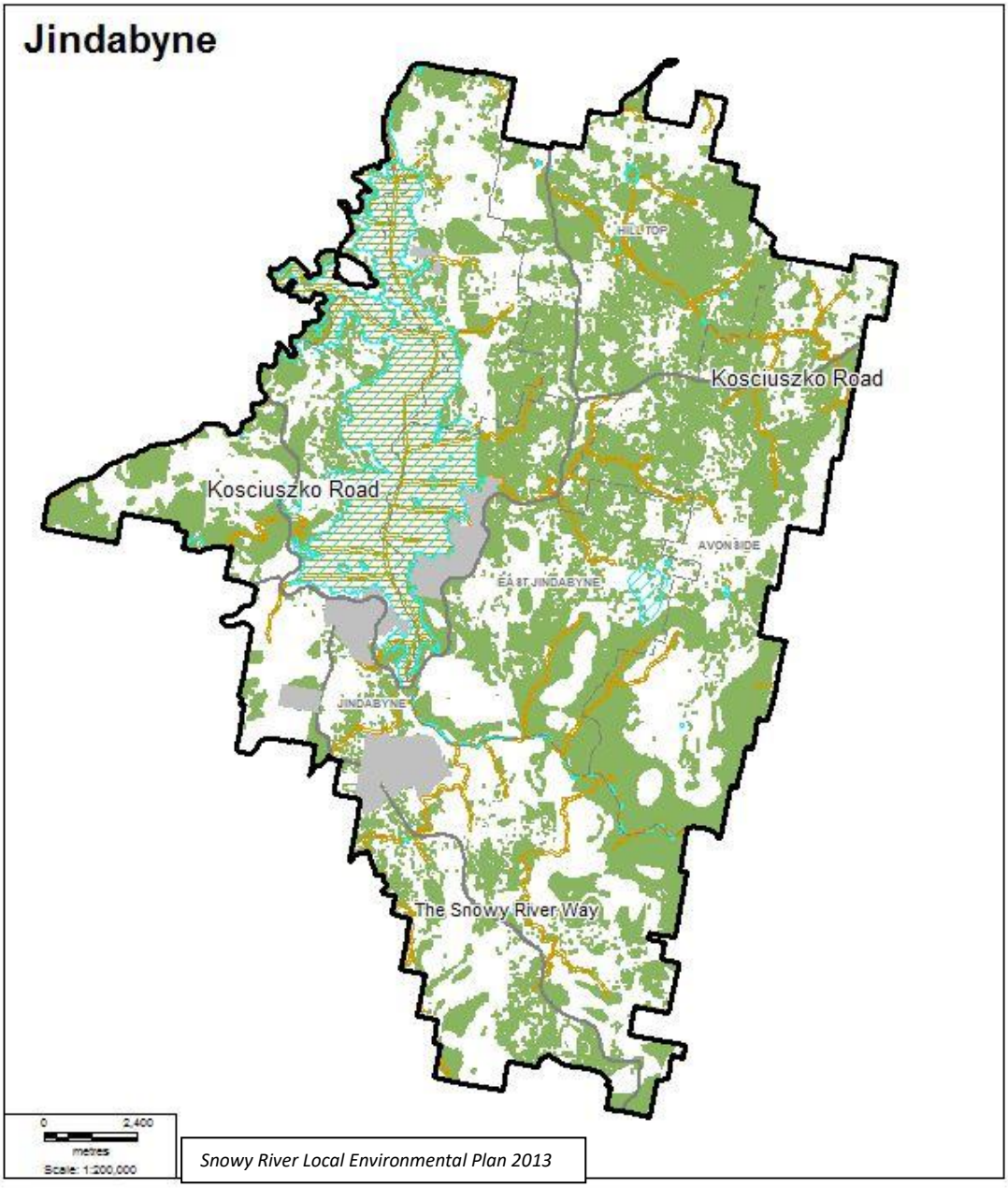
(e) High landscape amenity and high land values for residential and tourist developments.

(f) Huge demand for tourist-related developments, particularly tourism products, activities and accommodation due to proximity to ski fields and Jindabyne.

(g) Subdivision and dwelling entitlement (refer Snowy River LEP 2013). This is a holding pattern and is designed to manage landscape impacts as well as access and land use issues until such time as a further strategy is completed.

1.8. Jindabyne

Locality Map for Jindabyne



Terrestrial Biodiversity, Riparian Land and Watercourses, Wetlands

Legend

Wetlands

Riparian Land and Watercourses

Terrestrial Biodiversity

Rational for Jindabyne

Characteristics	Comments
Landscape	Undulating hills to steep foot slopes. Scattered areas of protected land can be found throughout.
Vegetation	Snow Gum – Black Sally communities along with modified grasslands and sedge communities.
Geology	Predominantly granite.
Land Use	Some agriculture, residential and tourism. There are a small number of small farms operating in the area. Land use is predominantly residential.
Resources	N/A
Significant flora, fauna, archaeological or heritage values	Areas to the west of the lake and the eastern boundary of the district contain land significant for flora and fauna. The significant threatened species habitat consists of several EECs including; Snowgum Grassy woodland, Natural Temperate Grassland and Snowy River Catchment
Settlement Pattern	The Jindabyne locality has the highest population and residential densities in the Shire. There are 3 rural residential estates and a significant amount of rural living areas or small lot subdivisions (Carinya, McGuffickes Hill, Eagles Range, Mt Gilead, West Lynne, Steele, Gullies Road, Parrots Run, Knellers, Copperfield, Geikle Hill, Top Hill, Brumbies Hill and Glenrowan).

Key Planning Response for the Locality

(a) Maintain pattern of smaller farms for part-time or hobby farming.

(b) Enable farm adjustment.

(c) Median holding size for the locality is 18 ha and average holding size 66 ha. Subdivision will not result in any greater fragmentation of the rural land.

(d) Minimum lot size for dwelling consents (refer Snowy River LEP 2013) is reflective of the average size of a farm in the locality.

(e) Locality has high landscape amenity, particularly areas around Lake Jindabyne and areas with a view to the mountains.

(f) Whole locality is attractive for small rural lot subdivisions, due to proximity to town and ski fields.

(g) Locality is attractive for tourist developments due to proximity to the ski fields, retail and services and due to landscape amenity

B2 Town and Village Plans

Contents

1. Jindabyne and Surrounds

The Jindabyne Planning Project commenced in early 2005 with the preparation of a series of technical papers and background studies and included several community information days and landowner meetings. The purpose was to prepare an overall strategic plan for the town of Jindabyne. This process lead to the development of the Jindabyne Growth Structure Plan 2007 that gave direction to the growth of the town and the Jindabyne Action Plan 2010 that seeks to resolve planning and development issues within the town boundary itself.

Throughout the planning for Jindabyne the following vision and planning principles emerged as important for the community, and have shaped the direction and type of growth and the future character of the town.

Vision:

> *Recognition as a linked collection of uniquely different rural residential communities, small residential villages and a central township.*
>
> *Recognition as a year-round eco-friendly destination in which residential amenity is protected from the impacts of short-term visitors.*
>
> *Recognition as a holiday destination offering a diversity of year-round rural lifestyle and alpine recreational opportunities, where movement within and between localities is facilitated by cycleways, walkways, bridle tracks and public transport services.*

Planning Principles:

Principle 1: The atmosphere of our 'mountain town' should be maintained by a good mix of tourists and permanent residents.

Principle 2: The growth of Jindabyne should be supported, but it needs to be well planned and based on population targets.

Principle 3: Tourism is the major economic driver within Jindabyne and this needs to be supported by the provision of a range of accommodation types.

Principle 4: The unique setting of the town, including the vistas that can be enjoyed from many locations and the vegetated backdrops to the Lake, need to be protected.

Principle 5: There needs to be integration of recreational facilities and open space areas with the township's commercial and accommodation centre.

Principle 6: The integrity of the rural residential communities, small villages and the township needs to be maintained, however there needs to be linkages.

Principle 7: The sense of community, place and quality of life Jindabyne offers needs to be supported and maintained.

As a result of the Jindabyne Action Planning process a Jindabyne Master Plan 2013 was developed and exhibited alongside the Snowy River Local Environmental Plan 2013 in March/April 2013. The Jindabyne Master Plan provides a framework to the future development and character of the Jindabyne Town. It informed the Snowy River LEP 2013 in relation to maximum building heights and floor space ratios as well as guides the future development structure in the town. The Master Plan also provides direction on important issues like access, view sharing, pedestrian connections, actives street frontages and the look and feel of the public domain.

The Master Plan has been translated into controls in the Jindabyne Town Centre Chapter of the DCP to ensure the development of the town occurs in line with the community vision.

2. Berridale Village

Council adopted The Berridale Village Plan in 2007. The Plan provided a framework to guide decisions about the location of new land to provide choice in lifestyles and support the growth and viability of the village. The planning process provided a basis for balancing community aspirations and technical constraints so that decisions about the location of new residential land could be made. New village areas (urban release areas) are provided for in the Snowy River LEP 2013 and site specific DCP Chapters will be required for these areas before residential development and will provide the controls to assist in ensure new development maintains the character and essence of Berridale.

The Vision for Berridale was developed from previous consultation with the community undertaken since 2001 and as part of the work of the Berridale Community Reference Group. The Vision has been refined since 2001 and is a compilation of the most important themes and values that were raised during discussion with the reference group and with the broader community. It encapsulates the idea that Berridale is, and should continue to be, a home as well as support tourism by making it attractive and functional for visitors.

As a key feature the Vision recognises the role of open space, landscaping and a connected and attractive 'heart' as being central to both permanent residents and visitors.

The Vision is broad and attempts to incorporate the variety of views expressed by the community. The Vision to maintain Berridale as an attractive and vibrant place to live underpins the Berridale Village Plan.

> *"Berridale….*
>
> *A place to call home*
>
> *A place for a holiday*
>
> *A place with heart*
>
> *This means:*
>
> *We will continue to create an attractive village with a vibrant commercial core enhanced by landscaping.*
>
> *We will develop and enhance a network of trails and open spaces and connect the commercial core and precincts within our village.*
>
> *We achieve this by fostering a cohesive community and celebrating our village.*
>
> *These elements are key to the success of our village as a home, a destination and a workplace."*

Community Values

There are a number of shared values that have shaped the development of the Berridale Village Plan. The values listed below have been distilled from previous consultation and research undertaken with the community. They reflect some of the values expressed by the community for Berridale and how land use should be managed into the future.

The rural setting of the town and its connection to the mountains.

This means we identify ourselves as a mountain town that is both an attractive place to live and to visit. We value our proximity to the mountains and what that provides for us. Planning should ensure that physical links to the mountains and the 'gateways' to the village are maintained and enhanced.

The town as a clean, healthy and safe place to live with good opportunities to grow.

We must look for opportunities for growth that do not compromise the clean, healthy and safe environment and provide for flexibility in housing choice. This may mean we keep the scale of development low and plan for safe communities with a range of housing options.

The village as the administrative centre of the Shire.

We recognize our role as an administrative centre with the Council building and headquarters being assets to our village. This means we continue to play an important role in providing services and support for the surrounding rural areas and other villages and towns.

Tourism as a major economic driver within Berridale and the need to provide a range of accommodation types.

We understand that tourism is a major economic driver of the town. Where possible, we should diversify our economic base while maintaining Berridale as an attractive place to live. We should plan for and provide a range of accommodation including a mix of motels, holiday dwellings, small scale boutique tourist accommodation, guesthouses and lodges. We will need to stay abreast of the nature of tourist demands and ensure that planning controls permit appropriately designed tourist development.

The village atmosphere and attractiveness of Berridale and the surrounding landscape.

This means enhancing both the visual and community 'heart' of the village. Planning is needed so that a visual town centre is created and enhanced which will support a sense of community spirit. The surrounding distinctive boulders are valuable natural features that should be maintained and promoted.

A network of natural and built heritage walking trails through the village.

This means we need to continue to promote and enhance the natural and heritage values of the village and surrounding areas. We recognize that the maintenance and enhancement of walking trails and open space within the village are important to both tourists and residents. This will mean encouraging development that promotes and preserves the natural and historical values of the town.

3. Adaminaby and Surrounding Villages

The Adaminaby and Surrounds Village Plan (2007) provides a framework to guide decisions about the supply of village style land to provide choice in lifestyles and support the growth and viability of the village. The Plan provides a basis for balancing community aspirations and technical constraints so that decisions about location of new residential land can be made. In this way the Plan seeks to remove barriers to the growth of the village by providing choice and opportunity whilst making sure growth is well located, reflects the constraints of the area and maintains the character of Adaminaby.

For Old Adaminaby and Anglers Reach the Plan provides a direction and will guide decisions about development so that they are consistent with the community vision and so that their unique characters are maintained.

Community Vision

"Growth of Adaminaby and its surrounding settled areas is desirable and needed.

Adaminaby is strongly connected to the magnificent mountains and lakes beyond."

The Vision for Adaminaby and its surrounding settled areas was developed as part of the Land Use Planning Review in 2001. This Vision was reviewed with the community in 2005 to make sure it still reflects what is important for the future.

In consultation with the community it is clear that both the rural history and the Snowy Scheme have shaped the identity of the village and surrounding areas. There is also a strong link with the mountains and the lake that are central to the identity of the village. These things in particular make the village attractive for residents and visitors.

The Vision reflects the communities desire for growth and acknowledges that this growth may come from offering a greater variety of residential opportunities. Future growth will need to occur both within the existing village land and also on the rural lands surrounding Adaminaby Village.

"Old Adaminaby and Anglers Reach are unique villages located in a beautiful

setting that needs to be protected"

The communities of Old Adaminaby and Anglers Reach have indicated during consultation that major changes to the current village character are not desirable. There is considerable land zoned and available for the expansion of both of these smaller villages should it be desirable in the future. If growth within the current village zone is to occur it is important to ensure that development in the visual catchments of Lake Eucumbene is managed considering the following key issues:

- Visual impacts as seen from the Lake
- Sense of isolation
- Sustainability of the fishing use of the lake
- Agricultural sustainability
- Flora and fauna protection and
- Pollution impacts on the lake.

4. Dalgety Village

During the development of the Dalgety Village Plan 2007 the community expressed that the village needed to remain a place that is vital, a place that retains its school, where a choice of housing is provided and where heritage and environmental values are fostered. In order for Dalgety to continue to be an attractive place to live and visit, the Dalgety Village Plan and its interpretation into the Snowy River LEP 2013 and this DCP assists to facilitate future growth and make sure new development and land use change does not detract from its character and unique values.

Community Vision

"That the character of the town is maintained and tourism based on heritage and the river, results in a thriving economy with community facilities and a focus on youth combined with a sustainable rural sector and a future that is built on past successes."

The Vision for Dalgety was developed as part of the strategic planning process undertaken by the Dalgety and District Community Association and the community in 2002. During consultation in 2004 this Vision was reviewed with the community to make sure it still reflects what is important for Dalgety's future.

The provision of a choice of village style land, which the Snowy River LEP 2013 and this DCP enables, seeks to attract people to maintain a viable village, one of the key aspects of the community Vision for Dalgety. This Vision is in part also achieved by the control in the DCP Chapters that aim to:

- Foster the character of the village.
- Maintain the values of heritage sites and the Heritage Conservation Area.
- Avoid large bulky buildings that detract from the open, small scale character of the village.
- Ensure appropriate front fencing and sensitive landscaping that enhance the unique character of the village.

The village has a mix of land uses predominately residential dwellings, with a shop/café, service station, school, hotel, halls, the show ground and churches.

Dalgety is proud of its history and is intimately linked with the flow of the Snowy River. Many of the heritage buildings and sites remain and form an important part of the village and its attraction as a destination for visitors. One of the objectives of the heritage controls in the Snowy River LEP 2013 and this DCP is to shape development so that the historic nature of Dalgety is maintained and enhanced into the future.

C1 Subdivision

Contents

1. Background

Subdivision is the division of land into two or more parts that are adapted for separate use, occupation or disposition. As with other developments, subdivision may be permissible without the need for development consent, or may require development consent depending on the requirements of the Snowy River LEP 2013.

Subdivision also may or may not involve 'subdivision work' including any physical activity authorised to be carried out under the conditions of the development consent such as roads and drainage. Essentially, the subdivision process is a two-stage process encompassing subdivision application assessment (Stage 1) and subdivision certification (Stage 2) as described below.

1.1. Subdivision Application Process

Stage 1 – Subdivision Application Assessment

The Subdivision Application Assessment involves obtaining development consent and if necessary, a construction certificate and compliance certificates under the provision of the Environmental Planning & Assessment Act 1979.

Clause 2.6 of the Snowy River LEP 2013 requires development consent for subdivision including:

- ***Torrens Title Subdivision*** best described as a 'single' or 'ground surface' subdivision of land. The vast majority of residential properties in NSW are under this system.

- ***Strata Title Subdivision*** refers to the system of ownership of land conferred by the provision of the Strata Title (Freehold) or the Strata Titles Act. Strata Titles enables the ownership (or title) to the land to be identified in terms of 3 dimensional spaces (i.e. air space).

  Strata Title also allows for the identification of layers (or strata) such as occurs when a multi-storey building is subdivided to create individual strata lots that are stacked upon each other. The majority of strata subdivisions relate to the subdivisions of developments involving the erection of a building or several buildings on one parcel of land. (e.g. residential flat buildings, commercial or industrial developments). The strata subdivision allows individual units within the development or parts of a building to be separately owned.

  All strata subdivisions involve the partial joint ownership of land. It also necessitates the creation of a body corporate. Under this system, each strata lot owner has separate ownership of their unit or part of the building, while they hold joint ownership of any common property and specified administrative and maintenance responsibilities.

- ***Community Title Subdivision*** is a system of land arrangement and ownership prescribed within the Community Titles Act. Many of its provisions are similar to those applying for staged strata developments. However, the provisions of the Community Titles Act allow for greater flexibility in that they include the ability to:

  - develop multi-tiered management and ownership structures.
  - incorporate a broad range of controls over the future management and development of the land (i.e. By-laws).
  - on-sell different components of the development to individual developers, each with separate title to their land, whilst maintaining the overall integrity of the development (i.e. central management).

  The creation of a Community Title requires the preparation of a management statement for the proposed development. The provisions also allow for the preparation of sundry plans of management for individual parties within the development.

The Snowy River LEP 2013 contains detailed requirements for all forms of subdivision including:

Clause 4.1 Minimum subdivision lot size and accompanying Lot Size Maps identify the minimum lot size for Torrens Title subdivision for particular sites. Detailed objectives of the

clause should be addressed in all development applications for subdivision. **Clause 4.1AA Minimum subdivision lot size for community and strata title schemes** applies to land zoned RU1 Primary Production, R5 Large Lot Residential and E3 Environmental Management and states that the minimum lot size for community title or strata title subdivision is the same as Torrens Title subdivision (i.e. Clause 4.1). An exception is made for the community title subdivision of eco tourist facilities (refer clause 4.1AA (5)).

Clause 4.1AB Lot averaging subdivision in Zone R5 Large Lot Residential allows for flexibility in minimum lot sizes (where lots are not less than 5 hectares) to ensure that lot sizes and subdivision patterns for residential accommodation conserve and provide protection for the environmental values of the land by encouraging buildings to be appropriately sited. The clause has specific requirements in relation to lot averaging.

Clause 4.1B Minimum lot size for dual occupancies, multi dwelling housing and residential flat buildings in residential and village zones states the minimum lot size for types of residential accommodation permissible in the R1 General Residential, R2 Low Density Residential, R5 Large Lot Residential and RU5 Village zones.

Other subdivision related clause in the Snowy River LEP 2013 include:

- Clause 4.1C Exceptions to minimum lot sizes for certain residential development
- Clause 4.2 Rural subdivision
- Clause 4.2A Lot size exceptions for certain rural subdivisions

If a subdivision is specified as **exempt development** in the Snowy River LEP 2013 or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without development consent. The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is **complying development**.

To obtain development consent, an applicant will need to lodge a development application (subdivision application) with Council. The information requirements for development applications are listed in Chapter A2 Development Application Requirements. Applications to Council for subdivision approval generally fall into two categories:

Minor Subdivisions, which generally comprise:

- Five (5) allotments or less;
- No road opening;
- Boundary adjustments (which don't fall within exempt development);
- Strata subdivision of existing buildings; or
- Three (3) agricultural allotments or less.

Major Subdivisions, which generally comprise:

- Six (6) or more allotments created;
- Road opening required;
- Community Title subdivisions;
- Staged subdivisions;
- Subdivisions with objections under cl.4.6 (Exceptions to development standards) of Snowy River LEP 2013;
- Residential subdivisions under cl.4.1C (Exceptions to minimum lot sizes for certain residential development); or
- Four (4) agricultural allotments or more.

Stage 2 – Subdivision Certificate

A subdivision certificate certifies that all matters relating to the subdivision application, including the linen plans & Section 88B instruments comply with the development consent, all construction works are completed, payment of contributions has been made and all services provided to the land have been met and the 'linen plan' can be released for registration by the Lands Title Office.

To obtain a subdivision certificate, an applicant will need to make an application to Council (refer Chapter A2 Development Application Requirements for information needed).

1.2. Design Considerations

In preparing designs for subdivision, due regard must be had for a number of factors including environmental impact, residential amenity and safety. Every subdivision application lodged with Council will need to demonstrate that the following matters have been taken into consideration in the design of the subdivision:

- Solar access to and from site
- Views to and from site
- Privacy (acoustic and visual)
- Overshadowing
- Vegetation removal required
- Excavation and fill required
- Effluent disposal techniques
- Access to water
- Stormwater disposal, including impacts on upstream and downstream properties, waterways and lakes
- Easements, rights of carriageway and access arrangements
- Prevailing winds
- Pedestrian and vehicle access
- Significant noise sources on or around the site
- Contaminated soils
- Location and height of neighbouring buildings
- Heritage features of the site and adjoining sites
- Surface levels of the land and adjoining sites
- Levels of existing road pavement, gutter and footpath
- Bushfire hazard potential
- Accessibility to services

2. General Subdivision Requirements

This Section applies to all development applications for subdivision. Additional requirements for large lot residential, tourist development (tourist & visitor accommodation and eco-tourist facilities) and intensive agriculture are contained in separate Sections below.

2.1. Objectives

The objectives for the subdivision of land are:

- To ensure that subdivision patterns do not lead to unsustainable or undesirable environmental, economic or social outcomes that become an impediment to future growth of the Shire.
- To encourage environmentally acceptable residential subdivision and dwelling construction that supports the diversity of housing choices required by new and existing Shire residents.
- To ensure that dwelling construction provides quality outcomes for the built environment of the Shire
- To ensure that development of lots does not adversely impact on landscape features and amenity.

2.2. Controls

The following controls must be taken into consideration for all development applications for subdivision.

C1.2-1 Minimum Subdivision Lot Sizes

The minimum subdivision lot sizes are identified in the Snowy River LEP 2013 and the accompanying Lot Size Maps.

C1.2-2 Subdivision Design

(a) The subdivision design must consider the physical characteristics of the land including bushfire hazard and ensure the protection of key environmental features including significant vegetation, natural landforms including rocky outcrops, topographic features and watercourses (refer Chapter C7 – Natural Hazard Management).

(b) Subdivision design must consider the orientation of future dwellings on the site to encourage north facing dwellings.

(c) Council may consent to the creation of a hatchet shaped allotment of land. Where this is proposed within Zone R1 General Residential, R2 Low Density Residential or RU5 Village the subdivision must not involve a lot being developed that is already a hatchet shaped allotment.

(d) All hatchet-shaped allotments in Residential or Village zones must have a minimum access handle width of 6 metres.

(e) The minimum area requirements for all hatchet-shaped allotments are to be measured excluding the access handle.

(f) All allotments are to be of a regular shape.

(g) The allotments to be created must be designed to minimise any bushfire hazard and are to be designed in accordance with Planning for Bushfire Protection 2006 (refer Chapter C7 – Natural Hazard Management). Perimeter roads should be used to assist in minimising fire risk rather than clearing the site.

C1.2-3 Agricultural Land

(a) If the subdivision includes any Class III agricultural land, and the land was taken out of agricultural production not less than 5 years prior to the date of gazettal of the Snowy River LEP 2013 (appointed day), a report prepared by a qualified agronomist demonstrating that the land comprising the subdivision is not well suited to grazing and pasture improvement is to be submitted with the development application.

C1.2-4 Flora and Fauna Protection

(a) If the subdivision includes any land significant for flora and fauna protection a targeted survey for threatened species must be carried out and an assessment of significance prepared by a suitably qualified person demonstrating that the subdivision will not have an adverse effect on flora and fauna.

(b) The aquatic environment must not be detrimentally affected by subdivision and the proposed future use of the land.

C1.2-5 Visual Protection

(a) A visual impact assessment is to be undertaken for all proposed subdivision in the Lake Eucumbene or Lake Jindabyne Scenic Protection Area and Eastern Approaches to Kosciuszko National Park Scenic Protection Area.

(b) The visual impact assessment is to be undertaken by a suitably qualified professional and is to demonstrate that:

- any proposed or future buildings within the subdivision will not be visible from Lake Eucumbene; or
- any proposed or future buildings within the subdivision will not have a negative visual impact on Lake Jindabyne or Eastern Approaches to Kosciuszko National Park Scenic Protection Area.

Note: the Snowy River LEP 2013 includes specific clauses for the Scenic Protection Areas (refer clauses 7.7 and 7.8).

C1.2-6 Building Exclusion Areas

The location of building exclusion areas is to be shown on the development application plans to identify areas that have development constraints (i.e. bushfire prone land, slope, significant vegetation, areas of heritage significance) and would not be suitable to subdivide for future building and development. Consequently areas not included in the building exclusion areas would be investigated as being suitable for future building and development.

(a) The site plans are to identify building exclusion areas which are based on an analysis of site design and environmental constraints including (but not limited to): bushfire prone land, flooding, flora and fauna protection, slope and landslip, land contamination, impact on views, ridgelines and areas of heritage significance;

(b) If the building and development sites identified outside the building exclusion areas are visible from an arterial road, a visual impact assessment undertaken by a suitably qualified professional is to be provide to demonstrate how the visual impact of the development can be minimised when viewed from the arterial road.

C1.2-7 Provision of Services

(a) An electricity supply must be provided to each allotment in accordance with the requirements of the relevant electricity authority.

(b) The applicant must demonstrate that telecommunications (whether fixed line or mobile) can be provided to the site.

C1.2-8 Access

(a) The subdivision must not create additional riparian access rights to streams, creeks, rivers or other waterways.

(b) All allotments created by subdivision (including boundary adjustments) must have coinciding legal and practical (properly constructed) access in accordance with Councils development design and construction specifications.

Note: detailed requirements for access are contained in Chapter C3 Car Parking, Traffic and Access.

Note: A 'Riparian access right' is a water right held by rural landowners for domestic, on-farm purposes. Riparian rights allow landowners whose property is adjoining to a body of water to make reasonable use of it, for purposes such as drinking water, domestic use and fishing. It does not relate to pedestrian access or recreation.

3. Large Lot Residential Subdivision

3.1. Background

The General Subdivision Requirements (above) are to be used in conjunction with the specific controls for large lot residential subdivision in the R5 Large Lot Residential Zone in this section.

3.2. Objectives

The key objectives for the subdivision of land for the purpose of 'large lot residential' development are:

- To ensure the development of rural living/large lot residential subdivisions are appropriately designed and implemented.
- To ensure that the visual integrity of the rural landscape is maintained and new development is sufficiently separated from agricultural activities.
- To ensure that new lots resulting from a subdivision are of sufficient size to ensure that water supply, recreation space and waste treatment is suitably catered for.
- To maximize opportunities for improving land degradation.

3.3. Controls

C1.3-1 Integrating Subdivision with Landscape Character

(a) New subdivisions are to be designed to respond to landscape form and existing features.

(b) Subdivision is to be designed to:

- Consider existing natural features of the site and surrounding area including landscape features, vegetation, waterbodies or rock outcrops and use these features to form natural boundaries of the subdivision;
- link vegetation or waterbodies within the site with adjoining natural areas to form links and habitat corridors to support biodiversity;
- incorporate natural features of the site into public or common areas; and
- utilise views to and from the site or to common areas to provide privacy and amenity for adjoining lots in the subdivision.

C1.3-2 Cumulative Impact

(a) New subdivisions are to be designed to minimise visual impact and maintain the character of the locality.

(b) Subdivision must be designed to prevent ribbon development where the site fronts an arterial road or is highly visible. Ribbon development may be avoided by clustering development, using natural topography or site features to minimise visibility and alternation of the landscape character.

(c) Subdivision is to be designed to use the natural topography and features to position the development so that it is screened from public areas and minimises intrusion into important views.

C1.3-3 Efficient Servicing and Staging of Development

(a) Where the land to be subdivided is contiguous with existing urban or rural residential estate land it is to have regard to the adjoining subdivision pattern and connect with the established servicing and road networks.

(b) Where not immediately adjoining existing urban or rural residential land, the development application must provide an assessment of the locality prepared by a suitably qualified professional which demonstrates that the proposed subdivision will not lead to ad hoc development or inefficient use of existing or new infrastructure.

C1.3-4 Provision of Adequate Vehicular Access

(a) The subdivision is to provide vehicular access suitable for the scale of the proposed development.

Note: detailed requirements for access are contained in Chapter C3 Car Parking, Traffic and Access.

C1.3-5 Improving Land Degradation

(a) Degraded areas are to be restored and rehabilitated through the subdivision process to ensure the land can be managed in the future.

(b) Where development is proposed on any physically degraded land (for example land affected by gully erosion or salinity), the development application is to be accompanied by an investigation and report by a suitably qualified professional, that documents the rehabilitation actions and ongoing future management of the site to address such degradation.

(c) The responsibility for degraded land is not to be passed onto new landowners.

(d) Where development is proposed on any land subject to significant infestation of noxious weeds or pest animals, the development application is to be accompanied by an investigation and report by a suitably qualified professional that documents the actions to reduce and/or remove such infestations and ongoing future management to address reinfestation.

4. Tourist Development Subdivision

4.1. Background

The subdivision of tourist developments will only be considered where the applicant can demonstrate that the subdivision is essential to the operation and management of the development and will not result in the creation or encouragement of permanent residential occupation.

The Snowy River LEP 2013 provides for residential uses in and around the Shire's towns and villages, with access to appropriate community services and infrastructure. Given that residential uses are provided for, it is the intention of this Chapter to ensure that subdivision of *tourist and visitor accommodation* and *eco-tourist facilities* does not create residential uses inconsistent with the aims of the Snowy River LEP 2013.

The Snowy River LEP 2013 (clause 4.1AA Minimum subdivision lot size for community and strata title schemes) provides that Council may grant consent for a Community Title subdivision for the purpose of an *eco tourist facility* that will create more than one allotment of less than the minimum shown on the Lot Size Map (in zones RU1 Primary Production, R5 Large Lot Residential and E3 Environmental Management) if all lots created by the subdivision are in the same community, precinct or neighbourhood scheme within the meaning of the Community Land Development Act 1989.

This Chapter applies to development proposals for subdivision relating to tourist and visitor accommodation or eco tourist facilities.

4.2. Objectives

The key objectives for the subdivision *tourist and visitor accommodation* or *eco-tourist facilities* are:

- To ensure that tourist and visitor accommodation and eco-tourist facilities are not changed to residential use as a result of subdivision.
- To avoid demand or expectation for Council services and facilities which are not typically provided in the rural tourist environment.
- To ensure that the subdivision will be secondary to the tourist development and will only be considered following successful construction, establishment and operation of the tourist development.

4.3. Controls

C1.4-1 Subdivision of Existing Development

(a) The development proposal is to demonstrate that the subdivision of the development is essential to the operation and management of the development.

C1.4-2 Type of SubdivisionProposed

(a) Subdivision is by 'community title' pursuant to the Community Land Development Act 1989 and Community Land Management Act 1989, with appropriate provision for a central management facility and shared infrastructure and services to be provided within the community property.

(b) All lots created as a result of the subdivision will each contain the whole or part of one or more accommodation buildings and their curtilage, but any lot containing access and other common facilities, infrastructure or landscaping will be held in common ownership by all owners of the other lots created by the subdivision.

C1.4-3 Community Management Statement

(a) A community management statement is to be prepared to ensure ongoing compliancewith the requirements of Council.

(b) Subdivision of tourist and visitor accommodation or eco-tourist facilities must not result in permanent or semi-permanent occupation of the accommodation.

(c) All components of the facility must be centrally managed.

(d) A community management statement is to accompany the developmentapplication and demonstrates:

- Compliance with the relevant Chapters of this DCP
- That guests occupying a unit or dwelling within the development(whether they are the owner or the dwelling or lessee) do not occupy the dwelling for a continuous period of more than three (3) months.
- Management plans do not allow for the lease of buildings or bedrooms for a continuous period of more than three (3) months.

5. Subdivision for Intensive Agricultural Use

The Snowy River LEP 2013 defines two forms of intensive agriculture:

> ***Intensive livestock agriculture*** *means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:*
>
> *(a) Dairies (restricted)*
>
> *(b) Feedlots*
>
> *(c) Piggeries*
>
> *(d) Poultry farms*
>
> *But does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.*

Intensive plant agriculture *means any of the following:*

(a) The cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops)

(b) Horticulture

(c) Turf farming

(d) Viticulture

This section of the DCP applies to subdivision for the purposes of intensive livestock agriculture or intensive plant agriculture.

5.1. Objectives

The key objectives for the subdivision of land for *intensive livestock agriculture* and *intensive plant agriculture* are:

- To provide a coordinated and sustainable approach to the subdivision of land used for intensive agricultural activities to ensure that environmental impacts are mitigated and adjoining land uses are fully considered.
- To ensure that subdivision is consistent with the rural character of the area and able to sustain future agricultural uses should they arise.
- To ensure that future agricultural uses will not have a detrimental impact on existing residential or other uses.

5.2. Controls

C1.5-1 Lot Size

(a) The lot to be used for intensive agriculture is to be greater than 10 hectares in size.

(b) The residue lot is to be greater than the minimum lot size required for a dwelling house on the site in which the subdivision is to take place.

(c) If the land contains an existing dwelling, the dwelling is to be included on the residue lot.

C1.5-2 Suitability

(a) The proposed new lot and residue lot resulting from a new subdivision are to be suitable for their nominated uses and compatible with adjoining lands uses.

(b) A site analysis must be submitted with a development application that demonstrates that the constraints and opportunities of the site have been considered and that the site is suitable for the proposed use.

(c) The proposed use of land is to be compatible with other land uses in the locality, with potential land use conflicts identified and suitable mitigation measures proposed.

C1.5-3 Buffers

(a) The new lot is capable of sustaining intensive agriculture, including any necessary buffers.

(b) Where there are adjoining existing agricultural uses, a buffer is to be provided on the subject site in accordance with the following:

Where the use includes chemical spray applications	250m if no vegetation provided 50m with purpose designed vegetated buffer
Where the use is likely to emit noise such as frost fans or pumping equipment	500m of lesser amount where supported and substantiated by acoustic testing undertaken by a suitably qualified professional.
Where the use involves a cropping enterprise that involves soil cultivation	300m if no vegetation provided 50m with purpose designed vegetated buffer
Where adjoining use involves the aerial application of chemicals	500m minimum

(c) A buffer area less than the one specified in the table above may be provided where it is supported by a report prepared by a suitably qualified professional that addresses:

- likely intensity, sensitivity and duration of the potential or actual impact; and
- local topography, climate and vegetation; and
- typical management practices being undertaken or likely to be implemented on the adjoining lands.

C2 Design

Contents

1. Visual & Scenic Impact

1.1. Background

The condition of scenic landscapes is important for the residents and visitors to the Shire. There are strong cultural ties to landscape and feelings for the visual beauty of treeless plains, mountains and lakes. The landscape values of the Shire remain a major draw card for the local tourism industry and these landscapes should be managed as a key component of the tourism infrastructure. The landscape is characterised by open grassland plains in the east, rugged alpine ranges in the west, as well as river valleys and lakes. Poor management of landscapes and the intrusion of development may lead to a deterioration of landscape values. This will have consequences for the sense of place and quality of experience enjoyed by visitors.

It is considered that new development on skylines is an important landscape issue because it can be more prominent and noticeable. It can visually dominate an area and it may not reflect the settlement pattern and characteristics of an area. However, it is accepted that there are a range of situations where development may breach a skyline but is only visible to a very local and non-sensitive receptors.

Depending on the sensitivity of a situation e.g. a key travel route, the Eastern Approaches to the National Park or the visual catchment to the lakes, development may be acceptable.

The Snowy River LEP 2013 contains detailed provisions and mapping for Lake Jindabyne and Lake Eucumbene Scenic Protection Areas (refer Clause 7.7 and associated mapping) that aim

to protect the visual qualities and scenery, sense of isolation, recreational and water storage functions of the lakes. The Snowy River LEP 2013 also contains provisions relating to development within the Eastern Approaches to Kosciuszko National Park (refer Clause 7.8 and associated mapping) which aim to protect and maintain the environmental, scenic and natural attributes, ensure development complements the areas scenic and natural resources and protect an improve the water quality and supply and catchment hydrology.

The Snowy River LEP 2013 also includes a clause relating to development on ridgelines (clause 7.6) which aims to prevent the unnecessary intrusion of buildings into skylines and preserve the rural aspect of landscape.

1.2. Objectives

The objectives for the protection of scenic landscape values and landscape views within the Shire are to:

- Minimise the impact of development on the visual qualities and scenery of the natural and rural landscape.
- Preserve the amenity and rural character of a locality and maintain the visual integrity of rural skylines.
- Encourage building and design that protects sensitive landscapes and important views.
- Prevent the unnecessary intrusion of buildings into skylines
- Integrate development with the landscape by building on existing landscape character and managing the effects of change.
- Ensure that visual character and quality of the landscape are assessed before consent is granted for development.
- To ensure that the visual impacts of proposed development are minimised.
- To ensure that development does not unreasonably intrude or otherwise impact upon the natural landscape, particularly on ridge top locations, sloping sites and adjoining public reserves or bushland.

1.3. Visual Character Controls

C2.1-1 Visual Landscape Character Assessment

(a) Before granting development consent for development involving the carrying out of any works or building construction, the consent authority must have regard to the likely visual impacts of carrying out the development, including the visual impacts of ancillary uses like driveways and fencing and of the provision of electricity and other services to the site of the development.

(b) When assessing visual impacts of the proposed development consideration must be given to:

- Important visual features and the landscape character of the site and surrounding land;
- Minimising the visual impact of the development on views from public areas, including public roads;
- Reducing the visual impact of driveways and of the provision of services to the development;
- Reducing the visual impact of proposed buildings by ensuring that external finishes are non-reflective and of a colour that blends in with the surroundings; and

- Ensuring fencing and building styles are compatible with the visual character of the area.

C2.1-2 Building on Ridgelines

(a) A building must not be erected on a ridgeline if the building would be visible from a public place such as an arterial road and appear as a skyline structure from that place or road. However, Council may consent to the erection of a building on a ridge line where:

- The proposed location of the building comprises the only part of the land on which it is proposed to be erected which has reasonable vehicular access to a public road;
- The whole of the land on which it is proposed to be erected is within the ridge line;
- The function and architecture of the building has such significance to the community that, in the Council's opinion, it should stand out as a landmark.

(b) Development shall take into account the topography of the area avoiding significant skylines.

C2.1-3 Development in Lake Eucumbene and Lake Jindabyne Scenic Protection Areas

In addition to the objectives (above) the following also apply for sites within the Lake Eucumbene and Lake Jindabyne Scenic Protection Areas:

- Protect the sense of isolation which can be enjoyed in many areas on and adjacent to Lake Eucumbene.
- Protect the environmental attractions and recreational functions of Lake Eucumbene and Lake Jindabyne including its attraction as a prime fishing destination.
- Ensure that the Lakes and adjacent urban settlements continue to have a clear rural setting.
- Protect the water quality, water storage functions and groundwater of Lake Eucumbene and Lake Jindabyne Scenic Protection Areas.
- Protect the flora and fauna, including aquatic habitats.

(a) Consideration must be given to the visual impact of the development when viewed from Lake Jindabyne, and Lake Eucumbene at its full supply level.
(b) Consideration must be given to whether the design and construction of any new buildings (including fencing) prevent any intrusion into the view from the Lake and surrounding areas
(c) Consideration must be given to whether provision has been made for the planting of appropriate native species where the planting would visually screen the development
(d) Development consent must not be granted to development where the development will have an unacceptable visual impact on the scenic quality of the area
(e) The development has been designed to prevent any visual intrusion in to the view from Lake Jindabyne and Lake Eucumbene (at its full supply level).
(f) A visual impact analysis must be provided of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Lake.

C2.1-4 Development within the Eastern Approaches to Kosciuszko National Park

(a) Development consent must not be granted to development of land in the Eastern Approaches unless the consent authority has considered a visual impact analysis of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Alpine Way and Kosciuszko Road.
(b) Development is to be designed and located so it causes no detriment to the scenic and rural character of land within the Eastern Approaches to Kosciuszko National Park, particularly when viewed from the Alpine Way or the Kosciuszko Road.

C2.1-5 Building Design

(a) The design and site coverage of the development should reflect the slope of the site and it may be desirable to leave steeply sloping parts of sites in their natural state.

(b) All structures are designed and sited in order to minimise the need for excavation or fill for foundations and associated hardstand areas.
(c) Buildings should utilise suspended slab construction, pole or steel frame, or brick and/or steel piers in order to minimise the disturbance to the natural grade caused by the building. Where areas on a site are already disturbed, those areas should be used for siting of buildings.
(d) On steeply sloping sites and treed hillsides, building height and bulk, particularly on the downhill side is to be minimised and the need for cut and fill is to be reduced by designs which minimise the building footprint and allow the building mass to step down the slope.
(e) Sub-floor areas must be enclosed or otherwise treated so that they do not look untidy when viewed from a public place.
(f) Building heights are similar to those in the surrounding landscape with taller buildings sited so as to minimise impacts on the landscape.
(g) New structures are designed to blend rather than contrast with the existing environment and the use of external reflective finishes is restricted.
(h) The building design is not to include highly reflective surfaces such as 'zincalume' or tinted glass panels. External finishes may be natural or untreated, or where colours are used, these should have a light reflectivity index of 12% or below.

C2.1-6 Landscaping

(a) The design of any new development must integrate with the landscape, by building on and incorporating existing landscape features such as vegetation and rocky outcrops.
(b) Development must not involve the removal of bush rock or significant areas of vegetation.
(c) Planting is to be located to soften the view of the development from any existing public roads and public vantage points.

1.4. View Sharing Controls

The concept of view sharing relates to the equitable distribution of views between development and neighbouring dwellings and the public domain. The view sharing objectives and controls aims to achieve a balance between facilitating quality development and preserving an equitable amount of views for the surrounding properties as far as is practical and reasonable.

The NSW Land and Environment Court has developed a planning principle relating to view sharing. Where view loss impact is likely to occur, development proposals must address this section of the DCP as well as the above planning principle.

Objectives

- To acknowledge the value of views to significant scenic features.
- To protect and enhance views from the public domain including streets, parks and reserves.
- To ensure that development is sensitively and skillfully designed to maintain a reasonable amount of views from the development, neighbouring dwellings and public domain.

Controls

C2.1-7 View Sharing

a) All property owners should be able to develop their property within existing planning controls however views should not be substantially affected where it is possible to design to share views.
b) The location and design of dwellings and outbuildings must reasonably maintain existing developed view corridors or vistas from the neighbouring dwellings, streets and public open space areas.
c) In assessing potential view loss impacts on neighbouring dwellings, retaining existing views from the living areas (living room, dining room, lounge and kitchen) should be given a priority over those obtained from the bedrooms and non-habitable rooms.
d) The design of fences and selection of plant species must minimise obstruction of views from the neighbouring dwellings and the public domain.

2. Crime Prevention Through Environmental Design

Crime Prevention Through Environmental Design (CPTED) seeks to encourage the design and management of the built environment to reduce the opportunity for crime. Safety and crime prevention should be considered in the design of multi dwelling housing, residential flat buildings, commercial premises, industrial development and tourist and visitor accommodation and other land uses identified by Council specifically by:

- Enhancing safety by reducing opportunities for crime to occur;
- Improving observation of public and private spaces;
- Optimising the use of public spaces and facilities by the community; and
- Promoting the design of safe, accessible and well-maintained buildings and spaces.

The following key principles should be applied to the design and management of development to reduce opportunities for crime:

- **Surveillance** – encourage opportunities for casual surveillance
- **Accessibility and Target Hardening** – restrict access and maximise the use of appropriate security measures
- **Reinforce Territory / Space Management** – encourage ownership of communal areas and the sense of community and formally supervise and care for property
- **Defensible Space** – ensure that areas have the appearance of being cared for and protected

This Chapter sets out the objectives and controls in relation to crime prevention through environmental design and applies to development applications for the following land uses:

- Residential accommodation (multi dwelling housing & residential flat buildings only);
- Commercial premises (business premises, office premises and retail premises);
- Industries;
- Tourist and visitor accommodation;
- Car parks; and
- Other types of development identified by Council.

2.1. Site and Building Layout

Objectives

- To ensure that site and building layout enhances security and feelings of safety.
- To ensure that private and public spaces are clearly delineated.

Controls

C2.2-1 Site and Building Layout

(a) The design of new development should allow for natural surveillance to and from the street and between individual dwellings, accommodation units or commercial units within the site.
(b) All entries within the site are to be clearly visible to avoid confusion.
(c) Blank walls fronting the street, blind corners in pathways, stairwells, hallways and car parks are to be avoided.
(d) Windows, doorways and balconies are to be offset to allow for natural surveillance while at the same time protecting privacy.
(e) Natural surveillance from communal and public areas and car parks is to be demonstrated, while ensuring that the design also provides for suitable streetscape appearance.
(f) Public services (e.g. ATMs, telephones, bicycle storage) are to be located in high activity areas.
(g) Access to dwellings or other uses above commercial or retail development should not be from rear lanes.
(h) Entrances should be located in prominent positions, be easily recognisable through design features and directional signage and should allow users to see into the building before entering.
(i) Pathways within and to the development should be direct and all barriers along the pathways should be permeable including landscaping and fencing.
(j) The installation of mirrors, glass or stainless steel panels to allow users to see ahead and around corners in corridors and stairwells is to be considered in the design of the development.
(k) Active uses or habitable rooms are to be located with windows adjacent to the main communal and public areas e.g. playgrounds, gardens and car parks.
(l) Communal areas and utilities (e.g. garbage bays) should be easily seen and lit.
(m) Ensure surveillance between the shopfront and the street by retaining clear sight lines and limiting promotional materials on windows.
(n) In industrial developments, administration and office areas should be located at the front of the building.
(o) Pedestrian corridors/routes should be clearly identified in car parks serving large developments.
(p) Where staff parking is provided it should be separate and secured from the public car park.
(q) Areas of open space should be clearly delineated and situated at locations easily observed by people. Parks and playgrounds should be located in the front of buildings and should face the street rather than back lanes.
(r) Facilities (e.g. toilets and telephones) should be located close to areas of active uses and access to facilities should be direct and free of obstruction.

2.2. Lighting

Objectives

- To ensure that lighting enhances the amenity and safety of a site after dark by increasing opportunities for casual surveillance, deterring unauthorized access and reducing feelings of fear and vulnerability of legitimate site users.

Controls

C2.2-2 Lighting

(a) Lighting is to be provided to enable natural surveillance, particularly in entrances and exits, service areas, pathways and car parks.
(b) All entrances and exits must be well lit and clearly identifiable after dark by appropriate lighting.
(c) Service areas such as garbage areas and loading bays must be well lit.
(d) Lighting should be designed so that it doesn't produce areas of glare and shadow.
(e) All lighting must be vandal resistant and easy to maintain.

2.3. Landscaping and Fencing

Objectives

- To ensure that landscaping does not reduce the security of a site.
- To ensure that fencing, which is used to delineate private space, is used in a way which enhances safety.

Controls

C2.2-3 Landscaping

(a) Avoid landscaping which obstructs casual surveillance and allows intruders to hide.
(b) Use vegetation as barriers to deter unauthorized access.
(c) Avoid large trees and shrubs and building works that could enable an intruder to gain access
(d) Front fences should be predominantly open in design to allow sight through the fences.
(e) Fences are not to inhibit surveillance of the communal areas, pathways and footpath by occupants of the building.

2.4. Security and Operational Management

Objectives

- To ensure an appropriate level of security is achieved.

Controls

C2.2-4 Security and Operational Management

(a) Provide an appropriate level of security for individual buildings and communal areas to reduce opportunity for unauthorized access.
(b) Security devices such as grills on door and window openings should be ‘permeable’ to allow causal surveillance. Solid shutters are not permitted on the window and door openings that have frontage to the street or are adjacent to open space.
(c) Entry doors should be self-closing and signs displayed requesting building occupants not to leave doors wedged open.

2.5. Building Identification and Ownership

Objectives

- To ensure buildings and areas within the site are clearly identifiable at all times to prevent unintended access and assist persons trying to locate the premises, especially in times of emergency.
- To ensure that building design promotes ownership and connection with both private and public spaces.

Controls

C2.2-5 Building Identification and Ownership

(a) Ensure buildings are clearly identified by street number (and apartment number) to prevent unintended access and to assist persons tyring to find the address.
(b) Each individual dwelling or commercial unit should be clearly numbered and unit numbers and directions should be provided on each level of the development.

2.6. Building Ownership and Maintenance

Objectives

- To ensure the development has the appearance of being well looked after and cared for.

Controls

C2.2-6 Building Ownership and Maintenance

(a) Design dwellings, commercial premises and communal areas to promote a sense of site ownership and to encourage responsibility in making sure the site is well maintained.
(b) Ensure the repair or cleaning of damaged or vandalized property and the swift removal of graffiti.
(c) Strong, wear resistant laminate, impervious glazed ceramics, treated masonry products, stainless steel materials, anti-graffiti paints will reduce the opportunity for vandalism. Flat or porous finishes should be avoided in areas where graffiti is likely to be a problem.
(d) External lighting should be vandal resistant including high mounted and/or protected lights.

C3 Car Parking, Traffic & Access

Contents

1. Background

This Chapter contains planning objectives and controls for car parking and traffic, pedestrian and cycle access throughout the Shire. The Chapter applies to all development that requires a development application under the Snowy River LEP 2013 other than alterations to or rebuilding of an existing building provided that the use and floor area of the original building remains the same.

This Chapter will also apply to any proposed extension of an existing building as if it were an independent structure. Parking for multiple land uses shall be assessed to determine the cumulative impact of all proposed or existing landuses.

This Chapter is to be read in conjunction with Australian Standard 2890.1 Off -street parking Part 1 - car-parking facilities. Development generating high amounts of traffic, as defined by State Environmental Planning Policy (Infrastructure), or on State and regional roads, may be referred to Council, Local or Regional Traffic Committee for consideration.

It is important that parking facilities have a positive influence on the quality of our environment through their design, operation and landscaping. A correct and well designed parking facility will improve the appearance, function and value of the property it serves.

2. Aims

The aims of this Chapter are to:

- To preserve the transportation role of arterial roads and ensure the safe and efficient flow of traffic.
- To ensure car parking facilities, service and delivery areas and access are designed to enhance streetscape character and protect pedestrian amenity and safety.
- Ensure parking areas relate to site conditions.
- To reduce traffic congestion and minimise vehicle and pedestrian conflict.

3. Vehicle Access

The location, type and design of vehicle access points to a development have a significant impact on the streetscape, site layout and building design. It is important that vehicle access is integrated with site planning from the earliest stages to minimise any potential conflicts with pedestrians, streetscape requirements and traffic patterns.

Within the town and urban areas of the Shire vehicle crossings over footpaths can disrupt pedestrian movement and impact on safety. The design of vehicle access to buildings also influences the quality of the public domain. Overly wide vehicle access points detract from the streetscape and the active use of street frontages.

In many parts of the Shire the situation has developed where properties do not have "coinciding legal and practical access". Inadequate legal and practical access causes difficulties by 'landlocking' parcels of land and sterilising development opportunities. Where multiple lots are accessed via a vehicular right of way or some other form of 'private road' conflicts may arise over appropriate maintenance and access standards and liability. The point of development provides an opportunity to rectify and improve access arrangements in many cases. At subdivision stage there is also an opportunity to provide an adequate standard of access to ensure that conflicts over maintenance, amenity and liability do not arise in the future.

Objectives

- To provide permanent legal access within the defined access corridor, constructed to a standard which adequately provides for the vehicular traffic likely to be generated by the development;
- To ensure compliance for new access arrangements with the safety standards of the NSW Roads and Maritime Services and Council, including standards relating to sight distances and horizontal and vertical road alignment.
- To provide adequate and convenient access for the development without compromising street character, landscape character, visual amenity, environmental features, pedestrian amenity and safety.
- To provide a minimum of all weather access for two wheel drive vehicles which can be adequately maintained to this standard over time;
- To ensure that access arrangements utilise the most cost effective and efficient route, subject to considering the above objectives.

Controls

C3.1-1 Permanent and Practical Legal Access

a) All development, including all allotments created by subdivision (including boundary adjustments) must have coinciding legal and practical (properly constructed) access in accordance with Councils development design and construction specifications.

b) Access roads are to be designed to minimise road infrastructure by utilising the most direct, and where possible the existing, legal routes.

c) An applicant wishing to construct a Crown public road is required to obtain Council's concurrence to the ownership of the road being transferred to Council. Where the applicant cannot obtain the concurrence of Council to the transfer of ownership, the application for road construction will not be accepted.

d) Access by undedicated roads (including undedicated Crown reserve roads, Forestry roads and Livestock Health and Pest Authority reserves) requires the consent of the public authority (eg. Roads and Maritime Services) and will only be permitted in similar circumstances to those for rights of carriageway and subject to the same conditions applicable to rights of carriageway.

e) Where the development requires a second bushfire access/egress route, this is to be a permanent legal and practical access.

f) Where the existing road alignment does not match the dedicated or legally recognised road alignment, the road alignment should be rectified through re-alignment, closure, road construction or dedication.

g) Any additional length of public road created as part of the development and proposed to be transferred to the control of Council is to be minimised.

h) Direct access from either the Alpine Way or Kosciuszko Road is not to be provided to a development unless the site has no other practical alternatives that exist or can be created.

i) Consideration must be given to whether traffic associated with the proposed development will cause the condition of the roads to deteriorate and whether funds are or will be available for road maintenance and whether any financial contributions from the proposed development are sufficient to upgrade the roads likely to be affected.

C3.1-2 Rights of Carriageway for Subdivision

a) Where access to the allotment is via an existing right of carriageway, the subdivision will only be permitted in exceptional circumstances as follows, where:
   - the subdivision is for large rural property where the cost of providing public road access would be prohibitive; or
   - the subdivision is in remote rural localities of the Shire.

b) Access may be provided by a vehicular right of carriageway for development involving subdivision of land into up to five (5) additional residential lots (or development where traffic generation has a similar or greater impact) if:
   - the right of carriageway is constructed to a standard approved by the Council; and
   - where relevant, the consent of all adjoining land owners, whose land is burdened by the vehicular right of way, has been gained.

c) Access may be provided by a vehicular right of carriageway for new development (other than that referred to in sub-clauses a) and b) above) where traffic will have a minimal impact if:
   - the right of way is constructed to a standard agreed to by Council; and
   - where relevant, the consent of all adjoining land owners, whose land is burdened by the vehicular right of way, has been gained.

d) If further subdivision takes place utilising the right of carriageway and increasing the number of lots utilising the right of carriageway to more than six (6) allotments, the right of carriageway is to be replaced with a public road (refer below).

e) The right of carriageway in non-urban areas is to be a minimum of twenty (20) metres wide.

f) Construction and maintenance of the right of carriageway is the responsibility of the landowner and is to be in accordance with Councils development design and construction specifications.

g) Council may require a Deed of Agreement for the operation, management and maintenance of the right of carriageway.

C3.1-3 Public Roads

(a) Where subdivision results in six (6) or more additional allotments, the access shall be by way of a public road.

(b) Where a new road is to be constructed or an existing road is to be utilised for addition allotment access, it shall be constructed in accordance with Councils development design and construction specifications for access and subdivision on the following basis:

- *Two Lane Gravel Road* – any road likely to be extended or form part of a through road and "no through roads" servicing six (6) to ten (10) allotments and not in a R5 Large Lot Residential Zone.
- *Two Lane Bitumen Road* – any road servicing more than ten (10) allotments. Council may also require this type of road for short lengths of road which connect with an existing sealed road or which are over a gradient of 10%.

(c) If the subdivision will result in six (6) or more lots in the R5 Large Lot Residential Zone, each lot is to be linked by a 2 lane bitumen sealed road to the nearest urban centre, constructed to Council's approved standards.

(d) If the subdivision will result in six (6) or less lots in the R5 large Lot Residential Zone, each lot is to be linked to the nearest public road by a two lane road suitable for two wheel drive vehicles, constructed to Council's development design and construction specifications.

(e) Where development (including subdivision) front existing public roads, and where the existing public road is unconstructed or is not constructed to a satisfactory standard for the proposed development (e.g. not presently maintained by Council), the full cost of upgrading that road is to be borne by the developer. This requirement may also apply to subdivision's that require the construction or upgrading of existing public roads to give access to the subdivision.

(f) Each lot is to be provided with an adequate all weather access to enable satisfactory vehicular passage from the public road into the individual allotment. This will generally require gravelling from the road shoulder to the boundary and in most cases will require the provision of a piped gutter crossing in accordance with Council's specification for property accesses.

(g) Each lot to be created must include vehicular access that will be flood free in the event of a 1:50 year probability flood occurring.

(h) The location of the individual access points are to be nominated by the developer and subject to approval of, and meeting the standards established by the Director Technical Services and Operations, having regard to road drainage requirements and sight distance.

C3.1-4 Development Fronting Main or Arterial Roads

a) Where development is proposed land which: fronts a classified or arterial road; or relies solely on a classified or arterial road for it access; or has access to a road which intersects with a classified or arterial road, where the point of access is within 90 metres of the intersection of the road and the classified or arterial road, the following must be considered:
   - whether the traffic likely to be generated by the development will cause a traffic hazard or reduce the capacity and efficiency of the classified or arterial road;
   - access points and on-site management plans for vehicle movement and parking;
   - the effect the development will have on future improvements or realignment of the classified or arterial road.

C3.1-5 Adequacy of Access

a) The standard of all weather access roads to the development is to adequately cater for existing and potential traffic.
b) The road reserve width is to be sufficient to cater for all functions that the road is expected to fulfill, including the safe and efficient movement of all users and acting as a buffer from traffic nuisance for residents.
c) The carriageway width is to allow vehicles to proceed safely at the operating speed intended for that road.
d) The design of intersections is to allow all movement to occur safely and projected traffic volumes are to be used in designing all intersections.
e) All intersections and vehicular entrances are to satisfy the relevant design standards published by the Roads and Maritime Authority.
f) Access is designed in accordance with the design criteria set out in the Aust Roads Guide to Road Design and the Council's Development Design and Construction Specifications.

Note: Access to the site and design for turning circles for garbage and recycling vehicles is to be in accordance with the provisions of Chapter C10 Waste Management and Recycling.

C3.1-6 Minimising Impacts

a) Consideration is to be given to the impact the traffic associated with the proposed development will have on existing roads, road safety and other road users.
b) Physical impact on the environment and on the visual landscape are to be minimised through site planning and design.
c) Car parking areas and access roads to be designed, surfaced and sloped to facilitate stormwater infiltration on-site.
d) Access roads are not to exceed 12% slope and are to be designed to work with the contours of the land (minimising cut and fill).
e) Access roads are not to proceed through rock outcrops, natural features or existing vegetation stands and are not to be located on prominent hill faces or ridgelines.

Note: Refer to Planning for Bush Fire Protection 2006 (PBP) at www.rfs.nsw.gov.au for any special access requirements related to developments within Bush Fire Prone Land (Refer Chapter C7 – Natural Hazard Management).

4. Pedestrian and Cycle Access

Design for pedestrian access focuses on delivering high quality, safe and pleasant walking environments where development is integrated into the locality and encourages ground level activity. Pedestrian access should also be equitable access, which provides a barrier-free environment for people who live in or visit the development.

Objectives

- To promote walking and cycling as modes of transport to improve health and wellbeing, reduce transport and infrastructure costs and minimise environmental impacts.
- To ensure that development incorporates publicly accessible pedestrian paths that are well linked into the surrounding area.
- To minimise car dependency and to promote alternative means of transport including cycling and walking.

Controls

C3.2-1 Pedestrian and Cycle Access

a) All development is to provide high quality accessible routes to public and semi-public areas, including major entries, communal open space, site facilities, parking areas and pedestrian pathways.
b) All pedestrian links are to have appropriate levels of illumination.
c) All entrances to buildings are to be accessible from the street and are to integrate ramps into the overall building and landscape design to promote equity of access.
d) The design of *commercial premises* or other non-residential forms of development shall consider staff change rooms and shower facilities to encourage bike riding as a form of transport.
e) Potential pedestrian and vehicle conflict is to be minimised by ensuring clear sight lines at pedestrian and vehicle crossings, utilising traffic calming devices and separating and clearly distinguishing pedestrian and vehicular accessways (eg using bollards or changes in pavement treatment).
f) All vehicle access points to a development are to provide a minimum 1.5 metres landscaped setback to neighbouring properties.

5. Car Parking Design

The location of parking on site has a significant impact on the site layout, landscape design and stormwater management. Development applications requiring car parking will need to consider the following documents:

- Australian Standards (AS): AS1428 Design for access and mobility & AS2890 Parking facilities series
- State Environmental Planning Policy (Infrastructure) 2007
- RMS Guide to Traffic Generating Development 2002
- Austroads guides

Objectives

- To integrate the location and design of car parking in the design of the development.
- To ensure that car parking and service vehicle areas are pleasant and safe areas to park.
- To minimise vehicle and pedestrian conflict and improve pedestrian safety.
- To ensure that the location and design of car parking does not result in detrimental affects on the streetscape and adjoining or nearby properties.

Controls

C3.3-1 Design

a) The design of all car parking is to be in accordance with Council's car parking design specifications.
b) The design of car parking areas, including entry and exit points, is not to create traffic conflicts or impact on pedestrian and cyclists movements.
c) All car parking spaces are to be sited behind the front building line.
d) All car parking spaces must be designed to enable vehicles to enter and exit a site in a forward direction. This may be modified for single dwelling houses provided safe manoeuvring can be demonstrated.
e) The appearance of car parking and service vehicle entries located within a development are to be improved by:
    - screening and locating garbage collection, loading and servicing areas within the development; and
    - avoiding black holes in the façade by providing security doors to car park entries.
f) Where doors are not provided to a car park, the visible interior of the car park is to be incorporated into the façade design and material selection and the building services pipes and ducts are to be concealed.
g) The design and construction of driveways, roads and car parking areas must conform to the requirements of Council's Engineering Guidelines for Subdivision and Developments.
h) All development in residential, business, industrial and village zones must incorporate a concrete or bitumen sealed driveway apron that extends from 1.0m inside the property boundary to the edge of the road.
i) Parking spaces and areas are to be designed in accordance with the following diagrams: AS/NZS 2890.1 2004 Figure 2.2.

C3.3-2 Safety

a) Car parking is to be designed to providing clear, safe and easily accessible paths of travel for both cars and pedestrians.
b) Safe and secure access is to be provided for building users, including direct access for residential apartments.
c) Parking and storage of bicycles (both resident and visitor) is to be provided at convenient and secure locations.

C3.3-3 Landscaping

a) Landscaping of car parking areas to improve the appearance of the car park and provide shade and shelter from weather is to be provided in all development.
b) Proposals for car parking areas are to be accompanied by a landscape plan, prepared by a qualified landscape architect or designer, illustrating means to soften the visual impact of parked care and any associated structures.
c) Significant environmental features within the land such as rock outcrops, benches and trees are to be retained as a landscaped feature of the car parking area.
d) Landscaping is to be included car park design, within and on the perimeter of the car parking area. Accordingly, the following is required:
    - Planting beds fronting a street or public place are to have a minimum width of one (1) metre;
    - Shade trees are to be provided in open car parking areas at the ratio of one (1) shade tree for every six (6) car parking spaces; and
    - Plants to avoid are those that have a short life, drop branches, gum or fruit or those that interfere with underground pipes.
e) Parking areas are to incorporate a 150mm concrete kerb or edge treatment to reduce the likelihood of vehicles damaging adjoining landscaped areas. The use of bollards should also be considered.
f) The choice of landscaping species and design for the car parking area is to create a safe environment through selecting plants that do not provide the opportunity for concealment. Refer to Chapter C5 Appendix C5-01 Recommended Species for Landscaping.

6. Car Parking Provision

The amount of parking provided is related to the type and size of the development, however parking provision should also be considered in relation to the local context and the availability of public car parking areas.

Objectives

- To provide sufficient, safe and convenient parking facilities to meet user requirements and ensure that development is self sufficient in the provision of off-street parking.
- To reduce the need for kerbside parking and encourage the use of roadways for the free flow and movement of vehicles.

Controls

C3.4-1 Car Parking

a) Sufficient on site car parking is to be provided to accommodate the parking demands of the development.
b) The amount of on-site car parking for specific types of development is to be in accordance with the *Table of Parking Requirements* (below).
c) In calculating the number of car spaces required, Council takes into consideration the:
    - type of development (or land use) proposed;
    - size and scale of the development;
    - intensity of the development, and
    - street hierarchy and existing traffic situation.

d) Car parking requirements may be reduced where it can be demonstrated that separate uses can share a single parking facility or where there are different and complementary demands for car parking space on a site.

e) Council does not encourage, but may consider stacked parking for parked spaces in a controlled parking situation which:
   - allow no more than two cars in the stacked parking arrangement;
   - is likely to maintain a very low turnover; or
   - is able to function easily within the management of the site's future operation.

f) Where a development involves a change of use between any of the following uses within an existing premises, where:
   - a change of use is proposed from one type of *food and drink premises* (restaurant, café, take away food and drink premises or pub) to another *food and drink premises*, no additional parking is required;
   - a change of use is proposed from a *retail premises*, *office premises* or *business premises* to a *food and drink premises* (restaurants, cafe, take-away food and drink premise or pub), the following parking requirements will apply:
     - the public area in the proposed use is less than 100 sqm, no additional parking is required;
     - the public area in the proposed use is equal to or greater than 100 sqm the existing parking requirements in this Chapter will continue to apply.

g) Council will consider waving the increased parking requirements, where the gross leaseable floor area (GLFA) and gross floor area (GFA) is not being increased.

h) For certain *tourist and visitor accommodation* and *eco-tourist facilities* development (ie motels and resorts only), consideration will be given to a maximum 25% discount in the total provision of on-site car parking spaces provided that it can be demonstrated than any shortfall in on-site car spaces can be met by the provision of dedicated on-site bus bays. To demonstrate, an applicant will need to submit a traffic impact study prepared by a Traffic Engineer indicating that the design of the bus bays and all associated car parking and manoeuvring areas for the proposed development complies fully with Council's and the RMS's requirements.

i) Council will determine the minimum parking requirements, in consultation with the applicant, where a development application is received for a development type or use that is not listed in the Table of Parking Requirements (below).

Note: Where parking calculations produce a fraction, the requirement is to be rounded up eg. 3.2 spaces = 4 spaces.

Note: Parking requirements may also be contained in area specific DCP Chapters.

Note: In determining the prescriptive parking requirements for each type of land use, Council has adopted guidelines from the Aust Roads Guide to Traffic Management Part 12 Traffic Impacts of Development 2002. Council uses this guide on a discretionary basis only, and may be flexible in establishing parking conditions according to an expert Traffic Impact Assessment which takes into account existing parking and traffic conditions in the vicinity of the subject site and surveys of similar sites to justify an appropriate parking rate for any development.

Note: In addition to the parking requirements set out in this DCP Chapter, applicants may have other obligations and requirements for disabled parking under other legislation.

C3.4-2 Table of Parking Requirements

Development Types	Parking Spaces Required (on site)
AGRICULTURE	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
RESIDENTIAL ACCOMMODATION	
Dwelling house Rural workers dwelling	2 spaces per dwelling house Parking spaces are to be located behind the building line or a side setback between the dwelling and the side boundary of 3 metres to permit vehicular access.
Other forms of Residential Accommodation including: Attached dwellings Dual occupancy (attached) Dual occupancy (detached) Multi dwelling housing Residential flat buildings Semi-detached dwellings	Resident parking: 1 parking space per 1 or 2 bedroom dwelling 2 parking spaces per 3 bedroom dwelling 1 parking space for each bedroom where a dwelling has more than 3 bedrooms Visitor parking (for multi dwelling housing and residential flat buildings): 1 designated visitor parking space per 3-5 dwellings; or 2 designated visitor parking spaces per 6 or more dwellings or part thereof.
Secondary dwellings	No additional parking spaces are to be provided on the site.
Group homes (transitional and permanent)	2 parking spaces per group home. Parking spaces are to be located behind the building line or a side setback between the dwelling and the side boundary of 3 metres to permit vehicular access.
Shop top housing	Resident parking: 1 parking space per 1 or 2 bedroom dwelling 2 parking spaces per 3 or more bedroom dwelling Shared resident and commercial/retail parking spaces may be considered where it can be demonstrated there will be in adverse impact on on-street or public parking spaces.

Development Types	Parking Spaces Required (on site)
Boarding houses	0.2 parking space for each boarding room (where boarding house is located in an accessible area) 0.4 parking space for each boarding room (where boarding house is located in non-accessible area) 1 parking space for each employee.
Hostels	1 parking space for each 5 dwellings in the hostel; 1 parking space for each 2 persons employed in connection with the development and on duty at any one time; and 1 parking space suitable for an ambulance.
Seniors housing	Refer to specific requirements for 'hostels' and 'residential care facilities'. For 'in-fill self-care housing': 0.5 parking space for each bedroom (where the development application is made by a person other than a social housing provider) 1 parking space for each 5 dwellings (where the development application is made by, or is made by a person jointly with, a social housing provider).
Residential care facilities	1 parking space for each 10 beds in a residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia); 1 parking space for each 2 persons employed in connection with the development and on duty at any one time; and 1 parking space suitable for an ambulance.
TOURIST AND VISITOR ACCOMMODATION	
Backpackers' accommodation	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Bed and breakfast accommodation	1 parking space per bedroom; and 1 parking space for owner
Farm stay accommodation	1 parking space per guest room
Hotel or motel accommodation	1 parking space per unit/room; and 2 parking spaces per managers residence; and 1 parking space per 2 employees
Serviced apartments	1 parking space per 1 bedroom serviced apartment

Development Types	Parking Spaces Required (on site)
	unit; or 2 parking spaces per 2 or more bedroom serviced apartment; and 1 parking space per 2 employees
Caravan parks	1 parking space per caravan site; and 1 space per 10 long term sites; and 1 space per 10 short term sites.
Camping grounds	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Eco-tourist facilities	1 parking space per accommodation unit; and 1 parking space per 2 employees. The development application is supported by a traffic assessment prepared by a suitably qualified traffic specialist demonstrating that adequate parking is provided for the peak use of the facility.
COMMERCIAL PREMISES	
Business premises	2.5 parking spaces per 100sqm Gross Floor Area
Office premises	2.5 parking spaces per 100sqm Gross Floor Area
Retail premises	4 parking spaces per 100sqm Gross Floor Area Ski Hire Premises: 6.7 parking spaces per 100sqm Gross Floor Area
Bulky good premises	1 parking space per 50sqm Gross Floor Area
Cellar door premises	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Food & drink premises – pubs	5 parking spaces per 100sqm Gross Floor Area 1 parking space per 3.5sqm of licensed floor area (i.e. bar, lounge, beer garden and games room); 1 parking space per 40sqm Gross Floor Area of office space; 1 parking space per 6.5sqm of public dining area for refreshment room; 1 parking space per employee; and 2 parking spaces per managers residence Whilst no additional car parking is required for beer gardens and un-roofed areas in hotel/clubs, any

Development Types	Parking Spaces Required (on site)
	enclosing of these areas by roofing will render them liable for additional on-site car parking at a rate of 1 space per 2.5sqm licensed floor area.
Food & drink premises – restaurants or cafes	5 parking spaces per 100sqm Gross Floor Area. 1 parking space per 6.5m^2 of public dining area 1 parking space per employee
Food & drink premises – take-away food & drink premises	Where no on-site seating is provided: 1 parking space per 8.5m^2 Gross Floor Area 1 parking space per employee Where on-site seating and no drive through facility: 1 parking space per 10sqm Gross Floor Area; and 1 parking space per 5 seats (internal or external) or 1 parking space per 5 seats (internal) whichever is greater. 1 parking space per employee Where on-site seating and drive through facilities are proposed: 1 parking space per 2 seats(internal) or 1 parking space per 3 seats (internal or external); and Queuing area of 10-12 cars within the drive-through as measured from the pick up point 1 parking space per employee
Garden centres Hardware & building supplies Landscaping material supplies Rural supplies Timber yards	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Kiosks	No parking requirements.
Markets	2 parking spaces per market stall
Plant nurseries	1 parking space per 100sqm of site display and retail area with a minimum of 5 spaces
Roadside stalls	4 parking spaces per stall
Shops Neighbourhood shops	1 parking space per 20sqm Gross Leasable Floor Area
Vehicle sales or hire premises	1 parking space per 2 employees; 1.5 parking spaces per 200sqm sale yards/showroom;

Development Types	Parking Spaces Required (on site)
	and 6 parking spaces per service bay
Entertainment facilities	1 parking space per 7 seats; or 1 parking space per 4sqm of Gross Floor Area (whichever is greater).
Function centres	1 parking space per 6.5sqm gross floor area
Industrial retail outlets	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Service stations	1 parking space per 20sqm GFA of convenience store; and 1 parking space per 200sqm site area. (Where a workbay is proposed, additional parking will be required at the rate of 4 spaces per service bay.)
Veterinary hospitals	3 parking spaces per veterinary surgery
Wholesale supplies	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
RURAL INDUSTRIES	
Agricultural produce industries Livestock processing industries Sawmill or log processing industries Stock & sale yards	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
INDUSTRIES	
Heavy industries	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Light industries	1 parking space per 80sqm Gross Floor Area or part there of.
General industries	1 parking space per 80sqm Gross Floor Area or part there of.
Boat building & repair facilities	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Vehicle body repair workshops	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified

Development Types	Parking Spaces Required (on site)
	traffic specialist.
Vehicle repair stations	5 parking spaces per service bay
HEAVY INDUSTRIAL STORAGE ESTABLISHMENTS	
Hazardous storage establishments Liquid fuel depots	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
STORAGE PREMISES	
Storage premises and Self storage units	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Depots	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Warehouse or distribution centres	1 parking space per 300sqm Gross Floor Area
WASTE OR RESOURCE MANAGEMENT FACILITIES	
Resource recovery facilities Waste disposal facilities Waste or resource transfer stations	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
AIR TRANSPORT FACILITIES	
Airport Heliport	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
OTHER LANDUSES	
Freight transport facilities Passenger transport facilities Wharf or boating facilities	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Truck depots	Off street parking for large vehicles on the basis of 1 parking space per large vehicle
EDUCATIONAL ESTABLISHMENTS	
Schools Tertiary Institutions Adult Education Other Educational Institutions.	Schools: 1 parking space per employee; 1 parking space per 10 students in Year 12 (where applicable); and

Development Types	Parking Spaces Required (on site)
	1 bus parking space per 100 enrolled students. Tertiary Institutions or Adult Education: 1 parking space per employee; 1 parking space per 3 students; and 1 bus parking space per 100 enrolled students. Other educational institution: Parking spaces required will be based on merit of individual case.
HUMAN SERVICES FACILITIES	
Hospitals	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Medical centres	1 parking space per 25sqm Gross Floor Area
Health consulting rooms	1 parking space per employee
COMMUNITY INFRASTRUCTURE	
Child care centres	1 parking space for every 4 licensed children; and 1 parking space per employee
Community facilities Emergency services facilities Information and education facilities Public administration building Research stations	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Places of public worship	1 parking space per 5 seats; or 1 parking space per 4sqm of Gross Floor Area; whichever is greater.
Respite day care centres	1 parking space for every 4 client; and 1 parking space per employee
RECREATION	
Boat launching ramps Charter & tourism boating facilities Environmental facilities	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Marinas	0.6 parking space per wet berth;

Development Types	Parking Spaces Required (on site)
	0.2 parking space per dry storage berth; 0.2 parking space per swing mooring; and 0.5 parking space per employee
Recreation areas	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Recreational facilities (indoor)	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Recreational facilities (outdoor)	Lawn Bowls: 30 parking spaces for the first bowling green; and 15 parking spaces for each additional bowling green Playing Field: 125 parking spaces per playing field for regional complexes; or 30 parking spaces per playing field for local playing fields Swimming Pools: Off - street parking assessed on merit. Traffic study required Horse Riding Facility: 1 parking space per 2 horses; and 1 bus parking space per 40 horses Sailing Clubs: 1 parking space per 3 members with 75% of parking spaces for the provision of trailers Rowing Clubs: 1 parking space per 3 members
Recreation facilities (major)	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
Water recreation structures	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified traffic specialist.
OTHER LAND USES	
Cemetery	Off street parking requirements assessed on merit. Traffic/parking assessment prepared by a qualified

Development Types	Parking Spaces Required (on site)
Crematorium	traffic specialist.
Mortuaries	
Exhibition homes	
Exhibition villages	

C4 Heritage

Contents

1 Background

The Snowy River Shire contains many artifacts and buildings of the early pioneers, miners and settlers who opened up the area to grazing, forestry and (later) alpine recreation. Understanding and respecting the principles of conservation, such as maintaining original fabric, repair rather the replace; doing as much as necessary but as little as possible and working with the original character of the place will assist to protect the heritage significance of a place. The original fabric, that may show wear and tear helps to tell the story of the place and should be respected and maintained.

This Chapter of the DCP applies to development of Heritage Items and within Conservation Areas listed in the Snowy River LEP 2013 (Schedule 5 Environmental Heritage). The requirements, objectives and controls in this Chapter apply in addition to the heritage conservation requirements of the Clause 5.10 and development requirements of other relevant parts of this DCP.

In many situations where a development proposes to alter a heritage item it will be necessary for the applicant to seek qualified professional advice as to the heritage impact of the proposal.

Unlike many other development application drawings, heritage-related ones require a detailed landscape plan and all typical materials, profiles, finishes and colours to be noted on the principal elevation.

Heritage-related subdivision proposals usually require pre-planning of house, outbuilding and driveway footprints, as well as a covenant to maintain an architectural and landscape standard (88B Instrument).

The National Parks and Wildlife Act 1974 protects Aboriginal objects and Aboriginal places in NSW. Aboriginal sites are widespread throughout NSW with considerable regional variation in the types of sites, their age, their contents and how they are situated in the landscape. Information on Aboriginal sites can be obtained from the Office of Environment and Heritage (www.environment.nsw.gov.au).

An Aboriginal Heritage Due Diligence Assessment undertaken by a qualified archaeologist may be required for places likely to contain Aboriginal heritage (e.g. rural or “green field” land subdivisions). The application may also need to be referred to relevant agencies and Aboriginal Land Councils. The Due Diligence Assessment is to Comply with NSW Office of Environment and Heritage (OEH) requirements under the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (2011).

Note: Council employs a Heritage Advisor who periodically visits the Shire to meet with applicants and provide advice on development proposals. To use the free heritage advisory service, contact council.

2 Aims

The aims in relation to the recognition and preservation of Aboriginal and European heritage within the Shire are:

- To retain the physical evidence of the Shire's rural past and actively conserve a balanced selection of evidence representing the history of development of the area, and its historical association with events and people.
- To present and interpret the historical evidence for the enjoyment of the local community as well as visitors to the region.
- To protect, conserve and manage sites in an appropriate manner to guarantee the heritage character of the community is perpetuated.

3 Consent Requirements

3.1 Development Not Requiring Consent

Maintenance & Repair Works

Maintenance and repair works are encouraged for heritage items and properties in heritage conservation areas and generally do not require development consent from Council if they are of a minor nature and would not adversely affect the heritage significance of the item or heritage conservation area.

Maintenance and repairs can include non-structural external works such as:

- replacing broken windows, flyscreens etc
- minor repairs to roofing, brickwork, timberwork and metal work
- repainting, in the original colour, surfaces which are already painted including timberwork and metalwork.

Maintenance and repairs can also include non-structural internal works such as:

- patching, painting and decoration to the interior of the house and installation of joinery items
- repairing timber floors
- plumbing or gas fitting work
- electrical work and communications cabling
- installation of insulation

The Snowy River LEP 2013 (Clause 5.10(3)) includes some exceptions where development consent is not required if in the opinion of Council the proposed development is of a minor nature or consists of maintenance and would not adversely affect heritage significance.

Applicants must notify Council prior to undertaking any maintenance or repair work to determine whether development consent is required. A written response must be received from Council prior to the commencement of works.

3.2 Exempt Development

Under State Environmental Planning Policy Exempt and Complying Development Codes 2008 (Codes SEPP) some categories of minor internal works are permitted as Exempt Development for buildings within heritage conservation areas, but not for heritage items. The classification of Exempt Development refers to works that have minimal environmental impact and therefore do not require Council's consent. The Codes SEPP does not permit external building alterations to heritage items or properties located within heritage conservation areas.

3.3 Development Requiring Consent

A development application is required for the carrying out of development that relates to a heritage item or development within a heritage conservation area (unless it falls into the minor development categories outlined above). Council consent is required for work that alters external appearance (e.g. new colours, replacing timber windows with aluminium, replacing a galvanized roof with Colorbond). The Snowy River LEP 2013 (Clause 5.10(2)) identifies those instances where development consent is required.

Demolition

Demolition of a heritage item or contributory building in a heritage conservation area is generally **not** supported., The demolition of a non-contributory building (one that does not add to the historic character of the heritage conservation area) and replacement by an appropriately designed new building is generally supported.

In the assessment of a development application for the demolition of a heritage item or a contributory building, Council will consider:

- heritage significance
- structural condition
- options for retention
- contribution to the streetscape

Council may require the submission of a report by a structural engineer with heritage experience to determine whether the building is, or is not, structurally capable of reasonable and economic use can be retained.

Demolition of a heritage item or a contributory building within a heritage conservation area will be conditional on the submission of a photographic archival record. A key plan should show location and direction of all photographs and the sequence in which they were taken. Provide 1 electronic copy on CD for council file and 1 hard copy in an acid free album for local history collection. Demolition of a heritage item or building in a heritage conservation area will not be approved unless a suitable replacement building is proposed.

New Buildings

A new building within a heritage conservation area, whether the style is traditional or contemporary, referred to as an (infill building) must respect density, form, scale, architectural and streetscape character of the conservation area. New buildings do not necessarily have to replicate original architecture. If they do copy historic details, they should on close examination be able to be interpreted as later buildings.

Development in the Vicinity of Heritage Items and Heritage Conservation Areas

All new development adjacent to or in the vicinity of a heritage item or heritage conservation area needs to consider its likely effect on heritage significance and setting.

Applicants should address in the Statement of Environmental Effects any potential impacts of the development on a heritage item or heritage conservation area and measures to minimise this impact.

4 Heritage Management Documents

4.1 Heritage Impact Statement

Council may require Heritage Impact Statement if your proposal involves demolition of a heritage listed item, or building in a conservation area, or is in close proximity to a heritage item, or involves partial demolition, or structural changes to a heritage item.

A Heritage Impact Statement should evaluate and explain how the proposed development, rehabilitation or land use change will affect heritage values. The Statement should explain how the heritage value of the item/place can be conserved or maintained, or preferably enhanced by the proposed works.

If the proposal cannot be designed other than to have a negative impact on the heritage values, then the Statement can set out measures to mitigate (trade-off) impact on heritage values (e.g. generate income for the economic viability of a heritage item, improve appearance from the street, provide historical research).

In some cases, council may agree to a short negotiation with a designer, confirmed by letter (instead of a report).

4.2 Heritage Conservation Management Plan

Council may require a Heritage Conservation Management Plan if Council considers significance of the heritage item or changes proposed warrant more detailed and rigorous assessment (refer Snowy River LEP 2013 (Clause 5.10(6) Heritage Conservation Management Plan).

A Heritage Conservation Management Plan should contain a detailed schedule of conservation works to heritage buildings and heritage landscapes. A specialist heritage consultant should prepare the Plan.

5 Conservation Incentives

Council recognises the need to be flexible with heritage items to assist with their long term conservation. The Snowy River LEP 2013 (Clause 5.10(10) Conservation Incentives) enables Council to consider development of a heritage item that would otherwise be prohibited, if it benefits conservation of the heritage item. A detailed schedule of conservation works is usually required if an applicant seeks approval under the conservation incentive clause.

6 Controls

This section contains objectives and controls to protect and enhance Snowy River's heritage items and heritage conservation areas. It aims to ensure that development affecting heritage items or properties within heritage conservation areas is sympathetic to the heritage values while achieving a reasonable balance between contemporary design expectations, environmental sustainability and protecting heritage significance.

All new development in a heritage conservation area should respect the design of its neighbours and the key values of the heritage conservation area.

Alterations and additions to heritage items and contributory buildings within a heritage conservation area are to be designed and sited to ensure the retention of any contributory features or characteristics of the building and the streetscape of the heritage conservation area in which they are located.

Note: The document "*Design in Context: Guidelines for Infill Development in the Historic Environment*" jointly produced by the Heritage Council of NSW and the Royal Australian Institute of Architects (NSW Chapter) provides illustrated guidelines.

6.1 Design & Character

The design of development should ensure a sympathetic blend of old and new. This may be achieved by maintaining consistency with the street's established scale and form, siting and setbacks, and material and finishes without being overly imitative.

Objectives

- To ensure that additions or changes to the external appearance of heritage items and contributory buildings within heritage conservation areas respect the original built form, architectural system and character.
- To ensure that new development does not adversely impact on the setting, streetscape or views associated with any heritage item or heritage conservation area.

Controls

C4.1-1 Design and Character

(a) Development must not adversely impact on the significance of the European cultural heritage of the site. This includes the seven heritage values; historic, associational, architectural, social, technical/research, rarity and representativeness.

(b) The evolution of a place should be appreciated and retained.

(c) Street elevations and visible side elevations must not be significantly changed. Additions must be located to the rear or to one side of the building to minimise the impact on the streetscape.

(d) The design of any proposed additions or alterations must complement the existing building in its scale, form and detailing. However, it should be possible on close inspection to distinguish the new work from the old.

(e) All new work and additions must respect the proportions of major elements of significant existing fabric including doors, windows, openings and verandahs.

(f) Designs, materials, techniques and finishes of alterations and extensions should be traditional and harmonise with the original architecture, although new building work should not be an exact replication of an earlier era.

6.2 Scale & Form

Bulk and scale refer to the height and size of a building. Form and massing are terms which refer to the arrangement of the component parts of a building.

Objectives

- To ensure that alterations and additions to heritage items and contributory buildings are consistent with the scale and form of these items or buildings, and do not dominate or compete with the existing significant heritage fabric.
- To ensure that the scale and form of development is consistent with the predominant scale and form of the heritage conservation area, and of adjacent heritage items or contributory buildings.

Controls

C4.1-2 Scale & Form

(a) New building work should have minimal impact on the place's heritage significance and not overwhelm in bulk, mass or scale.

(b) Additions to heritage items must not visually dominate, compete with or conceal the original form and massing of the existing buildings.

(c) Additions to heritage items must not contain any major or prominent design elements that complete with the architectural features or detailing of the existing building.

(d) Where single storey rear additions are proposed to dwelling houses, the addition must not compromise the integrity of the main roof and is to be lower in scale and secondary to it.

(e) Upper floor additions to the main roof of any single storey dwelling house may be acceptable if contained wholly within the existing roof space without change to the roof pitch or eaves height.

6.3 Siting & Setbacks

Front and side boundary setbacks are a major contributor to the character and significance of a heritage item or heritage conservation area. Existing patterns should be maintained in new development to continue the established rhythm of buildings and spaces.

Objectives

- To conserve and maintain established setbacks to streets.
- To ensure adequate curtilage and landscape setting for the building.

- To ensure the integrity of the heritage item and its setting, or the heritage conservation area is retained by the careful siting of new buildings and alterations and additions to existing buildings.

Controls

C4.1-3 Siting & Setbacks

(a) Development must confirm to the predominant front setbacks in the streetscape.

(b) Development must respect side setbacks and rear alignments or setbacks of surrounding development.

(c) Front and rear setbacks should be adequate to ensure the retention of the existing landscape character of the heritage item or conservation area and important landscape features.

6.4 Detailing

The significant features and elements of a heritage item or heritage conservation area are often reflected in details such as windows, doors and decorative woodwork, metalwork, brickwork, stonework and cement render.

Objectives

- To ensure that original detailing is retained and kept in good repair.
- To encourage the reinstatement of original elements and detail.
- To ensure that alterations and additions and new development have a level of detail that is appropriate to the architectural character and style of the heritage item or heritage conservation area setting.
- To ensure that the pattern of door and window openings is clearly related to the placement, proportions and scale of existing fenestration of the heritage fabric.

Controls

C4.1-4 Detailing

(a) Retain and repair original doors, windows, original sunhoods, awnings, gable detailing and other decorative elements to principal elevations. Original leadlight and coloured glass panes should be retained where possible.

(b) Where original windows, doors and façade detailing have been removed and replaced with modern materials, consideration should be given to reconstructing original features.

(c) Authentic reconstruction is encouraged. Decorative elements must not be introduced unless documentary or physical evidence indicates the decorative elements previously existed.

(d) Alterations and additions should incorporate new doors and windows that are compatible with the position, size, proportions (“vertically proportioned”) and detailing of original windows and doors. 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).

(e) Alterations and additions should adopt a level of detailing that complements the heritage fabric and should (in general) be less elaborate than the original.

6.5 Materials, Finishes & Colour Schemes

Often it is not possible, or desirable, to replicate original materials due to cost constraints and lack of availability. The principle should be to use materials and colour schemes that visually relate to or approximate the building elements of the earlier work in size, style and type of finish. The painting of heritage items in appropriate colours can draw attention to the building and reinforce the historic character.

Original face brickwork should not be rendered, bagged or painted, as this will detract from the building's heritage significance.

Objectives

- To ensure that the selection of materials and colours is based on the original finishes and matches those used in the heritage item or heritage conservation area.
- To ensure that the visual quality of the heritage conservation area is maintained and upgraded by encouraging the use of appropriate colour schemes in all development.
- To ensure that external colours provide consistency and harmony in conservation areas and for heritage items.

Controls

C4.1-5 Materials, Finishes & Colour Schemes

(a) Changes to materials (including roofs and walls) on elevations visible from a public place are not favoured. Original face brickwork must not be rendered, bagged or painted.

(b) Matching materials must be used in repairing the fabric of external surfaces. In the case of new face brickwork or stonework, the colour and texture, type of jointing and mortar colour should be carefully matched.

(c) New or replacement roof materials should restore original historic finishes. Alternative materials may be considered appropriate to the architectural style of the building and the streetscape context, and must be submitted for approval.

(d) Alterations and additions must use materials and colours similar to, or compatible with, the original material or colours.

(e) Materials for pathways and driveways must be consistent with the character of the heritage item or heritage conservation area.

(f) External painting in colours that complies with the heritage colour palette above should not require a development application, provided that Council is notified of the proposal and considers that the scheme does not reduce heritage values. Council can

assist with suggesting sympathetic colour schemes. Other colour proposals may require a referral to the Council Heritage Adviser.

Note: ***Pastel colours to be used for walls.*** ***Dark colours for timber joinery only.*** ***Close equivalents from other manufacturer's colour ranges may be considered.*** ***French Grey was an interior colour only.*** ***Art Deco requires a different historical colour palette.*** ***Colours are required to be specified by manufacturer (e.g. Haymes, Dulux) and colour name (e.g. Buff). Colours can be matched by other manufacturers.*** ***This advice is not an endorsement of any one paint manufacturer.***	

6.6 Roofs & Chimneys

Roof forms and details to heritage buildings vary according to building type and architectural style, and this variety makes an important contribution to the aesthetic significance and visual complexity of heritage items and heritage conservation areas. Fireplaces and chimneys were an important element in buildings, contributing to the character of the building and the skyline.

Objectives

- To retain the characteristic roof forms of heritage items and heritage conservation areas.

Controls

C4.1-6 Roofs & Chimneys

(a) Roofs must not be re-pitched or have their eaves line raised to allow for the provision of attic rooms.

(b) Chimneys must be retained.

(c) Roofs of all new development are to be consistent with the type of roof (ie. gabled, hipped), pitch, eaves and ridge height that are predominant in the heritage conservation area.

(d) Attic rooms are to be contained within roof forms and should not dominate the street and visible side elevations.

(e) Metal roofs and roof drainage (gutters, downpipes) to be galvanised finish.

6.7 Verandahs & Balconies

Verandahs and balconies on the street frontage are important design features that provide an interface between the building and the street. They also provide shading and a sense of depth to the front façade.

Objectives

- To ensure the retention and encourage re-instatement of early verandah and balcony forms.
- To ensure that alterations and additions do not detract from or reduce the importance of original verandahs and balconies.

Controls

C4.1-7 Verandahs & Balconies

(a) Consider the provision of front verandahs and balconies at a compatible scale where these are a characteristic feature of the heritage conservation area.

(b) Original front verandahs and balconies must be retained and conserved. Consider opening up verandah enclosures or infill to reinstate an original open verandah.

(c) Infilling or enclosure of front verandahs and balconies is not supported.

(d) Additional verandahs must not complete with the importance of the original and should be simple in design and based on existing detail or an understanding of appropriate designs for each period or style.

6.8 Garages, Carports, Carspaces & Driveways

Most early buildings were designed without garages or carports, the building itself was usually the only structure visible from the street. Later garages were commonly located as a separate structure to the rear of the property.

Objectives

- To minimise the visual impact of car parking on heritage streetscapes.
- To ensure parking structures and paved areas are visually discreet and do not dominate or compete with original character buildings.

Controls

C4.1-8 Garages, Carports, Carspaces & Driveways

(a) Existing rear lane access or side street access (where available) must be utilised for car parking in preference to front access.

(b) Car parking structures are to be located to the side, or preferably to the rear of the building. Garages and carports must not be located forward of the building line.

(c) Open hard stand car spaces may be provided forward of the building line, but must be located adjacent to a side boundary and generally not be greater than a single car width.

(d) Existing building fabric, including verandahs and balconies, must not be altered to allow for the provision of a car parking structure or an open stand car space.

(e) Car parking structures are to be unobtrusive and must be of materials, form and details that harmonise with and do not obscure views of the building. They must not be made larger by the provision of a bulky pitched roof.

(f) Large areas of concrete should be avoided and alternative materials such as pavers, gravel or permeable paving must be considered.

6.9 Fences

Front fences are an extremely important streetscape element with each architectural style having an individual characteristic style of fencing.

Objectives

- To encourage the retention, repair or reconstruction of original fencing.
- To encourage fencing in character with original buildings.

- To encourage side and rear boundary fencing which is consistent with height and materials of original fencing.

Controls

C4.1-9 Fences

(a) New and replacement front fences must not obscure building facades. High solid front fences are not appropriate.

(b) New fence heights and form must be appropriate to the character of the heritage item or to the heritage conservation area. Front fences must be see-through (min 50% transparent) and maximum height of 1200mm.

(c) Side fencing forward of the building line must be simple with a level of detail and materials and height compatible with the heritage item or heritage conservation area. It should taper from full height at building line to front fence height.

(d) Retain, repair and reconstruct original fences and retaining walls where possible.

(e) Where an original fence has been removed, new fencing should try to match the original style.

6.10 Gardens and Garden Elements

Gardens enhance the relationship of the house to its setting, softening and enhancing views of the house and screening out unsympathetic buildings or alterations and additions.

Objectives

- To retain or reinstate landscaped settings and elements (particularly pathway location and materials) for heritage items or buildings within the heritage conservation area.
- To provide attractive garden areas in keeping with those of the original houses.
- To improve the streetscape setting of all buildings in the heritage conservation area.

Controls

C4.1-10 Gardens and Garden Elements

(a) Significant trees and landscape elements such as pathways, garden beds and structures must be retained.

(b) Large areas of hard paving are to be minimised.

(c) 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 bright coloured paving, shall not be permitted.

(d) Gardens and ancillary structures must be appropriate to the main buildings in terms of scale, style and materials.

6.11 Access & Mobility

Heritage places should be accessible to everyone including people with disabilities, the elderly and families with small children. Owners and managers of heritage properties that have public access should commit to creating a situation in which this can be achieved. Access solutions will be unique to each historic building.

Objectives

- To ensure that development to facilitate access does not adversely affect the heritage fabric of the heritage item or heritage conservation area.

Controls

C4.1-11 Access & Mobility

(a) Modifications and alterations to facilitate access and mobility must be sympathetic to the heritage values and heritage fabric of the original building.

(b) Alterations and additions to facilitate access and mobility must be reversible.

6.12 Commercial & Retail Properties

There are a number of commercial properties listed as heritage items or within heritage conservation areas, representing a traditional land use mix and contributing to a diversity of built form.

Objectives

- To ensure that original characteristics of traditional buildings are retained and enhanced.

Controls

C4.1-12 Commercial & Retail Premises

(a) Original forms, details, materials and finishes must be retained, including original shopfronts, original suspended awnings and open balconies.

(b) Where the property is part of a single larger building, changes to ground level shopfronts and upper level facades must not detract from the integrity and group value.

(c) Heritage buildings may be adapted to a new use if the new use is compatible with the heritage character of the place and the adaption has minimal impact on heritage significance.

(d) The heritage character of buildings and sites should be complemented by the style, design, materials and location of any signage erected. The number and size of signs should be kept to a minimum.

(e) Signs should be appropriate for the visual amenity of the site by ensuring that:

- Signs should not obstruct views and vistas to and from the site.
- Colour schemes for signs should enhance the heritage buildings.
- Traditional materials and locations should be used for heritage signs.
- Corporate signs should be avoided.

6.13 Services & New Technologies

The improvement of water conservation and energy efficiency may involve installation of new devices (such as solar energy systems). Visual impact of these devices on heritage items and heritage conservation areas needs to be considered. These additions should not be prominent from a public place nor intrude on any significant views or vistas gained from neighbouring properties. The siting and appearance of such devices should be discrete and non-intrusive.

Objectives

- To minimise the prominence of new building services and technical equipment on heritage items and in heritage conservation areas.

Controls

C4.1-13 Services & New Technologies

(f) Air exhaust or ventilation systems, skylights, air conditioning systems, solar energy panels, TV antennae and satellite dishes should not be visible on the main elevation of the building or attached to chimneys where they will be obvious. Services and equipment should be installed at the rear, within the roof space or flush with the roof cladding and at the same pitch.

(g) Rainwater tanks, unless they complement the historical style of the building, are to be located at the rear or side of the dwelling and be suitably screened. They should not be obvious from the street.

C5 Tree Preservation & Landscaping

Contents

Appendix C5-1 Recommended Species for Landscaping

1. Biodiversity, Vegetation and Tree Removal

Preservation of Trees or Vegetation

This chapter applies to the clearing of native and non-native vegetation and the conduct of tree works in the Shire regulated under Part 3 of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.

Note: 'tree works' are works affecting the form, structure or foliage of a tree including root cutting, crown lifting, reduction pruning, selective pruning, crown thinning, remedial or restorative pruning or complete tree removal.

This authority exists where these activities are not otherwise regulated by the Biodiversity Conservation Act, the Local Land Services Act, or a Native Vegetation Panel.

1.1 Clearing of native vegetation and trees for rural landholders

This chapter does not regulate clearing of native vegetation and trees on rural land, which includes zones RU1 Primary Production, RU2 Rural Landscape, RU3 Forestry and RU4 Small Lot Primary Production. This clearing is managed by the Local Land Services Act. Please contact enquiry.southeast@lls.nsw.gov.au. Rural landholders in zones RU1 through RU4 should refer to the Local Land Services Act 2013 to determine requirements for native tree and vegetation removal on their properties.

1.2 Objectives

- To uphold appropriate standards for non-rural vegetation clearing and tree works as per Part 3 of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.
- To preserve trees and vegetation with cultural, heritage and natural significance.
- To encourage the preservation of trees and vegetation that contributes to native habitats.
- To promote the replacement of trees removed with more appropriate species.
- To ensure that tree lopping or removal is undertaken in a professional and safe manner.

1.3 Native vegetation clearing and tree works requiring approval other than from Council

In New South Wales, native vegetation clearing and tree works are governed by the *Biodiversity Conservation Act* 2016, the *Local Land Services Act* 2013 and the *State Environmental Planning Policy (Vegetation in Non-Rural Areas)* 2017.

Refer to the Biodiversity online mapping tool (BMAT) and the BMAT User Guide to provide guidance on what will be considered as part of a development application. Development applications should demonstrate whether or not entry to the Biodiversity Offset Scheme is required. This may be via a report from the BMAT Mapping Tool and a site plan in accordance with the *Environmental Planning and Assessment Regulations 2000.* Further information may be requested upon consideration of a submitted development application.

This code is not the applicable approval pathway in all cases. This includes instances where clearing native trees and/or native vegetation when the work/clearing is:

- Associated with development or activities requiring consent under Part 4 or Part 5 of the *Environmental Planning and Assessment Act 197*9. This clearing is regulated by the *Biodiversity*

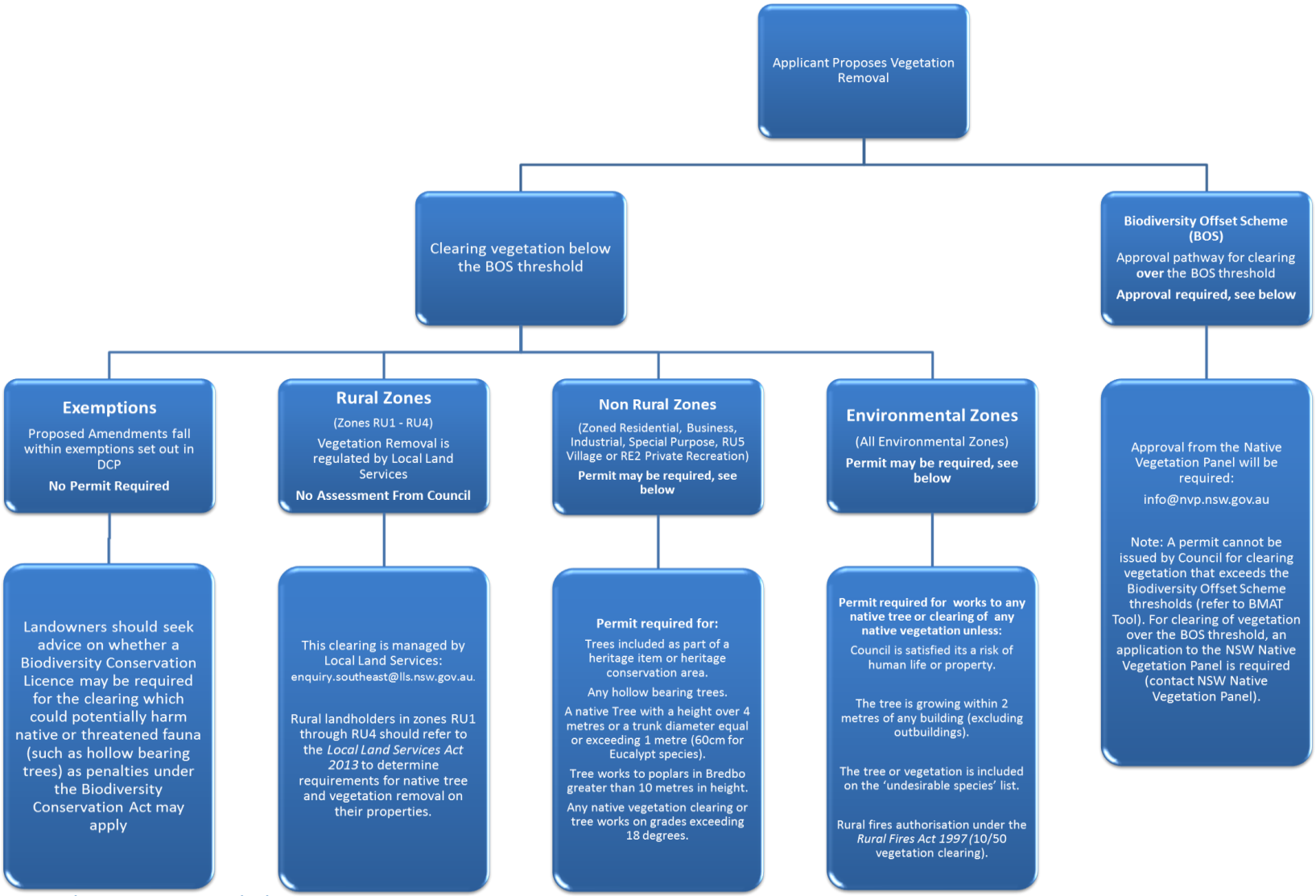
Conservation Act 2016.

- On rural zoned land (Zones RU1 through RU4) outside the Sydney Metropolitan Area (excludes RU5 Village Zone). This clearing is regulated by the Local Land Services Act or a Native Vegetation Panel, depending upon the specific circumstances.
- In excess of the Biodiversity Offset Scheme threshold. This clearing is regulated by the *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*. (Please note: BMAT Mapping Tool can help identify potential land clearing triggers under the vegetation SEPP)

Table – Native Vegetation Clearing Thresholds Triggering the Biodiversity Offset Scheme

Minimum Lot Size Associated with the Property	**Threshold for Clearing above which the BAM and Offsets Scheme apply**
Less than 1ha	0.25ha or more
1ha to less than 40ha	0.5ha or more
40ha to less than 1000ha	1ha or more
1000ha or more	2ha or more

Figure – Summary Chart - Vegetation Removal Procedure



1.4 Native vegetation clearing and tree works requiring Council approval

The following circumstances require a Council permit to perform tree works or clear native vegetation:

- Tree works to any tree listed individually or included as part of a heritage item in Schedule 5 – Environmental Heritage in the Bombala LEP 2012, the Cooma-Monaro LEP 2013 or the Snowy River LEP 2013.
- Tree works to any tree located within a heritage conservation area in Schedule 5 Environmental heritage in the Bombala LEP 2012, the Cooma Monaro LEP 2013 or the Snowy River LEP 2013.
- Any tree on 'public land' (as defined in the Local Government Act 1993) by any persons not authorised by Council.
- Any hollow bearing trees.
- A native tree which satisfies any of the following criteria:
    - a height greater than four (4) metres.
    - for a single trunk tree species, a trunk diameter equal to or exceeding one (1) metre or 60cm for Eucalypt species at a height of one (1.3) metres from ground level.
    - for a multi trunk tree species, a combined trunk circumference (measured around the outer girth of the group of trunks) equal to or exceeding one (1) metre at a height of one (1) metre above ground level.
- Tree works on Poplars in Bredbo zone RU5 Village greater than 10 metres in height.
- Tree works to any native tree or clearing of any native vegetation located on land designated as zoned environmental (E2 Environmental Conservation, E3 Environmental Management and E4 Environmental Living) unless it satisfies any of the exceptions below.
- Any native vegetation clearing or tree works on grades exceeding 18 degrees.

1.5 Exceptions to Permit Approval Requirements

Some vegetation and tree clearing is exempt from Council permit requirements.

Note that clearing or tree works may require approval via another pathway and that the below exemptions do not prevail over these other pathways.

Even where no approval is required, it is recommended that prior written notification be made to Council before any tree work is carried out, providing information such as tree species, reasons for proposed works and digital photos. Where the tree work takes place to a heritage item or in a heritage conservation area, Council **must** also give support in writing before the tree works take place.

Approval is not required to perform tree works or remove a tree if it is clear to Council that the tree is a risk to human life or property.

Council permit approval is also not required to perform tree works, if the tree:

- Is dying or dead, is less than 6 metres in height and is not potential habitat of native fauna or a part of an ecological community.
- Has been approved to be removed under an existing Development Consent issued by

Council.

Note: if approval is given for the pruning and removal of tree/s as part of Development Consent, tree works can only be carried out when construction work physically and substantially commences.

- Is located in a fuel free zone as determined by Council's Fire Control Officer and that tree represents a fire hazard.
- Is of an undesirable species as listed in Table A below.
- Is to receive minor or maintenance tree works, including:
  - Crown thinning by a maximum 10% of the existing canopy in any two year period
  - The pruning of deadwood more than 50mm in diameter
  - The removal of live branches to a height of 2.5 metres from ground level
  - Formative pruning of young trees and power line clearance, as defined in Australian Standard (AS 4373-2007 Pruning of Amenity Trees)
  - Pruning to promote growth or fruit production in a manner which does not harm the health of the tree
- Is growing within two (2) metres of any building (excluding an outbuilding) measured horizontally from the closest point of the trunk at one (1) metre from ground level to the closest point of the vertical alignment of the building structure which may be the eave, guttering or fixed awning of the building.
- Tree works on public land owned by or under the care, control and management of Council and carried out by persons authorised by Council.
- Anything authorised by or under the *State Emergency and Rescue Management Act 1989* or *State Emergency Act 1989* in relation to an emergency and that was reasonably necessary in order to avoid an actual or imminent threat to life or property.
- Any emergency firefighting or bush fire hazard reduction work within the meaning of the *Rural Fires Act 1997* that is authorised or required to be carried out under that Act (10/50 vegetation clearing).
- Biosecurity authorisation under the *Biosecurity Act 2015.*
- Plantation operations authorisation under the *Plantations and Reafforestation Act 1999.*
- Forestry operations authorisation under the *Forestry Act 2012.*
- Water management authorisation under the *Water Management Act 2000.*
- Mining/petroleum authorisation under the *Mining Act 1992 or the Petroleum (Onshore) Act 1991.*
- Fisheries management authorisation under the *Fisheries Management Act 1994.*
- Survey work under the *Surveying and Spatial Information Act 2002* and carried out under the direction of a surveyor.
- Roads authorisation under the *Roads Act 1993.*
- Private land conservation agreement under the *Biodiversity Conservation Act 2016.*

Note: applicants must refer to other legislation and policies for requirements and controls where relevant, including the *National Parks and Wildlife Act 1974* and the *Biodiversity Conservation Act 2016*.

1.6 Complying Development

If complying development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* includes tree works which require a permit or development consent, a permit or development consent for the associated tree works must be received from Council prior to a complying development certificate being issued.

1.7 Information required with permit applications

An application for a Council permit to carry out tree or vegetation works must (as a minimum) contain the reasons for the proposed tree works or clearing, descriptions of the existing tree/s, proposed landscape treatments and supporting documentation (e.g. photographs).

1.8 Notification

In circumstances where an adjoining owner/s may be directly affected by a proposal relating to tree works, Council may determine to notify adjoining owner/s in accordance with the Public Notification requirements of the Community Participation Plan. This is at the discretion of Council.

1.9 Appeals

An appeal to Council against an approval or refusal to grant a permit under this Code may be made by the applicant.

If dissatisfied with the result of the appeal to Council, an applicant for a permit may appeal to the Land and Environment Court against the refusal by Council to grant the permit, as per Clause 12 of the *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*. Any such appeal is to be made within 3 months after the date on which the applicant is notified of the decision or within 3 months after the Council is taken to have refused the application (whichever is later).

An application for a permit that has not been determined is taken to have been refused after 28 days from the date the application was made.

1.10 Penalties

Under Section 629 of the *Local Government Act 1993*, penalties may apply to the injury of unnecessary disturbance of plants in or from a public place, including road reserves.

Under Sections 9.50 through to 9.58 of the *Environmental Planning and Assessment Act 1979*, court action (in addition to any pecuniary penalty) may apply to the destruction of or damage to a tree or vegetation. Offenders may be required to rehabilitate the site, plant new trees and vegetation and maintain these until maturity.

Further penalties may also apply to the damage or removal of trees or vegetation under the *National Parks and Wildlife Act 1974*, and under Sections 2.2 through to 2.5 of the *Biodiversity Conservation Act 2016*.

Vegetation removal on rural zoned land must be in accordance with the Local Land Services Act 2013. For vegetation removal on rural zoned land, contact Local Land Services on 1300 778 080, email slm.info@lls.nsw.gov.au or contact the South East Local Land Services office via email at enquiry.southeast@lls.nsw.gov.au.

1.11 Matters for consideration when granting permits

Council's considerations of a permit application for vegetation clearing and tree works may include:

- Whether the vegetation and/or tree have significant amenity or aesthetic value or are ecologically significant.
- The condition, maturity and life expectancy of the tree.
- A report from a qualified arborist (if required).
- Whether the tree is affected by the provisions of any other Act, Regulation or State Environmental Planning Policy applying to the land.
- The potential hazards to persons and/or property in the context of:
    - Structural soundness of the particular tree (including condition of the canopy, amount of deadwood, any prolonged decline, significant and sustained insect attack)
    - The characteristics and risk potential of the particular species
    - Siting issues such as ground conditions, building proximity, etc. which may give rise to a hazardous situation (particularly structural damage to public infrastructure and/or private property caused by the tree, its trunk or root system)
    - Existing (or potential) traffic obstruction in relation to proximity to a roadway, intersection or driveway, where pruning would be an insufficient remedy
- The demonstrated need for reasonable solar access to windows, opening of a building, solar appliances, clothes drying and outdoor living areas.
- Whether a tree should be replaced by a more suitable species given its location or proximity to services such as overhead powerlines, sewer or drainage pipes or the like.
- Whether appropriate additional (or replacement) planting has been or should be undertaken.
- The need for, and suitability of, soil erosion and siltation controls.
- Whether a tree or vegetation is, or provides for, habitat of a threatened species or ecological communities listed in the *Threatened Species Conservation Act 1995*.

1.12 Matters outside consideration when granting permits

Provided that no significant hazard or other safety issues are caused by the existing trees, the following should not generally be considered as valid reasons to remove trees or native vegetation:

- Leaf drop to gutters, downpipes, pools, lawns etc.
- To increase natural light, where it is the sole consideration
- To improve street lighting to private property
- To enhance views or reduce the height of trees

- To reduce the shade created by trees
- To reduce fruit, resin or bird dropping falling onto driveways and/or cars
- Minor lifting of driveways, front fences, paths and footpaths by tree roots
- To erect a fence
- Bushfire hazard control, which has not been verified by Council
- Potential damage to sewer mains or stormwater pipes, unless supported by written expert advice and only where reasonable alternatives are not feasible (e.g. relocation or encasement of mains and replacement of damaged pipes in PVC plastic)

1.13 Undesirable Species

Table A: Undesirable Species List

Common Name	Botanic Name
Tree of Heaven	*Ailanthus altissima*
Cotoneaster	*Cotoneaster species*
Coral tree	*Erythrina species*
Rubber tree	*Ficus elastica*
Privet	*Ligustrum species*
Oleander	*Nerium oleander*
Ochna	*Ochna serrulata*
African Olive	*Olea europa var. Africana*
Cocos Palm	*Syagrus romanzoffianum*
Evergreen Alder	*Alnus jorullensis*
Bamboo species	*Bambusa species*
Hackberry	*Celtis occidentalis*
Norfolk Island Hibiscus	*Lagunaria patersonia*
Mulberry	*Morus species*
Poplars	*Populus species*
Willows	
Black locust	*Robinia psuedoacacia*
Pyracantha or Firethorn	*Pyracantha angustifolia*
Box Elder	*Acer negundo*
Cootamundra Wattle	*acacia baileyana*
Oxeye daisy	*leucanthemum vulgare*
Yarrow (herb)	*Archillea millefolium*

Common Name	Botanic Name
Browntop Bent (grass)	*Agrostis capillaris*

Note: where trees or vegetation are included on the Undesirable Species list above and are also a heritage item under the Bombala LEP 2012, the Cooma-Monaro LEP 2013 or Snowy River LEP 2013 (eg Berridale Poplars – Jindabyne Road Cultural Streetscape), Council permit approval will be required in accordance with the sections above.

1.14 Trees on Neighbouring land

Council has no power to order the owner of a tree to remove or prune a tree on their property apart from under the provisions of the *Biosecurity Act 2015*.

Where a tree is growing on a boundary, ownership is determined by which side of the boundary the centre of the trunk originated, or which side of the boundary, the majority of the trunk's diameter exists (at ground level).

Permission for removal of a tree on a neighbour's property can only be granted to the owner of the tree and requires the consent of Council. Written agreement from the owner of the tree must occur prior to making an application.

Where neighbour disputes arise, Council refers affected persons to the *Trees (Disputes Between Neighbours) Act 2006.*

2. Landscaping

2.1 Background

Snowy River Shire forms part of the unique landscape of the Monaro Region. Vegetation in the region is influenced heavily by climatic conditions and successful landscape design depends on the right choice of plants and the ability to successfully establish and maintain those plants.

Categories of development

Council requires different levels of landscape detail and has set specific landscaping requirements depending on the category of development proposed.The information required to be submitted with a development application is listed in Chapter A2 Development Application Requirements.

The following categories are used to determine the landscape requirements for development.

Category 1: includes small-scale proposals such as dwelling houses, dual occupancies and semi-detached dwellings (excluding relocatable dwellings) in urban or rural-residential areas and additions to dwellings. Minor commercial and industrial development with a floor space not exceeding 100m^2 is also included in this category.

Category 2: includes proposals that are significant in their cumulative impact rather than individual sites. This category includes all types of residential accommodation (other than those is Category 1 above), residential subdivisions, rural residential subdivisions, industrial and commercial developments.

Category 3: includes proposals that are highly visible or are of such value that they require high quality landscape design and construction. These developments are likely to have a major impact on the visual environment. All types of development may fall into this category including dwelling houses in rural areas.

Category 4: includes proposals that are located in environmentally sensitive areas, pose ecological or environmental impact and require specific skills in landscape design and construction. This category includes extractive industries (eg quarries), large industrial developments and development likely to have an impact on the ecological environment or rivers, streams, wildlife habitat or lake foreshores.

Council's requirements for revegetation, erosion control and soil conservation are to be read in conjunction with these landscaping requirements. Appendix C5-1 identifies recommended species for landscaping.

APPENDIX C5 – 1

Recommended Species for Landscaping

Common Name	Botanic Name	Height (m) Approx	Evergreen	Deciduous
Native				
Silver Wattle	*Acacia dealbata*	6-15	✓	
Black Cypress Pine	*Callitrisenlicheri*	5-10	✓	
Wolgan Snow Gum	*Eucalyptus gregsoniana*	2-4	✓	
Paddys river gum	*Eucalyptus macarthurii*	15-25	✓	
Narrow leaved Sallee	*Eucalyptus moorei*	3-6	✓	
Omeo Gum	*Eucalyptus neglecta*	6-10	✓	
Willow Peppermint	*Eucalyptus nicholii*	12-16	✓	
Small leaf Gum	*Eucalyptus parvula*	6-10	✓	
White Sally	*Eucalyptus pauciflora*	8-10	✓	
Silver leaved Mountain Gum	*Eucalyptus pulverulenta*	6-10	✓	
Candlebark	*Eucalyptus rubida*	10-20	✓	
Black Sally	*Eucalyptus stellulata*	6-15	✓	
Ribbon Gum	Eucalyptus viminalis	6-30	✓	
Snowy River Wattle	*Acacia boormanii*	3-5	✓	
Knife Leaf Wattle	*Acacia cultriformis*	2-4	✓	
Silver Wattle	*Acacia dealbata*	10	✓	
Buffalo Wattle	*Acacia kettlewelliae*	4-7	✓	
Blackwood Wattle	*Acacia melanoxylon*	2-6	✓	
Red stemmed wattle	*Acacia rubida*	3-5	✓	
Dagger Wattle	*Acacia siculiformis*	1-3	✓	
Varnish Wattle	*Acacia verniciflua*	1-3	✓	
Hairy Wattle	*Acacia vestita*	3.0	✓	
Heath Banksia	*Banksiaericifolia*	1.5-3	✓	
Silver Banksia	*Banksiamarginata*	1-7	✓	
Lemon Bottlebrush	*Callistemon pallidus*	1-2	✓	
Alpine Bottlebrush	*Callistemon pityoides*	1-2	✓	
Dwarf Bottlebrush	*Callistemon subulatus*	2.0	✓	
Mountain Correa	*Correa lawrenciana*	1-3	✓	

Common Name	Botanic Name	Height (m) Approx	Evergreen	Deciduous
Mountain Grevillea	*Grevilleaaustralis*	1-1.5	✓	
Canberra Gem Grevillea	*Grevillea*	2.0	✓	
Pink Lady	*GrevilleaJunipera*	0.8	✓	
Canterbury Gold Grevillea	*Grevillea Canterbury Gold*	0.5-2	✓	
Woolly Grevillea	*Grevillealanigera*	2.0	✓	
Constance Grevillea	*GrevilleaPoorinda*	2-3	✓	
Rosemary Grevillea	*Grevillearosmarinifolia*	1-2	✓	
Royal Grevillea	*Grevilleavictorae*	2-4	✓	
Small Fruit Hakea	*Hakeamicrocarpa*	1-2	✓	
Burgan Tea Tree	*Kunzeaericiodes*	2-4	✓	
Woolly Tea Tree	*Leptospermum lanigerum*	2-6	✓	
Mountain Mirbelia	*Mirbeliaoxyloboides*	1-3	✓	
Daisy Bush	*Oleariaphlogopappa*	1.5-2	✓	
Alpine Mint	*Prostrantheracuneata*	1.0	✓	
Jindabyne Mint	*Prostrantheraphylicifolia*	1.0	✓	
Victorian Xmas Bush	*Prostrantheralasianthros*	1-4	✓	
Hill Daisy	*Brachyscomeaculeata*	0.3	✓	
Native Daisy	*Brachyscomemultifida*	0.3	✓	
	Bulbinebulbosa	0.3	perennial	
Flax Lily	*Chrysocephalumapiculatum*	0.3	✓	
Carnation	*Dianellasp*	1.0	✓	
Bronze Rambler	*Grevillea*	0.4	✓	
Gaudi ChaudiGrevillea	*Grevillea Gaudi Chaudi*	0.3	✓	
	Grevilleajunipera	1.0	✓	
Molonglo Hybrid	*Grevilleajunipera*	0.8	✓	
Honey Reed	*Lomandralonifolia*	1.0	✓	
Native buttercups	*Rannunculussp*	0.3	perennial	
Exotic				
Atlas Cedar	*Cedrusatlantica*	10-20	✓	
Deodar Cedar	*Cedrusdeodara*	6-10	✓	
Nettle tree	*Celtisaustralis*	12-15		✓
Judas Tree	*Cercissiliquestrum*	6-8		✓
Pencil Pine	*CupressussempervirensStri*	5-10	✓	

Common Name	Botanic Name	Height (m) Approx	Evergreen	Deciduous
	cta			
Bhutan Cypress	*Cupressustorulosa*	6-20	✓	
Butterfly Bush	*Buddleadavidii*	2-3.5		✓
English Box	*Buxussempervirens*	to 9m	✓	
Japonica Camellia	*Camellia japonica*	various	✓	
Sasanqua Camellia	*Camellia sasanqua*	0.6-6	✓	
California lilac	*Ceonothus Pacific Blue*	1-1.8	✓	
Japanese Quince	*Chanaemoles japonica*	1-2		✓
Mexican Orange Blossom	*Choysiaternata*	1-1.5	✓	
Dwarf Diosma	*Coleonemacompacta*	0.5-1	✓	
Diosma	*Coleonemapulchrum*	1-1.5	✓	
Golden Diosma	*ColeonemapulchrumAurea*	1-1.5	✓	
Wedding bell plant	*Deutzia sp*	1-1.5		✓
Heath	*Erica darleyenis*	.5.6	✓	
	EscalloniaSp	to 2m	✓	
Winged spindle	*Euonymus alatus*	1-2		✓
Japenese spindle tree	*Euonymus japonicus*	1-3	✓	
	Forsythia suspense	2-3		✓
Scarlet Oak	*Quercuscoccinea*	18-25		✓
Pin Oak	*Quercuspalustris*	18-22		✓
Red Oak	*Quercusrubra*	20-25		✓
Rowan Tree	*Sorbusaucuparia*	8-10		✓
Western Red Cedar	*Thujaplicata*	10-20	✓	
Veronica	*Hebe sp*	to 1.5	✓	
Blue hibiscus	*Hibiscus syriacus*	1.2-2		✓
Japenese Holly	*Ilex crenata*	1.2-4	✓	
English Lavender	*Lavendulaaugustifolia*	0.5-1.5	✓	
French Lavender	*Lavendula dentate*	0.5-1.2	✓	
Spanish Lavender	*Lavendulastoechas*	0.5-1	✓	
Sacred Bamboo	*Nandinadomestica*	1.5-2	✓	
	Nandinadomestica Nana	1	✓	
Mock Orange Bush	*Philadelphusmexicanus*	2-3		✓
	Photiniaglabrarubens	to 3m	✓	

Common Name	Botanic Name	Height (m) Approx	Evergreen	Deciduous
Common Rosemary	*Rosmarinusofficionalis*	1.5-1.8	✓	
Spirea	*Spireathunbergeii*	1-1.5		✓
Viburnum	*Viburnunburkwoodii*	2-2.5		✓
Snowball Tree	*Viburnunopulus Sterile*	To 4m		✓
Laurustinus	*Viburnuntinus*	2-4	✓	
	Weigela japonica	1-1.5		✓
Agapanthus	*Agapanthus Sp*	to 1m	✓	
Sedge	*Carexsp*	various	✓	
Snow in Summer	*Cerastiumtormentosum*	0.2	✓	
Carnation	*Dianthus sp*	0.6	✓	
Bleeding Heart	*Dicentrasp*	0.2	perennial	
Seaside daisy	*Erigeron karvinskianus*	0.3	✓	
Bluegrass	*Festucaglauca*	0.2	✓	
Winter Rose	*Helloborusorientalis*	0.5	perennial	
Dwarf Mondo Grass	*Ophiopogon japonica*	0.1	✓	
Alpine Phlox	*Phlox subulata*	0	✓	
Native buttercups	*Rannunculussp*	0.3	perennial	
Creeping Thyme	*Thymus sp*	0.1	✓	
	Vinca minor	0.3	✓	
Red Ash	*Fraxinuspennsylvanica*	12-15		✓

C6 Signage & Advertising

Contents

1. Background

This Chapter provides objectives and controls for the design and siting of outdoor advertising and signage. These provisions intend to protect the street and landscape quality from visual clutter whilerecognising the use of signage in business, retail and tourist operations. The controls contained in this Chapter complement the provision of State EnvironmentalPlanningPolicy No.64 – Advertising and Signage, State Environmental Planning Policy (Exempt &ComplyingDevelopment Codes) 2008 and the Snowy River LEP 2013, including Schedule 2 Exempt Development.

The Snowy River LEP 2013 includes the following definitions relating to advertising and signage:

Signage is a group term which means "*any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:*

(e) an advertising structure,
(f) a building identification sign,
(g) a business identification sign,

but does not include a traffic sign or traffic control facilities".

Other land use terms within the "signage" group term include:

Building identification sign means "*a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services*".

Business identification sign means "*a sign:*

(h) that indicates:
  (i) the name of the person or business, and
  (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
(i) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place".

Advertising structure means a "structure used or to be used principally for the display of an advertisement".

The design and location of signage and advertising can have a significant effect on the environment and needs to consider the architectural detailing of the building, existing advertising, amenity of the street and landscape and the heritage significance (where relevant). Where possible, details of signage and advertising should be included in the development application for the development to which the signage relates. The information

requirements for development signage and advertising (including major alterations and additions) are contained in Chapter A2Development Application Requirements.

2. Objectives

The objectives for signage and advertising are:

- To ensure well designed and suitably located signage that allows for the identification of a business, land use or activity which the signage relates.
- To ensure that signage and advertising is in keeping with the scale, character and architectural style or features of a building or location.
- To ensure that signage and advertising does not adversely impact on the locality or cause any distraction to road users.
- To ensure that a coordinated approach to signage and advertising is taken where there is multiple occupancy of sites.
- To minimise visual clutter while contributing to the identity of the area and streetscape.
- To protect environmental and scenic qualities of the landscape from inappropriate signage.

3. Controls

C6.1-1 All Signage & Advertising

(a) Signage should recognise the legitimate needs for directional advice, business identification and promotion.
(b) Signage must complement and be compatible with the development on which it is situated, adjoining development and the character of the area.
(c) Signage should not obscure architecturally decorative details or features of buildings or dominate building facades. It should be placed on the undecorated wall surfaces or designed sign panels provided.
(d) Entire building facades and/or walls must not be painted or covered with cladding or other material to act as a large billboard sign.
(e) Where a building or site contains multiple tenancies or uses, a coordinated approach for all signs is required.
(f) Signage erected or displayed on heritage items or within heritage conservation areas must not detract from the architectural character and heritage significance of the buildings or areas.
(g) Signage must respect the viewing rights of other proprieties and must not obscure or dominate other signs on the site or adjacent land.
(h) Signage must not detrimentally impact on traffic safety by detracting driver attention at critical driving points, conflicting with traffic control information or tourist directional signage or providing visual obstruction to pedestrians and vehicles.
(i) Outdoor advertising attached to vehicles or trailers, which are parked for advertising purposes, will not be permitted.
(j) Signage must not be flashing or animated. Note: flashing or animated signs include mechanical moving signs, moving LED signs and other flashing, intermittently illuminated or sequenced lighting signs.

C6.1-2Signage in Residential Zones

Outdoor advertising or business identification signs should not impinge on the amenity of adjoining or nearby residential development, particularly in relation to noise, visual amenity and light spillage.

(a) Signage and advertising along boundaries common with residential development must be minimised.
(b) Business identification signs (including those for a home business) must not be more than two (2) square metres in area.

C6.1-3Signage in Business, Village and Tourist Zones

Demand and pressure for outdoor advertising and signage is greatest in the town and village centres and tourist zones. Businesses and activities compete for a limited amount of advertising space, each trying to ensure that their message has prominence over other activities, particularly those of a similar nature. These demands need to be carefully weighed up against the visual impact advertising and signage can have, particularly in relation to the proliferation of advertising that can occur when signs obscure building facades.

(a) The size and shape of any signage must relate to the size of the building or space to which it is to be attached. Larger building facades are capable of accommodating larger signs without detracting from the appearance of the building.
(b) Signage and advertising along boundaries common with residential development must be minimised.
(c) Signage must not dominate or obscure a building or its architectural features. Advertising and signage should highlight and reinforce architectural details.
(d) Signage is to be limited to no more than fifty (50) per cent of the frontage of the building.
(e) Roof signs and advertising structures must not project above the parapet of the building or that part of the building to which they area attached (including signs and bunting mounted on roof structures).
(f) Fin signs, projecting wall signs and above awning signs (sitting on the awning) are to be avoided.
(g) Under awning signs are to be limited to one sign per premises or for larger premises one sign per six (6) metres of shop frontage.
(h) Under awning signs must be at least 2.6 metres above footpath level.
(i) Pole or pylon signs must not exceed the height of adjoining or adjacent buildings, or six (6) metres, whichever is lower.

C6.1-4Signage in Industrial Zones

Individual development in the industrial zone varies greatly in terms of architectural styles and quality, scale of buildings, siting of buildings, landscaping and the type of land uses. Careful design and location of signage can enhance the visual quality of the area while at the same time improving marketing and communication.

(a) Where possible, signage should be integrated with on-site landscaping.
(b) Signage should not visually dominate the area of building walls, parapets or landscaped areas.

(c) Multiple occupancy industrial developments should be identified by one or two signs or directory boards at the entrance that identify the names and activities of the occupants.
(d) Signage for each unit in a multiple occupancy development should be a uniform size, shape and general presentation.
(e) Signage is not to protrude above, or be painted on, the surface of the roof of the building.
(f) Signage must relate to the use of the building or land.

C6.1-5Signage in Rural, Environmental and Recreation Zones

Recreation zoned areas can accommodate a variety of activities and land uses including public and private recreation facilities. There is a need for adequate directional and identification signage in these areas. Rural and environmental zoned areas are visually and environmentally sensitive and therefore the design and location of signage and its affect on landscape character is an important consideration.

(a) The location, number and size of signs and the use of shapes, colours and construction materials should ensure that signage and advertising is low key in appearance.

C6.1-6Signs within the Eastern Approaches to Kosciuszko National Park Scenic Protection Area

The Eastern Approaches Area is a unique and significant landscape and its visual quality is part of the mountain experience for many visitors. Additional controls for this area are listed below.

(a) All signage must be constructed of non-reflective materials.
(b) Signage should have a background colour that suits the surrounding environment and the character of the scenic protection area. Bright and fluorescent colours are not suitable.

Signage Types

The following controls relate to specific types of signage and advertising :

C6.2-1 A-Frame Signs or Sandwich Boards

(a) Sandwich board signs are not be higher than 1.2 metres or wider than 0.9 metres and are to be securely weighted.
(b) Sandwich board signs must not obstruct pedestrian movement and only be displayed when the business they relate to is open.
(c) A maximum of one (1) sandwich board sign is permitted per premises.

C6.2-2Pole or Pylon Signs

(a) One (1) pole sign is permitted for each separate shopping centre or one commercial pole sign on land with not less than 30 metres frontage.
(b) Pole signs are to be less than 5.5 metres in height and the sign is not to be less than 2.6 metres from the ground. A clear pole and sign area must be evident.

C7 Natural Hazard Management

Contents

1. Bush Fire Prone Land

1.1. Background

Applicants must determine whether their land is classified as Bush Fire Prone Land. This determination can be made by viewing the Bush Fire Prone Land Maps held at the Snowy River Shire Council offices. The provisions of the Environmental Planning & Assessment Act 1979 and the Rural Fires Act 1997 govern the assessment of development on Bush Fire Prone Land.

Section 63 of the Rural Fires Act 1997 places a 'duty of care' on all land managers/owners to prevent a fire spreading on or from their land. This duty is related to future developments in that the provision and maintenance of appropriate setbacks and landscaping must be addressed at the development application stage.

Planning for Bush Fire Protection 2006 in assessing a development application on Bush Fire Prone Land for the Rural Fire Service relies in part on the publication 'Planning for Bush Fire Protection 2006'. This publication provides the necessary planning considerations when developing areas for residential use in residential, rural residential, rural and village areas where development sites are in close proximity to areas likely to be affected by bush fire events.Planning for Bush Fire Protection 2006 (PBP) applies to all development on bush fire prone land. Specifically PBP provides detailed requirements for residential subdivisions, Special Fire Protection Purposes and infill development.

Section 79BA of the **Environmental Planning & Assessment Act 1979** requires that a consent authority not grant approval to a development application for any purpose on Bush Fire Prone Land unless the consent authority:

(a) Is satisfied that the development conforms to the specifications and requirements of the document Planning for Bush Fire Protection 2006; or

(b) Consults with the Rural Fire Service concerning measures to be taken to protect persons, property and the environment from danger that may arise from a bush fire.

Section 79BA of the **Environmental Planning and Assessment Act 1979** only applies to development on bush fire prone land that is not residential subdivision or considered to be a Special Fire Protection Purpose. Where development is not proposed on bush fire prone land but is considered by the applicant or Council that there is a bush fire hazard, this hazard may be assessed and/or referred to the NSW Rural Fire Service in accordance with s79C of the Environmental Planning and Assessment Act 1979.

Section 100B of the **Rural Fires Act 1997** outlines where a Bush Fire Safety Authority may be issued. This includes the subdivision of bush fire prone land or the development of bush fire prone land for a Special Fire Protection Purpose (SFPP). A SFPP includes the following types of development:

a) a school
b) a child care centre
c) a hospital (including a hospital for the mentally ill or mentally disordered)
d) a hotel, motel or other tourist accommodation
e) abuilding wholly or principally used as a home or other establishment for mentally incapacitated persons
f) seniors housing
g) a group home
h) a retirement village
i) any other purpose prescribed by the regulations.

Section 44 of the **Rural Fires Regulation 2013** outlines requirements that must be submitted when making an application for a Bush Fire Safety Authority. Generally the application is received by Council in the first instance as part of the development application and is forwarded to the NSW Rural Fire Service.

1.2. Criteria for Development in Bush Fire Prone Areas

New development on Bush Fire Prone Land must comply with the provisions of Planning for Bush Fire Protection 2006 (PBP).

All development applications on Bush Fire Prone Land must be accompanied by a Bush Fire Assessment Report (BFAR)and the outcomes and recommendations of this report must be considered within the statement of environmental effects. Information requirements for development within Bush Fire Prone Areas are included on the NSW Rural Fire Service website www.rfs.nsw.gov.au.

Asset Protection Zones must be wholly located on the land/site on which the proposed development is located. Asset Protection Zones must not be located in E2 Environmental Conservation or E3 Environmental Management zoned land for dwellings that are proposed close to the boundaries of these lands.

Note: dual occupancies are required to be assessed against subdivision provisions of the PBP.

Note: home based child care and tourist developments are considered to be Special Fire Protection Purposes (SFPP) and are required to gain approval in accordance with Section 100B of the Rural Fires Act 1997. In particular, SFPP developments may require large Asset Protection Zones to comply with the requirements of PBP.

Note: Plans of Management may be required for areas that may pose a bush fire threat to existing or futuredevelopment. The Plan of Management should clary identify how hazards will be managed to prevent the spread of fire towards residential or other types of development.

2. Flood Prone Land

The Snowy Monaro local government area has many significant rivers, creeks and waterways, resulting in significant parts of the LGA being flood prone. The provisions in the *Snowy River Development Control Plan 2013* and this Plan aim to protect human life and property. Council has undertaken flood Studies and flood risk management plans for Berridale and Jindabyne.

In this Clause definitions from the *NSW Government Floodplain Development Manual 2005* have been used. Other definitions are outlined below:

Flood Planning Area (FPA): is the area of land at or below the flood planning level (FPL).

Flood Planning Level (FPL): 1:100 AEP Plus 0.5m freeboard

Special Flood Consideration: Additional Controls apply between the FPL and Probable Maximum Flood (PMF) for land uses identified in Clause 5.22 of the LEP.

2.1. Objectives

- To prevent the loss of human life and property.
- To raise the flood awareness of property owners and residents.
- To ensure the proponents of development and the community are aware of the potential flood hazard/s and consequent risk liability associated with the use and development of flood liable land.
- To manage flood liable land in an economically, socially and environmentally suitable manner.
- To ensure building design and siting addresses flood hazard/s and does not result in adverse flood impact/s.
- To prevent the intensification of development and use of floodways, and wherever appropriate and feasible, allow for their conversion to natural waterway corridors.

2.2. Performance Based Requirements

Development shall not adversely increase the potential flood affliction on other development or properties, either individually or in combination with the cumulative impact of similar development/s likely to occur within the same catchment.

- The impact of flooding and flood liability is to be managed, ensuring the development does not divert the flood waters, nor interfere with floodwater storage or the natural functions of waterways.

- The filling of land up to 1:100 Average Recurrence Interval is not permitted. The filling of land above 1:100 Average Recurrence Interval up to the Probable Maximum Flood must not adversely impact upon flood behaviour.
- Water sensitive urban design principles are to be incorporated into the design of stormwater drainage and in the orientation of development.
- Proposals for fencing, landfilling and structures on flood prone land must demonstrate by assessment, the likely impact on floodwaters by the proposed development.
- Residential subdivision/s shall not be permitted where any lot to be created does not provide opportunity for a dwelling to be constructed which complies with the provisions of this Plan.
- Trees shall not be planted in floodways, grasses and other stabilisation measures are encouraged.

2.2.1 Flood Assessment

- Development applications which are within the flood planning area and are subject to mainstream flooding areas, or lots affected by significant overland flow are to be accompanied by a flood study and a statement outlining how the development proposal addresses flood design and construction matters. The study is to be undertaken by a suitably experienced and qualified professional in flood risk assessment and design. The study is to include the following:
    - the submission of a survey plan prepared by a registered surveyor showing ground levels (Australian Height Datum) and a layout of the location of any existing or proposed buildings on the site. Flood levels at the site including flood events are to be shown.
    - detailed drawings, reports and certification to show that:
        - all piers and all other parts of a structure which are subject to the force of flowing flood waters or debris, have been designed to resist the stresses induced up to and including a flood event
        - all forces transmitted by supports to the ground must be shown to be adequately catered for in the design of the structure
        - the structure will be able to withstand stream flow pressure, force exerted by debris, and buoyancy and sliding forces caused by the 1:100 Annual Exceedance Probability flood.
        - the structure as designed will ensure that the cumulative impact of this and other similar potential developments will have negligible effect on the flood levels at or upstream from the site which may impact other development and will have no increase in stream velocity downstream of any part of the structure which will cause erosion to the ground surface or instability to any other structure.
        - For subdivisions, the area of the proposed lots which will be subject to flood and the means of mitigating flood impacts.

2.2.2 Design – residential (new dwellings and extensions)

- Minimum floor levels for all habitable rooms to be 500 mm above the 1:100 Annual Exceedance Probability flood level.

- All materials used in construction shall be flood compatible to a minimum level of the 1:100 Annual Exceedance Probability flood plus 500mm freeboard and shall comply with the flood-proofing guidelines.
- All electrical connections/power points etc are to be located above the 1:100 Annual Exceedance Probability plus 500mm.
- All electrical circuit connections are to be automatically isolated in the event of floodwaters having the potential to gain access to exposed electrical circuits, either internal or external of the building.
- Prior to the occupation of a new residential building or alterations and additions to an existing residential building, a certificate by a registered surveyor showing the floor levels of the completed building or work and the finished ground levels on the site shall be submitted to Council.
- The development must satisfy the requirements contained in the Flood Planning Control Matrix Below.
- Freeboard requirement can be decreased to 0.3 m for overland flooding if significant scaling of flood levels is not noted for larger events.

2.2.3 Design – commercial (new buildings and extensions)

- Floor levels are to be a minimum 1:20 Annual Exceedance Probability (plus 300 mm).
- All electrical connections/power points etc. to be located above the 1:100 Annual Exceedance Probability plus 500 mm.
- Emergency flood storage area for stock shall be provided (approximately 25% of display area) at a level above the 1:100 Annual Exceedance Probability flood plus 500 mm.
- All materials used in the construction to be flood compatible to a minimum level equivalent to the 1:100 Annual Exceedance Probability flood level plus 500mm freeboard and shall comply with the flood-proofing guidelines.
- Any approvals granted for extensions to an existing commercial building shall require all electrical circuit connections to be automatically isolated in the event of flood waters having the potential to gain access to such circuits, internally and externally.
- Alternative design proposals where such proposals can be supported by expert opinion will be considered.
- The development must satisfy the requirements contained in the Flood Planning Control Matrix (2.5.2).

2.2.4 Design – other development

- Controls applicable to other forms of development other than contained in 2.2.2 and 2.2.3 above are set out in 2.5.2 – Flood Planning Control Matrix.

2.3 Areas without flood risk management plans and studies

- Areas which are considered to be flood prone will require a flood assessment and will be assessed on a case-by-case basis. Where the likely extent of the 1:100 Average Recurrent Interval flood event is known or ascertained, the provisions of this Clause will apply to a proposed development.

2.4 Further information

- NSW Government, Floodplain Development Manual
- *Flood Study* and *Flood Risk Management Plan and Studies*

2.5 Flood Planning Control Matrix

2.5.1 How to use this matrix

1 Determine what **flood event** your property is affected by reviewing the mapping in Appendix C7 - 1
2 Determine your **land use** (e.g. residential, commercial or industrial, essential community facility)
3 Use the **colour key** to determine whether the land use is suitable based on the flood event, or the provision is not relevant.
4 Use the numbers in the relevant column to correspond with table on the following page to determine design and management

2.5.2 FLOOD PLANNING CONTROL MATRIX

FLOOD PLANNING CONTROL MATRIX

FLOOD EVENT / **LAND USE**	PROBABLE MAXIMUM FLOOD TO 1:100 AEP							
	LAND USES SPECIFIED IN CLAUSE 5.22 OF LEP	ESSENTIAL COMMUNITY FACILITY	CRITICAL UTILITIES	SUBDIVISION AND FILLING	RESIDENTIAL	COMMERCIAL AND INDUSTRIAL	RECREATION AND AGRICULTURE	MINOR DEVELOPMENT
FLOOR LEVEL	3		3		2			
BUILDING COMPONENTS	2		2					
STRUCTURAL SOUNDNESS	3		3					
FLOOD EFFECTS	1							
EVACUATION/ACCESS	3		2	3	3	3		
FLOOD AWARENESS	1, 2		1	1	1	1	1	1
MANAGEMENT AND DESIGN	3							

FLOOD EVENT / **LAND USE**	1:100 AEP FLOOD TO 1:20 AEP FLOOD							
	LAND USES SPECIFIED IN CLAUSE 5.22 OF LEP	ESSENTIAL COMMUNITY FACILITY	CRITICAL UTILITIES	SUBDIVISION AND FILLING	RESIDENTIAL	COMMERCIAL AND INDUSTRIAL	RECREATION AND AGRICULTURE	MINOR DEVELOPMENT
FLOOR LEVEL					2	1	1	
BUILDING COMPONENTS					1	1	1	1
STRUCTURAL SOUNDNESS				4	1	1	2	2
FLOOD EFFECTS				1	1	1	1	1
EVACUATION/ACCESS				3	1, 3	1, 3	1	
FLOOD AWARENESS				1, 2	1, 2	1, 2	1, 2	1, 2
MANAGEMENT AND DESIGN				2		1		

FLOOD EVENT / **LAND USE**	1:20 AEP TO RIVER/CREEK							
	LAND USES SPECIFIED IN CLAUSE 5.22 OF LEP	ESSENTIAL COMMUNITY FACILITY	CRITICAL UTILITIES	SUBDIVISION AND FILLING	RESIDENTIAL	COMMERCIAL AND INDUSTRIAL	RECREATION AND AGRICULTURE	MINOR DEVELOPMENT
FLOOR LEVEL						1	1	
BUILDING COMPONENTS						1	1	1
STRUCTURAL SOUNDNESS				1		1	1	1
FLOOD EFFECTS				1		1	1	1
EVACUATION/ACCESS				3		3	1	
FLOOD AWARENESS				1, 2		1, 2	1, 2	1, 2
MANAGEMENT AND DESIGN				2		1		

Where the table indicates 1,2 this implies both requirements are applicable

Colour Key **UNSUITABLE LANDUSE** **NOT RELEVANT**

NOTE: **A Numbers in the categories are outlined in the table below**

B Essential Community Facility includes development such as hospital, aged care facility

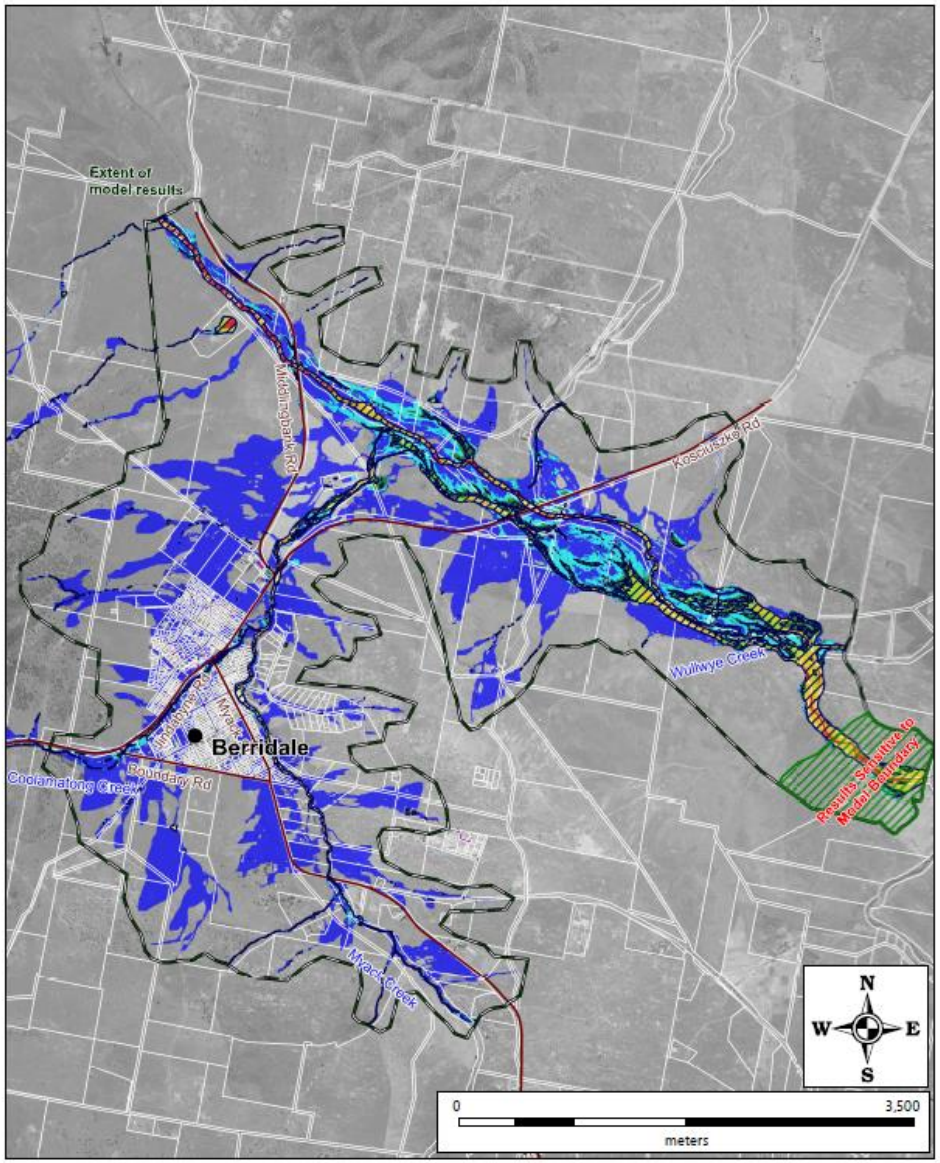
C Critical Utilities include water and sewer control buildings, electrical substation, telephone exchange, emergency centre

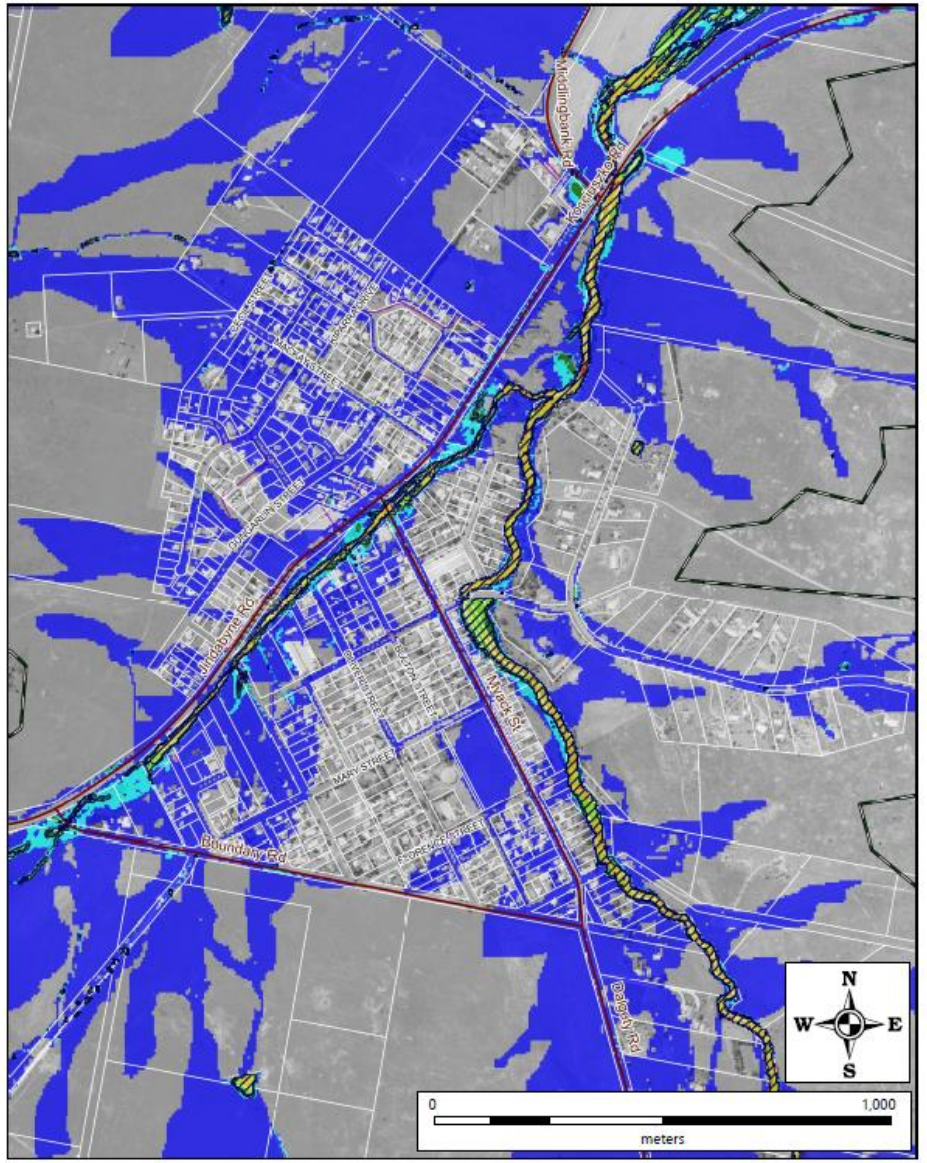
2.5.3 *Flood planning control matrix – Key*

No.	FLOOR LEVEL	BUILDING COMPONENTS	STRUCTURAL SOUNDNESS	FLOOD EFFECTS	EVACUATION/ACCESS	FLOOD AWARENESS	MANAGEMENT AND DESIGN
1	All floor levels to be equal to or greater than the 1:20 Annual Exceedance Probability flood plus 0.3 metres (freeboard).	All structures to have flood compatible building components below or at the 1:100 Annual Exceedance Probability flood level that can withstand the force of floodwater, debris and buoyancy up to a 1:100 Annual Exceedance Probability flood.	Engineer's report by a suitably experienced and qualified professional to prove any structure subject to a flood up to and including the 1:100 Annual Exceedance Probability flood level can withstand the force of floodwater, debris and buoyancy.	Engineer's report by a suitably experienced and qualified professional required to prove that the development will not increase flood affection elsewhere.	Suitable access for pedestrians required during a 1:100 Annual Exceedance Probability flood.	Condition to be placed on consent advising of minimum floor levels required in relation to the flood level.	Applicant to demonstrate that there is an area where goods may be stored above the 1:100 Annual Exceedance Probability flood level equivalent to 25% of the display area or storage during floods.
2	Habitable floor levels to be equal to or greater than the 1:100 Annual Exceedance Probability flood plus 500mm metres (freeboard).	All structures to be constructed of flood compatible building materials below or at the possible maximum flood.	Any structure subject to a flood up to and including the 1:100 Annual Exceedance Probability flood shall withstand the force of floodwater, debris and buoyancy.		Suitable access for pedestrians and vehicles required at or above the possible maximum flood level.	S10.7(2) Certificates to notify affectation by the 1:100 Annual Exceedance Probability flood.	Applicant to demonstrate that the potential development as a consequence of subdivision proposal can be undertaken in accordance with this Plan
3	All floor levels to be equal to or greater than the possible maximum flood.		Any structure subject to a flood up to and including the possible maximum flood level shall withstand the force of floodwater, debris and buoyancy.		Consideration required regarding an appropriate flood evacuation strategy and pedestrian/vehicular access route for both before and during a flood.		Applicant to demonstrate ongoing functionality during and after a flood event.
4			Geotechnical Engineer's report by a suitably experienced and qualified professional required to specify appropriate filling earthworks and the means of retention of batters against scoring/erosion.				

APPENDIX C7 – 1

Flood Prone Land Maps





SNOWY MONARO REGIONAL COUNCIL

Stormwater pipes
Main Roads
Study Area
Cadastral Boundary

Hazard Classification (AEM Handbook)
H1 H2 H3 H4 H5 H6

Hazard Classification (NSW FDM)
High Hazard
All areas within the flood extent and outside the high hazard area are defined as Low Hazard

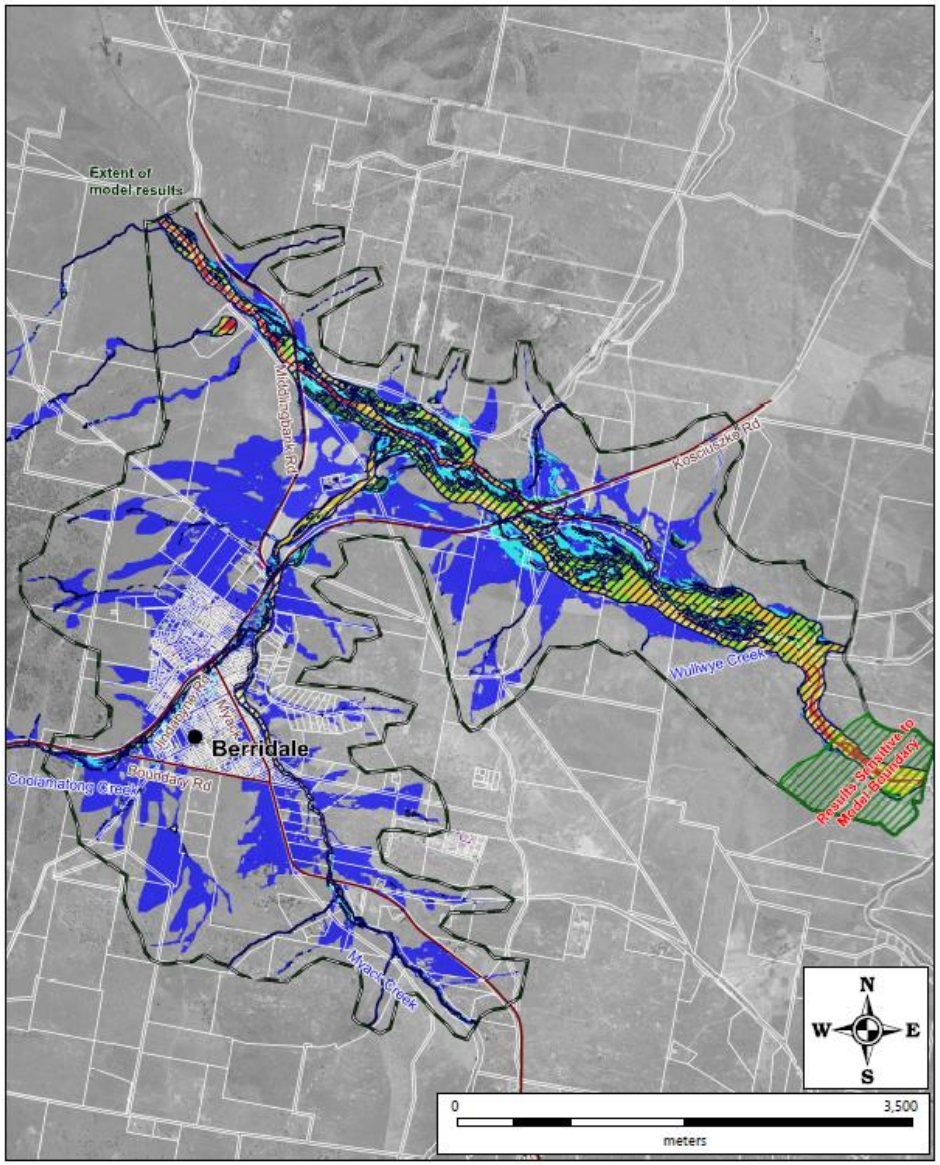
TITLE : **Berridale: 5% AEP Design Event - Flood Hazard Category**

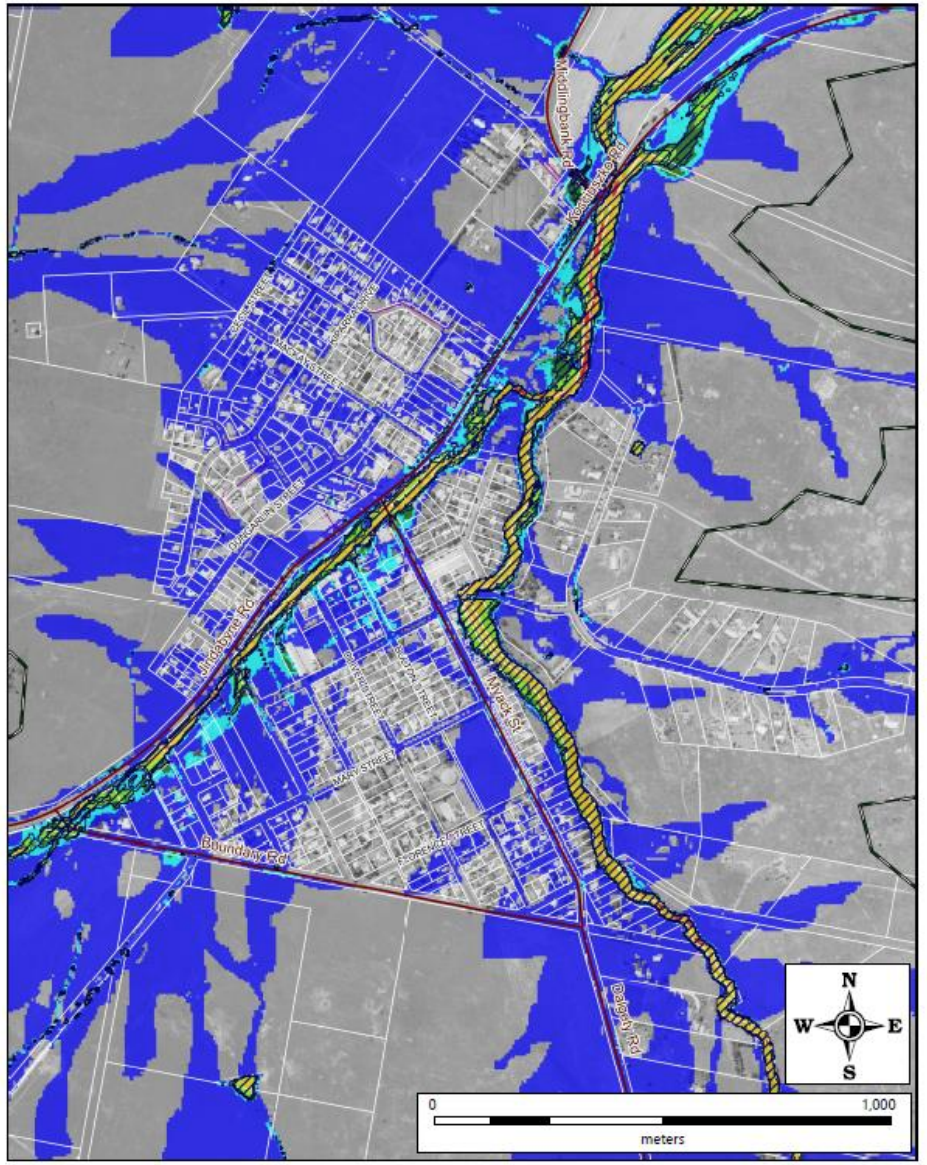
PROJECT: Snowy Monaro Regional Council - Flood Study

PROJECT No. 170037

DATE: February 2020 | SCALE: 1:35,000 / 1:10,000 | FIGURE NUMBER: **C03**

grc HYDRO
SMEC





SNOWY MONARO REGIONAL COUNCIL

Stormwater pipes
Main Roads
Study Area
Cadastral Boundary

Hazard Classification (AEM Handbook)
H1 H2 H3 H4 H5 H6

Hazard Classification (NSW FDM)
High Hazard
All areas within the flood extent and outside the high hazard area are defined as Low Hazard

TITLE : **Berridale: 1% AEP Design Event - Flood Hazard Category**
PROJECT: Snowy Monaro Regional Council - Flood Study
PROJECT No. 170037
DATE: February 2020 | SCALE: 1:35,000 / 1:10,000 | FIGURE NUMBER: **C04**

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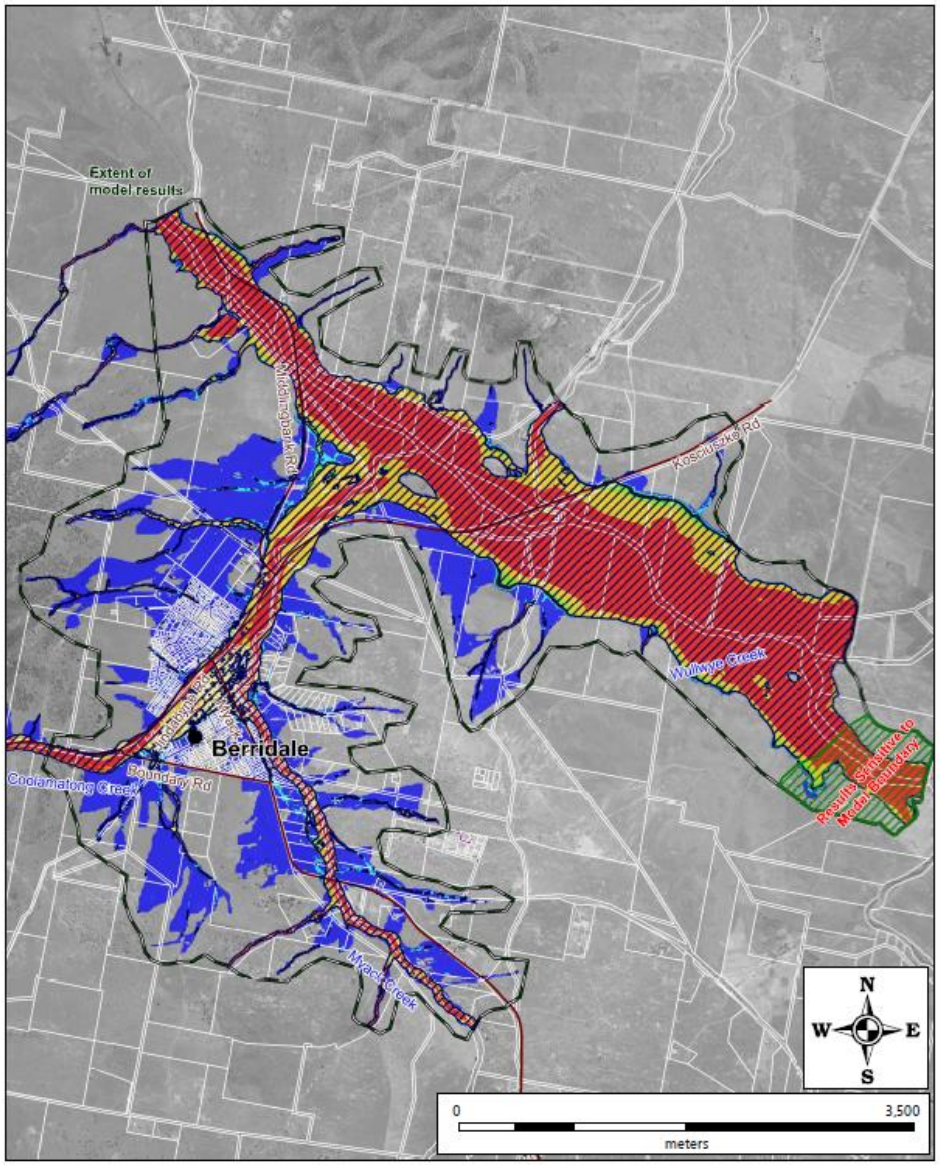

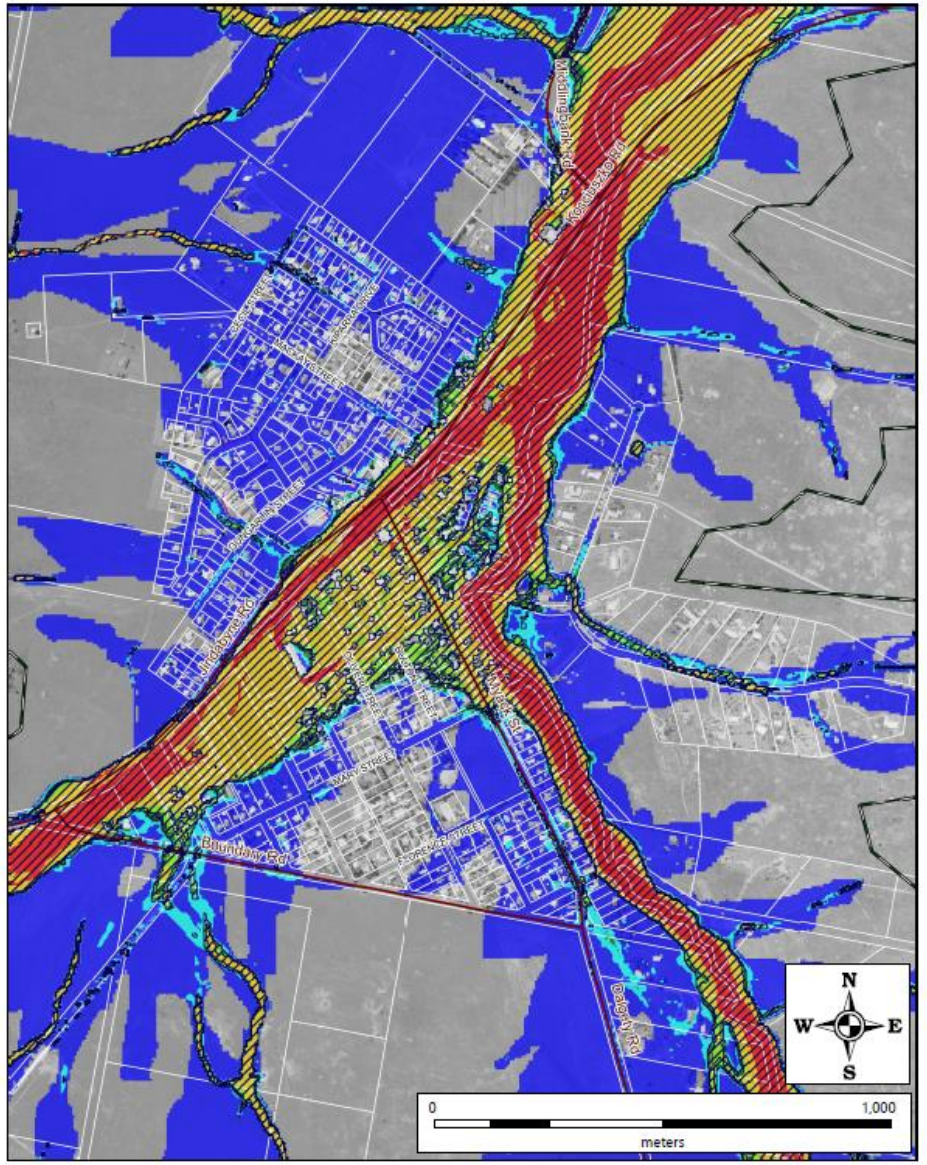

SNOWY MONARO REGIONAL COUNCIL

Stormwater pipes
Main Roads
Study Area
Cadastral Boundary

Hazard Classification (AEM Handbook)
H1 H2 H3 H4 H5 H6

Hazard Classification (NSW FDM)
High Hazard
All areas within the flood extent and outside the high hazard area are defined as Low Hazard

TITLE : **Berridale: PMF Design Event - Flood Hazard Category**

PROJECT: Snowy Monaro Regional Council - Flood Study

PROJECT No. 170037

DATE: February 2020 | SCALE: 1:35,000 / 1:10,000 | FIGURE NUMBER: C06

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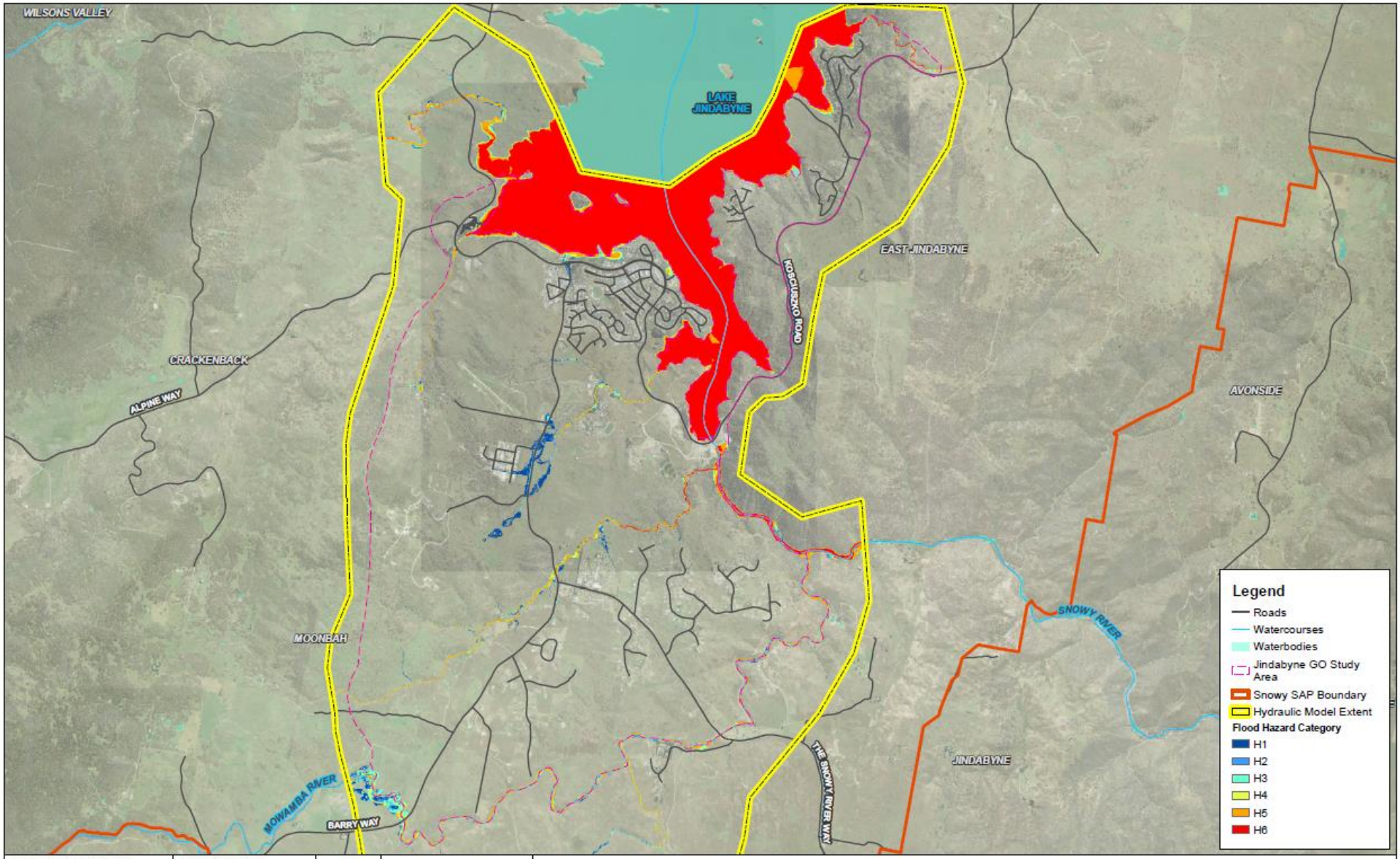
WILSONS VALLEY
LAKE JINDABYNE
EAST JINDABYNE
KOSCIUSZKO ROAD
CRACKENBACK
ALPINE WAY
AVONSIDE
MOONBAH
SNOWY RIVER
JINDABYNE
THE SNOWY RIVER WAY
MOWAMBA RIVER
BARRY WAY
Legend
Roads
Watercourses
Waterbodies
Jindabyne GO Study Area
Snowy SAP Boundary
Hydraulic Model Extent
Flood Hazard Category
H1
H2
H3
H4
H5
H6
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Author: David.Nalken
Date: 15.06.2021
Approved by: Joel.Sercombe
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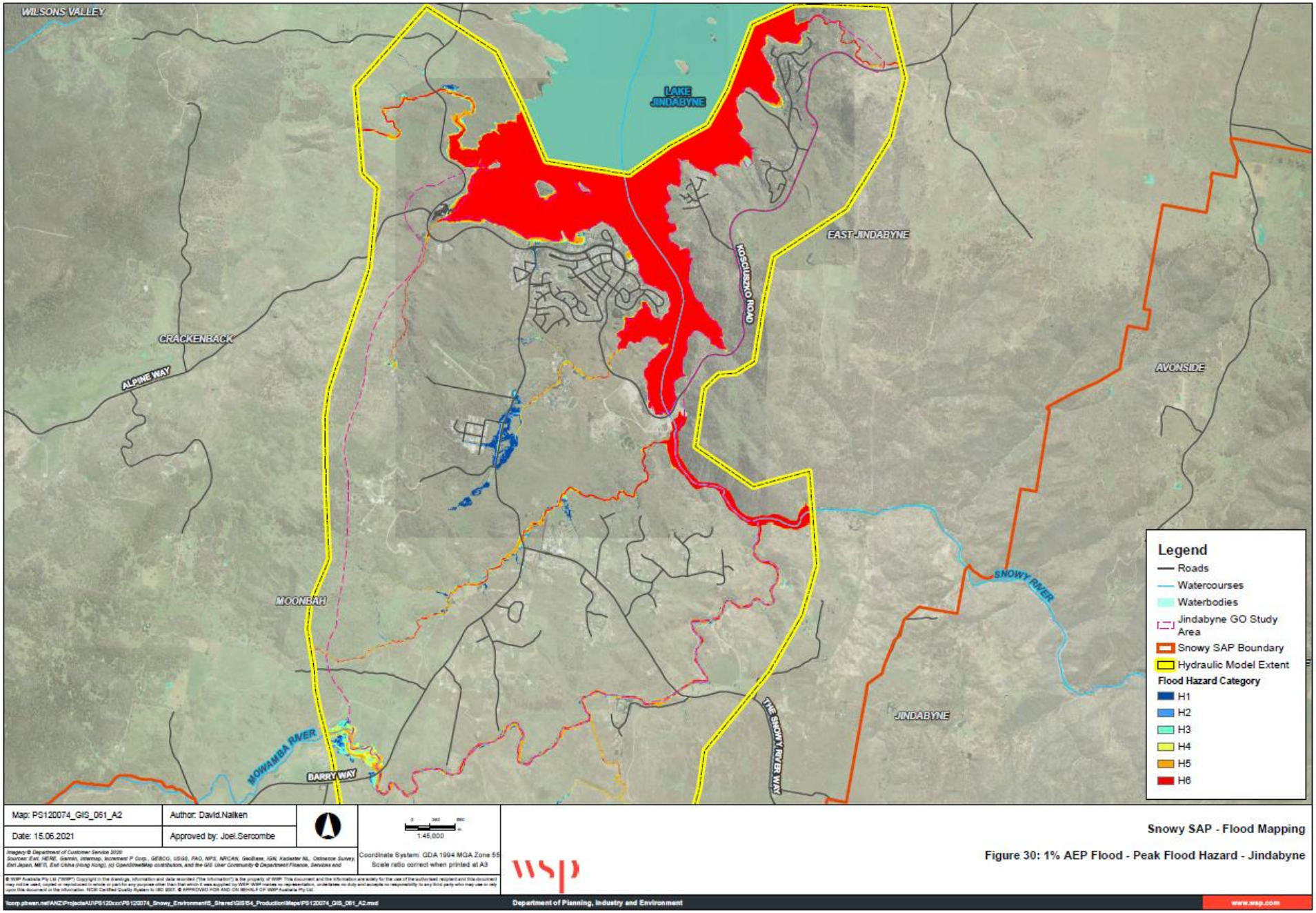
Snowy SAP - Flood Mapping
Figure 26: 10% AEP Flood - Peak Flood Hazard - Jindabyne
Department of Planning, Industry and Environment
www.wsp.com


WILSONS VALLEY
LAKE JINDABYNE
EAST JINDABYNE
KOSCIUSZKO ROAD
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SNOWY RIVER
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Jindabyne GO Study Area
Snowy SAP Boundary
Hydraulic Model Extent
Flood Hazard Category
H1
H2
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H4
H5
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Date: 15.06.2021
Approved by: Joel.Sercombe
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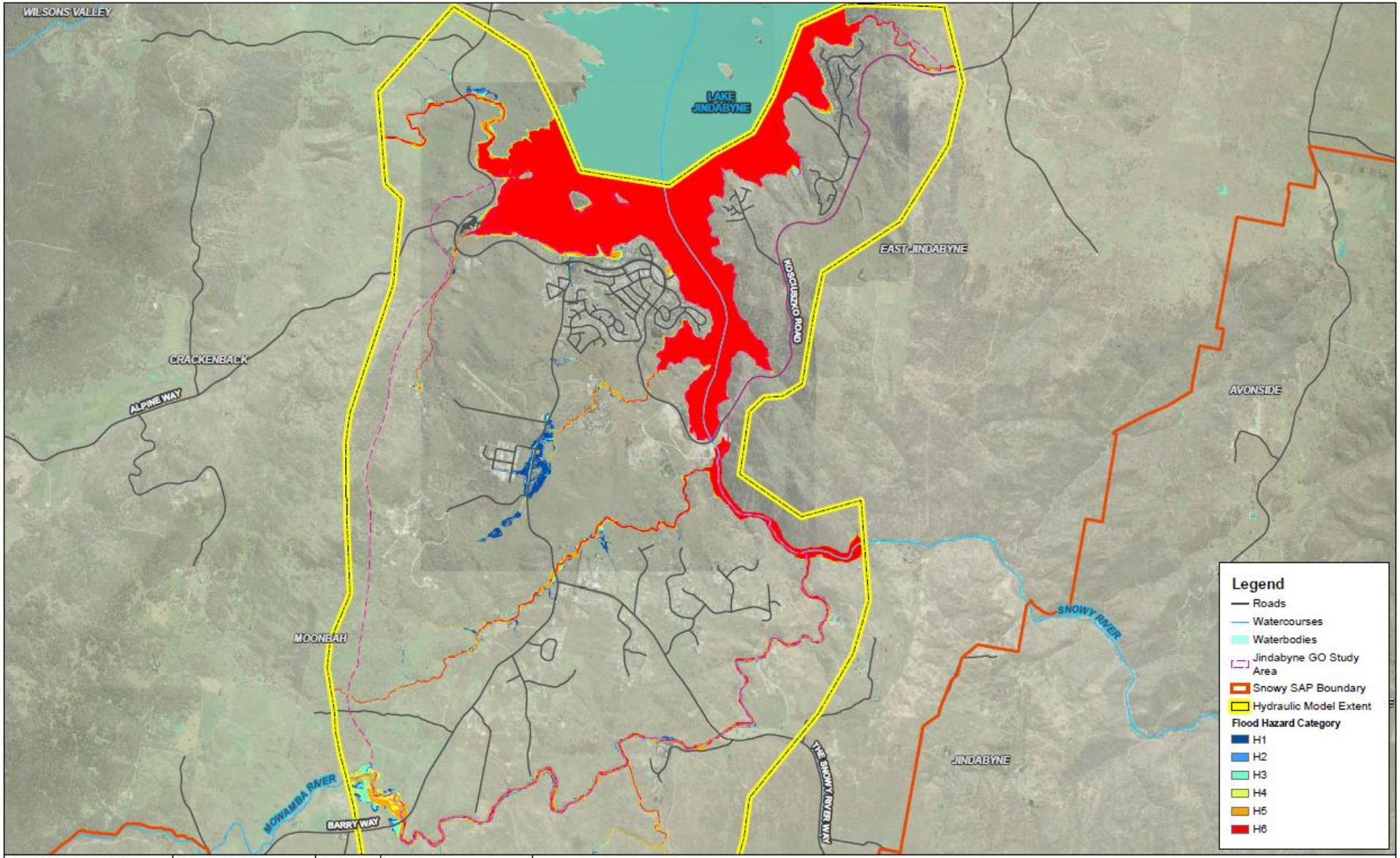
Snowy SAP - Flood Mapping
Figure 30: 1% AEP Flood - Peak Flood Hazard - Jindabyne
Department of Planning, Industry and Environment
www.wsp.com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Jindabyne GO Study Area
Snowy SAP Boundary
Hydraulic Model Extent
Flood Hazard Category
H1
H2
H3
H4
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H6
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Author: David.Nalken
Date: 15.06.2021
Approved by: Joel.Sercombe
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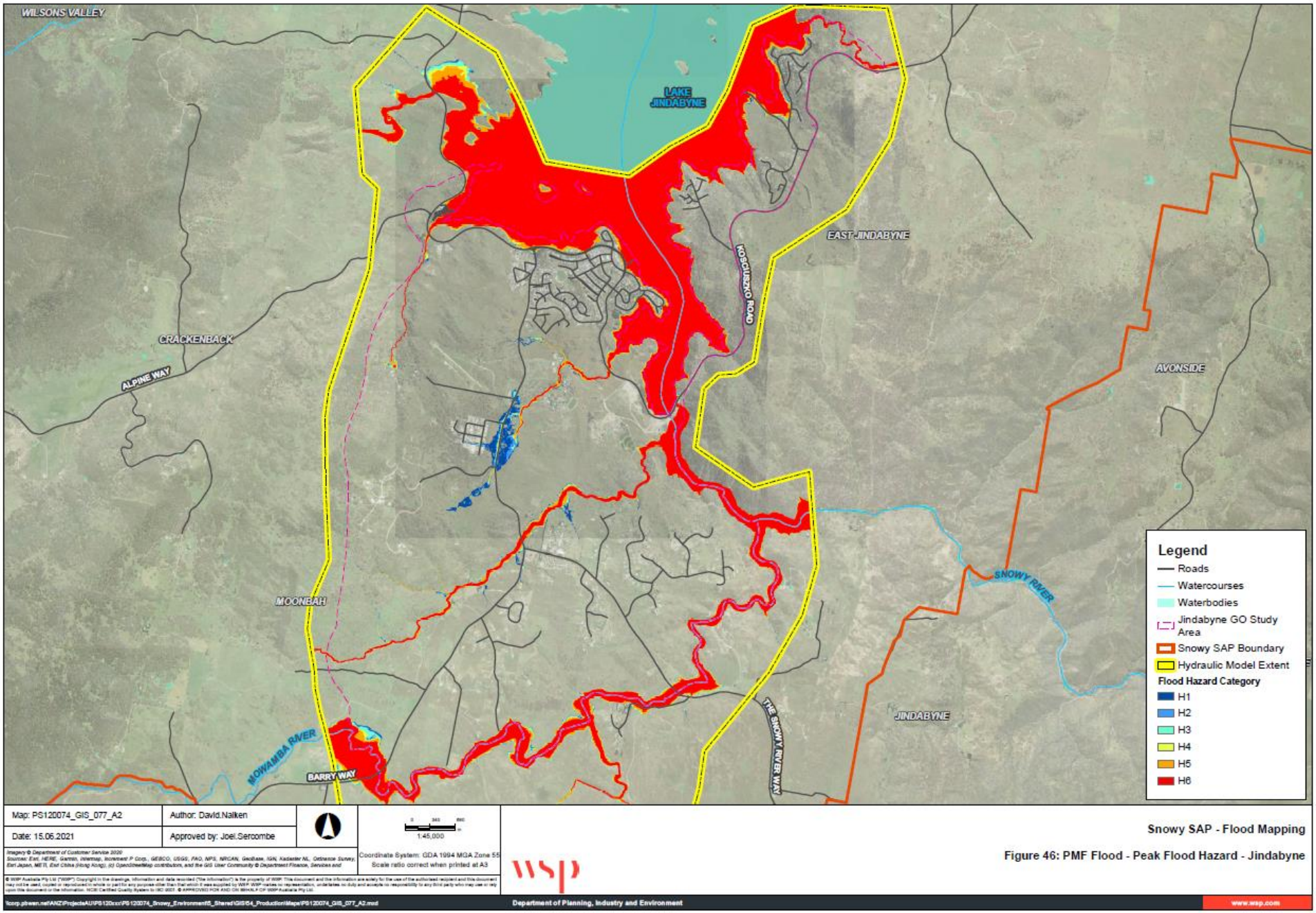
Snowy SAP - Flood Mapping
Figure 34: 1% AEP Climate Change 2090 Flood - Peak Flood Hazard - Jindabyne
Department of Planning, Industry and Environment
www.wsp.com


WILSONS VALLEY
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Jindabyne GO Study Area
Snowy SAP Boundary
Hydraulic Model Extent
Flood Hazard Category
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H2
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Date: 15.06.2021
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Scale ratio correct when printed at A3
Snowy SAP - Flood Mapping
Figure 46: PMF Flood - Peak Flood Hazard - Jindabyne
Department of Planning, Industry and Environment
www.wsp.com

C8 Environmental Management

Contents

1. Minimising Conflicts

1.1. Background

Conflict can arise in rural areas between agriculture, rural industry and some residential and tourism uses. Anecdotal evidence suggests the potential for conflict where tourism uses have been permitted along rights of carriageway across adjoining farm land, or on dirt roads not property designed for commercial uses. In small rural holding subdivisions the close proximity of tourist uses to residential uses can also be a cause of conflict related to the increased vehicle movements and noise associated with holiday makers. This is an issue that

needs to be addressed with the location of future *tourist and visitor accommodation*, *eco-tourist facilities* and *residential accommodation*.

1.2. Objectives

The objectives in relation to avoiding conflict between uses within rural areas are

- To avoid development where it will limit or jeopardize the future use of adjoining land for preferred existing rural uses.
- To locate tourist and visitor accommodation, eco-tourist facilities and residential development an appropriate distance from agricultural (primary production) uses so as to minimise any impacts caused by odour, noise or dust.
- To provide adequate water supply to new development without resulting in an over exploitation of the surface or groundwater in the locality to the detriment of existing agricultural uses.

1.3. Controls

C8.1-1 Minimising Conflicts

(a) Locate residential, eco-tourist facilities and tourist and visitor accommodation to minimise land use conflicts between other land uses in rural areas including agriculture, intensive agriculture and extractive industries.

(b) Where proposed residential or tourist based development adjoins or is in the vicinity of existing agriculture, intensive agriculture or extractive uses, the development application must be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed.

(c) In assessing development adjoining the existing uses, the Council must:

- Consider whether or not the development is likely to have a significant impact on the use that, in the opinion of the Council having regard to land use trends, is likely to be the preferred use of the land in the vicinity of the development.
- Evaluate any measures proposed by the applicant to avoid or minimise any incompatibility.
- Design and site the development in a way to minimise land use conflicts between other uses including existing residential development.

(g) Where proposed tourist and visitor accommodation or eco-tourist facility development adjoins or is in the vicinity of existing residential development, the development application is to be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed.

(h) In assessing development adjoining the existing residential uses, the Council must consider whether or not the development is likely to have a significant impact on the residential uses including increased vehicle movement and noise.

2. Land Contamination

2.1. Background

Land contamination is usually the result of previous land uses. It can arise from activities that took place on or adjacent to a site. When carrying out planning functions, Council must consider the possibility that a previous land use has caused contamination of a site.

To reduce this risk, Council has sought to integrate planning and land contamination management by adopting the following key principles:

(a) To consider the likelihood of contamination as early as possible in the planning process.

(b) To identify an appropriate approach to remediation of contaminated land.

(c) Adopt a cautionary approach to land contamination.

(d) Link the information available to Council about land contamination with the possible future development of land.

To achieve these key principles relies upon the document titled – *Managing Land Contamination – Planning Guidelines* prepared by the Environment Protection Authority and the Department of Urban Affairs and Planning (1998). The guidelines are underpinned by State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55), and the Contaminated Lands Management Act 1987.

2.2. Objectives

The objectives in relation to contaminated lands within the Shire are:

- To provide for the effective management and remediation of contaminated land where new land use or development is proposed.
- To ensure that a best practice approach to contamination land management is utilized during the development and construction process.
- To ensure that the past use of the land is considered in the development process where such previous uses may result in the possibility of land contamination.

2.3. Controls

C8.2-1 Land Contamination

A consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and the requirements of State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) are met.

3. Land Management – Erosion, Sediment & Stormwater Control

3.1. Background

A lack of adequate erosion and sediment control can impact the natural environment (both terrestrial and aquatic) and visual amenity of the Shire. Appropriate revegetation utilizing native species not only assists in stabilising the land, but also provides for greater biodiversity and ecosystems for native fauna to inhabit. Erosion and sediment control measures also play an important role in protecting water quality in streams and lakes downstream from the development site.

An effective land management regime to reduce erosion and to introduce sediment control and revegetation is part of good site management and can save money by reducing long-term management needs. The following are ways to achieve effective land and waterway management:

- Design buildings with consideration of minimising the need for clearing and grading of land, including reducing cut and fill areas and exposed slopes.
- Revegetate disturbed areas immediately, or use temporary vegetation or mulch to limit the time unprotected areas are exposed to rain and wind.
- Maintain vegetated riparian buffers to waterways.
- Consider installing permanent stormwater drainage systems on land as part of the first stage of building or development.
- Reduce runoff velocities by minimising the length of flow paths, constructing channels with gentle gradients and providing rough linings to steeper channels.
- Cover exposed stockpiles and use sediment traps or filters to keep sediment as close to the source as possible, with extra sediment filters used above environmentally sensitive areas such as creeks, streams, lakes and steep slopes.
- Utilise various sediment controls suitable to the size of the catchment, or subdivide larger drainage catchments into smaller units for more effective control.
- Ensure waterway crossings are designed to allow for the passage of fish.
- Locate multiple sediment basins or major sediment traps so that they drain in parallel, not in series, to reduce the risk of total failure.

Erosion and sediment control is a two stage process:

Stage 1: the application of erosion control measures within the site to minimise erosion and sediment loss.

Stage 2: acknowledging that some erosion will occur and to implement measures to intercept sediment and retain it on site.

Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan is a plan showing how to minimise erosion and trap sediment occurring as a result of development or building activity. The complexity of the sediment and erosion control plan will vary on the nature and scale of development and the amount of ground disturbance.

3.2. Objectives

The objectives in relation to erosion and sediment control within the Shire are:

- To reduce pollution and sedimentation to the waterways in the Shire caused by new development or degraded land.
- To provide simple and practical methods of erosion control on building and development sites that can effectively reduce erosion and improve the local environment.
- To ensure that effective erosion and sediment controls are in place by requiring the preparation of appropriate plans as part of a development application.

3.3. Controls

C8.3-1 Erosion & Sediment Control

(a) Measures are to be implemented during development construction to ensure that the land form is stabilised and erosion is controlled and that water quality in streams and lakes downstream of the development site is protected.

(b) Systems are designed to optimise the interception, detention and removal of water-borne pollutants prior to discharge to receiving waters.

(c) Vegetated riparian buffers to waterways are to be maintained.

(d) A development application is to be accompanied by a stormwater and soil management plan demonstrating:

- how sedimentation and erosion of fill and soil is to be managed on the site; and
- development adjacent to the bank or the bed of a watercourse, addressed the environmental impact on the receiving waters.

(e) Stormwater or surface water runoff is not to be redirected or concentrated onto adjoining properties or to create worsening effect on adjoining properties.

(f) All disturbed areas are to be re-stabilised and re-vegetated as soon as practicable.

(g) Landscaping is to use native species suitable to the locality and with consideration of bush fire requirements (Refer Recommended Landscaping Species – Appendix C5-1).

C8.3-2Slopes & Batters

(a) Cut and fill within sites are to be sensitively treated through gentle slopes and adequate stability to avoid erosion and slippage.

(b) Where the foundation strata of the area permits slopes in excess of 1:3, and where supported by technical documentation prepared by a suitably qualified professional, steeper slopes will be considered.

4. Weed Management

4.1 Background

Weed management is a high priority issue that affects agriculture, tourism, water quality and land values. Weed management requires a continuous commitment that may be impossible for less aware, less mobile or absentee land owners. The spread of weeds leads to the risk of loss of pasture productivity and biodiversity across the Shire. It has been shown that land values can be severely affected by weeds with consequent loss of owner's equity and rateable value.

4.2 Objectives

The objectives in relation to the control of weeds within the Shire are:

- To avoid the establishment and spread of weeds as a result of development.
- To reduce existing instances of weed infestation as a result of previous poor land management practices.

4.3 Controls

C8.4-1 Weed Management

(a) Development should occur in a manner that does not increase the potential for, or result in, the spread of noxious weeds.

(b) Where development is to be located on a property with a current weed notice or history of weed notices, a weed management plan is to accompany the development application. The weed management plan must identify: weeds to be controlled and in what area they are to be controlled; and timeframe and method of control to be employed.

5. Ecological Impacts

5.1 Background

The ecological environment of the Shire provides a unique range of ecosystems. The careful planning and implementation of development projects can ensure the protection of these systems. In areas where threatened species, populations or ecological communities have been identified in both terrestrial and aquatic environments, the design and siting of development is particularly crucial. In certain circumstances, development applications may be refused on the basis of protecting those threatened species, populations or communities.

5.2 Objectives

The objective in relation to controlling ecological impacts within the Shire is:

- To protect threatened species, populations and ecological communities, and other sensitive ecological environments from adverse development impacts;
- To protect water quality, aquatic habitats and fish passage.

5.3 Controls

C8.5-1 Ecological Impacts

(a) The development is to minimise any impact on the local ecology including water quality, aquatic habitats and fish passage.

(b) Where development may have an impact on threatened species, populations or ecological communities (including development on land significant for flora and fauna), an Assessment of Significance (AOS) is to be undertaken. Where it is found that there would be a significant impact on threatened species, their habitats or endangered ecological communities a Species Impact Statement (SIS) would be required.

Note: if a Species Impact Statement is required, the Office of Environment and Heritage will have a statutory role in concurrence of the development.

Council will review an AOS as part of its determination of a development application and use the information provided to determine if the applicant has justified the level of impact by:

- Avoiding the impact where possible;
- Minimising the impact where it can not be avoided;
- Offsetting the remaining impact after it has been minimised to the greatest extent possible.

C9 Energy & Water Efficiency, Water Supply & Effluent Disposal

Contents

1. Building performance and energy efficiency

Repeal references to water collection for residential dwellings which conflict with that outlined in the section below.

Council encourages the development of energy efficient buildings and structures to provide comfortable living and working environments. This chapter seeks to support this outcome.

The NSW energy and water efficiency measures for most residential development are covered by BASIX (the Building Sustainability Index), a web based tool aimed at reducing water usage and greenhouse gas emissions. The tool provides a framework to assess energy and potable water consumption against specific targets which vary according to location and building type. Proposals that meet the targets are issued with a BASIX certificate, which must be submitted with a development application before it is processed.

For further information on the implementation on BASIX refer to www.basix.nsw.gov.au.

The controls below apply to buildings **not** affected by BASIX.

The requirements of this section are complementary to the BASIX requirements. The provisions are targeted to local area conditions prevailing in the Snowy Monaro Regional Council area. Unlike BASIX, measures within this section are applicable to transportable and manufactured dwellings and also to other accommodations, particularly those for visitor and tourist use. The use of the word 'dwelling' in the below controls captures all these types of accommodations.

Note: Habitable room means a room used for normal domestic activities, and—

a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but
b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

1.1 Objectives

- To encourage energy and water efficient design in dwellings and other lodgings.
- To provide comfortable interior environments in dwellings and other lodgings through use of design.

Development Applications should provide a BASIX certificate to support the development application materials where this is applicable. If this is not applicable, the development application must comply with the table below:

1.2 Controls

Performance Criteria	**Acceptable Solutions** **(Council may accept other solutions where the performance criteria are satisfied)**
P1 Enable cross flow ventilation of air	**A1** Development applicants will include an

throughout the dwelling in summer. Air should flow freely from the shady side of an occupied building to the sun-exposed side throughout the day during summer.	airflow diagram within submitted drawings.
P2 Orient the length of new dwellings along an east-west axis as much as practicable, maximising the opportunity for solar access along the northern façade. Refer figures below.	**A2** Design new dwellings such that north facing windows receive at least 4 hours continuous sunlight to a living-room between the hours of 9.00am and 3.00pm on 21 June.
P3 Maximise the number of north-facing windows in dwellings to improve passive heating in winter. Provide shading of these windows via awnings, eaves, louvres, screening, planting and landscaping to block midday sun in summer. Arrange living areas to the north as much as is practicable to do so. Refer figures below. Utilise, and provide for infiltration of, natural light in dwelling designs. This should occur in as many parts of a building as possible. The use of clerestory windows or skylights for this purpose is encouraged.	**A3** Submitted plans and elevations will indicate the location of window glazing and skylights. At least 50% of glazing to the dwelling is to be installed to north-facing façades. ○ Provide shading to this glazing such that 100% of north facing glazing is shaded at midday during summer months. ○ Where this is impractical and glazing is provided to other facades, reduce heat loss via this glazing by other means including shutters (internal or external), protection by enclosed verandas or more insulative glazing (double glazing or other solution). Fit double glazing to all skylights.
P4 Specify and locate materials to make use of thermal mass principles in dwellings. Thermal mass gradually stores and releases thermal energy. This maintains a consistent internal climate during day-night temperature cycles and in different seasons.	**A4** Fit all new dwellings with insulation with 'R' value of 3.5 or more for ceilings, 2.5 or more for walls and 2 or more for raised or lightweight-type floors. A concrete slab-on-ground with an in-slab or in-screed heating or cooling system, must have insulation with an R-Value greater than or equal to 1.0, installed around the vertical edge of its perimeter.
P5 Where possible improve the energy efficiency of dwellings through the provision of shade via landscaping and tree planting.	**A5** Landscaping close to buildings, particularly using deciduous trees, can improve the energy efficiency of the building. Submitted site plans will indicate the location of landscaping and trees.
P6 Provide ventilation of roof cavities in new dwellings. This will make a building cooler in summer and warmer in winter by decreasing ice formation in the roof to	**A6** Submitted building drawings should show detail of such ventilation.

decrease air chill.	
P7 Avoid building designs incorporating fully enclosed habitable rooms which require regular mechanical ventilation.	**A7** Locate all habitable rooms in locations where natural ventilation can be provided. Submitted building drawings should show detail of natural ventilation (e.g. windows).
P8 Utilise household-scale renewable energy generation or energy efficient in new dwellings to reduce demand for off-site electricity generation.	**A8** Utilise one of the following methods for hot water supply: ○ Solar hot water systems ○ Electric heat pump systems ○ Electric instantaneous heating systems (only if offset with renewable energy generation installed to the dwelling) ○ Gas instantaneous heating systems with an energy rating of 4 stars or greater Specify and use light emitting diode (LED) or compact fluorescent lamp (CFL) bulbs to fulfil lighting requirements. Avoid use of incandescent or halogen bulbs for lighting. Provide all new dwellings with a clothes line for clothes drying. This will be located in an area with access to direct sunlight.
P9 Reduce water consumption through the use of water saving technologies and on site water catchment. Minimise storm water impact of the development.	**A9** Provide a rainwater collection tank of no less than: • 10,000L capacity to all new dwellings on sites connected to reticulated water supply • 90,000L capacity to all new dwellings in a location without reticulated water supply. All tap fittings and toilets are to be WELS rated 4 stars or more. Note: This is in addition to any water supply required for bushfire safety purposes.

Figure – outlines good and ideal building orientation to achieve the 'north facing' requirements

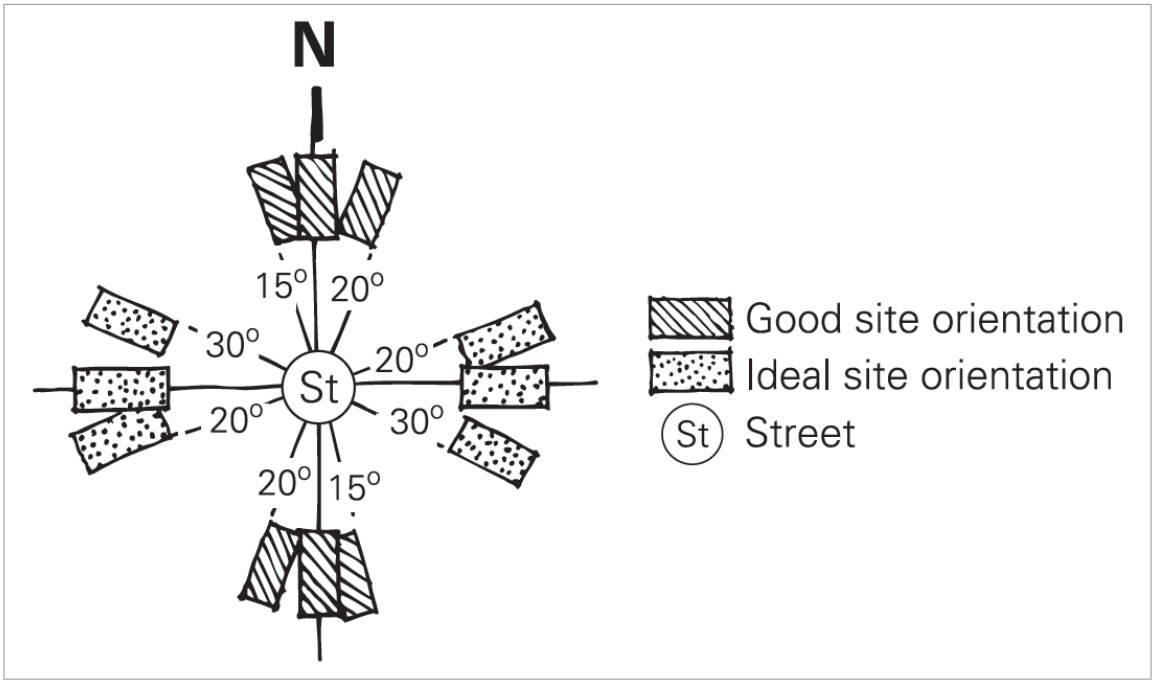
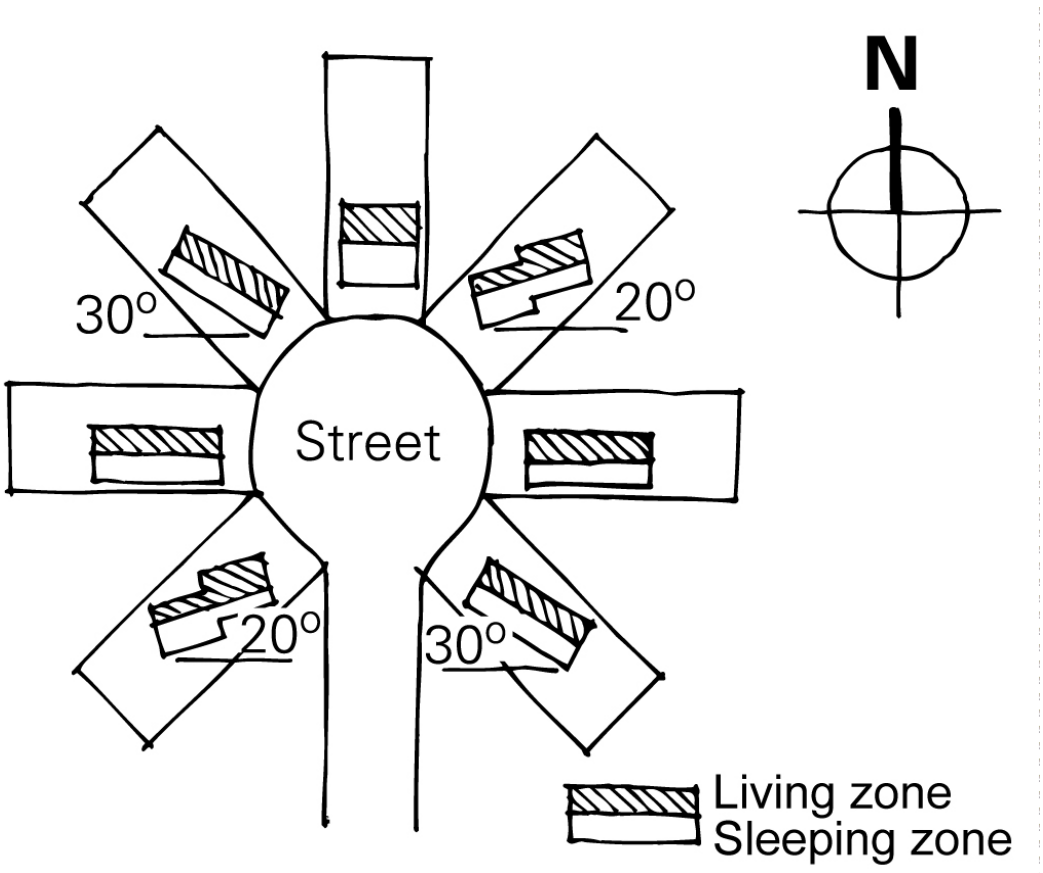


Figure – acceptable orientation of dwellings to solar north



2. Water Supply

There is continuing pressure on the supply of water resources in the Shire and the natural supply of surface and ground water is not consistently reliable. Council is endeavouring to maintain a balance between natural supply of water and its use. There are many areas of water use and building design that can be applied to developments to ensure that securing an adequate supply of potable, non-potable and fire fighting water is possible in most areas.

This Chapter acknowledges these issues and aims to provide a series of controls for subdivision and development within the Shire in relation to water supply and use. These controls cover new development as well as changes to existing development.

Adequate water resource arrangements must be detailed at the time that the development application is submitted to Council for consideration. Developments that do not demonstrate satisfactory water resource provisions will not be approved.

Note: the onus is on the applicant to demonstrate that the provision of both potable and non-potable water is adequate for the development. An early discussion with Council and prior to lodgment of a development application is recommended.

2.1. Objectives

The objectives for the provision of water supply and use are:

- To ensure that new development connects to reticulated town water where available.
- To encourage self-sufficiency in the supply of water for household use in areas where a reticulated water supply is not available.
- To reduce the overall cumulative impact of new development on water resources through application of water re-use and water efficient design elements.
- To ensure sustainable development through the application of water saving devices and design elements.
- To protect the availability of existing water resources used in established agricultural and residential developments.
- To ensure an adequate supply and storage of water for the protection of buildings and persons during instances of fire.

2.2. Controls

C9.2-1 Reticulated Town Water

The following controls apply to development on sites where the connection to reticulated town water is available.

(a) The applicant is to consult with Council to determine if reticulated town water is available to the site and the development.
(b) All connections to reticulated town water must be to Council standards.

C9.2-2 Domestic or Potable Water Availability

The following controls apply to development on sites where the connection to reticulated town water supply is not available.

(a) Sufficient domestic or potable water for the proposed development is to be provided by rainfall collected in on-site rainwater tanks and stored.
(b) For domestic purposes in accordance with the National enHealth document titled 'Guidance on the use of Rainwater Tanks' (2004).

C6.2-3 Non Domestic Rural Potable Water

(a) Adequate provision of potable water is to be made for the peak occupancy or use of the development.
(b) Where the development includes accommodation, the development proposal is to demonstrate that the capacity for provision of at least 110 litres of potable water per person per day is available.
(c) Where the development does not include accommodation, the development proposal is to demonstrate that the capacity for provision of 90 litres of potable water per person per day is available.
(d) Sufficient storage of potable water is to be provided for a forward period of at least one week.
(e) A reduced rate of potable water storage may be proposed where the safe use of non-potable water is demonstrated for use in toilet flushing, laundry tubs, washing machines and other uses not involving human consumption. Where a reduced rate of storage is proposed, the reduced rate is to be supported by documentation prepared by a suitably qualified professional.
(f) The development proposal for eco-tourist facility is to demonstrate through documentation and management techniques a target for potable water use in the facility of 90 litres per person per day.
(g) The proposed development of an eco-tourist facility must demonstrate a target for grey water re-use within the facility of 100%.

C9.2-4 Non Domestic Rural Non-Potable Water Availability

(a) Adequate provision of non-potable water (40 litres per person per day) is made for the peak use or occupancy of the development and may be provided by means of a dam, bore and/or through treatment and recycling of grey water via a NSW Health accredited domestic grey water treatment system.
(b) Any development proposal including the use of bores is to be supported by documentation demonstrating compliance with licensing requirements by the NSW Government.
(c) Any development proposal involving the use of dams is to be supported by documentation demonstrating compliance with the 'Harvestable Right' and the Farm Dams Assessment Guide administered by the NSW Office of Water.

Note: the onus is on the applicant to demonstrate that the provision of non-potable water is adequate for the development.

C9.2-5 Bush Fire Fighting Water Availability

(a) Sufficient water is to be available for bush fire fighting purposes at all times.
(b) The proposed development is to provide a supply of water dedicated permanently to fire fighting, in accordance with the requirements of the NSW Rural Fire Service Planning for Bushfire Protection Manual 2006.

3. Effluent Disposal

The natural environment of the Snowy River Shire attracts many visitors and residents to the area. Development must be undertaken in a manner that protects and enhances the natural environment. It is important to protect creeks, streams, rivers and lakes from pollution and, and particular, potential pollution from effluent disposal.

Many waterways suffer environmental degradation as a result of incremental pollution from multiple sources, rather than from large individual point sources. A subdivision or development proposal need not be located adjacent to waterways for those waterways to be impacted upon by effluent. Physical features such as poor soils, steep slopes and fractured bedrock can aid the rapid transmission of effluent to a waterbody, even though the site may be quite distant.

This section relates to development relying on on-site effluent disposal. Where development proposes to connect to Council's sewerage system the relevant Council standards and guidelines will apply.

The use of on-site effluent disposal should achieve the following:

- **Prevention of public health risk**: sewage contains bacteria, viruses, parasites and other disease-causing organisms. Contact with effluent should be minimised or eliminated, particularly for children. Residuals, such as composted material, should be handled carefully. Treated sewage should not be used on edible crops that are consumed raw.
- **Protection of lands**: on site sewage management systems should not cause deterioration of land or vegetation quality through soil structure degradation, salinisation, waterlogging, chemical contamination or soil erosion.
- **Protection of surface waters**: on-site sewage management systems should be selected, sited, designed, constructed, operated and maintained so that surface waters are not contaminated by any flow treatment systems and land application areas (including effluent, rainfall run-off and contaminated groundwater flow).
- **Protection of groundwaters**: on-site sewage management systems should be selected, sited, designed, constructed, operated and maintained so that groundwaters are not contaminated by any flow from treatment systems and land application areas.
- **Conservation and reuse of resources**: the resources in domestic wastewater (including nutrients, organic matter and water) should be identified and utilized as much as possible within the constraints of other performance objectives, water conservation should be practiced and wastewater production should be minimised.
- **Protection of community amenity**: on-site sewage management systems should be selected, sited, designed, constructed, operated and maintained so that they do not unreasonably interfere with quality of life and, where possible, so that they add to the local amenity. Special consideration should be given to aesthetics, odours, dust, vectors and excessive noise.

3.1 Objectives

The objectives for the disposal of effluent on-site within the Shire are:

- To ensure that effluent application areas minimise adverse impacts on the environment and in particular on the quality of local watercourses and ground water systems through appropriate design and construction.
- To ensure that public health risks are minimised by designing, locating and constructing effluent application areas in an appropriate manner.

3.2 Controls

C9.3-1 General Controls

(a) New allotments smaller than 2 hectares in area and allotments within 2 kilometres of the reach of the Council's sewage treatment system are encouraged to be connected to the Council's sewerage system.

(b) Where connection to Council's reticulated sewerage system is not available and on-site effluent disposal is proposed, an analysis of soil suitability and topography demonstrating that the land is suitable for on-site effluent disposal is to be provided.

(c) New allotments for residential development which are not connected to Council's sewerage system must demonstrate that there are suitable dwelling sites which are not affected by flooding, or seasonal high water table.

Note: where development is connecting to Council's sewerage system, the relevant Council standards and guidelines will apply and consultation with Council is required.

3.3 Soil Assessment for On-Site Sewage Management Disposal

The following Table shows soil assessment for on-site sewage management system disposal areas:

Soil Assessment	**High Risk (Testing Required)**	**Minimal Risk (Testing Required)**
Depth of bedrock (m)	Yes	No
Depth to Highsoil or Watertable (m)	Yes	No
Soil Permeability	Yes	No
Course Fragments (%)	Yes	No
Bulk Density (g/cm^3)	Yes	No
PH $CaCl_2$	Yes	Yes
Electrical Conductivity	Yes	Yes
Sodicity	Yes	No
Cation Exchange Capacity	Yes	No
Phosphorus Sorption	Yes	If problem suspected
Modified Emerson Aggregate	Yes	Yes

3.4 Controls for On-Site Effluent Disposal

Refer to Councils Development Control Specification for Public Water Supply and Effluent Disposal.

C10 Waste Management & Recycling

1. Introduction

This Chapter of the DCP provides guidelines and requirements for sustainable and efficient recycling and waste management practices during the design, demolition, construction and on-going operation of the development. The following underlying principles apply:

Waste minimisation and resource recovery: encouraging improved environmental outcomes through increased source separation of materials and more efficient management of waste and recyclable materials.

Safety: ensuring safe practices for storage, handling and collection of waste and recyclables.

Pollution prevention: preventing air and stormwater pollution that could occur as a result of poor storage and management practices associated with waste and recyclables.

Ecologically sustainable development: promoting the principles of ESD through resource recovery and recycling leading to a reduction in the consumption of finite natural resources.

Hygiene: ensuring that waste management systems do not adversely affect the health of residents and workers.

Amenity: minimising inconvenience such as noise and traffic during the collection of waste and recyclables.

Access: ensuring that waste management systems are easy to use and that collection vehicles are able to access developments to remove waste and recyclables.

This Chapter must be read in conjunction with Council's Waste Management Guidelines, which detail and specify waste management requirements for various types of development.

The requirements for Recycling and Waste Management Plan and Waste Avoidance Plans, to be submitted with the development application, are detailed in Chapter A2 Development Application Requirements.

2. Objectives

The objectives for waste management, waste minimisation and recycling are:

- To encourage best practice in waste management that minimises waste generation, facilitates waste separation and maximises reuse and recycling.
- To ensure quality design of waste management facilities that complement the building design and minimise noise, odour and visual impacts on adjacent uses and the public domain.
- To ensure sufficient, accessible and efficient waste storage, recycling and collection areas in all development.

3. Recycling & Waste Management Plan

A Site Recycling and Waste Management Plan (referred to as a 'Waste Management Plan') estimates the volume and type of waste and recyclables generated by a development and outlines waste avoidance and resource recovery activities to be carried out during demolition, construction and operation of a proposed development.

Information requirements for Waste Management Plans that must be submitted with development applications are contained in Chapter A2 Development Application Requirements. In summary, the Waste Management Plan must identify:

- Estimated volume of general waste, recyclables, garden waste and bulky waste likely to be generated by the development.
- Required type, size and number of bins and location and dimensions of areas for the storage of bins and bulky waste.
- Details of on-going management arrangements, including responsibility for cleaning, transfer of bins between storage facilities and collection points and maintenance of storage facilities.

4. Controls

4.1 Design Stage

Careful consideration at the design stage of the development can reduce the use of materials and the generation of waste, both during construction and operation, and is the best stage in which to incorporate waste minimisation and management measures including identifying materials that can be reused in the new development.

When designing large development (including commercial, industrial, tourist & visitor accommodation and residential flat buildings) consultation with Council and waste service contractors is recommended to ensure that the development can be adequately serviced and all requirements, including vehicle access, are accommodated in the design.

Controls

(a) The development is to provide suitable and sufficient waste, recycling and green waste storage facilities, including Council approved containers, in accordance with

Council's Guidelines. The space allocated must be sufficient to store, in separate bins and having regard to the prevailing environmental conditions, the volume or garbage and recycling likely to be generated between collections.

Note: indicative waste and recycling generation rates are listed in Appendix C10 – 2 (below).

(b) The development application plans and drawings must show:

- Storage space and layout for bins.
- Storage room for bulky waste.
- Waste collection point(s) for the site.
- Path of access for users and collection vehicles.
- Layout and dimensions required to accommodate collection vehicles when on-site collection is required.

(c) Dwelling houses, dual occupancies, attached dwellings, semi-detached dwellings and secondary dwellings do not require a separate waste, recycling and green waste storage area ("waste storage area") if there is a suitable storage area on site and away from public view. The storage area must have a clear path to the curbside or collection point with a maximum grade of 1:8.

(d) The waste storage area is to be:

- located on site and designed to complement the design of the development. Avoid locating waste storage areas between the front alignment of a building and the street (wherever possible).
- located to minimise odour and acoustic impacts on the habitable rooms of the proposed development, adjoining and neighbouring properties.
- Located having regarding to existing vegetation and slope.
- screened through fencing and/or landscaping (where possible) to minimise visual impacts on neighbouring properties and the public domain.

(e) The waste storage area must be located to be easily accessible for both site occupants (users) and waste collectors and must have step-free and unobstructed access to the collection points. The desirable maximum travel distances between the storage point and the collection point are: 50 metres for 240L bins; 10 metres for 360L bins and 1100L mobile skip bins.

(f) A suitable refuse collection point must be nominated on site where waste and recycling loading operations can occur on a safe and convenient surface away from excessive gradients and vehicle ramps.

(g) Where collection vehicles are required to drive on-site or into a building to collect waste or recycling, adequate vehicle clearance is required. A concrete apron is to be provided for skips to permit easy loading, Note: refer to Appendix C10 – 4 (below) for typical dimensions of collection vehicles.

Note: refer also to Chapter C3 Car Parking, Traffic and Access

(h) Where more than $10m^3$ of uncompacted waste and recycling is generated per day, the central waste and recycling room must be separate from the goods receivable dock and garbage must be collected in a compaction room.

(i) Sufficient storage space is to be provided within each individual dwelling to hold a single days waste and to enable source separation (recycling).

(j) A waste storage area must be provided for each separate retail premises and must be have the capacity to store at least one (1) days volume of garbage and recycling.

Provision must also be made in the centralised waste storage area for the separation of cardboard for recycling.

(k) Where the development is a mixed use development (eg commercial and residential uses) separate waste storage facilities are to be provided for the residential and commercial uses.

(l) Any bin enclosures or rooms must be ventilated, fire protected, drained to the sewerage system (where serviced) and have lighting and water supply.

(m) For residential flat building and tourist and visitor accommodation (excluding small scale accommodation and bed and breakfast accommodation) a separate room or screened and coverage cages area (separate from the waste enclosure) must be allocated for the storage of discarded bulky items (second hand furniture or broken items) awaiting collection. The allocated space must be a minimum of $10m^2$ and be conveniently located, accessible and cleaned regularly.

(n) Waste storage areas located on sites above the snow-line (above 1500 metres) are to be designed to ensure that there is no contamination by snow.

(o) No waste incineration devices are permitted.

(p) Where the site of the proposed development is a heritage item or within a heritage conservation area, consideration may be given to varying the requirements to reduce the heritage impact.

Note: Council and the NSW Environment Protection Authority (EPA) should be consulted regarding any proposed storage and collection of special wastes (eg. medical waste, hazardous chemical wastes).

4.2 Demolition & Construction

The demolition stage of the development provides potential for waste minimisation and cost savings including the re-use of demolition materials in the new development. Efficient on-site sorting and storage and staging of work programs can assist in facilitating the reuse of materials.

Controls

(a) Identify in the Waste Management Plan (refer Chapter A2 Development Application Requirements), the type and estimated volume of waste to be generated during demolition and construction and respective recycling, reuse and disposal methods.

(b) The development application plans and drawings must show for the demolition and construction stage:

- The location and space allocated for the storage of demolition waste or materials.
- Waste collection points for the site during demolition and construction.
- Path of access for collection vehicles.

(c) Separate bins or storage areas are to be provided for materials to be reused, recycled or directed to landfill. The location of these storage areas must be indicated on the site plans.

(d) Storage areas must be easily accessible for collection vehicles, clearly signposted indicating purpose and content and managed appropriately to prevent stormwater pollution, drainage to vegetation and odour and health risks.

(e) The development is to use (wherever possible) second hand building materials and recycled building products during building design and construction.

Note: the Table in Appendix C10 – 1 (below) shows the reuse and recycling potential of different building materials.

Note: asbestos cement sheeting (commonly called 'fibro') may have been used in external and internal walls and roof construction. Asbestos can either be bonded (low risk) or friable (medium or high risk). Workcover NSW provides information on safe work procedures for the removal of asbestos. Refer *Workcover Guide – Working with Asbestos (2008)* and asbestos removal legislation and regulations.

4.3 On-going Operation

Controls

(f) The responsibility for cleaning waste storage areas, transfer of bins within the property and to and from the collection points must be detailed in the Waste Management Plan (refer Chapter A2 Development Application Requirements).

(g) All bins must be transferred from the collection point back to the waste storage area within 24 hours of the waste being collected.

(h) The waste storage area must be clearly identified by permanent signage. The communal waste collection and storage area must also include information signage on how to use the storage area and what materials are acceptable in each bin, including recycling and green waste.

APPENDIX C10 – 1

Reuse and Recycling Potential of Materials

Material	Reuse & Recycling
Concrete	Crushed fill, leveling materials, road base and drainage blankets.
Bricks	Cleaned and /or rendered over for reuse on site or off site, crushed for aggregate and road base or fill behind retaining walls or in drainage layers.
Roof tiles	Crushed and reuse on site for landscaping or drainage layers, or recycled off site into aggregates or road base.
Hardwood	On site for floors, roof framing or fencing. Consider selling for furniture or other reuses.
Other timber	On site for formwork, bridging, propping, blocking. Chip for reuse in landscaping.
Door, windows & fittings	Reuse or sell as second hand building materials.
Electrical cable, other non ferrous/ ferrous metals and plumbing	Sell for recycling.
PVC &uPVC plastic plumbing fittings	Sell to plastic recyclers.
Plasterboard	Crush and use in compost or as soil conditioner.
Carpet	Natural fibres can be used as landscape mulch or can be composted.
Green waste	Mulch or compost for reuse as landscaping material or fertilizer.
Overburden	Power screen for topsoil for landscaping material.

APPENDIX C10 – 2

Waste & Recycling Generation Rates – Construction

Construction Waste (rule of thumb for renovations and small home building)	
Product	% waste of material ordered
Timber	5-7%
Plasterboard	5-20%
Concrete	3-5%
Bricks	5-10%
Tiles	2-5%

Source: Waste Planning Guide for Development Application, Inner Sydney Waste Board, 1998 (referenced in EPA Guidelines)

Estimated Waste & Recyclable Material Generation – Operation

Premises Type	Waste Generation	Recyclable Generation
Backpackers' Hostel	40L/occupant space/week	20L/occupant space/week
Boarding House, Guest House	60L/occupant space/week	20L/occupant space/week
Food premises:		
Butcher, Deli, Fish Shop	80L/100m^2 floor area/day	Variable
Greengrocer	240L/100m^2 floor area/day	120L/100m^2 floor area/day
Restaurant, Cafe	10L/1.5m^2 floor area/day	2L/1.5m^2 floor area/day
Supermarket	240L/100m^2 floor area/day	240L/100m^2 floor area/day
Takeaway Food Shop	80L/100m^2 floor area/day	Variable
Hairdresser, Beauty Salon	60L/100m^2 floor area/week	Variable
Hotel, Licensed Club, Motel	5L/bed space/day 50L/100m^2 bar area/day 10L/1.5m^2 dining area/day	1L/bed space/day 50L/100m^2 bar area/day 50L/100m^2 dining area/day
Offices	10L/100m^2 floor area/day	10L/100m^2 floor area/day
Shop less than 100m^2 floor area	50L/100m^2 floor area/day	25L/100m^2 floor area/day
Shop greater than 100m^2 floor area	50L/100m^2 floor area/day	50L/100m^2 floor area/day
Showroom	40L/100m^2 floor area/day	10L/100m^2 floor area/day
Multi-Unit Dwellings	80L/unit/week	40L/unit/week

Sources: Adapted from Waverley Council Code for the Storage and Handling of Waste. 1 Appendix A, Better Practice Guide For Waste Management In Multi-Unit Dwellings 2007 (EPA Guidelines)

APPENDIX C10 – 3

Types and Number of Bins Required

It is noted that 240L and 360L bins are preferred for storage of waste and recyclable materials. Large waste skip bins are not preferred as they discourage source separation of recyclables, are unsightly and have the potential to create odour, fire and attract vermin and wildlife. The use of 3000L bins is not permitted due to Workplace, Health & Safety (WH&S) emptying issues.

Type of Development	General Waste Weekly Collection	Recycling Fortnightly Collection	Green Waste Fortnightly Collection
Single dwelling houses and semi-detached dwellings	1 x 240L/ dwelling	1 x 360L /dwelling	1 x 240L/dwelling (when available)
Dual occupancies and secondary dwellings	1 x 240L/dwelling	1 x 360L/dwelling	1 x 240L/dwelling (when available)
Multi dwelling housing, attached dwellings and residential flat buildings	If bins stored in each residence		
	1 x 240L/dwelling	1 x 360L/dwelling	1 x 240L/dwelling (when available)
	If bins stored in a communal storage area		
	1 x 1100L skip per 6 dwellings	1 x 360L/dwelling or 1 x 1100L skip per 6 dwellings	1 x 240L/dwelling or 1 x 1100L skip per 6 dwellings
Tourist and visitor accommodation, commercial premises, residential care facilities and other types of development.	To be discussed with Council	To be discussed with Council	To be discussed with Council

Indicative Bin Sizes

Bin Type	Height	Depth	Width
240L	1060mm	730mm	580mm
360L	1090mm	840mm	675mm
1100L	1370mm	980mm	1250mm

Note: these dimensions are a guide only.

APPENDIX C10 – 4

Dimensions and Turning Circles for Waste Vehicles

Extracts from Better Practice Guide for Waste Management – Multi Unit Dwellings (EPA, date)

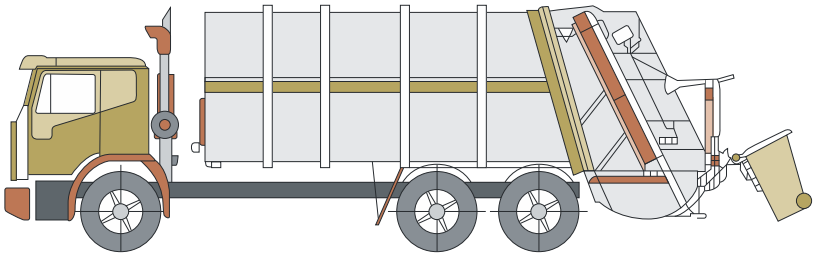
Appendix C

Collection vehicles

Waste collection vehicles may be side loading, rear-end loading, front-end loading or crane trucks. The size of vehicle varies according to the collection service. Thus it is impossible to specify what constitutes the definitive garbage vehicle. Developers should consult the local council and/or relevant contractors regarding the type of vehicle used in that area.

The following characteristics represent the typical collection vehicle, however, these are only for guidance.

It may be possible to engage a collection service provider to use smaller collection vehicles to service developments with narrow roadways and laneways, or for on-site collections. However, as the availability of smaller vehicles to make services varies between councils and private contractors, wherever possible the development should be designed to accommodate vehicles of a similar size to that reported below.



Rear loading collection vehicle

Rear loading collection vehicle	
Length overall	10.24m
Width overall	2.5m
Operational height	3.5m
Travel height	3.5m
Weight (vehicle only)	12.4 tonnes
Weight (payload)	9.5 tonnes
Turning circle	18.0m

This is commonly used for domestic garbage and recycling collections from MUDs. It can be used to collect waste stored in MGBs or bulk bins, particularly where bins are not presented on the kerbside.

D1 Residential Accommodation

Contents

1. Background

This Chapter of the Snowy River DCP contains planning provisions and controls for *residential accommodation* throughout the Shire including in the town and village areas and throughout the rural areas. The Snowy River Local Environmental Plan 2013 identifies the type of residential accommodation permitted in each of the land use zones.

Residential accommodation is defined in the Snowy River Local Environmental Plan 2013 and includes:*dwelling houses*, *dual occupancies*, *secondary dwellings*, *attached dwellings*, *semi-detached dwellings*, *rural workers' dwellings*, *multi dwelling housing*, *residential flat buildings*and*shop top housing*. The definition for residential accommodation also includes other types of targeted housing including *boarding houses*, *group homes*, *hostels* and*seniors housing* which may also be subject to State Government planning policies and controls.

This Chapter also includes planning provisions and controls for *outbuildings* that relate to *residential accommodation* in the rural and rural-residential areas, primarily in areas zoned RU1 Primary Production, E3 Environmental Management and R5 Large Lot Residential.

Demand for rural land for residential purposes is expected to continue to grow in the Shire, with residents looking to undertake small scale rural and agricultural pursuits. Nevertheless, Council will seek to ensure that rural residential developmentis proposed, it will be properly managed and occur in an environmentally sustainable manner.

2. Aims

The aims of this Chapter are to:

- Provide guidance for development standards for all forms of *residential accommodation*.
- Encourage environmentally acceptable residential subdivision and dwelling construction that supports the diversity of housing choices required by new and existing Shire residents.
- Encourage good design and residential amenity in new development by encouraging a comprehensive design orientated approach.
- Set appropriate environmental criteria for energy efficiency, privacy, noise, vehicular access, parking and open space.
- Improve urban design and residential amenity in new housing developments.
- Promote high standards of design that respect the character of existing neighbourhoods and rural areas and minimises loss of amenity to adjacent residents.

3. Site Planning & Layout

3.1. Site Planning

The site planning and layout should integrate the development with the surrounding environment through:

- Adequate pedestrian, cycle and vehicle links to the street and any open space networks
- Buildings facing streets and open space networks
- Buildings, streetscape and landscape design taking into account on-site features identified in the site analysis
- Maintaining streetscape and amenity
- Ensuring solar access to living areas
- Designing open space areas that are easily maintained, manage stormwater and contribute to the character of the development.

In addition, development on visually prominent sites should ensure that the visual, scenic and environmental qualities of the locality are maintained.

Controls

D1.1-1 Site Planning

a) Development should be appropriately located on the site to:
- consider the amenity of neighbouring properties is maintained or enhanced;
- consider the impact of the development on views and view sharing;
- facilitate solar access;
- protect significant landscape and vegetation;
- allow for the provision of landscaping and provide room for additional tree plantings to grow to maturity;
- facilitate the efficient use of the site; and
- minimise bushfire hazard by preserving 'fuel free' zone (where development is adjacent to high bushfire hazard areas).

3.2 Minimum Lot Size

Controls

D1.1-2 Minimum Lot Size

The minimum lot size controls are contained in the Snowy River LEP 2013 including the following clauses and accompanying maps:

Clause 4.1 – Minimum subdivision lot size

Clause 4.1AA – Minimum subdivision lot size for community and strata title schemes

Clause 4.1AB – Lot averaging subdivision in Zone R5 Large Lot Residential

Clause 4.1B – Minimum lot size for dual occupancies, multi dwelling housing and residential flat buildings in residential and village zones

Clause 4.1C – Exception to minimum lot sizes for certain residential development

3.3 Site Coverage

Site coverage in conjunction with setback controls determines the extent and location for buildings on a site. Site coverage controls aim to reserve sufficient unbuilt upon areas on a site for accommodating private open space, deep soil planting, permeable surfaces and service areas.

Site coverage is expressed as a percentage to describe the proportion of a site that could be built upon.

Objectives

- To ensure that new development and alterations and additions to existing dwellings reserve adequate unbuilt upon areas for the purpose of private open space, deep soil planting, permeable surfaces and ancillary development.

Controls

D1.1-3 Site Coverage

a) The maximum site coverage is shown in the Table below:

Development Types	**Land Use Zone**	**Site Coverage*** including any garages, carports and outbuildings
Dwelling houses	R1 General Residential R2 Low Density Residential RU5 Village	Not to exceed 50% of the allotment.
Attached dwellings	R1 General Residential RU5 Village	Not to exceed 40% of the allotment.
Dual occupancies	R1 General Residential R2 Low Density Residential RU5 Village	Not to exceed 50% of the allotment.
Multi dwelling housing	R1 General Residential RU5 Village	Not to exceed 40% of the allotment.
Residential flat buildings	R1 General Residential RU5 Village	Not to exceed 40% of the allotment.
Semi-detached dwellings	R1 General Residential RU5 Village	Not to exceed 50% of the allotments.

*Site coverage area does not include any of the following: access ramp; balcony, deck, patio, pergola, terrace or veranda attached to the dwelling that is not enclosed by a wall higher than 1.4m above the floor level; driveway, pathway or paving; fence or screen; rainwater tank that is attached to the dwelling; swimming pool or spa pool.

3.4 Open Space

The provision of sufficient and useable open space for recreational and living needs is essential. Combined with site layout requirements and site coverage, both private and communal open space needs are to be met by new residential developments and alterations and additions to existing development. Private open space should be located and designed to maximise solar access, privacy, accessibility and usability.

Objectives

- To ensure an adequate level of private open space is provided for dwellings to enable passive recreational activities by residents.
- To ensure private open space is designed for usability, solar access, privacy and accessibility.
- To ensure dual occupancy development provides a suitable level of functional and high amity private open space for each dwelling.

Controls

D1.1-4 Private Open Space

a) Private open space is to be provided to each dwelling and is to be designed to meet the needs of occupants.
b) Private open space is to be capable of serving as an extension of the dwelling for relaxation, dining and entertainment and is to have direct access from the major living area of the dwelling.
c) Private open space is located to maximise views, natural features and orientation.
d) Private open space at ground level is to:
    - Be orientated to the north (where possible)
    - Be protected from unfavourable winds
    - Have a minimum area of 25m^2
    - Have a width of 4 metres
    - Be screened as appropriate (shade, privacy and acoustic)
    - Receive a minimum 4 hours of uninterrupted direct sunlight per day

e) Private open space above ground level is to:
    - Be orientated to the north
    - Have access from the main living area
    - Have a minimum area of 10m^2
    - Have a minimum width of 2 metres
    - Not be located facing directly towards adjoining development impacting on their privacy and amenity

f) Where possible existing trees and natural landscape features (eg rock outcrops) are to be retained and incorporated into landscape design.

D1.1-5 Communal Open Space

a) Communal open space is to be provided to contribute to the character of the development and to provide for a wide range of uses and activities.
b) A landscape concept plan for communal open space is to be provided with the development application.

4. Building Envelope

4.1 Building Height

The maximum building height for development on a particular site is identified in the Snowy River LEP 2013 Clause 4.3 – Height of buildings and accompanying Height of Buildings Maps. Building height is defined as:

> ***Building height*** *(or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.*

In addition, ***ground level (existing)*** is defined as: *the existing level of a site at any point.*

Objectives

The Snowy River LEP 2013 (clause 4.3) objectives in relation to building height include:

- To ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality;
- To minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas and public domain including parks, streets and lanes;
- To minimise the adverse impact of development on heritage items.

Controls

D1.2-1 Building Height

a) The height of a building must not exceed the maximum height shown for the land on the Snowy River LEP 2013 – Height of Buildings Map.
b) The height of any new development (including alterations and additions) should minimise bulk and overshadowing.
c) The development application drawings are to clearly identify: ground level (existing), the proposed height of new development and the height of existing and neighbouring development.
d) Shadow diagrams should be prepared and submitted for two storey buildings to illustrate the potential impact on sunlight to adjoining properties.
e) New development and alterations and additions are to be stepped in recognition of sloping sites.

4.2 Floor Space Ratio

The floor space ratio controls provide for sufficient site area to be available of space between buildings (on-site and adjoining), landscaped open space, private courtyards, landscaping, car parking and access.

Controls

D1.2-2 Floor Space Ratio

The maximum floor space ratio for a building on a particular site is identified in the Snowy River LEP 2013 Clause 4.4 – Floor space ratio and accompanying Floor Space Ratio Maps. ***Floor space ratio*** is defined as:

> *The **floor space ratio** of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.*

The Snowy River LEP 2013 provisions also control the maximum number of dwellings permitted on a site (ie. the site density).

Note: The maximum floor space ratio for a building must not exceed the floor space ratio for the shown on the Snowy River LEP 2013 – Floor Space Ratio Map.

Note: The minimum lot size for *dual occupancies*, *multi dwelling housing* and *residential flat buildings* in residential and village zones is identified in the Snowy River LEP 2013 – clause 4.1B.

4.3 Setbacks

Setbacks define a building line from the front, side and rear boundaries of a property and provide adequate space for landscaping, visual and acoustic privacy, sunlight penetration, safety requirements and for the establishment of an attractive streetscape. They reflect the character, and establish the development's relationship, with neighbouring buildings and the surrounding area.

Minimal side setbacks encourage buildings to address the street, rather than addressing side boundaries and adjacent buildings. This not only contributes to privacy but increases passive surveillance of the street.

The Snowy River LEP 2013 defines *building line* or *setback* as the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and:

- a building wall, or
- the outside face of any balcony, deck or the like, or
- the supporting posts of a carport or verandah roof,

whichever distance is the shortest.

Objectives

- To minimise the impact of development on adjoining land and to ensure adequate separation between buildings.
- To provide adequate space for landscaping, visual and acoustic privacy and solar access.
- To encourage the retention of significant views and enable a reasonable level of view sharing between a development and the neighbouring dwellings and the public domain.
- To establish the desired spatial proportions of the street and define the street and building edge.
- To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties and open space areas.

Controls

D1.2-3 Setbacks – General

a) The minimum setback requirements at ground level are shown on the Table below.
b) Setbacks are to provide space for visual and acoustic privacy.
c) Variations to setbacks are permitted where the effect on adjoining owners, traffic safety/future road widening and special site conditions are assessed and considered acceptable.
d) Pergolas, screens, light fittings, electricity or gas meters, chimneys are permitted to encroach into the building setback without restriction.
e) Unroofed terraces, landings, steps and ramps not greater than 1 metre in height are permitted to encroach into the building setback without restriction.

D1.2-4 Front Setback

a) The front setback must be consistent with the average setbacks of the adjoining dwellings. Where there are no adjoining dwellings, the setbacks must be in accordance with the setback requirements in the Table below.
b) For corner sites, the setback from the secondary street frontage must be in accordance with the following minimum requirements:
    - 900mm for allotments with primary frontage width of less than 7 metres; or
    - 1500mm for all other sites.

c) The front setback areas must be free of structures such as swimming pools, above-ground rainwater tanks and outbuildings.
d) Developments that create streetscape variety and interest will be considered for variations to the front setback.

D1.2-5 Side Setbacks

a) Garages, carports, outbuildings, above-ground water tanks and unroofed decks and terraces attached to the dwelling may encroach upon the side setback if they comply with other provisions of this DCP.
b) Variations to side setbacks may be considered depending on adjoining owners, light and ventilation, site conditions and building provisions to prevent the spread of fire.
c) Provided the distance is not less than 1 metre to a boundary, permitting encroachments of fascias, gutters, downpipes and eaves up to 0.675m outside that envelope.

D1.2-6 Rear Setbacks

a) Garages, carports, outbuildings, swimming pools, above-ground water tanks and unroofed decks and terraces attached to the dwelling may encroach upon the rear setback if they comply with other provisions of this DCP.
b) Irregular shaped allotments, or allotments with the longest boundary abutting the street or the rear adjoining neighbour (ie frontage width being longer than the site depth), the rear setback will be assessed on merit having regard to the following:
    - Compatibility with the existing development pattern in the surrounding residential land;
    - Provision of adequate private open space as required under this DCP;
    - Potential impacts on neighbouring dwellings in terms of solar access, privacy and view sharing.

Minimum Setback Requirements for Residential Accommodation

Development Types	Class of Building	Height of Building	Front Setback (where no adjoining dwellings)	Side Setback	Rear Setback
Dwelling house ***Dual occupancies*** ***Attached dwellings, Secondary dwellings, Semi-detached dwellings***	1 & 2	1 storey	6.0 metres	675mm (gutter) 900mm (wall	900mm
		2 storey	8.0m	1125mm (gutter) 1500mm (wall)	1.5m
		3 storey	8.0m	1125mm (gutter) 1500mm (wall)	2.5m
Multi dwelling housing & Residential flat buildings	3	1 storey	6.0m	2290mm	3.0m
		2 storey	8.0m	2290mm	4.0m
		3 storey	8.0m	2740mm	5.0m

5. Building Design

Following the establishment of the permissible building envelope (maximum building height, floor space ratio and setbacks) the form and mass of the development should be modeled to respond specifically to the site characteristics and the surrounding natural and built environment.

Façade treatment and detailing affect appearance of the building and play an important role in enhancing the character and continuity of the streetscape.

5.1 Building Form

Objectives

- To ensure that the form, scale, massing and proportions of dwellings recognise and adapt to the characteristics of the site including topography, orientation and the surrounding natural and built environment.
- To ensure building facades are designed to complement or enhance the existing streetscape and neighbourhood character.

Controls

D1.3-1 All Residential Development

a) New development should respect adjoining development and display "good manners" by:
   - Maintaining an appropriate distance between buildings to protect privacy;
   - Maintaining a sympathetic scale relationship; and
   - Ensuring a reasonable sharing of solar access.

b) Built form must respect and follow the natural topography of the site. On sloping sites the building mass must be modeled on stepped in response to the land gradient and avoid concentrating the structural bulk on the uphill or downhill side of the site.

c) New development should incorporate architectural relief and modulation of facades to avoid a bulky appearance. This may be achieved by measures such as: window openings, balconies or terraces, entry porches, staggered wall planes, combination of material and finishes and decorative architectural elements.

d) Articulate all street elevations for development on corner allotments.

e) Special care should be undertaken on sloping sites where the impact of heights and distances may be exaggerated. This may be achieved by:
   - The use of horizontal elements such as verandahs, pergolas or suitable planting schemes;
   - The use of articulated walls to provide enough space for taller growing plants;
   - Avoiding unrelieved walls in excess of 12 metres;
   - Incorporating variations in elevations to provide visual interest to buildings; and
   - The 'stepping back' of upper levels in order to avoid bulky vertical wall surfaces.

f) The roof of the building should be designed so that it does not unduly increase the bulk of the building including:

- Careful section of materials, colour and pitch; and
- Use of low angled pitched roofs provided they are compatible with existing development and the existing streetscape character.

g) Council may consider the inclusion of habitable rooms with the roof space.
h) The building design, detailing and finish will be appropriate for the region and will consider the major design recommendations contained in the "Snowy River Design Guidelines".

D1.3-2 Alterations & Additions

a) Alterations and additions to an existing dwelling must present an integrated design with suitable configuration, materials and detailing so that the new and original structures are visualised as one whole building. Note: for heritage items it may be desirable to distinguish between the old and new works. ChapterC4 Heritage for further details.
b) First floor additions should be well integrated into the design of the development to avoid overbearing bulk/scale relationship with neighbouring properties. This is particularly important on sloping sites and may be achieved by restricting changes of building height between existing and proposed development to not more than one storey. If this is exceeded, the appropriateness should be supported through the site analysis process.
c) External finishes of the new building work should match or complement the existing finishes.
d) Where appropriate, the roof pitch of alterations and additions should extend and/or replicate the original dwelling.

5.2 Visual Character &Streetscape

Visual character and streetscape is important to future residents, visitors, existing neighbours and the broader community and it is important that all new residential development and alterations and additions to existing dwellings makes a positive contribution to the streetscape.

Objectives

- Development should conserve and enhance the visual character of the street and public domain with particular reference to: architectural themes, landscape themes and fencing styles.
- Development should be unreasonably intrude or otherwise impact upon the natural landscape, particularly on ridge top locations, sloping sites and adjoining public reserves or bushland.
- Design and site coverage should reflect the slope of the site and it may be desirable to leave steeply sloping parts of sites in their natural state.

Controls

D1.3-3 Visual Character & Streetscape

a) A Visual Character Study may be used to determine the components of visual character in a particular area. The prominent characteristics of the neighbourhood should then be identified and considered as part of the site analysis.Note: Visual character is created by many features including: lot sizes, fencing, kerbs, setbacks, spatial separation, access arrangements, street tree planting, native vegetation and private gardens, as well the architecture of individual residences and buildings.
b) Development near ridge tops or ridge lines should consider the height, colour and pitch of the proposal to ensure the proposal does not dominate the surrounding area.This may be achieved by ensuring that development is: high quality; relates to a human scale and minimises overshadowing.
c) Parking and garages must not dominate the frontage of the dwelling and the front and entry to dwellings must address the street.

6. Amenity

Natural sunlight is critical to the health and amenity performance of dwellings and their private open space, especially during the winter season. Access to sunlight also reduces reliance on artificial heating and lighting and consumption of energy. It is therefore important that new development is sited and designed to capture appropriate levels of sunlight without unreasonable overshadowing of neighbouring properties.

6.1 Solar Access & Overshadowing

Objectives

- To ensure new dwellings and alterations and additions are sited and designed to maximize solar access to the living areas and private open space.
- To ensure development retains reasonable levels of solar access to the neighbouring dwellings and their private open space.
- To provide adequate ambient daylight to dwellings and minimise the need for artificial lighting.

Controls

D1.4-1Solar Access to Proposed Development

a) A portion of the north facing living area windows of the proposed development must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June (in so far as it does not contradict any BASIX requirements).
b) The private open space of the proposed development must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June. The area covered by the sunlight must be capable of supporting passive recreation activities.

D1.4-2 Solar Access to Neighbouring Development

a) A portion of the north facing living area windows of neighbouring dwellings must receive a minimum of 3 hours of direct sunlight between 8am and 4pm or 21 June or if less is being received prior to the development, the proposed development must not further reduce direct sunlight.
b) The private open space of neighbouring dwellings must receive a minimum of 3 hour of direct sunlight between 8am and 4pm on 21 June. The area covered by sunlight must be capable of supporting passive recreation or if less is being received prior to development, the proposed development must not further reduce direct sunlight.
c) Existing solar panels on neighbouring dwellings, which are situated not less than 6 metres above ground level (existing) must retain a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June.
d) Any variation from the above requirements will be subject to a merit assessment having regard to the following: how the proposed development meets the FSR, height, setback and site coverage controls; orientation of the subject and adjoining allotments; topography of the subject site and adjoining allotments; location and level of windows; and shadows cast by existing buildings on neighbouring allotments.

6.2 Energy Conservation

The orientation of new residential developments needs to account for the climatic conditions that the region experiences. It is important to consider orientation and sunlight in designing new developments.

Energy and water efficiency measures for most residentialdevelopment is covered by BASIX (the Building Sustainability Index) a web based tool aimed at reducing water usage and greenhouse gas emissions. For information on the implementation of BASIX refer to www.basix.nsw.gov.au.

6.3 Visual Privacy

The design of buildings can optimize privacy by minimising cross viewing and overlooking to adjoining dwellings. The emphasis of the control is on minimising cross viewing and overlooking from the indoor and outdoor living areas of dwellings to maintain the amenity of the neighbours.

The privacy of buildings can be maximised by building design, layout, location and the design of windows and balconies, screening devices and landscaping.

Objectives

- To ensure development minimises overlooking or cross viewing to the neighbouring dwellings to maintain reasonable levels of privacy.

Controls

D1.4-3 Visual Privacy

a) All habitable room windows must be located to minimise any direct viewing of existing habitable room windows in adjacent dwellings by one or more of the following measures:
   - Offsetting or staggering windows away from those of the adjacent buildings;
   - Setting the window sills at a minimum of 1700mm above finished floor level;
   - Installing fixed or translucent glazing up to a minimum of 1700mm above finished floor level;
   - Installing fixed privacy screens outside the windows in question;

b) The windows to the main living and dining rooms must be oriented away from the adjacent dwellings wherever possible, for example oriented to the front or rear of the allotment or a side courtyard.

c) Upper floor balconies should be focused to the street or rear yard. Any elevated balconies or balcony returns on the side façade must have a narrow width to minimise privacy impacts on adjoining properties.

d) First floor decks, balconies and roof top terraces are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space.

e) Screen planting and planter boxes may be used as a supplementary device for reinforcing privacy protection. However they must not be used as the sole privacy protection measure.

f) For sloping sites, any ground floor decks or terraces must step down in accordance with the landform, and avoid expansive areas of elevated outdoor recreation space.

g) A nine (9) metre separation should be provided between the windows of habitable rooms of dwellings that face each other or abut a public or communal street and a twelve (12) metre separation should be provided for windows above first floor level. Where windows are within the nine (9) metre or twelve (12) metre distance, direct views are to be screened by:
   - A 1.8 metre solid wall or landscaping on flat sites; or
   - Landscaping, offsetting windows and setting sill heights to 1700mm or fixed translucent glass on sloping sites.

Note: a habitable room is defined in the BCA to generally mean: a room used for normal domestic activities, other than a bathroom, laundry, toilet, pantry, walk in wardrobe, hallway, lobby, clothes drying room or other space of a specialised nature that is not occupied frequently or for extended periods.

6.4 Acoustic Privacy

Skillful design of buildings and space can minimise noise intrusion to the adjoining dwellings. The emphasis is on controlling noise generation from the indoor and outdoor areas of dwellings, which is more critical in maintaining the amenity of the neighbours. Acoustic privacy to living and sleeping areas can be maximised through site layout and building design.

Objectives

- To ensure that siting and design of development minimises the impacts of noise transmission between dwellings.
- To ensure that the siting and design of development minimises impact from significant noise sources outside the property such as arterial roads, industries and tourist development.

Controls

D1.4-4 Acoustic Privacy

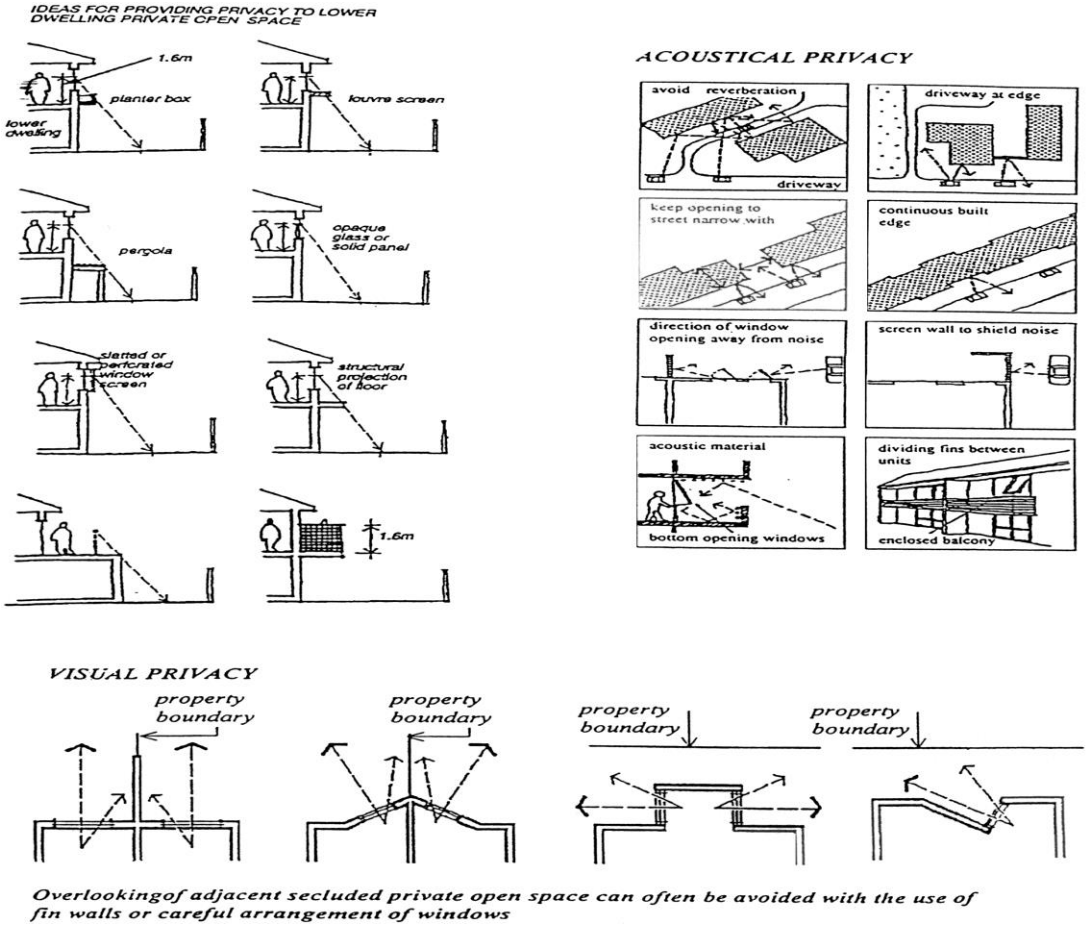
a) Dwellings must be sited and designed to limit the potential for excessive noise transmission to the sleeping areas of adjacent dwellings. Accordingly, the main living room windows, barbeques, swimming pools and spa pools, garbage collection areas, pumps and air conditioners must not be located immediately adjacent to the bedroom windows of adjoining dwellings.

b) Attached dual occupancies and other dwellings with common walls must be designed to reduce noise transmission between dwellings through the following measures:
   - Locate noise generating areas adjacent to each other, and quiet areas next to each other (eg living rooms to living rooms)
   - Locate less sensitive areas, such as stairways, store rooms, toilets, built-in-wardrobes and the like adjacent to the party wall for both dwellings to serve as a noise buffer
   - Avoid locating wet areas such as toilets, laundries and kitchens adjacent to the bedrooms of the adjoining dwelling.

c) To improve acoustic privacy the following can be implemented into building design:
   - bedroom windows and car parking areas are to be a distance of three (3) metres apart;
   - doors and windows of adjoining dwellings are to be a distance of three (3) metres apart; and
   - shared walls and floors are to be constructed to reduce noise transmission

d) Building setbacks are to be varied to ensure adjoining residents feel an adequate sense of acoustic privacy when using rooms fronting driveways, accessways, pathways and the street.

e) Dwellings abutting major roads and other noise generating land uses should be designed and sited to minimise noise impacts. This may be achieved by:
   - Locating bedrooms and other noise sensitive rooms away from the road;
   - Using thick glass panes or double glazing to windows fronting the road;
   - Using solid core doors and appropriate seals to vents and other openings;
   - Mounding within the landscape; and
   - Solid wall construction



Overlookingof adjacent secluded private open space can often be avoided with the use of fin walls or careful arrangement of windows

6.5 Landscape Design

Landscaping enhances the appearance of a development and adds to the amenity of the locality through visually integrating development with the streetscape and wider neighbourhood. It also provides for an attractive and useable outdoor environment.

Deep soil planting moderates local climate conditions, and enhances the permeability of surface water and infiltration of stormwater and thereby improving the environmental performance of the development. It also provides for trees, shade and screening that improves privacy and visual amenity between the development and its neighbours.Chapter C5 Tree Preservation and Landscaping also provides addition information and requirements.

Objectives

- To promote development which enhances and complements the established landscape character and natural habitat.
- To conserve the landscape and habitat so that the built environment is dominated in both scale and form by the natural landscape.
- To discourage fragmentation of the established landscape character as a result of increased development pressures.
- To ensure landscaped areas are effectively distributed on the site to achieve a visual balance between building structures and open space.
- To provide screening between buildings.
- To retain and provide for canopy trees and large shrubs to contribute to the establishment of vegetation corridors across the Shire.

- To assist with stormwater infiltration and the reduction of overland flow.

Controls

D1.4-5 Landscape Design

a) The design of the development is to minimise site disturbance and preserve existing landscape elements such as rock formations, trees and other natural features. The use of a properly qualified arborist will assist in determining which trees should be retained, transplanted or removed.
b) Existing mature native trees on the site must be retained and incorporated in the landscape design wherever possible. Where a development involves the removal of such existing trees, suitable replacement planting of equivalent or large size must be provided.
c) Proposed and existing trees must be protected by locating paved areas, underground services (including rainwater tanks) and building structures away from their root zones.
d) Landscaping is to be designed to meet user requirements including maintenance, specific design opportunities and shade provision without reducing aesthetic quality.
e) Landscaping to the street frontage is to be substantial and aimed to enhance the appearance of the development.
f) Landscaping design should account for the following:
    - climatic conditions of the area
    - siting of new trees, shrubs and ground cover based their full growth potential (root system and canopy spread)
    - scale of the street reserve width and bulk of the building
    - safety of pedestrians and potential for landscaping to damage services and roads
    - privacy between dwellings

g) Paving is to be provided to walkways, areas in the vicinity of garbage enclosures, letter boxes and clotheslines in materials to compliment the design of the building and in non-slip finishes suitable for use by people with disabilities

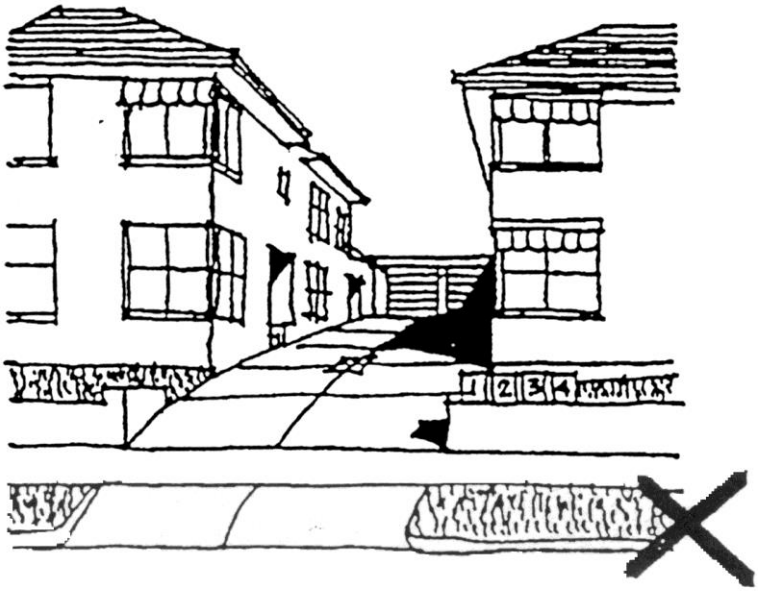
D1.4-6 Tree Replenishment

a) Development proposals should contribute to the retention and replenishment of trees so as to retain the predominant character for the area that provides for large canopy trees. A list of recommended landscape species is included in Chapter C5 Tree Preservation and Landscaping (Appendix C5-1).

b) Lots with the following sizes should support a minimum number of trees capable of attaining a minimum height of 13 metres on decomposed granite soils:
    - Lots less than 850m^2 = one (1) tree
    - Lots 850 – 1000m^2 = three (3) trees
    - Lots 1000 – 1500m^2 = five (5) trees
    - Lots over 1500m^2 = seven (7) trees

c) When siting trees consideration should be given to solar access in adjoining properties and impact on views and view sharing.

Use of porous pavements and retention of existing trees is to be encouraged



Large areas of sealed surface draining to the stree drainage system are discouraged

6.6 View Sharing

The concept of view sharing relates to the equitable distribution of views between development and neighbouring dwellings and the public domain. The view sharing objectives and controls aims to achieve a balance between facilitating quality development and preserving an equitable amount of views for the surrounding properties as far as is practical and reasonable.

The NSW Land and Environment Court has developed a planning principle relating to view sharing. Where view loss impact is likely to occur, development proposals must address this section of the DCP as well as the above planning principle.

Objectives

- To acknowledge the value of views to significant scenic features.
- To protect and enhance views from the public domain including streets, parks and reserves.
- To ensure that development is sensitively and skillfully designed to maintain a reasonable amount of views from the development, neighbouring dwellings and public domain.

Controls

D1.4-7 View Sharing

a) All property owners should be able to develop their property within existing planning controls however views should not be substantially affected where it is possible to design to share views.
b) The location and design of dwellings and outbuildings must reasonably maintain existing developed view corridors or vistas from the neighbouring dwellings, streets and public open space areas.
c) In assessing potential view loss impacts on neighbouring dwellings, retaining existing views from the living areas (living room, dining room, lounge and kitchen) should be given a priority over those obtained from the bedrooms and non-habitable rooms.
d) The design of fences and selection of plant species must minimise obstruction of views from the neighbouring dwellings and the public domain.

Safety and Security

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy focusing on the planning, design and structure of buildings, public places and neighbourhoods. The key principles of CPTED are:

Casual surveillance: increasing the perception that people can see and be seen. Surveillance occurs by designing building elements and activity areas in such a way that maximises visibility to the space in question.

Territorial reinforcement: designing space that encourages users to adopt a sense of responsibility for its use and condition.

Access control: limiting the opportunity for crime by clearly delineating public, semi-public and private space.

Objectives

- To reduce crime risk and minimise opportunities for crime.
- To ensure relevant crime prevention principles are applied in the siting and design of buildings and landscaping.

Controls

D1.4-8 Safety & Security

a) The main entry to a dwelling must be located on the front elevation facing the street and be readily identifiable, unless the site has a narrow frontage width.
b) The street number of a dwelling must be clearly display near the main entry.
c) Dwellings adjacent to public or communal streets or public space are to be designed to provide for casual surveillance.
d) Front fences, parking facilities and landscaping must be designed so as not to obstruct casual surveillance to and from the dwelling and to permit safe access by residents and visitors.
e) Adequate lighting is to be made available to all public areas.
f) Dwellings must provide at least one (1) habitable room window with a glazed area large enough to provide surveillance and located so as to overlook the street or public place.

7. Car Parking & Access

Car parking and access have significant implications on the streetscape, site layout and façade design. It is important that vehicular access is integrated with site planning at the early design stage to balance any potential conflicts between pedestrian movements, local traffic patterns and streetscape character.

Note: refer to Chapter C3 Car parking, Traffic & Access for additional provisions and vehicle parking rates.

Objectives

- To ensure the location and configuration of car parking is integrated with site planning and building design.
- To ensure that car parking and access features do not visually dominate the property frontage or adversely detract from the streetscape character.
- To minimise the hard paved surfaces used by driveways and parking so as to maximise opportunities for landscaping and permeable surfaces.

Controls

D1.5-1 Car Parking & Access

a) Carparking is to be provided to meet the number of dwellings and the occasional need for overflow and visitor parking and must be designed and located to provide easy access and on-site maneuverability and may include underground or semi-basement parking.
b) The size of parking structures should reflect:
    - Functional requirements;
    - Amount of space available (for example having regard to the location of existing buildings or trees); and

- Bulk and scale relationship with existing development on-site and adjacent.

c) Car parking areas, driveways, garages and carports are not to visually dominate the site and should be sympathetic to existing adjacent development and the streetscape.

d) The visual impact of driveways and car parking areas should be reduced by:
   - the use of irregular driveway alignment;
   - minimising the width of driveways;
   - breaking up the appearance of driveways with landscaping;

e) Minimising the visual dominance of a carport or garage may be achieved by:
   - Integrating structures within the development
   - Breaking up structures with different surface and wall treatments and landscaping;
   - Locating parking at the rear of the site where rear access is available;
   - Limiting garages to single or double; or
   - Aligning doors at right angles to the street.

f) Hard surface driveways should be kept to a minimum.

g) Construction of car parking spaces and driveways are to be adequately sealed drained and marked.

h) The location of a carport or garage should have regard to:
   - The location of trees on site;
   - The position of windows and other structures on adjacent sites;
   - The heritage significance of heritage items and their settings and the heritage significance of conservation areas.

i) Accessways, driveways and car parking spaces are to be designed to permit a vehicle to:
   - enter the car parking space in a single movement;
   - leave the car parking space in no more than 2 movements;
   - enter and leave the site in a forward direction;
   - enter and leave the site by a reversing movement where local conditions make it safe to do so. (e.g. cul-de-sacs).

8. Services & Site Facilities

Security, facilities and services are needed to ensure the safety and comfort of residents and to minimise the visual impact on the streetscape.

8.1 Services

The design and disposal of stormwater, electricity services and telecommunication services are an integral part of residential development. This section provides a brief outline of the matter to consider regarding service provision.

Objectives

- To ensure that the design and availability of stormwater, electricity services and telecommunication services are considered in the design of the development.

Controls

D1.6-1 Services

a) The design and provision of sewerage, water, electricity, street lighting, telephone and gas services are to conform to the cost-effective performance measures of the relevant servicing authority.
b) The development shall include designed stormwater management systems which:
    - Consider downstream capacity and the need for on-site stormwater detention and re-use
    - Opportunities for on-site infiltration of water
    - Minimise the impacts on water balance and quality
    - Consider the safety of pedestrians and vehicles
    - Incorporate emergency spillways and overland flow paths
c) Developments serviced by reticulated water supply are to comply with the relevant domestic and fire fighting standards.
d) Individual water meters are required to assist with the billing of individual dwellings.

8.2 Site Facilities

Objectives

- To ensure that the design and availability of site facilities are considered in the design of the development.

Controls

D1.6-2 Site Facilities

a) Adequate and accessible open-air drying facilities are to be provided for residents. External drying facilities at a rate of 7.5m of line per dwelling is to be provided and located so as not to be visible from a public place.
b) Garbage bin areas, mail boxes and external storage facilities are to be easily accessible and designed for visual appearance.
c) Dwellings are to be provided with adequate storage areas and clothes drying facilities.
d) A garbage pick up area capable of accommodating one (1) garbage bin per dwelling is to be provided at the public road frontage. The garbage bin enclosure is to be designed in accordance with Chapter C10 Waste and Recycling.
e) Only one (1) telecommunications/TV antenna is permitted for residential flat buildings.
f) Where air conditioning equipment is proposed it is to be located within the roof space or other non-visible location and not on the roof itself.

9. Fencing & Ancillary Development

9.1 Fencing & Walls

Fences demarcate property ownership and provide definition between the public ad private domain. The location and design of fences and walls can provide privacy, security and reduce street noise without having an adverse impact on the streetscape. They can also form an integral part of a landscaping scheme. Front fences are also critical aspect in determining the appearance of a street.

Objectives

- The alignment, configuration, height, materials and colour of new fences is to complement the buildings on the site and the streetscape.
- To ensure that the design of fencing achieves a balance between privacy, safety and security for the building occupants with views to the street and public domain.
- To ensure that the design of fencing minimises opportunities for graffiti and malicious damage.

Controls

D1.7-1 Fencing – General

a) Fences are to be constructed with durable materials that are suitable for their purpose and can properly withstand war and tear and natural weathering.
b) Expansive surfaces of blank rendered masonry to the street frontages must be avoided.

D1.7-2 Front Fences

a) The front fence must align with the front property boundary of the predominant fence setback line along the street.
b) Gates must not open over public land.
c) Front fences should be designed and located so as to:
    - Maintain the streetscape character
    - Be consistent with the established pattern of fencing
    - Allow private gardens to merge with their neighbours and support the landscape character of the area
    - Ensure an adequate amount of useable private open space
    - Be historically appropriate and retain the heritage significant of heritage items and their settings, and the heritage significance of conservation areas.

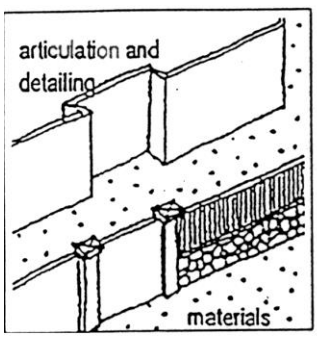
d) The design of the development sets out the role of front fences or walls where they are a component of the streetscape.
e) Front fences or walls enable some outlook from the buildings for safety and surveillance.
f) The design of fences or walls is used to highlight entrances.
g) The fence or wall is an integral part of the street frontage area and includes mailboxes and garbage collection areas.
h) The use of front fences or walls creates private open spaces between the building and the street.

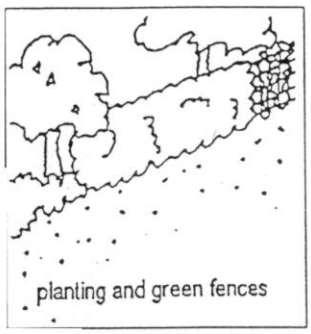
i) Front fences or walls should be no more than 1.2m in height. This height may be increased to 1.8m if the fence has openings that make it not less than 50% transparent.
j) Front fences or walls should be designed to use similar or compatible materials as used in the locality.
k) The use of recesses, openings, landscape bays or variation in colour, texture or materials to create visual interest.

D1.7-3 Side and Rear Fences

l) Side fences on corner allotments should be designed and located so as to:
   - Maintain the streetscape character;
   - Be consistent with the established pattern of fences;
   - Ensure an adequate amount of usable private open space, and
   - Retain the heritage significance of heritage items and their settings, and conservation areas.

m) The maximum height of side, rear or common boundary fences is 1.8m, as measured from the ground level (existing). For sloping sites, the fence must be stepped to follow the topography of the land, with each step not exceeding 2200mm above ground level (existing).
n) Where there is a significant level difference between the development site and adjoining allotments, the fencing height will be considered on merit.
o) The side fence must be tapered down to match the height of the front fence once past the front façade alignment.
p) Fences constructed of corrugated iron, untreated galvanised or zincalume metal panels chain wire are permitted where they do not follow the front or side boundary for a length of not more than 8 metres from the front boundary.





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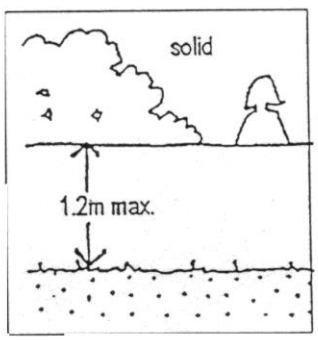

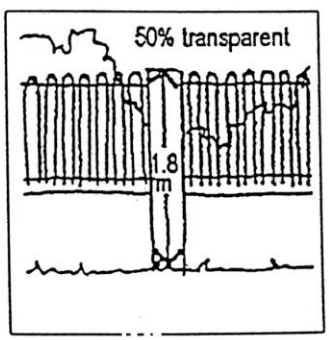

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9.2 Outbuildings

Controls

D1.7-4 Outbuildings

a) Outbuildings are to be located behind the alignment of the front building façade.
b) Outbuildings in the backyard space must be positioned to optimise open space and must not be located within the requirement permeable surfaces.
c) Outbuildings may be constructed to the side and rear boundaries where:
    - The external walls are finished and do not require frequent maintenance
    - There are no windows or openings facing the adjoining allotments
    - Adequate solar access to the adjoining dwellings is maintained

E1 Tourist Development

Contents

1. Background

Tourism plays a substantial role in the economy and social structure of the Snowy River Shire. This is particularly so close to the alpine areas of Snowy River Shire, which are experiencing growth in summer and year round tourist activities.

Chapter E1 contains objectives and controls for tourism development. Tourist and visitor accommodation is a group term in the Snowy River LEP 2013, including a range of accommodation types, defined as follows:

> *T**ourist and visitor accommodation** means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:*
>
> - *Backpackers' accommodation*
> - *Bed and breakfast accommodation*
> - *Farm stay accommodation*
> - *Hotel or motel accommodation*
> - *Serviced apartments*

*But **does not include** camping grounds, caravan parks or eco-tourist facilities. These are separately defined in SR LEP 2013.*

Objectives and controls contained in Chapter E1 apply to town, village, rural and environmental management areas. These provisions ensure that the impact on the

surrounding environment resulting from tourism development and the use of community resources to maintain them and promote self-sufficiency is minimized. The Snowy River LEP 2013 identifies types of tourism development that are permitted in each land use zone.

1.1 Intent

The intent of Chapter E1 in relation to tourism development, including *tourist and visitor accommodation* and *eco-tourist facilities,* is:

- To encourage environmentally sustainable tourist development for the economic and social benefit of the Shire.
- To ensure that tourist development provides quality outcomes for the built environment of the Shire.
- To ensure that the subdivision of tourist development does not lead to permanent residential settlement in areas outside the townships within the Shire.
- To ensure that tourism development results in a net benefit to the condition of the land upon which it is proposed to be located.

2. Bed & Breakfast Accommodation

Bed and breakfast accommodation is a form of *tourist and visitor accommodation* and is defined in the Snowy River LEP 2013 as:

> ***Bed and breakfast accommodation*** *means an existing dwelling in which temporary or short term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:*
>
> - *meals are provided for guests only, and*
> - *cooking facilities for the preparation of meals are not provided within the guests' rooms, and*
> - *dormitory-style accommodation is not provided.*

Bed and breakfast accommodation has been increasing in popularity in the Snowy River Shire. This section includes standards from the publication "Guidelines for Bed and Breakfast Operations – best practice assessment and policy guidelines for use by Local Government and the Bed and Breakfast Industry in NSW". Copies of the publication are available from the Local Government and Shires Association of NSW.

The Snowy River LEP 2013 (clause 5.4 Controls relating to miscellaneous permissible uses) also specifies in relation to *bed and breakfast accommodation*:

> *If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of not more than three (3) bedrooms.*

2.1 Operation of Bed and Breakfast Accommodation

2.1.1 Objective MANAGEMENT

The objectives for the establishment of *bed and breakfast accommodation* are:

- To ensure that *bed and breakfast accommodation* provides a reasonable level of comfort and safety for visitors.
- To maintain the amenity of the property and locality, including the amenity of neighbouring properties.
- To ensure that the operation and management of *bed and breakfast accommodation* is of an appropriate standard.
- To ensure that safe, healthy, clean and functional areas for sleeping, storage and amenity of guests are provided.
- To ensure that waste is managed in a safe, tidy and environmentally responsible manner and that waste management is based on the principles of waste avoidance and maximizing reuse and recycling of material.

Controls

E1.1-1 Operation of Bed & Breakfast Accommodation

(h) Bed & breakfast accommodation is to be appropriately managed and operated.
(i) The operator of the bed and breakfast accommodation is to be a permanent resident of the premises.
(j) Visitors are not permitted to stay at the bed and breakfast accommodation in excess of one (1) month continuous duration.
(k) A notice is to be included in the reception and/or office area requiring guests to respect the residential or rural nature of the immediate area and the amenity and privacy of neighbours.
(l) All goods and equipment associated with the bed and breakfast accommodation are to be stored within a building.
(m) All deliveries to the bed and breakfast accommodation are to occur during normal business hours.

E1.1-2 Visual and Acoustic Privacy

(n) The use of a dwelling for bed and breakfast accommodation is not to affect the privacy of adjoining neighbours.
(o) The design of the development is to ensure that there is no overlooking from guest common areas to the living areas of neighbouring dwellings.
(p) No noise sources are to be located adjacent to neighbour sleeping or living areas.
(q) All new construction is to consider sound transmission between sleeping rooms, toilets, bathrooms, laundries and kitchens.

E1.1-3 Access for Persons with a Disability

(r) Reasonable provision within the building and access areas is to be made for the movement and circulation for people with disabilities.

(s) Where existing buildings are identified as heritage items within the Snowy River LEP 2013, an assessment is to be made on the balance between providing disabled persons access and the required modification to the original building fabric.

E1.1-4 Car Parking& Access

(t) Suitable and sufficient car parking is to be provided on site. (Refer to Chapter C3 Car Parking & Access for parking rates and design)

(u) Where practical, car spaces are to be provided behind the building line with vehicles leaving the site only in a forward direction.

(v) Access in rural areas is to be two (2) wheel drive all weather access only.

E1.1-5 Sleeping Rooms

(w) Safe, healthy, clean and functional areas for sleeping, storage and the amenity of guests are to be provided.

(x) Clear floor space (excluding beds and furniture) of at least 60% of the total floor area in sleeping rooms is to be provided.

(y) Each sleeping room must contain appropriate furnishing and facilities including window coverings, non-key operated door latch and clothes storage.

(z) The number of people accommodated in a sleeping room in an area that is unsewered will be determined by allocating a minimum floor area of 5.5m^2 per person. The minimum floor area per person can be decreased in accordance with the table below, provided it can be demonstrated that the property has the capacity to accommodate any additional requirements for wastewater disposal.

Note: Domestic septic systems are generally able to accommodate up to 11 people.

(aa) The number of people accommodated in a sleeping room in an area that is sewered will be determined based on the table below:

Number of persons	Minimum floor area (m^2)
2	7
3	11
4	15
5	19
6	23

(bb) Adequate space and security storage facilities to allow occupants to store clothes and travel gear should be provided in each sleeping room or alternatively, adequate facilities must be provided elsewhere in the building.

E1.1-6 Signage

(cc) Signage advertising the bed and breakfast accommodation must be consistent with the visual character of the surrounding area and displayed wholly within the property.

(dd) No more than one (1) sign is to be displayed per property.

E1.1-7 Toilets and Showers

(ee) Adequate toilet and shower facilities are to be available to guests.

(ff) Where more than one guest bedroom is proposed, one bathroom and toilet is available for the use of guests which is separate from the bathroom/toilet used by the permanent residents of the dwelling.

(gg) Toilets and bathrooms are to be located in the dwelling where access is available without entering another bedroom.

E1.1-8 Waste Management

(hh) Waste is to be managed in a safe, tidy and environmentally responsible manner and in accordance with legislative requirements.

(ii) Waste management is to be based on the principles of waste avoidance and maximising reuse and recycling of materials.

(jj) Details of the waste management strategy for the bed and breakfast accommodation (both construction and operational phases) must be submitted to Council when a Development Application is lodged. (Refer to Chapter A2 Development Application Requirements)

Note: Any processes that generate liquid waste must have measures in place to dispose of the waste. A trade waste application must be made to Council under section 68 of the LocalGovernment Act when liquid waste is proposed to be discharged to Council's sewer.

E1.1-9 Essential Services

(kk) Adequate essential services are to be provided to all bed and breakfast accommodation.

(ll) On sites without reticulated sewerage or town water supply, effluent disposal and water supply (including domestic supply and fire fighting purposes) must be in accordance with Chapter C9 Energy & Water Efficiency, Water Supply and Effluent Disposal of this DCP.

(mm) Telephone and electricity services are to be made available to guests.

(nn) The maintenance and monitoring of all services is to be included in the Management Plan for the development.

E1.1-10 Ongoing Management

(oo) The development is to ensure on-going management will monitor and reduce any impacts on neighbours and ensure compliance with the relevant health and safety standards. A Management Plan for the bed and breakfast accommodation is to be provided with the development application and must address:

- Waste management
- Provision and maintenance of essential services
- Natural hazard protection (eg bushfire)

Note: the development must comply with the Environmental Planning & Assessment Regulation in relation to fire safety and the requirement of the NSW Food Authority.

Farm Stay Accommodation

Farm stay accommodation is a form of *tourist and visitor accommodation* and is defined in the Snowy River LEP 2013 as:

> ***Farm stay accommodation*** *means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.*

The Snowy River LEP 2013 (clause 5.4 Controls relating to miscellaneous permissible uses) states that for *farm stay accommodation* the accommodation that is provided to guests must consist of no more than eight (8) bedrooms.

Farm holidays have become a popular holiday option for domestic and international tourists wanting to experience rural Australia. An important element of the experience of the farm holiday is contact with the life and activities of the owners of a farm. The opportunity to participate in farm activities may be the most important and rewarding component of the development and may include the promotion of agricultural education.

Objectives

The objectives for the establishment of*farm stay accommodation* are:

- To ensure that farm stay accommodation meets reasonable standards of comfort and safety for visitors.
- To strengthen the agricultural component of the economic base of the Shire through provision of diversified forms of income.
- To encourage year-round tourism in the Shire through the availability of farm holidays.
- To encourage visitors to experience the farming activities that are carried out in the area and to gain a greater understanding of the agricultural sector.
- To maintain the amenity of the property and locality, including the amenity of neighbouring properties.
- To ensure that the operation of the farm stay accommodation is of an appropriate standard.
- To ensure that waste is managed in a safe, tidy and environmentally responsible manner and that waste management is based on the principles of waste avoidance and maximizing reuse and recycling of material.

Controls

E1.2-1 Operation of Farm Stay Accommodation

(pp) The farm stay accommodation must offer a rural holiday where guests are exposed to, and are able to take part, in activities in order to experience an existing operating farm.

(qq) The farm stay accommodation must be compatible with the current use of the site and uses on adjoining land.

(rr) The farm stay accommodation must not detrimentally impact on the amenity of adjacent residences and other land uses in relation to noise, traffic or other activities.

(ss) A management plan is to be prepared and accompany the development application which:

- Details the current and proposed commercial operation of the farm;
- Lists activities that guests will participate in during the operation of the farm;
- Demonstrates the farm is the full-time occupation of the operator.

E1.2-2 Number of Guests

(tt) The number of guests accommodated in the farm stay accommodation is commensurate to the size of the farm and does not detract from the efficient and effective operation of the farm. The maximum number of guests to be accommodated is fifteen (15), with the maximum accommodation for guests of eight (8) bedrooms.

E1.2-3 Access for Persons with a Disability

(uu) The development must include reasonable provision within the buildings and access areas for the movement and circulation by people with a disability.

(vv) The development is to demonstrate consistency with the provisions of the Disability Discrimination Act (1992) Commonwealth.

(ww) The development is to comply with the Building Code of Australia with respect to access and circulation for persons with a disability.

E1.2-4 Car Parking

(xx) Suitable and sufficient car parking is to be provided on site. (Refer to Chapter C3 Car Parking & Access for parking rates and design)

(yy) All car parking spaces are to be located behind the building line with vehicles leaving the site only in a forward direction.

E1.2-5 Sleeping Rooms

(zz) Safe, healthy, clean and functions areas for sleeping, storage and amenity of guests are to be provided.

(aaa) The number of people accommodated in a sleeping room in an area that is unsewered will be determined by allocating a minimum floor area of 5.5m^2 per person. The minimum floor area per person can be decreased in accordance with the table below, provided it can be demonstrated that the property has the capacity to accommodate any additional requirements for wastewater disposal.

Number of persons	Minimum floor area (m^2)
2	7
3	11
4	15
5	19
6	23

(bbb) Adequate space and secure storage facilities to allow occupants to store clothes and travel gear should be provided in each sleeping room or alternatively, adequate facilities must be provided elsewhere in the building.

E1.2-6 Toilets and Showers

(ccc) Adequate toilet and shower facilities are to be available to guests. Where more than one (1) guest bedroom is proposed, one (1) bathroom and toilet is to be available for the use of guests which is separate from the bathroom/toilet used by the permanent residents of the dwelling.

(ddd) Toilets and bathrooms are to be located in the accommodation where access is available without entering another bedroom.

E1.2-7 Waste Management

(eee) Waste is to be managed in a safe, tidy and environmentally responsible manner and in accordance with legislative requirements.

(fff) Waste management is to be based on the principles of waste avoidance and maximising reuse and recycling of materials.

(ggg) Details of the waste management strategy for the farm stay accommodation (both construction and operational phases) must be submitted to Council when a development application is lodged.

(hhh) Any processes that generate liquid waste must have measures in place to dispose of the waste. A trade waste application must be made to Council under section 68 of the Local Government Act when liquid waste is proposed to be discharged to Council's sewer.

Eco-tourist Facility

Eco-tourist facilities provide for a combination of tourism, education and hands-on activities relating to the natural or cultural environment. An *eco-tourist facility* is defined in the Snowy River LEP 2013 as:

Eco-tourist facility *means a building or place that:*

(iii) Provides temporary or short-term accommodation to visitors on a commercial basis, and

(jjj) Is located in or adjacent to an area with special ecological or cultural features, and

(kkk)Is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

The Snowy River LEP 2013 (clause 5.13 Eco-tourist facilities) provides detailed considerations for the development of *eco-tourist facilities*.

As there is no maximum number of guests set for an eco-tourist facility, the onus is on the applicant to demonstrate that the development is specifically located and designed for eco-tourist purposes and demonstrates a significant practical reliance on renewable energy and water uses.

Objectives

The objectives for the establishment of an *eco-tourist facilities*are:

- To strive to improve the environment of a site through appropriate design and integration of all elements of the development.
- To focus on minimal site disturbance with a requirement for design to reflect not alter the natural existing landscape.
- To integrate waste minimization and energy efficiency within the design and operation of a development.
- To reduce the footprint of development components to the minimum required for development to proceed.
- To recognise the importance of key natural features to the visitor experience, and where these are off site (eg National Parks), recognise and address the potential indirect impacts associated with a development.
- To acknowledge the social fabric of the locality and the need to respect, support, and not adversely affect, the local community.
- To incorporate visitor education and environmental awareness as integral components of the development.
- To incorporate ongoing monitoring of the development in total and continually assess cumulative impacts, striving to improve the environment within which the development is situated.
- To utilise alternative available technology for essential services, avoiding the use of non-renewable resources where practicable.

Controls

E1.3-1 Design of Eco-Tourist Facility

(lll) The development is to be designed to utilise building materials that blend in with the surrounding landscape, promoting the use of recycled materials and materials sourced from the region.

(mmm) The development is to maximise energy efficiency and use a minimum of non-renewable energy.

(nnn) The development is to be designed on the basis of ecological sustainability and an understanding of the potential environmental impacts.

(ooo) Any buildings and infrastructure is not to dominate the visual landscape and is to be compatible with the local cultural character.

E1.3-2 Operation of Eco-Tourist Facility

(ppp) An eco-tourist facility that accommodates over 15 guests must be centrally managed by on-site management with all structural and land components being the responsibility of one management whether or not individual structures are owned by different entities.

(qqq) Where a manager's residence is provided as part of an eco-tourist facility, an existing or proposed dwelling is to operate as the manager's residence (where possible).

(rrr) Only one manager's residence is permitted on land on which the eco-tourist facility is proposed.

(sss) The eco-tourist facility must operate on a year-round basis.

(ttt) Eco-tourist facility accommodation must be used solely for the provision of temporary holiday accommodation (no more than three (3) consecutive months).

E1.3-3 Nature of Eco-Tourist Facility

(uuu) The development may contain facilities for the teaching, researching or dissemination of knowledge in respect of the natural and cultural history of the area.

(vvv) The development will provide opportunities for visitors to experience nature and culture in ways that lead to a greater understanding, appreciation and enjoyment.

E1.3-4 Car Parking

(www) Adequate on-site car parking and bus parking and manoeuvrability is to be provided to cater for the peak use of the facility. (Refer to Chapter C3 Car Parking & Access for parking rates and design)

(xxx) The development application may be required to be supported by a traffic assessment prepared by a suitably qualified traffic engineer demonstrating that adequate parking is provided for the peak use of the facility.

E1.3-5 Access for Persons with a Disability

(yyy)Reasonable provision within the building and access areas is to be made for movement and circulation for people with disabilities.

(zzz) The development must demonstrate consistency with the provisions of the Disability Discrimination Act 1992 (Commonwealth).

(aaaa) The developmentmust comply with the Building Code of Australia with respect to access and circulation for persons with a disability.

E1.3-6 Waste Management

(bbbb) Waste is to be managed in a safe, tidy and environmentally responsible manner and in accordance with legislative requirements.

(cccc) Waste management is to be based on the principles of waste avoidance and maximising reuse and recycling of materials.

(dddd) Details of the waste management strategy for the eco-tourist facility (both construction and operational phases) must be submitted to Council when a Development Application is lodged. (Refer to Chapter A2 Development Application Requirements).

E2 Agriculture & Rural Industry

Contents

1. Background

Agriculture and *rural industries* play an important role in supporting the core functions of the Snowy River Shire. Intensive agriculture, along with more traditional farming techniques require reasonable access to bulk supplies of agricultural products and industrial equipment in rural locations to enable the easy access of goods and services.

The range of rural and commercial development in rural areas includes intensive plant growing and intensive livestock agriculture. Sales of bulky agricultural products and new technology are also part of this potential. This Chapter provides objectives and controls for *agriculture*, *rural industries, extractive industries* and specific types of *retail premises* permitted in the RU1 Primary Production and E3 Environmental Management zones.

The Snowy River LEP 2013 identifies which forms of *agriculture*, *rural industries* and *retail premises* are permitted in each of the land use zones. It is noted that *agriculture* and *rural industries* are group terms in the Snowy River LEP 2013 and are defined as follows:

> ***Agriculture*** *means any of the following:*
>
> (a) Aquaculture,
> (b) Extensive agriculture,
> (c) Intensive livestock agriculture,
> (d) Intensive plant agriculture.

> ***Rural industry*** *means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:*
>
> (a) Agricultural produce industries,

(b) Livestock processing industries,
(c) Composting facilities and works (including the production of mushroom substrate),
(d) Sawmill or log processing works,
(e) Stock and sale yards,
(f) The regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

Note: Refer to the Snowy River LEP 2013 for the types of retail premise permissible, and their definitions.

2. Aims

The aims of this Chapter are to:

- Encourage environmentally acceptable agricultural and rural industry development for the economic and social benefit of the Shire.
- Ensure that agricultural and rural industry development provides quality outcomes for the built environment of the Shire.
- Ensure that the subdivision of agricultural and rural industry development does not lead to permanent residential settlement and additional demand for urban services in areas outside of the townships within the Shire.
- Ensure that agricultural and rural industrydevelopment is located on suitable land with consideration of the surrounding locality.

3. Land and Development to which this Chapter applies

This Chapter applies to all forms of agriculture and rural industries in any land use zone in the Shire where the land use is permitted with consent, and retail premises in the RU1 Primary Production and E3 Environmental Management zones that requires a development application under the Snowy River LEP 2013.

4. General requirements for agriculture & rural industries

Rural developments are typically located in areas where they have high accessibility for agricultural users. Development sites are also likely to be in the vicinity of active agricultural uses that need to be considered in the site planning of new development.

Rural and commercial land uses will typically be required to provide their own potable water supply and non-potable landscaping and fire fighting water supply, and to provide an environmentally sound method of effluent disposal.

Where development is to be located in close proximity to mature vegetation and existing water bodies, careful consideration should be given to design and planning for water use and effluent disposal.

The objectives and controls below are common to most rural and commercial developments and are aimed at ensuring quality, environmentally sound development which contributes to the economic and social well-being of the Shire.

4.1 Intensive Agriculture

*T*he Snowy River LEP 2013 identifies and defines two forms of intensive agriculture:

> ***Intensive livestock agriculture*** *means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:*

(a) Dairies (restricted),
(b) Feedlots,
(c) Piggeries,
(d) Poultry farms,

But does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.

> ***Intensive plant agriculture*** *means any of the following:*

(a) The cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),
(b) Horticulture,
(c) Turf farming,
(d) Viticulture.

Objectives

The objectives for the development of *intensive livestock agriculture* and *intensive plant agriculture* are to:

- Provide a coordinated and sustainable approach to the development of intensive agricultural activities to ensure that impacts are mitigated and adjoining land uses are fully considered.
- Ensure that site layout and buildings are appropriately designed and implemented to reduce any visual impacts on the rural landscape.

Controls

E2.1-1 Land Use Compatibility

(a) The proposed development is to be located adjoining compatible land uses and is to have no adverse visual or amenity impacts.
(b) The site of the proposed development must contain sufficient area to allow for the economic sustainability of intensive agriculture, including any necessary buffer areas.

(c) All equipment, materials, machinery and tools associated with the proposal must be housed within buildings forming part of the development application.
(d) All heavy vehicles associated with the use are not use roads that are located within residential areas unless where they are State or National classified roads.

E2.1-2 Environmental Constraints

(a) The design of the proposed development must consider environmental constraints of the site including sensitive areas, water quality and quantity, and any emissions that may causesignificant impacts.
(b) The proposed development is not to be located on, adjoining or utilising areas of environmental significance.
(c) The proposed development must not discharge any water or effluent arising from the agricultural process directly to any waterway.
(d) Any contaminated water is to be collected, treated and disposed of without causing pollution.
(e) The proposed development must not emit noise, light or emissions to the air or water that will causesignificant environmental harm or nuisance unless accompanied by the required licences and mitigation measures as identified in a plan of management prepared by a suitably qualified professional.
(f) Where the proposed development requires the removal of native vegetation or the disturbance of habitats to native bird and animals then a Flora and Fauna report will be required to be carried out by a suitably qualified person.
(g) The proposed development is to be designed and operated in accordance with best practice environmental management techniques.

E2.1-3 Transport Infrastructure

(a) The site must have good access to main roads, all weather access within the site and appropriate on provision for on-site parking.
(b) The proposed development must have access arrangements, to appropriate standards, suitable to the largest likely transport vehicles required for the development.
(c) On-site access roads servicing all aspects of the agricultural uses are designed to be an appropriate standard required for the transport type to be used.
(d) Car parking is to be provided on-site which is sufficient to cater for all staff and visitors.

Note: refer to Chapter C3 Car Parking, Traffic and Access for specific requirements.

E2.1-4 Chemical Use / Spray Drift

(a) The development is to minimise the risks to public health, property and the environment from chemical and fertiliser use.
(b) The development is to minimise spray drift through proper farm management and landscaping.
(c) Spraying is not to be carried out on windy days or when humidity is very high. Adjoining neighbours should be given 24 hours notice prior to spraying occurring.
(d) All chemicals are to be contained within the property.
(e) Farm dams and sedimentation ponds shall be constructed such that any runoff from spraying is detained in the dam preventing runoff to other properties.

4.2 Rural Industries

As noted above, *rural industry* is defined in the SnowyRiver LEP 2013 as:

> ***Rural industry*** *means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and* includes any of the following:

(a) Agricultural produce industries,
(b) Livestock processing industries,
(c) Composting facilities and works (including the production of mushroom substrate),
(d) Sawmill or log processing works,
(e) Stock and sale yards,
(f) The regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

Objectives

The objectives for the development of *rural industry* are to:

- Encourage the establishment of rural industries.
- Ensure that new rural industry developments are suited to the rural environment and designed to minimise impacts on the visual amenity of the landscape.

Controls

E2.2-1 Land Use Compatibility

(a) The proposed development is to be located adjoining compatible land uses and is to have no adverse visual of amenity impacts.
(b) The proposed development is to be separated from residential buildings (not related to the use) by a minimum of 500 metres.
(c) All equipment, materials, machinery and tools associated with the proposed use are to be housed within buildings forming part of the development application.
(d) All heavy vehicles associated with the use are not to use roads that are located within residential areas unless the roads are State or National classified roads.

E2.2-2 Environmental Impacts

(a) The proposed development is to be designed with consideration of environmental constraints including sensitive areas, water quality and quantity, any emissions, which may cause significant impacts.
(b) The proposed development is not to be located on, adjoining or utilising areas of environmental significance.
(c) The proposed development must not discharge any water used in the industrial process directly to any waterway.
(d) The proposed development must not emit noise, light or emissions to the air or water that will cause significant environmental harm or nuisance unless accompanied by required licences and mitigation measures.

(e) The proposed development must be designed and operated in accordance with best practice environmental management techniques.

E2.2-3 Transport Infrastructure

(a) The site of the proposed development must have good access to main roads and appropriate on-site car parking.
(b) The proposed development must have access arrangements, to appropriate Australian Standards, suitable to the largest likely transport vehicles required for the development.
(c) All car parking spaces are to be located behind the building line with vehicles leaving the site only in a forward direction.

Note: refer to Chapter C3 Car Parking, Traffic and Access for specific requirements.

4.3 Retail Premises in RU1 and E3 Zones

There are a number of types of retail premises that are permissible with consent in the RU1 Primary Production and/or E3 Environmental Management zones under the Snowy River LEP 2013 (refer to Land Use Table). This section provides objectives and controls for retail development in these zones including: *cellar door premises*, *garden centres*, *landscaping material supplies*, *plant nurseries*, *roadside stalls*, *rural supplies* and *timber yards*.

Objectives

The objectives for the development of *retail premises* that are permitted in the RU1 and E3 zones are to:

- Encourage the establishment of specialists retail activities outside residential, business or industrial areas to support agricultural businesses in rural locations.
- Ensure new specialist retail developments are suited to the rural environment and designed to minimise impacts on the visual amenity of the landscape.

Controls

E2.3-1 Land Use Compatibility

(a) The proposed development is to be located adjacent to compatible land uses and is to have no adverse visual or amenity impacts.
(b) The proposed development is to be separated from residential buildings (not related to the use) by a minimum of 250 metres.
(c) All equipment, materials, machinery and tools associated with the proposed use are to be housed within the buildings whenever the use is not in operation.
(d) All heavy vehicles associated with the use are not to use roads that are located within residential areas unless where they are State or National classified roads.

E2.3-2 Environmental Impacts

(a) The proposed development is to be designed with consideration of environmental constraints including sensitive areas, water quality and quantity, and any emissions, which may cause significant impacts.
(b) The proposed development is not to be located adjoining, or utilising areas of environmental significance.
(c) The proposed development must not discharge any contaminated water generated by the land use directly to any waterway.
(d) The proposed development must not emit noise, light or emissions to the air or water that will cause significant environmental harm or nuisance unless accompanied by required licences and mitigation measures.
(e) The proposed development should be designed and operated in accordance with best practice environmental management techniques.

E2.3-3 Transport Infrastructure

(a) The site is to have good access to main roads and appropriate on-site car parking.
(b) The proposed development must have access arrangements, to appropriate Australian Standards, suitable for the largest likely transport vehicles required for the development.
(c) All car parking spaces are to be located behind the building line with vehicles leaving the site only in a forward direction.

Note: refer to Chapter C3 Car Parking, Traffic and Access for specific requirements.

E3 Commercial & Retail Development

Contents

1. Retail Premises, Wholesale Supplies & Rural Industries

1.1 Background

This Chapter applies to all types of *retail premises* (including *bulky goods premises*), *wholesale supplies* and *rural industries* where they are permissible with consent under the Snowy River LEP 2013 and in the following zones:

- RU1 Primary Production
- RU5 Village
- IN1 General Industrial

1.2 Objectives

The objective of this Chapter is to ensure that certain *retail premises*, *wholesale supplies* and *rural industries* in the Rural and Industrial Zones are located and designed to minimise impact on the visual amenity of the rural, village and industrial landscape.

1.3 Controls

E3.1-1 Land Use Compatibility

(a) The proposed development is to be located adjoining compatible land uses and is to have no adverse visual or amenity impacts and the surrounding neighbourhood.

(b) All equipment, materials, machinery and tools associated with the proposed development are to be housed within the buildings whenever the use is not in operation.
(c) All heavy vehicles associated with the use do not use roads that are located within residential areas unless they are State or National classified roads.

E3.1-2 Environmental Impacts

(a) The proposed development is to be designed with consideration of environmental constraints including sensitive areas, water quality and quantity, and any emissions, which may cause significant impacts.
(b) The proposal is not to be located on, adjoining or utilising areas of environmental significance.
(c) The proposed development must not discharge any contaminated water generated by the land use directly into any waterway.
(d) The proposed development must not emit noise, light or emissions to the air or water that will cause significant environmental harm or nuisance unless accompanied by required licences and mitigation measures.
(e) The proposed development is designed and operated in accordance with best practice environmental management techniques.

E3.1-3 Transport Infrastructure

(a) The site of the proposed development must have good access to main roads and appropriate on-site car parking in accordance with Chapter C3 Car Parking, Traffic and Access.
(b) The proposed development must have access arrangements, to appropriate Australian Standards, suitable to the largest likely transport vehicles required for the development.
(c) All car parking spaces are to be located behind the building line with vehicles leaving the site only in a forward direction.

2. Outdoor Dining & Trading

2.1 Background

This Chapter provides objectives and controls for outdoor dining and trading activities on and over public footpaths, shopping centres and associated public spaces. Footpath dining and trading, in the right locations, contributes to an active street frontage and adds vitality to the public place.

This Chapter regulates the use of public places and footpaths for commercial activities including:

- Use by the adjacent *retail premises* for the display and sale of goods.
- Use by the adjacent *food and drink premises* for outdoor dining including the provision of tables, chairs, umbrellas and associated outdoor dining furniture.

Development consent is required prior to the use of a public place or footpath for the purposes of outdoor dining and/or the display of merchandise directly related to the use of

the adjacent retail or commercial development. Any use that is unrelated to an existing approved business, office or retail premises is prohibited.

2.2 Consent Authority, Owner's Consents and Statutory Processes

Proposals for **outdoor dining on public footpaths** require the following processes:

- Development consent and approval under the Roads Act and the Local Government Act, and current public indemnity insurance; and
- If adjacent to a classified road, the concurrence of the Roads and Maritime Services (RMS). Proposals for the use of footpath airspace for outdoor dining require the above as well as the following processes:
- Lease agreement with Council for use of the airspace; and
- Approval of the Director-General of Department of Planning and Infrastructure (if Council is also the roads authority).

Note: Council retains management and ownership of its footpaths at all times and has the right to assess and remove all trading items at any time for any purpose deemed suitable by it. No compensation is payable in the event of Council or any statutory authority carrying out works that require the removal, cessation and/or alteration to any approved footpath trading activity.

Proposals for **goods displays on footpaths** require the following processes:

- Local Approval under the Local Government Act 1993 or development consent and Local Approval if not exempt development; and
- Current public indemnity insurance. Applicants are required to maintain current public liability insurance, indemnifying Council against damage to third parties and against the issue of licences. Applicants should consult with Council for information regarding insurance.

2.3 Objectives

- To provide controls for footpath dining and trading in conjunction with associated, approved indoor premises and in a manner which complements the best interests of the business, residents and visitors.
- To encourage where appropriate, outdoor dining areas that will contribute to the commercial viability of an area and at the same time enhance the ambiance and streetscape.
- To ensure access, safety and amenity of public footpaths is maintained, while facilitating active and lively street frontages.
- To ensure footpath dining is compatible with other community use of the footpath and does not adversely impact upon the amenity of adjacent residences.

2.4 Controls

The following minimum requirements must be taken into consideration in the assessment of applications for the use of a public place.

Location and layout of footpath trading activities

Proposed footpath trading activities will be considered only in conjunction with an approved or proposed associated indoor business in contiguous premises (food premises in the case of outdoor dining and any other type of business in the case of goods displays).

Objectives

- To maintain the primary function of footpaths as public pedestrian corridors and domains, while encouraging opportunities for outdoor dining and other footpath trading activities.
- To allow for the use of airspace over public roads and public land for dining, only where appropriate.
- To ensure access for people with disabilities is provided within dining areas and associated facilities.
- To maintain public safety including unobstructed access to footpaths and adjacent buildings.
- To require high quality furniture and fittings that enhances the streetscape.
- To have regard to the heritage significance of an item or area, where applicable.

Controls

E3.2-1 Location and Layout of Footpath Trading

(a) Provide a clear zone on the footpath with a minimum width 2.0m or 2.5m for locations adjacent to classified roads, busy footpaths, footpaths in excess of 4m width.

(b) Provide a minimum kerb setback 0.6m. Note the following kerb setbacks apply regardless of footpath width:

- 0.9m adjacent to loading zones
- 1.0m adjacent to “No Standing” zones
- 1.2m adjacent to angle parking
- is not appropriate adjacent to a disabled parking space or bus stop.

(c) If the minimum criteria in (a) – (b) cannot be achieved, applicants must demonstrate the following: (a) Existing levels of public access and safety will be maintained for the footpath and the adjacent road, and (b) No unreasonable impacts on amenity or streetscape.

(d) Where no footpath trading occurs in a locality, a proposed footpath trading activity is to be provided adjacent to the kerb.

(e) Locating footpath trading adjacent to the building line must demonstrate consistency with existing footpath trading activities, exceptional circumstances and/or a public benefit.

(f) For trading areas longer than 10m, provide a 1.5m break in the centre of the trading area (excluding doorways and other essential openings).

(g) Provide a minimum break of 1.0m from public utilities including fire hydrants, rubbish bins, seats, telephones, bicycle stands and bus shelters.

(h) Provide a minimum break of 0.5m from all other street furniture including bollards, tree pits, street lights and traffic and electricity poles.

(i) Only that part of the footpath or public place directly in front of a restaurant/cafe may be used for footpath trading. The area may not extend to the area in front of neighbouring properties.

(j) Seating may not be located next to the building line.

(k) Provide a minimum depth of 1.1m within the footpath trading area for the comfort of patrons.

(l) Comply with a footpath gradient (crossfall) range of 1:100 to 1:40 (maximum) or demonstrate to Council that suitable access can be provided if a proposal is located on grades outside this range.
(m) Locate the footpath trading area consistent with adjacent footpath trading activities, existing public utilities, landscaped areas and open spaces to provide consistent pedestrian access subject to the minimum setbacks above.
(n) Provide clear sight lines from the indoor premises to the outdoor trading area.

Note:References to footpaths in this Plan relate to existing grades. Structures or works to change footpath levels (for example, platforms) will generally not be supported, unless it can be demonstrated that pedestrian access on the footpath and to premises will not be impaired.

E3.2-2 Use of a Public Place for the Sale and Display of Merchandise

(a) Each commercial premises(business, office or retail premises) is only permitted two (2) items (excluding café tables and chairs) to be placed on the public place outside the business. This includes items such as a sandwich board sign, trading table, display stand and/or display rack.
(b) The display of goods and articles are limited to fresh flowers, fruit and vegetables, clothing and accessories, sporting equipment and tourist promotional material. Approval of other types of articles will be undertaken on an individual merit based assessment.
(c) Articles displayed shall relate specifically and only to the primary approved business conducted at the directly adjoining premises.
(d) All articles or display stands shall be secure and finished so as not to cause injury to pedestrians and shall be removed from the public place when the premises are closed.
(e) Public address systems and cash registers are prohibited.
(f) The maximum size of each item (trading table, display racks, promotional stands) is 750mm wide, 1500mm long and 1500mm high.

E3.2-3 Use of a Public Place for Footpath Dining

(a) Tables, chairs, umbrellas, pot plants and other necessary outdoor dining furniture may be placed only on that part of the footpath directly adjacent to the commercial premises. Any additional items shall not extend beyond the property side boundaries.
(b) Tables, chairs, umbrellas, pot plants and ancillary outdoor furniture must not be fixed to the pavement without the approval of Council.
(c) The canopy of umbrellas or any other outdoor furniture shall not project beyond the designated licence area and shall have a minimum clearance above the footpath level of two (2) metres. Umbrellas must be securely fixed to tables and/or anchored in an acceptable manner.
(d) All tables, chairs and other outdoor furniture shall be removed from the public place when the premises are closed.
(e) All tables, chairs and other outdoor furniture shall be of an approved structural and aesthetic quality (meets Australian Standards) and details are to be included in the development application.

(f) At the expiration of the approval period, the operator shall remove all outdoor furniture, tables and chairs and immediately reinstate any damaged footpath areas at their own expense.
(g) Community street furniture is provided for community use and shall not be included within the licence area for the exclusive use as part of a footpath dining area for any particular business.
(h) Food and drink preparation equipment is not permitted on a public place.
(i) No entertainment or amplified music is generally not supported in the licence area, however an application may be submitted under the Local Government Act.
(j) The consumption of alcohol is only permitted where it is served with a meal and satisfies a merit-based assessment. Matters taken into consideration include:
- type and nature of the food business
- history of the existing premises in relation to compliance with liquor licensing requirements
- impact of serving alcohol in a public place directly outside the subject food premises
- considerations and consultation with the Liquor Administration Board and the Local Area Commander of NSW Police Service.

(k) Statutory authorities have the right of access at all times to utilities and the like to effect repairs or to maintain their infrastructure and equipment.

E3.2-4 Furniture and fittings

(a) Demonstrate that furniture and fittings:
- Dimensions fit into the footpath trading area including consideration for the comfort of patrons.
- Are safe, sturdy, (but not bulky), waterproof and weather resistant, can be easily removed at the close of business each day, will not damage the footpath or other public infrastructure or pose a trip/fall hazard or inconvenience to the public.
- Are weighted down or otherwise secured so as to prevent accidental dislodgement (e.g. umbrellas, A-frames).
- Visually complement and be physically aligned with other street furniture (including adjacent footpath trading areas) and adjacent public utilities.
- Define a footpath trading activity by landscape planter boxes and flowerpots, bollards or screens (all to a maximum 1.2m height and maximum 1.8m length) provided they are located within the boundaries of footpath trading area and are removable at the close of business or otherwise designed as an integral part of a public open space area. Fittings are supplied and maintained at the expense of the applicant.
- Do not define the footpath trading area by full height solid or plastic screens or any other type of enclosure.
- Comply with provisions in Chapter C6 Signage and Advertising.

(b) Umbrellas are to have a safe and secure anchor point, (permanently fixed and which does not pose a trip hazard when the umbrella is in storage).
(c) Umbrellas are not to overhang any roadway. Fire-retardant materials if located near a heating device. Market style, not beach umbrellas.

Note: Design details of the proposed furniture shall be submitted to the Council for approval as part of the development application. Fully enclosed café structures are not encouraged. This can privatise the public place that results in reduced accessibility, visibility, amenity and safety to the public.

Council reserves the right to require the replacement of inappropriate tables and chairs as a condition of the licence.

E3.2-5 Amenity

(a) Demonstrate that the proposal will not have unreasonable impacts on the amenity of adjacent residences.
(b) Provide adequate toilet and sanitary facilities to cater for patrons.
(c) Provide lighting and/or heating adequate for safety and amenity for all patrons.
(d) Demonstrate that lighting and/or heating will not cause a potential nuisance.
(e) Demonstrate suitable management measures to control noise, litter and cleanliness of the outdoor trading area.

E3.2-6 Goods displays

(a) Goods display structures (racks, shelves or similar) must be portable, and must be removed out of trading hours.
(b) Goods displays may be provided on footpaths with a minimum footpath width of 3.0m.
(c) Goods display may abut the shopfront only and, only where other footpath trading activities exist adjacent to other adjoining shopfronts and a clear pathway is provided.
(d) Do not affix advertising or signage.
(e) Use for the orderly display of goods that are sold in the contiguous business premises.
(f) Maximum of one stand per commercial business or multiple occupancy commercial tenancy.
(g) Maximum display width of 1.0m measured at right angles from the front of the premises.
(h) Maximum length of 50% of the total length of the shopfront.
(i) Do not affix, or restrict access to, any public utility.
(j) Do not pose a hazard or inconvenience to pedestrian movement or access to premises.
(k) Do not display food.

E3.2-7 A-frame advertising structures

(a) Minimum footpath widths of 2.0m.
(b) Maintain a minimum clear zone of 2m.
(c) Locate adjacent to the kerb line with a minimum setback of 0.6m.
(d) Minimum 2m setback from a building corner at intersections or at arcade entries.
(e) Maximum height 1200mm and width 600mm.
(f) Maximum of one sign per commercial business or multiple occupancy commercial tenancy.
(g) Do not affix, or restrict access to, any public utility.
(h) Be safely anchored, secured and positioned so as not to pose a hazard or inconvenience to pedestrians especially those with a disability or, to traffic safety.
(i) Use durable, fade proof materials of a high aesthetic and professional quality.
(j) Have a design theme compatible with adjacent elements within the footpath.
(k) Content must relate directly to an activity carried out on or, associated with the related business premises.

(l) Content must not substantially duplicate advertising or signage elsewhere within the footpath trading area or on the frontage of the associated indoor premises.

E4 Industrial Development

Contents

1. Background

The development of industry is an important part of the local economy. Opportunities for a wide variety of industrial, manufacturing and bulky goods storage have been provided within areas zoned IN1 General Industrial and RU5 Village under the Snowy River LEP 2013. The purpose of this Chapter is to provide more detailed standards for the siting of industrial buildings to accommodate service access, car parking and landscaping.

The Snowy River LEP 2013 defines the different types of industry and which land use zones particular types of industry are permissible.

2. Objectives

The objectives of this Chapter are:

- To provide performance standards for industrial development within the Shire.
- To encourage quality design of industrial development that is both functional and attractive.

- To ensure industrial development activities do not conflict with adjoining landuse and have a detrimental impact on the surrounding environment.

3. Controls

3.1 Site Coverage

Site coverage in conjunction with setback controls determines the extent and location for buildings on a site. Site coverage controls aim to reserve sufficient unbuilt upon areas on a site for accommodating landscaping, deep soil planting, permeable surfaces and service areas.

Site coverage is expressed as a percentage to describe the proportion of a site that could be built upon.

Objective

- To ensure that sufficient area on the land is available for parking, landscaping and service access.

Controls

E4.1-1 Site Coverage

(a) The maximum site coverage for is shown in the table below:

Site size	Site Coverage (maximum)
0 – 2000m^2	Up to 50%
2001m^2 – 4000m^2	Up to 60%
4001m^2 or greater	Up to 70%

3.2 Setbacks

Setbacks define a building line from the front, side and rear boundaries of a property and provide adequate space for landscaping, visual and acoustic privacy, sunlight penetration, safety requirements and for the establishment of an attractive streetscape. They reflect the character, and establish the development's relationship, with neighbouring buildings and the surrounding area.

Objective

- To ensure that adequate setbacks are established to maintain sufficient area for landscaping, noise mitigation and aesthetic considerations.

Controls

E4.1-2 Setbacks

(a) The front setback must be consistent with the average setbacks of the adjoining development. Where there is no adjoining development, the setbacks must be in accordance with the setback requirements in below.

(b) Where there is no adjoining development, the proposed development must have a setback of a minimum of six (6) metres from the road boundary.

(c) Setback requirements may be reduced:

- Where the building is designed to complement the streetscape (ie. porticos and other prominent design features;
- Where substantial landscaping is provided to screen the development from the street
- Where adjoining buildings are not affected by a reduced setback.

(d) The side boundary setback in the IN1 General Industrial zone is zero.

3.3 Height

The maximum building height for development on a particular site is identified in the Snowy River LEP 2013 Clause 4.3 – Height of buildings and accompanying Height of Buildings Maps. Building height is defined as:

> ***Building height*** *(or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.*

In addition, ***ground level (existing)*** is defined as: *the existing level of a site at any point.*

3.4 Parking & Vehicular Access

Adequate on-site parking for visitors and staff with easy service access will rely on building siting and layout. Construction of parking areas and service access areas is to reflect the industrial nature of development.

Objectives

- To ensure the location and configuration of car parking is integrated with site planning and building design.
- To ensure that car parking and access features do not visually dominate the property frontage or adversely detract from the streetscape character.

Controls

E4.1-4 Parking & Vehicular Access

(a) On-site parking is to be provided in accordance with Chapter C3 Car Parking, Traffic and Access.

(b) Council will accept in lieu of concrete or other hard surface methods the construction of car parking and service access in industrial areas with all weather compacted gravel surface.

(c) Car parking and service access areas if gravel surface must be drained to a slit arrestor pit with all car parking areas clearly marked.

(d) The driveway apron from the street onto the site (minimum one (1) metre) is to be concrete or bitumen sealed.

3.5 Landscaping

Landscaping enhances the appearance of a development and adds to the amenity of the locality through visually integrating development with the streetscape and wider neighbourhood. The provision of well designed landscaped areas will assist in screening storage areas and improving the appearance of industrial developments.

Landscaping can moderate local climate conditions, and enhance the permeability of surface water and infiltration of stormwater and thereby improving the environmental performance of the development. It also provides for trees, shade and screening that improves visual amenity between the development and its neighbours. Chapter C5 Tree Preservation and Landscaping also provides addition information and requirements.

Objectives

- To promote development which enhances and complements the established landscape character and natural habitat.
- To conserve the landscape and habitat so that the built environment is dominated in both scale and form by the natural landscape.
- To provide screening between buildings.
- To assist with stormwater infiltration and the reduction of overland flow.

Controls

E4.1-5 Landscaping

a) The design of the development is to minimise (where possible) site disturbance and preserve existing landscape elements such as rock formations, trees and other natural features. The use of a properly qualified arborist will assist in determining which trees should be retained, transplanted or removed.
b) Existing mature native trees on the site must be retained and incorporated in the landscape design wherever possible. Where a development involves the removal of such existing trees, suitable replacement planting of equivalent or large size must be provided.
c) Landscaping is to be designed to meet user requirements including maintenance, specific design opportunities and shade provision without reducing aesthetic quality.
d) Landscaping to the street frontage is to be substantial and aimed to enhance the appearance of the development.
e) Landscaping design should account for the following:
    - climatic conditions of the area
    - siting of new trees, shrubs and ground cover based their full growth potential (root system and canopy spread)
    - scale of the street reserve width and bulk of the building

3.6 Storage Areas

External areas of industrial sites may be necessary for the storage of certain goods and materials. The siting and screening of storage areas are essential and must be included in the overall design of the development.

Controls

E4.1-6 Storage Areas

a) Storage areas are to be designated on plans submitted with the development application.
b) Storage areas are not to be located to be visible from the street unless adequately screened from public view.

3.7 Fencing

Site security and enclosing of storage areas are often necessary for industrial development. The location of fencing is important to overall site planning.

Controls

E4.1-7 Fencing

a) Fencing is to be detailed in landscaping plans and incorporated into landscaped areas to reduce visual impact.

3.8 Advertising and Advertising Structures

Advertising will assist to locate and identify industrial development. Advertising detail is to be provided in accordance with Chapter C6 Signage and Advertising. The Snowy River LEP 2013 and the SEPP (Exempt and Complying Development Codes) also identifies particular types of signage and advertising as exempt or complying development.

3.9 External Finishes of Buildings

Council encourages the use of materials and finishes that reduce the visual impact of development when viewed from a public place.

Controls

E4.1-8 External Finishes

a) Materials and finishes are to reduce the visual impact of the development when viewed from a public place.
b) External finishes are to be of a low reflective quality.
c) Details of external colours and finishes are to be submitted with the development application.

3.10 Sale of Goods in Industrial Areas

Council recognises that certain types of industrial development may provide outlets for goods that are manufactured or processed on the site where those goods are not readily

available to the general public through retail or commercial outlets within the Shire. The Snowy River LEP 2013 (clause 5.4 Controls relating to miscellaneous permissible uses) includes controls for *industrial retail outlets*. *Industrial retail outlets* are defined as:

> *Industrial retail outlet means a building or place that:*
>
> *a) is used in conjunction with an industry or rural industry, and*
> *b) is situated on the land on which the industry or rural industry is located, and*
> *c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located.*

The Snowy River LEP 2013 also permits bulky good premises with consent in the IN1 General Industrial Zone. Bulky goods premises are defined as:

> *Bulky goods premises means a building a place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:*
>
> *a) A large area of handling, display or storage, and*
> *b) Direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,*
>
> *and includes goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.*

Controls

E4.1-9 Sale of Goods

a) Snowy River LEP 2013 Clause 5.4 identifies the maximum retail floor space for industrial retail outlets.
b) Goods offered for sale by the industrial retail outlet are only those that have been manufactured or processed on the site.
c) Goods offered for sale are not available in any existing commercial area within the Shire.
d) Goods offered for sale are to be of a size that would require transportation by vehicle (ie large or bulky).

E5 Recreation Facilities

Contents

1. Recreation Facilities

The Snowy River Local Environmental Plan 2013 identifies permits two (2) types of recreation facilities:

> ***Recreation facility (indoor)*** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

> ***Recreation facility (outdoor)*** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

2. Horse Riding Establishments

Horse riding establishments are not specifically defined in the Snowy River LEP 2013 but fall within the land use *Recreation facility (outdoor)* as noted above.

Horse riding and tuition is a popular pastime within the Shire. Horse riding establishments allows for horse accommodation on-site and the ability to conduct trail rides off-site within overnight camping or accommodation for guests off-site.

2.1 Objectives

The objectives for the establishment of horse riding establishments are:

- To enable horse riding establishments to be developed in rural areas while at the same time protecting the rural amenity.
- To ensure that development of horse riding facilities is undertaken in a way that protects the environment and ensures the appropriate care of animals.
- To ensure that development for the purposes of a horse riding establishment will not result in land-use practices and management that are in conflict with surrounding land uses, particularly agricultural activities.

2.2 Controls

E5.1-1 Appropriate Site Selection

(a) The suitability of the site for the proposed development must be considered, including the intensity of the use, extent of any proposed trial riding system and ancillary structures.
(b) Where the number of horses in the establishment will exceed seven (7), the applicant must provide sufficient detail to document the physical features of the site (including off-site riding trails) and its susceptibility to environmental change through clearing, erection of structures, horse trails and horse riding or vehicle access, erosion, compaction, effluent discharge or visual impact.

E5.1-2 Management of Impacts

(a) Noise or odours from the proposed development must not adversely impact on the amenity of neighbours or other land holders within the vicinity of the site.
(b) The proposed development must not cause pollution of surface water or groundwater or the degradation of soils and vegetation.

E5.1-3 Environmental Management

(a) Appropriate measures must be undertaken to mitigate any potential adverse impacts including the maintenance of horse riding trails and the measures proposed to dispose of effluent and horse manure.
(b) Where the number of horses in the establishment will exceed seven (7), an environmental management plan is to be prepared by a suitably qualified professional that identifies the impacts of the development and demonstrates how those impacts will be avoided or mitigated.
(c) Structures, horse trails or vehicle access routes located on property not owned or leased by the facility are to have land owner's written consent and appropriate clauses have been included in the environmental management plan to address property damage, maintenance, security bonds and the like.

E5.1-4 Car Parking

(a) Adequate on-site car parking and bus parking and manoeuvrability is to be provided to cater for the peak use of the facility.
(b) Car parking is to be provided at the rate of one (1) space per five (5) persons or the development application is to be supported by a traffic assessment prepared by a suitably qualified traffic engineer demonstrating that adequate parking is provided for the peak use of the facility.

Note: refer to Chapter C3 Car Parking, Traffic and Access for specific requirements.

E5.1-5 Access for Persons with a Disability

(a) Reasonable provision within the building and access is to be made for movement and circulation for people with disabilities.
(b) The development is to demonstrate consistency with the provisions of the Disability Discrimination Act 1992.

E5.1-6 Waste Management

(a) Waste is to be managed in a safe, tidy and environmentally responsible manner and in accordance with legislative requirements.
(b) Details of the waste management strategy for the horse riding establishment (operational phase) must be submitted to Council when a development application is lodged.
(c) Waste management to be based on the principles of waste avoidance and maximising reuse and recycling of materials.
(d) Any processes that generate liquid wastes must have measures n place to dispose of waste. A trade waste application must be made to Council under section 68 of the Local Government Act when liquid waste is proposed to be discharged to Council's sewer.

E5.1-7 Animal Protection

(a) Appropriate measures are to be undertaken to ensure the health and welfare of animals used by the establishment.
(b) Documentation is to be provided that demonstrates compliance with the animal welfare requirements of the RSPCA and relevant government bodies.

E6 Educational Establishments

Contents

1. Educational Establishments

The Snowy River Local Environmental Plan 2013 defines:

> ***Educational establishment*** means a building or place used for education (including teaching), being:
>
> (a) a school, or
> (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

Note: State Environmental Planning Policy (Infrastructure) 2007 includes development controls that apply to development for Educational Establishments.

1.1 Objectives

The objectives for the establishment of *educational establishments* are:

- To enable a variety of educational establishments to be developed in rural areas while at the same time protecting the rural amenity and character of the locality.
- To ensure the development will not result in land-use conflicts and any adverse impacts are identified and managed.
- To ensure that educational establishments can provide adequate access, parking, water supply, protection from hazards and manage waste generation on site.

1.2 Controls

E6.1-1 Access for People with a Disability

(a) Reasonable provision within the building and access areas is to be made for movement and circulation by people with disabilities.
(b) The development must comply with the provisions of the Disability Discrimination Act 1992 (Commonwealth).
(c) Where existing buildings are identified as heritage items, an assessment may be made on the balance between providing disabled access and the required modification of the original building fabric.

E6.1-2 Amenity

(a) Noise and odour impacts must be assessed and determined not to adversely impact on the amenity of neighbours or other land holders within the vicinity of the site.
(b) Suitable documentation is to accompany the development application that clearly demonstrates that no impacts on land uses in the vicinity of the development will result from noise or odour emissions from the subject development.

E6.1-3 Year Round Operation Basis

(a) The educational facility is to provide sufficient diversity to maintain a year round operation.
(b) The educational facility is managed to achieve at least 75% of its student capacity during any NSW school term, whether through student term rotation or full year attendance by students; or
(c) Where seasonal operation is proposed, the applicant is to provide with the development application sufficient justification to demonstrate why year round operation is not possible and justify the need for seasonal operations.

E6.1-4 Waste Management

(a) Waste is to be managed in a safe, tidy and environmentally responsible manner and in accordance with legislative requirements.
(b) Waste management is to be based on the principles of waste avoidance and maximising reuse and recycling of material.
(c) Details of the waste management strategy for the educational facility (both construction and operational phases) are to be submitted to Council when a development application is lodged.
(d) Any processes that generate liquid waste must have measures in place to dispose of the waste. A trade waste application must be made to Council under section 68 of the Local Government Act when liquid trade waste is proposed to be discharged to Council's sewer.

E6.1-5 Car Parking

(a) Car parking and manoeuvring is to be sufficient to ensure safe and adequate on-site parking.
(b) Car parking, loading and manoeuvring areas are to be visually attractive and located, designed and constructed to ensure safe use and minimise conflict between vehicles and pedestrians.
(c) A car parking plan is to be provided that demonstrates adequate on-site parking and manoeuvring and sufficient screening through design and landscape treatment to minimise visual impact of car parking areas. The car parking plan must show:
    - Car parking layout
    - Landscape treatment
    - Site entry and exit points
    - Loading and unloading areas (where required)
    - Manoeuvring
    - Disabled access and parking (where required) must meet the requirements of the Building Code of Australia.

Note: refer to Chapter C3 Car Parking, Traffic and Access for specific requirements.

F1 Jindabyne Town Centre

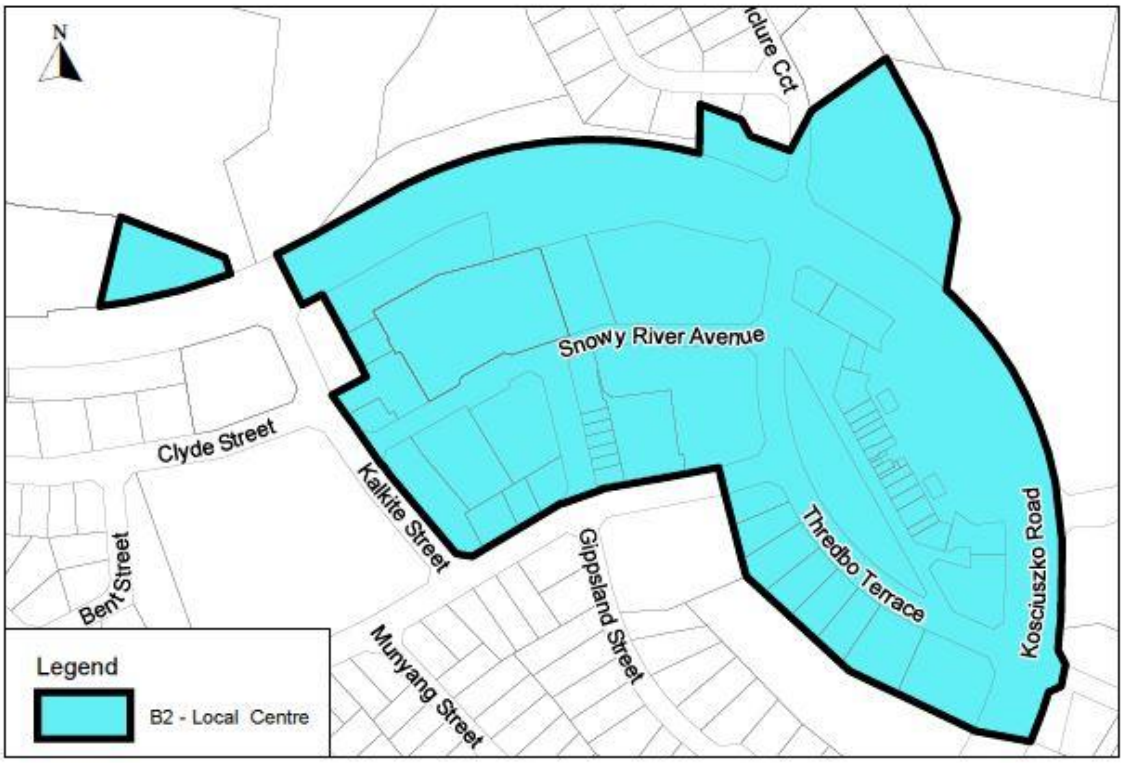
Contents

1. General Information

This Chapter contains objectives and controls for development within the Jindabyne Town Centre. In addition to the provisions of this Chapter, other controls apply to development in the Jindabyne Town Centre as listed below and referenced throughout this Chapter.

Land to which this Chapter applies

This Chapter applies to all land in the Jindabyne Town Centre which is zoned B2 Local Centre under the Snowy River LEP 2013 and shown on the map below.



2. Background

The role of the Jindabyne Town Centre as a focus for retail, community and tourism services has influenced both its character and functioning. It is important that future development in the Town Centre provides for a compact, strong and vibrant retail, tourism and community core that serves the current and future needs of both the local community and visitors.

The area included in the Jindabyne Town Centre is zoned B2 Local Centre that allows for a diverse range of commercial, retail and tourism development and residential apartments above. The layout of the Town Centre currently experiences fragmentation due to the historical development patterns of a number of large sites fronting Kosciusko Road with activation of the retail and commercial area along Snowy River Avenue and Gippsland Street needing improvement. A number of vacant sites also contributes to the fragmentation of the streetscape. There are five key public car parks located throughout the Town Centre; the adequacy of these parking areas has been assessed in the draft Jindabyne Parking Study.

The landscape setting of the Jindabyne Town Centre is one of its significant features and is important for scenic, conservation and heritage values. The protection and management of views from and to the Town Centre is an important consideration for all new development to ensure that the scenic quality of the town is protected. Improved visual and physical connections (trails) between landscaped areas of open space (parks and land reserves) and the Town Centre will contribute to use and appreciation of the landscaped setting.

The future impacts on Jindabyne and the design and functioning of the Town Centre include an ageing population, life stylists (tree changers), changes in tourism (growth in summer tourism), impact of climate change and water levels of the Lake.

Jindabyne Town Centre Master Plan 2013

The layout of the Jindabyne Town Centre has been reviewed and improvements identified in the Jindabyne Town Centre Master Plan including new community facilities, town square, outdoor dining, landscaping and open space areas. The fragmentation of the Town Centre has been considered in the Master Plan and future development sites have been identified and the Master Plan has informed the Snowy River LEP 2013 in relation to height and floor space ratio controls for the Town Centre.

The Master Plan also considers improved access arrangements for the Town Centre that will provide safe and efficient pedestrian linkages between the existing commercial areas and improved linkages between open space and recreational areas and adjoining residential areas. A number of the provisions and controls included in this Chapter are based on the recommendations of the Jindabyne Town Centre Master Plan.

Heritage Conservation

There are a number of heritage items listed in the Snowy River LEP 2013 that are located in the Jindabyne Town Centre (refer to the LEP 2013 Heritage Maps for locations).

Information on the significance of these items and the individual heritage inventory sheets can be obtained from Council. The Snowy River DCP also includes a specific Chapter regarding development affecting a heritage item or on a site in the vicinity of a heritage item (Chapter C4 Heritage).

It is highly recommended that an applicant meet with Council early in the design stages of a proposal where development affects a heritage item.

3. Objectives

The objectives are to ensure that development:

- reflects the outcomes of the Jindabyne Action Plan 2010, Jindabyne Growth Structure Plan 2007 and the Jindabyne Town Centre Master Plan;
- provides for high quality retail, commercial, residential and tourism development which serves the needs of the local community and visitors to the area;
- makes a positive contribution to the streetscape and that the scale, character and design of new development considers the existing neighbourhood within and adjacent to the Jindabyne Town Centre;
- protects the natural and cultural heritage of Jindabyne and promotes a connection with important landmarks, significant views, areas of open space and Lake Jindabyne;
- includes environmentally sustainable features; and
- provides for equal access for all levels of mobility and enhances safety and security.

4. Controls

4.1 Urban Form

Views, vistas and landmarks

A view is a framed outlook that can be seen within a range of vision and vistas are distant, wider views that often make a grand statement about a place. A view or vista can herald the arrival to a place or reinforce a sense of location. Landmarks are distinctive and memorable elements that connect people with place and time. Landmarks may include buildings, building elements, parks, natural features and artworks. Landmarks in strategic locations can provide visitors with direction from one point to another to navigate their way through town centres.

The landscape setting of the Jindabyne Town Centre is one of its significant features and is important for scenic, conservation and heritage values. The protection and management of views and vistas from and to the Town Centre is an important consideration for all new development to ensure that the scenic quality of the town is protected. Within the Town Centre there are a number of existing and proposed sites for landmarks (squares and special places) where a visual connection to and from the site should be retained.

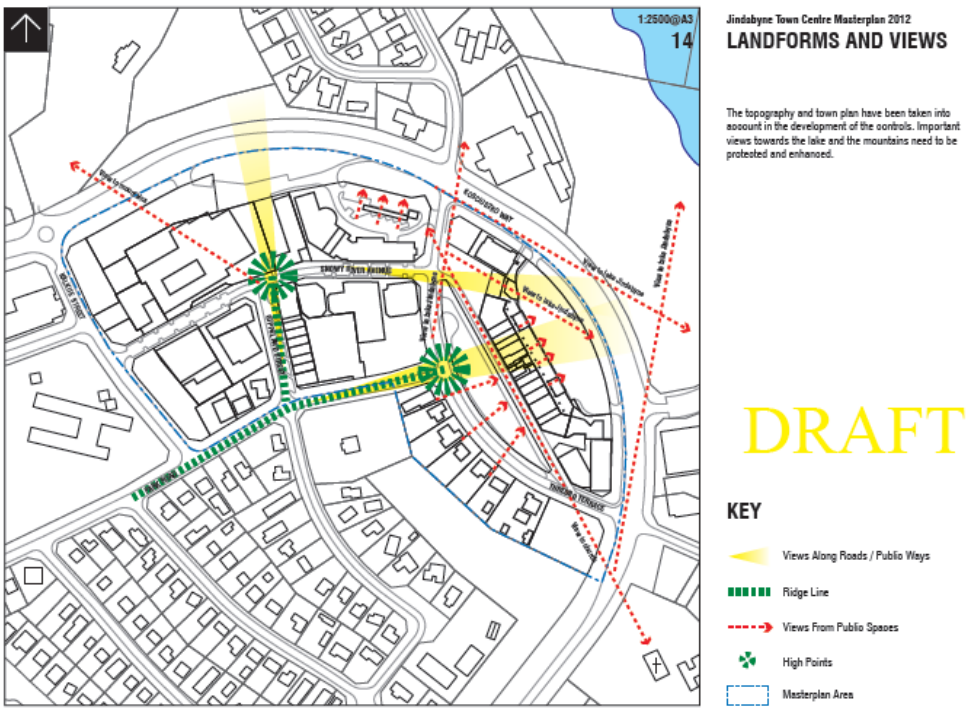
Objectives

- To protect and enhance views and vistas from and to the Jindabyne Town Centre which highlight the landscaped setting of the centre and improve legibility and reinforce a sense of place.

Controls

F1.1-1 Views, Vistas & Landmarks

(d) Significant views and vistas within the Town Centre, including those identified in the Jindabyne Town Centre Masterplan are to be maintained and enhanced (refer Landform and Views diagram below).
(e) Buildings are to be designed to maximise view sharing.
(f) Views from Lake Jindabyne and surrounding residential and rural areas are to be considered to ensure the visual amenity of these areas is protected.



Active site and street frontages

A successful commercial centre provides street level retail and commercial activities that satisfy the requirements of local residents and visitors and enliven the public area by day and night. Active frontage uses are defined as one of a combination of the following at street level: entrance to retail or shopfront; café or restaurant if accompanied by an entry from the street; and active office uses, such as reception, if visible from the street.

The Jindabyne Town Centre Masterplan and the Snowy River LEP 2013 (clause 7.9 Active street frontages and accompanying mas) have identified the streets that are to include Active Street Frontages (refer Snowy River LEP 2013 Active Street Frontages Map). The Jindabyne Town Centre Master Plan has also identified additional Desirable Active Street Frontages (refer figure below).

Objectives

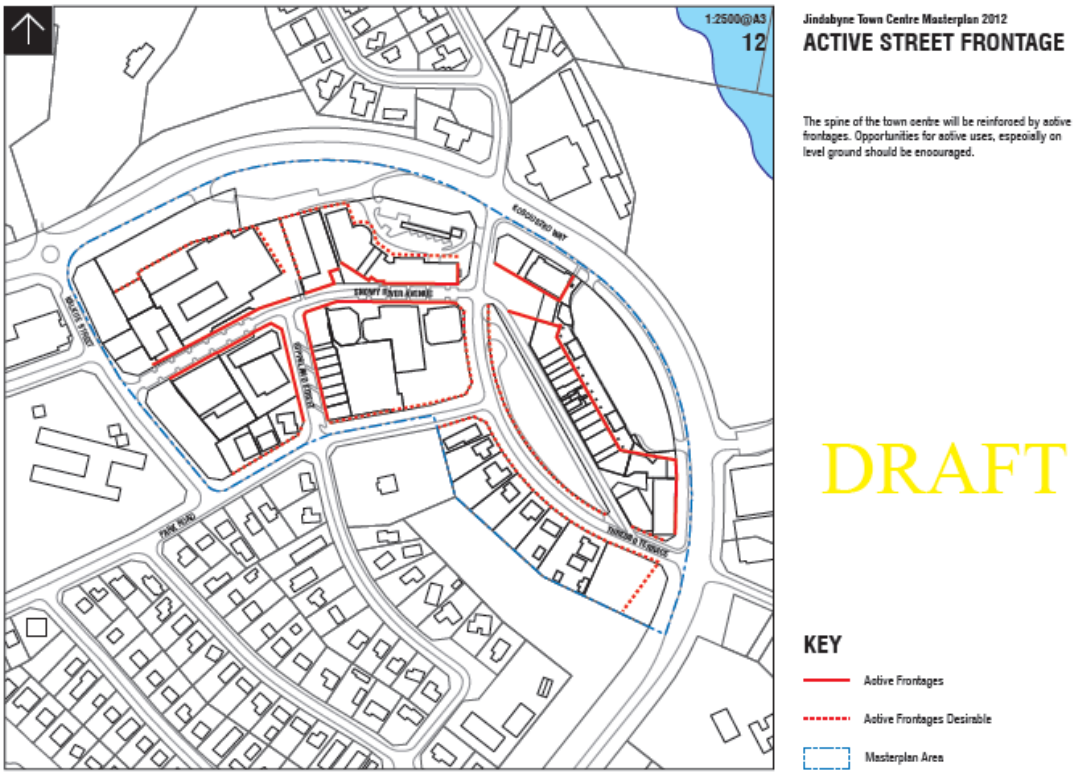
- To maximise active street frontages to encourage pedestrian activity and improve safety through passive surveillance.
- To provide a range of uses to engage and activate the street.
- To maximise building openings and minimise the extent of blank walls on to the street, especially at ground level.

Controls

F1.1-2 Active Site & Street Frontages

(a) New buildings in the Town Centre are to provide continuous retail or active commercial uses on the ground floor.
(b) Restaurants, cafes and the like are to consider providing openable shop fronts.
(c) Active ground floor uses are to be the same general level as the footpath and can be readily accessible
(d) Street level activity is to be maximised by wrapping shopfronts around corners.

(e) Building frontages are to encourage street level activity.
(f) Minimise blank walls at ground level.
(g) Maximise glazing for retail uses on the ground floors.
(h) Do not use opaque or reflective glass on the ground floor
(i) Use grilles or transparent security shutters with a minimum of 70% transparency on retail frontages. Solid shutters are not permitted
(j) Entrances to internally orientated shopping or commercial arcades, and the arcades themselves must be a minimum of 7 metres wide.



Street corners

Buildings on street corners are important both in terms of 'way finding' and 'place making'. Well defined corners assist pedestrians to orientate and define their own position within a precinct.

Objectives

- To ensure that corner buildings, which by their location are often highly visible, are well designed and respond to the different characteristics of the streets they address.
- To strengthen the way-finding attributes of corner properties and highlight the location of intersections.

Controls

F1.1-3 Street Corners

(a) Each frontage of a building on a corner site should be designed as a main street frontage.
(b) Development on corner sites should be designed to add variety and interest to the street and clarify the street hierarchy.
(c) The design of the development should emphasise verticality at corners, if possible by concentrating the tallest portion of the building on the corner itself.
(d) Design devices such as increased wall heights, splayed corner details, and other architectural features to reinforce the way finding attributes of street corners should be utilised where possible

Outdoor dining

Outdoor dining has an immediate positive impact on the vitality of places and creates street level interest and variation. Outdoor dining may spill out from the restaurant's main dining area, be along the building wall or close to the kerb. In all instances, pedestrian movement and street infrastructure should be a priority and not affected by new outdoor dining areas.

Council will consider other areas of outdoor dining where the objectives and performance criteria below are satisfied.

Objectives

- To encourage outdoor dining along streets and in public spaces to make the Jindabyne Town Centre lively during the day and night.
- To increase casual and passive surveillance of the street to enhance safety and security.

Controls

F1.1-4 Outdoor Dining

(a) Consider incorporating areas of outdoor dining in café and restaurant developments where possible.

(b) The location of outdoor dining areas should provide good amenity, landscaping and outlook, solar access in the winter and shading in the summer and a traffic environment that can be calmed or supports outdoor dining usage.
(c) Lighting and heating should be provided for evening use of outdoor dining areas.
(d) Outdoor dining areas should not take away from space used for street furniture or interrupt utilities or other infrastructure.
(e) Prioritise pedestrian flows and access for people with disabilities along main streets by keeping the minimum clear width of footpath travel between the building and outdoor dining area.
(f) Along secondary streets with narrow footpaths or lanes, outdoor dining may be located discreetly along the wall of the building.
(g) Provide high quality and durable outdoor furniture of contemporary design and materials

Note: Refer to Chapter E3 Commercial Premises (Outdoor Dining & Trading).

Safety, security and crime prevention

Safety and security refers to formal and informal measures to protect properties, residents and visitors. Developments should provide safe ground level entry and enable casual surveillance.

Objectives

- To encourage building design that provides casual surveillance of streets and other public areas.
- To promote the design of buildings and open space areas which encourage community safety and reduce the opportunity for crime.

Controls

F1.1-5 Safety, security & crime prevention

(a) A formal crime risk assessment, consistent with the Department of Planning 'Crime Prevention Through Environmental Design' is to be carried out for certain types of development as specified by Council.
(b) Buildings must be designed to enable occupants to overlook streets and public open space to provide casual surveillance. Opportunities for casual surveillance should be provided by:
    - orientating commercial and retail space and living areas (where residential dwellings are located in the development), so they have views over public or commercial open spaces;
    - providing clear lines of sight between building and car park entrances and the street;
    - footpaths, landscaped areas and driveways must provide opportunities for surveillance and allow safe movement of residents around the site.
(c) Opportunities for concealment are to be minimised by:
    - avoiding blind or dark alcoves near stairwells and lifts;
    - providing well lit routes throughout the development;
    - ensuring car parking areas, pathways and common areas of developments are adequately lit at all times.
(d) Entrances to buildings must be clearly visible and accessible from the street.

(e) Community buildings and public open space areas are to be provided with sufficient lighting and security.
(f) The demarcation of public, communal and private areas in a development is to be clearly recognisable.
(g) Large expanses of wall and fences which may attract graffiti are to be avoided.

Note: refer to Chapter C2 Design (Crime Prevention Through Environmental Design) for detailed controls.

Integrating large format uses/shopping centres

Shopping centres are traditionally stand-alone buildings inwardly focused onto a privately owned central mall that contains a range of retail and other services. It is important for the functioning of the Town Centre that these stand-alone shopping centres have both a visual and direct connection to the Town Centre.

Objectives

- To ensure that stand-alone shopping centres include a mix of uses and are integrated into the design and layout of the Town Centre.

Controls

F1.1-6 Integrating large format uses/shopping centres

(a) Integrate the internal and external layout of stand-alone shopping centres with the existing street network to improve walkability and legibility. Ensure pedestrian and cycle connections between the street network and the shopping centre are clear, direct, safe and attractive links that are well lit, with good signage and meet access requirements.
(b) Locate more intensive and extended-hour uses towards the street and around public spaces to ensure areas around the shopping centre are active at night and help with natural surveillance.
(c) Improve pedestrian access to shopping centres with entries that align with the street and existing connections. Pedestrian entries should be highly visible, connected to the public domain and easy to find.
(d) Design path and way finding signage to improve access, orientation and connections to spaces within and outside the shopping centre.
(e) Avoid long expanses of blank walls along street frontages or other public areas.
(f) Provide active frontages to enable natural surveillance of public areas.
(g) Provide bicycle parking close to shopping centre entries.
(h) Ensure that service areas, site storage and loading bays are located away from public spaces, streets and residential development.

Universal Design/Accessibility

The design of the public domain in the Town Centre should make it accessible to everyone, including mobility impaired people, children, elderly citizens and pedestrians with prams.

Measures to make the public domain more accessible include adequate space so people can easily move around, manageable slopes and grades in the street, ease of access to and from

building entrances, and tactile indicators and luminance contrast to help visually impaired people. This ultimately encourages more people to use a space.

Objectives

- To ensure that all residents and visitors, including wheelchair users and those with a disability are able to easily reach and enter all publicly accessible parts of a building.

Controls

F1.1-7 Universal Design/Accessibility

(a) Prioritise pedestrian flows for people with disabilities by providing a clear travel path along the building line.
(b) Where outdoor dining is provided along the wall of a building on secondary streets with narrow footpaths or lanes, access for people with a disability should be considered.

4.2 Traffic, access, parking and servicing

Vehicle Access and Parking

The location, type and design of vehicle access points to a development have a significant impact on the streetscape, site layout and building design. It is important that vehicle access is integrated with site planning from the earliest stages to minimise any potential conflicts with pedestrians, streetscape requirements and traffic patterns.

Vehicle crossings over footpaths disrupt pedestrian movement and impact on safety. The design of vehicle access to buildings also influences the quality of the public domain. Overly wide vehicle access points detract from the streetscape and the active use of street frontages.

Accommodating parking on site also has a significant impact on the site layout, landscape design and stormwater management. The amount of parking provided is related the size of the development, however parking provision should also be considered in relation to the local context and the availability of car parking areas.

Objectives

- To provide adequate and convenient car parking and service access for the development without compromising street character, landscape or pedestrian amenity and safety.
- To minimise car dependency and to promote alternative means of transport including cycling and walking.
- To integrate the location and design of car parking with the design of the site and the Jindabyne Town Centre.

Controls

F1.2-1 Vehicle access & parking

(a) Car parking provision and design is to be in accordance with Chapter C3 Car parking, traffic and access.
(b) Potential pedestrian and vehicle conflict is to be minimised by:
- ensuring clear sight lines at pedestrian and vehicle crossings;
- utilising traffic calming devices;
- separating and clearly distinguishing between pedestrian and vehicular accessways (for example by using bollards, change of hard pavement in rear lane).

(c) Car parking areas are to include suitable landscaping, both within and on the perimeter of the car park, to improve appearance and provide shade.
(d) Where car parking is located within a development, the appearance of carparking and service vehicle entries are to be improved by:
- screening and locating garbage collection, loading and servicing areas within the development; and
- avoiding black holes in the façade by providing security doors to carpark entries.

(e) Safe and secure access is to be provided for building users, including direct access for residential apartments.
(f) Parking and storage of bicycles (both resident and visitor) is to be provided at convenient and secure locations.
(g) Where doors are not provided to a car park, ensure that the visible interior of the car park is incorporated into the façade design and material selection and that building services pipes and ducts are concealed.
(h) All vehicle access points to a development are to provide a minimum 1.5 metres landscaped setback to neighbouring properties.

Pedestrian and Cycle Access

Design for pedestrian access focuses on delivering high quality, safe and pleasant walking environments. Pedestrian access and through-site links assist in ensuring that the development is integrated into the locality and encourage ground level activity through the site. Pedestrian access should also be equitable access, which provides a barrier-free environment where all people who live in and visit the development can enjoy the public domain.

The Jindabyne Town Centre Master Plan identifies the key pedestrian connections through the Town Centre as shown below.

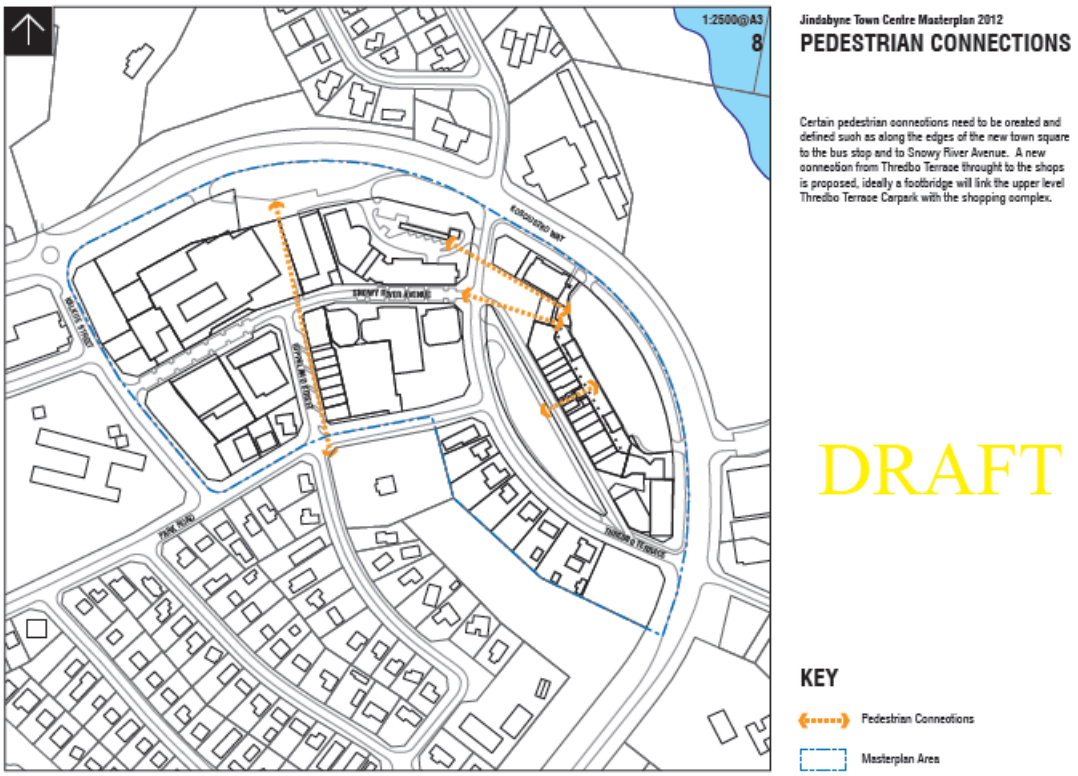
Objectives

- To promote walking and cycling as modes of transport to improve health and wellbeing, reduce transport and infrastructure costs and minimise environmental impacts.
- To ensure that development incorporates publicly accessible pedestrian paths that are well linked into the surrounding area.

Controls

F1.2-2 Pedestrian and cycle access

(a) All development is to provide high quality accessible routes to public and semi-public areas, including major entries, lobbies, communal open space, site facilities, parking areas and pedestrian pathways.
(b) All pedestrian links are to have appropriate levels of illumination.
(c) All entrances to buildings are to be accessible from the street and are to integrate ramps into the overall building and landscape design to promote equity of access.
(d) Facilities for bicycle storage are to be provided in accordance with Chapter C3 Car Parking, Traffic and Access.
(e) All new developments are to consider including change room and shower facilities for staff.



4.3 Building and Site Design

This section contains objectives and performance criteria and controls for building and site design. Building height and density (FSR) requirements are contained in the Snowy River LEP 2013 and are explained in more detail below. Other requirements in this part include setbacks and building articulation.

Building Height

Height is an important control because of its major impact on the character and physical and visual amenity of a place. Height controls can be further refined by decisions about roof form, amenity of adjacent residential areas, setting and topography and heritage context. Building height also has a major impact on the degree of overshadowing and potential loss of privacy and views.

Objectives

- To ensure that building height relates to the context of the site, including street type, surrounding buildings, heritage items, landscape and views.
- To allow reasonable daylight access to all development and the public domain including footpaths, areas of open space and the site of the Jindabyne Town Square.
- To increase the amenity of the development by taking advantage of long distance views from the site.
- To ensure appropriate management of overshadowing and privacy.

Controls

F1.3-1 Height

Note: Maximum Building Heights are included in clause 4.3 of the Snowy River Local Environmental Plan 2013.

(a) A minimum floor to ceiling height for ground level retail and commercial floorspace where active public uses are encouraged is 3.6 metres.
(b) A minimum floor to ceiling height of 3.0 metres is required for the upper level commercial floor space.
(c) A minimum floor to ceiling height of 2.7 metres is required for all residential floorspace.

Density / Floor Space Ratio

Building density is defined by maximum floor space ratio (FSR). The maximum FSR for sites within the Jindabyne Town Centre are identified in clause 4.4 of the Snowy River LEP 2013. The FSR control works in conjunction with the building height, setbacks and landscaped area controls to identify the overall building envelope for the site. The achievement of the maximum FSR is dependent on how the proposed development meets the objectives and performance requirements of this Chapter and other relevant Chapters of the Snowy River DCP.

In some instances it may not be possible to achieve the maximum allowable FSR for a particular site, due to potential impacts on views, overshadowing and minimum landscaped area requirements, and other design considerations.

Objectives

- To control the bulk and scale of development.
- To ensure building bulk is compatible with the surrounding built form and minimise the impact on existing buildings in the locality, open space and streetscape.
- To define the allowable development density to ensure that development does not detrimentally impact on local traffic.
- To encourage balconies and terraces within the development.

Controls

F1.3-2 Density / Floor space ratio

(a) The maximum floor space ratio for the site is to be in accordance with the Snowy River LEP 2013 (clause 4.4 Floor Space Ratio).
(b) The area of terraces and balconies with outer walls of less than 1.4 metres high is not to be included in the calculation of floor space ratio in accordance with the Snowy River LEP 2013.

Setbacks

Setbacks reflect the character of an area and establish the development's relationship with the surrounding area. They create the relationship between neighbouring buildings, opportunities for landscaped open space and are important contributors to visual and acoustic privacy and daylight.

Street setbacks and front setbacks establish the development's relationship with the streetscape and character of the surrounding area. They create the address and proportions of the street and contribute to the public domain by enhancing streetscape character

Setbacks within a development create the relationship between neighbouring buildings, create opportunities for landscaped open space and are important contributors to visual and acoustic privacy and daylight access. Minimal side setbacks encourage buildings to address the street, rather than addressing side boundaries and adjacent buildings. This not only contributes to privacy but increases passive surveillance of the street.

Objectives

- To provide strong street edges in the Jindabyne Town Centre.
- To minimise the impact of development on adjoining land and to ensure adequate separation between buildings.
- To provide adequate space for landscaping, visual and acoustic privacy and solar access.
- To encourage the retention of significant views.

Controls

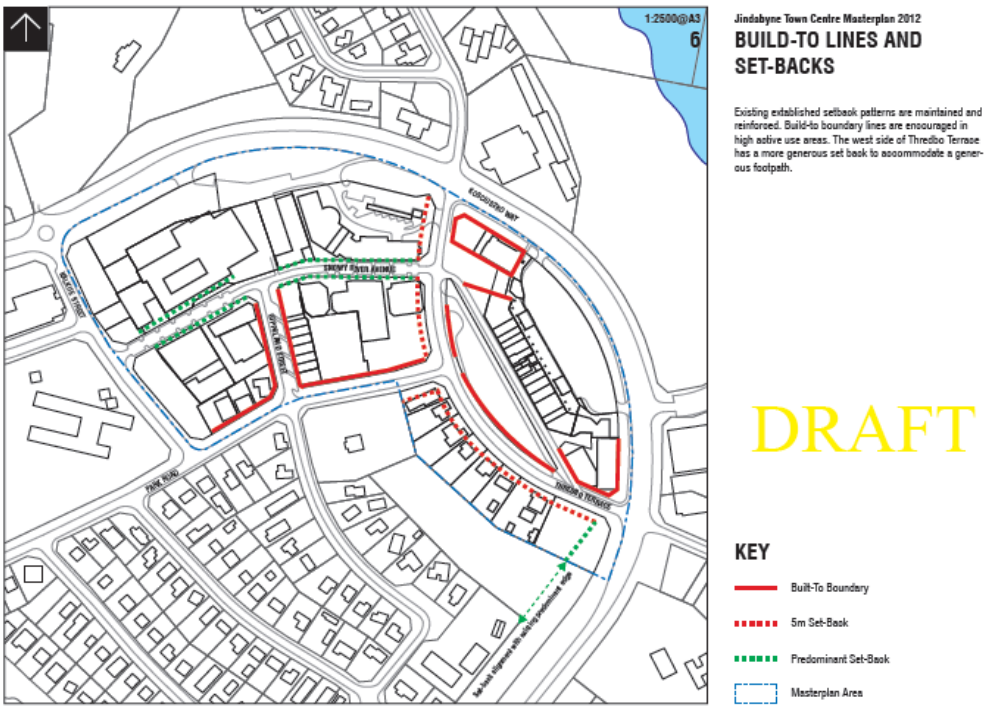
F1.3-3 Setbacks

(a) The front setback requirements at ground level are shown in the Build to Lines and Setbacks figure in the Jindabyne Town Centre Master Plan (refer below).

(b) New buildings are to be sited and designed to form a strong, predominantly continuous built edge to the primary street frontage, Town Square and public parks and pathways. Where an allotments has frontage to two or more streets, the primary street frontage is the widest public street adjoining that allotment. Where an allotment has frontage to a street and public path or pathway, a strong, built edge is to be provided to both.

(c) All ground level setbacks are to be landscaped.

(d) Vehicle access points and loading docks may be located within the setback area where they do not have a detrimental impact on the appearance of the development or pedestrian and cycle movement.



4.4 Building Exterior

The exterior elements of individual developments directly affect the quality and character of the streetscape and the public domain. The controls in this section aim to increase the amenity, vitality, safety and security of streets and laneways by encouraging variation and interest in building facades, ensuring quality building finishes and materials and mitigating adverse impacts on the street arising from driveway access crossings and advertising signage.

Building facades and articulation

Articulation of building facades provide for visually interesting buildings and streetscapes and greater amenity for both occupants and visitors. Articulation of building facades ensures that buildings do not present monotonous walls to the streetscape and assists in breaking up building mass of large sites.

Buildings can be articulated through the use of architectural elements such as variations in building materials, balconies, entries, bay windows, sun shading devices, privacy screens and similar architectural elements.

Objectives

- To ensure that new buildings have well-articulated and harmonious facades which define the public domain.
- To ensure that buildings exteriors reinforce the character and continuity, and make a positive contribution to the Town Centre streetscape.
- To promote high quality architectural design.

Controls

F1.4-1 Building facades & articulation

(a) Buildings are to be designed to address the street and ensure that rear and side façades (where visible) also provide visual interest to the street and surrounding neighbours.
(b) The design of the development should include architectural features that give a human scale to the building, particularly at ground level.
(c) The design of the building façade, or a series of facades, should form a rhythm that complements and is harmonious with the streetscape.
(d) Building articulation should respond to the environmental conditions of the site including orientation, breezes and privacy.
(e) The maximum unarticulated building length is 9 metres along the primary street frontage and 10 metres along the secondary street frontage.
(f) All facades, including rear facades, must include windows.
(g) Predominantly clear glazed shopfronts are to be provided to ground floor retail development and for commercial development where the site is required to have an Active Street Frontage.
(h) Curtain walling, large expanses of glass and large expanses of concrete are to be avoided in the design of the building as these do not create well-articulated and harmonious facades.
(i) Grilles and transparent security shutters are to have a minimum of 70% transparency. Solid roller shutters, screens or grills on shopfronts and dwellings are not appropriate.

Building entrances

Building entrances define the threshold between the public street and private areas within the building and contribute to the identity of the development. Where a building has a large frontage to the street, multiple entries help to create a human scale along the street.

Objectives

- To create building entrances which are clearly identifiable.
- To contribute positively to the streetscape and building façade design.

Controls

F1.4-2 Building entrances

(a) Building entries are to address the primary street frontage and form an integral part of the building façade.
(b) Building entries are to be clearly visible from the street, convenient for pedestrians, and a clearly identifiable element of the building.
(c) Building entries must be designed to have equal access to all people.
(d) Safe and secure access is to be provided by providing a clear line of sight between one circulation space and the next, providing sheltered, well lit and highly visible spaces for building entry and for the collection of mail.
(e) Separate entries from the street are to be provided for pedestrians and cars.
(f) Entries and associated circulation spaces are to be of an adequate size to allow movement of furniture between public and private spaces.

Solar access, overshadowing and natural daylight

Solar access forms an integral part of the design process and is a major determinant of personal environmental comfort. Good passive solar design offers a resource and financial benefit by reducing the need for artificial heating and cooling for commercial, retail and residential development. New development must also recognise that existing adjacent buildings require reasonable access to sunlight.

Objectives

- To encourage passive solar design that minimises energy consumption.
- To minimise the negative impact of overshadowing on the internal and outdoor areas of neighbouring buildings.
- To retain the amenity of the public domain by maximising solar access.

Controls

F1.4-3 Solar access, overshadowing & natural daylight

(a) Shadow diagrams, including elevations showing shadow impacts on any walls (and windows) of adjoining development and areas of open space must be submitted with the development application for all new buildings of two or more storeys. Any adverse overshadowing impact may require a reduction in the height or design changes of the proposed development.
(b) Solar access and overshadowing requirements for shop top housing are to be in accordance with Chapter D1 Residential Accommodation.

(c) The height and design of buildings should not significantly impact on sunlight access or overshadow public open spaces, outdoor dining areas and the Town Square.

Awnings

Awnings increase the useability and amenity of public footpaths by protecting pedestrians from weather. They encourage pedestrian activity and contribute to the identity of a development. Awnings also offer a good opportunity to create architectural detail and contribute to the character of the street.

Objectives

- To provide shelter for areas where pedestrian activity occurs.
- To reinforce an existing coordinating feature of the Jindabyne Town Centre.
- To provide continuity in the streetscape.

Controls

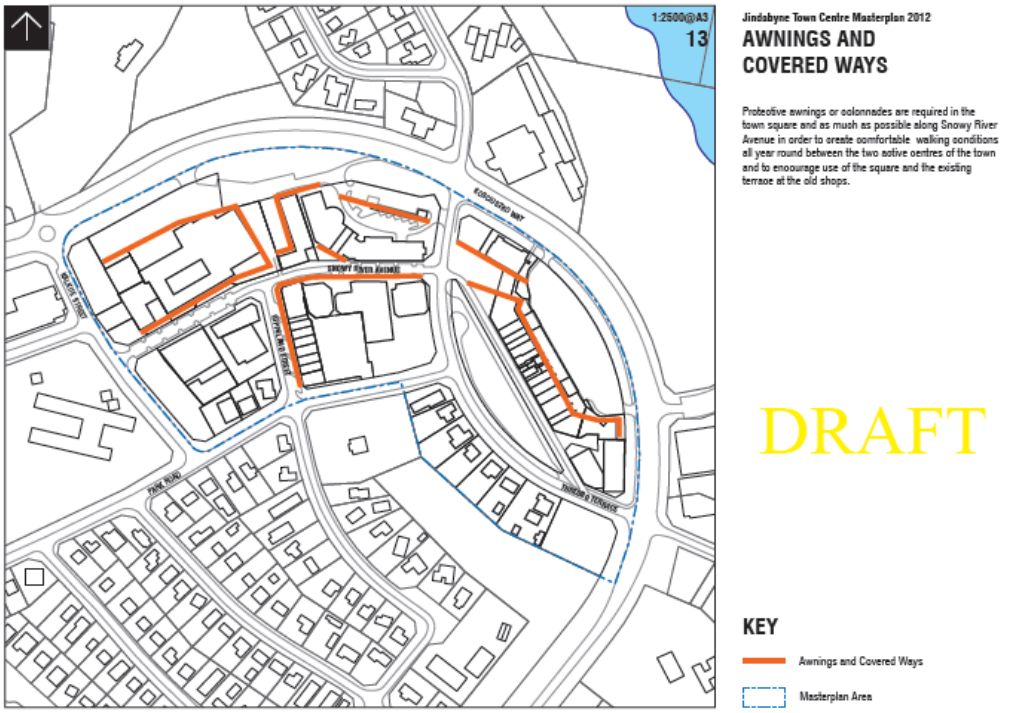
F1.4-4 Awnings

(a) Continuous awnings are to be provided on the main pedestrian activity paths and areas identified as having Active Street Frontages (refer Snowy River LEP 2013 – Active Street Frontages Map).

(b) Awnings over a public footpath are to be:
- a minimum clear height of 3 metres above the footpath;
- a depth of 2 metres where non-residential uses adjoin;
- not less than 600mm from the edge of the road/kerb.

(c) Along streets with existing awnings, any new awnings are to be aligned with the existing and are to be designed to be complimentary with the existing.

(d) Under awning lighting is to be provided to facilitate night use of the footpath and to improve public safety.



Signage and advertising

Signage and advertising plays a significant part in identifying retail and commercial uses and in creating a lively retail strip. It is important that signage in the Town Centre is clear and easily understood, integrated into the design of new buildings and consistent with the streetscape character.

Objectives

- To ensure that signage is in keeping with the development in scale and quality.
- To enhance the visual quality of the streetscape.

Controls

F1.4-5 Signage & advertising

(a) Advertising signs are to be in accordance with Chapter C6 Advertising and Signage.
(b) The location, size and design for signage associated with a development is to be included in the development application plans and elevations.
(c) The location and design of signage and advertising is not to:
   - obscure important architectural features or dominate the architecture of buildings
   - protrude from the awnings
   - project above any part of the building to which it is attached
   - cover a large portion of the building façade
(d) Fin signs, projecting wall signs and roof signs are not permitted.
(e) Commercial signage on local shops is to be limited to identification signs with one sign permitted for each shop front. These may be located on shop front windows, above entrances or suspended under colonnades or awnings in accordance with Chapter C6 Advertising and Signage.

Materials and finishes

The selection of appropriate materials and finishes for development within the Jindabyne Town Centre is important because of the sites prominent position on Lake Jindabyne and it function as the main centre for both local community and visitors. In addition, the range of weather conditions makes the selection of building materials and finishes important for both the appearance and longevity of the development. It is also important to consider the environmental impacts of materials in terms of their whole life cycle (including their manufacture and disposal) when selecting construction and building materials, fittings, fixtures and appliances.

Objectives

- To ensure that new development in the Town Centre achieves a high standard of architectural character and include quality finishes.
- To ensure that building materials and finishes contribute to a stylish and coherent streetscape.
- To ensure that colours and materials are selected to aesthetically relate to the Snowy River environment.
- To ensure building materials are chosen that can withstand climatic variations and extremes.

- To encourage the use of recycled and environmentally sustainable materials.

Controls

F1.4-6 Materials and finishes

(a) New development is to utilise high quality and durable materials and finishes.
(b) The exterior finishes of new development is to include earthy colour schemes consistent with the Snowy River Design Guidelines and avoid corporate and bright colours that are inconsistent with the character of the Jindabyne Town Centre streetscape.
(c) Materials and finishes are to be in accordance with the Snowy River Design Guidelines .
(d) The facades of new development is to include a variety of materials and finishes and avoid large expanses of any single material

4.5 Open Space & Landscaping

Open space

Open space is a critical environmental feature as well as 'breathing space' for the Town Centre. It may be public (assessable and usable by the general public), communal (shared by all occupants of a development) or private (for the exclusive use of the occupants). Generally, open space in the Town Centre is provided as public open space.

The primary function of open space is to provide amenity in the form of: landscape design, opportunities for recreation and social activities, daylight access for neighbouring sites, visual privacy, and water cycle management. Within individual sites, the size, location and design treatment of open space will vary depending on the context of the site, proposed uses and scale of development.

Objectives

- To provide areas of passive open space within the Jindabyne Town Centre.
- To ensure that communal space is consolidated, configured and designed to be useable and attractive.
- To provide a pleasant landscaped outlook from and to the Jindabyne Town Centre.

Controls

F1.5-1 Open space

(a) The amount of open space provided on a site is to be in accordance with the requirements for the type of development proposed (eg. Chapter D1 Residential Accommodation).
(b) Publicly accessible open space is to be located so that it forms a focus of the development and provides a landscape buffer between buildings and provides for a pleasant outlook.
(c) Publicly accessible open space should be consolidated into useable areas and demonstrate that its size and dimensions allow for a variety of uses.
(d) Open space should be located so that solar access is maximised.

Landscape design

Landscape design and maintenance plays an important role in determining the character of the Town Centre. The use of local native plant species in landscape design is encouraged as they generally require less water and are suited to the local climatic conditions.

Objectives

- To ensure that landscaping is integrated into the design of the development and is consistent with the landscape character of the streetscape.
- To add value within a development by providing privacy, outlook and landscaped views.
- To promote sustainable landscape design and irrigation practices.
- To ensure landscape design takes into account the site's microclimate.
- To maximise absorptive landscaped areas for on-site infiltration of stormwater.

Controls

F1.5-2 Landscape design

(a) All development applications are to include a landscape plan (refer Chapter A2 Development Application Requirements).
(b) Landscape design is to be in scale with the development and should relate to building form, facilitate stormwater infiltration through the use of permeable surfaces, and be easily maintained.
(c) Landscaping is to ensure amenity of private and publicly accessible open spaces by providing:
    - shade from the sun and shelter from the wind;
    - accessible and safe routes through the space and between buildings.
(d) Landscape design is to improve the energy and solar efficiency of development and the microclimate of open spaces by:
    - locating trees for shading low-angle sun on the eastern and western sides of buildings;
    - using deciduous trees (where appropriate) for shading of windows and open space areas in summer and allowing solar access in winter.
(e) Landscape design is to minimise water consumption by including local native plants with low water demand (refer Recommended Species for Landscaping – Chapter C5) and using plants with low fertiliser requirements.
(f) The landscape plan must outline how landscaped areas are to be maintained for the life of the development

Deep soil zones

Deep soil zones are areas of natural ground, and with relatively natural soil profiles, retained within a development and not built upon. Deep soil zones have important environmental benefits including: promoting healthy growth of large trees with large canopies; protecting existing mature trees; and allowing infiltration of rainwater and reducing stormwater runoff.

Objectives

- To improve the amenity of development through the retention and planting of trees that are, or will, grow to a large or medium size.
- To assist with management of water quality and the water table.

Controls

F1.5-3 Deep soil zones

(a) The development, where possible, is to include deep soil zones which will accommodate existing mature trees as well as allow for the planting of trees/shrubs that will grow to be mature trees.
(b) Deep soil zones are to have a pervious surface.
(c) Deep soil zones are not to be built upon.

F2 Berridale Village Centre

Contents

1. General Information

1.1 Land to which this Chapter applies

This Chapter applies to the Berridale Village Centre which includes land in Berridale zoned RU5 Village under the Snowy River LEP 2013 and shown on the map below.

REFER TO BERRIDALE VILLAGE CENTRE BOUNDARY

SEPARATE MAPS – OPTION 3

The provisions of Chapter D1 Residential Accommodation also apply to development for residential accommodation in the Berridale Village Centre. Where there is an inconsistency between Chapter D1 and this Chapter, the provisions of this Chapter will prevail.

1.2 Aim of this Chapter

The aim of this Chapter is to produce objectives and detailed development controls to guide the built form, environmental and amenity standards for development within the Berridale Village Centre.

1.3 Development Objectives for the Berridale Village Centre

The objectives for development in the Berridale Village Centre are to ensure that development:

- reflects the values and outcomes of the Berridale Village Plan (2007);
- provides for high quality retail, commercial, residential and tourism development which promotes vitality in the Village Centre and serves the needs of both the local community and visitors to the area;
- provides for a mix of uses which support a sustainable level of growth without adversely impacting on the heritage values and the village character;
- makes a positive contribution to the streetscape with the scale, character and design of new development considering the existing neighbourhood within and adjacent to the Berridale Village Centre, the rural setting of the village and its connection to the mountains;
- protects the natural and cultural heritage of Berridale and promotes a connection with important landmarks, significant views and areas of open space;
- includes environmentally sustainable features; and
- provides for equal access for all levels of mobility and enhances safety and security.

2 Background and Context

2.1 Context and Berridale Village Plan (2007)

The Village Centre of Berridale defined in the Berridale Village Plan includes the commercial and service core with a concentration of specialty shops, cafes, pub, garage and offices including the Council Chambers. There is a range of building styles (one and two storey) with a number of the buildings heritage listed, providing heritage character to parts of the Village Centre.

Two large parking areas within the Village Centre are dominant features that separate the Jindabyne Road frontage from the shopfronts. These parking areas could be enhanced with further landscaping and use of materials to be both functional and welcoming as a focal point of the village.

The open space network and landscaping are also central to Berridale's character and are widely recognised as assets for both residents and visitors. Significant areas of landscaped open space, located on the eastern side of Jindabyne Road, provide a distinct character to the Village Centre. Improving landscaping is a key way to enhance the character of the village and making the village more attractive and desirable.

The key existing characteristics of the Village Centre identified in the Berridale Village Plan (2007) are:

- commercial core with shops, cafes, restaurants, offices and services;
- established landscaping in pockets;
- variety of signage;
- mix of building scale and styles; and
- heritage streetscape.

The Berridale Village Plan also included a 'Preferred Character Statement' for the Centre (identified as Precinct No.6) being:

"The attractiveness and functioning of this area will be maintained and strengthened by:

- *encouraging good design that creates a functional and attractive commercial core;*
- *supporting a range of development that is geared toward service provision and commercial activities; and*
- *encouraging landscaping to break built form and enhance the character of the village."*

The Berridale Village Plan also identified features to avoid including:

- large inappropriate signage that dominates the area and detracts from the heritage and low key village centre; and
- buildings that do not present or address the street frontage.

2.2 Heritage Conservation

There are a number of heritage items listed in the Snowy River LEP 2013 that are located in the Berridale Village Centre (refer Snowy River LEP 2013 Heritage Maps).

In addition to heritage buildings, the Snowy River LEP 2013 also identifies the cultural streetscape along Jindabyne Road, Berridale as a heritage and includes a remnant row of Lombardy poplars and radiata pines interspersed with hawthorn hedging at the northern entrance to Berridale and an avenue of Lombardy poplar that line the southern entrance to village and a grove of cypress defining the War Memorial Site. The statement of significance notes that:

> *The street trees spatially define both the northern and southern entrances to Berridale and are known to be one of the main features of the town. The use of radiata pines, Lombardy poplars and hawthorns is representative of early 20th Century street planting. They make an important contribution to the streetscape and the character of the town.*
>
> *The radiata pines were planted around 1902 and the Lombardy poplars during the Inter War period. The milestones were relocated to the site c1960.*

Information on the significance of these items and the individual heritage inventory sheets can be obtained from Council. This DCP also includes a specific Chapter for development affecting a heritage item or on a site in the vicinity of a heritage item (Chapter C4 Heritage).

It is highly recommended that an applicant meet with Council early in the design stages of a proposal where development affects a heritage item.

3 Development & Design Controls

3.1 Urban Form

Views, Vistas and Landmarks

The landscape setting of the Berridale Village Centre is one of its significant features and is important for scenic, conservation and heritage values. The protection and management of views and vistas from and to the Village Centre is an important consideration for all new development to ensure that the scenic and landscape quality of Berridale is protected.

Objectives

- To protect and enhance views and vistas from and to the Berridale Village Centre which highlight the landscaped setting, heritage features and character of the centre.

Controls

F2.1-1 Views, vistas & landmarks

Significant views and vistas within the Village Centre are to be maintained and enhanced including views to and from surrounding village and rural areas.
Buildings are to be designed to maximise view sharing.

Active Site and Street Frontages

A successful village centre provides street level retail and commercial activities that satisfy the requirements of local residents and visitors and enliven the public area by day and night. Active frontage uses at street level include entrances to retail or shopfront; café or restaurant and active office uses, such as reception areas, if visible from the street.

Objectives

- To maximise active street frontages to encourage pedestrian activity and improve safety through passive surveillance.
- To provide a range of uses to engage and activate the street.
- To maximise building openings and minimise the extent of blank walls on to the street, especially at ground level.

Controls

F2.1-2 Active site & street frontages

(a) Provide continuous retail or active commercial frontage on the ground floor of buildings within the Berridale Village Centre.
   - Active ground floor uses are to be the same general level as the footpath and can be readily accessible.
   - Restaurants, cafes and the like are to consider providing openable shop fronts.
   - Street level activity is to be encouraged and maximised by wrapping shopfronts around corners.
   - Blank walls at ground level are to be minimised.
   - Maximise glazing for retail uses on the ground floors.
   - Opaque or reflective glass is not to be used on the ground floor facade.

- Use grilles or transparent security shutters with a minimum of 70% transparency on retail frontages. Solid shutters are not permitted.
- Entrances to internally orientated shopping or commercial arcades, and the arcades themselves must be a minimum of 7 metres wide.

Street Corners

Buildings on street corners are important both in terms of 'way finding' and 'place making'. Well defined corners assist pedestrians to orientate and define their own position within a precinct.

Objectives

- To ensure that corner buildings, which by their location are often highly visible, are well designed and respond to the different characteristics of the streets they address.

Controls

F2.1-3 Street corners

(a) Each frontage of a building on a corner site should be designed as a main street frontage.
(b) On corner sites street level activity is to be maximised by wrapping shopfronts around corners.
(c) Development on corner sites should be designed to add variety and interest to the street and clarify the street hierarchy.
(d) Development on corner sites should utilise design devices such as increased wall heights, splayed corner details, and other architectural features to reinforce the way finding attributes of street corners.

Outdoor Dining

Outdoor dining has an immediate positive impact on the vitality of places and creates street level interest and variation. Outdoor dining may spill out from the restaurant's main dining area, be along the building wall or close to the kerb. In all instances, pedestrian movement and street infrastructure should be a priority and not affected by new outdoor dining areas.

Objectives

- To encourage outdoor dining along streets and in public spaces to make the Berridale Village Centre lively during the day and night.
- To increase casual and passive surveillance of the street to enhance safety and security.

Controls

F2.1-4 Outdoor dining

(a) Consider incorporating areas of outdoor dining in café, take away food and drink premises and restaurant developments where possible.
    - The location of outdoor dining areas should provide good amenity, landscaping and outlook, solar access in the winter and shading in the summer and a traffic environment that can be calmed or supports outdoor dining usage.

- Lighting and heating should be provided for evening use of outdoor dining areas.
- Outdoor dining areas should not take away from space used for street furniture or interrupt utilities or other infrastructure.
- Prioritise pedestrian flows and access for people with disabilities along main streets by keeping the minimum clear width of footpath travel between the building and outdoor dining area.

Note: Refer to Chapter E3 Commercial Premises (Outdoor Dining & Trading).

Safety, Security and Crime Prevention

Safety and security refers to formal and informal measures to protect properties, residents and visitors. Developments should provide safe ground level entry and enable casual surveillance.

Objectives

- To encourage building design that provides casual surveillance of streets and other public areas.
- To promote the design of buildings and open space areas which encourage community safety and reduce the opportunity for crime.

Controls

F2.1-5 Safety, security & crime prevention

(a) A formal crime risk assessment, consistent with the Department of Planning 'Crime Prevention Through Environmental Design' is to be carried out for certain types of development as specified by Council.
(b) Buildings must be designed to enable occupants to overlook streets and public open space to provide casual surveillance. Opportunities for casual surveillance should be provided by:
    - orientating commercial and retail space and living areas (where residential dwellings are located in the development), so they have views over public or commercial open spaces;
    - providing clear lines of sight between building and car park entrances and the street;
    - footpaths, landscaped areas and driveways must provide opportunities for surveillance and allow safe movement of residents around the site.
(c) Opportunities for concealment are to be minimised by:
    - avoiding blind or dark alcoves near stairwells;
    - providing well lit routes throughout the development;
    - ensuring car parking areas, pathways and common areas of developments are adequately lit at all times.
(d) Entrances to buildings must be clearly visible and accessible from the street.
(e) Community buildings and public open space areas are to be provided with sufficient lighting and security.
(f) Large expanses of wall and fences, which may attract graffiti, are to be avoided.

Note: refer to Chapter C2 Design (Crime Prevention Through Environmental Design) for detailed controls.

Integrating large format uses/shopping centres

Shopping centres are traditionally stand-alone buildings inwardly focused onto a privately owned central mall that contains a range of retail and other services. It is important for the functioning of the Village Centre that these stand-alone shopping centres have both a visual and direct connection to the Village Centre.

Objectives

- To ensure that stand-alone shopping centres include a mix of uses and are integrated into the design and layout of the Village Centre.

Controls

F2.1-6 Integrating large format uses/shopping centres

(a) Integrate the internal and external layout of stand-alone shopping centres with the existing street network to improve walkability and legibility. Ensure pedestrian and cycle connections between the street network and the shopping centre are clear, direct, safe and attractive links that are well lit, with good signage and meet access requirements.
(b) Locate more intensive and extended-hour uses towards the street and around public spaces to ensure areas around the shopping centre are active at night and help with natural surveillance.
(c) Improve pedestrian access to shopping centres with entries that align with the street and existing connections. Pedestrian entries should be highly visible, connected to the public domain and easy to find.
(d) Design path and way finding signage to improve access, orientation and connections to spaces within and outside the shopping centre.
(e) Avoid long expanses of blank walls along street frontages or other public areas. Provide active frontages to enable natural surveillance of public areas.
(f) Provide bicycle parking close to shopping centre entries.
(g) Ensure that service areas, site storage and loading bays are located away from public spaces, streets and residential development.

Universal Design/Accessibility

The design of the public domain in the Village Centre should make it accessible to everyone, including mobility impaired people, children, elderly citizens and pedestrians with prams.

Measures to make the public domain more accessible include adequate space so people can easily move around, manageable slopes and grades in the street, ease of access to and from building entrances, and tactile indicators and luminance contrast to help visually impaired people. This ultimately encourages more people to use a space.

Objectives

- To ensure that all residents and visitors, including wheelchair users and those with a disability are able to easily reach and enter all publicly accessible parts of a building.

Controls

F2.1-7 Universal design/accessibility

(a) Prioritise pedestrian flows for people with disabilities by providing a clear travel path along the building line.
(b) Where outdoor dining is provided along the wall of a building on secondary streets with narrow footpaths or lanes, access for people with a disability should be considered.

3.2 Traffic, access, parking and servicing

Vehicle Access and Parking

The location, type and design of vehicle access points to a development have a significant impact on the streetscape, site layout and building design. It is important that vehicle access is integrated with site planning from the earliest stages to minimise any potential conflicts with pedestrians, streetscape requirements and traffic patterns.

Vehicle crossings over footpaths disrupt pedestrian movement and impact on safety. The design of vehicle access to buildings also influences the quality of the public domain. Overly wide vehicle access points detract from the streetscape and the active use of street frontages.

Accommodating parking on site also has a significant impact on the site layout, landscape design and stormwater management. The amount of parking provided is related the size of the development, however parking provision should also be considered in relation to the local context and the availability of car parking areas.

Objectives

- To provide adequate and convenient car parking and service access for the development without compromising street character, landscape or pedestrian amenity and safety.
- To minimise car dependency and to promote alternative means of transport including cycling and walking.
- To integrate the location and design of car parking with the design of the site and the Berridale Village Centre.

Controls

F2.2-1 Vehicle access & parking

(a) Carparking provision and design is to be in accordance with Chapter C3 Car Parking, Traffic and Access.
(b) Potential pedestrian and vehicle conflict is to be minimised by:
    - ensuring clear sight lines at pedestrian and vehicle crossings;
    - separating and clearly distinguishing between pedestrian and vehicular accessways.
(c) Carparking areas are to include suitable landscaping, both within and on the perimeter of the carpark, to improve appearance and provide shade.
(d) Where carparking is located within a development, the appearance of carparking and service vehicle entries are to be improved by screening garbage collection, loading and servicing areas.

(e) Safe and secure access is to be provided for building users, including direct access for residential apartments.
(f) All vehicle access points to a development are to provide a minimum 1.5 metres landscaped setback to neighbouring properties.

Pedestrian and Cycle Access

Design for pedestrian access focuses on delivering high quality, safe and pleasant walking environments. Pedestrian access and through-site links assist in ensuring that the development is integrated into the locality and encourage ground level activity through the site. Pedestrian access should also be equitable access, which provides a barrier-free environment where all people who live in and visit the development can enjoy the public domain.

Objectives

- To promote walking and cycling as modes of transport to improve health and wellbeing, reduce transport and infrastructure costs and minimise environmental impacts.
- To ensure that development incorporates publicly accessible pedestrian paths that are well linked into the surrounding area.

Controls

F2.2-2 Pedestrian & cycle access

(a) All development is to provide high quality accessible routes to public and semi-public areas, including communal open space, site facilities, parking areas and pedestrian pathways.
(b) All pedestrian links are to have appropriate levels of illumination.
(c) All entrances to buildings are to be accessible from the street and, if required, are to integrate ramps into the overall building and landscape design to promote equity of access.

3.3 Building and Site Design

This section contains objectives and performance criteria and controls for building and site design. Building height and floor space ratio (FSR) requirements are contained in the Snowy River LEP 2013 and are explained in more detail below. Other requirements in this part include setbacks, building articulation and sustainable design.

Building Height

Height is an important control because of its major impact on the character and physical and visual amenity of a place. Height controls can be further refined by decisions about roof form, amenity of adjacent residential areas, setting and topography and heritage context. Building height also has a major impact on the degree of overshadowing and potential loss of privacy and views.

Note: The Snowy River LEP 2013 (clause 4.3 Height of Buildings) and the Height of Buildings Map set maximum height limits for sites.

Objectives

- To ensure that building height relates to the context of the site, including street type, surrounding buildings, heritage items, landscape and views.
- To allow reasonable daylight access to all development and the public domain including footpaths and areas of open space.
- To ensure appropriate management of overshadowing and privacy.

Controls

F2.3-1 Building height

(a) A minimum floor to ceiling height for ground level retail and commercial floorspace where active public uses are encouraged is 3.6 metres.
(b) A minimum floor to ceiling height of 3.0 metres is required for the upper level commercial floor space.
(c) A minimum floor to ceiling height of 2.7 metres is required for all residential floorspace.

Density / Floor Space Ratio

Building density is defined by maximum floor space ratio (FSR). The FSR control works in conjunction with the building height, setbacks and landscaped area controls to identify the overall building envelope for the site. The achievement of the maximum FSR is dependent on how the proposed development meets the objectives and performance requirements of this Chapter and other relevant Chapters of the Snowy River DCP.

In some instances it may not be possible to achieve the maximum allowable FSR for a particular site, due to potential impacts on views, overshadowing and minimum landscaped area requirements, and other design considerations.

Note: The Snowy River LEP 2013 (clause 4.4 Floor Space Ratio) and the Floor Space Ratio Map specifies the maximum FSR for the Berridale Village Centre.

Objectives

- To control the bulk and scale of development.
- To ensure building bulk is compatible with the surrounding built form and minimise the impact on existing buildings in the locality, open space and streetscape.
- To define the allowable development density to ensure that development does not detrimentally impact on local traffic.
- To encourage balconies and terraces within the development.

Controls

F2.3-2 Density / floor space ratio

(a) The maximum floor space ratio for the site is to be in accordance with the Snowy River LEP 2013 (clause 4.4 Floor Space Ratio).
(b) The area of terraces and balconies with outer walls of less than 1.4 metres high is not to be included in the calculation of floor space ratio in accordance with the Snowy River LEP 2013.

Setbacks

Setbacks reflect the character of an area and establish the development's relationship with the surrounding area. They create the relationship between neighbouring buildings, opportunities for landscaped open space and are important contributors to visual and acoustic privacy and daylight.

Street setbacks and front setbacks establish the development's relationship with the streetscape and character of the surrounding area. They create the address and proportions of the street and contribute to the public domain by enhancing streetscape character

Building setback is measured from the property boundary to any part of a building.

Objectives

- To provide strong street edges in the Berridale Village Centre.
- To minimise the impact of development on adjoining land and to ensure adequate separation between buildings.
- To provide adequate space for landscaping, visual and acoustic privacy and solar access.
- To encourage the retention of significant views.

Controls

F2.3-3 Setbacks

(a) New buildings are to be sited and designed to form a strong, predominantly continuous built edge to the primary street frontage, car parking areas and pathways. Where an allotment has frontage to two or more streets, the primary street frontage is the widest public street adjoining that allotment. Where an allotment has frontage to a street and public path or pathway, a strong, built edge is to be provided to both.
(b) All ground level setbacks are to be landscaped.
(c) Vehicle access points and loading docks may be located within the setback area where they do not have a detrimental impact on the appearance of the development or pedestrian and cycle movement.

3.4 Building Exterior

The exterior elements of individual developments directly affect the quality and character of the streetscape and the public domain. The controls in this section aim to increase the amenity, vitality, safety and security of streets and laneways by encouraging variation and interest in building facades, ensuring quality building finishes and materials and mitigating adverse impacts on the street arising from driveway access crossings and advertising signage.

Building Facades and Articulation

Articulation of building facades provide for visually interesting buildings and streetscapes and greater amenity for both occupants and visitors. Articulation of building facades ensures that buildings do not present monotonous walls to the streetscape and assists in breaking up building mass of large sites.

Buildings can be articulated through the use of architectural elements such as variations in building materials, balconies, entries, bay windows, sun shading devices, privacy screens and similar architectural elements.

Objectives

- To ensure that new buildings have well-articulated and harmonious facades which define the public domain.
- To ensure that buildings exteriors reinforce the character and continuity, and make a positive contribution to the Village Centre streetscape.
- To promote high quality architectural design.

Controls

F2.4-1 Building facades & articulation

(a) Buildings are to be designed to address the street and ensure that rear and side façades (where visible) also provide visual interest to the street and surrounding neighbours.
(b) The design of the development should include architectural features that give a human scale to the building, particularly at ground level.
(c) The design of the building façade, or a series of facades, should form a rhythm that complements and is harmonious with the streetscape.
(d) Building articulation should respond to the environmental conditions of the site including orientation, breezes and privacy.
(e) The maximum unarticulated building length is 9 metres along the primary street frontage and 10 metres along the secondary street frontage.
(f) All facades, including rear facades, must include windows.
(g) Predominantly clear glazed shopfronts are to be provided to ground floor retail development and for commercial development.
(h) Curtain walling, large expanses of glass and large expanses of concrete are to be avoided in the design of the building as these do not create well-articulated and harmonious facades.
(i) Grilles and transparent security shutters are to have a minimum of 70% transparency. Solid roller shutters, screens or grills on shopfronts and dwellings are not appropriate.

Building entrances

Building entrances define the threshold between the public street and private areas within the building and contribute to the identity of the development. Where a building has a large frontage to the street, multiple entries help to create a human scale along the street.

Objectives

- To create building entrances which are clearly identifiable.
- To contribute positively to the streetscape and building façade design.

Controls

F2.4-2 Building entrances

(a) Building entries are to address the primary street frontage and form an integral part of the building façade.

(b) Building entries are to be clearly visible from the street, convenient for pedestrians, and a clearly identifiable element of the building.
(c) Building entries must be designed to have equal access to all people.
(d) Safe and secure access is to be provided by providing a clear line of sight between one circulation space and the next, providing sheltered, well lit and highly visible spaces for building entry and for the collection of mail.
(e) Separate entries from the street are to be provided for pedestrians and cars.
(f) Entries and associated circulation spaces are to be of an adequate size to allow movement of furniture between public and private spaces.

Solar access, Overshadowing and Natural Daylight

Solar access forms an integral part of the design process and is a major determinant of personal environmental comfort. Good passive solar design offers a resource and financial benefit by reducing the need for artificial heating and cooling for commercial, retail and residential development. New development must also recognise that existing adjacent buildings require reasonable access to sunlight.

Objectives

- To encourage passive solar design that minimises energy consumption.
- To minimise the negative impact of overshadowing on the internal and outdoor areas of neighbouring buildings.
- To retain the amenity of the public domain by maximising solar access.

Controls

F2.4-3 Solar access, overshadowing & natural daylight

(a) Shadow diagrams, including elevations showing shadow impacts on any walls (and windows) of adjoining development and areas of open space must be submitted with the development application for all new buildings of two or more storeys. Any adverse overshadowing impact may require a reduction in the height or design changes of the proposed development.
(b) The height and design of buildings should not significantly impact on sunlight access or overshadow public open spaces and outdoor dining areas.

Awnings

Awnings increase the useability and amenity of public footpaths by protecting pedestrians from weather. They encourage pedestrian activity and contribute to the identity of a development. Awnings also offer a good opportunity to create architectural detail and contribute to the character of the street.

Objectives

- To provide shelter for areas where pedestrian activity occurs.
- To reinforce an existing coordinating feature of the Berridale Village Centre.
- To provide continuity in the streetscape.

Controls

F2.4-4 Awnings

(a) Continuous awnings are to be provided on the main pedestrian activity paths and areas identified as having Active Street Frontages.
(b) Awnings over a public footpath are to be:
- a minimum clear height of 3 metres above the footpath;
- a depth of 2 metres where non-residential uses adjoin;
- not less than 600mm from the edge of the road/kerb.

(c) Along streets with existing awnings, any new awnings are to be aligned with the existing and are to be designed to be complimentary with the existing.
(d) Under awning lighting is to be provided to facilitate night use of the footpath and to improve public safety.

Signage and Advertising

Signage and advertising plays a significant part in identifying retail and commercial uses and in creating a lively retail strip. It is important that signage in the Village Centre is clear and easily understood, integrated into the design of new buildings and consistent with the streetscape character.

Objectives

- To ensure that signage is in keeping with the development in scale and quality.
- To enhance the visual quality of the streetscape.

Note: Advertising signs are to be in accordance with Chapter C6 Signage and Advertising.

Controls

F2.4-5 Signage & advertising

(a) The location, size and design for signage associated with a development is to be included in the development application plans and elevations.
(b) The location and design of signage and advertising is not to:
- obscure important architectural features or dominate the architecture of buildings
- protrude from the awnings
- project above any part of the building to which it is attached
- cover a large portion of the building façade.

(c) Fin signs, projecting wall signs and roof signs are not permitted.
(d) Commercial signage on local shops is to be limited to identification signs with one sign permitted for each shop front. These may be located on shop front windows, above entrances or suspended under colonnades or awnings in accordance with Chapter C6 Signage and Advertising.

Materials and Finishes

The selection of appropriate materials and finishes for development within the Village Centre is important because of Berridale's prominent position on the Jindabyne Road and its function as the key centre for the local community and visitors. In addition, the range of weather conditions makes the selection of building materials and finishes important for both the appearance and longevity of the development.

Objectives

- To ensure that new development in the Village Centre achieves a high standard of architectural character and include quality finishes.
- To ensure that building materials and finishes contribute to a stylish and coherent streetscape.
- To ensure that colours and materials are selected to aesthetically relate to the Snowy River environment.
- To ensure building materials are chosen that can withstand climatic variations and extremes.
- To encourage the use of recycled and environmentally sustainable materials.

Controls

F2.4-6 Materials & finishes

(a) New development is to utilise high quality and durable materials and finishes.
(b) The exterior finishes of new development is to include earthy colour schemes consistent with the Snowy River Design Guidelines and avoid corporate and bright colours that are inconsistent with the character of the Berridale Village Centre streetscape.
(c) The facades of new development are to include a variety of materials and finishes and avoid large expanses of any single material.

3.5 Open Space & Landscaping

Open space

Open space is a critical environmental feature as well as 'breathing space' for the Village Centre. It may be public (assessable and usable by the general public), communal (shared by all occupants of a development) or private (for the exclusive use of the occupants). Generally, open space in the Village Centre is provided as public open space along and adjacent to Jindabyne Road.

The primary function of open space is to provide amenity in the form of: landscape design, opportunities for recreation and social activities, daylight access for neighbouring sites, visual privacy, and water cycle management.

Objectives

- To provide areas of passive open space within the Berridale Village Centre.
- To ensure that communal space is consolidated, configured and designed to be useable and attractive.
- To provide a pleasant landscaped outlook from and to the Berridale Village Centre.

Controls

F2.5-1 Open space

(a) The amount of open space provided on a site is to be in accordance with the requirements for the type of development proposed (eg. Chapter D1 Residential Accommodation).
(b) Publicly accessible open space is to be located so that it forms a focus of the development and provides a landscape buffer between buildings and provides for a pleasant outlook.

(c) Publicly accessible open space should be consolidated into useable areas and demonstrate that its size and dimensions allow for a variety of uses.
(d) Open space should be located so that solar access is maximised.

Landscape design

Landscape design and maintenance plays an important role in determining the character of the Village Centre. The use of local native plant species in landscape design is encouraged as they generally require less water and are suited to the local climatic conditions. The Snowy River LEP 2013 heritage provisions require the retention of native or exotic trees and landscaping that has heritage significance.

Objectives

- To ensure that landscaping is integrated into the design of the development and is consistent with the landscape character of the streetscape.
- To add value within a development by providing privacy, outlook and landscaped views.
- To promote sustainable landscape design and irrigation practices.
- To ensure landscape design takes into account the site's microclimate.
- To maximise absorptive landscaped areas for on-site infiltration of stormwater.

Controls

F2.5-2 Landscape design

(a) All development applications are to include a landscape plan (Refer Chapter A2 Development Application Requirements).
(b) Landscape design is to be in scale with the development and should relate to building form, facilitate stormwater infiltration through the use of permeable surfaces, and be easily maintained.
(c) Landscaping is to ensure amenity of private and publicly accessible open spaces by providing:
- shade from the sun and shelter from the wind;
- accessible and safe routes through the space and between buildings.

(d) Landscape design is to improve the energy and solar efficiency of development and the microclimate of open spaces by:
- locating trees for shading low-angle sun on the eastern and western sides of buildings;
- using deciduous trees (where appropriate) for shading of windows and open space areas in summer and allowing solar access in winter.

(e) Landscape design is to minimise water consumption by including local native plants with low water demand (refer Recommended Species for Landscaping – Chapter C5) and using plants with low fertiliser requirements.
(f) The landscape plan must outline how landscaped areas are to be maintained for the life of the development.

Deep soil zones

Deep soil zones are areas of natural ground, and with relatively natural soil profiles, retained within a development and not built upon. Deep soil zones have important environmental

benefits including: promoting healthy growth of large trees with large canopies; protecting existing mature trees; and allowing infiltration of rainwater and reducing stormwater runoff.

Objectives

- To improve the amenity of development through the retention and planting of trees that are, or will, grow to a large or medium size.
- To assist with management of water quality and the water table.

Controls

F2.5-3 Deep soil zones

(a) The development, where possible, is to include deep soil zones which will accommodate existing mature trees as well as allow for the planting of trees/shrubs that will grow to be mature trees.
(b) Deep soil zones are to have a pervious surface.
(c) Deep soil zones are not to be built upon.

F3 Adaminaby Village Centre

Contents

1. General Information

1.1 Land to which this Chapter applies

This Chapter applies to the Adaminaby Village Centre which includes the area of land in Adaminaby zoned RU5 Village under the Snowy River LEP 2013 and shown on the map below.

The provisions of Chapter D1 Residential Accommodation also apply to development for residential accommodation in the Adaminaby Village Centre. Where there is an inconsistency between Chapter D1 and this Chapter, the provisions of this Chapter will prevail.

1.2 Aim of this Chapter

The aim of this Chapter is to produce detailed development controls and performance criteria to guide the built form, environmental and amenity standards for development within the Adaminaby Village Centre.

1.3 Development Objectives for the Adaminaby Village Centre

The objectives for development in the Adaminaby Village Centre are to ensure that it:

- reflects the values and outcomes of the Adaminaby Villages Plan (2007);
- provides for high quality retail, commercial and tourism development which promotes vitality in the Adaminaby Village Centre and serves the needs of both the local community and visitors to the area;
- provides for a mix of uses which support the growth of Adaminaby without adversely impacting on the heritage values and the village character;
- makes a positive contribution to the streetscape with the scale, character and design of new development considering the existing neighbourhood within and adjacent to the Adaminaby Village Centre, the rural setting of the village and its connection to Lake Eucumbene;
- protects the natural and cultural heritage of Adaminaby and promotes a connection with important landmarks, significant views and areas of open space;
- includes environmentally sustainable features; and
- provides for equal access for all levels of mobility and enhances safety and security.

2 Background & Context

2.1 Adaminaby Villages Plan

The Village Centre of Adaminaby includes the heritage listed Adaminaby Shopping Centre, constructed in 1956-57, and located along Denison Street between Baker Street and Druitt Street. The Village Centre boundary also includes properties along Denison Street north of the Shopping Centre between Druitt Street and York Street. There is a range of building styles (one and two storey) in the Village Centre and a number of the buildings have heritage significance and provide a distinct character to the Village Centre.

Parking within the Village Centre is mostly provided in angled street parking along Denison Street and Baker Street. The central area of open space and landscaping are central to Adaminaby's character and are widely recognised as assets for both residents and visitors. The central park and the formal avenue of poplars along Denison Street are identified as a cultural landscape streetscape and are also heritage listed.

2.2 Heritage Conservation

There are a number of heritage items listed in the Snowy River LEP 2013 that are located in the Adaminaby Village Centre:

- **Adaminaby Shopping Centre**, Denison Street: representative example of Post War Period, International Style retail centre. Includes the mature trees located in the central open space strip surrounded by one way road system (1956-57).
- **Cultural Landscape Streetscape**, Denison Street: formal avenue of poplar trees.
- **OX CBC Bank**, 18 Denison Street: originally built in Old Adaminaby in 1937. The only two storey building relocated from Old Adaminaby in 1956.
- **Adaminaby Memorial Hall**, 21 York Street: representative example of Post War Period vernacular style community hall.

The Snowy River LEP 2013 also identifies the boundary of the Adaminaby Conservation Area (refer LEP 2013 Heritage Maps).

Information on the significance of these items and the individual heritage inventory sheets can be obtained from Council. The Snowy River DCP also includes a specific Chapter regarding development affecting a heritage item or on a site in the vicinity of a heritage item (Chapter C4 Heritage).

It is highly recommended that an applicant meet with Council early in the design stages of a proposal where development affects a heritage item.

3. Development & Design Controls

3.1 Urban Form

Views, Vistas and Landmarks

A view is a framed outlook that can be seen within a range of vision and vistas are distant, wider views that often make a grand statement about a place. A view or vista can herald the arrival to a place or reinforce a sense of location. Landmarks are distinctive and memorable elements and may include buildings, parks, natural features and artworks.

The landscape setting of the Adaminaby Village Centre is one of its significant features and is important for scenic, conservation and heritage values. The protection and management of views and vistas from and to the Village Centre is an important consideration for all new development to ensure that the scenic and landscape quality of the village is protected.

Objectives

- To protect and enhance views and vistas from and to the Adaminaby Village Centre which highlight the landscaped setting and character of the centre.

Controls

F3.1-1 Views, vistas and landmarks

(a) Significant views and vistas within the Village Centre are to be maintained and enhanced including views to and from surrounding village and rural areas.
(b) Buildings are to be designed to maximise view sharing.

Active Site and Street Frontages

A successful village centre provides street level retail and commercial activities that satisfy the requirements of local residents and visitors and enliven the public area. Active frontage uses at street level include entrances to retail or shopfront, cafés or restaurants and active office uses, such as reception areas, if visible from the street.

Objectives

- To maximise active street frontages to encourage pedestrian activity and improve safety through passive surveillance.
- To provide a range of uses to engage and activate the street.
- To maximise building openings and minimise the extent of blank walls on to the street, especially at ground level.

Controls

F3.1-2 Active site & street frontages

(a) Provide continuous retail or active commercial frontage on the ground floor of buildings within the Adaminaby Village Centre.
(b) Active ground floor uses are to be the same general level as the footpath and can be readily accessible.
(c) Minimise blank walls and maximise glazing for retail uses on the ground level with consideration of heritage features of the Village Centre.

Street Corners

Buildings on street corners are important both in terms of 'way finding' and 'place making'.

Objectives

- To ensure that corner buildings, which by their location are often highly visible, are well designed and respond to the different characteristics of the streets they address.

Controls

F3.1-3 Street corners

(a) Each frontage of a building on a corner site should be designed as a main street frontage.
(b) Development on corner sites should be designed to add variety and interest to the street.
(c) On corner sites maximise street level activity by wrapping shopfronts around corners.

Outdoor Dining

Outdoor dining has an immediate positive impact on the vitality of places and creates street level interest and variation. Outdoor dining may spill out from the café or restaurant's dining area, be along the building wall or close to the kerb. In all instances, pedestrian movement and street infrastructure should be a priority and not affected by new outdoor dining areas.

Objectives

- To encourage outdoor dining along streets and in public spaces to make the Adaminaby Village Centre lively during the day and night.
- To increase casual and passive surveillance of the street to enhance safety and security.

Controls

F3.1-4 Outdoor dining

(a) Consider incorporating areas of outdoor dining in café, take away food and drink premises and restaurant developments where possible.
(b) The location of outdoor dining areas should provide good amenity, landscaping and outlook, solar access in the winter and shading in the summer.
(c) Lighting and heating should be provided for evening use of outdoor dining areas.

(d) Outdoor dining areas should not take away from space used for street furniture or interrupt utilities or other infrastructure.

(e) Prioritise pedestrian flows and access for people with disabilities along main streets by keeping the minimum clear width of footpath travel between the building and outdoor dining area.

Note: Refer to Chapter E3 Commercial Premises (Outdoor Dining & Trading).

Safety, Security & Crime Prevention

Safety and security refers to formal and informal measures to protect properties, residents and visitors. Developments should provide safe ground level entry and enable casual surveillance.

Objectives

- To encourage building design that provides casual surveillance of streets and other public areas.
- To promote the design of buildings and open space areas which encourage community safety and reduce the opportunity for crime.

Controls

F3.1-5 Safety, security & crime prevention

(a) A formal crime risk assessment, consistent with the Department of Planning 'Crime Prevention Through Environmental Design' is to be carried out for certain types of development as specified by Council.

(b) Buildings must be designed to enable occupants to overlook streets and public open space to provide casual surveillance. Opportunities for casual surveillance should be provided by:
   - orientating commercial and retail space and living areas (where residential dwellings are located in the development), so they have views over public or commercial open spaces;
   - footpaths and landscaped areas must provide opportunities for surveillance and allow safe movement.

(c) Opportunities for concealment are to be minimised by:
   - avoiding blind or dark alcoves near stairwells;
   - providing well lit routes;
   - ensuring car parking areas, pathways and common areas are adequately lit at all times.

(d) Entrances to buildings must be clearly visible and accessible from the street.

(e) Community buildings and public open space areas are to be provided with sufficient lighting and security.

(f) Large expanses of wall and fences that may attract graffiti are to be avoided.

Universal design/Accessibility

The design of the public domain in the Village Centre should make it accessible to everyone, including mobility impaired people, children, elderly citizens and pedestrians with prams.

Measures to make the public domain more accessible include adequate space so people can easily move around, manageable slopes and grades in the street, ease of access to and from building entrances, and tactile indicators and luminance contrast to help visually impaired people.

Objectives

- To ensure that all residents and visitors, including wheelchair users and those with a disability are able to easily reach and enter all publicly accessible parts of a building.

Controls

F3.1-6 Universal design/accessibility

(a) Requirements and design specifications for universal design and accessibility are to be included in the development in accordance relevant legislation.
(b) Prioritise pedestrian flows for people with disabilities by providing a clear travel path along the building line.
(c) Where outdoor dining is provided along the wall of a building on secondary streets with narrow footpaths or lanes, access for people with a disability should be considered.

3.2 Traffic, access, parking and servicing

Vehicle Access and Parking

The location, type and design of vehicle access points to a development have a significant impact on the streetscape, site layout and building design. It is important that vehicle access is integrated with site planning from the earliest stages to minimise any potential conflicts with pedestrians, streetscape requirements and traffic patterns.

Accommodating parking on site also has a significant impact on the site layout, landscape design and stormwater management. The amount of parking provided is related the size of the development, however parking provision should also be considered in relation to the local context and the availability of car parking areas.

Objectives

- To provide adequate and convenient car parking and service access for the development without compromising street character, landscape or pedestrian amenity and safety.
- To minimise car dependency and to promote alternative means of transport including cycling and walking.
- To integrate the location and design of car parking with the design of the site and the Adaminaby Village Centre.

Controls

F3.2-1 Vehicle access & parking

(a) Car parking provision and design is to be in accordance with Chapter C3 Car parking, traffic and access.
(b) Potential pedestrian and vehicle conflict is to be minimised by:
    - ensuring clear sight lines at pedestrian and vehicle crossings;
    - separating and clearly distinguishing between pedestrian and vehicular accessways.

(c) Car parking areas are to include suitable landscaping, both within and on the perimeter of the car park, to improve appearance and provide shade.
(d) Where car parking is located within a development, the appearance of car parking and service vehicle entries are to be improved by screening garbage collection, loading and servicing areas.

Pedestrian and Cycle Access

Design for pedestrian access focuses on delivering high quality, safe and pleasant walking environments. Pedestrian access should also be equitable access, which provides a barrier-free environment where all people who live in and visit the development can enjoy the public domain.

Objectives

- To promote walking and cycling as modes of transport to improve health and wellbeing, reduce transport and infrastructure costs and minimise environmental impacts.
- To ensure that development incorporates publicly accessible pedestrian paths that are well linked into the surrounding area.

Controls

F3.2-2 Pedestrian & cycle access

(a) All development is to provide high quality accessible routes to public and semi-public areas, including communal open space, site facilities, parking areas and pedestrian pathways.
(b) All pedestrian links are to have appropriate levels of illumination.
(c) All entrances to buildings are to be accessible from the street and, if required, are to integrate ramps into the overall building and landscape design to promote equity of access.

3.3 Building and Site Design

This section contains objectives and controls for building and site design. Maximum building height and floor space ratio (FSR) requirements are contained in the Snowy River LEP 2013. Other requirements in this part include setbacks, building articulation and sustainable design.

Building Height

Height is an important control because of its major impact on the character and physical and visual amenity of a place. Height controls can be further refined by decisions about roof form, amenity of adjacent residential areas, setting and topography and heritage context. Building height also has a major impact on the degree of overshadowing and potential loss of privacy and views.

Objectives

- To ensure that building height relates to the context of the site, including street type, surrounding buildings, heritage items, landscape and views.
- To allow reasonable daylight access to all development and the public domain including footpaths and areas of open space.
- To ensure appropriate management of overshadowing and privacy.

Controls

F3.3-1 Building height

The Snowy River LEP 2013 (clause 4.3 Height of Buildings) and the Height of Buildings Map specifies the Maximum Building Heights for the Adaminaby Village Centre.

(a) A minimum floor to ceiling height for ground level retail and commercial floorspace where active public uses are encouraged is 3.6 metres.
(b) A minimum floor to ceiling height of 3.0 metres is required for the upper level commercial floor space.
(c) A minimum floor to ceiling height of 2.7 metres is required for all residential floorspace.

Density / Floor Space Ratio

Building density is defined by maximum floor space ratio (FSR). The FSR control works in conjunction with the building height, setbacks and landscaped area controls to identify the overall building envelope for the site. In some instances it may not be possible to achieve the maximum allowable FSR for a particular site, due to potential impacts on views, overshadowing and minimum landscaped area requirements, and other design considerations.

Controls

F3.3-2 Density / floor space ratio

(a) The maximum floor space ratio for the site is to be in accordance with the Snowy River LEP 2013 (clause 4.4 Floor Space Ratio).
(b) The area of terraces and balconies with outer walls of less than 1.4 metres high is not to be included in the calculation of floor space ratio in accordance with the Snowy River LEP 2013.

Setbacks

Setbacks reflect the character of an area and establish the development's relationship with the surrounding area. They create the relationship between neighbouring buildings, opportunities for landscaped open space and are important contributors to visual and acoustic privacy and daylight.

Objectives

- To provide strong street edges in the Adaminaby Village Centre.
- To minimise the impact of development on adjoining land and to ensure adequate separation between buildings.
- To provide adequate space for landscaping, visual and acoustic privacy and solar access.
- To encourage the retention of significant views.

Controls

F3.3-3 Setbacks

(a) The front setback requirements for new development at ground level are generally to aligned with the front setbacks of heritage items within the Village Centre and are to form a consistent streetscape which retains the formal avenue of poplar trees (also heritage listed) as follows:
   - Sites fronting both sides of Denison Street, between Baker Street and Druitt Street are to have front setbacks consistent with the setback of the heritage item 'Adaminaby Shopping Centre'.
   - Sites fronting the western side of Denison Street, between Druitt Street and York Street are to have front setbacks consistent with the setback of the heritage item 'OX CBC Bank' at 18 Denison Street'.
   - Sites fronting the eastern side of Denison Street, between Druitt Street and York Street are to have front setbacks consistent with the setback of the heritage item 'Adaminaby Memorial Hall' at 21 York Street.

(b) New buildings are to be sited and designed to form a strong, predominantly continuous built edge to the primary street frontage, car parking areas and pathways. Where an allotment has frontage to two or more streets, the primary street frontage is the widest public street adjoining that allotment. Where an allotment has frontage to a street and public path or pathway, a strong, built edge is to be provided to both.

(c) All ground level setbacks are to be landscaped.

(d) Where possible, vehicle access points and loading docks should be located at the rear of the site where they do not have a detrimental impact on the appearance of the development or pedestrian and cycle movement.

3.4 Building Exterior

The exterior elements of individual developments directly affect the quality and character of the streetscape and the public domain. The controls in this section aim to increase the amenity, vitality, safety and security by encouraging variation and interest in building facades, ensuring quality building finishes and materials and mitigating adverse impacts on the street arising from driveway access crossings and advertising signage.

Building Facades and Articulation

Articulation of building facades provide for visually interesting buildings and streetscapes and greater amenity for both occupants and visitors. Articulation of building facades ensures that buildings do not present monotonous walls to the streetscape and assists in breaking up building mass of large sites.

Objectives

- To ensure that new buildings have well-articulated and harmonious facades which define the public domain.
- To ensure that buildings exteriors reinforce the character and continuity, and make a positive contribution to the Village Centre streetscape.
- To promote high quality architectural design.

Controls

F3.4-1 Building facades & articulation

(a) Buildings are to be designed to address the street and ensure that rear and side façades (where visible) also provide visual interest to the street and surrounding neighbours.
(b) All facades, including rear facades, must include windows.
(c) Predominantly clear glazed shopfronts are to be provided to ground floor retail development and commercial development.

Solar Access, Overshadowing and Natural Daylight

Solar access forms an integral part of the design process and is a major determinant of personal environmental comfort. Good passive solar design offers a resource and financial benefit by reducing the need for artificial heating and cooling for commercial, retail and residential development. New development must also recognise that existing adjacent buildings require reasonable access to sunlight.

Objectives

- To encourage passive solar design that minimises energy consumption.
- To minimise the negative impact of overshadowing on the internal and outdoor areas of neighbouring buildings.
- To retain the amenity of the public domain by maximising solar access.

Controls

F3.4-2 Solar access, overshadowing & natural daylight

(a) Shadow diagrams, including elevations showing shadow impacts on any walls (and windows) of adjoining development and areas of open space must be submitted with the development application for all new buildings of two or more storeys. Any adverse overshadowing impact may require a reduction in the height or design changes of the proposed development.
(b) The height and design of buildings should not significantly impact on sunlight access or overshadow public open spaces and outdoor dining areas.

Awnings

Awnings increase the useability and amenity of public footpaths by protecting pedestrians from weather. They encourage pedestrian activity and contribute to the identity of a development. Awnings also offer a good opportunity to create architectural detail and contribute to the character of the street.

Objectives

- To provide shelter for areas where pedestrian activity occurs.
- To reinforce an existing coordinating feature of the Adaminaby Village Centre.
- To provide continuity in the streetscape.

Controls

F3.4-3 Awnings

(a) Continuous awnings are to be provided on the main pedestrian activity paths along Denison Street, between Baker Street and Druitt Street.
(b) Along streets with existing awnings, any new awnings are to be aligned with and designed to be complimentary with the existing.
(c) Where the street does not have existing awnings, new awnings over a public footpath are to be:
    - a minimum clear height of 3 metres above the footpath;
    - a depth of 2 metres where non-residential uses adjoin;
    - not less than 600mm from the edge of the road/kerb.

(d) Under awning lighting is to be provided to facilitate night use of the footpath and to improve public safety.

Signage and Advertising

Signage and advertising plays a significant part in identifying retail and commercial uses and in creating a lively retail strip. It is important that signage in the Village Centre is clear and easily understood, integrated into the design of new buildings and consistent with the streetscape and heritage character.

Objectives

- To ensure that signage is in keeping with the heritage features of the Village Centre and the scale and quality of the development.
- To enhance the visual quality of the streetscape.

Controls

F3.4-4 Signage & advertising

(a) Advertising signs are to be in accordance with Chapter C6 Advertising and Signage.
(b) The location, size and design for signage associated with a development is to be included in the development application plans and elevations.
(c) The location and design of signage and advertising is not to:
    - obscure important architectural features or dominate the architecture of buildings

- protrude from the awnings
- project above any part of the building to which it is attached
- cover a large portion of the building façade.

(d) Fin signs, projecting wall signs and roof signs are not permitted.
(e) Commercial signage on local shops is to be limited to identification signs with one sign permitted from each shop front. These may be located on shop front windows, above entrances or suspended under colonnades or awnings in accordance with Chapter C6 Advertising and Signage.

Materials and Finishes

The selection of appropriate materials and finishes for development within the Adaminaby Village Centre is important because of the heritage significance and character of the village. In addition, the range of weather conditions in the Snowy River Shire makes the selection of building materials and finishes important for both the appearance and longevity of the development. It is also important to consider the environmental impacts of materials in terms of their whole life cycle (including their manufacture and disposal) when selecting construction and building materials, fittings, fixtures and appliances.

Objectives

- To ensure that new development in the Village Centre achieves a high standard of architectural character and include quality finishes.
- To ensure that colours and materials are selected to aesthetically relate to the Snowy River environment.
- To ensure building materials are chosen that can withstand climatic variations and extremes.
- To encourage the use of recycled and environmentally sustainable materials.

Controls

F3.4-5 Materials & finishes

(a) New development is to utilise high quality and durable materials and finishes.
(b) The exterior finishes of new development is to include earthy colour schemes consistent with the Snowy River Design Guidelines and avoid corporate and bright colours that are inconsistent with the character of the Adaminaby Village Centre streetscape.
(c) The façade of new development is to include a variety of materials and finishes and avoid large expanses of any single material.

3.5 Open Space & Landscaping

Open Space

Open space is a critical environmental feature as well as ‘breathing space’ for the Village Centre. It may be public (assessable and usable by the general public), communal (shared by all occupants of a development) or private (for the exclusive use of the occupants). Generally, open space in the Village Centre is provided as a central public open space in Denison Street and between the Village Centre and the Snowy Mountains Highway.

The primary function of open space is to provide amenity in the form of landscape design, opportunities for recreation and social activities, daylight access for neighbouring sites, visual privacy and water cycle management.

Objectives

- To provide areas of passive open space within the Adaminaby Village Centre.
- To ensure that communal space is consolidated, configured and designed to be useable and attractive.
- To provide a pleasant landscaped outlook from and to the Adaminaby Village Centre.

Controls

F3.5-1 Open space

(a) The amount of open space provided on a site is to be in accordance with the requirements for the type of development proposed (eg. Chapter D1 Residential Accommodation)
(b) Publicly accessible open space is to be located so that it forms a focus of the development and provides a landscape buffer between buildings and provides for a pleasant outlook.
(c) Publicly accessible open space should be consolidated into useable areas and demonstrate that its size and dimensions allow for a variety of uses.
(d) Open space should be located so that solar access is maximised.

Landscape Design

Landscape design and maintenance plays an important role in determining the character of the Village Centre. It also contributes to environmental features including designing for microclimate, efficiency of water consumption and infiltration, fauna habitat and conserving local plant species. The retention of native or exotic trees and landscaping that has heritage significance is required by the Snowy River LEP 2013 heritage provisions.

The use of local native plant species in landscape design is encouraged as they generally require less water and are suited to the local climatic conditions. Irrigation practices can also be made more water efficient, for example by connecting the irrigation system to rainwater storage facilities or by using a drip irrigation system.

Objectives

- To ensure that landscaping is integrated into the design of the development and is consistent with the landscape character of the streetscape.
- To add value within a development by providing privacy, outlook and landscaped views.
- To promote sustainable landscape design and irrigation practices.

Controls

F3.5-2 Landscape design

(a) All development applications are to include a landscape plan (refer Chapter A2 Development Application Requirements).
(b) Landscape design is to be in scale with the development and should relate to building form, facilitate stormwater infiltration through the use of permeable surfaces, and be easily maintained.
(c) Landscaping is to ensure amenity of private and publicly accessible open spaces by providing:
- Shade from the sun and shelter from the wind;
- Accessible and safe routes through the space and between buildings.

(d) Landscape design is to improve the energy and solar efficiency of development and the microclimate of open spaces by:
- locating trees for shading low-angle sun on the eastern and western sides of buildings;
- using deciduous trees (where appropriate) for shading of windows and open space areas in summer and allowing solar access in winter.

(e) Landscape design is to minimise water consumption by including local native plants with low water demand (refer Recommended Species for Landscaping – Chapter C5) and using plants with low fertiliser requirements.

Deep soil zones

Deep soil zones are areas of natural ground, and with relatively natural soil profiles, retained within a development and not built upon. Deep soil zones have important environmental benefits including: promoting healthy growth of large trees with large canopies; protecting existing mature trees; and allowing infiltration of rainwater and reducing stormwater runoff.

Objectives

- To improve the amenity of development through the retention and planting of trees that are, or will, grow to a large or medium size.
- To assist with management of water quality and the water table.

Controls

F3.5-3 Deep soil zones

(a) The development, where possible, is to include deep soil zones which will accommodate existing mature trees as well as allow for the planting of trees/shrubs that will grow to be mature trees.
(b) Deep soil zones are to have a pervious surface.
Deep soil zones are n

F4 DALGETY

Contents

1 Planning for Future Character Design Guidelines

This chapter provides guidelines on a range of issues to shape the appearance of development. These guidelines are a further explanation of how the vision and objectives of the Plan are achieved. They provide explicit guidance on what form new development should take so that it maintains the character and values of the village.

This Chapter supplements the other relevant Chapters of the Snowy River DCP 2013 including Chapter D1 Residential Accommodation.



Streetscape

- Character
- Setbacks Fences Curtilage

Building Form

- Height and Scale
- Massing Design Roofing Materials and Decoration
- Colours

Landscaping

- Private Domain Public Domain

Amenity

- Sunlight and Overshadowing
- Visual and Acoustic Privacy

Alterations and Additions

Conservation and Restoration

2. Streetscape

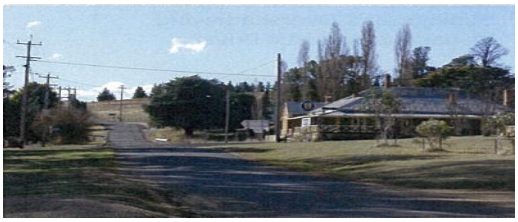
Objectives

- To facilitate development that is sensitive to the rural landscape, natural values and established heritage character of the village.
- To conserve the natural, built and cultural significance of streetscapes of heritage value and the Heritage Conservation Area of Dalgety.
- To ensure development is compatible with the scale, character and landscape setting of its immediate vicinity or the desired character of the village as set out in the Dalgety Village Plan.

1.1 Character

Development should conserve the natural, built and cultural heritage of the Dalgety Heritage Conservation Area and village area. Specifically the design of new development consider and integrate with:

- Architectural elements of the buildings in the street;
- The building scale and setbacks in the street;
- Landscape theme.



The character of Dalgety streetscapes has evolved over many years and is a combination of various elements. These include, but are not limited to, views and vistas, type of roads, curbs or lack of, pedestrian and vehicular access, street planting, private planting, boundary definitions, building separation, setbacks, rhythm of roofs and architectural styles.

This character should be considered in the design development and discussed in the site analysis submitted with a development application. The site analysis should demonstrate how the development has been sited, designed and landscaped to integrate with and enhance the heritage character of the area.

It is important to ensure development reinforces the heritage characteristics of the conservation area and that it relates in scale and site layout to the street and adjoining properties. A consistency of landscaping character and architectural themes connects new developments with the existing streetscape.

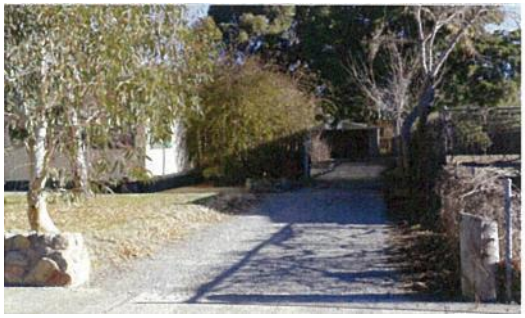
The main facade of the building should address the primary street frontage. The street frontage of a building should present an attractive façade with well designed window and door placement and avoid large expanses of blank walls. This elevation should be clearly expressed as the front of the house.

Corner sites are the most prominent and require both street elevations to incorporate design details that result in interesting and appealing facades.

This streetscape is made up of dwellings with design features from different eras however there is uniformity in bulk and scale thereby maintaining a consistent character. Although these dwellings have varied front setbacks the small scale village character is maintained with buildings of a similar size and open frontages which allow for landscaping character.

1.2 Setbacks

Development should be appropriately located on the site to:



- Complement existing setbacks in the street;
- Maintain streetscape character;
- Allow for areas of landscaping and additional planting to enhance the tree canopy;
- Provide space for an adequate area to create a sense of visual and acoustic privacy when using rooms fronting the street;
- Ensure amenity for neighbouring properties is maintained.

Garage well setback, sited behind the main dwelling so that it does not dominate the streetscape.

Front Setback (Front Building Line)

The front building line within the village area shall be determined by the predominant setback pattern of the established streetscape and in particular should have regard to the setback of adjoining properties.

Buildings should be parallel to the street and not be oriented across sites contrary to the established configuration. The front facade should be set similar to adjoining buildings and equally the relationship of a new building to the back boundary should be similar to the neighbouring buildings. If there are no adjoining buildings to refer to then Council's minimum and maximum setbacks will apply.

Side Setbacks

Setbacks from the side boundaries should increase as the height of the building increases. The side setbacks should be of adequate width to allow landscaping between buildings to provide for privacy and balance the bulk of the building.

Carports and Garages

These structures should:

- Be sited back from the main façade;
- Not dominate the residence;
- Be unobtrusive in the streetscape.

To maintain the heritage character of the Village garages and carports should be sited to the rear of all blocks, should not been incorporated into the main facade of the building and architecturally should present as a lesser element than the main building.

The visual impact of garages and carports can be reduced by:

- Building materials which blend but may not be the same as the main structure
- Lower ridge lines
- Minimising driveway width
- Use of permeable, low key materials
- Incorporating landscaping to soften built form

These adjacent dwellings have no front setback and when viewed together create a consistent streetscape.

If a dwelling was to be sited between these two dwellings a consistent setback would apply. A new dwelling of similar bulk and scale, located on the same setback as the adjoining dwellings will maintain the streetscape character.

1.3 Fences

Fencing or the lack there of forms an important part of the streetscape and character of the area. Therefore if fencing is present it should:

- Maintain and enhance the streetscape character;
- Be consistent with the pattern of fences in the street and on adjoining properties.
- Be appropriate to the historical character of the building;
- Retain the heritage significance of heritage items and their settings and the heritage significance of the conservation area.

Front Fences

In most instances, in Dalgety, the delineation of front boundaries is achieved by planting, simple pickets or low hob fences. There are also some old woven wire fences and some newer low granite walls. Fencing that utilises materials that are compatible with the dwelling are encouraged.

High front fences are not compatible with the general streetscape. If higher fences are required for children and pets then fencing the rear of the block is recommended. These rear fences should be either traditional wire or palings. High masonry fences and solid sheet metal fences are not recommended.

Side Fences

Side front fences forward of the front of the building should be consistent with other fences in the street, should allow neighbouring gardens to blend with each other and in general terms should be unobtrusive.

These are good examples of appropriate front fences that do not dominate the streetscape but provide a clear boundary between private and public areas.

1.4 Curtilage

To enhance and strengthen the heritage character of Dalgety:

- The curtilage of a heritage site should be respected;
- Plants, fences and other items which define heritage curtilages should be retained even if they no longer legally form part of the heritage site;
- If defining cartilage elements have been lost efforts should be made to reinstate them.

A heritage curtilage may be defined by lot boundaries but might also be determined by such things as garden fences, paddock fences, driveways, roads, old plantings, natural features, landmarks, landscape setting, views, groups of heritage items and other factors which are intrinsic to the heritage value of the site and where future development may have an impact on that heritage value. A heritage curtilage may have no relationship to legal boundaries.

Within the curtilage it is important to have regard to heritage significance and the impact of proposals for alterations, extensions or new building on that significance. Items which signify the curtilage are considered to be part of the overall heritage value.

The front hedge and associated plantings form part of the curtilage and heritage value of this site. These need to be maintained as alterations occur on the site and adjoining sites to

The Snowy River forms a distinctive curtilage to the Heritage Conservation Area of Dalgety.

The pines, poplars and other plantings around the showground form the curtilage of the site. The plantings designated this important community asset and heritage site.

2 Building Form

2.1 Objectives

- To ensure that the bulk and scale (size) of the building does not detract from or dominate the heritage streetscapes and the small scale character of the village;
- To ensure that the building height and footprint is in proportion with village scale development allowing sufficient area for landscaping and private open space;
- To encourage well designed buildings that respond to site features and limitations and enhance the heritage values of the village;
- To encourage the sharing of views and ensure that development does not unreasonably obstruct views;
- To ensure the use of materials, colours, designs and roof pitches are appropriate to the heritage character of Dalgety and do not adversely impact on the Heritage Conservation Area.

2.2 Height and Scale

Dwellings need to:

- Relate well to the heritage context and adjoining dwellings;
- Be limited in bulk and scale to allow for sufficient space for landscaping and ensure maintenance of views and solar access for adjoining dwellings;
- Maintain the integrity of existing streetscapes by being of a height and scale that is complimentary to the established built form and small scale nature of the village.

Places which have a sense of unity usually have a consistent scale that is each building has a similar, height, size and proportion to its neighbour. New buildings or extensions to old buildings should observe the scale of adjacent structures and should treat the neighbouring buildings as references.

Traditionally the majority of Dalgety buildings are single storey although some recent buildings are two storey. In old Dalgety only buildings which take advantage of the slope of the land are more than one storey and even in these rare instances the street façade presents as single storey. To strengthen heritage character single storey buildings are encouraged.

The predominant height in the street should be used to determine height limits.

In addition reducing the apparent bulk and scale of a building can be achieved by:

- Sufficient setbacks to allow landscaping and consistency with the historical pattern.
- Ensuring that designs have regard to site conditions such as slope to allow for stepping of the building to maintain views and vistas and reduce the apparent bulk and scale so that it is consistent with the heritage character of the village.

New development between these two established dwellings should be of a similar scale and height to existing. A modern two storey dwelling sited here would detract from the streetscape and heritage values of the adjoining dwellings.

Both of these dwellings are single storey and are modest in size. Development of similar scale and height is encouraged to maintain the village character. These dwellings also incorporate appropriate window size and placement and use appropriate colours to be consistent with the heritage theme in Dalgety.

38

2.3 Massing

Design of new buildings needs to ensure:

- Mass and bulk is suitably minimized through relevant design detail;
- New buildings do not dominate the streetscape or landscape;
- New buildings are harmonious with Dalgety's heritage character.

The massing of a building is its overall bulk and arrangements of its parts. Roofs, facades, the proportion, location and size or openings, verandahs and chimneys create distinctive shapes which are characteristic of periods of architecture. Good design enables a large building to harmonize with smaller buildings of modest proportions, such as traditional Dalgety buildings. Large expanses of wall need to be broken up with doors, windows, verandahs and setbacks. Dominance of large roofs can be reduced by gables and hips, and the effect of extensive glass areas can be minimised by the introduction of glazing bars and/or the combination of multiple sashes or doors.

2.4 Design

The architectural character of new buildings should be:

- Appropriate in the heritage context of Dalgety;
- Compatible with the neighbouring buildings;
- Well proportioned;
- Provide an attractive street frontage;
- Respect the streetscape;
- Exhibit good design principles.

While these guidelines are founded on the traditional character of the Dalgety village it is not their intention to promote new buildings which are a pastiche of earlier ones. Rather it is to establish the elements which contribute to Dalgety's heritage character and to perpetuate

those in any new construction. New buildings should be designed to be sympathetic to any existing heritage development in the vicinity.

The blend of good modern design with traditional materials and forms results in a building distinctly a product of today but which is also harmonious with the heritage nature of the place.

This modern addition to a heritage building incorporates an appropriate bulk and scale and uses windows and design features to break up the overall mass of the building. The addition is sympathetic to the heritage building because of these elements.

These windows are appropriate to break up the length of the wall. The use of glazing bars minimises the expanse of glass.

2.5 Roofing

New roofs should:

- Be visually unobtrusive in the landscape;
- Not diominate neighbouring buildings;
- Follow traditional forms;
- Be designed to minimise the appearance of bulk and mass.

Roofs altered little in Dalgety over the first 100 years. The same design principles continued to be used as well limited variations in pitch and form. Most buildings have roofs pitched between 27 and 45 degrees with hip or gable ends and a front verandah.

Gables and hips give interest and minimise impact. Conformity in roof design helps to achieve a cohesive streetscape and confirm heritage character.

This roof uses gables and hips to create interesting roof lines.

These are good examples of roofs which are appropirate in pitch and form.

2.6 Materials and Decoration

In order to enhance Dalgety's heritage character:

- Traditionally used materials are preferred;
- Decorative architectural elements should be restrained;
- Ornate decorative detail should be avoided;
- Materials and decoration should minimise the impact of the new building.

The majority of older buildings are constructed of weatherboard although a few of the more substantial buildings are brick and/or stone and there are some corrugated iron and fibro cottages as well. Corrugated iron cottages are unusual in the Snowy River Shire and are a distinctive element in Dalgety's heritage character. Virtually all pre 1970 doors and windows are timber and all pre 1970s roofs are corrugated iron.

F4 DALGETY

Older buildings in Dalgety display few decorative elements. Some have decorative quoins and verandahs with brackets and balustrades but generally decoration, if used at all, is restrained. All verandahs have straight skillion pitch and there is no evidence of previous bull nose or concave verandahs. Traditionally verandah posts are square timber, some with stop chamfers or arises.

These previous designs and materials should be used as guides, although not limitations for new buildings. Some variations may be appropriate but introduction of elements from other eras not seen in Dalgety should be avoided.

Windows are timber and broken up with glazing bars.

Appropriate use of detail and colours.

Verandahs utilise straight skillion roofs with appropriate post detail and colours.

This corrugated iron cottage is very distrinctive. The chimneys, roof and walls area utilise corrugated iron.

2.7 Colours

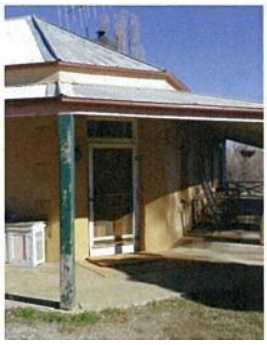
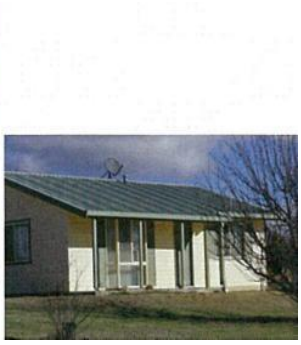
Exterior colour scheme should be selected for their:

- Appropriateness for the rural setting;
- Suitability in Dalgety's heritage context;
- Ability to minimise the visual impact of a new development;
- Capacity to enhance the building's style and design.

The most common colour for walls in Dalgety for either weatherboard, iron or fibro, is pale cream. This is a long standing tradition in Australian rural areas and could possibly be the result of restricted access to a large variety of paint colours as well as community tastes. Brick walls are unpainted and the one stuccoed building in town has been recently painted in a traditional stone colour. In some instances joinery work is painted in contrasting dark green or white. Most roofs are unpainted although a few are painted in deep red or mid green, now faded.

There is no requirement to paint roofs, in fact the most appropriate roof colour is grey as it blends with tradition and the natural environment. Walls colours should be muted and traditional such as stone colours which can range from pale cream through to deeper terracotta and browns which sit comfortably in the landscape. Suitable roof and wall colours result in an unobtrusive building which blends in with the surroundings.

Various trim colours can help to make a building distinctive but they should be kept to small areas and not be used in large blocks. The use of unpainted timber elements, sealed or unsealed, has been popular in recent times. These may be appropriate for new Dalgety buildings depending on the style of the structure and other factors.

There are a variety of appropriate colour schemes. The colour schemes used here incorporate a range of creams.

Note: Refer to Chapter C4 Heritage for information on colour schemes for heritage buildings.

3 Landscaping

3.1 Objectives

- To maintain and enhance the rural atmosphere and sense of space of the Dalgety Village by appropriate landscaping and tree planting;
- To reflect the historic plantings that have occurred to enhance the heritage theme of Dalgety;
- To enhance the linkages between open space areas and remnant vegetation to form a corridor network that encourages wildlife movement and viability;
- To provide quality private and public open space;
- To protect and improve the ecological environment within and along the Snowy River.

3.2 Private Domain

Landscaping around buildings should:

- Reflect the era and design of the building;
- Take into account the scale of the dwelling and other built structures on the site;
- Respect neighbouring buildings and plantings;
- Consider the 'borrowed' landscape;
- Have regard to views and vistas to and from the place;
- Provide climate control, specifically sun and wind;
- Include plants suitable for the local climate, soil types and aspect.

Development should maintain a reasonable proportion of the site as soft landscaping to ensure that the sense of space and rural atmosphere of the village is maintained or enhanced.

Landscaped areas should be planned and designed to complement and enhance the heritage values of the village and provide a suitable area for recreation and relaxation. This can be achieved by:

- Ensuring direct access from living areas to landscaped open space areas;
- Ensuring landscaped areas have a character that is consistent with or complements the heritage character of the area;
- Careful orientation of trees to maximize protection from the elements;
- Planting non-invasive species;
- Maintaining existing trees and incorporating them into landscape design.

Landscaping that utilises plants suitable to the climate are appropriate. The use of natural materials for example rocks for retaining walls or for designating

3.3 Public Domain

Buildings and landscaping in the public domain play an important role in re-enforcing the heritage theme of Dalgety Village.

Landscaping in the public domain should:

- Ensure that the values and integrity of the heritage Conservation Area are maintained and enhanced through appropriate design and plant choice;
- Be complementary to the existing landscape theme;
- Ensure that new work confirms the heritage character of the village.

Development and landscaping works in the public domain should enhance amenity and be consistent with the heritage theme. This can be achieved by:

- Ensuring future residential development has landscaping to link with public open space and enhance scenic qualities and potential vegetation;
- Ensuring that landscaping and street furniture is consistent with the heritage values of the conservation area;
- New plantings which strengthen and incorporate existing plantings;
- Is consistent with the landscaping plan for Riverside Park and Showground Area.

New planting and street furniture within public areas should complement the heritage theme of the village.

Landscaping in the public domain is used to create an inviting and attractive out door space for visitors and residents. This can be achieved by lines of planting or in creating groups that designate areas and create an inviting atmosphere.

4 Amenity

4.1 Objectives

- To ensure that the sitting and design of dwellings provides reasonable visual and acoustic privacy for residents and their neighbours;
- To encourage design that allows adequate sunlight particularly to living and open space areas of new and neighbouring dwellings.

4.2 Sunlight & Overshadowing

The design and sitting of new development should:

- Provide reasonable solar access to habitable rooms and open space areas both for the new dwelling and adjoining dwellings;
- Minimise overshadowing of adjoining dwellings and public spaces.

Careful sitting, orientation and design of a dwelling which allows sun to penetrate in winter but limits sun in the hotter months will ensure reasonable solar access and create a dwelling that is livable.

Use of side setbacks which increase with height of the building will allow adequate solar access to both adjoining dwellings and public areas.

Dwelling houses should be designed and sited to allow at least 3 hours of sunshine upon the living areas of adjacent dwellings and open space areas between 9am and 3pm on 22 June. The proposed dwelling should also be designed and orientated to allow a similar level of solar access to adjoining properties and their open space areas.

4.3 Visual & Acoustic Privacy

Development should be designed and sited to:

- Respect the privacy of neighbours;
- Minimise the impact of noise;
- Reduce overlooking impacts on adjoining properties.

Careful sitting, orientation and design of a dwelling to maximize privacy for both the inhabitants and adjoining dwellings are desirable. Sitting active living areas, driveways and carports, pumps and air conditioners, where they will adversely impact on sensitive areas e.g. bedrooms of adjoining properties should be avoided.

Windows should be offset to avoid them being directly opposite to the windows of another dwelling. The use of highlight or opaque windows where necessary will also achieve privacy for both dwellings.

Screening either by use of plantings or other appropriate material is encouraged to provide adequate privacy.

5 Alterations & Additions

5.1 Objectives

- To encourage additions and alterations which are sympathetic to the heritage values of buildings to maintain the heritage continuity of the item;
- To take into account the contribution the building makes to the heritage character of Dalgety and streetscape and adjoining buildings.

5.2 Alterations

If alterations to heritage buildings are considered then:

- Research should be undertaken to confirm the building's original appearance;
- Decorative elements should only be introduced if they have previously existed;
- Architectural elements from different ears should not be introduced;
- New doors, windows, chimneys, verandahs etc should be the same materials, design, proportion and placement as original elements;
- Colorbond roof cladding, gutters and downpipes are not considered appropriate substitutes for corrugated iron on heritage buildings.

The original architectural style of a heritage building must be respected whether it is in fashion or not. The integrity of building should be retained and alterations which do not follow the original

architectural style should be avoided. The loss of architectural integrity diminishes a building's heritage value.

Research needs to be undertaken to confirm the building's original appearance. This information might be found in old photographs, old building documents, physical evidence on the building and through oral history. Investigation of buildings of similar style and era in the district and specialist reference books about architectural details would assist to avoid mistakes which could denigrate heritage value.

This alteration is a good example of sympathetic work that retains the key heritage features of the original building. The old stone chimney and end walls are retained whilst the new work is integrated with the original components. Windows are appropriately sized and positioned and materials and colours are complementary to the original building.

5.3 Additions

Additions to heritage buildings should:

- Be sympathetic in character and enhance the building's heritage significance;
- Be easily distinguishable from the original structure;
- Observe the scale of the original building and not dominate;
- Be constructed of traditional materials abut need not necessarily be exactly the same.

Additions should be more contemporary and simpler in design and not compete with the existing building. It is not recommended to replicate decorative details although items, such as windows and doors, should be set in walls in a balanced manner and follow the existing in size, proportion and opening pattern. Large areas of uninterrupted walls and expanses of glass should be avoided.

New work should be distinguished from the original by a small set back, recess or small link structure. Additions should be sited at the rear or least obtrusive side of the building and preferably not be visible from the street. Generally the ridge height, roof pitch, width of bays, verandahs and other modules should be the same as original or less. If there is a requirement for a large addition then it should be broken up into several sections to reduce the dominating effect on the old building. Large roof areas can be minimised by introducing hips, gables and skillions.

Roof materials should be the same as existing, that is, in most cases corrugated iron. A good result can often be achieved if extensions are carried out in traditional but alternative materials such as weatherboards or rendered masonry. Timber windows and doors are preferred.

This addition is unobtrusive from the street ensuring that the character of the broader area is maintained. The new work to the rear does not dominate the original building whilst being easily identifiable as new work. This is a good example of using traditional design elements in a modern way.

6 Conservation & Restoration

6.1 Objectives

- To ensure conservation and restoration work is consistent with and enhances the heritage values of the item.

6.2 Conservation and Restoration

Good conservation and restoration practices are based on:

- Understanding the place's heritage significance and what contributes to that significance;
- Doing only as much work as necessary to keep the building in good condition;
- Recognising the value of original fabric and old parts;
- Respecting the architectural integrity of the building;
- Investigating documentary and physical evidence;
- Researching appropriate material use, design and finishes;
- Using traditional materials;
- Using traditional techniques and building methods;

- Not being influenced by current fashions and trends.

As a heritage building is only the sum of its parts, it is very important that original material is retained as far as possible and maintained in an appropriate manner to ensure its longevity. Repair rather than replace should be the philosophy and an acceptance of aged or worn parts essential.

The history of a building is revealed through its architectural style, materials and patina which are the evidence of years of use such as worn areas, scratches, dents, fading etc. Often there is no justification to replace, repair, re-coat or excessively clean. The original fabric of the building is what gives it heritage significance and each time something is removed there is a decrease in integrity and intactness.

Work shouldn't be carried out until there is a complete understanding of the history of the structure, the significance of the fabric and the sequence of previous alterations. If restoration is proposed it is recommended to formulate at least a Conservation Policy and for major items a Conservation Management Plan.

When conserving or restoring a building it is preferable to used traditional techniques and materials which are now often readily available due to wide interest in restoration. In some instances modern methods and products can accelerate deterioration.

Care needs to be taken that work doesn't permanently damage significant architectural fabric or is too extensive and then too costly to complete. If original elements are removed they should stored safely in case of a future opportunity for replacement.

Most heritage buildings have undergone a sequence of alterations and this evolution should be respected and may contribute to the building's significance. Previous work should only be removed if it is unsound, unsympathetic or interferes with the building's integrity. Different architectural styles are not a reason for removal.

The garage at Dalgety is a good example of a restoration which uses traditional materials, colours and signage that is sympathetic to the original building.

F4 DALGETY

F5 Ivy Cottage Estate (O'Brien Avenue)

Contents

1. Background

This Chapter applies to Lots 1 to 34, D.P. 701757; and Lots 1 and 3, D.P. 732682, Berridale as shown edged heavy black on the map marked 'Ivy Cottage Estate.'

(insert map)

This Chapter provides additional requirements for development on land in the Ivy Cottage Estate, Berridale. Where there is an inconsistency between the provisions of this Chapter and others chapters of the DCP, this Chapter shall prevail to the extent of the inconsistency.

This Chapter aims to encourage a high standard of amenity consistent with the visual prominence and rural residential character of the Ivy Cottage Estate and surrounds.

2. Location of Buildings

Control

F5.1-1 Location of buildings

Every building (other than fencing) that is visible above the ground surface shall be located:

a) at a distance of not less than 12 metres from O'Brien Avenue, except where Council is satisfied that a lesser distance will not detract from the visual amenity, and

b) at a distance of not less than 6 metres from any side or rear boundary of the allotment on which such building is erected or proposed to be erected.

3. Height of Buildings

Control

F5.1-2 Height of buildings

The Snowy River LEP 2013 (clause 4.3 Height of buildings) and accompanying Height of Buildings Map specifies the maximum building height for the site.

4. Building Design, Materials and Finishes

Control

F5.1-3 Building design, materials & finishes

a) Every outbuilding shall be to a design and from materials which are compatible with the dwelling house erected or proposed to be erected on the same allotment.

b) Every building shall be constructed to be consistent with the Snowy River Design Guidelines.

c) Every dwelling-house shall have a floor area not less than 100 square metres.

5. Restrictions to Use

Control

F5.1-4 Restrictions to use

a) No allotment shall be used for:

- the storage of disused motor vehicles or old machinery or other old or used or second-hand materials; or
- the dismantling or breaking up of old motor vehicles or old machinery and the like.

b) All trucks, earthmoving equipment or the like which are parked, on any allotment shall be kept in suitably constructed outbuildings.

6. Fencing

Control

F5.1-5 Fencing

All fencing shall:

a) be consistent with the rural residential character of the Estate.

b) not incorporate barbed wire unless specifically authorized by the Council in the individual case.

c) not, other than in respect of a courtyard or similar open space adjoining a dwelling-house, incorporate sheet metal, fibre-cement or similar sheet materials, timber palings, chain wire or the like.

F6 Tyrolean Village (Rainbow Drive)

Contents

1. Background

This Chapter provides additional objectives and development controls for certain sites in Tyrolean Village (Rainbow Drive) as described below.

This Chapter applies to each of the allotments created by the subdivision of Lot 46, DP261912, Parish of Jinderboine as shown on the map below:

(insert map)

Note: an Aboriginal Heritage Impact Permit (Notice Number 1132282) applies to certain land in Tyrolean Village – refer to Snowy River Shire Council or Office of Environment and Heritage for information.

2. Aims

The aims of this Chapter are to:

a) provide the building and landscape controls and conditions required to allow for an overall harmonious development of the residential subdivision for the mutual benefit of all persons residing therein;

b) protect as far as possible the integrity of lake and mountain views from all lots;

c) limit interference to the ingress between 10am and 2pm of winter sunlight to all lots. (This objective is considered most relevant because the lot sizes conceived are significantly smaller than has been traditional in the area); and

d) provide building and landscape controls and conditions, so that the developed residential subdivision does not impact to the detriment of the landscape from Lake Jindabyne or from other critical viewing points in the district.

3. Do Other Development Control Plans Apply To This Land?

This Chapter should be read in conjunction with the relevant general and site specific sections of the Snowy River DCP 2013. Where there is an inconsistency between the provisions of this Chapter and others chapters of the DCP, this Chapter shall prevail to the extent of the inconsistency.

4. Ancillary Structures

Controls

F6.1-1 Ancillary structures

a) No outbuilding or structure of a temporary nature including tents, garages, garden house, camper, caravans etc., of any type shall be used for permanent or holiday accommodation on land to which the plan applies.

b) No deleterious, noxious or unsightly materials or substances, disused vehicles or machinery etc., shall be placed on any allotment.

5. Building Envelopes

Objectives:

To objectives of the building envelopes are to regulate the size and positioning of buildings on each lot to:

- prevent over development on any lot to the detriment of neighbouring lots;
- set a minimum size for building development on any lot to protect the overall integrity of the harmonious development of the neighbourhood;
- protect as far as possible the integrity of lake and mountain views from all lots; and
- limit interference to the ingress of winter sunlight to all lots.

Controls

F6.1-2 Building envelopes

a) All buildings and carport, including visitor car parking are to be contained within the Building Envelope of each allotment.

b) Site area requirements shall be in compliance with LEP No. 4.

c) No building containing permissible habitable uses shall be erected on any allotment with a gross floor area of less than 140 square metres and with a nett residential living area of less than 100 square metres. All areas to be measured include building walls.

d) The distances of the building envelopes from the site boundaries are shown in Appendix A for all allotments.

e) Any required Bushfire Asset Protection Zone is to be located wholly within the site of the proposed development. Asset Protection Zones are not to be located on E2 Environmental Conservation, E3 Environmental Management, RE1 Public Recreation or RE2 Private Recreation zoned land.

Note: The Snowy River LEP 2013 (clause 4.3 Height of buildings) and accompanying Height of Buildings Map specifies the maximum building height for the site.

6. Lot Amalgamation

Where lot amalgamation is proposed; Council may set new building envelopes within the guidelines of the objectives above. Where site amalgamation is approved, resubdivision shall only be approved with house sites registered under the Community Titles legislation with an infrastructure lot remaining in Community Association ownership containing access and other common facilities.

7. Building Design and Construction

Objectives

The objectives for building design and construction are to ensure and maintain a high quality standard to:

- Protect the overall integrity of the harmonious development of the neighbourhood.
- Prevent any detrimental impact on the landscape from Lake Jindabyne or from other critical viewing points in the district.

Controls

F6.1-3 Building design & construction

a) Development should have regard to the Snowy River Design Guidelines.

b) Only buildings built in-situ are to be erected on each allotment. Substantially prefabricated buildings are not permitted.

c) The external surface of any building shall be of materials of a tone and colour of low reflective quality including materials which are treated with a paint of pigment of a tone or colour of a low reflective quality which blend with the landscape of the site on which they are used and its surrounds.

8. Parking and Vehicular Access

Objectives

To prevent parking problems in residential streets and retain parking space in the road reserve for occasional deliveries, quick visits, emergency stops etc.

Controls

F6.1-4 Parking & vehicular access

a) Off street parking is to be provided behind the front building line and must be in accordance with the car parking requirements in Chapter C3 Car Parking, Traffic and Access.

b) Vehicular access shall be such that all vehicles may readily enter and depart each allotment in a safe manner under all weather conditions.

9. Landscaping

Objectives

The objective in relation to landscaping is to achieve high quality landscape as an integral part of the residential development that will:

- enhance the visual impact of the neighbourhood both internally and from critical viewing points external to the neighbourhood with indigenous trees that will provide continuity with the existing treed landscape to the east;
- provide visual screening of buildings and possible site definition of fences;
- protect as far as possible the integrity of the lake and mountain views to all lots; and
- limit interference to the ingress of winter sunlight to all lots.

Controls

F6.1-5 Landscaping

a) A fully detailed landscape plan shall be provided with each development application.

b) Only indigenous species trees are to be planted in the road reserve with the location and species to be determined at the development application (refer Chapter C5 Recommended Species for Landscaping).

c) The maximum natural height of mature trees shall be 5 metres unless otherwise approved in specific locations, where neighbourhood views and sunlight are not adversely affected.

d) Landscaping shall include at least 90% indigenous trees.

10. Fencing

Controls

F6.1-6 Fencing

a) The allowable extent of boundary fencing is shown in Appendix A for all allotments.

b) The type and height of boundary side fencing shall, where applicable, be decided by mutual consent of adjoining owners, but in no case shall the height of a fence exceed 1.8 metres above natural ground at any point.

c) Fencing materials and colours shall be of a tone and colour of low reflective quality including materials which are treated with a paint of pigment of a tone or colour of a low reflective quality which blend with the landscape of the site on which they are used and its surrounds.

d) Where possible wire or similar fences screened within informal rows of shrubs etc., should be used in preference to more solid fencing materials.

e) Front fencing shall only be allowed at the building line.

F7 Highview Estate

Part 1

Contents

Refer to F7 Highview Estate – Part 2

1 Introduction

1.1 Vision

The Highview Estate will provide a distinctive natural, built and safe living environment that reflects the alpine region and its mountain and lake setting. The estate will have an alpine village theme, which adopts a modern Australian architectural style and utilized a variety of

well articulated building forms, lightweight materials and a natural palette of colours that are set in a suitably landscaped streets and gardens.

The landscape design for the estate should reflect the sub alpine character of the region, providing predominantly natives species in reserves and open spaces, combined with exotic species in the streetscape including a mix of spring flowering blossom trees and deciduous trees providing colour throughout the autumn months.

The development of the estate will maintain strong vehicle and pedestrian links within the estate and with the existing town and surrounding area.

Open space will be provided to further contribute to the amenity of the site and provide passive recreational opportunities for the residents of the area. The existing vegetation and natural features on the land such as rock outcrops and areas of natural vegetation will be preserved where possible to preserve the visual amenity of the area.

1.2 Where this Chapter applies

This circular applies to land known as Lot 21, DP 1090909 and Lot 11 DP 1035279 Parish of Clyde, County of Wallace (referred to as the Highview Estate, Jindabyne). This Chapter should be read in conjunction to Chapter D1 Residential Accommodation. Where there is an inconsistency between this Chapter and Chapter D1, this Chapter prevails to the extent of the inconsistency.

This Chapter is intended to be used by landowners, the community in general, architects, town planners, engineers, building designers, council officers and councilors. It applies the principles of the Australian Model Code for Residential Development (AMCORD) and the principles of Ecological Sustainable Development (ESD) to the specific needs of the Highview Estate to ensure that the characteristics and environmental qualities of Jindabyne are protected or enhanced by future subdivision and housing development.

The provisions of Snowy River Local Environmental Plan 2013 and the Environmental Planning and Assessment Act (1979) require that development consent be obtained prior to the subdivision of the subject land and/or development for housing and other specific land uses that are permissible in the various zones within the estate. For full details of any approvals required prior to undertaking any development in the estate, it is strongly advised that you consult with Council.

1.3 Aims

The aims of this Chapter are to:

- control the overall subdivision of the Estate, including the development of lands to be dedicated as community land;
- facilitate development that will conform to the overall vision for the Estate;
- encourage a mixture of housing types and densities;

- provide controls over a range of housing types including single dwellings. Dual occupancies, medium density housing, integrated development and residential flat buildings.

1.4 Objectives

The objectives for development within the Highview Estate are:

Sustainable Development

- To create a residential estate consistent with the principles for Ecological Sustainable Development.
- To maximize solar orientation of residential lots.

Streets and Public Space

- To provide attractive streetscapes which reinforce the function of the street and enhance the amenity of the natural and built environment.
- To provide an interconnecting street pattern for easy circulation with direct linkages with the surrounding street network.
- To provide pedestrian and cycle links through the site to the existing and proposed pedestrian and cycle networks.
- To provide a safe and efficient system of roads and pathways for vehicular, pedestrian and cycle movements.
- To provide strong pedestrian connections and view corridors to private open space within the development area.

Housing

- To allow for the orderly and economic use and development of the land consistent with the vision for the Highview Estate.
- To provide an opportunity for a variety of housing types.

1.5 Relationship with the LEP and Other Chapters

Clause 72 of the *Environmental Planning and Assessment Act, 1979* and Regulations require that this Chapter be consistent with the Snowy River Local Environmental Plan 2013. In the event of any inconsistency, the provisions of the LEP shall prevail.

To encourage good overall design it is important that this Chapter be read in conjunction with the other Chapters in the Snowy River DCP 2013. Where sections of other Chapters are relevant, specific reference has been made.

1.6 How to Use this Chapter

This Chapter contains a number of sections that provide an introduction, a description of the site context to which this Chapter relates, a description of the proposed development, key elements relating to the subdivision of the land and key design features relating to the future development of the land for residential housing.

Section 4 of the plan relates to the key design features of the subdivision. Section 5 of the plan, relates to key design features for a range of residential development. Both of these sections contain statements of intent, performance criteria, and acceptable solutions that make possible the development of an innovative design that addresses a particular site characteristic, whilst still satisfying the intent of the Plan.

Compliance with the objectives and controls does not necessarily mean that development consent will be issued. The extent that the overall design of the proposal addresses the on site constraints and opportunities and how the design meets the intent of each design section will be considered.

The following steps should be followed when preparing a design for urban housing:

Step 1: Check the zoning of the site under the Snowy River Shire LEP 2013 to ensure the proposed development is permissible.

Step 2: Determine which Chapters of the DCP 2013 apply to the site.

Step 3: Carefully work through the relevant sections of the Chapter, for subdivisions, the Design Elements Structure within Section 4 and for residential development the Key Design Features Build Form within Section 5 of this Chapter. The design elements are arranged to work down from broad considerations affecting neighbourhood and streetscape to detailed considerations within the development site. Within each design element, designers should work through the following steps:

Step 4: Read the *intent* of the particular design element.

Step 5: Read the objectives and controls of the particular design element. It is these components of the Chapter that will be used by Council to assess the proposal.

The controls that are set out in this Chapter are generally more detailed than the standards contained in the Snowy River Local Environmental Plan 2013.

Any variation to the controls within this Chapter can be made where Council is satisfied that the design of the proposal is consistent with objectives and other specific controls of each section of the Plan.

An application to vary a control contained within the Chapter must be supported by a written statement, and where necessary other supporting documentation, demonstrating how the objectives have been satisfied.

1.7 Site Context

The subject land (being Lot 21 DP 1090909 and Lot 11 DP 1035279) has an area of approximately 65 hectares and is located on the southern fringe of the township of Jindabyne.

The two lots comprise a mixture of zones under the Snowy River Local Environmental Plan 2013 that allow for a variety of residential uses and provides for open space and environmental protection. The zones include:

- Zone RU1 Primary Production
- Zone R1 General Residential
- Zone R2 Low Density Residential
- Zone R5 Large Lot Residential
- Zone RE1 Public Recreation
- Zone RE2 Private Recreation

The site is bounded by Kosciuszko Road to the east, Gippsland Street and more recent residential areas of Jindabyne to the north, rural land to the south and southwest, and Barry Way to the west. The land has minimal native vegetation with granite rock outcrops located across the site. Much of the site is covered by the terrestrial biodiversity mapping in the Snowy River LEP 2013 (Clause 7.2). The vegetation has been identified as secondary Snowygum Woodland. Any development that impacts on this Endangered Ecological Community (EEC) will need to consider the principles of avoid, minimize and offset.

Lees Creek runs in a west to east direction across the southern portion of the site and drains to Lake Jindabyne. Due to the elevated position of the site, views are gained of Lake Jindabyne to the east and Crackenback Range and Jindabyne Dam wall to the west.

The location of the site allows good pedestrian and vehicular connections to existing vehicle and pedestrian links. Pedestrian access through the site will be provided for the Jindabyne Winter Sports Academy, which adjoins the property on the southern boundary.

The report prepared by GHD for the South Jindabyne Expansion Area (1998) which includes the subject site identified that part of the site on the North West down slope of Lot 7 may have been used for a possible tipping site. The report indicated that at the time the report was prepared there was no indication of a tip on the lands from the soil surveys or view of past aerial photographs (1980).

Prpic Davery Consulting Pty Ltd prepared a Site Audit Statement (July 1998) pursuant to Part 4 of the Contaminated Land Management Act 1997 for the former domestic land fill at Gippsland Street, Jindabyne. This land is located on the North West corner of the site. The report certified that the land subject of the report was suitable for residential development.

(insert diagram./map)

1.8 Proposed Development

The development comprises a residential subdivision in compliance with existing Zones with associated arterial and link road construction and the provision of infrastructure. Residential development is to occur within the developed lots once the subdivision work has been completed.

A public reserve will be located in the central part of the site and extends along the length of Lees Creek to provide a buffer between the Creek and proposed residential development.

Lot Density

The lots within the estate consist of standard residential lots. They are to range in size within the areas zoned R2 Low Density Residential. Within the R1 General Residential zoned land a range of lot sizes will be provided to allow for a range of residential accommodation including multi dwelling housing and residential flat buildings. Larger lots are to be located on the steeper sections of the site to provide adequate space for supplementary tree planting and positioning of buildings.

Note: Refer to the Snowy River LEP 2013 for minimum lot sizes and types of land uses permissible within each zone.

2 Key Elements – Structure

2.1 Storm Water Management

A 'Stormwater Management Plan' shall be submitted to Council for all major developments and where requested by Council. A 'Stormwater Management Plan' may not be required for small development within individual allotments or where drainage characteristics for allotments area largely known or prescribed. The preparation of a 'Stormwater Management Plan' shall address the following issues:

- Site conditions, catchment context and land capability;
- Estimates of runoff where significant;
- Objectives and strategies for complying with water quality, water quantity, conveyance, discharge and flood protection criteria;
- Proposed layout and street design measures to minimize disturbance to natural landscape features and incorporate stormwater source controls in street reserves;
- Provision of sufficient information to allow adequate assessment of the stormwater drainage system and its components.

The accompanying plan(s) shall:

- Demonstrate methods of integrating the stormwater system with ecological and recreational opportunities;

- Demonstrate that Water Quality Treatment and Quantity Control comply with the relevant 'Performance Criteria';
- Demonstrate that the minor, major and allotment stormwater systems comply with the relevant 'Performance Criteria';
- Demonstrate that the system can be installed, operated and maintained in a cost-effective manner;
- Provide details of any necessary covenants for the installation, operation and maintenance of the stormwater system;
- Address any other relevant measures required for the efficient operation, construction or maintenance of the proposed stormwater system.

2.2 Water Sensitive Urban Design

Objectives

The objectives for water sensitive urban design is to ensure that:

- Stormwater systems are carefully planned, designed and located to prevent the disturbance, redirection, reshaping or modification of watercourses and associated vegetation;
- Stormwater harvesting and other source controls are implemented to maximize stormwater reuse and to protect the quality of receiving waters and waterways;
- 'Water Smart' practices are promoted with Highview Estate for the purpose of environmental sustainability and ease of management.

Controls

Engineering Planning

(a) The stormwater drainage system is planning and designed to ensure that natural watercourses, associated vegetation and site topography are adequately considered and suitably maintained.
(b) The design of the stormwater drainage systems is to protect natural watercourses and riparian corridors by avoiding disturbance, redirection, reshaping or modification of natural systems.
(c) Stormwater planning, including site layout and building design is undertaken to ensure:

- The design of the drainage system takes full account of existing downstream systems.
- A variety of controls ('treatment trains') are incorporated into the design of the system that minimize the impacts on water quality and quantity (where required) of stormwater runoff from the site.
- The system is accessible and easily maintained, including ready access to system components located on private lands.
- The selection of materials, methodologies and mechanisms are based on their suitability, durability and cost-effectiveness, including ongoing maintenance costs.

(d) A 'Stormwater Management Plan' (SMP) is to be prepared and lodged that demonstrates the development's ability to meet the principles of Water Cycle Management in the design of the system and incorporates a variety of suitable:

- Source Controls;
- Conveyance Controls;
- Discharge Controls;
- Water Quality Improvement Controls;
- Water Quantity Controls

(e) The proposed cut and fill for roads and allotments shall generally be minimized, but will be dictated by road grading and site access requirements. Driveway access shall be generally in accordance with AS2890.1

(f) The design and construction of all drainage systems components shall comply with the requirements of Council's Engineering Guidelines – 'Development Specification Series'; both 'Design' and 'Construction' Sections.

Water Quality

(a) Stormwater discharge to surface and underground receiving waters during construction activities and post construction is not to degrade the quality of receiving waters.

(b) The stormwater management system is to optimise the interception, retention and removal of water borne pollutants before their discharge to receiving works.

(c) Point sources of pollution in the catchment are to be identified and their impacts minimised until they can be eliminated.

(d) Water quality improvement devices are to be provided for the treatment of stormwater run-off discharge from the site and are to be located to minimize negative impacts on both the natural and built (including traffic management) environments.

(e) The development shall incorporate water quality treatment mechanisms to ensure the following targets are met.

Pollutant	Removal Target
Total Suspended Solids (TSS)	80% Retention of the average annual load
Total Nitrogen (TN)	45% Retention of the average annual load
Total Phosphorous (TP)	45% Retention of the average annual load
Litter (> 50mm)	Provide mechanisms to retain litter from frequent flows

Note: Average Annual Load' is the yearly weight of pollutants (kg/yr) from the developed site with no pollution controls installed.

Note: A range of treatment technologies can be used to meet the removal targets. A quantitative analysis demonstrating compliance with these targets is required to be submitted. A number of software packages are available for this task, such as: MUSIC, SWMM, XP Storm, AQUALM XP, EMSS, AQUACYCLE and Switch. Note that some packages are more appropriate for different conditions.

(f) Development is to comply with the provisions outlined in Managing Urban Stormwater – Soils and Construction (Published by Landcom – latest revision).
(g) The design and construction of water pollution minimization systems is to comply with Council's Engineering Guidelines – 'Development Specification Series', both 'Design' and 'Construction' Sections.
(h) Natural water bodies, waterways and vegetation are to be retained and protected from degradation caused by increased stormwater flows where required.
(i) A variety of suitable source, conveyance and discharge controls are to be provided and utilized to minimize the increase and impact of stormwater flows, both for smaller (5yr ARI) through to larger (100yr ARI) rainfall events. The design shall demonstrate that Post-development peak flow does not exceed Pre-development peak flow for development in 'Catchment 1'. Development within 'Catchment 2' does not require volumetric discharge controls. Refer to Figure 1 for delineation of each catchment.

Major Drainage System

(a) The proposed development is to have the capacity to safely convey:
- Stormwater flows resulting from the relevant design storm under normal operating conditions including partial minor drainage system blockage;
- Stormwater flows, resulting from more extreme events than the design storm, without any property damage. The design is to ensure that flow paths would not significantly increase risk to public safety and property.

(b) The design is to demonstrate that the peak 100 yr ARI flow is contained within roads, drainage swales, easements, public space or suitable areas. No concentrated flow derived from public areas shall be directed through private property without the provision of suitable controls and easements.

(c) Public open space incorporated into the stormwater management system is not to hinder the hydraulic effectiveness of the system or public open space uses.
(d) The design is to demonstrate compliance with the following: v*d (velocity-depth product of peak overland flow) < 0.4 for areas trafficked by pedestrians and < 0.6 for all other areas.
(e) Ground floor levels of habitable rooms are to be designed to provide protection to property in accordance with an accepted level of risk.

Minor Drainage System

(a) There is to be capacity to control stormwater flows under normal operating conditions for the relevant Aver Recurrence Interval (ARI) design storm, including provision for blockages.
(b) The minor drainage system is to be designed to safely control and convey the critical 5yr ARI event, including the design provision of a 50% blockage to all inlet structures.
(c) Drainage works are to be well defined, ensuring no hidden flow paths and minimizing undesirable ponding resulting from the design storm for a prolonged period.

- The design shall demonstrate compliance with the following:
- Ponding is limited to a maximum 200mm depth for above ground non-road surfaces;
- The maximum curb flow width within roads shall be 2.4m;
- V*d (velocity-depth product of peak overland flow) < 0.4;
- Velocity < 2ms^{1} in untreated landscaped surfaces (note that appropriate surface treatments may be required on steep surface (<5%) or where large flows are concentrated).

(d) Water Sensitive Design techniques shall be adequately considered and shall be designed to complement site soils, aspects, grades and traffic management.

Allotment Drainage

(a) The system to have the capacity to control allotment surface stormwater flow and excess flow upstream properties to prevent stormwater from entering the building in the design event.
(b) Where the topography of the site makes it necessary to discharge stormwater run-off to the rear of the site, the run-off from all directly connected impervious areas is to an inter-allotment drainage system.
(c) The system is to minimise undesirable pounding for a prolonged period.
(d) The design shall demonstrate that post-development peak flow does not exceed pre-development peak flow for development in 'Catchment 1'. The use of infiltration and dispersion techniques should be adequately considered. Refer to Appendix F7-1 for additional information and 'typical examples'.
(e) A variety of source control measures are to be incorporated into the design of the system to control runoff quantity (where required) and quality from the site.
(f) If soil conditions are suitable, infiltration and dispersion techniques should be considered as a component of the minor drainage system. Setbacks from buildings and boundaries require consideration. In clayey soils, these devices should generally not be less than 4m from structural footings.

(g) Development is to be located and designed to prevent water inundation as a result of incidental flooding.
(h) The design shall demonstrate compliance with the following:

- Proposed cut and fill shall generally be minimized, but will be dictated by site access requirements.
- For residential development, finished floor level is at least 150mm above finished ground level (note that more may be required to ensure adequate drainage during all rainfall events).
- For non-habitable development, finished floor level is at least 100mm above finished ground level (note that more may be required to ensure adequate drainage during all rainfall events).

Water Storage Tanks

(a) Stormwater harvesting measures are to be implemented to maximize stormwater reuse and prevent an increase in the quantity of stormwater discharge from the development site which can impact on downstream environments.
(b) Where water tanks for the collection of roof water are being provided, the following shall be adhered to:

- Rainwater is to be sourced only from roof surfaces;
- The collection system is to incorporate an effective 'first flush' device for the removal roof surface contamination. All first flush devices shall be designed and constructed in accordance with AS/NZS 2179 (latest version);
- Insect screens on overflow pipes are to insect proof lids on inspection openings;
- The tank system is to be connected for use in toilet flushing, irrigation, laundry and/or other appropriate purposes as required by BASIX.

Note: No BASIX is required for S68 Approvals.

- Tank overflow is to be connected to an infiltration or dispersion device (where soil types, surface slopes and building layouts are suitable) or formalized stormwater drainage system (minor system – note the maximum discharge per outlet to street back-of-curb shall be 25 l/s with minimum 10m between outlets);
- No direct connection with a reticulated system operated by the Snowy River Shire Council (top-up systems or approved switching devices with backflow prevention devices can be used);
- Australian Standards approval marks on materials that will come into contract with rainwater such as:
    - AS 2070, Plastic materials for food contact use;
    - AS/NZS 2179-1997 Specifications for rainwater goods, accessories and fasteners;
    - AS 2180 – 1986 Metal rainwater goods – selection and installation;
    - AS 3500.1 – 1992 National plumbing and drainage code. Part 1:Water supply;
    - AS 3855 – 1994 Suitability of plumbing and water distribution systems products for contact with potable water;
    - AS 4020 Products for use in contact with water intended for human consumption with regard to their effect on the quality of water.

(c) Where water tanks for the collection of rain water (other than roof water) are provided:

- Rainwater is to be sourced from driveways, paved surfaces or grassed areas;
- The system is to be connected for use in toilet flushing, irrigation and/or other appropriate purposes;

- Overflow is to be connected to an infiltration or dispersion device (where soil types, surface slopes and building layouts are suitable) or formalized stormwater drainage system (minor system);
- There is to be no direct connection with a reticulated system operated by the Snowy River Shire Council (top-up systems or approved switching devices with backflow prevention devices can be used);
- The collection system incorporates suitable treatment measures, such as a first flush pit or an oil/grit separator;
- All fixtures connected to the supply system are marked 'NOT SUITABLE FOR DRINKING'.

(d) The minimum capacity of water storage tanks shall be determined as required under BASIX assessments for individual dwellings.

Permeable Pavements

(a) Permeable paving is to be designed and installed where practical to minimize runoff from roads.
(b) Pavements are not to receive runoff from areas likely to contribute significant sediment, debris or windblown material.
(c) Paving units and placement geometries are to be suitable for the expected traffic loading.
(d) Permeable pavement is to be selected to satisfy appropriate standards for site suitability, installation, insitu soil characteristics, freeze-thaw processes, likely traffic loading, maintenance and protection from material likely to cause clogging or otherwise hinder performance.
(e) Paving units are to be manufactured and placed to comply with freeze-thaw durability processes and comply with ASTM C1262-95.
(f) Where runoff is derived from non-impervious surfaces, flow shall be pre-treated through the careful placement and design of sediment traps, vegetated filter strips or specially designed gutter systems.
(g) Commercially available segmental pavers are to be installed and maintained in accordance with the manufacturer's and Council's recommendations.
(h) Temporary protection methods and processes are to be implemented during construction operations to control sedimentation and clogging of permeable pavement and granular underlay materials.

Infiltration Systems

(a) On-site infiltration systems are to be used where the suitability of insitu soils in relation to hydraulic conductivity can be demonstrated (typically by site testing using 'falling' and 'constant head' tests).
(b) The design of infiltration systems must consider soil erodability, soil dispersivity, soil heave, potential impact on adjacent buildings and boundary offsets.
(c) The design of infiltration systems shall:

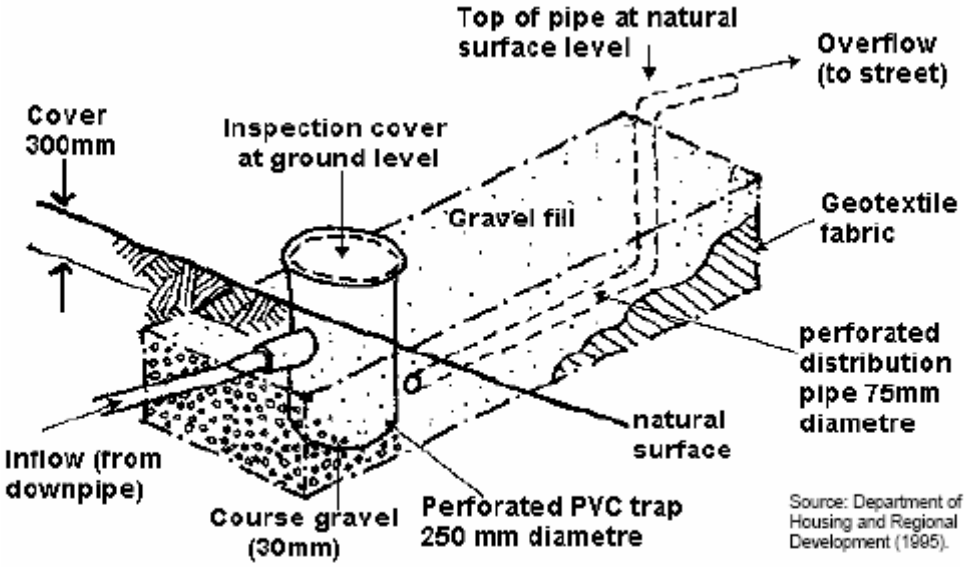
- Consider acceptable minimum buffers from existing buildings and boundaries. The distance between an infiltration or dispersion device and nearby buildings and boundaries requires site specific consideration; however it shall not be less than 4m unless supported by geotechnical advice;
- Be designed to accept the critical 5yr ARI event without surcharge;
- A high level overflow provision to the formalized drainage system is required unless the system can be demonstrated to accept the critical 100yr ARI event;

- Aggregate filled trench systems are acceptable provided that clean washed aggregate, or granular materials, free of fines is used in conjunction with permeable geotextile surround. Inspection/flushing points are required to allow easy access to below ground pipe work for maintenance;
- The inlet to the device is fitted with a readily accessible silt trap (with inspection and access cover).

(d) Design and construction is generally consistent with Section 9.4 of Managing Urban Stormwater – Soils and Construction Manual (Produced by Landcom – latest revision).

Example of Rainwater Tank

Retention/Overflow Trench



2.3 Landscaping

Objectives

The objectives for landscaping is to ensure that appropriate landscaping is provided within the streets and reserves which is consistent with the character and vegetation that is typical in the area.

Controls

(a) The landscaping is to reflect the sub-alpine character of the region with flatter open areas planted with deciduous trees and conifers to highlight nodal points and provide seasonal variation and climate.
(b) Landscaping is to be provided generally in accordance with the requirements of Chapter C5 Tree Preservation and Landscaping, Recommended Species for Landscaping and the Landscaping Concept Plan prepared by Moir Landscape Architects.
(c) The palette of street trees to be used within Highview Estate is to be based on providing species that are suited to the local conditions and provide year round interest.
(d) Feature tree planting are to be provided at the nodal points within open space areas to highlight their importance and locality.
(e) Landscaping is to be provided to reduce the visual scale of the streets and further enhance in the pedestrian environment.
(f) Street trees are to be provided so that:

- A network of themed streets reflects the overall road hierarchy and creates identities for different areas;
- The use of flowering exotics and colorful deciduous trees to create a distinct character for the estate as well as greater Jindabyne;
- Feature trees mark site entry point, intersections, and other visually prominent areas;
- Trees and vegetation combinations will be a year round feature;

- Trees form a clean trunk to maintain vehicular site lines and allow surveillance of open space areas, and
- Trees are hardy and long lived.

(g) Community reserves and parks are to be planted with predominantly native species to ensure a comfortable and safe recreational environment for Highview Estate residents.
(h) Landscaping within the open space areas are to be planted with predominantly native species to enhance the biodiversity values and visual amenity of these areas.

2.4 Lot Layout

Objectives

The objectives for lot layout are that the design will:

- Provide for the efficient use of the land and is integrated into the established subdivision patterns of Jindabyne;
- Provide a defined and positive streetscape character;
- Enhance accessibility and safety and promote the principles of ecological sustainability.

Controls

(a) The lot layout responds to site characteristics, setting, landmarks, views, and land capability and traffic planning principles contained in this Chapter.
(b) The proposed lots are to be designed and orientated to maximize solar access.
(c) Lot design is to encourage dwellings to front major streets and public open space, to enhance amenity, safety and pedestrian comfort through increased passive surveillance.
(d) Lot design is to facilitate safe and efficient vehicle access without street frontages being dominated by garages and parked cars.
(e) Proposed lot design is to enable the comfortable siting of housing and ancillary buildings and the provision of outdoor space.
(f) The perimeter roads bordering open space areas are to allow for a parkland outlook for lots adjacent to open space.
(g) The subdivision pattern should present a clear urban structure with a legible road hierarchy to enhance pedestrian and traffic permeability, and provide significant open space corridors.
(h) The layout of the streets is to follow the existing topography and prevent the formation of gun barrel roads. The layout is to allow, where appropriate, one way cross falls of the local streets which fall directly into the stormwater management swales.
(i) Lot size and layout of the estate should provide opportunities for a variety of housing sizes and types.

2.5 Pedestrian and Cycle way network

Objectives

The objectives for pedestrian and cycle networks are to encourage walking and cycling by providing safe, convenient and legible movement networks to points of attraction within and beyond the development.

Controls

Planning

(a) The residential street and path network provides a network of pedestrian routes, and low speed and volume routes for cyclists, with connections to adjoining streets, open spaces and activity centres.
(b) A network of pedestrian ways and cycle routes is to be provided in accordance with:

- The need to encourage walking and cycling;
- Likely users (e.g. school children, parents with prams, the aged and/or people with disabilities, commuter and recreational cyclists);
- Opportunities to link open space networks and community facilities, including public transport stations/stops, local activity centres, and schools;
- Topography;
- Cyclist and pedestrian safety.

Location and Design

(a) The location of footpaths and cycle ways in a street reservation is determined by:

- vehicle speeds and volumes;
- use of the street pavement by cyclists does not affect the comfort and safety of pedestrians;
- Whether pedestrians and cyclists are protected from parked vehicles and vehicles moving along the street and on driveways;
- Whether postal delivery will be significantly inconvenienced;
- The location of physical services;
- Cross falls;
- Landscaping;
- Whether there is any development fronting that part or side of the street;
- Cyclist and pedestrian personal safety;
- Cost-effective construction.

(b) The location of pathways is to be consistent with the requirements of the Snowy River Shire Council Jindabyne Shared Pathways Strategy Stage 1 (April 2002).
(c) The alignment of paths is to allow safe and convenient use by pedestrians and cyclists and is varied to preserve trees and other significant features. A focus on vistas and landmarks add visual interest where they exist.
(d) Pedestrian paths and cycle ways are to be well lit and located where there is casual surveillance.
(e) Footpaths or shared paths are to be designed and constructed of appropriate width, longitudinal gradient and sight distance to cater for the number o projected pedestrians and cyclists, and user types (e.g. the aged, the very young, people with prams and in wheelchairs, and people with disabilities).
(f) Design of the street and the pavement is to accommodate pedestrian and cyclist use of street pavements in access places, and cyclist use the street pavements in access streets and collector streets.
(g) Provision is to be made for the location of seats at appropriate points.

(h) There is to be adequate provision for passing with paths widened at potential conflict points or junctions on high use facilities to allow for passing of pedestrians/cyclists in opposite directions.

Safe crossings

(a) Safe street crossings are to be provided for all street users with safe sight distances and adequate pavement markings, warning signs and safety rails (where appropriate for cyclists).
(b) The design and construction of the footpaths and cycle ways is to comply with Council's Engineering Guidelines – 'Development Specification Series', both 'Design' and 'Construction' Sections.
(c) cycle ways are to be provided in accordance with Guide to Traffic Engineering Practice – Part 14, Bicycles Guide to Traffic Engineering Practice – Part 14, Bicycles (Austroads 1999). Pram and wheelchair crossings are provided at all curbs and are adequately designed for this purpose as well as assisting sight impaired people in accordance with AS 1428.1 – 1993.

2.6 Public Open Space

Objectives

The objectives for public open space is to ensure the provision of well located and accessible public open space that meets user needs.

Controls

(a) Public open space is designed to provide:

- A range of recreational and environmental settings, corridors and focal points;
- Adequate facilities to meet community needs and expectations based on the population density and demographic structure of the subdivision and/or the local, district or regional area;
- Protection of existing endemic vegetation and encouragement of natural regeneration;
- A response to the opportunities and constraints presented by the physical characteristics and environmental values of the land in the proposed use, and facilities provided;
- For the integration of existing landscape assets e.g. rock outcrops, watercourses, native vegetation communities and sites of natural or cultural value;
- Links between public open spaces to form a legible network;
- Public safety and reasonable amenity of adjoining land users in the design of facilities and associated engineering works.

(b) Parks are to be bound by public streets and fronted by houses, increasing the passive surveillance of the park as well as the value and outlook from the surrounding properties.

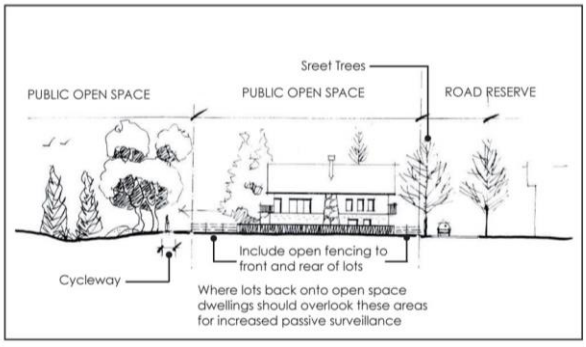


Figure – Example of dwelling backing onto open space

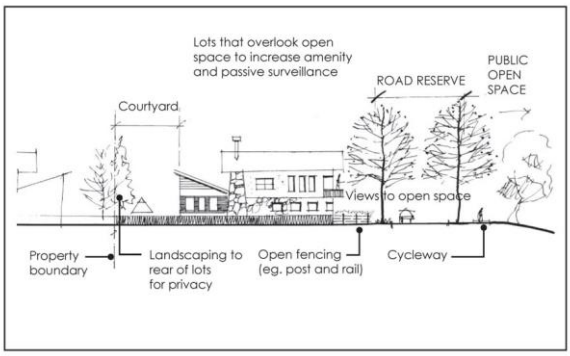


Figure – Example of dwelling fronting open space

2.7 Biodiversity and Natural Resource Management

Objectives

The objectives for biodiversity and natural resource management are to:

- conserve the biodiversity of the local area and the surrounding region; and
- and ensure that the natural features of the site are preserved and enhanced.

Controls

(a) Endemic trees, shrubs and groundcovers are to be provided within the central open space area and conservation areas.
(b) Extensive tree planting of suitable native species that are endemic to the area is to be provided to the riparian area along Lees Creek.
(c) Rehabilitation works within the open space and conservation areas are to utilise locally sourced seed to assist in maintaining genetic integrity of local plant communities.
(d) All species are to be selected from the list of proposed planting contained in Appendix F7-2 Landscape Species List.
(e) Existing native trees are to be retained within both open space and larger lot developments in order to provide habitat for bird and other native fauna and to provide a valuable source of seed for revegetation work.
(f) Existing native trees as identified within the landscape plan which forms part of this circular which are located within the proposed open space area adjacent the eastern

portion of the site, off Barry Way are to be retained and supplemented with additional planting.

(g) Groupings of native trees are to be utilized in the open space areas to reduce the visual effects of urban development and retain the natural character of the region.

(h) The central open space corridor the riparian area along Lees Creek and conservation zones are to be planted with endemic native trees and shrubs and focus on re-establishing the natural vegetation within environmentally sensitive areas such as along the creek line and on the visually prominent ridges.

(i) Existing flora and fauna habitat is to be preserved to minimize any impact on threatened species, protected and threatened populations and their habitat.

(j) In order to reduce the potential impacts of the proposed development on protected and threatened populations of flora and fauna, the following matters are to be considered in design of the subdivision:

- Large mature hollow bearing eucalyptus should be retained;
- Removal of boulders and disturbance of rocky outcrops should be avoided where possible. Where boulders are to be disturbed they should be redistributed and utilized for landscaping purposes on site;
- Development is to be concentrated in the disturbed areas of the site;
- Disturbance of snow gum woodland areas to the south of Kosciuszko Road and black sallee woodland along Lees Creek and should be avoided;
- Avoid disturbing the rare or threatened Australian plants (ROTAP) species identified, Anchor Plant (Discaria pubescens) in the southwestern portion of the site;
- Implementation of a soil and water management plan, including storm water management plan in accordance with the requirements of this Chapter, to minimize the impact of the subdivision on habitat within Lees Creek at and downstream of the site;
- Site development should be managed to avoid indirect impacts by:
    - Sediment control measures, to avoid siltation of drainage lines (Lees Creek) and potentially Lake Jindabyne;
    - Pollution control measures, to reduce the risk of hydrocarbon spills during works and the discharge of increased nutrient loads into waterways during and following development.
    - Rapid stabilization and revegetation of disturbed sites is to be undertaken to reduce the ability of week species to dominate disturbed sites.

2.8 Access, Traffic and Road Design

Objectives

The objectives for access, traffic and road design are to:

- Ensure that a safe and efficient road network is provides; and
- Ensure that the new road network integrates with the existing road network.

Background

The development of the Highview Estate will generate additional traffic movements internal and external to the subdivision site itself. The assessment of traffic impacts from this development must take account of the scale of development expected to occur on the

subdivided lots including dual occupancies, medium density and where permissible, commercial development, as the subdivision provides the best opportunity for providing the standard of infrastructure necessary to service to expected pattern of occupation of this development.

The Council has previously investigated traffic concerns external to the subdivision site through the Jindabyne Traffic Study (conducted in 2002). This study identified existing traffic concerns at various locations within the town. It also identified the potential for traffic generated by the development of the Highview Estate subdivision to exacerbate existing traffic problems, particular in Gippsland Street and at the junction of Barry Way and Kosciuszko Road (MR286).

The eastern end of Gippsland Street has been identified as being narrow and subject to significant demand for on-street car parking, especially overnight during the peak occupation of holiday accommodation during winter and other school holiday periods.

Therefore, it is necessary that arrangements are made to ensure that traffic generated from within the Highview Estate does not increase traffic volumes on this eastern section of Gippsland Street. The Jindabyne Traffic Study approached this issue by recommending that Highview Estate be physically separated from Gippsland Street and that Council investigate the closure of Gippsland Street to all traffic to the east of Candlebark Circuit.

The principle that no additional traffic be directed onto the eastern section of Gippsland Street is central to avoiding unacceptable traffic impacts from this development. This requires that the land subject to this Development Control Plan does not have direct road access to Gippsland Street and that the amount of traffic directed to Jillamatong Street is minimized.

Controls

(a) Adequate road widths and the creation of a road hierarchy is to be provided to assist in the legibility and for ease of navigation through the estate and ensure appropriate connections and relationships with the existing road system.
(b) Road and intersection designs shall be in accordance with Council's design guidelines.
(c) The road system is to provide a simple and efficient flow of traffic through the residential area and which allows traffic to quickly and evenly disperse along the local road network.
(d) All roads shall have a maximum design speed of 50 kph.
(e) Internal and external connectivity is to be increased through using a modified grid pattern layout that minimizes cul-de-sac and dead end streets.
(f) All road widths are to be in accordance with Table below.
(g) Junctions along collector and local roads are to be spaced to create safe and convenient movement.
(h) Traffic calming devices, landscaped islands and intersection design shall be considered on individual merit, but in all cases shall conform with Council's Engineering Guidelines – 'Development Specification Series'; both 'Design' and 'Construction' Sections.
(i) Collector and local roads are to provide opportunities for pedestrian and cycle path network links that encourage walking and cycling.
(j) Minimum and maximum road grades shall be used to define site levels; however cut/fill should generally be minimized.

(k) Roads adjoining open space are to facilitated public access and surveillance of the open space areas.
(l) Access to the part of Highview Estate located to the south east of the Council water tank must be obtained from Kosciuszko Road by the construction of a new intersection conforming to all relevant Roads and Traffic Authority design standards.
(m) Local roads are not to operate as through traffic roads for externally generated traffic, and are to limit local drivers' need to speed in a low speed environment.
(n) Access to the part of Highview Estate located to the north west of the Council water tank must be obtained from Barry Way by the construction of a new intersection conforming to all relevant Roads and Traffic Authority design standards and a suitable road connection to the estate.
(o) A suitable two lane road shall be established to connect between the north-western and south-eastern parts of the estate. This road shall follow along lot 11 DP 1035279 and shall be designed in a manner that would allow later construction of an additional two lanes as a separate carriageway.
(p) Road reserves are to provide for the cost effective provision of public utilities and planting opportunities.
(q) Bus routes are to be direct and safely accessible by pedestrians from all houses and activity centres and bus stops are to be located so that they are within 400m walking distance from each dwelling.
(r) No more than a total of ten residential lots with access to Jillamatong Street shall be created from the land subject to this Chapter.
(s) The alignment and geometry of roads that form identified routes are to allow for efficient unimpeded movement for buses without facilitating high traffic speeds.
(t) All roads shall be designed and constructed in conformity with Council's Development Specification Series.

Table: Highview Estate Road Characteristics (Residential Development)

Road Type	Maximum Speed (km/hr)	Carriageway Width (m)	Parking Provisions within Road Reserve	Curbing (See Note 1)	Footpath Requirement (See Note 2)	Minimum Verge Width (m) (See Note 3)	Minimum Road Reserve Width (m)
Access Street	25	6.0 m	Permitted on both sides of Carriageway	Defined by drainage scheme	1.2m wide footpath to one side only	2.5 m	15 m
Local Street	40	8.0 m	Permitted on both sides of Carriageway	Defined by drainage scheme	1.2m wide footpath to one side only	2.5 m	15 m
Collector	50	9.0 m	Permitted on both sides of Carriageway	Upright curb for bus route, otherwise defined by drainage scheme	1.2m wide footpath to one side only	3.5 m	18 m

Note 1: The designer shall provide roadside curbing that is amenable with the drainage design and appropriate for traffic management.
(Examples of suitable curbing are curb only, curb & gutter, mountable curb, roll curb, flush curb, transitioning curbs, and various combinations of these).

Note 2: Footpath widths shall be 1.2m unless required as a cycle way as defined within Figure 3. Cycle ways shall have a minimum 2.5m wide pavement.

Note 3: Different verge widths for each side of the road may be used to help facilitate drainage, however specified minimums remain.

2.9 Utilities

Objectives

The objectives for the provision of utilities are to ensure that adequate and non-intrusive infrastructure is provided within the Highview Estate to cater for the future residents of the estate.

Controls

(a) Infrastructure is to be provided throughout the estate in accordance with the requirements of the relevant infrastructure provider.
(b) Development within each stage of the subdivision shall not proceed until such time as the necessary services are available, to the satisfaction of Council.
(c) It is the developer's responsibility to negotiate with the various utility authorities in order to reticulate their services in common trenching, where relevant.
(d) Electricity reticulation shall be underground.

2.10 Public Safety

Objectives

The objectives for public safety are to ensure that the subdivision patterns and future development of the Highview Estate will provide a built environment that will make the residents and visitors to the estate feel safe.

Controls

(a) The design is to provide a high degree surveillance of the street and open space areas and provide permeability to allow pedestrians, cyclists, and vehicles to move easily through the estate.
(b) Open fencing shall be provided at the rear of dwellings that adjoin public open space to encourage surveillance of these areas.
(c) Surveillance of the street and public open space areas should be encouraged by:

- Providing opportunities for dwellings to overlook the street and open space; and
- Limiting the use of high fences at the front of dwellings and by ensuring that living areas of dwellings address the street.

(d) The location of public pathways should be readily identifiable and be located on the regularly used pedestrian and cycle routes within and through the site particularly between the Sport and Recreation Site and the town centre.
(e) The development shall generally be lit, primarily along pedestrian corridors, functioning open space, street intersections, and entry features.
(f) A comprehensive network of pedestrian and cycle ways should be provided throughout the estate to provide regular surveillance, provide a high level of safety and reduce the incidence of vandalism.
(g) Public pathways are to be constructed in accordance with Council's Engineering Guidelines – 'Development Specification Series'; both 'Design' and 'Construction' Sections.

2.11 Archaeology

Objectives

The objective in relation to archaeology is to ensure that the archaeological relics on the site are protected.

Controls

(a) Archaeological relics that are contained on site are preserved where possible and where they cannot be preserved, appropriate approvals are obtained for them to be destroyed.

(b) Any works on the subject land should be in accordance with the National Parks and Wildlife Service Act. In particular the following requirements –

- Anyone who discovers an aboriginal relic must report it to the Office of Environment and Heritage.
- A person must not knowingly destroy, damage or deface or knowingly cause or permit the destruction, damage or defacement of any aboriginal object or aboriginal place without first obtaining the consent of the Office of Environment and Heritage.
- A person must not excavate or disturb land for the purpose of discovering an aboriginal object without first obtaining the consent of the Office of Environment and Heritage.

(c) The subject land contains archaeological relics therefore the consent of the Office of Environment and Heritage must be obtained to impact on the artefacts identified in the Aboriginal Archaeological Assessment prepared by Julie Dibden of New South Wales Archaeology Pty Ltd (May 2005).

Note: applicants need to be aware that the only defence for harming an Aboriginal object is either a due diligence assessment or an Aboriginal Heritage Impact Permit (AHIP). An Aboriginal Cultural Heritage Impact Assessment should be carried out by a qualified archaeologist.

Continued from F7 Highview Estate – Part 1

3 Key Design Features – Residential Built Form

3.1 Site Analysis

A Site Analysis shall be prepared and lodged with the Development Application. Completing the Site Analysis is not only necessary to support a Development Application, but will also assist in design decisions based on site conditions and surrounding context. It can assist in ensuring:

- Privacy for occupants and the maintenance of neighbours' privacy and amenity;
- Sufficient solar access and natural ventilation to provide a comfortable and energy efficient living environment;
- Suitably located and useable private outdoor area;
- The existing character of the street is maintained through setbacks, separation and height, driveway and care parking location;
- Views from the site are optimized for both the development and neighbours.
- Circulation and access is suitably located for the development and the locality;
- The construction of the development is suitable to the slope of the land and minimizes the need for cut and fill;
- Cost effective development in relation to connection to services and existing land uses;
- The need for the removal of trees and site features such as rock outcrops is minimized by locating the development to retain existing vegetation and natural features;
- Safety and surveillance of the development and the locality is maximized;

The Site Analysis should work to collate and present a range of information. This information includes, but is not limited to, that detailed in the checklist for Site Analysis Plans (refer Chapter A2).

3.2 Site Planning and Layout

Objectives

The objective in relation to site planning and layout is to ensure that the proposed development provides a pleasant, attractive, manageable and resource efficient living environment.

Controls

(a) The site layout and planning is to integrate with the surrounding environment through:

- Adequate pedestrian, cycle and vehicle links to the street and any open space networks;
- Buildings facing streets and open space areas;
- Building, streetscape and landscape design taking into account on –site features identified in the site analysis;
- Maintaining streetscape and amenity;

- Ensuring solar access to living areas and private open space area; and
- Designing open space areas that optimize solar access, which are cost-effective to maintain and where possible contribute to stormwater management.

(b) Development on visually prominent sites should recognize the unique responsibility to ensure that the visual, scenic, and environmental qualities of the locality are maintained.
(c) The proposed development is to allow for the provision of landscaping that provides suitable areas for tree plantings to grow to maturity.

3.3 Streetscape and Building Siting

Objectives

The objective in relation to streetscape and building siting is to ensure that the siting and form of housing provides attractive streetscapes, residential amenity and does not adversely impact on the existing residential character.

Controls

Front Setbacks

(a) The front setback is to compliment existing setbacks in the street and respond to the context of the locality.
(b) The development scale and appearance is to be compatible and sympathetic to existing development in the locality.
(c) Setbacks are to provide space for residents to feel an adequate sense of visual and acoustic privacy when using rooms fronting the street.
(d) The front setback should be sufficient to provide gardens in order to screen and separate buildings from neighbours, adjacent streets, and reserves.
(e) Development should minimize disturbance to existing natural features and should not significantly impact on the streetscape.
(f) The front setback is to comply with the following:

- Single storey residential accommodation (excluding residential flat buildings) – 6 metres;
- Upper storey of two storey development – 8 metres
- Residential flat buildings – 8 metres

(g) The upper floor of 2 storey development can be setback 6 metres if it occupies less than 30% of the width of the building and the front elevation is articulated or stepped or provided with a projecting balcony or awning at upper floor level (refer Figure below).
(h) Garages are to be setback an additional 1 metre from the front boundary unless they occupy less than 30% of the street frontage or are contained within the lower floor level of a two storey part of the building (refer Figure below).
(i) Open carports are permitted within the front setback where vehicle access to car parking behind the building line cannot be provided due to the slope of the land, the location of significant trees or rock outcrops.

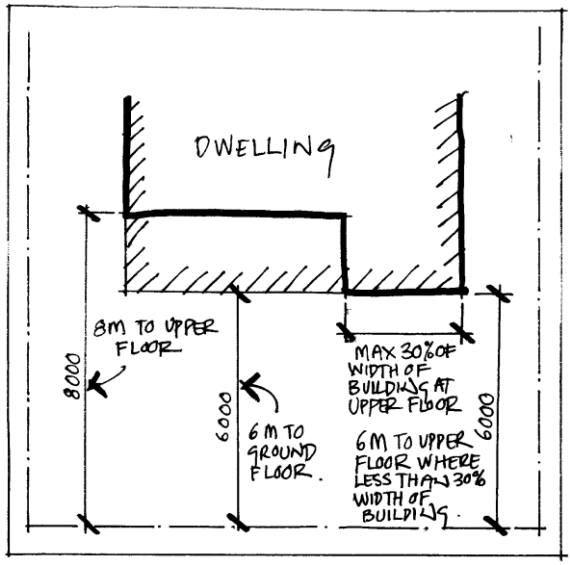


Figure Setback requirements for 2 storey development.

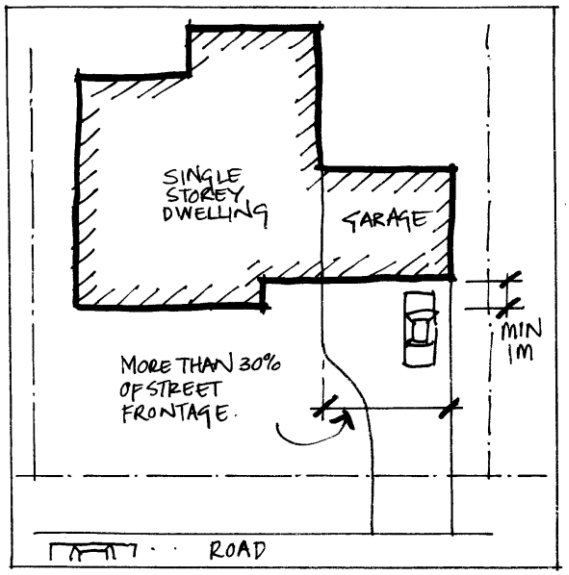


Figure Setbacks for garages for single storey dwellings.

Example of garage at lower floor level

Corner Lots

(a) Development on corner lots is not to impact on the streetscape of the secondary street.
(b) On corner allotments a setback of 3 metres for single storey and 4 metres for two storey developments will be applied to the secondary frontage provided that, the unbroken length of wall does not exceed 8 metres and the building has been designed to provide an attractive appearance to the secondary street frontage.

(c) For single dwellings (not including detached dual occupancy dwellings) if the entry or garage has frontage to the secondary street frontage it is to be setback a minimum of 5m from the street boundary.

Note: Decks at or near ground level, eaves up to 600mm wide, entry patios up to 3m wide and stairs less than 1m above ground level are permitted to encroach on the building setback

Note: The front setback is to be measured perpendicular to the front boundary to the front wall of the building or deck/ balcony (refer Figure below).

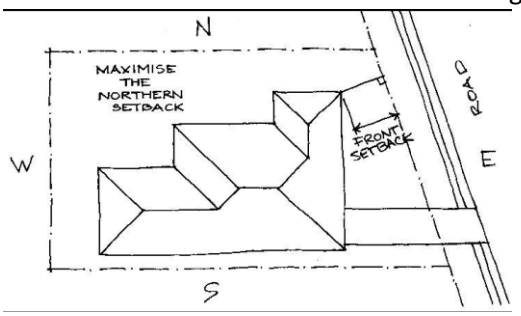


Figure – Front setback measured perpendicular to front boundary

Side and Rear Setbacks

(a) Side and rear setbacks are to maximize outdoor living areas, privacy and solar access.
(b) The side and rear setbacks shall be:

- All types of residential accommodation (excluding residential flat buildings) – 1 metre;
- Residential flat buildings – 3 metres.

(c) Setbacks progressively increase as wall heights increase to reduce visual bulk and overbearing.
(d) Adequate separation is to be provided between buildings for privacy and sunlight.
(e) As the height of the building increases, the side boundary setback is to be increased to comply with the building envelope requirements.

Note: The following structures are permitted within the side setback: unroofed terraces, landings, steps or ramps not more than 1m in height above natural ground level, fascias, gutters, downpipes, eaves up to 600mm, pergolas, awnings, light fittings, electricity or gas meters and aerials, masonry chimneys, flue pipes for cooking or heating appliances, domestic fuel tanks, or other services.(air conditioners are not be located in the site boundary setback).

Note: The Building Code of Australia requires eaves to be sited a minimum of 500mm from the side boundary.

3.4 Building Heights

Objectives

The objective in relation to building height is to ensure that it is compatible with surrounding development and the locality and does not impact significantly on the scenic quality of the area.

Note: maximum building heights are identified in the Snowy River LEP 2013 (clause 4.3 Height of buildings) and accompanying Height of Buildings Map.

Controls

(a) Development must respond to its context and adopt the predominant scale, height and bulk of adjoining buildings.
(b) New buildings are not to dominate their landscape setting or surrounding streetscape and are to be in proportion to the slope and frontage of each allotment and shaped to disguise their size, scale and bulk.
(c) For development that is proposed to be higher than existing development, a transition of building heights should be shown between the existing and proposed development.
(d) Any structure (excluding eaves up to 600mm wide) within the built upon area of the site shall not exceed a high plain projected at an angle of 45° over the actual land to be built upon from a vertical distance of 3.5m above natural ground level at a point on the boundary of the site.

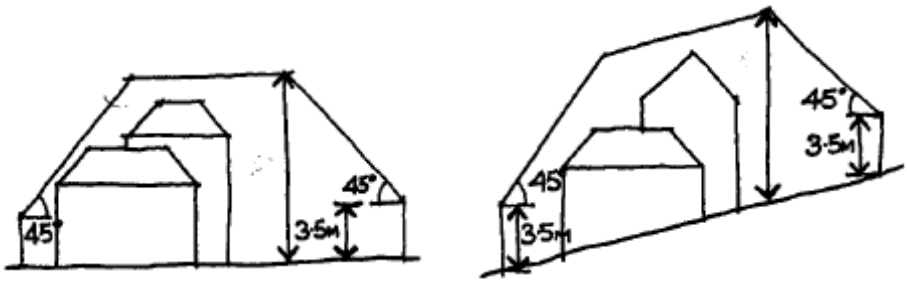


Figure – Building Envelope

(e) Single dwellings and dual occupancy buildings, should not exceed two habitable storeys at any point.
(f) Only on sloping sites sub floor areas may be used for basement car parking or for an entrance hallway not wider than 2.5m (measured parallel to the street frontage).
(g) Consideration will be given to the provision of habitable rooms within the roof space of single dwellings containing two habitable storeys if the provision of the rooms within the roof space does not add to the overall bulk and scale of the building and the height of the building are generally consistent with the existing buildings in the locality.

Figure – Example of rooms within the roof space

(h) Development is to provide reasonable levels of amenity for neighbouring dwellings.
(i) A shadow diagram is required to identify the shadow impact on adjoining properties at 9am 12 noon and 3pm on 21 June and 21 May/September where the proposed building is two or more storeys and is likely to overshadow the adjoining dwelling or private open space area.

3.5 Site Coverage and Unbuilt Upon Areas

Objectives

The objective in relation to site coverage is to ensure a quality living environment by providing suitable areas for outdoor recreation and landscaping and promote on-site stormwater infiltration by restricting site coverage of buildings and hard surfaces.

Controls

(a) Development maximizes permeable surfaces and maintains a balance between the built and unbuilt upon areas.
(b) Development provides for unbuilt areas that are of a suitable size, dimension and slope that will:-

- Provide suitable solar access
- Assist in retaining existing vegetation
- Enhance the existing streetscape
- maintain privacy and provide for reasonable sharing of views between housing, other buildings and the street
- Accommodate private outdoor area requirements that suit the anticipated needs of the occupants
- Actively facilitate onsite storm water infiltration
- Provide space for service functions including clothes drying and waste storage.

(c) Site coverage satisfies the requirements detailed in the Table (below) Site Coverage and Unbuilt upon areas.

Table – Site Coverage and Unbuilt upon areas.

Housing Type	Maximum site coverage ground floor (%)	Minimum Open Space Area (%)	Floor space ratio
Single dwelling house	50	40	(refer to Snowy River LEP 2013 – clause 4.4)
Dual Occupancy (attached or detached)	50	30	(refer to Snowy River LEP 2013 – clause 4.4)
Residential Flat Buildings and Multi Dwelling Housing	40	40	(refer to Snowy River LEP 2013 – clause 4.4)

"Unbuilt upon area" means that part of a site not occupied by any building and which is predominantly landscaped by way of the planting of gardens, lawns, shrubs or trees and is available for use and enjoyment by the occupants of the building erected on that site and includes any open space roof-top pedestrian terraces available for use by those occupants but does not include so much of the site area as is used for driveways, parking areas or drying yards. Open space areas are to be landscaped in accordance with the provisions of Section 3.10. Paved areas can be included when determining the area of the open space areas if permeable paving is utilised.

3.6 Private Outdoor Areas

Objectives

The objective in relation to private outdoor areas is to ensure that occupants are provided with practical, usable and well located outdoor living environments to meet their needs for safety, privacy, access, outdoor activities and landscaping.

Controls

(a) Private outdoor areas are to be:

- Clearly defined for private use of occupants;
- A usable size and dimension;
- A suitable slope;
- Directly accessible from a living area;
- Capable of receiving sufficient sunlight; and
- Accessible from the main living area and of a suitable size and area while protecting the privacy of adjoining and nearby properties where above ground level.

(b) The location, design, and screening of identified private outdoor areas is required to ensure privacy from adjoining housing.

(c) Where appropriate, and where privacy can be maintained, above ground private outdoor areas may address the street to provide informal surveillance of the street.

(d) The provision of private outdoor areas for residential development on or near ground floor level is to comply with the following:

- One (1) to two (2) bedrooms – 35m^2 and minimum identified area 4m x 4m;
- Three (3) or more bedrooms – 50m^2 and minimum identified area of 5m x 5m;
- Above ground – 10m^2 and minimum dimension 2 metres.

(e) The finish level of the identified area is not steeper than 1 in 14.

(f) The minimum identified area receives at least 3 hours of sunlight between 9.00 am and 3.00 p.m. on 21 June over 50% of the area.

(g) The location of private outdoor areas are not impact on the streetscape.

(h) Fully enclosed and fenced private outdoor area in the front setback will only be permitted where they:

- are directly accessible from the living area and the front of the site is orientated within 200 of either side of north, and
- are setback a minimum of 2 metres from the front boundary of the site, and
- do not occupy more than 30% of the street frontage, and
- do not contain clothes drying areas, and
- are suitably screened from the street by the provision of fencing, and
- the area between the front boundary and the courtyard wall is screened by suitable landscaping.

Note: Private open outdoor area may consist of more than one component.

Note: Narrow elongated areas less than 2 metres wide shall not be included when determining the minimum area for private outdoor areas.

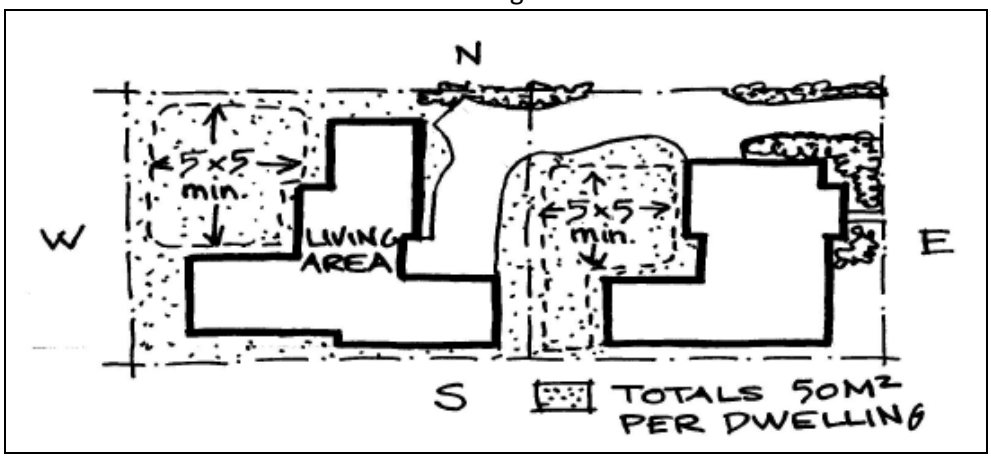


Figure – Minimum private outdoor areas

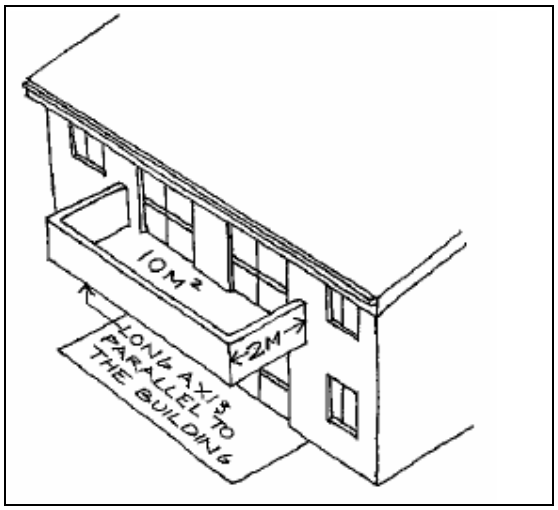


Figure – Private outdoor areas above ground

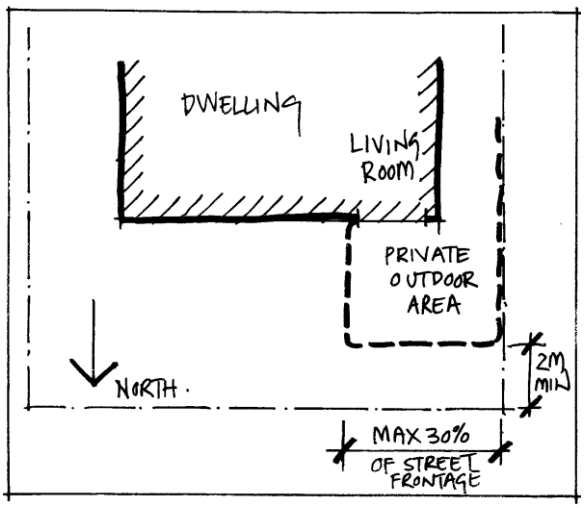


Figure – Private Outdoor Area forward of building line

3.7 Building Form and Character

Objectives

The objective in relation to building form and character is to ensure that development achieves best practice in urban design in the form of buildings and their facades.

Controls

(a) Buildings are to be designed to:

- Distribute building bulk to reduce impacts on neighbours and the street;
- Be integrated with the existing streetscape and setting;
- Contribute to the architectural identity and vision for the Highview Estate; and
- Minimize bulk and scale.

(b) Monotonous and unbroken lengths of wall facing either an adjoining boundary or other walls on the same site are to be avoided.

(c) Simple cubic forms accentuated by repetitive architectural features such as continuous horizontal balconies should be avoided.
(d) Floor space should be distributed within well articulated forms that are stepped down hillsides and around landscaped court yards.
(e) Where the external walls exceed 10m in length on a side or rear boundary, suitable design elements shall be incorporated to provide architectural interest and relief to the elevation. This may include such devices as massing of different materials and colours, stepping of walls, pergolas, awnings, verandah roofs and breaking of the roof line etc.
(f) Solid walls should be broken by corner windows and should incorporate contrasting materials and finishes, for example upper storeys that are clad in sheeting or boards and that are painted in lighter tones than the lower storey.
(g) The use of stone cladding to foundation walls and feature walls is encouraged, provided that it does not occupy more than 25% of any elevation of the building.
(h) Where masonry walls are used, they are to be painted and are to be balanced by contrasting frame structures such as a verandah and panels of cladding.
(i) Facades facing streets or reserves should incorporate a variety of one and two storey walls or should be screened by framed balconies and verandah and should incorporate a varied composition.
(j) Roofs should be broken into a variety of planes.
(k) Wall and roof surfaces should be broken into a series of smaller panels that are separated by stepped forms casting strong shadows, or by panels that are finished with contrasting materials or tones.

Garages

(l) Garages should not dominate any facade that faces the street.
(m) Garages for single storey dwellings are not to exceed a width of 6m or occupy more than 50% of the width of the dwelling where they face the street (refer Figure Below).

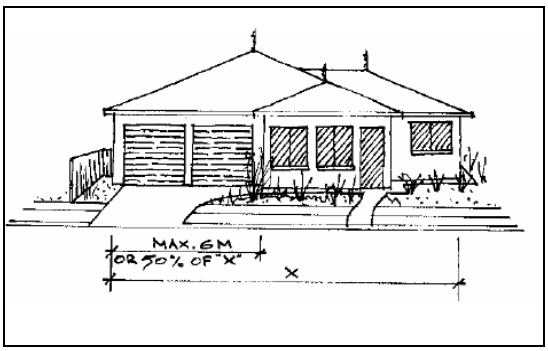
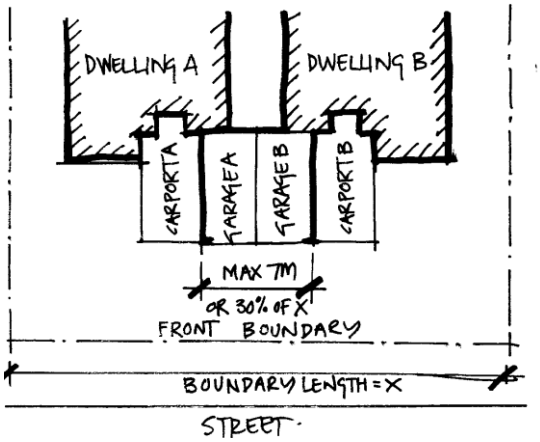


Figure – Maximum width of garages single storey dwellings

(n) For attached dual occupancy development garages at the front of the building are not to exceed a width of 3.5m for each dwelling or a total of 30% of the street frontage which ever is the lesser (refer Figure below). A combination of garages and carports should be used to reduce the impact of car parking structures on the streetscape.



The following is encouraged:

- A mix of building materials, including lightweight cladding and fibre cement panels, ColorbondTM sheet roofing;
- Sections of bagged, face or rendered masonry are acceptable where used as subfloor perimeter walls, as a feature or if it is not the dominant material;
- Simple roof form;
- Use of lightweight decks;
- The use of framed wire balustrades or solid balustrade to match the external material to provide privacy; and
- Awnings and shade structures to protect windows, doors form climatic conditions such as sun wind and rain.

The following is discouraged:

- Traditional suburban face brick and tile concrete block construction;
- Solid expanses of heavy materials e.g. brick and masonry block;
- Fussy roof lines and applied decoration;
- Solid bulky structures with blank walls and no eaves; and
- Blank unarticulated facades, fussy decoration, and ornate balustrade infills.

The use of a range of building material with metal roofs is encouraged.

Conventional brick and tile construction project style is discouraged.

The use of different material and colours and stepping of external walls is encouraged.

The use of blank walls and not eaves is discouraged.

The use of different materials is encouraged.

Solid expanses of masonry walls is discouraged.

The use of balconies and different roof forms is encouraged.

Fussy roof lines and applied decoration is not encouraged.

The use of rooms within the roof space is encouraged where the height of the buildings is consistent with the height of adjoining buildings.

Large masonry structures are not encouraged.

3.8 Views, Visual and Acoustic Privacy

Objectives

The objectives in relation to views, visual and acoustic privacy are to:

- ensure that development does not unreasonably impact or intentionally obstruct views of local features such as Lake Jindabyne, Jindabyne Dam Wall and Crackenback Range whilst not restricting the reasonable development potential of a site;
- site and design buildings to meet projected user requirements for visual and acoustic privacy;
- protect the visual and acoustic privacy of nearby residents in their dwellings and private open space.

Controls

Views

(a) Development is to permit and maintain views from public streets and opens spaces.
(b) Development is to consider the Planning Principles issued by the Land and Environment Court which include assessment of:

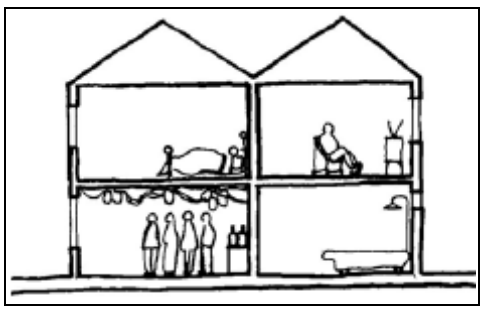
- the views to be affected;
- the part of the property that the view is being obtained;
- the extent of the impact;
- the reasonableness of the proposal that is causing the impact.

(c) Development is to allow for the reasonable sharing of views through the siting, height and design of buildings.
(d) Development of buildings and structures are to be of an appropriate height, setback, design, and setting to preserve significant public view corridors.
(e) Development is to maintain vistas along streets to building and / or places or scenic significance
(f) Where a proposed development is likely to have significant impact on existing views a view analysis shall be provided to show the position and elevation of the development on its site, the location, size and elevation of a joining buildings, and the degree of view loss resulting from the development. The relative levels and elevations are to be shown at Australian Height Datum.

(g) The Statement of Environmental Effects submitted with the application is to address the Land Environment Court Planning Principles relating to view sharing.

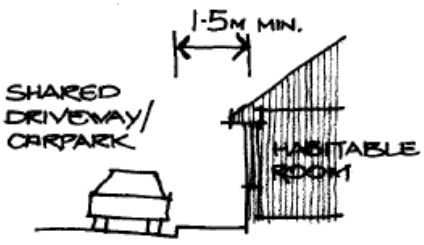
Acoustic Privacy

(a) Site layout and building design protect internal living and sleeping areas from uncontrollable high levels of external noise and minimise transmission of sound through the building structure.
(b) Site layouts should ensure visitor parking areas and streets have a line of site separation of at least 1.5m from bedroom windows.
(c) Doors and windows of adjacent dwellings should be separated by a distance of at least 3m.
(d) Site layout should separate active recreational areas, parking areas, vehicle accesses and service equipment areas from bedroom areas of dwellings and minimise the entry of high levels of external noise to dwellings.
(e) Dwelling units should be designed so that bedrooms of one dwelling do not share walls with living areas of adjacent dwellings (refer Figure below).



(f) Mechanical plant or equipment air conditioning units, pool pumps and water feature pumps should be designed and located to minimise noise nuisance.
(g) The noise level of mechanical plant and equipment is not to exceed the background noise level when measured at the boundary of the closest adjoining property by more than 5dBA.
(h) Air conditioning units are not to be located between the dwelling and the side boundary.
(i) The location of driveways and car parking spaces is to preserve the visual amenity of each dwelling.
(j) The edge of driveways are to be either:

- set back a minimum of 1.5m from windows to habitable rooms of dwellings, or
- the floor level of the dwelling is to be at least 1m above the driveway at the window opening (refer Figure below).



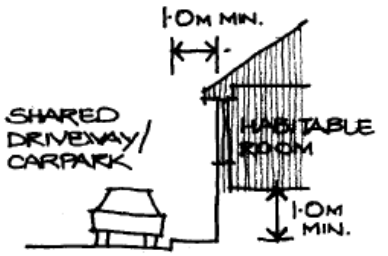


Figure – Visual buffer between windows and driveways/ car parking spaces

Visual Privacy

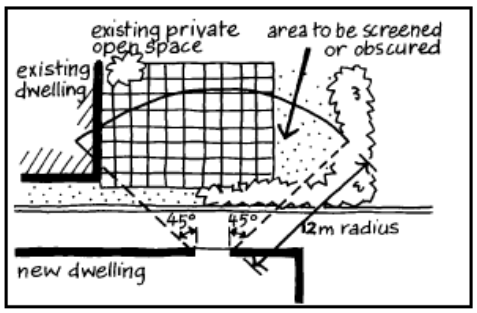
(a) Direct overlooking of main internal living areas and private open spaces of other dwellings is minimised by building layout, location and design of windows and balconies, screening devices and landscape or by remoteness.

(b) Direct views between living area windows of adjoining dwellings should be screened or obscured where ground and first floor windows are within an area described by taking a 12m radius from any part of the window of the adjoining dwelling. An area so defined is described as a 'privacy sensitive zone'.

(c) Direct views from living rooms of dwellings into the principal area of the private outdoor area of other adjoining dwellings should be screened or obscured within a 'privacy sensitive zone' described by a 12m radius (refer Figure below).

(d) Direct views described by (b) and (c) above may be obscured by one of the following measures:

- 1.8m high solid side fences or walls between ground-floor level windows or between a dwelling and open space where the slope is below 10%;
- screening that has a maximum area of 25% openings, is permanently fixed and is made of durable materials; or landscape screening either by existing dense vegetation or new planting to achieve a 75% screening effectiveness within three years;



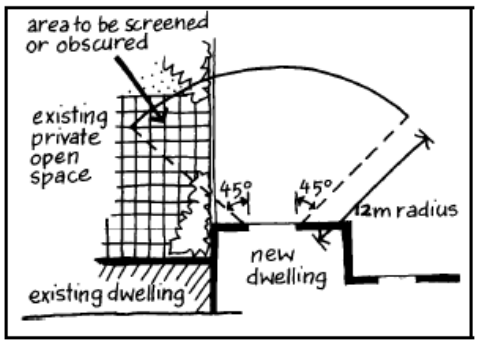


Figure – Privacy sensitive zone

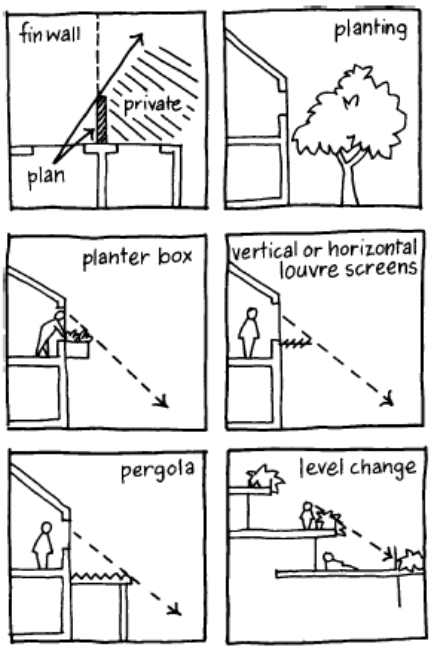


Figure – Techniques for providing privacy to a lower dwelling's private open space.

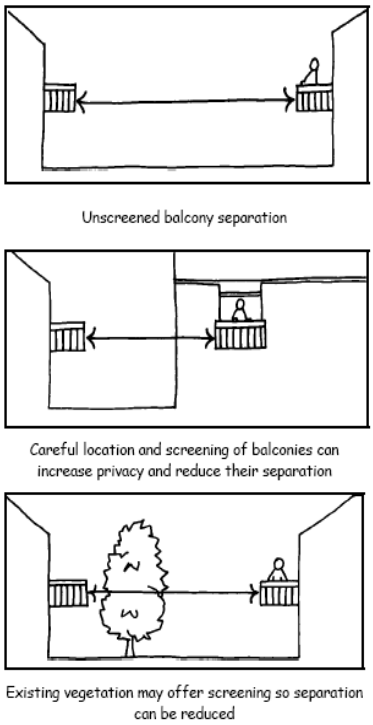


Figure – Privacy between balconies at first floor level should be screened or located to preserve privacy

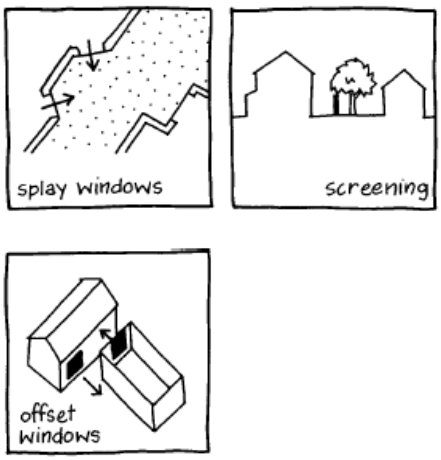


Figure – Methods of preserving privacy

3.9 Solar Access

Objectives

The objective in relation to solar access is to provide reasonable solar access to living areas within dwellings and to open spaces around dwellings.

Controls

(a) Rooms generally used during the daytime should be capable of receiving adequate sunlight.
(b) Dwellings should be sited so that the long axis or length of the building faces to the north to maximise the amount of sunshine the dwelling house receives in winter.
(c) Unless site conditions dictate, dwelling houses should be designed to allow at least 3 hours of sunshine upon the living areas of adjacent dwellings and private outdoor areas between 9am and 3pm on 22 June.
(d) Dwellings should be designed to enable living areas and private outdoor areas to receive 3 hours of direct sunlight between 9am and 3pm on 22 June.
(e) Buildings should not unreasonably obscure sunlight to habitable rooms, solar collectors or private outdoor areas of adjoining development during the winter months.
(f) The orientation, layout, and shape of dwellings should take into account any overshadowing by adjacent buildings, structures or trees during the winter months.
(g) A shadow diagram is required to identify the shadow impact on adjoining properties at 9am 12 noon and 3pm on 21 June and 21 May/September where the proposed building is two or more storeys and is likely to overshadow the adjoining dwelling or private open space area.

3.10 Landscape Design

Objectives

The objective in relation to landscape design and site landscaping is to ensure that the development includes suitable species, consistent with the landscape theme, and appropriate to the nature and scale of the development proposed.

General Requirements

Landscape plans are to be prepared for proposed development in accordance with the following categories.

Category 1: includes small scale developments that will have little impact on the existing environment including single dwellings. Landscaping is to be provided in accordance with the tree species selection and planting guidelines provided in Appendix F7-2 Landscape Species List.

Category 2: includes small to medium scale developments that have the potential for impact on the surrounding environment including dual occupancies – detached and attached residential flat buildings and multi dwelling housing containing up to six (6) dwellings. Landscape Design is to be by a suitably qualified landscape design or horticulturalist and contain the minimum requirements for category 2 and 3 landscape design outlined below.

The landscape designer is to provide certification that the landscape works have been completed in accordance with the landscape design upon completion of the landscape work.

Category 3: Includes medium to large-scale proposals and development or special projects, which have the potential for significant environment and visual impact, including residential flat buildings and multi dwelling housing exceeding six (6) units. The landscape architect is to provide certification that the landscape works have been completed in accordance with the landscape design upon completion of the landscape work.

Landscape design is to be by a landscape architect and contain the minimum requirements for category 2 and 3 landscape design outlined below.

Minimum requirements for Category 2 and 3 Landscape Design

- Existing site information (boundaries, contours, underground/overhead services, easements, drainage lines, etc),
- The movement pattern of the sun in summer and winter and the prevailing seasonal wind conditions,
- The location of adjoining development and any windows or private outdoor areas that are visible to or from the site,
- Existing pedestrian or cycling pathways adjacent to, or near, the site,
- The height of adjoining development and any shadows cast by the development over the site,
- Any views enjoyed to, and from, the land, including consideration of views into the site and the scenic values associated with the site,
- All trees and vegetation on the site, on adjoining lots and within the street including trees to be removed due to the proposed development. This information should identify the actual canopy width of any trees and their heights,
- Any natural drainage lines located within the site,
- The slope of the site, identified by 1 metre contours,
- Any existing built improvements on the site,
- Landscape Consultant details,
- Proposed location of buildings/structures including finished floor levels,
- Roadways, car parks, footpaths, driveways with description of materials and finishes.
- Proposed tree planting
- All landscaped areas and their proposed treatment (mass planting beds, paving, lawn, gravel etc.), planting arrangement, planting schedule (including botanical names and mature heights), quantities, pot size, staking and planting details,
- Sub-surface and surface drainage,
- Fences and screens (materials and heights),
- Location of site furniture, fixtures and lighting,
- Indicative cross-sections of important features or areas of the site (entrances, watercourses, retaining walls),
- Site protection works and proposed water quality control devices.

Controls

(a) Site disturbance is to be minimized and existing landscape elements such as exposed rock formations and existing trees are to be preserved where possible.
(b) Landscaping is to be tolerant of site conditions and adequately mulched in order to reduce demand for water, herbicides and fertilizer.
(c) Development is to be designed to maximize the number of trees on site.
(d) Landscaping is to enhance the appearance of the development and assist with streetscape integration.
(e) All types of residential accommodation (excluding dwelling houses) are to be accompanied by a landscape plan complying with the requirement for category 2 or category 3 as outlined above.

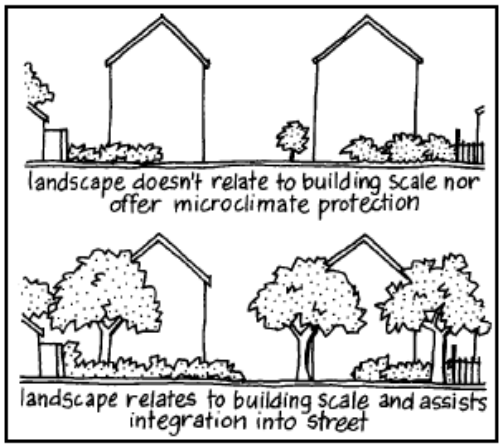
(f) Tree planting is to be consistent with the tree species selection and planting guidelines provided in Appendix F7-2 Landscape Species List.

(g) Landscaping shall be completed and certified on the ground by the landscape designer or landscape architect prior to the issue of an occupation certificate.

(h) Landscape is to contribute to the energy efficiency and amenity by providing substantial shade in summer especially to west facing windows and admitting winter sunlight to outdoor and indoor living areas.

(i) Landscaping is to improve privacy and minimizes overlooking between dwellings.

(j) The plant species selected are in scale with the proposed and existing development to reduce the impact of the bulk of built elements on the street, adjoining properties and within the development (refer Figure below).



(k) The landscape design ensures visibility along paths and adequate pedestrian and motorist sight lines at critical locations, particularly for pathways, corner lots, entries and parking areas, maximises casual surveillance of public areas, the street or parkland, facilitates privacy to and from adjoining property, and provides separation between hard surface areas, built form and structures.

3.11 Fencing and Retaining Walls

Objectives

The objective in relation to fencing and retaining walls is to ensure that the front and side fences and walls protect privacy, security and noise attenuation without having a detrimental impact upon the streetscape and adjacent buildings.

Controls

Front Fences

(a) Front fences and walls:

- Enable some outlook from buildings to the street for safety and surveillance;
- Are designed and detailed to provide visual interest to the streetscape;
- Are constructed of materials compatible with proposed housing;
- Are compatible with facilities in the street frontage area, such as mail boxes and garbage collection areas;
- Should assist in highlighting entrances and in creating a sense of communal identity within the streetscape.

(b) Fences having a maximum height of 1m will be permitted between the building line and the street.
(c) Fences should be constructed of materials that are compatible with the dwelling and generally be constructed of stone, masonry, decorative timber or the like or a combination of these materials. Sheet metal fencing will not be permitted forward of the building line.
(d) Front fences and walls enable, where necessary and appropriate, the creation of private open space between the building and the street.
(e) Fencing up to 1.5m high will be permitted where private open space is provided within the building setback in accordance with the Section Private Outdoor Areas (above).

Fences on Corner Lots

(a) The construction of fencing on the secondary street frontage is to be minimised and limited to providing adequacy to the private outdoor area.
(b) Fencing on the secondary street frontage should be designed and located to:

- Maintain the streetscape character of the area;
- Be consistent with the established pattern of fences; and
- Ensure an adequate amount of private outdoor area.

(c) Where lots have two street frontages, fencing having a maximum height of 1.8m will be permitted to the secondary street frontage between the rear of the proposed dwelling and the rear boundary.
(d) The height design and materials of fencing on the secondary street frontage are to be compatible with the building on the land and the streetscape.
(e) Fencing to secondary street frontages is to be constructed of stone, masonry, decorative timber or the like or a combination of these materials. Sheet metal fencing will not be permitted.

Retaining Structures

(a) Retaining structures are to maintain the streetscape character and are to be consistent with the pattern of existing retaining structures in the street.
(b) Where fencing is provided to the minor street frontage and incorporates a retaining structure, the retaining structure is not to exceed a height of 1m and the proposed fence is to be setback a minimum of 1m from the retaining structure to ensure adequate provision of landscaping to screen the proposed fence.
(c) Retaining structures between the front boundary and the front of the dwelling shall be constructed of stone obtained from the local area or masonry.
(d) Retaining structures are not to exceed a height of 1m. Where higher retaining structures are required individual retaining structures are not to exceed 1m but can be stepped a minimum of 2m apart to provide terraces and allow for suitable screen landscaping to be provided.

Example of stepped retaining walls and landscaping to screen fencing on corner lots

Example of retaining walls and fencing that is not permitted on corner lots.

Example of stepped retaining wall and landscaping on corner lots

Rear Fences Adjoining Public Reserves

(a) Rear fencing is to be provided and is to allow for the surveillance of public reserves.
(b) Where lots directly front onto a public reserve, a post and rail fence must be provided to delineate the rear boundary.
(c) Solid fencing will not be permitted on the rear boundary of these lots.
(d) Where for security purposes fencing is required, a 1.5m high picket fencing, being 50% open or pool type fencing may be permitted.

3.12 Car Parking and Vehicle Access

Objectives

The objective in relation to car parking and vehicle access is to ensure the adequate provision of car parking that is well located and designed and minimizes the visual impact of garages and driveways on the streetscape.

Controls

Vehicle Access

(a) Vehicle access and driveways are to be located and designed to:

- not impede the traffic flow on local road system;
- provided an entry/exit point for individual developments;
- ensure safety from hazards and do not affect scenic or ecological values;
- be located and of a length that is low impact and that continues the existing pattern in the street;
- facilitate ease of access, storm water infiltration through their design, surfaced and slope and are separated from pedestrian entry/access routes through design, finish or location;

(b) Driveways for multi dwelling housing and residential flat buildings when adjacent to side boundaries, are offset a minimum of 2m for the first 6m and then 1m for the full length of the driveway and are to be provided with landscaping.

(c) Driveways for dual occupancy developments are to be offset a minimum of 1m from any side boundary for the full length of the required front setback and are to be provided with landscaping (refer Figure below).

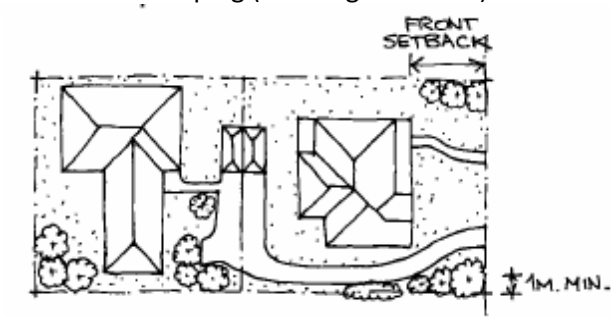


Figure – Setback for landscaping

(d) Driveways are not to be continuous straight lines and are to be offset by landscaping sections and/or strips. Straight "Gun Barrel" driveway arrangement without landscaping is not supported.

(e) Driveways are to be partially surfaced with materials that provide for storm water infiltration or designed to drain to adjacent landscaped areas.

(f) Where a driveway will service more than one dwelling an adequate maneuvering area is to be provided so that vehicles can enter and leave the site in a forward direction.

(g) Where such maneuvering areas are required to be provided, adequate landscaping is to be incorporated to minimize the expanse of hard surface and negative visual impacts on the streetscape.

Vehicle Parking Provision

(a) The number, location and access to vehicle parking spaces available on site, and along the street frontage, is sufficient to cater for residents and visitor parking needs.

(b) The provisions for the number of car parking spaces are to be in accordance with Chapter C3 Car Parking, Traffic and Access.
(c) Driveway access is to be constructed in accordance with Council's minimum standard for driveway gradients.
(d) Manoeuvring areas are to be constructed in accordance with the requirements of Australian Standard 2890.1.
(e) Vehicle parking structures are to be:

- screened to minimize reflection of car headlights into dwelling windows;
- lit at night;
- ventilated if enclosed; and
- separated from windows of habitable areas and private outdoor areas to minimize noise and fume nuisance.

(f) Visitor car parking is to be located so it does not impact on the streetscape.
(g) Visitor parking for dual occupancy and multi dwelling housing may be provided within the building line provided that it is setback a minimum of 2m from the street alignment and suitably screened by landscaping and is constructed of crushed stone, permeable paving, "grasscrete", timber sleepers or the like.

Garages and Carports

(a) Facilities (including garages and carports) are to be sited and designed so as not to dominate the streetscape/street frontage or other public spaces.
(b) Facilities are to be designed and located to minimize impacts on neighbouring housing.
(c) Parking structures within the front setback should be designed to blend with natural surroundings and streetscape, permitting views from the street towards gardens and surrounding scenic backdrops, and reflecting the architectural quality of the main house.
(d) Garages and carports are not to be located between the building line and the front boundary of the lot.
(e) Parking maybe located in the front setback upon an elevated deck with carport over on sites falling from the street or upon a paved area that is excavated into hillsides rising from the street where steep slopes prevent construction of driveway access directly to a dwelling.
(f) Carports within the front setback where permitted should have a "light weight" appearance.
(g) Car accommodation is to be compatible with its associated dwelling design in terms of height, roof form, detail, materials and colour.
(h) Where garages face the street, the garage opening is not to exceed 6m or 50% of the width of the building, which ever is the lesser.
(i) Detached garages or sheds are to be located within the rear yard area and are to have maximum dimensions of 7.2mx7.2m and have a maximum external wall height of 2.7m.

Car Washing Facilities

(a) A suitable area is to be provided within the development to allow for the washing of vehicles.
(b) Where developments include more than 4 dwellings, at least one hard paved area is to be provided with dimensions of 5m x 2.7m and directly accessible from the driveway, for car washing and provided with an appropriate sign. The car washing area is to be located and designed to drain to a grassed or landscaped area sufficient in size to absorb waste water from car washing (refer Figure below).

(c) In the case of development with basement car parking, a visitor car parking space shall be bunded and connected with Council's sewerage system. This will necessitate locating a tap, bunding and drain in a position that will not interfere with traffic movement.

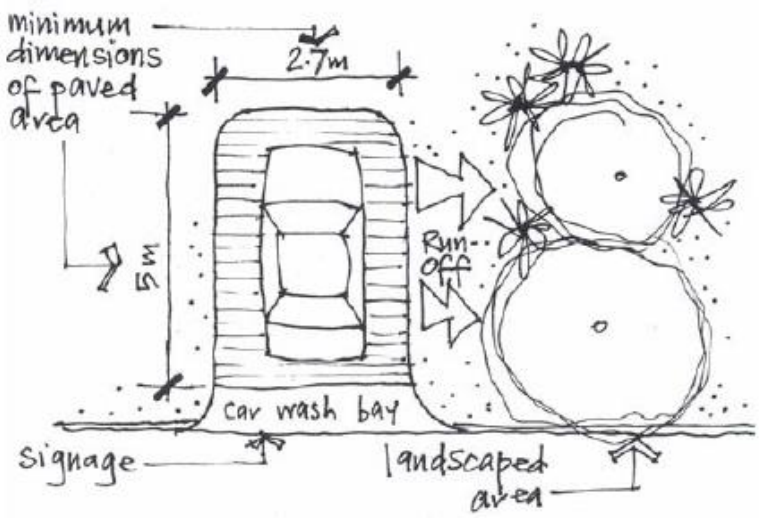


Figure – Example of car wash bay at ground level

3.13 Erosion and Sediment Control

Erosion and sediment control is to be provided on all development sites in accordance with the requirements of Chapter C8 Environmental Management.

3.14 Cut and Fill

Objectives

The objective in relation to cut and fill is to preserve as much as practicable the existing topography and amenity of the neighbourhood in the vicinity of the proposed development by minimizing changes to the existing ground levels.

Controls

(a) The building design should be appropriate for site conditions with consideration given to the stability of the site and adjoining site and the privacy of the adjoining dwellings.
(b) Development is to be designed to minimise the effect of disturbance on any land and ensure that dangerous excavations are avoided, or where necessary, are properly retained and secured.
(c) Dwelling houses, dual occupancies and multi dwelling housing (i.e. especially those incorporating slab on ground construction) shall not exceed 1m of cut or fill.
(d) Development within two (2) metres of the allotment boundaries is to employ construction methods that will retain the fill within the confines of the building, e.g. "drop- edge" raft slabs etc.
(e) Development exceeding two (2) metres from the boundary will be permitted to batter any fill external to the building in accordance with the provisions relating to cut and fill batters.

(f) Excavations in excess of one (1) metre within the confines of the building may be permitted, to allow for basements, garages, etc. providing the excavations do not exceed 3m and are adequately retained and drained.
(g) Cut and fill batters should not exceed a slope of 1:2 to the natural ground level unless the foundation strata of the area permits otherwise and Council is satisfied with the site stability. All batters are to be provided with both short term and long term stabilisation to prevent soil erosion.
(h) Storm water or surface water runoff shall not be redirected or concentrated onto adjoining properties so as to cause a nuisance and adequate drainage is to be provided to divert water away from batters.

3.15 Security, Site Facilities and Services

Objectives

The objective in relation to security, site facilities and services is to ensure that the development provides a safe living environment and facilities are provided to meet the needs of the occupants of the development and service areas are suitably screened from view.

Controls

Safety

(a) Buildings adjacent to public or communal streets or public space are to be designed to allow casual surveillance.
(b) Adequate lighting is to be made available to all public areas.
(c) To permit casual surveillance at least 1 habitable window should face public or communal streets or public space.

Site Facilities

(d) Garbage bin areas, mail boxes and external storage facilities are to be sited and designed for visual appearance.
(e) Waste and recycling storage design and requirements are to be in accordance with Chapter C10 Waste Management.
(f) Dwellings are to be provided with adequate storage areas and clothes drying facilities that are screened from the street.
(g) External drying facilities at a rate of 7.5m of line per dwelling is to be provided and located so as not to be visible from a public place or heat operated drying facilities are to be provided within each dwelling

Services

(h) The design and provision of sewerage, water, electricity, street lighting, telephone and gas services are to conform with the cost-effective performance measures of the relevant servicing authority.
(i) Only 1 telecommunications/TV antenna is permitted for residential flat buildings.
(j) Individual water meters are required to assist with the billing of individual dwellings.
(k) Air conditioning plants are to be located within the roof space or other non-visible location and not on the roof itself.
(l) Developments serviced by reticulated water supply are to comply with the relevant domestic and fire fighting standards.

(m) Individual mail boxes shall be located close to each ground floor dwelling entry, or a mail box structure located close to the major pedestrian entry to the site and compatible with the requirements of Australia Post.

4 Additional Requirements for Residential Flat Buildings

Controls

(a) The proposed residential flat building development is to be designed:

- To be orientated to the street;
- To include building articulation and design elements that reduce bulk and provide interest to the street; and
- To ensure that pedestrian paths, courts, landscape or recreation areas are more prominent than vehicle movement areas and utility spaces.

(b) Front building elevations are to:

- be parallel or nearly parallel to the road frontage;
- be setback not more than 8m from any street frontage; and
- To have living area windows or balconies that face the street.

(c) Basement parking structures, between a street frontage and the main front elevation, are to be no more than 1m above ground level at any point.

(d) **T**he appearance of the building bulk is to be reduced by a combination of verandas recesses and variation in materials and building form.

(e) Buildings are to have no unbroken building elevations greater than 2 storeys on any vertical plane and elevations use a variety of materials, colours, and/or textures between levels.

(f) Facades are to maintain an appropriate scale, rhythm and proportion that respond to the desired contextual character and include:

- Defining a base, middle and top related to the proportion of the building
- Expressing the internal layout of the building through vertical bays,
- Expressing the variation in floor to floor height, particularly at lower levels
- Articulating building entire with awnings, porticos and projection bays and
- Incorporating architectural features that give human scale to the building design at street level.

(g) Proposed and existing adjacent dwellings are to achieve a pleasant attractive and energy efficient living environment and are to receive adequate daylight and ventilation.

(h) An optimal number of units are to be orientated to within 20 degrees of either side of north.

(i) Orientation of the main living area window to within 20 degrees either side of north is to be maximized.

(j) Overshadowing of north facing windows is to be limited.

(k) Openings are to be located to facilitate cross ventilation.

(l) Communal utility areas such as waste disposal and clothes drying facilities are to be unobtrusively located on the site.

(m) Communal clothes drying facilities are to be located where possible on the northern side of the building and be suitably screened from the street, private and communal outdoor areas.

(n) Pedestrian paths and community building entry/ entries are to be clearly visible from the street, well lit and separated (or distinct) from vehicle entry and circulation areas.
(o) The proposed development must have at least one prominent pedestrian entry and path that connects a foyer directly to the street
(p) Movement sensitive lighting is to be directed towards pedestrian and vehicle entry and exit points and communal utility areas.
(q) Vehicle access and parking is to be safe and convenient for residents, visitors and service providers.
(r) Vehicle parking design and location is to minimize impacts on neighbouring dwellings.
(s) A centrally located driveway should not dominate the main street frontage and provides:

- For two way traffic as an entry/ exit point; and
- A driveway of a least 5.5m in width.

(t) Vehicle movement areas are to be located a minimum of 3 metres from any bedroom window.
(u) Where the site is bounded by more than one street frontage, the secondary street is to provide the main entry/exit point.
(v) Personal Safety is to be protected by development that incorporates Crime Prevention through Environmental Design (CPTED).
(w) Where 20 or more units are proposed, a Crime Risk Assessment is to be prepared and lodged with the development application that addresses the principles of CPTED in the design of the development.

APPENDIX F7 – 1

Design Examples Water Sensitive Urban Design

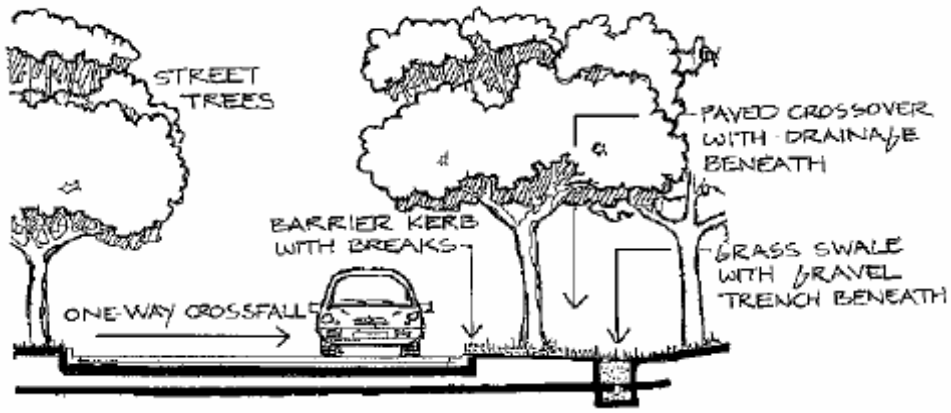
A.1 Water Sensitive Urban Design Conveyance Controls

Modified 'Natural' Channels

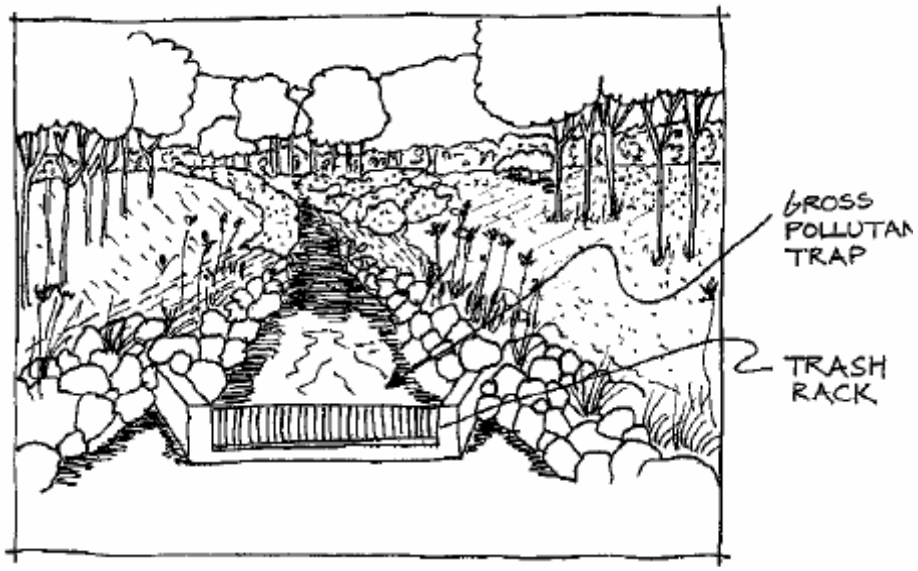
Source: A. Smithson (2002).

Road network and grass swales.

A.2 Examples of Water Sensitive Road Drainage Schemes

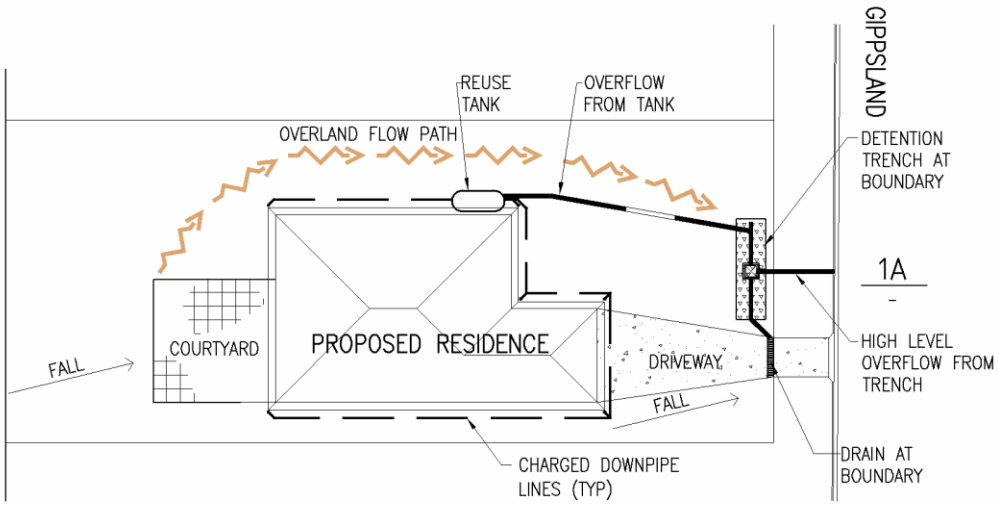


A.3 Example of Discharge Control Mechanisms



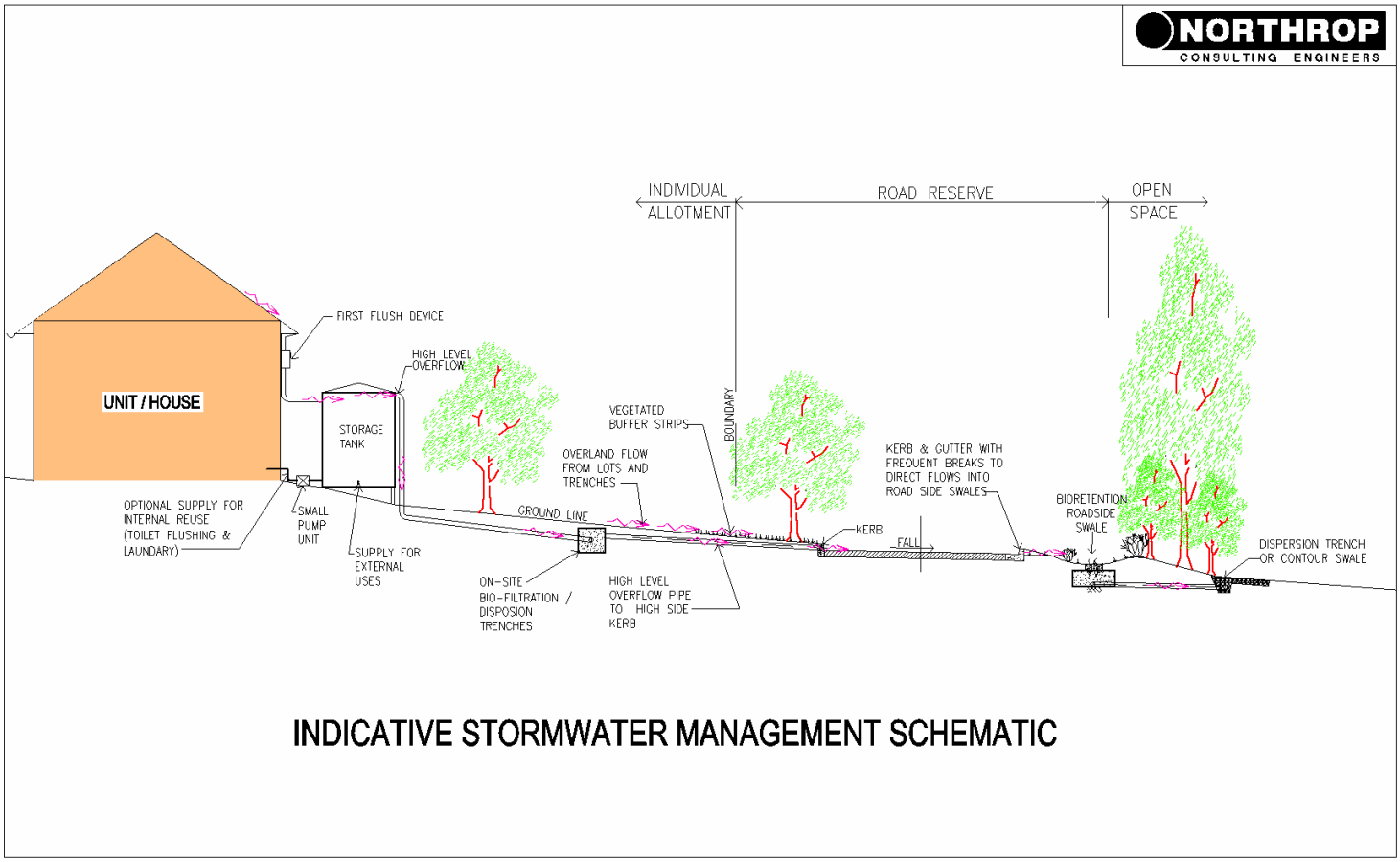
A Gross Pollutant Trap catches any large objects between its bars and stopping pollutants from entering natural waterways.

A.4 Examples of Allotment Drainage Schemes



CONCEPT ALLOTMENT DRAINAGE

A.5 Examples of a 'Treatment Train'



APPENDIX F7 – 2

Landscape Species List

Botanical Name	Common Name
Street Trees	
Acer buergeranum	Trident Maple
Acer rubrum + Cvs.	Canadian Maple
Betula dalecarlica	Cut-leaf European White Birch
Betula pendula + Cvs.	Silver Birch
Celtis ausralis	Nettle Tree
Cercis siliquastrum	Judas Tree
Fraxinus oxycarpa 'Aurea'	Golden Ash
Fraxinus Raywoodii	Claret Ash
Laburnum anagyroides	Golden Chain Tree
Malus Cvs.	Flowering Crabapples
Platanus orientalis	Oriental Plane
Platanus X acerifolia	London Plane
Prunus sp.	Flowering Plums / Cherries
Pyrus ussuriensis	Manchurian Pear
Quercus coccinea	Scarlet Oak
Quercus palustris	Pin Oak
Quercus rubra	Red Oak
Sorbus aucuparia	Rowan Tree
Ulmus procea	English Elm
Trees (Revegetation)	
Acacia dealbata	Silver Wattle
Callitris endlicheri	Black Cypress Pine
Eucalyptus gregsoniana	Wolgan Snow Gum
Eucalyptus macarthurii	Paddys River Gum
Eucalyptus moorei	Narrow leaved Sallee
Eucalyptus parvula	Small Leaf Gum
Eucalyptus pauciflora	White Sally
Eucalyptus pulverulenta	Silver leaved Mountain Gum

Botanical Name	Common Name
Eucalyptus rubida	Candlebark
Eucalyptus stellulata	Black Sally
Eucalyptus viminallis	Ribbon Gum
Shrubs (Revegetation)	
Acacia boormanii	Snowy River Wattle
Acacia kettlewelliae	Buffalo Wattle
Acacia rubida	Red Stemmed Wattle
Acacia siculiformis	Dagger Wattle
Acacia verniciflua	Varnish Wattle
Bulbine bulbosa	
Callistemon pityoides	Alpine Bottlebrush
Chrysocephalum apiculatum	
Kunzea ericiodes	Burgan Tea Tree
Leptospermum lanigerum	Wooly Tea Tree
Mirbelia oxyloboides	Mountain Mirbelia
Olearia phlogopappa	Daisy Bush
Prostranthera phylicifolia	Jindabyne Mint
Shrubs & Groundcovers (Landscape - Natives & Exotics)	
Berberis Cvs.	Barberry
Buxus sempervirens	English Box
Calluna Cvs.	Heaths
Camellia japonica	Camellia
Camellia sasanqua	Sasanqua Camellia
Carex albula	Frosted Curls
Cerastium tomentosum	Snow in Summer
Choisya ternata	Mexican Orange Blossom
Deutzia sp.	Wedding Bell Plant
Erica Cvs.	Heaths
Festuca ovinia glauca	Kentucky Blue Grass

Botanical Name	Common Name
Hakonechloa macra 'Aureola'	An ornamental grass
Helictotrichon sempervirens	Blue Oat Grass
Juniperus squamata	*'Blue Carpet'* Groundcover juniper
Libertia Cvs.	
Nandina 'Gulf Stream'	Sacred Bamboo Cultivar
Scaevola albida	Fairy Fan Flower
Yucca Cvs.	Spanish Sword

APPENDIX F7 – 3

Garbage and Recycling Facilities

NOTE: THIS APPENDIX WILL BE SUPERCEDED BY THE PROVISIONS AND CONTROLS IN CHAPTER C10 WASTE MANAGEMENT

Garbage and Recycling Facilities

Objectives:

- To specify the number and type of garbage receptacles for a proposed development.
- To specify the requirements for the placement and construction of garbage enclosures.
- To ensure design and construction of garbage enclosures that permits easy access and safe handling for residents and garbage collection workers.

Application of this circular

This circular applies to areas where a garbage collection service is provided or will be provided in the future. Dwelling houses and dual occupancies do not require a garbage enclosure only if a suitable storage area is provided away from public view and the path from the storage area to the kerbside is clear and has a maximum grade of 1V: 8H.

Standards for construction of garbage enclosures or rooms

The following standards are for the construction of all garbage enclosures or rooms-

- The enclosure or room is to be designed to minimise visual impact
- The enclosure is to incorporate a smooth concrete floor as specified in Figures A,B or C
- A hose cock is to be provided for cleaning
- A room must have a minimum height of 2 metres and a smooth concrete graded floor (1V: 100H) to an arrester pit that is connected to the sewer.
- The wall height for a garbage enclosure must screen receptacles from public view but be limited to 1.8 metres
- The enclosure is to be designed in a style and is to be constructed using materials that are consistent with the main development on the land

Curbside recycling

Council may introduce Curbside recycling.
Recycling will require provision of an additional 240-litre bin and will need to provide an additional 700mm within the enclosure or room.

Standards for location of all garbage enclosures

- Garbage rooms or enclosures are to be located close to the front or serviceable boundary of the property without affecting the amenity of adjoining properties.
- Enclosures are to be located having regard for existing vegetation and slope
- Landscaping around garbage enclosures will assist in minimising visual impact
- Enclosures adjacent to buildings are to be located on walls without windows

Servicing arrangements

- There are 2 service providers for the collection of garbage from urban premises – Council or an approved trade waste collection contractor.
- Council must, under the Local Government Act 1993, charge for and provide a domestic waste collection service to a residential development within the Shire. Residential

development is defined as a development approved for residential accommodation (including rural residential development) to which Council provides a domestic waste management service.

Residential development does not include hotels, motels, lodges, holiday dwellings and the like.

Non-residential development

For non-residential development the following apply:

- Financial arrangements for the collection of trade waste must be made prior to occupation
- Financial arrangements may be either a Trade Waste Agreement with Council or with an approved contractor
- Liaise with Council's Waste Management officer where steel skips are proposed
- Enclosures are to be located to permit the collection vehicle to enter and exit the site in a forward direction unless a service alley not accessible to the public is provided
- A concrete apron is to be provided for steel skips to permit easy loading

Type and number of garbage receptacles

The following table specifies the type and the way to calculate the number of garbage receptacles required for different types of development.

The number of receptacles must be kept to a minimum by choosing the largest size receptacles available. Design of receptacles must be of a type that can be serviced by Council's garbage compactor.

Garbage Receptacles – Minimum Requirements

Type of Development	Required Capacity of Garbage Receptacles
Residential	**(to receive a domestic waste service)**
Dwelling houses and dual occupancies	1 x 120 litre bin or 1 x 240 litre bin per dwelling
Multi dwelling housing and residential flat buildings	1 – 4 dwellings = 1 x 240 litre bin per dwelling 4+ dwellings = number of dwellings x 240 litres
Non-Residential	
(to receive a trade waste service)	The number of receptacles below may be reduced using the following formula: N = 2/P N = number of receptacles P = number of pickups per week during winter

Type of Development	Required Capacity of Garbage Receptacles
Tourist & Visitor Accommodation	Number of proposed beds x 60 litres
Food Outlets Small takeaway Restaurants & Clubs	 1 x 1100 litre bin 1 x 3m3 skip per 100m2 floor area
Retail Shops & Offices (non food outlets) 200m^2 – 800m^2 floor area 800m^2 – 1200m^2 1200m^2 and larger	 1 x 240 litre bin for every 200m2 floor area 1 x 1100 litre bin 1 x 3m3 skip per every 1200m2 floor area
Supermarkets	1 x 3m3 skip per every 250m2 floor area
Industrial Development	1 x 3m3 skip per 1000m2 floor area depending on type of development

APPENDIX F7 – 4

Snowy River Shire Recommended Species for Landscaping

The Snowy River Shire Council Species List has been created to help developers and landowners with the landscaping of new or existing developments.

The list is by no means conclusive and has been created with the input of local nurseries, Council staff and observations. The list does not take into account the variation in elevation within the Snowy River Shire and therefore many of the species contained within it may not perform at high elevation. Generally the species within the list grow in the Jindabyne, Berridale and Adaminaby region.

It is important to consult with local nurseries when designing a landscape. Although this list contains both Native and Exotic plant species Snowy River Shire Council recommends the planting of Native plants due to their beauty and habitat they provide. Generally the Native species also perform better, particularly the species endemic (local to) this region.

Scientific Name	Common Name	Native Y/N	Endemic	Height approx (m)	Evergreen Deciduous E/D	Comments
Trees						
Acacia dealbata	Silver Wattle	y	i	6-15	e	
Acer buergeranum	Trident Maple	n		6-10	d	
Acer palmatum	Japenese Maple	n		6-10	d	Sheltered sites only
Acer rubrum	Canadian Maple	n		10-30	d	
Betula dalecarlica	cut leaf birch	n		12-15	d	
Betula fastigata		n		8-10	d	
Betula pendula	Silver Birch	n		12-15	d	
Callitris enlicheri	Black Cypress Pine	y	i	5-10	e	
Cedrus atlantica	Atlas Cedar	n		10-20	e	
Cedrus deodara	Deodar Cedar	n		6-10	e	
Celtis australis	Nettle tree	n		12-15	d	
Cercis siliquestrum	Judas Tree	n		6-8	d	
Crataegus oxycanthus var	Hawthorn	n		6-10	d	
Cupressus arizonica	Arizona Cypress	n		6-15	e	Good for difficult sites
Cupressus sempervirens Stricta	Pencil Pine	n		5-10	e	
Cupressus torulosa	Bhutan Cypress	n		6-20	e	
Eucalyptus gregsoniana	Wolgan Snow Gum	y	i	2-4	e	

Scientific Name	Common Name	Native Y/N	Endemic	Height approx (m)	Evergreen Deciduous E/D	Comments
Eucalyptus macarthurii	Paddys river gum	y	i	15-25	e	
Eucalyptus moorei	Narrow leaved Sallee	y	i	3-6	e	
Eucalyptus neglecta	Omeo Gum	y		6-10	e	
Eucalyptus nicholii	Willow Peppermint	y		12-16	e	
Eucalyptus parvula	Small leaf Gum	y	i	6-10	e	
Eucalyptus pauciflora	White Sally	y	i	8-10	e	withstanddry conditions
Eucalyptus pulverulenta	Silver leaved Mountain Gum	y	i	6-10	e	
Eucalyptus rubida	Candlebark	y	i	15-30	e	
Eucalyptus stellulata	Black Sally	y	i	6-15	e	withstand dry conditions
Eucalyptus viminalis	Ribbon Gum	y	i	10-50	e	withstand dry conditions
Fraxinus oxycarpa	Desert Ash	n		12-15	d	
Fraxinus pennsylvanica	Red Ash	n		12-15	d	
Fraxinus raywoodii	Claret Ash	n		12-15	d	
Laburnum vossii	Golden Chain Tree	n		5-6	d	
Malus sp	Flowering Crabapples	n		6-8	d	
Platanus orientalis		n		20-30	d	
Platanus x acerifolia	London Plane Tree	n		15-30	d	
Prunus Sp	Flowering Plums/Cherries	n		4-15	d	
Pyrus ussuriensis	Manchurian Pear	n		10-20	d	
Quercus coccinea	Scarlet Oak	n		18-25	d	
Quercus palustris	Pin Oak	n		20-25	d	
Quercus rubra	Red Oak	n		20-25	d	
Sorbus aucuparia	Rowan Tree	n		8-10	d	
Thuja plicata	Western Red Cedar	n		10-20	e	Good hedging plant.

Scientific Name	Common Name	Native Y/N	Endemic	Height approx (m)	Evergreen Deciduous E/D	Comments
Ulmus Procea	English Elm	n		35-45	d	
SHRUBS						
Abelia grandiflora		n		1-2	e	
Acacia boormanii	Snowy River Wattle	y		3-5	e	
Acacia cultriformis	Knife Leaf Wattle	y		2-4	e	
Acacia dealbata	Silver Wattle	y		10	e	
Acacia kettlewelliae	Buffalo Wattle	y	i	4-7	e	
Acacia melanoxylon	Blackwood Wattle	y		2-6	e	
Acacia rubida	Red stemmed wattle	y	i	3-5	e	
Acacia siculiformis	Dagger Wattle	y	i	1-3	e	
Acacia verniciflua	Varnish Wattle	y	i	1-3	e	
Acacia vestita	Hairy Wattle	y		3	e	
Arbutus unedo	Srawberry Tree	n		3-9	e	
Banksia ericifolia	Heath Banksia	y		1.5-3	e	
Banksia marginata	Silver Banksia	y		1-7	e	
Berberis Atropurureum	Purple leaf Barberry	n		1-1.5	e	
Berberis darwinii	Darwin Barberry	n		1-1.5	e	
Berberis Little Favourite	Dwarf Barberry	n		.5	e	
Buddlea davidii	Butterfly Bush	n		2-3.5	d	
Buxus sempervirens	English Box	n		to 9m	e	Ideal for hedging
Callistemon pallidus	Lemon Bottlebrush	y		1-2	e	
Callistemon pityoides	Alpine Bottlebrush	y	i	1-2	e	
Callistemon subulatus	Dwarf Bottlebrush	y		2	e	
Camellia japonica		n		various	e	hundreds of cultivars
Camellia sasanqua		n		.6-6	e	hundreds of

Scientific Name	Common Name	Native Y/N	Endemic	Height approx (m)	Evergreen Deciduous E/D	Comments
						cultivars
Ceonothus Pacific Blue	California lilic	n		1-1.8	e	
Chanaemoles japonica	Japonese Quince	n		1-2	d	
Choysia ternata	Mexican Orange Blossom	n		1-1.5	e	
Coleonema compacta	Dwarf Diosma	n		.5-1	e	
Coleonema pulchrum	Diosma	n		1-1.5	e	
Coleonema pulchrum Aurea	Golden Diosma	n		1-1.5	e	
Correa lawrenciana	Mountain Correa	y		1-3	e	
Deutzia sp	Wedding bell plant	n		1-1.5	d	
Erica darleyenis	Heath	n		.5 .6	e	
Escallonia Sp		n		to 2m	e	
Euonymus alatus	Winged spindle	n		1-2	d	
Euonymus japonicus	Japenese spindle tree	n		1-3	e	
Forsythia suspensa		n		2-3	d	
Grevillea australis	Mountain Grevillea	y		1-1.5	e	
Grevillea Canberra Gem		y		2	e	
Grevillea Canterbury Gold		y		.5-2	e	
Grevillea lanigera	Woolly Grevillea	y		2	e	
Grevillea Poorinda Constance		y		2-3	e	
Grevillea rosmarinifolia	Rosemary Grevillea	y		1-2	e	
Grevillea victorae	Royal Grevillea	y		2-4	e	
Hakea microcarpa	Small Fruit Hakea	y		1-2	e	
Hebe sp	Veronica	n		to 1.5	e	check with nursery as to

Scientific Name	Common Name	Native Y/N	Endemic	Height approx (m)	Evergreen Deciduous E/D	Comments
						frost tolerance
Hibiscus syriacus	Blue hibiscus	n		1.2-2	d	
Ilex crenata	Japenese Holly	n		1.2-4	e	
Kunzea ericiodes	Burgan Tea Tree	y	i	2-4	e	
Lavendula augustifolia	English Lavender	n		.5-1.5	e	
Lavendula dentata	French Lavender	n		.5-1.2	e	
Lavendula stoechas	Spanish Lavender	n		.5-1	e	
Leptospermum lanigerum	Woolly Tea Tree	y	i	2-6	e	
Mirbelia oxyloboides	Mountain Mirbelia	y	i	1-3	e	
Nandina domestica	Sacred Bamboo	n		1.5-2	e	
Nandina domestica Nana		n		1	e	
Olearia phlogopappa	Daisy Bush	y	i	1.5-2	e	
Philadelphus mexicanus	Mock Orange Bush	n		2-3	d	
Photinia glabra rubens		n		to3m	e	
Prostranthera cuneata	Alpine Mint	y		1	e	
Prostranthera lasianthros	Victorian Xmas Bush	y		1-4	e	
Prostranthera phylicifolia	Jindabyne Mint	y	i	.5-1	e	
Rosa sp	Rose	n		1-3	d	hundreds of cultivars
Rosmarinus officionalis	Common Rosemary	n		1.5-1.8	e	
Spirea thunbergeii	Spirea	n		1-1.5	d	
Viburnun burkwoodii		n		2-2.5	d	
Viburnun opulus Sterile	Snowball Tree	n		to 4m	d	

Scientific Name	Common Name	Native Y/N	Endemic	Height approx (m)	Evergreen Deciduous E/D	Comments
Viburnun tinus	Laurustinus	n		2-4	e	
Weigela japonica		n		1-1.5	d	
GROUND COVERS/PERENNIALS						
Agapanthus Sp		n		to1m	e	
Brachyscome aculeata	Hill Daisy	y		.3	e	
Brachyscome multifida	Native Daisy	y		.3	e	Short lived
Bulbine bulbosa		y	i	.3	p	
Carex sp	Sedge	n		various	e	check with local nursery for best species.
Cerastium tormentosum	Snow in Summer	n		.2	e	
Chrysocephalum apiculatum		y	i	.3	e	
Dianella sp	Flax Lily	y		1	e	check with local nursery for best species.
Dianthus sp	carnation	n		.6	e	
Dicentra sp	Bleeding Heart	n		.2	p	
Erigeron karvinskianus	Seaside daisy	n		.3	e	
Festuca glauca	Bluegrass	n		.2	e	ornamental grass
Grevillea Bronze Rambler		y		.4	e	
Grevillea Gaudi Chaudi		y		.3	e	
Grevillea Junipera		y		1	e	
Grevillea junipera Molonglo Hybrid		y		.8	e	
Grevillea Junipera Pink Lady		y		.8	e	

Scientific Name	Common Name	Native Y/N	Endemic	Height approx (m)	Evergreen Deciduous E/D	Comments
Helloborus orientalis	Winter Rose	n		.5	p	
Kunzea Badja Carpet		y		.3	e	
Lomandra lonifolia	Honey Reed	y		1	e	
Ophiopogon japonica	Dwarf Mondo Grass	n		.1	e	ornamental grass
Phlox subulata	Alpine Phlox	n		0	e	
Rannunculus sp	Native buttercups	y	i	.3	p	
Thymus sp	Creeping Thyme	n		.1	e	
Vinca minor		n		.3	e	

F8 Lakewood Estate

Contents

1. General

This Chapter provides additional objectives and development controls for certain sites in Lakewood Estate as described below.

This Chapter applies to development on land comprised of Lot 1, D.P. 547332 and Portions 67 and 100, Parish of Clyde as shown on the map in Appendix F8-1.

2. Subdivision

Controls

F8.1-1 Subdivision

a) A single lot Current Plan (being a Plan Survey or a Compilation Plan) shall be registered which consolidates the titles to Lot 1 D.P. 547332; and portions 67 and 100 of the Parish of Clyde and so that they appear as one entire Lot.

b) The consolidated lot referred to in subclause (a) shall be subdivided in accordance with a strata plan.

c) The strata plan referred to in subclause (b) shall be prepared in accordance with the Strata Title Act, 1973 and shall indicate 100 allotments each having an area of not less than 0.5 hectares and not more than 1.5 hectares.

d) Every allotment created in the strata plan shall be located in accordance with Appendix F8-1 or other plan approved by Council.

3. Location of Buildings

Controls

F8.1-2 Location of buildings

a) A building or work (other than landscaping or fencing) that is visible above the ground surface shall not be located:

- within 50 metres of any ridgeline or hill top except where in the opinion of Council that building or work will not detract from the visual amenity of the area;
- on any land located within the Lake Jindabyne Water Catchment Area.

Note: refer to Snowy River LEP 2013 clauses relating to riparian land and waterways, wetlands and ridgelines.

b) Every building shall be located:

- at a distance of not less than 12 metres from any private access road except where in the opinion of Council a lesser distance would not detract from the visual amenity;
- at a distance of not less than 6 metres from any boundary of the allotment on which such building is erected or proposed to be erected;
- so that existing natural features, including significant rock outcrops, are not disturbed except where in the opinion of Council the erection of such building will not detract from the amenity of the areas.

c) The central water storage reservoir shall be located below the southern brow of the trig station hill and such that it is not visible from Main Road No. 286 or the Cobbin – Beloko Road.

d) Notwithstanding the provisions of above buildings, which in the opinion of Council are required as reference buildings for the purpose of implementing the required strata plan, may be erected at such lesser distance from the boundaries of an allotment as deemed necessary by Council.

4. Building Materials and Finishes

Controls

F8.1-3 Building materials & finishes

a) The external surface of any building shall be of materials of a tone and colour of low reflective quality including materials which are treated with a paint of pigment of a tone or colour of a low reflective quality which blend with the landscape of the site on which they are used and its surrounds.

b) Any outbuilding shall be constructed of materials that match the external finish of the dwelling-house erected or proposed to be erected on the same allotment.

5. Height of Buildings

Note: The Snowy River LEP 2013 (clause 4.3 Height of buildings) and accompanying Height of Buildings Map specifies the maximum building height for the site.

6. Vehicular Access

Controls

F8.1-4 Vehicular access

a) An internal access road shall be provided from the Cobbin-Beloko Road to each allotment created in the strata plan.

b) The internal access road referred to in subclause (a) shall be

- not less than 7 metres wide;
- bitumen sealed throughout;
- widened on curves where vertical and horizontal curvature coincide;
- provided with 1 metre wide regressed shoulders which merge into shallow regressed table drains;
- provided with low profile cross road drainage structures marked by guide posts with headlight reflectors attached thereto;
- provided with speed humps and associated warning signs in accordance with the requirements of Chapter C3 Car Parking, Traffic and Access;
- provided with a full width stock-proof ramp located not less than 30 metres from the Cobbin-Beloko Road.

c) The junction of the internal access road and any public road shall be designed, constructed and located in consultation with and to the satisfaction of Council.

7. Drainage

Controls

F8.1-5 Drainage

a) Drainage from cross road drainage structures and each of the allotments created by the strata plan shall be conveyed via open drainage lines.

b) Erosion and siltation shall be controlled in accordance with a written report prepared by the Soil Conservation Service of New South Wales.

8. Water Supply

Controls

F8.1-6 Water supply

a) A reticulated water supply is to be provided to each allotment created by the strata plan

b) The water supply referred to in subclause (a) shall include:

- A central storage reservoir having a capacity not less than the minimum determined by calculations prepared in accordance with the relevant standards adopted by the New South Wales Department of Public Works
- A connection to the Jindabyne town water supply;
- An approved water consumption recording device located adjacent to the point of connection to the Jindabyne town water supply;
- 20 millimetre tappings with a copper service line, approved water consumption recording device and pathcock to each allotment;
- Hydrants for fire fighting purposes located at maximum intervals of 90 metres along the length of the internal access road which adjoins allotments
- Not less than one overhead standpipe for the purpose of filling bush fire brigade tankers.

c) Notwithstanding the above, where in the opinion of Council an interval of less than 90 metres between hydrants for fire fighting purposes is required such hydrants shall be provided at the lesser interval.

9. Effluent Disposal

Controls

F8.1-7 Effluent disposal

a) Sewerage effluent from each allotment created by the strata plan shall be directed to a septic tank installation located on such allotment.

10. Electricity

Controls

F8.1-8 Electricity

a) Electricity shall be provided to the boundary of each allotment created by the strata plan.

11. Fencing

Controls

F8.1-9 Fencing

a) Stock and rabbit proof fencing shall be provided to:

- the perimeter of the estate; and
- the boundaries of those areas identified as regeneration and nature conservation areas in Appendix F8-1.

12. Communal Facilities

Controls

F8.1-10 Communal facilities

a) A communal meeting house, yards, stables and spelling paddocks shall be provided in conjunction with the engineering works associated with the subdivision.

b) An enclosure for dressage, jumping and rodeo shall be provided.

c) Notwithstanding subclause (a) a monetary contribution, to be determined by Council, may be made to Council in lieu of the construction of a communal meeting house.

13. Nature Conservation

Controls

F8.1-11 Nature conservation

a) Portion 67 and that part of Lot 1 D.P. 547332 located within the Lake Jindabyne Water Catchment Area shall be set aside for nature conservation purposes and managed by the body corporate in accordance with management practices consistent with nature conservation.

14. Tree Preservation

Controls

F8.1-12 Tree preservation

a) Those areas identified in Appendix F8-1 as nature conservation areas and regeneration areas shall be set aside and managed by the body corporate in accordance with management practices which will encourage the regeneration of the white sallee – black sallee association which would have been apparent were the land in its natural state.

b) The regeneration programme shall include the planting of tube stock and tyne ripping to assist natural regeneration.

15. Wildlife Protection

Controls

F8.1-13 Wildlife protection

a) Application shall be made to have the estate proclaimed as a Wildlife Refuge in accordance with the provisions of the National Parks and Wildlife Act.

APPENDIX F8 – 1

Site Map

F9 Cobbin Creek Estate – Stages 1, 2 & 3

Contents

1. Objectives

- To provide information regarding the development controls that applies to land within both stages of "Cobbin Creek Estate."
- To ensure that development within these areas is compatible with the surrounding environment.
- To provide standards for the location and design of buildings within both estate areas.

2. Background

The development of Cobbin Creek Estate (Stages 1, 2 and 3) as a rural-residential subdivision was commenced in early 2000 by the Australian Land Co Pty Ltd.

The estate comprises eighty-two (82) rural-residential allotments of sizes varying between 4000m2 and 7.2 hectares in area. All allotments are connected to Council reticulated sewer system and a private reticulated water supply services each allotment. An artesian bore provides the source of water for the private supply.

The estate itself and the surrounding rural lands posses significant aesthetic, cultural and environmental qualities that contribute positively to the rural character of the Shire.

To ensure that these qualities are not only protected but also enhanced, opportunities and constraints have been identified and these must be given due consideration in any development undertaken on the estate. These opportunities and constraints include:

- Native Vegetation
- Soils and rock outcrops
- Topography
- Hydrology
- Water quality
- Views & orientation
- Recreation
- Traffic management
- Bushfire protection

This development control plan seeks to set out broad guidelines to ensure that the above matters are given due consideration.

This Chapter provides additional requirements for development on land in the Cobbin Creek Estate. Where there is an inconsistency between the provisions of this Chapter and other Chapters of the DCP, this Chapter shall prevail to the extent of the inconsistency.

3. Application of this Chapter

This Chapter applies to the land originally known as Lot 1, DP 882864 Parish of Clyde, County of Wallace, referred to as the Cobbin Creek Estate and as shown on the maps below.

(insert map)

4. Development Controls

The following development objectives and controls apply to the design and construction of buildings & associated structures, landscaping, environmental protection, provision of services, vehicular & pedestrian access, advertising signage, bushfire protection, animal control, commercial activities and the preservation of native vegetation.

5. Tree Preservation

Controls

F9.1-1 Tree preservation

a) No trees are to be removed from land within the estate without prior approval of Council.

Refer: Snowy River LEP 2013 (clause 5.9 Preservation of trees or vegetation) and Chapter C5 Tree Preservation and Landscaping of this DCP.

6. Building Controls

Controls

F9.1-2 Building controls

a) All buildings are to be located in accordance with the following requirements:

- 12 metres from the property boundary to any public road;
- 6 metres from the property boundary of any adjoining lot including any battle axe handle;
- Buildings are to be located to minimize the impact on natural features;

b) Buildings are not permitted, or are restricted, in the areas marked and indicated on the maps included with this Chapter.

7. Building materials and finishes

Controls

F9.1-3 Building materials & finishes

a) All building materials are to blend with the landscape of the area to reduce the visual impact. This includes using materials and colours that reduce the impact of the development on the landscape of the Shire.

b) Materials that are encouraged include masonry, brick, stone, colourbond, timber, rendered or bagged blockwork, or the like. Surfaces and finishes that are not encouraged include thermally inefficient materials and those that are highly reflective and visually intrusive.

8. Building Design and Height

Controls

F9.1-4 Building design and height

a) All buildings in the estate are to be designed having regard to the provisions of the Snowy River Design Guidelines.

b) No temporary or relocated dwelling-houses are permitted on the estate except with the written advice of the developers.

c) Dwelling-houses are to have a minimum floor area of 100m^2 (min 150m^2 footprint), attached dual occupancy units a maximum floor area of 100m2 and any other buildings are to have a floor area not exceeding 200m^2 (excluding garage).

d) The sub-floor area (the area beneath the floor level and above the natural ground level) of each building is to be fully enclosed. Acceptable materials include masonry, face brick, or the like. Latticework or strips of timber or the like are not acceptable.

e) A maximum of three (3) separate building (including the dwelling-house and attached dual occupancy) is permitted on each allotment in the estate.

f) All buildings in the estate are to be designed having regard to the requirements of Planning for Bushfire Protection 2006 (refer Chapter C7).

g) No buildings are to be located on the ridgelines or land with a gradient greater than 20%.

h) The removal of trees and rock outcrops to facilitate construction of buildings, access roads and service lines is discouraged. Applications lodged with Council that indicate that compliance with this requirement cannot be achieved, must be fully justified and be accompanied by detailed plans on proposed mitigations measures.

Note: The Snowy River LEP 2013 (clause 4.3 Height of buildings) and accompanying Height of Buildings Map specifies the maximum building height for the site.

9. Vehicular access

Controls

F9.1-5 Vehicular access

a) Council has endorsed the Department of Land and Water Conservation's Planning "Construction and Maintenance of Trails" as the standard for construction of all private roads.

b) All access driveways are to be of an all weather sealed surface (road base gravel) with a maximum grade of 12% (south & west facing) and 16% (north & east facing). All access driveways are to be graded, drained and passable by two wheel drive vehicles in wet weather conditions. Concrete piped crossing with culverts and masonry headwalls are to be installed in all driveway crossings where deemed necessary.

c) No access driveways are to be constructed on the Barry Way without the further development consent of Council and the Roads & Traffic Authority.

10. Services

Controls

F9.1-6 Services

The developer shall be responsible for the provisions of electricity and telephone to each allotment in the estate. The owners of the individual allotments shall be responsible to ensure that all wastewater shall be piped to Council's sewerage system. On certain allotments in the subdivision connection to Council's sewer system will require the provision of a pump. Where it is necessary to pump to Council's sewer system, then an additional stand by pump is to be provided on-site ready for immediate connection in case of emergencies. Where a pump is required, then the owners of the allotment must submit to Council an application to install and operate a Sewerage Management Facility (SMF).

The owners of the individual allotments, via Water Company shall be responsible for the upkeep and maintenance of the water bores and reticulated bore water supply system. The reticulated bore water system is to provide potable water to each allotment. A separate bore water tank can be installed on each allotment but in quantities not greater than 5000 litres.

In additional to a bore water tank, each allotment in the estate must have a separate rainwater tank with a minimum capacity of 22,500 litres. Water from the rain water tank can be used only for gardens, toilets and bushfire fighting purposes. Not as a potable or domestic water supply. The rain water tank shall b e designed, installed and maintained so as to prevent a cross connection with the reticulated bore water system in accordance with the attached C.U.P.D.R Circular No. 13.

In stage 3, all rainwater tanks must be either fully screened or located underground. Underground rain water tanks must be fully sealed to prevent contamination.

The roof area of all buildings on each allotment is to be used for the collection of rainwater. The collection areas are to be permanently connected to the rainwater storage tank/s.

All rainwater tanks are to have a 2”/52mm gate valve adaptor fitted for drawing water for bushfire fighting purposes.

11. Additional Uses

Controls

F9.1-7 Additional uses

The commencement, undertaking, establishment, use or the like of a commercial business or development (including advertising or promotional signage, bed & breakfast accommodation, animal breeding or the like) in the estate requires the prior development consent of Council.

No ploughing or pasture improvement will be permitted in this estate. Grazing in grassland zones should be limited to light intermittent summer to autumn grazing. The Council has the power to act to ensure that excessive grazing practices do not continue on any allotment.

12. Landscaping

Controls

F9.1-8 Landscaping

In preparing revegetation and landscaping plans consideration is to be given to the following:

a) Existing trees are to be retained wherever possible and all trees to be removed must be indicated on the DP plans;

b) Particular care must be given to the retention of identified tree stands and rock outcrops as shown on the attached constraints Map;

c) Topsoil shall be spread over all disturbed areas with priority given to cu and fill batters.

d) All disturbed areas shall be revegetated using alpine grass mix with a complete fertilizer;

e) Landscaping of the internal road verges shall be undertaken following constructions of public roads and prior to dedication of those roads and flowing provisions of any utility services with the road reserve;

f) Prior to the occupation of a dwelling on any lot the owner shall be responsible for the planting and future maintenance of at least 30 trees. These trees shall be planted to provide future privacy from roadways and adjoining lots and shall generally accord with the landscape concept plan included as Appendix F9-1;

g) Appropriate bonding arrangements will be entered into by landholders with Council to ensure the screening programs are maintained;

h) Within the Woodland Zone (as shown on the attached constraints Map) only native plant species endemic to the Monaro regional may be planted.

i) A list of plan species that are readily available and suitable to the region is included in Appendix F9-2 Recommended Plant Species.

13. Environmental Protection

Controls

F9.1-9 Environmental protection

a) The owners of the individual allotments are responsible for ensuring for the control of their domestic and farm animals at all times.

b) The owners of the individual allotments are responsible for ensuring that all domestic and farm animals are contained wholly within the boundaries of their allotment at all times.

c) The Water Company is responsible for overseeing the management of prescribed noxious weeds on all allotments and for the control of pests such as rabbits.

The following measures and controls for environmental protection purposes shall be followed when any development is undertaken:

d) The requirements of Chapter C4 Heritage are to be met, including for an Aboriginal Cultural Heritage Assessment for proposed development to identify the likelihood of Aboriginal objects being present on the site.

e) Any archaeological matter discovered during any construction works shall be notified immediately to the National Parks and Wildlife Service in accordance with the National Parks and Wildlife Act. The Council shall also be notified. An archaeologist shall investigate the site before a decision is reached on the level of protection.

f) Rock picking and removal of flora and fauna within environmentally protected areas (including those areas identified in LEP 2013 Terrestrial Biodiversity Maps) is not permitted.

g) Trench lines for service conduits are to be rehabilitated and grassed to stabilize the soil.

h) All subterranean floor spaces under buildings are to be fully enclosed, to reduce the likelihood of creating fox harbour and all garbage receptacles will be made fox

proof. Timber lattice or timber strips are not an acceptable method of enclosing sub-floor areas.

i) Where site works are carried out, all topsoil shall be stripped and stockpiled for revegetation works.

j) Prior to any physical development works being undertaken in the state, erosion & sediment control measures are to be in place.

k) Grassland zones are to be managed by landholders generally in accordance with the *Monaro Remnant Native Grassland Management Guide.*

14. Dual Occupancy

Attached and detached dual occupancy accommodation in the estate is permissible with the prior development consent of Council.

Note: Refer to Snowy River LEP 2013 for dual occupancy definitions, zone permissibility and minimum lot sizes.

Controls

F9.1-10 Dual occupancy

- The land must be connected to Council's reticulated sewerage system;
- Must be designed and constructed using materials, colours and finishes that are compatible with the main dwelling-house;
- The second occupancy is to be designed to accommodate an additional on-site car parking space for its occupants;

Council will consider a site-specific variation (with the exception of the requirement for attachment of the dual occupancy building) to certain development standards contained in this Chapter. A variation will only be considered where:

- It has been fully substantiated (i.e. reasons have been outlined why the variation is required); and
- The likely impact (environmental, social & economic) resulting from undertaking the variation is outlined; and
- The likely impact (environmental, social & economic) resulting from not undertaking the variation is outlined.

15. Section 64 Contribution Payable

Prior to the release of an approval for the construction of a dwelling (including dual occupancy) on any allotment in the estate, a monetary contribution may be levied under section 94 of the Environment Planning & Assessment Act (refer Council's s94 Contribution Plans).

16. Definitions

"Footprint" means the overall area of the building including verandahs, decks, pergolas and patios.

"House site" means an area within an allotment created in a subdivision with approval of the Council which allotment is capable of accommodating a dwelling house, cartilage, landscaping and a vehicle garaging or standing area.

"Map" means the Development Control Plan Map attached to this plan entitled Development Control Plan: Cobbin Creek.

"Water Company" means the company that will be set up to take over the control of the water supply system and the control of environmental weeds and pests.

INSERT PLAN 2 DP10319568

INSERT PLAN FORM 3 1031956

INSERT PLAN FORM 3 DP 1031956

INSERT PLAN FORM 2 DP 1048680

INSERT PLAN LAYOUT STAGE 3

INSERT LEGEND LOT 34 DP 1037304

INSERT PROPOSED SUBDIVISION DRAWING 10129T9

INSERT COBBIN ESTATE LANDSCAPE CONCEPT

INSERT PLAN FORM 3 DP 1031956

APPENDIX F9 – 2

Recommended Plant Species

TREES

SPECIES	COMMON NAME	HEIGHT	COMMENTS
Acacia Deal Bata	Silver wattle	8-15m	Windbreak, cream flowers
Acacia Decurrens	Green wattle	10-15m	Fast growing, golden flowers
Acacia mearnsii	Black wattle	10-16m	Good nursery tree, short lived
Acacia melanoxylon	Blackwood	25-30m	Shade, shelter or timber tree
Acacia pycnantha	Aust golden wattle	5-8m	Fast growing, moist site
Banksia integrifolia	Coastal banksia	10-15m	Attractive foliage & fruits
Callistemon viminalis	Bottlebrush	5-6m	Red flowers, summer, screen
Calitris Enlicheri	Black cypress pine	5-20m	Slow growing conifer
Casuarina	River oak	15-20m	Handsome tree, pendulous branches
Cunningham Ana Casuarina stricta	Drooping she-oak	8-10m	Handsome tree, pendulous branches
Eucalyptus aggregate	Black gum	10-18m	Windbreaks & shade
E. cinerea	Argyle apple gum	8- 18m	Attractive blue foliage
E. dives	Broad leaf peppermint	8-25m	Shade & Windbreak
E. gregsoniana	Wolgan snow gum	2-7m	Small attractive mallee
E. gunni	Cider gum	10-25m	Shade tree, smooth bark
E. kybeanensis	Kybean mallee ash	2-10m	Suit small gardens
E. leucoxylon	White ironbark	4-9m	Pink/red flowers
E. melliodora	Yellow box	10-20m	Windbreak, handsome tree
E. moorei	Narrow leaved sallee	3-6m	Suit mall gardens
E. nicholi	Willow peppermint	12-16m	Windbreak, shade tree
E. pauoiflora	White sallee	8-20m	Windbreaks, erosion control
E. pauciflora ssp. Niphophila	Snow gum	2-6m	Moist site

SPECIES	COMMON NAME	HEIGHT	COMMENTS
E. perriniana	Spinning gum	4-10m	Moist site, attractive foliage
E. pulverulenta	Silver leaved mountain gum	6-10m	Silver dollar leaves
E. rubida	Candlebark gum	15-30m	Windbreaks, shade
E. sideroxylon	Pink mugga ironbark	10-30m	Pink flowers, moist site
E. stellulata	Black sallee	6-15m	Moist, heavy soils
E viminalis	Ribbon Gum	10-50m	Windbreak, shade tree
Podocarpus Clatus	Plum pine	30-35m	Shade, good specimen
LARGE SHRUBS		**2-5m**	
Acacia boormanni	Snowy River wattle	3-5m	Attractive understory shrub
Acacia cultiformis	Knife leaf wattle	3m	Triangular phyllodes
Acacia floribunda	Gossamer wattle	3-5m	Golden balls spring
Acacia pravissima	Ovens Wattle	4-5m	Triangular phyllodes
Acacia rubida	Red stemmed wattle	3-5m	Fast growing windbreak
Banksia Eric folia	Heath Banksia	3-5m	Screen, attractive flower
Baeckia virgata	Tall baeckia	3-4m	Fast growing, white flowers
Bacckia utilis	Mountain baeckia	2-3m	White/pink flowers
Callistemon pityoides	Alpine bottlebrush	1-3m	Yellow flowers, moist site
Callistemon citrinus	Crimson bottlebrush	3-4m	Summer flowering, moist site
Calistermon 'Mauve Mist'		2-3m	Mauve/pink flowers
Grevillea 'Clearview David'	Grevillea	2m	Red/cream flowers
G. 'Canberra Gem'		2m	Prickly foliage, red flowers
G. poorinida 'Constance'		2-3m	Moist site, red flowers
G. rivularis 'Carrington Falls'		3m	Pink flowers, bird attracting
G. victoriae	Royal Grevillea	2-4m	Red flowers
Hakea Lissosperma	Mountain needlewood	2-5m	White flowers, moist site

SPECIES	COMMON NAME	HEIGHT	COMMENTS
Kunzea ericoides	Burgan tea tree	2-4m	Windbreaks, white flowers
Leptosperimum lanigera	Wooly tea tree	2-6m	White flowers, moist site
Leptospermum flavescens	Common tea tree	3m	Profuse white flowers
Melaleuca cricifolia	Swamp melaleuca	3-4m	Screen, moist site, yellow flowers

SMALL SHRUBS **.5-2m**

Baurea rubiodes	Dog rose	1-2m	Mauve flowers, compact
Callistermon pallidus	Lemon bottlebrush	1-2 m	Yellow flowers
Callistermon subulatus	Dwarf bottlebrush	1.5m	Crimson flowers, moist site
Correa reflexa	Native fuchsia	1.5m	Red bell shaped flowers
Crowea exalata	Small crowea	.7m	Pink flowers, Understory
Eriostemon myoporoides	Native wax flower		Aromatic foliage, white star flowers spring
Grevillea Australis	Alpine Grevillea	1-1.5m	Moist site, white flower
G. 'Canterbury Gold'		.5-2m	Yellow flowers, bird refuge
G. 'Laanigera	Wooly Grevillea	1.5m	Red & yellow forms, moist
G. 'Pink Pearl'		2m	Prickly shrub, pink flowers
G. rosmarnifolia	Rosemary Grevillea	1-2m	Red flowers, winter
G. rosmarinifolia 'nana'		.5m	Dwarf form, red flowers
Ilakea microcarpa	Small fruit hakea	1-2m	Windbreaks, white flowers
Kunzea perrvifolia	Violet kunzea	1-2m	Violet flowers, understory
Mellaleuca decussataq	Paper bark	2m	Mauve flowers spring
Ozthamnus secundiflorum	Cascading everlasting	1-2m	White flower, dry/moist site
Prostanthera 'Badja Peak'	Minth bush	1m	White flower, moist site
Prostanthera rotundifolia	Round leaf mint bush	.5-2m	Purple flowers, moist site

SPECIES	COMMON NAME	HEIGHT	COMMENTS
Prostanthera cuneata	Alpine minbush	1m	White flower, aromatic, most
Prostanthera P. 'Ballerina'	Mint bush	2m	White flower, robust shrub
Podocarpus lawrencii	Alpine plum pine	.5-1m	Moist site, slow, long lived
Westringea fruiticosa	Coastal rosemary	2m	Screen shrub, grey foliage
Westringea glabra	Native rosemary	1.5m	Blue mauve flowers
Olearia megalophylla	Large leaf daisy bush	1m	White flowers, moist site

GROUND COVERS

Blechnum nudurn	Fish bone water fern	30cm	Shade, damp site
Brachycome aculeate	Hill Daisy	10cm	White flowers, moist site
Brachycome multifida	Native Daisy	10cm	Lilac/blue flowers, moist
Calotis glandulosa	Burr daisy	1m	Blue/purple flower, moist
Correa decumbens	Correa	30cm x 3m	Red flowers winter
Craspedia glauca	Billy buttons	30cm	Yellow flowers, moist site
Dianella revolute	Spreading flax Lilly	.5m	Blue flowers, berries, rockery
Dianella tasmanica	Tasman flax Lilly	.5m	Blue flowers, berries, rockery
Dampiera diversifolia	Dampiera	.5x1m	Dark blue flowers, moist site
Derwentia perfoliata	Blue veronica	.4m	Blue flowers, rockeries
Derswentia derwentiana	White veronica	.5m	White flowers, moist site
Grevillea baueri	Grevillea	.5-1m	Compact, pink/red flowers
G. duminuta	Grevillea small leaf	1m	Red flowers, attracts birds
G. x gaudichaudi	Grevillea	.2x2m	Red toothbrush like flowers
G. jumiperina 'Molonglo'		.5x3m	Apricot flowers, vigorous
G. juniperina 'Pink lady'		.5x3m	Pink flowers, prickly foliage
G. juniperina 'Prostrate Red'		.5x3m	Red flower, prickly foliage

SPECIES	COMMON NAME	HEIGHT	COMMENTS
G. poorinda 'Royal Mantle'		.2mx2m	Red toothbrush like flowers
Hardenbergia violacea	False sarsaparilla	.3x2m	Purple flowers, suit banks
Helipterum albicans	Hoary sunray	20cm	White yellow centre, rockery
Hibbertia obtusifolia	Guinea flower	.5x2m	Yellow flower
Kunzea 'Badja Carpet'	Kunzea	.2x2m	White flower, embankments
Lomandra longifolia	Lomandra	.6x7m	Strap like leaves, rockeries
Myoporum parvifolum	Creeping boobialla	.2x2m	White flower, embankments
Polystichum prolifolum	Mother shield fern	.4m	Shade, moist site
Ranunculus collinus	Strawberry buttercup	10cm	Yellow flowers, moist site
Stylidium gramimifolium	Trigger plant	.2x4m	Pink flowers, rockeries
Scleranthus bilflorus	Alpine Grass		Moss like, matting habit
Sollya heterophylla	Blue bell creeper	.5x2m	Blue flowers, vigorous

Note: All of the above species are hardy for sub alpine areas against frosts and are suited to dry well drained areas unless otherwise specified.

F10 High Country Estate – Stages 1 & 2

Contents

1. Background

High Country Estate (Stages 1 and 2) was developed in early 1990 and 1991. At that time both subdivision areas were typical of the rural development at that time. Both estates have undergone significant development.

Council adopted two Development Control Plans for the subdivision areas which set out the minimum criteria for development within both areas. These DCPs have been reproduced and updated in this Chapter to ensure that the integrity of the original planning of the estates is maintained for any sites that remain undeveloped.

This Chapter provides additional requirements for development on land in the High Country Estate. Where there is an inconsistency between the provisions of this Chapter and others chapters of the DCP, this Chapter shall prevail to the extent of the inconsistency.

2. Objectives

- To provide information regarding the development controls that applies to land within both stages of "High Country Estate."
- To ensure that development within these areas is compatible with the surrounding environment.
- To provide standards for the location and design of buildings within both estate areas.

3. Application of this Chapter

This circular applies to Lots 1 to 26 DP 801175 and Lots 1 to 21 DP 808403 Parish of Clyde as shown on the map below:

Insert map here

4. Development Controls

The following development controls apply to the design and construction of buildings, access and the preservation of native vegetation.

5. Tree Preservation

Controls

F10.1-1 Tree preservation

b) No trees are to be removed from land within the estate without prior approval of Council.

Refer: Snowy River LEP 2013 (clause 5.9 Preservation of trees or vegetation) and Chapter C5 Tree Preservation and Landscaping of this DCP.

6. Building Setbacks

Controls

F10.1-2 Building setbacks

a) All buildings are to be located in accordance with the following minimum setbacks:

- 12 metres from the property boundary to any public road;
- 6 metres from the property boundary of any adjoining lot including any battle axe handle.

7. Restricted Building Areas

Controls

F10.1-3 Restricted building areas

a) Buildings are to be located to minimize the impact on natural features;

b) Buildings are not permitted, or are restricted, in the areas marked and indicated on the maps included with this Chapter.

8. Building Materials and Finishes

Controls

F10.1-4 Building materials & finishes

a) All building materials are to blend with the landscape of the area to reduce the visual impact. This includes using materials and colours that reduce the impact of the development on the landscape of the Shire.

9. Building Design and Height

Controls

F10.1-5 Building design & height

a) Building design is to have regard to the Snowy River Design Guidelines.

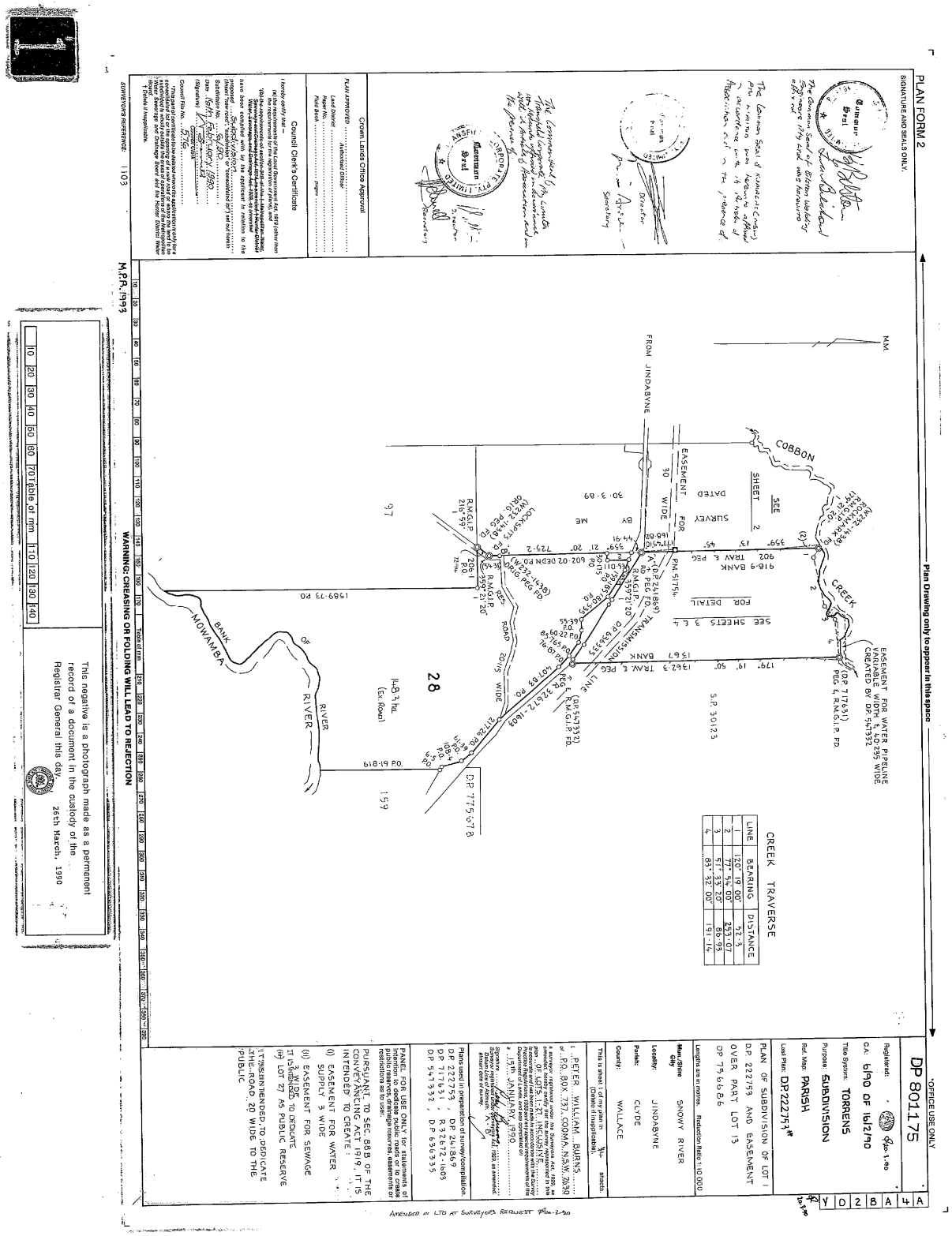
Note: The Snowy River LEP 2013 (clause 4.3 Height of buildings) and accompanying Height of Buildings Map specifies the maximum building height for the site.

10. Vehicular Access

Controls

F10.1-6 Vehicular access

Council has endorsed the Department of Land and Water Conservation's Planning Construction and Maintenance of Trails as the standard for construction of all private roads.



F11 Three Rivers Lake Jindabyne

Contents

1. Introduction

The intent of this Development Control Plan (DCP) is:

1. To provide controls for the Three Rivers Estate Lake Jindabyne site, including the development of land to be dedicated as public open space; and
2. To facilitate development that will contribute to the overall character of Three Rivers Gated Community; and
3. To provide controls for built form and housing within Three Rivers.

This DCP is intended to be used by landowners, the community in general, architects, town planners, engineers, building designers, council officers and councillors. It applies the principles of the Australian Model Code for Residential Development (AMCORD) and the principles of Ecological Sustainable Development (ESD) to the specific needs of Three Rivers to ensure that the characteristics and environmental qualities of Jindabyne and its surrounds are protected or enhanced by future subdivision and housing developments.

This Chapter provides additional requirements for development on land in Three Rivers Lake Jindabyne. Where there is an inconsistency between the provisions of this Chapter and others chapters of the DCP, this Chapter shall prevail to the extent of the inconsistency.

1.1 Vision

Three Rivers will provide a distinctive natural, built and safe living environment that reflects the alpine region and its rural, mountain and lake setting. The gated community should adopt a modern Australian architectural style and utilise a variety of well-articulated building forms, energy efficient materials and a natural palette of colours that are set in a natural, rural style landscape.

The landscape design for the gated community should reflect the (sub alpine) rural character of the region, maintaining all existing vegetation (where possible) and providing predominantly natives species where (minimal) planting is required. The existing vegetation and natural features on the land such as rock outcrops and areas of natural vegetation will be preserved where possible to preserve the visual amenity and character of the area.

Natural open space areas are to be provided to further contribute to the amenity of the site and provide passive recreational opportunities for the visitors to the Estate.

All significant views are to be maintained and enhanced as the views from the site significantly contribute to the character of the site.

1.2 Objectives

The objectives for development are:

Sustainable Development

- To create a gated community consistent with the principles for Ecological Sustainable Development.
- To offer sustainable energy solutions to the Community.
- To maximize solar orientation of the dwellings.

Public Space

- To provide a safe and efficient system of roads for vehicular and cycle movements.
- To provide informal pedestrian connections and view corridors to public open space within the development area.
- To provide informal, natural public open space areas that reflect the rural character of the locality.

Environmental Values

- To provide for the protection and enhancement of the natural environment and respect for the traditional Aboriginal heritage of the area.
- To preserve the natural features and vegetation of the site.

Housing and Architecture

- To create an exclusive Gated Community with a distinctive alpine architectural style and rural character.

2. Context and Character

The land is currently known as Lots 1000 and 1002 DP 1253446 and comprises approximately 9.44 hectares. The land is located approximately 6 kilometres north of Jindabyne, and 1 kilometre east of Kalkite Village on Kalkite Road and in the Parish of Townsend.

The land contains mostly large areas of native vegetation with granite rock outcrops located across the site. It is nestled at the foot of the southern-most end of the Grenadier Range.

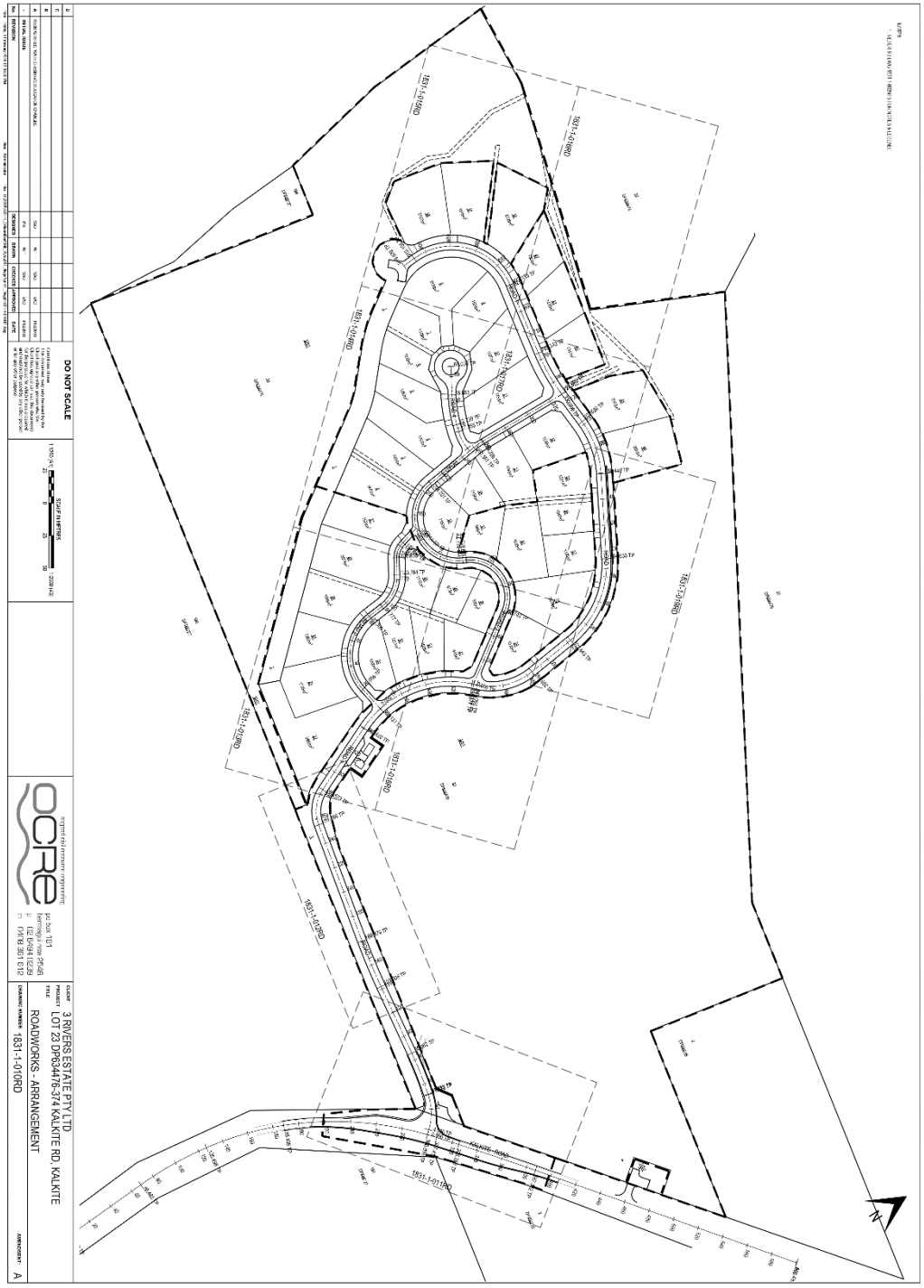
The lay of the land rises sharply from the western run of Kalkite Road, to the gently undulating plateau where the blocks are located.

A substantial gulley runs in an east to west direction across the northeastern portion of the site and drains towards Lake Jindabyne. In wet weather a waterfall has been seen to form through this gully which enters a stream that empties into the Lake.

Due to the position of the subject land, views are gained of Lake Jindabyne to the south through northwest and Crackenback Range of Kosciuszko National Park.

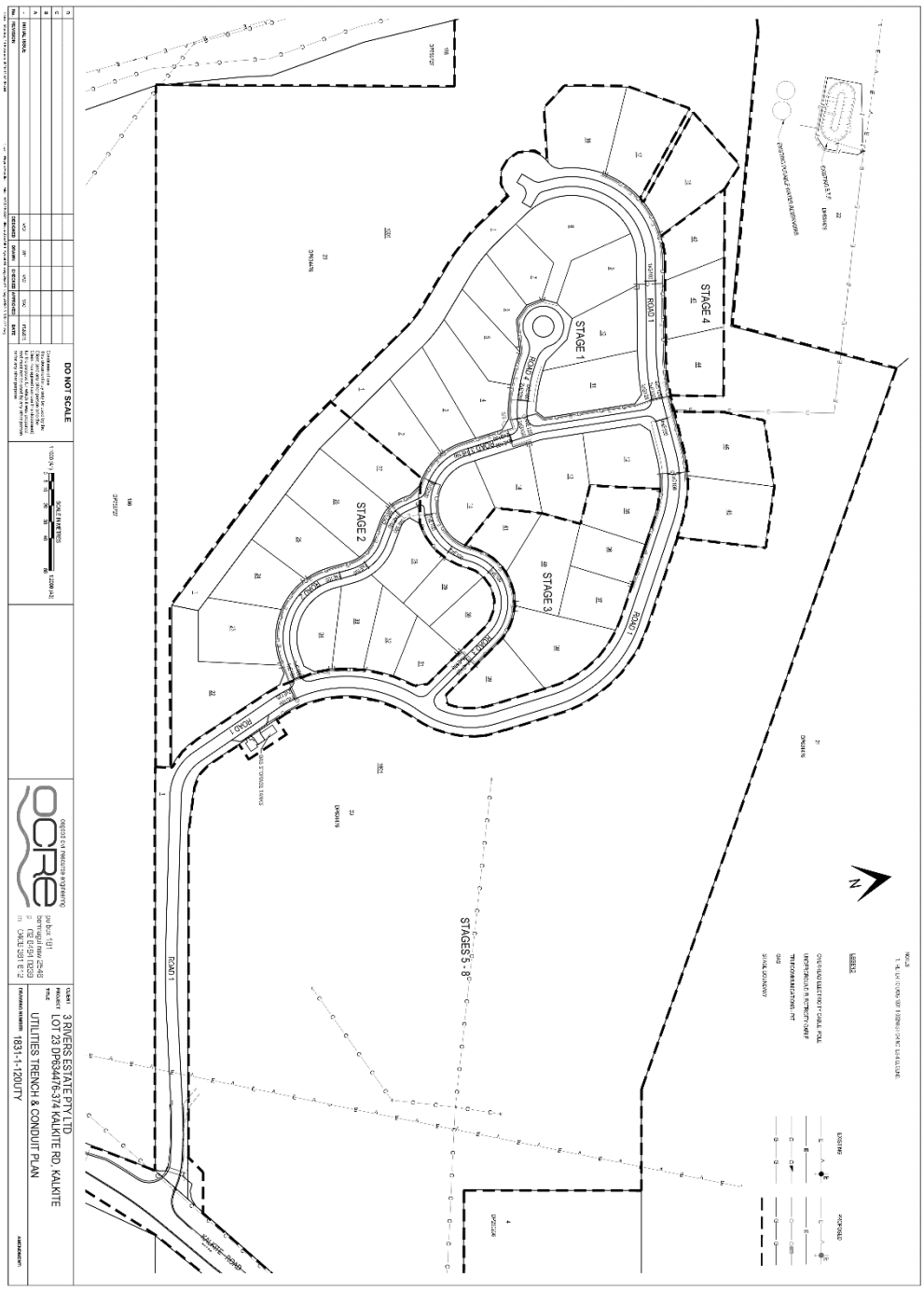
3. The Master Plan of Subdivision

3.1 Master Plan of Subdivision



4. Key Elements and Structure

4.1 Staging Plan



4.2 Stormwater Management

If required under the express conditions of any development consent, a 'Stormwater Management Plan' shall be submitted to Council for all major developments A 'Stormwater Management Plan' may not be required for development within individual allotments or where drainage characteristics for allotments are largely known or prescribed.

4.3 Water Sensitive Urban Design

The intent of Council's requirements is to ensure that:

1. stormwater systems are carefully planned, designed and located to prevent the disturbance, redirection, reshaping or modification of watercourses and associated vegetation
2. stormwater harvesting,
3. and other source controls are implemented to maximise stormwater reuse and to protect the quality of receiving waters and waterways.
4. 'Water Smart' practices are promoted within Three Rivers for the purpose of environmental sustainability and ease of management.

Performance Criteria	Acceptable Solutions
Engineering Planning	
P1.1 The stormwater drainage system is planned and designed to ensure that natural watercourses, associated vegetation and site topography are adequately considered and suitably maintained. **P1.2** Stormwater planning, including site layout and building design is undertaken to ensure: ■ The design of the drainage system takes full account of the existing downstream systems. ■ A variety of controls ('treatment trains') are incorporated into the design of the system that minimise the impacts on water quality and quantity (where required) of stormwater runoff from the site. ■ The system is accessible and easily maintained, including ready access to system components located on private lots. ■ The selection of materials, methodologies and mechanisms are based on their suitability, durability and cost-effectiveness, including ongoing maintenance costs.	**A1.1** The design protects natural watercourses and riparian corridors by avoiding disturbance, redirection, reshaping or modification of natural systems. **A1.2** The stormwater drainage system will be designed and implemented to demonstrate the development's ability to meet the principles of Water Cycle Management and incorporates a variety of suitable: ■ Source Controls, ■ Conveyance Controls, ■ Discharge Controls, ■ Water Quality Improvement Controls, ■ Water Quantity Controls Note that not all proposed development will need to satisfy these requirements. **A1.3** Proposed cut and fill for roads and allotments shall generally be minimised but will be dictated by road grading and site access requirements. Driveway access shall be generally in accordance with AS2890.1. **A1.4** The design and construction of all drainage systems components shall comply with the requirements of Council's Engineering Guidelines.

Performance Criteria	Acceptable Solutions
Water Quality	
P2.1 Stormwater discharge to surface and underground receiving waters during construction activities and post construction do not degrade the quality of receiving waters.	**A2.1** The development shall incorporate water quality treatment mechanisms to ensure the following targets are met. 'Average Annual Load' is the yearly weight of pollutants (kg / yr) from the developed site with no pollution controls installed.
P2.2 The stormwater management system optimises the interception, retention and removal of water borne pollutants before their discharge to receiving waters.	**A2.2** A range of treatment technologies can be used to meet the removal targets. A quantitative analysis demonstrating compliance with these targets is required to be submitted. A number of software packages are available for this task, such as: MUSIC, SWMM, XP Storm, AQUALM XP, EMSS, AQUACYCLE and Switch. Note that some packages are more appropriate for different conditions.
P2.3 Point sources of pollution in the catchment are identified and their impacts minimised until they can be eliminated.	
P2.4 Water quality improvement devices are provided for the treatment of stormwater run-off before discharge from the site and are located to minimise negative impacts on both the natural and built (including traffic management) environments.	**A2.3** Development complies with the provisions outlined in Managing Urban Stormwater – Soils and Construction (Published by Landcom - latest revision). **A2.4** The design and construction of water pollution minimisation systems complies with Council's Engineering Guidelines – 'Development Specification Series', both 'Design' and 'Construction' Sections.
Water Quality	
P3.1 Natural water bodies, waterways and vegetation are retained and protected from degradation caused by increased stormwater flows where required.	**A3.1** A variety of suitable source, conveyance and discharge controls are provided and utilised to minimise the increase and impact of stormwater flows, both for smaller (5yr ARI) through to larger (100yr ARI) rainfall events. The design shall demonstrate that post development peak flow does not exceed Pre-development peak flow.

Pollutant	Removal Target
Total Suspended Solids (TSS)	80% Retention of the average annual load
Total Nitrogen (TN)	45% Retention of the average annual load
Total Phosphorous (TP)	45% Retention of the average annual load
Litter (> 50mm)	Provide mechanisms to retain litter from frequent flows.

Performance Criteria	Acceptable Solutions
Major Drainage System	
P4.1 There is the capacity to safely convey: ■ Stormwater flows resulting from the relevant design storm under normal operating conditions, including partial minor drainage system blockage. ■ Stormwater flows, resulting from more extreme events than the design storm, without any property damage. The design ensures that flow paths would not significantly increase risk to public safety and property. **P4.2** Public open space incorporated into the stormwater management system does not hinder the hydraulic effectiveness of the system or public open space uses. **P4.3** Ground floor levels of habitable rooms are designed to provide protection to property in accordance with an accepted level of risk.	**A4.1** The design demonstrates that the peak 100yr ARI flow is contained within roads, drainage swales, easements, public space or suitable areas. No concentrated flow derived from public areas shall be directed through private property without the provision of suitable controls and easements. **A4.2** The Design demonstrates compliance with the following: v•d (velocity-depth product of peak overland flow) < 0.4 for areas trafficked by pedestrians and < 0.6 for all other areas.
Minor Drainage System	
P5.1 There is capacity to control Stormwater flows under normal operating conditions for the relevant Average Recurrence Interval (ARI) design storm, including provision for blockages. **P5.2** Drainage works are well defined, ensuring no hidden flow paths and minimising undesirable ponding resulting from the design storm for a prolonged period. **P5.2** WSUD	**A5.1** The minor drainage system shall be designed to safely control and convey the critical 5yr ARI event, including the design provision of a 50% blockage to all inlet structures. **A5.2** The design shall demonstrate compliance with the following: ■ Ponding is limited to a maximum 200mm depth for above ground non-road surfaces, ■ The maximum kerb flow width within roads shall be 2.4m, ■ V•d (velocity-depth product of peak overland flow) < 0.4, ■ Velocity < 2 ms-1 in untreated landscaped surfaces (note that appropriate surface treatments may be required on steep surface (>5%) or where large flows are concentrated). **A5.3** WSUD techniques shall be adequately considered and shall be designed to complement site soils, aspects, grades and traffic management.

Performance Criteria	Acceptable Solutions
Allotment Drainage	
P6.1 The system has the capacity to control allotment surface stormwater flow and excess flow from upstream properties to prevent stormwater from entering the building in the flood event.	**A6.1** Where the topography of the site makes it necessary to discharge stormwater run-off to the rear of the site, the run-off from all directly connected impervious areas is to an inter-allotment drainage system.
P6.2 The system minimises undesirable ponding for a prolonged period.	**A6.2** The design shall demonstrate that Post-development peak flow does not exceed Pre-development peak flow. The use of infiltration and dispersion techniques should be adequately considered.
P6.3 A variety of source control measures are incorporated into the design of the system to control runoff quantity (where required) and quality from the site.	**A6.3** If soil conditions are suitable, infiltration and dispersion techniques should be considered as a component of the minor drainage system. Setbacks from buildings and boundaries require consideration. In clayey soils, these devices should generally not be less than 4m from structural footings.
P6.4 Development is located and designed to prevent water inundation as a result of incidental flooding.	**A6.4** The design shall demonstrate compliance with the following: ■ Cut and fill considers the implications of incidental flooding and does not impound or redirect runoff to affect other properties. ■ Cut and fill shall generally be minimised but will be dictated by site access requirements. ■ For residential development, finished floor level is at least 150mm above finished ground level (note that more may be required to ensure adequate drainage during all rainfall events). ■ For non-habitable development, finished floor level is at least 100mm above finished ground level (note that more may be required to ensure adequate drainage during all rainfall events).

Performance Criteria	■ Acceptable Solutions
Water Storage Tanks	
P7.1 Stormwater harvesting measures are implemented to maximise stormwater reuse and prevent an increase in the quantity of stormwater discharge from the development site which can impact on downstream environments.	**A7.1** Where water tanks for the collection of roof water are provided, the following shall be adhered to: – Rainwater sourced only from roof surfaces, – The collection system incorporates an effective 'first flush' device for the removal roof surface contamination. All first flush devices shall be designed and constructed in accordance with AS/NZS 2179 (latest version), – Insect screens on overflow pipes and insect proof lids on inspection openings, – The tank system is connected for use in toilet flushing, irrigation, laundry and/or other appropriate purposes as required by BASIX, – Tank overflow is connected to an Infiltration or Dispersion device (where soil types, surface slopes and building layouts are suitable) or formalised stormwater drainage system (minor system – note the maximum discharge per outlet to street back-of-kerb shall be 25 l/s with minimum 10m between outlets), – No direct connection with a reticulated system operated by the Monaro Regional Council (top-up systems or approved switching devices with backflow prevention devices can be used), – Australian Standards approval marks on materials that will come into contact with rainwater such as: – AS 2070, Plastic materials for food contact use; – AS/NZS 2179-1994 Specifications for rainwater goods, accessories and fasteners – AS 2180 – 1986 Metal rainwater goods – selection and installation; – AS 3500.1 – 1992 National plumbing and drainage code. Part 1: Water supply; – AS 3855 – 1994 Suitability of plumbing and water distribution systems products for contact with potable water; – AS 4020 Products for use in contact with water intended for human consumption with regard to their effect on the quality of water.

Performance Criteria	Acceptable Solutions
	A7.2 Where water tanks for the collection of rain water (other than roof water) are provided: ■ Rainwater is sourced from driveways, paved surfaces or grassed areas, ■ The system is connected for use in toilet flushing, irrigation and/or other appropriate purposes, ■ Overflow is connected to an Infiltration or Dispersion device (where soil types, surface slopes and building layouts are suitable) or formalised stormwater drainage system (minor system), ■ There is no direct connection with a reticulated system operated by the Snowy Monaro Regional Council (top-up systems or approved switching devices with backflow prevention devices can be used), ■ The collection system incorporates suitable treatment measures, such as a first flush pit or an oil/grit separator, ■ All fixtures connected to the supply system are marked 'NOT SUITABLE FOR DRINKING'. **A7.3**The minimum capacity of such tanks shall be determined as required under BASIX assessments for individual dwellings.
Permeable Pavements	
P8.1 Permeable paving is to be designed and installed where practical to minimise runoff from roads.	**A8.1** Pavements are not to receive runoff from areas likely to contribute significant sediment, debris or windblown material.
P8.2 Paving units and placement geometries are suitable for the expected traffic loading.	**A8.2** Paving units are manufactured and placed to comply with freeze-thaw durability processes and comply with ASTM C1262 – 95.
P8.3 Permeable Pavement is to be selected to satisfy appropriate standards for site suitability, installation, in-situ soil characteristics, freeze-thaw processes, likely traffic loading, maintenance and protection from material likely to cause clogging or otherwise hinder performance.	**A8.3** Where runoff is derived from non-impervious surfaces, flow shall be pre-treated through the careful placement and design of sediment traps, vegetated filter strips or specially designed gutter systems. Commercially available segmental pavers are installed and maintained in accordance with the manufacturer's and Council's recommendations. Temporary protection methods and processes are to be implemented during construction operations to control sedimentation and clogging of permeable pavement and granular underlay materials.

Performance Criteria	Acceptable Solutions
Infiltration Systems	
P9.1 On-site infiltration systems are to be used where the suitability of insitu soils in relation to hydraulic conductivity can be demonstrated (typically by site testing using 'falling' and 'constant head' tests). **P9.2**The design of infiltration systems must consider soil erodability, soil dispersivity, soil heave, potential impact on adjacent buildings and boundary offsets.	**A9.1** The design of infiltration systems shall: ■ Consider acceptable minimum buffers from existing buildings and boundaries. The distance between an infiltration or dispersion device and nearby buildings and boundaries requires site specific consideration; however, it shall not be less than 4m unless supported by geotechnical advice, ■ Be designed to accept the critical 5yr ARI event without surcharge, ■ A high-level overflow provision to the formalised drainage system is required unless the system can be demonstrated to accept the critical 100yr ARI event, ■ Aggregate filled trench systems are acceptable provided that clean washed aggregate, or granular materials, free of fines is used in conjunction with a permeable geotextile surround. Inspection / flushing points are required to allow easy access to below ground pipe work for maintenance, ■ The inlet to the device is fitted with a readily accessible silt trap (with inspection and access cover).

4.4 Landscape

The intent of Council's requirements is to ensure that appropriate landscaping is provided within Three Rivers which is consistent with the character and vegetation that is typical in the area.

Performance Criteria	Acceptable solutions
P1.1 The landscaping is to reflect the sub- alpine and rural character of the region. **P1.2** Maintain all existing vegetation on the site (where possible). **P1.3** Where planting is to be provided, ensure it contributes to the rural, sub- alpine character of the locality by providing predominantly native species to enhance the biodiversity values and visual amenity of the area.	**A1 1** Landscaping is to be provided generally in accordance with the requirements of Circular L2 of Snowy River Shire Development Control Plan 2013, Chapter C5. **A1 2** Existing trees and native vegetation to be retained wherever possible, especially habitat trees and shelters. Council and/or management approval is needed for removal of any established native trees. **A1 3** Landscape plans to be submitted with building applications should include all native species.

4.5 Lot Layout

The intent of Council's requirements is to ensure that lot layout:

1. Provides for the efficient use of the land.
2. Provides a defined and positive rural character.
3. Enhances accessibility and safety and promotes the principles of ecological sustainability.
4. Enhances lot privacy.
5. Enhances significant views from the site.

Performance Criteria	Acceptable Solution
P1.1 The lot layout responds to site characteristics, setting, landmarks, views, and land capability and traffic planning principles.	**A1.1** The Masterplan has addressed this by design including interior road design and speed controls.
P1.2 The proposed lots are orientated to maximise solar access.	**A1.2** The layout of the lots are such that allow northerly aspects of home sites. Owners may choose to orient their homes to ensure maximum solar passive design.
P1.3 Lot design is to facilitate and enhance significant views from dwellings.	**A1.3** All lots are oriented to maximise the views of the lake and mountains.
P1.4 Lot design is to facilitate safe and efficient vehicle access without street frontages being dominated by garages and parked cars.	**A1.4** The large lots include generous building setbacks in the Community Management Plan.
P1.5 Proposed lots enable the comfortable siting of housing and ancillary buildings, provision of outdoor space.	**A1.5** The lots are large enough to ensure plenty of private space for residents. Ancillary building construction is restricted.
P1.6 The perimeter roads bordering open space areas allow for a parkland outlook for lots adjacent to open space.	**A1.6** Masterplan shows lots bordering open space and parkland may site their houses to overlook these areas.
P1.7 The layout of the streets is to follow the existing topography and prevent the formation of gun barrel roads. The layout is to allow, where appropriate, one-way cross falls of the local streets which fall directly into the stormwater management swales.	**A1.7** Roads shown on the Masterplan are designed to follow the contours of the land, direct and capture waterflow and interior circuit roads are all one-way traffic.

4.6 Public Open Space

The intent of Council's requirements is to ensure the provision of well-located and accessible public open spaces that meets user needs.

Performance Criteria	Acceptable Solution
P1.1 Public open space is designed to provide: ■ A range of recreational and environmental settings, corridors and focal points, ■ Protection of existing endemic vegetation and encouragement of natural regeneration, ■ For the integration of existing landscape assets e.g. rock outcrops, watercourses, native vegetation communities and sites of natural or cultural value, ■ Links between public open spaces to form a legible network, ■ Public safety and reasonable amenity of adjoining land users in the design of facilities and associated engineering works.	**A1.1** The site will be revegetated where necessary. All public open space will be maintained and any wildlife corridors respected. **Public spaces** located within the boundaries of Three Rivers are for the use of landowners and their guests only and are not accessible to the public or by thoroughfare. Residents are encouraged to explore the natural areas by making use of any walkways and paths constructed by the Community. There are no significant areas of historical of cultural value on the site.

4.7 Biodiversity and Natural Resource Management

The intent of Council's requirements is to conserve the biodiversity of the local area and the surrounding region and ensure that the natural features of the site are preserved and enhanced.

Performance Criteria	Acceptable Solutions
P1.1 Endemic trees, shrubs and groundcovers are to be provided within the central open space area and conservation areas. **P1.2** For rehabilitation works within the open space and conservation areas locally sourced seed is to be used where possible to assist in maintaining genetic integrity of local plant communities. **P1.3** Where possible, existing native trees are to be retained within both open space and larger lot developments in order to provide habitat for bird and other native fauna and to provide a valuable source of seed for revegetation work. **P1.3** Groupings of native trees are to be utilised in the open space areas to reduce the visual effects of urban development and retain the natural character of the region.	**A1.1** All species designated for revegetation are to be selected from the list of proposed planting contained in Snowy River Development Control Plan 2013, Chapter C5.

P2 Existing flora and fauna habitat is preserved to minimise any impact on threatened species, protected and threatened populations and their habitat.	**A2** To reduce the potential impacts of the proposed development on protected and threatened populations of flora and fauna the following matters are to be considered: ■ Large mature hollow-bearing eucalypts should be retained where possible. ■ Removal of boulders and disturbance of rocky outcrops should be avoided. Where boulders are to be disturbed they should be redistributed for landscaping purposes on site and not be removed from the site. ■ Development is to be concentrated in the disturbed areas of the site. ■ Implementation of a soil and water management plan, including storm water management plan in accordance with Section 4.1 of this Circular, to minimise the impact of Three Rivers on habitat and downstream of the site. ■ Site development should be managed to avoid indirect impacts by: – Sediment control measures, to avoid siltation of drainage lines and potentially Lake Jindabyne, – Pollution control measures, to reduce the risk of hydrocarbon spills during works and the discharge of increased nutrient loads into waterways during and following development, – Rapid stabilisation and revegetation of disturbed sites is to be undertaken to reduce the ability of weed species to dominate disturbed sites. –

4.8 Access/ Traffic and Road Design

The intent of Council's requirements is to ensure that a safe and efficient road network is provided.
The development of Three Rivers will generate additional traffic movements internal and external to Three Rivers site itself.

Performance Criteria	Acceptable Solutions
P1.1 Adequate road widths for ease of navigation through Three Rivers and ensure appropriate connections and relationships with the existing road system.	**A1.1** Road and intersection designs shall be in accordance with Council's design guidelines.
P1.2 The road system provides a simple and efficient flow of traffic through the residential area and allows traffic to quickly and evenly disperse to the local road network.	**A1.2** All roads shall have a maximum design speed of 20 kph.
P1.3 Roads adjoining open space facilitated public access and surveillance of the open space areas.	**A1.3** All road widths are to be in accordance with Engineering requirements.
P1.4 Road reserves provide for the cost-effective provision of public utilities.	**A1.4** Traffic calming devices, landscaped islands and intersection design shall be considered on individual merits, but in all cases shall conform with Council's Engineering Guidelines.
P1.5 Motorbike tracks are prohibited on the site.	**A1.5** Minimum and maximum road grades shall be used to define site levels, however cut / fill should generally be minimised.

4.9 Utilities

The intent of Council's requirements is to ensure adequate and non-intrusive infrastructure is provided within Three Rivers to cater to the future users of Three Rivers.

Performance Criteria	Acceptable Solutions
P1 Infrastructure is to be provided throughout Three Rivers in accordance with the requirements of the relevant infrastructure provider.	**A1.1** Development within each stage of Three Rivers shall not proceed until such time as the necessary services are available to the satisfaction of Council. ■ It is the developer's responsibility to negotiate with the various utility authorities in order to reticulate their services in common trenching, where relevant. ■ Electricity reticulation shall be underground. ■ Electricity supply and service to the Estate common areas and individual Lots will be by appointment by the Estate developer. ■ Wireless NBN will be available (subject to NBN technology). ■ Gas connection will be available to all lots. ■ Water and Sewer connection to Council Treatment Plant

4.10 Public Safety

The intent of Council's requirements is to ensure that the subdivision pattern and future development of Three Rivers will provide a built environment that will make the visitors to Three Rivers feel safe.

Performance Criteria	Acceptable Solutions
P1.1 A high degree of surveillance of the street and open space areas and provide permeability to allow pedestrians, cyclists, and vehicles to move easily through Three Rivers. **P1.2** Surveillance of the street and public open space areas should be encouraged by providing opportunities for dwellings to overlook the street and open space.	**A1.1** Masterplan shows streetscapes are adequate to provide sufficient space and lighting to create a safe environment for residents. **A1.2** Dwellings are to be sited so they are viewable from the street while maintaining the occupants' privacy.

4.11 Archaeology

The intent of Council's requirements is to ensure that the archaeological relics are protected.

Performance Criteria	Acceptable Solutions
P1 Archaeological relics that are contained on site are preserved where possible and where they cannot be preserved, appropriate approvals are obtained for them to be destroyed.	**A1** Any works on the subject land should be in accordance with the National Parks and Wildlife Service Act. In particular the following requirements– ■ Anyone who discovers an aboriginal relic must report it to the Director General of NSW DEC, ■ A person must not knowingly destroy, damage or deface or knowingly cause or permit the destruction, damage or defacement of any aboriginal object or aboriginal place without first obtaining the consent of the Director General of NSW DEC. ■ A person must not excavate or disturb land for the purpose of discovering an aboriginal object without first obtaining the consent of the Director General of NSW DEC.

5. Key Design Features – Built Form

5.1 Site Analysis

A Site Analysis shall be prepared and lodged with the Development Application. Completing the Site Analysis is not only necessary to support a Development Application but will also assist in design decisions based on site conditions and surrounding context. It can assist in ensuring:

- Privacy for occupants and the maintenance of neighbours' privacy and amenity,
- Sufficient solar access and natural ventilation to provide a comfortable and energy efficient living environment,
- Suitably located and useable private outdoor areas,
- The existing character of the street is maintained through setbacks, separation and height, driveway and car parking location,
- Views from the site are optimised for both the development and neighbours,
- Circulation and access is suitably located for the development and the locality,
- The construction of the development is suitable to the slope of the land and minimises the need for cut and fill,
- Cost effective development in relation to connection to services and existing land uses,
- The need for the removal of trees and site features such as rock outcrops is minimised by locating the development to retain existing vegetation and natural features,
- Safety and surveillance of the development and the locality is maximised,
- The Site Analysis should work to collate and present a range of information.

This information includes, but is not limited to, that detailed in the following checklist for Site Analysis Plans.

Checklist for Site Analysis

A site analysis identifies the following:-

- scale and north point;
- site dimensions and site area;
- spot levels and contours;
- views to and from the site;
- prevailing winds;
- pedestrian and vehicular access to/from the site;
- location, height and use of neighbouring building or structures;
- abutting private open spaces and any windows or doors facing the subject site;
- views and solar access enjoyed by adjacent residents;
- easements for drainage, services and rights of carriageway burdening or benefiting the subject property;
- location of existing vegetation, including species, height, spread of established trees and spot levels at their base;
- calculation of maximum built-upon areas, landscaped area and floor space ratio;
- natural features such as rock outcrops, ledges or watercourse;
- fences and boundaries;
- street frontage features such as street trees;
- existing means of stormwater drainage and any existing stormwater detention systems;
- surrounding bushland;
- any difference in levels between adjacent property boundaries.

5.2 Site Planning and Layout

The intent of Council's requirements is to ensure that the site layout provides a pleasant, attractive, manageable and resource efficient living environment.

Performance Criteria	Acceptable Solutions
P1 The site layout and planning is to integrate with the surrounding environment through: ■ Buildings facing streets and open space areas. ■ Buildings, streetscape and landscape design taking into account on-site features identified in the site analysis. ■ Maintaining a rural character and amenity. ■ Ensuring solar access to living areas and private open space area. ■ Designing open space areas that optimise solar access, which are cost-effective to maintain and where possible contribute to stormwater management. **P2** Development on visually prominent sites should recognise the unique responsibility to ensure that the visual, scenic, and environmental qualities of the locality are maintained. **P3** The development allows for the provision of landscaping that provides suitable areas for tree plantings to grow to maturity.	**A1** A Statement of Environmental Effects and a detailed site analysis plan are submitted with the Development Application demonstrating how the development addresses the issues outlined within the Performance Criteria.

5.3 Streetscape and Building Siting

The intent of Council's requirements is to ensure that the siting and form of housing provides attractive streetscapes, amenity and does not adversely impact on the existing rural character of the site.

Performance Criteria	Acceptable Solutions
Front Setbacks	
P1.1 The front setback responds to the context of the locality and to maintain the rural character of the site.	**A1.1** The Community Management Plan as stated requires a minimum 6m setback from the road for all dwellings. Some exceptions apply to dwellings to be built along "The Ridge" – refer to CMS.
P1.2 The development scale and appearance is compatible and sympathetic to the context of the locality and to maintain the rural character of the site.	**A1.2** The large lots and use of open space ensure the development is aesthetically pleasing and compatible with the local environment.
P1.3 Setbacks provide space for adequate sense of visual and acoustic privacy between developments.	**A1.3** The large setback creates a sense of space and privacy for each dwelling.
P1.4 Development should minimize disturbance to existing natural features and should not significantly impact on the rural character of the site.	**A1.4** The main development site focuses only on previously disturbed areas of the site and excludes some areas previously approved for development.
Side and rear setbacks	
P2.1 Side and rear setbacks respond to the context of the locality and to maintain the rural character of the site.	**A2.1** The Community Management Plan as stated requires a minimum 3m setback from side and rear boundaries.
P2.2 Setbacks progressively increase as wall heights increase to reduce visual bulk and overbearing.	**A2.2** The lots are large enough so as to allow for increased setbacks.
P2.3 Adequate separation is provided between buildings for privacy and sunlight.	**A2.3** The Community Management Plan as stated requires a minimum 3m setback from side and rear boundaries.

5.4 Building Heights

The intent of Council's requirements is to ensure that building height is compatible with surrounding development and the locality and does not impact significantly on the scenic quality or rural character of the locality.

Performance Criteria	Acceptable Solutions
P1.1 Development responds to its context and rural character of the locality. **P1.2** New buildings do not dominate the landscape setting or surrounding streetscape and are in proportion to the slope and frontage of each allotment and shaped to disguise their size, scale and bulk within the natural environment.	**A1.1** No point in any structure shall be higher than 9m above natural ground level immediately below that point. **A1.2** For development that is proposed to be higher than existing development, a transition of building heights should be shown between the existing and proposed development. **A1.3** Developments shall not exceed two habitable storeys at any point. **A1.4** Only on sloping sites sub floor areas may be used for basement car parking or for an entrance hallway not wider than 2.5m (measured parallel to the street frontage). **A1.5** Consideration will be given to the provision of habitable rooms within the roof space of single dwellings containing two habitable storeys if the provision of the rooms within the roof space does not add to the overall bulk and scale of the building and the height of the building are generally consistent with the existing buildings in the locality.
P2.1 Development provides reasonable levels of amenity for neighbouring dwellings.	**A2** A shadow diagram is required to identify the shadow impact on adjoining properties at 9am 12 noon and 3pm on 22 June and 21 May/September where the proposed building is two or more storeys and is likely to overshadow the adjoining dwelling or private open space area.

5.5 Site Coverage and Unbuilt Areas

The intent of Council's requirements is to achieve a quality living environment by providing suitable areas for outdoor recreation and landscaping and promote onsite stormwater infiltration by restricting site coverage of buildings and hard surfaces.

Performance Criteria	Acceptable Solutions
P1.1 Development maximizes permeable surfaces and maintains a balance between the built and unbuilt upon areas. **P1.2** Development provides for unbuilt areas that are of a suitable size, dimension and slope that will: ■ provide suitable solar access ■ assist in retaining existing vegetation ■ enhance the rural character of the locality ■ maintain privacy and provide for reasonable sharing of views ■ actively facilitate onsite stormwater	**A1.1** Maximum site coverage ground floor is 900m2–1,500m^2, 40% of lot area% >1,500m^2, 45% of lot area **A1.2** The development allows for full access to native bushland on the western and northern borders. A single Lot* within the developed area has been reserved by the development as an outdoor recreation area with bbq and play facilities as well as the Community Hall.

infiltration ■ provide space for service functions	

5.6 Private Outdoor Areas

The intent of Council's requirements is to ensure occupants are provided with practical, usable and well-located outdoor living environments to meet their needs for safety, privacy, access, outdoor activities and landscaping.

Performance Criteria	Acceptable Solutions
P1.1 Private outdoor areas are: ■ A usable size and dimension ■ A suitable slope ■ Directly accessible from a living area ■ Capable of receiving sufficient sunlight	**A1.1** The finish level of the identified area is not steeper than 1 in 14. **A1.2** The minimum identified area receives at least 3 hours of sunlight between 9.00 am and 3.00 p.m. on 21 June over 50% of the area.
P2 The location of private outdoor areas does not impact on the streetscape or rural character of the area.	

5.7 Building Form and Character

The intent of Council's requirements is to achieve best practice urban design in the form of buildings and their facades.

Performance Criteria	Acceptable Solutions
P1.1 Buildings are designed to: ■ Distribute building bulk to reduce impacts on neighbours and the rural character of the locality ■ Be integrated with the existing setting. ■ Contribute to the architectural identity and vision for Three Rivers. ■ Minimize bulk and scale. **P1.2** Monotonous and unbroken lengths of wall are to be avoided. **P1.3** Simple cubic forms accentuated by repetitive architectural features such as continuous horizontal balconies should be avoided. **P1.4** Floor space should be distributed within well-articulated forms that are stepped down hillsides. **P1.5** Facades facing streets or reserves should incorporate a variety of one and two storey walls or should be screened by framed balconies and verandah and should incorporate a varied composition. **P1.6** Roofs should be broken into a variety of planes.	**A1.1** Where the external walls exceed 10m in length on a side or rear boundary, suitable design elements shall be incorporated to provide architectural interest and relief to the elevation. This may include such devices as massing of different materials and colours, stepping of walls, pergolas, awnings, verandah roofs and breaking of the roof line etc. **A1.2** Solid walls should be broken by corner windows and should incorporate contrasting materials and finishes for example, upper storeys that are clad in sheeting or boards and that are painted in lighter tones than the lower storey. **A1.3** The use of stone cladding to foundation walls and feature walls is encouraged provided that it does not occupy more than 25% of any elevation of the building. **A1.4** Where masonry walls are used, they are to be painted and are to be balanced by contrasting frame structures such as a verandah and panels of cladding.
P1.7 Wall and roof surfaces should be broken into a series of smaller panels that are separated by stepped forms casting strong shadows, or by panels that are finished with contrasting materials or tones.	
P2.1 Garages should not dominate any facade that faces the street.	

The following are encouraged:	The following are discouraged:

■ A mix of building materials, including lightweight cladding and fibre cement panels, Colorbond™ sheet roofing. ■ Sections of bagged, face or rendered masonry are acceptable where used as subfloor perimeter walls, as a feature or if it is not the dominant material. ■ Simple roof form ■ Use of lightweight decks The use of framed wire balustrades or solid balustrade to match the external material to provide privacy. ■ Awnings and shade structures to protect windows, doors form climatic conditions such as sun, wind, snow and rain.	■ Traditional suburban face brick and tile concrete block construction ■ Solid expanses of heavy materials e.g. brick and masonry block, large areas of corrugated metal ■ Fussy roof lines and applied decoration ■ Solid bulky structures with blank walls and no eaves ■ Blank unarticulated facades, fussy decoration, and ornate balustrade infills ■ Dual occupancy developments are prohibited. ■ Manufactured homes are prohibited..

Examples of acceptable building design.







5.8 Views, Visual and Acoustic Privacy

The intent of Council requirements is:

- To ensure that development does not unreasonably impact or intentionally obstruct views of local features such as Lake Jindabyne and Crackenback Range whilst not restricting the reasonable development potential of a site.
- To site and design buildings to meet projected user requirements for visual and acoustic privacy.
- To protect the visual and acoustic privacy of nearby residents in their dwellings and private open space.

Performance Criteria	Acceptable Solutions
5.8.1 Views	
P 1.1 Development permits and maintains views from public areas, streets and open spaces – especially of Lake Jindabyne.	**A1.1** All lots are aspected to take advantage of their best views
P 1.2 Development allows for the reasonable sharing of views through the siting, height and design of buildings.	**A1.2** Building envelopes and minimum landscaped areas allow for shared views without unreasonable obstruction
P 1.3 Development of buildings and structures are of an appropriate height, setback, design, and setting to preserve significant view corridors.	**A1.3** Generous setbacks, lowline design principles and prohibited border fencing have been adopted to ensure residents retain views and corridors.
5.8.2 Acoustic Privacy	
P1 Site layout and building design protect internal living and sleeping areas from uncontrollable high levels of external noise and minimise transmission of sound through the building structure.	**A1.1** Doors and windows of adjacent dwellings should be separated by a distance of at least 4m. **A1.2** Site layout should separate active recreational areas, parking areas, vehicle accesses and service equipment areas from bedroom areas of dwellings and minimise the entry of high levels of external noise to dwellings.
P2 Mechanical plant or equipment air conditioning units, pool pumps and water feature pumps should be designed and located to minimise noise nuisance.	**A2.1** The noise levels of mechanical plant and equipment is not to exceed the background noise level when measured at the boundary of the closest adjoining property by more than 5dBA. **A2.2** Air conditioning units are not to be located between the dwelling and the side boundary.
P3 The location of driveways and carparking spaces preserves the visual amenity of each dwelling.	
5.8.3 Visual Privacy	
P1 Direct overlooking of main internal living areas and private open spaces of other dwellings is minimised by building layout, location and design of windows and	**A1.1**. Direct views between living area windows of adjoining dwellings should be screened or obscured where: □ Ground and first floor windows are within

Performance Criteria	Acceptable Solutions
balconies, screening devices and landscape or by remoteness	an area described by taking a 12m radius from any part of the window of the adjoining dwelling. An area so defined is described as a 'privacy sensitive zone'. **A1.2** Direct views from living rooms of dwellings into the principal area of the private outdoor area of other adjoining dwellings should be screened or obscured within a 'privacy sensitive zone' described by a 12m radius.

5.9 Solar Access

The intent of Council's requirements is to provide reasonable solar access to living areas within dwellings and to open spaces around dwellings.

Performance Criteria	Acceptable Solutions
P1.1 Rooms generally used during the daytime should be capable of receiving adequate sunlight.	**A1.1** Unless site conditions dictate, dwelling houses should be designed to allow at least 3 hours of sunshine upon the living areas of adjacent dwellings and private outdoor areas between 9am and 3pm on 22 June.
P1.2 Dwellings should be sited so that the long axis or length of the building faces to the north to maximise the amount of sunshine the dwelling house receives in winter.	**A1.2** Dwellings should be designed to enable living areas and private outdoor areas to receive 3 hours of direct sunlight between 9am and 3pm on 22 June.
P2.1 Buildings should not unreasonably obscure sunlight to habitable rooms, solar collectors or private outdoor areas of adjoining development during the winter months. **P2.2** The orientation, layout, and shape of dwellings should take into account any overshadowing by adjacent buildings, structures or trees during the winter months.	**A1.3** A shadow diagram is required to identify the shadow impact on adjoining properties at 9am 12 noon and 3pm on 22 June and 21 May/September where the proposed building is two or more storeys and is likely to overshadow the adjoining dwelling or private open space area.

5.10 Landscape Design

The intent of Council's requirements is the provision of site landscaping, using suitable species that are consistent with the rural landscape theme and that are appropriate to the nature and scale of the development proposal.

General Requirements

Landscape Design is to be by a suitably qualified landscape design or horticulturalist and contain the minimum requirements outlined below.
The landscape designer is to provide certification that the landscape works have been completed in accordance with the landscape design upon completion of the landscape work.

Minimum requirements

- Existing site information (boundaries, contours, underground/overhead services, easements, drainage lines, etc.)
- The movement pattern of the sun in summer and winter and the prevailing seasonal wind conditions,
- The location of adjoining development and any windows or private outdoor areas that are visible to or from the site
- The height of adjoining development and any shadows cast by the development over the site,
- Any views enjoyed to, and from, the land, including consideration of views into the site and the scenic values associated with the site
- All trees and vegetation on the site, on adjoining lots and within the street including trees to be removed due to the proposed development. This information should identify the actual canopy width of any trees and their heights
- Any natural drainage lines located within the site
- The slope of the site, identified by 1 metre contours
- Any existing built improvements on the site
- Landscape Consultant details
- Proposed location of buildings/structures including finished floor levels
- Roadways, car parks, footpaths, driveways with description of materials and finishes
- Proposed tree planting
- All landscaped areas and their proposed treatment (mass planting beds, paving, lawn, gravel etc.), planting arrangement, planting schedule (including botanical names and mature heights), quantities, pot size, staking and planting details
- Sub-surface and surface drainage
- Fences and screens (materials and heights)
- Location of site furniture, fixtures and lighting
- Indicative cross-sections of important features or areas of the site (entrances, watercourses, retaining walls)
- Site protection works
- Proposed water quality control devices

Performance Criteria	Acceptable Solutions
P1.1 Site disturbance to be minimized and existing landscape elements such as exposed rock formations and existing trees are to be preserved where possible. **P1.2** Landscaping is to be tolerant of site conditions and adequately mulched in order to reduce demand for water, herbicides and fertilizer. **P1.3** Development is to be designed to maximize the number of trees on site. Landscaping is to enhance the appearance of the development and assist with integration with the rural character of the site.	**A1.1** All development shall be accompanied by a landscape plan. **A1.2** Tree planting is to be consistent with the tree species selection and planting guidelines provided in Snowy River Development Control Plan, Chapter C5. **A1.3** Landscaping shall be completed and certified on the ground by the landscape designer or landscape architect prior to the issue of an occupation certificate.
P2 Landscape is to contribute to the energy efficiency and amenity by providing substantial shade in summer especially to west facing windows and admitting winter sunlight to outdoor and indoor living areas. **P3** Landscaping is to improve privacy and minimizes overlooking between dwellings. **P4** The plant species selected are in scale with the proposed and existing development to reduce the impact of the bulk of built elements on the street, adjoining properties and within the development.	

5.11 Fencing and Retaining Walls

The intent of Council's requirements is to ensure that fences and walls protect privacy, security and noise attenuation without having a detrimental impact upon the streetscape and adjacent buildings.

Performance Criteria	Acceptable Solutions
5.11.1 Fences	
P1.1 Fences and walls are not permitted.	**A 1.1** Property boundaries can be delineated by natural elements such as rocks, change in materials or species, grade or level changes or, in some cases small retaining structures. The construction of courtyards is encouraged, whilst adhering to the minimum side and rear setbacks as required.
5.11.2 Retaining Structures	
P1.1 Retaining structures maintain the rural character of the locality.	**A1.1** Retaining structures should be flush with the high ground level and are not to exceed a height of 1m. **A1.2** Retaining structures shall be constructed of stone obtained from the local area or masonry.

5.12 Car Parking and Vehicle Access

The intent of Council's requirements is to ensure the adequate provision of car parking that is well located and designed and minimizes the visual impact of garages and driveways on the streetscape.

Performance Criteria	Acceptable Solutions
5.12.1 Vehicle Access	
P1Vehicle Access and Driveways ■ Do not impede the traffic flow on local road system. ■ Are provided with an entry/exit point for individual developments. ■ Are safe from hazards and do not affect scenic or ecological values. ■ Location and length are low impact and continue the existing pattern in the street. ■ Are designed, surfaced and sloped to facilitate ease of access and stormwater infiltration.	**A1.1** Driveways are partially surfaced with materials that provide for stormwater infiltration or designed to drain to adjacent landscaped areas.

5.12.2 Vehicle Parking Provision	
P1 The number, location and access to vehicle parking spaces available on site are sufficient to cater for visitor parking needs.	**A1.1** Provisions of the number of car parking spaces are required by Snowy River Development Control Plan 2013, Chapter C3. On-street/road parking is prohibited. If a resident requires more cars to be parked than their lot can accommodate, these cars must be parked in the designated guest parking areas **A1.2** Driveway access is to be constructed in accordance with Council's minimum standard for driveway gradients. **A1.3** Maneuvering areas are to be constructed in accordance with the requirements of Australian Standard 2890.1.
P2 Vehicle parking structures are: ■ screened to minimize reflection of car headlights into dwelling windows, ■ ventilated if enclosed, ■ separated from windows of habitable areas and private outdoor areas to minimize noise and fume nuisance.	**A2.1** Designated parking areas are located in well-lit areas where minimum impact to residences is possible **A2.2** Lot layouts are designed to minimise impact on neighbours. Parking with headlights towards neighbouring homes is prohibited.
5.12.3 Garages and Carports	
P1.1 Facilities (including garages and carports) are sited and designed so as not to dominate the streetscape/street frontage or other public spaces. **P1.2** Facilities are designed and located to minimize impacts on neighbouring housing. **P1.3** Detached carports and garages are not permitted.	**A1.1** Garages and carports are not located between the building line and the front boundary of the lot.
P2 Car accommodation is compatible with its associated dwelling design in terms of height, roof form, detail, materials and colour.	**A2.1** Where garages face the street the garage opening does not exceed 6m or 50% of the width of the building whichever is the lesser.

5.13 Erosion and Sediment Control

Erosion and sediment control is to be provided on all development sites in accordance with the requirements of Snowy River Development Control Plan 2013, chapter C8.

5.14 Cut and Fill

The intent of this requirement is to preserve as much as practicable the existing topography and amenity of the area in the vicinity of the proposed development by minimizing changes to the existing ground levels.

Performance Criteria	Acceptable Solutions
P1.1 The building design should be appropriate for site conditions with consideration given to the stability of the site and adjoining site and the privacy of the adjoining dwellings. **P1.2** Development is to be designed to minimise the effect of disturbance on any land and ensure that dangerous excavations are avoided, or where necessary, are properly retained and secured.	**A1.1** The proposed development shall not exceed 1m of cut or fill. **A1.2** Development within two (2) metres of the allotment boundaries is to employ construction methods that will retain the fill within the confines of the building, e.g. “drop- edge” raft slabs etc. **A1.3** Development exceeding two (2) metres from the boundary will be permitted to batter any fill external to the building in accordance with the provisions relating to cut and fill batters. **A1.4** Excavations in excess of one (1) metre within the confines of the building may be permitted, to allow for basements, garages, etc. providing the excavations do not exceed 3m and are adequately retained and drained. **A1.5** Cut and fill batters should not exceed a slope of 1:2 to the natural ground level unless the foundation strata of the area permits otherwise and Council is satisfied with the site stability. All batters are to be provided with both short term and long term stabilisation to prevent soil erosion. **A1.6** Stormwater or surface water runoff shall not be redirected or concentrated onto adjoining properties so as to cause a nuisance and adequate drainage is to be provided to divert water away from batters.

5.15 Security, Site Facilities and Services

The intent of this requirement is to ensure that the development provides a safe living environment and facilities are provided to meet the needs of the occupants of the development and service areas are suitably screened from view.

Performance Criteria	Acceptable Solutions
P1.1 Buildings adjacent to public streets or public space are to be designed to allow casual surveillance. **P1.2** Adequate lighting is to be made available to all common areas.	**A1** To permit casual surveillance at least 1 habitable window should face public or communal streets or public space. **2** Designated garbage bin collection area is ted near the entrance and landscaped. Gas ant cylinders are to be hidden using ndscaping
P2 Garbage bin areas and external storage facilities are to be sited and designed for visual appearance.	
P3 Dwellings are to be provided with adequate storage areas and clothes drying facilities These drying areas are to be screened from the street.	**A3** By using courtyards and privacy screens, clothes drying areas can be hidden from the view of neighbours and from the street.
P4 The design and provision of sewerage, water, electricity, street lighting, telephone and gas services are to conform with the cost-effective performance measures of the relevant servicing authority.	**A4.1** Individual water meters are required to assist with the billing of individual dwellings. Underground water tanks are required to be installed for every dwelling for personal and firefighting use. A minimum of 30% of each dwelling's roof area is to be used for solar panel installation for connection to a personal battery bank and to the Three Rivers battery bank located within the site when available. **A4.2** Air conditioning unit is to be located within the roof space or other non-visible location and not on the roof itself.
P5 Developments serviced by reticulated water supply are to comply with the relevant domestic and firefighting standards.	

6 Natural Hazard Management – Bushfire Protection

6.1 Requirements

- All development applications that are located in bushfire prone areas, are required to comply with planning and construction requirements of Planning for Bushfire Protection 2019 (PBP2019) and Australian Standard AS 3959:2018 Construction of buildings in bushfire prone land.
- Proposals that do not comply with the Three Rivers Estate Development Control Plan – Bushfire Protections may be refused consent or referred to the Rural Fire Service (RFS) for further review and comment.
- The intent of council's requirement for development with the Three Rivers Estate Jindabyne is to ensure that all future building and occupation within the estate are suitably sited, designed and constructed to comply with current bushfire protection planning guidelines and standards.
- A bushfire assessment report shall be submitted to council for future individual allotments whereby a bushfire attack level (BAL Rating) is applied to any development envelope within the Estate.

6.2 Specific Objectives – Bushfire Protection Measures: Asset Protection Zones

Performance Criteria	Acceptable Solutions
P1.1 APZs are provided commensurate with the construction of the building; and	**A1.1** An APZ is provided in accordance with Table A1.12.2 or A1.12.3 in Appendix 1. Planning for Bushfire Protection
P1.2 A defendable space is provided.	**A1.2** APZs are managed in accordance with the requirements of Appendix 4 of PBP.
P1.3 APZs are managed and maintained to prevent the spread of a fire to the building.	**A1.3** APZs are wholly within the boundaries of the development site. APZ are located on lands with a slope less than 18 degrees.
P1.4 The APZ is provided in perpetuity. APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimised.	**A1.4** An APZ is provided in accordance with Table A1.12.2 or A1.12.3 in Appendix 1

6.3 Specific Objectives – Bushfire Protection Measures: Site Access & Driveways

Performance Criteria	Acceptable Solutions
P1.1 Firefighting vehicles are provided with safe, all-weather access to structures and hazard vegetation. **P1.2** The capacity of access roads is adequate for firefighting vehicles. **P1.3** There is appropriate access to water supply. **P1.4** Firefighting vehicles can access the dwelling and exit the property safely.	**A1.1** property access roads are two-wheel drive, all-weather roads. **A1.2** Firefighting vehicles can access the dwelling and exit the property safely. **A1.3** Hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005; There is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available. **A1.4** An unobstructed path (no greater than 70m) is provided between the most distant external part of the proposed dwelling and the nearest part of the public access road (where the road speed limit is not greater than 70kph) that supports the operational use of emergency firefighting vehicles.

6.4 Specific Objectives – Bushfire Protection Measures: Water Supplies

Performance Criteria	Acceptable Solutions
P1.1 An adequate water supply is provided for firefighting purposes. **P1.2** Water supplies are located at regular intervals; and the water supply is accessible and reliable for firefighting operations. **P1.3** Flows and pressure are appropriate. **P1.4** The integrity of the water supply is maintained. **P1.5** A static water supply is provided for firefighting purposes in areas where reticulated water is not available.	**A1.1** Reticulated water is to be provided to the development, where available; and a static water supply is provided where no reticulated water is available. **A1.2** Fire hydrant spacing, design and sizing comply with the relevant clauses of AS 2419.1:2005; hydrants are not located within any road carriageway; and reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads. **A1.3** Fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005 **A1.4** All above-ground water service pipes external to the building are metal, including and up to any taps **A1.5** Where no reticulated water supply is available, water for firefighting purposes is provided in accordance with Table 5.3d of PBP-2019

6.5 Specific Objectives – Bushfire Protection Measures: Services – Electricity & Gas

Performance Criteria	Acceptable Solutions
P1.1 Location of electricity services limits the possibility of ignition of surrounding bushland or the fabric of buildings. **P1.2** Location and design of gas bottles will not lead to ignition of surrounding bushland or the fabric of buildings.	**A1.1** Where practicable, electrical transmission lines are underground. **A1.2** Bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used; all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side; connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and above-ground gas service pipes are metal, including and up to any outlets.

6.6 Specific Objectives – Bushfire Protection Measures: Construction Requirements

Performance Criteria	Acceptable Solutions
P1.1 The proposed building can withstand bushfire attack in the form of embers, radiant heat and flame contact. **P1.2** Proposed fences and gates are designed to minimise the spread of bushfire. **P1.3** Proposed Class 10a buildings are designed to minimise the spread of bushfire.	**A1.1** A Bushfire Attack Level (BAL) Rating is determined for future development envelopments upon individual lots in accordance with Planning for Bushfire Protection Appendix 1. **A1.2** The construction standards of infill' buildings is provided construction provided in accordance with the National Construction Code (NCC) and as modified by section 7.5 of PBP-2019. **A1.3** Fencing and gates are constructed in accordance with section 7.6.PBP-2019. Class 10a buildings are constructed in accordance with section 8.3.2. of PBP-2019.

6.7 Specific Objectives – Bushfire Protection Measures: Landscaping

Performance Criteria	Acceptable Solutions
P1.1 Landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions.	**A1.1** Gardens are designed and provided in accordance with the NSW RFS 'Asset protection zone standards.