

Chapter 2:

Site Requirements (All Development)



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Document Control

Version	Date in Force	Date Approved by Council	Notes
1.0	1 September 2021	26 July 2021	Commencement

Title Page: The picture on the title page is of an indicative contextual and site analysis diagram (Source: Blayney DCP/Lake Macquarie DCP).

2.1 Introduction

2.1.1 Application of this Chapter

This Chapter contains controls that apply (where relevant) to all types of development. It focusses on a range of requirements that guide site and building design (in addition to those covered by **Chapter 3 – Natural Environment & Hazards**).

2.1.2 Other Relevant Chapters of this DCP

Please remember that this Chapter of the DCP is unlikely to contain ALL of the relevant controls for your development.

Please see DCP *Chapter 1 – Introduction & Administration* to review the Section on *How to Use this DCP* including the *Structure of the DCP* (see table below) to determine what other Chapters may be relevant to your development.

IF YOU ARE UNSURE, PLEASE DISCUSS THIS WITH COUNCIL STAFF PRIOR TO LODGING YOUR APPLICATION.

The DCP has the following Chapters:

Chapter 1:	Introduction & Administration
Chapter 2:	Site Requirements (THIS CHAPTER)
Chapter 3:	Natural Environment & Hazards
Chapter 4:	Heritage & Cultural Conservation
Chapter 5:	Subdivision & Roads
Chapter 6:	Residential Development
Chapter 7	Commercial, Community & Industrial Development (including Advertising/ Signage for all relevant land uses)
Chapter 8:	Rural & Other Land Uses
Chapter 9:	Pottery Estate Precinct

2.1.3 Exempt & Complying Development

Please note that [State Environment Planning Policy \(Exempt and Complying Development Codes\) 2008 \(Codes SEPP\)](#) may permit certain development set out in that policy without requiring a development application to Council if it complies with the requirements of the **Codes SEPP**. Please discuss this with Council or visit the [NSW Government Planning Portal](#).

2.2 Site Analysis, Local Character & Context

2.2.1 Site Selection

Objective(s)

Council will consider all applications on their merits in any zone where the particular land use is permitted under **LLEP2014**. Development needs to demonstrate that the chosen site is suitable for the proposed development and that the layout and design will avoid, or minimise/mitigate any significant impacts on the environment and on other land uses in the vicinity of the site having regard to:

- O1. The land use zone and its objectives (& neighbouring land use zone(s));
- O2. The likely potential impacts from the proposed development taking into account the desire for employment uses to be able to grow in the future;
- O3. The sensitivity of surrounding existing or likely future land use(s) and potential for land use conflict;
- O4. The size and dimensions of the site and ability to support the proposed development whilst complying with the relevant requirements of this DCP;
- O5. Safe access to/from the site and ability to accommodate the largest likely vehicle(s);
- O6. Any particular sensitive environmental area(s) or local character/heritage that requires protection.

Higher impact development is expected to provide a more detailed response to this Section.

2.2.2 Site Analysis & Development Response

Objective(s)

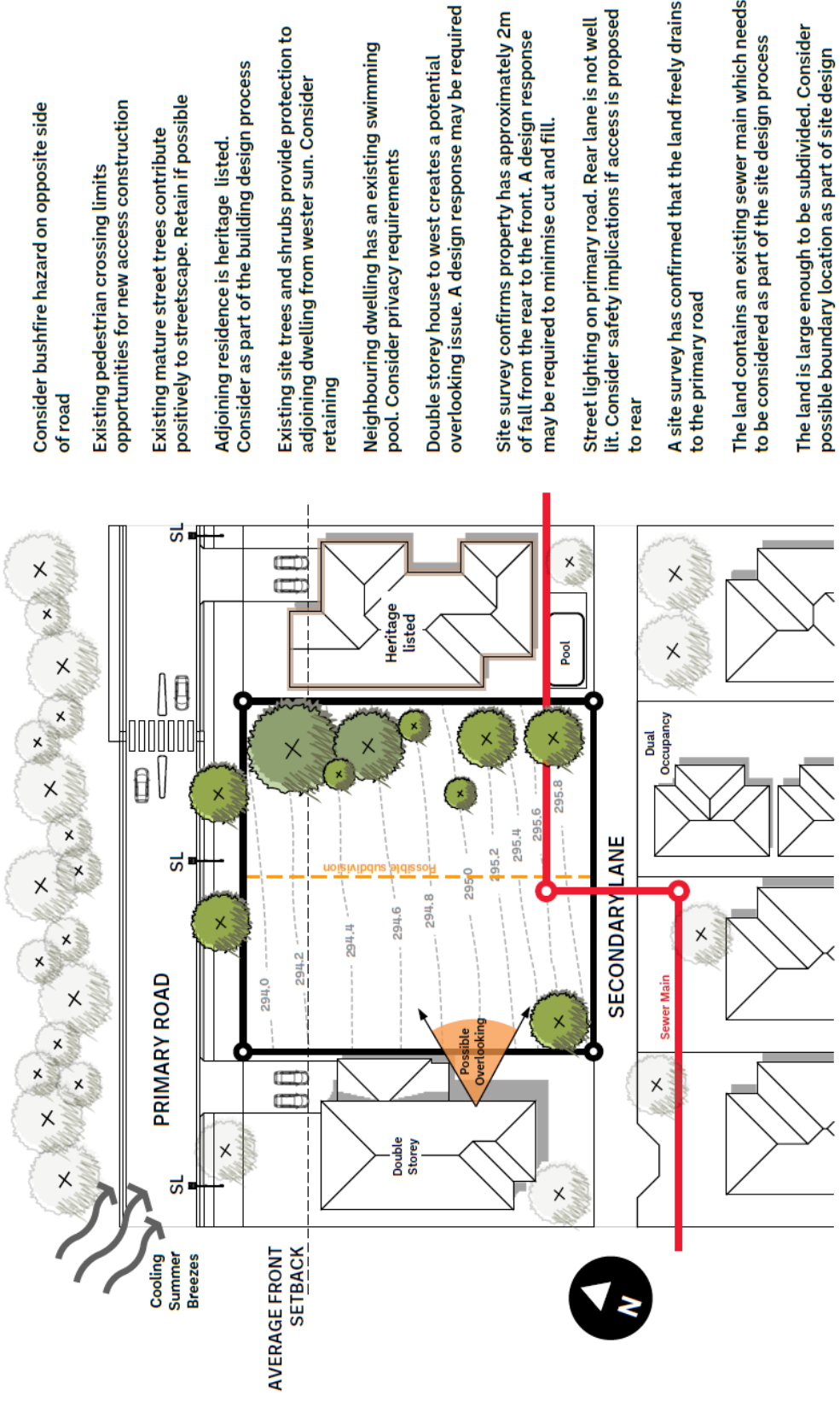
Site analysis is essential to understanding site context and relevant site opportunities/constraints that will affect the proposed development. Site analysis should be undertaken early in the design process and the development/design justified in terms of its response to that analysis. The extent and depth of site analysis is dependent on the level of impacts from the proposed development.

Control(s)

- 1) **Site Analysis:** Any new development (or significant alterations and additions) demonstrates that the design of the proposed development has responded to an analysis of the **Site** and its relevant context (depending on extent of potential impact). This is set out in more detail in the **DA Guide** but may include, but is not limited to (where relevant):
 - a) The **Site** topography, climate and natural environment;
 - b) Natural hazards on or near the **Site**;
 - c) Potential land use conflicts;
 - d) Heritage items or heritage conservation areas;
 - e) Surrounding built form and landscape/streetscape character; and
 - f) Amenity for the **Site** and adjacent sites (where relevant).

*See example **Site (Analysis) Plan** in figure below. Council will not require a detailed site analysis for development that will have small or low chance of impact including, for example, most internal alterations or minor alterations and additions, change of use, or minor associated development.*

2) **Evidence:** To demonstrate a suitable response to the site analysis, Council may require an applicant to lodge a number of supporting studies/plans in accordance with Council's **DA Guide**.



- Consider bushfire hazard on opposite side of road
- Existing pedestrian crossing limits opportunities for new access construction
- Existing mature street trees contribute positively to streetscape. Retain if possible
- Adjoining residence is heritage listed. Consider as part of the building design process
- Existing site trees and shrubs provide protection to adjoining dwelling from wester sun. Consider retaining
- Neighbouring dwelling has an existing swimming pool. Consider privacy requirements
- Double storey house to west creates a potential overlooking issue. A design response may be required
- Site survey confirms property has approximately 2m of fall from the rear to the front. A design response may be required to minimise cut and fill.
- Street lighting on primary road. Rear lane is not well lit. Consider safety implications if access is proposed to rear
- A site survey has confirmed that the land freely drains to the primary road
- The land contains an existing sewer main which needs to be considered as part of the site design process
- The land is large enough to be subdivided. Consider possible boundary location as part of site design

Indicative Site Analysis Plan (Source: Complete Concepts + Planning).

2.2.3 Local Character & Context

Local character is not limited to the prevailing architectural style or era of development. The layout and form of the area is critical, as is the relationship of the natural environment and topography in the public and private domain to the built form. Settings, vistas, sensory delight and a sense of place can be created through thoughtful urban design responses.

Council continues to work on identifying and protecting the local character of a number of important places and spaces but there is more work to do. At the time of preparing this DCP there were only more detailed character statements for Council's Heritage Conservation Areas – see DCP Chapter 4 – Heritage & Cultural Conservation.

Objective(s)

- O1. To retain and enhance the unique qualities of local character and context by responding to the essential elements that make up the character of the surrounding area whilst allowing areas to transition to future desired character.
- O2. To ensure that new development is responsive and sympathetic to the surrounding context in scale, massing, orientation, siting, form, construction and materials (this does not necessarily mean that it produces the same outcomes as the surrounding context).
- O3. To ensure that new development integrates with the existing built form, landscape and public domain and encourages a vibrant, safe and attractive place for activity and community interaction.
- O4. To ensure infill development achieves a cohesive relationship between new and existing urban fabric and where relevant, retains and enhances cultural significance.
- O5. To ensure that the character of small traditional main streets and commercial strip development, with filtered access to rear parking areas and secondary areas, is protected and enhanced.

Control(s)

- 1) **Character:** All applications demonstrate that the proposed development has considered the local existing and desired future character of the area and that the proposed development is consistent with and/or integrates with this character.
- 2) **Heritage:** Where a development site is in a **Heritage Conservation Area** in *Chapter 4 – Heritage & Cultural Conservation* then the application addresses the relevant character statement(s) for that site.
- 3) **Site-Specific:** Where a site is covered in *Chapter 9 – Location Specific Controls* of this DCP – any character and form controls in that Chapter are addressed (where relevant).

2.2.4 Visually Prominent Sites

Objective(s)

- O1. To protect and preserve the importance of views to/from **visually prominent sites** including, but not limited to, regionally significant landscape and heritage features such as mountain escarpment(s); National Parks; gateways to settlements; etc.
- O2. To protect and enhance **heritage items** and **heritage conservation areas** consistent with *Chapter 4 – Heritage & Cultural Conservation* of this DCP.
- O3. To avoid insensitive or incompatible development on or in close proximity to a **visually prominent site** that due to location, form, scale, bulk, materials or colours detracts from or dominates the visual amenity of a **visually prominent site**.
- O4. To retain and enhance significant native vegetation on sites, not only for its environmental benefits, but where it can also act as a buffer or screen to existing or proposed development, while also having regard to bushfire protection.

Control(s)

Visually Prominent Site means a site that is situated in a highly visible location and includes ridge top locations, escarpments, environmentally sensitive sites on sloping land, elevated allotments, corner sites, road bends, vista end points and any site that has the potential to dominate the visual amenity and character of the area.

Development on a **visually prominent site**, particularly in **rural and/or environmental zones** or in **heritage conservation areas**, is sited and designed to minimise visual and environmental impact by:

- a) Locating buildings below key ridgelines;
- b) Responding to the site contours to minimise visually obtrusive changes in the landform;
- c) Retaining significant vegetation, particularly where it can act as a buffer to development;
- d) Using a cluster of smaller buildings rather than large single buildings;
- e) Blending into the existing landform or back-drop with appropriate form and materials;
- f) Articulating large buildings and/or facades.

Some examples of **visually prominent sites** that may require protection include, but are not limited to:

- a) The Blue Mountains' escarpment;
- b) Gateways/entrances to towns/villages;
- c) Sites near heritage items or in heritage conservation areas;
- d) Three Trees Hill, South Bowenfels (Lithgow);
- e) Higher elevations in rural areas.

2.2.5 Reflective Materials

Objective(s)

O1. To avoid excessive reflectivity and glare from the external materials and finishes of a building that are visible from a public road or neighbouring dwelling.

Control(s)

- 1) **Reflectivity:** External materials avoid use of reflective materials:
 - a) If they are visible from a public place or neighbouring dwelling; and
 - b) There is a reasonable probability of glare affecting driver safety, residential amenity, or the building being too visually intrusive.
- 2) **Heritage:** Factory pre-coloured non-reflective materials are preferred though alternatives may be required in heritage conservation areas.

2.3 Slope Response, Earthworks & Retaining Walls

Objective(s)

- O1. To encourage site layout and building design that:
- Responds to site topography and natural drainage and minimises the need for **earthworks**;
 - Protects and enhances environmental outcomes including watercourses;
 - Avoids impacts from stormwater and responds to natural drainage; and
 - Protects the stability and amenity of the Site and adjoining properties.
- O2. To ensure that **earthworks** will not detrimentally impact on/compromise:
- The ongoing stability of the site and adjoining land;
 - The potential for erosion and sedimentation of watercourses and stormwater systems;
 - Neighbouring uses including over-shadowing, privacy and visual amenity;
 - Heritage and/or streetscape character;
 - The useability, safety and amenity of outdoor open space and circulation on a **site**.
- O3. To minimise **earthworks** in close proximity to the boundaries of a site to ensure stability of the site and adjoining land and avoid the need for maintenance works across property boundaries.
- O4. To ensure there is adequate information submitted with a **Development Application (DA)** to determine the impact of future development including **earthworks** or changes in levels of land.
- O5. Retaining walls are located and designed:
- To ensure the long-term stability of supported land and/or structures (and access for maintenance), especially when located close to lot boundaries, or where there are other geo-technical or hydrological constraints that may affect stability.
 - To minimise the required height of retaining wall(s) and resulting difference between building floor levels and ground level (existing), especially where it may impact on residential amenity, safety, or visual amenity of the Site.
 - To avoid diversion of stormwater flow paths to adjacent properties and address drainage requirements.
 - To avoid being located on or too close to an easement or known underground utility main that would prevent or unduly restrict access for maintenance.
 - To ensure useable open and/or landscaped space(s) for the intended uses (where required).

Some **earthworks** and retaining walls MAY be Exempt or Complying Development under the **Codes SEPP**. There may be additional controls for earthwork in DCP Section 2.5 - Stormwater Management (this Chapter) or for a flood prone area or drinking catchment area in DCP Chapter 3 – Natural Environment & Hazards.

Control(s)

2.3.1 Earthworks

- 1) **Description:** All development that involves any significant **earthworks** provides a plan and/or description of the location, extent and depth of **earthworks** that forms part of the application.
- 2) **LLEP2014:** All development that involves any significant **earthworks** addresses *Clause 7.1 - Earthworks* of **LLEP2014**.
- 3) **Design:** Developments on sloping sites are sited, designed and use construction techniques that respond to the topographical (slope) & hydrological (water) features of the site. Alternatives to slab on ground construction should be utilised where, due to gradient and characteristics of the site, such form of construction is inappropriate.
- 4) **Impact:** Depending on the likelihood and significance of impact of any proposed earthworks on the matters raised in the objectives of this Section, Council may require justification for the need for those earthworks AND additional plans/reports/certification to demonstrate that the impacts can be avoided, mitigated or minimised (for examples, see table below).
- 5) **Drainage:** Disturbance to natural drainage patterns is minimised and addresses *Section 2.5 Stormwater Management* of this DCP.
- 6) **Batters:**
 - a) Cut and fill batters do not exceed a slope of 1V:2H (vertical to horizontal) depending on soil classification or Council is satisfied of sufficient site stability by a **Geo-technical and/or Structural Report**; and
 - b) All batters are to be provided with both short and long-term stabilisation to prevent soil erosion and do not extend onto public or adjoining land without permission.

The additional information may include, but is not limited to:

- a) **Earthworks Plan(s)** showing the extent of cut and/or fill and estimated volumes of each;
- b) **Landscape Plan(s)** and **Cross-Section(s)** through the site showing the existing and proposed finished levels, relationship to adjacent sites and the public domain, retaining walls and materials, and demonstrating compliance with AS2890 for driveway slope;
- c) **Geo-technical Report** demonstrating the site geology, slope, and site stability as affected by any demolition, earthworks, construction or operation of the proposed development;
- d) **Structural Engineering' Plan(s)** showing any slope, batters or retaining walls and demonstrating that any retaining walls will be structurally sound and drained and addressing any buildings, structures or significant trees on adjoining sites within the 'zone of influence' (45 degrees from the base of any cut/retaining wall + 1m);
- e) **Soil and Water Management Plan (SWMP)** and/or **Water Cycle Management Plan (WCMP)** showing how the site (and any adjoining sites draining across the site) will provide adequate drainage in accordance with the Stormwater Management section of this DCP and Council's **Engineering Guidelines** and prevent any ponding of water on the site or adjacent sites.

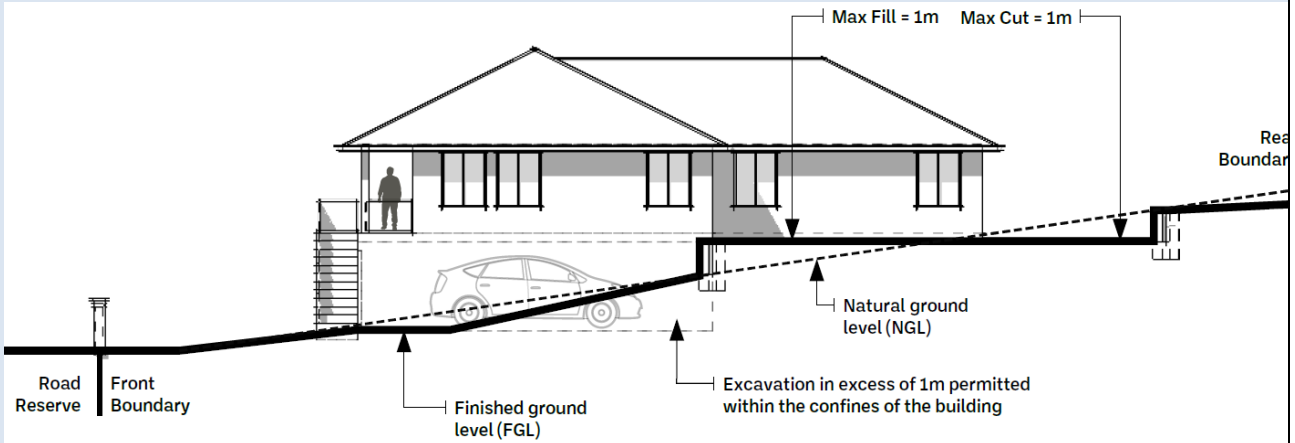
Some examples where additional evidence may be required include, but are not limited to:

- a) Residential – Cut and/or fill that is greater than 1m in depth from **ground level (existing)** external to the perimeter of the building (measured at its highest point) (see diagram below); or
- b) All other uses – Cut and/or fill that is:

- i) Greater than 1m in depth from **ground level (existing)**; and
- ii) Closer than 1m to a lot boundary;
- c) **Earthworks** over any easement on the property or within close proximity to existing utilities that pass on or near the property.

These restriction(s) do not apply where the cut and/or fill is to be contained within the perimeter of the building by means of suitable integrated retaining systems (such as slab drop edged beams).

Examples of alternative construction may include: Bearer and joist construction; Deepened edge beams; Split level design; and/or Suspended slab design.



Minimising cut and/or fill near boundaries for residential uses by stepping the site and floor levels (Source: Complete Concepts + Planning).

2.3.2 Retaining Walls

- 1) **Application:** Where new or altered retaining wall(s) are proposed (excluding exempt development), the application provides details of retaining wall location, height & materials including **Site Plan(s)** and relevant **Section(s)/Elevation(s)**.
- 2) **Impacts:** All retaining wall(s) associated with residential uses address the objectives in this Section and address any potential impact(s).
- 3) **Structural Design:** Retaining walls (that are not exempt development) are designed by a suitably qualified structural engineer and/or installed in accordance with the manufacturer's specifications.

2.4 Stormwater Management

This Section applies to:

- a) *All proposed development in Lithgow Local Government Area (LGA) where **LLEP2014** Clause 7.3 Stormwater management applies (all urban areas including village, residential, business and industrial zones);*
- b) *Areas affected by State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011; and*
- c) *Any other areas or larger development(s) where there is likely to be a significant change to stormwater outcomes and/or impacts on the natural environment, at Council's discretion. This may include sensitive soil types, particularly erodible soils near river banks.*

Objective(s)

To ensure that stormwater and drainage systems (during demolition, construction and operation):

O1. Address the objectives and requirements of (where applicable):

- i) *Clause 7.3 - Stormwater Management of **LLEP2014**;*
- ii) *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011;*
- iii) Council's **Engineering Guidelines**.

O2. Provide adequate drainage facilities within the site to collect and carry stormwater to approved external or on-site (natural or human-made) drainage systems;

O3. Minimise disturbance to natural drainage patterns;

O4. Control the quantity (volume and speed) and quality of water:

- i) To minimise impacts (damage, danger or nuisance) from stormwater run-off;
- ii) To retain or improve post-development quantity and quality compared to pre-development stormwater patterns and flow regimes;
- iii) To minimise impacts on watercourses and riparian corridors including water quality;
- iv) To minimise erosion and resulting sedimentation of receiving waters;

O5. Avoid, or minimise/mitigate against impacts of flooding including overland flows consistent with the Flooding requirements in *Chapter 3 – Natural Environment & Hazards* of this DCP;

O6. Maximise the potential for site water infiltration (minimise **impermeable hardstand areas** or buildings);

O7. Protect proposed or likely building areas from erosion and stormwater damage for the life of the development; and

O8. Maximise water detention and re-use for larger sites or developments.

Control(s)

- 1) **Application: Development applications** (in accordance with Council's **DA Guide**) may need to provide a **Stormwater Drainage (Concept) Plan (SDCP)** and/or **Soil and Water Management Plan (SWMP)** addressing stormwater management on the Site.
- 2) **Guidelines:** All Stormwater drainage is designed to comply with Council's **Engineering Guidelines – Section 3 – Stormwater Drainage**.
- 3) **Drinking Catchment:** Unless there is 'no identifiable potential impact', all development within the **Sydney Drinking Water Catchment** demonstrates a neutral or beneficial effect upon water quality in accordance with the requirements of *SEPP (Sydney Water Drinking Catchment) 2011*.

Certain developments in the catchment that require Water NSW concurrence will need supporting information prepared in accordance with Water NSW requirements (e.g., MUSIC modelling etc.).

- 4) **Water tanks: BASIX,** Council, RFS or Water NSW may require water tanks to be provided that capture roof water, reduce stormwater quantities, and allow for limited re-use on-site in accordance with the stormwater plan(s).
- 5) **On-Site Detention (OSD):** Council may require a development to incorporate OSD on the site for larger developments or subdivisions where (guided by the stormwater assessment):
 - a) There is a significant modification between pre-and post-development flows; and/or
 - b) The downstream hydraulic capacity of one or more components in a drainage system is inadequate for the design flow.
- 6) **Discharge:** Stormwater runoff is designed to flow to Council's stormwater system, inter-allotment drainage easement, or other legal point of discharge.
- 7) **Inter-Allotment Drainage:** Where site topography prevents the discharge of stormwater directly to the street gutter of a Council controlled pipe system (predominantly in an urban area), then:
 - a) Inter-allotment drainage is to be provided to accept runoff from all existing or future impervious areas that are likely to be directly connected;
 - b) Details of proposed stormwater management infrastructure and overland flow paths as well as permission from any adjoining lots for the proposed easement will be required with the application; and
 - c) Appropriate easements are to be acquired over any affected property prior to the issue of either the subdivision or construction certificate (as relevant).

2.5 Vehicle Access & Parking

Objective(s)

- O1. To ensure all development has safe and functional vehicle access/egress that minimises impacts on public roads and pedestrian safety and connections.
- O2. To ensure access and parking areas (and associated structures) are designed:
 - a) To respond to site opportunities and constraints, especially slope;
 - b) To minimise impacts on active or retail frontages in key business zones or main streets;
 - c) To integrate with the building design; and
 - d) To be appropriately located, designed, screened and/or landscaped to protect street character and minimise visual impacts.
- O3. To provide adequate off-street (on-site) parking consistent with:
 - a) The likely parking demand generated by the development;
 - b) The size and nature of the proposed use(s) and activity on the site;
 - c) The number of employees/staff/residents and the estimated number of customers/visitors;
 - d) The availability of public transport or other active/alternative transport methods;
 - e) The need to accommodate service vehicles and deliveries, so that there is not an unreasonable reliance on on-street (or off-site) parking that impacts on other users.
- O4. To provide adequate circulation and manoeuvring areas for the largest design vehicle for the site that addresses safety and ease of access, circulation and navigation.
- O5. To provide suitable loading/unloading, servicing, and waste management for developments.
- O6. To minimise impacts on neighbouring sites from vehicle movements and parking (e.g., noise, dust, vehicle lights, vibrations etc.).
- O7. To encourage alternatives to private vehicles for access including, but not limited to, public transport, walking, and bicycles (active transport).
- O8. To promote accessibility for all users, including people with a disability (where required).

Control(s)

2.5.1 Guidelines & Standards

All development is e.g., designed to be consistent with (as amended):

- 1) Council's *Guidelines for Civil Engineering Design and Construction for Development (2012)* ('**Engineering Guidelines**');
- 2) *RTA (now Transport for NSW) (2002) Guide to Traffic Generating Developments*; and
- 3) Relevant **Australian Standards** including but not limited to (as amended):
 - a) *AS2890 – Parking facilities* including:
 - i) *AS2890.1 (2004) – Off-street car parking*;
 - ii) *AS2890.2 (2018) – Off-street commercial vehicle facilities*;

- iii) AS2890.3 (2015) – Bicycle parking facilities;
- iv) AS2890.6 (2009) – Off-street parking for people with disabilities
- b) AS1428 – Design for Access and Mobility.
- 4) Relevant Austroads Guidelines; and
- 5) Relevant Council Policies.

These guidelines/standards are applicable to all relevant control(s) below.

2.5.2 Vehicle Access & Driveways

- 1) **Access:** The applicant demonstrates that any proposed site vehicle access location and design has considered the site opportunities and constraints as well as public safety including, but not limited to:
 - a) Assessing the type of road(s) the site will access and its posted speed limit;
 - b) Avoiding direct access to an **arterial road** (e.g., highway or main road) unless there is an existing suitable access or no suitable alternative;
 - c) Avoiding or minimising impacts on street trees and utilities/services in the street;
 - d) Locating and designing access points to minimise interference with natural and street drainage;
 - e) Ensuring appropriate sight-lines (clear of obstructions) at driveway exits to vehicular traffic and pedestrians/bicycles;
 - f) Assessing potential conflicts with other vehicles and pedestrians/ bicycles on and off-site;
 - g) Separating vehicle and pedestrian accessways for larger developments (See *Section 2.6 - Pedestrian Access, Mobility & Safety* of this DCP for details);
 - h) Ensuring the landscape design does not impact safety whilst screening or softening the visual impact of any parking areas;
 - i) Minimising impacts on on-street parking;
 - j) Minimising the visual impact of larger driveways or on-site parking areas.
- 2) **Policy:** All works comply with Council *Policy No.10.18 – Specification for the Construction of Driveways, Footpath/Gutter Crossings and Foot-paving* (as amended).
- 3) **All Weather Access:** All weather access is required to all development to ensure that emergency services are able to access them at all times.
- 4) **Proximity to Intersection(s) & Sight-Lines:** Any driveway:
 - a) Has a minimum separation of 6m from the kerb return of a street corner/intersection in an urban area (this setback may increase where it is near a major **arterial road** or there are reduced sight-lines); and
 - b) Complies with *AS2890.1* (as amended) including:
 - i) *Figure 3.1: Prohibited Locations of Access Driveways*; and
 - ii) *Figure 3.2: Sight Distance Requirements at Access Driveways*.

- 5) **Direction of Travel:** Vehicle access and egress to/from a lot occurs in a forward direction, except as follows:
- With direct access to an **arterial road**, only single dwelling houses or secondary dwellings;
 - With direct access to a **non-arterial (local) road** only single dwellings, secondary dwellings, dual occupancies (attached or detached), bed and breakfast accommodation and short-term holiday lets of these dwelling types. Unless the applicant has demonstrated there are specific site constraints, exceptional circumstances, and safety has been addressed (e.g., emergency vehicles) at the discretion of Council and/or TfNSW.
- 6) **Access to Street:** Vehicle access is designed to:
- Meet the requirements of Council's **Engineering Guidelines** in *Section 2.3.8 - Driveway Construction*;
 - Cross the footpath or footway at right angles to the centreline of the road;
 - Be clear of obstructions, which may prevent drivers having a timely view of pedestrians or vehicles;
 - Be 0.5m clear of drainage structures at the kerb or gutter and not impact other utility infrastructure (or relocation is at the cost of the developer);
 - Be properly signposted, where there are separate access and exit points;
 - Take into consideration any requirements in the former *RTA (2002) Guidelines for Traffic Generating Development* (as amended or replaced) – Section 6.2 Access requirements.
- 7) **Slope:** Driveways and car parking areas in urban areas does not exceed a maximum grade of 25% with suitable transitions at the boundary and garages to prevent scraping for the standard design vehicle.
- 8) **Driveway Width:**
- Driveways serving one (1) to two (2) dwellings or in rural areas are a minimum width of 3.5m.
 - Shared driveways serving three (3) or more dwellings (up to eight (8) dwellings) have a minimum width of 4.5m (3.5m carriageway plus landscaping) increasing to 5.5m forward of the front building line or provide for passing bays (in accordance with AS 2890.1) based on the size of the development/length of the driveway.
 - Driveways servicing commercial or industrial development (or residential development not covered in (a) or (b) above) have sufficient width to enable safe either two-way or separated one-way vehicle movement in and out of the Site without blocking sight-lines.
 - Driveways do not dominate the street and provide the minimum width to achieve safety whilst being integrated with the landscape design for the site.

If the land is bushfire prone, driveways / access may need to comply with the Rural Fire Service requirements in addition to the above dimensions.

- 9) **Setbacks/Gates (Rural Areas):** The primary access gate or opening for each lot/development is set back in accordance with:
- Council Policy 10.7 – Public Gates and Grids on Local Roads*;
 - Council's **Engineering Guidelines**; or
 - Any TfNSW requirements for a highway or **arterial road** (where relevant).



For Multi-Dwelling Housing larger internal driveways and parking areas need to be designed to minimise visual impact (Source: Complete Concepts + Planning adapted from AMCORD 1995).

2.5.3 Loading/Unloading, Delivery & Servicing Facilities

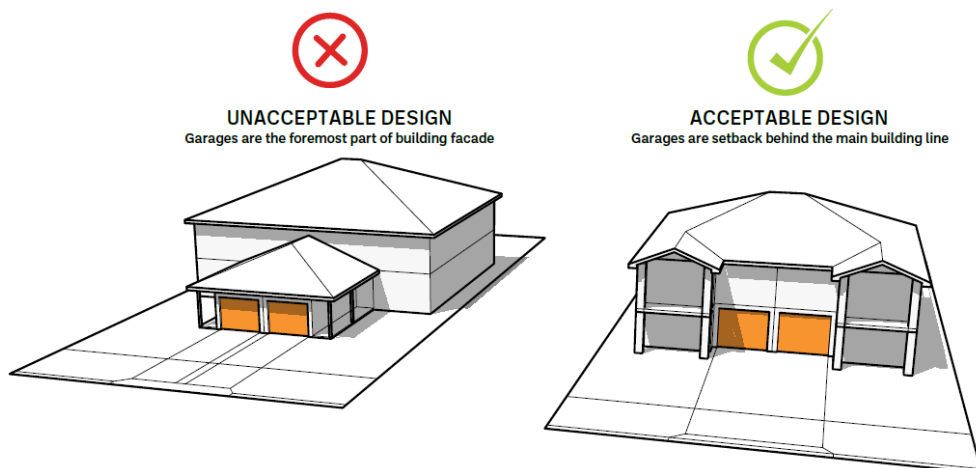
- 1) **Numbers/Spaces:** All new development (except in accordance with *Section 2.5.6 - Exemptions to Off-Street Car Parking Requirements* of this DCP) provides sufficient numbers and size of spaces on-site for service vehicles based on:
 - a) The expected frequency of servicing; and
 - b) The likely vehicle size/type of delivery vehicle (see *Section 5* of the former *RTA (2002) Guidelines for Traffic Generating Development* (as amended or replaced) relating to courier, delivery and service vehicles),
 unless otherwise agreed with Council;
- 2) **Street Servicing:** Servicing from the street frontage is not permitted unless there are site constraints that would prevent off-street servicing from occurring (exemption generally limited to *Zone B2 Local Centre* in **LLEP2014** but justification still required).
- 3) **Design:** Layout and dimensions are to comply with *AS2890.2 Off street commercial vehicle facilities* (where applicable).

- 4) **Residential Impacts:** In **mixed use developments** (or adjacent to residential zones or **residential accommodation**) servicing facilities for non-residential uses are located and designed to protect the amenity of residents.
- 5) **Loading / Unloading Design:** Servicing area(s) are located and designed so:
 - a) They can be accessed in a safe and efficient manner;
 - b) They do not result in any service vehicles extending over public roads or footpaths during loading and unloading operations;
 - c) They do not utilise or crossover vehicle circulation, parking spaces or pedestrian paths unless all loading/unloading occurs outside the normal business hours of the premises;
 - d) They are located behind the building line to any street;
 - e) They are suitably screened from public spaces, especially where there may be open (outdoor) storage of goods.

2.5.4 Parking Location, Design & Circulation

- 1) **Parking Location:** Parking location considers and addresses (where relevant):
 - a) Providing consistent front building setbacks to the street;
 - b) Minimising visual impact of off-street parking areas/garages/garage doors/driveways on street activity and character;
 - c) Providing screening that can minimise this impact (where appropriate) in urban areas;
 - d) Proximity of customer parking to customer entrances and staff parking to staff entrances including accessible parking and access;
 - e) Minimising impacts of traffic movements and parking on any neighbouring dwellings/residential areas;
 - f) Addressing site conditions such as slope and drainage;
 - g) Ease of access to and from the street and navigation to parking areas;
 - h) Separation of customer parking from courier and service delivery vehicle parking and/or loading and unloading facilities for safety and accessibility;
- 2) **Parking Design:** Parking spaces, manoeuvring areas, and driveways are designed in accordance with *Section 2.5.1 - Guidelines & Standards* of this DCP above.
- 3) **Accessible Parking:**
 - a) All development provides accessible car parking as set out in the **National Construction Code** and the relevant **Australian Standard(s)** (AS).
 - b) The dimensions for accessible car spaces (including headroom & access) comply with AS 2890.6 - *Off-street parking for people with disabilities*.
- 4) **Safety:** The design of all internal vehicle manoeuvring areas demonstrates consideration of the safety and access for all users (private vehicles, service vehicles, pedestrians, bicycles etc.) and minimise potential conflicts.
- 5) **Sealed Vehicle Areas:**
 - a) All vehicle manoeuvring areas on-site in urban areas are sealed.
 - b) Gravel surfacing is not permissible except where there are no conflicts (noise and dust) with adjacent lots and suitable drainage is provided.

- 6) **Stormwater:** Parking areas and driveways are designed, surfaced and graded to reduce runoff and allow stormwater to be controlled on site in accordance with *Section 2.4 – Stormwater Management* of this DCP.
- 7) **Vehicle Sizes:** Internal vehicle manoeuvring and parking areas is designed to accommodate the size, turning radii and the pavement loading of the largest vehicle that is likely to be used by the proposed development/activity.
- 8) **Operation Hours:** Free and uninterrupted access to car parking areas is maintained at all times during the hours of operation of the proposed development. Any restrictions or overlapping uses should be addressed in the application.
- 9) **Basement Parking:** Basement car parking is not to protrude more than 1m above finished ground level except at the entrance to the car park.
- 10) **Stacked Parking:** Stacked (or 'tandem') car parking is not acceptable for **medium to high density housing**, commercial or industrial uses, or visitor/customer parking unless justified in a relevant report (see *Section 2.5.2 - Traffic Assessments, Studies & Plans* of this DCP) based on special site considerations and parking management arrangements.
- 11) **Circulation:** Larger car parking areas provide rational circulation patterns with ease-of-navigation and minimise the use of dead-end aisles.
- 12) **Parking Navigation:** Signage addresses/takes into consideration the following:
 - a) Parking areas are well sign-posted to indicate the location of off-street parking, exit and entry points, and the circulation spaces on the site, with directional signposting from the building entrance/exit (where necessary);
 - b) Pavement arrows clearly indicate the direction of traffic circulation (if one-way);
 - c) Parking areas are clearly delineated as well as parking spaces for specific users (e.g., disabled spaces/staff/visitors).
- 13) **Lighting:** Lighting of car parking areas is to be in accordance with *AS1158.3 Pedestrian Area (Category P) Lighting* whilst avoiding impacts on neighbouring properties (see *AS4282 Control of Obtrusive Effects of Outdoor Lighting*).
- 14) **Visual Impact:** Design should integrate parking areas including garages and carports to minimise the visual dominance and impact of parking areas and structures, particularly when viewed from the street/public domain.



Integration of garages into building design (Source: Complete Concepts + Planning).

2.5.5 On-Site Parking Numbers

On-Site Parking Numbers: Each development provides the number of off-street car parking spaces for each development type:

- 1) Set out in the **Table of Car Parking Requirements** below (unless the proposed development satisfies *Section 2.5.6 – Exemptions to Off-Street Car Parking Requirements* of this DCP); OR
- 2) If the use is not listed – in accordance with the *Guide to Traffic Generating Developments* on the Transport for NSW (former Roads & Maritime Services) website (as amended); OR
- 3) For any other use (or for larger developments), in accordance with an assessment of the parking demand for the development determined on merit having regard to the nature of the development and traffic generation. Council may require a **Traffic & Parking Report** with three (3) cases / examples from the region.
- 4) Parking for multi-tenanted or mixed-use facilities are provided to satisfy the peak cumulative parking requirements of the development as a whole. A comparison survey of similar development is provided with the application.

- **Calculations:** *The number of required car parking spaces is rounded up to the nearest whole number for either resident/tenant or visitor/customer parking.*
- **Bedrooms:** *Studies, and the like (that could easily be converted to bedrooms), will be considered as bedrooms for the purpose of calculating residential car parking requirements.*
- **Mixed Uses:** *A development comprising a combination of two or more uses will be assessed as if the two uses exist independently (i.e., the total parking spaces required is the sum of the parking spaces required for each use). Variation to this requirement will only be considered where the applicant can demonstrate that the peak demand for each land use component of the development is staggered or that the development as a whole generates less parking than the sum of its component parts.*

TABLE OF CAR PARKING REQUIREMENTS

RESIDENTIAL ACCOMMODATION	PARKING FOR RESIDENTS	VISITOR PARKING
Single dwelling houses	Two car spaces (one of which is covered)	Not required. On-street or in driveway sufficient.
Secondary dwellings, dual occupancies, semi-detached dwellings, and attached dwellings (townhouses) including second-hand (relocatable) and transportable dwellings.	Minimum one (1) off-street covered car parking space on the property <u>for each dwelling</u> located behind the building line (setback to the street lot boundary). Two (2) car spaces are preferred <u>for each dwelling</u> , (particularly where it has three bedrooms or greater) and may include use of the driveway area in front of any garage/carport but entirely on the subject land.	
Multi-dwelling housing, shop-top housing and residential flat buildings	Minimum one (1) off-street enclosed car parking space for one and two-bedroom units; and Minimum two (2) off-street spaces (one enclosed) for units with three (3) or more bedrooms.	Minimum one (1) space per five (5) units or part thereof.
Seniors housing & residential care facilities	In accordance with the requirements of <i>SEPP (Housing for Seniors or People with a Disability) 2004</i> .	

TOURIST & VISITOR ACCOMMODATION	
Bed and breakfasts / Farm-stays/ Short-term holiday lets / Eco-tourist facilities	1 space per guest room + 1 space for staff/proprietor. For facilities > 10 beds or where there will clearly be additional staff and deliveries then additional staff parking is required at Council's discretion.
Hostels or Backpackers accommodation	1 space per 5 beds + 1 space per staff (peak staff level).
Hotels/motels	1 space for each unit + 1 space per 2 staff. If restaurant - Add spaces as per 'restaurants & cafes' below. If function room – Add 1 space per 3 seats.
Serviced apartments	1 space per apartment + 1 space per 2 staff + addition for other uses incorporated into the development.
Caravan parks	1 space for manager + bus parking + 1 space per site + 1 space per 5 sites (visitor parking).
BUSINESS PREMISES	
Business premises	1 space per 50m ² of Gross Floor Area (GFA).
OFFICE PREMISES	
Office premises	1 space per 50m ² Gross Floor Area (GFA).
RETAIL PREMISES	
Specialised retail (formerly bulky goods) premises	1 space per 130m ² of Gross Floor Area (GFA).
Hotels (Pubs), Function Centres & Registered Clubs	1 space per 10 seats or per 10m ² GFA (whichever is greater).
Restaurants & cafes	1 space per 3 seats or per 10m ² of customer service area (including outdoor dining areas) (whichever is greater)
Takeaway food & drink premises	As per <i>Guide to Traffic Generating Developments</i> (as amended).
Shopping Centres	As per <i>Guide to Traffic Generating Developments</i> (as amended).
Shops (including neighbourhood shops)	1 space per 35m ² of customer service area or display.
Hardware, building & rural supplies; plant nursery	1 space per 130m ² of GFA dedicated to display (indoor & outdoor).
Vehicle sales or hire premises	1 space per 100m ² site area + 2 spaces per work bay (for vehicle servicing).
COMMERICAL PREMISES (OTHER)	
Amusement centres	1 space per 50m ² GFA.
Entertainment facilities	1 space per 10m ² GFA or 1 space per 4 seats (whichever is greater).
Service stations (including convenience stores)	As per <i>Guide to Traffic Generating Developments</i> (as amended).

EDUCATION ESTABLISHMENTS	
Child care centres	1 space per 10 children + 1 space per 2 employees
Education establishment	<p>Infants & Primary Schools: 1 space per staff member (peak staff level) + adequate student set down/pick up areas, bus turning areas + parking for auditoriums and sportsgrounds.</p> <p>Secondary Schools: 1 space per staff member (peak staff level) + 1 space per 10 students (17 years of age or older) + adequate student set down/pick up areas, bus turning areas + parking for auditoriums and sportsgrounds.</p> <p>Tertiary Schools & Colleges: 1 space per staff member (peak staff level) + 1 space per 5 students + adequate parking and turning areas for auditoriums and sportsgrounds.</p>
HEALTH SERVICE FACILITIES	
Hospitals	1 space per resident or staff doctor + 1 space per staff member (peak staff level) + ambulance parking + 1 space per 10 beds (visitor parking).
Medical centres/ Health consulting room	1 space per 50m ² GFA.
COMMUNITY INFRASTRUCTURE	
Community facilities; place of public worship/assembly	1 space per 10m ² of GFA OR 1 space per 4 seats (whichever is greater).
Funeral homes/mortuaries	1 space per 10m ² of GFA OR 1 space per 10 seats (whichever is greater).
MISCELLANEOUS	
Home business	1 space per dwelling + 1 space per 2 staff.
Home occupation (sex services)	1 space per dwelling + 1 space (visitor).
INDUSTRIES & HIGHER IMPACT BUSINESSES	
Rural industries	To be determined on merit having regard to the nature of the development and traffic generation
Light/ General/ Heavy industries in urban areas	1 space per 70m ² gross floor area OR 1 space per 2 employees (whichever is greater) with a minimum of 2 spaces per industrial building/unit. This requirement may increase at Council's discretion when retailing is permitted on-site (customer parking) or the office component is in excess of 20% of the floor area.
Vehicle body repair workshops or repair stations	1 space per 33m ² of GFA OR 3 spaces per workshop bay (whichever is the greater) plus 1 space per employee (peak staff level)
Warehouse or Distribution Centre	1 space per 300m ² gross floor area or 1 space per employee (peak staff level) whichever is the greater

2.5.6 Exemptions to Off-Street Car Parking Requirements

The applicant may be able to see a variation to the *Table of Car Parking Requirements* in Section 2.5.5 – *On-Site Parking Numbers* of this DCP supported by written justification (by a suitably qualified person) for the following (The applicant will need to provide (at a minimum) an **Access & Parking Report**):

- 1) **Lithgow CBD:** Within the CBD of Lithgow, particularly on the northern side of Main St, the ability of properties to provide sufficient off-street parking and loading facilities is either very restricted or non-existent. Therefore, these properties rely on street parking, loading zones and the use of public car-parks. Any new development within these areas will be assessed on its merit and the capacity of surrounding public car parks to absorb the increased parking need;
- 2) **Proximity to Public Car Parking:** Public car parking facilities are located in the central business areas of Lithgow, Portland and Wallerawang, and where feasible, may be used to provide parking associated with private development (subject to agreement with Council);
- 3) **Alternative Parking:** The applicant can demonstrate that there is alternative parking on another public or private site (not the proposed development site) that is in close proximity to the development and can accommodate the parking requirements without affecting other users (subject to agreement with Council);
- 4) **Change of Use:** The proposed development is for a 'change of use' where there is no additional space for on-site car parking and the impacts on on-street parking would be minimal;
- 5) **Heritage Item:** The proposed development involves the restoration and/or conservation of a listed heritage item in **LLEP2014**. This is an incentive and will only be applied where the applicant can demonstrate that the conservation of the item depends upon the use of this clause and is consistent with an adopted Conservation Management Plan for the item;
- 6) **Existing Building:** The proposed development involves alterations and additions to an existing building that:
 - a) Have a gross floor area of less than 25m²; and
 - b) Do not encroach on existing off-street parking areas,and there is no significant intensification of that use (in terms of on-site parking requirements);
- 7) **Other Site Constraints:** It is not physically possible to comply with the off-street parking requirements and it is not an over-development of the **Site**.

2.5.7 Bicycle Parking

- 1) All development set out below is to provide on-site bike parking in accordance with the requirements in the table below:

Proposed Use	Resident/Employees	Customer/Visitor
Shop top housing, multi-dwelling housing, residential flat buildings & boarding houses	1 space per 4 units (or rooms for boarding houses)	1 space per 20 units/rooms
Serviced apartments, hotels & motels	1 space per 4 staff (peak staff level)	1 per 20 units/rooms
New commercial, retail, community, educational, recreational development	1 space per 15 car parking spaces	

- 2) The location, design and construction of bicycle facilities is to comply with *AS2890.3 – Parking facilities – Bicycle parking*.
- 3) Bicycle parking for residents and/or staff is located close to building entry/exits and lifts and be given priority over other parking uses to ensure they are well located, designed and ultimately used.
- 4) Bicycle parking spaces are clearly marked and easily accessible, have good surveillance and provide a means of securely locking bicycle frames and wheels.
- 5) Minimum locker provisions for work places are in accordance with the *NSW Planning Guidelines for Walking and Cycling*.

2.6 Pedestrian Access, Mobility & Safety

Objective(s)

- O1. To maximise the accessibility of the public and private domain (including buildings) for all members of the community.
- O2. To provide safety, connectivity, and ease-of-navigation for pedestrians.
- O3. To ensure (where relevant) development enhances key pedestrian connections, particularly in business and employment areas including connection between major attractions and along major thoroughfares.
- O4. To ensure that new lots or development is clearly identified with street numbering and has a letter-box to the requirements of Australia Post.

Control(s)

2.6.1 Accessibility

Accessibility: Development complies with the relevant accessibility legislation & standards including, but not limited to:

- 1) **Access to Premises Standards:** *Disability (Access to Premises — Buildings) Standards 2010* (as amended or replaced) under the Disability Discrimination Act 1992;
- 2) **National Construction Code (NCC);** and
- 3) **Australian Standards** (including *AS1428 – Design for Access and Mobility*).

2.6.2 Pedestrians

- 1) **Separation:** Pedestrian and vehicle access for all larger developments (e.g., > 10 dwellings or for commercial/industrial development) is separated and clearly marked/defined. All other development can provide shared movements with reduced vehicle speeds and appropriate signage and markings.
- 2) **Entrances:** Entrances to buildings are clearly visible from primary street frontages and enhanced as appropriate to improve legibility and accessibility.
- 3) **Mixed-Use Buildings:** Mixed-use buildings, particularly those with residential uses, have separate residential and commercial entrances to the street.
- 4) **Access ramps:** Access ramps (to meet accessibility standards above) are integrated into building design and located outside the road reserve/public footpath to minimise visual impact and impact on footpath safety and flows.
- 5) **Lighting:** Lighting of pedestrian areas is to be in accordance with *AS1158.3 Pedestrian Area (Category P) Lighting* whilst avoiding impacts on neighbouring properties (see *AS4282 Control of Obtrusive Effects of Outdoor Lighting*).

2.6.3 Street Numbering & Letterboxes

Letterboxes MAY be Exempt or Complying Development the **Codes SEPP**.

- 1) **Identification:**
 - a) Each new lot has an appropriate street number that is clearly visible from the street (as determined by Council in accordance with *Council Policy No.10.10 – Addressing, Road Naming & Locality Naming*);
 - b) Each new building has a letterbox (in areas with mail delivery).
- 2) **Number of Letterboxes:** Separate letterboxes are provided for each dwelling/tenant with an additional letterbox for the Owners' Corporation for Strata/Community Title/multiple-tenancies (where applicable).
- 3) **Location of Letterboxes:** Letterboxes are:
 - a) Located where it is easily visible from the road frontage and near major pedestrian entrances;
 - b) Accessible for Australia Post employees (in accordance with their requirements);
 - c) Clearly marked with the correct building/unit number;
 - d) For medium density residential, commercial and mixed-use developments - are shown on the relevant plan(s) and integrated with the building and/or landscape design.

2.7 Designing for Crime Prevention

Crime Prevention through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods and seeks to reduce opportunities for crime by using design and place management principles.

Objective(s)

- O1. To ensure that new larger developments and subdivisions (see table below), and/or significant alterations and additions to existing larger developments (see table below) has:
- Considered how it may improve safety and reduce the facilitation of criminal activity;
 - Demonstrated how the design has responded to the four (4) main principles of crime prevention including: territorial re-enforcement, surveillance, access control and space/activity management to create the perception or reality of reduced opportunity for crime or inappropriate behaviour;
 - Provided appropriate lighting that enhances safety and security whilst minimising impacts from light-spill or inappropriate lighting on neighbouring properties.

Control(s)

2.7.1 Crime Risk Assessment

- 1) A **Crime Risk Assessment** is submitted in support of the following types of development unless, in the opinion of Council, it is considered unwarranted:

New buildings or significant alterations and additions (that are likely to affect the crime prevention principles below) to the following:

- Subdivisions creating more than four (4) lots, creating any new public roads, or extending an existing public road by more than 50m;*
- Larger retail & commercial (>1000m² new floor space) developments;*
- Industrial development with multiple tenancies;*
- Educational establishments (e.g., schools; universities) or child care centres;*
- Health service facilities (e.g., hospitals, medical centres etc.);*
- Transport depots & passenger transport facilities (e.g., bus stops, taxi ranks or similar) and any adaptive re-use of these facilities (e.g., railway stations);*
- Large sporting (e.g., Indoor, outdoor and major recreational facilities) or community facilities;*
- Medium and high-density residential accommodation (10 or more dwellings);*
- Mixed-use developments (5 or more dwellings);*
- Seniors housing and group homes (more than 8 people);*
- Tourist and visitor accommodation in urban areas (more than 6 rooms);*
- Hotels and clubs or other premises that serve alcohol;*
- Amusement centres; Entertainment facilities; Function centres; Restricted premises; Sex service premises (brothels); Tattoo parlours;*
- Highway service centres & service stations;*

- o) At the discretion of Council where a site is adjacent to an area:
- i) With limited street lighting and significant pedestrian activity; and/or
 - ii) Where there is a higher potential risk of crime or impacts on pedestrian safety.

2) A **Crime Risk Assessment** provides:

- a) A detailed site analysis of the physical surrounds of the proposed development and the potential opportunity/relative risk of crime and known evidence of criminal behaviour; and
- b) How the proposed design (built form and landscape) has addressed the site analysis and relative risk in sub-section (a) using the principles as set out in the table below in accordance with the NSW Guidelines for *Safer by Design / Crime Prevention Through Environmental Design* ('CPTED') (see the NSW Police website).

Please discuss your proposal with Council prior to lodging a **Development Application** so they can offer guidance on some suitable solutions to meet the principles below.

Principle	Principles of Design
Natural or Casual Surveillance	<p>Natural surveillance focuses on the orientation of buildings and the strategic use of windows and entrances, street design, landscaping, building layout, optical permeable fencing and natural lighting.</p> <ul style="list-style-type: none"> • Locating the windows of habitable or well-used rooms overlooking public and semi-public (communal) spaces. • Clear, unobtrusive line of sight between public and private places and into entrance and lobby areas and direct paths of travel. • Avoid dark corners, alcoves, hidden recesses & narrow pedestrian walkways. • Effective lighting of public places, particularly those used at night. • Landscaping that does not provide offenders with a place to hide or entrap victims or consistently blocks casual surveillance of public places. • Use of materials that enable observation to public areas and entrances/ lobbies (e.g., open wrought iron fencing, glass panelling to building foyers).
Organised or Technical Surveillance	<p>Where natural or casual surveillance cannot be reasonably provided then organised or technical surveillance may supplement it.</p> <ul style="list-style-type: none"> • Technical surveillance is achieved through mechanical/electrical measures such as CCTV and mirrored building panels (e.g., for basement parking). • Organised surveillance is often used to enhance the capability of on-site or nearby guardians (e.g., security guards for shopping centres).
Access Control	<p>Access control uses physical and symbolic barriers to restrict, encourage, and channel pedestrian and vehicle movements.</p> <ul style="list-style-type: none"> • Avoid numerous entry points to multi-occupancy buildings. • Separate entrances for different uses/tenants/activities. • Limit access to communal and private areas through security systems. • Prevent short cuts across lands designated for other uses.
Territorial Reinforcement	<p>Community ownership of public space sends positive signals to the community. Places that feel owned and cared for are likely to be used, enjoyed, and revisited. People are more likely to be protective of places with which they feel some connection or affinity.</p>

(Community ownership of Public Space)	<ul style="list-style-type: none"> • Consistent building setbacks to maximise perception of semi-private areas. • Clearly defining the use of common spaces & encouraging their use. • Ensure site entrances are clearly marked. • Avoid flat or porous wall finishes in public areas to minimise graffiti.
Activity & Space Management	<p>Space management is linked to the principle of territorial reinforcement. It ensures that space is well used and maintained, and involves the formal supervision, control, and care of urban space.</p> <ul style="list-style-type: none"> • Design opportunities for people to use public spaces. • Incorporating opportunities for casual surveillance or activating the space through activities will discourage the proliferation of crime.

2.8 Utilities, Easements & Infrastructure

Objective(s)

- O1. To address the requirements of *Clause 7.10 - Essential Services* in **LLEP2014**.
- O2. To ensure that new developments have the appropriate type and/or level of utility or service depending on:
 - a) Service availability and timing and cost-effectiveness to connect over their lifecycle;
 - b) Consistent approaches to connection for similar development types;
 - c) The scale and demands of the development; and
 - d) The need to minimise environmental and public health impacts.
- O3. To require development to connect to and support existing utility infrastructure in accordance with Council's **Engineering Guidelines** and the relevant utility authority's requirements.
- O4. To minimise the visual (and/or heritage) impact of any new utilities, connections, or associated structures, particularly if visible from public areas.
- O5. To minimise the impact of utility services on existing elements of the natural environment or sensitive areas, known natural hazards, and proposed landscaping and vice versa.
- O6. To ensure all buildings and structures are located and designed so they do not obstruct access to, or impact on, the safe operation or integrity of existing or proposed drainage/stormwater systems or utilities (such as sewer, water, electricity, gas, and telecommunications) whether they are above ground or under-ground.
- O7. To ensure that on-site effluent management (if required) can be accommodated on any proposed lot without affecting adjacent properties or the natural environment.
- O8. To ensure that waste-water management and re-use and alternative water supplies are consistent with infrastructure systems, NSW Government public health requirements and protect the natural environment, including surface and ground-water systems.
- O9. To ensure that land uses have sufficient potable water to cater for the likely consumption and any ancillary uses.

Control(s)

2.8.1 Connection to Utilities

- 1) **Reticulated Sewer/Water:** Where reticulated sewer/water is available within reasonable proximity to the lot (or as required by the relevant authority), any new development is connected to those utilities in accordance with Council's:
 - a) **Engineering Guidelines;**
 - b) *Policy 3.1 – Water service and meter installation;*
 - c) *Policy 3.4 – Backflow Prevention – Containment;*
 - d) *Policy 3.5 – Sewer connection,*

unless the applicant can demonstrate why that connection would not be appropriate and/or propose an alternative system that is acceptable to Council.
- 2) **Electricity:** New development is connected to grid-electricity unless the applicant can demonstrate a sufficiently sized and appropriate alternative (off-grid) system will be constructed prior to occupation to meet the reasonable needs of that type of development.

- a) **Water:** All water connections are to be separately metered for each lot, tenant or dwelling.
- b) **Fire:** Fire hydrants and booster facilities are to be provided to developments in accordance with the requirements of the NSW Fire Brigade.
- c) **Easements:** All existing and proposed easements should be shown on development plans. Appropriate easements will be required to be created for any new service mains located upon private lands.
- d) **Other:** Telecommunications and gas services may also need to be connected. Speak to Council about your requirements. Stormwater Management is addressed above.
- e) **Headworks Charges:** Water & Sewerage Headworks Charges will be based on the load the development places on the water and sewer systems as measured in Equivalent Tenements (ET's), where the load exceeds 1 ET in accordance with Council's **Development Servicing Plan**.
- f) **Construction:** The provision of new or augmented trunk/headwork services/facilities shall be carried out in accordance with the staging requirements of any adopted **Infrastructure Strategy** or Council's **Asset Management Plans**, unless fully funded by the developer.

2.8.2 Building Near Utilities/Easements/Drainage Lines

- 1) **Building near Easements:** Permanent buildings, structures or works are not to be located over an easement unless there is express written authorisation from the relevant authority benefited by the easement in accordance with *Council Policy 5.1 – Building Over Easements*.
- 2) **Setbacks from Utilities:** Where an easement does not exist, the structure is located:
 - a) A minimum distance equivalent to the invert depth of the pipeline plus one (1) metre; and/or
 - b) Outside the 'zone of influence' from the known utility location; or
 - c) In accordance with the relevant utility authority requirements.
- 3) **Drainage:** Development does not compromise the integrity of a drainage or stormwater line originating from outside the development site.

- a) **Location:** Council recommends that applicants lodge a 'Dial Before You Dig' Application to ascertain the approximate location of all services on site and confirm this with Council. Where there is a chance that development will be near those services, identify those services accurately on a Survey Plan.
- b) **Easements:** Council may require an Applicant to register an easement or restriction on a property to protect utilities or realign an easement to infrastructure once its location is identified outside an easement.
- c) **Council land:** Wherever possible new easements for Council infrastructure are to be located in land owned or controlled by Council.

2.8.3 On-Site Sewage Management

- 1) **Requirements:**
 - a) An on-site sewage management system is required where a development proposal includes the discharge of wastewater and a connection to a reticulated sewage system is not reasonably available.
 - b) An on-site sewage management system requires separate approval under Section 68 of the *Local Government Act 1993*.

Generally, in urban zones (other than the unserviced Zone RU5 Village areas of the Shire) on-site effluent disposal systems are not permitted.

- 2) **Lodgement:** Any application for an on-site sewage management system is supported by a **Geotechnical (Effluent) Report** (prepared by a suitably qualified geo-technical engineer) that supports the location, sizing, design and discharge of any on-site system in accordance with Council's **DA Guide**, any relevant **Australian Standards** (e.g., *Australian Standard AS1547*), relevant NSW Government policy, and this DCP. This includes existing systems that require enhancement or replacement.

Council may condition the requirement to register any effluent disposal area (and sometimes the building envelope) on the title so it demonstrates adequate site planning and buffers and is protected from encroachments.

- 3) **Environment:** Any on-site effluent system:
- Is capable of being supported within the lot area on the subject soils; and
 - Does not impact significantly on any existing or likely future development on the subject lot, neighbouring lots, or surface or ground water systems, or result in excessive vegetation removal.
- 4) **Buffers:** Any proposed lots or on-site effluent disposal systems is located to provide appropriate buffers to watercourses and buildings in accordance with:
- The *Environmental Health Protection Guidelines – On-Site Sewage Management for Single Households* (1998 - as amended);
 - Australian Standard 1547 – On-site domestic wastewater management* (as amended);
- or the **Geotechnical (Effluent) Report** provides justification (to the satisfaction of Council) for a reduction of those buffers and the means to minimise or mitigate any potential impact.
- 5) **Flooding:** On-site sewage management facilities are either:
- Located on land at or above the **Flood Planning Level (FPL)**; or
 - Sited and designed (demonstrated in a **Geotechnical (Effluent) Report**) to withstand known or likely flooding conditions (including consideration of structural adequacy, avoidance of inundation and flushing/leaking of effluent into flowing flood waters).

*Any on-site sewage systems that disperse only partly treated effluent to the natural environment (including standard septic absorption trench systems) are generally not permitted on land below the **Flood Planning Level (FPL)**. See DCP Chapter 3 – Natural Environment & Hazards for more details.*

- 6) **Reserve Area:** On lots with an area less than 2,000m², the nominated effluent disposal area(s) allows for:
- Suitable areas for primary buildings and outbuildings, vehicle and pedestrian access, open space, and buffers to adjoining lots and watercourses; and
 - An 'alternative future disposal' or 'reserve area' at least equivalent in size to the nominated effluent disposal area that is recommended for disposal in the supporting **Geo-technical (Effluent) Report**.

LLEP2014 Clause 4.2A(6) does not permit dwellings on unsewered rural land with an area less than 4,000m².

The 'reserve area' is intended to allow a secondary disposal area to be constructed or added to the primary disposal area if the primary disposal area/system fails.

2.8.4 Liquid Trade Waste

Approval: Development activities that generate and discharge liquid trade waste (this does not include domestic waste from a hand basin, shower, bath or toilet):

- 1) To a reticulated sewerage system need to obtain the relevant Liquid Trade Waste approval(s) from Council in accordance with *Council Policy No.11.3 – Discharge of Liquid Trade Waste to the Sewerage System*;
- 2) Where there is no reticulated sewerage system, the application demonstrates suitable methods for disposal that protect the environment and groundwater systems.

The industrial and commercial activity complies at all times with the requirements of the Liquid Trade Waste Regulation Guidelines and any conditions of the Liquid Trade Waste Approval.

2.8.5 Re-Use of Waste-Water

- 1) **Guidelines:** Re-use of water (for irrigation or other non-potable water requirements) is encouraged but is to be treated in accordance with the relevant *NSW Health Guidelines* and any other relevant **Australian Standards** using certified systems.
- 2) **Application:** Council will require re-use and any relevant guidelines to be addressed in a report prepared by a suitably qualified consultant or using a product that addresses the standards, maintenance and technical requirements.

2.8.6 Water Supply

- 1) **Dwelling Tank Size:** Each dwelling that does not have access to a reticulated potable water supply has a minimum tank capacity of 20,000L per bedroom or the requirements set out in the **BASIX Certificate** (whichever is greater). Additional capacity may be required for garden watering and other purposes.
- 2) **Bushfire:** On bushfire prone land (or where Council conditions this requirement), the draw-off-point for water for domestic purposes is located to ensure a sufficient volume of stored water remains in the tank(s) at all times and there is a connection point to access this water for use in fire-fighting in accordance with the *RFS (2019) Planning for Bushfire Protection Guidelines (as amended)*.
- 3) **Other Uses:** Where there is no reticulated water supply, land uses other than **residential accommodation** provide a calculation of their estimated (conservative) monthly water consumption and nominate a source and storage that provides a minimum of three (3) months' supply on-site.
- 4) **Health:** Uses that either utilise water in the production of food or provide water to the public (e.g., **Tourist & Visitor Accommodation**) address water quality and treatment in accordance with relevant *NSW Department of Health Guidelines*.

2.9 Solid Waste Management

Objective(s)

- O1. To encourage solid waste minimisation through appropriate resource use, re-use/recovery and recycling for the protection of the environment and longevity of solid waste disposal depots.
- O2. To ensure appropriate management of hazardous waste materials (including asbestos) during demolition, construction, and use of sites that protects human health and ensures the site is suitable for its intended use.
- O3. To ensure waste storage and collection facilities are located, sized, and designed to meet the needs of the development and protect the health and amenity of occupants, collectors, neighbouring properties, and the environment.
- O4. To ensure that waste storage and collection facilities are functional, accessible by appropriately sized waste vehicles, and designed to minimise impact on street character.

Control(s)

2.9.1 Hazardous Materials & Asbestos

- 1) **Application:** It is the applicant's responsibility to identify in the application where there is a likelihood that hazardous materials (including asbestos) may have been used in the building construction (building material produced prior to 1987).
- 2) **Demolition:** Where there is a reasonable likelihood of hazardous materials (including asbestos) being disturbed by demolition or site works, the applicant demonstrates the development can comply with the requirements of *Council Policy No.7.9 Asbestos Management* including the associated *Asbestos Management Plan* (as amended) as well as *Work Health & Safety Guidelines* by the NSW Government. Council may require a **Demolition Management Plan** (in accordance with Council's **DA Guide**).
- 3) **Re-Sited Homes:** Buildings with hazardous materials (including asbestos) used in their construction cannot be relocated or re-sited unless all the hazardous materials (particularly asbestos) are removed prior to relocation (see DCP *Section 6.8.2 Re-Sited (Second Hand/Relocatable) Homes*).

Council will provide a Condition of Consent to any demolition approval where there is a likelihood of asbestos that the asbestos needs to be removed by a suitably qualified asbestos removal contractor and disposed of at a suitably licensed facility in accordance with the Work Health and Safety Regulation 2011 and the Protection of the Environment Operations (Waste) Regulation 2005.

2.9.2 Solid Waste Management Plan – Larger Developments

Any development that (in Council's opinion):

- a) Is larger than a **single dwelling, dual occupancy, secondary dwelling, semi-detached dwelling** or use of these buildings for **tourist or visitor accommodation**;
- b) Generates significant volumes of waste; or
- c) Significantly modifies existing approved waste management systems; or
- d) Require private waste contractors during the demolition, construction and/or operation of the development (excluding those uses in the control above),

provide a **Waste Management Plan** in accordance with Council's **DA Guide**.

In assessing waste generation rates and suitable bins numbers Council may have regard to:

- **Residential Guide:** 120L household garbage bin + 240L recycling bin per dwelling per week.
- EPA (Dec 2012) Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities (<https://www.epa.nsw.gov.au/your-environment/waste/local-council-operations>);
- ResourceSmart (Oct 2010) Guide to Best Practice for Waste Management in Multi-Unit Developments (www.resourcesmart.vic.gov.au).

2.9.3 Waste Storage & Collection – Larger Developments

- 1) **Access:** Where waste storage is provided in a communal area, access to this waste area is to be provided for all residents/tenants without crossing a private lot.
- 2) **Ramp Gradient:** Where waste storage is provided in a basement car park, a maximum ramp gradient of 1:6 is to be provided to the waste collection point.
- 3) **Rear Lane:** Where a rear lane has provision for waste collection trucks used by Council, the collection point is to be from the rear lane.
- 4) **Communal Waste Collection Point:** Where waste vehicles are unable to access a site, a communal on-site collection point is to be provided that:
 - a) Is less than 10m from the street boundary;
 - b) Is located on a surface with a gradient less than 1:20;
 - c) Does not require access through a security door or gate;
 - d) Has a path that connects the collection area to the street boundary with a gradient less than 1:8 and is free of steps for the transfer of bins to the collection vehicle.
- 5) **Screening:** If a waste collection point is used for permanent storage of bins:
 - a) It is to be screened from view from the public domain (e.g., within garages, basement car parking, or screened enclosures); and
 - b) Any waste storage structure forward of the building line is to have a height no greater than 1.3m.
- 6) **Amenity:** Communal waste areas are to be located at least 3m from any bedroom or living room window.

2.10 Amenity / Buffers for Sensitive Uses

Application of this Section

This Section applies to a proposed development where;

- 1) A **sensitive land use** is proposed within the buffer distances to an existing or likely **higher impact land use** or an industrial zone; or
- 2) A **higher impact land use** is proposed within the buffer distances to an existing or likely future **sensitive land use**,

in accordance with the recommended buffers set out this clause and/or Clause 7.8 – Development within a designated buffer area in **LLEP2014** (sewage treatment plants, waste disposal facilities and water treatment facilities).

A '**higher impact land use**' may include, but is not limited to:

- a) *Extractive industries and mining;*
- b) *Most industrial uses (except light industry and high technology industry that by definition have no significant impacts);*
- c) *Commercial uses (e.g., animal boarding & training facilities) that may produce significant dust, noise, odour or traffic generation;*
- d) *Recreation areas that may produce significant dust, noise, light spill or traffic generation;*
- e) *Intensive agricultural uses (taking into account the 'right to farm' – see below);*
- f) *Infrastructure such as sewage treatment plants, waste depots, roads and rail, etc.;*
- g) *Other uses that, at the discretion of Council, would be expected to produce significant impacts on a **sensitive land use** within 500m of that use.*

'Buffer' or **'Buffer Area'** means an area of prescribed width between adjoining land uses or development that is created for the purpose of mitigating the impacts of one or more of those land uses, and in which the carrying out of certain development is restricted.

'Sensitive land use' is any land use where there are users that are likely to be significantly and regularly affected by emissions from other higher-impact land uses. It extends beyond residential land uses to include, for example, tourist and visitor accommodation, hospitals, aged care and seniors living, child care facilities, playground and recreation areas, and some public buildings where a reasonable level of amenity (suitable for each use) must be protected.

Objective(s)

- O1. To incorporate appropriate buffers or setbacks between **sensitive land uses** (or zones that may support those uses) and **higher impact land uses** (or zones that may support those uses) to avoid or mitigate against that impact;
- O2. To promote economic certainty by ensuring that **higher impact land uses** are located so as to allow their ongoing operation and future expansion with minimal risk of constraints due to impacts by neighbouring **sensitive land uses**.
- O3. To acknowledge that the responsibility of reducing or removing conflict between land uses usually lies with the incoming or encroaching development (except for the 'Right to Farm' in agricultural areas).

2.10.1 Noise & Vibration

- 1) **Lodgement Requirement:** An application for development that is likely to:
- Generate significant noise and/or vibration (particularly during night-time) that may impact on an existing **sensitive land use** in reasonable proximity to the development site; or
 - Be significantly impacted by potential noise and/or vibration from an existing (or future expanded) development or infrastructure (including a state/regional road or railway line),
- is supported by a **Noise (and/or Vibration) Assessment** (prepared by a suitably qualified acoustic consultant) that demonstrates how the proposed development has been located, designed, and/or managed to avoid, minimise and/or mitigate those impacts to/from the proposed development in accordance with the relevant guidelines (see list below). A **Noise (and/or Vibration) Assessment** may not be necessary where, in the opinion of Council, it is unwarranted due to the scale, nature and/or location of the development.

Where applicable, the **Noise (and/or Vibration) Assessment** is required to address the requirements in SEPP (Infrastructure) 2007 and the associated guidelines including the (former) Department of Planning - Development near Rail Corridors & Busy Roads – Interim Guideline (as amended).

- 2) **Design:** The design or construction of building(s) or areas for activities that may emit significant noise considers (where relevant):
- Location, proximity, and buffers to protect **sensitive land uses**;
 - Hours of operation, intensity and intervals of noisy or vibrating activities;
 - Terrain and amplification/direction of noise;
 - Background noise levels and community acceptability of noise in that location;
 - Enclosure of noisy area(s) and suitable acoustic insulation (and ways to manage opening(s) to those area(s) that may direct noise to a **sensitive land use**);
 - Any other factor that would exacerbate likely noise or vibration.
- 3) **Noise Levels:** Noise levels are not designed to exceed the recommended background planning noise level by more than 5dBa at the most affected point of the land use receiver area and/or set out in the following guidelines:
- For development near an existing state or regional road or railway line:
 - Noise level in any bedroom of 35dB(A) between 10pm-7am; and
 - Noise level in other parts of the building (other than a kitchen, garage, bathroom or hallway) of 40dB(A) at any time; or as set out in:
 - State Environmental Planning Policy (Infrastructure) 2007*;
 - NSW Department of Planning (2008) *Development near Rail Corridors and Busy Roads – Interim Guideline*.

- b) For a noise source set out in the *Protection of the Environment Operations Act 1997* - the requirements (where relevant) of:
 - i) the *NSW Industrial Noise Policy* (2017 – as amended) (see <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise>);
 - ii) EPA (2013) *Noise Guide for Local Government*;
 - c) For vibrations - *Assessing Vibration: a technical guideline* (2006).
- 4) **Rail Corridors:** Development that:
- a) Is on land immediately adjacent to a rail corridor; and/or
 - b) Involves penetration of the ground to a depth of more than 2m within 25m of a rail corridor, may require referral to *Transport for NSW* and may need to address the requirements of the Rail Authority.
- 5) **Plant/Equipment:** If in a residential area or adjacent to existing dwellings, any electrical, mechanical, hydraulic and air conditioning equipment is housed so that it does not create an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* either within or at the boundaries of any property at any time of the day.
- 6) **Economics:** Any **Noise (and/or Vibration) Assessment** relating to an industrial land use (particularly an existing industrial use) within an Industrial Zone or a business use in a Business Zone considers the economic importance of facilitating industrial and business development in the applicable zone(s).

The Protection of the Environment Operations Act 1997 and Regulations provide limitations to emissions from development and the applicant may need to seek a separate approval under this legislation.

2.10.2 Air Emissions, Odour & Dust

- 1) Where development is likely:
 - a) To generate significant air emissions (including odour or dust) that may impact on adjoining lots and/or existing **sensitive land uses** in reasonable proximity to the development site; or
 - b) To be significantly impacted by potential air emissions (including odour or dust) from an existing (or future expanded) development or infrastructure (e.g., odour from a sewage treatment plant or waste depot); or
 - c) To be significantly affected by facilities on land identified as '**Facilities Buffer Zone**' on the **Facilities Buffer Zone Map**,

It is supported by an **Air Emissions Assessment** or similar (prepared by a suitably qualified consultant in accordance with Council's **DA Guide** and any relevant guidelines).

This demonstrates how the proposed development has been located, designed, and/or managed to avoid or mitigate those impacts to/from the other development in accordance with the relevant guidelines (e.g., *Technical Framework – Assessment and management of odour from stationary sources in NSW (2006)*).

The above requirement for an **Air Emissions Assessment** may be waived where, in the opinion of Council, the proposal is of a scale, nature or in a location where it is not warranted.

- 2) The **Air Emissions Assessment** demonstrate how air emissions (including odour or dust) will be managed within the boundaries of the development site to avoid any adverse impact on the development and/or surrounding land uses (whichever is relevant).
- 3) Vehicle entry, exits, loading, unloading and internal manoeuvring areas are sealed or have a surface agreed with Council's engineers to minimise the emission of dust from trafficable surfaces for uses that have higher traffic generation or close proximity to **sensitive land uses**.

The Protection of the Environment Operations Act 1997 and Regulations provide limitations to emissions from development and the applicant may need to seek a separate approval under this legislation.

2.10.3 Buffers to Sensitive Land Uses

Proposed development demonstrates compliance with the recommended buffers between potentially **higher impact land uses** and **sensitive land uses** set out in the tables below or provide a written justification that addresses:

- 1) Why an alternative available site would not be more suitable for the proposed development;
- 2) What mechanisms will be utilised to minimise or mitigate any impacts to/from the proposed development;
- 3) How the proposed development will meet the objectives of this Section and the proposed land use.

The table above is *adapted/modified* from the NSW Department of Primary Industries publication entitled 'Living and Working in Rural Areas – A handbook for managing land use conflict issues on the NSW North Coast' (www.dpi.nsw.gov.au) and from the Oberon DCP. It provides *guidelines* for buffers for some **sensitive land uses** (top row) from some relevant primary & extractive industries, environmentally sensitive areas, and other land uses (left column) in metres (m).

These are only preliminary estimates for buffers. Council may require the Applicant to lodge a specialised study to examine impacts including, but not limited to: odour, dust, noise, vibration, etc. that considers each specific impact more accurately. Each case will however, be treated on its merits and consideration will be given to the operational characteristics of the activity or facility, the topography, vegetation, prevailing wind conditions and other matters relevant to the particular situation.

The distance from a proposed building is to be measured as the shortest distance between the edge of the dwelling and the boundary of the development or works that has the impact (in some cases this may be the boundary or it may be the defined area of the activity).

LAND USE / SEPARATION (metres)	Residential & Other Sensitive Urban Development	Rural Dwellings	Education Facilities & Child Care Centres	Rural Tourist Accommodation	Property Boundary of Roads
These may be subject to further assessment in accordance with NSW Government Guidelines. Other buffers or setbacks may apply under other legislation or policies for items such as: Utilities; Airports; Rifle ranges; Bushfire protection; and Heritage.					
Piggeries, feedlots, poultry sheds & waste storage > 500 Pigs/ Cattle Feedlot/ All Poultry Farms ≤ 500 Pigs/ Cattle Feedlot	500 300	400 200	1000 500	400 200	100 20
Dairies & Waste Utilisation Area(s)	500	250	250	250	20
Other intensive livestock operations	500	300	500	300	100
Intensive plant agriculture and horticulture (where significant spraying is used or it is sensitive to sprays)	80m if a vegetated buffer of minimum 30m is provided, 150m if no vegetated buffer (notification as per <i>Pesticides Act</i>)				N/A
Rural industries (incl. sawmills & grain mills)	1000	500	500	500	50
Abattoirs	1000	800	1000	800	100
Potentially hazardous or offensive industry or hazardous storage establishment	1000	1000	1000	1000	100
Heavy industry (other than hazardous/offensive industry)	750	500	1000	500	N/A
Mining & extractive industries	500 or 1000 if it involves blasting				N/A
Animal Boarding & Training Establishments	500 to another off-site dwelling and 200 to a property boundary				N/A
Infrastructure – Waste Depots/Landfills	500 (active landfill) / 250m (inert landfill or waste transfer)				N/A
Infrastructure – Sewerage Treatment Plants (STP)	400m				N/A
Infrastructure – Water Treatment Plants (WTP)	50m				N/A

2.10.4 Buffers & Landscaping

- 1) Generally, buffers for any new proposed use should be wholly located on the lot that where the development causing the impact is located.
- 2) Any buffers or setbacks incorporate or are capable of incorporating sufficient landscaping / tree plantings (or other mechanism where appropriate) to minimise or mitigate any impacts from adjacent land uses without significantly increasing the bushfire threat to any existing or proposed buildings.

Council acknowledges that one method for reducing land use conflict is to incorporate significant landscaping and trees into buffer areas to create a barrier to views, dust, and some other impacts (not including noise). The issues with landscaping include:

- *It is difficult to specify landscaping that will actually provide a buffer for all impacts;*
- *Landscaping needs to grow to the specified scale/density which takes time and is not guaranteed;*
- *Landscaping requires ongoing irrigation and maintenance to achieve the desired outcomes and Council is not well-placed to provide ongoing enforcement;*
- *Landscaping, in certain circumstances can increase bushfire risk to existing or proposed buildings;*
- *Changes in ownership or land use may require different landscaping approaches.*
- *Where required, landscape plantings will form part of the conditions of consent by Council. However, by providing the required buffers/setbacks it allows for the individual owners to utilise landscaping to minimise or mitigate impacts.*

2.10.5 Agriculture & Right to Farm

*Council recognises the importance of agriculture and primary production to the economy of the Shire and its rural community. For this reason, Council supports the 'right to farm' (in accordance with NSW Government Policy at www.dpi.nsw.gov.au) on rural land including existing agricultural practices or potential future increases in intensity of agricultural practices. This means that agricultural activities MAY have priority over **sensitive land uses** as set out in that policy.*

- 1) Any **sensitive land uses**/development (or subdivision that supports those **sensitive land uses**) that has a boundary with rural zoned land, **should** seek to incorporate buffers or setbacks to that rural land to enable the rural land to be used for standard agricultural practices to the fullest agricultural potential of that land (taking into account the recommended buffers set out in the clause entitled '**Buffers to Sensitive Land Uses**' above).
- 2) Council may require a **Land Use Conflict Risk Assessment (LUCRA)** that addresses the *LUCRA Guide* provided by the Department of Primary Industries/NSW Government – particularly where there is a potential conflict with existing or potential future agricultural activity either on the Site or adjacent lands.

2.11 Water & Energy Efficiency

Objective(s)

To promote sustainable development through careful site planning, building design and construction (aligned to NSW Government policies and requirements) by:

- O1. Minimising unnecessary water and energy use;
- O2. Maximising thermal efficiency of habitable buildings and minimising the need for mechanical heating and cooling; and
- O3. Where possible, incorporating on-site energy generation, rainwater harvesting, or water re-use.

Control(s)

- 1) **Energy Efficiency:** Where applicable, buildings may need to comply with the requirements of:
 - a) The **National Construction Code** – *Section J* relating to energy efficiency for commercial buildings; or
 - b) *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* (though submission of a **BASIX Certificate** for **BASIX affected development**).

Please go to www.basix.nsw.gov.au for more information or to conduct a BASIX assessment on-line or see Council's **DA Guide** for more details. The BASIX requirements are a minimum only and Council encourages initiatives that exceed these requirements.

- 2) **Energy Efficiency:** Council encourages all development to review ways to consume less energy, install energy-saving appliances & devices and look at ways of using renewable energy and storage (where possible).
- 3) **Water Efficiency:** Council encourages all development to review ways to consume less water, install water-saving devices and look at ways of capturing and retaining rainwater for re-use for non-potable and irrigation requirements.