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# Acknowledgements

# BLUE MOUNTAINS CITY COUNCIL WOULD LIKE TO ACKNOWLEDGE THE FOLLOWING PUBLICATIONS:

- Your Home: Design for Lifestyle & the Future, Australian Greenhouse Office, Canberra, 2001.
- Environment & Health Protection Guidelines: On-Site Sewage Management for Single Households, 1998 (The Silver Book).
- Managing Urban Stormwater: Soils and Construction, NSW Department of Housing, 1998 (The Blue Book).
- Planning for Bushfire Protection, A Guide for Council's Planners, Fire Authorities, Developers and Home Owners, Planning NSW, 2001.
- 'Living with Lead', Environmental Protection Authority, NSW.
- Guidelines for Erosion & Sediment Control on Building Sites, Hawkesbury-Nepean Catchment Management Trust, 2001.

Copies of any Australian Standard indicated in this document can be obtained direct from the sales office of Standards Australia. Phone 1300 654 646 or www.standards.com.au



Blue Mountains Better Living DCP

The Blue Mountains has long been regarded as a special place - from the time of being an Aboriginal meeting ground through to a contemporary tourist destination. The prime attraction has always been the quality and grandeur of the natural landscape. Further outstanding qualities have formed the distinctive character and cultural landscape of our community. Characteristics of our earliest beginnings can still be seen today.

Introduction

# A1. A Blue Mountains timeline

Aboriginal occupation from up to 22,000 years ago is evident in art, occupation and tool making sites, and in legends passed down through generations; such as the chase of Gurrangatch and Mirragan to create part of the upper Blue Mountain terrain. Places such as Katoomba, Kedumba, Burragorang also owe their names to indigenous people.

**Early European exploration** has left little physically except for the stone cairn known as Caley's Repulse at Linden and the "Marked Tree" at Katoomba. The principal surviving impact of this period was its discovery of a practical route west to inland New South Wales.

**Towns and villages** have developed in hollows or plateaux to be found after steep sections of the road – the original resting ground for convicts or stock. There are remnants of early stone bridges; gatekeeper's cottages and the Woodford Academy (c1840) which is the only substantial inn remaining between Emu Plains to the east and Hartley to the west.

**The Western Road** remains a vital determinant. The present highway still largely follows the original route built by William Cox with convict labour– but it is now intertwined with the railway.

**The Railway** came in 1867 and made the Mountains accessible to Sydneysiders. The scenery and cooler healthier climate became a major attraction. Country houses and fashionable hotels began to appear, joining the worker's cottages clustered near the railway stations. When the major stations were built, Mountain towns soon followed. There are many primary items of cultural heritage associated with the railways still remaining – stations, abandoned cuttings and water supplies such as Wentworth Falls Lake.

**Mining development** was significant in establishing Katoomba from the 1870's as the major settlement. Whole valleys were filled with modest miner's cottages – pushing settlement along the flatter ridge tops towards Blackheath and Wentworth Falls.

**Recreation, health and tourism** were the major influence from the late 1880's spawning houses, hotels and guest houses as well as walking tracks, shelters and kiosks. The natural attractions of each town were promoted, followed in later decades by the attraction of moving pictures and tourist coaches. The influence of the wealthy elite living in fine country houses waned as the middleclass holiday-makers and honeymooners of the 1920's and 1930's took over.



Much of the present character of the Blue Mountains derives from the architecture, parks and gardens of the late nineteenth / early twentieth century.

The Great Depression saw the popularity of walking in the Mountains revived and visitors began again to explore the bush on foot. The early 1930s also saw the emergence of the modern conservation movement. A campaign to set aside the Blue Gum Forest for public recreation was successfully waged by a coalition of bushwalkers and conservationists and a plan for a Blue Mountains National Park was put forward. The latter was finally achieved in 1959.

# Introduction

Rural industry has not been a significant factor in the history of settlement in the Blue Mountains. With its rugged landscape, its limited areas of flat land and its rocky and generally unproductive soil, the region has proved unsuitable for most agricultural pursuits. Exploitation of the natural timbers for railway sleepers, building and firewood has occurred and small dairy, vegetable and poultry farms occupied an important place in the local market in the early years. None of these activities however, constituted large scale primary industry. In the Megalong and Kanimbla Valleys, on the other hand, the available land area allowed guite extensive mixed farming and grazing of sheep and cattle. The Shipley Plateau became a centre for orchards, poultry and some cattle whilst the rich volcanic soil of Mount Wilson and Mount Irvine supported extensive horticulture.

**Residential development** dramatically expanded in the years since WWII, spurred by cheap land and rapid improvements in rail and road transport. In the early years this was evident particularly in the Lower Mountains but has gradually spread giving the area as a whole a consistently high population growth rate. This growth has transformed previously small towns, with settlement dispersing along ridges away from the main transport and commercial corridor, impacting on services and community facilities.

Development has also impacted on the local character and the natural environment, not always for the better. How these issues are managed will form important themes in the region's development over the next few decades.

The Greater Blue Mountains Area was listed in 2000 as a World Heritage area because of its globally outstanding biodiversity and vegetation, dominated by Australia's unique eucalypts. With World Heritage listing, management of the Blue Mountains environment is now of international significance. Recognition and subsequent protection of our unique natural environment contributes immeasurably to the cultural setting and economy of the Blue Mountains.

We have a responsibility to the international community to ensure that the Greater Blue Mountains World Heritage Area is managed in such a way as to retain its unique environmental qualities. A unique environment requires a unique set of management practices, ultimately aimed at protecting the integrity of the natural systems for which the area is globally recognised.

Conservation listing at the international level is not enough to protect the natural environment. There is a clear need for local controls to protect existing natural areas throughout the local government area because of the fact that we are the only city within a National Park in the world.

> In 2000, the Greater Blue Mountains was declared a region of World Heritage significance, its natural antiquity, diversity and beauty deemed worthy of the highest conservation listing.

### Blue Mountains Better Living DCP

# A2. Where this plan applies

The Better Living Development Control Plan (DCP) applies to all land zoned under Blue Mountains Local Environmental Plans (LEPs) 1991 and 2005.

Introduction

The DCP seeks to achieve development that is consistent with the natural and cultural heritage values of the Blue Mountains. The plan encourages site responsive design and innovation that respects, enhances and contributes to the character of the City. The DCP also seeks to promote *ecologically sustainable development,* provide equity of access to all members of the community and promote safer living and working environments.

### A3. How this plan works

The DCP takes a layered approach to providing guidance and controls for development. The structure is as follows:

#### PART A - INTRODUCTION

Details where the DCP applies, its context and aims.

#### PART B - SITE PLANNING

This section examines issues associated with site analysis and design. Part B applies to LEP 1991 and LEP 2005 areas.

### PART C – GENERAL PRINCIPLES

The principles and performance criteria for site responsive design is embodied in Part C of this DCP. Part C applies to LEP 1991 and LEP 2005 areas. It establishes the performance criteria, context and design solutions for development. Part C also includes details of when documentation is required to support an application.

PART D – STANDARDS FOR DEVELOPMENT LEP 2005 Specifies the standards relating to the types of development on land zoned under the LEP 2005.

PART E – STANDARDS FOR DEVELOPMENT LEP 1991 Specifies the standards relating to the types of development on land zoned under LEP 1991.

The development standards in Parts D and E of the Better Living DCP cannot be read in isolation.

Reference is required to the relevant clauses of the LEP and to the general principles outlined in Parts B and C of this DCP.

#### PART F - APPENDICES

Provides a glossary of terms and a list of noxious and environmental weeds of the Blue Mountains. Words referenced in *italics* are defined in the glossary.

#### PART J - LAWSON VILLAGE

Provides a framework to guide future development in the Lawson Village Centre Precinct.

### A4. Retrofit

The DCP relates to new construction work. However, depending on the nature of the development and its use and / or location, existing buildings or developments may also require upgrading or modification. The level that may be necessary will be assessed on the merits of the individual proposal and can include upgrade of fire safety measures, wastewater systems, energy efficiency, adaptability or accessibility provisions.

In general, Council may require the building or part to be brought into total or partial conformity with the provisions of this DCP, where the proposed building work, together with any other building work completed or authorised within the previous 3 years, represents more than half the total volume of the building (as it was before any such work was commenced, measured over its roof and external walls).

> Applicants are encouraged to assess and address the requirements of this DCP and initiate an upgrade for any proposed works.

# Introduction

# A5. Contributions & bonds

#### **COMMUNITY CONTRIBUTIONS**

Section 94 of the *Environmental Planning* & *Assessment Act* (1979), allows Council to levy contributions from developers for the provision of public amenities and services required as a consequence of the development. Further information on the application and calculation of contributions is contained in the Council document <u>Development Contributions Plan.</u>

#### BONDS

Bonds are required where construction works may affect public areas such as pathways and roads or where, as a result of construction, the work will become a Council asset. Environmental bonds may also be required where there is a significant risk of damage to the environment.

Bonds can be used to rectify any works which are not adequately carried out or deteriorate during a set period (usually a 6 month period) after completion of the development. Bonds are returned upon application if works are deemed satisfactory.

Bonds can be in the form of bank guarantees or cash. It will be a condition on the development consent that the bond be paid prior to the issue of the construction certificate.

Bonds for relocating a building are subject to a 6 month timetable whereby key components must be completed within a nominated time frame.

> The plans and documents required to support a development proposal are listed in Parts D and E of this DCP. The list also cross references to the relevant section of Part C to assist you to determine when a particular plan or document may be required.

# A6. Varying a standard

#### **DCP STANDARD**

If a designer finds it necessary to vary a DCP standard the onus will be on the designer to submit details to ensure that the proposal addresses the performance criteria outlined in Part C and provides an equal or higher standard to that indicated by this DCP. The proposal must include the submission of a detailed statement justifying the variation of the standard.

#### LEP STANDARD

A LEP standard can only be varied under the provisions of State Environmental Planning Policy No. 1 (SEPP 1). Whilst variations are not encouraged, they can be used to ensure improved performance-based solutions for particular sites. Variations can only be supported if it is demonstrated that the standard is unnecessary and unreasonable in the circumstances of the case and that the objectives of the standard, the zone and the broader city wide plan have been achieved. SEPP 1 cannot be used to carry out development in zones where that type of development is prohibited.

> When varying a LEP standard reference should be made to the appropriate LEP as some clauses are exempt from the provisions of SEPP 1.



The towns and villages of the Blue Mountains World Heritage Area are different from other urban and suburban areas. Building within the Blue Mountains area offers a unique set of opportunities and constraints. Every site requires detailed planning to balance development needs with environmental conditions. The site analysis - knowing what is there is the starting point.

It is not sufficient to prepare a site analysis and then ignore it during the design process. The site analysis will have identified the opportunities and constraints of a particular site and its surrounding area. The purpose of site analysis is to inform the design process. Some of the information will form the basis for preparing further reports in relation to vegetation, bushfire, heritage, etc.

### **Electronic mapping**

Blue Mountains is a local government leader in electronic mapping. Maps associated with LEP 1991 and LEP 2005 are available 'on-line'. Visit Council's web site at www.bmcc.nsw.gov.au or attend our customer service centres where staff can assist you in accessing data. To search, you will need the street number / name OR the Lot and DP number (found on the Certificate of Title for the land / rates notice).

# Site analysis

The site analysis can be in two formats depending on which method best presents the site characteristics, they are plans (maps) and statements.

- Plans contain all the information that can be easily mapped.
- Statements issues such as character of the area are better addressed in text and photographs.
  Not all development proposals require the submission of a site analysis (see 'Plans and documentation' at the end of this section), but all developers should consider the issues raised in this section.

Every good design works from the character and conditions of the land. The characteristics of the land will shape every aspect of your design.



A sample zoning map. The zone determines whether the type of development proposed is permitted on the land.

7 October 2005

www.bmcc.nsw.gov.au

# Site analysis in plan form

Site analysis in plan form must be drawn to scale (generally 1:200, 1:500 or 1:1000). Include the site and its surrounds and then add the following information (relevant to the site) to the plan:

#### SITE CHARACTERISTICS

- The location, boundary dimensions of the site.
- The position of true north.
- The contours of the site (usually at 1 metre intervals) and the contours of adjoining allotments.
- The movement of the sun across the site.
- The prevailing wind direction and, if in an exposed area, the likely wind speed across the site.
- The zone and the zone boundaries (if there are multiple zones), protected areas and riparian corridors.
- The location of any slopes greater than 20% (1 in 5) and the direction or fall of drainage from those areas.
- The location of existing vegetation. Specify any vegetation listed under Schedule 3 of LEP 1991 or Schedule 5 of LEP 2005. Identify any noxious or environmental weeds. (See <u>F2 Weeds of the Blue</u> <u>Mountains</u>).
- The location of any significant natural features such as cliffs, rock outcrops, water holes.

### DRAINAGE

- The location of existing stormwater controls such as easements, trenches, etc.
- Drainage patterns on the site, areas of concentrated runoff, ponding, possible flooding.
- Location of any watercourses, creek, wetlands, stream etc., on the site or any within 40 metres from the site.

#### SERVICES

 The location of above or below ground services, including power, water, gas, sewer or wastewater systems / land application areas.

#### EXISTING DEVELOPMENT

 Set backs, height and location of buildings on adjoining lands.

- Any potential noise sources, *private open space* areas or windows from any adjoining buildings which may overlook the site.
- Any areas of land degradation, identify likely causes.
- The location of buildings or structures on the site including swimming pools, retaining walls and other hard surface areas.
- The location of existing access to the site, including any pathways, tracks or driveways and the number and location of on-site car parking areas.
- For 'bushfire prone land' the existing and proposed road network, including the width of roads and whether they are connector roads or cul-de-sacs.

# Site analysis in statement form

Attach to the plan a copy of the following information:

#### PHOTOGRAPHS

- Provide pictures of the character of the surrounding area (photograph buildings on adjoining sites and the adjacent streetscape).
- Include pictures of any significant features of the site (views to and from the land, vegetation, etc).

#### STATEMENT

- Review the Certificate of Title for the property to determine whether any restrictions exist. For example a *covenant or 88b restriction*.
- Provide a statement on the zoning of the land and whether the type of development proposed is permitted within that zoning.
- Provide a statement as to whether the land is mapped as 'bushfire prone'.\* (Maps can be viewed on Council's web site or at one of our customer service centres).

If the land is 'bushfire prone' the statement should include the location, extent and vegetation group of any bushland on or within 140 metres of the site; the slope and aspect of the site and of any bushfire prone land within 100 metres (this may determine the likely path of any bushfires); and any features on or adjoining the site that may mitigate the impact of a bushfire. Read <u>C4.1 Bushfire</u> for further information.

 Examine and provide information on any other restrictions in place, such as protected areas, land contamination, land inundation, heritage listing etc., that may impact on the design of the proposal.\*

\*This information is contained on a current Planning Certificate (149(5) Certificate).

# **Concept design**

The concept design is the part of the process that involves pulling all the key components, identified in the site analysis, together with your ideas to create a good design.

Before you begin review the design considerations contained in Part C. Identify the minimum standards for development shown under the type of development proposed in Parts D or E and assess how the standards impact on the site and your design concepts.

# **Project design**

The project design presents the proposed development in its final plan form.

The site analysis and project design are supplemented by the Statement of Environmental Effects (SoEE). The SoEE consolidates the reports and documentation required by the proposal. It outlines your response to the issues found as part of the site analysis / concept design process. It examines all likely 'spillover' effects of the proposal, including impact on neighbours or the local area and outlines measures to neutralise or offset any potential harm or adverse impact.

# Project design plans

A matrix of the documentation required to accompany an application is provided within the standards of development for the type of building works proposed. The matrix also references Part C to give details on when this documentation is required and what it needs to address. In addition, the following design plans, appropriate to the type of development proposed, must be provided.



Infrared imagery with lot boundary overlay has assisted in the identification of the vegetation types throughout the Mountains.

An A4/A3 copy of the design containing the site and elevation plans is required.

#### **DESIGN PLANS**

**Four** copies of the plans must be submitted with the application. **Six** copies are required for large scale, advertised, designated, and/or integrated development. One of the 6 copies can be a base plan with transparency overlays.

**Plans** must be drawn in ink; freehand or single line drawings will not be accepted. All plans and documents lodged with an application must include the following:

- Applicants name.
- Lot number, section number, DP number, shop/flat number, street/road name, town or locality.
- Measurements in metric.
- The position of true north.
- Draftsperson, name and date.

Additions/alterations — to be highlighted in colour. Buildings to be demolished and trees to be removed — to be indicated in outline.

### Subdivision works

#### SITE PLAN FOR SUBDIVISION

The site plan is a birds-eye view of the proposed subdivision (drawn to 1:100 or 1:500 scale). The site plan should include:

- Zones and zone boundaries.
- Protected Areas and *development excluded land* and associated buffers.
- Lot layout and design.
- Existing and proposed property boundaries including measurements (length, width and site area of land).
- The location of any slopes greater than 20% (1 in 5) and the direction or fall of drainage from those areas.
- Site contour levels.
- The significant site characteristics, such as watercourses, vegetation, trees and rock outcrops that are to be removed as well as retained.
- Proposed asset protection zone including any perimeter roads, fire trails.
- Extent and depth of any cut and fill proposed.
- Location of proposed and existing services.
- Location of the existing and proposed buildings.
- Location and width of nearby roads / road reserve.

- Location of vehicle access and car parking area (including gradients).
- Proposed new roads (if any) including long section, cross section drawings.
- Proposed pathways.
- Location and amount of public open space.

#### VEHICULAR ACCESS DESIGN

Subdivision involving road works, fire trails or where difficult driveway access is proposed the following information should be provided:

- Contour plan with spot levels.
- Plan view of the proposed development showing the access alignment relating to existing and identifiable features.
- Longitudinal section/s.
- A typical cross section and cross sections at critical locations.
- Proposed method of drainage of the vehicular access surfaces.
- Location and impact on public utilities.
- Pedestrian access.
- Pavement detail.
- Extent of cut and fill.
- Impact on natural features.
- Vehicle turning path detail.

The information provided should be sufficiently detailed to allow an assessment against the criteria shown in this DCP and <u>DCP 31 Public Infrastructure Works in</u> <u>Subdivisions and Developments.</u>

# **Building / Landscape works**

#### SITE PLAN FOR BUILDING / LANDSCAPING

The site plan is a birds-eye view of the proposed development (drawn to 1:100 or 1:500 scale). The site plan should include:

- Zones and zone boundaries.
- Protected Areas and *development excluded land* and associated buffers.
- Location of the existing and proposed buildings.
- Location of any proposed fences and landscaping features such as a swimming pool, retaining walls, paved areas and driveways.
- The significant site characteristics, such as watercourses, vegetation, trees and rock outcrops that are to be removed as well as retained.

- Site contour levels.
- Location of garbage/storage areas.
- Location of vehicle access and car parking area/s (indicating gradients).
- Extent and depth of any cut and fill proposed.
- Proposed asset protection zone.
- Measurements including:
  - Length, width and site area of land.
  - Distance from external walls and outermost part of buildings to all boundaries.
  - Approximate distance from proposed building to neighbouring buildings.
- Location of (existing / proposed) services.
- Location of water tanks.

#### **FLOOR PLAN**

A floor plan is a birds-eye view of the existing and/or proposed building. Floor plans (drawn to 1:100 or 1:500 scale) should include:

- Room names, areas and dimensions.
- Window and door locations and sizes.
- Floor levels and steps in floor levels.
- Disabled access (if applicable).
- Location of plumbing fixtures (if applicable).
- Location of smoke detectors or other building fire protection measures.
- Wall structure, type and thickness.
- Location of fuel heater/s (if applicable).

#### **ELEVATION PLAN**

Elevation plans are side on views of the proposal (drawn to 1:100 or 1:500 scale). Elevations of all relevant sides (north, south, east and west) need to be included in the application. Elevation plans should include:

- Type and colour of external finishes.
- Finished ground levels.
- Finished floor levels.
- Exterior cladding type and roofing material/colour.
- Window sizes and location.
- Stormwater drainage pipes (downpipes and gutters).
- Chimneys, flues, exhaust vents, duct inlet or outlet.

#### SECTION PLAN

A section(s) is a diagram showing a cut through of the development at the most typical or key points. Sections should be drawn to scale (preferably 1:50) and include:

- Section names and where they are shown on plan.
- Room names.
- Room and window heights.
- Roof drainage.
- Distance between lower floor levels and finished ground at lowest point.
- Internal and external sheeting.
- Weather proofing and flashing.
- Details of chimneys and / or fireplaces.
- Roof pitch and covering.
- Finished and proposed ground levels (indicate cut, fill and access grades).

#### SPECIFICATIONS

Include 2 copies of the specification. Addressing items such as:

- The construction details and materials to be used.
- Whether the materials will be new or secondhand, and if second-hand materials are to be used, detail the particulars.
- All structural member details including sizes.
- Details of compliance with AS3959 Construction of Building in Bushfire Prone Areas (where relevant).
- Details of the system to be used for the protection of structural building elements against attack by subterranean termites. Note: The use of organochlorins is prohibited.

#### VEHICULAR ACCESS DESIGN

Dwelling house sites that involve difficult driveway access and on all other sites where vehicular access is proposed then design details should include:

- Contour plan with spot levels.
- Plan view of the proposed development showing the access alignment relating to existing and identifable features.
- Longitudinal section/s.
- A typical cross section and cross sections at critical locations.
- Proposed method of drainage of the vehicular access surfaces.

- Location and impact on public utilities.
- Pedestrian access (where applicable).
- Pavement detail.
- Extent of cut and fill.
- Impact on natural features.
- Vehicle turning path detail (where applicable).
- Hand rail, safety fence and wheel stop detail (where applicable).

The information provided should be sufficiently detailed to allow an assessment against the criteria shown in this DCP and <u>DCP 31 Public Infrastructure Works in</u> <u>Subdivisions and Developments.</u>

### **Relocated buildings**

If you are relocating a building it needs to be inspected by Council officers before it is moved to ensure that it is of substantial construction, outstanding architectural merit, is structurally sound and in a reasonable state of repair.

> Buildings clad in asbestos cement cannot be relocated, re-sited or reclad unless all cladding containing asbestos is removed.

If the relocation is approved a \$5,000 bond will be required and the building will be subject to a 6 month timetable whereby key components must be completed within a nominated time frame. The construction management timetable should include:

- The building is to be established on permanent foundations, piers etc., within 4 weeks of location on site.
- The building is to be rejoined (if cut for transportation) and made weatherproof within 4 weeks of location on site.
- Repairs or replacement of external cladding, roofing, windows, doors, guttering etc., to be completed within 8 weeks of placement on site.
- All internal fittings including plumbing and electrical work to be completed and services connected within 12 weeks of commencement.
- All internal and external painting and all other work, including paths, steps and any landscaping to be completed within 26 weeks of delivery to the site.

### Plans & documentation

#### SITE ANALYSIS

A site analysis must be completed on all proposals other than single dwellings involving construction work less than 50 square metres.

It forms part of the development application to Council.

#### DESIGN PLANS

Design plans are required for all applications involving subdivision, building or site works.

In the case of dwelling houses where the floor area is proposed to be altered or increased by more than 50%, the design plan must also incorporate the insulation ratings.

#### CONSTRUCTION MANAGEMENT TIMETABLE

Relocated buildings must provide a construction management timetable.

STATEMENT OF ENVIRONMENTAL EFFECTS (SOEE) A Statement of Environmental Effects is to accompany all development applications.

A <u>Statement of Environmental Effects proforma</u> is available for dwelling house and granny flat development. Reference should also be made to the guide on <u>Environmental Assessment</u> if the site is within a protected, mapped or unmapped environmentally constrained area.

> Every development application must be accompanied by a statement of environmental effects.

Biodiversity is the variety of life forms and the *ecosystems* of which they form a part. The building industry has a substantial impact on biodiversity but impacts can be mitigated. All development can play a role in protecting and restoring biodiversity and ecological processes.

The design considerations detailed in this section are aimed at minimising the impact that development has on the environment and seeks to make a contribution to preserving biodiversity.

# The importance of soils

Soil is a key part of a complex, interacting set of factors that comprise the local ecosystem. Topography, geology and climatic conditions determine the soil type. Although soils can be modified and supplemented, it's far better to keep and work with the site's natural soils.

Along the ridgetops of the Blue Mountains there are two main soil types, coarse-grained "sandy" soils from the Hawkesbury and Narrabeen group of sandstones and fine-grained clay - based soils from the Wianamatta shales. Megalong Valley sustains a somewhat richer volcanic soil (granite) than those produced by the sandstones, however they are still relatively infertile.

The most fertile soils in the local government area occur on the basalt caps of the Mounts and on the sandstone areas directly below these. Other fertile soils are found in the old volcanic craters of Sun Valley and Euroka Clearing at Glenbrook.

Past developments and uses of the land can change the characteristics of the soil. Foundation and/or landscaping works, the importation of fill to the site and the use of chemicals on a site can impact on soil properties.

**Avoid** unnecessary disturbance to vegetation and soil. Restrict site disturbance around the building footprint.

**Retain** the existing soil profile and contours wherever possible. Stockpile and reuse excavated soils. Do not spread excavated soil over top soil.

# C1.1 Performance criteria

- Developments must not have a significant, adverse environmental impact on:
  - a) Any significant vegetation community,
  - b) The habitat of any *threatened species, populations* or *endangered ecological communities*,
  - c) Any rare species of flora,
  - d) The hydrological aspect of the locality,
  - e) Any watercourse,

1.

- f) Any significant natural feature, including rock outcrops, rock ledges and cliffs.
- 2. Indigenous vegetation links must be maintained and are to be re-established.
- 3. On land which adjoins *s*ignificant vegetation communities or environmentally sensitive areas, indigenous trees and shrubs are to be retained and enhanced through appropriate regeneration and replanting.
- 4. *Indigenous vegetation* is to be used when revegetating and landscaping development sites in or adjoining environmentally sensitive areas.
- 5. Development is to be designed and constructed to effectively integrate with the natural topography of the site.

The soils of the Blue Mountains are ancient and fragile, and it is worth remembering that many millions of years have been spent in their formation.

Limit cut and fill to a maximum of 1 metre cut and 1 metre of fill.

**Import** only clean fill to the site. River silt is often sold as a top soil and depending on its origin, can contain detrimental nutrients and other harmful pollutants. Ensure that fill is free from weed propagules.

**Use virgin excavated natural materials** ('virgin fill'). Virgin fill is excavated natural material (such as clay, gravel, sand, soil and rock) that is not mixed with any other type of waste and which has been excavated from areas of land that are not contaminated with chemicals.

# **Biodiversity**

**Minimise** off-site migration of soil during construction. Follow the erosion management measures outlined in <u>C1.4 Site Management</u>.

# **Environmentally sensitive areas**

Soil determines the type of vegetation (flora) and ultimately the animals (fauna) that are attracted to bushland and garden areas. Other site features such as springs, creeks and rock outcrops are valuable *ecosystem* components that may provide *habitat* for fauna.

Some of these areas are already shown on Council maps as environmentally sensitive or protected areas, whilst others may be determined as such as a result of a site inspection.



This dwelling was designed to integrate with the surrounding bushland. Site disturbance was contained during construction and landscape works were minimised.

**Design** the development so that it does not have a significant impact on any *threatened species, populations, endangered ecological communities* or their *habitats.* 

**Identify** and protect any sensitive or significant plant (or vegetation) community either present on, or adjacent to, the development site.

Locate development outside environmentally sensitive areas.

**Choose** a building site that has been cleared or disturbed, wherever possible.

**Maintain** *habitats* and *habitat corridors* and avoid *fragmentation* and disruption of such.

**Retain** as much native vegetation as possible. View the uncleared areas as a resource to be conserved.

### Total catchment management

Living on a mountain brings with it responsibilities. In the Blue Mountains there are three drinking water catchment areas at Blackheath, Katoomba and Woodford. These supply six dams. In addition, the Cox's River catchment drains to Lake Burragorang to form part of Warragamba Dam.

The six dams supply water from Mt Victoria to Faulconbridge, along with parts of Springwood. Below Springwood, the lower Blue Mountains are supplied through the Orchard Hills filtration plant with water from Warragamba Dam. Any pollution that we create ultimately ends up in the water that we drink!

**Maintain** buffer zones around water courses. Where weeds are present, include measures to improve water quality or flow regimes by controlling weeds and regenerating the site's native vegetation.

Preserve existing site drainage and contour patterns.

**Minimise** the downstream impact of any proposed development. See <u>C1.3 Stormwater.</u>



# Biodiversity

# **Building biodiversity**

Build biodiversity objectives into the planning and design of the development from the outset. There may be innovative ways to make a positive contribution to biodiversity. Identify potential threats to flora and fauna and examine ways of avoiding or minimising impacts as early in the project as possible.

**Maintain** links between adjacent bush and the garden to provide a corridor for fauna movement. Do not fence wildlife corridors, if this is not possible, then design fences so that they facilitate effective fauna movement.

**Rehabilitate** disturbed areas with salvaged indigenous plants. Indigenous plants are native plants that occur locally in the area.

**Keep** *bush rock* on the site, return it to a location that will re-instate potential habitat for native fauna. If this is not possible due to excavation works, it should be salvaged and used for landscape works that contribute to the streetscape character of the locality.

**Retain** significant *habitat trees* if possible, as these provide essential shelter and breeding sites for many animals.

**Hand excavate** in areas where vegetation is to be retained to avoid damage by machinery.

**Control** noxious and environmental weeds that will spread offsite and cause adverse impacts on adjacent land. Weeds have a degrading impact on biodiversity in the long term. See <u>C1.2 Weeds</u>.

**Use** *indigenous species* in landscape design, where possible. An indigenous garden requires much less watering and provides a link between the development site and the wider ecosystem. See Council's web site <u>Mountain Landscapes</u> for a list of plants indigenous to your area.

Prevent the disturbance of any aquatic ecosystems.

**Design** to minimise the use of water, land, non-recycled materials, toxic chemicals and energy. These actions can help reduce any adverse impact on biodiversity. See <u>C5.5 Energy.</u>

**Place** fences to stop the introduction of domestic pets or livestock to parts of the site where they may impact on the survival, movement or habitat of native fauna and flora.



The removal of vegetation and / or trees may require an application to Council.

For further information refer to the Tree Preservation & Bushland Policy.

# **Biodiversity**

# **Plans & documentation**

#### DETAILED ENVIRONMENTAL ASSESSMENT

A detailed environmental assessment is required where the development and/or *asset protection zones* are located within any protected or environmentally sensitive area. This assessment is to follow the requirements listed in the guide to <u>Environmental</u> <u>Assessment</u>.

Applications for development within a catchment area may be referred to the Sydney Catchment Authority for comment.

#### **GEOTECHNICAL REPORT**

Where building works or the clearing of land is proposed within a Protected Area - Slope Constraint, a geotechnical report may be required to demonstrate that the soil characteristics and structural elements of the protected land are suitable to the type of works proposed.

### FLORA AND FAUNA ASSESSMENT

To establish whether the proposed development is likely to have a significant effect on the native flora and fauna on or around a site, an assessment of the site and its surrounds is required. By identifying all the indigenous vegetation types on the site it is then possible to determine whether the flora has been listed as a threatened species, population or ecological community, or as a significant vegetation community as listed in Schedule 5 of LEP 2005 or as an environmentally sensitive vegetation unit listed in Schedule 3 of LEP 1991. Located on Council's web site is a list of:

- Significant vegetation communities.
- Significant fauna and threatened species populations.

• Ecological communities in the Blue Mountains. This list incorporates plants and animals listed under the Threatened Species Conservation Act, the Commonwealth Environment Protection and Biodiversity Conservation Act and the Fisheries Management Act.

A flora and fauna survey by a suitably qualified person will be required where the development may impact on an ecological community either on or around the site. A full impact assessment may be required in accordance with the Threatened Species Conservation Act, if the proposal will have a significant effect on any *threatened species, population, ecological community* or their *habitats.* For further information see the guide to <u>Flora & Fauna Assessment</u>.

#### WATER CYCLE MANAGEMENT STUDY

If the site is within a 'water supply catchment' and the type of development is listed under the State Environmental Planning Policy No. 58 (SEPP58) – Protecting Sydney's Water Supply, then a study must be provided that examines the total water management onsite, including greywater, stormwater and effluent.

#### **VEGETATION/BUSHLAND MANAGEMENT PLAN**

Where the characteristics of the land within an allotment are considered to constitute *development excluded land* due to significant vegetation and/or fauna, a draft management plan for the *development excluded land* must be submitted with the application. This management plan must be prepared by a suitably qualified person and shall identify ongoing initiatives to preserve, protect and promote the environmental quality of *development excluded land*.

#### SOIL CONSERVATION PROPERTY PLAN

On land zoned under LEP 1991, where it is proposed to use the land for agricultural purposes or forestry, a Soil Conservation Property Plan is required.

### ENGINEERING DETAILS

Engineering details completed by a certified Civil Engineer must accompany an application where the proposal is within a known or suspected land subsidence area and/or where cut and fill over 1 metre is proposed. (Note: the latter represents a variation to a standard, please read section <u>A8. Varying a standard</u>.)

### References

- Threatened Species Conservation Act.
- Commonwealth Environment Protection & Biodiversity Conservation Act.
- Native Vegetation Conservation Act.
- Rivers & Foreshores Improvement Act.
- Protection of the Environment Operations Act.
- SEPP 58 Protecting Sydney's Water Supply.
- SREP20 Hawkesbury Nepean River.
- Fisheries Management Act.

# Weeds

Noxious and environmental weeds are considered to be one of the greatest threats to the conservation of biodiversity and ecosystem function in the Blue Mountains. Weeds are opportunistic, they establish in disturbed areas, and thrive as a result of nutrient enriched run-off caused by development. Their impact is spread far beyond the immediate site and with each passing year, new weed infestations appear.

Weeds are classified as either 'noxious' or 'environmental' weeds.

### **Categories of weeds**

Noxious weeds are those that have been identified as posing a significant threat to human health, agriculture or natural resources and which legally require some measure of control. They are 'declared' weeds under the Noxious Weeds Act 1993. There are four major control categories, (W1-W4), with the W4 weeds being further divided into sub categories (W4a-W4q). For example Scotch / English broom (Cytisus scoparius) is a 'declared noxious weed' with a control category of 'W2'. W2 is shown as a "weed that must be fully and continuously suppressed and destroyed." The broad and small leafed privet is also a 'declared noxious weed' but the control category is 'W4b'. In this case, "the weed must not be sold, propagated or knowingly distributed and any existing weed must be prevented from flowering or fruiting". The Blue Mountains currently has 46 declared noxious weeds.

**Environmental** weeds have a different classification system based on their behaviour within the ecosystem. The categories are defined in order of threat as:

- Ecosystem transformers these can dominate and destroy a native vegetation community.
- Invasive are highly mobile within a native vegetation community but do not have the immediate potential to alter it.
- Naturalisers reside mainly on the edge of native vegetation communities and have little potential to be highly invasive or ecosystem transforming. They can survive and reproduce in undisturbed areas.

# C1.2 Performance criteria

- 1. Impacts on the bushland environment as a result of weed infestation are to be minimised.
- Ensure environmental weeds in Protected Areas and Environmental Protection Zones are removed so as to not adversely impact on indigenous vegetation.



Scotch broom (*Cytisus scoparius*) is a noxious weed. Pods eject seeds up to 4m from the plant (up to 6000 per plant per year).



Large-leaf Privet (*Ligustrum lucidum*) is a noxious weed. Seed is spread by fruit eating birds and is also washed down waterways.



Agapanthus (agapanthus praecox ssp orientalis) is an environmental weed that spreads rapidly down drainage lines.

# Weeds

Some species such as Radiata Pine are listed as naturalisers at shorter time scales (10 years) but could be considered ecosystem transformers at larger time scales (100 years). For a list of noxious and environment weeds see <u>F2 Weeds of the Blue</u> <u>Mountains</u>.

### **Removal techniques**

The type of weed on the site will dictate the method of removal. Council's web site lists the common and botanic names of weed species and the appropriate removal technique. Brochures are also available from Council that will assist in the identification of noxious and environmental weeds.

**Create** minimal disturbance to the site, remove weeds by hand. The rate of regeneration should determine the rate of weed removal and this is particularly important in drainage lines to stop the erosion of soil from the site.

**Use** bush regeneration techniques so that a weed infested plant community is returned to a healthy native community via a process that encourages natural regeneration.

### Minimise the spread of weeds

There are a number of steps that you can take to better control the spread of weeds.

**Control** noxious weeds before construction begins. Follow up post construction so that they do not have an adverse impact on longterm biodiversity.

**Begin** work in areas with good *indigenous* plants and work towards weed infested areas.

**Rehabilitate** disturbed sites with saved top soil and salvaged plants.

**Use virgin excavated natural materials** ('virgin fill') to limit the introduction of new weeds to the site and the locality.

**Avoid** unnecessary disturbance to vegetation and soil. Limit clearing outside the building footprint. **Maintain** sediment and erosion controls so that weeds and soil to do not migrate off the site during construction.

**Use** only a single vehicle entry point and make sure that all construction equipment is prewashed to ensure that further weeds are not introduced to the site.

**Do not** use environmental weeds in the garden. There are many garden plants that spread into *indigenous* vegetation and contribute to the decline of biodiversity. They are still sold in some nurseries, so check with a reliable source before you buy. Council's web site lists weeds and recommended removal methods.

**Dispose** of weeds with flowers and / or seeds by controlled composting. Other parts of the plant can be mulched.

Prevent degradation of existing bushland and encourage increased biodiversity by contributing to the recovery and restoration of the local environment.

### Plans & documentation

#### WEED MANAGEMENT STRATEGY

If weeds are present on the site then the application for any proposed development must include a weed management strategy.

The strategy is presented in plan form with an accompanying statement. The plan contains all the information that can be easily mapped eg., the location and extent of the weeds. Issues such as the type of weed, its category, the proposed methods of eradication / removal and details of the rehabilitation / regeneration of these areas are to be in the statement. Time frames and programming of the works are also to be included. Refer to the guide on Landscape Assessment.

#### References

- Weeds of the Blue Mountains Bushland Garden Plants Going Wild - A Guide to Identification and Control.
- Noxious Weeds Act.

Stormwater is pure rainwater plus anything the rain carries with it. In Australia the stormwater system is separate from the sewer system. Unlike sewage, stormwater is generally not treated before being discharged to waterways. Stormwater can carry with it oils, grease, detergents, fertilisers, weeds, sediments, pesticides and litter.

Stormwater is generated by rain draining from roofs, roads, footpaths, parking areas and other *impervious or hard surfaces*. There are many ways that runoff quantity and quality can be controlled at the source. The response will depend on the site and the type of development proposed.

# The traditional approach

The traditional stormwater management response relied solely on conveying the most water (high quantity) from the site in the shortest time possible (high velocity). Water was conveyed by a pipe or channel from a collection area to a discharge point. The traditional approach is effective in reducing stormwater on the site, but it creates a problem downstream as the receiving waterbody (creek, swamp, stream etc.,) becomes flooded and temporarily polluted because all the stormwater arrives at one time. The result is long-term degrading impacts including stream erosion, weed invasion and subsequent loss of biodiversity and resilience as systems loose their capacity to buffer stormwater impacts and degradation over time.

# C1.3 Performance criteria

- 1. Each allotment must be able to drain all roof and *impervious* runoff.
- 2. The quality of surface or ground water leaving the site shall not be reduced in the short or long term.
- 3. Development is to minimise or eliminate point source and diffuse source pollution by the use of best management practices.
- 4. The development must not adversely alter the quantity of stormwater leaving the site.
- 5. The development must be designed and sited to minimise stormwater runoff from *impervious* surfaces leaving the site.
- 6. Velocity and flow regimes should not be adversely affected by the development of the site.
- 7. Development is to maximise the potential for on-site retention and use of stormwater runoff.
- 8. Subdivision must ensure that a site is available on each proposed allotment that is not inundated during a flood of 1 in 100 years Average Recurrence Interval (ARI).
- 9. Stormwater quality and quanitity should be controlled at the source.

The traditional stormwater approach involved collecting, concentrating and conveying water to the street gutter.





# Water sensitive urban design

'Water sensitive urban design' seeks to approximate the natural water balance on-site prior to the land being built on. It achieves this by slowing the velocity of stormwater runoff, providing natural filtration, storage and infiltration. The water eventually reaches the creek, stream or river but has been cleaned and filtered by the soil and used by plants before it gets there.

**Natural water balance** is achieved by calculating the before (pre) and after (post) flows of water on and off the site. This calculation is based on the ratio of pervious to impervious areas on the site both before and after the development, then determining the impact of a range of storm types that may affect the area.

When determining stormwater measures reference must be made to the "storm type" used in the calculations. The pre flow is then compared to the post flow ratios. The post flow ratios must include all proposed impervious areas that may result from the future development of the site. The aim is to retain the same ratios before and after development. For further information see the guide to <u>Stormwater Assessment</u>.

> The ratio of impervious to surfaces on the site will have a direct impact on the amount of stormwater runoff generated.



Natural Groundcover

These images show the impact of development on surface and ground water.

*Pervious* or soft surfaces are areas such as garden beds, lawns, porous paving, etc.

*Impervious* or hard surfaces are areas covered by concrete, roofs, etc., that is surfaces where water cannot penetrate into the ground below.

**Storm types** are measured by their intensity and by the cyclical pattern of occurrence. For example, a 1 in 5 year storm with an intensity of 5 minutes. The 'Australian Rainfall and Runoff' provides a list of storm types.



# Managing stormwater

The stormwater management system will be dependent on the scale of the development, the slope of the land, its soil type, proximity to natural watercourses and the level of treatment required.

A number of measures can be taken to better manage stormwater and reduce the environmental impact of any development.

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Achieve a natural water balance in the design of the site.

**Minimise** the area of *impervious* surfaces such as paved areas, roofs and concrete driveways, etc.

**Avoid** cut and fill – maintain the existing topography and drainage pattern wherever possible.

**Retain** vegetation, particularly deep-rooted trees, as these lower the water table, bind the soil, filter nutrients, decrease runoff velocity, capture sediment and reduce the potential for dryland salinity.

**Grade** *impervious* surfaces, such as driveways, to drain towards stable vegetated areas.

**Prevent** adverse changes in the quantity and quality of water entering watercourses.

**Complete** the final stormwater drainage system before the roof is installed. Connect either temporary or permanent downpipes.

Ensure that there are no illegal cross connections of sewer and stormwater drains.

Keep stormwater clean!



75%-100% Impervious surface



**Divert** stormwater from parking areas, driveways, paths and other impervious surfaces towards vegetated areas that will catch, filter and infiltrate water rather than directing water to the stormwater system.

**Reduce** erosion potential during construction by minimising the time that land is left in an exposed, unstable condition. Employ sediment traps and divert 'clean' stormwater around the disturbed site. Refer to <u>C1.4 Site management</u>.

**Monitor** weed invasion in areas where stormwater is diverted. Control noxious and environmental weeds so that weed infestations do not spread beyond the site. See <u>C1.2 Weeds</u>.

# **Rainwater harvesting**

Rainwater is a valuable resource. Collection in a tank and reuse can provide an effective stormwater management response. It can also offer an alternative source for *non-potable* uses such as toilet flushing, clothes washing, lawn and garden irrigation but not for drinking.

When installing a rainwater tank consider the following:

**Cover** and thoroughly screen tanks to exclude mosquitoes, birds and animals, especially in areas where mosquito-borne disease is an issue.

**Install** a first flush diverter. This device fits onto your tank inlet and captures the initial flow of contaminant - laden water from the roof, leaving the subsequent, cleaner water to fill the tank when it rains.

A water tank with its first flush diverter. Stormwater is also connected to the existing drainage system for overflows.

**Protect** water in tanks from sunlight as this can stimulate algal growth. Plastic tanks may allow light to penetrate so they should be kept out of the sun or painted.

**Fit** a tap directly to the base of your rainwater tank for watering the garden, washing cars and for other outdoor uses.

**Check** roofs and gutters for vegetation and debris on a regular basis.

**Drain** and clean your tank every few years to remove sediment.

**Design** tanks to overflow to gardens, infiltration trenches or the stormwater system.

**Rainwater** used for drinking will require a filtration strategy as pathogens such as cryptosporidium and giardia may be present in rainwater. There could also be a risk of chemical contamination from lead and other compounds. Chemical disinfection or filtration of rainwater is not necessary if it is only used for *nonpotable* purposes.

> Further information on the use of rainwater tanks is available from NSW Health at www.health.nsw.gov.au

### **Designing for overflows**

'Water sensitive urban design' seeks to retain and reuse water on-site. Whilst these measures promote ecologically sustainable development, they are not sufficient in themselves to prevent flooding in an intense storm. Other measures may be required.

**Use** a temporary storage system or a permanent on-site detention system that restricts the flow of stormwater so that flooding does not occur downstream. This involves storing the excess stormwater on the site for steady release.

**Install** water quality control structures such as gross pollutant traps, oil separators, sediment basins and wetlands.

**Drainage easements** may be required to ensure overflows do not cause drainage / flooding problems to surrounding properties. Drainage easements are often formalised as a restriction on the Certificate of Title under s.88 of the Conveyancing Act.

**Drainage reserves** are also shown on the Certificate of Title, but unlike an easement, a reserve is shown as under the ownership of Council.

**Engineered** drainage lines that replicate natural functions should only be considered where the value of the existing stream has been severely eroded and where better water quality will be achieved by the creation of artificial water quality control measures.

### Keeping stormwater clean

It is essential to adopt good practices to reduce the possibility of stormwater becoming polluted and entering the creeks and waterways.



Bio-retention landscaping in the design of carparks, roads or driveways, provides shade and assists stormwater management.

**Do not** use environmental weeds in the garden. Weed seeds can be carried in stormwater runoff into surrounding bushland, creating long-term threats to the ecological integrity of the natural areas.

**Do not** over-use fertilisers, herbicides or pesticides. Follow the manufacturer's instructions on the amount and frequency of application. Look for organic alternatives.

**Avoid** the use of solvent-based paints. When using water-based paints, clean brushes and equipment on a lawn area to trap contaminants before they reach waterways. Plant-based paints are the most environmentally friendly.

**Store** oils, detergents and chemicals on-site so that any leakages cannot reach stormwater systems.

**Wash** cars on the lawn or on an area that drains to a *pervious* area. The nutrients (phosphates and nitrates) in detergent can then fertilise the lawn instead of degrading the waterways. Note: many native plants do not tolerate detergents.

**Industrial** and commercial developments should also consider the following issues.

**Use** trade waste pre-treatment systems to separate chemical pollutants from solids.

Discharge of trade wastewater into the sewer system requires a Trade Waste Permit from Sydney Water.

**Use** grated drains around service stations. Connect these drains after a pre-treatment system to the sewer. Make sure you have a trade waste permit.

**Install** a car wash bay in industrial and commercial complexes.

**Store** all non-aqueous fluids within a covered, sealed and bunded area. Design the bunded area so that it is greater than 110% of the capacity of the largest container stored in that area.

**Seal** around the workshop floor and install small humps or grated drains at all doors. These drains must be connected to the trade waste pre-treatment system.

**Use** drip trays, booms and biodegradable absorbent materials to contain and control spills.

**Store** all rusted, dusty or greasy parts and exposed cars etc., under cover.

**Keep** all activities within the workshop. Frequently sweep (do not hose) workshop floors.

Clean stormwater drains regularly.

### Plans & documentation

#### STORMWATER STATEMENT

For residential developments where less than 3 dwellings are proposed on any allotment, a statement addressing the flows (pre and post development) and the measures taken to ensure that stormwater is retained on-site must be provided.

A <u>Statement of Environmental Effects Proforma</u> is available for dwelling house and granny flat development and associated ancillary structures.

Note: BASIX will also have an impact on stormwater management practices as it seeks to achieve a 40% reduction in the use of potable water. This is likely to include the installation of rainwater tanks and the reuse of water within the development. For further information www.basix.nsw.gov.au

#### STORMWATER MANAGEMENT PLAN (SMP)

A SMP is required on subdivisions, commercial, industrial development and all residential development where 3 or more dwellings are proposed on any allotment. A SMP is also required when the development is proposed in an environmentally sensitive area or, is within 40 metres of a watercourse or where the impervious surface of the allotment is in excess of 40%.

For further assistance on managing stormwater during construction see the guide on <u>Stormwater Assessment</u>. For permanent stormwater management solutions reference should be made to Managing Urban Stormwater Handbook, Environmental Protection Authority, 1997.

#### DRAINAGE EASEMENTS

Drainage easements may be required to prevent stormwater overflows from flooding downstream owners. Where this is the case, written agreement from the affected downstream owner(s) must be submitted with the application, and the easement registered prior to the issue of a construction certificate.

> Groundwater management is of particular importance where a development site is upslope from a hanging swamp. The development proposal may need to incorporate a stormwater management system to recharge the ground water at the predevelopment flow rate.

#### References

- Managing Urban Stormwater: Soils & Construction, NSW Department of Housing, Australia 1998 (The Blue Book).
- Managing Urban Stormwater Handbook (EPA 1997).
- Australian Rainfall and Runoff: A guide to flood estimation, The Institution of Engineers, Australia.
- NSW Health web site www.health.nsw.gov.au

There are a number of simple but effective measures to follow to ensure that the site is properly prepared and managed during construction. This requires careful planning and forethought. The way the construction site is managed can also have a significant impact on the amount of waste generated.

Consider these strategies.

# Minimise site disturbance

Schedule the construction programme so as to minimise the time from when the land is first disturbed to rehabilitation.

**Clear** only those areas necessary for construction work to occur.

**Preserve** grassed areas and vegetation where possible. This helps filter sediment from stormwater runoff before it reaches the drainage system and stops rain turning exposed soil into mud.

**Protect** all vegetation that is to be retained by constructing barriers. These must be erected prior to the commencement of the site works and be maintained during the construction period.

**Erect** tree protection zones along the dripline of the tree(s). Within this zone:

- ensure that the soil is not disturbed;
- maintain water runoff at the pre-development rate;
- ensure that any water draining to the area is not polluted with building waste products.

**Schedule** work to be in the drier months to minimise the possibility of soil migration. Avoid construction activities that involve soil disturbance during periods of expected heavy or lengthy rainfall.

Before any works begin on the site relocate or propagate native plants from disturbed areas for later use.

# C1.4 Performance criteria

- 1. Construction sites must be managed so as to minimise the extent and time of disturbance.
- 2. Disturbed areas are to be progressively rehabilitated during the construction period.
- 3. Sites must be managed to minimise any adverse environmental impacts.
- 4. Construction sites must be managed to contain materials, soils and potential pollutants on the site.
- 5. Measures to ensure the health and safety of the public must be maintained during the construction period.
- 6. Surface water runoff is to be diverted away from all disturbed areas of the site.
- 7. Developments are to be constructed to minimise waste.
- 8. Road reserves, roads and public lands are to be protected from impacts during construction.

# **Topsoil management**

The topsoil contains the majority of organic matter and micro-organisms necessary to maintain plant health. This is also where many native plants store their surplus seed (the seed "bank") and it is possible to encourage these plants to recolonise an area following site disturbance. This is why it is important to distinguish between the soil layers when excavating and stockpiling soil material.

**Don't** allow topsoil to be buried or turned over during construction.

**Stock pile** topsoil to reuse on all exposed areas when final land shaping has been completed.

**Stabilise**, cover or grass stockpiles of topsoil to stop soil from migrating off the site. Protect with a sediment fence. If stockpiles of topsoil are to remain for more than one month, grass with either a local species or sterile seed / grass stock and stabilise within 14 days.

Avoid unnecessary delays in the replacement of topsoil.

Revegetate all disturbed areas promptly.

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**Areas** that have been compacted by machinery movement during the construction phase, may require mechanical aeration, ripping or bioremediation to relieve soil compaction and to restore the soil's drainage capabilities. Mechanical remediation should be undertaken prior to re-spreading topsoil.

### **Erosion management**

Efficient erosion and sediment control is part of good site management. Benefits include cleaner waterways, healthier aquatic life and reduced clean-up costs to the community. Added benefits to the developer include improved site conditions and wet weather access.

**Install** sediment control measures before commencing any excavation or earthmoving. Regularly maintain these controls at no less than 70% capacity at all times until construction is complete and the site is stabilised.

**Use** up-slope diversion devices, such as perimeter banks or barriers, to reduce the volume of stormwater reaching any disturbed area.

#### MINIMISE THE POTENTIAL FOR EROSION

**Construct** a single vehicle entry /exit pad out of 40mm blue metal aggregate or recycled concrete to a depth of 150mm to minimise tracking of sediment onto roadways. A raised hump across the entry/exit pad can be used to direct stormwater runoff into a sediment trap to the side of the pad.

Place erosion barriers on the edge of the disturbed area rather than on the property boundary. This limits the spread of the topsoil and keeps weed propagules away from other parts of the site.

**Contain** waste in covered bins or traps made from geotextile fabric.

**Protect** materials that may erode, particularly stockpiles of sand and soil, with waterproof coverings or grass. The maximum dimensions of stockpiles should be no more than 1 metre in height and 1 metre wide.

**Locate** stockpiles of building materials away from drainage paths and uphill of sediment barriers.

**No stockpiling** of building or toxic materials is to occur adjacent to any street trees or trees to be retained.

**Divert** runoff around stockpiles located in drainage paths using a perimeter bank uphill.

**Do not** locate stockpiles on nature strips, footpaths, roadways, kerbs, access ways or within drainage lines.



A site without erosion controls.



The same site two days later. Crushed sandstone was used on the driveway, geofabric fences established and builders waste contained. Turf is also used to stablise the nature strip to prevent off-site migration of soil.



**Place** a strip/s of turf (minimum 600mm wide) along the nature strip / footpath area adjacent to street kerbs to aid in filtering stormwater runoff. In areas adjoining bushland, care is required to ensure that turf grasses or hydromulch material do not spread into bushland. In this case, use either local species or sterile seed / grass stock. Native vegetation within the nature strip should not be removed to make way for turf.

**Use** biodegradable erosion control mats to protect exposed earth. These are particularly useful on high risk soils and steep sites where there is a delay in construction or site rehabilitation.

# PREVENT SEDIMENT-CONTAMINATED WATER LEAVING THE SITE

**Use** barriers to trap coarse sediment at all points where stormwater leaves the site, to prevent it washing into gutters, drains and waterways.

**Install** sediment fences down slope of the disturbed area, this usually occurs along the lowest boundary of

the site. Make sure the sediment fences return uphill. Always inspect barriers after storms and remove sediment.

**Stockpile** extra sediment fence on-site for emergency repairs.

**Regularly** sweep adjacent streets and gutters clean – do not hose them. Relocate sediment on-site or dispose of it suitably. Remove accidental spills of soil or other material immediately.

**Maintain** kerbside vegetation in a healthy state as it can function as an additional filter for sediment.

**Cut** brick, tile or masonry on a *pervious* surface such as grass or loosened soil within the property boundary. The same applies when cleaning equipment.

**Consider** the effects on local waterways. Ensure that silt, lime, cement, paint, chemicals etc., do not wash into drains or nearby watercourses.

#### Blue Mountains Better Living DCP

It is an offence to pollute. Substantial fines are in place for the actual or potential off-site migration of soil and rubbish from construction sites.



The geotextile material is buried to a minimum 200mm below the ground level, the fabric returned and soil firmly compacted over the material to add strength to the barrier.

#### SEDIMENT CONTROL DEVICES

**Geotextile** fabric sediment fences are generally the most efficient barrier for building sites. These fences trap sediment but allow water to filter through. On small frontage sites with limited access, use steel posts and wire tied fences that can be readily unhooked for unloading of materials.

**Straw bale sediment fences** do not allow rapid passage of water nor do they filter sediment from stormwater. They are best suited to low flow applications as the bales dam the runoff and allow the sediment to settle behind the bales.

Secure straw bales with two stakes per bale. Embed the stakes 100mm into the ground. Butt the bales close together to prevent water from flowing under or around them.

**Straw bales** may also be suitable for water diversion where water needs to be directed to a site.

**Re-use** bales as mulch to stabilise soil after construction. Bales can contain weed propagules so do not spread on environmentally sensitive land or upslope of such.



#### **POST CONSTRUCTION & EROSION CONTROL**

**Progressively** stabilise the site as soon as possible after construction, so that no areas remain exposed to erosion damage for more than 14 days. This minimises the potential for ongoing soil erosion.

**Turf** lawns are commonly used to stabilise soil but their high water consumption can be an environmental burden. Native ground cover plants achieve the same results with considerably lower water use. Avoid replacing native vegetation with turf.

**Mulch** (straw or other material) can be used on open garden beds to protect soil and support plant growth. Mulch spread to a depth of 75-100mm minimises soil and water loss and controls weed growth. Mulch may be less suitable on steep sites and in high wind areas. Mulch to a lesser depth (<50mm) may be required for sites undergoing regeneration/rehabilitation.

**Use** temporary sterile and quick germinating grasses to stabilise soil until slower growing plants can be established. This method is only effective after the grass seeds have germinated and established a root structure.

**Semi** permeable paving can also be used to stabilise areas of the site. Avoid excessive use of hard surfaces that prevent stormwater being absorbed. See <u>C1.3</u> <u>Stormwater</u>.

Concrete can be crushed on-site for reuse as aggregate.

**Integrate** the landscaping strategy with sediment control. For example, diversion channels and trenches that filter sediment can be used with rubble in the base to create a deep root planting opportunity.

**Remove** controls only when all construction works are completed.

**Dispose** of sediment in a location which will not affect indigenous vegetation.

### Waste management

The cumulative effect of seemingly small, local waste management practices is significant. Minimising, recycling and reusing waste can have significant economic and environmental benefits. Incorporate the following into the design and management of construction sites.

**Introduce** waste minimisation strategies from the earliest stages of design through to completion. This includes deciding what to build, whether to demolish, what materials to be used and how they might be recycled.

**Plan** to use renewable resources like plantation timber to preserve old growth forests, creating a sustainable economy and help conserve non-renewable resources.

**Reuse** existing buildings and materials and reduce demand for resources, lower waste volumes and save money.

**Don't demolish - deconstruct**, give old buildings new life.

**Recycle** materials that are left over or have reached the end of their useful life. This will reduce demand for new materials and lower the volume going to landfill. For example, concrete can be crushed and recycled as aggregate for new concrete. Bricks and tiles can be reused or crushed on-site for gravel.

**Use** materials with high recycled content to create a market for recycled resources. It will raise the price paid by recyclers for recovered resources and increase the viability of recycling.

**Design** final dimensions to suit standard sheet and material sizes and minimise waste.

**Order** the right amount of materials or make sure that any excesses can be returned.

**Plan** for waste separation and sorting on-site during construction. For larger developments provide recycling skips and ensure waste stream sorting is undertaken by all trades people.

**Form** a compound to contain waste so that it cannot be blown by the wind from the site or adversely impact adjoining properties.

**Use** 'waste aware' subcontractors.

**Seek** specialist advice and contractors to remove hazardous or dangerous materials such as asbestos.

materials such as asbestos. Refer to the section on hazardous materials also in this section.

**Chip** on the site any vegetation that is removed and reuse it as mulch. If it is an noxious or an environmental weed, make sure it does not hold any fruits or seeds. If it does, control compost the vegetation rather than mulching so that weeds do not spread.

# Hazardous materials

#### ASBESTOS

Asbestos cement products left undisturbed and in good condition, pose no significant health risk. However, safety precautions must be taken when renovating or demolishing a building that has asbestos cement materials. Crocidolite (blue asbestos) was used in many fibrous cement products until 1980s. It includes corrugated or compressed asbestos cement sheeting, pipes, roof shingles and guttering.

# Buildings clad in asbestos cement cannot be relocated, re-sited or

reclad unless all cladding containing asbestos is removed.

Testing is the only way to determine whether fibro contains asbestos. You cannot tell by looking at it. Details of testing authorities and licensed asbestos removal

contractors are available from WorkCover.

Only a licensed WorkCover company can carry out the removal of over 200 square metres or where asbestos is over 4 metres from ground level. Under these dimensions you do not need a licence but you will need to be familiar with asbestos regulations.

**All** work procedures involving asbestos cement must ensure the minimisation of the release of dust and fibre.

**Prior** to the commencement of any asbestos related work, give occupants of all adjoining premises 24 hours notice so that appropriate measures can be taken to avoid exposure.



**Close** all windows and doors of houses and similar buildings. In factory type buildings where there are no ceilings, the area below or adjacent to the work should be roped off or barriers erected.

**Wear** disposable coveralls and an approved dust respirator.

**Do not** use power tools (other than drills for the removal of the roofing screws).

**Never** cut into a fibro sheet. Always remove the entire sheet and replace with a non-asbestos product.

**Seal** asbestos cement sheets with PVA paint or wet with water. Seal roofs with PVA paint well before removal so workers do not slip on a wet roof.

**Wet** down material to reduce the release of dust. Do not waterblast or scrub with a stiff broom. It is illegal to waterblast asbestos-cement products.

Wet and clean gutters and collect the material for proper disposal.

**Do not** drop asbestos sheets. Use drop sheets to collect any accidental breakages.

**Clean** all asbestos cement residues from the roof space, (where applicable), and the site using an approved vacuum cleaner or wet methods. Do not use household vacuum cleaners.

**Do not** reuse asbestos cement products. The use of asbestos is now illegal. Make sure it is either wrapped in plastic or put in lined bins or vehicles and covered. Remove waste as soon as practical.

**Dispose** of asbestos at a Waste Management Centre approved by the NSW Environment Protection Authority to collect asbestos waste. Blaxland Waste Disposal Depot is authorised, however prior arrangements need to be made.

**Coveralls** and masks must be placed in a plastic bag for disposal.

Overalls should be laundered separate to clothes.

#### LEAD-BASED PAINT

Paints containing high concentrations of lead were used extensively on the inside and outside of houses built before 1950. Until the late1960s paint with more than 1% lead were still being used.

**Test** all surfaces and layers for paint containing lead or assume that they contain lead. An easy to use kit is available from most hardware stores.

**Paint** over or cover with another material lead based paint that is flaking or chalking.

**Use** a qualified contractor when disturbing surfaces with paint containing lead. If this is not possible, and the paint is to be removed by the home handy person then the suggested methods of paint removal are, in order of preference, wet scraping; chemical stripping; wet sanding; and low temperature heat processes.

**Wear** protective clothing including coveralls, disposable overshoes, a hat and gloves and a half-face respirator (that meets the requirements of the AS1716).

**Use** a High Efficiency Particulate Air (HEPA) filter fitted to a suitable commercial vacuum cleaner to remove lead dust. HEPA vacuum cleaners, while more effective than ordinary cleaners, are not particularly effective for removing lead dust from carpet.

Seal the area with heavy duty plastic sheeting.

Spray the surface to keep dust from spreading.

**Inform** neighbours about the work being done. Try to ensure that paint flakes and dust do not enter the neighbours property.

Do not work outdoors on a windy day.

**Do not** remove paint by dry abrasive blast cleaning or dry mechanical sanding.

# **Demolition management**

The number of vacant lots available for new development in the Blue Mountains is decreasing and as a consequence, demolition of existing buildings is expected. Consider the following when demolishing any structure.

**Demolition** works must be executed by a competent person and in accordance with requirements of the Work Cover Authority.

**An approval** from Council is required for all demolition works. Apply at the same time as the development application to rebuild.

**Make** sure the site is secured at all times against unauthorised entry of persons or vehicles.

**Demolish** structures progressively in the reverse order of their construction.

**Consider** the effects on adjoining buildings. Choose demolition methods that do not result in vibration and concussion of adjoining buildings.

**Consider** the use of shoring or underpinning particularly where soil conditions are changeable.

**Collect**, contain and dispose of any existing accumulations of dust. Determine the nature of the dust and the type of hazard it presents (eg., explosive, respiratory) and use appropriate collection techniques.

**Keep** all materials damp during the demolition process. Ensure that excess water is contained and managed on site.

### **Decommission - sewage systems**

As reticulated sewerage becomes available to an area and premises connect to the sewer, existing septic tanks and collection wells become redundant. These on-site sewage management facilities can be demolished, or reused as a stormwater storage vessel. There is also potential for these systems to be sold second hand and reinstalled.

Where it is feasible to reuse a septic tank, collection well, or Aerated Waste Treatment System (AWTS) there are a number of precautions that need to be observed to ensure there is minimal danger to public health. For further information, see the NSW Health web site.

> Under no circumstances are septic tanks, collection wells and / or any other waste management system to be reused to hold water for domestic purposes.

To demolish a septic tank and / or collection well follow these precautions.

**Use** Council or a private contactor (licensed by the Environmental Protection Authority) to remove the contents of the septic tank / collection well.

**Hose** down the sides, lid, baffle (if fitted) and square junctions of the tank as the waste is being removed.

**Disinfect** the tank by spreading builders lime over the exposed surfaces.

**Punch** several holes into the base of the tank. The lid and those parts of the walls, baffle and square junctions above the ground should be demolished and collapsed into the tank and the tank filled with clean soil or rubble and topped with clean soil.

# **General issues**

#### WORKER AMENITIES

**Before** any demolition or construction work starts, toilet facilities must be provided for construction personnel on the site on the basis of 1 toilet for every 20 workers. Amenities are to be installed and operated in an environmentally responsible and sanitary manner. Toilets cannot remain on the site for any longer than 12 months, without the further approval of Council.

**Temporary** toilets that are connected to reticulated sewer must meet the requirements of Sydney Water.

**Regularly** service temporary toilets. Keep a service report on the inside of the door. Note: Chemical toilet waste must be removed and disposed of by a licenced waste contractor as required by the NSW Heath.

Securely anchor chemical toilets to prevent them from

being tipped over.

#### **USE OF CARAVANS**

Caravans may be used for temporary amenities on building construction sites. However, to occupy a caravan as a temporary residence during construction, require approval from Council.

Approval follows strict criteria and is given for a 6 month period. See the Plans & documentation section.

#### **COMMON TRENCHES FOR SERVICES**

Co-ordination of services such as power, gas, telephone and water into a common trench has a number of advantages including reduced costs associated with construction, reinstatement and the accurate location of services for possible future repair and maintenance.

> Dial before you dig. Call 1100 for service locations in the footpath and road.

### PUBLIC UTILITIES

Prior to commencing works contact relevant public utilities to verify the location of all services. Interfering with services can be dangerous and costly. Any alteration or damage incurred to these services is the

contractors responsibility.

### Plans & documentation

EROSION AND SEDIMENT CONTROL PLAN (ESCP) An ESCP is required where the site to be disturbed during construction is between 50 and 2,500 square metres.

Developments within this limit that are near environmentally sensitive areas such as a watercourse may require a Soil and Water Management Plan.

The ESCP and accompanying documentation must be prepared in accordance with the guide to Erosion & Sediment Controls.

### SOIL AND WATER MANAGEMENT PLAN (SWMP)

A SWMP is required on development sites where the site to be disturbed during construction is 2,500 square metres or greater. The SWMP is to detail how stormwater and soil is to be stabilised during the construction and the operational phases of the development. The SWMP must be prepared in accordance with the Department of Housing's 'Blue Book'.

#### WASTE MANAGEMENT STRATEGY

New and redevelopment works involving multi-dwelling housing, accessible housing, commercial and industrial buildings and / or road construction will require a waste management strategy. This strategy is to outline the volume and type of waste that will be generated. It must address how the waste is to be stored and treated on the site and how the residual is to be disposed. It must also state how ongoing management proposes to address the issues of waste minimisation and management.

A proforma for a waste management strategy is

available.

#### DEMOLITION PLAN

A demolition plan outlines the order of demolition, the type of materials involved and disposal techniques.

Demolition of a building within a Period Housing Area may required documentary evidence demonstrating that the existing building, or the part of the building proposed for demolition, is structurally unsound and not economically repairable.

#### CONSTRUCTION MANAGEMENT PLAN

For road works and developments involving site works over 2,500 square metres, a Construction Management Plan is required. The plan is to outline the sequence of works, timeframes, rehabilitation of areas, public safety precautions such as the location of hoardings, etc.

#### **TEMPORARY USE OF A CARAVAN**

To use a caravan for temporary accommodation, the following information must be supplied.

- A site plan indicating the proposed location of the caravan, accessories and facilities.
- A detailed building schedule indicating proposed commencement, key stages and completion date.
- Details of satisfactory toilet, bathing, laundry and cooking facilities.
- Water (mains or tank) and sewerage (sewer or septic) are available and can be connected to the caravan.
- That the size of the caravan is adequate for the number of occupants.

Note: The approval to occupy the caravan will only be given for a 6 month period and will be issued after the building work has reached both gs of floor slab stage.

- Managing Urban Stormwater: Soils & Construction, NSW Department of Housing, Australia 1998 (The Blue Book).
- Advisory Note 3: Destruction, Removal or Reuse of Septic Tanks, Collection Wells and Aerated Wastewater Treatment Systems (AWTS) - October 2000.
- www.health.nsw.gov.au
- www.epa.nsw.gov.au
- www.workcover.nsw.gov.au

The Blue Mountains has long been regarded as an area that exhibits significant and diverse local character. This character is derived from the interrelationship between the beauty and grandeur of the natural environment and the villages and residential areas that have arisen, over time, within that natural environment.

treetscape

Human settlements within the Blue Mountains will continue to evolve with development as they have throughout their settlement history. However, if not managed appropriately, this process of change and evolution can threaten local character values.

Buildings can be diverse in age, shape or style yet combine to create a community identity. At the same time, a development that is not sympathetic to the existing streetscape can significantly detract from the character of the neighbourhood.

# Streetscape & character

Streetscape is the term given to the collective appearance of all buildings, their *curtilage*, footpaths and gardens along a street. The streetscape gives a place its visual identity; it plays an important role in facilitating interaction between residents and creating a community.

The streetscape is the visible representation of the built character of a place and is a very important consideration. However, rear yard areas and other less visible locations can still make an important contribution.

**Respect** the existing streetscape when building new amongst old (this is known as infill development).

**Enhance** the quality of the street, understand the character of the area and design your development or alterations sympathetically. New building work should look like they belong to the neighbourhood.

Remember – the little incidents cause maximum character – rock outcrops, timber kerbs, old fences, roof tops seen over hedges, etc. Simple fencing materials can be significant contributors to the streetscape.

# C2.1 Performance criteria

- All development must contribute to the streetscape and landscape character of the locality or precinct by;
  - a) being consistent with any future character statement relevant to that site,
  - b) being complementary to existing development within the neighbourhood,
  - c) integrating with the existing buildings and landscaping of the street,
  - d) providing allotments that are consistent with those within the neighbourhood, and
  - e) maintaining significant vegetation and site features.

**Plant** appropriate species to enhance the visual and environmental quality of the street. Do not plant environmental weeds even if they are currently present within the streetscape. See <u>C1.2 Weeds</u> and <u>C1.3</u> <u>Stormwater</u>.

**Provide** clear sight lines between developments and the street to maximise casual surveillance and enhance neighbourhood safety. See <u>C4.2 Crime Minimisation</u>.

Well designed streetscapes encourage connection, understanding and community spirit among residents.



# Streetscape

**Place** services underground, as this removes the need for unsightly power lines and does not restrict tree growth.

**Retain** tree canopy and bushland vistas. The setting rather than the development should be allowed to dominate.

### The natural environment

The natural environment provides a critical contribution to the character of a local area and often defines the boundaries of a place. Consider these issues:

#### **BUSHLAND VEGETATION**

Many places are characterised by a landscape setting that is dominated by bushland, particularly in areas near to the National Park, or other local park and open space areas within the City.

**Create** a continuous canopy of tall trees that provides a strong visual backdrop to the place and may also extend throughout front and rear yard areas, as well as the road reserve verges. See also <u>C4.1 Bushfire</u>.

**Retain**, wherever possible, all mature vegetation on the site.

**Add** to the bushland character, by planting appropriate species and progressively regenerating disturbed areas.

See Mountain Landscapes on Council's web site.

### TOPOGRAPHY

The topography of the Blue Mountains and the magnificent views that some areas afford has resulted in those places being developed in close proximity to escarpments. Yet these areas can be visually prominent both from the National Park and from other urban settlements. In these areas, the location and colour or external finishes will have an impact upon local character.

Steep sloping land, ridges and rock outcrops represent other character elements of many places. The integrity of these topographical characteristics should be recognised and incorporated into your design.

**Locate** development so that it does not protrude above ridgelines.

**Design** development to follow the slope of the site without the need for cut or fill.

**Seek** to maintain the dominance of the natural environment within the viewscape.

**Use** muted earth or bushland colours in escarpment and / or bushland areas to reduce visual impact.

**Retain** significant features such as large rock outcrops on the site.

Towns and villages are separated by natural bushland characteristic of the Blue Mountains environment.

#### DRAINAGE

Creeks, wetlands and smaller drainage lines form significant elements within a local landscape. They can provide habitat for a more diverse range of flora and fauna and therefore contribute to the diversity of the area.

**Locate** development well clear of watercourses and their habitats. See <u>C1.1 Biodiversity</u>.

**Integrate** additional indigenous *riparian* or wetland vegetation species into the landscape design of the development site.

**Plant** deciduous exotic trees away from drainage lines and creeks to prevent huge volumes of leaves and nutrients from entering waterways.


## The built environment

The built environment is represented by buildings, fencing, roads and other infrastructure. In many places, there is some commonality in design and / or dimension of these elements, which create a type of rhythmic quality in the streetscape that can contribute to the character of that place.

treetscape

#### LAND USE

The types of land uses, through their appearance and amenity, are a key determinant of the function and character of a local area. Not all land uses need to be similar to present a local character. Indeed some places' character will be represented by a diversity of land use.

#### **STREET LAYOUT & HIERARCHY**

The street layout provides a network for the accommodation of services, infrastructure, pedestrian and motor vehicle movement and is represented as a function of historical development patterns, the natural geography and their place within the local transport hierarchy.

The unsympathetic accommodation of new infrastructure as part of a development can disturb the rhythm of a streetscape.

The alignment of streets also contributes to the character of a place with long straight roadways opening up distant vistas and views, and curved or narrow tree lined streets creating a sense of enclosure

and allowing for character attributes such as arching tree canopies.





Villages in the Blue Mountains are strung along the ridge-top transport corridor. These areas accommodate a diversity of mixed uses that are the focus of much community activity and increasing tourist visitation.

The town centre areas are enveloped by broader residential areas with some exhibiting more diverse forms of housing, such as flats and town houses, as well as a measure of supporting retail and service facilities. Outlying areas tend to be characterised by a predominance of single dwelling houses with a lower likelihood of ancillary services or facilities provided.





The major transport routes through the Blue Mountains are the Great Western Highway, Hawkesbury Road, the Western Railway and identified tourist routes. The individual identity and appearance of settled areas and bushland vistas from these routes contributes significantly to the overall identity of the Blue Mountains and local character.

Accommodate infrastructure and services so that they are consistent with that of the local area.

**Consider** the viewscape from major transport corridors, taking into account the presentation of development to those areas.

# Streetscape

Design new roads to give pedestrians and cyclists priority and to discourage speeding.

### LOT SIZES

The size, width and depth of individual allotments within a place can collectively contribute to a pattern in the local area that, in tandem with their associated development, can represent an important element of the local character.

**New lots** should reflect the existing subdivision pattern within a local area, whilst achieving the minimum standards for subdivision. See also <u>C5.5 Energy</u>.

### **BUILDING ENVELOPE**

The building envelope refers to that area of the site occupied by built forms such as dwellings and garages together with associated driveways and other hard surfaced areas.

The proportional relationship between the building envelope and the space around it is often referred to as 'development density' and is one of the primary contributors to the character of a locality.

The building envelope is represented by building setbacks, to front and side boundaries, the height of buildings and the amount of open space and / or landscaped areas within a site. Many places generally exhibit some consistency in the presentation of these elements, particularly when viewed in the context of their presentation to the streetscape.

The siting and design of buildings within the building envelope can also impact upon the privacy and amenity of adjoining properties, particularly *private open space* areas. See <u>C5.4 Amenity</u>.

**Determine** a building height and setback that meets the required standards and is consistent with that of adjoining development and other development in the immediate locality.

### **BUILT FORM**

The built form refers to the design and fabric of development in a local area. It relates to all built structures including dwellings, garages and fencing. It reveals changing construction methods, styles / trends and the availability of materials from various periods.

**Contribute** to the built character of a local area by exhibiting built elements consistent with that of adjacent and surrounding development. Consider:

- Roof pitch and form including use of hips and/or gables.
- The use and type of verandahs, porches and awnings.
- Scale and proportion (vertical to horizontal) of windows.
- Type and blend of external finishes of both the roof and walls.
- The presence and style of front fencing.
- Presence and type of car accommodation.
- The location and type of car parking spaces.

**Creating** a sympathetic building design and additions to fit in with the streetscape does not mean that neighbouring designs must be imitated. It implies being conscious of the area's natural environment, heritage significance, density, style, social and cultural mix.

**Use** characteristic attributes (for example building height, street setback, form and materials) to compose innovative design solutions.

**Incorporate** similar design elements to that of the primary building.

**Avoid** mirror reversed designs when designing a dual occupancy.

**Face** developments towards streets, parks and open space to allow improved surveillance and access. This needs to be balanced with good orientation for passive solar design. See <u>C5.5 Energy.</u>

**Set** garages and carports behind the building to minimise visual impact.



Limit the width of driveways and use shared driveways where possible. This allows more of the street frontage to be landscaped and provides a better environment for pedestrians. See <u>C5.3 Vehicular access, parking and roads</u>.

reetscape

Add visual interest with design, detailing and finishes to industrial and commercial buildings when viewed from public vantage points and roadways.

**Balance** horizontal and vertical proportions, window positions and openings on all building facades.

**Incorporate** architectural features at ground level giving an entrance element to the building and utilise high quality materials and finishes to reflect the setting of the building.

#### **GARDENS & LANDSCAPED AREAS**

Unlike bushland vegetation, gardens and landscaped areas often refer to *curtilages* that contain lawns and more formal arrangements of often exotic and other introduced species.

Some of the strongest representations of these are seen in the upper mountains in places like Leura and Blackheath where the gardens represent an important attraction for visitors. However, most areas within the Blue Mountains exhibit some consistent pattern of garden or landscaping that together with other elements contributes to the local character of an area.

**Provide** front landscaped areas of a similar dimension and style to that of other development in the local area.

**Gardens** and landscaped areas must not include invasive plant species. See <u>C1.2 Weeds</u>.

**Windbreak** trees and leafy hedges are a significant feature in many Mountain areas. Plant trees at the front and rear of properties to encourage tree canopy and soften the built environment.

#### FENCES

**Provide** front fencing only in areas where it already represents a common character element of the area.

**Ensure** that fencing is of a low height and open style design, and is made of materials similar to that of other fences in the local area.

**Use** front fences no higher than 1 metre in residential areas. In other areas front fences higher than 1 metre should use materials such as spaced pickets, wrought iron etc., to allow visibility to and from the street. See <u>C4.2 Crime Minimisation</u>.



**Avoid** high walls and hedges on the street boundary as they isolate the development from the neighbourhood.

The avenue of trees at Mount Wilson contributes to the character of the area.



**Do not** use brushwood fencing as this can provide fuel in a bushfire. See <u>C4.1 Bushfire</u>.

Corrugated iron should not be used for front fences.

**Design** recesses or decorative panels to breakup blank lengths of fencing.

**Paint** or render common bricks or concrete blocks on masonry fences.

Paint or stain paling fences unless treated pine is used.

Consider pedestrian safety and traffic sightlines.

**Make sure** that fences across drainage easements and open drains consider the flow of water. It may be necessary to provide drainage lines to collect and discharge surface and seepage water.

**Design** fences and gates to allow easy access to public utility installations such as the electricity meter box, water meter etc.

**Consider** the width of gates, particularly where access by bushfire vehicles is required. See <u>C4.1 Bushfire</u>.

#### SHARING THE COST OF BOUNDARY FENCING

Generally, boundary fencing is the shared responsibility of neighbours and the sole responsibility of owners for the front fence. If one owner wants a fence of a higher standard, then that owner will usually pay the difference in the cost. The Dividing Fences Act 1991, sets out the rights and responsibilities. Should there be any problems, it is recommended that the parties contact a solicitor or the nearest Local Court or Community Justice Centre.

## Plans & documentation

#### STATEMENT OF CHARACTER

A statement of character is required for all building and landscape works that can be seen from the street or public space. A <u>Statement of Environmental Effects</u> <u>Proforma</u> is available for dwelling house and granny flat development.

All other developments must provide a Statement of Character which analyses the local character and provides a response. This will form part of the Statement of Environmental Effects.

### DETAILED CHARACTER ASSESSMENT

A detailed assessment of character is required where the proposed development is within a 'Protected Area -Period Housing Area' or a 'Living Conservation' zone. This should include:

- A photo assessment (or illustrations, models or the like) of any existing buildings, natural features and vegetation on the site and on adjoining sites.
- An explanation of how the proposed development is consistent with and enhances the established character of the surrounding residential area in regard to: scale and massing; external finishes; landscaping and retention of vegetation; building form, including roof pitch; the size and location of windows; the location of any buildings on the site and on adjoining allotments.

Demolition works proposed within a 'Protected Area -Period Housing Area' will also require a report prepared by a suitably qualified person demonstrating that the cost of the repair would exceed the value of the repaired buildings.

### References

• Environmental Management Plan 2002, Blue Mountains City Council, 2002.

• Neighbourhood Character: An urban design approach for identifying neighbourhood character. Urban Design Advisory Service, 1998. Sustainable landscaping is about maximising the potential of the created landscape while minimising the negative impacts on the existing landscape. It is about designing landscapes to maintain and enhance the new ecology created when buildings are constructed.

Landscaping

Sustainable landscaping can be employed to create shade, enhance or frame views, provide privacy from surrounding buildings or roadways, for protection from bushfire or to compliment the local streetscape. It can include such diverse approaches as creekline restoration, salinity control, urban runoff capture and treatment, or permaculture practice.

Despite this multiplicity of functional requirements, there are some fundamental principles that should be considered when designing your landscape.

**Retain** the maximum number of trees on a site. Seek expert advice from a horticulturalist on which trees will survive the construction process.

**Keep** significant natural site features such as rock outcrops, rock terraces, crevices and ponds as they provide habitat for native wildlife.

**Salvage** plant material from your site prior to commencing any works. This material can be nursed until ready to transplant. Propagate from seed collected on the site.

**Integrate** building and garden design, as open outdoor areas can provide important 'virtual' spaces for indoors and create functional links for indoor / outdoor entertainment.

**Use** vegetation barriers as an integral part of passive design strategies, to improve energy efficiency and reduce risk from bushfire.

**Use** long lasting, quality materials for landscape construction.

## C2.2 Performance criteria

- 1. All significant natural features associated with the site are to be incorporated into the landscaping design.
- 2. The landscape character of the street and / or precinct is to be complimented.
- 3. Indigenous vegetation is to be given priority when revegetating and landscaping development sites.
- Non-indigenous species are only to be used when appropriate to the surrounding neighbourhood character and are not listed as an environmental weed.
- 5. Landscaping is to assist in stormwater control by directing surface stormwater flows.
- 6. Landscaping is to be designed to encourage safety and maximise crime prevention.
- 7. The design of buildings must compliment the physical characteristics of the site and minimise the removal of mature vegetation and site disturbance.
- 8. Any vegetation that is removed is to be replaced with suitable species so as to screen adjoining buildings and contribute to the streetscape.
- Ensure the landscaping does not interfere with the liveability and / or energy performance of buildings or open spaces within the immediate neighbourhood.

If the landscape and architectural design of the development are to be fully integrated, it is important to ensure that the two professions work together from the outset in order to achieve a level of synergy between the designs.

## Landscaping

Garden and open space design should consider issues raised in the sections on biodiversity, weeds, cultural heritage, bushfire, energy, wastewater, streetscape and character, amenity and crime minimisation. /ehicular access. parking, roads & landscaping C5.3 Wastewater & landscaping Site management 52 & landscaping C1.4 Streetscape character & Biodiversity & landscaping landscaping C2 C1.1 Heritage conservation & landscaping **Bushfire &** Stormwater & landscaping andscaping C1.3 Weeds & land-C4.1 scaping C1.2 Crime minimisation & landscaping C4.2 Energy & landscaping C5.5



**Consider** the height and spread of trees and shrubs so that they do not interfere with overhead wires or underground services.

**Develop** efficient water conservation strategies. Design the landscape for water retention and reuse wherever possible.

**Minimise** impervious surfaces to increase rainwater infiltration. Consider using captured stormwater in the design.

Use mulch to conserve water.

Install drip irrigation systems in planted areas.

**Conserve** native soils. Minimise excavation, cut and fill and other earthworks. Stockpile and reuse excavated soils.

## Do not use copper logs as they can leach contaminants into the soil.

## Plant material & soil blends

The selection of plant material primarily relates to the type of soils on the site and the climatic conditions of the area.

**Each** soil type has inherent strengths and limitations, which must be taken into account prior to planting. The most important aspects that need to be considered in a basic soil assessment are depth, texture, structure and nutrient status (including pH).

#### SOIL BLENDS

There are many soil blends available. Some promoted as top dressing or premium mixes may not be appropriate. Where soil is imported to the site, make sure that it meets these requirements. **Use** a courser grain topsoil than the underlying subsoils. This will help water to penetrate rather than pooling on the surface.

**Avoid** clay or any mixture with clay in the topsoil as this will also create pooling of water.

**Use** a weed-free soil blend such as clean topsoil. Try an organic blend of 60% organic material and 40% sand.

#### **IMPROVING SOIL**

Improve the water and nutrient holding capacity of sand and clay soils by adding organic matter such as manure, leaf mould and composts, dug to a depth of 15 to 25cm.

**Gypsum** and sand added to clay soils helps break the clay into clumps, improving aeration and drainage. Add gypsum at the rate of 0.5 to 1.0kg per square metre. A combination of gypsum, sand and composted organic matter will produce the best results in clay soils.

**Chemical** additives often produce a "quick fix" but may have adverse environmental impacts in the medium to long term. Natural methods are encouraged.

#### PLANT MATERIAL

There is normally a desirable concentration range of macro and micro nutrients for plants. Maintaining the correct nutrient status is most likely to produce vigorously growing healthy plants. These in turn, will be better able to resist disease and attack from pests, reducing the need for chemical controls.

**Select** plants based on climatic conditions, frost and rainfall (both timing and amount) in combination with the drainage characteristics of the soil (indigenous or modified).

**Mixed** plantings of ground layers, shrubs and trees will attract and provide protection for a myriad of creatures. They will also assist in keeping landscaped areas pest free.

## Landscaping

**Select** plant species which do not require the use of fertilisers. This will reduce the amount of nutrients flowing into bushland areas.

For information on landscaping in the Blue Mountains including the Tree Preservation; Bushland Protection policies and a list of indigenous plants for each village see <u>Mountain Landscapes</u> on Council's website.

Mountain Landscapes is an interactive web site. It lists plants local to each village along with some images and interesting facts.

- All other forms of development involving site works. Under LEP 1991 for:
- Single dwelling development where the lot includes environmentally constrained or protected areas.
- All other forms of development involving site works.

### **TREE SURVEY**

Where there are a number of trees on the site or significant trees, a tree survey may be required. The tree survey details the species, height, width, age (approximate), condition, health, amenity rating and recommendations. This is commonly referred to as the SULE assessment (Safe Useful Life Expectancy).



## Plans & documentation

## CONCEPT LANDSCAPE PLAN

A concept landscape plan (including *asset protection zones*) is required for development applications relating to new single dwelling developments and additions greater than 50m2. A concept landscape plan is also required were a on-site waste treatment device is proposed. Detailed landscaping plans may be required for some single dwellings. See details below.

#### **DETAILED LANDSCAPE PLAN**

Detailed landscape plans are required: Under LEP 2005 for:

 Residential development over 50 square metres in the 'Living Conservation', 'Living Bushland Conservation' and the 'Employment General' zones.

### WEED MANAGEMENT STRATEGY

A Weed Management Strategy is required where weeds are present on the site. See <u>C1.2 Weeds</u>.

Refer to the guide on <u>Landscape Assessment</u> for details on how to complete concept and detailed landscape plans and tree surveys.

## References

Best practice landscaping construction standards are available from Standards Australia. Other codes are also available for building (concreting, steel and metal, timber, masonry, electrical, plumbing and drainage) and landscaping construction works (handling, storing and installing soils, mulches, plants). There are also standards for material specifications for hard surfaces, soils, mulches, plant stock (quality and type) that assure a recognised standard for performance, durability and reliance. tage Conservation Blue Mountains Better Living DCP

The natural heritage of the Blue Mountains includes the biological and physical elements such as plants, animals, creeks and valleys. This landscape is also layered with human associations, stories, myths, personal histories and emotions. Aboriginal people and later settlers have helped to shape our physical environment and left tangible evidence in the form of archaeological remains, material objects, structures or remnants of infrastructure.

They also left an intangible legacy – stories of places and people, the meanings attached to places and objects, and cultural practices and traditions. This cultural heritage, which provides the fabric, context and web of history, is as much a part of the Blue Mountains environment as our natural heritage.

> Conserving our cultural heritage is fundamental to the identity of present and futuregenerations.

## C3. Performance criteria

- 1. Retain and conserve all significant heritage items and potential heritage items or site features.
- 2. Reduce potential impact on the heritage significance of the heritage item or potential heritage items.
- 3. Be compatible with and enhance the character of the existing village /town or surrounding area.
- 4. Protect views to and from the heritage item or potential heritage item.
- 5. Establish a building envelope for any proposed new development.
- 6. Conserve archaeological sites and places of Aboriginal cultural significance.

## Archaeological sites

Archaeological deposits or remains have the potential to give important information about the history of a place. The heritage system in NSW provides comprehensive statutory protection for archaeological relics and mechanisms to ensure that they are properly protected, investigated and interpreted.

A key tool in this process is the archaeological assessment, which seeks to identify the nature and significance of any deposits or relics on the site. These assessments are based on an investigation of historical documentary sources and existing physical site conditions and need to be carried out by appropriately qualified archaeologists.

Sites with significant Aboriginal archaeology or industrial relics require special expertise in their assessment.

Retain the elements of the building that give it its heritage values.





## **Heritage Conservation**

Blue Mountains Better Living DCP

## Heritage curtilage

Heritage places rarely exist in isolation, whether they be a single item such as a tree, monument or building or a large precinct such as a town centre or village. The setting for the heritage item includes all the elements contributing to its heritage significance and is known as the *heritage curtilage*.

**Maintain** the original relationships – functional, visual – of the various site features to the site and surrounding locality.

**Retain** the setting around the major features of significance.

**Maintain** views to and from the major features of significance, particularly to important elements outside the site (such as a natural feature, road etc) with which it has an important historic or aesthetic relationship.

**Retain** buffer areas to screen major heritage features from inappropriate development (such as new buildings, roads, service facilities, etc).

## Heritage buildings

Conserving old buildings is not just about preservation or restoration to a former time, but carefully guiding the necessary changes so heritage values are not compromised or lost in the process. Lack of maintenance, inappropriate alterations, substitution of materials and details, enclosing verandahs, Demolition is not the only way of destroying what is valuable.

## Retain the existing fabric and setting of the building.

**Maintain** the original – determine the extent of necessary restoration, adaptation, reconstruction or repair.

**Beware** of irreversible changes to the fabric such as painting brickwork.

**Keep** new work consistent with the original building. Consider the massing, scale, proportion, character and details of the original building. Blend old with new.

**Maintain** all distinctive character elements whilst avoiding the temptation to add more, such as false shutters, aluminium lace and so on. Remember the original absence of decorative embellishments can be distinguishing.

**Avoid** significant alterations to the street facade wherever possible to minimise the impact of change. Additions are usually best sited to the rear or side.

**Distinguish** new from old in preference to pretending that it was always there. Keep the original fabric intact and distinct, whilst subtly yet clearly defining new work.

unsympathetic colour schemes, inappropriate subdivisions, poorly designed carports, garages and fences are major contributors to the debasement of architectural heritage.



Buildings such as guesthouses were often 'purpose' built. The original purpose for which the building was constructed may not be appropriate today. Rather than demolishing a building, change the purpose of the building to one that there is demand for.

#### **REINSTATE MISSING COMPONENTS**

**Reinstate** missing joinery, verandahs, chimneys and the like.

**Use** paint colours to link new and old. Old photographs may exist or evidence may remain in the fabric which can guide accurate restoration.

**Seek** out buildings of a similar age and style to assess how details were handled originally.

**Seek** expert help. So often it is the small elements that markedly contribute to the building's character, integrity and individuality.

**Do not** substitute materials, such as aluminium windows for timber, metal roof tiles for original terracotta.

### **ARCHITECTURAL STYLES**

Traditionally, design emphasis was placed upon what was seen from the street – the facade, verandah and roof. Consequently these elements are of prime importance in maintaining heritage value. Decorative features such as stonework, leadlights, sawn and

turned woodwork, and pavement tiles should be prized as examples of early crafts and trades. Such work has historic value and contributes significantly to the character of earlier buildings.

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**Use** materials sympathetic to those of the original building so that any addition or alteration looks as if it "belongs" to the original building.

**Locate** wing additions to the rear or side of the original building to minimise disruption of the streetscape.

#### ROOF

tage Conservation

**Design** the roof form and pitch to match the shape, style and proportion of the original roof so that the new addition looks as if it forms part of the original building.

> The architectural style should determine the design of any additions to a heritage item.

**Model** first floor additions on the design of a larger house of the same architectural style as the original building. The larger house model will provide a good indication of what the final result will look like.

**Try** to retain the original roof. If the roof is in a bad state of repair then it should be replaced with materials similar to those used in the original roof.



Chimney Cottage, Mt Wilson

## **Heritage Conservation**

Blue Mountains Better Living DCP

### WALLS

Retain and conserve original wall finishes.

**Choose** materials for alterations and additions that are sympathetic to the item and closely match the original wall finish.

**Consider** the type of mortar used in repairing or repointing brickwork. It may require the use of mortar with a high lime content rather than cement.

#### WINDOWS AND DOORS

The arrangement of openings in the walls (fenestration) of any alterations or additions is important, in particular the placement and proportions of doors and windows.

**Size**, location and proportion of windows and doors must be sympathetic to architectural style.

#### VERANDAHS

Verandahs are an important feature and contribute to the character of heritage items and potential heritage items. In the past verandahs and balconies were enclosed for use as sleep outs and kitchens. **Reinstate** the missing verandah in a style appropriate to the architecture.

**Include** verandah details such as balustrades, verandah posts and timber fretwork in the original style of the heritage item.

### GARAGES AND CARPORTS

When most of the Blue Mountains' heritage areas were built, ownership of sulkies or vehicles was not as universal as car ownership is today. Little or no provision was made for them. Service buildings of any kind were discreetly set back behind the house in deference to it. They were simple utilitarian structures. These same principles should be respected today.

**Place** garages and carports to the rear or at least set back.

Follow the pitch, form and materials of the main building.

**Observe** the vertical proportion – don't use wide horizontal doors.

**Include** features of the heritage item or potential heritage item (such as the shape and pitch of the roof, gables, timber fretwork, barge boards, ridge capping and guttering, building materials and colour scheme) within the design of the new garage or carport.



Presbyterian Church - Springwood Town Centre.

#### COLOURS

Heritage colour schemes have regained popularity in

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recent years. Appropriate paint colour and attention to detail can breathe new life into old buildings. Restraint is also called for in not "over-restoring" buildings to an appearance they never possessed.

The patina of age can give an appealing visual quality to a street or area. Specialist laboratory paint analysis is possible.

**Scrape** back paint layers to reveal past colours. See <u>C1.4 Site Management</u> for information on lead based paints.



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Blue Mountains

## Landscape settings

Fashions change in gardens just as much as in buildings. Layout, selection of plant species, paving and use of garden ornaments all vary over time. In heritage terms, the garden and landscape setting is as vital as the building in creating genuine heritage significance. **Conserve** the place in its setting – the garden, trees, hedges, fences and gates.

**Planting** should be consistent with the established garden character.

### **FENCES & GATES**

Fences and gates sympathetic to the original can maintain heritage character.



Be aware of changing taste and fashion in landscaping as much as in buildings. Traditionally, the finest and most elaborate fences were placed towards the street. As for the rear and sides of the property, a rough-sawn paling fence was typically erected.

**Design** fences and gates in keeping with the architectural style.

Katoomba Street, Katoomba

## Heritage Conservation

## Plans & documentation

### **ABORIGINAL HERITAGE**

Archaeological surveys are required on sites that are known to have or are suspected of having Aboriginal objects. These surveys are completed by archaeological specialists and involve the local Aboriginal Lands Council or Tribal Council. A survey may also be required where a development is proposed on a reasonably pristine site that has known or suspected sites in the locality.

Council must report Aboriginal heritage sites to the National Parks & Wildlife Service. If objects are found, a plan of management must be completed. This plan should show the area affected by the development and demonstrate how the site will be protected. Where a proposal will impact on a site, then the approval of the National Parks & Wildlife Service may be required. Details on the steps involved in an archaeological assessment are outlined in the guide to <u>Archaeological</u> <u>Assessment</u>.



## EUROPEAN HERITAGE

A development application is required where the proposal involves:

- Partial or total demolition of the heritage item.
- Changes to the interior or exterior appearance of a heritage item including repainting in a new colour scheme.
- Removal of trees or other proposed changes to landscaping.
- The subdivision of land.
- Adaptive re-use of a heritage item or potential heritage item.

Applications are not required for routine maintenance or repainting in the same colour scheme, however it is best to seek advice from Council.

If a proposal involves major alteration, change of use, or demolition the application may be referred to the NSW Heritage Office for advice and comment. Where an item is of State Heritage Significance, Council is required to obtain the approval of the NSW Heritage Office.

Demolition of a heritage item, of a building, work, tree or place in a heritage conservation area or where development is proposed that results in the application of a conservation incentive, that type of development is identified as 'advertised development'.

Information on the process of investigating significance, designing a proposal and details on how to complete a heritage report are contained in the guide to <u>Heritage</u> <u>Assessment</u>.

A conservation management plan may be required for a heritage item.

## References

- The Australia ICOMOS Charter for Places of Cultural Significance (Burra Charter), Australia ICOMOS, 1999.
- www.heritage.nsw.gov.au



The Blue Mountains is one of the most bushfire prone areas in Australia due to a combination of climatic, vegetation and geographic factors. The City is also located within a 'World Heritage National Park', recognised for its unique landforms and ecology. As such, development requires a balance of measures to address bushfire and environmental issues.

All development in the City must take into account the impact of bushfires. This may mean that the size and/or scale of the development may need to be adjusted so that bushfire, environmental and cultural values are not compromised.

Careful planning of building design, location, landscaping, access and services must be undertaken bearing in mind the highly sensitive environment. Create a balance between the impacts of development and good overall mitigation measures.

It is not possible however to prevent all damage and loss, due to the unpredictable and random nature of bushfires.

## The nature of bushfires

A study of ignition patterns in the Blue Mountains indicates that bushfires generally occur on high temperature/low humidity days with winds predominantly from the North, West or South West. Planning, however, needs to take into account bushfires coming from any direction. Some locations may experience bushfires more frequently from a particular direction. Some sites, because of their geography, location or topography, are naturally more exposed to high winds which can channel a bushfire.

There are three main forms of bushfire attack: burning debris or embers; radiant heat and direct flame. Wind adds to the intensity of the bushfire attack and smoke makes fire fighting and moving about difficult.

## C4.1 Performance criteria

- 1. A building must resist the impact of bushfire.
- The vegetation on the site must be modified and/or managed in a manner that will mitigate against the impact of bushfire to the degree necessary.
- 3. An accessible and reliable water supply must be provided to the degree necessary to wet down building surfaces and potentially hazardous vegetation prior to the fire front and to extinguish fires after the fire front.
- 4. Vehicular access/egress must be provided that is appropriate for the level of bushfire threat.
- 5. New development should serve to lessen the risk to that development and to surrounding development.
- 6. Bushfire protection must be afforded in an ecologically sustainable manner.

The most common form of bushfire attack is from the prolonged shower of burning debris or embers. An ember shower can start half an hour before the bushfire front arrives and can continue for several hours after it has passed. Radiation attack only lasts a few minutes.

High levels of radiation however, are sufficient to fracture glass and ignite materials both inside and outside the building. Direct flame (from nearby trees and ground fuel) can last from 5 to 10 minutes and can result in the ignition of flammable materials.

As the bushfire threat increases so too does the importance of developing a package that meets the needs of the site and the nature of the development whilst ensuring that safety from bushfire is not compromised. Site specific planning and design can be used to mitigate the bushfire threat. This may involve an innovative combination of *active* and *passive* bushfire protection measures.

The balance between bushfire and environmental factors may be difficult to achieve. If limitations are in place, then other protection measures must be incorporated into the design of your proposal.

## Category of bushfire attack

The site analysis (see <u>Part B – Site Planning</u>) will have identified whether the site is mapped as 'bushfire prone'. It will also indicate the type of vegetation on and within 140 metres of your property. You then need to refer to the NSW Rural Fire Service document 'Planning for Bushfire Protection' (PBP) to determine what "group" the vegetation is within. Vegetation may fall into Group 1, Group 2 or Group 3.

The slope is another important indicator and the site analysis will have also identified the slope on and within 100 metres of your site.

Once you know the vegetation group and the slope on and around your site, you will need to apply the relevant asset protection zone provisions. This is an area around the proposed building where vegetation is managed to reduce the threat to buildings and occupants. The size of the asset protection zone will depend on the type of development you are proposing, the vegetation group and the slope. A larger asset protection zone is required for more vulnerable developments or new subdivisions, and for properties with vegetation in Group 1 or Group 2. A larger asset protection zone is also required where the vegetation is located down slope from the proposed building, since fire travels more rapidly up hill. The steeper the down hill slope from the proposed building to the vegetation, the larger the asset protection zone required.

The asset protection zones for land zoned under LEP 2005 are included in the LEP and Part D of this DCP, for land zoned under LEP 1991, you will need to refer to the PBP and Part E of this DCP. You will also need to refer to PBP when determining the *asset protection zone* for any proposed subdivision or for the development of any "special fire protection purposes". Special fire protection purposes are developments that are most vulnerable to bushfire attack, and include accessible housing, bed and breakfast establishments, child care centres, group homes, hospitals, hotels, schools and tourist accommodation.

You will also need to ensure there is vehicular access to the proposed development that complies with the relevant provisions. Services such as gas, electricity and water will also need to be supplied in a way that helps to protect the property in the event of a bush fire. Finally, you will need to construct the proposed buildings in a way that complies with the relevant provisions in PBP and AS3959: Construction of Buildings in Bushfire Prone Areas.

If the land is not mapped as 'bushfire prone' or the part of the land that is proposed for development is not shown as 'bushfire prone' an assessment against the provisions of PBP is not required, and the *asset protection zone* provisions will not apply. But there are still a number of minimum development standards that may be necessary.



**Trees,** by filtering out flying sparks and debris, can catch

Blue Mountains Better Living DCP

Regardless of whether the land is designated bushfire prone, there are minimum construction standards for protection of a development against bushfire attack.

## **Subdivision**

It is best to start to deal with the bushfire issues at the subdivision stage. The measures that may be implemented at subdivision stage but which may not be available to infill development are:

- Deep asset protection zones (APZ) that allow for fire vehicle access between buildings and the expected fire path.
- Requirements for adequate reticulated water supply.
- Requirements for perimeter roads and good vehicular access and egress.

The siting and design of a building on the land is a fundamental factor influencing its survival. The design of the subdivision can facilitate good siting.

## Radiant heat and direct flame

Consider incorporating the following measures into a development as part of the mitigation package.

### WINDBREAKS

**Design** and maintain windbreaks to protect buildings from bushfires by reducing wind speed. When winds accompanying the bushfire hit a windbreak they are slowed down and then forced up and over the trees, creating a protected area on the leeward side. If the trees are very dense there is more protection, but over a shorter distance. Whereas a more open windbreak gives a lower level of protection but over a longer distance. Open windbreaks are best as they reduce wind speed without causing turbulence. much of the burning debris carried by the wind before it reaches the building. Green leaves are not easily ignited by burning debris, however this may happen in a bushfire if there is dead material on the trees or on the ground underneath.

**Locate** the building on the leeward side of the trees, at a distance of four to six times the full grown height of the trees. A single row of trees is good, a multiple-row windbreak is better and a series of windbreaks provides the best protection from wind and fire.

**Locate** non-combustible outbuildings such as garages, garden sheds and the like, that are well sealed from the outside on the likely fire front side of the main building to form an integral part of the windbreak.

### **RADIANT HEAT BARRIERS**

**Radiant** heat barriers to be effective need to be constructed between the building and the direction of the hazard. Use non-combustible materials such as masonry walls, steel panel fences or earth mounds.

**Radiation** shields need to be located relatively close to the building. In some cases, windbreaks formed of dense trees can act as a radiation shield, although there is danger that the trees themselves can catch fire.

**Earth banks** can be formed to give radiation and wind deflection from the bushfire front, however, care must be taken to ensure that excessive cut and/or fill does not create environmental problems and is in accordance with other standards for development.

## **Vegetation management**

Landscaping and appropriate vegetation barriers also increase a building's chance of survival. *Asset protection zone* (APZ) requirements must be achieved in bushfire prone areas, and this needs to be balanced with the environmental objectives. Significant impact on vegetation or sensitive areas needs to be minimised.



The selection of suitable species requires careful consideration to ensure that the hazard is not increased. See <u>Mountain Landscapes</u> on Council's web site.

The main function of an APZ is to reduce the level of hazard, and in particular to eliminate, where possible, attack by radiant heat or flame contact. In addition to reducing the fuel load, the APZ helps to provide an area where burning debris can fall with minimal opportunity to create further fire outbreaks. Access for the fire fighters is also improved by reducing the heat level from the main fire.

Asset protection zone (APZ) is made up of an *Inner Protection Area* (IPA) and an *Outer Protection Area* (OPA). The size and location of the APZ will vary depending on the level of fire threat.

> Where vegetation needs to be removed cut and slash rather than using earth moving equipment as this minimises the impact on the environment.

*Inner protection area (IPA)* – The purpose of the *IPA* is to prevent fuel continuities (shrubs, excessive litter buildup, etc.), extending to a building. Trees can be retained or safely planted in this area providing that the basic principles outlined below are observed. The *IPA* will remove opportunity for radiant heat and flame contact.

**Outer protection area (OPA)** – The OPA is designed to reduce fuel levels, slow down a fire and prevent flames transferring from ground fuels to the canopy where destructive potential is greatest. The OPA will reduce the bushfire intensity, shield a building from radiant heat, minimise the rate of spread and also intercept burning embers carried by the wind.

In high and extreme areas the Asset Protection Zone (APZ) becomes more important. In some cases, the lot size and shape may not enable the APZ to be fully achieved. Likewise, the provision of the APZ may cause unacceptable environmental impacts. If this is the case, then a package needs to be developed to ensure that the objectives of the PBP, LEP and DCP are met. This may mean increased building standards, water supplies or improved access.

**Asset** protection zones (APZ) can include dams, roads, footpaths, driveways and other amenities such as tennis courts and swimming pools. These can reduce the amount of fuel and provide an area where burning debris can fall with minimal opportunity to initiate further fires.

**Trees** may be retained or planted in clumps within the *OPA* so as not to provide a continuous canopy towards the building.

**Trees** may be arranged within the *OPA* to provide a windbreak on the side adjoining bushland.



**Trees** within the *IPA* may be planted or retained as individual specimens with a minimum distance of 2 metres between canopies. Plant trees so that their canopies will not overhang the roof.

**Maintain** a cleared area, for example, of lawn or groundcovers such as native creepers or compacted larger sized mulches.

Keep mulch away from the sides of the building.

**Use** smooth barked trees in preference to rough or ribbon barked trees which provide a fuel ladder to the crown. Dispose of fallen leaves from trees during fire hazard periods as they burn readily.

**Shrubs** may be planted in the *OPA* in small clumps. Do not plant shrubs beneath trees as they will act as a fuel ladder to the tree's canopy.

Sites must not be cleared until development consent is given. The consent will indicate the size and location of any *asset protection zone* required.

## **Building construction standards**

All habitable buildings in bushfire prone areas will be required to comply with AS3959 - Construction of Buildings in Bushfire Prone Areas. This standard specifies the detail of building construction.

The Australian Standard seeks to make a building a secure envelope protected against the entry of embers. It provides a range of protection measures against the effects of radiant heat and flame contact.

The following design considerations also seek to enhance the chances of the survival of the building. **Complicated** designs should be avoided. This can increase wind turbulence and aid in trapping burning particles against the building, particularly in re-entrant corners.

**Keep** walls as low as possible to avoid wind turbulence. Large walls present a greater surface area to the bushfire and are therefore at greater risk.

**Enclose** sub floor areas where possible and practicable with masonry or other solid non-combustible material. In exceptional circumstances, where the underfloor area is over 2 metres high, consideration may be given to open sub floor areas where access allows for the free and unobstructed flow of embers.

**Trellises**, pergolas and other decorative structures on the outside of the main building whilst useful and important in a building's energy efficiency design, provide ideal ignition points. The use of noncombustible construction materials may achieve both energy efficiency and reduce sources of ignition.

**Rough** sawn timbers increase the risk of ignition by providing areas for embers to settle. Sanding and painting or staining of the external surface can reduce this risk.

### **ROOF COMPONENTS**

Attention should be given to the design and construction of the roof. Flat roofs allow embers to gather while excessively sloped roofs create wind eddies. A roof pitch of between 5 and 21 degrees is a good compromise.

**Simple** rooflines are preferred to reduce the likelihood of ember collection and penetration.

**Design** roof heights so that they can be easily accessed for maintenance and fire fighting access.

**Roofing** materials should be of non-combustible materials such as steel, concrete or terracotta tiles, fibrous cement or slate. Wood shingle roofs are not permitted.

**Cathedral** ceilings that are properly sealed can be used to eliminate ceiling cavities. If ceiling cavities are used, clear access should be provided to allow fire fighting access.

**Gutters** and downpipes pose a problem in that they can become blocked with leaf litter and other debris. Ignition of leaves in the roof gutters, followed by the spread of fire to the roof space is recognised as a significant problem.

**Use** leaf guards on gutters or leafless guttering can be used. Alternatively, you can use no gutters at all with surface drain collectors at the ground. Any such gutter protection shall have a Flammability Index of no greater than five when tested to AS1530.2. See also <u>C1.3</u> <u>Stormwater</u>.

**Downpipes** ideally should be a minimum of 100mm x 75mm.

#### WINDOWS, DOORS AND OPENINGS

Windows and other openings are vulnerable parts of a building structure for bushfire penetration. Windows are a means for embers and radiant heat to penetrate the interior surfaces of a room to start secondary fires inside the building.



**Keep** recesses in windows and doors to an absolute minimum. It is important to reduce small pockets where debris can accumulate, eg., window sills.

**Draught** seals on external doors eliminate the possibility of embers entering the building.

**Window** protection can be afforded by either permanent or temporary means. For example, shutters, fixed security or fly screens with metal gauze can be effective in protecting the opening from debris, embers and radiation. The use of metal gauze is preferred to shutters as these must be manually closed at the onset of the bushfire when an occupant may not be available. Alternatively, the use of fire resistant glazing such as glass bricks, tempered or wired glass may be used. Nylon mesh screens are not suitable.

**External** doors should be of solid core timber. Additional external protection can be provided to timber doors by installing metal framed wire screen outer doors.

**Openings** in external walls for services should be kept to a minimum as these provide possible entry points for ember attack. All service openings should be sealed with a maximum of 1.8mm wire mesh unless it is a chimney, flue or air handling equipment where the opening can remain unprotected as long as ceiling access holes are large enough to provide fire fighting access. Special purpose vents used in kitchens, toilets and bathrooms must be screened to prevent embers from gaining access to the wall cavity. Fireplace openings should be protected with 1.8mm wire mesh or other means to prevent embers and burning debris from entering the building.



#### VERANDAHS AND DECKS

Verandahs and decks also provide ideal ignition points for bushfire penetration.

**Bearers** and joists for decks and balconies should not be continuous with those of the main building unless they are made with a non-combustible material such as metal.

Use metal bearers and joists wherever possible.

**Use** non-combustible material or hardwood timber for decking and balustrades. Timber must comply with AS3959. Hardwoods such as Kwila (Merbau); Blackbutt; Red Ironbark; River Red Gum; Silver Top Ash; Spotted Gum; Turpentine can be used.

#### **FENCES**

Fences play a significant role in keeping fire away from buildings. However, they can also have the opposite effect and provide fuel for the bushfire. For this reason, brushwood fencing is not suitable as it is highly flammable.

**Timber** fencing is not recommended for high, extreme and flame zone bushfire attack areas. Masonry or stone fencing will assist in creating a barrier to the oncoming bushfire. However it is costly and, quite often, wire fencing is the preferred alternative. It must be remembered that wire will permit embers to pass through unless some other barrier is provided such as evergreen shrubs. There is also the added problem that debris will build up at the wire fence line and this may contribute to the fuel problem.

#### **FUEL STORAGE**

**Gas** tanks, gas bottles and other combustible substances should be stored in an area away from the expected fire path. Gas valves must be pointed away from the building and should be protected by a heat shield of non-combustible material. **Flammable** material such as firewood, petrol, kerosene and diesel should be kept in outbuildings well away from the house.

## Access and egress

Design the development so that fire fighting vehicles can easily access the site. Depending on the type or location of the development further access for fire fighting vehicles may be required such as perimeter roads or fire trails. Some sites may also need to incorporate a turning circle and passing bays for bushfire fighting vehicles. Make sure that the access road or driveway has an all-weather surface.

**Consider** the positioning and size of gates to assist fire fighting personnel accessing the fire as quickly as possible. A standard hose on a fire fighting vehicle is 20 metres and this must be able to reach all aspects of the development. If this cannot be achieved from the street, access points to accommodate fire fighting vehicles need to be at least 3.6 metres wide.

## Water supply

Water pressure is often depleted during a bushfire as a result of excessive demand. It is sometimes advisable to provide a static water supply on the site such as a pool, dam or tank together with a petrol or diesel pump.

**10,000 litres** is considered to be an adequate static water supply for a building the size of a typical single dwelling. An individual assessment is necessary for a larger building or a situation where a sprinkler system is to be employed.

**Elevated** water storage tanks will need to be protected, particularly if they are supported by timber framed construction.

**Fit** tanks with a 65mm diameter outlet and a 65-38mm stortz reduction fitting together with line and standpipe for bushfire vehicle access. In addition to the 65mm outlet, the supply pipe to the sprinkler system should be provided with a 19mm outlet for the connection and use of a garden hose in bushfire conditions.

**Protect** the water supply system from the effects of radiant heat.

**Sprinkler** systems consisting of heads located at regular intervals throughout the yard area on the exposed sides of the building may be installed. Systems that will apply water to the exposed roof or walls of the building should also be considered. Most major bushfires usually occur in drought conditions. In particular, areas without town water need to ensure independent and adequate water supplies are available in the event of a bushfire.

In the high winds that may accompany bushfires, roofmounted sprinklers may have most of their spray blown away, unless they have suitable spray heads and are directed and located properly.

If sprinkler systems are to be a key component of the buildings defence, the system should be designed by an appropriately qualified person.

**Ground** sprinklers are more effective if they have twin jets, since the main jet can then be directed at the roof and the smaller jet set to spray the walls under the gutter line. Ground sprinklers can be adapted for normal garden watering as well as for fire protection.

**Hose** points are best located so that all points of the building can be reached by the end of the hose. A 19mm diameter hose with brass fittings is recommended.

## **Plans & documentation**

### **BUSHFIRE THREAT ASSESSMENT**

A bushfire assessment is required where habitable development is proposed on land mapped as being bushfire prone. The bushfire assessment must address the following strategies:

- Radiant heat and direct flame protection.
- Managing the vegetation to reduce fire intensity.
- Minimising the vulnerability of buildings to ignition from radiant heat and ember attack.
- Access / egress.
- Water supply.

Additions and alterations to residential development that equal or exceed 50% of the floor area of the existing main building measured to the outside surfaces may require the entire building to be upgraded to a standard of construction deemed appropriate by Council or the Rural Fire Service.

A statement on *asset protection zones* and any associated environmental impact is required to address:

- the LEP and Part D of the DCP for land zoned under LEP 2005, or
- the document 'Planning for Bushfire Protection' (PBP) and Part E of the DCP for land zoned under LEP 1991, and
- Details of construction standards to the level required under the PBP and AS3959: Construction of Buildings in Bushfire Prone Areas.

A comprehensive bushfire protection strategy is required for development considered "special fire protection" purposes.

A detailed environmental assessment may also be required to support the provision of the *asset protection zone* and this assessment should follow the requirements listed in the guide to <u>Environmental</u> <u>Assessment</u>.

## References

- Australian Standard 3959-1999 Construction of Buildings in Bushfire Prone Areas.
- Building Code of Australia.
- Planning for Bushfire Protection, A Guide for Councils, Planners, Fire Authorities, Developers and Home Owners, Planning NSW 2001.
- Building in Bushfire Prone Areas, Information and Advice, Standards Australia, SAA HB36-1993.

Crime Prevention Through Environmental Design (CPTED) is an approach to planning and development that reduces opportunities for crime. Communities, neighbourhoods, individual homes and other buildings, streets and parks can all be made safer by using design principles to create a built environment where not only the real risk of crime is reduced, but also the perceived risk and fear of crime is diminished.

Every development must consider the four key principles of CPTED; Surveillance, Access Control, Territorial Reinforcement and Space Management. The following design considerations focus on these principles.

#### SITE BUILDING LAYOUT

**Orientate** the main entrance towards the street or both streets if located on a corner.

**Offset** windows, doorways and balconies to allow for natural observation while protecting privacy.

**Avoid** large trees, carports, skillion extensions, fences or downpipes next to second storey windows or balconies that could provide a means of access.

**Design** balconies and windows to maximise natural observation of vehicle and pedestrian movement.

**Set** buildings back from the verge to create a perception of semi-private space.

## 4.2 Performance criteria

- 1. Design developments to minimise the opportunity for crime by;
- a) Ensuring natural surveillance of buildings, streets,carparking facilities and open spaces is maximised,b) Incorporating increased security measures into thedesign of the building, and
- c) Utilising signage, building features and landscaping to reduce the likelihood of inappropriate activity and clearly define individual areas and uses within a development.

## ENTRANCES AND BUILDING IDENTIFICATION Locate entrances in prominent positions.

**Use** design features such as numbering and directional signage so that entrances are easily recognisable.

**Provide** common access points to no more than 6 to 8 dwellings.

**Buildings** accommodating a number of dwellings or uses, the building entry should clearly state the dwelling numbers accessed from that entry.

**Include** a viewing window / vision panel in fire exit doors to allow visibility before opening. (The materials must comply with the fire rating requirements of the Building Code of Australia.)

Use durable materials for street numbers, preferably reflective or luminous.

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**Staff entrances** that are separate from the main entrance must be located to maximise opportunities for natural surveillance from the street or other public areas.

**Locate** offices, desks, work-stations so as to overlook public areas, carparking areas, entrances to buildings, adjoining arcades, malls and the like.

**Place** street numbers so they are clearly visible and not obscured by foliage.

### **BLIND CORNERS**

Design direct pathways.

Make sure that any barriers along pathways are visually

permeable ('see through'), including landscaping and fencing.

**Install** glass panels in stairwells to maximise visibility.

**Use** mirrors so that users can see around corners or ahead of them.

### LIGHTING

**Use** diffused lights and / or movement sensitive lights.

Direct these lights towards access / egress routes to illuminate potential offenders, rather than towards buildings or resident observation points.

**Lighting** should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed.

**Avoid** light spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for casual surveillance.

**Light** areas to enable users to identify a persons face 15 metres away.

**Lighting** of all pathways, areas adjoining public spaces and outdoor / open carparking areas is to be in accordance with Australian / New Zealand Standard 1158.3.1:1999 – Pedestrian Area Lighting.

Illuminate possible places for intruders to hide.

**Use** energy efficient lamps, fittings and switches to save energy.

**Ensure** that external areas such as letterboxes and communal areas are well lit and observable from inside.

### Ensure that entrances to buildings are well illuminated.

### COMMUNAL / PUBLIC AREAS

**Position** active uses or habitable rooms with windows adjacent to main communal / public areas, such as playgrounds, swimming pools, gardens, car parks, etc. Whilst natural surveillance is encouraged in this instance, consideration also needs to be given to acoustic impacts on habitable areas. A balance needs to be sought.

Make sure utility/service areas are

easily secured, well lit and free of possible entrapment spots such as alcoves. For aesthetic reasons, garbage storage areas should be screened

from public places using fencing or vegetation. Careful and innovative design is required to balance both of these design criteria.

**Open** style or transparent materials are encouraged on doors and /or walls where stairwell or elevators are provided.

Permeable materials such as those used in this bus shelter maximise visibility.



**Waiting** areas and entries to elevators / stairwells should be close to areas of active uses and should be visible from the building entry.

Seating should be located in areas of active uses.

#### **OWNERSHIP**

**Distinguish** dwellings or groups of dwellings by using design features such as colour, vegetation, paving, fencing, furniture etc.

**Physical** and / or psychological barriers, such as fences, gardens, lawn strips, varying textured surfaces can be used to define different spaces and to clearly distinguish between public, semi public-private and private spaces.

### LANDSCAPING

**Avoid** medium height vegetation with concentrated top to bottom foliage. Plants such as low hedges and shrubs, creepers, ground covers and high canopied vegetation are good for natural surveillance.

**Trees** with dense low growth foliage should be spaced or 'crown raised' to avoid a continuous barrier.

**When** landscaping around children's play areas, car parks and along pedestrian pathways, use low ground covers or high canopied trees which have clean (ie., free of foliage) trunks to a minimum height of 2 metres.

**Where** planting is provided within 5 metres of a pedestrian pathway, it should be lower than 1 metre or be thin trunked with a high canopy.

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**Keep** a cleared space of 3 to 5 metres on either side of pathways and bicycle routes. Step back vegetation in height beyond this point.

**Planting** should not prevent informal surveillance by adjacent residents.

**Avoid** vegetation which conceals the building entrance from the street.

**Prickly** plants may be used as effective barriers, where appropriate.

#### FENCES

Fences should not inhibit surveillance of communal areas, pathways and footpath by occupants of the building. Both the height of the fence in relation to the building, as well as the nature of the construction materials needs to be considered.



Landscaping techniques can be used to prevent access to windows and walls for better security and graffiti management.

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**Keep** fences and walls low and / or open to improve observation and maximise sunlight. Vegetation should not obscure building entrances, windows and other vulnerable areas.

**Install** double glazing where noise is a problem at the front of the building rather than using a high solid fence.

**Use** light coloured open fencing, if privacy is an issue, as this will provide more privacy than dark coloured open fencing, but will still allow a level of surveillance from the street.

**Colourbond** fences should not be used as a fencing material adjoining public open space or thoroughfare unless vegetation is planted in front to reduce graffiti access.

#### SECURITY

**Door** and window locks should be installed in accordance with the relevant Australian Standard in all residential developments comprising three or more dwellings and in commercial and industrial developments.

Display security system notices prominently.

BUILDING MATERIALS

Use toughened or laminated glass at ground floor level.

**Modulate** large walls and use dark colours to discourage graffiti.

**Consider** the use of vegetation such as 'creepers' on walls or the use of murals which can be effective in deterring graffiti.

**Use** strong, wear resistant laminate, impervious glazed ceramics, treated masonry products, stainless steel materials or use anti-graffiti paint or clear over sprays.

**Avoid** flat or porous finishes where graffiti is likely to be a problem.

**Ensure** that skylights and roofing tiles can not be easily removed from the outside.

**Glass** should be reinforced with shatter resistant material to prevent entry.

### **PUBLIC FACILITIES**

**Employ** traffic calming measures to slow cars and encourage pedestrian activity where possible.

**Ensure** that perimeter doors and windows are of solid construction and fitted with quality deadlocking devices.

**Fit** the main entry doors with viewing ports to allow identification of visitors.

**Install** sensor lighting or timed lighting that can be controlled from within the building.

**Encourage** casual use of public and semi-private open spaces during evening hours so they can be 'animated' with legitimate activities.

**Locate** public facilities in highly visible locations that are well lit and near activities with extended trading hours such as restaurants, convenience stores, taxi ranks, etc.

**Locate** public facilities away from possible entrapment spots such as fire exits, alleys, etc.

**Design** ATM's to incorporate mirrors or reflective materials so that users can observe people behind. Do not locate ATM's in alcoves which limit visibility.

**Provide** directional signs to key services and landmarks such as railway stations, police stations, taxi ranks, etc.



Design pedestrian pathways so that they are a minimum of 3 metres wide in busy areas.

Construction of pathways through existing vegetation should consider the appropriateness of the route, the need to thin vegetation at the base of trees to a height of 2 metres and to the location and orientation of lighting.

**Crime minimisation** 

Design open spaces so that they are clearly designated and easily observed by people. Parks and playgrounds should face the street rather than lanes and be placed in close proximity to public activity (such as in front of a building, shopping centre).

Play equipment, seating, BBQ areas and the like, should be provided to encourage active use of these areas.

Seating should be conveniently located and easily seen.

Facilities such as toilets and telephones should be located close to areas of active uses.

Bus and taxi shelters are to be located within close proximity to active areas (street, pathways, adjoining businesses, etc). Vegetation surrounding such shelters should be maintained to maximise visibility. Shelters should be well lit.

Design open carparks in convenient and highly visible locations

Pathways should be direct, follow pedestrian desire lines and avoid blind corners. Avoid sudden changes of grade on pathways, where possible, if it reduces sight lines.

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Directional and behavioural signage should be provided at entrances to parks / open space areas.

### MAINTENANCE

Ensure the speedy repair or cleaning of damaged or vandalised property.

Provide for the swift removal of graffiti.

#### CAR PARKING FACILITIES

Avoid large expanses of car parks. If this is not possible provide surveillance such as security cameras (in accordance with the NSW Government policy, statement and guidelines for the 'Establishment and Implementation of CCTV in Public Places').

Access to lifts, stairwells and pedestrian pathways should be clearly visible.

Pedestrian desire lines should be clearly identified to direct users to exits or key points within the car park facility such as the use of lighting, pavement markings, etc.

Locate disabled parking spaces in highly visible and convenient locations.

Locate car parks in areas that can be observed by adjoining uses.

Minimise the number of entry and exit points. Where possible, locate entry / exit points in proximity to active uses such as shops, etc.

Staff parking facilities should be separated, secured (where appropriate), well lit and easily accessible.







**Internal** car park structure (such as concrete columns, solid internal walls, service rooms and enclosed fire exits) can create significant visual obstructions in car parks. Adequate sight lines are to be provided and design alternatives such as minimising vertical columns through engineering design or placing 'portholes' in car park walls increases visibility.

**Avoid** the use of the 'herring-bone' configuration, in open car parking areas, as this restricts natural supervision and limits sight lines.

## **Plans & documentation**

### CRIME MINIMISATION ASSESSMENT

All developments must provide a statement which demonstrates how the development has been designed with consideration to the following four principles of Crime Prevention Through Environmental Design (CPTED).

**Surveillance** – enabling maximum natural surveillance of buildings, streets, car parking facilities and open spaces.

Access control – providing a clear indication of areas where people are and are not permitted to go, and incorporating security measures to restrict access to private or high risk areas.

**Territorial reinforcement** – encouraging the ownership of public space, clearly delineating between public and private space, and designing spaces to reflect the intended use.

**Space management** – ensuring that spaces are well maintained and used as they were intended.

A <u>Statement of Environmental Effects Proforma</u> is available for dwelling house and granny flat development.

## **Special provisions**

## CONSULTATION WITH THE NSW POLICE SERVICE

Certain types of development may be referred to the NSW Police Service for formal comment. These developments include:

- Multi dwelling housing development containing 20 or more dwellings.
- Mixed use developments (incorporating retail / commercial and residential uses) containing more than 5 dwellings.
- New or upgraded commercial / retail developments (major works).
- New industrial complex with multiple industrial units.
- New or upgraded schools, child care centres, hospitals.
- Any development on railway stations.
- Large sporting or community facilities.
- Clubs and hotels (including additions, extended operating hours, gaming rooms).
- Service stations (including addition of convenience stores).
- Unusual developments (including arcades, sex establishments, amusement centres).

## References

• Crime Prevention and the assessment of development applications, Department of Urban Affairs & Planning (Planning NSW), 2001.

• AS /NZ1158.3.1:1999 – Road lighting: Pedestrian area (Category P) lighting – Performance and installation design requirements.

## Land contamination

Land contamination is most often the result of past uses. It can arise from activities that took place on or adjacent to a site such as improper chemical handling or disposal practices, accidental spillages or leakages of chemicals during manufacturing or storage.

Activities not directly related to the site may also cause contamination; for example, polluted groundwater migrating under a site or dust settling from industrial emissions.

Land can also be affected by importing contaminated material or by using building materials such as asbestos and lead based paints, that are harmful to the environment and public health. Refer to <u>C1.4 Site</u> <u>Management</u>.

## Potentially contaminating uses

There are a number of uses that may cause contamination. These include, but are not limited to:

- Acid /alkali plant and formulation.
- Agricultural / horticultural activities.
- Airports.
- Asbestos production and disposal.
- Chemical manufacture and formulation.
- Defence works.
- Drum reconditioning works.
- Dry cleaning establishments.
- Electrical manufacturing (transformers).
- Electroplating and heat treatment premises.
- Engine works.
- Explosive industry.
- Gas works.
- Iron and steel works.
- Landfill sites.
- Metal treatment.
- Mining and extractive industries.
- Oil production and storage.
- Paint formulation and manufacture.
- Pesticide manufacture and formulation.
- Petrol stations.
- Power stations.

## C4.3 Performance criteria

- All contaminated or potentially contaminated sites must be investigated and remediated to ensure no adverse impact on the public health or the environment.
- 2. Ensure that changes to land use will not increase the risk to public health or the biophysical environment.
- 3. Ensure that there is no risk to public health or the environment from any activities carried out on a site.
- Railway yards.
- Scrap yards.
- Sheep and cattle dips.
- Smelting and refining.
- Tanning and associated trades.
- Waste storage and treatment.
- Wood preservation.

If a site has been identified on a 149(5) planning certificate or, as a result of historical research and / or local knowledge, found to have been used for any of the potentially contaminating activities, then a detailed investigation on the extent and degree of contamination is necessary. This study would also include an assessment of the risk posed by the contaminants to health and the environment and would include a remediation action plan.

Site remediation is the process of making the site suitable for the proposed use or no longer contaminated. Remediation works also require development consent.

> Prevent contamination - put in place best practice measures to manage hazardous spills and waste.

## Plans & documentation

#### PRELIMINARY REPORT

To determine whether the land is safe and suitable for the proposed development, an applicant will be required to submit a preliminary contaminated site report stating the past or present use of the site.

Where land is identified by a preliminary investigation as being contaminated, a detailed investigation is to be submitted with the development application. This should provide information about the extent and degree of contamination. It should also include an assessment of the risk posed by the contaminants to health and the environment. The detailed site contamination investigation is to be carried out in accordance with Environment Protection Authority (EPA) guidelines.

If the detailed investigation concludes that the land is not suitable for the proposed use in its present state, then a remediation action plan is required.

#### **REMEDIATION ACTION PLAN (RAP)**

The EPA's intervention in relation to contaminated land is triggered when land contamination poses a significant risk of harm to public health or the environment (Section 7 Contaminated Land Management Act 1997). Generally, sites not posing a significant risk of harm will be dealt with by Council under the provisions of the Environmental Planning and Assessment Act 1979, in accordance with Managing Land Contamination: Planning Guidelines and SEPP 55 - Remediation of Land.

The RAP shall establish remediation goals that:

- Ensure the site will be suitable for the proposed land use and will pose no unacceptable risk to human health or the environment.
- Determine the most appropriate remediation strategy.
- Provide details of the selected remediation strategy.
- Identify all necessary approvals or licenses required from all the relevant regulatory authorities.
- Provide details of monitoring to be undertaken both during and after the remedial works.

A validation and monitoring report will be required after remediation works have been completed and prior to the commencement of building construction works. In some instances Council may issue a *deferred commencement* for the proposed use, requiring that remediation and validation be undertaken prior to other work commencing.

### SITE AUDIT

A site audit (or independent review) can be requested by Council to be undertaken at any or all stages of the site investigation process. The site audit is to be prepared by an accredited Site Auditor and the cost is borne by the applicant.

#### **NEW USE**

Any uses that may make the site potentially contaminated will require a report outlining the measures used to minimise the impact of their operations on the local environment.

## References

- State Environmental Planning Policy No.55 -Remediation of Land (SEPP 55).
- Managing Land Contamination: Planning Guidelines -SEPP 55 Remediation of Land, DUAP (Planning NSW) and EPA, 1998.
- Contaminated Land Management Act.

Sustainability is concerned with improved quality of life, for which health and safety are fundamental.

**Health and safety** 

Many accidents can be prevented through better building design. The actions contained in this section particularly seek to protect children, the elderly and the infirm. Consider the following when designing a development.

## Internal design

#### **KITCHEN DESIGN**

**Design** for unobstructed access to the work triangle (the area containing the stove, sink and refrigerator).

**Eliminate** or reduce cross traffic through the work triangle.

**Use** fire resistant finishes adjacent to and above the cook top.

Round-off bench edges and corners.

**Design** heatproof benchtops or inserts either side of the oven and grill for rapid set down of hot dishes and trays.

**Locate** microwave ovens above the eye level of children or at the back of a bench to prevent them gazing into it. Have the microwave checked regularly for microwave leakage.



## C4.4 Performance criteria

1. Buildings must be designed to incorporate features that provide a safe and healthy environment for occupants and visitors.

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#### **BATHROOM DESIGN**

Use slip resistant flooring and avoid steps.

**Provide** handles and bars capable of withstanding the anticipated load, near baths, in showers and adjacent to toilets for elderly and disabled users. See <u>C5.6</u> Adaptability.

**Design** and install child resistant cabinets for medicines and hazardous substances.

**Comply** with Australian Standards that specify minimum distances between water sources (baths, basins, tubs) and power points.

**Comply** with the Building Code of Australia (BCA) requirements for outward opening toilet doors or hinges that can be removed from the outside.

**Ensure** that privacy locks on bathroom doors can be opened from the outside in the case of an emergency.

**Provide** a night light or movement sensitive light switch in the passage for safe access to the toilet at night.

#### **FITTINGS**

**Instantaneous** hot water systems should have their thermostats set at 50 degrees centigrade or less to help prevent scalding.

**Hotwater storage** systems should be set at 60 degrees centigrade to inhibit growth of harmful bacteria such as legionella. Incorporate a fail-safe mixing valve on both the bath and shower to avoid scalding.

**Install** a tempering valve or an outlet shut-off valve in the existing system to reduce the flow of water to a trickle if it's too hot. When cold water is added and the temperature becomes safe, the valve opens and the flow returns to normal.

**Install** self-closing (but not self-locking) screen doors at external entrances.

**Internal door** handles should be 1 metre from the floor so young children cannot open them.

**Consider** latch rather than knob type handles for ease of use by weak or disabled people.

**Design** windows with easy access for opening, closing and cleaning. Windows should not be able to be opened any more than 100mm by a young child. Grade A safety glazing material should be used for glass up to 1.5 metres from the floor. Full-length glass panels should be clearly marked.

**Ensure** that all new glazing complies with relevant Australian Standards and bears a manufacturer's stamp certifying compliance.

### FLOORS, STAIRS AND RAMPS

**Observe** optimum rise to run ratios for stairs as shown in the graph below.

**Ensure** that stair rails and balustrades comply with the Building Code of Australia minimum standards. Rails should be at least 1 metre above finished floor level with a maximum 125mm gap between balustrades.

**Avoid** changes of level within the building and between the building and the outside. Where changes of level are necessary, ensure that they are clearly visible. Consider the use of colour change in floor coverings.

**Use** non-slip, impact absorbing floor surfaces where possible, especially on stairs or ramps and in wet areas.



#### WIRING AND ELECTRICAL

Carefully plan the provision of power outlets. Insist on an electrical layout plan.

**Provide** adequate power points and circuits. This eliminates the need for power boards, which can overload circuitry. It also reduces the need for cords to trail across walkways, where they can trip or electrocute.

**Install** earth leakage devices and circuit breakers to all power outlets.

**Ensure** that the switchboard can be easily accessed at night. Safety switches should be used on indoor and outdoor circuits.

**Ensure** fan heaters have a safety switch to cut power off if the fan stops or heater overheats.

**Position** the heater to avoid intake blockage or material falling on it.

**Position** ceiling fans at least 2.4 metres above floor level to reduce risk of injury.

## Fire safety (buildings)

Fire safety measures are items of equipment or services installed in a building to protect life and property in an emergency. These measures can include fire extinguishers, exit signs, smoke detector systems and the like. In single dwellings smoke alarms must be fitted, in larger buildings a range of fire safety measures may be required.

**Install** smoke alarms and regularly ensure that batteries are fitted correctly and charged.

**Use** fire resistant materials, linings and finishes, particularly in kitchens.

Equip the building with fire extinguishers.

**Favour** furnishings and floor coverings with fire retardant properties. Ratings are available for many items and include flammability indexes, spread of flame indexes and smoke generated indexes. Various construction systems have fire ratings that determine how long they will withstand a fire and retain structural integrity.

**Consider** measures to protect persons using the building (and facilitate egress) in the event of a fire.

**Consider** measures to restrict the spread of fire from the building.

Install a sprinkler system in larger developments.

**Regularly** inspect and test fire safety measures to ensure they remain capable of performing to the required standards. List all fire safety measures and keep the list in a conspicuous location.

> Commercial, industrial and public buildings are required to provide Council with an Annual Fire Safety Statement certifying that the fire safety measures have been checked and are operational.

## **Termite controls**

There are a number of systems for termite protection and all new buildings and additions to existing buildings will need to incorporate one or more of the systems approved under AS3660.1 – Protection of New Buildings from Subterranean Termites.

**Design** the barrier to the level of risk. Barriers do not stop termites gaining access to a building but force them into the open or direct them to some other part of the building where, with regular inspections by a competent person, the infestation can be detected.

**Always** use non-chemical measures as the effectiveness of chemicals as a barrier against termites is limited due to the porous nature of the soil.

**Inspect** 50 metres around the area of the proposed building and assess termite activity. Where appropriate, the risk should be reduced and any existing infestations destroyed.

**Do not** place garden beds, pavers etc., at a level above the termite barrier. Similarly blockages of subfloor ventilators or damp conditions arising from leaking pipes, poor drainage, etc., will also create conditions conducive to termite attack.

**Clear** all dead wood and debris, tree stumps or roots. Grinding tree stumps and leaving the roots in the ground attracts termites to the building site.

**Place** a durable notice inside the meter box indicating the type of barrier provided to prevent termites gaining access to the building.

**Ensure** physical barriers are regularly inspected and maintained.

The use of organochlorines to protect buildings from attack by subterranean termites has been prohibited since the 1st July 1995.

## **Recycled water**

Recycled water helps reduce the impact of urban development on the environment and saves valuable drinking water for personal use. Recycled water systems should only be used in sewered areas. To ensure recycled water is not confused with drinking water, it must be delivered via a separate supply system. This is known as dual reticulation. The recycled water taps, pipework and plumbing fittings are colour coded for easy identification.

> Rainwater collection and reuse could be a more cost effective alternative for toilet flushing and lawn and garden irrigation.

There are as many as 400 bores registered in the Blue Mountains. Groundwater is an important natural resource used for a variety of purposes from agricultural, commercial – bottling mineral water, to domestic purposes including drinking water.

Groundwater extractions are now managed within the sustainable yield of acquifer systems so that the ecological processes and biodiversity of their dependent ecosystems are maintained and / or restored.

Increasing groundwater extraction, rising saline water tables and contamination from various land uses are threatening the survival of many of the ecosystems that support groundwater. Existing septic tanks and absorption trenches are known sources of contamination to the sandstone aquifer and as such are no longer considered suitable in areas where groundwater is utilised for domestic purposes. The location of groundwater bores can be found on the NSW Natural Resource Atlas www.nratlas.nsw.gov.au See also <u>C5.2 Wastewater</u>.

Blue Mountains Better Living DCP

The sandstone aquifer has been classified as having a high vulnerability to contamination due to the relatively shallow depths (<60 metres) and permeable soils. See also <u>C1.3 Stormwater.</u>

Groundwater seeps such as hanging swamps support a variety of eco-systems that have evolved over thousands or even millions of years.



A hanging swamp in the upper Blue Mountains.

## **Food Premises**

Food businesses are required to use premises and equipment that comply with AS4674: Design, construction and fit out of food premises. The Australian Standard provides information for all businesses that operate within the food service industry.

## **Plans & documentation**

### FOOD PREMISES FITOUT PLAN

All premises involving the set up of a food business must provide a plan addressing the requirements of AS4674: Design, Construction and fitout of food premises.

### FIRE SAFETY MEASURES

Details of the current and proposed fire safety measures are to be submitted.

For dwelling house and granny flats the location of smoke alarms must be shown on the floor plan.

For all other developments involving a building, the Table 1: Fire Safety Measures gives guidance on the information that will need to accompany a development application for a change of use to an existing building, or for proposed new building works.

TABLE 1: FIRE SAFETY MEASURES

	measures
Change of Use Development Application Complying Development Certificate	Category 1 Fire Safety Provisions being the following Parts of the Building Code of Australia E1.3 - Fire Hydrants E1.4 - Fire Hose Reels
	<ul> <li>E1.6 - Portable Fire Extinguishers</li> <li>E2.1 - Automatic Fire Detection &amp; Alarm Systems (Class 2, 3 or 9a buildings or Class 4 part)</li> <li>E2.2 - Evacuation &amp; Fire Safety Management Plan</li> </ul>
Building Work other than work in relation to a dwelling house or building or structure that is ancillary to a dwelling house) Complying Development Certificate	List of any existing or proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work. The list <b>must</b> describe the extent, capability and basis of design of each of the measures concerned.

## References

- AS 2870 Residential Slabs and Footings
- Building Code of Australia.
- The NSW State Groundwater Dependent Ecosystem Policy, Department Land & Water Conservation, 2002.

Test your knowledge on food handling techniques. Try the interactive quiz 'Food on Your Lap' on www.bmcc.nsw.gov.au

Details of Proposed and or

Existing Fire Safety

Magauras
The servicing of a development site or subdivision is critical to good development. The location, capacity and impact of providing services can affect the design of a development. Along with the specific requirements of the service providers, there are environmental and visual impacts which need to be considered.

ervices

This section provides design guidelines for servicing development sites, from providing sewer and electricity to the design of waste facilities. Telecommunications facilities are also covered.

#### **Public utilities**

#### **RETICULATED SEWER**

The main wastewater system in the Mountains is managed by Sydney Water. Treatment plants are located at Mt Victoria, Blackheath, Glenbrook and Winmalee. Each sewerage system has been designed to use gravity to convey sewage from where it is collected to the treatment plant. However, steep hills and other variations in the local landscape can prevent or limit the sewage from draining downhill.

When this happens, the sewage is pumped through pressure mains (rising mains) into the closest sewer where it can drain by gravity to another pumping station. Interruptions to the electrical supply can impact on the performance of pumping stations.

The infiltration of water in excessive periods of wet weather and the intensification of use by new developments can also cause the carrying capacity of systems to be exceeded. As a consequence, subdivisions and multi residential developments (or any other form of development that will intensify demand) are required to obtain a statement from Sydney Water certifying that the existing system is capable of handling the additional load.

#### POWER

**Seek** advice from Integral Energy where a proposed building is near or within 2 metres of low voltage service lines or within 5 metres of street mains or high voltage lines.

#### C5.1 Performance criteria

1. Design waste storage facilities so as to:

- a) Be adequately screened or compliment the existing streetscape and the proposed development.
- b) Be located to minimise impact on residents and / or neighbours, and allow ease of servicing.
- c) Have adequate capacity to cater for the waste generated by the development.
- 2. Ensure that subdivisions and new developments are provided with the appropriate services, including sewer or adequate effluent disposal, water, electricity, gas and communications.
- 3. Ensure services (including telecommunication facilities) are located to minimise adverse impact on the environment and streetscape.

Underground overhead services to improve the character of the streetscape.



www.bmcc.nsw.gov.au

**Position** meter boxes and water meters so as to provide unimpeded access.

#### **OTHER SERVICES**

Consult with the service provider (for gas supply, telephone etc.,) during the design phase to ensure the development is capable of being serviced.

The provision of services may also affect the location, scale and design of the development.

### **Services**

#### **Telecommunications facilities**

Telecommunications facilities form an important component of economic and social development in our built environment, and demand for such facilities is increasing. Whilst the importance of such facilities is recognised, it is essential that communications networks are planned and managed in an environmentally appropriate and sustainable manner.

The following key issues are to be considered when designing and locating telecommunications facilities in the Blue Mountains.

#### **VISUAL IMPACT**

**Integrate** the facility with the design and appearance of any building or structure on or within which the telecommunications facility is located.

**Screen** any equipment associated with the facility so as to reduce its visual impact.

**Avoid** obstruction of views of significant landmarks or items of environmental heritage.

**Ensure** that the facility as installed is in keeping with the streetscape.

**Ensure** that the scale of the facility is in keeping with the locality, bearing in mind that the scale may be affected by the intended coverage of the facility.

**Locate** facilities so that they do not impinge on environmentally constrained land.

#### ELECTROMAGNETIC RADIATION AND PUBLIC HEALTH

Telecommunications facilities must be designed, installed and operated to comply with standards relating to human exposure to electromagnetic energy appearing in any applicable code or standard made under any law of the commonwealth.

A policy of "prudent avoidance" is also encouraged.

**Plan** to achieve lower emissions levels from telecommunications facilities.

Locate telecommunications facilities away from land uses such as schools, hospitals and child care centres.

#### **CO-LOCATION OF FACILITIES**

Locate telecommunications lines within existing underground conduit or duct, where practicable.

**Antennae** (and similar structures) should be attached to existing utility poles, towers, structures, or buildings so as to minimise clutter.

#### **Road openings**

Where a development opens the road reserve for the laying of services such as water, power or gas, approval is to be obtained from Council. See also <u>C5.3 Vehicular</u> access, parking and roads.

**Plan,** where possible, to ensure excavations are only open for a single day.

**Erect** appropriate barricading, night lighting, signage and alternate safe usage arrangements and backfill and/or make safe open excavations at the end of the day.

**Compact** trenches with the excavated material and restore with paving, concreting, turf or mulch to improve or return the area to its pre-existing condition.

**Ensure** that the finished surface is free of any possible trip edges.

**Implement** all work in the road reserve in accordance with AS1742 – Manual of Uniform Traffic Control Devices and RTA Manual Traffic Control at work sites.

> Co-ordinate all underground services while the trench is open to save costs associated with redigging.

#### Design of waste facilities

The design of garbage and recycling facilities is one of those essential aspects of a building that are often overlooked or undervalued. If designed and managed properly, such facilities are virtually invisible to the occupants and the general public. If designed or managed poorly, the impact can be significant. Consider these issues when designing waste facilities.

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**Design** a designated area for on-site waste storage, separation, recycling and reuse within the property line.

**Co-locate** waste storage containers and recyclable containers wherever possible.

**Ensure** that facilities are of sufficient size to cater for the waste generation needs of the type of development proposed. See typical waste generation rates in the Table below.

**Shield** wastes from the sun by awnings or roofs or by locating the enclosure on the south side of a wall to reduce odour problems.

**Screen** waste storage areas from public view. Screening should include the view from ground level and elevated positions (eg., from multi-storey developments).

**Maintain** a convenient bin carting distance ie., the distance from the storage area to the location where the vehicle collects the waste.

Types of premises	Typical waste generation rate	Typical recyclables generation rate	Notes on the use of container type
Multi-dwelling developments	140L/unit/week	240L (total)/unit/fortnight for paper and other recyclables	
Retail trading shops (food shops)	0.1 to 0.2m3 / 100m2 gross floor area/day	Discretionary	Hoppers or wheeled bins*
Retail trading shops (non- food shops)	50L/100m2 floor area/day	<100m2: 25L/100m2/day >100m2: 50L/100m2/day	Hoppers or wheeled bins
Showrooms	40L/100m2/day	10L/100m2/day	
Supermarkets and Community Centres	0.1 to 0.3m3/100m2 gross floor area/day	240L/100m2/day	Allow for baling of paper and cardboard*
Greengrocers	0.2 to 0.4m3 / 100m2 gross floor area/day	120L/100m2/day	Allow for composting*
Restaurants, Cafes, Takeaways and Clubs	0.3 to 0.6m3/100 meals	Additional 0.15m3 of glass/100 meals	At least 2 waste collections per week is desirable.*
Hostels, Hotels, Motels and Serviced apartments	0.005 to 0.01m3/bed/day	Hostels: 20L/person/week Hotels: 50L/100m2/bar/day Motels: 1L/bed/day	Wastes from restaurant are additional*
Office buildings	0.01 to 0.03m3/100m2 gross floor area/day	Waste paper 0.005m3/100m2/ day. Glass & plastics, 0.001 to 0.003m3/100m2/day	Waste from cafe/canteen are additional*
Industrial premises	Dependent on industry type	Waste paper 0.001m3/person/ day. Other recyclables a lesser amount.	Hoppers or wheeled bins.*

\*Allow additional space for manoeuvrability and for storage of extra containers to separately store either organic waste or other recyclables in the future.

#### Typical waste generation rates

### **Services**

Bin carting grade should not exceed 10%.

**Provide** adequate space for each dwelling for temporary storage of recyclables and garbage and for individuals to have either home or communal composting.

**Ensure** there is sufficient space to store the garbage and recycling bins between collections within the curtilage of each dwelling or for larger developments, within a communal storage area.

**Waste** enclosures should be well ventilated and drain to a floor waste collection point then to the sewer.

**Use** shredders or paper / cardboard balers to minimise waste bulk.

**Consider** public safety of commercial grade waste containers as their lids can present a hazard if incorrectly sited. Many containers have lids that open 180 degrees or more and present a hazard if lids can be opened into the path of pedestrians.

**Design** waste storage sites and enclosures so that larger containers are not placed on slopes or manoeuvred across kerbs.

**Consider** risks - contents of containers can be set alight by either vandals or by residents inadvertently emptying hot ash and / or other burning material into containers. Isolate enclosures from other buildings on the site to minimise risk. Use building materials that are not flammable.

**Provide** adequate washdown facilities, where appropriate, based on the type of waste handled.

**Separate** storage and collection arrangements are to be made for clinical waste.

**Gates** or roller shutters should be kept closed except when the hoppers need to be accessed by the waste collection vehicle.

#### STREET COLLECTION

**Ensure** that bins can be placed on the nature strip on the block frontage or along the kerbside of gazetted roads for convenient mechanical collection while ensuring minimal disruption to the traffic flow.

**Cul-de-sac** properties should locate bins along straight sections of the road suited for mechanical side loading operation whilst minimising impact on adjoining properties.

**Wheeled** bins should not be placed near intersections, roundabouts, slow points or along busy arterial roads. Where there is no alternative due to site constraints, a specific waste disposal solution needs to be presented which minimises the impact on traffic, pedestrians etc.



#### **COLLECTION ON-SITE**

If adequate space cannot be found to accommodate all bins within the nature strip on the block frontage then provision for bins to be picked up from inside the block should be made addressing the following:

Trucks should move in and out in a forward direction.

**Site** the waste storage area to suit mechanical pick up of waste hoppers by front-end loading trucks.



**Sections** of the internal road that need to be used by the collection trucks must be designed to an additional load-bearing capacity.

**Create** an easement or it may be necessary to enter into private arrangements, such as a legal agreement for on-site collection. Note: The contractor should be indemnified against potential injury to the public and damage to the internal road, under ground services or driveway entry.

#### **Plans & documentation**

STATEMENT OF ENVIRONMENTAL EFFECTS

Where it is proposed to pump to sewer or extend water mains a statement submitted from Sydney Water indicating the capacity to accommodate the additional loads is required.

#### STATEMENT FROM SYDNEY WATER

Proposed developments such as subdivisions, multidwelling developments and the like (ie., those developments that are likely to intensify the demand on the Sydney Water wastewater system) are required to obtain a statement verifying that the sewer system is capable of sustaining the increased usage.

#### **ROAD OPENING APPLICATION**

All work within the road reserve requires an application, the payment of a road opening fee and approval from Council under Section 138 of the Roads Act.

Any works within the public road reserve must be undertaken by a competent and approved contractor with relevant experience in the type of construction. The contractor is required to provide proof of public liability insurance to Council prior to commencing any work. A maintenance bond may also be required. See section A5. Contributions and Bonds.

#### TELECOMMUNICATIONS FACILITIES

Telecommunication facilities require a report prepared by a suitably qualified person which analyses the likely impact of the facility. The report is to address the facility's compliance with the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Radiation Protection Standard for Maximum Exposure Levels to Radio Frequency Fields - 3kHz to 300GHz. The report is to also include, but is not limited to the following:

- a) The maximum predicted transmitting capacity of the facility within its estimated service lifetime.
- b) The intended startup configuration at which the facility will be initially constructed. This information shall include:
  - The frequency of transmission.
  - The number of transmitters.
  - The total power fed to antennas.
  - The number of antennas.
  - The gain of antennas.
  - An estimate of likely population exposure within a reasonable area around the site, including estimates of points of highest public exposure.

Procedures for making these estimates should follow the protocol developed by the ARPANSA.

#### WASTE MANAGEMENT STRATEGY

All new and redevelopment works involving multidwelling housing, accessible housing, tourist accommodation, commercial and industrial buildings will require a waste management strategy. This strategy is to outline the volume and type of waste that will be generated. It must address how the waste is to be stored and treated on the site and how the residual is to be disposed. It must also state how ongoing management is going to address the issues of waste minimisation and management.

#### A Waste Management Strategy guide is available.

#### References

- Better Practice Guide for Waste Management in Multi-Unit Dwellings, Resource NSW, 2002.
- AS1742 Manual of Uniform Traffic Control Devices.



Blue Mountains Better Living DCP



There are a number of pressures contributing to the degradation of water quality of ground waters, creeks, rivers, streams and the associated ecosystems. A primary source is wastewater pollution. Good wastewater management practices are central to both ecosystem function and public health.

Wastewater

There are over 3500 on-site wastewater treatment systems in the Blue Mountains. Wastewater treatment systems are designed for off-site or on-site disposal. For information on reticulated sewer see <u>C5.1 Services.</u>

**Off-site disposal** systems such as pumpout involve the preliminary on-site treatment of wastewater in a septic tank, followed by the collection and transport to a centralised off-site management facility.

**On-site disposal** systems treat wastewater to a certain standard and apply it to a dedicated area of land within the property boundary.

**Wastewater** management systems have a finite life and will at some time require replacement. For example, septic tanks can have an expected life of 25 years, and soil absorption systems can have an expected life of 5 to 15 years. To decommission a system see <u>C1.4 Site Management</u>.

> Owners have the primary responsibility to minimise health, environmental and local amenity risks by ensuring that their wastewater management system is installed, managed, operated, serviced and properly maintained.

#### C5.2 Performance criteria

- Design and maintain wastewater systems to prevent:
  a) Degradation of soils and native vegetation,
  - b)Loss of amenity,
  - c) Risk to public health,
  - d)Pollution of surface and / or ground water, and are able to sustain performance over time and in all conditions.

**Council** is responsible for registering all systems, issuing approvals to operate and inspecting wastewater management systems.

#### System selection

The choice of system will depend on the zoning of the land, the size of the site, soil characteristics, the risk to ground and surface waters, the type of development proposed and whether the site is in a designated 'sewer backlog' area or a 'priority sewerage programme' area (that is, areas where the sewer is not available at present but will be in the foreseeable future).

Before selecting a wastewater management system ask these questions.

- Is the land is capable of sustaining on-site wastewater disposal. If not, examine other management methods such as pump-to-sewer or pumpout.
- Is the system a long-term management strategy or an interim measure before connection to sewer.

**Examine** the demands of managing the system. For example, Aerated Wastewater Treatment System (AWTS) requires continuous power. If the power is turned off, the system might have to be serviced at each start-up. After a prolonged shut-off (more than 1-2 days), recommissioning will normally take 2-4 weeks to establish a stable treatment process. This is an important consideration if the development is occupied only sporadically.

### Wastewater

**Check** the reliability of the system, the quality of service offered by the manufacturer, the availability of service agents, system installation and servicing costs. Before entering into a service contract ensure that service agents are suitably qualified and trained to do the work.

**Design** the system to cater for the limitations of the site and the maximum amount of wastewater to be generated. Rooms that can be easily converted to bedrooms should also be included in these calculations so that the system design can accommodate potential future uses.

**Provide** for shock-loadings such as periods of high rainfall or visitors.

**Pay** particular attention to the water consuming appliances installed. If spa baths etc., are used the system must be designed for the additional load.

**Ensure** that any device adopted for use is accredited by NSW Health as having a quality design and quality assured manufacturing process.

#### **Off-site disposal**

The main on-site system that has off-site disposal is pumpout. Pumpout relies on all wastewater being directed to a septic tank where solids (toilet paper, kitchen waste, faeces etc), are digested by microorganisms and the liquid directed to a wastewater holding tank or collection tank. A tanker then comes and empties the holding tank on a weekly or fortnightly basis.

As the settled and digested solids undergo slight compaction and anaerobic decomposition, they need to be removed periodically to prevent odours, solids backing into the holding well and to ensure that the anaerobic process is completed. This is called desludging. Sydney Water provide a subsidised pumpout service for residential development in an identified sewer backlog area.

#### Design pumpout systems with these strategies in mind.

**Keep** septic tanks and collection wells together and distance them at least 3 metres from the development and property boundaries.

**Install** tanks so that only the lid is above ground level to avoid surface water entering.

**Ensure** that decking or any other structures are not erected over septic tanks unless there is a means of access to the septic tank and collection well.

**Only** use plastic tanks where it is impractical to get concrete tanks into a property. For example, when a crane cannot lift a tank into a yard because of powerlines or trees.

**Concrete** the tanks into the ground and key them together to avoid differential movement and pipe breakage.

**Size** the holding or collection well so that it can contain a minimum of 7 days' daily flow for a weekly pump out. See sizing criteria under standards for development.

**Protect** the pumpout line from damage. The line is usually a 50mm pipe, which terminates at the property boundary, where a gate valve and camlock is fitted.

Fit high water alarms to all holding tanks.

#### TANKER ACCESS

**Provide** an all weather tanker access of adequate width, turning and parking facilities for the pumpout vehicle.

**Provide** a layback for tankers on busy streets or streets with poor site line distances to allow temporary standing of the vehicle.

#### MAINTENANCE

**Desludging** should be done at least every five years, but the frequency depends on how heavily the system is used and the design of the tank. The desludging procedure should ensure that 400-500mm of liquid is retained in the tank, and that the tank is immediately refilled with water to the outlet level to prevent the tank from being lifted by soil hydrostatic pressure.

Wastewate

**Annual servicing** should include assessment of the sludge and scum levels, and checking of the outlet and inlet square junctions for blockages.

#### **On-site disposal**

On environmentally sensitive sites and on lots which contain less than 4000m2 of land identified as not being *development excluded land*, on-site disposal of wastewater is not permitted. The minimum lot size limits the number of on-site disposal systems in a single area to reduce the cumulative environmental degradation and loss of residential amenity. It also ensures that there is adequate space on the lot to provide for the effective functioning and maintenance of the effluent disposal system and effluent disposal area. A site suitability report by an independent site assessor such as a Soil Environmental Scientist, Geologist or Engineer demonstrating that the land is capable of onsite disposal will be required.

Where the LEP requires a *principal development area* the land application area should be located within that area.

Wastewater requires varying levels of treatment, depending on the method of land application and the sensitivity of the site. The are a number of treatment and application methods available such as sand filter beds, wetlands, earth mounds etc. The level of treatment and method of disposal should meet the limitations of the site. See guide to <u>Wastewater assessment</u>.

The most common systems in the Blue Mountains are the Septic Tank with Absorption Trenches, Aerated Wastewater Treatment Systems (AWTS) and Composting Toilets. Ancillary systems such as Amended Soil Mounds are also used to further treat wastewater that has undergone primary or secondary treatment (such as through a septic tank or AWTS) before land application.



Technology is continually evolving to improve environmental and health outcomes for wastewater management systems. It is important that you determine your needs and then explore the range of systems currently on the market.

Encase tanks with a cubic metre of concrete and key them together to prevent the tanks from 'popping' and pipe breakages.

### Wastewater

#### LAND APPLICATION AREAS

Land application areas allow treated wastewater to be managed entirely on-site. Treated wastewater can be utilised through an irrigation system or disposed of through a soil absorption system.

**Soil** absorption trenches release effluent into the soil at a depth that cannot be reached by the roots of most small shrubs and grasses. Soil absorption trenches are not recommended on the sandstone plateau or in sensitive areas as they may lead to contamination of surface water and ground water.

**Irrigation** systems may be classed as either subsurface or surface irrigation.

**Subsurface** irrigation introduces treated effluent into the first 500mm of the soil profile.

**Surface irrigation** needs to be treated to a 'secondary level' and disinfected so as to reduce the possibility of bacteria and virus contamination. The effluent is then applied to the land area through a series of drip, trickle or spraypoints which are designed to eliminate airborne drift and runoff into neighbouring properties.

**Consider** using a combination of surface and subsurface systems.

**Split** the application areas (dual application areas). This allows adequate resting (return periods) between periods of treated wastewater application; for example, two soil absorption areas or two irrigation areas can be used alternately.

In sensitive locations, land application areas might need to be lined with impermeable material to stop treated wastewater percolating through the soil. The design and management of the system should always be such that treated wastewater is applied at the rate at which it is used or at a rate that will not cause pollution. **Implement** wastewater and nutrient reduction initiatives. The use of low phosphorus and sodium detergents, composting toilets and water saving devices can lead to significant reductions in the irrigation area and wet weather storage requirements.

Adequate access must be provided for maintenance, desludging and ventilation.

**Disperse** treated and disinfected wastewater evenly over all the designated land application area.

**Do not** use flood irrigation techniques that concentrate the discharge of treated wastewater in one or a few locations. A single hose or pipe laid on the ground should not be used, even if it is intended to be moved.

**Separate** humans and animals from all wastewater, regardless of whether it has been disinfected. This is the best barrier to ensure public health protection.

#### **VEGETATION MANAGEMENT**

Nutrient removal by vegetation occurs only during the active growth period of the vegetation, and varies greatly among different vegetation types and even then, the use of phosphorus by vegetation is only a minor removal mechanism. See <u>Mountain Landscapes</u> on Council's web site for a list of the types of vegetation that can be used for land application areas.

**Soil** adsorption is the main mechanism for the removal of phosphorus from wastewater. This is not however sustainable as irrigation areas have a life as the ability of the soil to absorb phosphorus is reduced over time.

**Wastewater** must be available to the root zone of the vegetation for nutrient uptake to occur.

**Harvesting** plants (which may include mowing or pruning) and removing them from the site is required to maintain the nutrient uptake rate. Nutrients retained in a standing crop, detritus, or residual humus must be regarded as potential reservoirs of nitrogen and phosphorus on the site.

# Regularly harvest and compost plants / grasses in the land application area.

Wastewate

**Roots** can interfere with the functioning of subsurface irrigation systems and soil absorption systems. The shading of surface irrigated areas can reduce evaporation (although this might sometimes be offset by an increase in transpiration).

**Plant** large trees at a distance from the land application area that is equivalent to the expected tree height.

**Shrubs**, ground covers, sedges and grasses that grow 0.5 to 1 metre in height are appropriate to plant in land application areas.

#### MAINTENANCE

**On-site** systems rely on biological activity to treat wastewater and biological activity is particularly sensitive to cleaning products, especially products that contain disinfectants such as bleaches. They are also sensitive to pesticides, weedicides and pharmaceuticals such as antibiotics. Waste materials containing these products should not be discharged to an on-site disposal system. **Aerated** on-site disposal systems require the owner to enter into an annual contract with a service agent for 4 services at 3 monthly intervals. This should include a check on all mechanical, electrical and functioning parts of the AWTS including the irrigation system. A service report sheet should be completed for each service.

**Service** agents must be able to provide service within 24 hours of being notified of a system malfunction.

**Service** reports for aerated wastewater treatment systems must be in triplicate and specify all service items and test results, the amount of chlorine compound provided, the date, and the technician's initials. The original is given to, or left for, the owner, the duplicate forwarded to Council, within 2 weeks of the service. The triplicate is retained by the service agent.

> All on-site systems are small sewage treatment plants and as such require regular servicing and maintenance.



On-site systems should not be commissioned until landscaping is completed.

#### Greywater management

Greywater is wastewater from non-toilet plumbing fixtures such as showers, basins and taps. The characteristics of greywater are influenced by the number of occupants, their lifestyle and water usage patterns.

Greywater contains many impurities, including nutrients such as nitrogen, phosphorus and salts, which may harm the environment and the soil. It is however a resource that can be reused after treatment for toilet flushing, garden watering or clothes washing.

Further information on greywater use or reuse can be obtained from the NSW Health.

For environmental and health reasons the use of captured rainwater is preferred to greywater reuse in the Blue Mountains.

#### Plans & documentation

### WASTEWATER MANAGEMENT REPORT & PLANS ON-SITE DISPOSAL

A report is required where on-site disposal is proposed or where an existing system needs to be upgraded as a result of additions eg., adding bedrooms.

The report examines the characteristics of the site including detailed soil and climatic assessments. It calculates the system sizes and the extent and location of land application areas. It incorporates the requirements of a Water Cycle Management Study and Geotechnical & Water Balance report. It also includes plan requirements. Reference should be made to the guide <u>Wastewater Assessment</u> for details on the format and content of this report and plans. Note: An irrigation plan by a licensed Urban Irrigation Specialist must accompany the site assessment report where irrigation is proposed.

#### OFF-SITE DISPOSAL

Manufacturers specifications and site plans showing the position of all fittings and drainage lines and the location of the tanks is required. Full details of the proposed system including fitting sizes and system certification from NSW Health is also required.

You can choose Sydney Water or a Private Contractor to pumpout the system. Where a private contractor is chosen the application form must show a 2 year contract with a weekly service at a fixed rate with no set limits on the wastewater production. If Sydney Water are providing the service an "Agreement to pumpout" form must be completed and attached to the application. Copies of the Sydney Water agreement form are available from Council.

Note: Only Sydney Water can be used for subsidised pumpout in 'sewer backlog' areas.

#### **APPROVAL TO OPERATE**

All systems require an approval to operate. This approval is issued as part of the development application (in the case of a new installation). An approval to operate is given for 5 years after which time an application is required to reissue the approval.

All on-site disposals systems are inspected before an approval to operate is issued.

#### References

- Australian Standard 1547: Disposal systems for effluent from domestic premises.
- Local Government (Approvals) Regulation, 1998.
- Environment and Health Guidelines: On-site Sewage Management for Single Households, 1998 (Silver Book).

Vehicular access, parking and circulation are crucial ingredients in the good design of neighbourhoods and villages. To create a safe environment and reduce environmental, social and economic impact consider transport related design elements in all developments.

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Whether accessing a site via an *unformed road*, designing a driveway for a dwelling or developing a site for commercial or industrial uses, there are a number of issues to consider.

#### Roads

Part of the special experience of the Blue Mountains is to explore the streets of our towns, villages and bushland. Roads dip and bend across the topography, open up to vistas or are enclosed by a canopy of trees or thick native vegetation.

Back lanes and scenic drives, suburban roads, formal avenues and the Great Western Highway are all distinctive responses to topography, soils, rainfall as well as changing traffic demands and engineering solutions.

Roads show the history of spreading settlement, response to nature, views and monuments, the changing values and needs of our society in public planning and private realms. The landscape has remained dominant almost everywhere and a distinctive Mountains' "streetscape" has developed.

**Design** roads that complement the character of the area.

**Make** sure that they are able to accommodate the expected traffic volume and nature of that traffic.

Roads should facilitate bushfire management.

#### C5.3 Performance criteria

- 1. Provide adequate and accessible off-street parking and loading facilities that meet the needs of users.
- 2. Ensure safe and convenient movement of vehicles, cyclists and pedestrians.
- 3. Minimise adverse impact on the environment and maximise the aesthetic quality of the roads and parking facilities.
- 4. Create an environment which is safe from physical and personal threat.

Achieve safe, logical and hierarchical transport linkages with the existing street system.

#### ROAD OPENINGS

**Developments** that alter or construct driveways will need to apply for an approval to open a public road (Section 138 of the Roads Act).

**Construction** in a public road reserve must be undertaken by a competent and approved contractor with relevant experience in the type of construction. The contractor is required to provide proof of public liability insurance to Council prior to commencing any works in the road reserve.



Internal road design of a cluster housing development with a roundabout facility leading to different houses.

## Vehicular access

**Consult** with the appropriate authorities as service conduits under the driveway for gas, telephone, electricity etc., may be required by them to facilitate future servicing.

**Verify** the location of all services prior to commencement of work.

**Barricade** and place lamps around driveway crossings during construction and for at least 3 days after completion.

#### NAMING OF ROADS

The name of a new road usually relates to the features of the area, whether that be a historical association to a person or place, topographical landmark or flora and fauna found in the area. The formal process involves reference to the Geographical Names Board and a series of checks to ensure that the proposed name is not similar to other streets in the vicinity. Once this process is completed the name is publicly announced in the NSW Government Gazette.

> Street numbering as a result of subdivision works will normally be advised as part of the development consent.

#### Vehicular access

Site parking, roads and driveways should be designed to minimise cut / fill and the crossing of watercourses and environmentally sensitive areas.

#### ACCESS

Access from an *unformed road* is not permitted unless the road is formed as part of the proposal.

**Use** alternate legal vehicular access rather than direct access from main or busy roads.

#### **DRIVEWAY DESIGN**

**Design** driveways so that site lighting, headlights and vehicle noise do not impact on neighbouring properties.

Provide adequate sight distances.



Design driveways to complement the streetscape.

All public infrastructure works must be designed in accordance with Council's <u>Specification for Public</u> Infrastructure Works - Design.

Any driveway associated with the construction of a single dwelling house, alteration or additions to a dwelling house or outbuilding must be designed in accordance with Council's <u>Specification for Dwelling</u> <u>Driveways</u>.

Design access roads to minimise grades and to suit contours thereby minimising erosion. Access roads should take into account the volume of traffic and the use and enjoyment of that access road by adjoining properties.



#### LOADING FACILITIES

**Design** loading facilities to meet the class of vehicles using the facilities, see AS2890.2-1989 - Off street parking: Commercial vehicle facilities.

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**Parking bays** should be readily accessible and provide adequate space for manoeuvring of heavy vehicles.

**Loading** docks must be designed so that vehicles can enter and exit in a forward direction. Reversing into or out of a loading dock is not permitted.

**Make** sure loading and unloading facilities do not conflict with vehicle or pedestrian routes or other ingress /egress points to the parking facility, nor adversely affect the efficient operation of the road network or amenity of the locality.

**Loading** and unloading must be carried out wholly within the site. Where it is demonstrated that this is not possible, the development must have access to an onstreet loading zone to the front or side of the premises.

#### Parking

#### **CAR PARKING CALCULATIONS**

**Round up** calculations for any fraction of a space to determine total parking requirements. See Parts D & E for carparking requirements.

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

**Developer** contributions may be required where carparking cannot be accommodated on the site. The amount is calculated in accordance with Council's <u>Development Contribution Plan.</u>

#### PARKING FACILITY DESIGN

**Design** the facility to take account of the site conditions, such as slope, drainage, existing vegetation, etc.

**Construct** all parking facilities in accordance with Australian Standards.

**Aim** to minimise the need for site disturbance and removal of or damage to trees and other significant vegetation.

**Consider** the amenity of adjacent sites, particularly neighbouring residential areas. Prevent nuisance from site lighting, headlights and vehicle noise. See <u>C5.4</u> Amenity.

Design carparks so that stormwater is diverted from impervious surfaces to vegetated areas.

### Vehicular access parking and roads

**Design** and construct parking facilities to be safe, practical and convenient for users.

Clearly mark designated spaces.

**Provide** simple and safe access to parking areas. Locate access so as to cause the least interference with vehicular and pedestrian movement on public roads.



#### PARKING FOR PEOPLE WITH A DISABILITY

**Design** dimensions and signage for carparking spaces in accordance with AS1428: Design for Access and Mobility.

**Locate** designated spaces close to the entrance of a building or facility, with access from the car space by ramps and / or lifts in accordance with AS1428.1 and the Building Code of Australia.

#### SIGNAGE

**Provide** signage that is clear, precise, highly visible, easy to read and simple to understand.

**Use** pavement arrows to indicate desired traffic movement.

**Signs** should be located at regular intervals within the parking facility, so that drivers leaving can do so by the most efficient route.

**Entry /exit points** must be clearly marked with either pavement arrows or signage so as to avoid any confusion.

**Upon** entering the car park provide both pedestrians and drivers with a clear understanding of direction to stairs, lifts and exits.

**Directional signs** are not to be internally illuminated or flashing.

**Long stay** spaces for employees are to be indicated with appropriate signage.

**Use** strong colours, standard symbols and simple graphics for signs.

**Use** creative signage in multi-level carparks, to distinguish between floors to enable users to easily locate their vehicle.

Advise users of security measures that are in place and where to locate them (such as intercom systems, help phones, etc.)

**Provide** advisory signage at key locations advising users to lock their vehicles.





Where exits are closed after hours, ensure this information is clearly indicated at the car park entrance.

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Refer also to Council's <u>DCP 21: Advertising and</u> Information Signage.

#### LIGHTING

**Design** lighting facilities in accordance with the AS1558.3.1:1999 for outdoor car parks and pedestrian areas and AS1680.2.1 for covered / underground car parks.

**Provide** illumination to ensure the safety of occupants, pedestrians and vehicles.

**Limit** the potential for theft of vehicles and personal threat by providing lighting to allow easy observation and monitoring of car parks.

**Illuminate** all external edges and access points to car parks during the hours that the parking facility is open.

#### LANDSCAPING

**Include** a number of porous areas in car parks for better management of stormwater. See <u>C1.3 Stormwater</u>.

**Consider** the location of existing trees on the site and methods of retention in the preliminary design phase of the development.

**Use** trees within the carpark to provide shade and on the perimeters to screen the carpark.

**Separate** conflicting vehicular, cyclist and pedestrian movements with landscaping design and careful selection of plant materials.





**Lighting** should be placed so as to reduce contrast between shadows and illuminated area. As a guide, areas should be lit to enable users to identify a persons' face 15 metres away.

**Illuminate** possible places for intruders to hide (such as garbage storage areas, alcoves etc). See <u>C4.2 Crime</u> <u>Minimisation.</u>

**Increase** casual surveillance by locating car parking areas adjacent to an opening, secondary access door, or near building windows. **Garden** beds should be a minimum of 2 metres wide along the side and rear boundaries.

**Plant** between the street and the building setback, or where there is no building setback requirement, to a minimum width of 4 metres.

**Planting** height should be graded across the width of the bed from larger species in the centre to smaller at the edge to limit loss of visibility; maximise opportunity for casual surveillance and to reduce the likelihood of creating hiding or entrapment spots within parking facilities.

## Vehicular access

**Use** advanced trees and shrubs. Plants used for landscaping in car park areas should be:

- Indigenous to the area.
- Suitable for the eco-climate produced within a car park.
- Able to provide foliage at the appropriate height and spread to avoid creating sight distance or security problems, and be able to provide shade to vehicles and pavement areas.
- Species which will not damage car surfaces by dropping fruit, etc.

**Provide** a wall, landscaped mound or an alternative method that shields neighbouring properties from car park illumination and headlights.

**Protect** planting from vehicular movement by the use of wheel stops or a similar method.

#### Circulation

Circulation patterns of car parks should be logical, with directions and exits clearly identifiable. Avoid building entry points where pedestrian flows are greatest.

**Dead-end** parking aisles create circulation problems and are discouraged unless they are located in an area where there is a low turnover use or small parking area (such as for employees).

#### PEDESTRIAN MOVEMENT

**Pedestrian** routes must be designed and marked to clearly identify pedestrian priority. If pedestrian flow lines cross aisles, a clearly visible path must be provided, wide enough to accommodate shopping trolleys and double width strollers.

**Footpath** slope should be minimal, avoiding lips on kerb crossings to facilitate ease of use for persons with disabilities, strollers and shopping trolleys.

Separate pedestrian and vehicular entrances and exits.

**Provide** shopping trolley storage bays within any car park serving a supermarket and large retail complexes.

#### **Plans & documentation**

#### **TRAFFIC STUDY**

Traffic generating development as defined in the State Environmental Planning Policy 11, must take into account the recommendations of the Road and Traffic Authority's Guide to Traffic Generating Development.

Major developments will have to prepare a traffic study by a suitably qualified person based on the Road and Traffic Authority's Guide to Traffic Generating Development.

### TRAFFIC IMPACT STATEMENT AND /OR PARKING NEEDS SURVEY

May be required to demonstrate variations or innovative solutions on traffic grounds or presentation of practical examples of comparable situations.

#### STATEMENT ON ACCESS

All developments will require a statement on access and must be shown on plans. For dwelling house and granny flat development this is included in the <u>Statement of Environmental Effects</u> proforma and on the 'Site Plan'.

#### References

- RTA Guide to Traffic Generating Developments, Roads and Traffic Authority, 1993.
- Australian Standard 2890.1-1993: Parking Facilities Part
  1: Off-street car parking Australian Standard 2890.2 1989: Off-street parking Part 2: Commercial vehicle facilities.
- Australian Standard 2890.3-1993: Parking Facilities Part
  3: Bicycle parking facilities.
- State Environmental Planning Policy No. 11: Traffic Generating Developments.
- Blue Mountains City Council DCP 31: Public Infrastructure Works in Subdivisions and

Amenity is achieved through a number of components which can have an impact on the privacy, comfort and enjoyment of the environment in which we live and work. This section focuses on ensuring development is designed to maximise the quality of the built environment by minimising the adverse impacts which can affect amenity, most commonly as a result of noise generation, visual overlooking, overshadowing and air quality.

Amenit

#### Acoustic amenity

Thoughtful design and practice can reduce the impact of noise on residents and workers and improve the quality of the built environment. Common sources of noise experienced in the built environment relate to road and rail traffic, industrial and manufacturing noise, plant and machinery (such as air conditioners, domestic pool pumps, etc). Achieving maximum acoustic (noise related) amenity should be considered at the start of the design process.

Acoustic privacy can be achieved by:

Careful siting of the development and interior planning.

**Consider** the location of windows and walls in relation to noise sources eg., busy roads, adjoining dwellings (particularly in the case of multi dwelling developments).

**Be aware** of noise penetration performance when selecting building materials and construction methods, particularly between floors and walls.

**Locate** any mechanical equipment, such as pool pumps and air conditioners, to minimise noise impact on adjoining properties.

**Site** noise-sensitive rooms (such as bedrooms) and passive recreation areas away from potential noise sources, which may include driveways, vehicle accommodation and pedestrian thoroughfares.

#### C5.4 Performance criteria

- Design and manage developments so that they do not adversely affect the ability of people to enjoy the environment of the Blue Mountains by way of:
  - a) Noise interruption to their activities,
  - b) Pollution causing impacts on health either short or long term,
  - c) Excessive traffic within residential streets,
  - d) Overspill of lighting from commercial, industrial or recreation sites,
  - e) Poor integration of development into the landscape.

**Place** screens such as fences, trees and hedges between the noise sources and the development whilst maintaining streetscape and natural surveillance. See <u>C2.1 Streetscape and character</u>.

**Consider** the use of solid dividing fins between balconies.

**Hard** exterior surfaces such as concrete paving reflect sound rather than absorb it. Softer surfaces are more desirable, particularly in higher density housing, as they tend to be more efficient in absorbing sound. Permeable surfaces also have the added benefit of reducing stormwater runoff.

**Locate** offices and staff recreation / communal areas away from intrusive noise sources such as heavy machinery, loading docks, equipment and sources of dust, vibration, heat, fumes, smells and other nuisances.

### Amenity

#### Visual amenity

Visual amenity includes a number of factors ranging from maintaining or sharing a field of view to maximising privacy both within and between developments.

#### **VIEW SHARING**

Whilst a view is not attributed to a single property, view sharing is an important consideration when designing a development.

**Utilise** appropriate building setbacks to position the building to maintain any significant views.

**Utilise** the natural contours of the site and design buildings which minimise height and the potential to obscure significant views.

#### PRIVACY

**Site** buildings to ensure maximum privacy for the occupants, both within the dwelling and within any *private open space* areas.

**Consider** the use of suitable visual barriers (fences, vegetation, garden walls, screens etc), surrounding *private open space* areas.

**Position** windows to avoid direct and close views into the windows, balconies or *private open space* of adjoining dwellings and accommodation suites or provide adequate separation between dwellings.

**Building** setbacks can provide for a sense of visual privacy for residents between a dwelling/ accommodation suite and public spaces.

#### Private open space

*Private open space* is a clearly defined area, designated for outdoor activity of an individual dwelling. *Private open space* should be dimensioned and sited to suit the anticipated requirements of future occupants including accommodating some outdoor recreational needs and the provision of an area for service functions, such as clothes drying, composting, etc.

**Design** *private open space* to be located to take advantage of any significant outlook and natural features of the site.

**Consider** the location of adjoining and proposed buildings to reduce any adverse impacts associated with privacy and overshadowing.

**Locate** *private open space* areas so that surveillance, privacy and security issues are addressed. See <u>C4.2</u> <u>Crime Minimisation.</u>

**Orient** *private open space* areas to maximise usability all year round.

#### COMMUNAL OPEN SPACE

**Locate** and design communal open space to encourage use, be inexpensive to maintain and capable of easy supervision.

**Communal** open spaces should generally be located near circulation paths, north facing, include a seat or benches and be appropriately landscaped.

#### Solar amenity

Site layout and building design can reduce winter heat loss, reduce the impact of summer afternoon sun and make use of solar energy.

**Ensure** no structure unduly restricts solar access to an adjoining allotment or dwelling.



**Consider** the location of existing vegetation on the site, as vegetation can also have a significant impact on solar access.

Amenity

#### **General amenity**

Any lighting system must be baffled to ensure that a light source is not directly visible from a habitable room window of any adjoining residential development.

Lighting systems for tennis courts and on major development sites must be certified after installation by a qualified lighting engineer.

**Minimise** discomfort from glare and reflected heat, use external glass that does not exceed 20% reflectivity.

#### Air quality

Air pollution has been identified in the 'National Environmental Health Strategy' as posing a risk to human health and the environment. The motor vehicle and air emissions from industry are a major source of air pollutants which can adversely impact on our living environment. At a local level the use of solid fuel heaters (for climatic reasons) has the potential to impact on air quality in your neighbourhood.

**Use** woodheaters in accordance with good operating practices in order to minimise the cumulative effects from excessive smoke and/or odour emissions.

**Use** an accredited installer OR apply and obtain approval from Council. Installation requires special fire safety considerations and pollution minimisation precautions.

**Do not** burn coal, it gives off an unpleasant odour and excessive smoke.

Information on the correct operating procedures for woodheaters and a list of accredited installers is available on Council's web site.

#### **Plans & documentation**

#### SHADOW DIAGRAMS

Shadow diagrams are required where there is a potential to overshadow an adjoining property. They are also required in 'Employment Enterprise' zones where the land adjoins or is adjacent to a residential zone.

Shadow diagrams must show the impact of the proposed development on the site and on adjoining sites between the hours of 9am and 3pm on 21st June. These diagrams should be based on a survey of the site and buildings on adjoining sites including finished ground levels.

#### NOISE AND VIBRATION REPORT

In locations where a development is exposed to an arterial road and / or is within 100 metres of a railway corridor, a report is required from a qualified acoustic consultant based on criteria established by the EPA. The report should incorporate appropriate mitigation measures such as site layout, landscaping, orientation of buildings, floor plan, construction techniques and materials to be used.

Where a development is proposed on land near or adjoining Railway property, land, infrastructure or assets, a referral will be forwarded to State Rail.

#### References

- Protection of the Environment Operations Act.
- www.epa.nsw.gov.au

## Amenity

Blue Mountains Better Living DCP



Energy smart developments have a combination of passive and active features that work together to ensure a high degree of comfort with minimum energy use. Energy smart development helps preserve scarce resources and reduce greenhouse gas emissions.

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#### Passive solar design

Passive solar design is about designing to take advantage of the sun's free warmth and light. Well designed developments incorporating solar access can help reduce demand on non-renewable energy resources and thereby achieve more sustainable development.

The key element to passive design is to understand where the sun is at different times of the day and in the different seasons. Once the position of the sun on the land is identified, design decisions on the orientation of lots and / or the best location for a building can be made. In choosing the location make sure that the building envelope will not unreasonably reduce the solar access to any adjoining properties. See <u>C5.4</u> <u>Amenity</u>.

### In the Mountains the sun's path in winter and summer is:



#### C5.5 Performance criteria

- Design new allotments to accommodate developments which are climatically comfortable and have usable outdoor recreational areas.
- 2. Design and construct buildings to minimise the need for artificial heating and cooling.
- 3. Design developments to minimise the energy needs and greenhouse gas emissions of the development.
- 4. Maintain adequate solar access to the adjoining property's habitable rooms, private open space areas, outdoor clothes drying areas and any solar panels.

In the Blue Mountains magnetic north is approximately 12.5 degrees east of true solar north.

#### ORIENTATION

Passive design starts at the subdivision stage. If the lot is well orientated or proportioned, then buildings can be designed and sited more easily. Correct orientation assists passive heating and cooling, resulting in improved comfort and decreased energy bills. You can achieve good passive solar performance at minimal cost if the site has the right characteristics.

Sites running North-South are ideal because they receive good access to northern sun with minimum potential for overshadowing by adjoining buildings. In summer, adjoining buildings provide protection from low east and west sun. N-S sites on the north side of the street allow north facing living areas and gardens to be located at the rear of the site for privacy. N-S sites on the south side of the street should be wide enough to accommodate an entry at the front as well as private north facing living areas.

**Sites running East-West** should be wide enough to accommodate north facing outdoor space. Overshadowing by neighbouring properties is more likely to occur on these sites.

### Energy



**The ideal orientation** for living areas is within the range 15 degrees West - 20 degrees East of true or 'solar' North. (20 degrees West - 30 degrees East of true north is considered acceptable). This allows standard eave overhangs to admit winter sun to heat the building and exclude summer sun, with no effort from the occupants and no additional cost.

**Place** high use areas, such as the kitchen and family room, to the north and service areas, such as the laundry and bathroom, to the south or west. Avoid west facing bedrooms. East facing bedrooms are acceptable as they capture morning sun but remain cool on summer evenings.

**On commercial / industrial** sites maximise north and south facades and minimise east and west facades.

**Building setbacks** to the north may need to be greater to maximise solar access and minimise

overshadowing from or to adjoining buildings. Building height may also be stepped to maximise solar access and to follow the landform. **On** sites with poor orientation or limited solar access due to other constraints, an energy efficient building is still achievable through careful design and selection of materials.

#### **Building design**

#### WINDOWS

Location and sizing of windows is an important element of passive design. Glass is a good conductor of heat and allows radiant heat to pass through freely. When there is a temperature difference between inside and outside, heat is lost or gained through the window frame and glazing. With careful passive design this can be used to your advantage; its a big liability if overlooked.

**Place** a suitable amount of windows in north facing walls with solar access. The glazing area should be between 10 to 25 percent of the floor area of the room, depending on climate and thermal mass.

**Glazing** on other facades should be less than the north facade to prevent unwanted heat loss and gain. South facing glass facilitates winter heat loss, while east and particularly west facing glass encourages summer heat gain if not properly shaded. Smaller, well shaded windows are desirable for cross ventilation.

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**Skylight** design reflects the importance of appropriate design to provide suitable daylighting levels while avoiding unwanted heat gain or loss. To achieve this skylights should be provided with an internal shade device, such as a solar blind.

#### GLAZING

Choosing the right glass is a major factor in determining the energy efficiency of a window and will determine many other desirable properties such as light transmittance, noise control and security. There are many types of glass products on the market. The most commonly used is single glazing, yet single glazing offers little resistance to the passage of heat.

**Double glazing** offers much better insulation. It comprises two panes of glass with a sealed space between. The space is filled with air or an inert gas with better insulating properties than glass. The best thermal performance for air-filled units occurs when the space between the panes is about 12mm. If the double glazing is also to be used for noise reduction, a wider gap may be appropriate with some trade off in thermal performance.

**For best performance**, solar control glass can be used for the outer pane and low emissivity glass for the inner pane. The solar control glass prevents unwanted solar radiation entering, while the low emissivity glass reduces heat loss from inside. The low-emissivity glass also blocks heat radiated from the outer pane when it heats up.

A low cost alternative to conventional double glazing is to use a thin, flexible, transparent polyethylene membrane in place of the inner pane of glass. The membrane is attached to the window frame using a high quality, transparent tape and shrunk taut using a hairdryer.

#### FRAMES

After the glazing, frames have the greatest impact on window energy performance.

Aluminium window frames are light and strong, but aluminium is a good conductor of heat and can decrease the insulating value of a window by 20 to 30%. A large amount of energy is also used (and greenhouse gas emitted) in making aluminium. Aluminium windows can be recycled at the end of their lifespan to reduce this impact. A thermal break is often used to reduce the heat conduction of aluminium frames. A thermal break splits the frame components into exterior and interior pieces using a less conductive material to join them.

**Timber** is a good insulator but requires more maintenance than aluminium. Timber frames swell and shrink in response to changes in temperature and humidity. They therefore require larger tolerances, which can result in gaps unless special draught sealing is provided. It is important to check that the timber used is from sustainably managed plantations.

**Composite** frames commonly use thin aluminium on the outer sections with either a timber or uPVC inner section. They insulate about twice as well as standard aluminium frames but they are more expensive.

> The window energy rating system (WERS) can assist you in choosing the most energy efficient windows. Star ratings take into account the effect of both the window and the frame. Look for the WERS label when selecting a window and choose the window with the highest star rating appropriate for your application and budget.

### Energy

#### SHADING

**Provide** shading to east, west and north facing elevations particularly glass areas. Correctly designed eaves are generally all that is required to shade the northern elevations of single storey buildings.

**Provide** external shading to north facing windows to give maximum shade in summer and minimum shade in winter. This type of shading can be simply provided by incorporating eave overhangs or fixed awnings designed to meet a 70° (from the horizontal) line drawn from the bottom of the window to the eave.

**Verandah** awnings on north facing windows will prevent the winter sun from entering north facing rooms.

**Pergolas** and verandahs to the western and eastern aspects should be designed to maximise summer shade and where possible minimise winter shade. For example, by the use of deciduous vines on pergolas or operable louvres.

**Window** shading devices suitable for all windows but particularly westerly and easterly windows include external blinds (fabric and louvre), hinged shutters, awnings (both fixed and roller) and close fitting curtains.

#### **AIR MOVEMENT**

On sites with poor orientation and no access to cooling breezes an energy efficient building is still possible with good design.

For summer conditions, the openings of a building should be designed to take advantage of prevailing wind direction. The effectiveness of built-in cross ventilation depends on placement of openings to create breeze paths with minimum obstruction. Openings in a room are best placed in opposite walls to create air movement across the room and maximise the effect in that room. **In winter**, it is important to be able to close off areas so that only those areas, which need heating, are heated. Better energy ratings are achieved when there are 3 or more individual zones that can be closed off. A 'zone' is defined as two or more rooms. Zones can be created by providing doors between separate open planned areas, such as living / dining and kitchen / family rooms or across corridors.

**High level windows** and vents can create convection currents for cooling in the absence of breezes.

**Higher energy ratings** are provided to those buildings that provide an 'air-lock' to main entry and / or exit doors because of the significant amount of 'conditioned' air that can escape when doors are left open for even relatively short periods.

#### **BUILDING MATERIALS**

The building materials you choose for internal walls and floor should be selected according to the amount of north facing windows and solar access available.

**Heavy** building materials such as concrete and brick have thermal mass ie., the ability to store heat. This can be used to help stabilise indoor temperatures. Thermal mass is beneficial in developments that have good solar access and large north facing windows. However, using excessive amounts of thermal mass can increase heating requirements if solar access is limited.

**Lightweight** building materials such as timber and plasterboard do not store much heat. They allow rooms to heat up and cool down quickly. This is beneficial in developments with limited solar access and small north facing windows and in areas where "quick" heating is required. The floor provides the most common option for locating heavy thermal mass materials in the form of a concrete slab and its thermal performance is best in north facing rooms receiving direct sunlight. However, concrete slabs are not always the best option in the Blue Mountains because of slope or soil related site constraints. Where a concrete slab is not feasible, thermal mass should be incorporated into other construction elements such as walls.

**Wall materials** such as reverse brick veneer, cavity brick, concrete blocks, stone, mud brick, rammed earth and even contained water in walls are very useful in providing more comfortable internal room temperatures. Where external walls are lightweight and insulated, providing mass in internal walls minimises the daily temperature fluctuations and improves comfort considerably.

#### INSULATION

Insulation is a vital component of energy efficient design as it helps to eliminate or drastically reduce the need for artificial heating and cooling systems. Most buildings meet their energy ratings through the installation of insulation in ceiling and walls. **Walls** between garages and dwellings should be insulated similarly to external walls.

**Vapour barriers** are sometimes recommended on the warm side of the insulation layer to keep moisture from condensing within the insulation. Condensation within the insulation can dramatically reduce the effectiveness of insulation and the life of both insulation and the surrounding structure.

**Floors** in contact with the ground are thermally efficient, however, concrete slabs lose heat around the edges and benefit from slab-edge insulation. Suspended floors, particularly of timber or sheet materials will often benefit from underfloor insulation. Concrete slab floors on ground should have under-slab insulation where the slab is used to centrally heat the building.

Use reflective sarking.

#### **KEEPING OUT THE DRAUGHTS**

While draughts can be costly and uncomfortable a minimum level of ventilation is needed to maintain a healthy environment. The key is to control ventilation so that it occurs where and when you want it. Controlled ventilation allows fresh air in and stops heated air from escaping.



Polished concrete flooring has been used to store the day time heat for night release.

### Energy

**Provide** weather seals or draught excluders to all doors and windows. Without seals, the comfortable weather conditions within the building will 'leak' and be lost with consequent increases in energy consumption and cost.

**Windows** can best be insulated internally by providing close fitting, opaque curtains with pelmets.

**Exhaust fans** vented to the exterior are used where moisture is present such as the kitchen and bathroom. However, fans should have built-in shutters to prevent draughts.

**Fireplaces** and chimneys should have covers or dampers to prevent draughts. These measures also assist in bushfire protection.

**Avoid** vented recessed light fittings, fixed wall vents, cavity sliding doors and vented skylights.

#### LANDSCAPING

Landscaped plantings should ensure that solar access is maintained to all surrounding buildings. By assessing which trees are likely to create unwanted shadows as they mature, future conflicts are likely to be prevented.

Landscape design can improve the thermal performance of buildings. Take into account seasonal variations in solar access, shade and shadows, wind breaks and deflection of breezes.

Landscape and building form can be designed to deflect and control the flow of breezes or to block unwanted sun.

Vegetation can lower air temperature in the vicinity of a building, reduce the ground temperature around the building and reduce the heat load during summer. **Native** trees with open canopies preserve solar access of adjoining properties.

**Plant** taller tree species on the northern side of eastwest aligned streets; shorter species on the southern side. See <u>C2.2 Landscaping</u>.

#### **Energy ratings**

Buildings can be assessed and given a star rating. The more energy efficient the higher the star rating. Accredited assessors can assess your plans and provide a written report with the star rate (1-5) and can also suggest ways to improve energy efficiency.

#### Energy use

The use of energy in the home is the largest source of greenhouse gas emissions. The average household's energy use is responsible for about eight tonnes of carbon dioxide (CO2), the main greenhouse gas, per year. Many of these emissions can be abated through more efficient use of energy.

#### HOT WATER SYSTEM

**Choose** the most efficient hot water service (minimum 3.5 star) and the best energy source to meet your needs. Solar, gas and electric heat pump systems produce far fewer greenhouse emissions than conventional storage systems.

Hot water storage should be located near to the most used outlets.

**'Wet'** zones should be grouped together, to shorten hot water pipe runs.

**Insulate** hot water pipes, it not only stops heat leakage but also reduces noise from pipes.

**Look** for labels with the highest energy star rating for dishwashers and washing machines.

#### AIRCONDITIONING

**Use** passive design principles to increase comfort and minimise the need for heating and cooling. If air conditioning is needed choose high efficiency models.

**Control** air conditioning with thermostats located within the air conditioned spaces. Use reverse cycle air conditioning units in small office buildings.

**Use** a "Card" system in Hotels so that air conditioners and lights are switched off when guests leave their room.

#### LIGHTING

The successful integration of artificial light with natural daylight is one of the most important keys to energy efficient design. Choose the right light for the type of room. Most rooms need two types of lighting. Some lighting can make rooms flat and featureless even when it's bright. External lights can also be used as a way of promoting casual surveillance. See <u>C4.2 Crime</u> <u>Minimisation</u>. A lighting designer will be able to help you design more effective lighting, but make sure they know you also want an energy efficient system.

**Match** the type of lighting to the use of the area. For example use fluorescent or compact fluorescent lamps instead of incandescent bulbs in areas that are used a lot, like living rooms, kitchens and office areas. **Use** task lighting to supplement general lighting if needed.

**'Smart'** light switches and fittings use movement sensors to turn lights on and off automatically. These are useful in rooms used infrequently. Make sure they have a built-in daylight sensor so that the light doesn't turn on unnecessarily.

**Use** timers, daylight controls and motion sensors to switch outdoor security lights on and off automatically. Similar controls are particularly useful for common areas, such as hallways, corridors and stairwells, in multi-dwelling housing. **Consider** using solar powered lighting for garden and security lights.

**Modern** dimmer controls for incandescent lights save energy and also increase bulb life.

#### WATER USE

Water is a precious natural resource and it should always be effectively managed. These simple tips can reduce pressure on the Sydney Water sewerage system and impact on the design of the on-site system.

**Use** water saving devices, including dual flush cisterns, water-conserving showerheads, dishwashers and washing machines. Some water using appliances, such as spa baths and food waste disposal units, can be inconsistent with on-site sewage management. See <u>C5.2 Wastewater</u>.



Harnessing the wind for energy.

### Energy

**Practices** such as shorter showers, turning the tap off when cleaning teeth, ensuring that taps do not continuously drip, and using dishwashers and clothes washers only when the load is full can also conserve water.

**Reduce** water usage during periods of heavy rain as this adds additional loads on existing wastewater systems.

**Capture** rainwater from the roof and store in a tank reserved for garden irrigation.

#### Renewable energy systems

Renewable energy technologies use the sun, wind and water ie., energy sources that are continuously replenished from natural resources. Renewable electricity systems usually operate at low cost but can be expensive to install. However they produce electricity with very low greenhouse gas emissions.

The most common systems used are photovoltaics, wind turbines and micro hydro generators. Most renewable systems are unable to provide electricity at all times as there may be insufficient sunlight, wind or water available. To fill the gap, electricity can be supplied from storage batteries or generators in stand alone systems or from the electricity grid in grid connected systems.

The Sustainable Energy Industry Association (SEIA) has a register of accredited designers and installers who can ensure systems comply with appropriate Australian Standards. The register can be accessed via SEIA's website at www.seia.com.au

Over 90% of your electricity comes from burning coal. This creates green house gas pollution that contributes to global warming and climate change.

You can ask your electricity supplier to source the energy you use from renewable sources such as wind, solar and hydro-power instead of fossil fuels such as coal.

#### GREEN POWER

Buying accredited Green Power adds a small premium to your energy bill, but as the demand for Green Power increases, more renewable energy generators will be constructed and the price of Green Power may fall.

#### **Plans & documentation**

#### **BASIX CERTIFICATE**

Each development application for a residential dwelling must be submitted with a BASIX certificate. It is the responsibility of the applicant to complete the assessment, ensuring BASIX requirements are clearly marked on the plans.

The BASIX assessment is a computer simulation tool used to rate the energy performance of buildings. The certificate is issued on-line. Details are found on www.basix.nsw.gov.au

#### ENERGY PERFORMANCE STATEMENT

All other non-residential forms of development are required to complete an energy performance statement. This statement must :

- Demonstrate energy efficiency influences on the subdivision / building design including landscape design.
- The levels of solar access that have been achieved.
- A table of building materials and energy ratings to be used in the development.
- A table of energy efficient systems including water, lighting etc., to be used in the development.

Note: Specifications are to indicate the energy rating of the hot water service; water fixture ratings and dual flush toilets.

#### References

- Australian Standard 2627.1-1993 -Thermal insulation of dwellings Thermal insulation of roof / ceilings and walls in dwellings.
- Building Code of Australia
- For information on renewable energy visit: www.seda.nsw.gov.au www.greenpower.com.au

The term 'adaptable' is used to describe a structure that has the ability to be modified or extended at minimum cost to suit the changing needs of the occupants. Thoughtful design can provide flexibility for these needs to be met without requiring expensive and energy intensive renovations.

Adaptability

Some of us may wish to run a business from home, and as some grow older they may want to look after their grandchildren. Others may need assistance either from mechanical aids or carers. Therefore, we should design and build housing to be 'adaptable' so that it can be used by everybody, irrespective of the users' age, level of mobility, health or lifestyle.

An adaptable building is a concept that contributes to a package of principles, which collectively contribute to good design. Adaptable buildings are designed to accommodate future modifications, catering for:

- Changing family size.
- Ageing.
- Disability.
- Working from home (home office / telecommuting).
- Changing lifestyles.

**Consider** the provisions of AS4299 – Adaptable Housing when constructing or renovating residential development that does not have mandatory access requirements.

The design considerations mentioned in this DCP are ancillary to the provisions of the Australian Standard.

#### **Parking facilities**

Design carports and garages so that they have a minimum internal width of 3.8 metres with a ceiling height of 2.5 metres and an internal length of 6 metres. This size permits a wheelchair user access and use of a vehicle. Carport supporting posts should not obstruct the opening of car doors.

#### C5.6 Performance criteria

- Design housing in such a way that it will easily adapt to suit the needs of the widest possible range of people. The following must be considered;
  - a) people who wish to work from home,
  - b) people who have physical disabilities,
  - c) people who are older,
  - d) people whose needs change as time passes,
  - e) the cost of possible adaptations.

**Uncovered parking spaces** should have a minimum size of 2.4 metres x 6 metres with provision for width enlargement to 3.8 metres. All car parking spaces should not have a surface slope exceeding 1:40 in any direction.

**Minimise** the need for ramps and steps especially to the main entrance by integrating the house with the site. Building access should be as level as possible.

#### Internal design

Plan the layout so that the size of each area allows for multiple usage. Room sizes are critical to the success of an adaptable building and they can vary considerably, depending on the size and layout of furniture.

**Provide** a safe and comfortable home suitable for any occupants irrespective of age and level of ability. It is important to avoid creating an institutionalised atmosphere through over use of grab rails and similar features. Take care to preserve a home atmosphere, especially within the bathroom.

**Design** for the needs of the present owners, without being too specific or inflexible in the design or form of construction. Plan for modifications that will potentially suit the needs of current and future owners.

### Adaptability

Wheelchair users should be able to freely access all the essential areas of the house without assistance. If the building is more than one level it should incorporate all the areas reasonably required by a person in a wheelchair at the ground level. Alternatively provide access to the other levels that have the necessary facilities via the use of ramps or lifts.

**Allow** for wheelchair circulation space adjacent to all doors. This space varies depending on the swing of the door and the direction a wheelchair approaches the door. The AS1428.1 – Design for Access and Mobility, should be consulted for the design requirements for these circulation spaces.

**Corridors** between areas of the dwelling should be kept as short as possible and have a minimum clear width of 1 metre (1.2 metres is recommended). This allows sufficient room for wheelchairs and prams and furniture to be manoeuvred without damaging walls.

**Doorway openings** of at least 800mm are recommended (measured between the face of the open door and the opposite door frame). Door handles are not considered an obstruction in this width. Consider increasing the clear doorway opening above these minimum sizes, particularly for external doors.

**Always** allow for a minimum unobstructed area, free of furniture, of 2.25 metres diameter in living areas, 2.07metres x 1.55 metres in at least one bedroom and a distance of 1.55 metres between opposing base cupboards in the laundry and kitchen.

#### **Construction considerations**

Construct the dwelling or accommodation suite so that future modifications can be carried out at minimum cost. The following are some of the methods that can be used to achieve the objectives of adaptable housing.

#### BATHROOM AND TOILET

The dividing wall between the bathroom and toilet should not support any structural load or contain any electrical or plumbing services. During construction it is preferable to add this wall, as a removable partition, after the floor, walls and ceiling have been finished, including cornices and skirtings.

**The bathroom floor** should not contain a step down or raised 'hob' to step over to gain access to the shower. Waterproof the entire bathroom floor irrespective of whether a shower screen is fitted. The floor tiling of the entire room should be graded to the shower floor waste to prevent puddling of water.

**Securely** screw fix 12mm structural plywood to the wall framing of the shower recess, bath and toilet, before fixing the finished wall sheets. This is to allow for the fixing of future grab rails and other fittings in any location. Record this information on the plans for the future purchasers.

**Securely** fix fixtures to the plywood with suitable screws or purpose made anchors. Do not position a cavity sliding door beside a toilet pan because it will be difficult to fix future grab rails onto that wall.

**Use** a 'P' trap, in lieu of an 'S' trap, to the toilet pan. This allows for easy relocation of the pan further out from the wall, where there is adequate space, if required for a wheelchair user. A 'P' trap to a toilet pan is where the waste is flushed through the wall as opposed to the 'S' trap where the waste is flushed down through the floor.

**Fix** the toilet pan directly over the finished tiled floor with a bonding sealant and suitable screws /expanding bolts, not with cement bedding to a section of cut away tiles. This preferred method enables the easy relocation of the pan without the need to retile a section of the floor to match.

Adaptability

**Install** a mirror in the bathroom that can be used by persons either seated or standing. This can be achieved by either tilting the mirror to suit a seated user or by extending the mirror down to the basin which then doubles as a splash back to the walls.

**Fit** semi-recessed wall hung basins to bench tops with removable vanity units underneath. Use 'P' trap water seals to basins. These provide greater leg room for wheelchair users than 'S' traps.

#### **KITCHEN**

**Install** the kitchen cupboards after the floor surfacing has been finished right through to the perimeter walls of the room.

**Construct** cupboards so that sections below the bench top can be easily removed to provide leg space for a person in a wheelchair and provide for height adjustment in at least one bench top for food preparation.

If an adjustable bench top is not practical, incorporate a pull-out bench top into a cupboard at the required height.

**Avoid** using pull-out tops in areas that also serve as walkways.

#### OTHER

**Incorporate** electrical conduits with draw wires into selected walls for the installation of an additional phone, security services, an intercom system, computerised systems, visual alarms or similar appliances.

**Consider** the installation of storage cupboards with sliding doors in corridors so that they can be later removed to increase circulation space if required.

#### Visitability

Visitability encourages single dwelling houses to be designed in such a way that people with disabilities can visit. Consider these basic requirements:

- include at least one no-step entrance,
- doors and hallways should be wide enough to navigate through,
- make the bathroom big enough for a wheelchair to enter and be able to close the door.

**Visitability** infers that a person in a wheelchair should be able to access a dwelling through the front door, use a toilet on the ground floor and be able to sleep in a bedroom or other room on the ground floor.

#### **Plans & documentation**

Certification that the development complies in full with the provisions of the Australian Standard, to the level specified in Parts D & E of this DCP, is required. This must be provided by an independent, suitably qualified person.

To obtain certification as an adaptable housing unit, 'as built' drawings showing the dwelling / accommodation suite in its pre-adaptation and post-adaptation stages is to be provided.

#### References

Australian Standard 4299-1995: Adaptable Housing.

## **Adaptability**

Blue Mountains Better Living DCP



The Federal Government passed the Disability Discrimination Act (DDA) in 1992. Its purpose is to ensure that people with *disabilities* are able to exercise their rights as Australian citizens in the same way as other members of the community.

Access and mobi

The DDA covers both direct and indirect discrimination against a broad range of disabilities, including physical, sensory, neurological and intellectual and is complaints based. With regard to premises and public places the Act makes it unlawful for these to be inaccessible to people with a disability. Public places include but are not restricted to:

- Education institutions.
- Shops, department stores and shopping centres.
- Banks, credit unions and building societies.
- Parks and recreational /sporting facilities.
- Public toilets.
- Cafés, restaurants and clubs.
- Theatres and other places of public entertainment.
- Lawyers and legal services.
- Libraries.
- Hotels.
- Government offices.
- Health and medical services.
- Travel agents.

#### C5.7 Performance criteria

- Design the development to ensure that people with disabilities are able to exercise their rights as Australian citizens in the same way as other members of the community.
- Create a barrier free, universally accessible environment in public areas, transportation and parking areas, business areas, housing, recreation, entertainment areas, assembly buildings and assembly areas, sporting facilities, services, tourist facilities and places of employment.

The definition of premises under the Act incorporates the whole of the built environment and includes:

- Existing buildings including heritage buildings.
- New or proposed buildings.
- Transport systems.
- Carparks, sports venues, pathways, public gardens and parks.

The creation of a barrier free, universally accessible environment is desirable. In order to maximise potential to meet this objective both private and public space, in the natural and built environment, should be adapted, where possible, to facilitate this outcome.

The scope of access therefore needs to include accessible pathways, facilities and space that will accommodate a comprehensive range of disabilities such as those defined in the Disability Discrimination Act and covered in this DCP in all environs.

#### Continuous path of travel

One of the key concepts in design is the continuous accessible *path of travel*. A continuous accessible path of travel is an uninterrupted path of travel to or within a facility (whether a building or not) providing access to all facilities and amenities normally accessible to able body users.

### **Access and mobility**

The accessible path must not incorporate steps, humps, stairways, revolving doors, escalators or other impediments which prevent the path from being utilised by all people including people with disabilities. It should make provision for adequate lighting for night time usage and generally not include potential entrapment spots. The provision of such a path is fundamental to creating an accessible environment.

This concept includes providing a continuous accessible path of travel:

- From parking spaces and passenger drop off points to entrances of buildings;
- To connect buildings, facilities and spaces that are on the same allotment or part of the same complex.
- To connect buildings, facilities and public areas.
- To connect accessible entrances of buildings to all accessible spaces within the building.
- To minimise distances travelled between accessible elements of buildings and facilities.
- From public spaces to entrances of buildings.

The following design considerations seek to ensure the appropriate level of accessibility is achieved in the built environment.

#### SITE ACCESS

**Provide** a continuous accessible path of travel to all facilities and levels in public buildings including the car parking facilities (both street and on site), bus stops and set down areas in all buildings and facilities.

A continuous accessible path of travel should be the most commonly used and direct path of travel. If this is not possible then clear signage indicating the alternative route must be provided.

#### DOORWAYS AND DOORS

Main entries of buildings must be accessible.

**Other doors** in all circulation areas and spaces must be accessible to all users.

**Ensure** specifications of doors and circulation space comply with AS1428.1.

**Automatic doors** are preferred, particularly at public entrances. Revolving doors should be avoided however if used an additional accessible door must be provided.

**Sensors** for automatic doors must be arranged so that they can be activated by a person in a wheelchair.

**Doors** should be easily opened with minimum force.

**Height** of handle, clearance beside door and approaching doors and viewing panels in doors must comply with AS1428.1.

Doors should not intrude into pedestrian pathways.

**Ensure** provision of level landing either side of the door, compliant with AS1428.1.

**Ensure** no step at entrance and provision of ramps where necessary.

If more than one door is provided to the main entry at least the main door must comply with width, maximum force requirements and handle height requirements of AS1428.1.

**Glazed** doors to be clearly defined with a continuous contrasting band across them.

#### WALKWAYS

**All walkways** must comply with AS1428.1 particularly for gradients and landings. Compliance with AS1428.2 is strongly encouraged.

**Sloping** walkways should be safe and convenient for all users. Slip resistance must comply with AS3661.1 and AS4586.

**Cambers** or cross falls must not exceed 1:40 and should be kept to a minimum.

**Landings** with a cross fall not exceeding 1:40 should be provided at building entrances.
**All walkways** should have a minimum width of 1.8 metres to allow at least 2 wheelchairs to pass or 1.200 metres with passing spaces as per AS1428.1.

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Accessible paths must be clear of all hazards and obstacles including a height clearance of 2 metres (height clearance excludes doorways).

**Grates** with openings greater than 150 x 13mm must not occur in walkways.

**Clear** or reflective glass adjacent to a path of travel is to be defined with a continuous contrasting band across it.

**Walkways** should be well lit for night time usage in accordance with AS1680.0 and AS1158.3.1.

#### **CAR PARKING FACILITIES**

All car parking provisions must comply with AS 1428 and AS 2890 and have minimum dimensions of 3.8m and 6m.

Accessible car parks must be located closest to the accessible entry and include accessible kerb ramps to provide access to adjacent walkways.

**Location** of accessible spaces must be clearly sign posted from the entrance of the facility.

**Use** international access symbols vertically in front of each car space, no lower than 1500mm so that it can be seen over the car.

Gradient of the space must not exceed 1:40.

**Avoid** parallel parking. Where parallel parking is provided the parking area must be inset so that at no time does the user need to enter the vehicle circulation area.

#### **GROUND SURFACES (EXTERNAL)**

**All paving** and ground surfaces must comply with AS 1428 and take into account AS3661.1 and AS4586.

All paving must be safe and traversable by all users.

**Paving** / external ground surfaces consist of firm compacted surfaces (not loose gravel).

**Ensure** surface is even and slip resistant. The type of paver, location and gradient must be chosen to minimise the chance of moss growth or create other circumstances that may cause pavers to become slippery.

Where non-complying pavers are required due to other factors such as trees, these can be used providing a suitable path of travel in complying pavers is provided through the area involved.

**Tactile** Ground Surface Indicators, which comply with AS1528 must be used to highlight hazards or provide direction.

**Good** design can reduce hazards, therefore reducing the need for tactile ground surface indicators.

**Materials** used should consider long term maintenance to ensure ongoing accessibility eg., tree roots, debris from shrubs and trees.

**Stairways,** ramps, escalators and moving pathways. All stairways and ramps must comply with AS1528. Stairways must not be part of the proposed continuous accessible path of travel.

**Spiral** staircases are discouraged, however if used, alternatives should be provided.

**There** must be an even tread / riser dimension for the entire flight of stairs.

Stairs must not include open risers.

Provide contrast nosing to treads.

Where there is more than one step or ramp a handrail must be provided as per AS1428.

Handrails and grabrails must comply with AS1428.

## **Access and mobility**

Where a handrail turns corners ensure it provides a continuous hand hold and does not protrude and create a hazard.

**Ensure** handrails extend beyond ramp and stairs in accordance with AS1428.

#### LIFTS

As a minimum, lifts must comply with the appropriate part of AS1735. Standard lifts must comply with AS1735.12.

**All passenger** lifts and other forms of vertical transport must serve all users and allow for independent operation by the user.

**Ensure** that clear dimensions are a minimum of 1100mm x 1400mm (in accordance with AS 1735.12 Section 2).

**Controls** (internal and external) must be located at an accessible height, not in corners and must be tactile.

A visual indicator must be provided within the lift to inform a person who is deaf / hearing impaired that an emergency call has been received.

An audible indicator must be provided within the lift to inform a person with vision impairment that an emergency call has been received. An audible indicator must be provided within the lift to inform a person with a vision impairment at which floor the lift has stopped.

#### SANITARY FACILITIES

**Sanitary** facilities must comply with the BCA and AS1428.

**Ensure** accessible toilets are provided in a convenient location.

Ensure signage is provided on the outside of the facility.

**Directional** signage must include the international symbol.

#### LIGHTING

Internal lighting must comply with AS1428 and AS1680.

External lighting must comply with AS1158.3

**Provide** adequate illumination along the whole access pathway.

SIGNAGE Ensure compliance with AS1428, international standards and the BCA.

Provide good lighting of signage as per the BCA.

Signs must be spaced as per the BCA.

**Utilise** braille and tactile signage at accessible heights eg., lift buttons, toilet doors, floor signs within a building, directional signage.

**Ensure** luminance contrast of letters is 30% difference to background.

**Provide** signage to identify paths of travel and all facilities.

#### FACILITIES

**Facilities** include reception counters; gateways and checkouts; public telephones; drinking fountains; vending machines; automatic teller machines; bus shelters, viewing platforms; fishing platforms; public BBQs; post boxes; outdoor furniture including tables and seating; refuse receptacles and playground equipment.

Facilities must comply with AS1428.

Where facilities such as telephones are provided consideration should be given to ensuring access to sound amplifications and telephone typewriting services.

Where fixed tables and seating is provided ensure space is provided for people who use wheelchairs.

Where street furniture is provided it is to comply with AS1428.

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Additional street furniture is not to hinder the accessible path of travel.

**LISTENING SYSTEMS FOR HEARING AUGMENTATION Hearing** augmentation systems must comply with AS 1428.

**Install** a hearing augmentation system where public or private announcements are made so that people who are hearing impaired have equal participation in all activities. Including any area with speaking amplification / public address systems;

- Reception and information counters.
- Where there are multiple spaces at least one of each conference room, assembly area, meeting room and the like.

**In addition** to the permanent systems, it is preferable that at least one portable system be provided for use in other areas.

**Areas** where augmentation is provided must be identified by the symbol for hearing access. Information must also be provided in relation to the type of augmentation and whether it is turned on or off and how to operate it.

#### **GENERAL DESIGN CONSIDERATIONS**

**Minimise** the number of steps or changes of level to reduce the risk of falls. Where steps are unavoidable the riser height should be consistent.

Avoid gravel, slippery or unevenly paved paths.

**Paths** should be direct and have adequate natural and artificial light. Two-way switches or movement sensors should be used to control lighting.

**Use** contrasting colours on steps and path edges to improve visibility.

**Install** handrails beside main walkways, steps and ramps.

**Reduce** the need to bend or stoop by designing appropriate storage and utility areas.

Provide security measures that are easy to operate.

**Install** smoke detectors and emergency lights in bedrooms, hallways and main living areas.

Install a light switch and telephone near the bed.

**Modify** showers to measure at least 900mm x 1200mm. They should not have any steps or be located over a bath. Solid walls on two sides are preferred to allow horizontal grab rails to be fitted. Shower curtains or hinged shower screens are easier to use than sliding doors.

Install grab handles for showers and baths.

#### **OUTDOOR AREA DESIGN**

**Plant** light coloured plants along the edges of paths to make them clearer at night.

**Provide** solar powered or movement sensitive outdoor lighting along paths, especially near steps or bends. Use energy efficient lighting. See <u>C5.5 Energy</u>.

#### Plans & documentation

Access and facilities will be required to the degree necessary to satisfy the LEP, the relevant Australian Standards and the Disability Discrimination Act 1992.

An assessment checklist and design drawings for accessibility are required.

The design drawings must indicate the location of the proposed development in relation to the relevant village centre, the distance, grades, location of crossings, pedestrian refuges, rest stops (landings and seats), sight distances, location of public transport facilities and any other such supporting information to demonstrate compliance with the relevant standards.



#### References

- Disability Discrimination Act (DDA).
- Building Code of Australia
- Australian Standard 1428: Design for Access and Mobility
- Australian/New Zealand Standard 1680.0:1998 Interior Lighting Safe Movement.
- Australian/New Zealand Standard 1158.3.1:1999 Road Lighting - Pedestrian Area (Category P) lighting.
- Australian Standard 1735.12:1994 Lifts, escalators and moving walks Facilities for persons with disabilities.
- Australian/New Zealand Standard 3661.1:1993 Slip resistance of pedestrian areas Requirements.
- Australian/New Zealand Standard 4586:1999 Slip resistance classification of new pedestrian surface materials.

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part D specifies the minimum development standards for the form of development listed in the next column. Part D cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

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Part D also includes the key development standards of Local Environmental Plan 2005 (LEP 2005). These are referenced and/or repeated in the DCP. Whilst every

care has been taken in transposing LEP standards, reference should be made to LEP 2005 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part D has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

#### **Dwelling house defined**

This section applies to a single dwelling on a single allotment. A 'dwelling- house' means a building containing one but not more than one dwelling, or that part of a building containing a larger primary dwelling, where that building also contains a granny flat for which consent has been granted.

This section also applies to structures and development ancillary to a dwelling house (including studios, workshops etc), which complies with a Class 10a and 10b classification under the Building Code of Australia.



Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

#### **D1.1 Matrix of plans & documentation**

The matrix provides an outline of the types of plans / statements and reports required

- as part of the development application.
- This information is required.
- $\bigcirc$  Reference to the relevant 'Plan & documentation' section in Part C is necessary to

determine whether this information will be required.

#### \* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	NE	W	AD	DITIONS &	AD	DITIONS &	DE	MOLITION	W/ TR	ASTE EATMENT	CRITERIA
	DV	VELLING	SI	RUCTURES < 501VI2	SI	RUCTURES >50112			DE	VICE	
Site analysis	$\checkmark$				$\checkmark$						LEPcls.42;43;Part B
Design plans	$\checkmark$		$\checkmark$		$\checkmark$				$\checkmark$		Part B
Statement of environmental effects	$\checkmark$		$\checkmark$		$\checkmark$		$\checkmark$		$\checkmark$		LEPcl.89;Part B;C4.2
Detailed environmental assessment	0	*	0	*	0	*			0	*	LEPds.44;45;46;47;51;52;C1.1
Flora and fauna assessment	0	*	0	*	0	*			0	*	C1.1
Vegetation / bushland management plan	0		0		0				0		LEPcl.53; C1.1
Geotechnical report	0	*			0	*			0	*	LEPcl.45; C1.1
Weed management plan	0	*	0	*	0	*	0	*	0	*	LEPcl.55; C1.2
Engineering details	0		0		0				0		C1.1
Stormwater management plan	0	*	0	*	0	*			0	*	LEP cl.57; C1.3
Erosion & sediment control plan	$\checkmark$	*			$\checkmark$	*	0	*	0	*	LEPcl.56; C1.4
Soil & water management plan	0										C1.4
Waste management strategy							$\checkmark$				LEPcl.63;C1.4
Construction management plan	0										C1.4
Detailed character assessment	0	*	0	*	0	*	0	*			LEPcls.60;62; C2.1
Concept landscape plan	0	*			0	*			0	*	LEPcls.65;C2.2
Detailed landscape plan	0	*			0	*			0	*	C2.2
Tree survey	0	*	0	*	0	*			0	*	LEPcl.53;C2.2
Archaeological assessment	0	*									LEP cl.75; C3
Heritage assessment/conservation plan	0	*	0	*	0	*	0	*	0	*	LEP cl.71; C3
Bushfire threat assessment	0	*	0	*	0	*					LEPcl.78; C4.1
Contaminated site report	0										LEPcl.89;C4.3
BASIX Certificate	$\checkmark$										C5.5
Water cycle management study	0		0		0				0		LEPcl.96;C1.1
Noise & vibration report	0				0						C5.4
Shadow diagrams	0		0		0						

Note: Further reports may be required as a result of referral to other agencies.

A proforma Statement of Environmental Effects is available for dwelling house and granny flat development.

CLAUSE		CRITERIA
	D1.2 Biodiversity	
D1.2.1	The alteration of the <i>natural ground level</i> by greater than 1 metre cut or greater than 1 metre depth of fill is not permitted. Consideration will be given to increasing the depth of cut or fill where it is within the building footprint.	LEPcl.58;C1.1; C1.3;C2.1;C5.4
D1.2.2	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C4.3
D1.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	LEPcl.58;C1.1; C1.3;C2.1;C5.4
D1.2.4	Development should generally be located outside environmentally constrained areas.	LEPcls.45;46;47
D1.2.5	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a 'Slope Constraint Area', 'Vegetation Constraint Area', 'Ecological Buffer Area', 'Escarpment Area', 'Water Supply Catchment', 'Riverine Scenic Quality Corridor' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation.	LEPcls.45,46, 47,48,49,50; C1.1;C1.2;C1.3
	D1.3 Weeds	
D1.3.1	Within the 'Living Bushland Conservation' zone and within an <i>asset protection zone</i> on Bushfire Prone land, the planting of species included in <u>Part F2 - Weeds of the Blue</u> <u>Mountains</u> will not be permitted.	LEPcl.55;C1.2; F2
D1.3.2	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	LEPcl.55;C1.2

D1.3.3 Existing noxious weeds must be removed or controlled where identified on a proposed LEPcl.55;C1.2 development site.

#### **D1.4 Stormwater**

D1.4.1 To allow for the retention and potential reuse of stormwater, the post-development flows C1.3 of stormwater generated from the development site shall approximate the predevelopment flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.

D1.4.2 Absorption pits are to be located outside *development excluded land* unless no C1.3 practical alternative can be provided and it is demonstrated that there is no adverse effect on the *development excluded land*.

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- D1.4.3 Rainwater tanks shall have a capacity of not less than 1000 litres per 100 square metres of roof area. Stormwater pits shall measure 600mm wide x 600mm deep x 2 metres long, for each downpipe. Pits shall be located at least 4 metres from any boundary or property boundary. Where the site falls to the street the overflow from the rainwater tanks or pits shall discharge to the street gutter. If available, overflows may also be discharged to a drainage easement. Where a site falls towards a creek, stormwater should not be discharged directly to the creekline.
- D1.4.4 In the 'Living Bushland Conservation' zone or in an area mapped as a 'Protected Area LEPcI.57 Water Supply Catchment', development that increases the existing area of impervious or hard surfaces by more than 100 square metres or where the total area of impervious or hard surfaces of existing and proposed development exceeds 300 square metres, provisions must be made for on-site retention of water with a collection capacity of not less than 4000 litres per 100 square metres of hard or impervious surface and the reuse of such water. Alternative measures will be considered where they have been designed by a suitably qualified person.
- D1.4.5 Where rainwater tanks are used as an on-site detention system the tank shall include C1.3 an outlet (without a tap) to ensure that the on-site detention volume is available for the next storm. Overflow from detention systems shall be discharged into a stormwater pit as described in D1.4.3. See Diagram 1.

DIAGRAM 1



D1.4.6 Habitable floor levels must be located 300mm from finished ground level where the C1.3 building is located in a position that may be affected by stormwater. A higher level may be required in areas of concentrated stormwater flows.

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CLAUSE		CRITERIA
	D1.5 Streetscape & character	
D1.5.1	SCALE AND SETBACK Achieve the scale and setback provisions outlined in Table 1 for developments within that particular zone.	See Table 1
D1.5.2	Development adjoining a 'Regional Transport Corridor - Road' is required to have a minimum 18 metre setback unless the physical or functional circumstances of the land would warrant a lesser setback, and that this would not result in creation of a traffic hazard.	LEPcl.133
D1.5.3	Within the 'Village Housing', 'Village Tourist', 'Village Town Centre' and 'Village Neighbourhood' zones, the development shall be in accordance with the building height, site coverage, setback and other specific provisions contained within the LEP.	LEP Schedule 1
D1.5.4	For development in a 'Village Neighbourhood Centre' (not within a precinct) the 'setback from other boundaries' is 3 metres.	C2.1
D1.5.5	Development within a 'Period Housing Area' shall be in accordance with the specific provisions contained within the LEP.	LEPcl.64
D1.5.6	Ancillary structures such as studios, storage buildings and workshops shall be located behind the building and shall not exceed the height of the main building on the site.	C2.1
D1.5.7	The building materials, colours and architectural form of ancillary structures shall be complementary to the main building.	C2.1;C5.4
D1.5.8	A studio or workshop shall comprise a single room or may include a single room and shower/toilet facility. No kitchen or laundry facilities will be permitted.	C2.1:C5.4
D1.5.9	Garages and car parking areas should preferably be located behind the rear alignment of the building and are not to form a visually prominent element of the streetscape.	LEPcl.100
D1.5.10	<ul><li>The openings of garages and carports on the street frontage should occupy no more than:</li><li>a) 4 metres where the width of the lot is less than 15 metres, or</li><li>b) 6 metres where the lot is equal to or greater than 15 metres.</li></ul>	LEPcl.100
D1.5.11	FENCING AND BOUNDARY TREATMENTS Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height.	LEPcl.60
D1.5.12	In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any private open space areas is permitted provided	C2.1;C5.4

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## **Dwelling house** & ancillary structures

#### Blue Mountains Better Living DCP

TABLE 1 – SCALE AND SETBACK

ZONE	MAXIMUM SITE COVERAGE OF BUILDINGS	Maximum Building Height	Maximum Height at Eaves	FRONT SETBACK	SETBACK FROM OTHER BOUNDARIES	DEVELOPMENT DENSITY (FLOOR SPACE RATIO)
Living General	Maximum site cover is the greater of 40% or 160m2.* *Excludes water t	8 metres from finished ground level. anks.	6.5 metres from finished ground level.	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 8 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of lot in front.</li> </ul>	<ul> <li>The maximum width of any building across the allotment is 80%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	0.35:1
Living General (within Period Housing Area) LEP Schedule 2	Same as Living General.	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	Same as Living General.
Living Conservation LEP Schedule 2	•Lots less than 1000m2 maximum site cover is the greater of 30% or 160m2.*# •Lots 1000m2 or greater maximum site cover is 300m2 plus 10% of of the total site area up to 400m2.*# *Excludes water the of spaced decking	6.5 metres from finished ground level.# anks, unenclose and swimming	4.5 metres from <i>finished</i> ground level.# ed areas	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 10 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of the lot in front.</li> </ul>	<ul> <li>Lots with a width less than 20 metres – the maximum width of any building across the allotment is 75%.</li> <li>Lots with a width greater than 20 metres and less than 25 metres – the maximum width of any building across the allotment is 15 metres.</li> <li>Lots with a width greater than 25 metres – the maximum width of any building across the allotment is 60%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	
Living Conservation (within an Escarpment Area) LEP Schedule 2	Same as Living Conservation.	5.5 metres from finished ground level.#	4 metres from finished ground level.#	Same as Living Conservation.	Same as Living Conservation.	
Living Bushland Conservation LEP Schedule 2	Same as Living Conservation.	8 metres from finished ground level.#	6.5 metres from finished ground level.#	Same as Living General.#	Same as Living General.	
Living Bushland Conservation (within Period Housing Area) LEP Schedule 2	Same as Living Conservation.	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	
Living Bushland Conservation (within an Escarpment Area) LEP Schedule 2	Same as Living Conservation.	5.5 metres from finished ground level.#	4 metres from finished ground level.#	Same as Living General.	Same as Living General.	
Employment Enterprise LEP Schedule 3	Maximum site cover 50%.	8 metres from finished ground level.	6.5 metres from finished ground level.	Minimum 8 metres.	3 metres. (Note: DCP standard C2.1)	0.5:1

#Provisions exist to vary the clause. Refer to the LEP.

CLAUSE		CRITERIA
D1.5.13	Any part of a side boundary fence or wall which is located within the front building	LEPcl.60
	setback applying to the land shall not exceed a height of 1 metre.	
D1.5.14	Any fencing along the front boundary of the site and along any side boundary that is	C2.1
	located within the front building setback applying to the land must be decorative. The	
	sole use of pre-painted metal or standard paling fencing is not permitted.	
D1.5.15	Long sections of fencing along side street frontages must include:	C2.1
	a) recessed portions located at regular intervals along the length of the fence to	
	allow additional landscaping, or	
	b) decorative fencing incorporating design features and materials which add to an	
	attractive streetscape.	

#### **D1.6 Landscaping**

D1.6.1 As part of a development for any dwelling house, extensions or ancillary structures the following minimum percentages of pervious / soft landscape areas in Table 2 must be achieved.

LEP Schedule 2 Schedule 3

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ZONE	MINIMUM % OF PERVIOUS / SOFT LANDSCAPED AREAS
LIVING GENERAL	40%*
LIVING CONSERVATION	60%*
LIVING BUSHLAND CONSERVATION	60%*
EMPLOYMENT ENTERPRISE	30%

\* Minimum % of pervious / soft landscaped areas excludes hard surfaces except for water tanks, unenclosed areas of spaced decking and swimming pools.

D1.6.2 For development within the 'Village' zones, the requirements in relation to pervious/soft LEP landscaped areas shall be in accordance with the LEP. Schedule 1

	D	I.7 Bushfire	
D1.7.1	Brus	hwood fencing is prohibited in the Blue Mountains.	C4.1
D1.7.2	The	following minimum construction standards apply to all habitable buildings:	C4.1
	a)	All roofing shall be non combustible. Shingles and shakes are not to be used.	
	b)	Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.	
	c)	Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.	

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d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.

#### **BUSHFIRE PRONE AREAS**

D1.7.3 An asset protection zone for development on existing allotments on bushfire prone land LEPcl.83 is to comply with the minimum separation distances comprising an inner protection area only as specified in Table 3.

TABLE 3	SLOPE FROM BUILDING 1 Source of Bushfire Hazard	APZ = INNER PRO VEGETATION GROUP 1 & 2	VEGETATION GROUP 3
	>10% upslope	MINIMUM 20 METRES	MINIMUM 20 METRES
	10-0% upslope	MINIMUM 20 METRES	MINIMUM 20 METRES
	0-10% downslope	MINIMUM 25 METRES	MINIMUM 20 METRES
	>10-20% downslope	MINIMUM 30 METRES	MINIMUM 20 METRES
	>20-27% downslope	MINIMUM 40 METRES	MINIMUM 20 METRES
	>27-33% downslope	MINIMUM 50 METRES	MINIMUM 20 METRES

- D1.7.4 Any measures proposed to protect development against bushfire should be C4.1 undertaken on those parts of the site that are not located within a 'Protected Area'.
- D1.7.5 *Asset protection zones* should not be located on any land that has contiguous areas of LEPcl.44 slope greater than 33% unless no other viable alternative is available.
- D1.7.6 Ploughing or grading of *asset protection zones* is not permitted on slopes greater than C4.1 1:5 (20%).
- D1.7.7 Any additions and alterations which equal or exceed 50% of the floor area of the C4.1 existing main building (measured to the outside surfaces) may require that the existing building be upgraded to a standard of construction consistent with the level of bushfire attack as specified within 'Planning for Bushfire Protection'.
- D1.7.8 Where the *asset protection zone* cannot be fully achieved the onus will be on the designer to submit a performance based proposal that will provide a range of measures acceptable to Council and the Rural Fire Service.

#### **D1.8 Services**

- D1.8.1 The provision of electricity and gas services for new dwellings is to be provided C2.1;C5.1 underground.
- D1.8.2 Where reticulated sewer is within 75 metres, existing or proposed dwellings must C5.1 connect to that service.

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CLAUSE D1.8.3	An area for storing garbage, recycling and composting bins shall be provided, suitably located and screened.	<b>CRITERIA</b> C2.1;C5.1; C5.4
	D1.9 Wastewater	
D1.9.1	Current accreditation by NSW Health is required for all on-site waste management facilities.	C5.2
D1.9.2	All tanks used for storage or treatment of wastewater shall be located so not to interfere with any structural elements of buildings with a minimum of 3 metres from property boundaries and dwellings.	C5.2
D1.9.3	Surface water is to be diverted around all treatments systems and effluent disposal areas.	C1.3; C5.2
D1.9.4	Development in a 'Protected Area - Water Supply Catchment' must be serviced by an off-site disposal system.	LEPcl.48
D1.9.5	<b>ON-SITE DISPOSAL</b> An on-site disposal system is only permitted on an existing lot where there is a minimum of 4000m2 of land identified as not being <i>development excluded land</i> .	C5.2
D1.9.6	The minimum disposal area required for a treatment system employing wastewater irrigation is 1000m2 where that system is designed to cater for no more than 1200 litres of wastewater per day.	C5.2
D1.9.7	Effluent disposal areas must be contained within the boundaries of the site.	C5.2
D1.9.8	Absorption trenches are not permitted in the sandstone plateau region of the mountains or where ground water is used for domestic purposes. Absorption trenches will only be considered in other areas where the soil profile exceeds 2 metres.	C5.2
D1.9.9	Surface irrigation or surface disposal of wastewater, open ponds, flow forms or surface wetlands are only permitted when the wastewater has been treated to a secondary level and disinfected.	C5.2
D1.9.10	Irrigation areas are not permitted on slopes greater than 15% and on <i>development excluded land</i> . On slopes between 10 to 15% subsurface irrigation can only be used. On slopes less than 10% subsurface or surface irrigation can be used.	C5.2

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## **Dwelling house** & ancillary structures

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D1.9.11 Septic tanks are to be sized according to Table 4, studies and studios are to be counted as C5.2 bedrooms. Tank capacity is to be based on a five year de-sludge.

#### TABLE 4 - SEPTIC TANK SIZE

Population Equivalent (Persons)	NUMBER OF BEDROOMS	AVERAGE DAILY FLOW	TANK CAPACITY (L)
1 – 5	3	Up to 1000	3000
6 – 7	4	1000 - 1400	3500
8	5	1400 – 1600	4000
9 – 10	6	1600 – 2000	4500

## D1.9.12 Minimum set backs and buffer distances for an effluent disposal area must be provided in C5.2 accordance with Table 5.

SYSTEM	MINIMUM BUFFER DISTANCE
All on-site effluent disposal systems	<ul> <li>100 metres to permanent or intermittent water course (rivers, streams, lakes, seasonal creeks etc).</li> <li>250 metres to domestic groundwater well.</li> <li>40 metres to other waters (farm dams and other drainage channels).</li> <li>3 vertical metres to the seasonal water table.</li> <li>6 metres downslope from a dry plant Scheduled Vegetation Community; 20 metres downslope of a wet plant Scheduled Vegetation Community.</li> </ul>
Surface spray irrigation	<ul> <li>6 metres from the outside edge of the spray line, upslope of a Scheduled Vegetation Community.</li> <li>6 metres if area upgradient and 3 metres if downgradient of driveways and property boundaries.</li> <li>15 metres to dwellings.</li> <li>3 metres to paths and walkways.</li> <li>6 metres to swimming pools.</li> <li>0.5 vertical metres to bedrock or hardpan.</li> </ul>
Surface drip and trickle irrigation	<ul> <li>6 metres if area upgradient and 3 metres if downgradient of swimming pools, property boundaries, driveways and buildings.</li> <li>0.5 vertical metres to bedrock or hardpan.</li> </ul>
Subsurface irrigation	<ul> <li>6 metres if area upgradient and 3 metres if downgradient of swimming pools, property boundaries, driveways and buildings.</li> <li>0.5 vertical metres to bedrock or hardpan.</li> </ul>
Trenches	<ul> <li>12 metres if area upgradient and 6 metres if area downgradient of property boundary.</li> <li>6 metres if area upgradient and 3 metres if area downgradient of swimming pools, driveways and buildings.</li> </ul>

**TABLE 5 - BUFFER DISTANCES** 

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OFF-SITE DISPOSAL

D1.9.13 A collection well for an effluent pump-out system that relies on total water harvesting is C5.2 to be sized according to Table 6, studies and studios are to be counted as bedrooms.

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	STANDARD FIXTURES (1) 140 L/PERSON/DAY	WATER REDUCTION FEATURES (2) 115 L/PERSON/DAY	Full Water Reduction Features (3) 80 L/Person/Day
1 – 5	3	4900	4500	4500
6 – 7	4	6860	5635	4500
8	5	7840	6440	4500
9 – 10	6	9800	8050	5600
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TABLE 6 - COLLECTION WELL SIZES - WATER HARVESTING\*

\* Based on weekly pumpout.

D1.9.14 A collection well for an effluent pump-out system that relies on a reticulated water or C5.2 bore water supply is to be sized according to Table 7, studies and studios are to be counted as bedrooms.

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	STANDARD FIXTURES (1) 180 L/PERSON/DAY	WATER REDUCTION FEATURES (2) 145 L/PERSON/DAY	FULL WATER REDUCTION FEATURES (3) 110 L/ PERSON/DAY
1 – 5	3	6300	5075	4500
6 – 7	4	8820	7105	5390
8	5	10080	8120	6160
9 – 10	6	12600	10180	7700

#### TABLE 7 - COLLECTION WELL SIZE - RETICULATED OR BORE WATER\*

\* Based on weekly pumpout.

- (1) Standard fixtures including automatic washing machine.
- (2) Standard water-reduction fixtures include dual flush 11/5.5 litre water closets, shower flow restrictors, aerator faucets (taps) and water-conserving automatic washing machines.
- (3) Full water reduction fixtures includes the combined use of reduced flush 6/3 litre water closets, shower-flow restrictors, aerator faucets, front load washing machines and flow/pressure control valves on all water-use outlets.
- D1.9.15 All wastewater generated on the property is to be connected to the septic tank by an C5.2 approved single pipe system.
- D1.9.16 The suction line must be 50mm in diameter, Class 12 pressure pipe, with the last 1.5 C5.2 metres to the property boundary and the upstand being 50mm galvanised iron pipe. The upstand and elbow is to be concreted to the ground preventing movement and damage when the pump is operational.

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CLAUSE D1.9.17	The suction line is to be fitted with an approved 50mm "Camlock" locking device at the street boundary with a 50mm brass gatevalve.	CRITERIA C5.2
D1.9.18	In the event where the pumphead exceeds 4 metres, the collection well will require a pump capable of delivering a minimum of 250 litres per minute to the service outlet. Submersible pumps are not permitted.	C5.2
D1.9.19	Where an assist pump is to be used a two way lockable switch is to be installed with a switch at the pump and a switch at the property boundary.	C5.2
D1.9.20	Pressure pipe from the pump to the base of the tank must be 50mm Class 12 pressure pipe with the end cut on angle at least 100mm from the bottom of the tank.	C5.2
D1.9.21	The collection well is to be equipped with a high water alarm that is both visual and audible from the dwelling.	C5.2
D1.9.22	All collection wells and septic tanks are to be encased in 1 metre3 of premixed concrete and keyed together.	C5.2
D1.9.23	Provide all weather access of adequate width, turning and parking facilities for the pump-out vehicle. Access from an <i>unformed road</i> is not permitted.	C5.2
D1.9.24	A layback is to be provided for temporary parking facilities where there is poor site distance or other road or pedestrian safety considerations. The layback is to be a minimum of 13 x 3 metres.	C5.2

### D1.10 Vehicular access, parking & roads

PARKING

D1.10.1	At least one car parking space must be provided on-site.		
D1.10.2	Carparking spaces are not permitted within the front setback area. Consideration will	C2.1;C5.3	

D1.10.3 The minimum dimensions for an open car space is 2.6 metres wide and 5.4 metres C5.3 long.

be given to varying the location where it is desirable for environmental reasons.

D1.10.4 The minimum internal dimensions for a carport or garage is 3 metres wide and 6 C5.3 metres long. A wider door may be required if there is not sufficient manoeuvring space in front of the garage to enable a straight entry.

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CLAUSE		CRITERIA
D1.10.5	Vehicular access to a site must be available from a stable, all weather vehicular access road.	LEPcl.98
D1.10.6	The vehicular access road must not be located on slopes of 33% or greater.	LEPcl.98
D1.10.7	Vehicular access on corner properties should be located at least 6 metres from the intersection.	C5.3
D1.10.8	Only 1 vehicular access point is permitted.	C2.1:C5.3
D1.10.9	<b>DRIVEWAYS</b> Driveways must be a minimum of 3 metres wide and no more than 4 metres wide other than as necessary to enable vehicles to access carparking spaces.	C2.1;C5.3
D1.10.10	The grade of the driveway must not exceed 1 in 4 (25%) and shall include transition grades that provide adequate sight distance and avoid vehicle scraping.	C5.3
D1.10.11	Driveways must not be located on slopes in excess of 33%.	C5.3
D1.10.12	Driveways must be sealed or suitably treated to prevent surface erosion and to provide all weather access.	C5.3
D1.10.13	Driveways with a grade greater than 1 in 10 (10%) are to be sealed to provide all weather access and minimise environmental damage caused by erosion and have a suitable surface treatment which minimises wheel skid in wet conditions.	C5.3
D1.10.14	On busy roads, roads with poor site distance or on steep driveways, a turning facility will be required to ensure safe forward entry and exit.	C5.3
D1.10.15	Where driveway crossings traverse a watercourse or a significant vegetation community, and it has been demonstrated that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert.	C1.1;C5.3
	D1.11 Amenity	
D1.11.1	<b>GENERAL AMENITY</b> The setback between shared driveways or access ways (including a right-of- carriageway) and the windows to main habitable rooms of a dwelling is to be a minimum of 1.5 metres. Refer to Diagram 2.	C5.4

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**DIAGRAM 2** 

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between windows and driveways

#### SOLAR AMENITY

- D1.11.2 The development must be located so that solar access to at least 50% of the *private* C5.4;C5.5 *open space* area is achieved for a minimum of 3 hours on the site, between the hours of 9am to 3pm on 21st June.
- D1.11.3 A minimum of 2 hours solar access is required to outdoor clothes drying areas on C5.4;C5.5 21st June.
- D1.11.4 The development must be designed and located so that solar access to the living C5.4;C5.5 areas (excludes bedrooms, bathrooms and utility areas) and *private open space* areas of adjoining properties is not reduced to less than 3 hours between 9am and 3pm on 21st June.

#### **D1.12 Energy**

- D1.12.1 Any alteration to a dwelling house which increases the floor space by more than 50% LEPd.105;C5.5 must provide a minimum of R1.5 insulation to the external walls and R3 insulation to the ceilings within the alteration.
- D1.12.2 The installation of any hot water system must achieve a minimum 3.5 star rating. C5.5
- D1.12.3 All additions which involve plumbing installations shall incorporate dual flush toilets C5.5 and AAA water saving devices.

#### **D1.13 Special provisions**

#### **ASBESTOS CEMENT**

- D1.13.1 Buildings clad in asbestos cement cannot be relocated or re-sited unless all cladding C1.4 containing asbestos is removed prior to its moving.
- D1.13.2 Any asbestos cement cladding on existing buildings that are proposed to be brick C1.4 veneered or reclad must be removed.

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The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part D specifies the minimum development standards for the form of development listed in the next column. Part D cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

**Granny flats** 

Part D also includes the key development standards of Local Environmental Plan 2005 (LEP 2005). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 2005 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part D has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

#### **Granny flat defined**

This section applies to a granny flat, meaning a dwelling that has a gross floor area that does not exceed 60m2, and that is self-contained to the extent of having separate kitchen and bathroom facilities, and that is part of a single building which has the appearance of, and contains, a larger primary dwelling, and that does not have a land title separate from that of the rest of the building.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

#### **D2.1** Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

✓ This information is required.

 $\odot\,$  Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.

\* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED		
Site analysis	$\checkmark$		LEPcl.42;43;Part B
Design plans	$\checkmark$		Part B
Statement of environmental effects	$\checkmark$		LEPcl.87;Part B;C4.2
Detailed environmental assessment	0	*	LEPcl.44;45;46;47;51;52;C1.1
Flora and fauna assessment	0	*	LEPcl.52;C1.1
Vegetation / bushland management plan	0		LEPd.53;C1.1
Geotechnical report	0		LEPcl.45;C1.1
Weed management plan	0	*	LEPcl.55;C1.2
Engineering details	0		C1.1
Stormwater management plan	0	*	LEP cl.57;C1.3
Erosion & sediment control plan	0	*	LEPcl.56;C1.4
Soil & water management plan	0	*	C1.4
Waste management strategy	0		LEPcl.63;C1.4
Construction management plan	0		C1.4
Detailed character analysis	0	*	LEPcl.62;C2.1
Concept landscape plan	0	*	LEPcl.65;C2.2
Detailed landscape plan	0	*	LEPcl.66;C2.2
Tree survey	0	*	LEPd.53;C2.2
Archaeological assessment	0	*	LEP cl.75;C3
Heritage assessment / conservation plan	0	*	LEP cl.71;C3
Bushfire threat assessment	0		LEPcl.78;C4.1
Contaminated site report	0		LEPcl.89;C4.3
Waste water management report	0		LEPcl.96;97;C5.2
Noise & vibration report	0		C5.4
Shadow diagrams	0		C5.4

Note: Further reports may be required as a result of referral to other agencies.

A proforma Statement of Environmental Effects is available for dwelling house and granny flat development.

**Refer to the LEP to ensure that the type of development proposed is permitted within the zone.** 

Blue Mountains Better Living DCP

CLAUSE		CRITERIA
	D2.2 Biodiversity	
D2.2.1	The alteration of the <i>natural ground level</i> by greater than 1 metre cut or greater than 1 metre depth of fill is not permitted. Consideration will be given to increasing the depth of cut or fill where it is within the building footprint.	LEPcl.58;C1.1; C1.3;C2.1;C5.4
D2.2.2	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C4.3
D2.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	LEPcl.58;C1.1; C1.3;C2.1;C5.4
D2.2.4	Development should generally be located outside environmentally constrained areas.	LEPds.45;46;47
D2.2.5	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a 'Slope Constraint Area', 'Vegetation Constraint Area', 'Ecological Buffer Area', 'Escarpment Area', 'Water Supply Catchment', 'Riverine Scenic Quality Corridor' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation.	LEPcls.45, 46,47,48,49,50; C1.1;C1.2;C1.3
	D2.3 Weeds	
D2.3.1	Within the 'Living Bushland Conservation' zone and within an <i>asset protection zone</i> on Bushfire Prone land, the planting of species included in <u>Part F2 - Weeds of the Blue</u> <u>Mountains</u> will not be permitted.	LEPcl.55;C1.2; F2
D2.3.2	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	LEPcl.55;C1.2
D2.3.3		
	Existing noxious weeds must be removed or controlled where identified on a proposed development site.	LEPcl.55;C1.2
	Existing noxious weeds must be removed or controlled where identified on a proposed development site. D2.4 Stormwater	LEPcl.55;C1.2

**Granny flats** 

D2.4.2 Absorption pits are to be located outside *development excluded land* unless no C1.3 practical alternative can be provided and it is demonstrated that there is no adverse effect on the *development excluded land*.

**CRITERIA** 

C1.3

#### CLAUSE

- D2.4.3 Rainwater tanks shall have a capacity of not less than 1000 litres per 100 square metres of roof area. Stormwater pits shall measure 600mm wide x 600mm deep x 2 metres long, for each downpipe. Pits shall be located at least 4 metres from any boundary or property boundary. Where the site falls to the street the overflow from the rainwater tanks or pits shall discharge to the street gutter. If available, overflows may also be discharged to a drainage easement. Where a site falls towards a creek stormwater should not be discharged directly to the creekline.
- D2.4.4 In the 'Living Bushland Conservation' zone or in an area mapped as a 'Protected Area LEPcI.57 Water Supply Catchment', development that increases the existing area of impervious or hard surfaces by more than 100 square metres or where the total area of impervious or hard surfaces of existing and proposed development exceeds 300 square metres, provisions must be made for on-site retention of water with a collection capacity of not less than 4000 litres per 100 square metres of hard or impervious surface and the reuse of such water. Alternative measures will be considered where they have been designed by a suitably qualified person.
- D2.4.5 Where rainwater tanks are used as an on-site detention system the tank shall include C1.3 an outlet (without a tap) to ensure that the on-site detention volume is available for the next storm. Overflow from detention systems shall be discharged into a stormwater pit as described in D2.4.3. See Diagram 1.

DIAGRAM 1



D2.4.6 Habitable floor levels must be located 300mm from finished ground level where the C1.3 building is located in a position that may be affected by stormwater. A higher level may be required in areas of concentrated stormwater flows.

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CLAUSE		CRITERIA
	D2.5 Streetscape & character	
D2.5.1	SCALE AND SETBACK Achieve the scale and setback provisions outlined in Table 1 for developments within that particular zone.	See Table 1
D2.5.2	Development adjoining a 'Regional Transport Corridor - Road' is required to have a minimum 18 metre setback unless the physical or functional circumstances of the land would warrant a lesser setback, and that this would not result in creation of a traffic hazard.	LEPcl.133
D2.5.3	Within the 'Village Housing', 'Village Tourist' and 'Village Town Centre' zones, the development shall be in accordance with the building height, site coverage, setback and other specific provisions contained within the LEP.	LEP Schedule 1
D2.5.4	Development within a 'Period Housing Area' shall be in accordance with the specific provisions contained within the LEP.	LEPcl.64
D2.5.5	The design and location of the granny flat must complement the style, scale and appearance of the primary dwelling on the allotment.	LEPcl.120
D2.5.6	Garages and car parking areas should preferably be located behind the rear alignment of the building and are not to form a visually prominent element of the streetscape.	LEPcl.100
D2.5.7	<ul><li>The openings of garages and carports on the street frontage should occupy no more than:</li><li>a) 4 metres where the width of the lot is less than 15 metres, or</li><li>b) 6 metres where the lot is equal to or greater than 15 metres.</li></ul>	LEPcl.100
D2.5.8	FENCING AND BOUNDARY TREATMENTS Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height.	LEPcl.60
D2.5.9	In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any private open space areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres.	C2.1;C5.4
D2.5.10	Any part of a side boundary fence or wall which is located within the front building setback applying to the land shall not exceed a height of 1 metre.	LEPcl.60
D2.5.11	Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing is not permitted.	C2.1

Granny flats

# **Granny flats**

#### TABLE 1 – SCALE AND SETBACK

ZONE	MAXIMUM SITE COVERAGE OF BUILDINGS	Maximum Building Height	Maximum Height at Eaves	FRONT SETBACK	SETBACK FROM OTHER BOUNDARIES	DEVELOPMENT DENSITY (FLOOR SPACE RATIO)
Living General	Maximum site cover is the greater of 40% or 160m2.* *Excludes water t	8 metres from <i>finished</i> ground level. anks.	6.5 metres from finished ground level.	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 8 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of lot in front.</li> </ul>	<ul> <li>The maximum width of any building across the allotment is 80%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	0.35:1
Living General (within Period Housing Area) LEP Schedule 2	Same as Living General.	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	Same as Living General.
Living Conservation LEP Schedule 2	<ul> <li>Lots less than 1000m2 maximum site cover is the greater of 30% or 160m2.*#</li> <li>Lots 1000m2 or greater maximum site cover is 300m2 plus 10% of of the total site area up to 400m2.*#</li> <li>*Excludes water to f spaced decking</li> </ul>	6.5 metres from finished ground level.# anks, unenclose g and swimming	4.5 metres from finished ground level.# ed areas pools.	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 10 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of the lot in front.</li> </ul>	<ul> <li>Lots with a width less than 20 metres – the maximum width of any building across the allotment is 75%.</li> <li>Lots with a width greater than 20 metres and less than 25 metres – the maximum width of any building across the allotment is 15 metres.</li> <li>Lots with a width greater than 25 metres – the maximum width of any building across the allotment is 60%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	
Living Conservation (within an Escarpment Area) LEP Schedule 2	Same as Living Conservation.	5.5 metres from finished ground level.#	4 metres from finished ground level.#	Same as Living Conservation.	Same as Living Conservation.	
Living Bushland Conservation LEP Schedule 2	Same as Living Conservation.	8 metres from <i>finished</i> ground level.#	6.5 metres from finished ground level.#	Same as Living General.# £	Same as Living General.	
Living Bushland Conservation (within Period Housing Area) LEP Schedule 2	Same as Living Conservation.	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	
Living Bushland Conservation (within an Escarpment Area) LEP Schedule 2	Same as Living Conservation.	5.5 metres from finished ground level.#	4 metres from finished ground level.#	Same as Living General.	Same as Living General.	
Employment						

#Provisions exist to vary the clause. Refer to the LEP.

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LEP

C4.1

Schedule 2; Schedule 3

CLAUSE		CRITERIA
D2.5.12 Long a) b)	sections of fencing along side street frontages must include: recessed portions located at regular intervals along the length of the fence to allow additional landscaping, or decorative fencing incorporating design features and materials which add to an	C2.1
	attractive streetscape.	

#### **D2.6 Landscaping**

**Granny flats** 

D2.6.1 As part of a development for a granny flat, the following minimum percentages of pervious / soft landscape areas in Table 2 must be achieved.

#### TABLE 2 - PERVIOUS / SOFT LANDSCAPED AREAS

ZONE	MINIMUM % OF PERVIOUS / SOFT LANDSCAPED AREA	S
LIVING GENERAL	40%*	
LIVING CONSERVATION	60%*	
LIVING BUSHLAND CONSERVATION	60%*	
EMPLOYMENT ENTERPRISE	30%	

\* Minimum % of pervious / soft landscaped areas excludes hard surfaces except for water tanks, unenclosed areas of spaced decking and swimming pools.

D2.6.2 For development within the 'Village' zones, the requirements in relation to pervious/soft LEP landscaped areas shall be in accordance with the LEP. Schedule 1

## D2.7 Bushfire D2.7.1 Brushwood fencing is prohibited in the Blue Mountains.

- D2.7.2 The following minimum construction standards apply to all habitable buildings: C4.1
  - a) All roofing shall be non combustible. Shingles and shakes are not to be used.
    - b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.
  - c) Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.
  - d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.

## **Granny flats**

#### CLAUSE

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#### BUSHFIRE PRONE AREAS

D2.7.3 An asset protection zone for development on existing allotments on bushfire prone land LEPcl.83 is to comply with the minimum separation distances comprising an inner protection area only as specified in Table 3.

#### TABLE 3

SLOPE FROM BUILDING TO SOURCE OF BUSHFIRE	APZ = INNER PROTECTION ZONE			
HAZARD	VEGETATION GROUP 1 & 2	VEGETATION GROUP 3		
>10% upslope	MINIMUM 20 METRES	MINIMUM 20 METRES		
10-0% upslope	MINIMUM 20 METRES	MINIMUM 20 METRES		
0-10% downslope	MINIMUM 25 METRES	- MINIMUM 20 METRES		
>10-20% downslope	MINIMUM 30 METRES	MINIMUM 20 METRES		
>20-27% downslope	MINIMUM 40 METRES	- MINIMUM 20 METRES		
>27-33% downslope	MINIMUM 50 METRES	MINIMUM 20 METRES		

- D2.7.4 Any measures proposed to protect development against bushfire should be C4.1 undertaken on those parts of the site that are not located within a 'Protected Area'.
- D2.7.5 Asset protection zones should not be located on any land that has contiguous areas of LEPcl.44 slope greater than 33% unless no other viable alternative is available.
- D2.7.6 Ploughing or grading of *asset protection zones* is not permitted on slopes greater than C4.1 1:5 (20%).
- D2.7.7 Any additions and alterations which equal or exceed 50% of the floor area of the C4.1 existing main building (measured to the outside surfaces) may require that the existing building be upgraded to a standard of construction consistent with the level of bushfire attack as specified within 'Planning for Bushfire Protection'.
- D2.7.8 Where the *asset protection zone* cannot be fully achieved the onus will be on the designer to submit a performance based proposal that will provide a range of measures acceptable to Council and the Rural Fire Service.

#### CRITERIA

Blue Mountains Better Living DCP

1	CLAUSE	D2.8 Services	CRITERIA
	D2.8.1	Services such as electricity, gas, water, sewer and communications are to be an extension of the services from the primary dwelling house.	C4.1
	D2.8.2	Only one external television aerial is permitted to service both the primary dwelling house and the granny flat.	C2.1;C5.1; C5.4
	D2.8.3	Granny flats shall share a letter box and the allocated street number of the primary dwelling house.	C2.1;C5.1
	D2.8.4	A common clothes drying area is required to service both the granny flat and the primary dwelling house.	C2.1;C5.1
	D2.8.5	An area for storing garbage, recycling and composting bins shall be provided, suitably located and screened to service both the granny flat and the primary dwelling house.	C5.1
		D2.9 Vehicular access, parking & roads	
	D2.9.1	PARKING At least one car parking space must be provided on-site.	C5.3
	D2.9.2	Carparking spaces are not permitted within the front setback area. Consideration will be given to varying the location where it is desirable for environmental reasons.	C2.1;C5.3
	D2.9.3	The minimum dimensions for an open car space is 2.6 metres wide and 5.4 metres long.	C5.3
	D2.9.4	The minimum internal dimensions for a carport or garage is 3 metres wide and 6 metres long. A wider door may be required if there is not sufficient manoeuvring space in front of the garage to enable a straight entry.	C5.3
		)eggep	

**Granny flats** 

CLAUSE		CRITERIA
D2.9.5	Vehicular access to a site must be available from a stable, all weather vehicular access road.	LEPcl.98
D2.9.6	The vehicular access road must not be located on slopes of 33% or greater.	LEPcl.98
D2.9.7	Only one vehicular access point is permitted for allotments with a frontage of 18.5 metres or less.	C2.1;C5.3
D2.9.8	A maximum of two vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the design to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facilities.	C2.1;C5.3
D2.9.9	Any vehicular crossing shall be a minimum distance of 6 metres from traffic signals or intersections as measured along the boundary of the subject site.	C5.3
D2.9.10	<b>DRIVEWAYS</b> Driveways must be a minimum of 3 metres wide and shall not exceed 4 metres in width other than as necessary to enable vehicles to access carparking spaces.	C2.1;C5.3
D2.9.11	The grade of the driveway must not exceed 1 in 4 (25%) and shall include transition grades that provide adequate sight distance and avoid vehicle scraping.	C5.3
D2.9.12	Driveways must not be located on slopes in excess of 33%.	C5.3
D2.9.13	Driveways must be sealed to provide all weather access.	C5.3
D2.9.14	Driveways with a grade greater than 1 in 10 (10%) shall have a suitable surface treatment which minimises wheel skid in wet conditions.	C5.3
D2.9.15	Vehicles must be able to enter and leave the site in a forward direction.	C5.3
D2.9.16	Turning areas to accommodate vehicles leaving the site in a forward direction must not be located within the front setback.	C2.1;C5.3
D2.9.17	Where driveway crossings traverse a watercourse or a significant vegetation community, and it has been demonstrated that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert.	C1.1;C5.3

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**CRITERIA** 

C5.4

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**Granny flats** 

### D2.10 Amenity

**GENERAL AMENITY** 

**CLAUSE** 

D2.10.1 The setback between shared driveways or access ways (including a right-ofcarriageway) and the windows to main habitable rooms of a dwelling is to be a minimum of 1.5 metres. Refer to Diagram 2.

DIAGRAM 2



SOLAR AMENITY

- D2.10.2 The development must be located so that solar access to at least 50% of the *private* C5.4;C5.5 *open space* area is achieved for a minimum of 3 hours on the site, between the hours of 9am to 3pm on 21st June.
- D2.10.3 A minimum of 2 hours solar access is required to outdoor clothes drying areas on 21st C5.4;C5.5 June.
- D2.10.4 The development must be designed and located so that solar access to the living C5.4;C5.5 areas (excludes bedrooms, bathrooms and utility areas) and *private open space* areas of adjoining properties is not reduced to less than 3 hours between 9am and 3pm on 21st June.

	D2.11 Energy		
D2.11.1	Any alteration to a dwelling house to create a granny flat which increases the floor space by more than 50% must provide a minimum of R1.5 insulation to the external	LEPd.105;C5.5	
	walls and R3 insulation to the ceilings within the alteration.		
D2.11.2	The installation of any hot water system must achieve a minimum 3.5 star rating.	C5.5 —	
D2.11.3	All additions which involve plumbing installations shall incorporate dual flush toilets and AAA water saving devices.	C5.5	

# **Granny flats**

CLAUSE		CRITERIA
	D2.12 Adaptability	
D2.12.1	Granny flat development located within an Accessible Housing Area (as shown on Map Panel A of the LEP), is to be adaptable in accordance with AS4299 – Adaptable Housing as follows:	LEPd.120;C5.6
	Adaptable House Class A – where the slope of the land from the point of access at the road reserve to the rear of the building is not steeper than $1:14 - All$ essential and desirable features of Appendix A of AS4299 – Adaptable Housing.	
	Adaptable House Class B – where the slope of the land from the point of access at the road reserve to the rear of the building is steeper than 1:14 but not steeper than 1:8 – All essential and 50% of desirable features incorporated, including all those notated as "First Priority" in Appendix A of AS4299 – Adaptable Housing.	
	Adaptable House Class C – where the slope of the land from the point of access at the road reserve to the rear of the building is steeper than $1:8$ – All essential features of Appendix A of AS4299 – Adaptable Housing.	
D2.12.2	Granny flats located outside of an Accessible Housing Area shall be <b>Adaptable House</b> <b>Class C</b> – All essential features of Appendix A of AS4299 – Adaptable Housing.	LEPcl.120;C5.6
	D2.13 Special provisions	
D2.13.1	GRANNY FLAT No more than one granny flat is to be erected on the allotment.	LEPcl.120
D2.13.2	The granny flat must be attached to the primary dwelling house.	LEP defined
D2.13.3	Subdivision of an approved granny flat for the purpose of making the granny flat and the primary dwelling available for separate disposition or sale is not permitted.	LEPcl.120
D2.13.4	ASBESTOS CEMENT Any asbestos cement cladding on existing buildings that are proposed to be brick veneered or reclad must be removed.	C1.4

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**Dual occupancy** 

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part D specifies the minimum development standards for the form of development listed in the next column. Part D cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

Part D also includes the key development standards of Local Environmental Plan 2005 (LEP 2005). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 2005 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part D has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

#### **Dual occupancy defined**

This section applies to two dwellings on one allotment being;

a) an existing dwelling that has been added to, creating two dwellings on one allotment; or

b) an existing dwelling converted into two dwellings; or

c) a new building containing two dwellings; or

d) two new detached dwellings on one allotment; or

e) two detached dwellings on one allotment after being erected at different times, or

f) if in existence at the appointed day, a building containing two dwellings, but only if the building was approved by the Council.

A dual occupancy does not include a building on one allotment containing a dwelling house and a granny flat approved by the Council.

Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

#### **D3.1 Matrix of plans & documentation**

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- $\bigcirc$  Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.
- \* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	$\checkmark$	LEPcl.42;43;Part B
Design plans	✓	Part B
Statement of environmental effects	✓	Part B
Detailed environmental assessment	• *	LEPcl.44;45;46;47;51;52;C1.1
Flora and fauna assessment	• *	C1.1
Vegetation / bushland management plan	0	LEPcl.53;C1.1
Geotechnical report	0	LEPcl.45;C1.1
Weed management plan	• *	LEPcl.55;C1.2
Engineering details	0	C1.1
Stormwater management plan	• *	LEP cl.57;C1.3
Erosion & sediment control plan	• *	LEPcl.56;C1.4
Soil & water management plan	• *	C1.4
Waste management strategy	0	LEPcl.63;C1.4
Construction management plan	0	C1.4
Detailed character assessment	• *	LEPcl.62;C2.1
Detailed landscape plan	• *	LEPcl.66;C2.2
Tree survey	• *	LEPcl.53;C2.2
Archaeological assessment	• *	LEP cl.75;C3
Heritage assessment / conservation plan	O <b>*</b>	LEP cl.71;C3
Bushfire threat assessment	0	LEPcl.78;C4.1
Crime minimisation assessment	$\checkmark$	LEPcl.87;C4.2
Contaminated site report	0	LEPcl.89;C4.3
BASIX Certificate	0	C5.5
Water cycle management study	0	LEPcl.96;C1.1
Noise & vibration report	0	C5.4
Shadow diagrams	0	C5.4

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

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CLAUSE		CRITERIA
	D3.2 Biodiversity	
D3.2.1	The alteration of the <i>natural ground level</i> by greater than 1 metre cut or greater than 1 metre depth of fill is not permitted. Consideration will be given to increasing the depth of cut or fill where it is within the building footprint.	C1.1;C1.3; C2.1;C5.4
D3.2.2	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C4.3
D3.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	C1.1;C1.3; C2.1;C5.4
D3.2.4	Development should generally be located outside environmentally constrained areas.	LEPcls.45;46;47
D3.2.5	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a 'Slope Constraint Area', 'Vegetation Constraint Area', 'Ecological Buffer Area', 'Escarpment Area', 'Water Supply Catchment', 'Riverine Scenic Quality Corridor' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation.	LEPcls.45,46, 47,48,49,50; C1.1;C1.2;C1.3
	D3.3 Weeds	
D3.3.1	D3.3 Weeds The planting of species included in <u>Part F2 - Weeds of the Blue Mountains</u> will not be permitted in any <i>asset protection zone</i> on Bushfire Prone land.	LEPcl.55;C1.2; F2
D3.3.1 D3.3.2	D3.3 Weeds The planting of species included in <u>Part F2 - Weeds of the Blue Mountains will not be</u> permitted in any <i>asset protection zone</i> on Bushfire Prone land. The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	LEPcl.55;C1.2; F2 LEPcl.55;C1.2
D3.3.1 D3.3.2 D3.3.3	<b>D3.3 Weeds</b> The planting of species included in Part F2 - Weeds of the Blue Mountains will not be permitted in any asset protection zone on Bushfire Prone land.         The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.         Existing noxious weeds must be removed or controlled where identified on a proposed development site.	LEPcl.55;C1.2; F2 LEPcl.55;C1.2 LEPcl.55;C1.2
D3.3.1 D3.3.2 D3.3.3	D3.3 Weeds The planting of species included in <u>Part F2 - Weeds of the Blue Mountains will not be permitted in any asset protection zone on Bushfire Prone land. The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted. Existing noxious weeds must be removed or controlled where identified on a proposed development site. D3.4 Stormwater</u>	LEPcl.55;C1.2; F2 LEPcl.55;C1.2 LEPcl.55;C1.2
D3.3.1 D3.3.2 D3.3.3 D3.4.1	D3.3 Weeds The planting of species included in <u>Part F2 - Weeds of the Blue Mountains will not be permitted in any asset protection zone on Bushfire Prone land. The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted. Existing noxious weeds must be removed or controlled where identified on a proposed development site. D3.4 Stormwater To allow for the retention and potential re-use of stormwater, the post-development flows of stormwater generated from the development site shall approximate the predevelopment flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.</u>	LEPcl.55;C1.2; F2 LEPcl.55;C1.2 LEPcl.55;C1.2

**CRITERIA** 

C1.3

#### CLAUSE

- D3.4.3 Rainwater tanks shall have a capacity of not less than 1000 litres per 100 square metres of roof area. Stormwater pits shall measure 600mm wide x 600mm deep x 2 metres long, for each downpipe. Pits shall be located at least 4 metres from any boundary or property boundary. Where the site falls to the street the overflow from the rainwater tanks or pits shall discharge to the street gutter. If available, overflows may also be discharged to a drainage easement. Where a site falls towards a creek stormwater should not be discharged directly to the creekline.
- D3.4.4 In an area mapped as a 'Protected Area Water Supply Catchment', development that LEPcI.57 increases the existing area of impervious or hard surfaces by more than 100 square metres or where the total area of impervious or hard surfaces of existing and proposed development exceeds 300 square metres, provisions must be made for on-site retention of water with a collection capacity of not less than 4000 litres per 100 square metres of hard or impervious surface and the reuse of such water. Alternative measures will be considered where they have been designed by a suitably qualified person.
- D3.4.5 Where rainwater tanks are used as an on-site detention system the tank shall include C1.3 an outlet (without a tap) to ensure that the on-site detention volume is available for the next storm. Overflow from detention systems shall be discharged into a stormwater pit as described in D3.4.3. See Diagram 1.



D3.4.6 Habitable floor levels must be located 300mm from finished ground level where the C1.3 building is located in a position that may be affected by stormwater. A higher level may be required in areas of concentrated stormwater flows.

#### DIAGRAM 1

# **Dual occupancy**

Blue Mountains

CLAUSE		CRITERIA
	D3.5 Streetscape & character	
D3.5.1	SCALE AND SETBACK Achieve the scale and setback provisions outlined in Table 1 for development within that particular zone.	See Table 1
D3.5.2	Development adjoining a 'Regional Transport Corridor - Road' is required to have a minimum 18 metre setback unless the physical or functional circumstances of the land would warrant a lesser setback, and that this would not result in creation of a traffic hazard	LEPcl.133
D3.5.3	Within the 'Village Housing', 'Village Tourist' and 'Village Town Centre' zones, the development shall be in accordance with the building height, site coverage, setback and other specific provisions contained within the LEP.	LEP Schedule 1
D3.5.4	Development within a 'Period Housing Area' shall be in accordance with the specific provisions contained within the LEP.	LEPcl.64
D3.5.5	Mirror reversed dual occupancy designs are to be avoided.	LEPcl.119
D3.5.6	Detached dual occupancies located on a corner allotment shall be designed to separately address the primary and secondary street frontages.	LEPcl.119
D3.5.7	In the case of attached dual occupancies on corner allotments where the characters of each street, including adjoining buildings, substantially different from each other, the form of attachment between the two dwellings (of the dual occupancy) should be less obvious to maximise the opportunity for the dwelling to be complementary to the different characters of the streets.	C2.1
D3.5.8	In the case of a detached dual occupancy, the minimum separation distance between buildings for sites with a north-south orientation is 10 metres unless the site is of sufficient width in which a second dwelling is able to achieve full and an uninterrupted northern aspect.	C2.1;C5.4; C5.5
D3.5.9	In the case of a detached dual occupancy, the minimum separation distance between buildings for sites with an east-west orientation is 3 metres.	C2.1;C5.4; C5.5
D3.5.10	Where an allotment adjoins vacant land (either a public reserve, future building site, etc), the setback from the boundary adjoining the vacant land to any second storey portion of the proposed dwelling on the subject site is a minimum of 3 metres.	C2.1;C5.4
D3.5.11	Garages and car parking areas should preferably be located behind the rear alignment of the building and are not to form a visually prominent element of the streetscape.	LEPcl.100

## **Dual occupancy**

CLAUSE

#### TABLE 1 – SCALE AND SETBACK

**CRITERIA** 

ZONE	MAXIMUM SITE COVERAGE OF BUILDINGS	Maximum Building Height	Maximum Height at Eaves	FRONT SETBACK	SETBACK FROM OTHER BOUNDARIES	Development Density (floor Space Ratio)
Living General	Maximum site cover is the greater of 40% or 160m2.* *Excludes water t	8 metres from finished ground level. anks.	6.5 metres from finished ground level.	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 8 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of lot in front.</li> </ul>	<ul> <li>The maximum width of any building across the allotment is 80%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	0.35:1
Living General (within Period Housing Area) LEP Schedule 2	Same as Living General.	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	Same as Living General.
Employment Enterprise LEP Schedule 3	Maximum site cover 50%.	8 metres from finished ground level.	6.5 metres from finished ground level.	Minimum 8 metres.	3 metres. (Note: DCP standard C2.1)	0.5:1

#Provisions exist to vary the clause. Refer to the LEP.

D3.5.12	The openings of garages and carports on the street frontage should occupy no more than: a) 4 metres where the width of the lot is less than 15 metres, or	LEPcl.100
	b) 6 metres where the lot is equal to or greater than 15 metres.	
D3.5.13	Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height.	LEPcl.60
D3.5.14	In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any private open space areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres.	C2.1;C5.4
D3.5.15	Any part of a side boundary fence or wall which is located within the front building setback applying to the land shall not exceed a height of 1 metre.	LEPcl.60
D3.5.16	Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing is not permitted.	C2.1
D3.5.17	<ul> <li>Long sections of fencing along side street frontages must include:</li> <li>a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping, or</li> <li>b) decorative fencing incorporating design features and materials which add to an attractive streetscape.</li> </ul>	C2.1
# **Dual occupancy**

**D3.6 Landscaping** 

ZONE

LIVING GENERAL

EMPLOYMENT ENTERPRISE

**CLAUSE** 

**Blue Mountains** er Living DCP

#### LEP D3.6.1 As part of a development for a dual occupancy, the minimum percentages of pervious / soft landscape areas in Table 2 must be achieved. Schedule 2; Schedule 3 TABLE 2 - PERVIOUS / SOFT LANDSCAPED AREAS MINIMUM % OF PERVIOUS / SOFT LANDSCAPED AREAS 40%\*

30%

* Minimum % of pervious / soft landscaped areas excludes hard surfaces except for
water tanks, unenclosed areas of spaced decking and swimming pools.

D3.6.2 For development within the 'Village' zones, the requirements in relation to pervious/soft LEP landscaped areas shall be in accordance with the LEP. Schedule 1

	D3	3.7 Bushfire	
D3.7.1	Brusl	hwood fencing is prohibited in the Blue Mountains.	C4.1
D3.7.2	The a) b)	following minimum construction standards apply to all habitable buildings: All roofing shall be non combustible. Shingles and shakes are not to be used. Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.	C4.1
	c)	Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.	

d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.

#### **CLAUSE CRITERIA BUSHFIRE PRONE AREAS** D3.7.3 An asset protection zones for development on existing allotments on bushfire prone LEPcl.83 land is to comply with the minimum separation distances comprising an inner protection area only as specified in Table 3. **TABLE 3 SLOPE FROM BUILDING TO APZ = INNER PROTECTION ZONE** SOURCE OF BUSHFIRE HAZARD VEGETATION GROUP 1 & 2 **VEGETATION GROUP 3 MINIMUM 20 METRES MINIMUM 20 METRES** >10% upslope 10-0% upslope **MINIMUM 20 METRES MINIMUM 20 METRES** 0-10% downslope **MINIMUM 25 METRES MINIMUM 20 METRES** >10-20% downslope **MINIMUM 30 METRES MINIMUM 20 METRES** >20-27% downslope **MINIMUM 20 METRES MINIMUM 40 METRES** >27-33% downslope **MINIMUM 20 METRES MINIMUM 50 METRES** D3.7.4 Any measures proposed to protect development against bushfire should be C4.1 undertaken on those parts of the site that are not located within a protected area. D3.7.5 Asset protection zones should not be located on any land that has contiguous areas of LEPcl.44 slope greater than 33% unless no other viable alternative is available. D3.7.6 Ploughing or grading of asset protection zones is not permitted on slopes greater than C4.1 1:5 (20%). D3.7.7 Any additions and alterations to create a dual occupancy may require that the existing C4.1 building be upgraded to a standard of construction consistent with the level of bushfire attack as specified within 'Planning for Bushfire Protection'. D3.7.8 Where the asset protection zone cannot be fully achieved the onus will be on the C4.1 designer to submit a performance based proposal that will provide a range of measures acceptable to Council and the Rural Fire Service. **D3.8 Services** D3.8.1 Dual occupancy is only permitted where a reticulated sewerage system is in place at LEPcl.95 the time of granting consent which is capable of servicing the development. D3.8.2 The provision of electricity and gas services for new dwellings is to be provided C2.1;C5.1 underground.

#### D3 p.8

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**CRITERIA** 

C2.1;C5.1

C5.1

C5.1

C5.3

C2.1;C5.3

C5.3

C5.3

C5.3

C2.1;C5.1;

D3.9.5	The minimum internal dimensions for a carport or garage is 3 metres in width and 6	
	metres long, unless specified elsewhere in D3. Dual Occupancy. A wider door may b	e

straight entry.

**CLAUSE** 

D396	All car parking is to be provided on-site
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**Dual occupancy** 

attached dual occupancy.

numbers shall be clearly identifiable.

provided and marked accordingly.

D3.9.1 Carparking shall be provided at the rate of:

PARKING

dwelling is required.

D3.8.3 Only one external television aerial is permitted to service both the dwellings of an

D3.8.4 One letter box shall be provided for each dwelling at the frontage of the site and street

D3.8.5 Where the development is or intended to be subdivided as strata or community title

D3.8.6 An area for storing garbage, recycling and composting bins and for clothes drying

D3.9 Vehicular access, parking & roads

a) 1 space per dwelling with a Gross Floor Area of less than 125m2.

D3.9.3 Construction of parking facilities shall be in accordance with Council's Engineering

D3.9.4 The minimum dimensions for an open car space is 2.6 metres wide and 5.4 metres

required if there is not sufficient manoeuvring space in front of the garage to enable a

mentioned in Council's engineering specifications and guidelines.

Specifications and Guidelines. Generally, bay sizes, driveways, access, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890.1, where requirements are not specified elsewhere in this DCP or specifically

b) 2 spaces per dwelling with a *Gross Floor Area* equal to or greater than 125m2. unless the dual occupancy is located in an accessible housing area where 1 space per

private open space area calculation. See D3.10 Amenity.

D3.9.2 Carparking spaces are not permitted within the front setback area.

long, unless specified elsewhere in D3. Dual Occupancy.

involving a Body Corporate or similar arrangement, an additional letterbox shall be

ease of access to the street for garbage collection and shall be suitably located and screened so as not to be visible from any public place. This area can form part of the

purposes shall be provided per dwelling. Such storage areas shall be located to allow C5.4

C5.3;C5.4

CLAUSE		CRITERIA
D3.9.7	VEHICULAR ACCESS Vehicular access to a site must be available from a stable, all weather vehicular access road.	LEPcl.98
D3.9.8	The vehicular access road must not be located on slopes of 33% or greater.	LEPcl.98
D3.9.9	Only one vehicular access point is permitted for allotments with a frontage of 18.5 metres or less.	C2.1:C5.3
D3.9.10	A maximum of two vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the design to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facility.	C2.1:C5.3
D3.9.11	Allotments located on a main or arterial road and which have a frontage width greater than 18.5 metres are limited to providing one vehicular access point.	C5.3
D3.9.12	Vehicles must be able to enter and leave the site in a forward direction.	C5.3
D3.9.13	Turning areas to accommodate vehicles leaving the site in a forward direction must not be located within the front setback area.	C2.1:C5.3
D3.9.14	Any vehicular crossing shall be a minimum distance of 6 metres from traffic signals or intersections as measured along the boundary of the subject site.	C5.3
	DRIVEWAYS	
D3.9.15	Driveways must not be located on slopes in excess of 33%.	C5.3
D3.9.16	The grade of the driveway must not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceed 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary.	C5.3
D3.9.17	Driveways must be sealed to provide all weather access.	C5.3
D3.9.18	Driveways with a grade greater than 1 in 10 (10%) shall have a surface treatment which minimises wheel skid in wet conditions.	C5.3
D3.9.19	Driveways next to any side or rear boundary must provide a landscape strip between the boundary and the driveway at least 1.5 metre wide.	C5.4
D3.9.20	Dual occupancy development will not be permitted when the means of access is via a right-of-carriageway which services three or more dwellings.	C5.4

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CLAUSE<br/>D3.9.21Driveways must be a minimum of 3 metres wide and shall not exceed 4 metres in<br/>width other than as necessary to enable vehicles to access carparking spaces.CRITERIA<br/>C5.3D3.9.22Where driveway crossings must traverse a watercourse or a significant vegetation<br/>community, and it has been demonstrated that no alternative means of access is<br/>possible, such crossings must be a clear span construction rather than a culvert.C1.1;C5.3

# **D3.10 Amenity**

## PRIVATE OPEN SPACE

D3.10.1 In the case of dual occupancy development within the 'Living General' zone, a *private* LEPcl.119 *open space* area of not less than 50m2 with a width of not less than 4 metres must be provided for each dwelling.

## PRIVACY

- D3.10.2 Any balcony or deck must be designed in a manner that does not adversely impact on the C5.4 privacy or amenity of adjoining properties.
- D3.10.3 Proposed habitable room windows with a direct outlook to habitable room windows or LEPcl.104 *private open space* of an adjacent dwelling will be permitted only where these have a separation of no less than 6 metres.
- D3.10.4 Where proposed habitable room windows will have a direct outlook to habitable room LEPcl.104 windows or *private open space* of an adjacent dwelling and are separated by less than 9 metres, the proposed window will:
  - a) be offset a minimum of 1 metre from the edge of the proposed window to the edge of the existing window, or
  - b) have sill heights of at least 1.6 metres above floor level, or
  - c) have fixed obscure glazing applied to any part of the window below 1.6 metres above floor level.
- D3.10.5 Where potential overlooking cannot be avoided, views of *private open space* areas may LEPcl.104 be obscured by;
  - a) retention or planting of dense mature vegetation, or
  - b) solid translucent screens or perforated panels or trellises which have a maximum of 25% openings designed to blend in with the proposed redevelopment, and are to be permanent components of the structure and difficult to alter.

# **GENERAL AMENITY**

D3.10.6 Any lighting system utilised in common areas, car parking areas and along pathways C4.2;C5.4 must be baffled to ensure that a light source is not directly visible from a habitable room window of an adjoining dwelling, whilst maintaining adequate lighting of the subject site.

# **Dual occupancy**

# Blue Mountains Better Living DCP

CLAUSE D3.10.7	Dwelling entrances are to be sheltered by a verandah, roof, hood or similar.	<b>CRITERIA</b> C2.1;C5.4
D3.10.8	The setback between shared driveways or access ways (including a right-of- carriageway) and the windows to main habitable rooms of a dwelling is to be a minimum of 1.5 metres. Refer to Diagram 2.	C5.4
	DIAGRAM 2	



Visual buffer between windows and driveways

## ACOUSTIC AMENITY

D3.10.9 Active recreation facilities, such as swimming pools and BBQ areas, are to be located C5.4 away from the bedroom areas of adjoining dwellings. Operating plant (such as air conditioning systems, pool pumps etc.,) must be selected and located to minimise noise to residents and neighbours.

# SOLAR AMENITY

- D3.10.10 The development must be located so that solar access to at least 50% of the private C5.4;C5.5 open space area of the subject dwelling is achieved for a minimum of 3 hours on the site, between the hours of 9am to 3pm on 21st June.
- D3.10.11 A minimum of 2 hours solar access is required to outdoor clothes drying areas on 21st C5.4;C5.5 June.
- D3.10.12 The development must be designed and located so that solar access to the living C5.4;C5.5 areas (excludes bedrooms, bathrooms and utility areas) and *private open space* areas of adjoining properties is not reduced to less than 3 hours between 9am and 3pm on 21st June.

	D3.11 Energy	
D3.11.′	Additions or alterations to create a dual occupancy must provide a minimum of R1.5 insulation to the external walls and R3 insulation to the ceilings within the alteration.	LEPd.105;C5.5
D3.11.2	2 The installation of any hot water system must achieve a minimum 3.5 star rating.	C5.5
D3.11.3	All additions which involve plumbing installations shall incorporate dual flush toilets and AAA water saving devices.	C5.5

Blue Mountains ter Living DCP

CRITERIA

CLAUSE

# **D3.12 Adaptability**

D3.12.1 Dual occupancy development located within an Accessible Housing Area (as shown on LEPd.109;C5.6 Map Panel A of the LEP), shall have a minimum of one dwelling that is adaptable in accordance with AS4299 – Adaptable Housing as follows:

Adaptable House Class A – where the slope of the land from the point of access at the road reserve to the rear of the building is not steeper than 1:14 - All essential and desirable features of Appendix A of AS4299 – Adaptable Housing.

Adaptable House Class B – where the slope of the land from the point of access at the road reserve to the rear of the building is steeper than 1:14 but not steeper than 1:8 – All essential and 50% of desirable features incorporated, including all those notated as "First Priority" in Appendix A of AS4299 – Adaptable Housing.

Adaptable House Class C – where the slope of the land from the point of access at the road reserve to the rear of the building is steeper than 1:8 – All essential features of Appendix A of AS4299 – Adaptable Housing.



# **Dual occupancy**

CLAUSE		CRITERIA
	D3.13 Special provisions	
D3.13.1	<b>DUAL OCCUPANCY</b> The minimum allotment size for an attached dual occupancy is 900m2 (excluding the area of the access handle for a hatchet shaped lot).	LEPcl.119
D3.13.2	The minimum allotment size for a detached dual occupancy is 1100m2 (excluding the area of the access handle for a hatchet shaped lot).	LEPcl.119
D3.13.3	<ul> <li>An attached dual occupancy may be permitted on a lot with an area of not less than 720m2 where the consent authority is satisfied that:</li> <li>a) the dual occupancy will include one dwelling that has a gross floor area of not greater than 80m2, or</li> <li>b) the development involves older public housing stock owned by the Department of Housing and the lot size is justified.</li> </ul>	LEPcl.119
D3.13.4	ASBESTOS CEMENT Any asbestos cement cladding on existing buildings that are proposed to be brick veneered or reclad must be removed.	C1.4



The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part D specifies the minimum development standards for the form of development listed in the next column. Part D cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

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# Multi dwelling housing defined

This section applies to development comprising three or more dwellings in a group, whether attached or detached and includes villas, townhouses, apartments, terrace buildings and the like.

Part D also includes the key development standards of Local Environmental Plan 2005 (LEP 2005). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 2005 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part D has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.



# **D4.1 Matrix of plans & documentation**

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- $\bigcirc$  Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.
- \* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	$\checkmark$	LEPcls.42;43;Part B
Design plans	$\checkmark$	Part B
Statement of environmental effects	$\checkmark$	Part B
Detailed environmental assessment	• *	LEPcls.44;45;46;47;51;52;C1.1
Flora and fauna assessment	• *	C1.1
Vegetation / bushland management plan	0	LEPcl.53;C1.1
Geotechnical report	0	LEPcl.45;C1.1
Weed management plan	O <b>*</b>	LEPcl.55;C1.2
Engineering details	0	C1.1
Stormwater management plan	• *	LEP cl.57;C1.3
Erosion & sediment control plan	• *	LEPcl.56;C1.4
Soil & water management plan	• *	C1.4
Waste management strategy	✓ ★	LEPcl.63;C1.4
Construction management plan	0	C1.4
Detailed character assessment	• *	LEPcls.62;C2.1
Detailed landscape plan	• *	LEPcls.66;C2.2
Tree survey	○ <b>≭</b>	LEPcl.53;C2.2
Archaeological assessment	• *	LEP cl.75;C3
Heritage assessment / conservation plan	O <b>*</b>	LEP cl.71;C3
Bushfire threat assessment	0	LEPcl.78;C4.1
Crime minimisation assessment	✓	LEPcl.87;C4.2
Contaminated site report	0	LEPcl.89;C4.3
BASIX Certificate	0	C5.5
Water cycle management study	0	LEPcl.96;C1.1
Noise & vibration report	0	C5.4
Shadow diagrams	0	C5.4
Traffic impact statement/study	0	C5.3

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

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_	CLAUSE		CRITERIA
		D4.2 Biodiversity	
	D4.2.1	The alteration of the <i>natural ground level</i> by greater than 1 metre cut or greater than 1 metre depth of fill is not permitted. Consideration will be given to increasing the depth of cut or fill where it is within the building footprint.	C1.1;C1.3; C2.1;C5.4
	D4.2.2	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C4.3
	D4.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	C1.1;C1.3;C2.1; C5.4
	D4.2.4	Development should generally be located outside environmentally constrained areas	LEPds.45;46;47
	D4.2.5	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a 'Slope Constraint Area', 'Vegetation Constraint Area', 'Ecological Buffer Area', 'Escarpment Area', 'Water Supply Catchment', 'Riverine Scenic Quality Corridor' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation.	LEPcls.44,45, 46,47,48,49; C1.1;C1.2;C1.3

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	D4.3 Weeds	
D4.3.1	Within any <i>asset protection zone</i> on Bushfire Prone land, the planting of species included in <u>Part F2 - Weeds of the Blue Mountains</u> will not be permitted.	LEPcl.55;C1.2; F2
D4.3.2	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	LEPcl.55;C1.2
D4.3.3	Existing noxious weeks must be removed or controlled where identified on a proposed development site.	LEPcl.55;C1.2

	CLAUSE		CRITERIA
		D4.4 Stormwater	
	D4.4.1	To allow for the retention and potential reuse of stormwater, the post development flows of stormwater generated from the development site shall approximate the pre- development flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.	C1.3
	D4.4.2	Absorption pits are to be located outside <i>development excluded land</i> unless no practical alternative can be provided and it is demonstrated that there is no adverse effect on the <i>development excluded land</i> .	C1.3
	D4.4.3	In an area mapped as a 'Protected Area Water Supply Catchment', development that increases the existing area of impervious or hard surfaces by more than 100 square metres or where the total area of impervious or hard surfaces of existing and proposed development exceeds 300 square metres, provisions must be made for on-site retention of water with a collection capacity of not less than 4000 litres per 100 square metres of hard or impervious surface and the reuse of such water. Alternative measures will be considered where they have been designed by a suitably qualified person.	LEPcl.57
		D4.5 Streetscape & character	
	D4.5.1	<b>SCALE AND SETBACK</b> Within the 'Village Housing', 'Village Tourist' and 'Village Town Centre' zones, the development shall be in accordance with the building height, site coverage, setback and other specific provisions contained within the LEP.	LEP Schedule 1
	D4.5.2	Development adjoining a 'Regional Transport Corridor - Road' is required to have a minimum 18 metre setback unless the physical or functional circumstances of the land would warrant a lesser setback, and that this would not result in creation of a traffic hazard.	LEPcl.133
	D4.5.3	Development within a 'Period Housing Area' shall be in accordance with the specific provisions contained within the LEP.	LEPcl.64
-	D4.5.4	Garages and car parking areas should preferably be located behind the rear alignment of the building and are not to form a visually prominent element of the streetscape.	LEPcl.100
	D4.5.5	FENCING AND BOUNDARY TREATMENTS Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height.	LEPcl.60
-	D4.5.6	In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any private open space areas is permitted provided	C2.1;C5.4

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CLAUSE D4.5.7	Any part of a side boundary fence or wall which is located within the front building setback applying to the land shall not exceed a height of 1 metre.	CRITERIA LEPcl.60
D4.5.8	Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing for this purpose is not permitted.	C2.1
D4.5.9	<ul> <li>Long sections of fencing along side street frontages must include;</li> <li>a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping; and/or</li> <li>b) decorative fencing incorporating design features and materials which add to an attractive streetscape.</li> </ul>	C2.1
	D4.6 Landscaping	
D4.6.1	For development within the 'Village' zones, the requirements in relation to pervious/soft landscaped areas shall be in accordance with the LEP.	LEP Schedule 1
D4.6.2	Common landscaped areas will have a garden structure and standard of presentation at least comparable with adjacent private gardens or public parks.	LEPcl.67
D4.6.3	Street trees are to be provided at a ratio of 1 tree per 9 metres of site frontage. The selected tree species are to be in accordance with any Street Planting Schedule for the street or as specified by Council.	C2.1;C2.2
	D4.7 Bushfire	
D4.7.1	Brushwood fencing is prohibited in the Blue Mountains.	C4.1
D4.7.2	<ul> <li>The following minimum construction standards apply to all habitable buildings:</li> <li>a) All roofing shall be non combustible. Shingles and shakes are not to be used.</li> <li>b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.</li> <li>c) Any materials or devices used to stop leaves collecting in the gutters shall have a</li> </ul>	C4.1

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d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.

flammability index of not greater than 5 when tested in accordance with

AS1530.2.

## CLAUSE

#### **CRITERIA**

- BUSHFIRE PRONE AREAS
- D4.7.3 An asset protection zone for development on existing allotments on bushfire prone land LEPcI.83 is to comply with the minimum separation distances comprising an inner protection area only as specified in Table 1.

## TABLE 1

SLOPE FROM BUILDING TO SOURCE OF BUSHFIRE	APZ = INNER PROTECTION ZONE		
NAZARU	VEGETATION GROUP 1 & 2	VEGETATION GROUP 3	
>10% upslope	MINIMUM 20 METRES	MINIMUM 20 METRES	
10-0% upslope	MINIMUM 20 METRES	MINIMUM 20 METRES	
0-10% downslope	- MINIMUM 25 METRES	MINIMUM 20 METRES	
>10-20% downslope	MINIMUM 30 METRES	MINIMUM 20 METRES	
>20-27% downslope	MINIMUM 40 METRES	- MINIMUM 20 METRES	
>27-33% downslope	MINIMUM 50 METRES	MINIMUM 20 METRES	

- D4.7.4 Any measures proposed to protect development against bushfire should be C4.1 undertaken on those parts of the site that are not located within a protected area.
- D4.7.5 *Asset protection zones* should not be located on any land that has contiguous areas of LEPcl.44 slope greater than 33% unless no other viable alternative is available.
- D4.7.6 Ploughing or grading of *asset protection zones* is not permitted on slopes greater than C4.1 1:5 (20%).
- D4.7.7 Development of a site to create multi dwelling housing may require any existing C4.1 buildings to be upgraded to a standard of construction consistent with the level of bushfire attack as specified within 'Planning for Bushfire Protection'.
- D4.7.8 Where the *asset protection zone* cannot be fully achieved the onus will be on the designer to submit a performance based proposal that will provide a range of measures acceptable to Council and the Rural Fire Service.

# D4.8 Services LEPcl.95 D4.8.1 Multi dwelling housing development is only permitted where a reticulated sewerage system is in place at the time of granting consent that has the existing capacity to service the development or can be upgraded to accommodate the additional capacity as part of the development. LEPcl.95 D4.8.2 The provision of electricity and gas services for new dwellings is to be provided underground. C2.1;C5.1

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CLAUSE D4.8.3	One letter box shall be provided for each dwelling at the frontage of the site and street numbers shall be clearly identifiable.	<b>CRITERIA</b> C2.1;C5.1
D4.8.4	Where the development is or intended to be subdivided as strata or community title involving a Body Corporate or similar arrangement, an additional letterbox shall be provided and marked accordingly.	C5.1
D4.8.5	An area for storing garbage, recycling and composting bins and for clothes drying purposes shall be provided per dwelling. Such storage areas shall be located to allow ease of access to the street for garbage collection and shall be located and suitably screened so as not to be visible from any public place. This area can form part of the <i>Private Open Space</i> area calculation. See <u>D4.10 Amenity</u> .	C2.1;C5.1; C5.4
D4.8.6	Where a dwelling does not have direct ground floor access, a communal service area is to be designated to accommodate outdoor clothes drying and the storage of garbage, recycling and compost bins.	C5.1;C5.4
	D4.9 Vehicular access, parking & roads	
D4.9.1	<ul> <li>PARKING</li> <li>Carparking shall be provided at the rate of: <ul> <li>a) 1 space per dwelling with a <i>Gross Floor Area</i> of less than 125m2.</li> <li>b) 2 spaces per dwelling with a <i>Gross Floor Area</i> equal to or greater than 125m2.</li> <li>c) 1 space per 5 dwellings for visitor parking.</li> </ul> </li> </ul>	C5.3
D4.9.2	<ul> <li>A lesser number of parking spaces may be permitted if it can be demonstrated that:</li> <li>future residents are likely to have a low level of car ownership; and</li> <li>the site is located within an Accessible Housing Area (as shown on Map Panel A of the LEP), and</li> <li>the car parking spaces shall be allocated so as to be available to all dwellings on a shared basis.</li> </ul>	LEPcl.99
D4.9.3	Carparking spaces are not permitted within the front setback area.	C2.1;C5.3
D4.9.4	Construction of parking facilities shall be in accordance with Council's Engineering Specifications and Guidelines. Generally, bay sizes, driveways, access, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890.1, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines.	C5.3 -
D4.9.5	Any visitor parking must be clearly identifiable and easily accessed.	C5.3;C5.4
D4.9.6	All car parking is to be provided on-site.	

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CLAUSE		CRITERIA
D4.9.7	Vehicular access to a site must be available from a stable, all weather vehicular access road.	LEPcl.98
D4.9.8	Vehicular access roads must not be located on slopes of 33% or greater.	LEPcl.98
D4.9.9	Vehicles must be able to enter and leave the site in a forward direction.	C5.3
D4.9.10	Turning areas to accommodate vehicles leaving the site in a forward direction must not be located within the front setback area.	C2.1;C5.3
D4.9.11	Any vehicular crossing shall be a minimum distance of 6 metres from traffic signals or intersections as measured along the boundary of the subject site.	C5.3
D4.9.12	Only one vehicular access point is permitted for allotments with a frontage of 18.5 metres or less.	C2.1;C5.3
D4.9.13	A maximum of two vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the design to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facility.	C2.1;C5.3
D4.9.14	Allotments located on a main or arterial road and which have a frontage width greater than 18.5 metres are limited to providing one vehicular access point.	C5.3
	DRIVEWAYS	
D4.9.15	Driveways must be sealed to provide all weather access.	C5.3
D4.9.16	The grade of the driveway must not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceed 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary.	C5.3
D4.9.17	Driveways with a grade greater than 1 in 10 (10%) shall have a surface treatment which minimises wheel skid in wet conditions.	C5.3
D4.9.18	Driveways must not be located on slopes in excess of 33%.	C1.1;C5.3
D4.9.19	Where driveway crossings must traverse a watercourse, and it has been demonstrated to Council that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert.	C1.1;C5.3
D4.9.20	Driveways are not to be continuous straight lines and are to be offset to provide vistas	C2.1:C5.3

to landscaping, buildings or surroundings.

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CLAUSE D4.9.21 Passing bays are to be provided on long driveways, at least every 30 metres. C5.3

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# CAR WASH AREA

D4.9.22 Developments containing five or more dwellings shall designate an area for the C1.3;C5.3 washing of vehicles. Untreated drainage from car washing bays shall not be permitted to enter stormwater drains and shall be dealt with in accordance with the requirements of Council and Sydney Water.

# **D4.10 Amenity**

## **PRIVATE OPEN SPACE**

D4.10.1 Each single storey dwelling or dwelling located, wholly or in part, on the ground floor of LEPcl.67 a multi-storey building, provision is to be made for a minimum area of *private open space*, based on the number of bedrooms in the dwelling, as specified in the Table 2.

TABLE 2: MINIMUM TOTAL AREA FOR PRIVATE OPEN SPACE FOR GROUND FLOOR DWELLINGS

NUMBER OF BEDROOMS	MINIMU	IM AREA OF PRIVATE OPEN	SPACE
ONE (INCLUDING BEDSITS)		- 25m2	
TWO		- 40m2	
THREE OR MORE		- 50m2	

D4.10.2 *Private open space* provided to comply with D4.10.1 is to include at least one area that:

a) Has reasonable access to a living area of the dwelling.

LEPcl.67

- b) Is on a compatible level with a living area of the dwelling.
- c) Has a slope of less than 10 per cent.
- d) Is designed and located to allow appropriate access to sunlight and minimise overshadowing from adjoining buildings.
- e) Has acoustic treatments, where necessary and practicable, to minimise disturbance to residents of adjoining dwellings.
- f) Complies with the minimum area and minimum width, based on the number of bedrooms in the dwelling, as specified in Table 3.

## **CLAUSE**

TABLE 3: MINIMUM PRIVATE OPEN SPACE AREA AND WIDTH FOR GROUND E

**CRITERIA** 

LOOR	DWELLINGS.	

NUMBER OF BEDROOMS	MINIMUM AREA	MINIMUM WIDTH
ONE (INCLUDING BEDSITS)	15m2	3 m
TWO	20m2	3.5m
THREE OR MORE	25m2	4 m

- D4.10.3 In the case of a dwelling not subject to the provisions of Clause D4.10.1, provision is LEPcl.67 to be made for a usable private balcony or deck attached to the dwelling that:
  - a) Has a minimum area of 6m2.
  - b) Has a minimum length of 1.8 metres.
  - c) Is accessible from a living area of the dwelling.

## PRIVACY

- D4.10.4 Any balcony or deck must be designed in a manner that does not adversely impact on the C5.4 privacy or amenity of adjoining properties.
- D4.10.5 Proposed habitable room windows with a direct outlook to habitable room windows or LEPcl.104 private open space of an adjacent dwelling will be permitted only where these have a separation of no less than 6 metres.
- D4.10.6 Where proposed habitable room windows will have a direct outlook to habitable room LEPcl.104 windows or private open space of an adjacent dwelling and are separated by less than 9 metres, the proposed window will;
  - a) be offset a minimum of 1 metre from the edge of the proposed window to the edge of the existing window, or
  - b) have sill heights of at least 1.6 metres above floor level, or
  - c) have fixed obscure glazing applied to any part of the window below 1.6 metres above floor level.
- D4.10.7 Where potential overlooking cannot be avoided, views of *private open space* areas LEPcl.104 may be obscured by;
  - a) retention or planting of dense mature vegetation, or
  - b) solid translucent screens or perforated panels or trellises which have a maximum of 25% openings designed to blend in with the proposed redevelopment, and are to be permanent components of the structure and difficult to alter.

## **GENERAL AMENITY**

D4.10.8 Any lighting system utilised in common areas, car parking areas and along pathways C4.2;C5.4 must be baffled to ensure that a light source is not directly visible from a habitable room window of an adjoining dwelling, whilst maintaining adequate lighting of the subject site.



CLAUSE	CRITERIA
D4.10.9 Dwelling entrances are to be sheltered by a verandah, roof, hood or similar.	C2.1;C5.4

D4.10.10 The setback between shared driveways or access ways (including a right-ofcarriageway) and the windows to a main habitable rooms of a dwelling is to be a minimum of 1.5 metres. Refer to Diagram 1.

**DIAGRAM 1** 



#### ACOUSTIC AMENITY

D4.10.11 Active recreation facilities, such as swimming pools and BBQ areas, are to be located C5.4 away from the bedroom areas of adjoining dwellings. Operating plant (such as air conditioning systems, pool pumps etc.,) must be selected and located to minimise noise to residents and neighbours.

#### SOLAR AMENITY

- D4.10.12 The development must be located so that solar access to at least 50% of the *private* C5.4;C5.5 *open space* area of the subject dwelling is achieved for a minimum of 3 hours, between the hours of 9am to 3pm on 21st June.
- D4.10.13 A minimum of 2 hours solar access is required to outdoor clothes drying areas on 21st C5.4;C5.5 June.
- D4.10.14 The development must be designed and located so that solar access to the living areas (excludes bedrooms, bathrooms and utility areas) and *private open space* areas of adjoining properties is not reduced to less than 3 hours between 9am and 3pm on 21st June.

CLAUSE	CRITERIA
D4.11 Energy	
D4.11.1 The installation of any hot water system must achieve a minimum 3.5 star rating.	C5.5
D4.11.2 All additions which involve plumbing installations shall incorporate dual flush toilets and AAA water saving devices.	C5.5
D4.12 Adaptability	
D4.12.1 All dwellings within multi dwelling housing developments, are to be adaptable in	LEPcl.109;C5.6

D4.12.1 All dwellings within multi dwelling housing developments, are to be adaptable in LEPcl.109;C5. accordance with AS4299 - Adaptable Housing - **Adaptable House Class A** - All essential and desirable features of Appendix A of AS4299 - Adaptable Housing.



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CLAUSE			CRITERIA
	D4	.13 Accessibility	
D4.13.1	In the	e case of development comprising 5 or more dwellings at least 20% of dwellings	LEPcl.108
	(to th	e nearest whole number) shall be accessible to people with a disability.	
D4.13.2	Multi within for ac accor includ	dwelling housing must be designed and constructed to provide access to and a all areas or facilities of the development where there is a reasonable expectation access by any individual, accompanying persons or groups. Access is to be in adance with AS1428 – Design for Access and Mobility. The minimum requirements de:	C5.7
	a)	A continuous path of travel from the vehicle parking area to the dwelling. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.	
	b)	A continuous path of travel from the mail box to the dwelling. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.	
	c)	A continuous path of travel from the dwelling to the garbage bin storage area and to the point of collection. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.	
	d)	A main bedroom that when furnished will provide a minimum one (1) metre circulation space around three sides of a standard queen sized bed.	
	e)	The capability of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metre wide may otherwise obstruct the available accessible path.	
	f)	The accessible dwelling shall be fitted out or capable of being readily modified as a fully accessible dwelling having internal and external access complying with AS1428 – Design for Access and Mobility.	
	g)	Where a range of dwellings with varying desirable feature/s are available, at least one unit containing the feature/s shall be available as a fully accessible unit and be representative of the range of units available.	
	h)	A fully accessible footway connecting the road reserve to the common circulation areas within the development, constructed in accordance with AS1428 is to be provided.	
	i)	All common areas and facilities provided in the complex for use by residents and guests, shall be fully accessible in accordance with AS1428 – Design for Access and Mobility.	
	j)	A minimum of one parking space dimensioned to conform to AS1428 – Design for Access and Mobility shall be provided for each fully accessible dwelling.	
	k)	At least one visitor space and not less than 5% of visitor spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility and set aside for persons with a disability.	
	I)	External common paths and recreation areas shall be constructed in accordance with AS3661 – Slip Resistance for Pedestrian Surfaces and AS4586 - Slip Resistance Classification for Pedestrian Surface Materials and be illuminated throughout to a minimum of 50 lux.	

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m) Signage within the development shall be capable of being universally interpreted in accordance with AS2899 - Public Information Symbol Signs.

_	CLAUSE		CRITERIA
		D4.14 Special provisions	
	D4.14.1	HOUSING CHOICE 33% (rounded up to the nearest whole number) of dwellings within a multi-dwelling housing development shall have a gross floor area not greater than 100m2.	LEPcl.110
	D4.14.2	Multi dwelling housing developments must incorporate a range of dwelling sizes, particularly contributing to the increased provision of single and two bedroom dwelling stock.	LEPcl.110
	D4.14.3	ASBESTOS CEMENT Any asbestos cement cladding on existing buildings that are proposed to be brick veneered or reclad must be removed.	C1.4



**Blue Mountains** 

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The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part D specifies the minimum development standards for the form of development listed in the next column. Part D cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

Accessible housi

Part D also includes the key development standards of Local Environmental Plan 2005 (LEP 2005). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 2005 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part D has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

# Accessible housing defined

This section applies to residential accommodation which is or is intended to be used permanently as housing for the accommodation of older people or people with a disability and which may consist of a residential care facility, a hostel or a group of 2 or more self-contained units, or a combination of these, whether attached to another dwelling or not, and which may include associated facilities, but does not include a hospital.

Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

# **Accessible housing**

# D4.1 Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- $\bigcirc$  Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.
- \* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	$\checkmark$	LEPcls.42;43;Part B
Design plans	✓	Part B
Statement of environmental effects	✓	Part B
Detailed environmental assessment	• *	LEPcls.44;45;46;47;51;52;C1.1
Flora and fauna assessment	· *	C1.1
Vegetation / bushland management plan	0	LEPcl.53;C1.1
Geotechnical report	0	LEPcl.45;C1.1
Weed management plan	O <b>*</b>	LEPcl.55;C1.2
Engineering details	0	C1.1
Stormwater management plan	· *	LEP cl.57;C1.3
Erosion & sediment control plan	O <b>*</b>	LEPcl.56;C1.4
Soil & water management plan	• *	C1.4
Waste management strategy	√ *	LEPcl.63;C1.4
Construction management plan	0	C1.4
Detailed character assessment	• *	LEPcls.62;C2.1
Detailed landscape plan	• *	LEPcls.66;C2.2
Tree survey	O <b>*</b>	LEPcl.53;C2.2
Archaeological assessment	• *	LEP cl.75;C3
Heritage assessment / conservation plan	• *	LEP cl.71;C3
Bushfire threat assessment	0	LEPcl.78;C4.1
Crime minimisation assessment	$\checkmark$	LEPcl.87;C4.2
Contaminated site report	0	LEPcl.89;C4.3
BASIX Certificate	0	C5.5
Water cycle management study	0	LEPcl.96;C1.1
Food premises fitout plan	0	C4.4
Noise & vibration report	0	C5.4
- Shadow diagrams	0	C5.4
Traffic impact statement/study	0	C5.3

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

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CLAUSE		CRITERIA
	D5.2 Biodiversity	
D5.2.1	The alteration of the <i>natural ground level</i> by greater than 1 metre cut or greater than 1 metre depth of fill is not permitted. Consideration will be given to increasing the depth of cut or fill where it is within the building footprint.	C1.1:C1.3; C2.1;C5.4
D5.2.2	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C4.3
D5.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	C1.1;C1.3;C2.1; C5.4
D5.2.4	Development should generally be located outside environmentally constrained areas.	1 EDde 15 16 17
D5.2.5	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a 'Slope Constraint Area', 'Vegetation Constraint Area', 'Ecological Buffer Area', 'Escarpment Area', 'Water Supply Catchment', 'Riverine Scenic Quality Corridor' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation.	LEPcls.45,46, 47,48,49;50; C1.1;C1.2;C1.3
	D5.3 Weeds	
D5.3.1	Within any asset protection zone on Bushfire Prone land, the planting of species included in Part F2 - Weeds of the Blue Mountains will not be permitted.	LEPcl.55;C1.2; F2
D5.3.2	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	LEPcl.55;C1.2
D5.3.3	Existing noxious weeds must be removed or controlled where identified on a proposed development site.	LEPcl.55;C1.2
	D5.4 Stormwater	
D5.4.1	To allow for the retention and potential re-use of stormwater, the post-development flows of stormwater generated from the development site shall approximate the pre-development flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.	C1.3 –
D5.4.2	Absorption pits are to be located outside <i>development excluded land</i> unless no practical alternative can be provided and it is demonstrated that there is no adverse effect on the development excluded land.	C1.3

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#### CLAUSE

**CRITERIA** 

- C1.3
- D5.4.3 Rainwater tanks shall have a capacity of not less than 1000 litres per 100 square metres of roof area. Stormwater pits shall measure 600mm wide x 600mm deep x 2 metres long, for each downpipe. Pits shall be located at least 4 metres from any boundary or property boundary. Where the site falls to the street the overflow from the rainwater tanks or pits shall discharge to the street gutter. If available, overflows may also be discharged to a drainage easement. Where a site falls towards a creek stormwater should not be discharged directly to the creekline.
- D5.4.4 In an area mapped as a 'Protected Area Water Supply Catchment', development that LEPcI.57 increases the existing area of impervious or hard surfaces by more than 100 square metres or where the total area of impervious or hard surfaces of existing and proposed development exceeds 300 square metres, provisions must be made for on-site retention of water with a collection capacity of not less than 4000 litres per 100 square metres of hard or impervious surface and the reuse of such water. Alternative measures will be considered where they have been designed by a suitably qualified person.
- D5.4.5 Where rainwater tanks are used as an on-site detention system the tank shall include an outlet (without a tap) to ensure that the on-site detention volume is available for the next storm. Overflow from detention systems shall be discharged into a stormwater pit as described in D5.4.3. See Diagram 1.

DIAGRAM 1



D5.4.6 Habitable floor levels must be located 300mm from finished ground level where the building C1.3 is located in a position that may be affected by stormwater. A higher level may be required in areas of concentrated stormwater flows.

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CLAUSE	D5.5 Streetscape & character	CRITERIA
D5.5.1	SCALE AND SETBACK Achieve the scale and setback provisions outlined in Table 1, for developments within that particular zone.	See Table 1
D5.5.2	Development adjoining a 'Regional Transport Corridor - Road' is required to have a minimum 18 metre setback unless the physical or functional circumstances of the land would warrant a lesser setback, and that this would not result in creation of a traffic hazard.	LEPcl.133
D5.5.3	Within the 'Village Housing', 'Village Tourist', 'Village Town Centre' and 'Recreation - Private' zones, the development shall be in accordance with the building height, site coverage, setback and other specific provisions contained within the LEP.	LEP Schedule 1; Schedule 4
D5.5.4	Development within a 'Period Housing Area' shall be in accordance with the specific provisions contained within the LEP.	LEPcl.64
D5.5.5	Garages and car parking areas should preferably be located behind the rear alignment of	LEPcl.100

the building and are not to form a visually prominent element of the streetscape.

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TABLE 1 - SCALE AND SETBACK

ZONE	MAXIMUM SITE COVERAGE OF BUILDINGS	Maximum Building Height	MAXIMUM HEIGHT AT EAVES	FRONT SETBACK	SETBACK FROM OTHER BOUNDARIES	DEVELOPMENT DENSITY (FLOOR SPACE RATIO)
Living General	Maximum site cover is the greater of 40% or 160m2.* *Excludes water tank	8 metres from finished ground level. ks.	6.5 metres from finished ground level.	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 8 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of lot in front.</li> </ul>	<ul> <li>The maximum width of any building across the allotment is 80%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	0.4:1
Living General (within Period Housing Area) LEP Schedule 2	Same as Living General.	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	Same as Living General.

#Provisions exist to vary the clause. Refer to the LEP.

CLAUSE		CRITERIA
D5.5.6	Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height.	LEPcl.60
D5.5.7	In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any private open space areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres.	C2.1;C5.4
D5.5.8	Any part of a side boundary fence or wall which is located within the front building setback applying to the land shall not exceed a height of 1 metre.	LEPcl.60
D5.5.9	Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing for this purpose is not permitted.	C2.1
D5.5.10	<ul> <li>Long sections of fencing along side street frontages must include;</li> <li>a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping; and/or</li> <li>b) decorative fencing incorporating design features and materials which add to an attractive streetscape.</li> </ul>	C2.1
	D5.6 Landscaping	
D5.6.1	For development within the 'Village Town Centre', 'Village Housing', 'Village Tourist' or 'Recreation - Private' zones, the requirements in relation to pervious/soft landscaped areas shall be in accordance with the LEP.	LEP Schedule 1; Schedule 4
D5.6.2	For accessible housing development within the 'Living General' zone, the minimum area to be retained as soft, pervious or landscaped areas (excluding hard surfaces except for water tanks, unenclosed areas of spaced decking and swimming pools) is 40% of the total allotment area.	LEP Schedule 2
D5.6.3	Common landscaped areas will have a garden structure and standard of presentation at least comparable with adjacent private gardens or public parks.	LEPcl.67
D5.6.4	Street trees are to be provided at a ratio of 1 tree per 9 metres of site frontage. The selected tree species are to be in accordance with any Street Planting Schedule for the street or as	C2.1;C2.2

specified by Council.

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CLAUSE	D5.7 Bushfire	CRITERIA
D5.7.1	Brushwood fencing is prohibited in the Blue Mountains.	C4.1
D5.7.2	<ul> <li>The following minimum construction standards apply to all habitable buildings: <ul> <li>a) All roofing shall be non combustible. Shingles and shakes are not to be used.</li> <li>b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.</li> </ul> </li> <li>c) Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.</li> <li>d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.</li> </ul>	C4.1
D5.7.3	<b>BUSHFIRE PRONE AREAS</b> Accessible housing in bushfire prone areas are considered "special fire protection" development and as such require a comprehensive bushfire protection strategy.	C4.1

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D5.7.4 An *asset protection zone* established for "special fire protection" purposes on bushfire prone LEPcl.82 land is to comply with the minimum separation distances specified in Table 2.

TADLE Z	TΑ	В	L	E	2
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Slope from building to	Vegetation	Vegetation	Vegetation	
source	Group 1	Group 2	Group 3	
of bushfire hazard	APZ = IPA + OPA (metres)			
<ul> <li>&gt;10% upslope</li> <li>10-0% upslope</li> <li>0-10% downslope</li> <li>&gt;10-20% downslope</li> <li>&gt;20-27% downslope</li> <li>&gt;27-33% downslope</li> </ul>	60 = 50 + 10	30 = 20 + 10	20 = 20 + 0	
	75 = 60 + 15	40 = 25 + 15	20 = 20 + 0	
	80 = 65 + 15	50 = 35 + 15	20 = 20 + 0	
	90 = 75 + 15	60 = 45 + 15	20 = 20 + 0	
	100 = 85 + 15	80 = 65 + 15	20 = 20 + 0	
	100 = 85 + 15	100 = 85 + 15	20 = 20 + 0	

- D5.7.5 Development for a "special fire protection" purpose may be required to incorporate a LEPcl.82;84 perimeter road or perimeter fire trail in accordance with the provisions of the LEP.
- D5.7.6 Any measures proposed to protect development against bushfire should be undertaken on C4.1 those parts of the site that are not located within a 'Protected Area'.
- D5.7.7 Asset protection zones should not be located on any land that has contiguous areas of slope LEPcl.44 greater than 33% unless no other viable alternative is available.
- D5.7.8 Ploughing or grading of *asset protection zones* is not permitted on slopes greater than 1:5 C4.1 (20%).

# Accessible housing

_	CLAUSE		CRITERIA
		D5.8 Services	
	D5.8.1	Accessible housing development is only permitted where a reticulated sewerage system is in place at the time of granting consent that has the existing capacity to service the development or can be upgraded to accommodate the additional capacity as part of the development.	LEPcl.95
	D5.8.2	The provision of electricity and gas services for new dwellings is to be provided underground.	C2.1;C5.1
	D5.8.3	One letter box shall be provided for each dwelling at the frontage of the site and street numbers shall be clearly identifiable.	C2.1;C5.1
	D5.8.4	Where the development is or intended to be subdivided as strata or community title involving a Body Corporate or similar arrangement, an additional letterbox shall be provided and marked accordingly.	C5.1
	D5.8.5	An area for storing garbage, recycling and composting bins and for clothes drying purposes shall be provided per dwelling. Such storage areas shall be located to allow ease of access to the street for garbage collection and shall be located and suitably screened so as not to be visible from any public place.	C2.1;C5.1;C5.4
	D5.8.6	Where a dwelling does not have direct ground floor access, a communal service area is to be designated to accommodate for outdoor clothes drying, and the storage of garbage, recycling and compost bins.	C5.1;C5.4
		D5.9 Vehicular access, parking & roads	
_	D5.9.1	<ul> <li>Car parking for accessible housing shall be provided at the rate of:</li> <li>Hostel or residential care facility <ul> <li>1 space per 10 beds in a hostel or residential care facility plus:</li> <li>1 space per 2 persons to be employed in connection with the development and on duty at any one time, plus</li> <li>1 parking space suitable for an ambulance.</li> </ul> </li> <li>Self contained dwellings <ul> <li>0.5 spaces per bedroom of a dwelling.</li> <li>Where the development application is made by, or jointly with, the Department of Housing or local government or a community housing provider, 1 car space per 5 dwellings.</li> </ul> </li> </ul>	C5.3
		<ul> <li>Adequate provision shall be made for onsite visitor car parking.</li> </ul>	

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CLAUSE		CRITERIA
D5.9.2	<ul> <li>If car parking (not being car parking for employees) is provided:</li> <li>a) Each car parking space must be not less than 6 metres x 3.2 metres or the design of the development must be such as to enable the size of the car parking space to be increased to an area of not less than 6 metres x 3.2 metres.</li> <li>b) Any garage or carport must have an internal clearance of at least 2.5 metres as measured from the finished floor level of the garage or carport.</li> <li>c) Any garage must have a power-operated roller door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.</li> </ul>	C5.7
D5.9.3	Carparking spaces are not permitted within the front setback area.	C2.1;C5.3
D5.9.4	Construction of parking facilities shall be in accordance with Council's Engineering Specifications and Guidelines. Generally, bay sizes, driveways, access, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890.1, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines.	C5.3
D5.9.5	Visitor/guest parking must be clearly identifiable and easily accessed.	C5.3;C5.7
D5.9.6	All car parking is to be provided on-site.	C5.3;C5.4
D5.9.7	VEHICULAR ACCESS Vehicular access to a site must be available from a stable, all weather vehicular access road.	LEPcl.98
D5.9.8	Vehicular access roads must not be located on slopes of 33% or greater.	LEPcl.98
D5.9.9	Vehicles must be able to enter and leave the site in a forward direction.	C5.3
D5.9.10	Turning areas to accommodate vehicles leaving the site in a forward direction must not be located within the front setback area.	C2.1;C5.3
D5.9.11	Any vehicular crossing shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site.	C5.3
D5.9.12	Only one vehicular access point is permitted for allotments with a frontage of 18.5 metres or less.	C2.1;C5.3
D5.9.13	A maximum of two vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the design to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facility.	C2.1;C5.3

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CLAUSE D5.9.14	Allotments located on a main or arterial road and which have a frontage width greater than 18.5 metres are limited to providing one (1) vehicular access point.	<b>CRITERIA</b> C2.2;C5.3
	DRIVEWAYS	
D5.9.15	Driveways must be sealed to provide all weather access.	C5.3
D5.9.16	Driveways next to any side or rear boundary must provide a landscape strip between the boundary and the driveway at least 1.5 metres wide.	C5.4
D5.9.17	The grade of any driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary.	C5.3
D5.9.18	A driveway which has a grade greater than 1 in 10 (10%) shall have a surface treatment which minimises wheel skid in wet conditions.	C5.3
D5.9.19	Driveways must not be located on slopes in excess of 33%.	C5.3
D5.9.20	Where driveway crossings must traverse a watercourse, and it has been demonstrated to Council that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert.	C5.3
D5.9.21	Driveways are not to be continuous, straight lines and are to be offset to provide vistas to landscaping, buildings or surroundings.	C2.1;C5.3
D5.9.22	Passing bays are to be provided on long driveways, at least every 30 metres.	C5.3
D5.9.23	CAR WASH AREA Developments containing five or more dwellings shall designate an area for the washing of vehicles. Untreated drainage from car washing bays shall not be permitted to enter stormwater drains and shall be dealt with in accordance with the requirements of Council and Sydney Water.	C1.3;C5.3

# **CLAUSE**

# **D5.10 Amenity**

# **PRIVATE OPEN SPACE**

D5.10.1 Each single storey dwelling or dwelling located, wholly or in part, on the ground floor of a multi-storey building, provision is to be made for a minimum area of private open space, based on the number of bedrooms in the dwelling, as specified in Table 3.

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TABLE 3: MINIMUM TOTAL AREA FOR PRIVATE OPEN SPACE FOR GROUND FLOOR **DWELLINGS** 

NUMBER OF BEDROOMS	MINIMUM AREA OF PRIVATE OPEN SPACE
ONE (INCLUDING BEDSITS)	25m2
TWO	40m2
THREE OR MORE	50m2

D5.10.2 Private open space provided to comply with the above provisions is to include at least one LEPcl.67 area that:

- a) Has reasonable access to a living area of the dwelling.
- b) Is on a compatible level with a living area of the dwelling.
- c) Has a slope of less than 10%.
- d) Is designed and located to allow appropriate access to sunlight and minimise overshadowing from adjoining buildings.
- e) Has acoustic treatments, where necessary and practicable, to minimise disturbance to residents of adjoining dwellings.
- f) Complies with the minimum area and minimum width, based on the number of bedrooms in the dwelling, as specified in Table 4.

# TABLE 4: MINIMUM PRIVATE OPEN SPACE AREA AND WIDTH FOR GROUND FLOOR DWELLINGS.

NUMBER OF BEDROOMS	MINIMUM AREA	MINIMUM WIDTH
ONE (INCLUDING BEDSITS)	15m2	
TWO	20m2	3.5m
THREE OR MORE	25m2	4m

D5.10.3 In the case of a dwelling not subject to the provisions of clause D5.10.1, provision is to be made for a usable private balcony or deck attached to the dwelling that:

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b) Has a minimum length of 1.8 metres.

a) Has a minimum area of 6m2.

c) Is accessible from a living area of the dwelling.

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# Accessible housing

CLAUSE	PRIVACY	CRITERIA
D5.10.4	Any balcony or deck must be designed in a manner that does not adversely impact on the privacy or amenity of adjoining properties.	
D5.10.5	Proposed habitable room windows with a direct outlook to habitable room windows or <i>private open space</i> of an adjacent dwelling will be permitted only where these have a separation of no less than 6 metres.	
D5.10.6	<ul> <li>Where proposed habitable room windows will have a direct outlook to habitable room</li> <li>windows or <i>private open space</i> of an adjacent dwelling and are separated by less than 9</li> <li>metres, the proposed window will;</li> <li>a) be offset a minimum of 1 metre from the edge of the proposed window to the edge of the existing window, or</li> <li>b) have sill heights of at least 1.6 metres above floor level, or</li> <li>c) have fixed obscure glazing applied to any part of the window below 1.6 metres above floor level.</li> </ul>	LEPcl.104
D5.10.7	<ul> <li>Where potential overlooking cannot be avoided, views of <i>private open space</i> areas may be obscured by;</li> <li>a) retention or planting of dense mature vegetation, or</li> <li>b) solid translucent screens or perforated panels or trellises which have a maximum of 25% openings designed to blend in with the proposed redevelopment, and are to be permanent components of the structure and difficult to alter.</li> </ul>	LEPcl.104
D5.10.8	<b>GENERAL AMENITY</b> Any lighting system utilised in common areas, car parking areas and along pathways must be baffled to ensure that a light source is not directly visible from a habitable room window of an adjoining dwelling, whilst maintaining adequate lighting of the subject site.	C4.2;C5.4
D5.10.9	Dwelling entrances are to be sheltered by a verandah, roof, hood or similar.	C2.1;C5.4
D5.10.10	The setback between shared driveways or access ways (including a right-of-carriageway) and the windows to a main habitable rooms of a dwelling is to be a minimum of 1.5 metres. Refer to Diagram 2.	

**DIAGRAM 2** 



Visual buffer between windows and driveways

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CLAUSE	ACQUISTIC AMENITY	CRITERIA
D5.10.11	Active recreation facilities, such as swimming pools and BBQ areas, are to be located away from the bedroom areas of adjoining dwellings. Operating plant (such as air conditioning systems, pool pumps etc.,) must be selected and located to minimise noise to residents and neighbours.	C5.4
D5.10.12	<b>SOLAR AMENITY</b> The development must be located so that solar access to a minimum 50% of the private open space area of the subject dwelling is achieved for a minimum of 3 hours, between the hours of 9am to 3pm on 21st June.	C5.4;C5.5
D5.10.13	A minimum of 2 hours solar access is required to outdoor clothes drying areas on 21st June.	C5.4;C5.5
D5.10.14	The development must be designed and located so that solar access to the living areas (excludes bedrooms, bathrooms and utility areas) and <i>private open space</i> areas of adjoining properties is not reduced to less than 3 hours between 9am and 3pm on 21st June.	C5.4;C5.5
	D5.11 Energy	
D5.11.1	Additions or alterations to create accessible housing must provide a minimum of R1.5 insulation to the external walls and R3 insulation to the ceilings within the alteration.	LEPcl.105
D5.11.2	The installation of any hot water system must achieve a minimum 3.5 star rating.	C5.5
D5.11.3	All additions which involve plumbing installations shall incorporate dual flush toilets and AAA water saving devices.	C5.5
	D5.12 Adaptability	
D5.12.1	For the purpose of Accessible Housing all dwellings, hostels and / or residential care facilities shall be designed to be adaptable in accordance with these provisions.	LEPcl.109;C5.6
D5.12.2	EXTERIOR: GENERAL All external doors to any one dwelling must be keyed alike.	C5.6
D5.12.3	INTERIOR: GENERAL Internal doors must have a clearance of at least 0.82 metres.	C5.6
D5.12.4	Internal corridors must have a width of at least 1 metre.	C5.6
D5.12.5	The width at internal door approaches must be at least 1.2 metres.	C5.6

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# Accessible housing

CLAUSE	1.11/16		CRITERIA
D5 12 6	A livir	ng room in a self-contained dwelling must have:	C5 6
	a)	A circulation space of at least 2.25 metres in diameter, and as set out in clause 4.7 of AS4299.	
	b)	a telephone adjacent to a general power outlet.	
D5.12.7	A livir	ng room and dining room must have a potential illumination level of at least 300 lux.	C5.6
	KITC	HEN	
D5.12.8	A kito	hen in a self-contained dwelling must have:	C5.6
	a)	A width of at least 2.7 metres and a clear space between benches of at least 1.45	
		metres.	
	b)	A width at door approaches of at least 1.2 metres.	
	c)	Benches that include at least one work surface that is at least 0.8 metres in length,	
		and the height of which can be adjusted from 0.75 metres to 0.85 metres.	
	d)	A tap set that is located within 0.3 metres of the front of the sink, and that is a capstan	
		tap set or that comprises lever handles or a lever mixer.	
	e)	A thermostatic mixing valve for the hot water outlet.	
	f)	Cook tops with either front or side controls, and with controls that have raised cross	
		bars for ease of grip, and that include an isolating switch.	
	g)	A worksurface adjacent to the cook top and at the same height and that is at least 0.8 metres in length.	
	h)	An oven that is located adjacent to a worksurface the height of which can be adjusted.	
	i)	"D" pull cupboard handles that are located towards the top of below-bench cupboards	
		and towards the bottom of overhead cupboards.	
	J)	General power outlets at least one of which is a double general power outlet within 0.3	
		metres of the front of a worksurface, and one of which is provided for a refrigerator in	
		such a position as to be easily accessible after the refrigerator is installed.	
	MAIN	BEDROOM	
D5.12.9	At lea	ast one bedroom within a self-contained dwelling must have:	C5.6
	a)	An area sufficient to accommodate a wardrobe and a queen-sized bed with a clear	
		area at least 1.2 metres wide at the foot of the bed.	
	b)	Two double general power outlets on the wall where the head of the bed is likely to be.	
	c)	At least one general power outlet on the wall opposite the wall where the head of the	
		bed is likely to be.	
	d)	A telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet.	

e) A potential illumination level of at least 300 lux.
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40.40								
12.10	A bathroom must have:							
	a)	a) An area that complies with AS1428.						
	b)	b) A slip-resistant floor surface.						
	c)	A shower:						
		<ul> <li>The recess of which is at least 1.16 metres x 1.1 metres, or that complies with</li> </ul>						
		AS1428, or that complies with clause 4.4.4 and Figures 4.6 and 4.7 of AS4299.						
		<ul> <li>The recess of which does not have a hob.</li> </ul>						
		<ul> <li>That is waterproofed in accordance with AS3740.</li> </ul>						
		<ul> <li>The floor of which falls to a floor waste.</li> </ul>						
		<ul> <li>Can accommodate a grab rail that complies with Figure 4.6 of AS4299 and AS1428.</li> </ul>						
		• That has a tap set that is a capstan tap set or that comprises lever handles and						
		that has a single outlet.						
		<ul> <li>A tap set positioned so as to be easily reached from the entry to the shower.</li> </ul>						
		<ul> <li>Accommodate an adjustable, detachable hand-held shower rose mounted on a</li> </ul>						
		slider grab rail or a fixed book						
		<ul> <li>Accommodates a folding seat that complies with Figure 4.6 of AS4299</li> </ul>						
	d)	Tempering values for all hot water outlets						
	u)	A washbasin with clearances that comply with Figure $4.4$ of AS4200						
	е) f)	A wall ashipat that is sufficiently illuminated to be able to read the labels of items						
	1)	A wai cabinet that is sufficiently indiminated to be able to read the labels of items						
	g)	A mirror.						
	h)	A double general power outlet beside the mirror.						
	TOIL	ET						
12.11	A dwelling must have a toilet:							
	a)	That is a visitable toilet within the meaning of clause 1.4.12 of AS4299.						
	b)	That is installed in compliance with AS1428.						
	c)	That has a slip-resistant floor surface.						
	d)	The WC pan of which is located from fixed walls in accordance with AS1428.						
	e)	That can accommodate a grab rail that complies with Figure 4.5 of AS4299 and						
		AS1428.						
	ACCE	ESS TO KITCHEN, MAIN BEDROOM, BATHROOM AND TOILET						
12.12	In a r	nulti-storey self-contained dwelling:	C5.6					
	a)	The kitchen, main bedroom, bathroom and toilet must be located on the ground						
		floor, or						
	b)	If the kitchen, main bedroom, bathroom and toilet are not located on the ground						
	,	floor, the ground floor living space must be able to be altered so as to						
		accommodate them, or						
	C)	If the kitchen main bedroom bathroom and toilet are located on a floor above the						
	5)	around floor, the stairs to the higher floor must be equipped with a stair climber						
		that is canable of being used by a person in a wheeleboir, or must be sufficiently						
		that is capable of being used by a person in a wheelchair, or must be sufficiently						

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  - wide to enable the installation of a stair climber that is capable of being used by a person in a wheelchair.

# **Accessible housing**

CLAUSE		CRITERIA
D5.12.13	<ul> <li>A self-contained dwelling must have a laundry:</li> <li>a) That has provision for the installation of an automatic washing machine.</li> <li>b) That has provision for the installation of a clothes dryer.</li> <li>c) That has a clear space in front of appliances of at least 1.3 metres.</li> <li>d) That has thermostatic mixing valves for all hot water outlets.</li> <li>e) That has a slip-resistant floor surface.</li> <li>f) That has an accessible path of travel to any clothes line provided in relation to the dwelling.</li> </ul>	C5.6
D5.12.14	<b>STORAGE</b> A self-contained dwelling must be provided with a linen cupboard that is at least 0.6 metres wide and that has adjustable shelving.	C5.6
D5.12.15	<b>DOORS</b> Door hardware provided as the means for opening doors must be able to be operated with one hand and located between 0.9 metres and 1.1 metres above floor level.	
D5.12.16	SURFACE FINISHES Balconies and external paved areas must have slip-resistant surfaces.	C5.6
D5.12.17	ANCILLARY ITEMS Switches must be located between 0.9 metres and 1.1 metres above floor level.	
D5.12.18	General purpose outlets must be located at least 0.6 metres above floor level.	
D5.12.19	GARBAGE An outside garbage storage area must be provided in an accessible location.	C5.6
	D5.13 Accessibility	
D5.13.1	In the case of development comprising 5 or more dwellings, at least 20% of all dwellings (to the nearest whole number) shall be accessible to people with a disability.	LEPcl.108
D5.13.2	Developments containing less than 5 dwellings shall include a minimum of 1 dwelling that is	LEPcl.108

D5.13.3 In the case of development comprising a hostel or residential care facility, essential areas LEPcl.108 and facilities which are associated with at least 20% of all hostel or residential care facility beds, including a toilet, bathroom, bedroom and a living area, shall be accessible to people with a disability.

accessible to people with a disability.

D5.13.4 For the purpose of clauses D5.13.1, D5.13.2 and D5.13.3, accessible to people with a disability means that the development must have, or be capable of being modified, so that they have wheelchair access by a continuous path of travel (within the meaning of AS1428) to all essential areas and facilities inside the dwelling, hostel or residential care facility.

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## CLAUSE

D5.13.5 Accessible Housing must be designed and constructed to provide access to and within all areas or facilities of the development where there is a reasonable expectation for access by any individual, accompanying persons or groups. Access is to be in accordance with AS1428 – Design for Access and Mobility. The minimum requirements include:

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- At least 20% of any hostel or residential care facility beds and at least 20% of any dwellings must have wheelchair access by a continuous path of travel (within the meaning of AS1428) to an adjoining public road.
- b) The capability exists of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metre wide may otherwise obstruct the available accessible path.
- c) External common paths and recreation areas shall be illuminated so that they to a minimum 50 lux.
- d) Signage within the development shall be capable of being universally interpreted in accordance with AS2899 Public Information Symbol Signs.
- e) At least one visitor space and not less than 5% of visitor spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility and set aside for persons with a disability.
- f) External common paths and recreation areas shall be constructed in accordance with AS3661– Slip Resistance for Pedestrian Surfaces and AS4586 Slip Resistance Classification for Pedestrian Surface Materials and be illuminated throughout to a minimum of 50 lux.

## ACCESSIBLE ENTRY

- D5.13.6 Every entry (whether a front entry or not) to a hostel, residential care facility or dwelling, not C5.7 being an entry for employees:
  - a) Must not have a slope that exceeds 1:40.
  - b) Must comply with clauses 4.3.1 and 4.3.2 of AS4299.
  - c) Must have an entry door handle and other hardware that complies with AS1428.

#### SAFE AND CONVENIENT ACCESS

- D5.13.7 Provide a continuous accessible path of travel from the entrances of all proposed dwellings, LEPcl.116 hostels and/or residential care facilities, to:
  - a) The principal pedestrian entrance to the development.
  - b) Vehicle setting down areas.
  - c) Parking areas.
  - d) Communal on-site facilities.
  - e) Private open space.
  - f) Other areas of the development to which residents could reasonably require access.

C5.7

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# Accessible housing

Blue Mountains Better Living DCP

CLAUSE		CRITERIA
	D5.14 Special provisions	
	APPLICATIONS BY CERTAIN HOUSING PROVIDERS	
D5.14.1	A dwelling, or part of a dwelling, that is located above the ground floor in a multi-storey building does not have to comply with the requirements relating to D5.12.3 to D5.12.19, if the development application is made by, or in conjunction with, the Department of Housing or a local government or community housing provider.	C5.7
	WHO CAN LIVE IN ACCESSIBLE HOUSING	
D5.14.2	A restriction as to user is to be registered against the title of the property on which the	LEPcl.112
-	development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the sale and use of the development, including any dwelling within that development to;	
	a) older people and people with a disability, or	
	b) people who live with older people or people with a disability, or	
	c) staff employed to assist in the administration of and provision of services to accessible housing developments.	
	PEDESTRIAN ACCESS	
D5.14.3	Reasonable pedestrian access via a footpath or other similar and safe means is to be	LEPcl.113
	available from the primary pedestrian entrance of the development to:	
	a) Land zoned Village - Town Centre within Blackheath, Katoomba, Leura, Wentworth	
	Falls, Lawson, Springwood, Hazelbrook, Blaxland or	
	b) Land zoned Village - Neighbourhood Centre within Winmalee or Glenbrook.	
D5.14.4	For the purpose of clause D5.14.3, reasonable pedestrian access is considered to be	LEPcl.113
	provided if:	
	a) There is a path of travel via a sealed footpath of other similar and safe means (that is suitable for access by means of an electric wheelchair, motorised cart or the like) from the development to the village centre.	
	b) The gradient of access paths does not exceed an overall average of 1:14 over the	
	shortest path of travel from the development to the village centre, provided	
	<ul> <li>slopes up to 1:12 do not exceed 15 metres at a time, and</li> </ul>	
	<ul> <li>slopes up to 1:10 do not exceed 5 metres at a time, and</li> </ul>	
	<ul> <li>slopes up to 1:8 do not exceed 1.5 metres at a time, and</li> </ul>	
	c) There are sufficient rest stops along the route, which should include seats or level	
	landings.	
 D5.14.5	Should a development not provide reasonable pedestrian access in accordance with clause	LEPcl.113
	D5.14.4, residents are to have reasonable access to;	-
	a) transport that, in the opinion of the consent authority, is reasonably affordable	
	private transport, which provides regular access from the site of the development to at	
	least one of the village centres listed in clause D5.14.3 and that is readily accessible	
	to people with a disability or impaired mobility, or	

Blue Mountains etter Living DCP

CLAUSE	b)	regular public transport that operates at least 5 days per week averaging at least a two-hourly service between the hours of 9am and 5pm for those days and that provides access to at least one of the villages listed in clause D5.14.3, access to which is within 400 metres of the proposed development.	CRITERIA
D5.14.6	The p cond and t	LEPcl.113	
D5.14.7	Pede is a b devic	estrian access shall not involve crossing of the Regional Transport Corridor unless there bridge or subway providing pedestrian access, or a signalised crossing with auditory ses provided.	LEPcl.113
D5.14.8	SELF Deve acces a) b) c) d)	<b>E-SUSTAINED DEVELOPMENT OUTSIDE THE ACCESSIBLE HOUSING AREA</b> dopment for the purpose of accessible housing may be located outside a mapped asible housing area provided that: the development has no less than 50 dwellings, or the development has no less than 50 beds in a residential care facility, or where the development includes both dwellings and beds in a residential care facility, the number of dwellings added to the number of beds in a residential care facility is equal to or exceeds 50, or the development is located within a precinct within the 'Recreation - Private' Zone.	LEPcl.114
D5.14.9	Deve resid a) b) c) d) SUPI	Hopment for the purpose of accessible housing outside a mapped housing area, ents must have reasonable access to: Transport that, in the opinion of the consent authority, is reasonably affordable private transport, which provides regular access from the site of the development to at least one of the village centres listed in clause D5.14.3 and that is readily accessible to people with a disability or impaired mobility, Community services and recreation facilities, On-site communal areas (internal and external), Where appropriate for the proposed inhabitants, on-site medical consulting rooms, for use by visiting medical practitioners.	LEPcl.114
D5.14.10	Each alarm	development for the purpose of accessible housing is to provide emergency response as located in all dwelling units.	LEPcl.115
D5.14.11	Resid includ a) b) c) d)	dents of the proposed development are to have reasonable access to support services ding, but not limited to: Home delivered meals. Personal care. Home nursing. Assistance with housework.	LEPcl.115

ccessible housing

# Accessible housing

Blue Mountains Better Living DCP

## **CLAUSE CRITERIA** e) Gardening maintenance. f) Medical assistance. g) Respite care. Rehabilitation services. h) LEPcl.115 D5.14.12 If 15 or more residential units are proposed, adequate provision is to be made for: a) An administrative building or room located in a prominent location, that is designed to provide a focal point for visitors and a sense of security for residents. b) A setting down and picking up area that is close to the site entry with a covered seating area visible from the administrative building or room or at least some of the dwellings. c) Speed restriction signs placed in a prominent location at the entry to the development. HOUSING CHOICE D5.14.13 33% (rounded up to the nearest whole number) of dwellings within an accessible housing LEPcl.110 development shall have a gross floor area not greater than 100m2. D5.14.14 Accessible housing developments must incorporate a range of dwelling sizes, particularly LEPcl.110 contributing to the increased provision of single and two bedroom dwelling stock. D5.14.15 Development for the purpose of accessible housing (excluding 'self sustained' development LEPcl.113 outside of the accessible housing area), must be located within the accessible housing area (as shown on Map Panel A of the LEP). **ASBESTOS CEMENT**

D5.14.16 Any asbestos cement cladding on existing buildings that are proposed to be brick veneered C1.4 or reclad must be removed.

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part D specifies the minimum development standards for the form of development listed in the next column. Part D cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

**Bed & breakfa** 

Part D also includes the key development standards of Local Environmental Plan 2005 (LEP 2005). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 2005 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part D has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are

no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

## **Bed & Breakfast defined**

This section applies to a dwelling house that:

- a) Has been constructed, adapted or altered to provide short-term paid accommodation for no more than six visitors at any one time.
- b) Provides accommodation with no more than three bedrooms.
- c) Is designed to enable the use of other rooms within the dwelling-house for activities associated with the accommodation; and
- d) Is connected to a reticulated sewerage system; and
- e) Is operated solely by the permanent residents (who may include the owner) of the dwelling house; and
- f) Is so operated as to provide for the consumption of food on the premises only by permanent residents and guests of the bed and breakfast establishment, but does not include a refreshment room.



Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

## **D6.1 Matrix of plans & documentation**

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

✓ This information is required.

○ Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.

\* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION		
Site analysis	$\checkmark$	LEPcl.42;43;Part B
Design plans	$\checkmark$	Part B
Statement of environmental effects	$\checkmark$	Part B
Detailed environmental assessment	• *	LEPcl.44;45;46;47;51;52;C1.1
Flora and fauna assessment	• *	C1.1
Vegetation / bushland management plan	0	LEPcl.53;C1.1
Geotechnical report	0	LEPcl.45;C1.1
Weed management plan	• *	LEPcl.55;C1.2
Engineering details	0	C1.1
Stormwater management plan	O <b>*</b>	LEP cl.57;C1.3
Erosion & sediment control plan	• *	LEPcl.56; C1.4
Soil & water management plan	• *	C1.4
Waste management strategy	0	LEPcl.63;C1.4
Construction management plan	0	C1.4
Detailed character analysis	• *	LEPcl.62;C2.1
Detailed landscape plan	• *	C2.2
Tree survey	• *	LEPcl.53;C2.2
Archaeological assessment	• *	LEP cl.75;C3
Heritage assessment / conservation plan	• *	LEP cl.71;C3
Bushfire protection strategy	0	LEPcl.78;C4.1
Crime minimisation assessment	$\checkmark$	LEPcl.87;C4.2
Contaminated site report	0	LEPcl.89;C4.3
BASIX Certificate	0	C5.5
Water cycle management study	0	LEPcl.96;C1.1
Noise & vibration report	0	C5.4
Shadow diagrams	0	C5.4

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

CLAUSE		CRITERIA	
	D6.2 Biodiversity		
D6.2.1	The alteration of the <i>natural ground level</i> by greater than 1 metre cut or greater than 1 metre depth of fill is not permitted. Consideration will be given to increasing the depth of cut or fill where it is within the building footprint.	LEPcl.58;C1.1; C1.3;C2.1;C5.4	
D6.2.2	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C4.3	
D6.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	LEPcl.58;C1.1; C1.3;C2.1;C5.4	
D6.2.4	Development should generally be located outside environmentally constrained areas.	LEPds.45;46;47	
D6.2.5	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a 'Slope Constraint Area', 'Vegetation Constraint Area', 'Ecological Buffer Area', 'Escarpment Area', 'Water Supply Catchment', 'Riverine Scenic Quality Corridor' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation.	LEPcls.45, 46,47,48,49;50; C1.1;C1.2;C1.3	
	D6.3 Weeds		
D6.3.1	D6.3 Weeds Within the 'Living Bushland Conservation' zone and any <i>asset protection zone</i> on Bushfire Prone land, the planting of species included in <u>Part F2 - Weeds of the Blue</u> <u>Mountains</u> will not be permitted.	LEPcl.55; C1.2;F2	
D6.3.1 D6.3.2	D6.3 Weeds Within the 'Living Bushland Conservation' zone and any asset protection zone on Bushfire Prone land, the planting of species included in Part F2 - Weeds of the Blue Mountains will not be permitted. The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	LEPcl.55; C1.2;F2 LEPcl.55;C1.2	
D6.3.1 D6.3.2 D6.3.3	D6.3 Weeds Within the 'Living Bushland Conservation' zone and any asset protection zone on Bushfire Prone land, the planting of species included in Part F2 - Weeds of the Blue Mountains will not be permitted. The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted. Existing noxious weeds must be removed or controlled where identified on a proposed development site.	LEPcl.55; C1.2;F2 LEPcl.55;C1.2 LEPcl.55;C1.2	
D6.3.1 D6.3.2 D6.3.3	D6.3 Weeds Within the 'Living Bushland Conservation' zone and any asset protection zone on Bushfire Prone land, the planting of species included in Part F2 - Weeds of the Blue Mountains will not be permitted. The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted. Existing noxious weeds must be removed or controlled where identified on a proposed development site. D6.4 Stormwater	LEPcl.55; C1.2;F2 LEPcl.55;C1.2 LEPcl.55;C1.2	
D6.3.1 D6.3.2 D6.3.3 D6.4.1	D6.3 Weeds Within the 'Living Bushland Conservation' zone and any asset protection zone on Bushfire Prone land, the planting of species included in Part F2 - Weeds of the Blue Mountains will not be permitted. The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted. Existing noxious weeds must be removed or controlled where identified on a proposed development site. D6.4 Stormwater To allow for the retention and potential re-use of stormwater, the post-development	LEPcl.55; C1.2;F2 LEPcl.55;C1.2 LEPcl.55;C1.2	
D6.3.1 D6.3.2 D6.3.3 D6.4.1	D6.3 Weeds Within the 'Living Bushland Conservation' zone and any asset protection zone on Bushfire Prone land, the planting of species included in Part F2 - Weeds of the Blue Mountains will not be permitted. The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted. Existing noxious weeds must be removed or controlled where identified on a proposed development site. D6.4 Stormwater To allow for the retention and potential re-use of stormwater, the post-development flows of stormwater generated from the development site shall approximate the predevelopment flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.	LEPcl.55; C1.2;F2 LEPcl.55;C1.2 LEPcl.55;C1.2	
D6.3.1 D6.3.2 D6.3.3 D6.4.1 D6.4.2	<ul> <li>D6.3 Weeds</li> <li>Within the 'Living Bushland Conservation' zone and any asset protection zone on Bushfire Prone land, the planting of species included in Part F2 - Weeds of the Blue Mountains will not be permitted.</li> <li>The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.</li> <li>Existing noxious weeds must be removed or controlled where identified on a proposed development site.</li> <li>D6.4 Stormwater</li> <li>To allow for the retention and potential re-use of stormwater, the post-development flows of stormwater generated from the development site shall approximate the predevelopment flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.</li> <li>Absorption pits are to be located outside development excluded land unless no practical alternative can be provided and it is demonstrated that there is no adverse effect on the development excluded land.</li> </ul>	LEPcl.55; C1.2;F2 LEPcl.55;C1.2 LEPcl.55;C1.2 C1.3	

Bed & breakfas

**CRITERIA** 

C1.3

## CLAUSE

- D6.4.3 Rainwater tanks shall have a capacity of not less than 1000 litres per 100 square metres of roof area. Stormwater pits shall measure 600mm wide x 600mm deep x 2 metres long, for each downpipe. Pits shall be located at least 4 metres from any boundary or property boundary. Where the site falls to the street the overflow from the rainwater tanks or pits shall discharge to the street gutter. If available, overflows may also be discharged to a drainage easement. Where a site falls towards a creek stormwater should not be discharged directly to the creekline.
- D6.4.4 In the 'Living Bushland Conservation' zone or in an area mapped as a 'Protected Area LEPcI.57 Water Supply Catchment', development that increases the existing area of impervious or hard surfaces by more than 100 square metres or where the total area of impervious or hard surfaces of existing and proposed development exceeds 300 square metres, provisions must be made for on-site retention of water with a collection capacity of not less than 4000 litres per 100 square metres of hard or impervious surface and the reuse of such water. Alternative measures will be considered where they have been designed by a suitably qualified person.
- D6.4.5 Where rainwater tanks are used as an on-site detention system the tank shall include C1.3 an outlet (without a tap) to ensure that the on-site detention volume is available for the next storm. Overflow from detention systems shall be discharged into a stormwater pit as described in D6.4.3. See Diagram 1.

DIAGRAM 1



D6.4.6 Habitable floor levels must be located 300mm from finished ground level where the C1.3 building is located in a position that may be affected by stormwater. A higher level may be required in areas of concentrated stormwater flows.

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CLAUSE		CRITERIA
	D6.5 Streetscape & character	
D6.6.1	SCALE AND SETBACK Achieve the scale and setback provisions outlined in Table 1 for developments within that particular zone.	See Table 1
D6.6.2	Within the 'Village' zones, the development shall be in accordance with the building height, site coverage, setback and other specific provisions contained within the LEP.	LEP Schedule 1
D6.6.3	For development in a 'Village Neighbourhood Centre' (not within a precinct) the 'setback from other boundaries' is 3 metres.	C2.1
D6.5.4	Development adjoining a 'Regional Transport Corridor - Road' is required to have a minimum 18 metre setback unless the physical or functional circumstances of the land would warrant a lesser setback, and that this would not result in creation of a traffic hazard.	LEPcl.133
D6.5.5	Development within a 'Period Housing Area' shall be in accordance with the specific provisions contained within the LEP.	LEPcl.64
D6.5.6	Any works to allow the use of the dwelling house as a bed and breakfast establishment must be consistent with the predominant character of the street and adjoining development.	LEPcl.118
D6.5.7	Garages and car parking areas should preferably be located behind the rear alignment of the building and are not to form a visually prominent element of the streetscape.	LEPcl.100
D6.5.8	FENCING AND BOUNDARY TREATMENTS Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height.	LEPcl.60
D6.5.9	In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any private open space areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres.	C2.1;C5.4
D6.5.10	Any part of a side boundary fence or wall which is located within the front building setback applying to the land shall not exceed a height of 1 metre.	LEPcl.60
D6.5.11	Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing for this purpose is not permitted.	C2.1

Bed & breakfas

## TABLE 1 – SCALE AND SETBACK

				FRONT SETBACK		DEVELOPMENT DENSITY (FLOOR SPACE RATIO)
Living General	Maximum site cover is the greater of 40% or 160m2.* *Excludes water t	8 metres from <i>finished</i> ground level. anks.	6.5 metres from finished ground level.	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 8 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of lot in front.</li> </ul>	<ul> <li>The maximum width of any building across the allotment is 80%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	0.35:1
Living General (within Period Housing Area) LEP Schedule 2	Same as Living General.	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	Same as Living General.
Living Conservation LEP Schedule 2	<ul> <li>Lots less than 1000m2 maximum site cover is the greater of 30% or 160m2.*#</li> <li>Lots 1000m2 or greater maximum site cover is 300m2 plus 10% of of the total site area up to 400m2.*#</li> <li>*Excludes water to f spaced decking</li> </ul>	6.5 metres from finished ground level.# anks, unencloss g and swimming	4.5 metres from finished ground level.# ed areas g pools.	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 10 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of the lot in front.</li> </ul>	<ul> <li>Lots with a width less than 20 metres – the maximum width of any building across the allotment is 75%.</li> <li>Lots with a width greater than 20 metres and less than 25 metres – the maximum width of any building across the allotment is 15 metres.</li> <li>Lots with a width greater than 25 metres – the maximum width of any building across the allotment is 60%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	
Living Conservation (within an Escarpment Area) LEP Schedule 2	Same as Living Conservation.	5.5 metres from finished ground level.#	4 metres from finished ground level.#	Same as Living Conservation.	Same as Living Conservation.	
Living Bushland Conservation LEP Schedule 2	Same as Living Conservation.	8 metres from finished ground level.#	6.5 metres from finished ground level.#	Same as Living General.# ¢	Same as Living General.	
Living Bushland Conservation (within Period Housing Area) LEP Schedule 2	Same as Living Conservation.	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	
Living Bushland Conservation (within an Escarpment Area)	Same as Living Conservation.	5.5 metres from finished ground level.#	4 metres from finished ground level.#	Same as Living General.	Same as Living General.	
LEP Schedule 2						

#Provisions exist to vary the clause. Refer to the LEP.

**CRITERIA** 

C2.1



#### CLAUSE

D6.5.12 Long sections of fencing along side street frontages must include;

- a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping; and/or
- b) decorative fencing incorporating design features and materials which add to an attractive streetscape.

## **D6.6 Landscaping**

D6.6.1 As part of a development for the purpose of a bed and breakfast establishment, the LEP following minimum percentages of pervious / soft landscape areas must be achieved. Schedule 2

ZONE	MINIMUM % OF PERVIOUS / SOFT LANDSCAPED AREAS
LIVING GENERAL	40%*
LIVING CONSERVATION	60%*
LIVING BUSHLAND CONSERVATION	60%*

\* Minimum % of pervious / soft landscaped areas excludes hard surfaces except for water tanks, unenclosed areas of spaced decking and swimming pools.

- D6.6.2 For development within the 'Village' zones, the requirements in relation to pervious/soft LEP landscaped areas shall be in accordance with the LEP. Schedule 1
- D6.6.3 Street trees are to be provided at a ratio of 1 tree per 9 metres of site frontage. The C2.1;C2.2 selected tree species are to be in accordance with any Street Planting Schedule for the street or as specified by Council.



# **Bed & breakfast**

CLAUSE	CRITERIA
D6.7 Bushfire	
D6.7.1 Brushwood fencing is prohibited in the Blue Mountains.	C4.1
<ul> <li>D6.7.2 The following minimum construction standards apply to all habitable buildings: <ul> <li>a) All roofing shall be non combustible. Shingles and shakes are not to be used.</li> <li>b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.</li> <li>c) Any materials or devices used to stop leaves collecting in the gutters shall have flammability index of not greater than 5 when tested in accordance with AS1530.2.</li> <li>d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.</li> </ul> </li> </ul>	C4.1 a
<b>BUSHFIRE PRONE AREAS</b> D6.7.3 Bed & breakfast establishments in bushfire prone areas are considered "special fire protection" development and as such require a comprehensive bushfire protection strategy.	C4.1

D6.7.4 An *asset protection zone* established for "special fire protection" purposes on bushfire LEPcl.82 prone land is to comply with the minimum separation distances specified in Table 3.

TA	BL	Е	3
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Slope from building to source	Vegetation Group 1	Vegetation Group 2	Vegetation Group 3
of bushfire hazard	APZ = I		
<ul> <li>&gt;10% upslope</li> <li>10-0% upslope</li> <li>0-10% downslope</li> <li>&gt;10-20% downslope</li> <li>&gt;20-27% downslope</li> <li>&gt;27-33% downslope</li> </ul>	60 = 50 + 10 $75 = 60 + 15$ $80 = 65 + 15$ $90 = 75 + 15$ $100 = 85 + 15$ $100 = 85 + 15$	30 = 20 + 10 40 = 25 + 15 50 = 35 + 15 60 = 45 + 15 80 = 65 + 15 100 = 85 + 15	20 = 20 + 0 20 = 20 + 0

D6.7.5 Development for "special fire protection" purposes may be required to incorporate a perimeter road or perimeter fire trail in accordance with the provisions of the LEP.

LEPcl.82;84

- D6.7.6 Any measures proposed to protect development against bushfire should be C4.1 undertaken on those parts of the site that are not located within a 'Protected Area'.
- D6.7.6 *Asset protection zones* should not be located on any land that has contiguous areas of LEPcl.44 slope greater than 33% unless no other viable alternative is available.
- D6.7.7 Ploughing or grading of *asset protection zones* is not permitted on slopes greater than C4.1 1:5 (20%).

CLAUSE		CRITERIA
	D6.8 Services	
D6.8.1	Bed and breakfast establishments are only permitted where a reticulated sewerage system is in place at the time of granting consent that has the existing capacity to service the development or can be upgraded to accommodate the additional capacity as part of the development.	LEPcl.95
D6.8.2	The provision of electricity and gas services for bed and breakfast establishments is to be provided underground.	C2.1;C5.1
D6.8.3	Provision is to be made for only one external television aerial to service the bed and breakfast establishment.	C2.1;C5.1
D6.8.4	A common clothes drying area is required to service both the dwelling house and guests.	C5.1;C5.4
D6.8.5	An area for storing garbage, recycling and composting bins shall be provided, suitably located and screened.	C2.1;C5.1
	D6.9 Vehicular access, parking & roads	
D6.9.1	<b>PARKING</b> Car parking for a bed and breakfast establishment shall be provided at the rate of 1 space per proprietor, plus 1 space per guest room.	C5.3
D6.9.2	Carparking spaces are not permitted within the front setback area. Consideration will be given to varying the location where it is desirable for environmental reasons.	C2.1;C5.3
D6.9.3	Construction of parking facilities shall be in accordance with Council's Engineering Specifications and Guidelines. Generally, bay sizes, driveways, access, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890.1, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines.	C5.3
D6.9.4	Any visitor parking must be clearly identifiable and easily accessed.	C5.3;C5.4
D6.9.5	All car parking is to be provided on-site.	C5.3;C5.4
D6.9.6	ACCESS Vehicular access to a site must be available from a stable, all weather vehicular access road.	LEPcl.98
D6.9.7	The vehicular access road must not be located on slopes of 33% or greater.	LEPcl.98
D6.9.8	Vehicles must be able to enter and leave the site in a forward direction.	C5.3

**Bed & breakfas** 

CLAUSE D6.9.9	Turning areas to accommodate vehicles leaving the site in a forward direction must not be located within the front setback area. Consideration will be given to varying the location where it is desirable for environmental reasons.	CRITERIA C2.1;C5.3
D6.9.10	Any vehicular crossing shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site.	C5.3
D6.9.11	Only one vehicular access point is permitted for allotments with a frontage of 18.5 metres or less.	C2.1;C5.3
D6.9.12	A maximum of two vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the design to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facility.	C2.1;C5.3
D6.9.13	Allotments located on a main or arterial road and which have a frontage width greater than 18.5 metres are limited to providing 1 vehicular access point.	C2.1;C5.3
D6.9.14	<b>DRIVEWAYS</b> Driveways must be a minimum of 3 metres wide and shall not exceed 4 metres in width, regardless of the width of the allotment.	C2.1;C5.3
D0.045	Driver and the event the second terms into all weather events	
D6.9.15	Driveways must be sealed to provide all weather access.	C5.3
D6.9.15	The grade of the driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary.	C5.3 C5.3
D6.9.15 D6.9.16 D6.9.17	The grade of the driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary. A driveway which has a slope greater than 1 in 10 (10%) shall have a surface treatment which minimises wheel skid in wet conditions.	C5.3 C5.3 C5.3
D6.9.15 D6.9.16 D6.9.17 D6.9.18	<ul> <li>Driveways must be sealed to provide all weather access.</li> <li>The grade of the driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary.</li> <li>A driveway which has a slope greater than 1 in 10 (10%) shall have a surface treatment which minimises wheel skid in wet conditions.</li> <li>Driveways must not be located on slopes in excess of 33%.</li> </ul>	C5.3 C5.3 C5.3 C5.3
D6.9.15 D6.9.16 D6.9.17 D6.9.18 D6.9.19	Driveways must be sealed to provide all weather access. The grade of the driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary. A driveway which has a slope greater than 1 in 10 (10%) shall have a surface treatment which minimises wheel skid in wet conditions. Driveways must not be located on slopes in excess of 33%. Where driveway crossings must traverse a watercourse or a significant vegetation community and it can be demonstrated that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert.	C5.3 C5.3 C5.3 C5.3 C1.1;C5.3
D6.9.15 D6.9.16 D6.9.17 D6.9.18 D6.9.19	Driveways must be sealed to provide all weather access. The grade of the driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary. A driveway which has a slope greater than 1 in 10 (10%) shall have a surface treatment which minimises wheel skid in wet conditions. Driveways must not be located on slopes in excess of 33%. Where driveway crossings must traverse a watercourse or a significant vegetation community and it can be demonstrated that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert. <b>D6.10 Amenity</b>	C5.3 C5.3 C5.3 C5.3 C1.1;C5.3

# CLAUSE Description CRITERIA D6.10.2 Proposed habitable room windows of the dwelling house and / or any guest room wind a direct outlook to habitable room windows or *private open space* of an adjacent dwelling will be permitted only where these have a separation of no less than 6 metres. CRITERIA D6.10.3 Any lighting system utilised in common areas, car parking areas and along pathways C4.2;C5.4

- D6.10.3 Any lighting system utilised in common areas, car parking areas and along pathways C4.2;C5.4 must be baffled to ensure that a light source is not directly visible from a habitable room window of an adjoining dwelling, whilst maintaining adequate lighting of the subject site.
- D6.10.4 Dwelling and/or guest room entrances are to be sheltered by a verandah, roof, hood or C2.1;C5.4 similar.

## SOLAR AMENITY

D6.10.5 The development must be designed and located so that solar access to the living C5.4;C5.5 areas (excludes bedrooms, bathrooms and utility areas) and private open space areas of adjoining residential properties is not reduced to less than 3 hours between 9am and 3pm on June 21st.

## ACOUSTIC PRIVACY

D6.10.6 Active recreation facilities, such as swimming pools and BBQ areas, are to be located C5.4 away from the bedroom areas of adjoining dwellings. Operating plant (such as air conditioning systems, pool pumps etc.,) must be selected and located to minimise noise to residents, guests and neighbours.

## D6.11 Energy

- D6.11.1 Additions or alterations to create a bed and breakfast must provide a minimum of R1.5 LEPcl.105;C5.5 insulation to the external walls and R3 insulation to the ceilings within the alteration.
- D6.11.2 The installation of any hot water system must achieve a minimum 3.5 star rating. C5.5
- D6.11.3 All additions which involve plumbing installations shall incorporate dual flush toilets C5.5 and AAA water saving devices.

## **D6.12 Accessibility**

- D6.12.1 All bed and breakfast establishments must be designed and constructed to provide LEPcl.108; access to and within all areas or facilities of the development where there is a C5.7 reasonable expectation for access by any individual, accompanying persons or groups. The access is to be in accordance with AS1428 Design for Access and Mobility. The minimum requirements include:
  - a) A continuous path of travel from the vehicle parking area to the Bed & Breakfast establishment. Access gradients are to conform to the requirements of AS1428
     Design for Access and Mobility.

## CLAUSE

**CRITERIA** 

- b) The capability exists of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metre wide may otherwise obstruct the available accessible path.
- c) A minimum of one guest room shall be fitted out as fully accessible suite/s having internal and external access complying with AS1428 Design for Access and Mobility and when furnished will provide a minimum circulation space 1 metre wide around three sides of a standard queen sized bed. Facilities provided in the accessible suite shall be fully accessible in accordance with AS1428 Design for Access and Mobility.
- d) Where a range of rooms with varying desirable feature/s are available, at least one room containing the feature/s shall be available as a fully accessible room and be representative of the range of rooms available.
- e) A fully accessible footway connecting the Council roadway to the common circulation areas within the development, constructed in accordance with AS1428
   – Design for Access and Mobility is to be provided.
- f) External common paths and recreation areas shall be illuminated so that they are illuminated to a minimum 50 lux.
- g) Signage within the development shall be capable of being universally interpreted in accordance with AS2899 Public Information Symbol Signs.
- All common areas and facilities provided in the establishment for use by guests, shall be fully accessible in accordance with AS1428 – Design for Access and Mobility.
- A minimum of one external parking space dimensioned to conform to AS1428 Design for Access and Mobility shall be provided for each fully accessible guestroom.
- At least one guest space for every accessible guest room shall be dimensioned to conform to AS1428 – Design for Access and Mobility.

## **D6.13 Special provisions**

## BED & BREAKFAST ESTABLISHMENT

- D6.13.1 A bed and breakfast establishment must operate from the dwelling house (either a new LEPcl.118 dwelling or an adapted dwelling house).
- D6.13.2 A bed and breakfast must be located on a site that has a total area of 1200m2 or LEPcl.118 greater.

## **ASBESTOS CEMENT**

D6.13.3 Any asbestos cement cladding on existing buildings that are proposed to be brick C1.4 veneered or reclad must be removed.

**Blue Mountains Better Living DCP** 

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part D specifies the minimum development standards for the forms of development listed in the next column. Part D cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

& boarding house

Iourist accomodation

Part D also includes the key development standards of Local Environmental Plan 2005 (LEP 2005). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 2005 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part D has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

## **Tourist accommodation**

This section applies to a building or buldings providing for short term visitor accommodation and recreation, which use, adapt or complement the existing building or buildings and which may include a refreshment room and space capable of being used for functions such as receptions, conventions, or the like.

## **Boarding house defined**

This section applies to boarding houses ie., a building or place wholly or partly let in lodgings which provides lodgers with a principal place of residence that is not: a) self contained, or

- b) licensed under the Liquor Act 1982, or
- c) tourist accommodation, or
- d) any other kind of building or place specifically defined.



Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

## **D7.1 Matrix of plans & documentation**

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- O Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.
- \* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	$\checkmark$	LEPcl.42;43;Part B
Design plans	$\checkmark$	Part B
Statement of environmental effects	$\checkmark$	Part B
Detailed environmental assessment	• *	LEPcl.44;45;46;47;51;52;C1.1
Flora and fauna assessment	• *	C1.1
Vegetation / bushland management plan	0	LEPcl.53;C1.1
Geotechnical report	0	LEPcl.45;C1.1
Weed management plan	• *	LEPcl.55;C1.2
Engineering details	0	C1.1
Stormwater management plan	• *	LEP cl.57;C1.3
Erosion & sediment control plan	· *	LEPcl.56;C1.4
Soil & water management plan	○ <b>*</b>	C1.4
Waste management strategy	√ *	LEPcl.63;C1.4
Construction management plan	0	C1.4
Detailed character assessment	• *	LEPcl.62;C2.1
Detailed landscape plan	• *	LEPcl.66;C2.2
Tree survey	· *	LEPcl.53;C2.2
Archaeological assessment	· *	LEP cl.75;C3
Heritage assessment / conservation plan	• *	LEP cl.71;C3
Bushfire protection strategy	0	C4.1
Crime minimisation assessment	✓	LEPcl.87;C4.2
Contaminated site report	0	LEPcl.89;C4.3
Energy performance statement	$\checkmark$	C5.5
Water cycle management study	0	LEPcl.96;C1.1
Noise & vibration report	0	C5.4
Food premises fitout plan	$\checkmark$	C4.4
Traffic impact statement/study	$\checkmark$	C5.3

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

Blue Mountains Better Living DCP

CLAUSE	D7.2 Biodiversity	CRITERIA
D7.2.1	The alteration of the <i>natural ground level</i> by greater than 1 metre cut or greater than 1 metre depth of fill is not permitted. Consideration will be given to increasing the depth of cut or fill where it is within the building footprint.	C1.1;C1.3; C2.1;C5.4
D7.2.2	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C4.3
D7.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	C1.1;C1.3; C2.1;C5.4
D7.2.4	Development should generally be located outside environmentally constrained areas.	LEPcls.45,46,47
D7.2.5	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a 'Slope Constraint Area', 'Vegetation Constraint Area', 'Ecological Buffer Area', 'Escarpment Area', 'Water Supply Catchment', 'Riverine Scenic Quality Corridor' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and	LEPds.45,46,47 48,49;50; C1.1;C1.2;C1.3

st accomodation

Tour & boarding

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	D7.3 Weeds	
D7.3.1	Within any <i>asset protection zone</i> on Bushfire Prone land, the planting of species included in <u>Part F2 - Weeds of the Blue Mountains</u> will not be permitted.	LEPcl.55;C1.2; F2
D7.3.2	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	LEPcl.55;C1.2
D7.3.3	Existing noxious weeds must be removed or controlled where identified on a proposed	LEPcl.55;C1.2

## development site.

## **Tourist accomodation** & boarding houses

CLAUSE		CRITERIA
	D7.4 Stormwater	
D7.4.1	To allow for the retention and potential reuse of stormwater, the post development flows of stormwater generated from the development site shall approximate the pre- development flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.	C1.3
D7.4.2	Absorption pits are to be located outside development excluded land unless no practical alternative can be provided and it is demonstrated that there is no adverse effect on the <i>development excluded land</i> .	C1.3
D7.4.3	In an area mapped as a 'Protected Area Water Supply Catchment', development that increases the existing area of impervious or hard surfaces by more than 100 square metres or where the total area of impervious or hard surfaces of existing and proposed development exceeds 300 square metres, provisions must be made for on-site retention of water with a collection capacity of not less than 4000 litres per 100 square metres of hard or impervious surface and the reuse of such water. Alternative measures will be considered where they have been designed by a suitably qualified person.	LEPcl.57

## **D7.5 Streetscape & character**

SCALE AND SETBACK

D7.5.1 For boarding house development achieve the scale and setback provisions outlined in See Table 1 Table 1.

## TABLE 1 – SCALE AND SETBACK

	ZONE	MAXIMUM SITE COVERAGE OF BUILDINGS	Maximum Building Height	Maximum Height at Eaves	FRONT SETBACK	SETBACK FROM OTHER BOUNDARIES	DEVELOPMENT DENSITY (FLOOR SPACE RATIO)
	Living General LEP Schedule 2 Part 1	Maximum site cover is the greater of 40% or 160m2.* *Excludes water ta	8 metres from finished ground level. anks.	6.5 metres from finished ground level.	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 8 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of lot in front.</li> </ul>	<ul> <li>The maximum width of any building across the allotment is 80%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	0.35:1
_	Living General (within Period Housing Area) LEP Schedule 2 Part 1	Same as Living General	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	Same as Living General.

#Provisions exist to vary the clause. Refer to the LEP.

Blue Mountains Better Living DCP

CLAUSE D7.5.2	LAUSE D7.5.2 Development adjoining a 'Regional Transport Corridor - Road' is required to have a minimum 18 metre setback unless the physical or functional circumstances of the land would warrant a lesser setback, and that this would not result in creation of a traffic hazard.		
D7.5.3	Within the 'Village Housing', 'Village Tourist', 'Village Town Centre' and 'Village Neighbourhood' zones, the development shall be in accordance with the building height, site coverage, setback and other specific provisions contained within the individual precincts.	LEP Schedule 1	
D7.5.4	For development in a 'Village Neighbourhood Centre' (not within a precinct) 'the setback from other boundaries' is 3 metres.	C2.1	
D7.5.5	Development within a 'Period Housing Area' shall be in accordance with the specific provisions contained within the LEP.	LEPcl.64	
D7.5.6	Garages and car parking areas should preferably be located behind the rear alignment of the building and are not to form a visually prominent element of the streetscape.	LEPcl.100	
D7.5.7	FENCING AND BOUNDARY TREATMENTS Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height.	LEPcl.60;C2.1	
D7.5.8	In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any <i>private open space</i> areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres.	C2.1;C5.4	
D7.5.9	Any part of a side boundary fence or wall which is located within the front building setback applying to the land shall not exceed a height of 1 metre.	LEPcl.60	
D7.5.10	Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing is not permitted.	C2.1	
D7.5.11	<ul> <li>Long sections of fencing along side street frontages must include;</li> <li>a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping; and/or</li> <li>b) decorative fencing incorporating design features and materials which add to an attractive streetscape.</li> </ul>	C2.1	

**Tourist accomodation** & boarding houses

## **Tourist accomodation** & boarding houses

CLAUSE		CRITERIA
	D7.6 Landscaping	
D7.6.1	For development within the 'Village' zones, the requirements in relation to pervious/soft landscaped areas shall be in accordance with the LEP.	LEP Schedule 1
D7.6.2	For boarding house development within the 'Living General' zone, the minimum area to be retained as soft, pervious or landscaped areas (excluding hard surfaces except for water tanks, unenclosed areas of spaced decking and swimming pools) is 40% of the total allotment area.	LEP Schedule 2
D7.6.3	Street trees are to be provided at a ratio of 1 tree per 9 metres of site frontage. The selected tree species are to be in accordance with any street planting schedule for the street or as specified by Council.	C2.1;C2.2

	D7	.7 Bushfire	
D7.7.1 E	Brush	wood fencing is prohibited in the Blue Mountains.	C4.1
D7.7.2	The f a) b)	following minimum construction standards apply to all habitable buildings: All roofing shall be non combustible. Shingles and shakes are not to be used. Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.	C4.1
	c)	Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.	
	d)	Bearers and joists for decks, balconies and the like shall not be continuous with	

d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.



Blue Mountains Better Living DCP

**CRITERIA** 

CLAUSE

BUSHFIRE PRONE AREAS

& boarding house

D7.7.3 Tourist accommodation and boarding houses in bushfire prone areas are considered C4.1 "special fire protection" development and as such require a comprehensive bushfire protection strategy.

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D7.7.4 An *asset protection zone* established for "special fire protection" purposes on bushfire LEPcl.82 prone land is to comply with the minimum separation distances specified in Table 2.

#### TABLE 2

Slope from building to source	Vegetation	Vegetation	Vegetation	
	Group 1	Group 2	Group 3	
of bushfire hazard	APZ = IPA + OPA (metres)			
<ul> <li>&gt;10% upslope</li> <li>10-0% upslope</li> <li>0-10% downslope</li> <li>&gt;10-20% downslope</li> <li>&gt;20-27% downslope</li> <li>&gt;27-33% downslope</li> </ul>	60 = 50 + 10	30 = 20 + 10	20 = 20 + 0	
	75 = 60 + 15	40 = 25 + 15	20 = 20 + 0	
	80 = 65 + 15	50 = 35 + 15	20 = 20 + 0	
	90 = 75 + 15	60 = 45 + 15	20 = 20 + 0	
	100 = 85 + 15	80 = 65 + 15	20 = 20 + 0	
	100 = 85 + 15	100 = 85 + 15	20 = 20 + 0	

- D7.7.5 Development for a "special fire protection" purpose may be required to incorporate a LEPcl.82;84 perimeter road or perimeter fire trail in accordance with the provisions of the LEP.
- D7.7.6 Any measures proposed to protect development against bushfire should be C4.1 undertaken on those parts of the site that are not located within a 'Protected Area'.
- D7.7.7 *Asset protection zones* should not be located on any land that has contiguous areas of LEPcl.44 slope greater than 33% unless no other viable alternative is available.
- D7.7.8 Ploughing or grading of *asset protection zones* is not permitted on slopes greater than C4.1 1:5 (20%).

## **D7.8 Services**

- D7.8.1 Tourist accommodation and boarding house development is only permitted where a LEPcl.95 reticulated sewerage system is in place at the time of granting consent that has the existing capacity to service the development or can be upgraded to accommodate the additional capacity as part of the development.
- D7.8.2 The provision of electricity services for new development is to be provided underground C2.1;C5.1 where possible and practical.
- D7.8.3 An area for storing garbage, recycling and composting bins and for clothes drying C2.1;C5.1;C5.4 purposes shall be provided. Such storage areas shall be located to allow ease of access to the street for garbage collection and shall be located and suitably screened so as not to be visible from any public place.

## **Tourist accomodation** & boarding houses

CLAUSE		CRITERIA
	D7.9 Vehicular access, parking & roads	
D7.9.1	<b>PARKING</b> Car parking for tourist accommodation is to be provided at the rate of 1 space per accommodation suite, plus 2 spaces per 3 employees present at the site at any one time.	C5.3
D7.9.2	Car parking for boarding houses is to be provided at the rate of 1 space per 3 beds, plus 1 space per 3 employees present at the site at any one time.	C5.3
D7.9.3	Where other activities are incorporated into the development, such as refreshment rooms, additional parking is required in accordance with the provisions specified for that individual component. Refer <u>D9. Other Forms of Development</u> .	C5.3
D7.9.4	Carparking spaces are not permitted within the front setback area unless adequately screened by dense screen plantings and only where it can be demonstrated to be in character with the existing streetscape.	LEPcl.100
D7.9.5	Construction of parking facilities shall be in accordance with Council's Engineering Specifications and Guidelines. Generally, bay sizes, driveways, access, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890.1, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines.	C5.3
D7.9.6	Visitor/guest parking must be clearly identifiable and easily accessed.	C5.3
D7.9.7	All car parking is to be provided on-site.	C5.3;C5.4
D7.9.8	VEHICULAR ACCESS Vehicular access to a site must be available from a stable, all weather vehicular access road.	LEPcl.90
D7.9.9	Vehicular access roads must not be located on slope of 33% or greater.	LEPcl.98
D7.9.10	Vehicles must be able to enter and leave the site in a forward direction.	C5.3
D7.9.11	Turning areas to accommodate vehicles leaving the site in a forward direction must not be located within the front setback area unless adequately screened by dense screen plantings and only where it can be demonstrated to be in character with the existing streetscape.	C2.1;C2.2;5.3
D7.9.12	Any vehicular crossing shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site.	C5.3
D7.9.13	Only one vehicular access point is permitted for allotments with a frontage of 18.5 metres or less.	C2.1;C5.3

D7▶p.8

&	<b>Fourist accomodation</b> boarding houses	e Mountains Living DCP
CLAUSE D7.9.14	A maximum of two vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the design to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facility.	<b>CRITERIA</b> C2.1:C5.3
D7.9.15	Allotments located on a main or arterial road and which have a frontage width greater than 18.5 metres are limited to providing one vehicular access point.	C2.1;C5.3
D7.9.16	DRIVEWAYS Driveways must be sealed to provide all weather access.	C5.3
D7.9.17	The grade of any driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary.	C5.3
D7.9.18	A driveway which has a grade greater than 1 in 10 (10%) shall have a surface treatment which minimises wheel skid in wet conditions.	C5.3
D7.9.19	Driveways must not be located on slopes in excess of 33%.	C5.3
D7.9.20	Where driveway crossings traverse a watercourse, and it has been demonstrated to Council that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert.	C1.1;C5.3



## **Tourist accomodation** & boarding houses

Blue Mountains Better Living DCP

CLAUSE		CRITERIA
	D7.10 Amenity	
D7.10.1	<b>GENERAL AMENITY</b> Any lighting system utilised in common areas, car parking areas and along pathways must be baffled to ensure that a light source is not directly visible from a habitable room window of an adjoining dwelling, whilst maintaining adequate lighting of the subject site.	C4.2;C5.4
D7.10.2	Entrances are to be sheltered by a verandah, roof, hood or similar.	C2.1;C5.4
D7.10.3	The setback between shared driveways or access ways, including right-of-carriage- ways, and the windows to main habitable rooms or guest rooms is 1.5 metres. Refer to Diagram 1.	C5.4

DIAGRAM 1



## **ACOUSTIC AMENITY**

D7.10.4 Active recreation facilities, such as swimming pools and BBQ areas, are to be located C5.4 away from the bedroom areas of adjoining dwellings. Operating plant (such as air conditioning systems, pool pumps etc.,) must be selected and located to minimise noise to residents and neighbours.

### SOLAR AMENITY

D7.10.5 The development must be located so that solar access to at least 50% of the *private open* C5.4;C5.5 *space* area of the subject dwelling is achieved for a minimum of 3 hours, between the hours of 9am to 3pm on 21st June.

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CLAUSE	D7.11 Energy	CRITERIA
D7.11.1	Hot water systems must achieve a minimum 3.5 star rating.	C5.5
D7.11.2	All new developments and additions which involve plumbing installations shall incorporate dual flush toilets and AAA water saving devices.	C5.5
	D7.12 Adaptability	
D7.12.1	For the purpose of a tourist accommodation or boarding house development, all accommodation suites are to be adaptable in accordance with AS4299 – Adaptable Housing as follows:	LEPcl.109;C
	Adaptable House Class A - where the slope of the land from the point of access at the road reserve to the rear of the building is not steeper than $1:14 - All$ essential and desirable features of Appendix A of AS4299 – Adaptable Housing.	
	<b>Adaptable House Class B</b> - where the slope of the land from the point of access at the road reserve to the rear of the building is steeper than 1:14 but not steeper than 1:8 – All essential and 50% of desirable features incorporated, including all those notated as "First Priority" in Appendix A of AS4299 – Adaptable Housing.	
	Adaptable House Class C - where slope of the land from the point of access at the road reserve to the rear of the building is steeper than $1:8 - All$ essential features of Appendix A of AS4299 – Adaptable Housing.	
	D7.13 Accessibility	
D7.13.1	In the case of development comprising 5 or more accommodation suites, at least 20% of all accommodation suites (to the nearest whole number) shall be accessible to people with a disability.	LEPcl.108
D7.13.2	<ul> <li>Tourist accommodation and boarding house development must be designed and constructed to provide access to and within all areas or facilities such as toilet, laundry facilities, games room etc.,) of the development where there is a reasonable expectation for access by any individual, accompanying persons or groups. The access is to be in accordance with AS1428 – Design for Access and Mobility. The minimum requirements include:</li> <li>a) A continuous path of travel from the vehicle parking area to the main entry and accommodation rooms must be provided. Access gradients are to conform to</li> </ul>	LEPd.108;C
	the requirements of AS1428 – Design for Access and Mobility.	

**Tourist accomodation** & boarding houses

## CLAUSE

**CRITERIA** 

- c) The accessible accommodation suite/s shall be fitted out or capable of being readily modified as fully accessible suite/s having internal and external access complying with AS1428 – Design for Access and Mobility and when furnished will provide a minimum circulation space 1m wide around three sides of a standard queen sized bed. Facilities provided in the accessible suite shall be fully accessible in accordance with AS1428 – Design for Access and Mobility.
- d) Where a range of rooms with varying desirable feature/s are available, at least one room containing the feature/s shall be available as a fully accessible room and be representative of the range of units available.
- e) A fully accessible footway connecting the road reserve to the common circulation areas within the development, constructed in accordance with AS1428 – Design for Access and Mobility is to be provided.
- f) External common paths and recreation areas shall be illuminated to 50 lux.
- g) Signage within the development shall be capable of being universally interpreted in accordance with AS2899 – Public Information Symbol Signs.
- h) All common areas and facilities provided in the establishment for use by guests, shall be fully accessible in accordance with AS1428 – Design for Access and Mobility.
- A minimum of one parking space dimensioned to conform to AS1428 Design for Access and Mobility shall be provided for each fully accessible guestroom.

## **D7.14 Special provisions**

## ASBESTOS CEMENT

D7.14.1 Any asbestos cement cladding on existing buildings that are proposed to be brick C1.4 veneered or reclad must be removed

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## Subdivision

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part D specifies the minimum development standards for the form of development listed in the next column. Part D cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

Part D also includes the key development standards of Local Environmental Plan 2005 (LEP 2005). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 2005 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part D has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

## **Types of subdivision**

## TORRENS TITLE SUBDIVISION OF LAND

Torrens title is the subdivision of a parcel of land into multiple independent lots. The majority of Torrens Title subdivisions in the Blue Mountains are small - 1 into 2 lot divisions. When large subdivisions occur they can result in the creation of roads and open space areas that are then dedicated to Council for community use and maintenance.

## **Subdivision defined**

This section applies to the subdivision of land, being; the division of land into two or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition.

Boundary adjustments are another form of Torrens Title subdivision. They do not create extra lots but are used to vary the shape or dimensions of their land, or to rectify encroachments.

## STRATA TITLE SUBDIVISON OF BUILDINGS

Strata title is a form of subdivision that provides separate ownership of buildings such as townhouses, flats, industrial units and shops with outside areas usually being common property. Maintenance and management fees for all common property and expenses are paid to a constituted Strata Body Corporate.

#### COMMUNITY TITLE SUBDIVISION

Community Title is essentially a strata subdivision of the land rather than of specific buildings, and can range in size from small groups of houses and units clustered around common spaces such as a park, to large developments for commercial and recreational purposes with shared roads and facilities. In Community Title subdivision, common areas are owned and managed by a Community Association. Individual owners pay maintenance fees to the Association for the upkeep of the road and other facilities such as open space and gardens. This type of subdivision is generally used to establish a private housing estate.

## CONSOLIDATION OF LAND

To consolidate land along existing boundary lines, direct contact can be made with the Lands Title Office.

Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

## **D8.1 Matrix of plans & documentation**

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

✓ This information is required.

 $\bigcirc$  Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.

\* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA	
Site analysis	$\checkmark$	LEPcl.42;43;Part B	
Design plans	$\checkmark$	Part B	
Statement of environmental effects	$\checkmark$	Part B	
Detailed environmental assessment	• *	LEPcl.44;45;51;52;C1.1	
Flora and fauna assessment	O <b>*</b>	LEPcl.52; C1.1	
Vegetation / bushland management plan	0	LEPcl.53; C1.1	
Geotechnical report	0	LEPcl.45; C1.2	
Weed management plan	O <b>*</b>	LEPcl.55; C1.2	
Engineering details	0	C1.1	
Stormwater management plan	O <b>*</b>	LEP cl.57; C1.3	
Erosion & sediment control plan	O <b>*</b>	LEPcl.56; C1.4	
Soil & water management plan	O <b>*</b>	C1.4	
Waste management strategy	0	LEPcl.63;C1.4	
Construction management plan	0	C1.4	
Detailed character analysis	O <b>*</b>	LEPcl.62; C2.1	
Detailed landscape plan	O <b>*</b>	LEPcl.49;50;C2.2	
Tree survey	O <b>*</b>	LEPcl.53;C2.2	
Archaeological assessment	O <b>*</b>	LEP cl.75; C3.1	
Heritage assessment / conservation plan	O <b>*</b>	LEP cl.71; C3.1	
Bushfire threat assessment	0	LEPcl.78; C4.1	
Crime minimisation assessment	0	LEPcl.87;C4.3	
Contaminated site report	0	LEPcl.89;C4.3	
Energy performance statement	0	C5.5	
Water cycle management study	0	LEPcl.96;C1.1	
Noise & vibration report	0	C5.4	
Traffic impact statement/study	0	C5.3	

Note: Further reports may be required as a result of referral to other agencies.

**Refer to the LEP to ensure that the development proposed is permitted within the zone.** 

**LEP 2005** 

CLAUSE		CRITERIA	
	D8.2 Biodiversity		
D8.2.1	The lot arrangement of the proposed subdivision shall be designed so as to minimise the number of lots that contain <i>development excluded land</i> .	C1.1	
D8.2.2	The alteration of the <i>natural ground level</i> by greater than 1 metre cut or greater than 1 metre depth of fill is not permitted.	LEPcl.58;C1.1; C1.3;C2.1;C5.4	
D8.2.3	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C1.3	
D8.2.4	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a 'Slope Constraint Area', 'Vegetation Constraint Area', 'Ecological Buffer Area', 'Escarpment Area', 'Water Supply Catchment', 'Riverine Scenic Quality Corridor' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation.	LEPcls.45, 46,4748,49,50; C1.1;C1.2;C1.3	
D8.2.5	Unmapped or unvalidated significant vegetation communities should assume a 60 metre wide buffer zone until determined by a detailed environmental assessment.	C1.1	
D8.2.6	Unmapped or unvalidated watercourses should assume a 20 metre wide corridor measured from the top of each bank until determined by a detailed environmental assessment.	C1.1	
	D8.3 Weeds		
D8.3.1	Within the 'Living Bushland Conservation' zone and any <i>asset protection zone</i> on Bushfire Prone land, the planting of species included in <u>Part F2 - Weeds of the Blue</u> <u>Mountains</u> will not be permitted.	LEPcl.55;C1.2; F2	
D8.3.2	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	LEPcl.55;C1.2	
D8.3.3	Existing noxious weeds must be removed or controlled where identified on a proposed development site.	LEPcl.55;C1.2	
	D8.4 Stormwater		
D8.4.1	PUBLIC DRAINAGE DESIGN Drainage design, incorporating underground and surface flow, is to be carried out in accordance with Australian Rainfall and Runoff (AR&R) and Council's engineering specifications and guidelines.	C1.3	
D8.4.2	Piped drainage is to have a capacity to control stormwater flows with Average Recurrence Interval (ARI) of 1 in 5 years for suburban and residential areas, and 1 in 10 years for commercial and industrial areas.	C1.3	

# Subdivision

CLAUSE D8.4.3	Surcharge paths are to be designed to accommodate stormwater flows with ARI of 1:100 years.	CRITERIA C1.3
D8.4.4	Drainage systems are to incorporate suitable temporary and permanent controls for gross pollutants and sediment. These controls are to be accessible and maintainable.	C1.3
D8.4.5	Council drainage easements are to be a minimum of 3 metres wide.	C1.3
D8.4.6	The drainage design is to be such that impacts upon watercourses onsite and downstream are to be minimised by use of detention systems and energy dissipation.	C1.3
D8.4.7	The volume and velocity of runoff at discharge points is to be adequately controlled to minimise risk of scouring and erosion.	C1.3
D8.4.8	<b>PRIVATE DRAINAGE</b> All lots not draining directly to the road kerb will be required to be connected to an <i>interallotment drainage</i> system.	C1.3
D8.4.9	Provide each lot served by <i>interallotment drainage</i> system with 300x300mm pit with 150mm diameter stub pipe or approved proprietary pit.	C1.3
D8.4.10	Where private drainage easements are required, such easements are to be a minimum width of 1 metre.	C1.3
D8.4.11	<b>STORMWATER MANAGEMENT FOR NEW ROADS</b> Design of the stormwater system from the road shall maintain the existing catchments in a locality. (No diversion of flow from one sub-catchment to another.) The design of the stormwater system should be to retain a disposal flow into the watercourses not to concentrate flows into a small number of outlets.	C1.3
D8.4.12	All outlets from the stormwater drainage system shall be designed to minimise scour and erosion potential within the existing drainage lines / watercourses.	C1.3
D8.4.13	The stormwater system may provide for a separation of "road" water, water from proposed lots and water from upslope of the site.	C1.3
D8.4.14	<ul> <li>The stormwater system shall achieve post construction objectives of:</li> <li>50% retention of average annual load of fine particles.</li> <li>80% retention of average annual load of coarse particles, and</li> <li>70% retention of average annual load of litter.</li> </ul>	C1.3

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CRITERIA

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## CLAUSE

## **D8.5 Streetscape & character**

## ALLOTMENT SIZE AND CONFIGURATION

Subdivision

D8.5.1 The minimum allotment area and width provisions shown in Table 1 shall apply. Where LEPcI.90 there is more than one zone, the provisions for the zone which comprises the largest proportion will apply.

TABLE 1

ZONE	MINIMUM AREA	MINIMUM AREA HATCHET SHAPE LOT	MINIMUM WIDTH
LIVING - GENERAL	720m2	1100m2	18.5m
LIVING - CONSERVATION	1200m2	1200m2	22m
LIVING BUSHLAND CONSERVATION	1200m2	1200m2	22m
EMPLOYMENT ENTERPRISE	900m2	1100m2	18.5m
VILLAGE - TOURIST	720m2	1100m2	18.5m
VILLAGE - HOUSING	720m2	1100m2	18.5m

- D8.5.2 In calculating the area of a lot, any part of that lot that is within the 'Environmental Protection LEPcl.90 Private' zone is to be excluded.
- D8.5.3 In calculating the minimum area of a hatchet shaped lot, the area of the access strip or LEPcl.90;C2.1 handle is to be excluded (refer to Diagram 1 and D8.11.3). Further, for the purpose of calculating the minimum area for any allotment which is burdened by a right of carriageway, the area and width of the right of carriageway shall not be included in the total area and width calculation (refer to Diagram 2).

DIAGRAM 1

DIAGRAM 2



D8.5.4 The width of the lot is to be measured at the minimum front building setback, as LEPcl.90; specified in Schedule 1, 2 or 3 of the LEP. Where a building setback is not specified in C2.1;C5.4 the LEP, the minimum front building setback for the purpose of measuring the allotment width is 8 metres (refer to Diagram 3).

# **Subdivision**

## CLAUSE

**CRITERIA** D8.5.5 In the case of hatchet shaped lots the minimum width requirement shall be measured C2.1;C5.4 at a point of 9 metres from the end of the access handle (refer diagram 4).



## DEVELOPMENT SPACES

- D8.5.6 Development spaces shall be capable of including a rectangular area of dimensions C2.1:C5.4 12 metres x 25 metres or 15 metes x 20 metres. The development space is not to include any development excluded land.
- D8.5.7 Nothwithstanding the above, for the purpose of a lot created within the 'Living -LEPcl.90 Bushland Conservation' zone intended as a site for a dwelling house, a development space is required that:
  - a) Has an area of land not less than 750 metres square.
  - b) Is configured so as to be capable of accommodating development for the purpose of a dwelling-house.
  - c) Incorporates that part of any asset protection zone required to be established or maintained on that lot.
  - d) Is not development excluded land.
  - e) Is capable of being accessed by a driveway that is connected to a public road.

## **D8.6 Cultural heritage**

D8.6.1 Where a number of Aboriginal archaeological or cultural sites have been identified on the subject site, the subdivision layout is to incorporate the sites to be retained into the least number of lots or, if the subdivision is a community title subdivision, within a community lot.

C3
**Blue Mountains** 

**CRITERIA** 

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e rear of the dwelling	LEPcl.81	
has a contiguous area of	LEPcl.44; C2.1	
		 D8▶p.

## **CLAUSE**

D8.7.1 Subdivision in a Bushfire Prone Area requires a detailed bushfire protection strategy. C4.1 Applicants should incorporate the bushfire protection measures required in the document 'Planning for Bushfire Protection' (PBP); the LEP and this DCP.

### ASSET PROTECTION ZONES

**D8.7 Bushfire** 

Subdivision

- D8.7.2 Any measures proposed to protect development against bushfire shall be undertaken C4.1 on those parts of the site that are not development excluded land.
- D8.7.3 Asset protection zones must be provided outside the buffer required to protect either a C4.1 watercourse or a Schedule 5 vegetation unit.
- D8.7.4 An asset protection zone on bushfire prone land for a residential subdivision LEPcl.80 (including for any subsequent development of habitable buildings) is to comply with the minimum separation distances specified in Table 2.

#### TABLE 2

Slope from building to source	Vegetation	Vegetation	Vegetation
	Group 1	Group 2	Group 3
of bushfire hazard	APZ = IPA + OPA (metres)		
<ul> <li>&gt;10% upslope</li> <li>10-0% upslope</li> <li>0-10% downslope</li> <li>&gt;10-20% downslope</li> <li>&gt;20-27% downslope</li> <li>&gt;27-33% downslope</li> </ul>	20 = 20 + 0	20 = 20 + 0	20 = 20 + 0
	30 = 20 + 10	30 = 20 + 10	20 = 20 + 0
	40 = 30 + 10	35 = 25 + 10	20 = 20 + 0
	50 = 40 + 10	40 = 30 + 10	20 = 20 + 0
	60 = 50 + 10	50 = 40 + 10	20 = 20 + 0
	70 = 60 + 10	60 = 50 + 10	20 = 20 + 0

- D8.7.5 An asset protection zone shall incorporate a perimeter road or trail that circumscribes LEPcls.81;84 the hazard side of the land intended for development.
- D8.7.6 Except for that part of the asset protection zone that is a perimeter road or perimeter trail LEPcI.81 held by Council in fee simple, a permanent propriety right must be established to provide for ongoing maintenance of an asset protection zone not located within the development site.
- D8.7.7 The slope between the perimeter road or perimeter trail and the shall not exceed 20%.
- D8.7.8 Asset protection zones should not be located on any land that slope greater than 33%.

CLAUSE D8.7.9	The <i>asset protection zone</i> shall be reinforced by a restriction on the use of the land in high and extreme areas, prohibiting the erection of a building (that requires development consent and bushfire protection) unless that building is protected by an <i>inner protection area</i> and an <i>outer protection area</i> commensurate with the category of bushfire attack.	CRITERIA C4.1
D8.7.10	Where an <i>asset protection zone</i> is required on a lot, a building zone shall be established on that lot identifying the location of the minimum <i>asset protection zone</i> . The "No Building Zone" shall be identified as a restriction on the use of the land prohibiting the erection of a habitable building or storage structure on that part of the lot.	C4.1
D8.7.11	The <i>asset protection zone</i> shall be reinforced by a positive covenant requiring the owner of the lot, upon construction of a building, to maintain the fuel loadings at the appropriate standards.	C4.1
D8.7.12	Where an <i>asset protection zone</i> is required, the building zone shall not include any <i>development excluded land</i> unless the relevant aspect of the land that makes it <i>development excluded land</i> is a rock outcrop, where the fuel loadings are unlikely to compromise the fire protection.	C4.1
D8.7.13	Ploughing or grading of an <i>asset protection zone</i> is not permitted on slopes greater than 1:5 (20%).	C4.1
D8.7.14	<b>ROADS GENERAL</b> Dead end roads constructed for the development of bushfire prone land are to be no more than 200 metres in length, incorporate a minimum 12 metre radius turning circle and to be clearly signposted as dead ends.	C4.1
D8.7.15	All roads constructed for development on bushfire prone land, including property access roads, are to be capable of carrying fully loaded firefighting vehicles (approximately 28 tonnes or 9 tonnes per axle).	C4.1
D8.7.16	All roads constructed for development on bushfire prone land should minimise the number of curves. Any curves should have an inner radius of 12 metres.	C4.1
D8.7.17	All roads constructed for development on bushfire prone land should maintain a minimum clearance of 4.2 metres to any overhanging obstructions, including tree branches.	C4.1
D8.7.18	<ul> <li>New public roads constructed in conjunction with the subdivision of bushfire prone land, not including perimeter roads or perimeter fire trails, are to be:</li> <li>a) At least 8 metres wide with shoulders on each side, so as to allow traffic to pass in opposite directions.</li> <li>b) Through roads wherever possible, with at least two access points from any</li> </ul>	LEPcl.84

CLAUSE	<ul> <li>Cul-de-sacs only where the construction of through roads is impracticable given the physical constraints of the land.</li> </ul>	CRITERIA
D8.7.19	<ul> <li>New public roads and property access roads constructed in conjunction with the subdivision of bushfire prone land, including bridges, perimeter roads and perimeter fire trails, are to:</li> <li>a) Be capable of carrying fully loaded firefighting vehicles.</li> <li>b) Have a gradient of less than 20%, where possible, and that does not exceed 27% in gradient.</li> <li>c) Be located so as not to be inundated by a wetland or other land potentially subject to periodic inundation.</li> </ul>	-EPcl.84
	PERIMETER ROADS	
D8.7.20	A perimeter road is to be established within the limits of the land being subdivided L between bushland and the residential lots, and shall form part of the <i>asset protection zone</i> , with the outer protection area located on the bushland side.	_EPcl.84
D8.7.21	The dimensions of the perimeter road are to allow for a width of at least 20 metres for L the road reserve and at least 9 metres for the carriageway.	_EPcl.84
D8.7.22	The perimeter road is to be a through road that is to link to a public road network at Lintervals of no more than 500 metres.	_EPcl.84
	PERIMETER FIRE TRAILS	
D8.7.23	<ul> <li>Perimeter fire trails are only permitted where they are located on an east facing slope, L or where the subdivision does not involve the creation of more than 3 lots within an existing urban area and the pattern of development does not allow for a perimeter road. Perimeter fire trails must meet the following specifications: <ul> <li>a) The perimeter fire trails to comprise a reserve at least 6 metres wide, with a trail at least 4 metres wide and an additional 1 metre wide strip on each side of the trail that is kept clear of bushes and long grass.</li> <li>b) The central 4 metres of the perimeter fire trail is to be cleared, formed, graded and suitably drained.</li> <li>c) Developments served by a right of carriageway or access handle shall not be permitted on lots that adjoin a perimeter fire trail.</li> <li>d) The perimeter fire trail must link up at both ends with the public road and any street network at 300 metre intervals via an access track.</li> <li>e) Passing bays are to be provided at intervals not exceeding 200 metres. Where passing bays are required they shall be 20 metres long with a minimum trafficable width of 7 metres at the passing point. This is to permit passing by emergency vehicles.</li> </ul> </li> </ul>	_EPcl.84;C4.1

CLAUSE D8.7.25	The entry of vehicles other than authorised serviced vehicles is to be prevented by the provision of a barrier approved by the Council.	CRITERIA C4.1
D8.7.26	Where a fire trail is proposed, the fire trail shall provide for access to the rear of the lots.	C4.1
D8.7.27	Where a fire trail is located on private land, a 6 metre wide right of carriageway shall be centrally located over the fire trail. Where a fire trail crosses common boundaries between allotments, a gate or barrier with a Council approved lock will be required.	C4.1
D8.7.28	PROPERTY ACCESS Properties should be clearly signposted.	C4.1
D8.7.29	Development on bushfire prone land is to ensure that emergency vehicles may gain access to the interface with the bushfire hazard.	LEPcl.84
D8.7.30	Any right of carriageway or access handle which serves more than one internal allotment or is greater than 50 metres in length is to be at least 6 metres wide, with a trail at least 4 metres wide and an additional 1 metre wide strip on each side of the trail that is kept clear of bushes and long grass.	LEPcl.84
D8.7.31	The central 4 metres of the right of carriageway or access handle, including any bridges, is to be cleared, formed, graded and suitably drained.	LEPcl.84
D8.7.32	The right of carriageway or access handle is to have a longitudinal gradient not exceeding 20%.	LEPcl.84
D8.7.33	Passing bays on right of carriage ways or access handles are to be provided at least every 200 metres for a right of carriage way or access handle. Where passing bays are required, the passing bay shall be 20 metres long, with a minimum trafficable width of 7 metres at the passing point. This is to permit passing by emergency vehicles.	LEPcl.84;C4.1
D8.7.34	Dwellings sited further than 200 metres from the road network should have an alternative access road providing emergency egress to the through road network.	LEPcl.84
D8.7.35	Fire fighting vehicles must be able to enter and leave the right of carriageway in a forward direction. Where a reversing bay is required to enable fire fighting vehicles to enter and leave in a forward direction it should be a minimum of 6 metres wide, 8 metres deep, with a minimum inner radius of 5 metres and a minimum outer radius of 11 metres.	LEPcl.84;C4.1
D8.7.36	WATER SUPPLY Water supplies to new subdivisions are required to be provided in such a way that water mains are of adequate size to provide water supply for peak bushfire fighting demand and dead-end mains are avoided.	LEPcl.85

## Subdivision

### CLAUSE

- **CRITERIA** D8.7.37 A static water supply (approximately 100,000 litres per 4 lots) is required for end of line C4.1 subdivisions in areas with a reticulated water supply. The static supply should be located 90 metres from the furthest dwelling site and be:
  - . Refillable from the reticulated supply,
  - Fitted with two hydrants or draughting points, •
  - Adjacent to a boardstand area for fire brigade appliances.

#### D8.7.38 Water supplies to new subdivision are required to be provided in such a way that: C4.1

- a) At least one fire hydrant is provided, together with an adequate vehicular turning area designed for fire fighting units, in locations where valley fire access trails connect to the public road system.
- b) In localities served by anything less than a peripheral public road, water reticulation is designed so that at least one fire hydrant is available every 100 metres, and a public pathway from each hydrant at least 3.8 metres wide is provided from the public road system directly to the interface with the bushfire hazard.
- c) A public pathway is adequately constructed to allow movement of service vehicular traffic in emergencies.
- D8.7.39 Where a public pathway cannot be provided the consent authority may consider the C4.1 provision of an accessway over private land by the creation of a registered easement or right-of-footway 2 metres wide, the terms of which would ensure that the right-offootway is kept clear and maintained to ensure safety and ease of mobility to fire fighters.

### **BUILDING CONSTRUCTION STANDARDS**

D8.7.40 Existing buildings may require upgrading to a standard of construction consistent with C4.1 the level of bushfire attack, as specified within 'Planning for Bushfire Protection'.

### **D8.8 Crime minimisation**

D8.8.1 All new road and pedestrian pathways shall include street lighting, in accordance with C4.2 Australian / New Zealand Standard 1158.3.1 - Pedestrian Area Lighting.

### **D8.9 Services**

- D8.9.1 All lots shall be provided with services such as electricity, gas, town water supply and C2.1;C5.1 communications. Such services must be provided underground where new road construction occurs.
- D8.9.2 A conduit for each service shall be provided for each lot proposed to be serviced along C5.1 the access handle. The conduit shall be clustered within the access handle in groups appropriate for each proposed lot.

	CLAUSE D8.9.3 Conduits are to include 25mm copper water service.		
	D8.9.4	An easement for services shall be included as necessary over the conduits within the access handle.	C5.1
	D8.9.5	All road construction shall include appropriate conduits for all services across the road to any lots (whether part of the subdivision or not on the opposite side of the road from the service). The location of these conduits are to be clearly marked on the kerb.	C5.1
		D8.10 Wastewater	
	D8.10.1	<ul> <li>The creation of additional lots that will require effluent disposal will not be permitted unless:</li> <li>a) Each of the created lots is serviced by a reticulated sewerage and potable systems.</li> <li>b) Sydney Water Corporation has provided certification to Council that existing facilities and systems can accommodate the additional development or can be upgraded to accommodate the additional capacity as part of the development.</li> </ul>	LEPcl.91
	D8.10.2	The entire development space on each lot shall be capable of being drained by gravity connection to the appropriate sewer junction without any constraint on floor level.	C5.2
	D8.10.3	Pump to sewer systems are not acceptable for any new lots proposed to be created. Pump to sewer systems for existing houses may be retained provided the sewer to the new lot cannot provide a gravity connection to the existing dwelling.	C5.2
		D8.11 Vehicular access, parking & roads	
	D8.11.1	ACCESS TO ALLOTMENTS The maximum number of allotments to be served by a single driveway, access strip or handle connected to a public road is 3 lots.	LEPcl.90
	D8.11.2	Where an access handle serves more than one allotment, the handle shall be included within 1 lot only and provide a right of carriageway benefiting the other lots.	C2.1;C5.3
-	D8.11.3	The minimum width of an access strip or handle servicing one allotment is 4.5 metres. Where an access handle services 2 or 3 allotments, the minimum width of the handle shall be 6 metres to allow for two-way traffic.	LEPcl.90;C5.3
-	D8.11.4	Access handles shall not be more than 60 metres long.	C5.3
-	D8.11.5	Access handles to single allotments in excess of 50 metres in length shall include a passing bay at mid length.	C5.3

**CRITERIA** 

C2.1;C5.3;

V	Subdivision Blu Better	e Mou Living
<b>CLAUSE</b> D8.11.6	Any right of carriageway is to clearly indicate maintenance responsibilities for the access way.	CRIT C5.3
D8.11.7	DRIVEWAYS The maximum grade of a driveway to a single dwelling shall be 25%.	C5.3
D8.11.8	The maximum grade of a driveway servicing more than one dwelling shall be 20%.	C5.3
D8.11.9	Driveways servicing a single dwelling are to be a minimum 3 metre wide.	C5.3
D8.11.10	Shared driveways to 2 or 3 allotments shall be a minimum 3 metres wide sealed surface with a sealed passing bay at mid length and widened at the entry to allow two-way traffic. A sealed surface may be a two coat seal on 100mm DBG20 or concrete and the construction shall be in concrete finished in muted bushland tones.	C5.3
D8.11.11	Driveways servicing non-residential developments must be in accordance with AS2890 – Parking Facilities.	C5.3
D8.11.12	LOCATION OF DRIVEWAY ACCESS All lots should identify possible driveway locations. If there is only one possible or likely location then the driveway shall be constructed as part of the subdivision works.	C2.1; C5.4
D8.11.13	Any driveway shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site.	C5.3

### CONSTRUCTION AND MAINTENANCE

D8.11.14 Design and construction of facilities for access to the subdivision shall be in C5.3 accordance with Council's specifications and guidelines for public infrastructure works. Generally, driveways, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890 - Parking Facilities, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's specifications and guidelines.

### PUBLIC ACCESS AND ROADS

- D8.11.15 All new roads in residential subdivisions shall be fully kerbed and guttered and be of C5.3 suitable width for conveyance of traffic and passing and parking of passenger vehicles and service vehicles including emergency service vehicles.
- D8.11.16 Road reserve widths shall be at least 15 metres, unless the road is a shareway, where C5.3 a width of at least 12 metres is required.
- D8.11.17 Road carriageway widths, other than for shareways, shall be at least 6 metres. C5.3
- D8.11.18 Shareways shall have a carriageway width of at least 3.5 metres. C5.3
- D8.11.19 A shareway shall provide access to no more than 4 dwellings and/or lots. C5.3

CLAUSE D8.11.20	Provide pavement design with a minimum 25 year life.	CRITERIA
		C5.3;C5.4
D8.11.21	Proposed roads shall avoid land steeper than 20%.	C5.3
D8.11.22	New roads shall include landscaping / street tree planting, in character with the area.	
D8.11.23	Road crossings of a watercourse shall be "clearspan" style rather than culverts or	C5.3
	pipes.	C1.1;C5.3
D8 11 24	The location of water hydrants shall be delineated by blue pavement markers in the	
00.11.21	centre of all new roads.	C4.1;C5.3
D8 11 25	All road construction shall accommodate safe pedestrian access	
00.11.20		C5.3;C5.4
D8.11.26	Concrete pedestrian footpaths, at least 1.2 metres wide, shall be constructed along all new roads that service more than 20 lots	C5 3
		00.0

	D8.12 Accessibility	
D8.12.1	<ul> <li>Where more than 5 allotments are created with a full street frontage:</li> <li>a) Pedestrian pathways shall meet the requirements of AS1428 – Design for Access &amp; Mobility.</li> <li>b) Any signage within the subdivision shall be capable of being universally interpreted in accordance with AS2899 – Public Information Symbol Signs.</li> <li>c) The kerb gutter shall be provided with accessible ramps to the footway in accordance with AS1428 – Design for Access &amp; Mobility.</li> </ul>	C5.7
	D8.13 Special provisions	
D8.13.1	STRATA SUBDIVISION Courtyards shall be clearly indicated on the proposed strata plan and shall be considered as part of each lot.	C2.1;C5.4
D8.13.2	Carparking spaces shall be clearly indicated on the proposed strata plan and shall be considered as part of each lot.	C2.1;C5.3

- D8.13.3 Council will not allow the creation of separate utility lots (spaces intended or designed to be used primarily for storage or accommodation of boats, motor vehicles or goods and not for human occupation as a residence, office, shop or the like).
- D8.13.4 Visitor car parking shall be included as part of common property.
- D8.13.5 The *private open space* for residential development shall be included as part of each C2.1;C5.4 relevant lot.

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CLAUSE D8.13.6	Front yard areas shall, unless enclosed as a courtyard, be identified as common property.		<b>CRITERIA</b> C2.1
D8.13.7	Existi where unrea	ng encroachments upon the alignment of the public road will only be permitted the encroachment is minimal and its retention will not endanger public safety or asonably interfere with the amenity of the neighbourhood.	C2.1;C5.3
D8.13.8	Any t provis	buildings included in a subdivision must comply with the relevant fire safety sions for that building and each relevant lot proposed within the building.	C4.4
	SUBE	DIVISION RELATED TO SPECIFIC LAND USES	
D8.13.9	The c comp	consent authority may consent to the subdivision of land to create lots that do not ly with the lot layout provisions, if the subdivision:	LEPcls.90;92
	a)	Is for cluster housing.	
	b)	Is for integrated housing within the Village Housing zone.	
	C)	Relates to detached dual occupancy development for which consent has been granted and provides for each dwelling to be on a separate lot, where the lot size prior to subdivision is not less than 1,100m2 excluding any part of that lot within the Environmental Protection - Private zone and the area of any access handle for a hatchet shaped lot.	
	d)	Relates to attached dual occupancy development for which consent has been granted and provides for each dwelling to be on a separate lot, where the lot size prior to subdivision is not less than 900m2 excluding any part of the lot that it within the Environment Protection - Private zone and the area of any access handle for a hatchet shaped lot.	
	e)	Relates to dual occupancy or multi dwelling housing development in the Village - Housing or Village - Tourist zone for which consent has been granted and provides for each dwelling to be on a separate lot;	
	f)	Relates to accessible housing for which consent has been granted and provides for each dwelling to be on a separate lot.	
	g)	Is a neighbourhood or strata subdivision involving existing lawful buildings or buildings for which consent has been granted, but only where each lot other than neighbourhood property, common property or development lots includes a building or part of a building capable of separate occupation.	

### CLAUSE

CRITERIA

- D8.13.10 Consent may be granted to subdivision for the purpose of cluster housing development LEPcI.92 only where the consent authority is satisfied that:
  - a) the number of proposed allotments is not greater than 8 allotments per hectare of that part of the total site area that is not zoned Living Bushland Conservation;
  - b) the cluster housing, including access and any buildings ancillary to a dwelling house, will not be located on any *development excluded land*;
  - c) dwellings are designed and located so as to minimise threat to life and property from bushfire;
  - measures are to be put in place to ensure that any land that is common open space, as part of the cluster housing development, is to be managed to ensure that the environmental qualities of the land are maintained;
  - e) the development is to incorporate areas of bushland and native vegetation;
  - f) dwellings are to be located so as to utilise materials, and to be of a form and scale, that reinforces the landscape character of the locality in which the development will be situated.



The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part D specifies the minimum development standards for the forms of development listed in the next column. Part D cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

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Part D also includes the key development standards of Local Environmental Plan 2005 (LEP 2005). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 2005 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part D has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards or a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

### Other forms of development

This section applies to the following types of development. Amusement centres Motor showrooms Animal establishments Nature-based recreation Arts and crafts galleries Panel beating workshops Bulky goods showrooms Parking Camping sites Parking facilities Car repair stations Permaculture Caravan parks Places of assembly Caretakers' dwellings Places of worship Child care centres Public buildings Clubs Public transport terminals Commercial premises Recreation areas Community buildings **Recreation faciliities** Community centres Refreshment rooms Dams Retail plant nurseries Display gardens Roads District supermarkets Road transport terminals Drive-in take-away food outlets Self-storage units Educational establishments Service stations Exhibition homes Sex establishments General stores Shop top housing Health care practices Shops Holiday lets Special uses Home businesses Take-away food outlets Home employment Telecommunications Home occupations facilities Hospitals Transport depots Hotels Utility installations Industries Veterinary establishments Institutions Visitor facilities **Light Industries** Warehouses Liquid fuel depots Waste processing facilities Medical centres

Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

### D9.1 Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- $\bigcirc$  Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.

\* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	$\checkmark$	LEPcl.42;43;Part B
Design plans	$\checkmark$	Part B
Statement of environmental effects	$\checkmark$	Part B
Detailed environmental assessment	· *	LEPcl.44;45;46;47;51;52;C1.1
Flora and fauna assessment	· *	C1.1
Vegetation / bushland management plan	0	LEPcl.53;C1.1
Geotechnical report	0	LEPcl.45; C1.1
Weed management plan	• *	LEPcl.55;C1.2
Engineering details	0	C1.1
Stormwater management plan	• *	LEP cl.57;C1.3
Erosion & sediment control plan	• *	LEPcl.56;C1.4
Soil & water management plan	· *	C1.4
Waste management strategy	0	LEPcl.63;C1.4
Construction management plan	0	C1.4
Detailed character assessment	• *	LEPcl.62;C2.1
Detailed landscape plan	• *	C2.2
Tree survey	· *	LEPcl.53;C2.2
Archaeological assessment	· *	LEP cl.75;C3
Heritage assessment / conservation plan	· *	LEP cl.71;C3
Bushfire threat assessment/protection strategy	0	LEPcl.78;C4.1
Crime minimisation assessment	$\checkmark$	LEPcl.87;C4.2
Contaminated site report	0	LEPcl.89;C4.3
Energy performance statement	$\checkmark$	C5.5
Water cycle management study	0	LEPcl.96;C1.1
Noise & vibration report	0	C5.4
Food premises fitout plan	0	C4.4
Traffic impact statement/study	0	C5.3

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

CLAUSE		CRITERIA
	D9.2 Biodiversity	
D9.2.1	The alteration of the <i>natural ground level</i> by greater than 1 metre cut or greater than 1 metre depth of fill is not permitted. Consideration will be given to increasing the depth of cut or fill where it is within the building footprint.	LEPcl.58;C1.1; C1.3;C2.1;C5.4
D9.2.2	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C4.3
D9.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	LEPcl.58;C1.1; C1.3;C2.1;C5.4
D9.2.4	Development should generally be located outside environmentally constrained areas.	LEPcls.45;46;47
D9.2.5	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a 'Slope Constraint Area', 'Vegetation Constraint Area', 'Ecological Buffer Area', 'Escarpment Area', 'Water Supply Catchment', 'Riverine Scenic Quality Corridor' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation.	LEPcls.45,46, 47,48,49,50; C1.1;C1.2;C1.3
	D9.3 Weeds	
D9.3.1	Within the 'Living Bushland Conservation' zone and any <i>asset protection zone</i> on Bushfire Prone land, the planting of species included in <u>Part F2 - Weeds of the Blue</u> <u>Mountains</u> will not be permitted.	LEPcl.55;C1.2; F2
D9.3.2	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	LEPcl.55;C1.2
D9.3.3	Existing noxious weeds must be removed or controlled where identified on a proposed development site.	LEPcl.55;C1.2
	D9.4 Stormwater	
D9.4.1	To allow for the retention and potential reuse of stormwater, the post development flows of stormwater generated from the development site shall approximate the pre- development flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.	C1.3

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D9.4.2 Absorption pits are to be located outside *development excluded land* unless no C1.3 practical alternative can be provided and it is demonstrated that there is no adverse effect on the *development excluded land*.

### **CLAUSES CRITERIA** D9.4.3 Where the site falls to the street the overflow from the rainwater or detention tanks or C1.3 pits shall discharge to the street gutter. If available, overflows may also be discharged to a drainage easement. D9.4.4 In the 'Living Bushland Conservation' zone or in an area mapped as a 'Protected Area LEPcl.57; Water Supply Catchment', development that increases the existing area of impervious C1.3 or hard surfaces by more than 100 square metres or where the total area of impervious or hard surfaces of existing and proposed development exceeds 300 square metres, provisions must be made for on-site retention of water with a collection capacity of not less than 4000 litres per 100 square metres of hard or impervious surface and the reuse of such water. Alternative measures will be considered where they have been designed by a suitably qualified person. D9.5 Streetscape & character SCALE AND SETBACK D9.5.1 Achieve the scale and setback provisions outlined in Table 1 for developments within See Table 1 that particular zone. D9.5.2 Within the 'Village' and 'Recreation' zones, the development shall be in accordance with LEP the building height, site coverage, setback and other specific provisions contained Schedule 1; within the LEP. Schedule 4 D9.5.3 For development in a 'Village Neighbourhood Centre' (not within a precinct) the C2.1

**TABLE 1 – SCALE AND SETBACK** 

'setback from other boundaries' is 3 metres.

ZONE	MAXIMUM SITE COVERAGE OF BUILDINGS	Maximum Building Height	MAXIMUM HEIGHT AT EAVES	FRONT SETBACK	SETBACK FROM OTHER BOUNDARIES	Development Density (Floor Space Ratio)
Living General	Maximum site cover is the greater of 40% or 160m2.* *Excludes water t	8 metres from <i>finished</i> ground level. anks.	6.5 metres from finished ground level.	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 8 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of lot in front.</li> </ul>	<ul> <li>The maximum width of any building across the allotment is 80%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	0.35:1
Living General (within Period Housing Area) LEP Schedule 2	Same as Living General.	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	Same as Living General.

#Provisions exist to vary the clause. Refer to the LEP.

### TABLE 1 – SCALE AND SETBACK CONTINUED

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ZONE	MAXIMUM SITE COVERAGE OF BUILDINGS	Maximum Building Height	Maximum Height at Eaves	FRONT SETBACK	SETBACK FROM OTHER BOUNDARIES	Development Density (Floor Space Ratio)
Living Conservation LEP Schedule 2	• Lots less than 1000m2 maximum site cover is the greater of 30% or 160m2.* # • Lots 1000m2 or greater maximum site cover is 300m2 plus 10% of of the total site area up to 400m2.*# * Excludes water ta of spaced decking	6.5 metres from <i>finished</i> ground level.# anks, unenclose and swimming	4.5 metres from <i>finished</i> ground level.# d areas pools.	<ul> <li>Primary frontage – within 20% of average setback on adjoining allotments, or if no established pattern 10 metres.</li> <li>Corner lot secondary frontage – 4 metres.</li> <li>Hatchet shaped lots – 9 metres from rear boundary of the lot in front.</li> </ul>	<ul> <li>Lots with a width less than 20 metres – the maximum width of any building across the allotment is 75%.</li> <li>Lots with a width greater than 20 metres and less than 25 metres – the maximum width of any building across the allotment is 15 metres.</li> <li>Lots with a width greater than 25 metres – the maximum width of any building across the allotment is 60%.</li> <li>The minimum setback from the side or rear boundary is 1 metre.#</li> </ul>	
<b>Living</b> <b>Conservation</b> (within an Escarpment Area)	Same as Living Conservation.	5.5 metres from finishea ground level.#	4 metres from finishea ground level.#	Same as Living Conservation.	Same as Living Conservation.	
LEP Schedule 2						
Living Bushland Conservation	Same as Living Conservation.	8 metres from finished ground level.#	6.5 metres from finished ground level.	Same as Living General.# / #	Same as Living General.	
LEP Schedule 2						
Living Bushland Conservation (within Period Housing Area)	Same as Living Conservation.	6.5 metres from finished ground level.#	4.5 metres from finished ground level.#	Same as Living General.	Same as Living General.	
LEP Schedule 2						
Living Bushland Conservation (within an Escarpment Area)	Same as Living Conservation.	5.5 metres from finished ground level.‡	4 metres from finished ground level. <del>i</del>	Same as Living General.	Same as Living General.	
LEP Schedule 2						
Employment General		10 metres from finished ground level.		8 metres.		0.5:1
Employment	Maximum site	8 metres	6.5 metres	Minimum 8 metres.	3 metres.	0.5:1
Enterprise LEP Schedule 3	cover 50%.	from finished ground level.	from finished ground level.		(Note: DCP standard C2.1)	

#Provisions exist to vary the clause. Refer to the LEP.

Other forms

CLAUSE D9.5.4	Development adjoining a 'Regional Transport Corridor - Road' is required to have a minimum 18 metre setback unless the physical or functional circumstances of the land would warrant a lesser setback, and that this would not result in creation of a traffic hazard.					
D9.5.5	Development within a 'Period Housing Area' shall be in accordance with the specific provisions contained within the LEP.					
D9.5.6	Garages and car parking areas shour of the building and are not to form a	uld preferably be located behind the rear alignment visually prominent element of the streetscape.	LEPcl.100			
D9.5.7	<b>FENCING AND BOUNDARY TREATMENTS</b> Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing is not permitted.					
D9.5.8	<ul> <li>Long sections of fencing along side street frontages must include;</li> <li>a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping, or</li> <li>b) decorative fencing incorporating design features and materials which add to an attractive streetscape.</li> </ul>					
	D9.6 Landscaping					
D9.6.1	As part of a development the minimus specified in Table 2 must be achieve TABLE 2 - PERVIOUS / SOFT LANDS	um percentages of pervious / soft landscape areas ed. SCAPED AREAS	LEP Schedule 2 Schedule 3			
	ZONE	MINIMUM % OF PERVIOUS / SOFT LANDSCAPED AREAS				
	LIVING GENERAL	40%*				
	LIVING CONSERVATION	60%*				
	LIVING BUSHLAND CONSERVATION	60%*				
	EMPLOYMENT ENTERPRISE	30%				
	EMPLOYMENT GENERAL	20%				
	* Minimum % of pervious / soft lands water tanks, unenclosed areas of sp	scaped areas excludes hard surfaces except for baced decking and swimming pools.				

D9.6.3 Street trees are to be provided at a ratio of 1 tree per 9 metres of site frontage. The C2.1; C2.2 selected tree species are to be in accordance with any Street Planting Schedule for the street or as specified by Council.

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	CRITERIA
D9.7 Bushfire	
D9.7.1 Brushwood fencing is prohibited in the Blue Mountains.	C4.1
<ul> <li>D9.7.2 The following minimum construction standards apply to all habitable buildings:</li> <li>a) All roofing shall be non combustible. Shingles and shakes are not to be used.</li> <li>b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.</li> <li>c) Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.</li> <li>d) Bearers and joists for decks, balconies and the like shall not be continuous wit those of the main building unless they are made of a non-combustible materia such as metal.</li> </ul>	C4.1 h
BUSHFIRE PRONE AREAS D9.7.3 Land mapped as bushfire prone must incorporate the bushfire protection measures required in the document 'Planning for Bushfire Protection' (PBP); the LEP and this DCP.	C4.1
D9.7.4 Child care centres, educational establishments, hospitals and hotels in bushfire prone areas are considered "special fire protection" development and as such require a comprehensive bushfire protection strategy.	LEPcl.82;C4.1 e
D9.7.5 Any measures proposed to protect development against bushfire should be undertaken on those parts of the site that are not located within a 'Protected Area'.	C4.1
D9.7.6 Any additions and alterations which equal or exceed 50% of the floor area of the existing main building measured to the outside surfaces may require that the existing building be upgraded to a standard of construction consistent with the level of bushfir attack, as specified within 'Planning for Bushfire Protection'.	C4.1 e
D9.7.7 Where the <i>asset protection zone</i> cannot be fully achieved the onus will be on the designer to submit a performance based proposal that will provide a range of measures acceptable to Council and the Rural Fire Service.	C4.1
D9.7.8 Asset protection zones should not be located on any land that has contiguous areas of slope greater than 33% unless no other viable alternative is available.	of LEPcl.44
D9.7.9 Ploughing or grading of <i>asset protection zones</i> is not permitted on slopes greater tha 1:5 (20%).	n C4.1
D9.7.10 Liquid fuel depots and service stations are prohibited on bushfire prone land.	LEPcl.32

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# Other forms

CLAUSE		CRITERIA
	D9.8 Services	
D9.8.1	The provision of electricity and gas services for new development is to be provided underground.	C2.1;C5.1
D9.8.2	An area for storing garbage and recycling shall be provided, suitably located and screened. Where a development adjoins residential development, the garbage storage area must be located at least 3 metres from the common boundary of the residential property and the development site.	C2.1;C5.1; C5.4
	D9.9 Vehicular access, parking & roads	
D9.9.1	<b>PARKING</b> Car parking shall be provided in accordance with the particular land use as specified in Table 3.	C5.3
D9.9.2	Carparking spaces are not permitted within the front setback area unless adequately screened by dense screen plantings and only where it can be demonstrated to be in character with the existing streetscape.	C2.1;C5.3
D9.9.3	Construction of parking facilities shall be in accordance with Council's Engineering Specifications and Guidelines. Generally, bay sizes, driveways, access, circulation, pedestrian access, drainage and landscaping requirements are to comply with Australian Standard 2890.1, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines.	C5.3
D9.9.4	Visitor parking must be clearly identifiable and easily accessed.	C5.3;C5.4
D9.9.5	All car parking is to be provided on-site.	C5.3;C5.4
D9.9.6	VEHICULAR ACCESS Vehicular access to a site must be available from a stable, all weather vehicular access road.	LEPcl.98
D9.9.7	The vehicular access road must not be located on slopes of 33% or greater.	LEPcl.98
D9.9.8	Vehicles must be able to enter and leave the site in a forward direction.	C5.3
D9.9.9	Turning areas are to accommodate vehicles leaving the site in a forward direction must not be located within the front setback area unless adequately screened by dense screen plantings and only where it can be demonstrated to be in character with the existing streetscape.	C2.1;C2.2;C5.3

<b>CLAUSE</b> D9.9.10	Any vehicular crossing shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site.	CRITERIA C5.3
D9.9.11	Only one vehicular access point is permitted for allotments with a frontage of 18.5 metres or less.	C2.1;C5.3
D9.9.12	A maximum of two vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the design to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facility.	C2.1;C5.3
D9.9.13	Allotments located on a main or arterial road and which have a frontage width greater than 18.5 metres are limited to providing one vehicular access point, unless it can be demonstrated that it would be beneficial to vehicular and pedestrian safety and is essential to the efficient operation of the development, or where otherwise specified by this DCP.	C2.1;C5.3
<b>D</b> 0.0.44	DRIVEWAYS	C5 3
D9.9.14	Driveways must be sealed to provide all weather access.	00.5
D9.9.15	The grade of any driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 in 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary.	C5.3
D9.9.16	A driveway with a grade greater than 1 in 10 (10%) shall have a surface treatment which minimises wheel skid in wet conditions.	C5.3
D9.9.17	Driveways must not be located on slopes in excess of 33%.	C5.3
D9.9.18	Where driveway crossings traverse a watercourse, and it has been demonstrated that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert.	C1.1;C5.3
D9.9.19	LOADING / UNLOADING FACILITIES Loading and unloading facilities are required for the erection or use of any building on land zoned for commercial or industrial purposes.	C5.3
D9.9.20	For the purpose of providing adequate loading and unloading facilities, where access to a building to be used for commercial or industrial development is proposed, and there is access to a rear lane, the loading and unloading facilities shall be provided from that rear lane unless Council deems the lane is inadequate.	LEPcl.101

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# Other forms

### TABLE 3: CARPARKING REQUIREMENTS

DEVELOPMENT TYPE	CAR PARKING REQUIREMENT	ADDITIONAL REQUIREMENTS
Amusement centres	1 space per 25m2 gross floor area.	
Animal	1 space per employee on duty at any one time and a	
establishments	space for visitor/client parking.	
Arts & crafts	1 space per 25m2 gross floor area.	
galleries		
Bulky goods	1 space per 45m2 gross floor area.	
showrooms		
Camping sites	As determined by a traffic study.	
Car repair stations	6 spaces per work bay plus 1 space per 40m2 of	
Caravan narke	Sales area.	
Caretakers' dwelllings	1 space	
Child care centres	1 space per 4 children in care, plus 1 space per 20	Provision of suitable standing area for
	children in care for staff parking.	dropping off and collecting children and is to be designed so that vehicles can enter or leave the site in a forward
	1 space per Em2 of public/licensed area, plus 2	Where other activities are incorporated
Clubs	spaces per 3 employees on duty at any one time	into the club development such as a
	Where a bowling green is included as part of the club	refreshment room, recreation facility etc.
	facilities, parking shall be provided at the rate of: 30	additional parking is required in
	spaces for the first green plus 15 spaces for each	accordance with this Table.
	additional green.	
Commercial premises	1 space per 40m2 gross floor area.	
Community buildings	1 space per 20m2 gross floor area.	
District supermarkets	1 space per 20m2 gross leaseable floor area.	
Drive-in take-away food	1 space per 2 seats (internal) or 1 space per 3 seats	
outlets	(internal and external), whichever the greater plus	
	queuing area for 5 to 12 cars.	
Educational establishments	School: 2 spaces per 3 employees, plus 1 space per	Provision is to be made for the
	10 students over 17 years old.	accommodation of buses.
	Tertiary institution: 2 spaces per 3 employees plus 1	A temporary standing area suitable for
	space per 5 students.	dropping off and collecting students is to
	museums, galieries and the like: 1 space per 20m2	or loove the site in a ferward direction
		A minimum of 2 opened is to be provided
Exhibition homes	1 space per 40m2 of office/sales area floor space.	A minimum of 2 spaces is to be provided.
General stores	1 space per employee on duty at any one time.	Where adequate on-street parking is not
		available, additional parking may be
		required on-site to minimise the impact or
		the existing road network.
Health care practices	3 spaces per consulting room.	
Home businesses	As per the home business definition within the LEP.	Additional parking spaces may be
		scale of the development.
Home employment	1 space per practitioner or employee plus 1 space for visitors.	
Home occupations	1 space per practitioner plus 1 space for visitors.	
Hospitals	As determined by a traffic study.	
Hotels	1 space per 5m2 of public/licensed area, plus 2	Where other activities are incorporated
	spaces per 3 employees on duty at any one time.	into the club development, such as a
		retreshment room, recreation facility,
		accommodation suite etc., additional
		this Table.

### TABLE 3: CARPARKING REQUIREMENTS

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DEVELOPMENT TYPE	CAR PARKING REQUIREMENT	ADDITIONAL REQUIREMENTS
Industries (including light industries)	1 space per 80m2 gross floor area plus 1 space per 40m2 gross floor area for ancillary office space.	Any retail component associated with the industry shall provide parking at the rate applicable for shops.
Institutions (includes a penal or reformative establishment)	As determined by a traffic study.	
Liquid fuel depots	As determined by a traffic study.	
Medical centres	3 spaces per consulting room.	Additional parking spaces may be required for employees depending on the scale of the development.
Motor showrooms	1 space per 150m2 of display area plus 6 spaces per work bay.	
Nature based recreation	As determined by a traffic study.	
Panel beating workshops	6 spaces per work bay plus 1 space per 40m2 of sales area.	
Places of assembly	1 space per 4 seats or 1 space per 10m2 gross floor area, whichever is the greater.	
Places of worship	1 space per 4 seats or 1 space per 10m2 gross floor area, whichever is the greater.	
Public buildings	1 space per 40m2 gross floor area.	
Public transport terminals	As determined by a traffic study.	
Recreational facilities	<ol> <li>space per 25m2 gross floor area unless specified below:</li> <li>Bowling Alley: 3 spaces per lane.</li> <li>Indoor cricket: 10 spaces per pitch.</li> <li>Squash or tennis courts: 3 spaces per court.</li> <li>Sports stadium: 1 space per 5m2 gross floor area or 1 space per 6 seats, whichever is the greater.</li> </ol>	
Refreshment rooms (includes restaurants, tea rooms, cafes and the like)	15 spaces per 100m2 gross floor area or 1 space per 3 seats, whichever is the greater.	Where appropriate, sufficient parking spaces to accommodate coach parking is to be provided.
Retail plant nurseries	0.5 space per 100m2 of the site area.	
Self storage units	1 space per 40m2 of office / administration area floor space, plus 1 space per 300m2 storage area.	
Service stations	6 spaces per work bay plus 1 space per 20m2 of gross floor area for a convenience store component.	Where a refreshment room component is included, additional parking is required in accordance with the requirement for refreshment rooms.
Sex establishments	1 space per 40m2 gross floor area.	
Shops	1 space per 25m2 gross floor area.	
Take-away food outlets	1 space per 25m2 gross floor area.	
Veterinary establishments	3 spaces per consulting room.	
Warehouses	1 space per 300m2 gross floor area.	
Waste processing facilities	1 space per 70m2 gross floor area / display area.	

# Other forms

CLAUSE		CRITERIA
	D9.10 Amenity	
D9.10.1	<b>GENERAL AMENITY</b> Any lighting system utilised in common areas, car parking areas and along pathways must be baffled to ensure that a light source is not directly visible from a habitable room window of any residential development, whilst maintaining adequate lighting of the subject site.	C4.2;C5.4
D9.10.2	ACOUSTIC AMENITY Acoustic treatments are to be incorporated where necessary and practicable to minimise disturbance to any residents of adjoining dwellings or accommodation suites.	C5.4;C5.4
D9.10.3	<b>SOLAR AMENITY</b> The development must be designed and located so that solar access to the living areas (excludes bedrooms, bathrooms and utility areas) and private open space areas of any adjoining residential properties or any employees outdoor recreation areas is not reduced to less than 3 hours between 9am and 3pm on 21st June.	C5.4;C5.5
	D9.11 Energy	
D9.11.1	<b>D9.11 Energy</b> All buildings are to be insulated to maximise the energy efficiency of the building by providing insulation of the roof or ceiling with a minimum R3 rating. A minimum R1.5 insulation is required within the walls of any building.	C5.5
D9.11.1 D9.11.2	D9.11 Energy All buildings are to be insulated to maximise the energy efficiency of the building by providing insulation of the roof or ceiling with a minimum R3 rating. A minimum R1.5 insulation is required within the walls of any building. Glazed areas shall not comprise more than 50% of the total wall areas, unless a high efficiency glass is used.	C5.5 C5.5
D9.11.1 D9.11.2 D9.11.3	D9.11 Energy All buildings are to be insulated to maximise the energy efficiency of the building by providing insulation of the roof or ceiling with a minimum R3 rating. A minimum R1.5 insulation is required within the walls of any building. Glazed areas shall not comprise more than 50% of the total wall areas, unless a high efficiency glass is used. The installation of any hot water system of a domestic scale shall achieve a minimum 3.5 star rating.	C5.5 C5.5 C5.5
D9.11.1 D9.11.2 D9.11.3 D9.11.4	D9.11 Energy All buildings are to be insulated to maximise the energy efficiency of the building by providing insulation of the roof or ceiling with a minimum R3 rating. A minimum R1.5 insulation is required within the walls of any building. Glazed areas shall not comprise more than 50% of the total wall areas, unless a high efficiency glass is used. The installation of any hot water system of a domestic scale shall achieve a minimum 3.5 star rating. Where toilet facilities are proposed, dual flush toilets must be installed.	C5.5 C5.5 C5.5 C5.5
D9.11.1 D9.11.2 D9.11.3 D9.11.4 D9.11.5	<ul> <li>D9.11 Energy</li> <li>All buildings are to be insulated to maximise the energy efficiency of the building by providing insulation of the roof or ceiling with a minimum R3 rating. A minimum R1.5 insulation is required within the walls of any building.</li> <li>Glazed areas shall not comprise more than 50% of the total wall areas, unless a high efficiency glass is used.</li> <li>The installation of any hot water system of a domestic scale shall achieve a minimum 3.5 star rating.</li> <li>Where toilet facilities are proposed, dual flush toilets must be installed.</li> <li>AAA rated water efficient shower heads and water tap fittings for basins and kitchens shall be installed.</li> </ul>	C5.5 C5.5 C5.5 C5.5 C5.5

CLAUSE			CRITE
	D9	0.12 Accessibility	
D9.12.1	In the a)	e case of home employment, the following accessible features are required: A continuous path of travel from the staff parking area to the home employment portion of the development and to facilities. Access gradients are to conform to	C5.7
	b)	The capability of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metre wide may otherwise obstruct the available accessible path.	
	c)	Facilities are to be available for employees that would be accessible in accordance with AS1428 – Design for Access and Mobility.	
	d)	Staff parking areas shall contain at least one parking space dimensioned to conform to AS1428 – Design for Access and Mobility.	
	e)	A continuous path of travel from the mail box to the portion of the dwelling containing the home employment. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility	
	f)	A continuous path of travel from the dwelling to the garbage bin storage area and to the point of collection at the kerbside. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.	
D9.12.2	For a	all other forms of development (unless otherwise specifically detailed elsewhere	LEPcl.
	in this	s DCP), development must be designed and constructed to provide access to	
	and v	within all areas or facilities of the development where there is a reasonable	
	expe	ctation for access by any individual, accompanying persons or groups. The	
	acces	ss is to be in accordance with AS 1428 – Design for Access and Mobility.	
	Minin	num requirements include:	
	a)	Access to and within all areas or facilities of the development where there is a reasonable expectation for access by any individual, accompanying persons or	
	b)	groups is to be in accordance with AS1428 – Design for Access and Mobility. A continuous path of travel is to be provided from any suite / shop or office space to the business mail box in accordance with the requirements of AS1428 – Design for Access and Mobility.	
	c)	A continuous path of travel from any suite / shop or office space to the garbage bin storage area and to the point of collection. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility	
	d)	All staff and customer areas shall be fully accessible in accordance with AS1428 – Design for Access and Mobility.	
	e)	The capability of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metre wide may otherwise obstruct the	

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 A fully accessible footway connecting the road reserve to the common circulation areas within the development, constructed in accordance with AS1428 – Design for Access and Mobility is to be provided.

available accessible path.

### CLAUSE

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- g) Where carparking is required or provided, at least one staff parking space and not less than 2% of available staff parking spaces together with one non-staff parking space plus 2% of all other required spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility and designated for persons with a disability.
- h) External paths and paved areas shall be constructed in accordance with AS3661
   Slip Resistance for Pedestrian Surfaces and AS4586 Slip Resistance
   Classification for Pedestrian Surface Materials and be illuminated throughout to a minimum of 50 lux.
- i) Signage within the complex shall be capable of being universally interpreted in accordance with AS 2899 Public Information Symbol Signs.
- j) Tactile surface markings shall used throughout the development in accordance with AS1428 – Design for Access and Mobility.
- Workstations except where prohibitive by the nature of the work shall meet the requirements of AS1428 – Design for Access and Mobility.
- D9.12.3 In the case of health care centres, medical centres, community buildings, community C5.7 centres, places of worship, places of assembly and all other forms of development which are considered to be places of public entertainment, the minimum requirements listed in Clause D9.12.2 with the exception of subclause (g) are to be provided along with the following:
  - a) Where carparking is provided, at least one staff parking space but not less than 5% of available staff parking spaces together with one non-staff parking space plus 10% of all other required spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility.
- D9.12.4 Where accommodation is provided in association with an educational establishment, C5.7 the minimum requirements are listed in Clause D9.12.2 with the exception of subclause (g), are to be provided along with the following:
  - a) One accommodation suite or 5% of the suites, whichever is the greater, shall be fitted out as fully accessible suite/s having internal and external access complying with AS1428 Design for Access and Mobility and when furnished will provide a minimum circulation space 1 metre wide around three sides of a standard queen sized bed. Facilities provided in the accessible suite shall be fully accessible in accordance with AS1428 Design for Access and Mobility.
  - b) Where carparking is required or provided, at least one staff parking space and not less than 5% of available staff parking spaces together with one non-staff parking space plus 5% of all other required spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility.

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D9.12.5 Nature based recreation establishments, visitors facilities, recreation areas and the like must be designed and constructed to provide access to and within all areas or facilities of the development (except where such provision would destroy or seriously detract from the value of the natural environment or significance of the locality) where there is a reasonable expectation for access by any individual, accompanying persons or groups. Access is to be in accordance with AS1428 – Design for Access and Mobility. Minimum requirements include:

- a) A continuous path of travel from any required vehicle parking area to the main areas, attractions, viewing points, facilities etc of the development. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.
- Access gradients to public garbage bins are to conform to the requirements of AS1428 – Design for Access and Mobility.
- c) A fully accessible footway connecting the road reserve to the main entrance or other approved accessible entrance and common circulation areas within the development, constructed in accordance with AS1428 – Design for Access and Mobility is to be provided.
- d) Where parking is provided a minimum of one parking space and not less than 2% of parking spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility and shall be designated for persons with a disability.
- e) External common paths and recreation areas shall be constructed in accordance with AS3661 – Slip Resistance for Pedestrian Surfaces and AS4586
   – Slip Resistance Classification for Pedestrian Surface Materials and be illuminated where appropriate to a minimum of 50 lux.
- f) Signage within the complex shall be capable of being universally interpreted in accordance with AS2899 – Public Information Symbol Signs;
- g) A fully accessible footway connecting the road reserve to the main entrance or other approved accessible entrance shall be constructed in accordance with AS1428 – Design for Access and Mobility.
- h) Any staff and customer areas shall be fully accessible in accordance with AS1428 – Design for Access and Mobility.
- Tactile surface markings shall used throughout the development in accordance with AS1428 – Design for Access and Mobility.
- Any workstations except where prohibitive by the nature of the work shall meet the requirements of AS1428 – Design for Access and Mobility.

	CLAUSE		CRITERIA
		D9.13 Special provisions	
		In addition to the general provisions of <u>D9. Other Forms of Development</u> , the following provisions are applicable to specific development types.	
	D9.13.1	CARETAKERS DWELLINGS A caretakers dwelling is to be ancillary to a permissible and approved land use.	C5.4
	D9.13.2	The caretakers dwelling shall be occupied solely for residential purposes by an employee, owner or occupant of the primary land use of the site.	C2.1;C5.4
	D9.13.3	A screened outdoor recreational area shall be provided adjacent to the dwelling for the enjoyment of the occupants.	C5.4
	D9.13.4	The outdoor recreational area is to have a minimum area of 50m2 with a minimum dimension of 6 metres.	C5.4
	D9.13.5	The dwelling is to be designed and constructed to achieve a satisfactory level of residential amenity within the dwelling, particularly with respect to air quality and noise levels.	C5.4
	D9.13.6	CHILD CARE CENTRES For childcare facilities, a letter from the Department of Community Services must be submitted in conjunction with a development application indicating the number of children / age groups to be accommodated and that no objection, in principle, is raised to the proposal.	C5.4
	D9.13.7	Child Care Centres will not be permitted on hatchet shaped allotments or where access is to be provided via a right-of-carriageway due to amenity, traffic and noise impacts on adjoining properties.	C5.3;C5.4
	D9.13.8	Pick-up and set-down and pedestrian areas shall be separated from the general parking areas and driveways to ensure the safety of pedestrians.	C5.3:C5.4
_	D9.13.9	Noise levels (measured at any point on the boundary of the site between the proposed child care centre and adjoining property) should not exceed 5 decibels (dBA) above the background level.	C5.4
	D9.13.10	No public address systems are to be installed at the centre.	C5.4
-	D9.13.11	The outdoor play area is not to be located within the front setback area.	C2.1
_	D9.13.12	Play equipment shall not be higher than the fencing and shall not be closer than 2 metres to a fence.	C4.4;C5.4
_	D9.13.13	50% of all outdoor areas are to be shaded during the hours of 10.00am to 3.00pm Eastern Summer Time.	C4.4;C5.4

CLAUSE		CRITERIA
D9.13.14	Where Home Employment is proposed in conjunction with a dwelling house, the following additional provisions apply:	LEPcl.121
	<ul> <li>a) The total site coverage resulting from the Home Employment shall not exceed that specified for the land elsewhere in this DCP.</li> </ul>	
	b) External lighting associated with the Home Employment is to be located and	
	directed to minimise impact on adjoining residential properties.	
	c) A separate or defined access is to be provided from the street to the home	
	employment area.	
	d) A clearly identifiable separate area for the conduct of the Home Employment is to be provided that can be separated from the balance of the dwelling for privacy and security.	
	e) It can be demonstrated that it is reasonably practicable for the Home	
	Employment area to be converted to become part of the residence or a separate granny flat or a self-contained unit.	
	<ul> <li>f) Adequate acoustic insulation between the work area and the adjoining dwelling is to be provided.</li> </ul>	
	g) The character of the proposed Home Employment use is consistent with the	
	scale and massing of the surrounding area, where it is located in an existing residential setting.	
	SERVICE STATIONS	
D9.13.15	Any site which is proposed to be used for the purpose of a service station is to be located at least 90 metres from the junction or intersection of a classified road, with another main or arterial road.	LEPcl.124
D9.13.16	The frontage of the site is not be to less than 50 metres.	LEPcl.124
D9.13.17	Separate entrances to and exits from the site are to be provided and those entrances and exits are to be separated by physical barriers constructed on the road alignment and so identified by suitable signs readily visible to persons using the adjoining road or entering the site.	LEPcl.124
D9.13.18	Inlets to bulk fuel storage tanks are to be situated on the site so as to ensure that tankers shall, whilst discharging fuel into the storage tanks, stand wholly within the site.	LEPcl.124
	SEX ESTABLISHMENTS	
D9.13.19	Sex establishments are not to be located:	LEPcl.125
	a) Adjacent to, adjoin or be within 100 metres of an educational establishment, a	-
	childcare centre, a recreational area, a place of worship, a hospital; or any other	
	place regularly frequented by children for recreational or cultural activities.	
	b) within 50 metres of the boundary of any zone in which a dwelling house is a permissible land use	-
	c) On frontage or direct vehicular access from the Regional Transport Corridor.	
	CLAUSE D9.13.14 D9.13.15 D9.13.15 D9.13.17 D9.13.18 D9.13.19	CLAUSE HOME EMPLOYMENT         D9.13.14       Where Home Employment is proposed in conjunction with a dwelling house, the following additional provisions apply: <ul> <li>a) The total site coverage resulting from the Home Employment shall not exceed that specified for the land elsewhere in this DCP.</li> <li>b) External lighting associated with the Home Employment is to be located and directed to minimise impact on adjoining residential properties.</li> <li>c) A separate or defined access is to be provided from the street to the home employment area.</li> <li>d) A clearly identifiable separate area for the conduct of the Home Employment is to be provided that can be separated from the balance of the dwelling for privacy and security.</li> <li>e) It can be demonstrated that it is reasonably practicable for the Home Employment area to be converted to become part of the residence or a separate granny flat or a self-contained unit.</li> <li>f) Adequate acoustic insulation between the work area and the adjoining dwelling is to be provided.</li> <li>g) The character of the proposed Home Employment use is consistent with the scale and massing of the surrounding area, where it is located in an existing residential setting.</li> </ul> <li>D9.13.16 Any site which is proposed to be used for the purpose of a service station is to be located at least 90 metres from the junction or intersection of a classified road, with another main or arterial road.</li> <li>D9.13.17 Separate entrances to and exits from the site are to be provided and those entrances and exits are to be separated by physical barriers constructed on the road alignment and so identified by suitable signs readily visible to persons using the adjoining road or entering the site.</li> <li>D9.13.18 Inlets to bulk fuel storage tanks are to be situated on t</li>

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<ul> <li>D9.13.20 Telecommunications facilities must be designed, installed and operated to comply with standards relating to human exposure to electromagnetic energy appearing in any applicable code or standard made under any applicable law of the Commonwealth.</li> <li>D9.13.21 Telecommunications facilities are to be designed to minimise public exposure to electromagnetic energy by: <ul> <li>a) Locating facilities away from sensitive land uses such as educational establishments, hospitals, nursing homes and childcare centres wherever possible.</li> <li>b) Minimising transmitter power to that required to achieve coverage requirements.</li> <li>c) Choosing or designing antennae which minimise emissions in directions not required for coverage.</li> <li>d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li> </ul> </li> </ul>	LEPcl.127 C2.1;C4.4
<ul> <li>b) No.20 Telecommunications facilities for designed, inducted and operated to comply with standards relating to human exposure to electromagnetic energy appearing in any applicable code or standard made under any applicable law of the Commonwealth.</li> <li>D9.13.21 Telecommunications facilities are to be designed to minimise public exposure to electromagnetic energy by: <ul> <li>a) Locating facilities away from sensitive land uses such as educational establishments, hospitals, nursing homes and childcare centres wherever possible.</li> <li>b) Minimising transmitter power to that required to achieve coverage requirements.</li> <li>c) Choosing or designing antennae which minimise emissions in directions not required for coverage.</li> <li>d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li> </ul> </li> </ul>	C2.1;C4.4
<ul> <li>applicable code or standard made under any applicable law of the Commonwealth.</li> <li>D9.13.21 Telecommunications facilities are to be designed to minimise public exposure to electromagnetic energy by: <ul> <li>a) Locating facilities away from sensitive land uses such as educational establishments, hospitals, nursing homes and childcare centres wherever possible.</li> <li>b) Minimising transmitter power to that required to achieve coverage requirements.</li> <li>c) Choosing or designing antennae which minimise emissions in directions not required for coverage.</li> <li>d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li> </ul> </li> </ul>	C2.1;C4.4
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<ul> <li>D9.13.21 Telecommunications facilities are to be designed to minimise public exposure to electromagnetic energy by: <ul> <li>a) Locating facilities away from sensitive land uses such as educational establishments, hospitals, nursing homes and childcare centres wherever possible.</li> <li>b) Minimising transmitter power to that required to achieve coverage requirements.</li> <li>c) Choosing or designing antennae which minimise emissions in directions not required for coverage.</li> <li>d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li> </ul> </li> </ul>	C2.1;C4.4
<ul> <li>electromagnetic energy by:</li> <li>a) Locating facilities away from sensitive land uses such as educational establishments, hospitals, nursing homes and childcare centres wherever possible.</li> <li>b) Minimising transmitter power to that required to achieve coverage requirements.</li> <li>c) Choosing or designing antennae which minimise emissions in directions not required for coverage.</li> <li>d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li> </ul>	
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<ul> <li>establishments, hospitals, nursing homes and childcare centres wherever possible.</li> <li>b) Minimising transmitter power to that required to achieve coverage requirements.</li> <li>c) Choosing or designing antennae which minimise emissions in directions not required for coverage.</li> <li>d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li> </ul>	
<ul> <li>possible.</li> <li>b) Minimising transmitter power to that required to achieve coverage requirements.</li> <li>c) Choosing or designing antennae which minimise emissions in directions not required for coverage.</li> <li>d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li> </ul>	
<ul><li>b) Minimising transmitter power to that required to achieve coverage requirements.</li><li>c) Choosing or designing antennae which minimise emissions in directions not required for coverage.</li><li>d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li></ul>	
<ul> <li>c) Choosing or designing antennae which minimise emissions in directions not required for coverage.</li> <li>d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li> </ul>	
<ul><li>c) considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li></ul>	
<ul> <li>d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li> </ul>	
and selecting the option that results in the lowest exposures.	
D9.13.22 The visual impact of telecommunications facilities is to be minimised by achieving the	C2 1
following, where practical:	02.1
a) Integrate the facility with the design and appearance of any building or structure	
on or within which it is located.	
b) Screen any equipment associated with the facility so as to reduce its visibility	
c) Avoid the obstruction of views of significant vistas, significant landmarks or items	
of the environmental heritage	
d) Ensure that the facility as installed is in keeping with the streetscape and/or the	
c) Ensure that the facility as installed is in keeping with the streetscape and/or the	
a) Encure that the colour and finish of the facility is in keeping with the locality	
<ul> <li>Ensure that the coole of the facility is in keeping with the levelity hearing in mind.</li> </ul>	
1) Ensure that the scale of the facility is in keeping with the locality, bearing in mind	
that the scale may be allected by the intended coverage of the facility.	
DQ 13.23. Telecommunications facilities are to be co-located with other existing utilities whenever	00.4
this is both technically practical and achieves the best environmental outcome and in	62.1
nas is both teenhedry producer and demoves the best environmental outcome and in	
a) Telecommunications lines should be located within any existing underground	
a) Telecommunications lines should be located within any existing underground	
conduit of duct.	
b) Antennae (and similar structures) should be attached to existing	
telecommunications facilities so as to minimise clutter.	
Do 13.24 Telecommunications facilities in a road reserve must	
a) Be consistent with the Austroads publication Telecommunications in Road	LEPCI.127
a) De consistent with the Austroads publication relectionnumications in Road	
time.	
b) Comply with the standards of the appropriate roads authority.	
ASBESTOS CEMENT	
D9.13.25 Any asbestos cement cladding on existing buildings that are proposed to be brick	C1.4
veneered or reclad must be removed.	01.4

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part E specifies the minimum development standards for the form of development listed in the next column. Part E cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

Dwelling house

Part E also includes the key development standards of Local Environmental Plan 1991 (LEP 1991). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 1991 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part E has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part Cinave been addressed.

### Dwelling house defined

This section applies to a single dwelling on a single allotment. A 'dwelling house' means a building containing one but not more than one dwelling. This section also applies to structures and development ancillary to a dwelling house (including studios, workshops etc), which complies with a Class 10a and 10b classification under the Building Code of Australia.



Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

### E1.1 Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- O Reference to the relevant 'Plan & documentation' section in Part C is necessary to
- determine whether this information will be required.
- \* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	NE DW	W VELLING	AD STI	DITIONS & RUCTURES <50M2	ad Sti	DITIONS & RUCTURES >50M2	DE	MOLITION	W/ TRI DE	ASTE EATMENT VICE	CRITERIA
Site analysis	$\checkmark$				$\checkmark$						Part B
Design plans	$\checkmark$		$\checkmark$		$\checkmark$				$\checkmark$		Part B
Statement of environmental effects	$\checkmark$		$\checkmark$		$\checkmark$		$\checkmark$		$\checkmark$		Part B;C4.2
Detailed environmental assessment	0	*	0	*	0	*			0	*	LEPds.10.5;11.2;11.3;11.4;C1.1
Flora and fauna assessment	0	*	0	*	0	*			0	*	LEPcl.10.5;C1.1
Vegetation / bushland management plan	0		0		0				0		C1.1
Geotechnical report	0	*			0	*			0	*	C1.1
Weed management plan	0	*	0	*	0	*	0	*	0	*	C1.2
Engineering details	0		0		0				0		C1.1
Stormwater management plan	0	*	0	*	0	*			0	*	C1.3
Erosion & sediment control plan	$\checkmark$	*			$\checkmark$	*	0	*	0	*	C1.4
Soil & water management plan	0	*									C1.4
Waste management strategy							$\checkmark$				C1.4
Construction management plan	0										C1.4
Detailed character assessment	0	*	0	*	0	*	0	*			LC2.1
Concept landscape plan	0	*			0	*			0	*	C2.2
Detailed landscape plan	0	*			0	*			0	*	C2.2
Tree survey	0	*	0	*	0	*			0	*	C2.2
Archaeological assessment	0	*									C3
Heritage assessment/conservation plan	0	*	0	*	0	*	0	*	0	*	LEP cl.10.7;25;C3
Bushfire threat assessment	0	*	0	*	0	*					LEPcl.10.5;C4.1
Contaminated site report	0										C4.3
BASIX Certificate	$\checkmark$										C5.5
Water cycle management study	0		0		0				0		LEPcl.10.8;C1.1
Noise & vibration report	0				0						C5.4
Shadow diagrams	0		0		0						C5.4

Note: Further reports may be required as a result of referral to other agencies.

A proforma Statement of Environmental Effects is available for dwelling house and granny flat development.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

CLAUSE	CRITERIA
E1.2 Biodiversity	
E1.2.1 Cut and/or fill is to be limited to a maximum 1 metre cut and 1 metre depth of fill. Consideration will be given to increasing the depth of cut or fill where it is contained	C1.1;C1.3; C2.1;C5.4
E1.2.2 Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C4.3
E1.2.3 Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site	C1.1;C1.3; C2.1;C5.4
responsive split level slab construction methods shall be used. E1.2.4 Land, which is already cleared or disturbed and does not form part of any existing or	LEPcls.10.5,
proposed development and are located within a Protected Area - 'Canopy Conservation 'Environmental Constraint Area', 'Escarpment Area', 'Water Supply Catchment Area', 'Land Between Towns' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation. Land which is steeper than 33% (1 in 3) is deemed to be a	r, 11,C1.1;C1.2; C1.3
Protected Area - 'Environmental Constraint Area'.	

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- E1.3.1 The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not C1.2;F2 be permitted.
- E1.3.2 Existing noxious weeds must be removed or controlled where identified on a proposed C1.2 development site.

### **E1.4 Stormwater**

- E1.4.1 To allow for the retention and potential reuse of stormwater, the post-development flows C1.3 of stormwater generated from the development site shall approximate the predevelopment flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.
- E1.4.2 Absorption pits are to be located outside development excluded land unless no practical C1.3 alternative can be provided and it is demonstrated that there is no adverse effect on the development excluded land.
- E1.4.3 Rainwater tanks shall have a capacity of not less than 1000 litres per 100 square metres C1.3 of roof area. Stormwater pits shall measure 600mm wide x 600mm deep x 2 metres long, for each downpipe. Pits shall be located at least 4 metres from any boundary or property boundary. Where the site falls to the street the overflow from the rainwater tanks or pits shall discharge to the street gutter. If available, overflows may also be discharged to a drainage easement. Where a site falls towards a creek stormwater should not be discharged directly to the creekline.

## **Dwelling house** & ancillary structures

### CLAUSE

**CRITERIA** 

E1.4.4 Where rainwater tanks are used as an on-site detention system the tank shall include an C1.3 outlet (without a tap) to ensure that the on-site detention volume is available for the next storm. Overflow from detention systems shall be discharged into a stormwater pit as described in E1.4.3. See Diagram 1.



E1.4.5 Habitable floor levels must be located 300mm from finished ground level where the C1.3 building is located in a position that may be affected by stormwater. A higher level may be required in areas of concentrated stormwater flows.

### E1.5 Streetscape & character

### SITE COVERAGE

E1.5.1 The total building site cover, including any part of the site covered by buildings ancillary to LEPcl.10.9 the main building (such as tennis courts, swimming pools, sheds and the like), must not exceed the total building site cover specified in Table 1. Development for the purpose of agriculture in the Megalong Valley is exempt from the provisions of this clause.

TABLE 1 – SITE COVERAGE	
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NOTIONAL DEVELOPMENT AREA	TOTAL BUILDING SITE COVER
Less than 1000m2	160m2 or 40% of the notional development area, up to a maximum of 300m2 whichever is the greater.
1000m2 to 2000m2	300m2 plus 10% of any amount by which the notional development area exceeds 1000m2
2000m2 or more	400m2 plus 5% of any amount by which the notional development area exceeds 2000m2, up to a maximum total building site cover of 2500m2.



- LAUSE E1.5.2 Notwithstanding the provisions in Table 1, development on any lot consisting of or including land having an area of more than 4000m2 zoned 'Bushland Conservation', 'Residential Bushland Conservation' or 'Residential Investigation' is required to take place within the *Principal Development Area*.
- E1.5.3 A *Principal Development Area* is not required if the development is ancillary or incidental LEPcl.30.2 to a dwelling house which was in existence at the 27 December 1991, but only if any clearing of vegetation that is involved is not located on any *development excluded land* and is carried out on an area of less than 50m2 and the total area cleared outside the *Principal Development Area* does not involved more than 5% of the *notional development area* of the lot.
- E1.5.4 A *Principal Development Area* shall have a maximum total area to be determined with LEPcI.30 regard to the notional development area of the lot as specified in Table 2. The *Principal Development Area* shall not include any *development excluded land*.

TABLE 2 – PRINCIPAL DEVELOPMENT AREA

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NOTIONAL DEVELOPMENT AREA OF THE LOT	MAXIMUM TOTAL AREA OF PRINCIPAL DEVELOPMENT AREA				
Less than 2000m2	750m2 of the notional development area, whichever is the greater.				
2000m2 or more	2000m2 or 25% of the notional development area up to a maximumof 5000m2, whichever is the greater.				

E1.5.5 Nothwithstanding the above, where land has a *Principal Development Area* of less than LEPcl.30.4; 750m2, a maximum of 750m2 of *development excluded land* may be included provided C2.1;C5.4 the dwelling house and development ordinarily ancillary or incidental to the dwelling house is accommodated and the amount of *development excluded land* is minimised.

### SCALE AND SETBACK

7 October 2005

- E1.5.6 Notwithstanding any provisions in Schedule 1 of the LEP, development is required to LEPcl.10.6 achieve the scale and setback provisions outlined in Table 3.
- E1.5.7 Notwithstanding the provisions of Table 3, any development adjoining a Classified Road LEPcl.10.3 is required to have a minimum front setback of 30 metres within a 'Rural Conservation' or 'Bushland Conservation' zone or 18 metres in other zones.
- E1.5.8 Notwithstanding the provisions in Table 3, on allotments which are required to have a LEPcl.30.3 *Principal Development Area* where the width of the lot at the building line is 50 metres or more, the setback from each boundary must be at least 15 metres or where the width of the lot at the building line is less than 50 metres each boundary setback must be at least 10 metres.

**CRITERIA** 

### CLAUSE

- E1.5.9 Notwithstanding the provisions of Table 3, no building other than of single storey LEPcl.11.4 construction shall be erected in a Protected Area 'Escarpment Area' if it protrudes above the vegetation canopy of the immediate locality or the height of adjacent buildings.
- E1.5.10 Notwithstanding the provisions of Table 3, within the 'Rural Conservation' or 'Bushland LEPcl.10.4 Conservation' zone, buildings must be below the skyline when viewed from a public place.

### TABLE 3 – SCALE AND SETBACK

MAXIMUM	MAXIMUM HEIGHT	FRONT SETBACK *	SETBACK FROM OTHER
BUILDING HEIGHT	AT EAVES		BOUNDARIES
<ul> <li>2 storeys and 8 metres from Natural Ground Level to the highest point of the roof.</li> </ul>	<ul> <li>6.5 metres from Natural Ground Level to eaves or equivalent building element.</li> </ul>	<ul> <li>Primary frontage – 8 metres.</li> <li>Corner lot secondary frontage – 3 metres.</li> <li>Hatchet shaped lots – minimum of 9 metres from rear boundary of lot in front. (Note: DCP standard C2.1)</li> </ul>	<ul> <li>The minimum setback from the side or rear boundary is 1 metre.</li> <li>The minimum setback from the side or rear boundary for a detached outbuilding is 600mm. Open structures such as carports, pergolas or the like may be erected at a lesser distance. Note: (DCP standard C2.1)</li> </ul>

\*Consideration shall be given to varying the front setback where this avoids adverse environmental impact.

- E1.5.11 Ancillary structures such as studios, storage buildings and workshops shall be located C2.1 behind the building and shall not exceed the height of the main building on the site.
- E1.5.12 The building materials, colours and architectural form of ancillary structures shall be complementary to the main building.
  E1.5.13 A studio or workshop shall comprise a single room or may include a single room and shower/toilet facility. No kitchen or laundry facilities will be permitted.
  E1.5.14 The openings of garages and carports should occupy no more than:

  a) 4 metres where the width of the lot is less than 15 metres, or
  b) 6 metres where the lot is equal to or greater than 15 metres.

### FENCING AND BOUNDARY TREATMENTS

- E1.5.15 Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 C2.1 metre in height.
- E1.5.16 In the case of corner allotments, fencing along the secondary street frontage for the C2.1;C5.4 purpose of adequately screening any private open space areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres.
- E1.5.17 Any part of a side boundary fence or wall which is located within the front building C2.1 setback applying to the land shall not exceed a height of 1 metre.

CLAUSE E1.5.18	Any fencing along the front boundary of the site and along any side boundary that is ocated within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing is not permitted.	CRITERIA C2.1
E1.5.19	Long sections of fencing along side street frontages must include: a) recessed portions located at regular intervals along the length of the fence to	C2.1

Dwelling house

b) decorative fencing incorporating design features and materials which add to an attractive streetscape.

### E1.6 Landscaping

ancillary structures

 E1.6.1 On allotments which are zoned 'Rural Conservation' or 'Bushland Conservation' or
 LEPcls.10.4,

 which require a *Principal Development Area* or in Protected Area - 'Land Between
 11.5,30.5

 Towns', development must be screened from view from outside the lot either by the
 retention of existing vegetation or the planting of *locally indigenous species* within the lot.

### E1.7 Bushfire

E1.7.1 Brushwood fencing is prohibited in the Blue Mountains.	C4.1				
<ul> <li>E1.7.2 The following minimum construction standards apply to all habitable buildings: <ul> <li>a) All roofing shall be non combustible. Shingles and shakes are not to be used.</li> <li>b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.</li> <li>c) Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.</li> <li>d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.</li> </ul> </li> </ul>	C4.1				
BUSHFIRE PRONE AREAS					
E1.7.3 Land mapped as bushfire prone must incorporate the bushfire protection measures required in the document 'Planning for Bushfire Protection' (PBP) .					
E1.7.4 Any measures proposed to protect development against bushfire should be undertaken on those parts of the site that are not zoned 'Environmental Protection' or designated as 'Environmental Constraint'.					
E1.7.5 Additions and alterations which equal or exceed 50% of the floor area of the existing main building measured to the outside surfaces may require the existing building to be upgraded to a standard of construction consistent with the level of attack.	C4.1				

**Dwelling house** & ancillary structures

CLAUSE E1.7.6	<i>Asset protection zones</i> should not be located on any land that has contiguous areas of slope greater than 33% unless no other viable alternative is available.	<b>CRITERIA</b> PBP;C4.1
E1.7.7	Ploughing or grading of <i>asset protection zones</i> is not permitted on slopes greater than 1:5 (20%).	C4.1
E1.7.8	Where the <i>asset protection zone</i> cannot be fully achieved the onus will be on the designer to submit a performance based proposal that will provide a range of measures acceptable to the Rural Fire Service.	C4.1
	E1.8 Services	
E1.8.1	The provision of electricity and gas services for new dwellings is to be provided underground.	C2.1;C5.1
E1.8.2	Where reticulated sewer is within 75 metres, existing or proposed dwellings must connect to that service.	C5.1
E1.8.3	An area for storing garbage, recycling and composting bins shall be provided, suitably located and screened.	C2.1;C5.1;C5.4
	E1.9 Wastewater	
E1.9.1	Current accreditation by NSW Health is required for all on-site waste management facilities.	C5.2
E1.9.2	All tanks used for storage or treatment of wastewater shall be located so not to interfere with any structural elements of buildings with a minimum of 3 metres from property boundaries and dwellings.	C5.2
E1.9.3	Surface water is to be diverted around all treatments systems and effluent disposal areas.	C1.3;C5.2
E1.9.4	<b>ON-SITE DISPOSAL</b> An on-site disposal system is only permitted on an existing lot where there is a minimum of 4000m2 of land identified as not being zoned 'Environmental Protection' or designated as 'Environmental Constraint'. On lots where a subdivision was approved after 23 March 2001, on-site disposal systems are generally not permitted on <i>development excluded land</i> .	C5.2
E1.9.5	The minimum disposal area required for a treatment system employing wastewater irrigation is 1000m2 where that system is designed to cater for no more than 1200 litres of wastewater per day.	C5.2


CLAUSE E1.9.6 Effluent disposal areas must be contained within the boundaries of the site. C5.2

- E1.9.7 Absorption trenches are not permitted in the sandstone plateau region of the mountains C5.2 or where ground water is used for domestic purposes. Absorption trenches will only be considered in other areas where the soil profile exceeds 2 metres.
- E1.9.8 Surface irrigation or surface disposal of wastewater, open ponds, flow forms or surface C5.2 wetlands are only permitted when the wastewater has been treated to a secondary level and disinfected.
- E1.9.9 Irrigation areas are not permitted on slopes greater than 15% and on *development* C5.2 *excluded land*. On slopes between 10 to 15% subsurface irrigation can only be used. On slopes less than 10% subsurface or surface irrigation can be used.
- E1.9.10 Septic tanks are to be sized according to Table 4, studies and studios are to be counted C5.2 as bedrooms. Tank capacity is to be based on a five year de-sludge.

POPULATION EQUIVALENT	NUMBER OF	AVERAGE DAILY	TANK CAPACITY
(PERSONS)	BEDROOMS	FLOW	(L)
$ \frac{1-5}{6-7} \\ \frac{8}{9-10} $	3	Up to 1000	3000
	4	1000 - 1400	3500
	5	1400 - 1600	4000
	6	1600 - 2000	4500

TABLE 4 - SEPTIC TANK SIZE



# **Dwelling house** & ancillary structures

CLAUSE

CRITERIA E1.9.11 Minimum set backs and buffer distances for an effluent disposal area must be provided C5.2 in accordance with Table 5.

#### **TABLE 5 - BUFFER DISTANCES**

SYSTEM	MINIMUM BUFFER DISTANCE
All on-site effluent disposal	<ul> <li>100 metres to permanent or intermittent water course (rivers, streams, lakes, seasonal creeks etc).</li> </ul>
Systems	<ul> <li>250 metres to domestic groundwater well.</li> </ul>
	<ul> <li>40 metres to other waters (farm dams and other drainage channels).</li> </ul>
	<ul> <li>3 vertical metres to the seasonal water table.</li> </ul>
	• 6 metres downslope from a dry plant Scheduled Vegetation Community; 20 metres downslope
	of a wet plant Scheduled Vegetation Community.
Surface spray irrigation	• 6 metres from the outside edge of the spray line, upslope of a Scheduled Vegetation
	Community.
	6 metres if area upgradient and 3 metres if downgradient of driveways and property
	boundaries.
	<ul> <li>15 metres to dwellings.</li> </ul>
	<ul> <li>3 metres to paths and walkways.</li> </ul>
	<ul> <li>6 metres to swimming pools.</li> </ul>
	0.5 vertical metres to bedrock or hardpan.
Surface drip and trickle	6 metres if area upgradient and 3 metres if downgradient of swimming pools, property
irrigation	boundaries, driveways and buildings.
	0.5 vertical metres to bedrock or hardpan.
Subsurface irrigation	• 6 metres if area upgradient and 3 metres if downgradient of swimming pools, property
	boundaries, driveways and buildings.
	<ul> <li>0.5 vertical metres to bedrock or hardpan.</li> </ul>
Trenches	<ul> <li>12 metres if area upgradient and 6 metres if area downgradient of property boundary.</li> </ul>
	• 6 metres if area upgradient and 3 metres if area downgradient of swimming pools, driveways
	and buildings.

#### **OFF-SITE DISPOSAL**

E1.9.12 A collection well for an effluent pump-out system that relies on total water harvesting is to C5.2 be sized according to Table 6, studies and studios are to be counted as bedrooms.

#### **TABLE 6 - COLLECTION WELL SIZES - WATER HARVESTING\***

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	STANDARD FIXTURES (1) 140 L/PERSON/DAY	WATER REDUCTION FEATURES (2) 115 L/PERSON/DAY	FULL WATER REDUCTION FEATURES (3) 80 L/PERSON/DAY
1 – 5	3	4900	4500	4500
6 – 7	4	6860	5635	4500
8	5	7840	6440	4500
9 – 10	6	9800	8050	5600

\* Based on weekly pumpout



CLAUSE

CRITERIA

E1.9.13 A collection well for an effluent pump-out system that relies on a reticulated water or bore C5.2 water supply is to be sized according to Table 7, studies and studios are to be counted as bedrooms.

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	STANDARD FIXTURES (1) 180 L/PERSON/DAY	WATER REDUCTION FEATURES (2) 145 L/PERSON/DAY	FULL WATER REDUCTION FEATURES (3) 110 L/ PERSON/DAY
1 – 5	3	6300	5075	4500
6 – 7	4	8820	7105	5390
8	5	10080	8120	6160
9 – 10	6	12600	10180	7700

TABLE 7 - COLLECTION WELL SIZES FOR RETICULATED OR BORE WATER\*

\* Based on weekly pumpout

- (1) Standard fixtures including automatic washing machine.
- (2) Standard water-reduction fixtures include dual flush 11/5.5 litre water closets, shower flow restrictors, aerator faucets (taps) and water-conserving automatic washing machines.
- (3) Full water reduction fixtures includes the combined use of reduced flush 6/3 litre water closets, shower-flow restrictors, aerator faucets, front load washing machines and flow/pressure control valves on all water-use outlets.
- E1.9.14 All wastewater generated on the property is to be connected to the septic tank by an C5.2 approved single pipe system.
- E1.9.15 The suction line must be 50mm in diameter, Class 12 pressure pipe, with the last 1.5 C5.2 metres to the property boundary and the upstand being 50mm galvanised iron pipe. The upstand and elbow is to be concreted to the ground preventing movement and damage when the pump is operational.
- E1.9.16 The suction line is to be fitted with an approved 50mm "Camlock" locking device at the C5.2 street boundary with a 50mm brass gatevalve.
- E1.9.17 In the event where the pumphead exceeds 4 metres, the collection well will require a C5.2 pump capable of delivering a minimum of 250 litres per minute to the service outlet. Submersible pumps are not permitted.
- E1.9.18 Where an assist pump is to be used a two way lockable switch is to be installed with a C5.2 switch at the pump and a switch at the property boundary.
- E1.9.19 Pressure pipe from the pump to the base of the tank must be 50mm Class 12 pressure C5.2 pipe with the end cut on angle at least 100mm from the bottom of the tank.
- E1.9.20 The collection well is to be equipped with a high water alarm that is both visual and C5.2 audible from the dwelling.

**Dwelling house** & ancillary structures

CLAUSE E1.9.21	All collection wells and septic tanks are to be encased in 1 metre3 of premixed concrete and keyed together.	CRITERIA C5.2
E1.9.22	Provide all weather access of adequate width, turning and parking facilities for the pump- out vehicle. Access from an <i>unformed road</i> is not permitted.	C5.2
E1.9.23	A layback is to be provided for temporary parking facilities where there is poor site distance or other road or pedestrian safety considerations. The layback is to be a minimum of 13 x 3 metres.	C5.2
	E1.10 Vehicular access, parking & roads	
E1.10.1	PARKING At least 1 car parking space must be provided on-site.	C5.3
E1.10.2	Carparking spaces are not permitted within the front setback area. Consideration will be given to varying the location where it is desirable for environmental reasons.	C5.3;C2.1
E1.10.3	The minimum dimensions for an open car space is 2.6 metres wide and 5.4 metres long.	C5.3
E1.10.4	The minimum internal dimensions for a carport or garage is 3 metres wide and 6 metres long. A wider door may be required if there is not sufficient manoeuvring space in front of the garage to enable a straight entry.	C5.3
E1.10.5	ACCESS Vehicular access to the site must be available from a stable, all weather road.	LEPcl.10.2
E1.10.6	The vehicular access road must not be located on slopes of 33% or greater.	LEPcl.10.2
E1.10.7	Only 1 vehicular access point is permitted.	C2.1;C5.3
E1.10.8	Vehicular access on corner properties should be located at least 6 metres from the intersection.	C5.3
E1.10.9	<b>DRIVEWAYS</b> Driveways must be a minimum of 3 metres wide and no more than 4 metres wide, other than as necessary to enable vehicles to access car parking spaces.	C2.1;C5.3
E1.10.10	The grade of the driveway must not exceed 1 in 4 (25%) and shall include transition grades that provide adequate sight distance and avoid vehicle scraping.	C5.3
E1.10.11	Driveways must not be located on slopes in excess of 33%.	C5.3
E1.10.12	Driveways must be sealed or suitably treated to prevent surface erosion and to provide all weather access.	C5.3

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E1>p.13

# CLAUSECRITERIAE1.10.13 Driveways with a grade greater than 1 in 10 are to be sealed to provide all weather<br/>access and minimise environmental damage caused by erosion and have a suitable<br/>surface treatment which minimises wheel skid in wet conditions.CRITERIA<br/>C5.3E1.10.14 On busy roads, roads with poor site distance or on steep driveways, a turning facility will<br/>be required to ensure safe forward entry and exit.C5.3

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E1.10.15 Where driveway crossings must traverse a watercourse or a significant vegetation C1.1;C5.3 community, and it can be demonstrated that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert.

#### E1.11 Amenity

#### GENERAL AMENITY

E1.11.1 The setback between shared driveways or access ways (including a right-ofcarriageway) and the windows to main habitable rooms of a dwelling is to be a minimum of 1.5 metres. Refer to Diagram 2.

**DIAGRAM 2** 



#### SOLAR AMENITY

- E1.11.2 The development must be located so that solar access to at least 50% of the *private* C5.4;C5.5 *open space* area is achieved for a minimum of 3 hours on the site, between the hours of 9am to 3pm on 21st June.
- E1.11.3 A minimum of 2 hours solar access is required to outdoor clothes drying areas on 21st C5.4;C5.5 June.
- E1.11.4 The development must be designed and located so that solar access to the living areas C5.4;C5.5 (excludes bedrooms, bathrooms and utility areas) and *private open space* areas of adjoining properties is not reduced to less than 3 hours between 9am and 3pm on 21st June.

## **Dwelling house** & ancillary structures

	CRITERIA
E1.12 Energy	
E1.12.1 Any alteration to a dwelling house which increases the floor space by more than 50% must provide a minimum of R1.5 insulation to the external walls and R3 insulation to the ceilings within the alteration.	C5.5
E1.12.2 The installation of any hot water system must achieve a minimum 3.5 star rating.	C5.5
E1.12.3 All additions which involve plumbing installations shall incorporate dual flush toilets and AAA water saving devices.	C5.5
E1.13 Special provisions	
E1.13.1 Buildings clad in asbestos fibro cannot be relocated or re-sited unless all cladding containing asbestos is removed prior to its moving.	C1.4

**.EP 1991** 

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part E specifies the minimum development standards for the forms of development listed in the next column. Part E cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

**Bed & breakfast** 

Part E also includes the key development standards of Local Environmental Plan 1991 (LEP 1991). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 1991 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part E has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

#### Bed and breakfast defined

Bed and breakfast establishment is a dwelling house used by its permanent residents to provide short-term accommodation (which may include meals) and includes ancillary buildings within the curtilage of the dwelling house.



Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

#### E.2 Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- $\odot\,$  Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.
- \* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	$\checkmark$	Part B
Design plans	$\checkmark$	Part B
Statement of environmental effects	$\checkmark$	Part B
Detailed environmental assessment	• *	LEPcl.10.5;11.2;11.3;11.4;C1.1
Flora and fauna assessment	• *	LEPcl.10.5;C1.1
Vegetation / bushland management plan	0	C1.1
Geotechnical report	0	C1.1
Weed management plan	• *	C1.2
Engineering details	0	C1.1
Stormwater management plan	• *	C1.3
Erosion & sediment control plan	• *	LEPcl.10.5;C1.4
Soil & water management plan	• *	C1.4
Waste management strategy	0	C1.4
Construction management plan	0	C1.4
Detailed character analysis	• *	C2.1
Detailed landscape plan	• *	C2.2
Tree survey	• *	C2.2
Archaeological assessment	• *	C3
Heritage assessment / conservation plan	• *	LEP cl.10.7;25;C3
Bushfire protection strategy	0	LEPcl.10.5;C4.1
Crime minimisation assessment	√	C4.2
Contaminated site report	0	C4.3
BASIX Certificate	0	C5.5
Water cycle management study	0	LEPcl.10.8;C1.1
Noise & vibration report	0	C5.4
Shadow diagrams	0	C5.4

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

LAUSE	E2.2 Biodiversity	CRITERI
E2.2.1	Cut and/or fill is to be limited to a maximum 1 metre cut and 1 metre depth of fill. Consideration will be given to increasing the depth of cut or fill where it is contained within the building footprint.	C1.1;C1. C2.1;C5
E2.2.2	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2
E2.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	C1.1;C1. C2.1;C5
E2.2.4	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a Protected Area - ' Canopy Conservation', 'Environmental Constraint Area', 'Escarpment Area', 'Water Supply Catchment Area', 'Land Between Towns' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation. Land which is steeper than 33% (1 in 3) is deemed to be a Protected Area - 'Environmental Constraint Area'.	LEPcls.1 11;C1.1; C1.3
	E2.3 Weeds	
E2.3.1	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	C1.2; F2
E2.3.2	Existing noxious weeds must be removed or controlled where identified on a proposed development site.	C1.2
E2.4.1	E2.4 Stormwater	
	<b>E2.4 Stormwater</b> To allow for the retention and potential reuse of stormwater, the post-development flows of stormwater generated from the development site shall approximate the pre- development flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.	C1.3
E2.4.2	E2.4 Stormwater To allow for the retention and potential reuse of stormwater, the post-development flows of stormwater generated from the development site shall approximate the pre- development flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both. Absorption pits are to be located outside development excluded land unless no practical alternative can be provided and it is demonstrated that there is no adverse effect on the development excluded land.	C1.3 C1.3

Bed & breakfast

### Bed & breakfast & ancillary structures

**CRITERIA** 

#### CLAUSE

E2.4.4 Where rainwater tanks are used as an on-site detention system the tank shall include an C1.3 outlet (without a tap) to ensure that the on-site detention volume is available for the next storm. Overflow from detention systems shall be discharged into a stormwater pit as described in E1.4.3. See Diagram 1.



E2.4.5 Habitable floor levels must be located 300mm from finished ground level where the C1.3 building is located in a position that may be affected by stormwater. A higher level may be required in areas of concentrated stormwater flows.

#### E2.5 Streetscape & character

E2.5.1 A bed and breakfast must be located on a site that has a total area of 1200m2 or greater. C2.1

#### SITE COVERAGE

E2.5.2 The total building site cover, including any part of the site covered by buildings ancillary to LEPcl.10.9 the main building (such as tennis courts, swimming pools, sheds and the like), must not exceed the total building site cover specified in Table 1. Development for the purpose of agriculture in the Megalong Valley is exempt from the provisions of this clause.

NOTIONAL DEVELOPMENT AREA	TOTAL BUILDING SITE COVER
Less than 1000m2	160m2 or 40% of the notional development area, up to a maximum of 300m2 whichever is the greater.
1000m2 to 2000m2	300m2 plus 10% of any amount by which the notional development area exceeds 1000m2
2000m2 or more	400m2 plus 5% of any amount by which the notional development area exceeds 2000m2, up to a maximum total building site cover of 2500m2.

#### TABLE 1 - SITE COVERAGE

LEP 1991

E2.5.3	Notwithstanding the provisions in Table 1, development on any lot consisting of or including land having an area of more than 4000m2 zoned 'Bushland Conservation', 'Residential Bushland Conversation' or 'Residential Investigation' is required to take place within the <i>Principal Development Area</i> .	CRITERIA LEPcl.10.9
E2.5.4	A <i>Principal Development Area</i> shall have a maximum total area to be determined with regard to the <i>notional development area</i> of the lot as specified in Table 2. The <i>Principal Development Area</i> shall not include any <i>development excluded land</i> .	LEPcl.30
	TABLE 2 – PRINCIPAL DEVELOPMENT AREA	
	NOTIONAL MAXIMUM TOTAL AREA OF PRINCIPAL DEVELOPMENT AREA	

**Bed & breakfast** 

#### SCALE AND SETBACK

AREA OF THE LOT Less than 2000m2

2000m2 or more

E2.5.5 Notwithstanding any provision in Schedule 1 of the LEP, development is required to LEPcl.10.6 achieve the scale and setback provisions outlined in Table 3.

750m2 of the notional development area, whichever is the greater.

2000m2 or 25% of the notional development area up to a maximum of 5000m2, whichever is the greater.

- E2.5.6 Notwithstanding the provisions in Table 3, any development adjoining a Classified LEPcl.10.3 Road is required to have a minimum front setback of 30 metres within a 'Rural Conservation' or 'Bushland Conservation' zone or 18 metres in other zones.
- E2.5.7 Notwithstanding the provisions in Table 3, on allotments which are required to have a LEPcl.30.3 *Principal Development Area* where the width of the lot at the building line is 50 metres or more, the setback from each boundary must be at least 15 metres or where the width of the lot at the building line is less than 50 metres each boundary setback must be at least 10 metres.

#### TABLE 3 – SCALE AND SETBACK

MAXIMUM	MAXIMUM HEIGHT	FRONT SETBACK *	SETBACK FROM OTHER
BUILDING HEIGHT	AT EAVES		BOUNDARIES
<ul> <li>2 storeys and 8 metres from Natural Ground Level to the highest point of the roof.</li> </ul>	<ul> <li>6.5 metres from Natural Ground Level to eaves or equivalent building element.</li> </ul>	<ul> <li>Primary frontage – 8 metres.</li> <li>Corner lot secondary frontage – 3 metres.</li> <li>Hatchet shaped lots – minimum of 9 metres from rear boundary of lot in front. (Note: DCP standard C2.1)</li> </ul>	<ul> <li>The minimum setback from the side or rear boundary is 1 metre.</li> <li>The minimum setback from the side or rear boundary for a detached outbuilding is 600mm. Open structures such as carports, pergolas or the like may be erected at a lesser distance. Note: (DCP standard C2.1)</li> </ul>

\*Consideration shall be given to varying the front setback where this avoids adverse environmental impact.

CLAU E2.5	<ul> <li>SE</li> <li>.8 Notwithstanding the provisions of Table 3, no building other than of single storey construction shall be erected in a 'Protected Area - Escarpment Area' if it protrudes above the vegetation canopy of the immediate locality or the height of adjacent buildings.</li> </ul>	CRITERIA LEPcl.11.4
E2.5	.9 Notwithstanding the provisions of Table 3, within the 'Rural Conservation' or 'Bushland Conservation' zone, buildings must be below the skyline when viewed from a public place.	LEPcl.10.4
E2.5.	10 The building materials, colours and architectural form of ancillary structures shall be complementary to the main building.	C2.1;C5.4
E2.5.	11 Any works to allow the use of the dwelling house as a bed and breakfast establishment must be consistent with the predominant character of the street and adjoining development.	C2.1
E2.5.1	FENCING AND BOUNDARY TREATMENTS 12 Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height.	C2.1
E2.5.	13 In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any private open space areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres.	C2.1;C5.4
E2.5.	14 Any part of a side boundary fence or wall which is located within the front building setback applying to the land shall not exceed a height of 1 metre.	C2.1
E2.5.	15 Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing is not permitted.	C2.1
E2.5.	<ul> <li>16 Long sections of fencing along side street frontages must include:</li> <li>a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping, or</li> <li>b) decorative fencing incorporating design features and materials which add to an attractive streetscape.</li> </ul>	C2.1

**LEP 1991** 

LAUSE	CRITERIA
E2.6 Landscaping	
E2.6.1 On allotments which are zoned 'Rural Conservation' or 'Bushland Conservation' which require a <i>Principal Development Area</i> or in a Protected Area - 'Land Betw Towns', development must be screened from view from outside the lot either by retention of existing vegetation or the planting of <i>locally indigenous species</i> with	n' or LEPcls.10.4, veen 11.5,30.5 r the hin the lot.
E2.6.2 Street trees are to be provided at a ratio of 1 tree per 9 metres of site frontage. selected tree species are to be in accordance with any Street Planting Schedule street or as specified by Council.	The C2.1;C5.4 e for the
E2.7 Bushfire	
E2.7.1 Brushwood fencing is prohibited in the Blue Mountains.	C4.1
<ul> <li>E2.7.2 The following minimum construction standards apply to all habitable buildings:</li> <li>a) All roofing shall be non combustible. Shingles and shakes are not to be</li> <li>b) Sarking of a Flammability Index of not more than 5 when tested to AS1530 required under all tiled roofs.</li> <li>c) Any materials or devices used to stop leaves collecting in the gutters shan flammability index of not greater than 5 when tested in accordance with AS1530.2.</li> <li>d) Bearers and joists for decks, balconies and the like shall not be continue those of the main building unless they are made of a non-combustible m such as metal.</li> </ul>	C4.1 used. 0.2, is Il have a bus with naterial
<ul> <li>BUSHFIRE PRONE AREAS</li> <li>E2.7.3 Bed &amp; breakfast establishments in bushfire prone areas are considered "speci protection" development and as such require a comprehensive bushfire protection measures required in the document 'Planning for Bushfire Protection' (PBP) .</li> </ul>	al fire C4.1 tion
E2.7.4 Any measures proposed to protect development against bushfire should be un on those parts of the site that are not zoned 'Environmental Protection' or desig 'Environmental Constraint'.	idertaken C4.1 inated as
E2.7.5 Additions and alterations which equal or exceed 50% of the floor area of the existing building measured to the outside surfaces may require the existing building upgraded to a standard of construction consistent with the level of attack.	isting C4.1 _
E2.7.6 Asset protection zones should not be located on any land that has contiguous a slope greater than 33% unless no other viable alternative is available.	areas of C4.1
E2.7.7 Ploughing or grading of <i>asset protection zones</i> is not permitted on slopes great 1:5 (20%).	ter than PBP;C4.1

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## Bed & breakfast & ancillary structures

(	CLAUSE E2.7.8	Where the <i>asset protection zone</i> cannot be fully achieved the onus will be on the designer to submit a performance based proposal that will provide a range of measures acceptable to Council and the Rural Fire Service.	CRITERIA C4.1
		E2.8 Services	
	E2.8.1	A dwelling house in a 'Residential Bushland Conservation' zone must not be used as a bed and breakfast establishment unless it is connected to a reticulated sewerage system.	LEPcl.15A.3
	E2.8.2	A dwelling house in a 'Rural Conservation' zone or 'Bushland Conservation' zone must not be used as a bed and breakfast establishment unless it is connected to a reticulated sewerage system or is on a lot having an area of at least 1 hectare.	LEPcl.15A.3
	E2.8.3	The provision of electricity and gas services for bed and breakfast establishments is to be provided underground.	C2.1;C5.1
	E2.8.4	Provision is to be made for only 1 external television aerial to service the bed and breakfast establishment.	C2.1;C5.1
	E2.8.5	A common clothes drying area is required to service both the dwelling house and guests.	C5.1;C5.4
	E2.8.6	An area for storing garbage, recycling and composting bins shall be provided, suitably located and screened.	C2.1;C5.1; C5.4
		E2.9 Wastewater	
	E2.9.1	Current accreditation by NSW Health is required for all on-site waste management facilities.	C5.2
	E2.9.2	All tanks used for storage or treatment of wastewater shall be located so not to interfere with any structural elements of buildings with a minimum of 3 metres from property boundaries and dwellings.	C5.2
	E2.9.3	Surface water is to be diverted around all treatments systems and effluent disposal areas.	C1.3;C5.2
	E2.9.4	<b>ON-SITE DISPOSAL</b> Further to the provisions of E2.8.2, an on-site disposal system is only permitted on an existing lot where there is a minimum of 4000m2 of land identified as not being <i>development excluded land</i> .	C5.2
	E2.9.5	The minimum disposal area required for a treatment system employing wastewater	C5.2

**LEP 1991** 

CLAUSE E2.9.6 E	ffluent disposal areas must l	be contained within	the boundaries of th	e site.	<b>CRITERIA</b> C5.2
E2.9.7 A o ci	bsorption trenches are not p r where ground water is use onsidered in other areas whe	ermitted in the sand d for domestic purpo ere the soil profile e	lstone plateau region oses. Absorption tre xceeds 2 metres.	n of the mountains nches will only be	C5.2
E2.9.8 S w a	urface irrigation or surface d retlands are only permitted w nd disinfected.	isposal of wastewat	er, open ponds, flow has been treated to	o forms or surface a secondary level	C5.2
E2.9.9 lr e. C	rigation areas are not permit x <i>cluded land</i> . On slopes betw In slopes less than 10% sub	ted on slopes greate ween 10 to 15% sub surface or surface in	er than 15% and on osurface irrigation ca rrigation can be use	<i>development</i> n only be used. d.	C5.2
E2.9.10 S a T.	eptic tanks are to be sized a s bedrooms. Tank capacity i ABLE 4 - SEPTIC TANK SIZE	ccording to Table 4, s to be based on a f	studies and studios five year de-sludge.	are to be counted	C5.2
	POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	AVERAGE DAILY FLOW	TANK CAPACITY (L)	
	1 – 5	3	Up to 1000	3000	
	6 - 7	4	1000 - 1400	3500	
	8	5	1400 – 1600	4000	

6

Bed & breakfast



1600 - 2000

4500

9 – 10

Bed & breakfast & ancillary structures

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#### CLAUSE

CRITERIA

E2.9.11 Minimum set backs and buffer distances for an effluent disposal area must be provided C5.2 in accordance with Table 5.

#### TABLE 5 - BUFFER DISTANCES

SYSTEM	MINIMUM BUFFER DISTANCE
All on-site effluent disposal systems	<ul> <li>100 metres to permanent or intermittent water course (rivers, streams, lakes, seasonal creeks etc).</li> <li>250 metres to domestic groundwater well.</li> <li>40 metres to other waters (farm dams and other drainage channels).</li> <li>3 vertical metres to the seasonal water table.</li> <li>6 metres downslope from a day plant Scheduled Vegetation Community: 20 metres downslope</li> </ul>
	of a wet plant Scheduled Vegetation Community.
Surface spray irrigation	<ul> <li>6 metres from the outside edge of the spray line, upslope of a Scheduled Vegetation Community.</li> <li>6 metres if area upgradient and 3 metres if downgradient of driveways and property boundaries.</li> <li>15 metres to dwellings.</li> <li>3 metres to paths and walkways.</li> <li>6 metres to swimming pools.</li> <li>0.5 vertical metres to bedrock or hardpan.</li> </ul>
Surface drip and trickle irrigation	<ul> <li>6 metres if area upgradient and 3 metres if downgradient of swimming pools, property boundaries, driveways and buildings.</li> <li>0.5 vertical metres to bedrock or hardpan.</li> </ul>
Subsurface irrigation	<ul> <li>6 metres if area upgradient and 3 metres if downgradient of swimming pools, property boundaries, driveways and buildings.</li> <li>0.5 vertical metres to bedrock or hardpan.</li> </ul>
Trenches	<ul> <li>12 metres if area upgradient and 6 metres if area downgradient of property boundary.</li> <li>6 metres if area upgradient and 3 metres if area downgradient of swimming pools, driveways and buildings.</li> </ul>

#### **OFF-SITE DISPOSAL**

E2.9.12 A collection well for an effluent pump-out system that relies on total water harvesting is to C5.2 be sized according to Table 6, studies and studios are to be counted as bedrooms.

#### TABLE 6 - COLLECTION WELL SIZES - WATER HARVESTING\*

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	STANDARD FIXTURES (1) 140 L/PERSON/DAY	WATER REDUCTION FEATURES (2) 115 L/PERSON/DAY	FULL WATER REDUCTION FEATURES (3) 80 L/PERSON/DAY
1 – 5	3	4900	4500	4500
6 – 7	4	6860	5635	4500
8	5	7840	6440	4500
9 – 10	6	9800	8050	5600

\*Based on weekly pumpout.

**.EP 1991** 

**CRITERIA** 

E2.9.13 A collection well for an effluent pump-out system that relies on a reticulated water or bore C5.2 water supply is to be sized according to Table 7, studies and studios are to be counted as bedrooms.

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	STANDARD FIXTURES (1) 140 L/PERSON/DAY	WATER REDUCTION FEATURES (2) 115 L/PERSON/DAY	Full Water Reduction Features (3) 80 L/Person/Day
1 – 5	3	4900	4500	4500
6 – 7	4	6860	5635	4500
8	5	7840	6440	4500
9 – 10	6	9800	8050	5600

#### TABLE 7 - COLLECTION WELL SIZES - RETICULATED OR BORE WATER\*

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\*Based on weekly pumpout.

- (1) Standard fixtures including automatic washing machine.
- (2) Standard water-reduction fixtures include dual flush 11/5.5 litre water closets, shower flow restrictors, aerator faucets (taps) and water-conserving automatic washing machines.
- (3) Full water reduction fixtures includes the combined use of reduced flush 6/3 litre water closets, shower-flow restrictors, aerator faucets, front load washing machines and flow/pressure control valves on all water-use outlets.
- E2.9.14 All wastewater generated on the property is to be connected to the septic tank by an C5.2 approved single pipe system.
- E2.9.15 The suction line must be 50mm in diameter, Class 12 pressure pipe, with the last 1.5 C5.2 metres to the property boundary and the upstand being 50mm galvanised iron pipe. The upstand and elbow is to be concreted to the ground preventing movement and damage when the pump is operational.
- E2.9.16 The suction line is to be fitted with an approved 50mm "Camlock" locking device at the C5.2 street boundary with a 50mm brass gatevalve.
- E2.9.17 In the event where the pumphead exceeds 4 metres, the collection well will require a pump capable of delivering a minimum of 250 litres per minute to the service outlet. C5.2 Submersible pumps are not permitted.
- E2.9.18 Where an assist pump is to be used a two way lockable switch is to be installed with a C5.2 switch at the pump and a switch at the property boundary.
- E2.9.19 Pressure pipe from the pump to the base of the tank must be 50mm Class 12 pressure C5.2 pipe with the end cut on angle at least 100mm from the bottom of the tank.
- E2.9.20 The collection well is to be equipped with a high water alarm that is both visual and C5.2 audible from the dwelling.

Bed & breakfast & ancillary structures

CLAUSE **CRITERIA** E2.9.21 All collection wells and septic tanks are to be encased in 1 metre3 of premixed concrete C5.2 and keyed together. E2.9.22 Provide all weather access of adequate width, turning and parking facilities for the pump- C5.2 out vehicle. Access from an unformed road is not permitted. E2.9.23 A layback is to be provided for temporary parking facilities where there is poor site C5.2 distance or other road or pedestrian safety considerations. The layback is to be a minimum of 13 x 3 metres. E2.10 Vehicular access, parking & roads PARKING E2.10.1 Car parking for a bed and breakfast establishment shall be provided at the rate of 1 C5.3 space per proprietor, plus 1 space per guest room. E2.10.2 Carparking spaces are not permitted within the front setback area. Consideration will be C2.1;C5.3 given to varying the location where it is desirable for environmental reasons. E2.10.3 Construction of parking facilities shall be in accordance with Council's Engineering C5.3 Specifications and Guidelines. Generally, bay sizes, driveways, access, circulation,

	pedestrian access, drainage and landscaping requirements are to comply with AS2890.1, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines.	
E2.10.4	Any visitor parking must be clearly identifiable and easily accessed.	C5.3
E2.10.5	All car parking is to be provided on-site.	C5.3
E2.10.6	<b>ROAD ACCESS</b> Vehicular access to the site must be available from a stable, all weather vehicular access road.	LEPcl.10.2
E2.10.7	The vehicular access road must not be located on slopes of 33% or greater.	LEPcl.10.2
E2.10.8	Vehicles must be able to enter and leave the site in a forward direction.	C5.3
E2.10.9	Turning areas to accommodate vehicles leaving the site in a forward direction must not be located within the front setback area. Consideration will be given to varying the location where it is desirable for environmental reasons.	C2.1;C5.3
E2.10.10	Only one vehicular access point is permitted for allotments with a frontage of 18.5	C2.1;C5.3

E2>p.12

metres or less.

**LEP 1991** 

CLAUSE E2.10.11 A maximum of two vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the desig to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facility.	CRITERIA C2.1;C5.3
E2.10.12 Allotments located on a main or arterial road and which have a frontage width greater than 18.5 metres are limited to providing 1 vehicular access point.	C2.1;C5.3
DRIVEWAYS E2.10.13 Driveways must be a minimum of 3 metres wide and no more than 4 metres wide, regardless of the width of the allotment.	C2.1;C5.3
E2.10.14 Driveways must be sealed to provide all weather access.	C5.3
E2.10.15 The grade of any driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the drivewa does not exceed 1 in 15 for the first 5 metres commencing from the property boundary.	C5.3 y
E2.10.16 A driveway which has a slope greater than 10% shall have a surface treatment which minimises wheel skid in wet conditions.	C5.3
E2.10.17 Driveways must not be located on slopes in excess of 33%.	LEPcl.10.2
E2.10.18 Where driveway crossings must traverse a watercourse or a significant vegetation community and it can be demonstrated that no alternative means of access is possible such crossings must be a clear span construction rather than a culvert.	C1.1;C5.3
E2.10.19 Any vehicular crossing shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site.	C5.3
E2.11 Amenity	
PRIVACY E2.11.1 Any balcony or deck must be designed in a manner that does not adversely impact on the privacy or amenity of adjoining properties.	C5.4
E2.11.2 Proposed habitable room windows of the dwelling house and / or any guest room with a direct outlook to habitable room windows or <i>private open space</i> of an adjacent dwelling will be permitted only where these have a separation of no less than 6 metres.	a C5.4

Bed & breakfast

Bed & breakfast & ancillary structures

CLAUSE GENERAL AMENITY	CRITERIA
E2.11.3 Any lighting system utilised in common areas, car parking areas and along pathways must be baffled to ensure that a light source is not directly visible from a habitable room window of an adjoining dwelling, whilst maintaining adequate lighting of the subject sit	C4.2;C5.4 n e.
E2.11.4 Dwelling and/or guest room entrances are to be sheltered by a verandah, roof, hood or similar.	C5.4
SOLAR AMENITY E2.11.5 The development must be located so that solar access to at least 50% of the <i>private</i> <i>open space</i> area is achieved for a minimum of 3 hours, between the hours of 9am to 3pm on 21st June.	C5.4;C5.5
E2.11.6 A minimum of 2 hours solar access is required to outdoor clothes drying areas on 21st June.	C5.4;C5.5
E2.11.7 The development must be designed and located so that solar access to the living area (excludes bedrooms, bathrooms and utility areas) and <i>private open space</i> areas of adjoining properties is not reduced to less than 3 hours between 9am and 3pm on 21s June.	s C5.4;C5.5 st
ACOUSTIC PRIVACY E2.11.8 Active recreation facilities, such as swimming pools and BBQ areas, are to be located away from the bedroom areas of adjoining dwellings. Operating plant (such as air	C5.4

conditioning systems, pool pumps etc.,) must be selected and located to minimise

noise to residents, guests and neighbours.

**.EP 1991** 

	CLAUSE	CRITERIA
	E2.12 Energy	
	E2.12.1 Any alteration to an existing building to form a bed and breakfast establishment must provide a minimum of R1.5 insulation to the external walls and R3 to the ceilings within the alteration.	C5.5
	E2.12.2 The installation of any hot water system must achieve a minimum 3.5 star rating.	C5.5
	E2.12.3 All additions which involve plumbing installations shall incorporate dual flush toilets and AAA water saving devices.	C5.5

#### **E2.13 Accessibility**

**Bed & breakfast** 

- E2.13.1 All bed and breakfast establishments must be designed and constructed to provide C5.7 access. The access is to be in accordance with AS1428 Design for Access and Mobility. The minimum requirements include:
  - a) A continuous path of travel from the vehicle parking area to the bed and breakfast establishment. Access gradients are to conform to the requirements of AS1428
     – Design for Access and Mobility.
  - b) The capability exists of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metres wide may otherwise obstruct the available accessible path.
  - c) A minimum of 1 guest room shall be fitted out as fully accessible suite/s having internal and external access complying with AS1428 Design for Access and Mobility and when furnished will provide a minimum circulation space
     1 metre wide around three sides of a standard queen sized bed. Facilities provided in this suite shall be fully accessible in accordance with AS1428 Design for Access and Mobility.
  - A fully accessible footway connecting the Council roadway to the common circulation areas within the development, constructed in accordance with AS1428
     Design for Access and Mobility.
  - e) External common paths and recreation areas shall be illuminated to a minimum 50 lux.
  - f) Signage within the development shall be capable of being universally interpreted in accordance with AS2899 – Public Information Symbol Signs.
  - g) All common areas and facilities provided in the establishment for use by guests, shall be fully accessible in accordance with AS1428 – Design for Access and Mobility.
  - h) A minimum of one external parking space dimensioned to conform to AS1428 Design for Access and Mobility shall be provided for each fully accessible guestroom.
  - i) At least one guest space for every accessible guest room shall be dimensioned to conform to AS1428 Design for Access and Mobility.

## Bed & breakfast & ancillary structures

_	CLAUSE		CRITERIA
		E2.14 Special provisions	
	E2.14.1	A bed and breakfast establishment must operate from the dwelling house (either a new dwelling or an adapted dwelling house).	C2.1
	E2.14.2	In a 'Residential Bushland Conservation' zone, the owner of a bed and breakfast establishment must be a permanent resident of the dwelling house.	LEPcl.15A.1
	E2.14.3	Short term accommodation provided at a bed and breakfast establishment shall be for no more than six visitors at any one time.	LEPcl.15A.2
	E2.14.4	ASBESTOS CEMENT Any asbestos cement cladding on existing buildings that are proposed to be brick veneered or reclad must be removed.	C1.4

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part E specifies the minimum development standards for the form of development listed in the next column. Part E cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

Subdivision

Part E also includes the key development standards of Local Environmental Plan 1991 (LEP 1991). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 1991 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part E has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

#### **Types of subdivision**

#### TORRENS TITLE SUBDIVISION OF LAND

Torrens title is the subdivision of a parcel of land into multiple independent lots. The majority of Torrens Title subdivisions in the Blue Mountains are small - 1 into 2 lot divisions. When large subdivisions occur they can result in the creation of roads and open space areas that are then dedicated to Council for community use and maintenance. Boundary adjustments are another form of Torrens Title subdivision. They do not create

#### **Subdivision defined**

This section applies to the subdivision of land, being; the adjustment of existing lot boundaries or the division of land into two or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition.

extra lots but are used by owners to vary the shape or dimensions of their land, or to rectify encroachments.

#### STRATA TITLE SUBDIVISON OF BUILDINGS

Strata title is a form of subdivision that provides separate ownership of buildings such as townhouses, flats, industrial units and shops with outside areas usually being common property. Maintenance and management fees for all common property and expenses are paid to a constituted Strata Body Corporate.

#### **COMMUNITY TITLE SUBDIVISION**

Community title is essentially a strata subdivision of the land rather than of specific buildings, and can range in size from small groups of houses and units clustered around common spaces such as a park, to large developments for commercial and recreational purposes with shared roads and facilities. In Community Title subdivision, common areas are owned and managed by a Community Association. Individual owners pay maintenance fees to the Association for the upkeep of the road and other facilities such as open space and gardens. This type of subdivision is generally used to establish a private housing estate.

#### **CONSOLIDATION OF LAND**

To consolidate land along existing boundary lines, direct contact can be made with the Lands Title Office.

Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

## **Subdivision**

#### E3.1 Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- O Reference to the relevant 'Plan & documentation' section in Part C

is necessary to determine whether this information will be required.

\* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	$\checkmark$	Part B
Design plans	$\checkmark$	Part B
Statement of environmental effects	$\checkmark$	Part B
Detailed environmental assessment	· *	LEPcl.10.5;11.2;11.3;11.4;C1.1
Flora and fauna assessment	O <b>*</b>	LEPcl.10.5;C1.1
Vegetation / bushland management plan	0	C1.1
Geotechnical report	0	C1.2
Weed management plan	O <b>*</b>	C1.2
Engineering details	0	C1.1
Stormwater management plan	O <b>*</b>	C1.3
Erosion & sediment control plan	O <b>*</b>	LEPcl.10.5;C1.4
Soil & water management plan	O <b>*</b>	C1.4
Waste management strategy	0	C1.4
Construction management plan	0	C1.4
Detailed character analysis	O <b>*</b>	C2.1
Detailed landscape plan	· *	C2.2
Tree survey	O <b>*</b>	C2.2
Archaeological assessment	O <b>*</b>	C3
Heritage assessment / conservation plan	O <b>*</b>	LEPcl.10.7;C3
Bushfire threat assessment	0	LEPcl.10.5;C4.1
Crime minimisation assessment	$\checkmark$	C4.3
Contaminated site report	0	C4.3
Energy performance statement	0	C5.5
Water cycle management study	0	LEPcl.10.8;C1.1
Noise & vibration report	0	C5.4
Traffic impact statement/study	0	C5.3

Note: Further reports may be required as a result of referral to other agencies.

**Refer to the LEP to ensure that the development proposed is permitted within the zone.** 

Bue Mountains Better Living DCP

CLAUSES		CRITERIA
	E3.2 Biodiversity	
E3.2.1	The lot arrangement of the proposed subdivision shall be designed so as to minimise the number of lots that contain <i>development excluded land</i> .	C1.1
E3.2.2	Any imported fill must meet the criteria of Virgin Excavated Natural Materials.	C1.1;C1.2;C4
E3.2.3	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a Protected Area - ' Canopy Conservation', 'Environmental Constraint Area', 'Escarpment Area', 'Water Supply Catchment Area', 'Land Between Towns' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation. Land which is steeper than 33% (1 in 3) is deemed to be a Protected Area - 'Environmental Constraint Area'.	LEPcls.10.5 11;C1.1;C1. C1.3
E3.2.4	Unmapped or unvalidated significant vegetation communities should assume a 60 metre wide buffer zone until determined by a detailed environmental assessment.	C1.1
E3.2.5	Unmapped or unvalidated watercourses should assume a 20 metre wide corridor measured from the top of each bank until determined by a detailed environmental assessment.	C1.1
	E3.3 Weeds	
E3.3.1	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	C1.2
E3.3.2	Existing noxious and environmental weeds must be removed or controlled where identified to an approved weed removal strategy.	C1.2
	E3.4 Stormwater	
	PUBLIC DRAINAGE DESIGN	
E3.4.1	Drainage design, incorporating underground and surface flow, is to be carried out in accordance with Australian Rainfall and Runoff (AR&R) 1987 and Council's DCP 31.	C1.3
E3.4.2	Piped drainage is to have a capacity to control stormwater flows with Average Recurrence Interval (ARI) of 1 in 5 years for suburban and residential areas, and 1 in 10 years for commercial and industrial areas.	C1.3
E3.4.3	Surcharge paths are to be designed to accommodate stormwater flows with ARI of 1:100 years.	C1.3
E3.4.4	Drainage systems are to incorporate suitable temporary and permanent controls for gross pollutants and sediment. These controls are to be accessible and maintainable	C1.3

# Subdivision

CLAUSES E3.4.5 Council drainage easements are to be a minimum of 3 metres wide.	CRITERIA C1.3
E3.4.6 The drainage design is to be such that impacts upon watercourses onsite and downstream are to be minimised by use of detention systems and energy dissipation.	C1.3
E3.4.7 The volume and velocity of runoff at discharge points is to be adequately controlled to minimise risk of scouring and erosion.	C1.3
PRIVATE DRAINAGE E3.4.8 All lots not draining directly to the road kerb will be required to be connected to an <i>interallotment drainage</i> system.	C1.3
E.3.4.9 Provide each lot served by <i>interallotment drainage</i> system with 300x300mm pit with 150mm diameter stub pipe or approved proprietary pit.	C1.3
E3.4.10 Where private drainage easements are required, such easements are to be a minimur width of 1.0 metre.	n C1.3
STORMWATER MANAGEMENT FOR NEW ROADS E3.4.11 Design of the stormwater system from the road shall maintain the existing catchments a locality. (No diversion of flow from one sub-catchment to another.) The design of the stormwater system should be to retain a dispersed flow into the watercouses and not to concentrate flows into a small number of outlets.	in C1.3 o
E3.4.12 All outlets from the stormwater drainage system shall be designed to minimise scour and erosion potential within the existing drainage lines / watercourses.	C1.3
E3.4.13 The stormwater system may provide for a separation of "road" water, water from proposed lots and water from upslope of the site.	C1.3
<ul> <li>E3.4.14 The stormwater system shall achieve post construction objectives of:</li> <li>50% retention of average annual load of fine particles.</li> <li>80% retention of average annual load of coarse particles.</li> <li>70% retention of average annual load of litter.</li> </ul>	C1.3
E3.5 Streetscape & character	
<ul> <li>ALLOTMENT SIZE AND CONFIGURATION BY ZONE 'RURAL CONSERVATION' ZONE</li> <li>E3.5.1 Sudivision of land in the 'Rural Conservation' zone is only permitted;</li> <li>a) if it is for a boundary adjustment where no additional lots are created, or</li> <li>b) in Mount Irvine, Mount Tomah, Mount Wilson and Berambing, if it is for the purpose of creating an additional lot from an <i>original lot</i> provided that the original lot has a area of at least 20 hectares, or</li> <li>c) if it is for the pupose of providing land for public purposes.</li> </ul>	LEPcl.34.2 e n
E3.5.2 Each lot created in accordance with E3.5.1 must have a minimum area of 1 hectare for land in Mount Irvine, Mount Tomah, Mount Wilson, Berambing and Megalong Valley or	LEPcl.34.2

E3▶p.4

5000m2 elsewhere.

Bue Mountains Better Living DCP

CLAUSES E3.5.3 Subd numb excee multip Provis	ivision of land covered by a Density Control Provision is permitted only if the total ber of lots (other than lots for a public purpose) existing after the subdivision will not ed the product of the <i>notional development area</i> of the <i>original lot,</i> in hectares, olied by the maximum number of lots per hectare specified in the Density Control sion in respect of the <i>original lot,</i> rounded down to the nearest whole number.	CRITERIA LEPcl.34.1
<b>'BUS</b> E3.5.4 Wher highe	HLAND CONSERVATION' ZONE re a Density Control Provision is shown on the Map, subdivision of the land to a er density is prohibited.	LEPcl.34.3
E3.5.5 Each <i>Area.</i>	lot shall have an area of at least 5000m2 that includes a <i>Principal Development</i>	LEPcl.34.3
E3.5.6 Subd Cons Requ a) b)	ivision of land in a 'Bushland Conservation (No Subdivision)' zone, 'Bushland ervation (Consolidation)' or 'Bushland Conservation', with a Minimum Area irrement, may be permitted if: It is for a boundary adjustment where no additional lots are created and each resulting lot has an area of at least 5000m2 zoned 'Bushland Conservation' that includes a <i>Principal Development Area</i> , or It is for the purpose of providing land for public purposes.	LEPcl.34.3
E3.5.7 Subd numb excee multip Provis	ivision of land covered by a Density Control Provision is permitted only if the total ber of lots (other than lots for a public purpose) existing after the subdivision will not ed the product of the <i>notional development area</i> of the <i>original lot,</i> in hectares, oblied by the maximum number of lots per hectare specified in the Density Control sion in respect of the <i>original lot,</i> rounded down to the nearest whole number.	LEPcl.34.1
E3.5.8 Subd propo as pa a) b) c)	ivision of land zoned 'Bushland Conservation' is only permitted if each new lot osed to be created (other than lots for a public purpose and other than lots created art of a <i>cluster housing development</i> ): Is intended to be the site of a dwelling house, Includes land with a minimum area of 750m2, no part of which is <i>development</i> <i>excluded land</i> , and Is configured as to be capable of siting a dwelling house and its ancilliary development.	LEPcl.34.1
<b>'RES</b> E3.5.9 Wher highe	IDENTIAL BUSHLAND CONSERVATION' ZONE re a Density Control Provision is shown on the Map, subdivision of the land to a er density is prohibited.	LEPcl.34.4
E3.5.10 Subd numb excee multip Provis	ivision of land covered by a Density Control Provision is permitted only if the total ber of lots (other than lots for a public purpose) existing after the subdivision will not ed the product of the <i>notional development area</i> of the <i>original lot</i> , in hectares, olied by the maximum number of lots per hectare specified in the Density Control sion in respect of the <i>original lot</i> , rounded down to the nearest whole number.	- LEPcl.34.1 -

## **Subdivision**

CLAUSES E3.5.11	For the pupose of E3.5.10, the <i>notional development area</i> of that part of a lot zoned 'RES-BC' and subject to a Density Control Provision of (8/ha) shall not include any land which is steeper than 20%.	CRITERIA LEPcl.34.4
E3.5.12	<ul> <li>Subdivision of land zoned 'Residential Bushland Conservation' is only permitted if each new lot proposed to be created (other than lots for a public purpose and other than lots created as part of a <i>cluster housing development</i>):</li> <li>a) Is intended to be the site of a dwelling house.</li> <li>b) Includes land with a minimum area of 750m2, no part of which is <i>development excluded land</i>.</li> <li>c) Is configured as to be capable of siting a dwelling house and its ancilliary development.</li> </ul>	LEPcl.34.1
E3.5.13	<ul><li>Subdivision of land shown as 'RES-BC (NS)', 'RES-BC(CONS)' or 'RES-BC' with a Minimum Area Requirement is only permitted if:</li><li>a) It is for a boundary adjustment where no additional lots are created.</li><li>b) It is for the purpose of providing land for public purposes.</li></ul>	LEPcl.34.4
E3.5.14	<ul> <li>'RESIDENTIAL INVESTIGATION' ZONE</li> <li>Subdivision of land zoned 'Residential Investigation' is only permitted if:</li> <li>a) It is for a boundary adjustment where no additional lots are created.</li> <li>b) It is for the purpose of providing land for public purposes.</li> </ul>	LEPcl.34.5

E3.5.15 Subdivision of land covered by a Density Control Provision is permitted only if the total LEPcl.34.1 number of lots (other than lots for a public purpose) existing after the subdivision will not exceed the product of the *notional development area* of the *original lot,* in hectares, multiplied by the maximum number of lots per hectare specified in the Density Control Provision in respect of the *original lot,* rounded down to the nearest whole number.

FOR SUBDIVISION IN OTHER ZONES - REFER TO THE LEP.



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**CRITERIA** 

DCP

#### CLAUSES

#### **GENERAL SUBDIVISION PROVISIONS**

Subdivision

E3.5.16 In calculating the minimum area of a hatchet shaped lot, the area of the access strip or C4.1 handle is to be excluded (refer to Diagram 1). Further, for the purpose of calculating the minimum area for any allotment which is burdened by a right of carriageway, the area and width of the right of carriageway shall not be included in the total area and width calculation (refer to Diagram 2).



#### **DEVELOPMENT SPACES**

E3.5.17 Development spaces shall be capable of including a rectangular area of dimensions 12 C2.1;C5.4 metres x 25 metres or 15 metres x 20 metres. The development space is not to include any *development excluded land*.

#### **E3.6 Cultural heritage**

E3.6.1 Where a number of Aboriginal archaeological or cultural sites have been identified on the C3 subject site, the subdivision layout is to incorporate the sites to be retained into the least number of lots or, if the subdivision is a community title subdivision, within a community lot.

#### E3.7 Bushfire

E3.7.1 Subdivison in Bushfire Prone Areas require a comprehensive bushfire protection PBP;C4.1 strategy. Applicants should incorporate the bushfire protection measures required in the document 'Planning for Bushfire Protection' (PBP) in the design of the proposal. The following are in addition to those specified in the PBP.

#### **VEGETATION MANAGMENT**

- E3.7.2 Any measures proposed to protect development against bushfire shall be undertaken on C4.1 those parts of the site that are not *development excluded land*.
- E3.7.3 Asset protection zones must be provided outside the buffer required to protect either a C4.1 watercourse or a Schedule 3 vegetation unit.

#### **CLAUSES CRITERIA** E3.7.4 The asset protection zone shall be reinforced by a restriction on the use of the land in C4.1 high and extreme areas, prohibiting the erection of a building (that requires development consent and bushfire protection) unless that building is protected by an inner protection area and an outer protection area commensurate with the category of bushfire attack. E3.7.5 Where an asset protection zone is required on a lot, a building zone shall be established C4.1 on that lot identifying the location of the minimum asset protection zone. The "No Building Zone" shall be identified as a restriction on the use of the land prohibiting the erection of a habitable building or storage structure on that part of the lot. E3.7.6 The asset protection zone shall be reinforced by a positive covenant requiring the owner C4.1 of the lot, upon construction of a building, to maintain the fuel loadings at the appropriate standards. C4.1 E3.7.7 Where an asset protection zone is required, the building zone shall not include any development excluded land unless the relevant aspect of the land that makes it development excluded land is a rock outcrop, where the fuel loadings are unlikely to compromise the fire protection. C4.1 E3.7.8 Ploughing or grading of an asset protection zone is not permitted on slopes greather than 1:5 (20%). **BUILDING CONSTRUCTION STANDARDS** E3.7.9 Existing buildings may require upgrading to a standard of construction consistent with C4.1 the level of bushfire attack, as specified within 'Planning for Bushfire Protection' ACCESS E3.7.10 Perimeter roads must be 7 metres wide (kerb to kerb), sealed and include: C4.1 a) vertical kerb and gutter on the fire source side of the road, b) roll top kerb and gutter on the development side of the road, c) 1 metre wide mountable verge which is to be stabilised and free of overhanging

d) adequate turning facilities for emergency vehicles.

#### E3.8 Crime minimisation

branches,

E3.8.1 All new road and pedestrian pathways shall include street lighting, in accordance with C4.2 Australian / New Zealand Standard 1158.3.1:1999 - Pedestrian Area Lighting.

Bue Mountains Better Living DCP

E39 Services	CRITERIA
E3.9.1 All lots shall be provided services such as electricity, gas, town water suppl communications. Such services must be provided underground where new construction occurs.	y and C2.1;C5.1 w road
E3.9.2 A conduit for each service shall be provided for each lot proposed to be ser the access handle. The conduit shall be clustered within the access hand appropriate for each proposed lot.	viced along C5.1 le in groups
E3.9.3 Conduits are to include 25mm copper water service.	C5.1
E3.9.4 Road conduit crossings are to be installed to facilitate service connection.	C5.1
E3.9.5 Road conduit crossings are to be clearly marked on the kerb.	C5.1
E3.9.6 An easement for services shall be included as necessary over the conduits access handle.	within the C5.1
E3.9.7 All road construction shall include appropriate conduits for all services acro	oss the road C5.1
the service).	e road from
the service).	e road from
E3.10 Wastewater E3.10.1 The creation of additional lots within the 'Residential Bushland Conservation not be permitted unless each of the created lots is serviced by a reticulated system.	e road from on' zone will LEPcl.10. d sewerage
<ul> <li>E3.10 Wastewater</li> <li>E3.10 Wastewater</li> <li>E3.10.1 The creation of additional lots within the 'Residential Bushland Conservation not be permitted unless each of the created lots is serviced by a reticulated system.</li> <li>E3.10.2 The creation of additional lots within other zones is not permitted unless; <ul> <li>a) the development is to be connected to a reticulated sewerage system</li> <li>b) a geotechnical and water balance report demonstrates that effluent reflectively disposed on that part of the site on which the development permissible.</li> </ul> </li> </ul>	e road from on' zone will LEPcl.10. d sewerage LEPcl.10. n, or nay be t is
<ul> <li>E3.10 Wastewater</li> <li>E3.10 Wastewater</li> <li>E3.10.1 The creation of additional lots within the 'Residential Bushland Conservation not be permitted unless each of the created lots is serviced by a reticulated system.</li> <li>E3.10.2 The creation of additional lots within other zones is not permitted unless; <ul> <li>a) the development is to be connected to a reticulated sewerage system</li> <li>b) a geotechnical and water balance report demonstrates that effluent reffectively disposed on that part of the site on which the development permissible.</li> </ul> </li> <li>E3.10.3 Where effluent disposal via a reticulated sewerage system is proposed, the development space on each lot shall be capable of being drained by gravit to the appropriate sewer junction without any constraint on floor level.</li> </ul>	e road from on' zone will LEPcl.10. d sewerage LEPcl.10. n, or nay be t is e entire C5.2 y connection

CLAUSES	CRITERIA
E3.11 Vehicular access, parking & roads	
ACCESS TO ALLOTMENTS E3.11.1 The maximum number of allotments to be served by a single access handle or access strip (being a right-of-carriageway) connected to a public road is 3 lots.	ss C5.3
E3.11.2 Where an access handle serves more than 1 allotment, the handle shall be included within 1 lot only and provide a right of carriageway benefiting the other lots.	C2.1;C5.3
E3.11.3 The minimum width of an access handle servicing 1 allotment is 4.5 metres. Where a access handle services 2 or 3 allotments, the minimum width of the handle shall be 6 metres to allow for two-way traffic. On land zoned 'Rural Conservation' and 'Bushland Conservation' the minimum width of an access handle is 20 metres.	an C5.3 5 I
E3.11.4 Access handles to land other than 'Rural Conservation' and 'Bushland Conservation' shall not be more than 60 metres long.	C5.3
E3.11.5 Access handles to single allotments in excess of 50 metres in length shall include a passing bay at mid length.	C5.3
E3.11.6 Any right of carriageway is to clearly indicate maintenance responsibilities for the accuracy.	ess C5.3
<b>DRIVEWAYS</b> E3.11.7 The maximum grade of a driveway to a single dwelling shall be 25%.	C5.3
E3.11.8 The maximum grade of a driveway servicing more than one dwelling shall be 20%.	C5.3
E3.11.9 Driveways servicing a single dwelling are to be a minimum 3 metre wide.	
E3.11.10 Shared driveways to 2 or 3 allotments shall be a minimum 3 metres wide sealed surf with a sealed passing bay at mid length and widened at the entry to allow 2 way traffic. sealed surface may be a two coat seal on 100mm DBG20 or concrete and the construction shall be in concrete finished in muted bushland tones.	ace C5.3 A
E3.11.11 Driveways servicing non-residential developments must be in accordance with AS289	00. C5.3
LOCATION OF DRIVEWAY ACCESS E3.11.12 All lots should identify possible driveway locations. If there is only one possible or like location then the driveway shall be constructed as part of the subdivision works.	ely C2.1;C5.3;C5.5
E3.11.13 Any driveway shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site.	C5.3

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CLAUSES	CRITERIA	
<ul> <li>E3.11.14 Design and construction of facilities for access to the subdivision shall be in accordance with Council's Specifications for Public Infrastructure Works. Generally, driveways, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines.</li> </ul>	C5.3	
PUBLIC ACCESS AND ROADS E3.11.15 All new roads in residential subdivisions shall be fully kerbed and guttered and be of suitable width for conveyance of traffic and passing and parking of passenger vehicles and service vehicles including emergency service vehicles.	C5.3	
E3.11.16 Vertical kerb and gutter shall be provided in industrial/non residential subdivisions.	C5.3	
E3.11.17 Road reserve widths shall be at least 15 metres, unless the road is a shareway, where a width of at least 12 metres is required.	C5.3	
E3.11.18 Road carriageway widths, other than for shareways, shall be at least 6 metres.	C5.3	
E3.11.19 Shareways shall have a carriageway width of at least 3.5 metres.	C5.3	
E3.11.20 A shareway shall provide access to no more than 4 dwellings and/or lots.	C5.3	
E3.11.21 Provide pavement design with a minimum 25 year life.	C5.3; C5.4	
E3.11.22 Proposed roads shall avoid land steeper than 20%.	C5.3	
E3.11.23 New roads shall include landscaping / street tree planting, in character with the area.	C5.3	
E3.11.24 Road crossings of a watercourse shall be "clearspan" style rather than culverts or pipes	C1.1;C5.3	
E3.11.25 The location of water hydrants shall be delineated by blue pavement markers in the centre of all new roads.	C5.1; C5.3	
E3.11.26 All road construction shall accommodate safe pedestrian access.	C5.3;C5.4	
E3.11.27 Concrete pedestrian footpaths, at least 1.2 metres wide, shall be constructed along one side of all new roads that service more than 20 lots.	C5.3	
E3.12 Accessibility		
E3.12.1 Where more than five allotments are created with a full street frontage: a) Pedestrian pathways shall meet the requirements of AS1428 – Design for	C5.7	

- Pedestrian pathways shall meet the requirements of AS1428 Design for Access & Mobility.
- b) Any signage within the subdivision shall be capable of being universally interpreted in accordance with AS2899 – Public Information Symbol Signs.

CLAUSES	c) The kerb gutter shall be provided with accessible ramps to the footway in accordance with AS1428 – Design for Access & Mobility.	CRITERIA
	E3.13 Special provisions	
E3.13.1	STRATA SUBDIVISION Each proposed lot shall be consistent with an existing or approved unit capable of separate occupation.	C2.1;C5.3
E3.13.2	Carparking spaces shall be clearly indicated on the proposed strata plan and shall be considered as part of each lot.	C2.1;C5.3
E3.13.3	Visitor car parking shall be included as part of common property.	C5.3
E3.13.4	Existing encroachments upon the alignment of the public road will only be permitted where the encroachment is minimal and its retention will not endanger public safety or unreasonably interfere with the amenity of the neighbourhood.	C2.1;C5.3
E3.13.5	Any buildings included in a subdivision must comply with the relevant fire safety provisions for that building and each relevant lot proposed within the building.	C4.4
E3.13.6	CLUSTER HOUSING Subdivision of any land for the purpose of cluster housing development is only permitted if all development for the purpose of any proposed dwelling house and ancilliary development is not located on <i>development excluded land</i> .	LEPcl.34.1
E3.13.7	<ul> <li>Cluster housing development is permitted only where the development of land, containing an area of <i>development excluded land</i>, is designed as an integrated whole and involves:</li> <li>a) The concentration of the development on land within the development site that is most suited to development.</li> <li>b) The subdivision of land into 5 or more lots, and</li> <li>c) The erection of a dwelling house on each lot (other than on any neighbourhood or common property lot/s), and</li> <li>d) At a minimum the consolidation of the major part of the <i>development excluded land</i> within a neighbourhood or a common property lot, and</li> <li>e) The implementation of management measures approved by the Council to create and maintain fire protection zones (also known as <i>Asset Protection Zones</i>) and to protect and enhance the environmental value of the <i>development excluded land</i> and any other natural areas within the development site, that is subject to a scheme for joint ownership or a neighbourhood or strata scheme.</li> </ul>	LEP definition

## Other forms

Blue Mountains

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part E specifies the minimum development standards for the forms of development listed in the next column. Part E cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

Part E also includes the key development standards of Local Environmental Plan 1991 (LEP 1991). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 1991 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part E has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

#### Other forms defined

This section applies to the following types of development.

Agriculture	Low intensity agriculture
Animal Establishment	Mine
Aquaculture	Motor Showroom
Arts and Crafts Gallery	Parking
Camping Site	Place of public workshop
Child Care Centre	Public office
Communication facility	Public transport terminal
Community Centre	Recreation area
Dam	Recreation facility
Depot	Refreshment room
Display Garden	Registered club
Drainage work	Retail plant nurseries
Educational establishment	Riding establishments
Exhibition homes	Roads
Forestry	Roadside stall
General Store	Rural industry
Generating works	Sawmill
Guest house	Service stations
Helicopter landing site	Stock and sale yard
High technology industry	Transport depot
Holiday cabin	Utility installation
Home industry	Vehicle repair workshop
Hospital	Veterinary establishment
Institution	Visitor facilities
Keeping of hoofed animals	Walking track
Light industry	Warehouse or distribution
	Wholesale plant nursery

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Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

#### E.4 Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- $\odot\,$  Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.
- \* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	$\checkmark$	Part B
Design plans	$\checkmark$	Part B
Statement of environmental effects	$\checkmark$	Part B
Detailed environmental assessment	· *	LEPcl.10.5;11.2;11.3;11.4;C1.1
Flora and fauna assessment	· *	LEPcl.10.5;C1.1
Vegetation / bushland management plan	0	C1.1
Geotechnical report	0	C1.1
Weed management plan	· *	C1.2
Engineering details	0	C1.1
Stormwater management plan	· *	C1.3
Erosion & sediment control plan	· *	LEPcl.10.5;C1.4
Soil & water management plan	· *	C1.4
Waste management strategy	0	C1.4
Construction management plan	0	C1.4
Detailed character analysis	· *	C2.1
Detailed landscape plan	O <b>*</b>	C2.2
Tree survey	O <b>*</b>	C2.2
Archaeological assessment	O <b>*</b>	C3
Heritage assessment / conservation plan	• *	LEP cl.10.7;25;C3
Bushfire protection strategy	0	LEPcl.10.5;C4.1
Crime minimisation assessment	$\checkmark$	C4.2
Contaminated site report	0	C4.3
BASIX Certificate	0	C5.5
Food premises fitout plan	0	C4.4
Water cycle management study	0	LEPcl.10.8;C1.1
Noise & vibration report	0	C5.4
Shadow diagrams	0	C5.4

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.
**Blue Mountains** 

CRITERIA

C1.1;C1.3;

C2.1;C5.4

C1.1;C1.2;C4.3

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# E4.2 Biodiversity E4.2.1 Cut and/or fill is to be limited to a maximum 1 metre cut and 1 metre depth of fill. Consideration will be given to increasing the depth of cut or fill where it is contianed within the building footprint. E4.2.2 Any imported fill must meet the criteria of *Virgin Excavated Natural Materials*.

- E4.2.3 Slab on ground construction methods can only be used where the natural ground levelC1.1;C1.3;has contiguous areas of slope less than 10%. On slopes greater than 10% siteC2.1;C5.4responsive split level slab construction methods shall be used.C2.1;C5.4
- E4.2.4 Land, which is already cleared or disturbed and does not form part of any existing or proposed development, located within a Protected Area ' Canopy Conservation', 11;C1.1;C1.2; 'Environmental Constraint Area', 'Escarpment Area', 'Water Supply Catchment Area', C1.3
  'Land Between Towns' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation. Land which is steeper than 33% (1 in 3) is deemed to be a Protected Area 'Environmental Constraint Area'.

#### E4.3 Weeds

Other forms

of development

**CLAUSES** 

- E4.3.1 The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not C1.1;C1.2; be permitted. C1.3
- E4.3.2 Existing noxious and environmental weeds must be removed or controlled where C1.2 identified to an approved weed removal strategy.

#### E4.4 Stormwater

- E4.4.1 To allow for the retention and potential reuse of stormwater, the post-development flows C1.3 of stormwater generated from the development site shall approximate the predevelopment flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.
- E4.4.2 Absorption pits are to be located outside *development excluded land* unless no practical C1.3 alternative can be provided and it is demonstrated that there is no adverse effect on the development excluded land.

**CLAUSES** 

### **Other forms** of development

#### E4.5 Streetscape & character SITE COVERAGE E4.5.1 The total building site cover, including any part of the site covered by buildings ancilliary to the main building (such as tennis courts, swimming pools, sheds and the like), must not exceed the total building site cover specified in Table 1. Development for the purpose of agriculture in the Megalong Valley is exempt from the provisions of this clause. **TABLE 1 – SITE COVERAGE** DEVELOPMENT TOTAL BUILDING SITE COVER Less than 1000m2 160m2 or 40% of the notional development area up to a maximum of 300m2 whichever is the greater. 300m2 plus 10% of any amount by which the notional 1000m2 to 2000m2 development area exceeds 1000m2 400m2 plus 5% of any amount by which the notional 2000m2 or more development area exceeds 2000m2, up to a maximum total building site cover of 2500m2.

- E4.5.2 Notwithstanding the provisions in Table 1, development on any lot consisting of or LEPcl.10.9 including land having an area of more than 4000m2 zoned 'Bushland Conservation', 'Residential Bushland Conversation' or 'Residential Investigation' is required to take place within the Principal Development Area.
- LEPcl.30 E4.5.3 A Principal Development Area shall have a maximum total area to be determined with regard to the notional development area of the lot as specified in Table 2. The Principal Development Area shall not include any development excluded land.

**TABLE 2 – PRINCIPAL DEVELOPMENT AREA** 

NOTIONAL DEVELOPMENT AREA OF THE LOT	MAXIMUM TOTAL AREA OF PRINCIPAL DEVELOPMENT AREA
Less than 2000m2	750m2 of the notional development area, whichever is the greater.
2000m2 or more	2000m2 or 25% of the notional development area up to a maximumof 5000m2, whichever is the greater.

#### SCALE AND SETBACK

- E4.5.4 Notwithstanding any provision in Schedule 1 of the LEP, development is required to LEPcl.10.6 achieve the scale and setback provisions outlined in Table 3.
- E4.5.5 Notwithstanding the provisions in Table 3, any development adjoining a Classified Road LEPcl.10.3 is required to have a minimum front setback of 30 metres within a 'Rural Conservation' or 'Bushland Conservation' zone or 18 metres in other zones.

LEPcl.10.9

#### CLAUSES

#### CRITERIA

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E4.5.6 Notwithstanding the provisions in Table 3, on allotments which are required to have a LEPcl.30.3 *Principal Development Area* where the width of the lot at the building line is 50 metres or more, the setback from each boundary must be at least 15 metres or where the width of the lot at the building line is less than 50 metres each boundary setback must be at least 10 metres.

#### TABLE 3 – SCALE AND SETBACK

Other forms

of development

MAXIMUM	MAXIMUM HEIGHT	FRONT SETBACK *	SETBACK FROM OTHER
BUILDING HEIGHT	AT EAVES		BOUNDARIES
• 2 storeys and 8 metres from <i>Natural Ground Level</i> to the highest point of the roof.	<ul> <li>6.5 metres from Natural Ground Level to eaves or equivalent building element.</li> </ul>	<ul> <li>Primary frontage – 8 metres.</li> <li>Corner lot secondary frontage – 3 metres.</li> <li>Hatchet shaped lots – minimum of 9 metres from rear boundary of lot in front. (Note: DCP standard C2.1)</li> </ul>	<ul> <li>The minimum setback from the side or rear boundary is 1 metre.</li> <li>The minimum setback from the side or rear boundary for a detached outbuilding is 600mm. Open structures such as carports, pergolas or the like may be erected at a lesser distance. Note: (DCP standard C2.1)</li> </ul>

\*Consideration shall be given to varying the front setback where this avoids adverse environmental impact.

- E4.5.7 Notwithstanding the provisions of Table 3, no building other than of single storey LEPcl.11.4 construction shall be erected in a 'Protected Area Escarpment Area' if it protrudes above the vegetation canopy of the immediate locality or the height of adjacent buildings.
- E4.5.8 Notwithstanding the provisions of Table 3, within the 'Rural Conservation' or 'Bushland LEPcl.10.4 Conservation' zone, buildings must be below the skyline when viewed from a public place.
- E4.5.9 The building materials, colours and architectural form of ancillary structures shall be C2.1;C5.4 complementary to the main building.
- E4.5.10 Any works to allow the use of the dwelling house as a bed and breakfast establishment C2.1 must be consistent with the predominant character of the street and adjoining development.

#### FENCING AND BOUNDARY TREATMENTS

- E4.5.11 Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 C2.1 metre in height.
- E4.5.12 In the case of corner allotments, fencing along the secondary street frontage for the Durpose of adequately screening any private open space areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres.
- E4.5.13 Any part of a side boundary fence or wall which is located within the front building C2.1 setback applying to the land shall not exceed a height of 1 metre.

# Other forms

comprehensive bushfire protection strategy.

CLAI E4	USES 5.14 Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing is not permitted.	CRITERIA C2.1
E4	<ul> <li>a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping, or</li> <li>b) decorative fencing incorporating design features and materials which add to an attractive streetscape.</li> </ul>	C2.1
	E4.6 Landscaping	
E	4.6.1 On allotments which are zoned 'Rural Conservation' or 'Bushland Conservation' or which require a <i>Principal Development Area</i> or in a Protected Area - 'Land Between Towns', development must be screened from view from outside the lot either by the retention of existing vegetation or the planting of <i>locally indigenous species</i> within the lot.	LEPcls.10.4, 11.5,30.5
E	4.6.2 Street trees are to be provided at a ratio of 1 tree per 9 metres of site frontage. The selected tree species are to be in accordance with any Street Planting Schedule for the street or as specified by Council.	C2.1;C5.4
	E4.7 Bushfire	
E	E4.7 Bushfire 4.7.1 Brushwood fencing is prohibited in the Blue Mountains.	C4.1
E	<ul> <li>E4.7 Bushfire</li> <li>E4.7.1 Brushwood fencing is prohibited in the Blue Mountains.</li> <li>E4.7.2 The following minimum construction standards apply to all habitable buildings: <ul> <li>a) All roofing shall be non combustible. Shingles and shakes are not to be used.</li> <li>b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.</li> <li>c) Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.</li> <li>d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.</li> </ul> </li> </ul>	C4.1 C4.1
E	<ul> <li>E4.7 Bushfire</li> <li>E4.7.1 Brushwood fencing is prohibited in the Blue Mountains.</li> <li>E4.7.2 The following minimum construction standards apply to all habitable buildings: <ul> <li>a) All roofing shall be non combustible. Shingles and shakes are not to be used.</li> <li>b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.</li> <li>c) Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.</li> <li>d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.</li> </ul> </li> <li>BUSHFIRE PRONE AREAS</li> </ul>	C4.1 C4.1
- -	<ul> <li>E4.7 Bushfire</li> <li>E4.7.1 Brushwood fencing is prohibited in the Blue Mountains.</li> <li>E4.7.2 The following minimum construction standards apply to all habitable buildings: <ul> <li>a) All roofing shall be non combustible. Shingles and shakes are not to be used.</li> <li>b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.</li> <li>c) Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.</li> <li>d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.</li> </ul> </li> <li>EUSHFIRE PRONE AREAS</li> <li>E4.7.3 Land mapped as bushfire prone must incorporate the bushfire protection measures required in the document 'Planning for Bushfire Protection' (PBP).</li> </ul>	C4.1 C4.1 PBP

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E4.7.5	Ploughing or grading of <i>asset protection zones</i> is not permitted on slopes greater than 1:5 (20%).	CRITERIA C4.1
E4.7.6	Asset protection zones should not be located on any land that has contiguous areas of slope greater than 33% unless no other viable alternative is available.	C4.1;PBP
E4.7.7	Any measures proposed to protect development against bushfire should be undertaken on those parts of the site that are not zoned 'Environmental Protection' or designated as 'Environmental Constraint'.	C4.1
E4.7.8	Additions and alterations which equal or exceed 50% of the floor area of the existing main building measured to the outside surfaces or may require that the existing building be upgraded to a standard of construction consistent with the level of attack.	C4.1
E4.7.9	Where the <i>asset protection zone</i> cannot be fully achieved the onus will be on the designer to submit a performance based proposal that will provide a range of measures acceptable to the Rural Fire Service.	C4.1
	E4.8 Services	
E4.8.1	E4.8 Services The provision of electricity and gas services for new development is to be provided underground.	C2.1;C5.1
E4.8.1 E4.8.2	<ul> <li>E4.8 Services</li> <li>The provision of electricity and gas services for new development is to be provided underground.</li> <li>An area for storing garbage and recycling shall be provided, suitably located and screened. Where a development adjoins residential development, the garbage storage area must be located at least 3 metres from the common boundary of the residential property and the development site.</li> </ul>	C2.1;C5.1 C2.1;C5.1; C5.4

**Other forms** 

of development

	E4.9 Vehicular access, parking & roads	
E4.9.1	<b>PARKING</b> Car parking shall be provided on site in accordance with the particular land use as specified in Table 4.	C5.3
E4.9.2	Carparking spaces are not permitted within the front setback area unless adequately screened by dense screen plantings and only where it can be demonstrated to be in character with the existing streetscape.	C2.1;C5.3
E4.9.3	Construction of parking facilities shall be in accordance with Council's Engineering Specifications and Guidelines. Generally, bay sizes, driveways, access, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890.1, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines.	C5.3
E4.9.4	Any visitor parking must be clearly identifiable and easily accessed.	C5.3
E4.9.5	All car parking is to be provided on-site.	C5.3
E4.9.6	VEHICULAR ACCESS Vehicular access to the site must be available from a stable, all weather vehicular access road.	LEPcl.10.2
E4.9.7	The vehicular access road must not be located on slopes of 33% or greater.	LEPcl.10.2
E4.9.8	Vehicles must be able to enter and leave the site in a forward direction.	C5.3
E4.9.9	Turning areas to accommodate vehicles leaving the site in a forward direction must not be located within the front setback area unless adequatley screened by dense screen plantings and only where it can be demonstrated to be in character with the existing streetscape.	C2.1;C5.3
E4.9.10	Any vehicular crossing shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site.	C5.3
E4.9.11	Only 1 vehicular access point is permitted for allotments with a frontage of 18.5 metres or less.	C2.1;C5.3
E4.9.12	A maximum of two 2 vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the design to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facility.	C2.1;C5.3

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#### TABLE 4: CARPARKING REQUIREMENTS

Other forms of development

DEVELOPMENT TYPE	CAR PARKING REQUIREMENT	ADDITIONAL REQUIREMENTS
Animal establishment	1 space per employee on duty at any one time and a space for visitor/client parking.	
Arts & craft gallery	1 space per 25m2 gross floor area.	
Camping site	As determined by a traffic study.	
Child care centre	1 space per 4 children in care, plus 1 space per 20 children in care for staff parking.	Provision of suitable standing area for dropping off and collecting children and is to be designed so that vehicles can enter or leave the site in a forward direction.
Community centre	1 space per 20m2 gross floor area.	
Depot	As determined by a traffic study.	
Educational establishment	School: 2 spaces per 3 employees, plus 1 space per 10 students over 17 years old. Tertiary institution: 2 spaces per 3 employees plus 1 space per 5 students. Museums, galleries and the like: 1 space per 20m2 gross floor area.	Provision is to be made for the accommodation of buses. A temporary standing area suitable for dropping off and collecting students is to be designed so that vehicles can enter or leave the site in a forward direction.
Exhibition homes	1 space per 40m2 of office/sales area floor space.	A minimum of 2 spaces is to be provided
General store	1 space per employee on duty at any one time.	Where adequate on-street parking is not available, additional parking may be required on-site to minimise the impact on the existing road network.
Generating works	As determined by a traffic study.	
Guest house	1 space per accommodation suite, plus 2 spaces per 3 employees present at the site at any one time.	3
Helicopter landing site	As determined by a traffic study.	
High technology industry1 space per 80m2 gross floor area plus 1 space per 40m2 gross floor agrea for ancilliary office space.Any retail component associated with the industry shall provide parking at the rate applicable for shops		Any retail component associated with the industry shall provide parking at the rate applicable for shops
Holiday cabin	1 space per accommodation suite, plus 2 spaces per 3 employees present at the site at any one time.	
Home industry	1 space per pracitioner plus 1 space for visitors.	
Hospital	As determined by a traffic study.	
Institution	As determined by a traffic study.	
Keeping of hoofed animals	Adequate temporary parking facilities for the dropping off and collection of animals.	
Light industry	1 space per 80m2 gross floor area plus 1 space per 40m2 gross floor agrea for ancilliary office space.	Any retail component associated with the industry shall provide parking at the rate applicable for shops.
Low intensity agriculture	Adequate temporary parking facilities for the collection of produce.	-
Mine	As determined by a traffic study.	
Motor showroom	1 space per 150m2 of display area plus 6 spaces per work bay.	
Parking As determined by a traffic study.		
Place of public workship 1 space per 4 seats or 1 space per 10m2 gross floor are whichever is the greater.		

#### TABLE 4: CARPARKING REQUIREMENTS

DEVELOPMENT TYPE	CAR PARKING REQUIREMENT	ADDITIONAL REQUIREMENTS
Public office	1 space per 40m2 gross floor area.	
Public transport terminal	As determined by a traffic study.	
Recreation area	As determined by a traffic study.	
Recreation facility	1 space per 25m2 gross floor area unless specified below: Bowling Alley: 3 spaces per lane. Indoor cricket: 10 spaces per pitch. Squash or tennis courts: 3 spaces per court. Sports stadium: 1 space per 5m2 gross floor area or 1 space per 6 seats, whichever is the greater.	
Refreshment room	15 spaces per 100m2 gross floor area or 1 space per 3 seats, whichever is the greater.	Where appropriate, sufficient parking spaces to accommodate coach parking is to be provided.
Register club	1 space per 5m2 of public/licensed area, plus 2 spaces per 3 employees on duty at any one time. Where a bowling green is included as part of the club facilities, parking shall be provided at the rate of: 30 spaces for the first green plus 15 spaces for each additional green.	Where other activities are incorporated into the club development, such as a refreshment room, recreation facility, accommodation suite etc., additional parking is required in accordance with this Table.
Retail plant nursery	0.5 space per 100m2 of the site area.	
Riding establishment	Adequate temporary parking facilities.	
Roadside stall	Adequate temporary parking facilities.	
Rural industry	Adequate parking facilities for the drop off and collection of produce	
Sawmill	Adequate parking facilities for the drop off and collection of goods plus 2 spaces per 3 employees on duty at any one time.	
Service station	6 spaces per work bay plus 1 space per 40m2 of sales area for a convenience store component.	Where a refreshment room component is included, additional parking is required in accordance with the requirement for refreshment rooms.
Stock and sale yard	Adequate temporary parking facilities.	
Transport depot	As determined by a traffic study.	
Utility installation	Adequate parking facilities.	
Vehicle repair workshop	6 spaces per work bay plus 1 space per 40m2 of sales area.	
Veterinary establishment	3 spaces per consulting room.	
Visitor facilities	As determined by a traffic study.	
Walking tracks	Adequate parking facilities catering to potential users.	
Warehouse or distribution centre	1 space per 300m2 gross floor area.	
Wholesale plant nursery	Adequate parking facilities for the drop off and collection of goods plus 2 spaces per 3 employees on duty at any one time.	

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#### **CLAUSES CRITERIA** E4.9.13 Allotments located on a main or arterial road and which have a frontage width greater C2.1;C5.3 than 18.5 metres are limited to providing 1 vehicular access point unless it can be demonstrated that it would be beneficial to vehicular and pedestrian safety and is essential for the efficient operation of the development. DRIVEWAYS E4.9.14 Driveways must be a minimum of 3 metres wide and shall not exceed 4 metres in C2.1;C5.3 width, regardless of the width of the allotment. E4.9.15 Driveways must be sealed to provide all weather access. C5.3 E4.9.16 The grade of any driveway within a development shall not exceed 1 in 5 (20%) provided C5.3 that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary. E4.9.17 A driveway which has a slope greater than 1:10 (10%) shall have a surface treatment C5.3 which minimises wheel skid in wet conditions. E4.9.18 Driveways must not be located on slopes in excess of 33%. LEPcl.10.2 E4.9.19 Where driveway crossings traverse a watercourse or a significant vegetation C1.1;C5.3 community and it can be demonstrated that no altervative means of access is possible, such crossings must be a clear span construction rather than a culvert. E4.9.20 For the purpose of providing adequate loading and unloading facilities, where access C5.3 to a building to be used for commercial or industrial development is proposed, and there is access to a rear lane, the loading and unloading facilities shall be provided from that rear lane unless Council deems the lane is inadequate. E4.10 Amenity **GENERAL AMENITY** E4.10.1 Any lighting system utilised in common areas, car parking areas and along pathways C5.4 must be baffled to ensure that a light source is not directly visible from a habitable room window of any residential development, whilst maintaining adequate lighting of the subject site. SOLAR AMENITY C5.4:C5.5 E4.10.2 The development must be designed and located so that solar access to the living areas (excludes bedrooms, bathrooms and utility areas) and private open space areas of any adjoining residential properties or any employees outdoor recreation areas is not reduced to less than 3 hours between 9am and 3pm on 21st June.

Other forms

of development

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CLAUSES

# Other forms

**CRITERIA** 

ACOUSTIC AMENITY E4.10.3 Acoustic treatments are to be incorporated where necessary and practicable to minimise C5.4 disturbance to any residents of adjoining dwellings or accomodation suites.		
	E4.11 Energy	
E4.11.1 All pro ins	buildings are to be insulated to maximise the energy efficiency of the building by oviding insulation of the roof or ceiling with a minimum R3 rating. A minimum R1.5 sulation is required within the walls of any building.	C5.5
E4.11.2 Gla eff	azed areas shall not comprise more than 50% of the total wall areas, unless a high ïciency glass is used.	C5.5
E4.11.3 Th 3.ŧ	ie installation of any hot water system of a domestic scale shall achieve a minimum 5 star rating.	C5.5
E4.11.4 Wł	here toilet facilities are proposed, dual flush toilets must be installed.	C5.5
E4.11.5 AA sh	A rated water efficient shower heads and water tap fittings for basins and kitchens all be installed.	C5.5
E4.11.6 Wa	arehouse and industrial buildings shall be equipped with permanent ridge venting.	C5.5
E	E4.12 Accessibility	
E4.12.1 In a	<ul> <li>the case of home industry, the following accessible features are required:</li> <li>a) A continuous path of travel from the staff parking area to the Home Industry portion of the development and to facilities. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.</li> <li>b) The capability of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metre wide may otherwise obstruct the</li> </ul>	C5.7
(	<ul> <li>available accessible path.</li> <li>c) Facilities are to be available for employees that would be accessible in</li> <li>accessible accessible path.</li> </ul>	
_ 0	<ul> <li>d) Staff parking areas shall contain at least 1 parking space dimensioned to conform to AS1428 – Design for Access and Mobility.</li> </ul>	
-	e) A continuous path of travel from the mail box to the portion of the dwelling containing the Home Industry. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.	
f _	f) A continuous path of travel from the dwelling to the garbage bin storage area and to the point of collection at the kerbside. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.	

# Other forms

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E4.12.2 All other forms of development (unless otherwise specifically detailed elsewhere in this C5.7 DCP), must be designed and constructed to provide access to and within all areas or facilities of the development where there is a reasonable expectation for access by any individual, accompanying persons or groups. The access is to be in accordance with AS 1428 – Design for Access and Mobility.

Minimum requirements include:

- a) Access to and within all areas or facilities of the development where there is a reasonable expectation for access by any individual, accompanying persons or groups is to be in accordance with AS1428 – Design for Access and Mobility.
- b) A continuous path of travel is to be provided from any suite / shop or office space to the business mail box in accordance with the requirements of AS1428 – Design for Access and Mobility.
- c) A continuous path of travel from any suite / shop or office space to the garbage bin storage area and to the point of collection. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.
- All staff and customer areas shall be fully accessible in accordance with AS1428
   Design for Access and Mobility.
- e) The capability of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metre wide may otherwise obstruct the available accessible path.
- A fully accessible footway connecting the road reserve to the common circulation areas within the development, constructed in accordance with AS1428
   – Design for Access and Mobility.
- g) Where carparking is required or provided, at least 1 staff parking space and not less than 2% of available staff parking spaces together with 1 non-staff parking space plus 2% of all other required spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility and designated for persons with a disability.
- h) External paths and paved areas shall be constructed in accordance with AS3661
   Slip Resistance for Pedestrian Surfaces and AS4586 Slip Resistance
   Classification for Pedestrian Surface Materials and be illuminated throughout to a minimum of 50 lux.
- i) Signage within the complex shall be capable of being universally interpreted in accordance with AS 2899 Public Information Symbol Signs.
- j) Tactile surface markings shall used throughout the development in accordance with AS1428 – Design for Access and Mobility.
- k) Workstations except where prohibitive by the nature of the work shall meet the requirements of AS1428 Design for Access and Mobility.

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C5.7

- E4.12.3 In the case of health care centres, medical centres, community buildings, community centres, places of worship, places of assembly and all other forms of development which are considered to be places of public entertainment, the minimum requirements listed in Clause E4.12.2 with the exception of subclause (g) are to be provided along with the following:
  - a) Where carparking is provided, at least 1 staff parking space but not less than 5% of available staff parking spaces together with 1 non-staff parking space plus 10% of all other required spaces shall be dimensioned to conform to AS1428 Design for Access and Mobility.
- E4.12.4 Where accommodation is provided in association with an educational establishment, C5.7 the minimum requirements are listed in Clause E4.12.2 with the exception of subclause (g), are to be provided along with the following:
  - a) One accommodation suite or 5% of the suites, whichever is the greater, shall be fitted out as fully accessible suite/s having internal and external access complying with AS1428 Design for Access and Mobility and when furnished will provide a minimum circulation space 1 metre wide around three sides of a standard queen sized bed. Facilities provided in the accessible suite shall be fully accessible in accordance with AS1428 Design for Access and Mobility.
  - b) Where carparking is required or provided, at least 1 staff parking space and not less than 5% of available staff parking spaces together with 1 non-staff parking space plus 5% of all other required spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility.

#### **RECREATION AREAS & VISITOR FACILITIES**

- E4.12.5 Recreation areas, visitors facilities and the like must be designed and constructed to provide access to and within all areas or facilities of the development (except where such provision would destroy or seriously detract from the value of the natural environment or significance of the locality) where there is a reasonable expectation for access by any individual, accompanying persons or groups. Access is to be in accordance with AS1428 – Design for Access and Mobility. Minimum requirements include:
  - a) A continuous path of travel from any required vehicle parking area to the main areas, attractions, viewing points, facilities etc of the development. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.
  - b) Access gradients to public garbage bins are to conform to the requirements of AS1428 – Design for Access and Mobility.
  - c) A fully accessible footway connecting the road reserve to the main entrance or other approved accessible entrance and common circulation areas within the development, constructed in accordance with AS1428 – Design for Access and Mobility is to be provided.
  - d) Where parking is provided a minimum of one parking space and not less than 2% of parking spaces shall be dimensioned to conform to AS1428 Design for Access and Mobility and shall be designated for persons with a disability.

## Other forms

#### CLAUSES

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- e) External common paths and recreation areas shall be constructed in accordance with AS3661 – Slip Resistance for Pedestrian Surfaces and AS4586 – Slip Resistance Classification for Pedestrian Surface Materials and be illuminated where appropriate to a minimum of 50 lux.
- f) Signage within the complex shall be capable of being universally interpreted in accordance with AS2899 – Public Information Symbol Signs;
- g) A fully accessible footway connecting the road reserve to the main entrance or other approved accessible entrance shall be constructed in accordance with AS1428 – Design for Access and Mobility.
- h) Any staff and customer areas shall be fully accessible in accordance with AS1428 Design for Access and Mobility.
- i) Tactile surface markings shall used throughout the development in accordance with AS1428 Design for Access and Mobility.
- Any workstations except where prohibitive by the nature of the work shall meet the requirements of AS1428 – Design for Access and Mobility.

#### **E4.13 Special provisions**

In addition to the general provisions of <u>E4. Other Forms of Development</u>, the following provisions are applicable to specific development types.

**HOME INDUSTRY** 

- E4.13.1 Where home industry is proposed in conjunction with a dwelling house, the following C5.3 additional provisions apply:
  - a) The total site coverage resulting from the Home Industry shall not exceed that specified for the land elsewhere in this DCP.
  - b) External lighting associated with the Home Industry is to be located and directed to minimise impact on adjoining residential properties.
  - c) A separate or defined access is to be provided from the street to the home Industry area.
  - d) A clearly identifiable separate area for the conduct of the Home Industry is to be provided that can be separated from the balance of the dwelling for privacy and security.
  - e) It can be demonstrated that it is reasonably practicable for the Home Industry area to be converted to become part of the residence or a separate granny flat or a self-contained unit.
  - Adequate acoustic insulation between the work area and the dwelling is to be provided.
  - g) The character of the proposed Home Industry use is consistent with the scale and massing of the surrounding area, where it is located in an existing residential setting.

C	LAUSES		CRITERIA
	E4.13.2 Any at le mair	site which is proposed to be used for the purpose of a service station is to be located ast 90 metres from the junction or intersection of a classified road, with another a or arterial road.	C5.3
	E4.13.3 The	frontage of the site is not be to less than 50 metres.	C5.3
	E4.13.4 Separate and so io ente	arate entrances to and exits from the site are to be provided and those entrances exits are to be separated by physical barriers constructed on the road alignment and lentified by suitable signs readily visible to persons using the adjoining road or ring the site.	C5.3
	E4.13.5 Inlet shal	s to bulk fuel storage tanks are to be situated on the site so as to ensure that tankers stand wholly within the site while discharging fuel into the storage tanks.	C5.3
	CON E4.13.6 Com stan appl	IMUNICATIONS FACILITIES imunications facilities must be designed, installed and operated to comply with dards relating to human exposure to electromagnetic energy appearing in any icable code or standard made under any applicable law of the Commonwealth.	C2.1;C4.4
	E4.13.7 Com elec a) b) c) d)	<ul> <li>munications facilities are to be designed to minimise public exposure to tromagnetic energy by:</li> <li>Locating facilities away from sensitive land uses such as educational establishments, hospitals, nursing homes and childcare centres wherever possible.</li> <li>Minimising transmitter power to that required to achieve coverage requirements. Choosing or designing antennae which minimise emissions in directions not required for coverage.</li> <li>Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures.</li> </ul>	C2.1;C4.4
-	E4.13.8 The follo a) b) c) d) e) f)	<ul> <li>visual impact of communications facilities is to be minimised by achieving the wing, where practical:</li> <li>Integrate the facility with the design and appearance of any building or structure on or within which it is located.</li> <li>Screen any equipment associated with the facility so as to reduce its visability.</li> <li>Avoid the obstruction of views of significant vistas, significant landmarks or items of the environmental heritage.</li> <li>Ensure that the facility as installed is in keeping with the streetscape and/or the surrounding environment.</li> <li>Ensure that the colour and finish of the facility is in keeping with the locality.</li> <li>Ensure that the scale of the facility is in keeping with the locality, bearing in mind that the scale may be affected by the intended coverage of the facility.</li> </ul>	C2.1

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Blue Mountains Better Living DCP

CLAUSES E4.13.9 Communications facilitiies are to be co-located with other existing utilities whenever this is both technically practical and achieves the best environmental outcome and in particular:	CRITERIA C2.1
a) Communications lines should be located within any existing underground conduit or duct, and	
<ul> <li>b) Antennae (and similar structures) should be attached to existingCommunications facilities so as to minimise clutter.</li> </ul>	
<ul><li>E4.13.10 Communications facilities in a road reserve must:</li><li>a) Be consistent with the Austroads publication Telecommunications in Road Reserves - Operational Guidelines for Installations, as amended from time to time.</li></ul>	C2.1
b) Comply with the standards of the appropriate roads authority.	
CHILD CARE CENTRES E4.13.11 For childcare facilities, a letter from the Department of Community Services must be submitted in conjunction with a development application indicating the number of children / age groups to be accommodated and that no objection, in principle, is raised to the proposal.	C5.4
E4.13.12 Child care centres will not be permitted on hatchet shaped allotments or where access is to be provided via a right-of-carriageway due to amenity, traffic and noise impacts on adjoining properties.	C5.3:C5.4
E4.13.13 Pick-up, set-down and pedestrian areas shall be separated from the general parking areas and driveways to ensure the safety of pedestrians.	C5.3;C5.4
E4.13.14 Noise levels (measured at any point on the boundary of the site between the proposed child care centre and and adjoining property) should not exceed 5 decibels (dBA) above the background level.	C5.4
E4.13.15 No public address systems are to be installed at the centre.	C5.4
E4.13.16 The outdoor play area is not to be located within the front setback area.	C2.1
E4.13.17 Play equipment shall not be higher than the fencing and shall not be closer than 2 metres to a fence.	C4.4;C5.4
E4.13.18 50% of all outdoor areas are to be shaded during the hours of 10.00am to 3.00pm Eastern Summer Time.	C4.4:C5.4

Other forms of development

# Other forms

CLAUSES EXHBITION HOMES	CRITERIA
E4.13.19 A dwelling house can be used as an exhibition home for up to 6 months, but only where the land on which the dwelling house is erected does not have frontage to, and is not within 50 metres of a Classified Road, and is not located in a cul-de-sac.	LEPcl.22
GENERAL STORE E4.13.20 General stores must be located on land within within 2 kilometres by the shortest practical route by road (or within 1 kilometre by the shortest practical route by road when the use of such a route involves crossing the Great Western Highway) of any site being lawfully used for a general store or a shopping centre, or where existing use rights of a site within that distance is still in force.	LEPcl.26
<ul> <li>HOLIDAY CABINS</li> <li>E4.13.21 On land zoned 'Rural Conservation' zone within the Megalong Valley: <ul> <li>a) Holiday cabins are prohibited where the number of cabins exceed a density of one cabin per 10 hectares of notional development area.</li> <li>b) The number of cabins on a 'holding' must not exceed 10.</li> <li>c) If there are two or more holiday cabins on a lot, all the holiday cabins shall have a common access from a public road.</li> <li>A 'holding' means all continguous land held in the same ownership on 27 December 1991.</li> </ul> </li> </ul>	LEPd.26.1,26.3
<ul> <li>E4.13.22 On all other land:</li> <li>a) Holiday cabins are prohibited where the number of cabins would exceed a density of one cabin per hectare of notional development area.</li> <li>b) The number of cabins on a lot must not exceed 10.</li> <li>c) If there are two or more holiday cabins on a lot, all the holiday cabins shall have a common access from a public road.</li> </ul>	LEPcl.26.2
ASBESTOS CEMENT E4.13.23 Any asbestos cement cladding on existing buildings that are proposed to be brick veneered or reclad must be removed.	C1.4

#### F1 - Glossary

Active bushfire measure is where a person is required to take an active part in the use of the system. For example, sprinkler systems which require activation.

Glossary

Asset Protection Zone means the area forming a fire break between the bushfire hazard area and a building or other asset, in which the amount of fuel available to burn in a bushfire is minimised to protect human life, property and highly valued public assets.

**Bush rock** means any natural deposit of rock. It includes loose rocks on rock surfaces or on the soil surface or that may have been removed from rock outcrops by excavation or blasting.

**Curtilage** is the setting of the area around the development site.

**Development excluded land** (in relation to land zoned under <u>LEP 2005</u>) means any land;

- a) zoned Environmental Protection General, or
- b) that is designated on Map Panel B of LEP 2005 as a Protected Area - Slope Constraint Area, or
- c) that is designated on Map Panel B of LEP 2005 as a Protected Area - Ecological Buffer Area or that comprises a watercourse corridor, together with any buffers required to protect the watercourse corridor, or
- d) on which any significant vegetation community is located, together with any buffers required to protect that community, or
- e) that is the habitat of any threatened species, population or ecological community, the development of which would have a significant effect on the threatened species, population or ecological community as determined in accordance with section 5A of the Act, or
- f) on which any rare species of flora is located, together with any buffers required by the Council to protect that flora, or
- g) on which there is located any significant landscape or special feature which in the opinion of Council is worthy of preservation.

**Development excluded land** (in relation to land zoned under <u>LEP 1991</u>) means any part of a lot;

- a) that is land zoned Environmental Protection; or
- b) that is, designated on the Map as Protected Area -Environmental Constraint Area, together with any buffers required by the Council to protect such area; or
- c) on which any Schedule 3 environmentally sensitive vegetation unit is located, together with any buffers required to protect that unit; or
- d) that is the habitat of any threatened species, populations or ecological communities within the meaning of the Threatened Species Conservation Act 1995, the development of which would have a significant effect on the threatened species populations or ecological communities as determined in accordance with section 5A of the Act; or
- e) on which any rare species of flora is located, together with any buffers required by the Council to protect that flora; or
- f) that comprises a watercourse or any buffers required by the Council to protect that watercourse; or
- g) that has a slope in excess of 20%; or
- comprising any significant landscape or special feature, such as rock outcrops and escarpments, which in the opinion of the Council is worthy of preservation.

**Disability** is defined under the Disability Discrimination Act 1992. "Disability" in relation to a person means:-

- a) total or partial loss of the persons bodily or mental functions; or
- b) total or partial loss of a part of the body; or
- c) the presence in the body of organisms causing disease or illness; or
- d) the presence in the body of organisms capable of causing disease or illness; or
- e) the malfunction, malformation or disfigurement of a part of the persons body; or
- f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or

### Glossary

g) a disorder, illness or disease that affects a person's thought processes, perceptions of reality, emotions or judgement or that results in disturbed behaviour; and includes a disability that presently exists; or previously exists but no longer exists; or may exist in the future; or is imputed to a person.

**Deferred commencement** allows a development consent to be issued subject to the provision of information or clarification. Once the information required by the deferred commencement is satisfied applicants must apply for an operational consent before work can begin on the site.

#### Ecologically sustainable development means

development that improves the quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

**Ecosystem** means a dynamic complex of plant, animal, fungal and micro-organism communities and associated non-living environment interacting as an ecological unit.

**Ecological community** is an assemblage of species occupying a particular area. 'Endangered ecological community' is defined under the Threatened Species Conservation Act.

**Fragmentation** means the process of progressive loss and isolation of habitat leading to reduction in habitat connectivity for some species.

**Gross floor area** (GFA) means the sum of the areas of each floor of a building, where the area of the floor is taken to be the area within the outer face of the external enclosing walls (as measured from a height of 1,400 millimetres above each floor), excluding;

- a) any columns or projections outside the general line of the outer face of the external walls, and
- b) lift towers, machinery rooms, plant rooms, ancillary storage space, vertical air conditioning ducts, and

- c) car parking (including garages or car ports) needed to meet the requirements of Council and internal access to that car parking, and
- d) space for loading and unloading of goods.

**Habitat** means an area or areas occupied, or periodically or occasionally occupied, by a species, population or ecological community and includes any biotic or abiotic component.

Habitat corridor means an area or network of areas of native vegetation or habitat that enables migration, colonisation or interbreeding of plants and animals between two or more larger areas of habitat. Note: Habitat corridors may consist of a sequence of discontinuous areas of habitat (such as feeding trees, caves, wetlands, and roadside vegetation).

Habitat tree or likely habitat tree means any tree naturally occurring (being native vegetation or remnant native vegetation) which has developed hollows in the trunk or limbs and which is suitable for nesting birds, arboreal marsupials (such as possums) or native placental mammals (such as bats) or which is supporting the growth of locally indigenous or endemic epiphytic plants (such as orchids).

**Heritage curtilage** is the setting for the heritage item includes all the elements contributing to its heritage significance.

**Indigenous species** means a species that occurs naturally within the immediate area, and which has genetic material deriving from that area.

**Inner Protection Area (IPA)** is the inner component of an asset protection zone, consisting of an area maintained to minimal fuel loads and comprising a combination of perimeter road, fire trail, rear yard or reserve, so that a fire path is not created between the hazard and the building. **Interallotment drainage** involves the creation of a drainage easement and completion of drainage work to ensure that any future building works which may occur on the new lot will not cause drainage / flooding problems to surrounding properties.

Glossary

**Natural ground level** means the existing ground level before the commencement of any works.

**Non-potable** is use of water for toilet flushing, clothes washing, lawn and garden irrigation but not for drinking.

**Notional Development Area** is defined in LEP 1991 means that part of a lot not zoned Environmental Protection and not designated on the Map as a Protected Area - Environmental Constraint Area.

**Outer Protection Area (OPA)** is the outer component of an asset protection zone, where fuel loads are maintained at a level (usually less than 8 tonnes per hectare) where the intensity of an approaching bushfire would be significantly reduced.

**Passive bushfire measure** requires no human intervention at the time of the bushfire. For example, the correct siting and design of a building.

**Path of travel** means a continuous pathway that can be used by, and is accessible to, a person in a wheelchair, but does not include a step or any other impediment that would prevent the use of the pathway by a person in a wheelchair.

**Plant (or vegetation) community** means a group of organisms living together in a definable region or habitat defined by its vegetation.

**Population** means a group of organisms, all of the same species, occupying a particular area.

**Private open space** means those areas of outdoor space clearly identified as belonging to a particular dwelling that are used for private outdoor activity, drying areas and pedestrian circulation, and may include constructed open spaces such as balconies or decks. **Rehabilitation** means the restoration or repair of a system to a former condition. Note: Rehabilitation may take several forms including regeneration, restoration or reconstruction. It may require the implementation of a range of rehabilitation techniques such as revegetation, weed control and the like.

**Riparian vegetation** means any vegetation occurring on or adjacent to a watercourse.

**Significant vegetation community** (in relation to land zoned under <u>LEP 2005</u>) means vegetation communities listed in Schedule 5 of LEP 2005.

**Significant vegetation community** (in relation to land zoned under <u>LEP 1991</u>) means vegetation communities listed in Schedule 3 of LEP 1991 and referred to as Environmentally Sensitive Vegetation Units.

**Species** means an animal or plant and includes any defined sub-species and taxon below a sub-species and any recognisable variant of a sub-species or taxon.

#### Threatened species, populations or ecological

**communities** means species, populations or ecological communities specified in Schedule 1 or 2 of the Threatened Species Conservation Act 1995.

Virgin Excavated Natural Materials is excavated natural material (such as clay, gravel, sand, soil and rock) that is not mixed with any other type of waste and which has been excavated from areas of land that are not contaminated with human-made chemicals as a result of industrial, commercial, mining or agricultural activities and which do not contain suphidic ores or soils as defined in Schedule 1 of the Protection of the Environment Operations Act 1997.

**Unformed roads** are identified on maps held by Council. Unformed roads are not maintained.

### Glossary

**Watercourse** means a body of water or a channel, being part of the natural ecological condition of a catchment, and which comprises a creek, stream or wetland with:

- a) a defined bed or banks, or
- endemic riparian vegetation within or adjacent to the watercourse edge or banks which may provide habitat for aquatic or terrestrial animals, or
- evidence of natural stream processes such as siltation, erosion, gullying, pool or riffle zones, and which conveys continuous or intermittent water flows, but does not include piped drainage lines.

#### **Abbreviations**

- Abbreviations used throughout this document
- AS Australian Standard BCA – Building Code of Australia DCP - Development Control Plan DP - Deposited Plan LEP - Local Environmental Plan NatHERS - National House Energy Rating Scheme PBP - Planning for Bushfire Protection SEPP - State Environmental Planning Policy SoEE - Statement of Environmental Effects

#### F2 Weeds of the Blue Mountains

eeds list

Weeds are a serious threat to the natural environment in the Blue Mountains. Weeds are invasive species that spread into natural areas. When weeds become established they will out compete native plants for food, water and sunlight, eventually destroying the natural habitats and food sources for native plants and animals, and altering the soil balance and fire regimes of natural areas. Weeds also out compete desired species of plants (eg vegetables or ornamentals), lead to infrastructure damage (eg to pipes, foundations and pathways) and reduction of amenity and other values (eg visual pollution and dense shading of adjacent areas).

The spread of weeds into the natural environment is facilitated by soil disturbance and clearing of native vegetation for urban development. Weeds become established in disturbed areas and spread along creeks into bushland.

Development in the upper parts of the catchment in the Blue Mountains provides a continuing source of weed propagules that can spread into the natural environment. Weed propagules include those parts of plants that can give rise to new individuals e.g. seeds, corms, stem fragments, bulbs, runners, tubers etc. The spread of weeds is assisted by increased nutrient levels in stormwater run-off from urban development that favour weeds and disadvantage native species that have adapted to survive in the naturally nutrient deficient soils of the Blue Mountains.

It is important that when you plan your development you do not allow weeds to be introduced to the natural environment. The following is a list of noxious and environmental weeds.

#### Advisory note

FOR LAND TO WHICH LEP 2005 APPLIES Review this list in conjunction with clause 55 (Weed Management) and clause 54 (Preservation of Trees), including in particular the exception in subclause 54(2) (g). These LEP provisions enable removal of the following listed plants (subject to any prescribed height limits) without consent or a tree removal permit. Height limits do not apply to plants that are declared to be noxious weeds under the *Noxious Weeds Act 1993*.

#### FOR LAND TO WHICH LEP 1991 APPLIES

Review this list in conjunction with clause 10.11 (Tree Preservation) and the Tree Preservation Order (TPO). The TPO enables removal of the following listed plants (subject to any prescribed height limits) without consent or a tree removal permit. Height limits do not apply to plants that are declared to be noxious weeds under the *Noxious Weeds Act 1993.* 

Common Marne	DUtanical Name	NOLE	
TREES			mco
African Olive	Olea europaea spp. africana		d.wv
Bird Cherry	Prunus serotina		~
Black Locust	Robinia pseudoacacia		
Blackthorn	Prunus Spinosa		
Black Willow	Salix nigra		
Box Elder Maple	Acer negundo		
Camphor Laurel	Cinnamomum camphora		
Canary Island Date Palm	Phoenix canariensis	Removal is only exempt if tree less than 6 metres high	
Cherry Laurel	Prunus laurocerasus		
Cherry Plum	Prunus cerasifera		
Chinese Celtis	Celtis sinense		

Potonical Na

## Weeds list

Common Name	Botanical Name	Note
Chinese Pistachio	Pistachia chinensis	
Chinese Tallow	Triadica sebifera	
Common Alder	Alnus glutinosa	
Cootamundra Wattle	Acacia baileyana	
Coral Tree	Erythrina crista-galli, E. x sykesii	
European Nettle Tree	Celtis australis	Removal is only exempt if tree less than 6 metres high
Flame Tree	Brachychiton acerifolius	Removal is only exempt if tree less than 6 metres high
Grey Sallow , Pussy Willow	Salix cinerea	
Himalayan Strawberry Tree	Cornus capitata	
Holly	llex aquifolium	
Honey Locust	Gleditsia triacanthos	
Irish Strawberry Tree	Arbutus unedo	Removal is only exempt if tree less than 4 metres high
Jacaranda	Jacaranda mimosifolia	Removal is only exempt if tree less than 6 metres high
Large-leaf privet	Ligustrum lucidum	
Mexican Pine	Pinus patula	Removal is only exempt if tree less than 10 metres high
Miconia	Miconia calvescens	
New Zealand Pittosporum	Pittosporum eugenioides	
Olive	Olea europaea europaea	
Portuguese Laurel	Prunus Iusitanica	
Radiata Pine, Monterey Pine	Pinus radiata	Removal is only exempt if tree less than 10 metres high
Qld Silver Wattle	Acacia podalyriifolia	
Rhus Tree	Toxicodendron succedaneum	
Rubber Tree	Ficus elastica	
Silky Oak	Grevillea robusta	Removal is only exempt if tree less than 10 metres high
Sycamore Maple	Acer pseudoplatanus	
Tree Lucerne/Tagasaste	Chamaecytisus palmensis	
Tree-of-Heaven	Ailanthus altissima	
— Umbrella Tree	Schiefflera actinophylla	
White Poplar	Populus alba	Removal is only exempt if tree less than 10 metres high
Willows	All other Salix spp. except Salix babylonica, S x reichardii, S. x calodendron	Removal is only exempt if tree less than 10 metres high

#### **Common Name Botanical Name**

Veeds list

#### SHRUBS

African Boxthorn Barberry, Berberis Blackberry Boneseed, Bitou Bush

#### Broom

Butterfly Bush Cape Broom/ Montpellier Broom Cassia Castor Oil Plant Cestrum—Red flowering Cotoneaster

Firethorn Golden Wreath Wattle Gorse Green Cestrum Hawthorn Himalayan Honeysuckle Indian Hawthorn Karo Karoo Thorn Lantana Madiera Winter Cherry Mickey Mouse Plant Sacred Bamboo Scotch/English Broom Scurf Pea Siam Weed Small-leaf Privet

Spanish Heath Sweet Pea Shrub Tree Heath Tutsan Wild Tobacco Lycium ferocissimum Berberis aristata, B. darwinii Rubus fruticosus sp. agg. Chrysanthemoides monilifera Genista linifolia Buddleja davidii Genista monspessulana

Senna pendula var glabrata Ricinus communis Cestrum elegans

Cotoneaster franchettii, C. lacteus, C. pannosus, C.glaucophyllus Pyracantha spp. Acacia saligna Ulex europaeus Cestrum parqui Crataegus monogyna Leycesteria formosa

Raphiolepis indica Pittosporum crassifolium Acacia karoo Lantana camara Solanum pseudocapsicum Ochna serrulata Nandina domestica Cytisus scoparius Psoralea pinnata Chromolaena odorata Ligustrum sinense

Erica lusitanica Polygala myrtifolia Erica arborea Hypericum androsaemum Solanum mauritianum

#### VINES

**Balloon Vine** 

Black-eyed Susan		
Blue-bell Creeper		
Bridal Creeper		
Cape Ivy		
Cats Claw Creeper		
Dodder		
English Ivy		
Japanese Honeysuckle		
Madeira Vine		
Morning Glory		
Moth Vine		
Passionfruit (Common,		
Banana, White)		
Turkey Rhubarb		
White Jasmine		

Cardiospermum grandiflorum Thunbergia alata Sollya heterophylla Asparagus asparagoides Delairea odorata Macfadyena unguis-cati Cuscuta campestris Hedera helix Lonicera japonica Anredera cordifolia Ipomoea indica Araujia sericifera Passiflora edulis, P. mollisina, P. subpeltata Acetosa sagittata Jasminum polyanthum

#### PERENNIALS AND GROUND COVERS

Alligator Weed Asparagus Fern Asthma Weed Bathurst/Noogoora/ Californian Burr Black Knapweed **Blue Periwinkle Broomrapes** Coreopsis **Creeping Buttercup** Creeping Lantana Crofton Weed Fennel Fireweed Forget Me Not Hawkweeds Horsetail Impatiens/Busy Lizzy Japanese Knotweed Kochia London's Pride Mistflower Nasturtium

Alternanthera philoxeroides Asparagus aethiopicus Parietaria judaica Xanthium spp.

C. nigra Vinca major Orobanche spp. Coreopsis lanceolata Ranunculus repens Lantana montevidensis Ageratina adenophora Foeniculum vulgare Senecio madagascariensis Myosotis sylvatica Hieracium spp. Equisetum arvense Impatiens balsamina Persicaria capitata Kochia scoparia Saxifraga umbrosa A. riparia Tropoleum majus

### Weeds list

#### Blue Mountains Better Living DCP

Pennisetum setaceum, P.

alapecaroides

Chloris gayana

Lolium perenne,

Bromus catharticus

Rhynchelytrum repens

L.multiflorum and hybrids

Chlorophytum comosum

Anthoxanthum odoratum

Andropogon virginicus

Holcus lanatus, H. mollis

Miscanthus sinensis var.

Nassella trichotoma

Cenchrus incertus, C.

longisipinus

zebrinus

Festuca elatior

#### **Common Name Botanical Name**

Ox-eyed Daisy Parthenium Weed Patersons Curse/Viper Bugloss Red Hot Poker Seaside Daisy Self Heal Spotted Knapweed St Johns Wort Veldt Daisy Wandering Jew Leucanthemum vulgare Parthenium hysterophorus Echium spp.

Kniphofia sp. Erigeron karvinskianus Prunella vulgaris Centaurea maculosa Hypericum perforatum Osteospermum ecklonis Tradescantia fluminensis

Agapanthus praecox ssp.

Zantedeschia aethiopica

Hedychium gardnerianum

orientalis

Canna indica

Crocosmia x

crocosmiiflora

"bulbillifera"

Hemerocallis spp.

Lilium formosanum

Alstroemeria aurea

Watsonia meriana

#### LILIES AND LILY LIKE PLANTS

- Agapanthus
- Arumor Calla Lily Canna Lily Day Lily Formosan Lily Ginger Lily Montbretia

Peruvian Lily Watsonia

#### GRASSES AND GRASS LIKE PLANTS

African Lovegrass Bamboo, Rhizomatous Brown Top Bent Columbus Grass Cocksfoot Creeping Bent Ehrharta Giant Parramatta Grass Giant Reed Johnson Grass Mexican Feather Grass Pampas Grass Parramatta Grass Paspalum Eragrostis curvula Phyllostachys spp. Agrostis cappillaris Sorghum x almum Dactylis glomerata Agrostis stolonifera Ehrharta erecta Sporobolus fertilis syn. indicus Arundo donax Sorghum halepense Nassella tenuissima Cortederia selloana Sporobolus indica Paspalum dilatatum Plume Grass

Prairie Grass Red Natal Grass Rhodes Grass Rye Grass

Serrated Tussock Spider Plant/Ribbon Plant Spiny Burr Grass

Sweet Vernal Grass Tall Fescue Whiskey Grass Yorkshire / Creeping Fog Zebra Grass

#### FERNS

Sword Fern/Fishbone Fern

Nephrolepis cordifolia

#### CACTI AND SUCCULENTS

Agave Aloe Harrissia Cactus Mother of Millions Prickly Pear Yucca Agave americana Aloe arborescens Harrissia spp. Bryophyllum delagoense Opuntia spp. Yucca aloifolia

#### AQUATIC PLANTS

Cabomba caroliana Egeria Lagarosiphon Mexican Water Lily Salvinia Senegal Tea Plant

Water Hyacinth Water Lettuce Water Primrose Cabomba/Fanwort Egeria densa Lagarosiphon major Nymphaea mexicana Salvinia molesta Gymnocoronis spilanthoides Eichhornia crassipes Pistia stratiotes Ludwigia peruviana

Blue Mountains Better Living DCP

The following species are not encouraged. Care needs to be taken before planting species from these genera in sensitive locations such as near swamps or in bushland settings.

Weeds list

Erica species Hypericum species Pittosporum species Senecio species Berberis species Prunus species Ludwigia species (except Luwigia peploides subsp. montevidiensis) Pennisetum species (except P. clandestinum) Achnatherum species Cotoneaster species

## Weeds list

Blue Mountains Better Living DCP





### J1 About this Part

#### J1.1 Introduction

The existing character of each precinct in the Lawson Village Centre was analysed in detail in the Lawson Village Centre Master Plan, which was prepared by consultants on behalf of Blue Mountains City Council. Part J of the *Better Living Development Control Plan* (this Part or Part J) has been developed from the findings of that Master Plan.

The study identified the following key urban design elements:

- To create special places for the local community protected from annoyances associated with the Great Western Highway;
- Activities;
- Access and movement;
- Parking and servicing;
- Heritage; and
- Built form.

Wherever possible, development proposals should promote the achievement of these outcomes identified in this Part and achieve the primary aim to improve the urban design quality of the Lawson Village Centre.

Section J2 defines the objectives and desired future character for Lawson Village Centre and its individual localities. This part outlines the urban structure, built form and the interaction between the private and public domain. This will form the basis for the location, envelopes, form and design controls of both the built form and public domain areas, which is set out in Sections J3 and J4 of this Part.

#### J1.2 Background

This Part of the *Better Living Development Control Plan* has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (the Act) and the *Environmental Planning and Assessment Regulations 2000.* Council is required by Section 79C of the Act to take this Part into consideration when determining Development Applications to which this Part applies.

Part J of the *Better Living Development Control Plan* provides a framework to guide future development in the Lawson Village Centre Precinct.

#### J1.3 Citation

This Part may be cited as *Part J – Lawson Village of the Blue Mountains Better Living Development Control Plan.* 

#### J1.4 Application of the plan

This Part applies to all development on land generally bounded by the Great Western Highway, Honour Avenue, Bellevue Street, Benang Street, New Street and Staples Street in Lawson as shown in Figure 1.

### J1.5 Relationship to other plans

This Part forms part of an integrated hierarchy of planning controls. All land covered by this Part is also subject to the provisions of:

- Environmental Planning and Assessment Act 1979;
- Blue Mountains Local Environmental Plan 2005 (LEP 2005); and
- Other statutory plans affecting the land.

# Lawson Village

#### Figure 1 - Land to which this plan applies





To the extent that the provisions of this Part are inconsistent with the provisions of any other relevant Environmental Planning Instruments (EPIs), (including LEP 2005) the provisions of the Environmental Planning Instrument shall prevail.

To the extent that the provisions of this Part are inconsistent with the provisions of any other Part of the *Better Living DCP*, the provisions of this Part shall prevail.

#### J1.6 Purpose of the plan

The purpose of this Part is to provide clear objectives and guidelines for future development within the Lawson Village Centre through:

- Providing a clear vision for the Village Centre;
- Setting out the key principles to guide the design of the main elements of urban structure within the Village Centre; and
- Establishing controls that set clear objectives and guidelines to manage development within the Village Centre.

### J1.7 Structure and format of the plan

The requirements outlined in Sections J2, J3 and J4 of this Part have been designed to provide holistic direction for development in the Lawson Village Centre. Users of this Part need to refer to all four sections to understand how all the requirements for development within the Village Centre Precinct work together. The following outline provides a guide to how this Part has been structured.

#### Section J1 – About This Part

Contains the legal basis of how this Part was prepared, its purpose, and how it relates to other Council planning documents.

#### Section J2 – General Elements

Provides the fundamental objectives and strategies on which this Part has been based. The urban structure of the Village Centre comprises of six primary elements: urban structure, activities, access and movement, parking and servicing, heritage and built form. These provide a foundation for the development objectives and design controls provided in the subsequent part of this document.

#### Section J3 – Public Domain

Provides the guidelines that apply to the public domain in relation to access, open space and urban elements.

#### Section J4 – Private Domain

Addresses the detailed design guidelines that apply to buildings generally. In all cases, Council requires demonstrated achievement of these objectives.

#### Section J5 – Design Guidelines

Provides the detailed design guidelines for the building within the building envelope.

#### J1.8 Supporting Information

The objectives and controls within this Part are partially a result of a number of studies undertaken prior to the preparation of this Part . These studies are the supporting material for this Part and include:

- Lawson Township Study;
- Lawson Town Centre Retail Impact Assessment;
- Lawson Public Domain Manual;
- Lawson Village Centre Master Plan; and
- The Great Western Highway Management Plan.

Any variation to the controls in this Part must consider the findings of the relevant supporting material. Furthermore, any variations must be consistent with LEP 2005 or the objectives or strategies of this Part.

## Lawson Village

#### Development Application Process





### J1.9 Development Application Process

Prior to the lodgement of a Development Application (DA), the applicant is advised to discuss their proposal with Council to enable constraints and opportunities to be identified at an early stage. This also enables Council officers to clarify the requirements of this PART. Pre-lodgement meetings are a requisite for all major developments.

Council should consider the following when determining a Development Application (DA):

- Section 89 of the Local Government Act 1993 and Clause 12 of the Local Government (Approvals) Regulation;
- Section 79C of the Environmental Planning and Assessment Act 1979;
- Blue Mountains Local Environmental Plan 2005;
- Any other relevant parts of the Better Living DCP or other DCP in force at the time of the application being lodged; and
- Any other Environmental Planning Instruments being in force at the time of the application being lodged.

#### J1.10 Preparing a site analysis

A site analysis is required for all Development Applications to ensure that the proposed development is of:

- High quality;
- Responds appropriately to its environment; and
- Positively contributes to its context.

A thorough site analysis will ensure that site layout and building design addresses existing and possible future opportunities and constraints of both the principle site and its surrounds. Within the suggested envelopes, there are numerous ways in which a building design can be resolved. The analysis of the site and its context is a fundamental stage of the design process, and should support many key design decisions relating to the proposal. The site analysis may assist in minimising issues relating to:

- Noise;
- Overshadowing;
- Community safety;
- Access;
- Views;
- Privacy;
- Energy consumption; and
- Waste generation.

Site analysis and design comprises three inter-related parts. Firstly, look at the site and its surroundings, to see what exists. This will require mapping the characteristics, qualities and constraints of the site and its local context. Secondly, identify a series of design principles, which in turn should lead to, and inform a number of design responses, any of which may be appropriate, within the building envelope provided by this Part.

The applicant must demonstrate to Council that the site analysis has been utilised in preparing the design for the site and that due consideration of identified opportunities and constraints has been provided. The analysis may then be used by Council and the Applicant to critically assess the success of the proposal in its response to the features of the site and its context.

Reference should be made to Section B1 of this DCP for the type of information required as part of a site analysis plan / statement.

### Lawson Village

e)

f)

g)

### J1.11 Model, Photomontages and Perspectives

Council will require the submission of an architectural model to accompany Development Applications where the proposed development has a value of works exceeding \$600,000.

The model must provide the following information at a scale of 1:100 or 1:200:

- Development on adjoining land in block form;
- Architectural details of the proposed development;
- Finishes; and
- Landscape details.

In addition, photomontages or perspectives, demonstrating the impact of the development on the streetscape and / or impact on adjoining properties are to be submitted with all Development Applications other than minor developments and developments affected by LEP 2005.

### J1.12 Development application checklist

Development consent may be obtained from Council by lodging a Development Application for approval in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

Before preparing an application, Applicants should seek advice from Council's Environmental & Customer Services Section.

Development Applications shall contain all of the following:

- a) A completed Development Application form;
- b) Owner's authority;
- c) Prescribed fee;

- d) Six (6) copies of floor plans and elevations of proposed buildings at a scale of 1:100 or 1:500 indicating room sizes and building heights as well as building materials;
  - Six (6) copies of a Site Plan drawn to a scale of 1:100 or 1:500 showing:
    - (i) Area and dimensions of land and direction of true north;
    - (ii) Contours of land at 0.5 metre intervals;
    - (iii) The location of existing trees and any trees proposed to be removed;
    - (iv) Outline of proposed buildings on site, together with outlines and heights of nearest walls of any buildings on adjoining properties;
    - (v) Location of existing services/utilities, such as sewer, electricity, water, gas etc;
    - (vi) Proposed off-street carparking arrangements, suitably dimensioned;
    - (vii) Proposed paving of hardscaped areas and driveways, specifying materials to be used for surface finishes;
    - (viii) Details of proposed finished ground levels; and
    - (ix) Shadow diagram.
  - Six (6) copies of a site analysis prepared in accordance with Section B1 of this DCP;
  - A detailed Landscape Plan identifying:
    - (i) All existing and proposed vegetation; and
    - (ii) A detailed schedule of planting.
- h) A Statement of Environmental Effects which:
  - Demonstrates that consideration has been given to the environmental impacts of the development; and
  - Sets out measures taken to mitigate any likely adverse environmental impacts.



- Where an application involves adaptable housing, an adaptable housing checklist must be completed to ensure that the development complies with AS4299-1995 for *Adaptable House Class C* and plans showing the proposed and the converted use must be submitted; and
- A Crime Risk Assessment where the proposed development includes or is greater than 20 dwellings.

#### J1.13 Variations

An applicant may make a submission seeking a variation to 'strategies' within Section J2 of this Part or the 'controls' within Sections J3, J4 or J5 of this Part. Support for variations shall only be granted where it has been demonstrated that;

- (i) The stated objectives for the particular strategies or controls are achieved, and
- (ii) That non-compliance with the provisions contributes to satisfying the Vision, Overall Objectives and Desired Character of Section J2 of this Part.

#### J1.14 The Consent Authority

Blue Mountains City Council is the consent authority for all development within the Lawson Village Centre.

#### J1.15 Date of Approval

Part J of the *Better Living Development Control Plan* was adopted by Council on 4 October 2005, and came into effect on 1 December 2005.



### J2 Vision, Objectives,

### **Desired Character & Strategies**

The Vision, Objectives, Desired Character and Strategies in this Part have been prepared to achieve stakeholders' aspirations and embrace opportunities for future growth. These aspirations and opportunities were considered during the Lawson Master Plan process. This process lead to the preparation of the Lawson Master Plan and its approval by Council on 16 December 2003.

The Desired Character in this Part has been segmented into the following seven elements:

- Uses
- Gateways
- Special Places for the Community
- Pedestrian Environment
- Parking Facilities
- Built Form
- Heritage

Future design in Lawson should be flexible and should be able to accommodate innovation and changes. Any variation to key components of the master plan such as urban structure, activities, parking, public domain and/or built form must ensure that future development enhances the vision and meets the Objectives and Desired Character.

# Lawson Village

Blue Mountains Better Living DCP



#### J2.1 Vision

Blue Mountains City Council and the community of Lawson are committed to a Village Centre that promotes community well being in a context of sustainable development, by creating a balance between the social / cultural, economic and natural environments. Refer to Part 3, Division 3, Clause 60(1) "Consideration of character and landscape" within *Blue Mountains Local Environmental Plan 2005*.

The significance of the Lawson Village Centre as a commercial / retail precinct and the cultural linkages to the heritage and community of Lawson can be strengthened through the expansion of existing commercial / retail operations and improvements in community facilities provisions.

#### J2.1.1 SOCIAL / CULTURAL ENVIRONMENT

Future development of the Lawson Village Centre should appropriately respond to the social and cultural identity of the Village Centre and the community. Existing linkages to the history of Lawson should be retained and enhanced by appropriate built form, land use and landscape treatments.

Lawson Village Centre has potential to develop as a social / cultural focal point for the community with provisions of additional community facilities and a pedestrian friendly environment (refer to Figure 6).

The creation of a sense of place through high quality landscape design, built form, a range of uses and the adequate provision of open space within Lawson Village Centre should promote a strong sense of community that contributes to the social / cultural experience in the Village Centre.

#### J2.1.2 ECONOMIC ENVIRONMENT

The existing retail and commercial activity occurring in the Village Centre has potential to expand and diversify to accommodate a range of uses.

The retail / commercial activities within the Village Centre should cater for the needs of the community and passing highway trade including tourism opportunities.

The aim is to promote a viable economic environment where retail, small businesses and local employment are able to support the needs of the community. A strong local economy will mean that people are able to shop, work and relax near their home while being able to easily access the benefits of regional centres.

#### **J2.1.3 NATURAL ENVIRONMENT**

Principles of Ecologically Sustainable Development (ESD) will be adopted to ensure that natural resources are enhanced, conserved and recycled so that ecological processes are maintained for the benefit of present and future generations.

Development of the Village Centre should appropriately respond to the natural environment in Lawson that includes, but is not limited to, the climate, topography and landscape.
#### J2.2 Overall Objectives

- To provide an urban structure that has a clear hierarchy of road and streets;
- To maintain the relationship between shops, highway and railway;
- To encourage retail activities at the rear of the shops facing the Great Western Highway;
- To create special places for the local community protected from annoyances associated with the Great Western Highway;
- To create a place that recognises its history and cultural identity;
- To provide sufficient parking to maintain a viable retail activity;
- To reinstate Heatherbrae as a focal and activity point;
- To allow for the extension of the Community Centre;
- To provide a viable Village Centre with a variety of uses and activities;
- To support frontage development along streets wherever possible;
- To maintain a village character with a safe pedestrian environment;
- To create a built form that blends with the existing urban fabric; and
- To embrace principles of ecologically sustainable development within the Village Centre with the intention that natural resources be enhanced, conserved and recycled.



Figure 2 – Aerial Views of Lawson





#### J2.3 Desired Character

This Part seeks to promote a Village Centre that is vibrant and efficiently designed to provide an appropriate and interconnected mix of retail, commercial, residential and leisure uses, catering to the needs of the local community and the wider regional catchments.

#### J2.3.1 USES

In order to maintain the passing trade character, retail and commercial uses are maintained along the Highway.

The potential to increase residential uses that support more retail and increases the activity of the Village Centre is addressed through the provision of a second storey in some of the buildings fronting the highway. The second storey could also be used for additional commercial uses.

The master plan allows for an extension of the Mid Mountains Community Centre, storage rooms for the Health and Care Centre (HACC) and a Library in the site adjoining the Community Centre to the east. If Heatherbrae House were to be acquired by Council, the site has potential to be adapted for community facilities.

#### J2.3.2 GATEWAYS

The master plan seeks to provide two gateways responding to two distinctive places of Lawson's historical and social identity, Douglas Square and the Mid Mountains Community Centre.



Figure 3 – Service Road

Douglas Square, in the northern end will be designed to reinterpret its early landscape elements while maintaining its civic character. The Blue Mountains Hotel and the Staples Stores at the western side of the square will be encouraged to reinstate their heritage character.

At the southern end of the Village Centre, a community garden will be integrated with the existing tree planting to reinforce the social character formed by the Mid Mountains Community Centre and the Lawson Public School.

#### J2.3.3 SPECIAL PLACES FOR THE COMMUNITY

Two distinctive places in the form of a Village Park and a Village Square, with their own character and function will be provided for the community.

The setting and landscape of the Heatherbrae gardens have the potential to become a Village Park in the New Street frontage. A special treatment of the paving across New Street and the Village Park slows traffic and reinterprets the origin of Lawson as a billabong with good availability of water.

A small scale and intimate Village Square or winter garden will be provided at the rear of shops fronting the service road with its own retail frontage. The space has the potential to become an outdoor seating area away

from the noise, fumes and high traffic flows of the Great Western Highway.

#### J2.3.4 PEDESTRIAN ENVIRONMENT

In order to create a safe pedestrian environment, New Street will be moved to the east to abut the boundary of Heatherbrae and discourage high-speed traffic and to create a better relationship of the street with the Village Park.

Clear pedestrian routes with pedestrian crossings will be provided to facilitate access to and from the train station, the Mid Mountains Community Centre, Lawson Public School and the Village's Park and Square.

#### **J2.3.5 PARKING FACILITIES**

Parking facilities additional to those in the Service Road will be located at both eastern and western ends of the Village Centre.

At the eastern end Blind Street extends to meet the existing parking facilities off New Street. The layout of the area has been rearranged to increase and rationalise parking spaces.

At the western end, a new parking facility will serve the neighbouring Community Centre and the retail shops.

Additional parallel parking is provided along New Street, Benang Street and the future possible site for a public library.

#### J2.3.6 BUILT FORM

In order to create a vital and lively environment the built form will be developed with the principle that shops must front important streets and public spaces wherever possible. The height of the building is determined by the shadow impacts at mid winter in the public domain, and the need to reinforce important street corners.

#### J2.3.7 HERITAGE

The response to Lawson heritage will be addressed through the reinstatement of Douglas Square as the main civic and historical place in Lawson.

Lawson's historic 'transport corridor' role in the Blue Mountains will be maintained through the provision of retail and parking areas servicing the highway.



Figure 4 – New Street





Douglas Square



Great Western Highway



Rear of Staples Stores

Figure 5 – Perspectives of Lawson Village Centre



Figure 6 – Vision Plan



#### J2.4 Urban Structure

Urban structure is concerned with the layout of elements within the Village Centre and the form they assume.

Urban structure refers to the existing and proposed amenity within an urban environment and how these elements relate and are linked to each other. Understanding how these elements interact is an important part of establishing appropriate building envelopes for a block and/or a precinct.

#### > OBJECTIVES

- To develop a compact, functional, accessible and attractive Village Centre;
- To provide a legible road and block pattern;
- To create a permeable environment for pedestrians; and
- To reinforce important views to Heatherbrae and the Blue Mountains.
- > STRATEGIES
- Refer to Figure 7

#### J2.5 Activities

A diverse mix of uses and activities that are responsive and enhance the public domain are essential for establishing and maintaining a vital and viable Village Centre environment.

Continuous ground level retail frontages offer the benefits of safety, commercial activity and street life. The provision of commercial uses and housing on the upper levels will contribute to a vibrant Village Centre that enables passive surveillance of streets and after-hour activity in the Village Centre.

#### > OBJECTIVES

- To develop a Village Centre in Lawson based on economic, social and environmental sustainability principles
- To develop a strong and sustainable mixed use Village Centre with a broad range of shops;

- To ensure that social and community facilities cater for the wider community of the mid mountains;
- To improve the relevance of the Village Centre to the constituent community;
- To create a Village Centre based on retail activities and to facilitate environmentally sustainable development that improves the social and economic environment in Lawson;
- To promote the viability of the Village Centre by permitting commercial and residential uses in two-storey buildings facing the Great Western Highway;
- To maintain the character and serviceability of the local retail industry for local clients and clients which are generated from the Highway;
- To promote additional community space in the vicinity of the Mid Mountains Community Centre and 'Heatherbrae'; and
- To increase the range of uses, activities and surveillance within the Village Centre by increasing residential uses within the Village Centre.

#### STRATEGIES

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Refer to Figure 8.







#### J2.6 Access and Movement

The activity and life of the Village Centre is created by the movement of pedestrians between the rear of the new shops on the Highway and the pathway at the rear of the hotel that links to Honour Avenue and the underpass to the Railway and the north.

The shops on the Highway will be supported by passing highway traffic and are served by parking in the service road with a direct return to the Highway.

#### > OBJECTIVES

- To provide a pedestrian friendly Village Centre with low vehicle speeds;
- To provide a comprehensive pedestrian network linking special places, shops and the Community Centre;
- To create a high quality, safe and permeable walking environment;
- To create a pedestrian network that can be used by all users in the community including children, elderly people and people with disabilities;
- To provide dignified and equitable disabled access to public places, streets and buildings;
- To provide increased access and parking to future social and civic facilities;
- To encourage a low-speed traffic environment;
- To create and maintain safe and legible pedestrian linkages to the train station tunnel, bus stops and taxi ranks;
- To promote New Street as the main street in Lawson; and
- To ensure vehicular traffic in New Street is 'managed' and pedestrian friendly.

#### STRATEGIES

Refer to Figure 9

#### J2.7 Parking and Servicing

The location, quantity and form of parking areas are a critical component of achieving an accessible and sustainable Village Centre.

Parking will be provided in the form of carpark areas and on-street parking. Carpark areas allow for the clustering of a large number of spaces in one area while on-street parking provides high levels of access to activities and creates a buffer between passing vehicles and pedestrians on the footpath.

Servicing areas will be located to the rear of buildings that front the Highway to maintain the continuous retail streetscape.

#### > OBJECTIVES

- To provide sufficient parking to sustain a vibrant retail centre;
- To ensure all parking is accessible by the public; and
- To provide adequate access to service areas to ensure the viability of the Village Centre.

#### STRATEGIES

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Refer to Figure 10.





Figure 9 – Access and Movement



Figure 10 – Parking and Servicing



#### J2.8 Heritage

The heritage of the Lawson Village Centre will be addressed through the reinstatement of Douglas Square as the main civic and historical place in Lawson.

Lawson's historic 'transport corridor' role in the Blue Mountains will be maintained through the provision of retail and parking areas servicing the Highway.

#### > OBJECTIVES

- To create a place that recognises its history and cultural identity;
- To retain and positively exploit Lawson's historic role as a 'transport corridor' and its close visual and functional relationship to the Village Centre;
- To create a heritage gateway to the Village Centre;
- To respond and enhance the inter war architectural character and built form of significant buildings in the Village Centre with appropriate design and treatment of new developments; and
- To ensure development behind the commercial strip fronting the Great Western Highway support and complement the activities along the highway strip.

#### > STRATEGIES

Refer to Figure 11.

#### J2.9 Built Form

The form, appearance, size and placement of buildings establish the character of the urban environment.

The built form for Lawson seeks to maintain its village character with the provision of one and two storey buildings.

The built form should also respond to the diversity of the community and allow the individual expression of its users. This reinforces the character of an area, and ensures its viability and patronage.

Building heights and setbacks provide guidance for the envelope of the building.

Building footprints should allow the building to exhibit a strong relationship to the street they address, in terms of height, length and setbacks, in order to maximise solar access and to facilitate the development of active outdoor spaces.

#### > OBJECTIVES

- To provide layout and building controls that ensure buildings and public spaces achieve passive solar access design and other ESD principles;
- To ensure that Lawson maintains its village scale;
- To maintain a built form character that is consistent with other Blue Mountain townships and is sympathetic with its immediate surroundings;
- To create open spaces defined by buildings;
- To locate two storey buildings facing the Great Western Highway;
- To reinstate the gateway character of the Blue
  Mountains Hotel, the Stapes Stores and
  Douglas Square; and
- To mark the entrance to the Village Centre at the intersection of New Street and the Great Western Highway.





### J3 Public Domain

The public domain for the Village Centre will be focused on four public spaces: Douglas Square, a Village Park at Heatherbrae, a Village Square at the rear of the shops fronting the highway and a community garden area at the rear of the Community Centre.

The four spaces are interconnected in a safe and friendly pedestrian environment through walkways and pathways.

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#### J3.1 Access

This section provides guidelines for the provision of vehicular and pedestrian arrangements in the Village Centre. The location of vehicular access and parking areas should be carefully considered to ensure that the shopping centre character, pedestrian safety and commercial viability of the Village Centre are maintained.

Any new development must be designed to allow equitable access to all people, including people with disabilities. All public spaces should provide disabled access refer to Part 4, Division 6 – Equity of Access and Housing Choice, and Division 7 – Accessible Housing of LEP 2005 and the Disability Discrimination Act 1992 and NSW Anti Discrimination Act 1977.

#### J3.1.1 ROAD NETWORK

The design of the road network has been designed to reduce the speed of traffic through the Village Centre and to facilitate greater pedestrian movement in the Village Centre.

The road layout of the Lawson Village Centre, as detailed in this Part, is not fixed however if the road layout is altered, any proposed road layout must meet the following objectives.

#### > OBJECTIVES

- To ensure traffic in the main street (New Street) of the Village Centre is low speed and is pedestrian friendly;
- To ensure access is provided to shops fronting the Great Western Highway by means a slip road; and
- To ensure that convenient access is provided to parking facilities.

#### > CONTROLS

- The intersection at New Street and the Great Western Highway will be signalised with rightturn provisions for east bound traffic.
- New Street is to be realigned to the east to discourage high speed traffic.
- 3) Give way traffic will be as in Figure 9.
- Blind Street and New Street will give way to Benang Street.
- 5) The exit of the Blind Street carpark will give way to New Street.

- The exit of the Benang Street carpark will give way to Staples Street.
- 7) A Traffic Impact Assessment must be prepared prior to the development application for the road network which identifies the traffic impacts of the proposed Village Centre development and provides mitigation measures, if required, for the local road network.
- A Traffic Impact Assessment must be prepared prior to any development proposal for a building greater than 1,000 square metres.
- A left turn from the Great Western Highway into Staples Street is not permitted.
- A left turn from Staples Street to Great Western Highway is permitted.
- 11) Provide a one way service road (ingress via New Street, egress via Staples Street).
- 12) A left turn from the Great Western Highway into Staples Street is not permitted.
- A left turn from Staples Street to Great Western Highway is permitted.

#### J3.1.2 PARKING

The provision of parking areas is essential to service businesses and the community. All development within the Village Centre should comply with any other relevant requirements of this DCP, unless this Part specifies otherwise.

The remainder of this DCP should also be read in conjunction with this section.

Parking should fulfil the minimum requirements outlined in AS 2890.1:2004 Parking Facilities – Off street car parking.

#### > OBJECTIVES

- To provide sufficient and accessible parking to the public;
- To ensure effective management of parking supply; and
- To locate parking close to destinations and provide safe and direct access for customers.

#### > CONTROLS

- Parking will be located in three main areas in the Village Centre; the service road, the Benang
   Street carpark and Blind Street (refer to Figure 1) 10).
- 2) Parallel parking will be provided on New Street and Benang Street.
- The semi-basement parking at the site of the proposed library may operate and serve the Village Centre before the facility is built.
- A small parking area may be developed at the rear of the Community Centre to provide additional parking for the school, the Community Centre and the community garden.
- 5) The number of car spaces to be provided for commercial / retail uses should be calculated at the rate of 5 spaces per 100m<sup>2</sup> of gross retail space.
- 6) For any other development, the number of car spaces provided must comply with the relevant standards in Part D.

#### J3.1.3 SERVICING

Site servicing is required to improve the amenity within developments. Appropriate site servicing facilities for retail, commercial and residential uses need to be located and designed to minimise their impact on the amenity of adjoining properties and the streetscape.

Site facilities include:

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Garbage storage and collection areas;

- Loading and unloading areas;
- Telecommunication;
- Public services; and
- Fire-fighting equipment.

Development should make adequate and appropriate provisions for site facilities and waste. Their location and their design should minimise impact to the streetscape.

#### OBJECTIVES

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To provide sufficient servicing access to ensure the viability of the Village Centre whilst not detracting from the public domain.

#### CONTROLS

- Loading areas are to be located at both the Benang Street carpark and the Blind Street carpark (refer to Figure 10).
- Consolidate car access, servicing and waste disposal to minimise pedestrian conflict, and disruptions to the streetscape.

Refer to Section C5.1 – Services of this DCP for all other requirements relating to the provision of servicing.

#### J3.1.4 PUBLIC TRANSPORT

Public transport access for the local community and tourists will be integrated with the Village Centre to provide linkages to buses, trains and taxis that service the area.

#### > OBJECTIVES

> 1) To ensure the location of public transport is accessible and integrated with pedestrian linkages in the Village Centre.

#### CONTROLS

- The existing bus stop located at the northern side of the Great Western Highway shall be retained.
- A bus bay at New Street is to provide for people accessing the Mid Mountains Community Centre. The bay will join with the existing disabled ramp to improve access for people with disabilities.



- Tourist coaches will use a bus bay suitably designed for such uses, at Benang Street, adjacent to the Village Park.
- A taxi rank will be located in the carpark at Blind Street in close proximity to the supermarket and the Blue Mountains Hotel.
- 5) The area between the tunnel and the taxi spaces is to become a well-lit public right of way.

Refer to Figure 12.

#### **J3.1.5 PEDESTRIAN CIRCULATION**

Good pedestrian circulation in the Village Centre is important to the success of the Village Centre in meeting the needs of the community and maintaining economic viability.

Pedestrian circulation should fulfil the minimum requirements outlined in AS 1428.1:2001 Design for Access and Mobility.

#### > OBJECTIVES

- To achieve a pedestrian friendly Village Centre, including provisions for people with disabilities; and
- To ensure direct and legible pedestrian access and linkages through the Village Square including behind shops fronting the Great Western Highway.

#### > CONTROLS

- A pedestrian phase in the signalised intersection at New Street and the Great Western Highway is required to enable pedestrians to cross along the southern side of the Highway.
- Pedestrian crossings to be provided at New Street, Benang Street and Staples Street to allow access to all retail, commercial and community uses.
- Slopes must have a gradient of not more than 1:14 (7.14%) to allow for disabled access.

Refer to Figure 9.



Figure 12 – Public Transport



#### J3.2 Open Space

Four open space areas in the Village Centre have been identified and will be interconnected to promote a safe and pedestrian friendly environment. The four open space areas are (refer to Figure 13):

- Douglas Square;
- Village Park at Heatherbrae;
- Village Square; and
- A community garden at the rear of the Community Centre.
- > OBJECTIVES
- To enhance the character and image of the Lawson Village Centre;
- To create an interpretation of the Town's foundation as a place with a good natural water source;
- To provide a safe and well distributed network of open spaces;
- To provide adequate places and spaces for social interaction;
- To improve the public domain facing the internal area of the Village Centre;
- To create a distinction between the public domain that fronts the Great Western Highway and public spaces that front the internal part of the Village Centre;
- To improve pedestrian amenity and access for people with disabilities;
- To incorporate initiatives to reduce crime risk and increase security, through use of landscape elements, road alignment, building orientation and lighting; and
- To create a vibrant and meaningful place that facilitates a range of activities including retail, outdoor eating, commercial, community and residential uses.

#### J3.2.1 PARKS AND SQUARES

The parks and squares in the Lawson Village Centre contribute to the creation of special spaces for the community to use as meeting, recreation and leisure places. A sense of place for the Village Centre will be created by implementing distinctive treatments to each park and square to respond appropriately to the individual character and constraints of the open spaces.

#### J3.2.1.1 Douglas Square

Douglas Square is located in the northern end of the Village Centre and is bounded by the train station to the north, the site of the Grand Hotel and Bellevue Park to the east, the War Memorial to the south and the Staples Stores to the west.

#### > OBJECTIVES

- To reinstate Douglas Square as the main entrance to the Village Centre;
- To reconstruct a triangular planter around the fountain;
  - To plant street trees along the axis of Honour Avenue to reflect the original street planting landscape dating back to the 1930s; and
- To provide a community garden at the rear of the Mid Mountains Community Centre as a meeting place for the community.

#### > CONTROLS

- The triangular planter around the fountain is to contain species significant to the area.
- The community garden will retain existing trees with the planting of two additional trees.

- Suitable trees are to be planted in axis with Honour Avenue to re-establish the landscape character from the 1930s.
- Paving in the Square is required to be finished in a sandstone colour to maintain its civic character

### J3.2.1.2 New Street and Village Park at Heatherbrae

The proposed Village Park at Heatherbrae is located adjacent to New Street, which is the proposed main street in the Village Centre. The existing building and garden setting at Heatherbrae is to be retained for its heritage value and potential community/commercial uses.

#### > OBJECTIVES

- To enhance the existing landscape character of Heatherbrae;
- To improve the landscape design of New Street; and
- To improve the amenity of the Village Centre along New Street and the proposed Village Park.

#### > CONTROLS

- The length of New Street from Benang Street to the Great Western Highway is to be paved to promote a pedestrian friendly environment. An undulated pattern that starts on the west side of the kerb to blend into the gardens at Heatherbrae.
- An information board indicating local bushwalks, the history of the Village Centre and a locality map to be erected on the western side of New Street.
- Public toilets to be provided adjacent to the information board area.

#### J3.2.1.3 Village Square

The Village Square is located behind shops fronting the Highway and is located in a central location between the Community Centre, Staples Stores and the Benang Street carpark. Pedestrian pathways through the Village Centre bisect this space. It is envisaged that there will be high pedestrian traffic through the Square.

#### OBJECTIVES

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- To facilitate outdoor dining fronting the Square;
- To ensure legible pedestrian pathways that are integrated with the rest of the Village Centre; and
- To retain existing vegetation.

#### CONTROLS

- Pedestrian walkways are to be provided to link the Village Square with the Benang Street carpark, the Staples Stores, the Great Western Highway and the Community Centre.
- The Village Square is designed to be a place for outdoor eating. The built form and the setbacks allow for sun access during mid winter.
- A 'scarlet oak tree' is located in the centre of the plaza to provided shade during summer months.
- 4) The Village Square is to be paved with sandstone coloured paving.

#### J3.2.2 PUBLIC ART AND DESIGN

For public art and design refer to Council's *Public Art Policy* (June 2001).





#### J3.2.3 SAFETY, SECURITY AND COMFORT

A safe and secure environment encourages activity and viability in the Village Centre. It is important to increase casual surveillance of public spaces and reduce the risk of crime and physical threats to safety refer to Clause 87 – Crime Minimisation Assessment of LEP 2005.

Appropriate design and treatment of urban elements contribute to the perceived safety and security of the public domain. Urban elements include:

- Planting;
- Paving;
- Street furniture;
- Lighting; and
- Signage.

#### > OBJECTIVES

- To reduce threats of crime and increase security by incorporating appropriate design and treatments to urban elements; and
- To ensure the built form and the building setbacks allow for sun access during mid winter.

#### J3.2.3.1 Planting

Street tree planting can enhance the image and legibility of a place by the use of a particular species, with consideration to its form, height and colour. The selection and pattern of planting can be used to define street hierarchy and character as well as define particular spaces, views and create linkages.

#### > OBJECTIVES

- To enhance the landscape character of the Village Centre; and
- To ensure appropriate species are planted to represent and define the street hierarchy within the Village Centre.

#### CONTROLS

Street tree planting is not permitted under or close to awnings.

- Additional tree plantings that enhance streets and public domain areas within the Village Centre will be permitted.
- Proposed landscape design at the rear of the Blue Mountains Hotel should integrate existing and significant trees.
- Plantings at Heatherbrae Gardens must be consistent with the streetscape to improve visual amenity surrounding Village Park.
- 5) Street trees should contribute to the landscape character and provide aesthetic appeal and are suited to the climate of the Village Centre.
- Trees planted in the Village Square are required to be deciduous.
- 7) Refer to the Lawson Public Domain Manual.

#### J3.2.3.2 Paving

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Paving within the Village Centre provides safe and pedestrian friendly pathways. The design and materials used for paving in the Village Centre can contribute to the quality of the streetscape and create visual interest.

#### OBJECTIVES

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- To delineate pedestrian pathways through the Village Centre with a consistent finish; and
- To ensure hard paved surfaces do not increase runoff and impact on the bushland areas.

#### CONTROLS

A common paving pattern will be adopted along all streets in the Village Centre.

- The banding in the Village Square should be consistent with the different geometries created by the built form.
- The paving along New Street should be laid in a wave pattern using the colours of terracotta and natural.
- Pavers should be consistent with the sandstone colour theme which integrates the built environment with the surrounding natural environment.

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- 5) Where appropriate, paving should be permeable to increase infiltration.
- 6) Refer to the Lawson Public Domain Manual.

#### J3.2.3.3 Street Furniture

Street furniture is provided to meet the needs of the community and visitors of the Village Centre. Subtle palates of street furniture and other urban elements will improve the image and character of the Village Centre without dominating the retail environment.

#### > OBJECTIVES

 To provide street furniture that improves the amenity and streetscape of the Village Centre.

#### > CONTROLS

- A coordinated palette of street furniture items will be used through the Village Centre.
- Street furniture includes waste receptacles, bicycle racks, water bubblers, seats and bollards.
- The style and colour of the proposed street furniture should complement the proposed paving tones and enhance the streetscape.
- 4) Street furniture should be metallic, robust and resistant to rain.
- 5) Recycling receptacles should be provided along side waste receptacles. Refer to the *Lawson Public Domain Manual.*
- Bicycle racks will provide a total of twenty bicycle parking spaces in Lawson Village Centre. Refer to Figure 9.
- The location of bicycle racks must support cycle access to local amenities and public transport links. The location of bicycle parking spaces in the Village Centre are as follows;
  - a) 8 parking spaces located at the pedestrian tunnel in Douglas Square;
  - b) 4 parking spaces located in the Village Park;
  - c) 4 spaces located at the library; and
  - d) 4 parking spaces located on the northern side of the Community Centre serving the Community Centre and Village Square.

#### J3.2.3.4 Lighting

Appropriate lighting will improve the quality of the Village Centre and provide a safe and pedestrian friendly environment by enabling surveillance at night.

Light offers the opportunity to either draw attention to the street, the buildings and the Village Park or be dimmed to create a more intimate, pedestrian scaled environment.

#### > OBJECTIVES

 To ensure the character of localities within the Village Centre are maintained and provided with appropriate lighting.

#### > CONTROLS

- Slot lighting should be used to reinforce lighting along side streets, the pedestrian route to the taxi ranks and the Village Park.
- Slot wall lighting should be used along the Village Square to reinforce the pedestrian scale environment.
- Slot vela lighting should be used along New Street, from the Great Western Highway to Benang Street
- 4) Refer to the Lawson Public Domain Manual.

#### J3.2.3.5 Signs and Advertising

Signs and advertising plays a significant part in indicating retail and commercial uses and in creating a lively retail strip.

In some instances, businesses require or desire too many signs or advertising, which creates visual clutter and detracts from the streetscape quality.

Signs and advertising in the Village Centre should be integrated into the design of the new buildings.

#### > OBJECTIVES

 To ensure signs and advertising complements the built form and character of the Village Centre;

- To protect the visual quality and the amenity of the streetscape by ensuring that signs and avertising do not dominate nor detract from the existing architecture; and
- To require signs and advertising to be integrated into the building design.

#### > CONTROLS

- Comply with Blue Mountains DCP No. 21 Advertising and Information Signage and SEPP No. 64 (Advertising and Signage).
- 2) Signs that obscure important architectural features of buildings are not permitted.
- Signs that protrude, or extend beyond awnings are not permitted.
- Roof signs and any other advertising structures which project above the parapet of the building or any part of the building to which they are attached are not permitted.
- 5) Fin signs and projecting wall signs are not permitted.
- The size of signs must not dominate the façade of buildings.
- Painting or cladding the entire building façade and/or all walls of a building to act as a large billboard is not permitted.
- Size and shape of any other outdoor advertising must relate to the size of the building or space to which it is attached or placed.

Refer to the Lawson Public Domain Manual.



### J4 Private Domain

This section sets out the design controls for the Village Centre. The controls address urban structure, activities, building envelope, height, composition and design, heritage, site access, parking and servicing.

The aim of these design controls is to ensure that all development proposals are of an appropriate bulk and scale to maintain the desirable aspects of the local character, as well as taking into account environmental considerations.

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#### J4.1 Urban Structure

Urban structure is concerned with the layout of roads, pedestrian access ways, blocks and building form.

A combination of street hierarchy and pedestrian linkages will influence the size of blocks and building form within the Village Centre.

#### > OBJECTIVES

 To provide a legible and functional road and block pattern.

#### > CONTROLS

- The northern section of New Street to be realigned in order to create a visual axis towards Heatherbrae Gardens.
- 2) Benang Street will link Honour Avenue with the carpark at the western end of the Village Centre.
- Parking areas are to be provided at both eastern and western ends of the Village Centre.
- A pedestrian walkway should link both ends of the Village Centre between the Benang Street carpark and the Blind Street carpark.
- 5) Pedestrian walkways are to be provided between the Great Western Highway and the pedestrian walkway within the Village Centre.

#### J4.2 Activities

The main economic activities generated by the Village Centre are retail and commercial related uses. Mixed use developments that integrate residential and community uses in the Lawson Village Centre are encouraged to facilitate a vibrant and attractive Village Centre.

#### > OBJECTIVES

- To facilitate mixed use developments within the Village Centre;
- To maintain and reinforce the retail character of the Village Centre fronting the Highway; and
- To facilitate residential use within developments in the Village Centre.

#### > CONTROLS

#### **Retail and Commercial**

- Retail and commercial uses are to be maintained along the Highway to maintain the passing trade character.
- The hierarchy of the retail uses are divided into the following edge conditions, dependent on the location and possible business types.
- Delicatessen, fast food/café, fruit and vegetables, butcher, bakery, chemist and newsagent.
- Personal service tenants, recreational goods, furniture, home wares, appliances, clothing & soft goods, takeaway, restaurants, video and liquor.
- 5) Accountants, real estate agents and personal services such as hairdressers.

#### **Residential**

 Residential uses on the second storey of buildings fronting the Highway will be permitted. Alternatively, this space could be used for additional commercial uses.

#### Community

9)

- An extension of the Mid Mountains Community Centre is permitted. The extension must maintain the courtyard style of the building.
- New storage facilities for the Health and Care Centre (HACC) are to be provided in the grounds of the Mid Mountains Community Centre.
  - A library with an area of 450m<sup>2</sup> is permitted opposite the Community Centre in New Street.

#### J4.3 Building Envelope

Building envelopes within the Village Centre will respond to the character of the Village Centre with appropriate built form. Building envelopes are defined by:

- Building setbacks;
- Building heights; and
- Building composition and design elements.

#### > OBJECTIVES

- To reinforce the Village Centre as a focus for retail and commercial activity, particularly in buildings fronting the Highway;
- To maintain low scale developments in the Village Centre;
- To ensure solar access to public spaces is achieved;
- To ensure buildings envelopes appropriately address the public domain;
- To maintain the character of the Village Centre and reinforce important street corners; and
- To ensure building heights do not restrict solar access to the Village Square

#### > CONTROLS

#### **Setback Controls**

- 1) Zero setbacks for buildings fronting all streets.
- Buildings facing the Village Square and pedestrian walkways that link into it, must have the following setbacks to enable solar access and reduce the effects of wind:
  - a) 0 metres for ground level;
  - b) 5 metres for a second level; and
  - c) 10 metres if a third level is permissible (maximum two storeys along Great Western Highway).

Refer to Figure 14.

#### **Building Height**

- A maximum two storey height limit for buildings fronting the Highway.
- Buildings located to the north of the Village Square have a maximum height limit of one storey.

A maximum building height limit of two storeys applies to all sites within the Village Centre (refer to Figure 15).





Figure 14 – Setbacks



Figure 15 – Heights

#### J4.4 Heritage

- > OBJECTIVES
- To retain and positively exploit the Lawson's historic role as a 'transport corridor' and its close visual and functional relationship to the Village Centre;

vson Village

- To create a heritage gateway to the Village Centre;
- To develop an architectural character that reinterprets in a modern idiom the simple inter war forms of the significant buildings; and
- To ensure development behind the commercial strip front the Great Western Highway supports and complements the highway strip.

#### > CONTROLS

- Retain historic transport corridor and physical and visual links to commercial centre.
- Retain street-fronting activity and access to shopping strip.
- Conserve, enhance and positively exploit heritage gateway' to the Village Centre.
- 4) Conserve, enhance and interpret Douglas Square precinct.
- Conserve and interpret Honour Avenue and War Memorial. Reconstruct setting at east end of Memorial.
- 6) Conserve, adapt and interpret Blue Mountains Hotel. Reconstruct original veranda frontage.
- Conserve Staples Store group. Mechanisms to provide incentives for building owners to reconstruct, main frontage and adapt interiors for commercial use should be further investigated.
- Conserve Heatherbrae house and garden by adaptive re-use for commercial/community uses.
- Conserve and interpret adjacent heritage items.
  Protect, enhance and / or screen settings with appropriate landscape treatments.

 Conserve and enhance existing landscape features throughout Village Centre. Reinstate and / or interpret early tree planting layouts.

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- 11) Conserve significant sites and streetscapes adjoining the Village Centre (buildings, landscape character, etc.)
- 12) Protect and interpret sites of archaeological significance.
- Maintain and enhance community activity / gathering places within Village Centre.
- Maintain and enhance pedestrian access through commercial centre with links to railway station and historic buildings.
- 15) Conserve and interpret Bellevue Park as part of gateway setting to the Village Centre.
- 16) Retain and reinterpret the former site of theGrand Hotel on the northeast corner of HonourAvenue as part of the Douglas Square.



Figure 16 – Heritage Items



### J5 Design Guidelines

This section of Part J provides the design guidelines for each new building within the Lawson Village Centre. In contrast to Section J4 of this Part, which provides controls relating to height, bulk, scale and location, this section provides the detail design guidelines for the building within the building envelopes. These controls apply to both the retail and civic localities.

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#### J5.1 Architectural Character

awson Village

A high level of urban design quality is greatly dependent on the design and appearance of buildings. Welldesigned buildings not only improve the character and appearance of the streetscape but also contribute to the coherence of the Village Centre.

#### > OBJECTIVES

- To promote high quality architectural design;
- To ensure building design reflects the cultural distinctness of the local culture;
- To ensure the façade of buildings are articulated to address the streetscape and reinforce the architectural character of the street and Village Centre; and
- To reinforce the retail and pedestrian activity along the Highway and within the Village Centre with appropriate treatments to the building.

#### > CONTROLS

- All residential buildings of three storeys or more must be designed by a registered architect in accordance with SEPP 65.
- All buildings must express internal functions in their façade.
- Use vernacular styles and motifs within the buildings and public open spaces including entrances to buildings, grilles, seating, paving design, wall treatments and fences.
- Adopt vertical emphasis above awnings and avoid horizontal emphasis, particularly broad opaque, blank walls, and horizontal windows above the awning level.
- 5) All buildings to comprise a tripartite vertical arrangement i.e. bottom, middle and top.
- Express vertical elements within the façade rather than floor levels.
- 7) Use windows with vertical proportions.
- 8) Provide a street address to each building.

 Provide predominately glazed shop fronts to all ground floor retail areas and minimise blank walls at ground level.

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- 10) Limit opaque or blank walls for ground floor uses to 20% of the street frontage.
- 11) Building walls addressing the street must be articulated and fragmented to add visual interest.
- 12) Incorporate changes in ground levels within new retail development and civic facilities such that they are accessible to people with disabilities.
- Highly reflective finishes and curtain wall glazing are not permitted above the ground floor.
- 14) Redevelopment of sites on which important buildings are located must maintain and improve the existing street façades.
- 15) Shop fronts must have a solid vertical element on both sides of the façade to frame the building.
- The second storey of buildings must present predominately vertical elements.
- 17) Buildings on corner sites are required to incorporate splayed corners.
- Shops fronting main streets are required to have splayed entrances and a base panel.
- Continuous boxed awnings must be provided to shops fronting main streets.
- All façades above ground level should have a greater solid to void ratio.
- 21) Windows are to have a predominately vertical orientation.
- Balconies, if provided should be recessed to minimise the visual impact on the streetscape.
## Lawson Village

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Figure 17 – Architectural Elements



- 23) Other elements that could be incorporated into the façade of buildings include:
  - a) Parapets and/or pediments; and
  - b) Horizontal elements such as cornices should be provided to articulate the main body of a façade and the parapet and/or pediment.
- 24) A sign which indicates the year of construction or name of the shop is permitted.
- 25) Embellish buildings with icons and symbols representative of users.

#### J5.2 Street Corners

Building corners are important both in terms of "way finding" and "place making". They are often used as markers or signs that contribute to making a place and or marking an important intersection.

#### > OBJECTIVES

 To ensure corner sites are developed as visually significant elements in order to promote a strong and legible character to the Village Centre.

#### > CONTROLS

- Retain, wherever possible, existing corner buildings of landmark or contributory quality.
- Articulate street corners by massing and building articulation to add variety and interest to the street.
- Height variation in buildings on corners is permitted along the building frontage of both streets for a maximum of 6 metres, subject to a satisfactory resolution of the form in terms of scale, proportion, materials and finishes.
- Present each frontage of a corner building as a main street frontage.

#### J5.3 Awnings

Awnings are used to define active street uses and provide pedestrian amenity in the form of weather protection.

#### > OBJECTIVES

- To maintain the distinctive character of Blue Mountain townships with boxed awnings; and
- To provide weather protection and improve pedestrian amenity.

#### CONTROLS

>

1)

- Continuous boxed awnings must be provided along all shops facing main streets (refer to Figure 18).
- Boxed awnings should wrap around corner buildings.
- Canvas awnings should be provided in shops facing the Village Square and the pedestrian walkway leading into it.

#### J5.4 Active Street Frontages

Active street frontages within the Village Centre will be created with the continuous built form and retail uses along the ground level.

#### > OBJECTIVES

- To provide casual surveillance to the public domain from buildings;
- To maintain fine grain retail along main streets; and
  - To ensure shop fronts address the street.

#### CONTROLS

>

- Shop fronts along all streets should be predominately glazed and accompanied by an entry.
- 2) Roller shutters on shop fronts are not permitted.
- Shops with a secondary frontage must have at least 40% of the façade as windows.
- Individual shops are limited to a width of 15 metres.

## Lawson Village



Figure 18 – Awnings



Building entrances provide an interface between the public and private domain. Entrances give a building an identity and define the entry to the street.

awson Village

#### > OBJECTIVES

 To provide an identifiable and desirable street address to each building.

#### > CONTROLS

- Separate the street address for retail uses from residential and commercial uses within each building.
- 2) Recess entries to create entry spaces to residential and commercial uses.
- Entrances should be visible from the street and well lit.
- Pick up or set downs are not permitted within front setbacks.
- 5) Ensure entrances can accommodate movement of furniture.
- 6) Entrances must be visible from the street and well lit.

#### J5.6 Roof Forms

The relative consistency in roof height and form assists in defining the street wall and the cohesiveness of the retail frontage.

The range in rooftop forms and parapets contribute to the skyline or silhouette of the Village Centre.

#### > OBJECTIVES

- To ensure roof forms contribute to the proposed character of the Village Centre;
- To ensure the prominence of the roof forms and parapets; and
- To ensure new development incorporates welldesigned rooftops that add visual interest to the skyline when viewed from street level or surrounding key vantage points.

#### CONTROLS

>

1)

2)

3)

4)

All roof forms and roof top elements are not to exceed the maximum allowable height limit for the site.

Blue Mountains Better Living DCP

- Minimise the bulk and mass of roofs and the potential for overshadowing from roofs.
- Use parapets in the core retail area.
- When pitched roofs are proposed, slopes or pitches should match the existing pitched roofs of the area.
- 5) Provide landscape and shaded areas on roofs, for the benefit of the building occupants, wherever possible.
- 6) Where flat roofs are proposed, the design should incorporate parapets or rooftop activities/features to make sure unsightly lift overruns and rooftop plants and machinery are obscured from view.
- Incorporate lift overruns and service plant etc in to the design of the roof.
- 8) Avoid attic windows and dormers in the roof.

#### J5.7 Materials and Finishes

Lawson Village Centre comprises a broad palette of materials, finishes, and colours. The palette contributes to the perceived image and assists in creating a unified streetscape.

The selection of materials, finishes, and colours should have regard to the character of the Village Centre, as well as the surrounding area allowing for unity as well as diversity.

#### OBJECTIVES

>

- To ensure new materials do not detract from the materials found within the Village Centre;
  - To use materials which reinforce building proportions and façade articulation; and
    - To ensure colours are in character with the existing shopping centre and surrounding buildings.

## Lawson Village

#### > CONTROLS

#### **Materials**

- 1) Avoid expanses of any single material.
- 2) Utilise high quality and durable materials and finishes.
- 3) The following materials are preferred:
  - a) Face brick with colored render;
  - b) Plain glass windows; and
  - c) Weatherboard.
- The following materials are incompatible with the desired character:
  - a) Large wall tiles;
  - b) Rough textured render;
  - c) Polished metal and curtain walls; and
  - d) Reflective glass.

#### Colours

- 5) Generally, paint all rendered and stucco buildings with flat acrylic paint.
- Paint exterior joinery with gloss finish and monochrome schemes.
- 7) Avoid corporate colours schemes.
- Use colour schemes compatible with surroundings structures.

#### J5.8 Ecologically Sustainable development

The building design shall embrace the principles of ecologically sustainable development with the intention that natural resources be enhanced, conserved and recycled so that ecological processes are maintained for the benefit of present and future generations.

- OBJECTIVES
- In complying, or for the purpose of satisfying the requirements of Clause 106 (Sustainable Resource Management) of LEP 2005, the following controls should be in place in relation to the non-residential buildings.

#### CONTROLS

system.

8)

>

- 1) The installation of energy efficient lighting, motion detectors and dimmers, are encouraged, whilst still meeting required lighting standards. 2) The building design shall demonstrate how the development maximises solar gain in winter and reduce solar gain in summer (generally the longest faces of the building facing north/south). 3) Where possible roofs are to be flat or facing north to maximise efficiency for solar energy in winter. 4) Ceiling / roof insulation must have a minimum R3.5 rating. Wall insulation must have a minimum R2.5 rating. 5) Storm water drains are to be located so that the storage or handling of waste and wastewater will not result in the pollution of the storm water
  - Where a hot water system is of domestic/ residential scale it must achieve a minimum Greenhouse Score of 4 Stars.
  - 7) Sufficient permanent covered space shall be provided to install waste and recycling facilities to service co-mingled, cardboard / paper and general waste collection within the development site.
    - The use of recycled or remanufactured materials over virgin products is encouraged where this does not attract a significant lifecycle cost or performance penalty.

#### 5.9 Noise Attenuation

Noise attenuation measures need to be provided for residential uses due to the noise of the Great Western Highway.

#### > OBJECTIVES

 To ensure living areas in residential developments are provided with noise attenuation measures.



#### > CONTROLS

- A noise and vibration assessment must be undertaken for any proposed residential development located within 100m of the Great Western Highway and the rail corridor.
- Council shall not consent to development in areas that are significantly affected by noise and vibration unless it is satisfied that appropriate measures to minimise this impact have been included.
- Development that is located adjacent The Great Western Highway should be in accordance with Environmental Protection Act criteria (The Environmental Criteria for Road Traffic Noise, May 1999).
- 4) Locate noise sensitive areas such as bedrooms and living areas away from the noise source.
- 5) Provide appropriate noise shielding or attenuation techniques as part of the design and construction of buildings.



## J6 Glossary of Terms

The following glossary assists in defining terms, which are used throughout this Part.

Access way means any internal street or driveway providing local access for shared traffic, pedestrian and/or recreation use, but with pedestrian priority within a development.

Accessible means a site or space which is easily approached or entered and used by people with disabilities.

Acoustic privacy refers to the measure of sound between dwellings, and between external and internal spaces.

Adaptable Housing means housing that is designed and built to accommodate future changes to suit occupants with mobility impairment or life cycle needs.

Allotment refers to an individual parcel of subdivided land.

Attic means a floor located in the roof space where the angle or pitch of the roof is not greater than 36 degrees, and the roof pitches from the ceiling level of the uppermost floor immediately below that floor.

**Balcony** means an open area above ground level, not being an enclosed room or area, attached to or integrated with a dwelling for the exclusive enjoyment of the occupant or occupants of a dwelling.

**Block** refers to a group of subdivided lots, the edge of which is bound by public roads, and in some cases, public roads and public open space.

**Building envelope** means a three dimensional shape within which a development must fit. It defines the limits for the sitting (including setbacks) and height of any dwelling or buildings.

**Building footprint** means the area of land measured at finished ground level that is enclosed by the external walls of a building.

**Building height** means the vertical distance between the natural ground level and the ceiling level of the uppermost storey, and is defined in terms of storeys and height in metres.

Car space means the area of pavement to park one car and is usually delineated.

Council means Blue Mountains City Council.

Development area means that part of the site area capable of having a building constructed on it exclusive of:

- Land where development is not permissible under the LEP; and
- Land that is constrained by being flood and/or fire prone or subject to instability.

## Lawson Village

**Ecologically sustainable development (ESD)** is development that uses, conserves and enhances the community's resources so that ecological processes are maintained and the total quality of life, now and in the future can be improved.

**Floor** means that space within a building, which is situated between one floor level and the floor level above, or if there is no floor above, the ceiling of roof above.

Floor space ratio (FSR) means the ratio of the total gross floor area of any building or proposed building to the total allotment area on which the building is or is proposed to be situated.

Finished ground level means the level of the finished ground surface.

**Gross floor area** is the sum of the areas of each floor of a building, where the area of the floor is taken to be the area within the outer face of the external enclosing walls (as measured from a height of 1,400 millimetres above each floor), excluding:

- Any columns or projections outside the general line of the outer face of the external walls;
- Lift towers, machinery and plant rooms and ancillary storage space, vertical air conditioning ducts;
- Carparking (including garages and car ports) needed to meet the requirements of Council and internal access to that carparking; and
- Space for loading and unloading of goods.

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

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

Height measured in metres means:

• The vertical distance measured between ground level at any point at which the building is sited, and the ceiling of the topmost floor of the building above that point.

Height measured in storeys means:

- The number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building;
- Roof space will not be considered as a storey if the roof angle is less than 36 degrees, that is, the angle between the top story ceiling of the dwelling and the roof slope from the gutter to the roof ridge cannot exceed 36 degrees;
- Roof space will not be considered as a storey if the angle between the parapet and the roof ridge is less then 36 degrees; and
- Foundation spaces, garages, workshops, store rooms and the like which do not project more than 1 metre above natural ground level (at any point) are not counted as storeys.



Heritage items means:

- A building, work, archaeological site or place specified in an inventory of heritage items that is available at the office of the Council, or
- A place specified in an inventory of heritage items available at the office of the Council and described in the inventory as a place of Aboriginal heritage significance.

**Higher density development** means the development of more than one dwelling on a site where facilities are shared (e.g. access, parking, communal open space etc).

Impervious surface is material that does not allow water to pass through to the soil below.

Living area means a room used for normal domestic activities excluding non-habitable rooms and bedrooms.

Lot refers to an individual parcel of subdivided land.

**NatHERS** or equivalent is a computer simulation tool for rating the thermal performance of houses across Australia. The Energy Management Task Force is responsible for delivering a NatHERS compliance protocol. Any software or paper checklist that passes under this protocol is deemed NatHERS or equivalent.

Natural ground level means the existing ground level before the commencement of any works.

Parapet means a low protecting wall or railing along the edge of the roof.

#### Place of Aboriginal heritage significance means:

- A place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- A natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

Private Domain means a place which is privately owned, and intended for the exclusive use of the owners.

**Public Domain** means land available for public use, includes streets, lanes squares, boardwalks, roads, playgrounds, parks, open space, pedestrian walkways and the like.

**Roof terrace** means the flat roof of a lower level portion of the building, which is both directly accessible for exclusive use from the dwelling it adjoins and is also open to the sky, except for a pergola or similar sun shading device.

**Setback** means the distance between the boundaries of a site and the external wall of a building erected or proposed to be erected.

**Shadow** means that caused by a proposed structure, together with any existing structures to be retained. It does not include that cast by trees and vegetation or boundary fences.

## Lawson Village

**Shop** means a building or place used for the selling, whether by retail or auction, or hiring of or displaying for the purpose of the selling or hiring of items (whether goods or materials), but does not include a building or place elsewhere specifically defined in this Glossary.

Side boundary means the boundary between adjacent properties.

**Site area** means that area of land to which an application for consent relates, excluding it from any land on which the development is not permitted by this Part.

Storey means a floor within a building, including a floor used for storage or parking, but not including:

- A roof, or part of a roof, used as an uncovered garden, terrace or deck;
- Useable roof space; or
- Sub-basement carparking areas as defined.

**Waste Management Plan** means an outline of any waste or recycling materials to be produced during demolition, construction and future use for a particular development. It includes estimates of volumes or weights of waste produced as well as a description of methods of reuse, recycling and the final destination of waste.

The Better Living Development Control Plan - Part K – Katoomba Eastern Town Approach Precinct – Advertising and Signage, provides additional objectives and development standards for "spectacular" signage at "the Edge" cinema and "special promotional signage" at Blue Mountains City Council headquarters.

#### **1.1** Where this plan applies

This plan applies to land edged heavy in black on the Locality Plan shown at Diagram 1 below.

All development for signage within this precinct must comply to the satisfaction of the Council with the:

- a) precinct objectives;
- b) general location and design of signs;

Advertising ča

Katoomba Eastern Town Approach Precinc

c) design considerations.

#### **1.2** Relationship to other plans

All land covered by this Part is also subject to the provisions of:

- Environmental Planning and Assessment Act, 1979
- State Environmental Planning Policy Advertising and Signage (SEPP 64)
- Blue Mountains Local Environmental Plan 2005 (LEP 2005).

Consideration must also be given to the requirements of the NSW Department of Planning's Transport Corridor Outdoor Advertising and Signage Guidelines - July 2007, or other guidelines which may supersede these guidelines.

Consideration must also be given to Advertising and Information Signage - Development Control Plan No. 21 (DCP 21).

#### **1.3** Purpose of the plan

The purpose of this part is to provide clear objectives and guidelines for extra large signage at "the Edge" cinema complex and "special promotional advertisements" at the Blue Mountains City Council (BMCC) Headquarters building within the precinct, in order to comply with the requirements of SEPP 64. This DCP does not seek to control other signage permitted by SEPP 64, LEP 2005 and DCP 21 in other locations within the precinct.

DIAGRAM 1 - LOCALITY PLAN - KATOOMBA -EASTERN TOWN APPROACH PRECINCT



AREA OF SEPP 64 ADVERTISING DESIGN ANALYSI AND PROPOSED ADVERTISING & SIGNAGE DCP

#### 2.1 Precinct objectives for signage

Ensure signage:

- a) is visually integrated with building form and design;
- b) does not impact on traffic safety;
- c) does not impact on the amenity of the surrounding residential areas;
- d) does not detract from the heritage significance of items within and adjoining the precinct;
- e) provides information to the community and visitors;
- f) provides information about the services provided within the buildings on which the sign is located; and
- g) provides opportunities for community art and information to be displayed.

#### **2.2 Desired future character**

#### 2.2.1 PRECINCT VISION STATEMENT

Fronting the Great Western Highway, the precinct provides a positive entry statement to Katoomba which retains the significance of heritage buildings and natural forms, whilst providing important information and statement entry signage for the community and visitors.

#### 2.2.2 DESIRED FUTURE CHARACTER OF SIGNAGE

New signage in this locality is integrated with the built form of buildings and provides information to the community and visitors.





AREA OF SEPP 64 ADVERTISING DESIGN ANALYSIS AND PROPOSED ADVERTISING & SIGNAGE DCP

#### 3.1 Design requirements - "The Edge" Cinema

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dvertising

This part applies to the following lands: "The Edge" cinema located at Lot 1 DP848603 – 225–237 Great Western Highway, Katoomba.

#### 3.1.1 PERMITTED SIGNAGE

a) "Spectacular" signage (as defined by the Transport Corridor Outdoor Advertising and Signage Guidelines, July 2007), is permitted as a wall advertisement in the location shown in Diagram 2. The content of the additional signage is restricted to information relating to events and movies held at "the Edge" cinema.

b) A "special promotional advertisement" is permitted on the site in the location as shown in Diagram 2. "Special promotional advertisements" means an advertisement for an activity or event of a civic or community nature. Any "special promotional advertisement" must be consistent with Council's Public Art Policy. The display of a "special promotional advertisement" is limited in time to a total of 3 months in any 12 month period.

c) Signs otherwise permitted by SEPP 64, LEP 2005 and DCP 21.

#### 3.1.2 CONTROL OF SIGNS

- a) Maximum area of signs: 85m<sup>2</sup>
- b) Minimum area of signs: 45m<sup>2</sup>

c) <u>Location:</u> "Spectacular" signage and "special promotional advertisements" are to be generally located on the south western side of the south eastern frontage of "the Edge" cinema expansion – stage 1 as shown in the image in Diagram 2.

d) Design of signage:

(i) Signage is to be coordinated with the form of the building. The scale and siting of the signage is to be of a form and location which is proportional to the space in which the "spectacular" signage and "special promotional advertisements" are permitted.

(ii) Should there be more than one sign erected, signage must be integrated as one panel or in the one area.

(iii) Signage may be in the form of banners attached to the wall in a manner which is integrated with the design of the building or by light projections onto a screen attached in an appropriate manner to the wall. Temporary structures to attach signage to the wall is not supported. Sign attachments or fittings are to be permanent and of high quality.

 (iv) Any light projections or illumination of signage must comply with the Transport Corridor Outdoor
 Advertising and Signage Guidelines, July 2007.



#### 3.1.3 ROAD SAFETY APPROVALS

New signage must comply with the requirements of the Roads and Traffic Authority (RTA). In this respect the Transport Corridor Outdoor Advertising and Signage Guidelines, July 2007, must be taken into account in preparing designs for new proposals. A development application lodged subject to this DCP must provide details in relation to compliance with the RTA's requirements.

#### DIAGRAM 2 - LOCATION OF NEW SIGNAGE AT "THE EDGE" (WITHIN THE BLACK OUTLINE)



#### 3.2 Design requirements - BMCC Headquarters

Katoomba Eastern Town Approach Precinc

dvertising

This part applies to the following land – Blue Mountains City Council Headquarters' building, located at Lot 1 DP705910 – 2 – 6 Civic Place, Katoomba.

#### 3.2.1 PERMITTED SIGNAGE

a) A "special promotional advertisement" is permitted on the site on the southern and eastern elevations in Diagrams 3 and 4. "Special promotional advertisements" means an advertisement for an activity or event of a civic or community nature. The display of each advertisement is limited in time to a total of 3 months in any 12 month period.

b) Signs otherwise permitted by SEPP 64, LEP 2005 and DCP 21.

#### 3.2.2 CONTROL OF SIGNS

a) Maximum area of signs: 25m<sup>2</sup>

 b) Location of signs: "Special promotional advertisements" are to be located on the southern and eastern side of the lift tower/ stairwell of the Blue Mountains City Council Headquarters as shown in Diagrams 3 and 4.



#### c) <u>Design of signs:</u>

(i) Any "special promotional advertisement" must be

consistent with Council's Public Art Policy.

(ii) Signage is to be coordinated with the form of the building. The scale and siting of the signage is to be of a form and location which is proportional to the space in which the "special promotional advertisements" are permitted.

(iii) Should there be more than one sign erected, signage must be integrated as one panel or in the one area.

(iv) Signage may be in the form of banners attached to the wall in a manner which is integrated with the design of the building or by light projections onto a screen attached in an appropriate manner to the wall.
 (v) Any light projections or illumination of signage must comply with the Transport Corridor Outdoor Advertising and Signage Guidelines, July 2007.

#### 3.2.3 ROAD SAFETY APPROVALS

New signage must comply with the requirements of the RTA. In this respect the Transport Corridor Outdoor Advertising and Signage Guidelines - July 2007, must be taken into account in preparing designs for new proposals. A development application lodged subject to this DCP must provide details in relation to compliance with the Road and Traffic Authority's requirements.

## Advertising and Signage Katoomba Eastern Town Approach Precinct



DIAGRAM 3 - LOCATION OF SIGNAGE AT BMCC HEADQUARTERS – SOUTHERN ELEVATION



DIAGRAM 4 -LOCATION OF SIGNAGE AT BMCC HEADQUARTERS -EASTERN ELEVATION **Public participation** 

(development applications)

The most common matters that are referred to the community for comment are development applications. The Better Living Development Control Plan (DCP), Part L - Public participation (development applications) outlines the criteria and procedures used to inform the community of development applications. It seeks to achieve a consistent approach to the notification of development applications and to balance the public participation process with the timely assessment of an application.

The Plan applies to all land zoned under Blue Mountains Local Environmental Plans (LEPs) 1991 and 2005.

Not all notification is undertaken by the Council, for example 'State significant' development is managed by the State Government. There are also other development categories that have either no approval or pre determination notification requirements such as 'Exempt' and 'Complying' development. This Part of the Better Living DCP focuses on the notification requirements managed by the Council for 'Designated', 'Advertised' and 'other notifiable' development'.

> Where there is any perceived inconsistency between this Part and legislation, the legislation shall prevail.

Advisory notes have been included to give additional information and guidance on the submission and post determination process. These notes are procedural and do not form part of the Plan. As such, they are updated as the need arises without the need to re exhibit the Plan.

#### **Advisory notes**

**Exempt development** is low impact, minor development that does not require any form of notification or approval. Examples may include garden sheds, gazebos, pergolas and the like.

**Complying development** is a class of development identified by a planning instrument that is not subject to merit assessment but rather compliance with specified technical and non-discretionary standards. Applications for this class of development are not notified prior to determination. Adjoining property owners will however receive a written notice by the Principal Certifying Authority (who could be Council or a private accredited certifier) after a Complying Development Certificate (CDC) has been issued. A determination notice is also published in the local paper for Council issued CDC's.

**State significant development** is a type of development declared as such by a state or regional environmental plan (SEPP or REPP). Applications and the notification process for 'State significant' development is managed by Planning NSW. The criteria for State significant development is listed in the Environmental Planning and Assessment Act 1979 and its Regulations.

For information on exempt and complying development refer to www.planning.nsw.gov.au

### 1. Content and definitions

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#### 'Affected' defined

Affected: is any property, as determined by the Council, the enjoyment of which may be detrimentally influenced by the proposed development. This will generally be adjoining properties. However, the need for notification will be determined by the potential for detrimental impact. This may include properties not directly abutting the proposed development but which may be visually affected or properties along a road where traffic impact is likely to be significant.

Whether land may be detrimentally affected is to be determined by taking into consideration the effect that a proposal would have on:

- views to and views from the land .
- overshadowing
- privacy
- noise
- the quality and character of the adjoining streetscape
- light spillage

#### 'Adjoining' defined

Adjoining: means land which abuts or has a common boundary with or is directly opposite an application site or is separated from it only by a pathway, driveway or similar thoroughfare. See examples.





ROAD

### 2. Designated development

Designated development is defined under the Environmental Planning and Assessment Act as a class of development declared as such by an environmental planning instrument or the Regulations. Schedule 3 of the Regulations lists the various activities and types of development that are considered 'Designated'. Very few applications received in the Blue Mountains are associated with this type of development. The public participation process for 'Designated' development is specified under s.79 of the Act and cls.77-85 of the Regulations. The procedures outlined below follow the Act and Regulations with additional provisions to clarify administrative processes.

Criteria for notification	All 'Designated' development applications are notified.
Time period for notification	The notification period for 'Designated' development is 30 calendar days. Notification shall not commence or end between the Christmas – New Year period (ie., 20 December until 5 January). Notification spanning this time shall also make allowance for the holiday period.
	The notification period will apply from the date on which the notice was first published in the newspaper.
Online notification	The Council's website <u>bmcc.nsw.gov.au</u> publishes an updated list of applications in notification. Documents submitted by the applicant will generally be available for viewing online during the notification period.
Written notice	A written notice will be given to:
	(i) Persons who appear to own or occupy adjoining land;
	(ii) Those public authorities that Council considers may have an interest in the determination of the application (other than concurrence authorities or other approval authorities);
	(iii) To such other persons as appear to own or occupy the land, the use or enjoyment of which, in Council's opinion, may be detrimentally affected if the 'Designated' development is carried out. Where the area of affectation is large then advertising in the local press shall occur instead of notification for other than the properties in the immediate vicinity.
	If a notification letter is sent and that notice is returned, Council is considered to have fulfilled its obligations.
	For the purpose of written notification:
	(a) Where the land is a lot within the Strata Titles Act, Strata Titles Leasehold Act or Community Development Act, a written notice to the Body Corporate is taken to be a written notice to the owner of each lot.
	(b) If the land is owned or occupied by more than one person, a written notice to one owner or one occupier is taken to be a written notice to all the owners and occupiers of that land.
	(c) The notice sent to the land owner will be at the address shown on Council's ownership records at the date the notice was generated.
	The written notice is to occur at the same time as the published notice.

### Designated development continued

Published notice	A published notice will be included in the local paper as soon as practical after the development application is lodged. The notice for 'Designated' development must:
	(a) Be published on at least 2 separate occasions;
	(b) Appear across 2 or 3 columns in the display section of the newspaper;
	(c) Be headed in capital letters and bold type "DEVELOPMENT PROPOSAL".
Notice on the land	A signpost or board must be exhibited on the land to which the development relates and, if practical, in a location capable of being read from a public place. The sign will be installed at the same time as the published notice.
Content of a written /	The written and published notice will contain:
published notice	(a) A description of the land (including the address) on which the development is proposed to be carried out;
	(b) The name of the applicant and the name of the consent authority;
	(c) A description of the proposed development;
	(d) A statement that the proposed development is 'Designated' development;
	<ul> <li>(e) A statement that the application and the documents accompanying that application (including the environmental impact statement) may be inspected on Council's website during the exhibition period;</li> </ul>
	(f) A statement that any person may, during the notification period specified, make a written submission.
	The written notice shall also contain an A4 notification plan showing the elevations and site plan.
	In the case of an application nominated for integrated development, the following additional information will be included in the written and published notice:
	(i) A statement that the development is nominated as integrated development; and
	(ii) The approvals that are required and the relevant approval bodies for those approvals.

#### Designated development continued

Content of notice on the land

The notice on the land must be clear and legible and headed in capital letters and bold type "**DEVELOPMENT PROPOSAL**". The sign must contain under that heading:

- (a) A statement that the development application has been lodged;
- (b) The name of the applicant;
- (c) A brief description of the development application;

(d) Notice that the development application and relevant environmental impact statement may be inspected on Council's website during the notification period.

DE	VELOPMENT PROPOSAL Notice of Application Received - X/9999/2010
Applicant: BN	ICC
Location: Cou	Incil HQ, 2-6 Civic Place, Katoomba NSW 2780
Proposed Dev	velopment: Description of proposal
Notification P	eriod: Dates
Exhibition Locatio	n: The proposed application and environmental impact statement can be viewed or Council's website www.bmcc.nsw.gov.au at 'Development applications in notification' or Blue Mountains City Council at Civic Place, Katoomba from 8.30am to 5.00pm
Submissions:	May be made in writing to the General Manager, up until close of the notification period. The Environmental Planning & Assessment Act impose certain obligations on applicants, those making submissions and decision makers in relation to the disclosure of information relating to political donations and gifts. Submissions are not confidential. For further information refer to Council's website www.bmcc.nsw.gov.au, or phone Council on 4780 5000.

Amendment after notification

Council will not renotify an application that has been amended prior to determination, where in the opinion of Council, the amended, substituted or later application differs:

- (a) Only in minor respects from the original application; or
- (b) Is of a lesser impact; or
- (c) Addresses impact issues.

Such an application will be referred to as a 'replacement' application.

Where renotification occurs, the application will be notified to any person who made a submission in respect of the original application, and to the owners of land that in the opinion of Council, could suffer increased adverse impacts as a result of the proposed amendment.

## **Public participation**

(development applications)

### 3. Advertised development

'Advertised' development is a class of development nominated in an environmental planning instrument. It includes:

- Any development listed as a scheduled activity at any premises under the Protection of the Environmental Operations Act 1997 (other than those identified as 'Designated' development).
- Development nominated as such in a State Environmental Planning Policy (eg., SEPP 33 Hazardous and Offensive Development, SEPP 37 - Continued Mines and Extractive Industries).
- Any development identified as 'Advertised' by a Local Environmental Plan (LEP). For example:
  - Under LEP 1991 (cl.31) childcare centre, educational establishment, home industry, hospital, place of public worship, registered club, recreational facility or works involving the demolition of a heritage item or building work, relic or place within a Heritage Conservation Area, unless the demolition is partial and in the opinion of the Council will be of a minor nature and will not adversely affect the heritage significance of the heritage item or Heritage Conservation Area.
  - Under LEP 2005 (cls.72&77) works involving the demolition of a heritage item or building work or a place within a Heritage Conservation Area or a heritage item or place subject to conservation incentives.

Specific provisions apply under s.79A of the Environmental Planning and Assessment Act and cls.86-91 of its Regulations. The procedures outlined below follow the Act and Regulations with additional provisions to clarify administrative processes.

Criteria for notification	All 'Advertised' development applications are notified.
Time period for notification	<ul> <li>The notification period for 'Advertised' development is:</li> <li>(i) 30 calendar days for nominated integrated or threatened species development;</li> <li>(ii) 14 calendar days for all other types of 'Advertised' development.</li> <li>Notification shall not commence or end between the Christmas – New Year period (ie., 20 December until 5 January). Notification spanning this time shall also make allowance for the holiday period.</li> <li>The notification period will apply from the date on which the notice was first published in the newspaper.</li> </ul>
Online notification	The Council's website <u>bmcc.nsw.gov.au</u> publishes an updated list of applications in notification. Documents submitted by the applicant will generally be available for viewing online during the notification period.

#### **Advertised development** continued

Written notice	A written notice will be given to:
	(i) Persons who appear to own or occupy adjoining land; and
	(ii) Those public authorities that Council considers may have an interest in the determination of the application (other than concurrence authorities or other approval authorities).
	If a notification letter is sent and that notice is returned, Council is considered to have fulfilled its obligations.
	For the purpose of written notification:
	(a) Where the land is a lot within the Strata Titles Act, Strata Titles Leasehold Act or Community Development Act, a written notice to the Body Corporate is taken to be a written notice to the owner of each lot.
	(b) If the land is owned or occupied by more than one person, a written notice to one owner or one occupier is taken to be a written notice to all the owners and occupiers of that land.
	(c) The notice sent to the land owner will be at the address shown on Council's ownership records at the date the notice was generated.
Published notice	A published notice will be included in the local paper as soon as practical after the development application is lodged.
Content of a written /	The written and published notice will contain:
published notice	(a) A description of the land (including the address) on which the development is proposed to be carried out;
	(b) The name of the applicant and the name of the consent authority;
	(c) A description of the proposed development;
	<ul> <li>(d) A statement that the application and the documents accompanying that application may be inspected on Council's website during the notification period;</li> </ul>
	(e) A statement that any person may, during the notification period specified, make a written submission.
	The written notice shall also contain an A4 notification plan showing the elevations and site plan.
	In the case of an application nominated for integrated development, the following additional information will be included in the written and published notice:
	(i) A statement that the development is nominated as integrated development;
	(ii) The approvals that are required and the relevant approval bodies for those approvals; and
	(iii) In the case of development that is threatened species development, a statement that the development is threatened species development.

#### Advertised development continued

Amendment after notification	Council will not renotify an application that has been amended prior to determination, where in the opinion of Council, the amended, substituted or later application differs:
	(a) Only in minor respects from the original application; or
	(b) Is of a lesser impact; or
	(c) Addresses impact issues.
	Such an application will be referred to as a replacement application.
	Where renotification occurs, the application will be notified to any person who made a submission in respect of the original application, and to the owners of land that in the opinion of Council, could suffer increased adverse impacts as a result of the proposed amendment.

#### 4. Other notifiable development (also referred to as specified development)

This category includes any development proposal other than 'Designated' or 'Advertised' development. The majority of development applications received fall into this category. There are no statutory requirements to formally notify this type of development, the Council however chooses to do so in some circumstances. In accordance with s79A(2) of the Environmental Planning and Assessment Act, these circumstances are stated below.

Criteria for notification	A <u>written notice</u> will be sent to the owners of adjoining land (refer to definition of 'adjoining') to obtain their view in relation to the proposal, unless:
	(a) The application is for internal works in an existing building and there will be no change or external impact as a result of that application;
	(b) The application involves the demolition of a structure (other than a heritage item);
	(b) It is a strata application involving the adjustment of boundaries;
	(c) In the opinion of Council, it is considered that the enjoyment of the adjoining land will not be detrimentally affected (refer to definition of 'affected').
	A published notice in the local newspaper will only occur where:
	(i) The application is for a significant development that is not expected to occur with any frequency in that land use zone;
	(ii) The application is for a non residential use, other than where the application comprises: ancillary works, change of use; first use or similarly minor works;
	(iii) The application is for a multi residential development (including villas, townhouses) other than where the application comprises ancillary or similarly minor works;
	(iv) More than 5 additional lots are proposed.
Time period for notification	The notification period for 'other notifiable' development is 14 calendar days. For exceptionally complex development proposals the notification period may be increased to 30 calendar days. Notification shall not commence or end between the Christmas – New Year period (ie., 20 December until 5 January). Notification spanning this time shall also make allowance for the holiday period.
	Where published the time frame will apply from the date on which the notice was first in the newspaper.
Online notification	The Council's website <u>bmcc.nsw.gov.au</u> publishes an updated list of applications in notification. Documents submitted by the applicant will generally be available for viewing online during the notification period.
Written notice	A written notice will be forwarded to the land owner at the address shown on the Council's ownership records at the date the notification letter was generated.
	If a notification letter is returned, Council is considered to have fulfilled its

### Other notifiable development continued

Written notice continued	For the purpose of written notification:
	(a) Where the land is a lot within the Strata Titles Act, Strata Titles Leasehold Act or Community Development Act, a written notice to the Body Corporate is taken to be a written notice to the owner of each lot.
	(b) If the land is owned by more than one person, a written notice to one owner is taken to be a written notice to all the owners of that land.
	(c) The notice sent to the land owner will be at the address shown on Council's ownership records at the date the notice was generated.
Published notice	A published notice (where required) will be included in the local paper as soon as practical after the development application is lodged.
Content of a written /	The written and published notice will contain:
published notice	(a) A description of the land (including the address) on which the development is proposed to be carried out;
	(b) The name of the applicant and the name of the consent authority;
	(c) A description of the proposed development;
	<ul> <li>(d) A statement that the application and the documents accompanying that application may be inspected on Council's website during the notification period;</li> </ul>
	(e) A statement that any person may, during the notification period specified, make a written submission.
	The written notice shall also contain an A4 notification plan showing the elevations and site plan.
	In the case of an application nominated for integrated development, the following additional information will be included in the written and published notice:
	(i) A statement that the development is nominated as integrated development;
	(ii) The approvals that are required and the relevant approval bodies for those approvals.
Amendment after notification	Council will not renotify an application that has been amended prior to determination, where in the opinion of Council, the amended, substituted or later application differs:
_	(a) Only in minor respects from the original application; or
	(b) Is of a lesser impact; or
	(c) Addresses impact issues.
_	Such an application will be referred to as a replacement application.
_	Where renotification occurs, the application will be notified to any person who made a submission in respect of the original application, and to the owners of land that in the opinion of Council, could suffer increased adverse impacts as a result of the proposed amendment.

### 5. Modifications

Changes may occur to a development application after determination. The following sets out Council's criteria and procedures for notification associated with a modification to a development application.

Criteria for notification	The Environmental Planning and Assessment Act provides for three levels of modifications:
	<ul> <li>Modification involving a 'Minor Error, Misdescription or Miscalculation' –</li> <li>Section 96(1). No notification required.</li> </ul>
	<ul> <li>Modification involving 'Minimal Environmental Impact' – Section 96(1A).</li> <li>Generally, no notification required unless the original consent was issued by the Court.</li> </ul>
	• All 'Other Modifications' – Section 96(2). These modifications are notified in accordance with the type of development as detailed below.
Designated	Notice of the proposed modification must be:
development	<ul> <li>Published in a local paper;</li> </ul>
	<ul> <li>Forwarded to any persons who made a submission in respect of the original application; and</li> </ul>
	<ul> <li>Forwarded to the owners or occupiers of land, who in the opinion of Council, could suffer increased adverse impacts as a result of the proposed amendment.</li> </ul>
	The information contained in any written or published notice shall include:
	<ul> <li>A brief description of the development consent, the land to which it relates and the modification sought; and</li> </ul>
	<ul> <li>A statement that written submissions concerning the proposed modification may be made to the Council within the time period specified.</li> </ul>
	The notification period for a modified 'Designated' development is 30 calendar days.

## Modifications continued

Advertised development	Notice of the proposed modification will be:
	<ul> <li>Published in a local paper;</li> </ul>
	<ul> <li>Forwarded to any persons who made a submission in respect of the original application; and</li> </ul>
	<ul> <li>Forwarded to the owners and occupiers of land, who in the opinion of Council, have the potential to be detrimentally affected (refer to definition of 'affected') as a result of the proposed modification.</li> </ul>
	The information contained in any written or published notice shall include:
	<ul> <li>A brief description of the development consent, the land to which it relates and the modification sought; and</li> </ul>
	<ul> <li>A statement that written submissions concerning the proposed modification may be made to the Council within the time period specified.</li> </ul>
	The notification period for a modified 'Advertised' development is 14 calendar days.

Other notifiable development	Written notice of the proposed modification will be forwarded to:
	- Any persons who made a submission in respect of the original application.
	<ul> <li>To the owners of land, in the opinion of Council, could suffer increased adverse impacts as a result of the proposed amendment.</li> </ul>
	The information contained in any written notice shall include:
	<ul> <li>A brief description of the development consent, the land to which it relates and the modification sought; and</li> </ul>
	<ul> <li>A statement that written submissions concerning the proposed modification may be made to the Council within the time period specified.</li> </ul>
	The notification period for a modification associated with other notifiable development is 14 calendar days.

### 6. Review of determination & revocation of consent

<b>Revocation of consent</b>	Under s.96A of the Environmental Planning and Assessment Act, a development consent can in certain circumstances be revoked or modified by the Director General.
	In such cases, Council is required to notify any person who it considers would be adversely affected by the revocation, prior to the making of any such decision. The time period for notification will be determined on the basis of the revocation being considered.
Review of determination	The Council will not notify an application seeking a review of determination under s.82A of the Environmental Planning and Assessment Act, except where an applicant proposes to make amendments to the development and such amendments are, in the opinion of the Council, likely to increase the environmental impacts of the development.
	In these cases the application will be notified to any person who made a submission in respect of the original application, and to the owners of land, who in the opinion of Council, could suffer increased adverse impacts as a result of the proposed amendment.
	A notification period of 14 calendar days will apply.

#### **Advisory notes**

Models / artist impressions	Where a model / artist impression is supplied by the applicant this will be displayed at our Katoomba office (for development on land from Lawson to the
	Hazelbrook).
Copying of documents	All plans and reports associated with a development application are subject to copyright. Whilst documents may be viewed online, print access will be restricted to only those parts exempt for the purposes of s.105 of the Environmental Planning and Assessment Act. Copies of Environmental Impact Statements which accompany a 'Designated' development are made available for purchase.
Content of a submission	In determining an application the Council forms a decision based on the overall merits of the proposal. An extensive range of planning matters are considered and these are outlined in planning instruments such as Local Environmental Plans 1991 and 2005, the Better Living Development Control Plan, relevant State and / or Regional Environmental Plans.
	Submissions, referral comments from agencies and compliance with planning instruments form part of the assessment.
	In making a submission view the development proposal in the context of the character of the streetscape. Consider amenity impacts such as accessibility, privacy and overshadowing, potential loss of views, landscaping, stormwater management, traffic and parking as well as other environmental, social and economic impacts in the locality. Consider also ways in which adverse impacts (if any) could be mitigated.
Political donations	A person or an associate of that person who makes a submission on a development application is required to disclose political donations and gifts (if any) to a local Councillor or employee. This includes any donation or gift within 2 years before the submission is made up until the application is determined. Further details refer to www.bmcc.nsw.gov.au

#### Advisory notes

Lodgement of a submission	A submission to an application can be made by mail, email or via the online form. Refer to bmcc.nsw.gov.au - 'Development applications on notification'. To allow for proper consideration of submissions (and where the application is 'Designated' development, to retain any third party appeal rights), submissions should be received in the Council offices before the close of business on the last nominated date.
	Submissions are acknowledged. In the case of:
	• Form letters, letters and emails - the acknowledgement will be sent to the name and address where that name and address is legible and complete.
	• Petitions - (ie., submissions received referencing more than one address) the acknowledgement will be sent to the representative nominated on the petition where that name and address is legible and complete.
	Where an submission is acknowledged all other communications eg., advice of a Council meeting or the determination outcome of the development application will follow to that submitter's name and address.
Confidentiality of submissions	Submissions are not confidential.
	A submitter who has concerns about the release of their name and address, or any other identifying material, must provide and highlight in their submission valid written reasons for seeking confidentiality. In such circumstances, the Council may attempt to withhold the release of the submission. If an application is called up before the Courts all details are available.
	A copy of all submissions received in response to the public exhibition of a development application for 'Designated' development are sent to the Director-General immediately after the relevant submission period. Note: This does not apply if the Director-General has waived the requirement under s.80(10)(b).
	Copies of submissions are also given to the determining authority - Joint Regional Planning Panel.
Calling of a	Where Council determines that a proposal for which consent may be given is of
public meeting	sufficient interest and significance to the community, a public meeting may be called to discuss the proposal before the assessment is finalised. This is however followed only in unusual circumstances where such a meeting can add information not easily obtained through submissions.
	In such circumstances meetings will generally be arranged by written invitation to those persons who made submissions. Where there is likely to be a wider community interest, a notice will be placed in the local newspaper or displayed in a prominent position in the respective village/town.
	Council has in place a Mediation Policy which in some circumstances may be an appropriate means of facilitating the resolution of conflicting points of view.

Advisory notes	
Notice of Council meeting	Where a development application is referred to the Council for determination, people who have made a written submission to that application, together with applicants will be advised of the scheduling of the item for the Council meeting. While Council will endeavour to give reasonable notice of the meeting, the period may be limited due to the scheduling of meetings. Council business papers are available online.
Notice of Joint Regional Planning Panel meeting	Where an application is to be determined by a Joint Regional Planning Panel, people who have made a written submission to that application, together with applicants, will be advised of the date and time of the meeting by the Panel Secretariat.
Advice of determination	A list of development consents and refusals will be regularly published in the local newspaper. The notice will describe the land and the development, and advise that the determination is available for inspection free of charge at the office of the Council during ordinary office hours. This information will be made available on Council's website for applications determined after 1 January 2011. Any person who makes a written submission to a development application will be notified of the determination of that application. In the case of a modification to a consent, advice will only be sent to those who made a submission on the modification. In the case of 'Designated' developments, advice to an objector will be made at the same time as the notice of determination is given to the applicant and will advise the objector of the rights of appeal. A consent for a 'Designated' development will not commence operation until 28 days after the issue of the notice, being the time in which objectors may lodge an appeal in the Land and Environment Court.
Complying Development Certificates	In accordance with s.101 of the Environmental Planning and Assessment Act, a determination notice of a complying development certificate is notified in the local newspaper by the issuing authority. If the public notice is given by an accredited certifier then they must send a copy of the page of the newspaper to Council within 7 days after the notice is published.
Register of applications	Council is required to keep a register of applications under cls.264-265 of the Environmental Planning and Assessment Regulations. This register is available in an electronic format and may be viewed at our Katoomba and Springwood Offices. Web access will be available for applications lodged after 1 January 2011.
	Advisory notes   Notice of Council meeting   Notice of Joint Regional   Planning Panel meeting   Advice of determination   Complying Development   Certificates