



# **GLEN INNES SEVERN COUNCIL**

## **Development Control Plan 2014**



Adopted 2 October 2014

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## DEFINITIONS

This DCP adopts the terms and definitions of Glen Innes Severn LEP 2012. (GISC LEP). Additional terms used throughout this DCP are defined below.

**1% AEP Flood** - the flood with a chance of occurrence of one in one hundred in any one year. *Note: This is the preferred description to the 1:100 year ARI event.*

**adjoining land** - land which abuts an application site or is separated from it only by a roadway, pathway, driveway or similar thoroughfare.

**Advertiser** - in relation to an advertisement or an advertising structure, means

- the person who caused the advertisement to be displayed or the advertising structure to be erected or
- the owner of the building or land, or the occupier of land, on which the advertisement is displayed or the advertising structure is erected.

**AHD**- Australian Height Datum.

**ancillary development** - development on land for a purpose that is ancillary or incidental to a use under the GISC LEP 2012.

**application site** - the parcel of land to which a Development Application relates and includes all lands required for the carrying out of the application proposal.

**Area** - of an advertisement in the form of a sign means the area within the outline of that sign or, where one side is larger than the other, the area within the outline of the larger side; or for any other sign (e.g multi-sided signs), one third of the total surface area of the sign.

**asset protection zone (APZ)** - is a buffer zone between a bush fire hazard and buildings, which is managed progressively to minimise fuel loads and reduce potential radiant heat levels, flame, ember and smoke attack.

**Code SEPP** - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

**contaminated land** - land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

**clearing (native vegetation)-**

Clearing is defined as cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation. Clearing therefore includes:

- any type of ploughing that kills native groundcover
- the under-scrubbing of native forests
- herbicide spray drift that kills or destroys native vegetation, or
- thinning of native woodlands.

This includes clearing of individual plants and applies to all layers of vegetation from groundcover to canopy trees. Activities such as pruning, lopping or slashing of native groundcover, that do not kill the native vegetation, are not considered clearing. Burning that does not kill native vegetation or substantially reduce the composition and proportion of native species may not be considered



as clearing, check with the Local Land Service (LLS). Because the definition of native vegetation does not include dead vegetation, the removal of dead timber is not considered clearing.

**directional sign** - a sign erected for purposes of directing vehicular or pedestrian traffic, advising or restricting the public.

**EP&A Act** - the *Environmental Planning and Assessment Act 1979* (as amended).

**flood investigation report** - a report prepared by an appropriately qualified and experienced professional that reviews the history of flooding in an area, where modelling is not available. The review would draw upon historical information, including from landowners, physical evidence in the locality of any historical events, extrapolation (suitably qualified) from known information or events, and any other such information as might be considered by the professional to be relevant in estimating the flood height of the site.

**flood liable land** - is synonymous with flood prone land, i.e. land susceptible to flooding by the *probable maximum flood* event. Flood liable land refers to the whole floodplain, and not just that part below the *flood planning level*.

**flood planning area** - is the area of land below the flood planning level and thus subject to flood related development controls.

**flood planning level (FPL)** - the level of a 1% AEP flood event plus 0.5 metres freeboard.

**floodplain risk management plan** - a plan adopted pursuant to the principles of the Floodplain Development Manual.

**floodplain development manual** - the NSW Government Floodplain Development Manual the management of flood liable land dated April 2005 as Gazetted by the NSW Government on 6 May 2005, or any Gazetted update of this.

**flood prone land**- (see flood liable land).

**flood storage area** - (flood impact category) a planning control for the purpose of limiting development that would displace floodwater. Ultimately, flood storage areas are defined by mapping and are limiting on development, but not to the extent where development would be totally prohibited.

**floodway** - (flood impact category) a planning control for the purpose of excluding buildings, earth embankments and other forms of development from an area of land where significant volume of water flows during floods. Ultimately, floodways are defined by mapping and are restrictive on development, however floodways can be moved, realigned or altered depending on the merits of the case, as agreed by Council.

**front building line** - a line drawn parallel with the primary street frontage at the point of a building closest to the street. This line is expected to be no closer to the street frontage than specified for the primary street frontage setback.

**GISC LEP** means the Glen Innes Severn Local Environmental Plan 2012.

**habitable room** - refers to any room or area used for normal domestic activities, including living, dining, family, lounge, bedrooms, kitchen etc, but excludes service and amenity areas such as ensuite, bathroom, storerooms, laundry and garages.

**hazardous material** - anything that, when produced, stored, moved, used or otherwise dealt with without adequate safeguards to prevent it from escaping, may cause injury or death or damage to life, property or the environment.



**integrated development** - is development (not being Exempt or Complying) that, in order for it to be carried out, requires development consent and one or more approvals set out in Clause 91 of the *Environmental Planning and Assessment Act 1979 (as amended)*.

**land** - includes any building or part building erected on the land.

**landscaped area** - refers to any part of the site, at ground level, that is permeable and consists of soft landscaping, turf or planted areas, for the purpose of reducing stormwater run-off. It excludes driveways, parking areas, drying yards or other service areas, undercrofts, roofed areas (excluding eaves <450mm wide), outdoor rooms, balconies, terraces, decks and verandahs.

**neighbouring land** - means any land, other than adjoining land, which is near to a development site (and may include land in a neighbouring local Council area).

**notification plan** - the plan showing a site plan, height and external elevations of buildings, which accompanies a Development Application.

**owner** -

- every person who jointly or severally, whether at law or in equity, is entitled to the land for any estate of freehold in possession
- in the case of land that is the subject of a strata scheme under the *Strata Titles Act 1973*, or a leasehold strata scheme under the *Strata Titles (Leasehold) Act 1986*, the Owners' Corporation
- in the case of land that is community, precinct or neighbourhood parcel within the meaning of the *Community Land Development Act 1989*, the Association for the parcel

**probable maximum flood (PMF)** - the largest possible flood that could conceivably occur.

**private open space** - refers to the areas external to a building, located behind the front facade, that serve as an extension of the home and are used for private dining, entertaining and recreational purposes and includes terraces, balconies, alfresco areas etc.

**protected regrowth** is native vegetation that has regrown since the regrowth date of 1 January 1990 and has been identified as protected regrowth in a property vegetation plan (PVP), an environmental planning instrument, a natural resources management plan or an interim protection order under the *Native Vegetation Act 2003*. It also includes native vegetation that is regrowth that has been grown or preserved with the assistance of public funds granted for biodiversity conservation purposes.

**remnant native vegetation** is any native vegetation other than regrowth. Regrowth means any native vegetation that has regrown since the earlier than 1 January 1990 in the case of other land, or the date specified in a PVP (in exceptional circumstances being a date based on existing rotational farming practices).

**residential development** - dwellings, residential flat buildings, motels, boarding houses, hostels, caravan parks, units for the aged and any place where persons would ordinarily be expected to reside and sleep.

**Statement of Environmental Effects (SEE)** is the record of the environmental assessment, which necessitates a process of identifying and discussing the planning and environmental information relevant to the site or proposal.





# 1. GENERAL PROVISIONS

This plan is known as the Glen Innes Severn Development Control Plan (DCP) 2014. It applies to the Glen Innes Severn Local Government Area (LGA).

## Date adopted by Council

2 October 2014

## Amendments

Date and description of amendments:

AMENDMENT DATE	CHAPTER	DESCRIPTION
5 March 2015	10	Hunter Street Urban Land Release Area

## Disclaimer

The hyperlinks to various State or Federal Government legislations have been included in this Development Control Plan in good faith and were current at the time that this document was prepared.

Applicants, landowners and any person(s) using the hyperlinks should ensure that the relevant legislation or policy is the most up-to-date version. This information may be obtained from the relevant government authority administering the legislation.

The purpose of this Plan is to provide guidelines, objectives and controls for people who wish to carry out development in the Glen Innes Severn LGA.

The DCP should be read in conjunction with the Glen Innes Severn Local Environmental Plan 2012 and any relevant State and Regional Environmental Planning policies, bearing in mind that a proposal may be affected by more than one chapter of the DCP.

Prospective applicants are encouraged to discuss their development proposals at an early stage via Council's pre-lodgement advice service with relevant staff to ensure compliance with the requirements of the DCP.

### 1.1 Amendment of the plan

The plan may be amended in accordance with the provisions of the Regulations under the *Environmental Planning and Assessment Act 1979*.

### 1.2 Interpretation of Legislative References

Various references are made to legislation in this DCP. Legislation may include Acts, Regulations and Environmental Planning Instruments. Where such legislation changes during the currency of this DCP, reference in the DCP to the legislation should be taken as a reference to the most recent version of that legislation or as a reference to legislation that has replaced the referenced legislation.



'Hyperlinks' embedded into the digital version of the DCP will direct the reader to the relevant legislation. Alternatively, current NSW legislation can be found at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

### 1.3 Repeal of the plan

The plan may be repealed under the provisions of the *Environmental Planning & Assessment Regulation 2000*.

### 1.4 Relevant Local Environmental Plan

The plan relates to Glen Innes Severn Local Environmental Plan 2012 (GISC LEP), as amended. In the event of any conflict between this DCP and that Plan, GISC LEP takes precedence.

### 1.5 Planning Pathways

There are three distinct planning pathways that most developments will need to follow. These are outlined below.

#### Exempt Development

Under the [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) (the Codes SEPP), development of a minor nature can be undertaken without the need for formal approval to be obtained. If undertaking such work without approval, the onus is on the developer to ensure that the works are in fact exempt from approval. This can be done through direct reference to the Codes SEPP, or by contacting Council's planning staff.

#### Complying Development

Under the Codes SEPP, a range of specified development can be undertaken via a simplified approvals process called Complying Development. Various conditions must be met for the development to be undertaken as Complying Development including meeting the requirements of the Building Code of Australia. Further details about development that is classified as Complying Development can be found in the [Codes SEPP](#) at the [NSW Legislation](#) website.

Council planning staff members are also available to advise whether a proposed development can be undertaken as Complying Development and what documentation and other requirements are needed.

#### Local Development Application

Development that requires approval by Council is known as 'local development'. This DCP provides additional information about design and planning considerations that must be taken into account as part of the assessment of a DA. Applicants should refer to the relevant chapters of the DCP in order to check the matters they will need to attend to prior to lodgement of a DA.

### 1.6 State Environmental Planning Policies (SEPPs)

SEPPs apply to certain development that involves matters or issues of relevance to the State. The full list of SEPPs is found at the [NSW Planning and Environment](#) website.

### 1.7 Building Code of Australia (BCA)

The BCA applies for all building construction works. Irrespective of any other control in this document, the requirements of the BCA will take precedence.

### 1.8 Contributions

Where a development will, or is likely to, increase the demand for public services and amenities, Council may require a contribution towards the cost of providing those services and facilities. Under



Council's [Section 94A Contributions Plan](#), contributions may be required for the following services and amenities:

### **Roads**

Developments which impact on existing roads, or require construction of new roads, will be required to make a contribution to such upgrading or construction works. Where the existing population will benefit from these works, the cost will be apportioned between new and existing development.

### **Traffic Management Measures**

Any development requiring new or upgraded traffic management measures such as median strips, shoulder widening, deceleration and overtaking lanes or similar, will be required to make a contribution towards the cost of providing these measures.

Depending on the circumstances, Council may consider apportioning the cost of any required works between new and existing development.

### **Community facilities**

Provision of any necessary community facilities.

### **Drainage**

Any internal drainage will be wholly provided by the developer unless otherwise specified by Council. If new development contributes additional run-off to Council's stormwater system, contributions may be payable for drainage augmentation or provision made for retention structures. Contributions may also be payable where erosion and sedimentation processes result as a consequence of development to provide preventative and controlling measures.

***Note: For reticulated water supply and sewerage services, the developer is responsible to meet all of the cost of providing these services, including any upgrading of existing facilities.***

## **1.9 Planting of Vegetation**

As a general rule, any vegetation that is planted as part of a development proposal should be located so as to avoid present or future interference with infrastructure including roads, buildings, water and sewer lines or service easements. This will require a consideration of the type of the vegetation and its root system.

### **1.10 Variations**

Council may consider variations to the standards required of development in this DCP. Variations will be considered when development meets the aims and objectives of a particular control in an alternative way. Request for variations to DCP controls must be received in writing with details of the reasons and justification for the variation provided. Significant departures from the DCP controls may require determination by the full Council.

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## CHAPTER 2 - NOTIFICATION PROCEDURES

### 2.1 Purpose

This Chapter of the DCP outlines Council's policy for community notification in the assessment of development applications and the formulation of development guidelines and policies. The Chapter also outlines the necessary procedures involved in carrying out such notification.

### 2.2 Aims and Objectives

- Clearly state Council's requirements for the notification of development applications and formulation of guidelines and policy.
- Provide for public participation in the DA process for certain development proposals.
- Allow for a reasonable time for inspection and making submissions on applications while recognising the obligations of the Council to determine applications within prescribed periods.
- Provide a direct avenue of access to the application process by affected residents and owners who wish to express their concerns about proposals to Council staff, Councillors or the relevant Council Committee.
- Explain matters for which the Council will have regard when forming its opinion as to whether or not the enjoyment of adjoining land may be detrimentally affected by a proposed development.
- Specify the circumstances when notification is not required.
- Detail the form that notification will take and an applicant's responsibility to provide a notification plan.

### 2.3 Notification Procedures and Guidelines for Applications

This section provides detailed guidelines on procedural processes that must be followed when notifying the community of applications. This plan provides for two levels of public consultation that an application may be subject to. These are **notification** and **advertising**.

#### Notification of Applications

Adjoining landowners will be given notice of an application if, in the opinion of Council, land adjoining the development may be detrimentally affected by a development proposal. The following issues will be considered in the assessment and determination of a development:

- Views to from the land
- Overshadowing
- Privacy and amenity
- Noise, odour, dust, light spill or other polluting emissions
- Proposed hours of use for the development
- The scale or bulk of the proposed development
- The positioning of the development in relation to site boundaries.

Notification shall be undertaken in accordance with Table 2.1.

N = Neighbour notification  
A = Advertising

**Table 2.1 Notification Matrix**

LAND USE	ZONING – GLEN INNES LOCAL ENVIRONMENTAL PLAN 2012														
	RU1	RU3	RU5	R1	R5	B2	B4	B6	IN1	IN2	SP1	SP2	RE1	RE2	E3
<i>Agricultural produce industry &gt;\$1.0mill</i>	N		N						N						
<i>airstrip</i>	N		N											N	
<i>Amusement centre</i>			N				N	N							
<i>Animal boarding or training establishment</i>	N		N A						N						
<i>Backpackers accommodation</i>	N		N			N	N	N							
<i>Brothel (sex services premises)</i>								N A	N A						
<i>Car park higher than 3 metres</i>			N A			N A	N A	N A	N A						
<i>Caravan park</i>	N		N A	N A											
<i>Cemetery</i>	N		N										N		
<i>Child care centre</i>			N	N	N	N								N	
<i>Community facility</i>	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
<i>Correctional centre</i>	N A														
<i>Crematorium</i>	N A		N A												
<i>Entertainment facility</i>			N			N	N	N						N	
<i>Extractive industry</i>	N	N													

	<b>ZONING – GLEN INNES LOCAL ENVIRONMENTAL PLAN 2012</b>														
<b>LAND USE</b>	<b>RU1</b>	<b>RU3</b>	<b>RU5</b>	<b>R1</b>	<b>R5</b>	<b>B2</b>	<b>B4</b>	<b>B6</b>	<b>IN1</b>	<b>IN2</b>	<b>SP1</b>	<b>SP2</b>	<b>RE1</b>	<b>RE2</b>	<b>E3</b>
<i>Feedlot</i>	N A														
<i>Food &amp; drink premises &gt;\$0.5mill</i>			N A			N A	N A	N A							
<i>Forestry</i>															
<i>Function centre greater than \$1m</i>			N A			N A	N A	N A							
<i>Funeral home</i>	N		N		N	N	N	N							
<i>Hazardous industry</i>	N A								N A	N A					
<i>Hazardous storage establishment</i>															
<i>Helipad</i>	N		N		N				N						
<i>Hotel or motel accommodation</i>			N	N		N	N	N							
<i>Information or education facility</i>	N		N	N		N	N						N	N	N
<i>Intensive livestock agriculture</i>	N A														
<i>Livestock processing industry</i>	N A								N A						
<i>Mine</i>	N A														
<i>Mining</i>	N A														
<i>Mortuary</i>	N		N			N		N	N						

	<b>ZONING – GLEN INNES LOCAL ENVIRONMENTAL PLAN 2012</b>														
<b>LAND USE</b>	<b>RU1</b>	<b>RU3</b>	<b>RU5</b>	<b>R1</b>	<b>R5</b>	<b>B2</b>	<b>B4</b>	<b>B6</b>	<b>IN1</b>	<b>IN2</b>	<b>SP1</b>	<b>SP2</b>	<b>RE1</b>	<b>RE2</b>	<b>E3</b>
<i>Multi dwelling housing &gt;20 units</i>				N	N	N	N								
<i>Neighbourhood shop</i>			N	N	N	N	N	N	N	N					
<i>Offensive industry</i>	N								N						
<i>Offensive storage establishment</i>	N A							N A		N A					
<i>Passenger transport facility</i>			N			N	N	N							
<i>Place of public worship</i>			N	N		N	N	N							
<i>Pub</i>			N A			N A	N A								
<i>Recreation facility (indoor)</i>			N	N			N								
<i>Recreation facility (major)</i>	N A		N A			N A		N A					N A	N A	
<i>Recreation facility (outdoor)</i>	N		N	N A	N A			N					N	N	
<i>Registered club</i>			N A												
<i>Residential flat building</i>			N	N		N	N								
<i>Restaurant &gt;\$0.5mill</i>	N		N												
<i>Restricted premises</i>						N A	N A								
<i>Restricted dairy</i>	N A														
<i>Seniors housing &gt;20 units</i>			N	N		N	N								
<i>Service station</i>					N A	N A		N A	N A						



	<b>ZONING – GLEN INNES LOCAL ENVIRONMENTAL PLAN 2012</b>														
<b>LAND USE</b>	<b>RU1</b>	<b>RU3</b>	<b>RU5</b>	<b>R1</b>	<b>R5</b>	<b>B2</b>	<b>B4</b>	<b>B6</b>	<b>IN1</b>	<b>IN2</b>	<b>SP1</b>	<b>SP2</b>	<b>RE1</b>	<b>RE2</b>	<b>E3</b>
<i>Shed greater 3.6 in height</i>			N	N	N	N		N							
<i>Windfarm</i>	N A	N A													N A
<i>Dwellings greater than 2 storeys</i>			N	N	N										

Upon lodgement of an Application, the Manager of Regulatory and Planning Services will assess who may be detrimentally affected in terms of the matters to be considered.

**Note: Council may also broaden the extent of notification following any inspection of the development site, or increase the length of notification.**

### Persons to be Notified

Written notice of a Development Application will be sent to those persons who appear to the Council to own or occupy adjoining land and neighbouring land if, in the Council's opinion, the enjoyment of the land may be detrimentally affected by the development proposal. This could include adjoining and nearby land.

### Other Referrals

Certain Development Applications require notification and/or referral to other government authorities. Notice will also be given to the adjoining Councils listed below, if the proposed development is located in proximity to the LGA boundaries of:

- Inverell Shire
- Tenterfield Shire
- Clarence Valley Council
- Guyra Shire Council

Integrated Development is development that requires consent or a permit from another Government agency. Council must refer Integrated Development to the relevant agency and include their General Terms of Approval in the development consent.

## **2.4 Notification of Amendments prior to determination & Modification of Applications under S96**

### Amendments prior to Determination

An applicant may make amendments to an application at any time before its determination, subject to Council's acceptance of those amendments. In these circumstances, Council will re-notify:

- Those persons who made submissions on the original application; and
- Any persons who own adjoining or neighbouring land (including those persons who were previously notified of the application) who may in Council's opinion potentially be detrimentally affected by the proposal as amended.

**Note: If re-notification is required, further sets of plans for this purpose must be provided by the applicant.**

### Modification of an Approval (after Determination) under Section 96:

An applicant may lodge an application to modify an approval (under Section 96 of the *EP&A Act*) if Council is satisfied that the development, as proposed to be modified, remains substantially the same development as that originally approved. Council will re-notify persons who made a submission to the original application and any persons who own adjoining or neighbouring land only where, in Council's opinion, those persons could be detrimentally affected by the proposal as amended. Submissions received in relation to the modified proposal will be considered in Council's assessment of the application.

**Notification Period:** A person may inspect a plan and make a submission within the (minimum) 14 day notification period.

**Note: For "advertised" and "designated development" the length of the notification period varies and will be in accordance with the advertising requirements of the Environmental Planning and Assessment Regulations (2000), unless a longer period is determined by Council.**

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### **Form of Submissions from Persons Notified & the General Public**

Submissions made in respect of applications must be in writing and addressed to the General Manager. Submissions must clearly indicate the name and address of the person making the submission and details of the proposal to which the submission relates. Should an objection be part of the submission, the reasons for the objection are to be provided. All submissions are to be accompanied by a form declaring any donations or gifts to an elected member of Council or a Council staff member (as set out in the form available for such declarations available from Council or Council's website).

Petitions submitted will be required to identify a single contact person. Should this not be provided, Council will provide one written response to the first signatory of a petition.

### **Consideration of Submissions**

Council will consider all submissions received within the specified time period before determining a Development Application. In making a determination the content of a submission must be balanced with the Council's statutory obligations. Submissions form a part of the assessment process of an development application.

### **Applicant to be advised of Objections**

Written submissions cannot remain confidential as they may be used to assist in negotiations with the owner/applicant of the proposal or be included in Council business papers. The applicant, on request, will be advised of the terms of any objection and is entitled to read all submissions received. Where applications are amended in response to objections received, comments may be sought from previous objector/s.

### **Notification of Determination**

Following determination of an application, submission makers will be advised in writing of Council's decision as soon as practical.

### **Advertising of Applications**

If Council considers that a development proposal has the potential to have a wider impact than nearby property owners or have a special community interest, Council may decide to advertise the application in the local print media (i.e. newspapers). A person may inspect a plan and make a submission within the advertising period which will be a minimum of 14 days.

### **Advertising & Notification Costs**

The applicant shall pay the Council a fee in accordance with Council's adopted Schedule of Fees and Charges to cover the cost of advertising and notification of an application.

## **2.5 Integrated, Designated Development and other Categories of Development**

Statutory notification requirements exist under the *EP&A Act* for certain categories of development such as:

- Integrated Development;
- Designated development;
- Regionally Significant Development; and
- Other types of Approvals, including assessment of "activities" under Part 5 of the *EP&A Act*.

These must be advertised and exhibited in accordance with the requirements as outlined in the *EP&A Act* and the Regulations.

**Note: The requirements of the EP&A Act and Regulations are mandatory.**

**Regionally Significant Development is assessed by Council and determined by the Joint Regional Planning Panel. Regionally Significant Development is advertised for a minimum of 30 days.**

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## CHAPTER 3 - RESIDENTIAL DEVELOPMENT

### 3.1 About this Chapter

This chapter provides the development controls for low and medium density residential development (Class 1, 2 and 3 buildings) in Glen Innes and the villages within the LGA. This chapter should be read in conjunction with the GISC LEP 2012. The purpose of this chapter is to provide additional controls and guidance so that development within residential zones is appropriate and serves to enhance the overall character and amenity of neighbourhoods.

### 3.2 Where this Chapter applies

This chapter applies to residential development undertaken on residential land zoned R1, R5 and RU5 in the Glen Innes Severn LGA including associated development

### 3.3 General Advice to Applicants for Residential Development

#### Aim

The aim of this chapter is to enhance and protect the amenity of new and the existing residential areas by:

- Providing design controls for residential development;
- Setting reasonable and attainable environmental standards for solar access, privacy, protection of views, vehicular access, parking and landscaping; and
- Recognising that zones require controls that match the zone objectives and that lower density development should be subject to less stringent controls as their amenity impacts are lower.

**Note: Applicants are strongly advised to seek the services of qualified architects, town planners, landscape designers, surveyors and civil engineers, to accurately document development proposals. All drawings submitted shall bear the names of the persons responsible for the design.**

Council must be able to assess the impact of the proposed development on any adjoining residences, together with the wider environmental implications. All development applications must therefore be accompanied by a Statement of Environmental Effects. Information setting out the requirements of a Statement of Environmental Effects is provided at Chapter 12.

**Note: In cases where a development proposal fails to meet one or more of the controls listed in this plan, an amendment to, or redesign of the proposal may be warranted or the application should be withdrawn with partial refund of application fees.**

### 3.4 Density Requirements

#### Objectives

- To provide density controls to enhance and protect the amenity of new and existing residential areas.
- To ensure that the density of residential development is appropriate to the scale and character of each location.
- To ensure that development provides a variety and choice of dwelling types and sizes where possible.

**Controls:**

**Minimum Site Area per Dwelling**

Table 3.1 below establishes the estimated densities for each zone and the number of dwellings a site could potentially accommodate. These controls should be used as a guide only, to determine the maximum development potential of a site. In practice, site dimensions and design constraints (e.g. potential overshadowing, easements, development in the vicinity of heritage items, car-parking requirements, floor area and setbacks) may prevent the estimated maximum being achieved.

**TABLE 3.1 MINIMUM SITE AREA PER DWELLING**

Zone	Dwelling Use / Size	Site area per dwelling (1)	Floor Space Ratio (FSR)
R1	Single dwelling within serviced lot	1 dwelling / 450 m <sup>2</sup>	0.6:1 (60% site coverage)
	Dual Occupancy - Attached	1 dwelling / 225 m <sup>2</sup>	
	Dual Occupancy - Detached	1 dwelling / 600 m <sup>2</sup>	
	Attached dwellings	1 dwelling / 450 m <sup>2</sup>	
	Multi dwelling housing and residential flat buildings	1 dwelling / 200 m <sup>2</sup>	0.4:1
RU5	Single dwelling within serviced lot	1 dwelling / 500 m <sup>2</sup>	0.6:1
	Single dwelling within un-sewered lot	1 dwelling / 1,000 m <sup>2</sup>	<b>(3)</b>
	Dual Occupancy - Attached <b>(2)</b>	1 dwelling / 500 m <sup>2</sup>	
	Dual Occupancy - Detached <b>(2)</b>	1 dwelling / 600 m <sup>2</sup>	
	Attached dwellings <b>(2)</b>	1 dwelling / 500 m <sup>2</sup>	
	Multi dwelling housing <b>(2)</b>	1 dwelling / 300 m <sup>2</sup>	
B2 B4 B6 <b>(4)</b>	Shop top housing, multi dwelling housing and residential flat buildings.		1:1

**Notes:**

**(1) Not including the area of any access handle or internal driveway.**

**(2) Higher density residential development is generally unsuitable within un-sewered land.**

**(3) Site coverage is dependent on the land capability for onsite wastewater management.**

**(4) The only permissible form of residential accommodation in the B6 zone is shop top housing.**

### 3.5 Setbacks

**Objectives**

- To maintain the existing character of the streetscape in residential areas;
- To allow an outlook to and surveillance of the street; and
- To ensure attractive streetscapes through consistency in setbacks in new developments.

**Controls:**

- No continuous section of wall built along a side boundary shall be longer than 10 metres or exceed 50% of the length of the boundary or the length of any adjoining wall of the boundary, whichever is lesser.

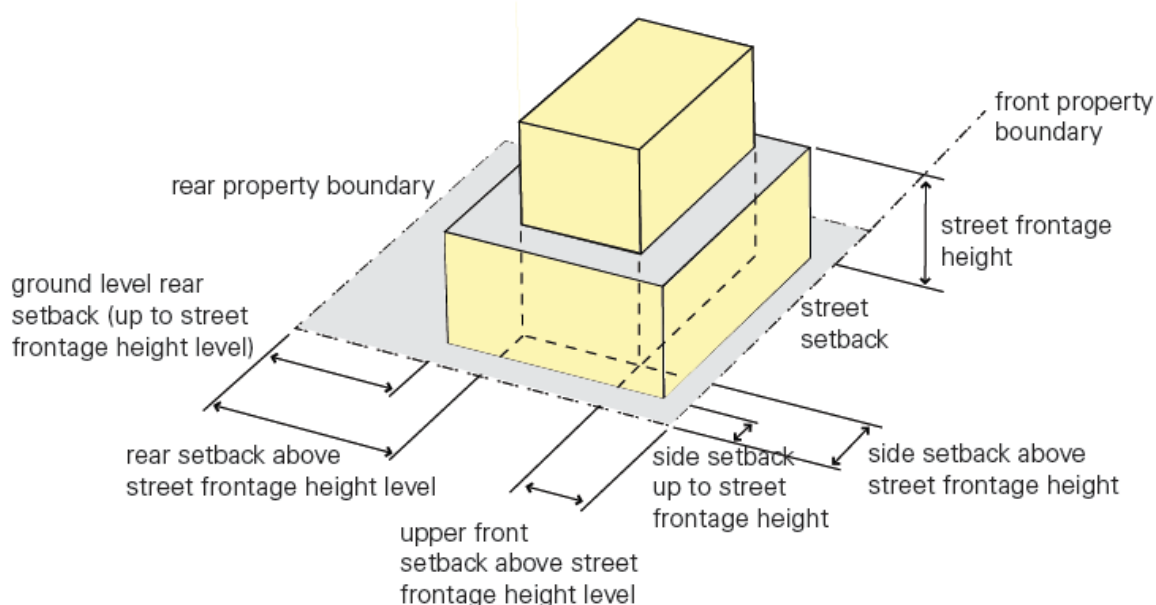
- In established residential areas (infill development) the front setback should generally be consistent with the established setback/building line of adjoining buildings. In other areas, the setbacks controls in Table 3.2 apply.

**TABLE 3.2 MINIMUM SETBACKS**

Zone	Housing type	Setback
R1 RU5	Dwelling / Dual Occupancy	Street 6m to main frontage –if corner allotment 3m to secondary frontage.  Side/Rear Single storey – 900 mm (subject to compliance with the Building Code of Australia (BCA)) Walls greater than 3 m in height - 2 m
R1 RU5	Multi dwelling housing and residential flat buildings up to two storeys	6m to main frontage – if corner allotment 3m to secondary frontage  Side/Rear – 3 m
R5	Dwelling / Dual Occupancy	Front – 15 m Side/Rear – 3 m
B2	Shop top housing, multi dwelling housing and residential flat buildings	Merit assessment.

Subject to compliance with the fire-resistance rating requirements prescribed in the current version of the Building Code of Australia (BCA) and ensuring there is no unreasonably adverse impact on the privacy or solar access of adjoining properties, side or rear walls which are less than 3 metres in height may be built to within 900mm of the boundary.

**Diagram 3.1 Generic Setback Diagram**



## 3.6 Building Height

### Objectives

- To ensure that buildings minimise impacts on adjoining properties from overshadowing, overlooking and excessive bulk and scale;
- To minimise the impact of elevated housing developments in areas of predominantly single storey housing; and
- To ensure that the height of new development is not excessive and relates well to the local context.

### Controls:

- Generally buildings should not exceed two storeys (8.5 m).
- Detached dual occupancy – rear dwelling should not exceed one storey.

### Maximum Height

The maximum height of the building at any point shall be measured from the **natural ground level** to the ridge of the roof. This height should not be more than 8.5 metres as shown in Diagram 3.1 below.

Diagram 3.1 – Building Height



All applications for two (2) storey development will require the lodgement of shadow diagrams, prepared in accordance with the Solar Access guidelines in this chapter.

## 3.7 Open Space

### Objectives

- To ensure that residential development provides an adequate amount of functional private open space that is appropriate to the context of the location;
- To protect privacy and amenity of neighbouring properties; and
- To ensure that areas provided are suitably located and landscaped to obtain adequate sunlight and protection from prevailing winds.

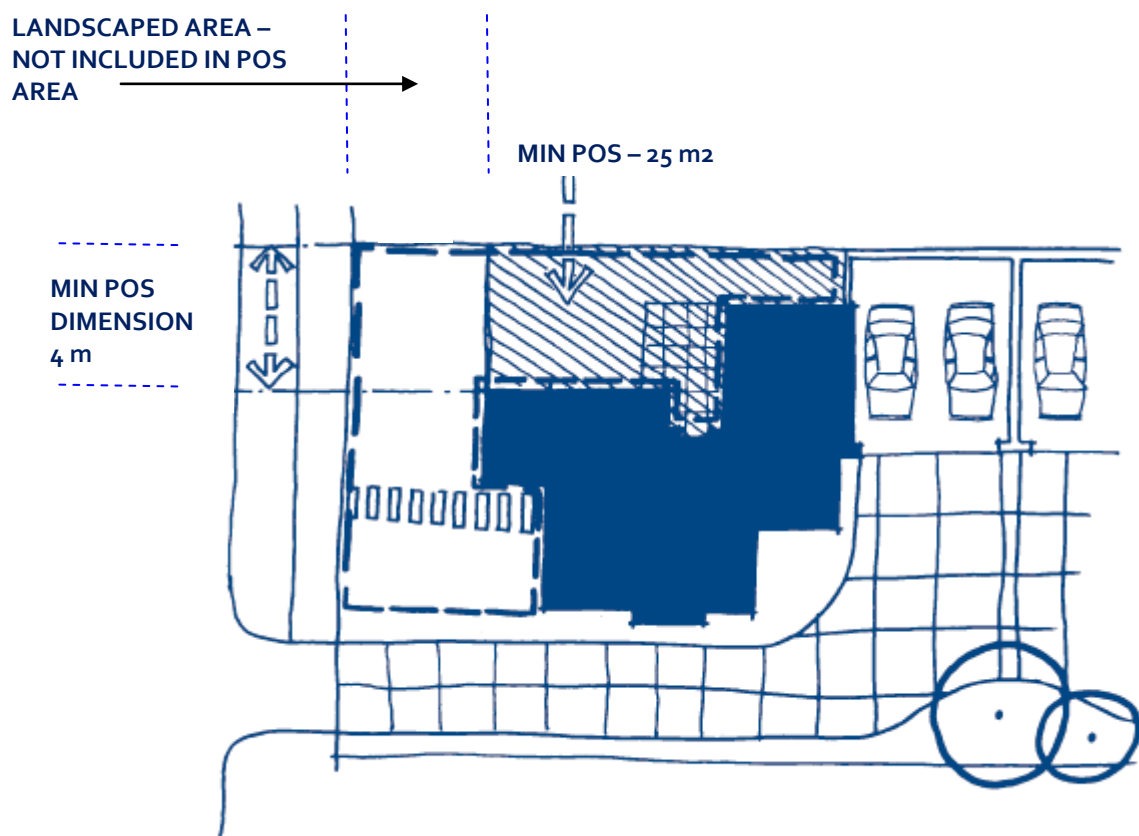
### Controls:

- Dual occupancies and multi dwelling housing shall include no less than:
  - 75 m<sup>2</sup> of **landscaped area** per dwelling/unit
  - 25 m<sup>2</sup> of **private open space** (POS) per dwelling/unit



- Above ground level residential flat buildings and shop top housing are to have a balcony with a minimum area of 8m<sup>2</sup> and a minimum dimension of 2m with direct access from the main living area of the dwelling.
- POS can include balconies, courtyards and terraces and will have direct ground level access.
- At least half of the POS area should receive 3 hours or more of sunlight between 9am – 3pm on June 21 (winter solstice).
- POS areas are to have a minimum dimension of 4 m and a maximum gradient of 1 in 10.
- The positioning of POS areas is not to unreasonably compromise the POS of other nearby dwellings (on the same site or on adjacent properties).

**Diagram 3.3 Private Open Space**



### 3.8 Landscaping

#### Objectives

- To reduce the visual impact of new development and to maintain and enhance existing streetscape and landscape character.
- To preserve significant trees and landscape elements.

New plantings should be selected having regard to their future maintenance requirements and likely growth. In general, any substantial tree or shrub should be a minimum horizontal distance of 2 metres from the external wall of a building or the line of any underground service pipes (details available from Council).

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## Controls:

- Existing mature trees should be retained and incorporated in the development wherever possible.
- Dual Occupancies, Multi Dwelling Housing and Residential Flat Buildings
  - A Landscape Plan should be prepared by an appropriate person (Landscape Architect, Landscape Designer or the like) and shall include details of site features, hardstand areas, fencing treatment, number and type of plant species, location of services and mains and planting locations.
  - The Landscape Plan shown be drawn to scale (1:100 or 1:200).
  - Where common open space areas are provided, low maintenance gardens are preferable.
  - Areas used for driveways, car parking, drying yards and service areas shall not be included as components of the landscaped open space.

In assessing the suitability of landscape plans, Council will give thorough consideration to the following:

- adequacy of sunlight;
- privacy of open space and adjoining developments;
- ease of maintenance;
- whether tree size at maturity will be in scale with the bulk of the building and open space;
- the practicality of landscaped areas for use by the people who live in the proposed development; and
- location of trees in relation to services.

## 3.9 General Controls for Multi Dwelling Housing

### Objectives

- To achieve a coherent site layout that provides a pleasant, attractive, manageable and resource efficient living environment;
- To ensure that streetscape, amenity and energy efficiency are considered at the outset of the design process; and
- To encourage site planning and building design that optimizes solar access to land and buildings.

### Controls

- “Gun Barrel” type multi dwelling housing developments will not be supported by Council.
- A driveway, which serves a maximum of three dwellings, is to have a minimum paved width of 3m.
- A shared driveway, which serves three or more dwellings, is to have a minimum paved width of 4.5m at the street, continuing at this width to a depth of 6m.
- Development proposals over more than one lot will require consolidation (subdivision) as part of the development.
- Minimum separation between habitable room windows of facing dwellings:
  - Ground and 1st floor level – 9m
  - Above 1st floor level 12m
- Bin storage and drying areas to be:
  - concealed from view from the street
  - clothes lines and hoists shall be located at the rear of multi dwelling housing developments and adequately screened from adjoining roads.
  - clearly shown on the site plan.

### 3.10 General Controls for Secondary dwellings

Secondary dwellings may be complying development under [State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#). This SEPP also specifies criteria which cannot be used by a consent authority as grounds to refuse consent to a secondary dwelling.

#### Objectives

- To ensure the efficient use of land and infrastructure.
- To maintain the character, amenity and environmental values of the area.

#### Controls

- A new (additional) vehicular access point is not to be constructed to a site for the purposes of a secondary dwelling, unless the access is from a rear laneway or side street. There is only to be one vehicle entrance for both dwellings from the primary frontage of the site.
- When constructed in an area without a reticulated water supply, it must be demonstrated that sufficient rainwater tank water can be provided.
- When constructed in un-sewered areas, an on-site wastewater disposal assessment must be provided to demonstrate that the existing system has the capacity for the secondary dwelling or, alternatively, the wastewater system must be upgraded to Council's on-site sewage management system specifications.
- A minimum of 50 square metres of private open space must be retained on the site for shared-use by the occupants of both the primary and secondary dwelling. The private open space must have minimum dimensions of at least 4 metres and a core area with minimum dimensions of at least 5 x 5 metres is to be provided.
- The maximum distance between the two closest points of the walls of the primary and secondary dwelling is to be a maximum distance of 15 metres.

### 3.11 Solar Access

#### Objective

- To minimise overshadowing of adjoining properties/buildings whilst maximising solar access to the development site.

#### Controls:

- Residential development shall be designed to ensure that the habitable rooms of adjoining residential buildings, and the major part of their landscaped open space, have at least four (4) hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).
- Residential development shall be designed to ensure that the habitable rooms of the proposed development and the major part of their private open space have at least four (4) hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).
- New buildings should not obscure sunlight to habitable rooms or open space adjoining buildings during winter months.

#### Shadow Diagrams

For applications involving development of two storeys or higher, Council will require an applicant to prepare a shadow diagram showing the impact of a proposal on adjoining residential buildings and their landscaped open space. Shadow diagrams may also be required for a single storey development depending on the size, orientation, level and slope of the allotment.

**Note: A Building Sustainability Index (BASIX) certificate will be required for all BASIX affected buildings. [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)**

## 3.12 Privacy

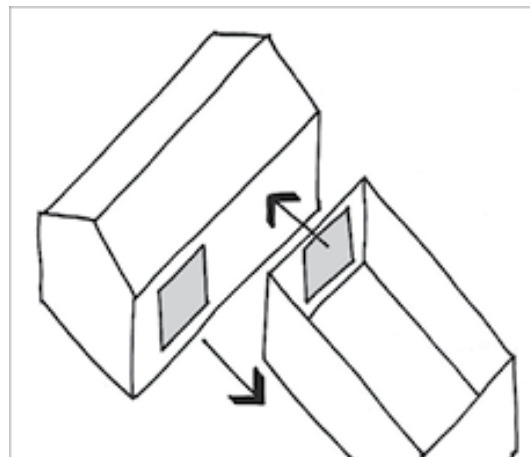
### Objective

- To ensure that reasonable privacy both internal and in respect of existing adjoining residences and private open space, is achieved.

### Controls

- Upper level openings on side facades which are less than 3m from a neighbouring house must be:- at least 1.7m above floor level OR - screened OR - fixed with translucent glazing.
- Habitable rooms overlooking the private open space of a neighbouring house are to have sill heights at least 1.7m above floor level.
- A habitable room should look over the street to provide passive surveillance.
- External lighting shall be baffled so there is no light spillage onto adjoining properties.
- Recreation facilities, such as swimming pools shall be located behind the building line and away from the bedroom areas of adjoining dwellings
- As shown in Diagram 3.4, windows shall be offset to increase privacy to adjoining buildings.

**Diagram 3.4 – Offsetting Windows**



**Offset windows where possible.**

**Provide screening and/or landscaping if less than 12m between buildings**

## 3.13 Views

### Objective

- To minimise, wherever possible, the obstruction of views from adjoining buildings

### View Protection

In an urban environment it is not always possible to protect all views for all people. Nevertheless, an initial site analysis should attempt to identify significant views both from a proposed development site and from neighbouring properties. Developments should be designed to maintain, as far as practicable, the views of existing residents, while taking advantage of views for residents of the new dwellings.

Proposals involving developments of two storeys or higher should be accompanied by a survey showing the position of the buildings on site, the location of adjoining building(s) and a supporting statement assessing the degree of view loss, if any, resulting from the proposal.

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### **3.14 Ancillary Development**

#### **Objective**

To ensure ancillary development does not detract from the amenity of neighbouring properties or the streetscape.

#### **Controls**

##### **Fencing and Walls**

Fences and walls proposed as part of a development provide privacy, security and noise attenuation, without having a detrimental impact upon the streetscape and adjacent buildings.

Front fences and walls must comply with the following:

- enable some outlook from buildings to the street for safety and surveillance;
- be designed and detailed to provide visual interest to the streetscape
- be constructed of materials compatible with the proposed housing, and with other attractive visible examples of fences and walls in the existing streetscape
- be compatible with facilities in the street frontage area, such as mail boxes and garbage collection areas
- Be compatible in streetscapes of significance and is appropriate to the heritage or environmental context of the site
- Front fences and walls should be designed to use similar or compatible materials to that used in attractive buildings in the locality.

##### **Sewer, Water, Stormwater, Electricity and Telephone Services**

All developments are to be connected to existing public utility installations. However, Council may require upgrading of the existing services. All services shall be provided underground (unless otherwise approved by Council).

For unit developments of three (3) or more dwellings, a preliminary stormwater design plan is to be submitted with the Development Application, complying with Aus-Spec design specification D05 – Stormwater Drainage Design. On-site stormwater detention will be required on sites where under capacity drainage systems exist. Inter-allotment drainage shall be provided where water cannot drain directly to the street frontage or a natural watercourse.

Generally buildings will not be permitted over sewer easements, within the zone of influence of a sewer main, or within the “zone of influence” of the foundations.

Separate sewer junctions and water meters will be required for each separate residence.

##### **Restrictions to Land Title**

Restrictions may apply to the title of land which could affect a proposed development. Examples include maintenance of overland flow paths; tree planting; and/or building envelopes. It is the responsibility of the applicant/developer to investigate and where relevant, identify any such user restrictions prior to the preparation of plans for lodgement with a development application.

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### **3.15 Constraints when Developing “Older Lots” or Converting Existing Buildings**

Opportunity for medium density housing may be restricted in residential areas fronting narrow laneways, on roads where the pavement width is inadequate for the increase in generated traffic or in areas that are not served by underground stormwater drainage. While Council is prepared to consider a range of innovative design solutions to overcome these deficiencies, it must be recognised that **some sites are not suitable for medium or high density residential development.**

Developers must also be aware that the development costs associated with these ‘older’ lots may be higher than in other areas where adequate services are able to be easily provided or are in existence. Where an existing building is proposed to be converted for ‘dual occupancy’ or ‘multi dwelling housing’, it will be required to comply with the provisions of these guidelines, with the exception of setback requirements in relation to the existing structure (for example, conversion of the bottom section of an existing dwelling). Council will require the exterior of the existing building, landscaping and fencing to be upgraded as part of the application.

### **3.16 Flood Liable Land**

Some land within the LGA is subject to flooding and may affect the future development of land with regard to floor levels; landfilling; excavation; flood compatible building materials and the like.

- FFL shall be 500mm above the 1% FHL.

Where a flood study has not been completed the FFL shall be 500mm above the highest known flood. Where a development falls outside the extents of an approved Council flood study and plan, developers may be required to undertake flood studies and/or engage surveyors to demonstrate that all development will be above designated flood levels. In some circumstances, developers may be required to submit evidence of historical flood levels from long time residents in the area.

Information in relation to Council’s requirements for building on flood prone land may be discussed with staff of Council’s Infrastructure Services Department. The State Floodplain Development Manual contains useful information for anyone considering building on flood liable land.

### **3.17 Adaptable Housing Provisions**

#### **Objective**

- to provide guidelines for access both to, and within buildings and public spaces for people who have a disability;
- to assist in better design of building and spaces so as to meet the access needs of all members of the community;
- increase community awareness of mobility issues affecting certain sections of the community;
- to ensure that new development is accessible by all people;
- to ensure compliance with the relevant Australian Standards for Access and Mobility; and
- to provide intending developers with clear guidance as to the legal requirements and Council policy for access and mobility.

#### **Controls**

- Multi dwelling housing and residential flat buildings incorporating four (4) or more units must have every fourth (4th) unit, or additional fourth unit, constructed in accordance with Australian Standard 4299-1995 Adaptable Housing.
- The minimum design requirements for adaptable housing are contained within Australian Standard 4299 Adaptable Housing. The requirements contained within the AS indicate a means of meeting the necessary design criteria for adaptable housing.
- **Private Car Parking (off street)**  
Safe and accessible car parking spaces should be provided adjacent to continuous and accessible paths of travel to the dwelling.

- **Signage and Lighting**  
To minimise personal risk and improve safety; car parks, set-down points, access routes and entrances are to be well lit, of sufficient contrast and well sign posted to assist people with a disability to accessible locations and through entry points.
- **Kerb ramps, ramps and walkways:** To allow free and unobstructed access to buildings from off-street car parking and set-down points: ramps and walkways should be provide.
- **Primary Points of Entry:** Entrance doors or primary points of entry to buildings must allow for the unimpeded passage of people with disabilities.
- **Internal Circulation and Facilities:** The minimum design requirements for adaptable housing are contained within *Australian Standard 4299 Adaptable Housing*.
- **Paths of Travel and Circulation**
  - Safe and continuous paths of travel are available to all applicable elements within the building.
  - Where appropriate, step-ramps, ramps walkways and stairs must allow for the needs of people with disabilities when accessing different parts of the building.
  - Doors, doorways and corridors must be of sufficient dimension (including clear openings and circulation spaces) to allow safe and unobstructed passage for people with a disability.
- **Signage and Lighting:** Suitably illuminated pathways within the development.
- **Building Controls:** Where appropriate, building controls must be located in accessible positions and of suitable design to allow operation by people with disabilities (eg. Controls include; security and air conditions panels, light switches, power points).
- **Sanitary Facilities:** Where appropriate, sanitary facilities and similar amenities must be accessible and functional for people with a disability.
- **Kitchen and kitchenettes:** Kitchen elements are located so that they are accessible and can be operated safely, thus minimising the risk of scalding, burning or other injury. *(There is no typical kitchen layout for people with a disability. Before designing the layout of a kitchen that may be utilised by a person with a disability, the advice of an Occupational Therapist should be sought in determining the most appropriate design for accessibility and functionality.)*

### **3.18 Medium Density Housing Development Associated with Commercial or Retail Development**

#### **Objective**

- To facilitate multi dwelling housing in Business zones where it will not prejudice development of the land for commercial, retail or service activity.
- To encourage 'shop-top' housing developments in the Business Zones.
- To ensure that multi dwelling housing is carried out in association with permissible commercial or retail development in the zone.

Initial enquires should be made to the Development, Regulatory and Sustainability Services department to identify areas considered suitable for 'multiple dwellings' within the town's Business zone. Generally, Council will only permit multi dwelling housing in conjunction with business premises in the Business Zone.

#### **Controls:**

##### **Height Restrictions**

An 8.5 metre height restriction applies, however the height of any development must complement the existing streetscape and not result in overshadowing of existing residential buildings. Consideration must be given to the heritage nature and character of any existing surrounding/adjacent development.



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## Car Parking

A concession may be given in respect to visitor parking where, in the opinion of Council, sufficient off-site parking is available in the locality. However, at least one (1) space per unit must be provided on site.

## Setbacks

No setbacks apply in the Business Zone. However, as a general rule, Council will require all new developments above two storeys in height to be setback a further two metres per storey for each additional storey (or three metres in building height) above the two storey height.

This will reduce overshadowing and prevent a 'canyon effect' being created particularly in the Central Business Area. Council gives consideration to the creation of an attractive and integrated streetscape and it is important that any new development enhances the existing streetscape.

## 3.19 Residential Flat Buildings

[State Environmental Planning Policy \(SEPP\) No. 65 – Design Quality of Residential Flat Development](#) applies to development for residential flat buildings of **four or more self-contained dwellings**. The SEPP aims to improve the design quality of residential flat buildings in NSW. If the SEPP applies, development proposals must include a Design Intent Statement prepared by a qualified designer certifying that the design of the project meets the design quality principles of the SEPP. The Design Intent Statement may include:

- drawings of the proposed development in the context of surrounding development, including the streetscape;
- development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations;
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context;
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts;
- photomontages of the proposed development in the context of surrounding development;
- a sample board of the proposed materials and colours of the façade;
- detailed sections of proposed facades; and
- if appropriate, a model that includes the context

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## CHAPTER 4 - RURAL DEVELOPMENT

### 4.1 *About this Chapter*

This section refers to dwellings, dual occupancy development, rural worker's dwellings, additions, tourist development and other forms development permitted in the Rural and Environmental Zones contained within Glen Innes Severn Local Environmental Plan 2012.

### 4.2 *Where this Chapter applies*

All Rural, Rural Residential and Environmental zoned land (RU1, RU2, R5 and E3) within the Glen Innes Severn LGA that is subject to a development proposal.

### 4.3 *Aims and Objectives*

- To enhance the character of the rural areas.
- To encourage the use of existing or potentially productive land for agricultural purposes.
- To reduce potential for rural land use conflict.
- To protect old-growth, significant hollow-bearing trees and conservation significant vegetation through recognition of their ecological value and scarcity in the landscape.
- To improve the ecological function of riparian areas within the landscape.
- To improve the stability of the bed and banks of waterways through the management of riparian vegetation.

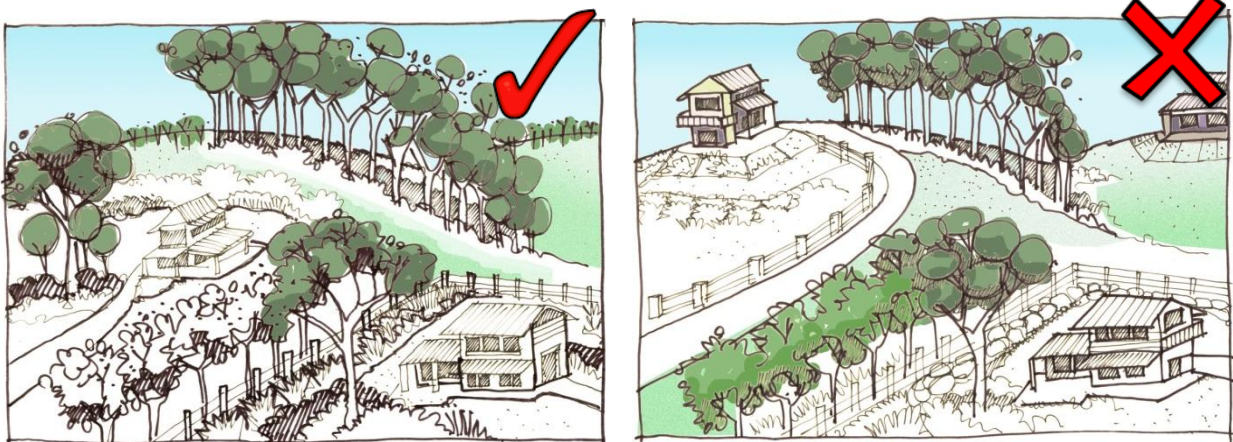
### 4.4 *General Controls*

- Rural dwellings and dual occupancies are subject to the provisions of Clause 4.2A of the GISC LEP 2013. Refer to Note below.

**Note: Clause 4.2A of the GISC LEP provides development standards for the erection of dwellings on rural land. To summarise, dwellings may only be erected on rural land if:**

- ***The lot has an area of at least the minimum lot size shown on the GISC LEP map; or***
- ***The lot was created by a Council approved and certified subdivision of land prior to 1991, or***
- ***The dwelling is intended to replace a lawfully erected dwelling, or***
- ***The lot is identified on the GISC LEP [Dwelling Opportunity Map](#).***

- Council may require the consolidation of undersized rural lots (vacant lots with an area of less than the minimum rural lot size) within the same rural property holding as a condition of consent for new rural dwellings.
- Buildings shall be sited so that they are not located or project above ridgelines or knolls and are sensitively placed within the rural landscape.



#### PREFERRED: NEW DWELLING POSITION BELOW THE RIDGELINE

- Rural buildings, including garages and sheds should be clustered to form a group and where possible, buildings shall be broken into smaller elements rather than presenting a large building mass.
- All buildings should be setback at least 15 metres from the front property boundary (with frontage to a public road).
- Materials and/or finishes should not give rise to visual intrusion by virtue of texture, colour or arrangement. The use of recessive earthy tones is required. The use of reflective materials is discouraged.
- Development involving the on-site management of wastewater must comply with Council's [On-site Sewage Management Strategy](#).
- Development within bushfire prone land must meet the relevant requirements of the Rural Fire Service and *Planning for Bushfire Protection 2006*.
- The carrying out of development ('works' including excavation or deposition of material) on waterfront land requires a Controlled Activity Approval (CAA) under the [Water Management Act 2000](#). Council will refer DAs involving works within waterfront land to the NSW Office of Water as integrated development.

### 4.5 Vehicular Access Requirements

Where access from a public road to a private property is required:

- Access to a development shall be located having regard to its potential impact on the landscape and native vegetation and shall be unobtrusive and sympathetic to the existing landform and neighbouring development.
- All development is required to have coincidental legal and physical access from a public road to the development site. In this regard, Council may require evidence from a registered surveyor that this is the case.
- Where a part of any access is via an unformed Crown road, the road may first require dedication as a Council public road, and then construction to an appropriate standard once Council approval has been gained for the work. For a single residential dwelling, the minimum standard of construction where the owner will be responsible for ongoing track maintenance is in accordance with the former Department of Land and Water Conservation publication "Guidelines for the Planning, Construction and Maintenance of Tracks".
- Road and drainage designs may need to be submitted to Council at the applicant's expense prior to approval of any roadworks within a Council public road reserve.
- The developer will be responsible for construction or upgrading of any vehicle access in accordance with Council standards, including:
  - A suitable width all-weather pavement from the road to the entrance gate or stock grid.
  - Where the access crosses a table drain, a minimum 375mm diameter pipe with headwalls, or concrete dish drain on the alignment of the table drain.

- Any entrance gate or stock grid should be set back a minimum distance of 15 metres from the edge of the traffic lane for single unit truck access, or 22 metres for semi-trailer access.
- The access is to be located at where safe intersection sight distances can be achieved, including a minimum gap sight distance of 5 seconds.
- A Council Road Opening Permit is required prior to performing any work within a public road reservation. Forms and advice on relevant fees can be obtained from Council's Engineering Services department.

## 4.6 Environmental Considerations – Requirements

- Development shall not be carried out on slopes greater than 20%. If development on slopes greater than 20% is unavoidable, Council may require a geotechnical assessment.
- Clearing of native vegetation – applications are to identify the area and number of trees to be cleared as part of the application. Clearing which does not form part of a Development Application to Council must be approved by the relevant Local Land Services (LLS) (refer to Note below).
- Where development is likely to have a significant impact on threatened species, populations or ecological communities, or their habitats within the meaning of the [Threatened Species Conservation Act 1995](#), [Environment Protection and Biodiversity Conservation Act \(EPBC\) Act 1999](#) and [Fisheries Management Act 1994](#), Council will require the submission of the following:
  - An ecological assessment prepared by a suitably qualified, experienced and independent person or persons; and/or
  - A preliminary Vegetation Management Plan (VMP) prepared by a suitably-qualified and experienced person such as an Ecologist, Bush Regenerator, Horticulturist or Landscape Architect with practical, demonstrated experience in bush regeneration., and/or
  - Compensatory planting prepared in accordance with Table 4.1.
- Riparian lands within a subdivision are to be stabilised and revegetated according to stream order and buffer category. Water courses classified as stream order 3 or greater (Strahler method) require a riparian buffer of at least 40 m
- Roads are to be located outside riparian buffer areas where possible. Where roads traverse the riparian buffer area, the road design is to minimise the area of disturbance and demonstrate minimal impact on the riparian function and integrity.
- Driveway/roadway crossings/other infrastructure located over waterways are to have regard to the requirements for fish passage in accordance with relevant NSW State Government requirements under the [Fisheries Management Act 1994](#).

### NOTE:

**Under the Native Vegetation Act 2003 (all [clearing of remnant native vegetation](#) or [protected regrowth](#) requires landholders to seek approval to a property vegetation plan (PVP) from their Local Land Service (LLS) unless the clearing is:**

- i. on land that is excluded from operation of the Act**
- ii. categorised as excluded clearing, or**
- iii. permitted clearing including routine agricultural management activities (RAMAs).**

**PVPs are plans submitted by a landholder for approval by the LLS that can describe how native vegetation will be managed on a property. This includes identifying areas that can be cleared and if necessary 'offset' areas. A PVP that proposes broad scale clearing cannot be approved unless the clearing will improve or maintain environmental outcomes. As an alternative to a PVP, landholders can also obtain development consent from their LLS to clear native vegetation. Development consent cannot be granted unless the clearing improves or maintains environmental outcomes.**

**TABLE 4.1: TREE REPLACEMENT RATES FOR VARIOUS HABITAT TYPES I**

Significance Category	Ratio
Old growth or hollow-bearing tree	1:20*
Endangered Ecological Community (EEC)	1:10
Koala Habitat	1:5
Wildlife Corridors	1:10
Riparian zones	1:10
Steep lands	1:3
Other	1:2

\* *denotes 20 replacement trees for every tree removed.*

## 4.7 Flooding

In low-lying areas a flood study may be required to determine appropriate floor levels for habitable structures. Waterway crossings on any access roadways should be designed to permit two-wheel drive access from a public road to the residence during a critical one (1) in 100 year storm event.

## 4.8 Land Use Buffers

- Buffers from development to rural land uses are to be established in accordance with the NSW DPI [Land Use Conflict Risk Assessment Guide](#).
- Where a proposed development for a dwelling or tourist accommodation will adjoin an agricultural enterprise on an adjoining property, a minimum 100m separation shall be provided. Where the 100m buffer cannot be achieved, Council will consider the use of vegetative buffers on the proposed development site
- Any new residence should be located a minimum distance of 2km from any active or proposed wind turbine, unless suitable measures are taken in the design and construction of the dwelling to ameliorate any noise or other impacts

## 4.9 Glen Innes Aerodrome

Where a development will be located in the vicinity of the Glen Innes Aerodrome, the following additional controls will apply:

- All structures, and the mature height of any vegetation, is to remain below the obstacle limitation surface for Glen Innes Aerodrome, Further details of these levels are available from Council's Department of Infrastructure Services
- The dwelling and any landscaping, including dams, shall be designed and located so as to discourage feeding and nesting sites for birds in the vicinity of flight paths
- All building materials and outdoor lighting shall be designed or shielded so as to minimise any upward glare in the vicinity of flight paths
- Any residence is to be located and designed in accordance with the provisions of AS2021 'Acoustics – Aircraft Noise Intrusion – Building Siting and Construction', outside the 20 ANEF noise contour for Glen Innes Aerodrome.

## 4.10 Services

### Electricity and Telecommunications Infrastructure

- Any structures associated with the provision of electricity and telecommunications to the development shall be sited to have minimal environmental impact including vegetation removal and visual impact.
- Applications are required to demonstrate the method of power supply.
- Council supports the use of solar energy supplies.
- Where generators are proposed, controls shall be placed on the hours of operation and levels of noise emission having regard to the proximity of neighbouring development and the environment.

### Water

Rural buildings without a reticulated water supply shall have water storage facilities containing a minimum of 22,000 litres of potable water for domestic purposes.

## 4.11 Farm Dams

The NSW Office of Water regulates and licenses farm dams. Dams that do not need a licence or development consent are:

- Dams that capture up to 10 per cent of run-off
- Dams up to one megalitre on small properties:
  - Licences are not required for dams up to one megalitre in size on small properties where the Maximum Harvestable Right Dam Capacity (MHRDC) is less than one megalitre and where the property was approved for subdivision before 1 January 1999. No further harvestable right dams may be constructed; any new dams above this allowance must be licensed.

**Note: Under the [Fisheries Management Act 1994](#), any new dam or modification to an existing dam may require the owner to provide for fish passage. Contact NSW Fisheries office for further advice.**



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## CHAPTER 5 - SUBDIVISION

### 5.1 *About this Chapter*

This chapter provides the requirements and design details for subdivision in the Glen Innes Severn LGA. Subdivision is a process whereby land is broken up into a number of lots, and a Plan of Subdivision is lodged with the Land and Property Management Authority to provide the legal basis for ownership of the new lots created. It will ultimately result in an intensification of land use and as such it is important that the potential impacts of this intensification are considered as part of the approval process.

### 5.2 *Where this Chapter applies*

This Chapter applies to all land within the Glen Innes Severn LGA.

### 5.3 *General Advice to Applicants for Subdivision*

- Prior to preparation of a Development Application, owners/applicants should contact Council's Department of Regulatory and Planning Services, to:
  - discuss land zoning and any restrictions on the land (such as bush fire hazard or flooding); and/or
  - purchase a S149 zoning certificate; and
  - arrange a DA pre-lodgement meeting to discuss the particular site requirements that will need to be addressed prior to lodgement of the Development Application.
- Prepare a site analysis sketch indicating
  - the site boundaries;
  - the site surrounds and, in particular, adjacent properties;
  - the site topography;
  - the site aspect/orientation;
  - existing vegetation including the location and type;
  - creeks and drainage lines;
  - any areas of steep land, in particular, any areas in excess of 15% as this gradient creates limitations in terms of development;
  - views out of and to the site; and
  - scenic elements within the site.
- Prepare a conceptual Plan of Subdivision drawn to an appropriate scale. It is recommended that the Plan of Subdivision be drawn by a surveyor (as this will be required anyway before issue of a subdivision certificate prior to finalisation of the subdivision), however a less formal drawing is acceptable for Development Application purposes provided it includes the following information:
  - Property boundaries of the development site and adjoining land;
  - Contours;
  - Location of existing built and natural items on or adjacent to the land (e.g. buildings, roads, sewer, town water, electricity, telephone, trees, streams, dams, depressions, rock outcrops etc);
  - Location of all existing drainage reserves, easements and rights of way affecting or likely to affect the land;
  - The proposed new lots and any new roads showing accurate dimensions and areas;
  - Proposed names for new roads;
  - Stormwater design and appropriate easements for drainage; and
  - Servicing.



## 5.4 General Subdivision Controls

- The [“Lot Size Map”](#) and Clause 4.1 of the GISC LEP 2012 prescribes the minimum lot sizes for all new lots.
- Public road upgrading and new roads created by subdivision shall be constructed in accordance with Council’s Development Design and Construction Manual (Aus-Spec 1). All costs associated with the development are to be met by the developer.
- Subdivision involving access off a classified road (New England Highway and Gwydir Highway) will be referred to the Roads and Maritime Services (RMS) for comment.
- *Traffic Generating Development* (Schedule 3 of [SEPP Infrastructure](#)) will be referred to the RMS as Integrated Development and will require their General Terms of Approval.
- Development within bushfire prone land must meet the relevant requirements of the Rural Fire Service and *Planning for Bushfire Protection 2006*.
- Development shall not be carried out on slopes greater than 20%. A geotechnical report may be required when subdividing steep land.
- Where subdivision is proposed to be carried out in stages, information is to be supplied detailing the staged release of lots and all infrastructure works (roads, water, sewer and stormwater drainage).
- Demonstrated consideration of whether the land to be subdivided is suitable for the intended purposes in accordance with [SEPP 55 Remediation of Land](#).
- All lots in new subdivisions in the RU1, E3, and R5 Zones will be allocated a new rural address number as part of the development consent. The applicant will be required to ensure the rural address number plate is installed for each lot prior to release of the Subdivision Certificate.
- **Landscaping** - New subdivisions in Zones R1, R5, RU5, B2, B4, B6 and IN1 must provide re-establish grass cover on verges and plant street trees and landscaping at the following rates:

ZONE	R1 and RU5	R5	B2, B4 and B6	IN1
<b>Street trees</b>	1 per new lot Corner lots - 2	1 per 30 metres of road frontage	1 per 10 metres of road frontage	1 per 25 metres of road frontage

- A basic landscaping plan showing intended location, type and mature height of trees is required to be submitted with a development application for subdivision in accordance with the above table.
- Street trees must be located so as not to interfere with sight lines from driveways or the location of existing and future utility services.
- Council’s Tree Policy includes a list of tree species which are suitable for Glen Innes and a village is available from Council’s website or over the counter.

## 5.5 Subdivision in Residential Areas

### Where this Section Applies

The Section applies to development in the R1 General Residential and RU5 Village land use zones.

### Objectives

- To provide safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community by:
  - Offering a wide choice of good quality housing and associated community facilities
  - Encouraging walking and cycling
  - Minimising energy consumption
  - Promoting a sense of place through neighbourhood focal points and the creation of a distinctive identity which recognises and, where relevant, preserves the natural environment.

- To ensure that subdivision will not result in increased risk from bushfire or other environmental hazards,
- To ensure that the intensification of land use does not result in undesirable environmental consequences, and
- To implement the 'user pays' principle for the provision of services to the subdivision.
- To improve the quality of future streetscapes within subdivisions by requiring landscaping within public road reserves.

### Controls

- The following services should be provided to each lot at the subdivider's cost
  - reticulated water
  - a sewerage connection
  - electricity, telephone and telecommunication services – underground reticulation
  - the necessary underground conduits for the passage of future service lines
  - any easements required to facilitate the provision of services and/or inter-allotment
  - drainage
  - Developer to provide footpaths in the R1 Zone and within the RU5 zone as required by Council.

### **Frontage Requirements:**

- Lots shall have a minimum frontage of the average of lots in the immediate locality.
- Lots fronting cul-de-sacs shall have a minimum frontage of 10 m.
- Corner lots shall have a minimum frontage of the average of lots in the immediate locality. The lot size shall be met after allowing for area lost at corners which are to be splayed to a minimum of 3 metres and dedicated as public road.

### **'Battle-axe' lots**

- Battle-axe lots shall have a minimum frontage of 4m. No more than two (Torrens Title) lots will share a battle axe handle access.
- The access handle is to be excluded from calculation of area of the lot for the purposes of minimum lot size calculations.
- The access handle is to be concreted or sealed.
- The maximum height of the access way fencing shall be 0.9m between the front of the adjacent dwelling and the street, and 1.8m between the front of the adjacent dwelling and the rear of the lot.
- The prime objective in designing the access way is to provide for vehicles to be able to move in a forward direction when entering or leaving the site.

**NOTE: Council will carry out all works associated with connection to the existing reticulated water and sewerage network with full costs to be met by the developer**

## **5.6 Subdivision in Rural Residential Areas**

This section applies to R5 Large Lot Residential zoned. R5 zoned land is generally suitable for such purposes. However, there are still a number of factors which must be considered before subdivision and further development of the land can proceed. This section addresses these factors.

### **Site Analysis**

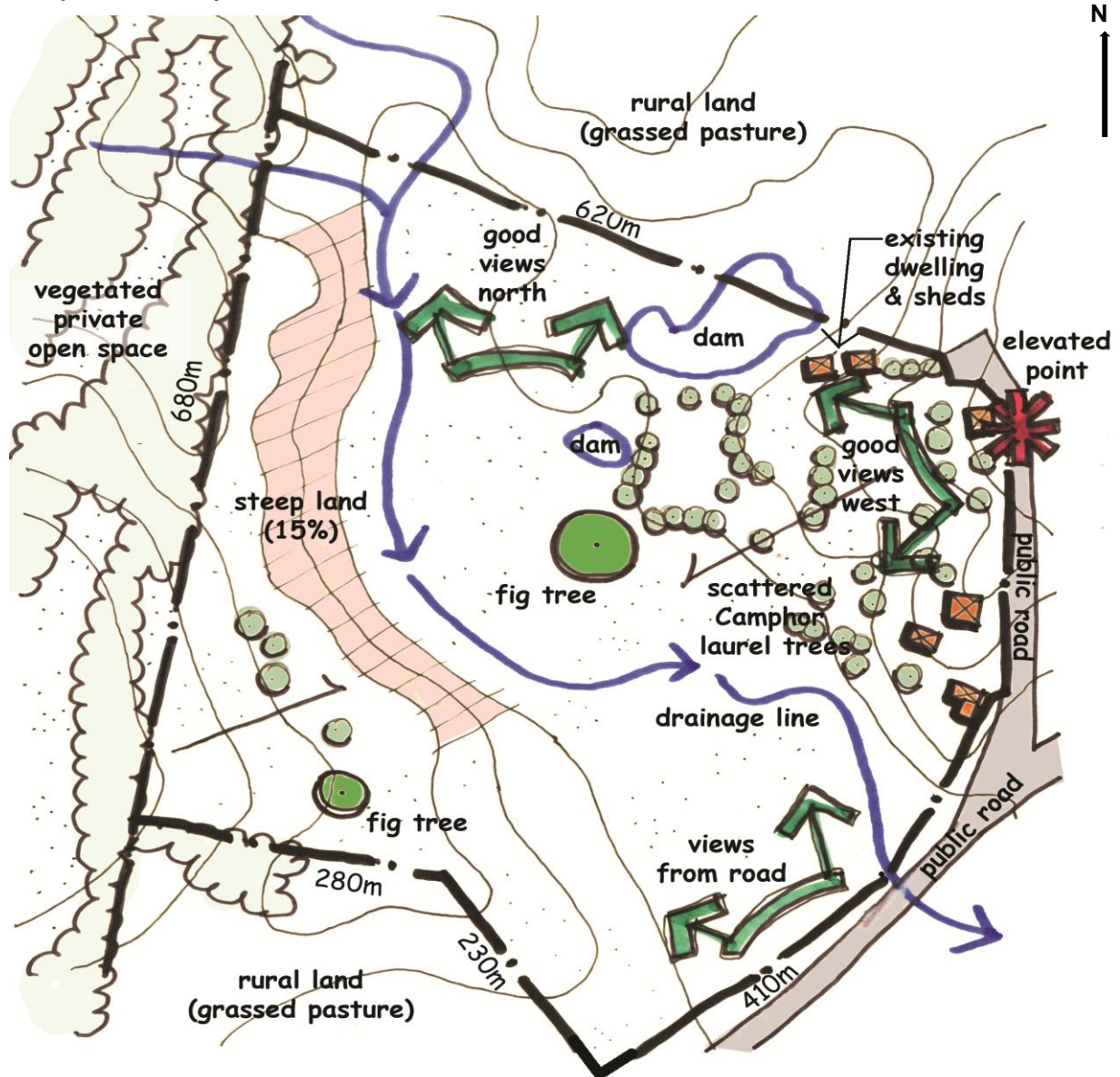
The site analysis phase for each development site should consider:

- the site boundaries;

- the site surrounds and, in particular, adjacent properties;
- the site topography;
- the site aspect/orientation;
- existing vegetation including the location and type;
- creeks and drainage lines;
- any areas of steep land, in particular, any areas in excess of 15% as this gradient creates limitations in terms of development;
- views out of and to the site; and
- scenic elements within the site.

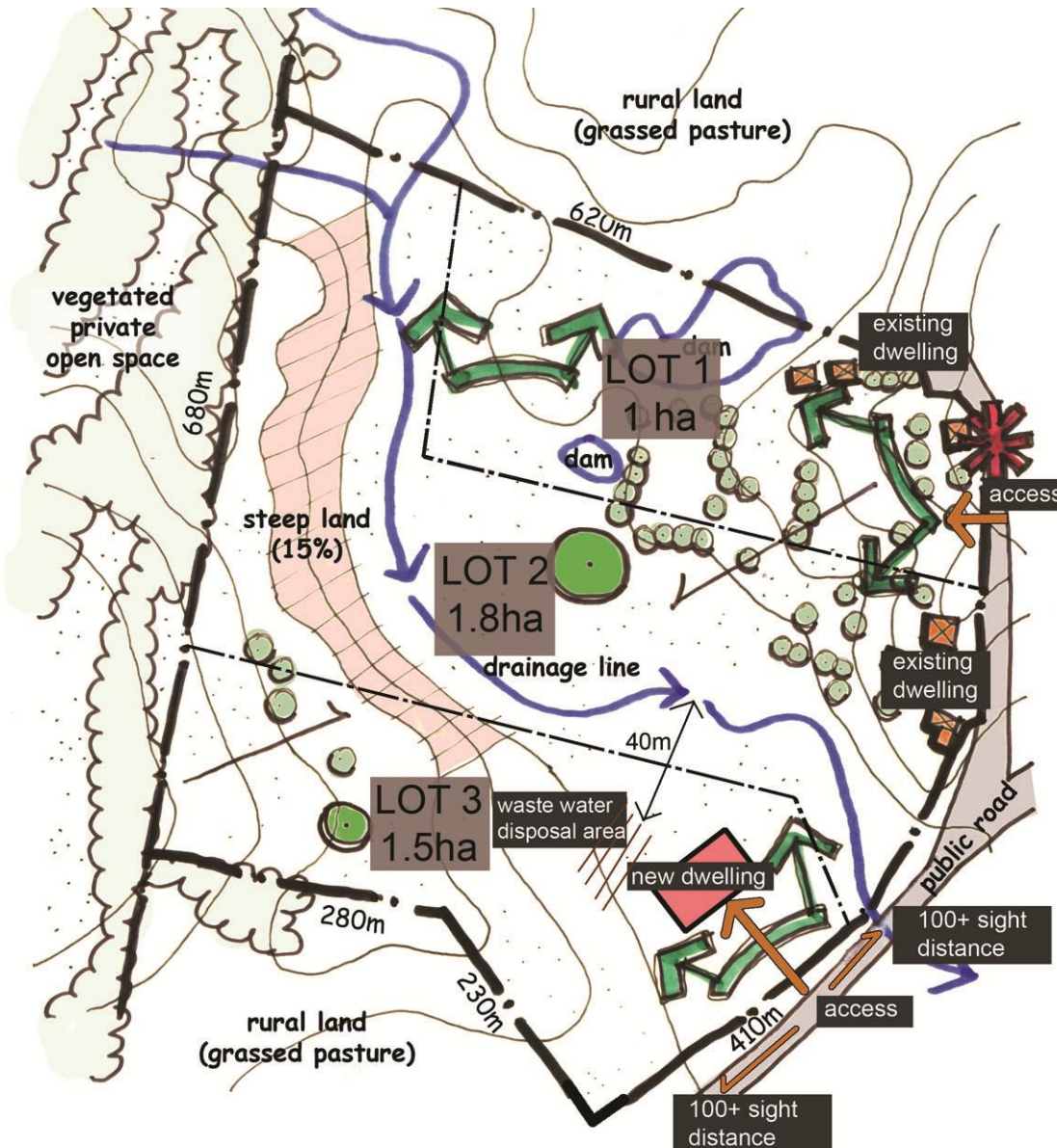
A Site Analysis Plan will provide a 'snapshot' of the site and assist in evolving a development proposal that is relevant and appropriate to the land.

### Sample: Site Analysis Sketch





Sample: Subdivision Concept Plan



Controls

- Building envelopes must be shown clear of any bushfire asset protection zones (APZs).
- All weather, two wheel drive access to be constructed at the cost of the developer.
- New lots must have suitable locations for the on-site management of wastewater in accordance with Council's [On-site Sewage Management Strategy](#).
- All prominent hilltops and ridges are to be preserved. Subdivisions should be designed so as to:
  - Exclude roads, powerlines and other services and amenities from hilltops
  - Exclude dams and other earthworks from hilltops
  - Any tanks and similar structures which are dependent upon gravity for their operation should be designed and located so as to blend in with the natural environment.
- The onus is on the applicant to demonstrate to Council that the land is not potential or actual Koala habitat and that the development will not adversely impact Koala habitat. [State and Environmental Planning Policy \(SEPP\) 44 Koala Habitat Protection](#) applies to the Glen Innes Severn LGA. Refer to Section 4.6 of the DCP for environmental controls.

## 5.7 Subdivision in Rural and Environmental Zones

### Where this Section Applies

The Section applies to the land zoned RU1 Primary Production and E3 Environmental Management.

### Objectives

- To ensure that subdivision in rural areas is appropriate within the rural landscape.
- To minimize fragmentation of agricultural lands.
- To allow for boundary adjustments and subdivision that facilitates flexibility in the arrangement of agricultural holdings.
- To ensure that subdivision will not result in increased risk from bushfire or other environmental hazards.

**Design Note:** Lot layouts should reflect site topography. Retain vegetation and scattered trees as natural features and to provide separation between lots and dwellings. Design new lots with the potential for building pads to be staggered and separated from their neighbours. Ensure road reserves have space for street trees. Enhance creeks as natural features. Alternatively, consolidate remnant vegetation within a limited number of lots to facilitate better management of this vegetation.



### Controls

- New lots must have suitable locations for the on-site management of wastewater in accordance with Council's [On-site Sewage Management Strategy](#).
- Significant clearing of vegetation to meet required bush fire asset protection zones, access requirements and the like must be supported by a detailed ecological assessment prepared by a qualified consultant.
- Internal all weather, two wheel drive access to each lot must be constructed at the cost of the developer.
- **New public roads** created by the subdivision or the need for the existing roads to be upgrade by the subdivision shall be constructed in accordance with Council's Development Design and Construction Manual (AUS-Spec 1). All costs associated with the development are to be met by the developer.
- Property accesses must **not** be constructed at points which present traffic difficulties in terms of sight distance, or construction difficulties in terms of stable earthwork slopes in cut or fill batters. They must be constructed in accordance with Council's technical specifications and may require concurrence of the RTA in some circumstances.

- The scenic/visual amenity of prominent hilltops and ridges is to be protected. Subdivisions should be designed so as to:
  - Exclude roads, power-lines and other services and amenities from hilltops.
  - Exclude dams and other earthworks from hilltops.
  - Any tanks and similar structures which are dependent upon gravity for their operation should be designed and located so as to blend in with the natural environment.

**NOTE: Refer to Section 4.6 for requirements for clearing of native vegetation and 'works' in the vicinity of a watercourse.**

## 5.8 Subdivision in Commercial and Industrial Areas

### Where this Section Applies

The Section applies to the following land use zones

- B2 Local Centre
- B4 Mixed Use
- B6 Enterprise Corridor
- IN1 General Industrial
- IN2 Light Industrial

### Objectives

- To provide safe, convenient and attractive employment land neighbourhoods that meet the diverse and changing needs of the community by:
  - Offering a wide choice in land for commercial and industrial purposes.
  - Facilitating development that is consistent with the objectives for the Commercial and Industrial zones in the GISC LEP.
  - To ensure that the intensification of land use does not result in undesirable environmental consequences.
  - To implement the 'user pays' principle for the provision of services to the subdivision.

### Controls

- Subdivision design and construction must comply with Council's relevant engineering guidelines.
- **Minimum dimensions** for the size and shape of proposed allotments do not apply. However, a development application for subdivision must be able to demonstrate that the size and shape of the allotments are appropriate for their proposed use and are able to accommodate business premises, car parking, landscaping and other requirements of the proposed development.
- **New roads** created by the subdivision or the need for the existing roads to be upgrade by the subdivision shall be constructed in accordance with Council's Development Design and Construction Manual (Aus-Spec 1). All costs associated with the development are to be met by the developer.
- A **single shared access** for newly created lots fronting the New England Highway should be considered to limit the number of access points onto the highway. The need for a shared access will depend on factors such as the length of the frontages of the proposed lots and the location of the subdivision development. Access to the New England Highway will require the concurrence of the RMS.
- The following **services** shall be provided to each lot at the subdivider's cost:
  - reticulated water
  - a sewerage connection
  - electricity
  - telephone service
  - the necessary underground conduits for the passage of future service lines

- 
- any easements required to facilitate the provision of services and/or inter-allotment drainage

**Council will carry out all works associated with connection to the existing reticulated water and sewerage network with full costs to be met by the developer.**

- Proof of satisfactory arrangements concerning the provision of electricity and telephone service shall be provided prior to issue of the subdivision certificate.
- In general, for any new lot created by a subdivision, the applicant is to meet the **costs of constructing kerbing and guttering** and all necessary associated stormwater drainage infrastructure.



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# CHAPTER 6 - DEVELOPMENT IN COMMERCIAL AND INDUSTRIAL AREAS

## 6.1 *About this Chapter*

Glen Innes comprises a number of areas that constitute 'employment lands' – i.e. areas that provide for job creation and ongoing employment within the town. These are zoned for commercial or industrial land uses, and are intended to support the development and operation of various business enterprises. This chapter should be read in conjunction with the GISC LEP and other chapters of the DCP that are relevant for particular developments.

## 6.2 *Where this Chapter applies*

This chapter applies to land zoned Business (B2, B4 or B6) and Industrial (IN1, IN2) under the GISC LEP.

## 6.3 *General Advice to Applicants*

Different land uses are permissible within the five (5) employment land zones (B2, B4, B6, IN1 and IN2), and applicants are urged to check with Council's planning staff about the permissibility or otherwise of a proposed development early in the project planning stages.

The employment land zones each have different objectives in terms of the type of enterprise that is appropriate, and developers are encouraged to consider how their proposed development will fit within these.

## 6.4 *Aims and Objectives*

This chapter is intended to achieve the following:

- To reinforce the role of the town centre (B2 zone) as the main focus for retail and commercial activity within Glen Innes.
- To provide guidelines for elements, such as the external appearance of buildings and landscaping, which contribute towards appropriate streetscape character.
- To ensure that the design of developments provides ease of access for pedestrians, including people with disabilities.
- To ensure that business and industrial development is served by the necessary physical infrastructure, including reticulated water supply and sewerage and drainage systems.
- To ensure that adequate vehicular access and parking is provided so as to protect the safety of other road users.

## 6.5 *Controls*

### **Change of Use**

Developers are encouraged to consult with Council's staff prior to undertaking a change of use of premises in order to determine which of the following planning pathways would apply:

- Development consent is not required for a change of use of premises that is exempt development under the [Codes SEPP 2008](#). Although consent is not required for exempt development, it is still a requirement that Council is given written notification of the change of use.
- Change of use may also be permissible as complying development under the Codes SEPP. In this case, an application for a Complying Development Certificate will need to be lodged with Council.
- For a change of use of premises that does not fall into either of the above categories, a Development Application will need to be lodged with Council.

### **Access for Persons with Disabilities**

- Adequate provision is to be made to enable persons with disabilities to gain access to the development and to the land on which the development is proposed to be carried out.
- The development is to comply with the relevant Australian Standard for access for disabled persons applying at the time the development application is lodged.

### **Height**

The maximum height of the building at any point shall be measured from the natural ground level to the ridge of the roof. This height should not be more than 8.5 metres to the top of the ridge.

### **On-site facilities**

- On-site facilities for garbage bin and recycling storage and service meters are to be designed to be physically convenient, visually attractive and require minimal maintenance.
- Garbage and recycling bin storage is not to be located at the street frontage.
- Where collection is not on the street frontage, adequate loading and turning areas for service vehicles is to be provided within the development.
- Adequate provision is to be made for the storage and handling of solid wastes generated by the development. The storage area is to be enclosed and the material stored is to be screened from public view.
- Provision is to be made for the installation and maintenance of Liquid Trade Waste management facilities where required.

### **Development on land adjoining land zoned R1 General Residential**

Business or industrial development on land adjoining a residential zone should not have a significant adverse impact on the amenity of the residential areas in the vicinity. Applications will be required to address the following:

- Noise associated with the amount of traffic generated by the development.
- The type of traffic generated by the development (cars, delivery vehicles etc).
- Location of car parking and loading/unloading areas
- Hours of operation.
- Headlight glare from vehicles within the site.
- Odour
- Nuisance caused by illumination of the development for advertising and/or security reasons.
- Visual impact associated with the setback of the development from the common property boundary and the design and scale of the development. Possible adverse impacts on the locality, including the above factors, should be considered when choosing the site and designing the development.

### **Energy efficiency**

Opportunities may exist to design layouts for a development which minimise winter heat loss and make use of solar energy. This may be achieved by:

- Locating main office and/or retail areas on the north side of the building. Storage areas, toilets and other rooms requiring minimum climate control could be located away from the north side.
- Walls set back sufficiently from the north site boundaries to enable winter solar access to the main north facing areas.
- Buildings to incorporate window shading devices, such as eaves, verandahs and blinds, to reduce exposure from hot summer sun, especially on the western side of the building.
- Landscaping that incorporates good solar design principles.

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## 6.6 Zone B2 Local Centre – Specific Considerations

This zone provides for a reduced range of residential accommodation to encourage mixed commercial and residential development within the town centre area. Dwelling houses are prohibited, however ‘shop top housing’ is actively encouraged to provide for housing that will increase walking, cycling and public transport options for more people by making more activities available in one location.

**Note: existing dwellings remain permissible under ‘existing use rights’ contained in clauses 106 to 109 of the EP&A Act.**

### Heritage Considerations

A significant number of heritage listed items are located within B2 zoned land. As such, any proposals for development within the B2 zone should be carefully checked to see whether heritage provisions will apply to the development. As heritage considerations can place significant restrictions on the type of development that can be undertaken, it is strongly recommended that potential developers contact Council planning staff early in the development process to discuss this.

For any development to be undertaken on Heritage Items, the provisions of Chapter 9 Development and Heritage Conservation will also apply.

### Building lines and setbacks

This plan does not specify the setbacks of buildings from the property boundaries within the B2 zone. Each development will be assessed on its merits. The following criteria will be used to determine whether the building line and side and rear setbacks for a particular development are acceptable.

#### Front Building line

The main criteria for determining the front building line for new development is the effect that it will have on the streetscape. A front setback of 0 metres would generally be appropriate given that this is the existing situation in much of the zone. Front setbacks will consider:

- Consistency or compatibility with the building line for adjoining properties.
- The length of the building and the overall layout of the development.
- The design of the building and the overall layout of the development.
- The purpose for which the development will be used.
- The impact on the streetscape quality of the locality.
- The maximisation of sight distances for drivers using the road, including visibility of points of access to the road.
- The minimisation of distraction to drivers using the road.
- Any possible future need to alter the road alignment.

Development on corner lots should address both frontages and have regard to the character of the respective streetscapes.

#### Side and rear setbacks

The side and rear setbacks for a development will be assessed on their individual merits. In determining suitable setbacks for a development proposal Council will take into account:

- The likely impact on adjoining land
- Fire safety requirements
- The visual impact of the bulk and scale of the development and
- The impact on the streetscape quality of the locality.

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## CHAPTER 7 - ACCESS AND PARKING

### 7.1 *About this Chapter*

This chapter of the DCP has been prepared as a guide to Council's requirements for car parking, access and loading facilities as part of development proposals.

### 7.2 *Where this Chapter applies*

This Chapter applies to all zones under the GISC LEP 2012. This chapter applies to new development and re-development of existing sites.

### 7.3 *Aims and Objectives*

To ensure that new development:

- maintains or improves traffic safety and management;
- provides adequate provision for access and parking for people with disabilities;
- minimises the visual impact of on-site parking. and
- provides for the ongoing maintenance of on-site car parking and manoeuvring areas.

### 7.4 *Access and Traffic Generation*

Minor development proposals are unlikely to significantly impact the receiving road network, however, consideration of traffic generation and access locations is still required. For more significant developments, Council may require a Traffic Impact Assessment to be prepared addressing the following matters:

- Development involving access off a classified road (New England Highway and Gwydir Highway) will be referred to the Roads and Maritime Services (RMS) for comment.
- *Traffic Generating Development* (Schedule 3 of [SEPP Infrastructure](#)) will be referred to the RMS as Integrated Development and will require their General Terms of Approval.
- The rate of traffic generation associated with the proposed development.
- Any impact additional traffic generated may have on traffic efficiency, amenity, safety, and road pavement life.

### 7.5 *Vehicular Crossover and Driveway Width*

Footway crossings shall generally be constructed from concrete. Applicants are to lodge a Road Opening Application Form with Council, and receive a Road Opening Permit, prior to performing any work within a public road reservation. Any conditions of the Road Opening Permit are to be complied with in association with the work.

Generally, the internal driveways and crossovers associated with multi dwelling housing development shall have a minimum clear trafficable width of 5.5 metres. However, a minimum of 4.5 metres may be acceptable where justified in an assessment of site access requirements and traffic usage.

All existing vehicular crossings not utilised by the development will generally be required to be removed, and the area restored to match the adjoining section of kerb and footpath, prior to occupation or use of the development.

#### **Design Requirements**

The following requirements must be taken into consideration at the design stage of a medium density development:

- driveways, manoeuvring areas and parking areas are generally to be designed in accordance with the provisions of AS2890.1 Parking Facilities: Off-Street Parking
- long straight driveways are to be avoided
- all vehicles must enter and leave the site in a forward direction
- the location of visitor parking facilities should be evident from the street so that their use is encouraged
- the location of resident and visitor parking shall be behind the building line;
- one car parking space per unit is to be enclosed and form part of the unit entitlement should the development be strata subdivided and,
- all driveways, parking areas and vehicular turning areas are to be constructed with a base course of adequate depth to suit design traffic, and are to be sealed from kerbline with either bitumen, asphaltic concrete or interlocking pavers. Full details should be indicated on the plans submitted with the Development Application. The use of decorative paving e.g. interlocking pavers, grasscrete etc for access and visitor parking is strongly encouraged.
- each resident car parking space is to have minimum dimensions of 6m x 3m. Other parking spaces are to have minimum dimensions of 5.5m x 2.6m. Car parking spaces are to be adequately delineated and maintained at all times.

#### **Concessions for Dual Occupancy**

Vehicles exiting dual occupancy developments may be permitted to leave the site in a reverse direction if it can be demonstrated that it will not adversely affect traffic on the adjoining street. The width of internal driveways and crossovers for dual occupancy development may be reduced depending on the site constraints.

Stack car parking is permitted for dual occupancy developments.

## **7.6 Parking Controls**

### **General**

- Car-parking spaces are to be provided on the same lot as the proposed development. Multi-lot land holdings may require consolidation to comply with this control. (*Reason: To ensure car parking remains annexed to the approved development.*)
- Additional parking spaces required for any new development or redevelopment shall comply with the controls of this chapter and Table 7.1: Off-street Parking Rates.
- Accessible car parking spaces are to be provided in accordance with the [Disability \(Access to Premises - Buildings\) Standards 2010](#).
- Accessible car parking spaces are to be located as close as possible to the main pedestrian entrance and should have regard to the use and function of the building.
- Council will apply the controls of this Chapter if it considers a proposed Change of Use requiring consent will produce a substantially different parking requirement than those attributable to the previous use of premises.
- Development proposals that provide less parking than required by this Chapter shall be supported by a parking study.
- On-site parking design must meet the relevant Australian Standards (AS 2890.1 and 2890.2 2004).
- All required car parking areas, driveways, turning areas and loading areas are paved in either a bitumen seal coat, asphaltic or bituminous concrete, cement concrete, concrete paving blocks, or brick paving blocks. The standard of paving required will be dependent upon the type of development proposed, with regard to traffic loadings including turning movements of heavy vehicles.
- In villages and rural areas all-weather paving of driveways, turning areas, loading areas and car parking areas is required. Surface materials to be at the discretion of Council's Director of Infrastructure Services

- All parking spaces shall be suitably line-marked and sign-posted and be graded and drained to Council's stormwater system.
- Free and uninterrupted access to car parking areas shall be maintained at all times.
- Stacked car parking is only permissible in conjunction with single dwelling houses and dual occupancies. Exceptions to this control are at the discretion of Council.
- Car parking areas are to be incorporated into the building or provided at, or behind, the front setback of the building.

**Table 7.1 Off-Street Parking Rates**

Land Use	Minimum Parking Spaces Required
Bed and breakfast accommodation	1 per guest room
Bulky goods premises	1 per 50m <sup>2</sup> Gross Floor Area (GFA)
Business premises	1 per 60m <sup>2</sup> GFA
Cellar door premises	1 per 50m <sup>2</sup> GFA
Community facility	1 per 5 seats or per 10m <sup>2</sup> of GFA, whichever is the greater
Child care centre	1 per employee plus 1 per 10 children plus set down and pickup points for cars (parking study may be required)
Commercial premises (not listed separately)	1 space per 60m <sup>2</sup> GFA.
Dwelling house and Dual occupancy dwelling	<ul style="list-style-type: none"> <li>• 1 space per 1 and 2 bedroom dwelling house</li> <li>• 2 spaces per 3 bedroom dwelling house (may be stacked)</li> </ul>
Farm Stay Accommodation	1 per guest room
Food and drink premises, excluding pubs	1 space per 30m <sup>2</sup> GFA; / except for Glen Innes 1 space per 5m <sup>2</sup> GFA or 1 space per 6 seats.
Freight transport facility	1 per employee
Function centre	1 per 5 seats or 1 per 4m <sup>2</sup> GFA, whichever is the greater.
Industry	1 space per 100m <sup>2</sup> GFA (minimum 2 spaces per single occupation)
Group home	<ul style="list-style-type: none"> <li>• 1 per 1 and 2 bedroom dwelling house</li> <li>• 2 per 3 bedroom dwelling house</li> </ul>
Health consulting rooms	3 per surgery, consultation or treatment room
Health services facility	3 per surgery, consultation or treatment room
Highway service centre	1 per 5 customer seats or 1 per 10m <sup>2</sup> GFA (whichever is the greater) plus 1 per 2 employees
Home-based child care or family day care home	1 per employee
Home business and Home industry	1 per employee not resident at the site
Home occupation (sex services)	1 per person offering sex services, in addition to the number required for the residential accommodation
Hospital	1 per 4 beds plus 1 per 2 employees
Kiosk	1 per employee

Land Use	Minimum Parking Spaces Required
Landscape and garden supplies	1 space per 200m <sup>2</sup> of site area and employee parking.
Liquid fuel depot	1 per employee plus tanker parking
Motel or hotel accommodation	1 space per unit, plus 1 space per 2 employees.
Market	2.5 per stall for customers plus 1 per stall operator
Medical centre	3 per surgery, consultation room or treatment room or 1 per 25m <sup>2</sup> GFA (whichever is the greater)
Mixed use development	As required for each land use within the development
Moveable dwelling	<ul style="list-style-type: none"> <li>• 1 per 1 and 2 bedroom dwelling</li> <li>• 2 per 3 bedroom dwelling</li> <li>• 1 per dwelling if the dwelling is temporary and is not present on the site for more than 6 in every 12 months</li> </ul>
Multi dwelling housing	<ul style="list-style-type: none"> <li>• 1 car space per 1 or 2 bedroom dwelling.</li> <li>• 2 car spaces per 3 or more bedroom dwelling.</li> <li>• 1 designated visitor space per 1-4 dwellings.</li> <li>• 2 designated visitor spaces per 5-8 dwellings.</li> <li>• More than 8 dwellings - 2 designated visitor spaces plus 1 visitor space for every 3 or part thereof additional dwellings.</li> </ul>
Neighbourhood shop	1 per 20m <sup>2</sup> GFA plus 1 per 3 employees
Office premises	1 space per 40m <sup>2</sup> GFA.
Place of public entertainment	1 space per 10 seats or 1 space per 15m <sup>2</sup> of main assembly area, whichever is the greater.
Place of public worship	1 space per 10 seats or 1 space per 15m <sup>2</sup> of main assembly are, whichever is the greater.
Pub	<ul style="list-style-type: none"> <li>• 1 space per 40m<sup>2</sup> of licensed public floor area.</li> <li>• Service delivery vehicles: <ul style="list-style-type: none"> <li>- 1 per 50 units up to 200, plus 1 per 100 thereafter, plus 1 per 1000m<sup>2</sup> of public area (bar, tavern, lounge or restaurant).</li> </ul> </li> </ul>
Recreation facilities (indoor)	1 space per 25m <sup>2</sup> GFA.
Registered Club	1 space per 4m <sup>2</sup> of licensed public floor area.
Restaurant or café	<ul style="list-style-type: none"> <li>• 1 space per 30m<sup>2</sup> GFA, except for</li> <li>• 1 space per 5m<sup>2</sup> GFA, or</li> <li>• 1 space per 6 seats</li> <li>• Service delivery vehicles: <ul style="list-style-type: none"> <li>- 1 per 50 units up to 200, plus 1 per 100 thereafter, plus 1 per 1000m<sup>2</sup> of public area (bar, tavern, lounge or restaurant).</li> </ul> </li> </ul>
Residential development, other than dwelling houses	<ul style="list-style-type: none"> <li>• 1 space for 1 &amp; 2 bedroom units.</li> <li>• 1.5 spaces per 3 bedroom units.</li> <li>• 2 spaces per 4 bedroom units.</li> <li>• 1 visitor car space per 2 units or part thereof.</li> </ul>



Land Use	Minimum Parking Spaces Required
Restricted premises	1 space per 30m <sup>2</sup> GFA
Retail premises	1 space per 60m <sup>2</sup> GFA
Rural supplies	1 per 40m <sup>2</sup> GFA
Service Station	3 spaces per work by, plus 1 space per 30m <sup>2</sup> GFA for a convenience store, plus 1 space per 3 seats for a restaurant.
Squash/tennis courts	3 spaces per court.
Vehicle repair station	3 spaces per work bay.
Vehicle sales or hire premises	1 space per 130m <sup>2</sup> of display area, plus for vehicle servicing 3 spaces per work bay.

Where developers are unable to meet the requirement to provide on-site parking, Council may require a contribution to public parking as per Council's operational plan in lieu. Contributions will be based upon the number of spaces, rate of total parking demand, cost of provision and Council's ability to provide parking.

Land uses not listed in Table 7.1 are subject to a parking study and/or the discretion of Council.

#### **Explanatory Notes**

- **Gross Leasable Floor Area means the overall usable area of the building excluding amenities, stairways, lift wells and plant rooms.**
- **Ancillary or incidental uses will be assessed as part of the main user of the building i.e. the office of a supermarket will be included in the area of the supermarket and will not be treated as a separate office use.**
- **A use comprising a combination of two or more uses such as combined motor sales and repairs will be assessed as if the two uses existed independently and the required on-site parking provisions will be the aggregation of the independently derived requirements.**
- **"Bedroom" is taken to be any room which would be available for use as a bedroom without structural alteration to the dwelling.**
- **The parking provision for restaurants and function rooms may be reduced where it is demonstrated that the time of peak demand for parking associated with each facility does not coincide or where common usage reduces total demand. Each case will be considered on its individual merits.**
- **If the calculation of required car spaces results in a non-integer value such as 3.6, then this should be rounded up or down according to the following rule:**
  - **a. Partial values less than 0.5 can be rounded down (e.g. 2.4 can be rounded down to 2)**
  - **b. Partial values of 0.5 or more should be rounded up (e.g. 2.5 and 2.7 would both be rounded up to 3).**

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# CHAPTER 8 - CENTRAL BUSINESS DISTRICT AND EAST AVENUE

## 8.1 *About this Chapter*

The purpose of this DCP is to provide controls and guidelines for future development within the Glen Innes Central Business District (CBD) area extending to East Avenue that will:

- Create opportunities for quality development that will enhance the heritage character of the CBD area and improve connections to the adjoining expansive parklands
- Promote the hierarchy of the CBD area and to encourage development that will improve the overall character and amenity of the Glen Innes
- Provide a framework to guide future development
- Maintain and enhance the character of the CBD area
- Maintain the importance of the CBD as the heart of the community
- Ensure that landscaping within future development proposals will complement the heritage significance of the CBD area
- Encourage development along East Avenue that furthers the concept that “our parks are our beach”
- Improve vehicular and pedestrian linkages from the CBD to the Gwydir and New England Highways
- Maintain the importance of civic areas and buildings, such as the Town Hall and the Post Office
- Encourage the inclusion of public art within new development proposals
- Facilitate pedestrian movement within the CBD, particularly in regard to mobility and access.

## 8.2 *Where this Chapter applies*

This chapter applies to the area as defined in the Map 8.1: “Land to which this plan applies”.

## 8.3 *General Advice to Applicants*

Glen Innes CBD is characterised by a mix of large and small scale locally and state significant heritage buildings, the majority of which have remained relatively intact in terms of their street presentation. The Town Hall provides a focal point for the street and the community and is the pivotal building in Council’s CBD

The East Avenue area is defined by the parklands which form the western edge and is made up of three separate parks, being Veness Park at the northern end, then progressing southward to Anzac Park and then King Edward Park. A mix of commercial and residential development fronts East Avenue, with a poor relationship between East Avenue and Grey Street, with numerous vehicular access points from East Avenue to the rear of commercial premises in Grey Street

The desired built form of the CBD is to maximise site coverage whilst maintaining heritage values and providing aesthetically pleasing pedestrian pathways, linked to car parking and the East Avenue Park Precinct.

## 8.4 *Heritage Controls*

### **Heritage Items**

The main feature of Glen Innes CBD is the heritage buildings that front Grey Street and contribute significantly to the streetscape and character of Glen Innes. There are 54 items of local heritage significance and one item of State significance (Post Office) located within the CBD area.

The heritage character of the CBD area is compromised by the maximisation of on-street car parking and a general lack of trees, resulting in a generally stark atmosphere. Maintaining the visibility of heritage building frontages from the main street is of high importance, however Grey Street is devoid of effective shade and tree planting and does have a generally barren feel.

**Illustration 8.1 Land to which this chapter applies**



### Specific Heritage Controls

Development proposals involving heritage items or nearby heritage items must comply with the controls listed in Table 8.2 below.

**Table 8.2: Heritage Controls**

	Control
Statement of Heritage Impact (SOHI) is required for all new facades.	<p>A SOHI is to accompany any application for building alterations or works to an item of environmental heritage listed on Schedule 5 of the GISC LEP 2012.</p> <p>The SOHI should address:</p> <ul style="list-style-type: none"> <li>• Impact the proposed works will have on the item's heritage significance; and</li> <li>• Measures proposed to mitigate negative impacts.</li> </ul>
Signage	<ul style="list-style-type: none"> <li>• Above awning signage is not permitted in the CBD.</li> <li>• Signage to be minimised to avoid visual clutter.</li> </ul>
Colours	<p>New development and painting of existing development will require the approval from council.</p> <p>Note: Council's heritage adviser is available to provide assistance with colour schemes.</p>

### Design Principles

All new development will aim to meet the overall principles provide in Table 8.3 below:

**Table 8.3: Design Principles**

Principle	Method
New building designs and/or additions or alterations are to reflect the important character / heritage elements of the site.	Being in scale and character with the existing building form.
	Utilising similar shapes, massing materials, colours and vegetation.
	Being non-intrusive.
	Not adversely affecting the existing streetscape or locality identity.
The design of first floor residential (shop-top) or office buildings shall be diverse and liveable by incorporating some or all of these elements.	<ul style="list-style-type: none"> <li>• decks</li> <li>• verandahs/awnings</li> <li>• window hoods</li> <li>• wide eaves</li> <li>• climate control windows</li> <li>• heritage features/trim</li> </ul>
Accessibility	New buildings and alterations to existing buildings are to incorporate disabled access and facilities in accordance with AS 1428.
	Parking areas, footpaths, recreation areas, outdoor dining areas and other public spaces are to be designed as barrier-free environments for people with disabilities.

## 8.5 CBD Masterplan - General Controls

All development proposals must aim to be consistent with the overall Glen Innes CBD Masterplan Controls provided on Table 8.4.

Council will consider variations where it can be demonstrated that alternative proposals meet the overall vision and objectives of the CBD Masterplan.

**Table 8.4: General Controls**

Element	Control
Awnings	All buildings with frontage to Grey Street shall include awnings for shelter. These must align with adjoining buildings to provide a continuous protection
Height	A maximum building height of 8.5m at street frontage is permitted.
Setbacks	CBD area excluding the East Avenue frontage: <ul style="list-style-type: none"> <li>Zero setbacks to front and side boundaries.</li> </ul>
	East Avenue <ul style="list-style-type: none"> <li>Front setback -4.5 m</li> </ul>
Car parking and access	Where rear lane access is viable, this shall be used for direct vehicular access and service instead of the main streets.
	Rear laneways are required to be upgraded and re-surfaced include roll-over guttering.
	On site car parking at the rear of commercial premises is to be in accordance with Chapter 7 Access and Parking.
	Bays shall be located so that vehicles do not utilise the main streets for loading and unloading.
East Avenue Footpath Concept	Refer to Masterplan image below at Illustration 8.2/
Signage	Signs that detract from the heritage character of the area are not permitted. The following signs are Exempt Development (Codes SEPP) and do not require consent: <ul style="list-style-type: none"> <li>The replacement of: <ul style="list-style-type: none"> <li>an existing building identification sign or the content of such a sign, or</li> <li>an existing business identification sign or the content of such a sign;</li> </ul> </li> </ul> provided, proposed signage is <ul style="list-style-type: none"> <li>to replace a lawful sign and</li> <li>not be greater in size than the sign that is replaced and</li> <li>not be a sign that is flashing or animated and</li> <li>does not involve any alteration to the structure or vessel on which the sign is displayed.</li> </ul>
	<ul style="list-style-type: none"> <li>Under Awning/Verandah Sign</li> </ul>



	<ul style="list-style-type: none"> <li>• Depth 0.5m</li> <li>• Height - No less than 2.6m above pavement.</li> <li>• Not to protrude beyond awning.</li> </ul>
<ul style="list-style-type: none"> <li>• Wall sign</li> </ul>	<p>A sign attached directly to the wall of the building or painted directly onto the wall excluding signs including the parapet of the building. Not to be erected on walls facing adjoining properties.</p> <ul style="list-style-type: none"> <li>• 25% of wall area</li> </ul>
<ul style="list-style-type: none"> <li>• Floodlit Sign (Illuminated by an external source of artificial light)</li> </ul>	<p>Must not be intrusive to adjoining properties.</p>
<ul style="list-style-type: none"> <li>• Banner Sign (A soft canvas or plastic material sign bearing names, numbers and / or pictures and is visible from a public place. Banners are usually fixed to a solid frame or posts. This includes blade signs)</li> </ul>	<p>May only be erected for a total period of one (1) month.</p>

**Note: Council will consider development proposals that are inconsistent with the 8.5m limit or the prescribed building setbacks where it can be demonstrated that the development contributes to the overall objectives of the CBD Masterplan to provide rear car parking to commercial premises and improved vehicular and pedestrian linkages.**

The following types of signs do not contribute to the character of the CBD area and are not supported by Council:

Advertising Fixed to Trees	- Any sign that uses a tree as a pole for mounting
Above Awning Signs	- Signs mounted above the awning or verandah of a building.
Billboards	- Additional billboards where the structure is erected for the express purpose of displaying advertising not associated with the use of the land are prohibited.
Bunting	- Small flags attached to a single siring mounting between posts or poles usually associated with Motor Vehicle retailing.
Illuminated Wall Signs	- Signs mounting directly onto the building above the level of the verandah or awning.
Corporate Building Signs	- Painting buildings to reflect corporate colour schemes as a method of drawing attention to the building is considered to be an extension of advertising signage and will not be permitted.
Flashing Signs	- Illuminated at frequent intervals by an internal source of light.
Novelty Signs	<ul style="list-style-type: none"> <li>- Odd shaped signs often three dimensional incorporating items such as cars, wine barrels, "big" product samples etc</li> <li>- Generally prohibited. Discuss with Council's planning staff prior to installation.</li> </ul>
Vehicle Signs	- Cars, trailers or equipment bearing advertising material do not make a positive contribution to the area and should

not be parked for the express purpose of advertising or providing direction to a business.

Window Sign

- A sign applied on or inside the glass of windows and doors, or etched, painted or attached to the glass.

### Illustration 8.2 East Avenue Footpath Concept

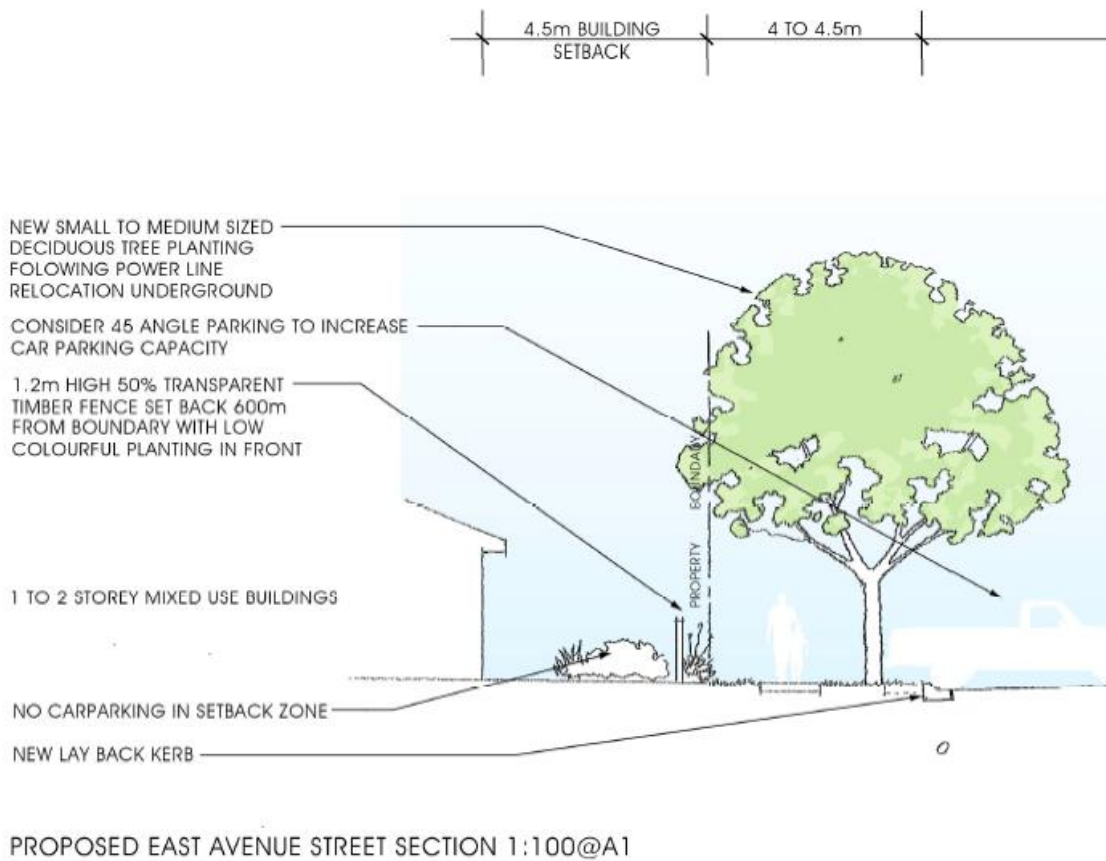
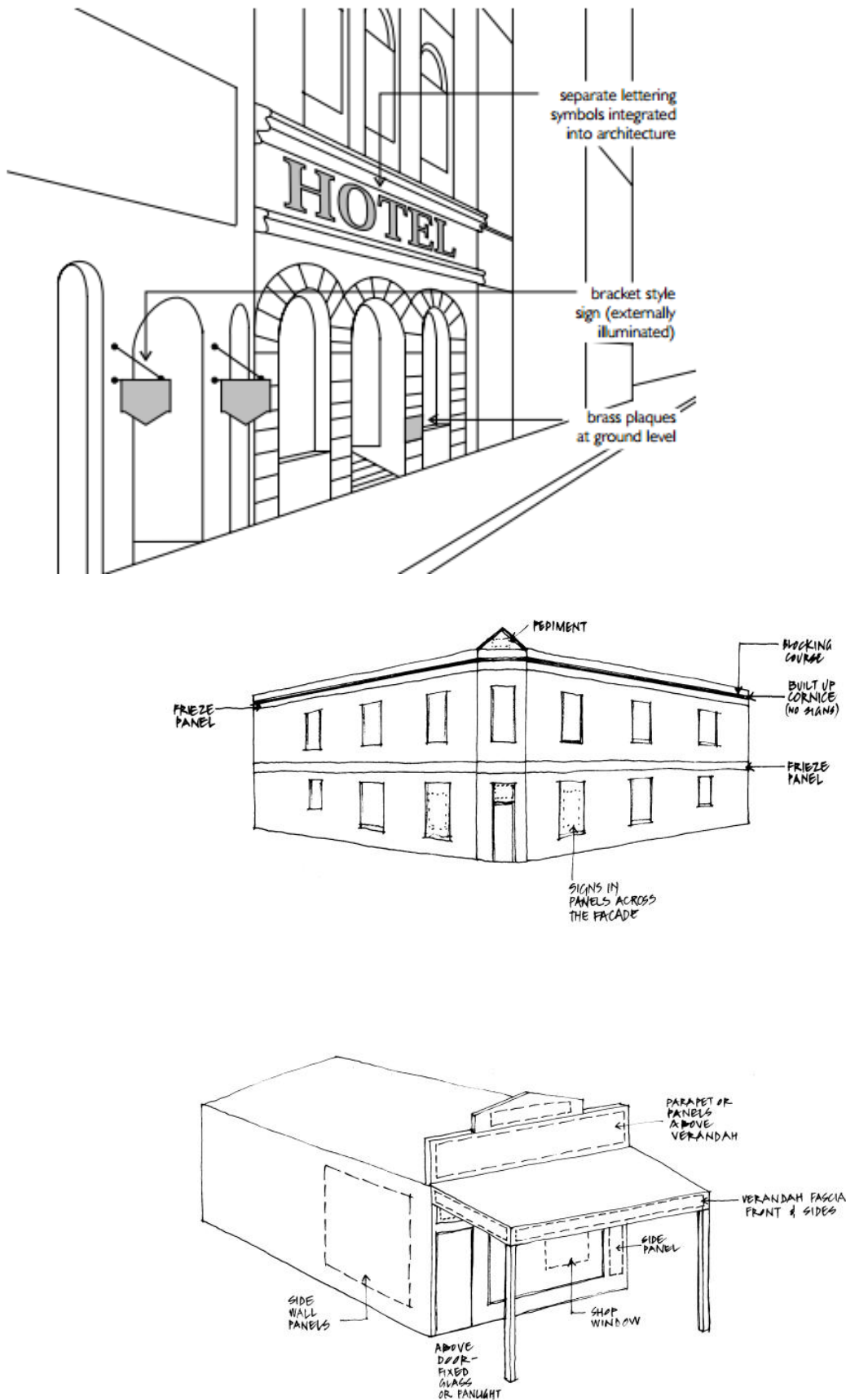




Illustration 8.3 Preferred Signage



Source: Conservation Guidelines for Historic Signs and New Signs on Heritage Buildings

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## CHAPTER 9 - WIND POWER GENERATION

### 9.1 *About this Chapter*

Areas of the Glen Innes Severn Council have been identified as suitable for the generation of wind borne energy as a large area sits on the Great Dividing Range of NSW. The NSW Wind Atlas prepared by Sustainable Energy Development Authority and the Department of Planning and Infrastructure identifies areas in NSW where wind is a potential resource for wind energy generation from harvesting the wind with turbines and connection to the electricity grid.

With an increasing interest within the LGA and recent applications within Glen Innes Severn Council, it was determined necessary to have Development Control measures to ensure where wind farm developments are proposed, that Council has some policy to control or guide such developments. It is the intention of this chapter to give the community and potential developers the guidelines for wind farm developments and to allow better decision making on such proposals.

For the purposes of this Chapter, commercial wind power generation includes wind power generation turbine(s) or towers with a peak capacity of power rated output greater than 10kW

### 9.2 *Where this Chapter applies*

This Chapter applies to land in the Glen Innes Severn LGA.

### 9.3 *Vision*

Council acknowledges that there is significant local interest in the wind farm debate. Council does support the notion of alternate energy sources such as wind energy generation. Wind farms have been identified in the Glen Innes Severn Council Economic Development Strategy 2012 –2017 as potential developments for the area.

These Development Controls aim to give the community and potential developers the guidelines for wind farm developments so as to ensure such developments do not significantly impact on the community.

### 9.4 *Objectives*

The objectives of this plan in relation to wind power generation proposals are:

- To provide development controls and guidelines that assist in achieving the objectives of the Glen Innes Severn Local Environmental Plan
- Provide information to be included and assessed with each development application for commercial wind power generation
- To minimise potential land use conflicts
- Ensure road and access issues are identified as significant aspects of gaining consent for a wind farm and
- To ensure that adequate provisions are made to restore developed land at the end of the project's useful life.

### 9.5 *Development Applications*

Wind energy generation such as wind farms and wind turbines requires development consent. The GISC. Certain wind monitoring towers may be installed as 'exempt' development under Clause 39 of the [Infrastructure SEPP](#).

The development assessment process for wind farm proposals varies according to the wind farm's capital investment value (CIV) as outlined below:

Capital Investment Value	Development Category	Assessment by	Determination By
Less than \$5 million	Local Development	Council	Council
\$5-30 Million	Regional Development	Council	Joint Regional Planning Panel
\$30 million or more (or \$10 million in an environmentally sensitive area)	State Significant Development	NSW Department of Planning and Environment	Planning Assessment Commission

NSW Planning and Environment produced [Draft NSW Planning Guidelines Wind Farms](#) in December 2011. These guidelines were prepared in consultation with the community and energy industry to provide a regulatory framework to guide investment in wind farms across NSW, while minimising and avoiding any potential impacts on local communities. These guidelines outline the requirements for Wind Farm development within NSW.

Upon lodgement of a Development Application with Council, Council will generally notify property owners within an area of approximately 5 km from the development, depending upon the final design and proposed development. Where a typical wind farm (eg approximately 120m in height to the blade tip) is lodged with Council, properties within a 5.0 km radius of the development will be notified of the development application. All submissions received will be presented to the Council (or Minister) for their consideration in the assessment and determination process.

Where Council is the consent authority, Council will hold a notification and submission period of not less than 60 days and will require the developer to hold a minimum of one public information night during the exhibition and submission period. The developer should consider additional consultation with the community and effected property owners.

Where development consent is gained, construction must not commence until all relevant conditions have been satisfied, a construction certificate has been issued, a Principal Certifying Authority has been appointed, and the relevant advices have been provided to Council (and the consent authority where it is not the Council) in accordance with the *EP&A Act and Regulations*.

The SEE or EIS should as a minimum contain the following information:

- The location of the property, boundary dimensions and site area. This should include a map of 1:25000 scale showing the location of the proposed development, the route of transmission lines to the electricity grid (and include access road, pylon, gradient and erosion control assessments), the service roads on and to the site, and the proximity to significant features such as dwellings, environmentally sensitive land, prime crop and pasture land, forests, national parks, heritage items and aircraft facilities.
- The site plan or plans showing positions of the proposed wind turbines, site boundaries, native vegetation, the proposed vehicular access points, the location of existing and proposed vegetation and trees on the land, the location and uses of all existing and proposed buildings, power lines, sub-station and fences on the land.
- A description of the proposed wind turbine/s, including all relevant details such as number, make, model, dimensions, generation capacity materials and colour.
- A land-use description of the adjoining land and/or affected lands and landscape including assessment of the likely future impact.

*Note: Applicants are required to keep the local community fully informed throughout their design process.*

### Noise Impacts

The Environmental Assessment must include a comprehensive assessment of the predicted noise impacts resulting from the construction and operation of the proposal. The assessment must include

consideration of noise impacts of the project, with a particular focus on scenarios under which meteorological conditions characteristic of the locality may exacerbate impacts (such as the van den Berg effect for wind turbines) at sensitive receivers. The probability of such occurrences must be quantified.

If any noise agreements with residents are proposed for areas where noise criteria cannot be met, sufficient information must be provided to enable a clear understanding of what has been agreed and what criteria have been used to frame any such agreements. The noise assessment must be undertaken in accordance with the Draft NSW Planning Guidelines Wind Farms 2011.

### **Visual Amenity Impacts**

The Environmental Assessment must fully describe all project components, locations and dimensions. A photographic assessment clearly demonstrating the potential visual amenity impacts of the proposal must be provided along with clear description of visual amenity mitigation and management measures that the Proponent intends to apply to the project.

An assessment of the feasibility, effectiveness and reliability of the proposed measures and any residual impacts after these measures have been implemented must be included. The Environmental Assessment must assess the visual impact of the proposal of this landscape (including existing and approved dwellings) for a distance of at least 10 kilometres from the turbines, taking into consideration the impact of shadow “flickers” and blade “glint”, and having particular regard to the communities of Glen Innes and Furracabad Valley.

The visual impact assessment should be prepared with regard to the Australian Wind Energy Association and Australian Council of National Trust’s *Wind Farms and Landscape Values: Stage 1 Report – Identifying Issues, March 2005, Appendix B: Wind Farms and Landscape Values: Final Issues Paper*.

- An evaluation of the electromagnetic radiation and/or interference from the wind turbines and/or transmission lines. This should include impacts on human and animal health and local television and radio reception and other local communications
- A construction program environmental management plan incorporating the proposed staging of the project, erosion and sedimentation controls, heavy vehicle movements, site access including all service roads, transmission towers, substation, underground wiring, construction phase impacts including facilities, waste disposal, staff/contractor numbers etc, weed control, farm impacts and all other works
- An evaluation of flora and fauna impacts with specific mention of migratory species potentially impacted by the development. Where the development is in close proximity to known habitats of rare or endangered species, early consultation with the Department of Environment & Climate Change is highly recommended
- A decommissioning and site restoration plan and program
- All of the relevant issues in the Planning NSW EIA Guidelines and the NSW Wind Energy Handbook current at the time of the application
- Demonstration that relevant Agencies issues have been addressed (eg. CASA for aviation safety, SCA for water quality issues etc.)
- The heritage significance of the site and surrounds. Reference shall include Council’s LEP(s), the Heritage Council, NSW DEC (former NP&WS), the National Trust of Australia and the Australian Heritage Council. The draft Heritage Council of NSW policy on wind farms shall also be referenced.
- Assessment of the development regarding all relevant legislation and applicable policies. See clause 8(q) of the plan for some of these listings
- A Post Construction Monitoring Program detailing, but not limited to, noise measurements (locations, times & dates), shadow flicker assessments (locations, times & dates), fauna impact surveys, traffic movements, maintenance schedules. The Program will identify those issues to be addressed in a Report which is to be lodged with Council on an annual basis and made available for public viewing. Any inconsistencies arising from the operation of the wind farm and any consent issued by Council are to be addressed in the report. Each application is to be dealt with

on its merits and the requirements of the Monitoring Program identified as a result of the community consultation and development assessment process

### **Additional information may be required**

Depending upon the circumstances of the development proposal and level of detail, and accuracy provided within the development application.

The Development & Environment Department staff are available to assist people who need to make an application and to advise on the sort of supporting information that may be needed. It is strongly recommended that Council be contacted before design work is finalised and applications are prepared and lodged. Where the proposal is a Designated Development, the developer should be contacting Department of Planning and Infrastructure before preparing the EIS.

## **9.6 Planning & Environmental Controls**

The following guidelines are Council's minimum for wind farm developments, and should be part of the design criteria and assessment of any related Development Application:

1. The development should be sited and carried out to minimise impacts on, or restrictions to normal grazing, farming, forestry practices.
2. The development should be carried out in a way that minimises any adverse effects on adjoining land and the development site, particularly in the way of:
  - i. Land degradation
  - ii. Alteration to drainage patterns
  - iii. Pollution of ground water
  - iv. Spread of noxious plants and animals and
  - v. Bushfire hazard
  - vi. Amenity of adjoining/adjacent/affected landowners.
3. The developer must assess the visual impact of the project including an assessment of scenic value. The developer must consult with the Council and the community on appropriate visual impact and their mitigation measures.
4. In addition to point 3 above the developer must assess the cumulative impact of the development in regard to existing wind farms or identified sites of proposed wind farms. Council does not favour large expanse of ridgelines being covered with wind farms and turbines.
5. Proposed wind turbines shall comply with the South Australian EPA Wind Farms Environmental Noise Guidelines. Note that where noise levels are found to exceed EPA guidelines, Council will require remediation work such as cessation or decommissioning of the turbines to reduce the noise impacts on sensitive receptors such as non-related dwellings.
6. Where visible from a non-related dwelling or immediate surrounds, the development shall not be located within 15 times the blade tip height or 2.0 km's (whichever is the greater) of any dwelling not associated with the development or 15 times the blade tip height or 2.0 km's (whichever is the greater) from a reasonable, practical and suitable dwelling site on any lot that has been created for the purpose of a dwelling. Where turbines are proposed to be significantly higher than such properties/dwellings or where the turbines will dominate the immediate view from the dwelling or dwelling lot, increasing these separation distances is recommended.
7. The development shall not be located within two times the height of the turbine (including the tip of the blade) from a formed public road. The applicable road authority may require a greater distance.
8. The development shall not be located within two times the height of the turbine (including the tip of the blade) from a non-related property boundary.
9. Turbine locations shall be located sensitive to non-related dwellings surrounding the development. Existing and proposed screenings could be used to minimise visual impacts to non-related properties – Note that due to the height of turbines, screening is not the preferred choice of dealing with visual impact. The developer's priority should be endeavoring to position the



turbines in locations with low visual impact to nearby properties, especially existing dwellings and lots provided for dwellings.

10. Turbine locations are to be sensitive to existing related dwellings on the subject site. Issues of excessive noise, shadow flicker, and general proximity to turbines should be minimised.
11. Turbine locations should not surround a non-related property. Where a non-related property has turbines adjacent to more than one axis of the property, there should be sufficient setbacks/distances to the development to minimise the visual impact of that property.
12. A communications study should identify the existing status of communications and detail the proposed method of dealing with potential communication interference. Developers are advised that many parts of the Glen Innes LGA have very poor radio, TV, mobile phone, two-way reception and the like. The development should not detract from the reception of any of these or other communication methods. Where necessary, it may be required to install additional services (boosters/communication towers/ re-transmission towers etc) to maintain such services in the vicinity of the development. Where this is determined to be necessary, the work and equipment shall be at the developer's cost.
13. The construction phase of the wind farm shall occur only on identified roads/routes. Construction vehicles, including concrete trucks, carriers of turbine components, and related heavy vehicles (including relevant contractors) shall only travel the approved road. This route shall be identified in the development application for each of the construction components and/or contractors.
14. Council requires substantial investigations into the roads chosen for the preferred route. Detailed road condition reports will be required as part of any consent. Council may require the use of the Australian Road Research Board 'laser car' and 'gypsy camera' for this purpose. Full details will also be required of the source of any natural materials to be used for construction of internal roads and other infrastructure.
15. Council will require road works to cope with the over size and overweight traffic movements related to the construction of a wind farm. Bonds will also be required for any potential damage to roads during the construction phase. The road works and bond amounts will be determined by Council professional staff, but will be determined generally by the length of road and condition of road surface/base bridge, drainage etc relevant to the selected route. Where road works are determined necessary for the development, costs associated with the road works shall be the developer's responsibility.
16. Internal roads (roads within the property subject to the development) shall be the responsibility of the developer. Council will require proof that they have been adequately designed and constructed for their purpose. Council (and often other State Government Agencies) shall be provided with adequate information about the environmental aspects of the internal road construction.
17. All infrastructure related to the wind farm should be included in the development application. Management of temporary facilities, waste, numbers of contractors/employees, etc, should be part of the Development Application information. All infrastructure should be located in low visual impact locations and interconnection cables/wiring and the like should be underground.
18. Guidelines and all other relevant policies and legislation applicable to the proposed development. Reference to relevant Council policies and documents should also be made. Particular reference must be made to "Wind Farms & Landscape Values Foundation Report" and any subsequent documents arising from this report or produced by the Department of Environment & Heritage relative to wind farm developments.
19. Council prefers to have a viewing area where safe vehicle and pedestrian movements can view the wind farm in a safe manner. The developer should liaise in this regard with Council Engineering staff and the RTA.
20. Within six (6) months of the wind turbine generators become redundant, any rights of carriageways that were constructed to enable maintenance to be conducted on the wind turbine generators are to be extinguished by the developer, unless otherwise agreed with the landowner.
21. Within six (6) months of the Wind Turbine Generators becoming redundant, they are to be fully dismantled and removed from the site by the developer or current operator of the development at the time
22. A Bushfire Threat Assessment is to be prepared by a suitably qualified Bushfire Consultant, addressing, but not limited to, the risk of bushfire originating from the development site and the potential for harm/damage should a bushfire encroach on the site.

## 9.7 Other Aspects

### Section 94A Contribution

Council will require the developer to make contributions in accordance with Council's relevant Section 94A Contributions Plan at the time of lodgement of the Development Application.

### Infrastructure

Much of Council's road network is generally not capable of sustaining the overweight loads involved with wind farms and will often require substantial upgrading to permit the wind farm construction vehicles to travel across Council maintained roads. As described above, bonds will be required to ensure any road damage is repaired to Council's satisfaction (minimum preconstruction road condition). Such bonds are payable prior to commencement of the earthworks or construction phase of the development.

### Community Consultation

Developers are required to consult with the community, particularly non-related property owners who may be impacted by the proximity of wind turbines. A detailed Community and Stakeholder Communication and Consultation Plan must be prepared at the feasibility stage. The Community and Stakeholder Communications and Consultation Plan needs to demonstrate how the community and affected stakeholders will be informed throughout the development of the project. It should also include opportunities for them to participate in a dialogue at relevant phases of the project.

### Consultation with State Government Authorities

Developers are advised to consult widely with public authorities to ensure they are aware of all relevant guidelines, licences and servicing limitations. Council may forward the DA to the following Government Agencies:

- Department of Planning and Environment
- NSW Environmental Protection Authority
- Department of Primary Industries
- NSW Local Land Services
- NSW Heritage Office
- Roads and Traffic Authority
- Civil Aviation and Safety Authority
- Australian Rail Transport Corporation, and
- Rural Fire Service.

Other agencies, community groups may also be consulted. It is recommended that the Developer familiarise themselves with local groups that may be interested in their development for some local feedback.



# CHAPTER 10 – HUNTER STREET URA

## HUNTER STREET URBAN LAND RELEASE AREA

### 10.1 About this Chapter

This chapter provides the development Masterplan, principles and site controls for development within the Hunter Street Urban Land Release Area.

The purpose of this chapter is to provide a logical, master planned framework for the efficient urban release of residential land to provide for low density housing in Glen Innes in a socially, economically and environmentally sustainable manner.

This chapter of the DCP has been prepared pursuant to Clause 6.3 'Development Control Plan' of Part 6 'Urban Release Areas' of the Glen Innes Local Environmental Plan 2012. The objective of Clause 6.3 is *'to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land'*.

Chapter 3 Residential Development does not apply to R2 Low Density Residential zoned land.

### 10.2 Where this Chapter applies

This chapter applies to development undertaken on land shown on MAP 1 (heavy black edging). The land is zoned R2 Low Density Residential.

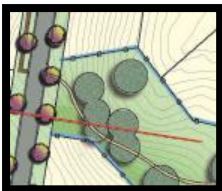
MAP 1 - LOCALITY



MAP 2 – HUNTER STREET URA MASTERPLAN



NOTES:



Areas to be reserved for vegetation conservation and passive recreation purposes.



Stormwater drainage reserve.

### **10.3 Date adopted by Council**

26 February 2015

### **10.4 Effective Date**

5 March 2015

This chapter of the Development Control Plan comes into effect on the date that public notice of its approval is given in a local newspaper, or on a later date specified in the notice.

### **10.5 Amendments**

### **10.6 Masterplan**

A Masterplan has been prepared for the release area that sets out a logical subdivision layout in consideration of the following key elements:

- Timely and efficient staging of the subdivision
- Road and cycleway network
- Landscape strategy
- Stormwater and servicing strategy
- Urban design controls
- Low density forms of residential development

The preferred subdivision layout and landscape Masterplan is shown in MAP 2 HUNTER STREET URA MASTERPLAN.

### **10.7 Development Staging**

Development proposals are to be consistent with the Masterplan and the staging strategy shown in MAP 3.

#### **Objectives**

Development staging strategy aims to:

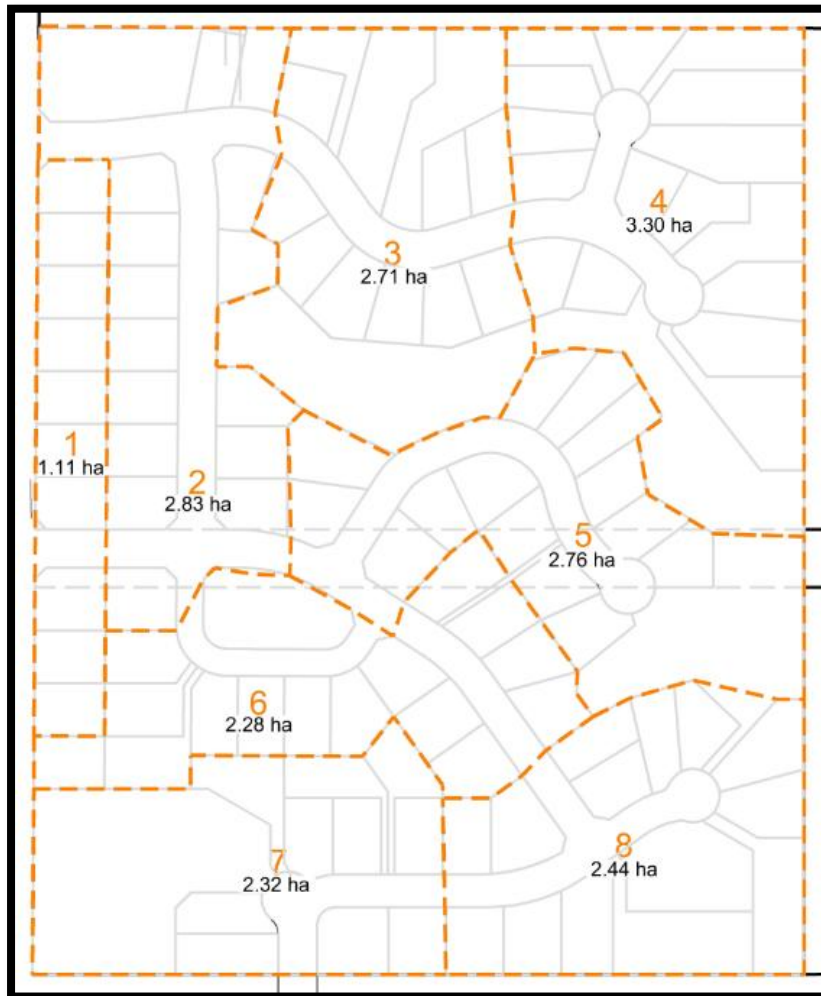
1. Enable the gradual release of land to meet the housing needs of the Glen Innes area.
2. Enable the progressive provision of internal road, sewer and water reticulation connections.
3. Enable the progressive provision of stormwater detention measures.

#### **Controls**

1. Development is to occur in logical stages, generally as shown in MAP 3.



MAP 3 – STAGING STRATEGY



STAGE NUMBER

**Note: Each 'Stage' is generally representative of the logical gradual release of land to meet demand.**

**'Stages' form the approximate boundaries for land parcels that may be subdivided into 'development lots' subject to the inclusion of appropriate easements for the extension of services and road corridors and restrictive covenants to ensure dwellings or other structures are not located to the detriment of the Masterplan lot layout.**

## 10.8 Development Principles

Development proposals are to be consistent with the Masterplan and the following Development Objectives and Principles:

### Objectives

- Provide a variety of low density lot sizes to facilitate housing diversity and to meet the housing needs and choice for rural character living within a residential environment.
- Ensure that urban form is site-responsive, particularly to the topography and environmental constraints of the land.
- Strengthen local character and identity and promote a sense of community through shared passive recreation and open space reserves.

### Principles

- to create a road and lot layout suitable for low density detached residential housing;
- to retain and enhance existing stands of trees as remnant native vegetation;
- to provide access to reserve areas to provide the community with green spaces and natural areas;
- to show appreciation of the rural setting;

- to achieve an integrated approach in the use of both exotic and native trees by retaining stands of native trees in reserves, whilst using the 'New England' style of tree planting for street tree planting;
- to enhance and frame views from the site;
- to reflect the character of the broader Glen Innes setting;
- to integrate stormwater management into landscape approaches for the site;
- to create a landscape of a high visual amenity with a distinct landscape character;
- to provide for pedestrian/cycle accesses through reserves;
- to consider the use of the site rock as a natural resource and to utilise it in the landscape;
- to consider the interface between residential lots and the adjacent reserves; and
- to utilise plant species with a low water requirement and longevity.

**Note: A detailed Visual Assessment and Landscape Masterplan Report prepared by Jackie Amos Landscape Architect, November 2014 (Issue C) is held by Glen Innes Severn Council and is available at [www.gisc.nsw.gov.au](http://www.gisc.nsw.gov.au) .**

## 10.9 Natural Environment

Most of the remnant native vegetation within the release area is identified (Ecological Australia 2014) as White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland TEC. Two small areas of Ribbon Gum-Mountain Gum-Snow Gum Grassy Forest Woodland EEC are present within the site.

**Note: A detailed Flora and Habitat Assessment Report prepared by Ecological Australia (June 2014) is held by Glen Innes Severn Council and is available at [www.gisc.nsw.gov.au](http://www.gisc.nsw.gov.au) .**

### **Objective**

The retention and conservation of 'Native Over-storey and Understorey' areas shown in MAP 3.

### **Controls**

1. When determining a DA, Council is required to consider the likely impacts of the development, including environmental impacts. To allow Council to form a view on these requirements the DA may need to be accompanied by an ecological assessment prepared by a suitably qualified consultant.

MAP 3 – VEGETATION COMMUNITIES



### 10.10 Residential Development

'Dwellings' and 'dual occupancies (attached and detached)' are permissible with consent in the R2 Low Density Residential zone.

#### Objective

Residential development is to be of a scale and character consistent with a low density residential environment.



### Controls

1. Density
  - a. Minimum site area per dwelling - 1 dwelling / 800 m<sup>2</sup>
  - b. Minimum site area per dual occupancy – detached – 1 dwelling / 600 m<sup>2</sup>
  - c. Minimum site area per dual occupancy (attached) - 1 dwelling / 600 m<sup>2</sup>
2. Setback

STREET	SIDE/REAR
6m to main frontage –if corner allotment 3m to secondary frontage.	Single storey – 900 mm (subject to compliance with the Building Code of Australia (BCA)) Walls greater than 3 m in height - 2 m

3. Height of buildings
  - a. Buildings must not exceed two storeys (8.5 m).
  - b. Detached dual occupancy – rear dwelling should not exceed one storey.

## 10.11 Servicing and Stormwater Strategy

### Objectives

- To incorporate best practice urban water management techniques relating to stormwater quality and quantity.
- Ensure that the provision and management of servicing is in accordance with “best practice” standards.

### Controls

1. Developers will be required to extend water and sewer infrastructure as identified in MAPS 5, 6 and 7.
2. Where services identified in MAPS 5, 6 and 7 are not in place, it will be the developer's responsibility to forward fund these services.
3. The existing dam is to be upgraded for stormwater detention and water quality purposes as part of any subdivision proposal after Stage 1 to Council's minimum standards.

## 10.12 Road and Cycleway Network

### Objective

Ensure that traffic management infrastructure results in the efficient and safe movement of people.

### Controls:

4. The Masterplan road and cycleway network is shown in MAP 8. It will be the responsibility of the developer to:
  - a. Extend local road access to the Masterplan identified road system.
  - b. Provide pedestrian and cycleway linkages relevant to each stage of development or as directed by Council.
  - c. Implement traffic calming devices at cycleway crossover points within the road network.
5. Cycleway paths are to be constructed by the developer undertaking the subdivision.
6. Cycleway paths will be constructed to Council's specifications.
7. Roads are to be designed and constructed to the specification shown in Table 1 Road Design Requirements.

**TABLE 1 – ROAD DESIGN REQUIREMENTS**

	Collector	Local	Minor Road (cul-de-sac)
Road Reserve Width	20m	15-16m	13.5-15m
Carriageway Width	9-11m	7-8m	5.5-7m
Verge Width - minimum	2 x 4.0m	2 x 4.0m	2 x 4.0m
Minimum Design Speed	50km/h	40km/h	40km/h
Bitumen Seal	YES	YES	YES
Kerb and Gutter	YES	YES	YES

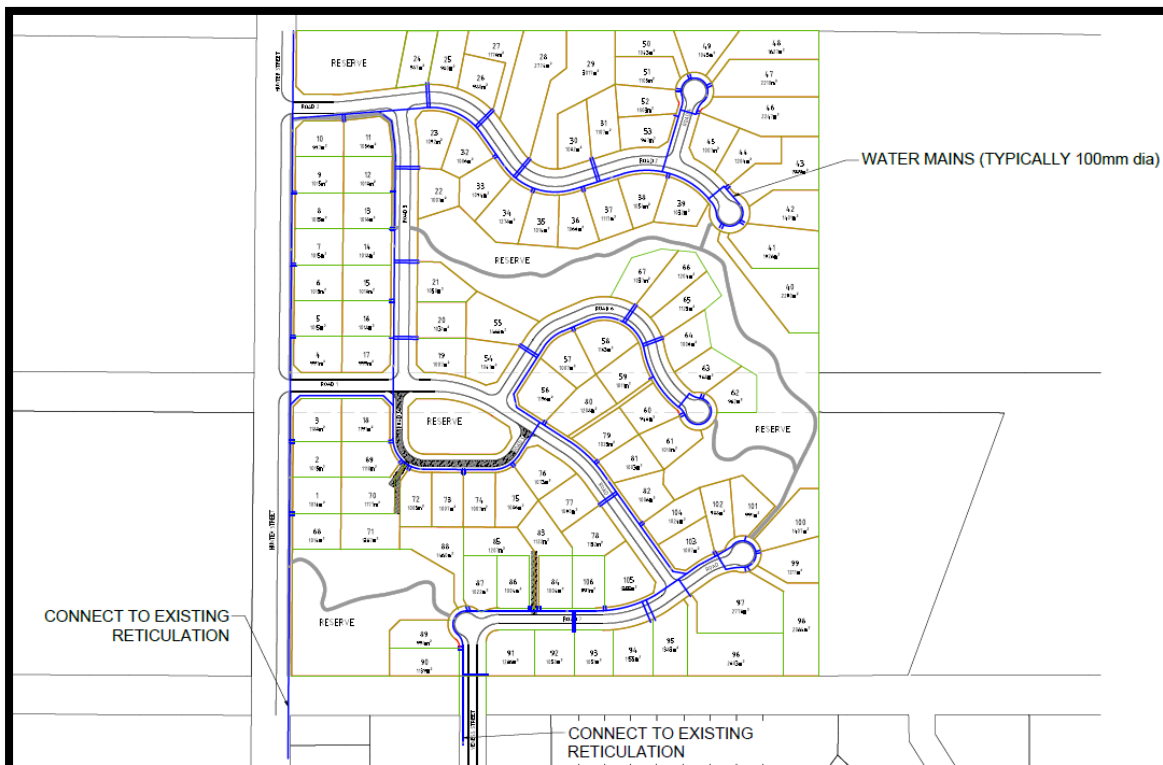
**Note:**

*Cycleway paths within the reserve areas may be as simple as a cleared track overlaid with compacted roadbase.*

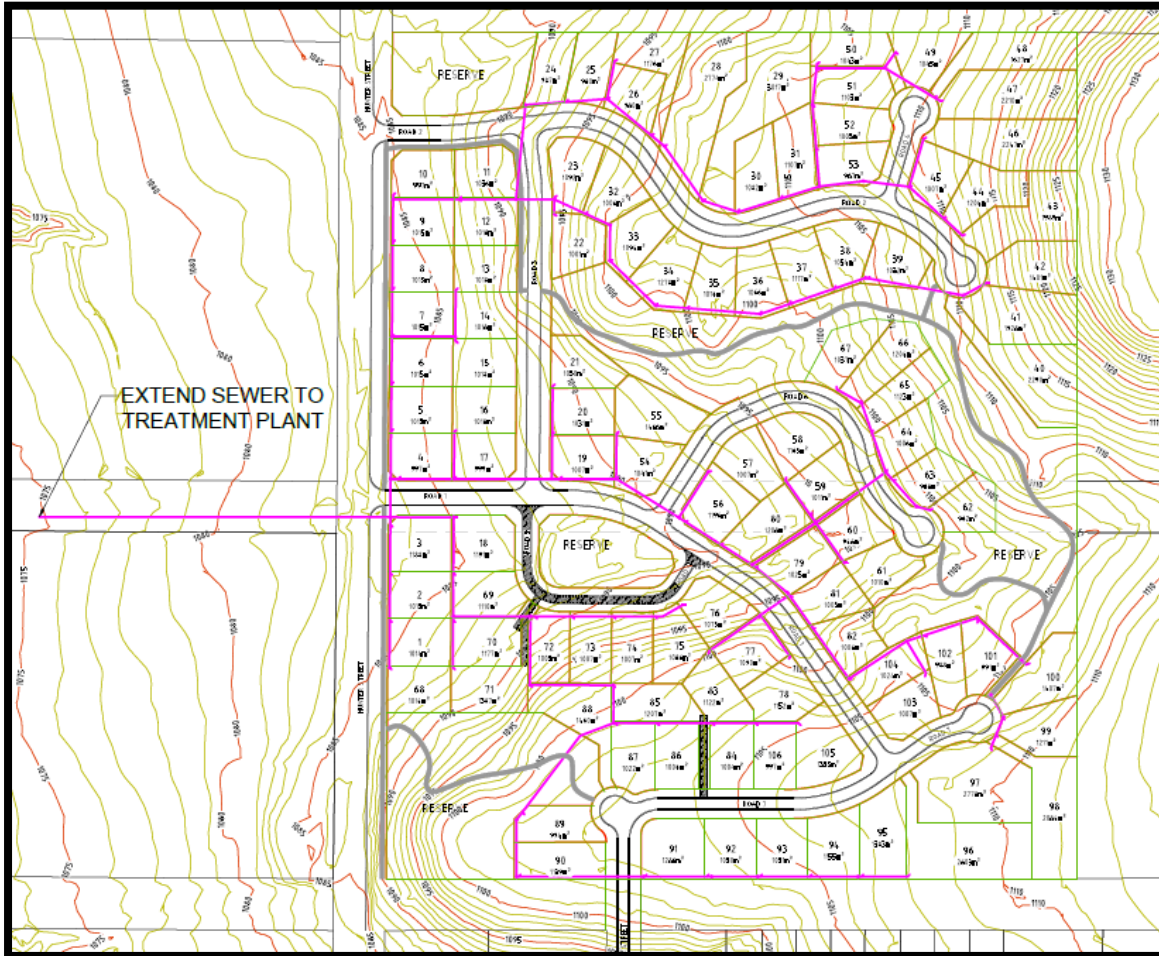
*Innovative, recreational bushland cycleways are preferred within the reserve areas.*

*Cycleway paths adjacent to the road reserve will be constructed to Council's specifications.*

**MAP 5 - WATER SERVICING PLAN**

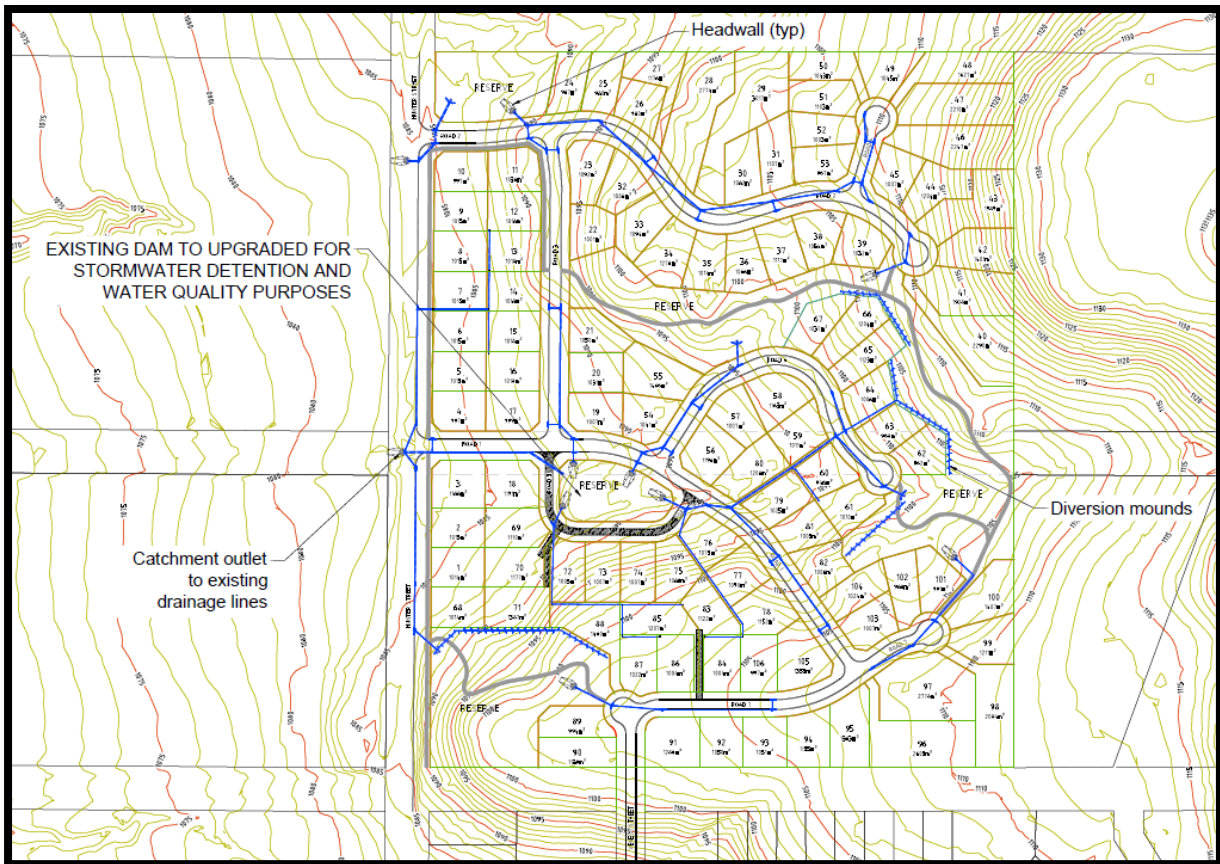


MAP 6 – SEWER SERVICING PLAN



**Note:** Detailed servicing, stormwater and overall concept subdivision layout plans prepared by deGroot & Benson, Consulting Engineers are held by Glen Innes Severn Council and are available at [www.gisc.nsw.gov.au](http://www.gisc.nsw.gov.au).

**MAP 7– STORMWATER PLAN**



**LEGEND**

DIVERSION BANK 

STORMWATER DRAINAGE PIPE 

**10.13 Drainage Reserves and Recreation**

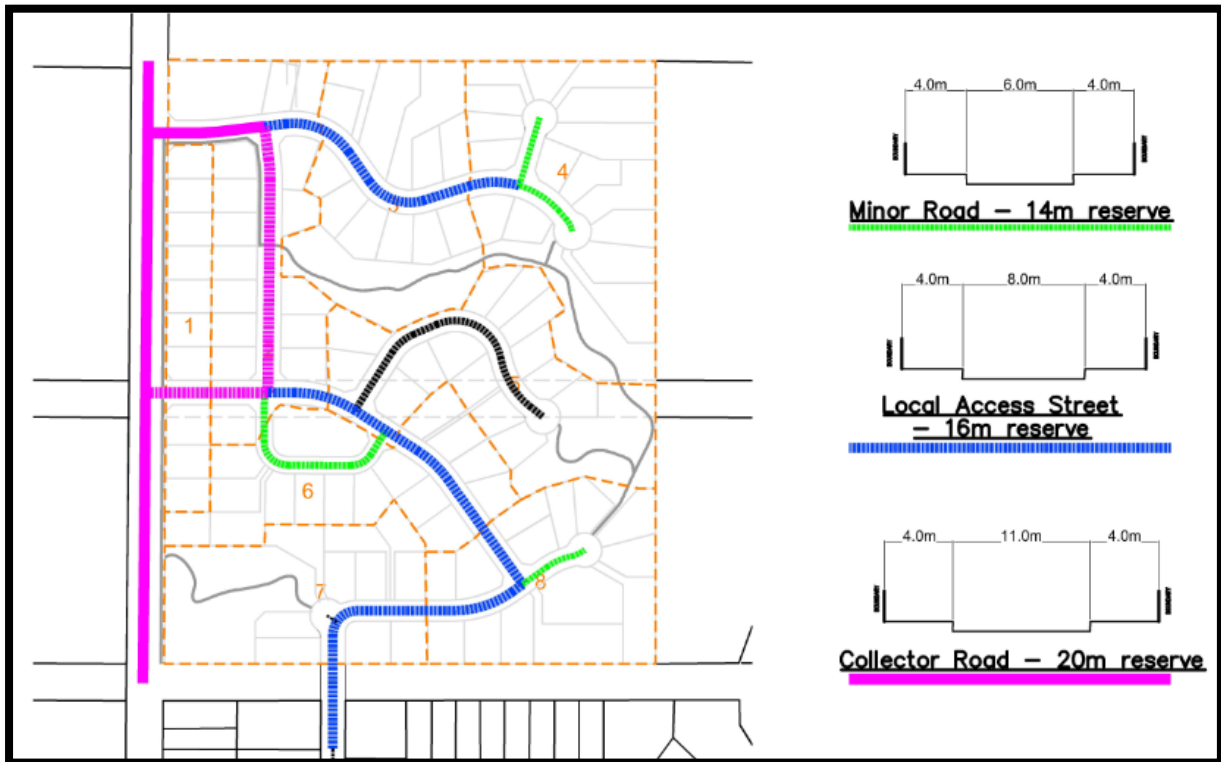
**Objectives**

- Ensure that neighbourhood open space areas are located within walking distance of all residences.
- Encourage passive recreation within open space (reserve) areas where it does not involve the removal of native vegetation and/or damage to the environmental values of the area.

**Controls**

1. Development proposals are to incorporate reserve areas as shown in MAP 2.
2. The drainage reserve shown in MAP 2 shall be dedicated to Council as part of the Stage 2 subdivision.
3. Reserved land shall be dedicated at no cost to Council.
4. Significant natives trees within the reserves are to be retained.

MAP 8 - ROAD AND CYCLEWAY NETWORK



Cycleway network

## 10.14 Street Trees and Entry Landscape

### Objectives

- Ensure that neighbourhood open space areas are located within walking distance of all residences.
- Encourage passive recreation within open space (reserve) areas where it does not involve the removal of native vegetation and/or damage to the environmental values of the area.
- Street tree planting will reflect the "New England" species and will provide Autumn colour and continue the existing character of Glen Innes streetscapes.

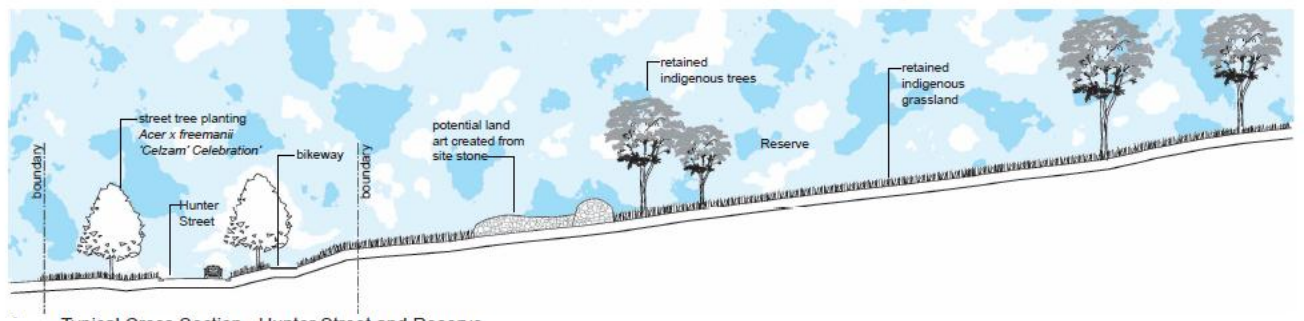
### Controls

1. An entry landscape is to be created at the intersection of Hunter Street and Road No. 1 in Stage One of the development that reflects the character of the site and its location. The entry may include rural style fencing, stone walling and feature tree planting. Entry details are to be provided with the development application for consideration by Council. Figure 1 provide examples of the type of entry detail that is considered suitable for the development.
2. Street trees are to be provided as follows:
  - a. Hunter Street - *Acer x freemanii* 'Celzam' Celebration (Red Maple) –refer Figure 1.
  - b. Southern entry road (Road No.1) - *Fagus sylvatica f. purpurea* (Copper Beech).
  - c. Northern entry road (Road No.2) - *Quercus palustris* (Pin Oak).

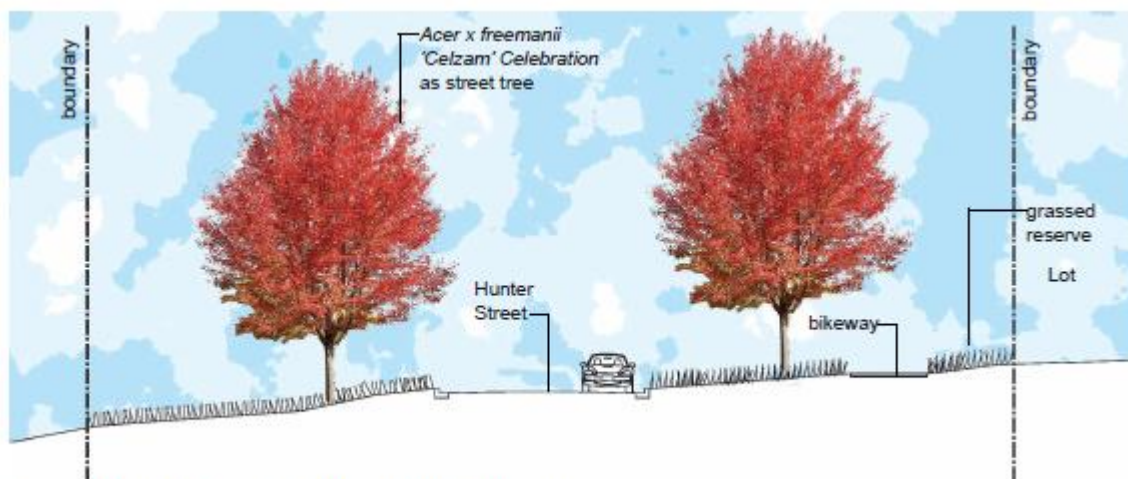


- d. North south road (Road No.3) is *Fraxinus 'pennsylvanica' 'Wasky' Skyward* (Green Ash).
- e. Road No.s 4, 5, 6 & 6 – *Pyrus calleryana Chanticleer* (Ornamental Pear), *Pistacia chinensis* (Pistacio), *Prunus cerasifera 'Nigra'* (Flowering Plum) or *Acer negundo 'Sensation'* (Box Elder).

FIGURE 1 – STREET TREES



Typical Cross Section - Hunter Street and Reserve



Typical Cross Section - Hunter Street

**Note: Street tree details are found in the Visual Assessment and Landscape Masterplan Report prepared by Jackie Amos Landscape Architect, November 2014 (Issue C) is held by Glen Innes Severn Council and is available at [www.gisc.nsw.gov.au](http://www.gisc.nsw.gov.au) .**



**FIGURE 2 - POST AND RAIL FENCING**



**STONE ENTRY FEATURES**



### **10.15 Fencing to lots adjacent to the reserves**

**Objective**

*To ensure that the reserves maintain a sense of being public land and not be used for rubbish dumping or for the storage of residential infrastructure.*

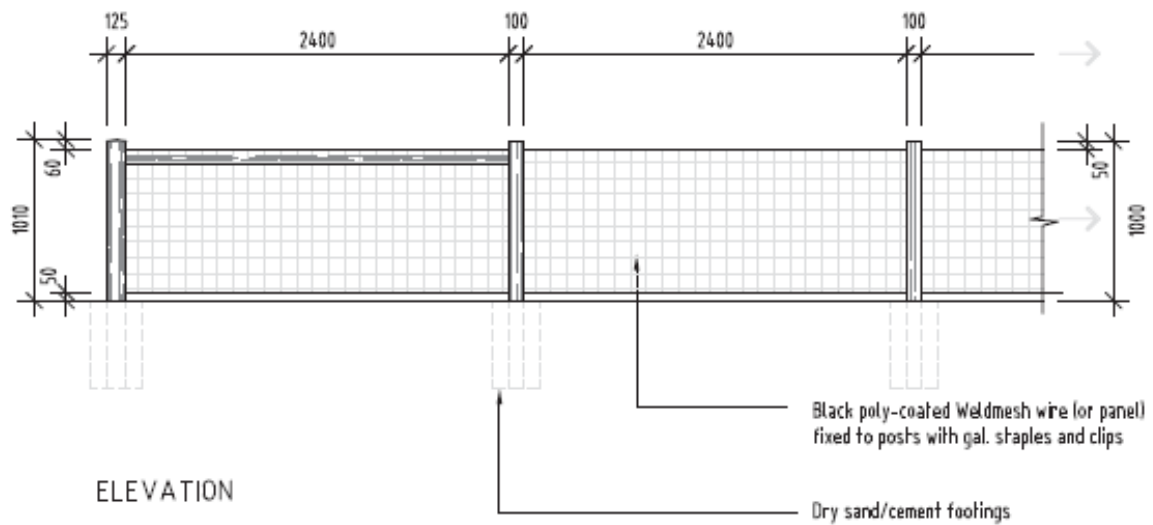
*To facilitate good neighbourhood surveillance of the reserve areas to ensure they are used for passive recreation.*

## Controls

1. The rear and side boundaries of lots that adjoin the reserve lots are to be fenced with a top and bottom railing with mesh to define the lot boundary, and to allow surveillance of the reserve. Subdivisions proposals are to include a Landscape Plan detailing the location and type of fencing to be used to achieve the objective.
2. Metal fencing (colourbond) is not permitted within the release area,

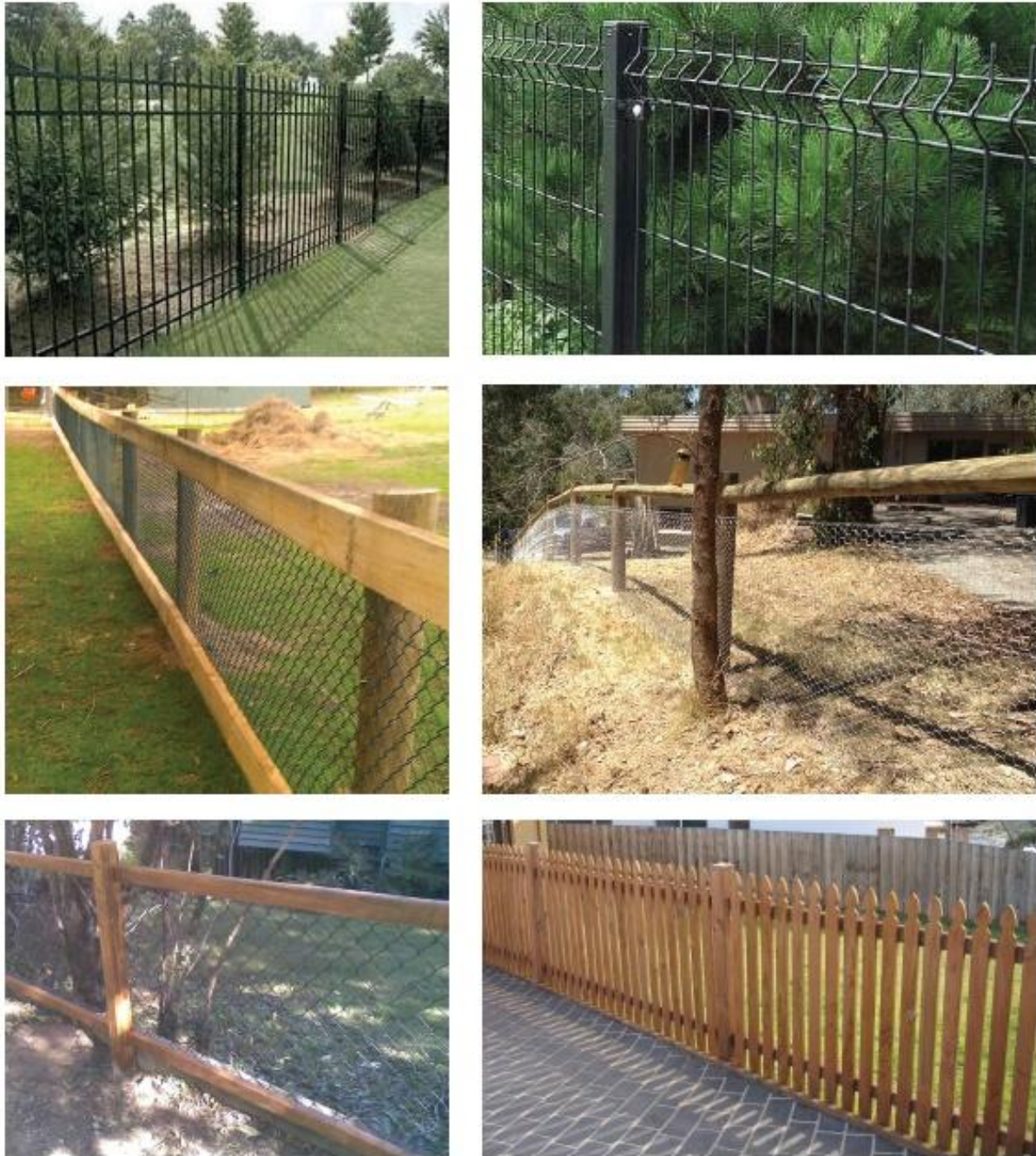
Figures 2 and 3 provide images of appropriate fencing.

**FIGURE 3 – FENCING**





**FIGURE 4 – PREFERRED FENCING**



rear fencing to lots backing onto reserves should have a 'permeable' character that maintains views into the reserve

### ***10.16 Potential Land Art***

Scattered basalt rocks are a natural feature of the site. Development of the site will result in earthworks for road construction and building construction and further disturbance to subsurface basalt rocks.

There is potential for rocks disturbed during the construction phase of development to be stockpiled and used in a site land art project in one of the reserves. Creating a land art project from site stone would provide a unique feature to reflect of the area's natural qualities. Stonework is a common site in the Glen Innes environs and a land art piece at this site would be in keeping with this character. Suggested land art forms are:

- non-functional piece of a scale relative to the reserve it was sited in.

- a functional piece such as walls or seats could be constructed, within a reserve, from site stone

Development proposals that include land art will be considered by Council. The following images provide potential ideas for a stone feature or land art.

**FIGURE 5 – LAND ART**



### 10.17 Variations

Minor variations to the Masterplan layout and controls listed in this DCP will be considered by Council under the following circumstances:

1. Lot shape, area and road locations may vary slightly subject to survey.
2. Alternative solutions must be justified in terms of:
  - a. Ensuring that later stages of development may occur generally as shown in the Masterplan; and
  - b. The principles and objectives of the DCP are met.

Significant variations to the Masterplan should be discussed at an early stage with Council's planning department. Significant variations may involve amendments to this chapter of the DCP and public exhibition.

### 10.18 Residential Development

'Dwellings' and 'dual occupancies (attached and detached) are permissible with consent in the R2 Low Density Residential zone.

#### **Objective**

Residential development within the Hunter Street urban release area is to be of a scale and character consistent with a low density residential environment.

#### **Controls**

1. Minimum site area per dwelling - 1 dwelling / 800 m<sup>2</sup>
2. Minimum site area per dual occupancy – detached – 1 dwelling / 600 m<sup>2</sup>
3. Minimum site area per dual occupancy (attached) - 1 dwelling / 600 m<sup>2</sup>



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# CHAPTER 11 – SHIPPING CONTAINERS

## 11.1 About this Chapter

Shipping containers are considered a 'building' under the EP&A Act and as such may require development consent unless the development is Exempt Development.

## 11.2 Where this Chapter applies

This Chapter applies to the Glen Innes Severn LGA.

## 11.3 Exempt Development

The State Environmental Planning Policy (Exempt and Complying Development) 2008 (the Code SEPP) has some exemptions from the requirement to obtain development consent for the placement of shipping containers. These exemptions relate to:

- Some farm buildings (see Subdivision 16 of the Code SEPP)
- Building site shed, office or associated structure (temporary) (see Subdivision 39 of the Code SEPP)

If the proposed shipping container development meets the development standards of the SEPP then development consent is not required.

If the proposal is not exempt development then development consent is required prior to the installation of any shipping and/or storage container on any land. A Development Application is required. In assessing an application, the following controls are applicable.

## 11.4 Controls

### General Standards (All zones)

- Containers must comply with the criteria specific to the zone of the property (below).
- Containers must not be located over water, wastewater or stormwater mains or dedicated drainage easements.
- Containers must not be located over effluent treatment disposal areas/systems.
- Containers must not be located over gas lines or underground power lines.
- Setbacks to overhead powerlines must comply with the requirements of the relevant electricity authority.
- Containers must be screened from the streetscape by suitable vegetation or other appropriate screening.
- Containers will not be permitted in flood prone areas.
- Containers must be painted a neutral colour to blend with the surrounding natural environment and built structures, with the proposed colour to be approved by Council.
- Containers must not be stacked.
- Containers will not be permitted in Heritage Conservation Areas or on lots containing a Heritage Item unless they are approved on a short-term basis (less than 2 years) in conjunction with an approved Development Application and Construction Certificate for specific works.
- Containers must not contain sanitary facilities or be used for the collection of rainwater.
- Containers must be placed on flat, solid ground. Any associated earthworks (cut & fill) must be in accordance with the [State Environmental Planning Policy \(Exempt and Complying Development\) 2008](#) (Subdivision 15 – Earthworks and retaining walls).
- Containers must not be used to store contaminated or hazardous materials.

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**For Residential, Village or Rural Residential zones:**

(R1 General Residential Zone, RU5 Village Zone, R5 Large Lot Residential Zone)

- A maximum of one (1) container with a maximum size of 12.2 m x 2.2 m (40 x 7 feet) per property.
- Containers must not be located within the front building setback (6 metres from the boundary facing a road). Note: This applies to both frontages for corner allotments.
- Containers must not be located forward of the building line on any parcel of land within the zone (building line being the setback associated with an existing dwelling erected on the property).
- Containers must not be located any closer than one (1) m from side and/or rear boundaries
- Containers must be located within any building envelope associated with the lot.
- Containers must be used for domestic storage purposes only.

**For Rural and Environmental zones:**

(RU1 Primary Production Zone, E3 Environmental Management Zone)

- A maximum of one (1) container per allotment is permissible if it is in accordance with Subdivision 16 of the Code SEPP. Additional containers require Development Consent.
- Containers must not be located within fifty (50) metres of the front, side or rear boundaries of a property and must comply with setback standards that apply to the particular parcel of land and be within any specified building envelope for that parcel.
- Containers must be used for domestic or agricultural storage purposes only.

**For Industrial zones:**

(IN1 and IN2 Industrial Zone)

- Containers being stored on industrial land for the purpose of re-sale or hire will not be required to meet all setback requirements provided they are not being used for storage or other purposes. If used for storage or other purposes, approval is required and the requirements of the Building Code of Australia (BCA) and the appropriate authority will apply.
- The placement and use of shipping containers in Industrial zones shall be dealt with on a case-by-case merit basis following submission of a Development Application.

**For Business zones:**

(B2 Local Centre Zone, B4 Mixed Use Zone, B6 Enterprise Corridor Zone)

- Containers will only be approved on a temporary basis, for a maximum of 12 months.
- Containers must not encroach upon any existing car-parking spaces.
- Containers will be assessed as a BCA Class 7 building and as such will be assessed for fire rating and essential services.



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# CHAPTER 12 – STATEMENT OF ENVIRONMENTAL EFFECTS REQUIREMENTS

## 12.1 What Is A Statement Of Environmental Effects?

A Statement of Environmental Effects (SEE) is a document that is to be submitted with your development application (DA) that puts forward reasons why the development is suitable for the area. The document should state what the impacts of the development are on the natural and built environment and how these impacts are going to be managed.

The SEE is your opportunity to tell Council how you have taken the environment into account when designing your proposal and why, if impacts do occur, they are acceptable. The matters listed below are not exhaustive and additional matters may be relevant to your proposal, depending on the type of development proposed and the constraints of the land.

## 12.2 Requirements

The [Environmental Planning and Assessment Regulation 2000](#) requires that a SEE must provide an assessment of the following matters:

- Environmental planning instruments and policies, including:
  - GISC LEP 2012
  - State Environmental Planning Policies \*
- the environmental impacts of the development;
- how the environmental impacts of the development have been identified;
- the steps to be taken to protect the environment or to lessen the expected harm to the environment;
- where development is likely to significantly affect threatened species, populations or ecological communities, or their habitats, a species impact statement is required to be submitted;
- BASIX certificate; and
- an assessment of those matters specified in clause 5A of the [Environmental Planning and Assessment Act 1979](#).

\*The following State Environmental Planning Policies are relevant to many local development proposals and if applicable, must be addressed in the SEE:

- [State Environmental Planning Policy No 44—Koala Habitat Protection](#)
- [State Environmental Planning Policy No 55—Remediation of Land](#)
- [State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)
- [State Environmental Planning Policy \(Infrastructure\) 2007](#)
- [State Environmental Planning Policy \(Rural Lands\) 2008](#)

Complex development proposals such as medium density residential development, commercial and industrial development requires consideration of the following issues:

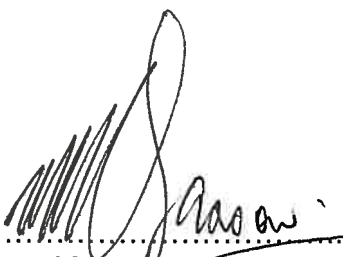
- Appropriateness of built form and landscape in relation to the site context, topography and urban character
- Building arrangement and their relationship to streets and open spaces
- Location, function and opportunities for casual surveillance of open space
- Personal privacy and security
- Energy efficiency in building design
- Heritage and conservation opportunities and constraints



## GLEN INNES SEVERN COUNCIL Development Control Plan 2014

<b>RESOLUTION NUMBER:</b> 23.02/15 24.09/14	<b>MEETING:</b> 26 February 2015 25 September 2014
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Refer to attached document.

  
.....  
General Manager

10 - 3 - 2015  
.....  
Date

Reference Number:	Version Number: 2 Date of Effect: 26/2/15	Review Date:	Responsible Officer: MRPS
Related Documents:			